

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Hazardous Site Control

ADDITIONS/CHANGES TO REGISTRY: SUMMARY OF APPROVALS

SITE NAME: 152ND STREET LANDFILL - HOOVER DEC I.D. NUMBER 932022

Current Classification 2 Volunteer Yes No
Sign (7) below

Activity: ☐ Add as Class ☒ Reclassify to 4 ☐ Delist Category ☐ Modify

Approvals:

1. Regional Hazardous Waste Engineer	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	<u>12/22/00</u>
2. BEEI of NYSDOH	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	<u>9/24/01</u>
3. DEE	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	<u>1/31/01</u>
4. <u> </u> Remediation Action Bureau Director [Class 2]	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	<u>J/A</u>
5. BHSC - Investigation Section	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	<u>2/23/01</u>
6. BHSC - O&M Section [Class 4]	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	<u>01/12/01</u>
7. BPM - Brownfield & Voluntary Cleanup Section					Date <u> </u>
8. Site Control Section					Date <u>10/2/01</u>
9. Director					Date <u>10/03/01</u>

Completion Checklist for Registry Sites

Completed By:

Initials

Date

OWNER NOTIFICATION LETTER?



10-18-01

ADJACENT PROPERTY OWNER NOTIFICATION LETTER?



11-5-01

ENB/LEGAL NOTICE SENT?
(For Deletion Only)



COMMENTS SUMMARIZED/PLACE IN REPOSITORY



FINAL NOTIFICATION SENT TO OWNER?
(For Deletion Only)





SITE INVESTIGATION INFORMATION

1. SITE NAME Hooker - 102nd Street Landfill		2. SITE NUMBER 932022	3. TOWN/CITY/VILLAGE City of Niagara Falls	4. COUNTY Niagara
5. REGION 09	6. CLASSIFICATION CURRENT [2] PROPOSED [4] MODIFICATION			
7. LOCATION OF SITE (Attach U.S.G.S. Topographic Map showing site location) a. Quadrangle Tonawanda West b. Site Latitude _43_4'_ 26" Site Longitude _78_57'_ 0" c. Tax Map Number(s) 174.07 - 1 - 2 d. Site Street Address 102nd Street, South of Buffalo Avenue, Niagara falls, NY 14302				
8. BRIEFLY DESCRIBE THE SITE (Attach site map showing disposal/sampling locations) The site is located east of Griffin Park along the bank of Niagara River. The site is listed in the EPA National Priority List. Hooker Chemical Company (later acquired by Occide orporation) used the site to dispose approximately 77,000 tons of hazardous waste. The disposal of hazardous wastes caused ground water contamination and migration of th contaminants into the Niagara River via ground water and storm water discharges. This caused the river sediments become contaminated in the embayment and other areas o river along the site. Federal and State suits were filed against Hooker in 1979. This site and the adjacent Olin 102 nd Street site were combined as a single site for listing on the National Priorities List. The two companies worked together on all remedial activities. The RI/FS was completed in 1990. The ROD was also issued in 1990 and later amended 1992 to incorporate remedy revision. The remedial design was finalized in 1995 and remedial construction started in 1996. The remedial construction was completed in 1999. US EPA approved the final close out report in October 2000. The main features of the remedy are containment of the landfill by a perimeter slurry wall and by capping on top, removal of contaminated offsite soil and river sediments and its consolidation under the cap, pump and treat of the contaminated ground water, relocation of the storm water dra restoration of aquatic plants in the embayment area. The landfill is currently under the long term operation and maintenance that includes pumping of leachate from the landfill to the Love Canal Treatment Facility for treatment before disposal into the City sewer. a. Area_16.5_ acres b. Completed: (x) Env. Property Assessment () PSA () SI () ESI () IRM (x) RI/FS (x) Construction (x) O&M () Other _____				
9. HAZARDOUS WASTE DISPOSED (Include EPA Hazardous Waste Numbers) F002 Chlorobenzene, F022 and F026 Tetra, penta & hexa Chlorobenzenes, F027 2,4,5 Trichlorophenol, K071 Brine sludge from mercury cells in the production of chlorine, K073 Chlorinated Hydrocarbon, P096 Phosphine, K043 2-6 Dichlorophenol, etc. including various other organic and inorganic industrial wastes.				
10. ANALYTICAL DATA AVAILABLE a. (x) Air (x) Groundwater (x) Surface Water (x) Sediment (x) Soil (x) Waste (x) Leachate (x) EPTox () TCLP b. Contravention of Standards or Guidance Values: The concentrations of the contaminants contravened the ground water standard. Also the guidance values of soil and sediments were contravened.				
11. CONCLUSION <i>The remedial action is complete and the containment system is in place. Contaminated off-site soils and contaminated sediments have been removed and contained on-site. Migration of contaminated ground water is being controlled. Leachate from the site is collected and treated at the Love Canal Treatment Plant before disposal. The US EPA has approved the final construction report and the effectiveness of the remedy is being monitored. Since the site is under long-term O&M, the reclassification to 4 is justified.</i> a. Institutional Controls (IC) Required? (x) Y () N b. If yes, identify Deed Restriction, Libra 2993, page 11, recorded January 25, 2000 c. Are these ICs in place and verified?				
12. SITE IMPACT DATA a. Nearest Surface Water: Distance _0_ ft. Direction South Class _____ A Special _____ b. Groundwater: Depth _5_ to 10 _____ ft. Flow Direction South () Sole Source () Primary () Other High-Yield Aquifer c. Water Supply: Distance 10,000 _____ ft. Direction _____ West _____ Active (x) Yes () No d. Nearest Building: Distance _500_ ft. Direction East Use Residential e. Documented fish or wildlife mortality? () Y (x) N h. Exposed hazardous waste? () Y (x) N f. Impact on special status fish or wildlife resource? () Y (x) N i. If proposed Classification is 2, Priority? () 1 () 2 () 3 g. Controlled Site Access? (x) Y () N EPA ID # _NYD980506810_ HRS Score _____				
13. SITE OWNER'S NAME Occidental Corporation, Contact: George W. Luxbacher Director and Project coordinator		14. ADDRESS Glenn Springs Holdings, Inc. 2480 Fortune Drive, Suite 300 Lexington, KY 40509		15. TELEPHONE NUMB (859) 543-2159
16. PREPARER <i>Anthony J. Sylvester</i> Signature Date Anthony J. Sylvester, Env. Spec. I, BHSC, DER Name, Title, Organization		17. APPROVED <i>Robert L. Marino</i> Signature Date Robert L. Marino, Director, BHSC, DER Name, Title, Organization		



STATE OF NEW YORK DEPARTMENT OF HEALTH

Flanigan Square, 547 River Street, Troy, New York 12180-2216

Antonia C. Novello, M.D., M.P.H., Dr.P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

September 24, 2001

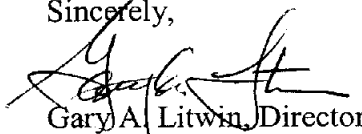
Mr. Dennis Farrar
Division of Environmental Remediation
NYS Department of Environmental Conservation
625 Broadway, Floor 11th Floor
Albany, NY 12233-7252

Re: Classification Packages
102nd Street Landfill (Hooker and Olin)
Site #932022 and #932031
Niagara Falls, Niagara County

Dear Mr. Farrar:

Staff reviewed the two classification packages for the 102nd Street Landfill Site in Niagara Falls, Niagara County. Based on that review, I understand that Occidental Chemical (formerly Hooker Chemical) and Olin Corporation worked cooperatively on remedial activities. Wastes, contaminated off-site soil and contaminated sediments are contained on-site, and long-term operation and maintenance is on-going. Furthermore, I understand that a deed restriction to prevent disruption of the remedy has been placed on both parcels by the respective owners. I concur with the proposal to reclassify these sites to a class 4 on the Registry of Inactive Hazardous Waste Disposal Sites. The signed decision forms are enclosed. If you have any questions, please call Mark VanValkenburg at (518) 402-7860.

Sincerely,

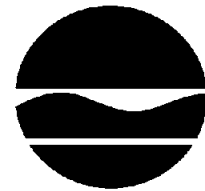


Gary A. Litwin, Director
Bureau of Environmental Exposure Investigation

Enclosures

cc: G.A. Carlson, Ph.D.
Mr. M. VanValkenburg/Ms. D. Hettrick/file
Mr. M. Forcucci – WRO
Mr. P. Dicky – NCHD
Mr. E. Belmore – DEC
Mr. D. King/Mr. A. Barkat – DEC Region 9

P:\Bureau\Sites\Region_9\NIAGARA\932022\102-REC.DOC



John P. Cahill
Commissioner

MEMORANDUM

TO: J. Swartwout Investigation Section
Remedial Bureau (Cl.2 only)
Regional Hazardous Waste Remediation Engineer
G. Rider, O&M Section (as needed)
A. Grant, DEE
A. Carlson, DOH, Bureau of Environmental Exposure Investigation

FROM: Dennis Farrar, Acting Chief, Site Control Section, BHSC, DER

SUBJECT: Review of Classification Package for Site # 932022
Hooker - 102nd. Street Landfill

DATE: January 26, 2001

The attached new "Registry Site Investigation Information Form" with supporting documentation is attached for your review and approval.

If acceptable, sign at the bottom of the form (Box #17) and return within 30 calendar days.

If unacceptable, please return with an explanation of your position in a separate memo or letter.

An important part of your review should include modifying, if necessary, the statement in Block 11 (Conclusion) for Classification Decision of the Investigation Form so that it can be used in all appropriate notification documentation (i.e., ENB, owner and adjacent property owner notification letter, and newspaper legal notice.

Please keep the supporting documentation for your records.

Attachment(s)

New York State Department of Environmental Conservation

Division of Environmental Remediation, Region 9

270 Michigan Avenue, Buffalo, New York, 14203-2999

Phone: (716) 851-7220 • FAX: (716) 851-7226

Website: www.dec.state.ny.us



MEMORANDUM

TO: Dennis Farrar, DER Albany
FROM: Dan King, DER, Region 9 *DK*
SUBJECT: Hooker-102nd Street Landfill Site # 932022, Olin-102nd Street Landfill Site # 932031
DATE: December 18, 2000

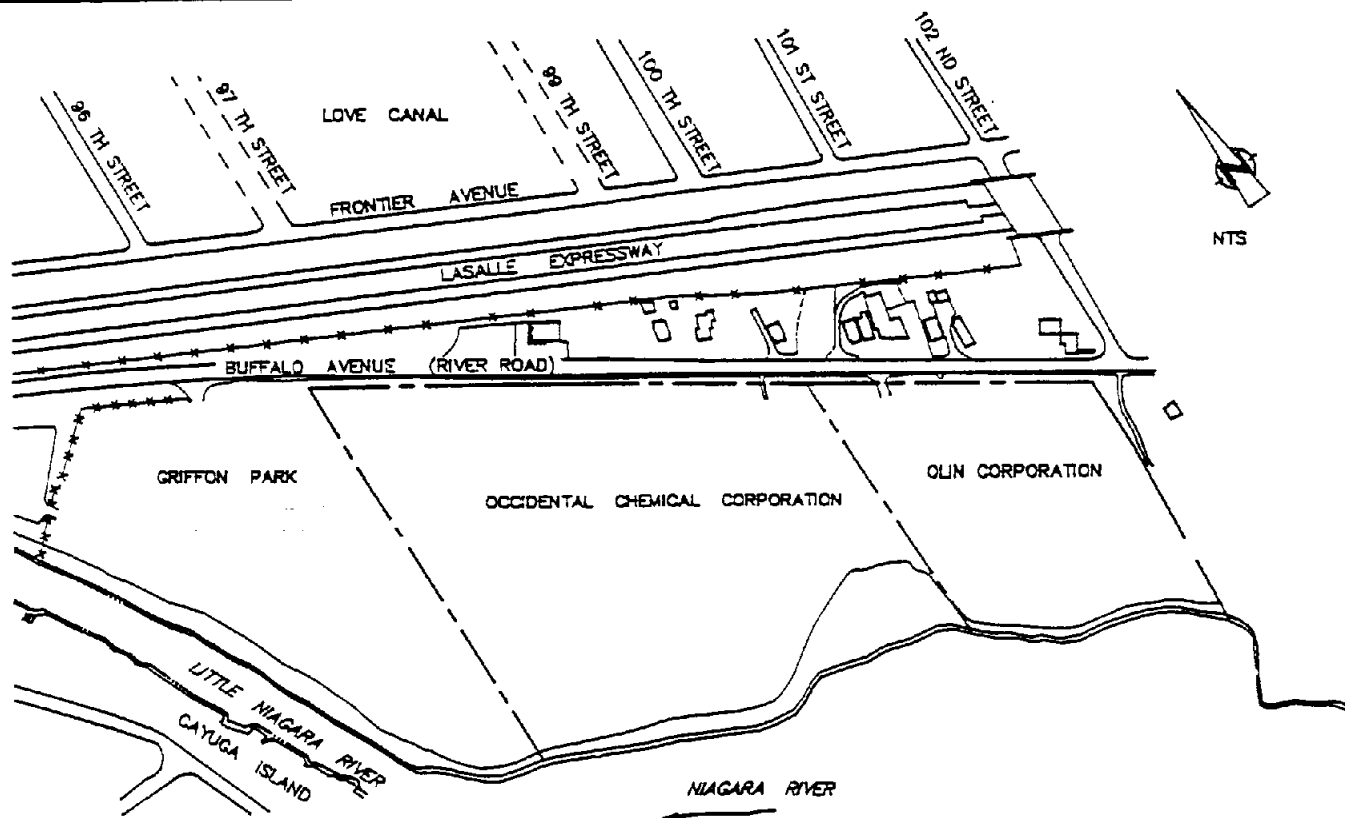
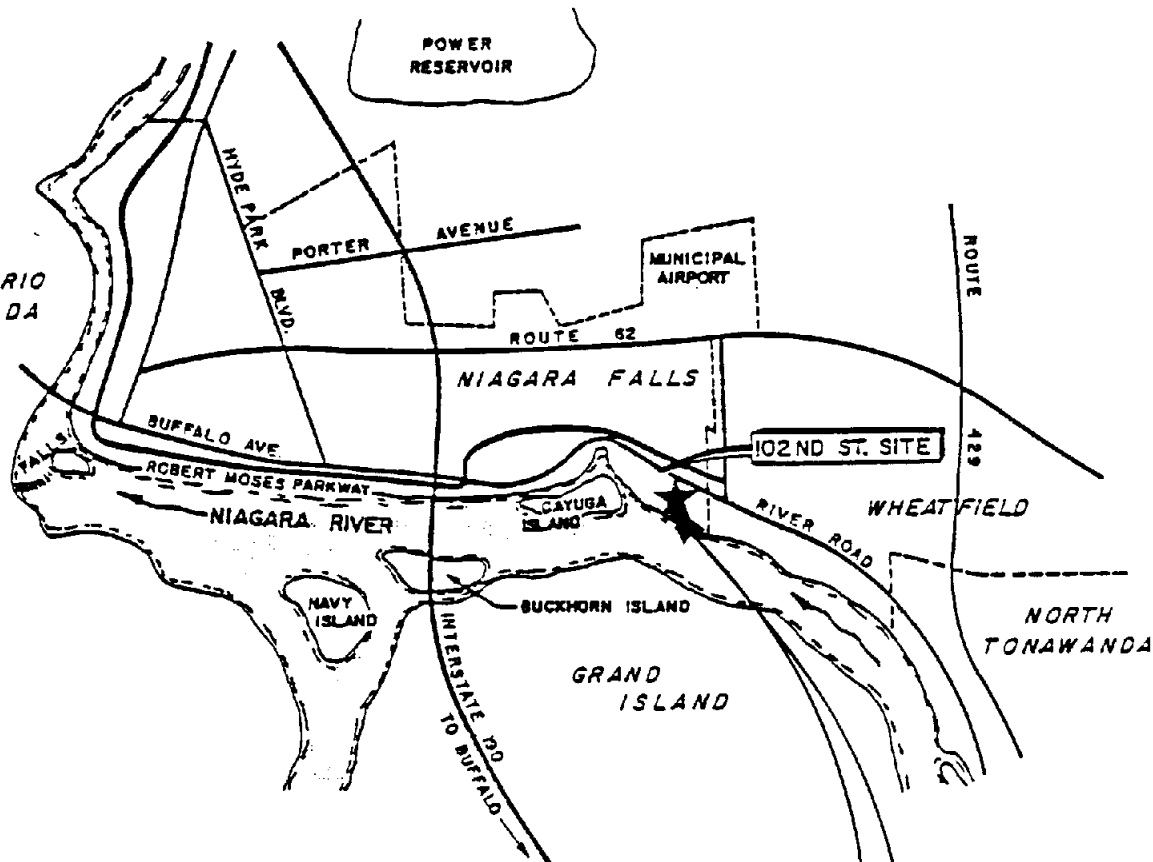
Enclosed for review and process is the reclassification package and supporting documents for reclassifying the subject sites from class 2 to class 4.

As the remedial action at the subject sites is complete, the US EPA has approved the Final Construction Reports, and the sites are under a long term O&M, the reclassification is justified. The reclassification package includes the following documents for each site:

- Site investigation Information
- Revised Registry Sheets
- Site Location Map and a copy of the front sheet of As Built Master Plan.
- US EPA approval letter
- Completion Certification
- Deed Restriction Papers

Should you have any questions, please contact Abul Barkat of this office.

ONTARIO
CANADA



SITE LOCATION

102nd Street Landfill Site

CRA/WCC

1431-13/07/88-47-D-1 (P-89)

15KJ

43

OCT 03 2000

Michael J. Bellotti
Environmental Remediation Group
Olin Corporation
P.O. Box 248
1186 Lower River Road
Charleston, TN 37310

George W. Luxbacher, P.E., PhD
Director and Project Coordinator
Glenn Springs Holdings, Inc.
2480 Fortune Drive, Suite 300
Lexington, KY 40509

Re: 102nd Street Superfund Site
Niagara Falls, New York
Final Close Out Report, Operable Units 1 and 2
Letter of Approval

Gentlemen:

This letter pertains to your original submittal dated August 13, 1999, wherein the Olin Corporation and Glenn Springs Holdings, Inc., acting on behalf of the Occidental Chemical Corporation, (collectively referred to as the "Companies"), forwarded to the U.S. Environmental Protection Agency (the "EPA") for the EPA's approval, the Final Close Out Report (the "Report") for Operable Units 1 and 2. The Report consists of seven volumes.

The EPA responded to your submittal of August 13, 1999, the Report, with its comments as contained in the EPA's letter dated July 11, 2000. The EPA also requested in its letter of July 11, 2000, that the Companies incorporate the contents of the EPA's comments into the Report and resubmit such revised Report (the "Revised Report") to the EPA for its approval. The revision of the Report by the Companies consisted of adding Volume 8. Therefore the Revised Report now consists of eight volumes.

This letter is to advise the Companies that the EPA has reviewed the Revised Report and that the EPA hereby issues its approval to the Revised Report.

RECEIVED

OCT 05 2000

NYSDEC - REG &
FOIL
X REL UNREL

If either of you has any immediate questions or comments on this matter, please contact Paul J. Olivo of my staff at 212-637-4280.

Sincerely yours,

Kevin Lynch, Chief
Western New York Remediation Section

cc: G. Kline - NYSDEC
D. King - NYSDEC/Region 9
A. Barkat - NYSDEC/Region 9 ✓
T. Robinson - NYSDEC/Region 9
G.A. Carlson - NYSDOH
N. Spiegel - NYSDOL
P. Olivo - USEPA
G. Shanahan - USEPA
J. Thornton - CRA Services

8.0 CERTIFICATION THAT REMEDY MEETS PERFORMANCE STANDARDS

NEW YORK STATE PROFESSIONAL ENGINEER'S CERTIFICATION FOR:

102nd STREET LANDFILL SITE
REMEDIAL ACTION REPORT

LANDFILL RESIDUALS, PERIMETER SOILS, SHALLOW GROUNDWATER, NON-AQUEOUS
PHASE LIQUIDS (NAPL), AND EMBAYMENT SEDIMENTS

OPERABLE UNITS 1 & 2

NIAGARA FALLS, NEW YORK

August 13, 1999.

Prepared by IT Corporation

This report documents the remedial action activities completed at 102nd Street Landfill Site. The action included remediation for the landfill residuals, perimeter soils, shallow groundwater, and non-aqueous phase liquids and the sediments in the Niagara River within 300 feet of the shore. I certify that the remedial action implemented for these activities was completed in substantial conformance with the requirements of the Remedial Design Documents, the ROD, ROD Amendment, and the Administrative Order. The data presented is considered to be technically correct to the best of my knowledge.

Charles Taylor, Jr. 8-13-99
Charles Taylor, State of New York Professional Engineer (073024)



OFFICE OF THE CLERK

COUNTY OF NIAGARA

WAYNE F. JAGOW, COUNTY CLERK

1100

COPY

County Courthouse, 175 Hawley Street, P.O. Box 461, Lockport, NY

1409

Phone (716) 439-7027

Fax (716) 439-7066

NIAGARA COUNTY CLERK RECORDING PAGE

INSTRUMENT 000494

TYPE

NOTICE AND
DECLARATION OF
RESTRICTIONS

NUMBER OF PAGES 7

RETURN John A. Pappano, esq.

TO: Phillips, Lytle, et al.

3400 HSBC Center

Buffalo, NY 14203

SPACE BELOW RESERVED FOR
COUNTY CLERK'S USE ONLY.#
REAL ESTATE TRANSFER TAX

\$

NIAGARA COUNTY

Parties:

1st part OCCIDENTAL CHEMICAL CORPORATION

2nd Part

MORTGAGE AMOUNT

\$

TAX

DISTRICT:

☐ Check if to be apportioned

MORTGAGE #

RECORDING TAX RECEIPT

BASIC \$

State of New York) as
County of Niagara)

ADDITIONAL \$

I do hereby certify that I have
Received on the within Mortgage, being
the amount of the Recording Tax
Imposed thereon & paid at recording.

SPECIAL \$

TOTAL \$

Dated this of 199

Recording on the 21 day of Janua

2000 at 1:15 o'clock P.m.

in Liber 2993 of Deeds

on page 11 and examined

[Signature]
Niagara County Clerk

Mortgage Tax Clerk of Niagara County

This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York

DO NOT DETACH

RECORDED
00 JAN 21 PM 1:15
NIAGARA COUNTY
CLERK'S OFFICE
LOCKPORT, N.Y.

**NOTICE AND DECLARATION
OF RESTRICTIONS**

THIS NOTICE AND DECLARATION OF RESTRICTIONS, made as of January 18, 2000, by OCCIDENTAL CHEMICAL CORPORATION, 5005 LBJ Freeway, P. O. Box 809050, Dallas, Texas 75380 ("OCC").

WITNESSETH:

000494 WHEREAS, OCC and OLIN CORPORATION, 501 Merritt 7, P. O. Box 4500, Norwalk, Connecticut 06850 ("Olin") are parties to a consent decree ("Decree") with the United States of America and the State of New York in the following entitled case ("Case"):

United States of America and The State of New York v.
Occidental Chemical Corporation, Olin Corporation and
City of Niagara Falls, New York (102nd Street Landfill),
United States District Court, Western District of New
York, Civil Action No. 79-987C;

WHEREAS, the Decree has been filed in the United States District Court of the Western District of New York, and was entered by the Court on October 1, 1999;

WHEREAS, OCC owns a portion of the real property on which the "102nd Street Landfill" is located in the City of Niagara Falls, New York, which 102nd Street Landfill is the "Site" that is the subject of the Decree;

WHEREAS, the "102nd Street Landfill" is described in the Decree and in attached Schedule A attached hereto and made a part hereof, which Schedule A also depicts the portion of the Site that is owned by OCC (the "OCC Piece");

WHEREAS, the United States Environmental Protection Agency ("EPA"), with the concurrence of the State of New York, selected a remedy for the 102nd Street Landfill embodied in the Record of Decision relating to the Site, as defined in the Decree;

WHEREAS, OCC and Olin have implemented the remedy at the 102nd Street Landfill and have agreed to impose use restrictions on their respective portions of the Site; and

WHEREAS, OCC wishes to provide notice to all future successors-in-title to the OCC Piece as required by Section 19 of the Decree.

NOW, THEREFORE, pursuant to and in accordance with the terms of the Decree, OCC hereby provides notice of the matters described in the recitals, above, and declares that the use of the OCC Piece, as described in attached Schedule A, shall be restricted as follows:

1. Groundwater beneath such real property shall not be extracted except as required for the implementation, operation and maintenance of the remedy at the 102nd Street Landfill.
2. There shall be no digging, excavation, construction or other activities that could or would interfere with, or adversely affect, the integrity of the landfill cap or any other engineering control implemented as part of the remedial action at the 102nd Street Landfill.
3. At least 30 days prior to the conveyance of any interest in any portion of the OCC Piece, including fee interests, leasehold interests, and mortgage interests, the party conveying the interest shall give the grantee written notice of (i) the Decree, (ii) the use restrictions imposed on such real property, (iii) any instrument by which an interest in such real property has been conveyed that confers a right of access to the 102nd Street Landfill ("access easements") pursuant to Section XII (Access and Institutional Controls) of the Decree, and (iv) any institutional

controls in the form of restrictive easements that have been filed with respect to the 102nd Street Landfill pursuant to said Section XII (Access and Institutional Controls).

4. At least 60 days prior to any such conveyance referred to above, the party conveying the interest shall also give written notice to EPA and the State of New York of the proposed conveyance, including the name and address of the grantee, and the date on which notice of the Decree, use restrictions, access easements, and/or restrictive easements was given to the grantee. If EPA or the State of New York requests, the party seeking to convey the property interest shall execute and record an easement in accordance with Paragraph 45(c) of the Decree, prior to the conveyance of any property interests.

5. The Restrictions shall be binding upon OCC and its grantees, successors and assigns, and shall run with the land.

6. This Notice and Declaration of Restrictions shall be recorded in the Niagara County Clerk's Office, and shall be indexed by the Niagara County Clerk against the name of OCC.

IN WITNESS WHEREOF, OCC has duly executed this Notice and Declaration of Restrictions as of the date first above written.

OCCIDENTAL CHEMICAL CORPORATION

By: *Keith C. McDole*

Name: Keith C. McDole

Title: Senior Vice President & General Counsel

STATE OF TEXAS]
] §
COUNTY OF DALLAS]

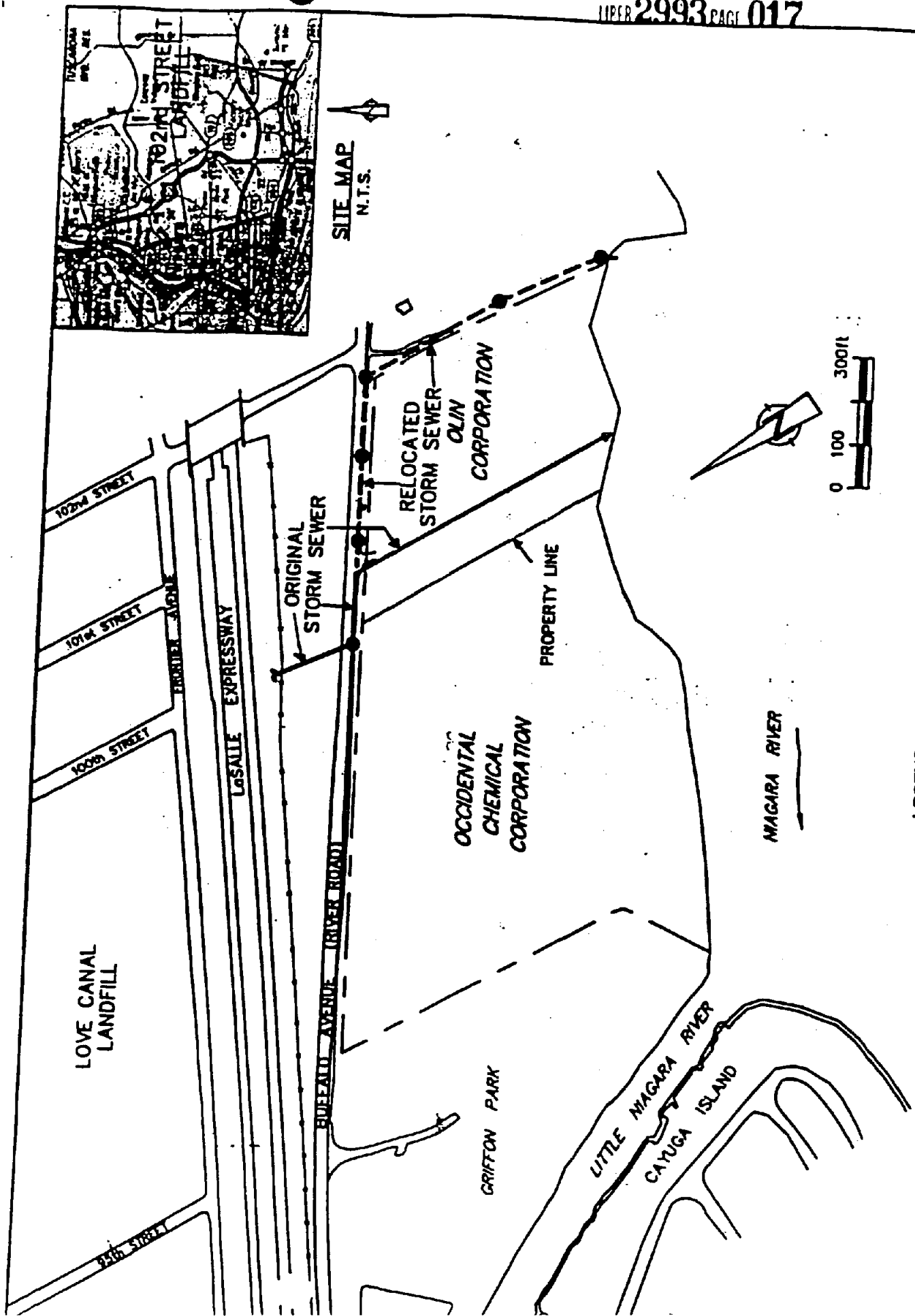
On the 18th day of January, in the year 2000 before me, the undersigned, personally appeared Keith C. McDole, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument; and that such individual made such appearance before the undersigned in the City of Dallas, Texas.



Sarah J. Almon
Notary Public

SCHEDULE A

The "102nd Street Landfill" means the area in the City of Niagara Falls, New York, which encompasses the landfill located in the southeast corner of the City of Niagara Falls consisting of a piece of property with a surface area of approximately 27 acres and designated by the "Landfill Boundary" shown on the map attached to this Schedule A as Appendix A and by the following property description: bounded on the north by Buffalo Avenue, on the east by undeveloped land, on the west by Griffon Park, and on the south by the Niagara River. The OCC Piece is the westerly portion of the 102nd Street Landfill labeled as "Occidental Chemical Corporation" on said map. The OCC Piece is comprised of parcels containing the following Niagara County Tax Map Numbers: Section 161.18 – Block 1 – Lot 34.2; Section 161.19 – Block 3 – Lot 1; Section 174.07 – Block 1 – Lot 1; Section 174.07 – Block 1 – Lot 2; and Section 161.19 – Block 3 – Lot 2.



APPENDIX A
Map of 102nd Street Landfill Site

LEGEND
--- LANDFILL BOUNDARY

DECLARATION FOR THE RECORD OF DECISION

Site Name and Location

102nd Street Landfill
Niagara Falls, New York

Statement of Basis and Purpose

This decision document presents the selected remedial action for the 102nd Street Landfill Site (the "Site"), located in Niagara Falls, New York. The remedial action was chosen in accordance with the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This decision document explains the factual and legal basis for selecting the remedy for the Site. The New York State Department of Environmental Conservation (NYSDEC) concurs with the selected remedy.

The information supporting this remedial action decision is contained in the administrative record for the Site.

Assessment of the Site

Actual or threatened releases of hazardous substances from the Site, if not addressed by implementing the response actions selected in this Record of Decision (ROD), may present an imminent and substantial threat to the public health or welfare, or to the environment.

Description of the Selected Remedy

The remedial actions described in this document address the three operable units (OUs) at the Site. The three OUs are:

OU-1: Landfill residuals including on-site fill, "off-site" soils, shallow ground water, and non-aqueous phase liquids (NAPL). (For purposes of this document, "off-site" soils are located on the triangular plot of land adjacent to the Site, north of Buffalo Avenue and south of the LaSalle Expressway, as well as on the areas immediately adjacent to the Site to the east and to the

west):

OU-2: River sediments within the shallow embayment of the Niagara River adjacent to the Site; and,

OU-3: The storm sewer which crosses the Site and discharges into the Niagara River.

The major components of the selected remedy include the following:

Capping of the Site

A synthetic-lined cap, constructed in accordance with federal and state standards, will be installed over the landfill and perimeter soils.

Consolidation of Soils

All off-site soils above cleanup thresholds, will be consolidated beneath the cap.

Erection of a Slurry Wall

A slurry wall, completely surrounding the Site's perimeter, will be constructed and keyed into the underlying clay/till geologic formation. The precise location of the slurry wall will be established through the use of geotechnical borings which will determine the extent of the NAPL plume. The NAPL plume will be contained by the slurry wall.

Recovery and Treatment of Ground Water

Ground water will be recovered using an interception drain installed at the seasonal low-water table in the fill materials. Recovered ground water will be treated. Although the recovery of ground water does include a treatment component, the primary function of ground-water recovery in general, is to create and maintain an inward gradient across the slurry wall.

Recovery and Treatment of NAPL

NAPL beneath the Site will be recovered using dedicated extraction wells, and will be incinerated at an off-site facility.

Embayment Sediments

The two areas of Niagara River sediments which contain elevated concentrations of contaminants ("hot spots"), will be dredged, and these highly contaminated sediments will be incinerated at an off-site facility. The remaining sediments will be dredged out to the "clean line" with respect to site-related contamination. These remaining sediments, after dewatering, will then be consolidated on the landfill. Any NAPL found within the

remaining sediments will be extracted, and will be incinerated at an off-site facility.

The primary focus of this remediation plan is to contain the NAPL plume with the slurry wall. In the event the slurry wall's initial positioning places it across the "hot spot" area(s), practicality may dictate that the wall be extended outward to enclose these "hot spots." In such case, these highly contaminated sediments, rather than being dredged and incinerated, would be left in place, that is, contained by the slurry wall, covered with fill, and finally covered with the cap. The remaining sediments beyond the slurry wall would still be dredged and consolidated beneath the cap.

Storm Sewer

The existing storm sewer will be cleaned, and a high density polyethylene (HDPE) plastic slipliner will be installed within the sewer. The annular space between the original pipe and the slipliner will then be pressure-grouted. Any NAPL found within the soils and/or sediments taken from the existing sewer will be extracted, and will be incinerated at an off-site facility.

Monitoring

Post-remedial monitoring shall be performed to determine the effectiveness of the remedial alternatives which have been selected.

Restriction of Access

A 6-foot high chain-link fence will be installed around the perimeter of the cap in order to restrict access to the Site.

Institutional Controls

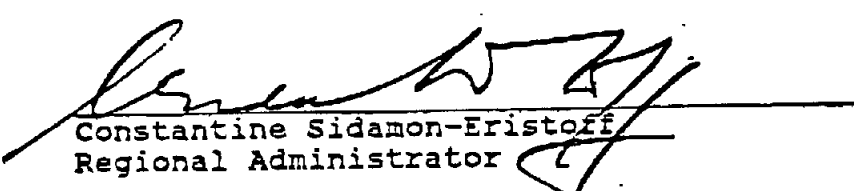
Institutional controls in the form of deed restrictions, or similar restrictions, on the future uses of the landfill, will be established.

Declaration of Statutory Determinations

The selected remedy is protective of human health and the environment, complies with federal and state requirements that are legally applicable, or relevant and appropriate to the remedial

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actions, and is cost-effective. This remedy utilizes permanent solutions and alternative treatment technologies to the maximum extent practicable for the Site. However, because treatment of the principal threats of the Site was not found to be practicable, this remedy does not satisfy the statutory preference for treatment as a principal element. Because the selected remedy will result in hazardous substances remaining on-site above health-based levels, a review will be conducted within five years after commencement of the remedial action to ensure that the selected remedy continues to provide adequate protection of human health and the environment.


Constantine Sidamon-Eristoff
Regional Administrator

September 26, 1990
Date

A. Sylvestro

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Hazardous Site Control, 11th Floor
625 Broadway, Albany, New York 12233-7014
Phone: (518) 402-9553 • **FAX:** (518) 402-9577
Website: www.dec.state.ny.us



NOV - 5 2001

This letter was sent to the people on the attached list.

Dear :

The Department of Environmental Conservation (DEC) maintains a Registry of sites where hazardous waste disposal has occurred. Property located at 102nd Street South of River Road in the City of Niagara Falls and County of Niagara and designated as Tax Map Numbers 174.07-1-1 and 174.07-1-2 was recently reclassified as a Class 4 in the Registry. The name and site I.D. number of this property as listed in the Registry is Hooker - 102nd Street Landfill, Site #932022.

The Classification Code 4 indicates the site has been properly closed – requires continued management.

We are sending this letter to you and others who own property near the site listed above, as well as the county and town clerks. We are notifying you about these activities at this site because we believe it is important to keep you informed.

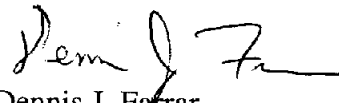
If you currently are renting or leasing your property to someone else, please share this information with them. If you no longer own the property to which this letter was sent, please provide this information to the new owner and provide this office with the name and address of the new owner so that we can correct our records.

The reason for this recent classification decision is as follows:

- The remedial action at this site is complete and the waste containment system is in place. The contaminated off-site soils and contaminated sediments have been removed and contained on-site. Migration of contaminated groundwater is being controlled. Leachate from the site is collected and treated at the Love Canal Treatment Plant before disposal. The USEPA has approved the final construction report and the effectiveness of the remedy is being monitored. Since the site is under long-term Operation and Maintenance (O&M), the reclassification to 4 is justified.

If you have questions, need additional information, or have information which you believe would be useful to us, please call the Department of Environmental Conservation's toll-free number: **1(800)342-9296**. The Department of Health maintains a Health Liaison Program (HeLP) toll-free number: **1(800)458-1158 Ext. 2-7530**.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis J. Farrar", with a stylized flourish at the end.

Dennis J. Farrar
Chief
Site Control Section

bcc: D. Farrar
J. Swartwout
P. Buechi, R/9
S. Doleski, R/9
M. Boice-Green, R/9
A. Sylvester
G. Litwin
L. Ennist

AS/srh

A. Sylvester

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Hazardous Site Control, 11th Floor
625 Broadway, Albany, New York 12233-7014
Phone: (518) 402-9551 • **FAX:** (518) 402-9577
Website: www.dec.state.ny.us



OCT 18 2001

George W. Luxbacher
Occidental Corporation
Glenn Springs Holdings, Inc.
2480 Fortune Drive, Suite 300
Lexington, KY 40509

Dear Mr. Luxbacher:

As mandated by Section 27-1305 of the Environmental Conservation Law (ECL), the New York State Department of Environmental Conservation (NYSDEC) must maintain a Registry of all inactive disposal sites suspected or known to contain hazardous waste. The ECL also mandates that this Department notify the owner of all or any part of each site or area included in the Registry of Inactive Hazardous Waste Disposal Sites as to changes in site classification.

Our records indicate that you are the owner or part owner of the site listed below. Therefore, this letter constitutes notification of change in the classification of such site in the Registry of Inactive Hazardous Waste Disposal Sites in New York State.

DEC Site No.: 932022
Site Name: Hooker - 102nd Street Landfill
Site Address: 102nd Street, South of River Road, Niagara Falls, NY 14304

Classification change from 2 to 4

The reason for the change is as follows:

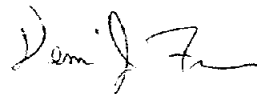
- The remedial action is complete and the containment system is in place. Contaminated off-site soils and contaminated sediments have been removed and contained on-site. Migration of contaminated groundwater is being controlled. Leachate from the site is collected and treated at the Love Canal Treatment Plant before disposal. The USEPA has approved the final construction report and the effectiveness of the remedy is being monitored. Since the site is under long-term Operation and Maintenance (O&M), the reclassification to 4 is justified.

Enclosed is a copy of the New York State Department of Environmental Conservation, Division of Environmental Remediation, Inactive Hazardous Waste Disposal Site Report form as it appears in the Registry and Annual Report, and an explanation of the site classifications. The Law allows the owner and/or operator of a site listed in the Registry to petition the Commissioner of the New York State Department of Environmental Conservation for deletion of such site, modification of site classification, or modification of any information regarding such site, by submitting a written statement setting forth the grounds of the petition. Such petition may be addressed to:

Erin M. Crotty
Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1010

For additional information, please contact me at (518) 402-9553.

Sincerely,



Dennis J. Farrar
Chief
Site Control Section

Enclosures

bcc: R. Marino
D. Farrar
J. Swartwout
A. Sylvester

w/Enc. (Copy of Site Report form only)

A. Grant
G. Litwin, DOH
S. Ervolina
A. Snyder, R/9
S. Doleski, R/9
P. Buechi, R/9
E. Belmore

AS/srh

Inactive Hazardous Waste Disposal Report

Site Name:	Hooker-102nd Street Landfill			Site Code:	932022
Class Code:	4	Region:	9	County:	Niagara
Address:	102nd Street, South of River Road			EPA Id:	NYD980506810
Latitude:	43 4' 26"	Longitude:	78 57' 0"	City:	Niagara Falls
Site Type:	Landfill			Zip:	14304
	Estimated Size:			16.5	Acres

Site Owner / Operator Information:

Current Owner(s) Name:	OCC, Glenn Springs Holdings Inc.		
Current Owner(s) Address:	2480 Fortune Drive, Suite 300	Lexington	KY 40509
Owner(s) during disposal:	Hooker Chemicals and Plastics Corp.		
Operator(s) during disposal:	Hooker Chemicals and Plastics Corp.		
Stated Operator(s) Address:	Buffalo Ave.	Niagara Falls	NY 14302
Hazardous Waste Disposal Period:	From 1943	To 1971	

Site Description:

This site is located east of Griffon Park along the Niagara River. In 1972, Hooker constructed a dike along the river to prevent erosion of materials from the site. A clay cap was added in 1974 to reduce infiltration of rainwater. Initial hydrogeologic and chemical investigations were conducted by Hooker. Federal and State suits were filed against Hooker in 1979. Negotiations with OCC led to the development of an acceptable work plan for a Remedial Investigation of the site. This site is listed on the EPA National Priorities List.

The Remedial Investigations were started in September 1985 and completed in 1988.

In January 1989 the Stipulations and Decree was signed by Occidental Chemical and the Government, which required Occidental to conduct the Feasibility Study for remediation of the site. The Feasibility Study was completed in early 1990 and the Record of Decision (ROD) was issued for the cleanup of the site in September of 1990. Main features of the 30 million dollar selected remedy for the cleanup include containment of the main landfill, construction of a slurry wall, capping, pump and treat, removal of contaminated river sediments and off-site soil, re-routing the storm sewer and long term monitoring. In 1991, EPA issued a 106 Administrative Order to OCC and Olin for design and implementation of the remedy. The detailed design was finalized in 1995. The field work for the selected remedy began in April 1996 and was completed in 1998. The remedial design was latter modified to treat the leachate from the site at the Love Canal facility. The leachate force main and the related facilities were completed in early 1999. The landfill has been dewatered and long-term Operation and Maintenance (O&M) including the operation of the pump and treat system has begun.

Confirmed Hazardous Waste Disposal:

organic phosphites, sodium
hypophosphite, inorganic phosphates,
BHC cake (includes lindane), chlorobenzenes,
misc. chlorinated organics, brine sludge, and
gypsum

Quantity:

77,000 tons

Analytical Data Available for:	Air	Groundwater	Surface Water	Soil	Sediment
Applicable Standards Exceeded in:	Groundwater Drinking Water				
Geotechnical Information:	Depth to				
Soil/Rock Type:	Fill over alluvial silt,sand and gravel.				
	Groundwater: Range: 5 to 10 feet.				
Legal Action: Type:	State	Settlement	Federal	Settlement	Status: Order Signed
Remedial Action:	Complete Nature of action: Remedial Construction.				

Assessment of Environmental Problems:

The remedial action has stopped the contaminant migration to the Niagara River. Long-term O&M which includes the pump and treat system will insure that there are no more environmental problems associated with this site.

Assessment of Health Problems:

Public exposures to contaminated groundwater are not expected because area residents are served with public water. Contaminated river sediments have been removed and there is no indication that site-related chemicals have bioaccumulated in Niagara River fish. Since contaminated off-site soil from the site perimeter and north of Buffalo Avenue have been excavated and brought on-site, potential public exposures to these contaminated soils have been eliminated. The site is fenced on the three land-bound sides of the site, minimizing potential on-site public exposures. The remedy will minimize the potential for future public exposures by containing the wastes on-site. Users of the riverside walkway will not be exposed to the contained and capped wastes.