



Division of Environmental Remediation

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**Record of Decision**  
**Carborundum Global Site**  
**Operable Unit No. 3**  
**Town of Niagara, Niagara County, New York**  
**Site Number 9-32-036**

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**August 2004**

# **DECLARATION STATEMENT - RECORD OF DECISION**

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## **Carborundum Global Inactive Hazardous Waste Disposal Site Operable Unit No. 3 Town of Niagara, Niagara County, New York Site No. 9-32-036**

### **Statement of Purpose and Basis**

The Record of Decision (ROD) presents the selected remedy for Operable Unit #3 of the Carborundum Global site, a Class 2 inactive hazardous waste disposal site. The selected remedial program was chosen in accordance with the New York State Environmental Conservation Law and is not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan of March 8, 1990 (40CFR300), as amended.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for Operable Unit #3 of the Carborundum Global inactive hazardous waste disposal site, and the public's input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

### **Assessment of the Site**

Actual or threatened release of hazardous waste constituents from this site have been addressed by implementing the interim remedial measure identified in this ROD. The removal of contaminated soil from the site has significantly reduced the threat to public health and the environment.

This site does not present a current or potential threat to public health or the environment.

### **Description of Selected Remedy**

Based on the results of the Remedial Investigation and Interim Remedial Measure (IRM) for Operable Unit #3 of the Carborundum Global site, the NYSDEC has determined that No Further Action is necessary. As discussed in this ROD, IRMs and remedial actions for Operable Units # 1 and #2 have previously been completed. Therefore the Carborundum Global site will be re-classified to a Class 4.

### **New York State Department of Health Acceptance**

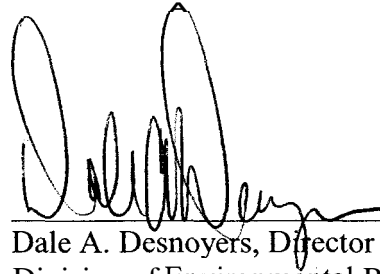
The New York State Department of Health (NYSDOH) concurs that the remedy selected for this site is protective of human health.

**Declaration**

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, **and** is cost effective- This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

AUG 23 2004

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Date



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Dale A. Desnoyers, Director  
Division of Environmental Remediation

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# RECORD OF DECISION

## Carborundum Global Site

### Operable Unit No. 3

Town of Niagara, Niagara County, New York

Site No. 9-32-036

August 2004

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## SECTION 1: SUMMARY OF THE RECORD OF DECISION

The New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), has selected this remedy for Operable Unit Three (OU#3) of the Carborundum Global site in the Town of Niagara. As more fully described in Sections 3 and 5 of this document, past plant operations resulted in the disposal of hazardous wastes, primarily trichloroethylene, at the plant site, some of which has migrated to a small adjacent off-site area. This off-site area has been identified as OU#3. These wastes at the plant site resulted in a significant threat to human health associated with potential exposure to the contaminated soil.

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the Carborundum Global site in response to the threats identified above. **An** IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation/feasibility study (RI/FS). The IRM undertaken at OU #3 in December 2002 consisted of contaminated soil removal with approved off-site disposal.

Previously, contaminated soils at the plant site (OU #1) and impacted groundwater resulting from this contamination (OU #2) were addressed through implementation of an IRM for OU #1 and issuance and implementation of a Record of Decision (ROD) in October 2000. Details of OU #1 and OU #2 remedial actions are described in Section 3.2.

Based on the implementation of the above IRM, OU #3 does not pose a threat to human health or the environment, therefore No Further Action was selected as the remedy for OU#3. The NYSDEC will reclassify the Carborundum Global site to a Class 4 site on the New York State Registry of Inactive Hazardous Waste Disposal Sites. Class 4 is assigned to a site when it is properly closed but continued management is required.

The selected remedy, discussed in detail in Section 6, is intended to attain the remediation goals identified for this site in Section 6. The remedy must conform with officially promulgated standards and criteria that are directly applicable, or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, criteria and guidance are hereafter called SCGs.

## **SECTION 2: SITE LOCATION AND DESCRIPTION**

The former Carborundum Global facility is a 5 acre active manufacturing plant located in the Town of Niagara at the intersection of Hyde Park Boulevard and Rhode Island Street. (Please see Figure 1) There are residential communities to the south and east of the site and mixed industrial properties to the north. Hyde Park Boulevard, which is the boundary between the Town of Niagara and the City of Niagara Falls, is immediately to the west. A mixed commercial and residential use is located on the City's side of Hyde Park Blvd. The Carborundum Global site is a Class 2 site and is on the New York State Registry of Inactive Hazardous Waste Disposal Sites (site #932036). Two other inactive hazardous waste disposal sites are nearby. The Union Carbide (site #932035) is a Class 4 site that has been properly closed but requires continued operation, maintenance, and/or monitoring. The Vanadium Site (site #932001) is a class 2 site at which hazardous waste constitutes a significant threat to human health and /or the environment. Two IRMs have been completed at the Vanadium site and a Remedial Investigation/Feasibility Study (RI/FS) study is underway.

An operable unit (OU) represents a portion of the site remedy that for technical or administrative reasons can be addressed separately to eliminate or mitigate a release, threat of release or exposure pathway resulting from the site contamination. Three operable units have been established to address contamination issues at the Carborundum Global site and include:

- OU #1 - plant site soil
- OU #2 - groundwater
- OU #3 - off site soil

OU #3, the subject of this PRAP, consists of a less than 0.5 acre area east of the facility where site related soil contamination was found. The site is unused and covered with gravel, crushed stone and weedy growth. (Please see Figure 3)

## **SECTION 3: SITE HISTORY**

### **3.1 : Operational/Disposal History**

The Carborundum Company purchased the plant from the Global Company in 1936 and manufactured heating elements and electronic components from silicon carbide. The Carborundum Company was purchased by BP America and the Global facility was subsequently sold to CESIWID, Inc. in 1993. CESIWID Inc. has since sold the plant to Kanthal-Global which continues to produce similar products. BP America retained the responsibility for pre-existing conditions when they sold the facility to CESIWID.

In 1993, the Carborundum Company completed a Preliminary Site Assessment of the facility to determine if hazardous wastes had been disposed at the site. The study found the presence of hazardous waste resulting from past spills and leaks from bulk chemical storage generally located in the gravel topped portion of the former storage area of the plant site. (Please see Figure 2) Historical releases in this area have contaminated site soils and underlying groundwater.

### **3.2: Remedial History**

In 1990, the NYSDEC first listed the site as a Class 2a site in the Registry of Inactive Hazardous Waste Disposal Sites in New York (the Registry). Class 2a is a temporary classification assigned to a site that has inadequate and/or insufficient data for inclusion in any of the other classifications. Upon collection and assessment of additional site data, the NYSDEC listed the site as a Class 2 site in the Registry of Inactive Hazardous Waste Disposal Sites in New York in 1992. A Class 2 site is a site where hazardous waste presents a significant threat to the public health or the environment and action is required.

In October 2000 a Record of Decision was issued that summarized the investigations, IRMs and feasibility studies conducted at the site. The ROD also selected appropriate remedial actions for OU#1 and OU#2, and required the BP Company to investigate and if necessary, remediate OU#3.

No further action was selected as the remedy for OU#1 after the successful performance of a contaminated soil/source removal IRM that was completed in August 1999. For OU #2, Long Term Operation and Maintenance for Monitored Natural Attenuation was selected as the remedy for the groundwater. Semi-annual groundwater sampling and Annual Summary Reports indicate that effective natural groundwater remediation is being achieved.

In August 2001 an investigation was conducted at OU #3 to determine the extent and significance of the soil contamination in this off-site area. The investigation determined that soil contamination found in OU#3 was a result of past activities at the Carborundum plant site. In August 2002 an addendum to the original IRM (OU#1) work plan was prepared to continue contaminated soil removal in OU #3. In December 2002, the work plan addendum was implemented and the contaminated soil was excavated from OU #3 and properly disposed off site. Restoration of the OU#3 excavation included backfilling with clean earthen material, and gravel/crushed stone replacement.

### **SECTION 4: ENFORCEMENT STATUS**

Potentially Responsible Parties (PRPs) are those who may be legally liable for contamination at a site. This may include past or present owners and operators, waste generators, and haulers.

The Carborundum Company (now BP America) has been identified as the PRP for the site. The NYSDEC and the Carborundum Company entered into a Consent Order on September 9, 1995. The Order obligated the Carborundum Company to implement an RI/FS. The RI/FS Consent Order contained provisions for the performance of IRMs which were utilized to address the contamination found at the site. After issuance of the 2000 ROD the NYSDEC and BP America entered into a consent order to implement the long term Operation and Maintenance (O&M) for the groundwater element.

## **SECTION 5: SITE CONTAMINATION**

A remedial investigation (RI) was completed in February **2002** to assess the extent of soil contamination in OU#3. This was subsequent to a previous remedial investigation/feasibility study (RI/FS) conducted from 1997 to **2000** on the Carborundum Global plant site.

### **5.1: Summary of the OU#3 Remedial Investigation**

The purpose of the OU#3 RI was to define the nature and extent of any off-site contamination resulting from previous activities at the site. The RI was conducted between August 2001 and February **2002**. The field activities and findings of the investigation are described in the OU#3 RI report.

In August **2001**, the following activities were conducted during the OU#3 investigation:

- Installation of 20 soil excavation test pits for chemical analysis of soils as well as the physical properties of soil. (Please see Figure 4)

To determine whether the soils contain contamination at levels of concern, data from the investigation were compared to the following SCGs:

- Soil SCGs are based on the NYSDEC “Technical and Administrative Guidance Memorandum (TAGM) **4046**; Determination of Soil Cleanup Objectives and Cleanup Levels”. Site specific soil cleanup objectives and cleanup levels, based on soil carbon content, were calculated using the procedure found in TAGM **4046**. Through laboratory analysis, the carbon content of OU#3 soils was determined to be 1.4%, compared to the TAGM default value of 1.0%. Based on these findings, site specific soil cleanup objectives for the OU#3 IRM were calculated and are provided in Table 1.

Based on the RI results, in comparison to the SCGs and potential public health and environmental exposure routes, soil in OU#3 required remediation. More complete information can be found in the OU#3 Remedial Investigation Report.

#### **5.1.1: Site Geology and Hydrogeology**

The geology in the area of OU#3 generally consists of Glaciolacustrine sediments and glacial till 17-32 feet in thickness overlying Middle Silurian Dolostone bedrock of the Lockport Dolomite.

Soil conditions encountered during the test pit excavations were reasonably consistent across the OU#3 investigation area. Site surface soils consisted of crushed stone mixed with medium grain sand. Fill material consisting of sand and gravel was encountered from the surface to a depth of approximately 1.5 feet below ground surface. Reddish brown, mottled silty clay was encountered from approximately 1.5 to 14 feet below ground surface. Gray, wet plastic clay was encountered below 14 feet below ground surface.



Groundwater was present in both the glacial till (overburden) and underlying rock (bedrock) at the site. Saturated conditions were encountered at approximately 9 feet below ground surface. The water table in the vicinity of the site occurs at depths ranging from 3 to 7 feet below ground surface with perched conditions reported at the northeast edge of the site. Flow directions are southwesterly across the site for both overburden groundwater and the deeper bedrock groundwater.

As discussed further in Section 5.1.3, groundwater contamination in the OU#3 area is not significant nor a concern.

### **5.1.2: Nature of OU#3 Contamination**

As described in the OU#3 RI report, many soil samples were collected to characterize the nature and extent of contamination. As summarized in Table 1, the predominant category of contaminants found at the site were volatile organic compounds (VOCs). The following VOCs were detected at concentrations exceeding soil SCGs:

trichloroethene  
1,2 - dichloroethene

### **5.1.3: Extent of OU#3 Contamination**

This section describes the findings of the investigation for all environmental media that were evaluated.

Chemical concentrations are reported in parts per million (ppm) for soil samples. For comparison purposes, where applicable, SCGs are provided for each medium.

During the performance of the 1999 IRM for OU #1, a portion of plant site contaminated soil could not be excavated along the eastern property line due to slope stability concerns and the lack of an access agreement with the adjacent property owner. Given that this area is adjacent to OU #3, it was included as part of the investigation and remediation activities at OU#3.

Table 1 summarizes the degree of contamination for the contaminants of concern in the soil and compares the data with the SCGs for the site. The following are the media which were investigated and a summary of the findings of the investigation.

#### **Surface Soil**

Surface soil samples (0-2 inches deep) were collected at 10 of the 20 test pit locations. Laboratory analysis of the surface soil samples did not indicate the presence of site related contaminants that exceeded the soil cleanup objectives (TAGM 4046).

#### **Subsurface Soil**

Based on field observations, two soil samples were collected from each test pit and submitted to a testing laboratory for analysis for site related contaminants. Trichloroethene was detected in two test

pits (21 ppm at TP-6 from 14.5 to 16.5 feet zone and 2.4 ppm at TP-10 from 10.5 to 13.5 feet zone); and 1,2-Dichloroethene was also detected in two test pits also (0.58 ppm in TP-5 from 10-12.5 feet zone and 0.79 ppm in TP-6 from 14.5 to 16.5 feet zone).

Results of the test pit excavation and soil sampling program indicated that soil from zero to 10 feet below ground surface did not contain contaminant concentrations above soil cleanup objectives. From 10 to 16.5 feet below ground surface concentrations of trichloroethene and 1,2-Dichloroethene exceeded these objectives. Below 16.5 feet, contaminants of concern did not exceed remedial objectives.

Based on these results, contaminated soil in OU #3 was estimated to be 1500 square feet in area, at depths from 10 to 16.5 feet below ground surface.

### **Groundwater**

Groundwater in the OU#3 excavation area is not a concern and was not evaluated as part of this remedial action. Groundwater for the site was addressed through the October 2000 ROD that selected Monitored Natural Attenuation as the remedy for OU#2, groundwater. Due to the ongoing natural attenuation occurring at the site and considering groundwater flow patterns, there does not appear to be any off-site groundwater contamination entering the site from the OU#3 area. This is confirmed by ongoing monitoring conducted as part of the OU#2 remedy where contaminant concentrations continue to decline.

#### **5.2: Interim Remedial Measures**

**An** interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the RI/FS.

The investigation conducted at OU#3 indicated that the extent of off-site contamination was limited and easily excavated and disposed. To address the off-site contamination in OU#3, BP America, proposed an IRM to excavate (Please see Figure 5) and dispose of the contaminated soil at an acceptable disposal facility. An IRM Work Plan Addendum was prepared by BP America and approved by the NYSDEC in August 2002. This Work Plan was an Addendum to the original IRM Work Plan prepared to address the on-site soils in OU#1. The IRM Work Plan for OU#3 was implemented in December 2002 and a final report documenting successful completion of the IRM was approved in February 2004.

In total 1918 tons of VOC contaminated soil was excavated from OU#3, tested and properly disposed off-site. The excavation was backfilled with clean earthen fill back to original surface grades. To document the effectiveness of this removal action, confirmatory samples (Please see Figure 6) were collected from the excavation and analyzed prior to backfilling. The results of this sampling are contained in Table 2.

### **5.3: Summary of OU#3 Human Exposure Pathways:**

This section describes the types of human exposures that may present added health risks to persons at or around the site.

An exposure pathway describes the means by which an individual may be exposed to contaminants originating from a site. An exposure pathway has five elements: [1] a contaminant source, [2] contaminant release and transport mechanisms, [3] a point of exposure, [4] a route of exposure, and [5] a receptor population.

The source of contamination is the location where contaminants were released to the environment (any waste disposal area or point of discharge). Contaminant release and transport mechanisms carry contaminants from the source to a point where people may be exposed. The exposure point is a location where actual or potential human contact with a contaminated medium may occur. The route of exposure is the manner in which a contaminant actually enters or contacts the body (e.g., ingestion, inhalation, or direct contact). The receptor population is the people who are, or may be, exposed to contaminants at a point of exposure.

An exposure pathway is complete when all five elements of an exposure pathway exist. An exposure pathway is considered a potential pathway when one or more of the elements currently does not exist, but could in the future.

At this site, contamination existed in subsurface soil and groundwater on the property, with some off-site impact in the OU#3 area. For a complete exposure pathway to occur, persons would have to come into contact with the subsurface soil or groundwater. The IRM implemented at the OU#3 off-site area removed the contaminated soil, thus eliminating a potential point of exposure and impact to off-site properties. Natural attenuation groundwater monitoring for residual groundwater contamination continues on-site. Since the use of the property will remain commercial/industrial for the foreseeable future, complete exposure pathways are unlikely to occur in the future. All homes and businesses in the area are served by public water.

### **5.4: Summary of Environmental Impacts**

This section summarizes the existing and potential future environmental impacts presented by the site. Environmental impacts include existing and potential future exposure pathways to fish and wildlife receptors, as well as damage to natural resources such as aquifers and wetlands.

No environmental impacts exist nor is there a potential for existing impacts. The IRM conducted on OU#3 removed all contaminated soil eliminating all existing or potential impacts.

## **SECTION 6: SUMMARY OF THE REMEDIATION GOALS AND SELECTED REMEDY**

Goals for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375-1.10. At a minimum, the remedy selected must eliminate or mitigate all significant threats to public health and/or the environment presented by the hazardous waste disposed at the site through the proper application of scientific and engineering principles.

Prior to the completion of the IRM described in Section 5.2, the remediation goals for this site were to eliminate or reduce to the extent practicable:

- exposures of persons at or around the OU#3 site to site related contaminants of concern in subsurface soil.

The NYSDEC believes that the IRM has accomplished these remediation goals.

Based on the results of the investigations at the site, the IRM that has been performed, and the evaluation discussed below, the NYSDEC has selected No Further Action for OU#3. In conjunction with the October 2000 Record of Decision addressing OU# 1 and OU#2, the NYSDEC will reclassify the site from a Class 2 to a Class 4 on the New York Registry of Inactive Hazardous Waste Disposal Sites, which means the site is properly closed but requires continued management.

The basis for this selection is the NYSDEC's conclusion that No Further Action will be protective of human health and the environment and will meet all SCGs. Overall protectiveness is achieved through meeting the remediation goals listed above. The IRM performed in OU#3 succeeded in removing the contaminated soil identified in the remedial investigation. All significantly contaminated soil in the OU #3 area was removed and the remaining soil met the Soil Cleanup Objectives.

The main SCGs applicable to this project are as follows:

- TAGM 4046 Determination of Soil Cleanup Objectives and Cleanup Levels

Therefore, the NYSDEC concludes that the IRM already completed for OU#3 achieved the remediation goals for the site and that No Further Action is needed.

## **SECTION 7: HIGHLIGHTS OF COMMUNITY PARTICIPATION**

As part of the remedial investigation process, a number of Citizen Participation activities were undertaken to inform and educate the public about conditions at the site and the potential remedial alternatives. The following public participation activities were conducted for the site:

- Repositories for documents pertaining to the site were established.
- A public contact list, which included nearby property owners, elected officials, local media and other interested parties, was established.
- A public meeting was held on June 23, 2004 to present and receive comment on the PRAP.
- A responsiveness summary (Appendix A) was prepared to address the comments received during the public comment period for the PRAP.

In general, the public comments received were supportive of the selected remedy. Attendance at the PRAP meeting was limited with no neighbors present. Questions and comments raised were generally supportive of the proposed remedy for the Carborundum site. No written questions were received as a result of the PRAP meeting or during the comment period.

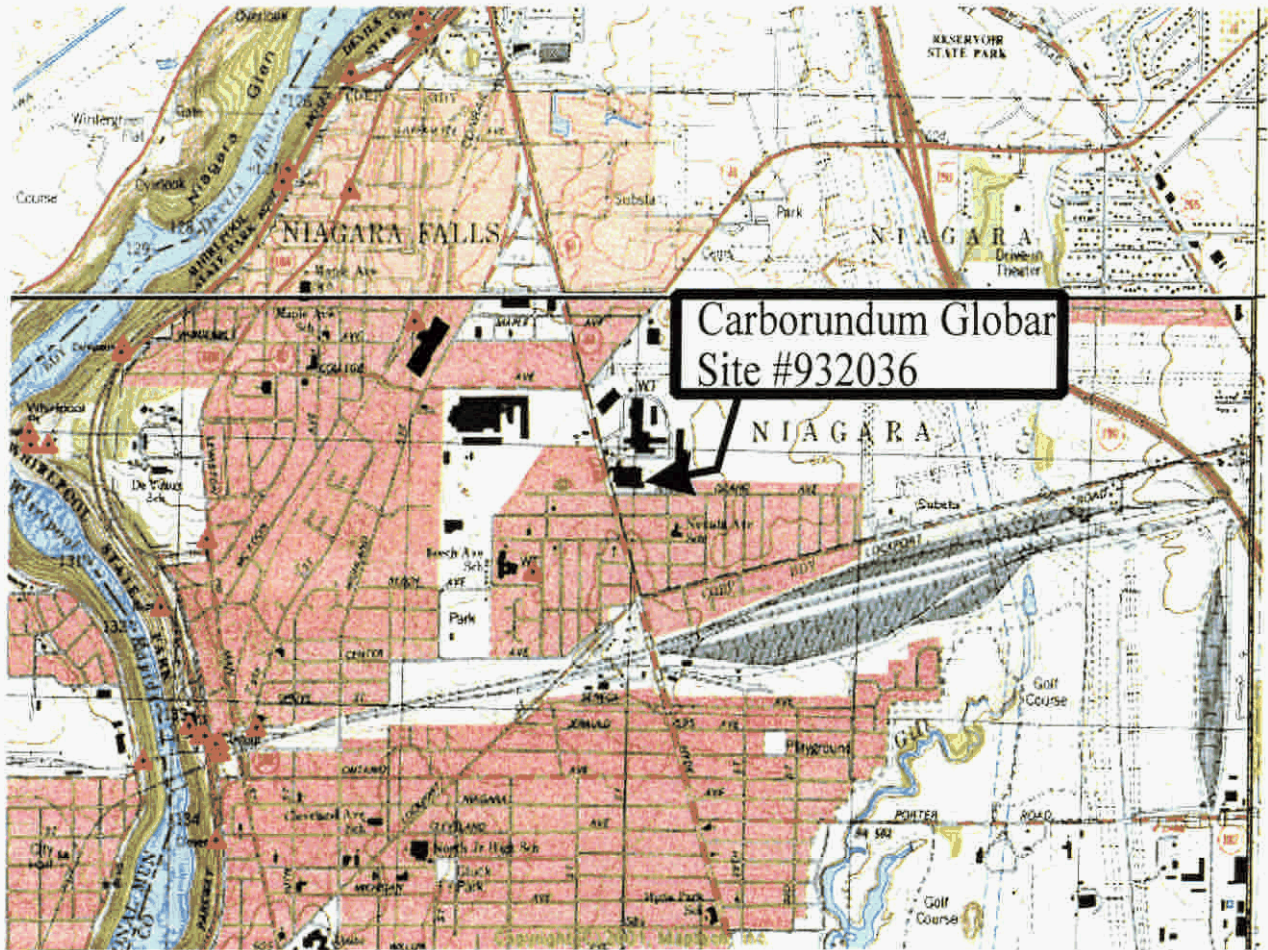


Figure 1 - Site Location

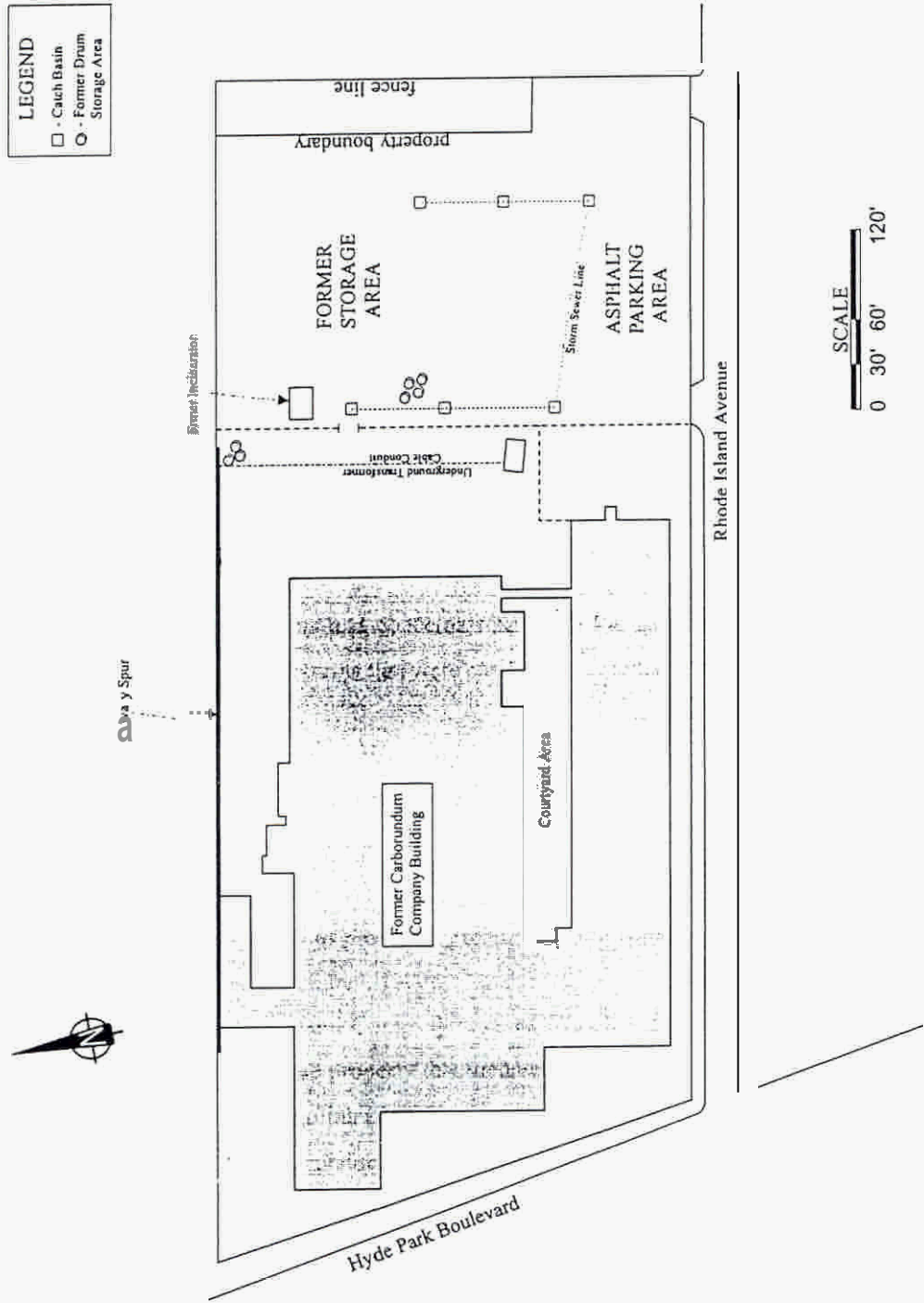
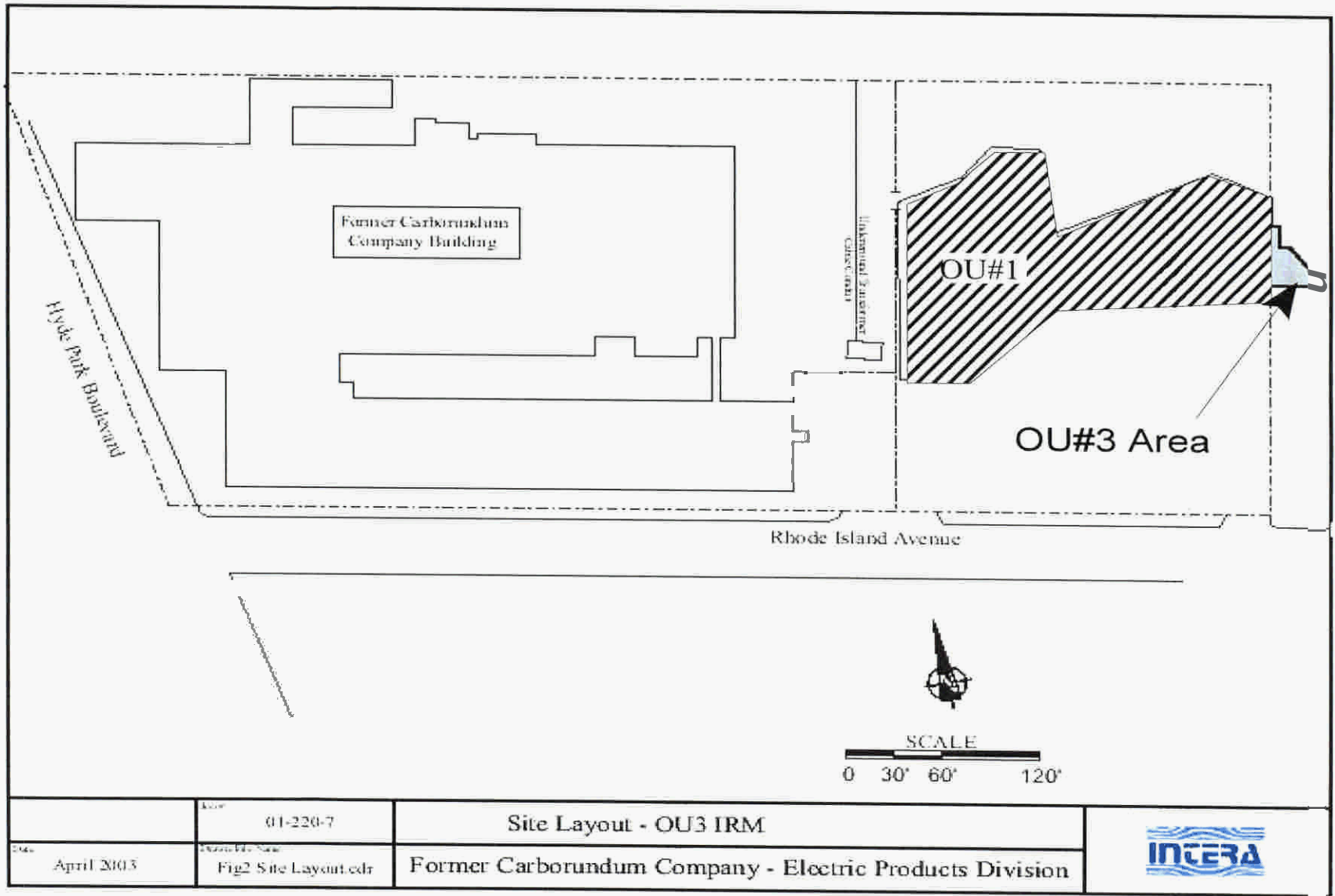


Figure 2 - Site Plan



Figure 3 OU#3 Area




Date April 2003	Rev 01-220-7	Site Layout - OU3 IRM	
Date April 2003	Drawing Name Fig2 Site Layout.edr	Former Carborundum Company - Electric Products Division	

Figure 4 - Investigation Test Pit Locations

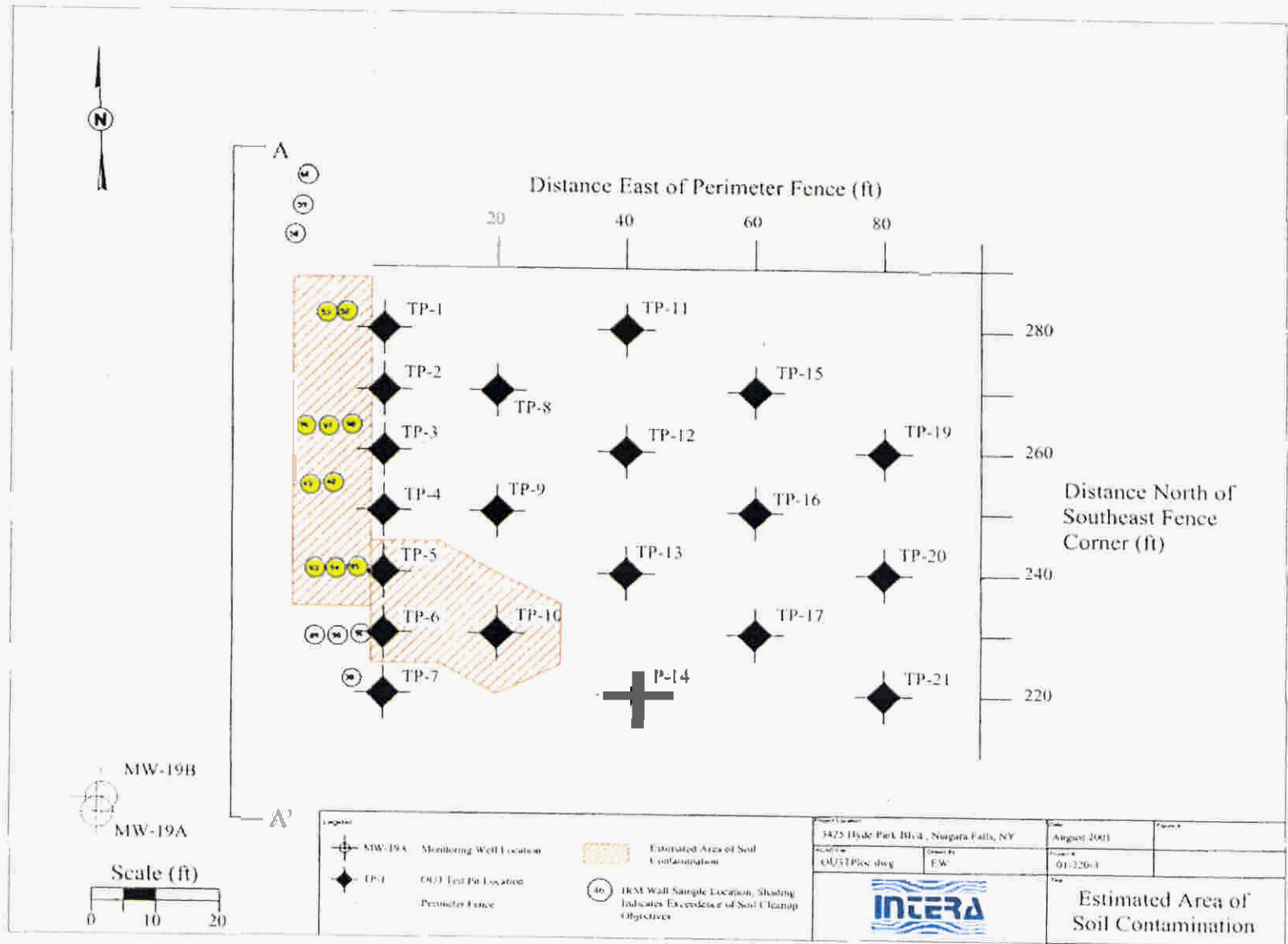
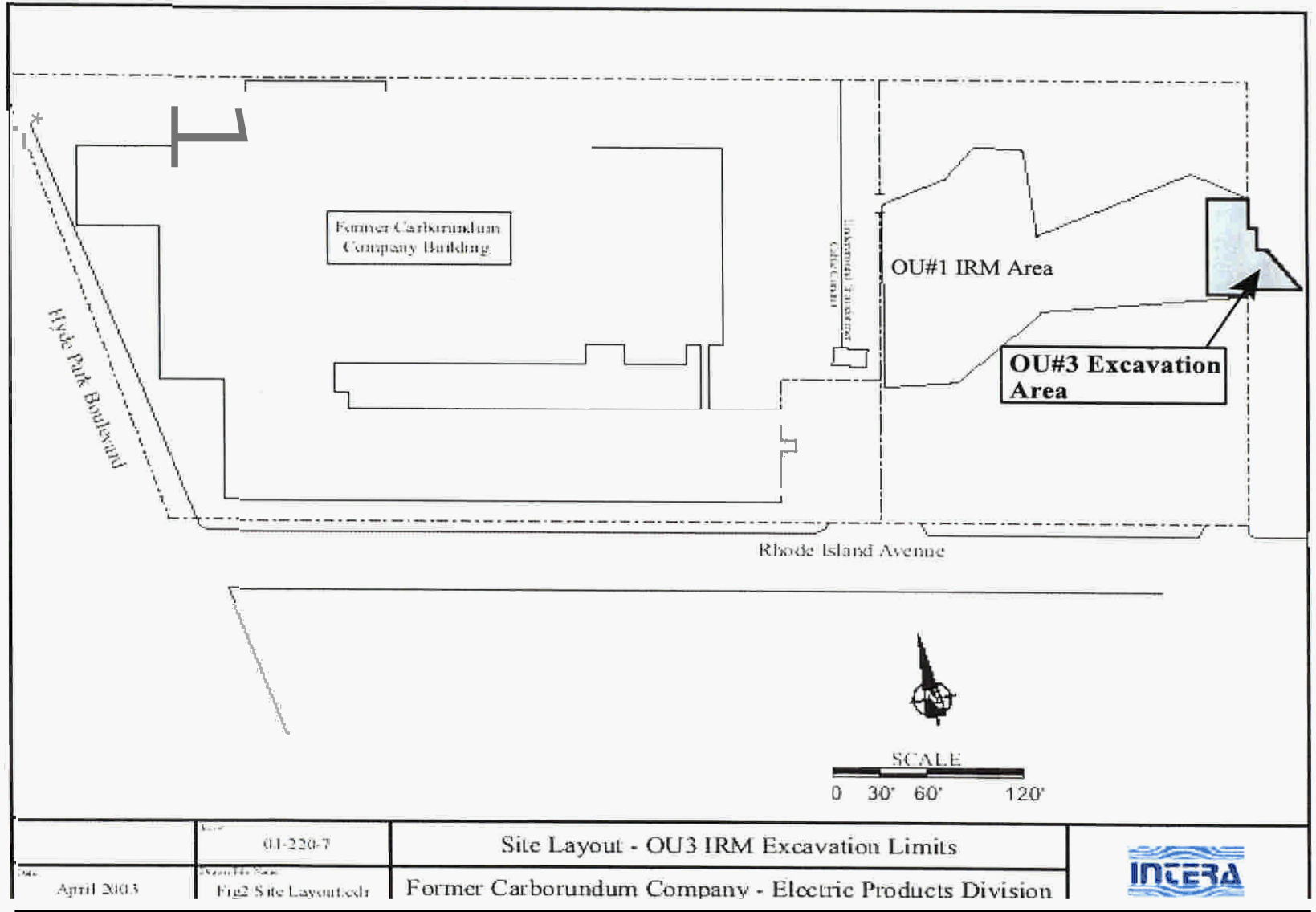




Figure 5 OU#3 IRM Excavation Area




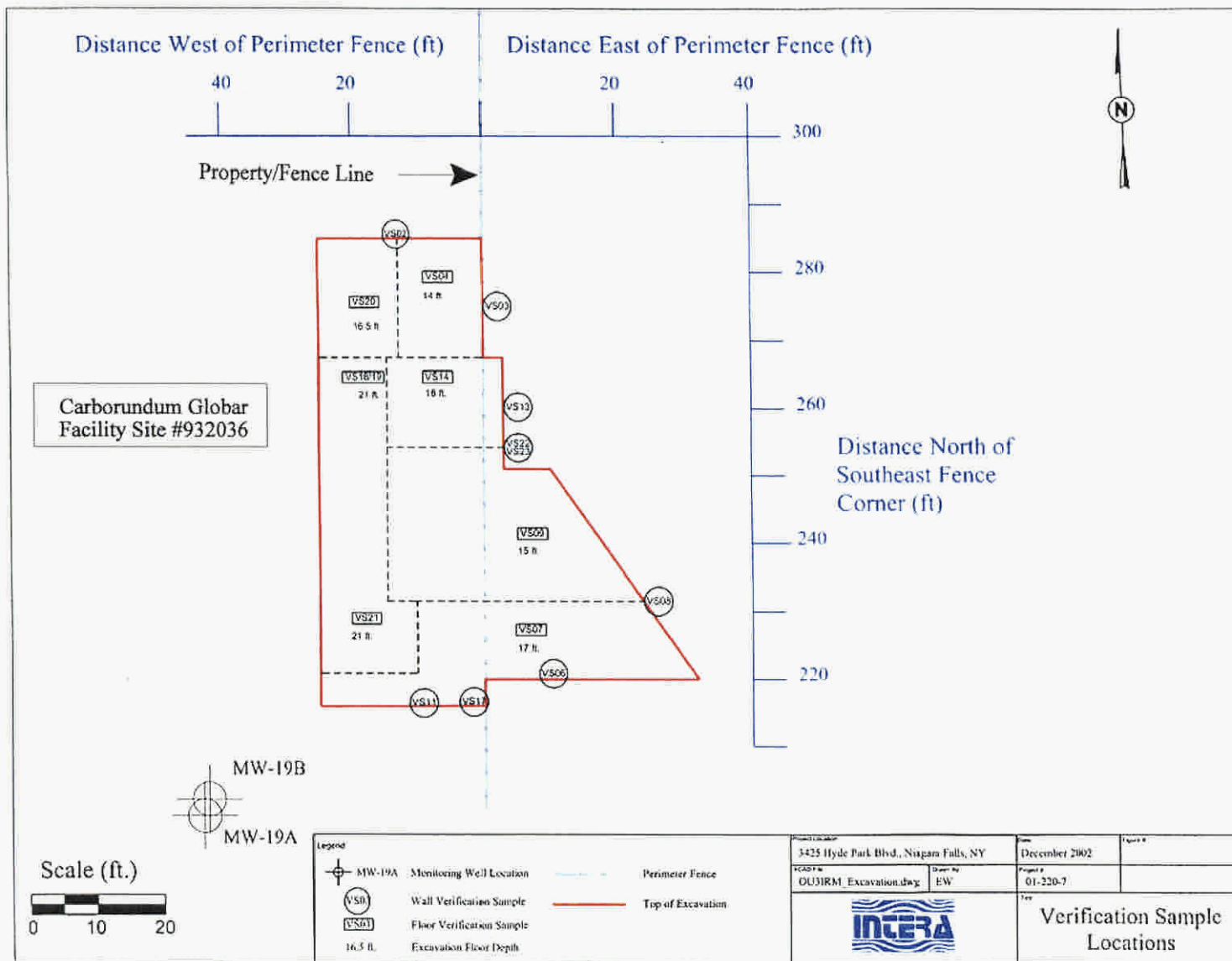
	Rev# 01-220-7	Site Layout - OU3 IRM Excavation Limits	
Date April 2003	Drawn By Name Fig2 Site Layout.cdr	Former Carborundum Company - Electric Products Division	

Figure 6 - OU#3 Excavation Confirmation samples



**TABLE 1**  
**Nature and Extent of Contamination**  
**August 2001**

<b>SUBSURFACE SOIL</b>	<b>Contaminants of Concern</b>	<b>Concentration Range Detected (ppm)"</b>	<b>SCG<sup>b</sup> (ppm)"</b>	<b>Frequency of Exceeding SCG</b>
<b>Volatile Organic Compounds (VOCs)</b>	Trichloroethene	ND" - 21.0	0.88	2 of 40
	1,2-Dichloroethene	ND" -0.79	0.41	2 of 40

<sup>a</sup> ppb = parts per billion, which is equivalent to micrograms per liter, ug/L, in water;  
ppm = parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

<sup>b</sup> SCG = standards, criteria, and guidance values;

<sup>c</sup>ND = Not Detected

**TABLE 2**  
**Confirmation Sampling**  
**December 2002**

<b>SUBSURFACE SOIL</b>	<b>Contaminants of Concern</b>	<b>Concentration Range Detected (pprn)"</b>	<b>SCG<sup>b</sup> (pprn)'</b>	<b>Frequency of Exceeding SCG</b>
<b>Volatile Organic Compounds (VOCs)</b>	Trichloroethene	ND <sup>c</sup> - 0.23	0.88	0 of 9
	1,2-Dichloroethene	ND" - 0.13	0.41	0 of 9

<sup>a</sup> ppb = parts per billion, which is equivalent to micrograms per liter, ug/L, in water;  
ppm = parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

<sup>b</sup> SCG = standards, criteria, and guidance values;

<sup>c</sup>ND = Not Detected

# **APPENDIX A**

## **Responsiveness Summary**

# RESPONSIVENESS SUMMARY

## Carborundum Global Site Operable Unit No. 3

Town of Niagara, Niagara County, New York

Site No. 9-32-036

August 2004

The Proposed Remedial Action Plan (PRAP) for the Carborundum Global OU#3 site, was prepared by the New York State Department of Environmental Conservation (NYSDEC) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on June 14, 2004. The PRAP outlined the remedial measure proposed for the contaminated off-site soil at the Carborundum Global OU#3 site.

The release of the PRAP was announced by sending a notice to the public contact list, informing the public of the opportunity to comment on the proposed remedy.

A public meeting was held on June 23, 2004, which included a presentation of the Remedial Investigation (RI) and the Interim Remedial Measure as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. The public comment period for the PRAP ended on July 16, 2004.

This responsiveness summary responds to all questions and comments raised during the public comment period. The following are the comments received, with the NYSDEC's responses:

**COMMENT 1:** How big is the area of OU #3?

**RESPONSE 1:** The off-site area is small, less than 1/4 acre.

**COMMENT 2:** Was the contamination buried or on the surface?

**RESPONSE 2:** The contamination was buried, starting approximately 10 feet below grade.

**COMMENT 3:** Are there test wells?

**RESPONSE 3:** Wells were not installed as part of the OU#3 remedy. However groundwater monitoring wells are present at the Carborundum Global site for long term groundwater monitoring (OU #2).

**COMMENT 4:** How does the DEC monitor the wells?

**RESPONSE 4:** The responsible party for the site, BP America, conducts the required groundwater monitoring. The NYSDEC oversees the work and occasionally collects splits of the groundwater samples for independent analysis.

- COMMENT 5:** Is the town notified of the monitoring results?  
**RESPONSE 5:** Groundwater monitoring reports are prepared and placed in the Document Repository located in the Town Clerks Office.
- COMMENT 6:** The contaminated soil went to Modern Landfill?  
**RESPONSE 6:** Yes.
- COMMENT 7:** Can Modern accept it?  
**RESPONSE 7:** Yes, the soil contamination was characterized to ensure that disposal was performed properly. Modern Disposal is allowed to accept non-hazardous industrial waste with NYSDEC approval.
- COMMENT 8:** How deep did you dig?  
**RESPONSE 8:** The contamination was found starting at approximately 10 feet below ground surface. The bottom of the deepest excavation area was approximately 21 feet below the ground surface.
- COMMENT 9:** You took out mostly clay?  
**RESPONSE 9:** Yes, the top 2 to 3 feet consisted mainly of gravel and crushed stone. Below that was the typical reddish brown silty clay found in the area.
- COMMENT 10:** When do you expect OU #3 to be fully restored?  
**RESPONSE 10:** Restoration is complete.
- COMMENT 11:** When will the Record of Decision be issued?  
**RESPONSE 11:** The Record of Decision should be available by August 2004.

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## **APPENDIX B**

### **Administrative Record**

# Administrative Record

**Carborundum Global Site**  
Operable Unit No. 3  
Town of Niagara, Niagara County, New York  
Site No. **9-32-036**  
August **2004**

10. Proposed Remedial Action Plan for the Carborundum Global site, Operable Unit #3, dated February 2004, prepared by the NYSDEC.
11. Order on Consent, Index No. B9-0454-94-4, between NYSDEC and The Carborundum Company, executed on September 7, 1995.
12. Preliminary Assessment Carborundum, NUS Corporation Superfund Division, December 1987.
13. Preliminary Site Assessment Task 1, URS Consultants, December 1990.
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