NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL REMEDIATION
Site Classification Report

4/22/2010

Site Code: 932047 **Site Name:** Necco Park
City: Niagara Falls **Town:** Niagara
Region: 9 **County:** Niagara
Current Classification: 02 **Proposed Classification:** 04
Estimated Size (acres): 25.00 **Extra Details:** Landfill
Significant Threat: Previously **Site Type:** EPA Lead
Priority ranking Score: 140 **Project Manager:** Michael Hinton

Summary of Approvals

Originator/Supervisor: Greg Sutton	**03/23/2010**
Regional Hazardous Waste Remedial Engineer: Gregory Sutton / Martin Doster:	**03/25/2010**
BEEI of NYSDOH:	**03/26/2010**
CO Bureau Director: Robert Knizek, Director, BURE:	**04/09/2010**
Assistant Division Director: Sal Ervolina:	**4/15/2010**

Site Description

The 25-acre Necco Park landfill is an inactive hazardous and industrial waste landfill located approximately 1.5 miles north of the Niagara River along the City of Niagara Falls and the Town of Niagara line. The landfill, located off of Niagara Falls Blvd near 56th Street, was originally used as a recreational park by the Niagara Electrochemical Company, from which "Necco" is derived. The property was sold to DuPont in 1930. Necco Park is located in a heavily industrialized section of Niagara Falls and is bounded on three sides by commercial waste disposal facilities. Immediately adjacent to the north and east lies the Allied Waste Niagara Falls landfill. Immediately adjacent to the south are three inactive secure hazardous waste landfill cells and a wastewater treatment facility owned by CECOS International, Inc. An access road and a Conrail (Niagara Junction Railway Company) right-of-way bound the landfill to the west. The nearest residential neighborhoods are located approximately 2,000 feet to the south and 2,500 feet to the west, respectively. Wastes from the Necco Park landfill have migrated in the overburden and bedrock underneath the landfill and now extend underneath the CECOS facility and a portion of the BFI facility.

The site was closed in 1977, and a clay cap was installed. Hydrogeological investigations conducted by DuPont have revealed significant contamination of the groundwater adjacent to the site with volatile chlorinated organics as well as inorganics. Following a trial pump test in early 1982, DuPont commenced a continuous program of pumping groundwater from 2 wells adjacent to the disposal site to establish a hydraulic barrier to contaminant migration. The pumped groundwater was treated at CECOS International.

EPA issued an administrative order to DuPont in May of 1985 for further off-site investigation of the site. A second administrative order was issued in 1989 for further RI/FS work.

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As a source control measure, DuPont installed a grout curtain along the north side and portions of the east and west sides of the site. A third groundwater recovery well became operational in 1992 and contributed to increasing the hydraulic control over the site.

The USEPA issued a Record of Decision (ROD) and a Unilateral Administrative Order (UAO) in September 1998 calling for an enhanced landfill cap and hydraulic containment. The design of a landfill cap modification and hydraulic containment system was completed in 2004. Construction of the hydraulic containment system along with an interim groundwater treatment system began in August 2004 and was completed in April 2005. Treated groundwater is discharged under permit to the City of Niagara Falls Waste Water Treatment Plant. Construction of the landfill cap enhancement was completed in November 2005. A Remedial Action report was approved in September 2007 including the Operation, Maintenance and Monitoring plan. In 2008 in response to groundwater monitoring data, a Blast Fractured Bedrock trench was installed along a portion of the south property line at RW-11 to enhance the hydraulic control of the upper B Zone and overburden A Zone groundwater. Continuous pumping of RW-11 began on November 12, 2008. Remedial activity is complete, continued Operation, Maintenance and Monitoring is underway. Periodic reports demonstrating the effectiveness of the remedy are submitted. Last annual report was submitted on June 22, 2009.

Contaminants of Concern (Including Materials Disposed)	**Quantity Disposed**	
OU 00		
BARIUM	0.00	lb
CALCIUM	0.00	lb
CARBON TETRACHLORIDE	0.00	lb
CHLOROFORM	0.00	
HEXACHLOROBENZENE	0.00	lb
HEXACHLOROBUTADIENE	0.00	lb
HEXACHLOROETHANE	0.00	lb
METHYLENE CHLORIDE	0.00	lb
PERCHLOROETHANE	0.00	lb
TRICHLOROETHENE (TCE)	0.00	lb
VINYL CHLORIDE	0.00	lb
1,1-DICHLOROETHANE	0.00	lb
1,2-DICHLOROETHANE	0.00	lb
1,1,2 TCA	0.00	lb
1,1,2,2-TETRACHLOROETHANE	0.00	lb
PHENOL	0.00	lb
2,4,6-TRICHLOROPHENOL	0.00	lb
2,4,5-TRICHLOROPHENOL	0.00	lb
OU 01		
BRINE SLUDGE, BARIUM SALTS	0.00	
CHLORINATED COMPOUNDS (CHLOROBUTANES,	0.00	
CHLOROETHYLENES), METHANOL, TOLUENE, ACETATES,	0.00	
RUBBLE, OTHER CHEMICALS	0.00	
CHLOROETHANES	0.00	

Analytical Data Available for : Groundwater, Soil

Applicable Standards Exceeded for: Groundwater

Site Code: 932047 **Site Name:** Necco Park

Site Environmental Assessment

Available data indicates that during the operational history of the site approximately 186 million pounds or about 93,000 tons of liquid and solid industrial waste were disposed at the site. These wastes contained inorganic constituents (barium, calcium and sodium chloride) and organic compounds such as carbon tetrachloride, chloroform, hexachlorobenzene, hexachlorobutadiene, hexachloroethane,, methylene chloride, PCE and TCE. These wastes were disposed of and are present in the overburden and groundwater at the site. Most groundwater contamination at the site is the result of dissolution of disposed chlorinated organic liquids. DNAPL has been observed and recovered from wells in and near the site.

The design of a landfill cap modification and hydraulic containment system based on the 1998 ROD was completed in 2004. Construction of the hydraulic containment system along with an interim groundwater treatment system began in August 2004 and was completed in April 2005. Treated groundwater is discharged under permit to the City of Niagara Falls Waste Water Treatment Plant. Construction of the landfill cap enhancement was completed in November 2005. A Remedial Action report was approved in September 2007 and the Operation Maintenance and Monitoring plan is in effect.

Periodic reports demonstrating the effectiveness of the remedy are submitted. The last annual report was submitted on June 22, 2009. Thru the 2008 Annual report approximately 8,335 gallons of DNAPL has been removed since 1989. No estimate is available for contaminant removal through the groundwater

Site Health Assessment

No one is expected to come in contact with contamination from the site because the site is capped and fenced and public water serves the area.

Remedy Description and Cost

Remedy Description for Operable Unit 01

Construction of the hydraulic containment system along with an interim groundwater treatment system began in August 2004 and was completed in April 2005. Treated groundwater is discharged under permit to the City of Niagara Falls Waste Water Treatment Plant.

A Remedial Action report was approved in September 2007 including the OM&M plan. In 2008 in response to groundwater monitoring data, a Blast Fractured Bedrock trench was installed along a portion of the south property line at RW-11 to enhance the hydraulic control of the upper B Zone and overburden A Zone groundwater.

Remedial activity is complete, continued OM&M underway. Periodic reports demonstrating the effectiveness of the remedy are submitted. Last annual report submitted June 22, 2009

Total Cost $65,100,000

4/22/2010

Site Code: 932047 **Site Name:** Necco Park

Remedy Description for Operable Unit 01A

To enhance the groundwater pumping system's effectiveness, a grout curtain, termed Subsurface Formation Repair (SFR), was completed in September 1989. The SFR extends along the entire western and northern property lines and approximately one-half of the eastern line. The southern portion and the south half of the eastern line were left ungrouted due to the presence of DNAPL and to allow for the recovery of contamination that had migrated beyond the Necco park property boundary.

Total Cost

Remedy Description for Operable Unit 02

Construction of the landfill cap enhancement was completed in November 2005. A Remedial Action report was approved in September 2007 including the OM&M plan.

Remedial activity is complete, continued OM&M underway. Periodic reports demonstrating the effectiveness of the remedy are submitted. Last annual report submitted June 22, 2009

Total Cost

OU 00 **Site Management Plan Approval: 09/19/2007** **Status: ACT**

Basis for Classification Change

The USEPA issued a ROD in March 1998 requiring DuPont to upgrade the existing cap, pumping and treating of contaminated groundwater as a source control measure and collection and disposal of DNAPL. Construction of the remedy was completed in 2005 and final approval of the remedial action was granted by EPA in 2007. OM&M plan is in effect with the last annual report submitted in June 2009. The latest quarterly report was received in April 2010 and continues to indicate that the system is operating satisfactorily and the conditions of the ROD are being met.

DUPONT

Corporate Remediation Group

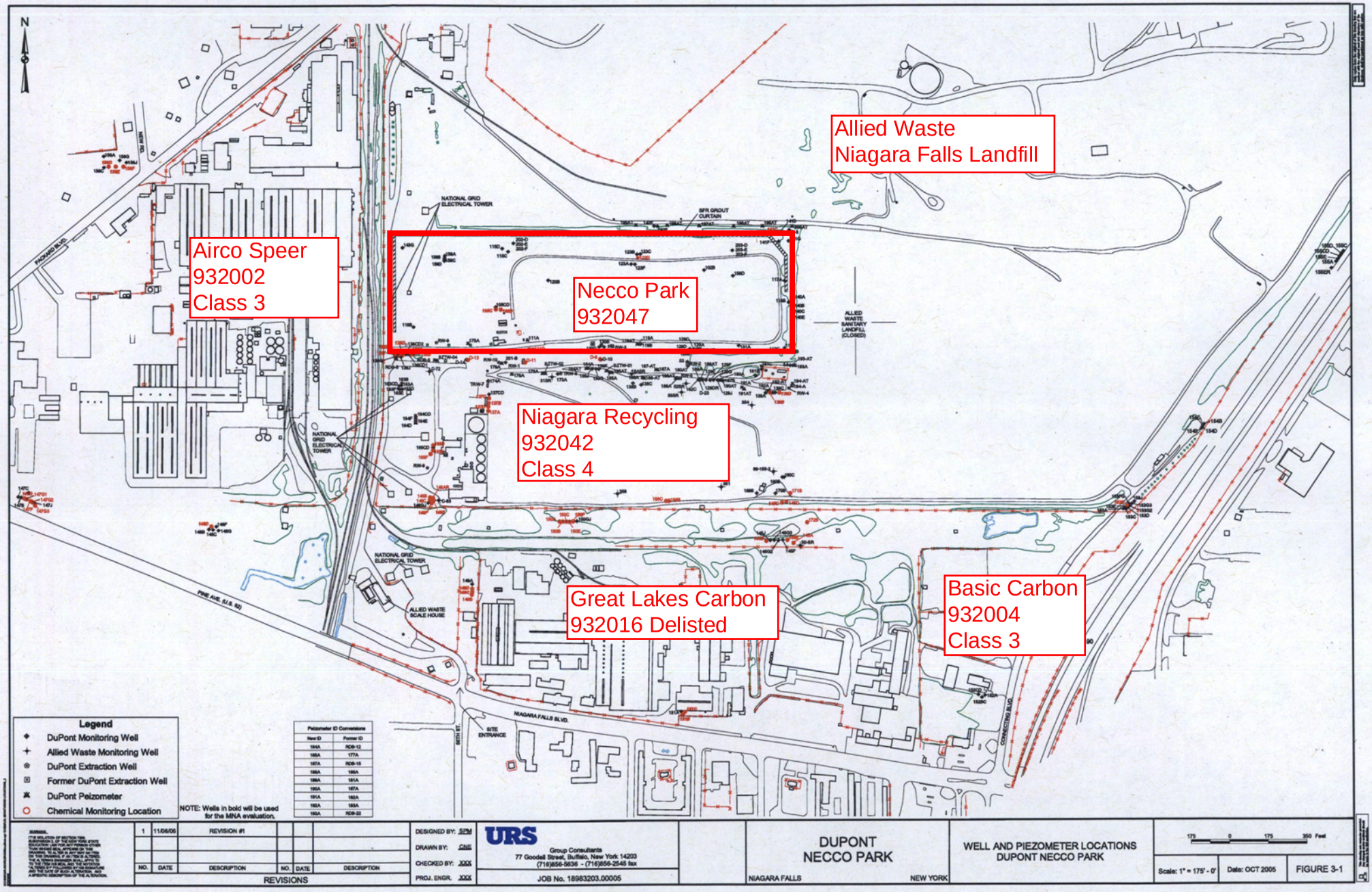
An Alliance between DuPont and URS Diamond

Barley Mill Plaza, Building 27
Wilmington, Delaware 19805

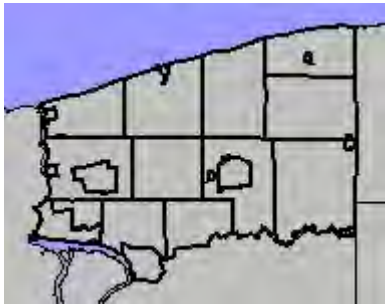
SITE LOCATION MAP

Necco Park Site
Niagara Falls, New York

SCALE: No Scale	DESIGNED:	DRAWN: DEL	CAD FILE NO.: Site_Location
DATE: 10/16/03	CHECKED: KAS	APPROVED:	FIGURE: 1


Allied Waste
Niagara Falls Landfill
Airco Speer
932002
Class 3
Necco Park
932047
Niagara Recycling
932042
Class 4
Great Lakes Carbon
932016 Delisted
Basic Carbon
932004
Class 3
Legend
DuPont Monitoring Well
Allied Waste Monitoring Well
DuPont Extraction Well
Former DuPont Extraction Well
DuPont Peizometer
Chemical Monitoring Location
NOTE: Wells in bold will be used for the MNA evaluation.
Piezometer ID Conversions
New ID
Former ID
184A
RD8-12
185A
177A
187A
RD8-10
188A
188A
189A
181A
190A
187A
191A
182A
192A
183A
193A
RD8-22
REVISIONS
1
11/08/06
REVISION #1
NO.
DATE
DESCRIPTION
DESIGNED BY: SPM
DRAWN BY: CNE
CHECKED BY: XXX
PROJ. ENGR. XXX
URS
Group Consultants
77 Goodell Street, Buffalo, New York 14203
(716)856-5636 - (716)856-2545 fax
JOB No. 18983203.00005
DUPONT
NECCO PARK
NIAGARA FALLS
NEW YORK
WELL AND PIEZOMETER LOCATIONS
DUPONT NECCO PARK
175 0 175 350 Feet
Scale: 1" = 175' - 0'
Date: OCT 2005
FIGURE 3-1

Necco Park

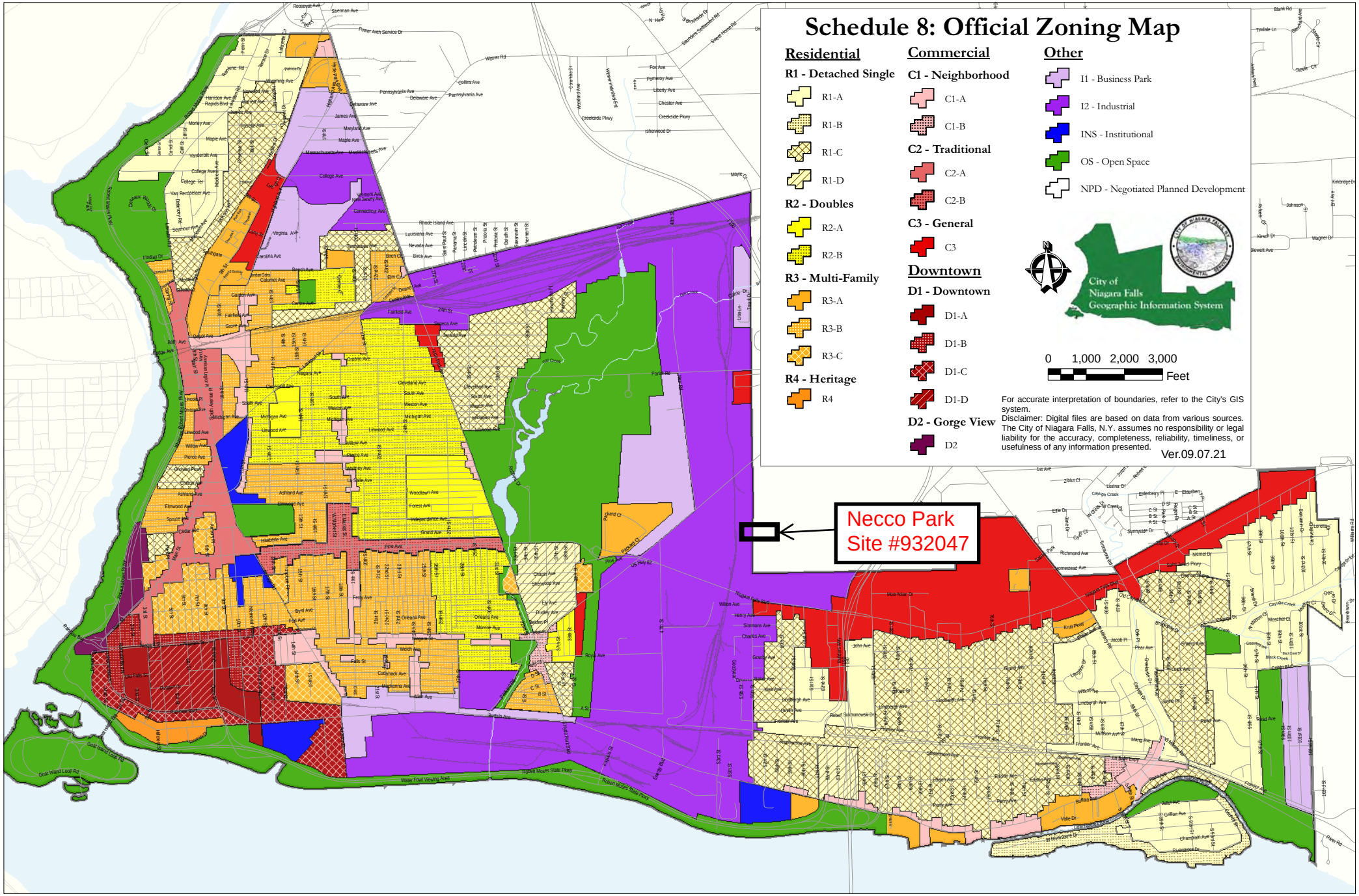


Niagara County New York ...we've been expecting you!

DISCLAIMER : This is a product of Niagara County. The data depicted here have been developed with extensive cooperation from other county departments, as well as other federal, state and local governments agencies.Niagara County expressly disclaims responsibility for damages or liability that may arise from the use of this map.

PROPRIETARY INFORMATION: Any resale of this information is prohibited, except in accordance with a licensing agreement.

City of Niagara Falls



Name	Address 1	Address 2	City	State	Zip Code
Mayor Paul Dyster	City Hall	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Donna Owens, City Admin	City Hall	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Councilman Robert Anderson Jr	City Hall Room 202	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Councilman Steven Fournier	City Hall Room 202	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Councilman Sam Fruscione	City Hall Room 202	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Councilwoman Kristen Grandinetti	City Hall Room 202	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Councilman Charles Walker	City Hall Room 202	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Guy Bax	Niagara Falls Zoning Board	745 Main St, PO Box 69, Rm 306	Niagara Falls	NY	14301
Clerk Carol Antonucci	City Hall Room 114	745 Main Street P.O. Box 69	Niagara Falls	NY	14301
Gerald Grose	Niagara Falls Water Board	5815 Buffalo Avenue	Niagara Falls	NY	14304
City Engineer Tom Radomski	City Hall Room 303	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Chief William MacKay	Niagara Falls Fire Dept.	3115 Walnut Avenue	Niagara Falls	NY	14301
Robert Antonucci, Director	Dept. Community Development	1022 Main Street, Carnegie Bldg	Niagara Falls	NY	14301
Peter Kay, Director	Dept of Econ Dev, City Hall Rm 17	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
David L. Kinney	Department of Public Works	1785 New Road	Niagara Falls	NY	14304
Alan Nusbaum	EMC, City Hall Rm 347	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Mr. Derek Waltho	EMC, City Hall Rm 347	745 Main Street P.O. Box 69	Niagara Falls	NY	14302
Supervisor Steven Richards	Town of Niagara	6305 Lawson Rd.	Niagara Falls	NY	14304
Mr. Mark Carpenter	Town of Niagara Board	3230 Wildwood Dr.	Niagara Falls	NY	14304
Mr. Robert Clark	Town of Niagara Board	3569 Rhode Island Ave.	Niagara Falls	NY	14305
Mr. Robert Herman	Town of Niagara Board	7021 Laur Rd.	Niagara Falls	NY	14304
Mr. Charles Teixeira	Town of Niagara Board	8205 Third Ave	Niagara Falls	NY	14304
Ms. Sylvia Virtuoso	Niagara Town Clerk	8009 Crestview Dr.	Niagara Falls	NY	14304
Mr. Ed Adamczyk	Town of Niagara Water Dept.	7105 Lockport Rd.	Niagara Falls	NY	14305
Chairman Fabian Rosafi	Town of Niagara Env. Com.	7105 Lockport Rd.	Niagara Falls	NY	14305
Administrator Greg Lewis	County Office Bldg, Floor 2	59 Park Ave	Lockport	NY	14094
Chairman William L. Ross	Niagara Cnty Legislature	6761 Walmore Road	Niagara Falls	NY	14304
Wayne F. Jagow	Niagara County Courthouse, 1st Floor	175 Hawley St, PO Box 461	Lockport	NY	14095
Mary Jo Tamburlin	Niagara County Courthouse, First Floor	175 Hawley St, PO Box 461	Lockport	NY	14095
Amy Fisk	Dept. Economic Development	6311 Inducon Corporate Drive	Sanborn	NY	14132
Dan Stapleton	Niagara Cnty Dept of Health	5467 Upper Mountain Road	Lockport	NY	14094
Herbert A Downs	Niagara Cnty Water District	5450 Ernest Rd. PO Box 315	Lockport	NY	14095
James C. Volkosh	Niagara Cnty Emergency Services	PO Box 496	Lockport	NY	14095
Sam Ferraro	Niagara County IDA	6311 Inducon Corporate Dr	Sanborn	NY	14132

Dawn Walczk	Niagara County EMC	59 Park Ave	Lockport	NY	14094
Senator Kirsten Gillibrand		726 Exchange Street, Suite 511	Buffalo	NY	14210
Senator Charles Schumer		130 South Elmwood Ave, #660	Buffalo	NY	14202
Rep. Louise Slaughter		465 Main Street, Suite 105	Buffalo	NY	14203
Assemblywoman Francine DelMonte		1700 Pine Ave	Niagara Falls	NY	14301
Senator Antoine Thompson		65 Court St, Rm 213	Buffalo	NY	14202
Environmental News Desk	WIVB - CH 4	2077 Elmwood Ave	Buffalo	NY	14207
Environmental News Desk	WGRZ TV - CH 2	259 Delaware Ave	Buffalo	NY	14202
Environmental News Desk	WKBW News Channel 7	7 Broadcast Plaza	Buffalo	NY	14202
Mark Scott, News Director	WBFO	3435 Main Street, 205 Allen Hall	Buffalo	NY	14214
Environmental News Desk	WBEN Radio 930 & WMJQ	500 Corporate Pkwy	Buffalo	NY	14226
Mr. Michael Desmond	WNED	Horizons Plaza, PO Box 1263	Buffalo	NY	14240
Ms. Anne Marie Franczyk	Business First	465 Main St	Buffalo	NY	0
Mr. Aaron Besecker	Buffalo News	1 News Plaza	Buffalo	NY	14240
Mr. Mike Hudson, Editor	Niagara Falls Reporter	1625 Buffalo Ave	Niagara Falls	NY	14303
Environmental News Editor	The Niagara Gazette	310 Niagara St	Niagara Falls	NY	14302
Mr. Brian Smith	Citizens Campaign for Environment	735 Delaware Ave PO Box 140	Tonawanda	NY	14223
Dr. Charles Lamb	Sierra Club - Niagara Region	335 Walnut Ln	Youngstown	NY	14174
Dr. Joseph Gardella	BEMC	178 Admiral Rd.	Buffalo	NY	14216
Ms. Julie Barrett O'Neill	Buffalo Niagara Riverkeeper	1250 Niagara Street	Buffalo	NY	14213
James Metzger	League of Women Voters	70 Haverford Lane	Williamsville	NY	14221

NECCO Park Site #932047 - Adjacent Properties

SBL no.	Property name	Street	City	State	ZIP	Contact
145.18-1-6	Packard Land Holdings, LLC. *Former Airco-Speer site #932002*	4861 Packard Rd	Niagara Falls	NY	14304	
145.18-1-4 145.19-1-4 160.07-1-1 160.07-1-5	Niagara Recycling Inc *Site #932042*	5600 Niagara Falls Blvd	Niagara Falls	NY	14304-1532	David Grenier General Manager
160.06-2-2 160.06-1-7	CECOS International Inc.	5600 Niagara Falls Blvd	Niagara Falls	NY	14304-1532	John J. Zillmer

STATE OF NEW YORK
DEPARTMENT OF HEALTH
Flanigan Square 547 River Street Troy, New York 12180-2216

Richard F. Daines, M.D.
Commissioner

James W. Clyne, Jr.
Executive Deputy Commissioner

March 26, 2010

Mr. Robert Knizek
Division of Environmental Remediation
NYS Dept. of Environmental Conservation
625 Broadway - 12th Floor
Albany, NY 12233-7013

:

Re: Site Re-Classification Package
Necco Park
Site #932047
Niagara Falls (C), Niagara County

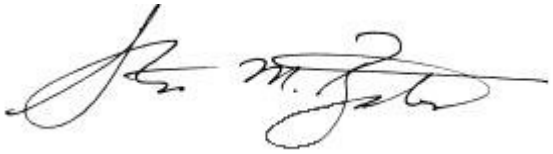
Dear Mr. Knizek:

Staff reviewed the site re-classification package for the Necco Park site, located off Niagara Falls Boulevard straddling the City of Niagara Falls and Town of Niagara, Niagara County that proposes reclassifying the site from a Class 2 to a Class 4. Based on that review, I understand that the site is a 25 acre landfill used from 1930 until 1977 by DuPont to dispose of industrial and hazardous waste. Investigations by DuPont in the 1980's revealed widespread groundwater contamination around the site, and several groundwater extraction wells were installed to control further contaminant migration. In 1998, the Environmental Protection Agency issued a Record of Decision calling for an enhanced landfill cap and hydraulic containment. The remedy was implemented between 2004 and 2005, and a bedrock blast fracture trench was added in 2008 to enhance groundwater recovery. Remedial activity is complete and continued operation, maintenance and monitoring in underway. Based on this information, I concur with the proposal to reclassify the site as a Class 4. The signed decision form is enclosed.

If you have any questions, please contact Mr. Fedigan at (518) 402-7860.

Ms. Kelly Lewandowski
Site #932047
March 26, 2010

Sincerely,



Steven M. Bates, Assistant Director
Bureau of Environmental Exposure Investigation

Enclosure

cc: A. Salame-Alfie, Ph.D.
Mr. G. Litwin/Mr. R. Fedigan/file
Mr. M. Forcucci
Mr. J. Devald
Mr. G. Sutton

C:\Documents and Settings\smb02\Local Settings\Temp\notes6030C8\~0836954.doc

UIS CHECKLIST FOR COMPLETING RECLASSIFICATIONS/ISSUING A COC

SITE NAME: NECCO Park SITE ID # 932047

1. **Verify/Update Remedial Site Information** - Project update guidance for sites descriptions, environmental assessments as well as basis for classification/threat statements may be found at the following internal web address: http://internal/home/der/comp/update.html
   - ☑ **Site Description** (on main site page)
   - ☑ **Site Environmental Assessment** (on main site page)
   - ☑ **Site Health Assessment** (on main site page): requested from DOH by the DER PM, entered by SCS
   - ☑ **Site Name, Address, & Size** (on main site page): verify and notify SCS to make adjustments
   - ☑ **Contacts** (on main site page): verify that all affiliation information is accurate, up to date, and complete

N/A ☐ **Easement Identifier** (via Cross Refs link on main site page): enter County Recording Identifier

☑ **Agreement/Order Ref. No.** (via Cross Refs link on main site page): enter Reference No.

N/A ☐ **BCP Clean Up Track** (on main site page for BCP sites): select track via drop down

N/A ☐ **BCP Off-Site Status** (via Extra Details link on main site page) select via drop down

N/A ☐ **Allowable Use** (on main site page): verify most restrictive use allowed via drop down, entered by SCS

N/A ☐ **Percent Enzone** (via Extra Details link on main site page) verify for BCP sites via drop down

2. **IC/EC Module**
   - ☑ Verify that property information is complete and accurate for all parcels (*see also IGP-8, Reference 7)*
   - ☑ Verify that owner information is complete and accurate for all parcels
   - ☑ Verify that contact information is complete and accurate (this will be the certifying party)
   - ☑ Add Control information, as applicable (if none, check "No Controls Needed" box on site property details page)
     - i. ICs - indicate all types used for the site
     - ii. ECs - indicate all types used for the site
     - iii. Dates - enter all applicable dates, especially "Control In Place" date (= date filed with County Clerk)
     - iv. Control Description - provide a summary of restrictions not copy of easement language

3. **UIS Projects:**
   - ☑ Remedial Investigation/Design/Action

N/A ☐ Certificate of Completion – **Completion Letter from EPA 9/19/2007**

☑ Site Management - **2005 O&M Plan**

☑ Periodic Review -**Last annual Report 6/19/2009 – 2008 Annual Report**

N/A ☐ Create next OU and projects for BCP off-site contamination, if appropriate

4. **eDocs** :
   - ☑ Agreement/Order/SAC: **consent.hw932047.1998-09-28.RD_RA_Consent_Order**, **rod.hw932047.1998-09.necco_park**
   - N/A Environmental Easement/Deed Restr. **Local Zoning – Industrial**
   - ☑ Final Engineering Report: **CCR- report.hw932047.2007-08-08.Remedial_Action_Report_partial**
   - ☑ Site Management Plan: **report.hw932047.2005-04-27.NeccoO_MPlan, report.hw932047.2009-06-19.2008_Annual_Monitoring_Report**
   - ☑ Certificate of Completion/Release Letter: letter.hw932047.2005-11-18.NoticeofCompletion, letter.hw932047.2007-09-17.EPA_Approval_RA_Report
   - ☑ **Site Boundaries** – GIS Air Photo's, Site Location Map, Site Map, City of Niagara Falls 2009 Zoning map

5. **Site Reclassification** (when all of the items listed above are completed as appropriate)
   - ☑ BCP, VCP, ERP, SRP - to be reclassified to "C" by SCS if no off-site remediation is required
   - ☐ Supervisory Review Complete checkbox - checked after all updates to enable export to public website
   - ☑ HW Registry - package prepared per IGP-6 and sent to SCS for processing

SSF SITE CLASSIFICATION WORKSHEET

Site Name: Necco Park **Site ID No.:** 932047

City/Town: Niagara Falls **County:** Niagara

1. Has remediation been completed in accordance with a ROD including properly addressing institutional controls (ICs)?	■ Yes (go to 7)	☐ No (go to 2)	
2. Has hazardous waste as defined in ECL §27-1301.1 been disposed at the Site?	☐ Yes (go to 3)	☐ No (stop)	☐ Unsure (go to 11)
3. Does the Site present a current or reasonably foreseeable significant threat to public health or the environment (complete Significant Threat Determination Worksheet)?	☐ Yes (go to 4)	☐ No (go to 6)	☐ Unsure (go to 11)
4. Is the significant threat causing or presenting an imminent danger of causing irreversible or irreparable damage to public health or the environment?	☐ Yes (Class 1)	☐ No (go to 5)	☐ Unsure (stop)
5. Is the Site presenting a significant but not imminent threat to public health or the environment?	☐ Yes (Class 2)	☐ No (reevaluate)	
6. Has hazardous waste been disposed but it does not present a significant threat to public health or the environment and the site is suitable for placement on the Registry?	☐ Yes (Class 3)	☐ No (go to 10)	
7. Is the site properly remediated but still requires continued active site management to maintain/achieve protectiveness?	■ Yes (Class 4)	☐ No (go to 8)	☐ Unsure (stop)
8. Is the site properly remediated, does not require continued active site management, but is not suitable for delisting or a required IC is not yet in place?	☐ Yes (Class 5)	☐ No (go to 9)	☐ Unsure (stop)
9. Is the site properly remediated, required ICs are in place, the site does not require continued active site management, and is suitable for delisting?	☐ Yes (Class: C)	☐ No (go to 10)	☐ Unsure (stop)
10. Based upon investigation, is the degree of contamination such that the Site does not qualify to be placed on the Registry and that additional remedial work is not anticipated at this time?	☐ Yes (Class: N)	☐ No (reevaluate)	☐ Unsure (stop)
11. Does insufficient information exist to properly classify the site?	☐ Yes (Class P)	☐ No (reevaluate)	☐ Unsure (stop)

Current Classification: 2 Proposed Classification: 4

Summary of Main Factors Contributing to this Determination: The USEPA issued a ROD in March 1998 requiring DuPont to upgrade the existing cap, pumping and treating of contaminated groundwater as a source control measure and collection and disposal of DNAPL. Construction of the remedy was completed in 2005 and final approval of the remedial action was granted by EPA in 2007. OM&M plan is in effect with the last annual report submitted in July 2009.

Michael J. Hinton PE — **Project Manager Name/Title - Print** — **Project Manager Name - Signature** — 3/18/2010 **Date**

Gregory P. Sutton PE RHWE — **Bureau Director/RHWRE Name/Title - Print** — **Bureau Director/RHWRE Name - Signature** — 3/18/10 **Date**

SIGNIFICANT THREAT DETERMINATION WORKSHEET

■ State Superfund Program
6 NYCRR 375-2.7

□ Brownfield Cleanup Program
ECL 27-1411.1(c)

Site Name: ____Necco Park_____ Site ID No. __932047_____

City/Town: __ Niagara Falls_____ County: ____Niagara_____

1. Has all available and relevant evidence regarding the Site been reviewed and the factors in 375-2.7(a)(3) considered?	■ Yes (go to 2)	□ No (stop)	□ Unsure (stop)
2. Does Site contamination result in significant adverse impacts (375-2.7(a)(1)) to:			
a. species that are endangered, threatened, or of concern?	□ Yes (go to b)	■ No (go to b)	□ Unsure (go to b)
b. protected streams, tidal/freshwater wetlands, or significant fish and wildlife habitat?	□ Yes (go to c)	■ No (go to c)	□ Unsure (go to c)
c. flora or fauna from bioaccumulation or leads to a recommendation to limit consumption?	□ Yes (go to d)	■ No (go to d)	□ Unsure (go to d)
d. fish, shellfish, crustacea, or wildlife from concentrations that cause adverse/chronic effects?	□ Yes (go to e)	■ No (go to e)	□ Unsure (go to e)
e. the environment due to a fire, spill, explosion, or reaction that generates toxic gases, vapors, fumes, mists or dusts?	□ Yes (go to f)	■ No (go to f)	□ Unsure (go to f)
f. areas where individuals or water supplies may be present and NYSDOH has determined there to be a significantly increased risk to public health (including from soil vapor)?	□ Yes (go to 3)	■ No (go to 3)	□ Unsure (go to 3)
3. Does Site contamination result in significant environmental damage (375-2.7(a)(2))?	□ Yes (go to 4)	■ No (go to 4)	□ Unsure (stop)
4. If any box in items 2 or 3 have been checked "Yes," the site presents a significant threat to public health or the environment; check here. **Site has been satisfactorily remediated and is in long term OM&M.**	Significant threat to: □ Public Health □ Environment		
5. If no boxes in items 2 or 3 have been checked "Yes," the site does not present a significant threat to public health or the environment; check here.	■ Not a Significant Threat		

Summary of Main Factors Contributing to this Determination:

The USEPA issued a ROD in March 1998 requiring DuPont to upgrade the existing cap, pumping and treating of contaminated groundwater as a source control measure and collection and disposal of DNAPL. Construction of the remedy was completed in 2005 and final approval of the remedial action was granted by EPA in 2007. OM&M plan is in effect with the last annual report submitted in July 2009.

_Michael J Hinton P.E. _____ 3/18/2010
Project Manager Name/Title (Print) **Project Manager Name (Signature)** **Date**

_Gregory P. Sutton P.E. RHWRE_____ _____ 3/18/10
Bureau Director/RHWRE Name/Title (Print) **Bureau Director/RHWRE Name (Signature)** **Date**

932047
Corres. file MH

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

September 19, 2007

Mr. Paul F. Mazierski, P.G.
Principle Project Leader
DuPont Corporate Remediation Group
Buffalo Avenue and 26th Street
Building 38, 2nd Floor
Niagara Falls, New York 14302-0787

Re: DuPont Necco Park Superfund Site, Niagara Falls, NY
EPA approval of *Remedial Action Report, DuPont Necco Park Site, Niagara Falls, NY*

Dear Paul:

This letter serves as the US Environmental Protection Agency's approval of the *Remedial Action Report, DuPont Necco Park Site, Niagara Falls, NY (*RAR*)*, prepared by the DuPont Corporate Remediation Group and dated August 2007. The RAR documents the remedial activities for both the hydraulic control (operable unit 1, remedial action 1) component and the capping (operable unit 1, remedial action 2) component of the remedy.

Please contact me at 212.637.4283 or sosa.gloria@epa.gov if you should like to discuss any aspect of the site.

Sincerely,

GM Sos

Gloria M. Sosa
DuPont Necco Park Project Manager
Western New York Remediation Section
New York Remediation Branch
Emergency and Remedial Response

REMEDIAL ACTION REPORT
DUPONT NECCO PARK SITE
NIAGARA FALLS, NEW YORK

Date: August 2007

Project No.: 507641
18984684.06002

CORPORATE REMEDIATION GROUP
An Alliance between
DuPont and URS Diamond

Buffalo Avenue & 26th Street
Niagara Falls, New York 14302

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LIST OF ACRONYMS

ACO	Administrative Consent Order
AGM	alternative grading material
AMSL	above mean sea level
AO	Administrative Order
AOA	Analysis of alternatives
BFI	Browning-Ferris Industries
BL	barrier layer
BPL	Barrier Protection Layer
CAMP	Community Air Monitoring Plan
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act (Superfund)
CL	clay
CM	Construction Manager
CQA	Construction Quality Assurance
CQAPP	Construction Quality Assurance Project Plan
CRG	DuPont Corporate Remediation Group
DCS	distributive control system
DERS	DuPont Environmental Remediation Services
DNAPL	dense nonaqueous-phase liquid
ECO	engineering change order
ECR	electrical control room
EPP	Environmental Protection Plan
ESCP	Emergency Spill Control Plan
GDC	geosynthetic drainage composite
GM	geomembrane
gpm	gallons per minute
GWTF	Groundwater Treatment Facility
HASP	Health and Safety Plan
HDPE	high-density polyethylene
IDS	investigation derived soils
ITPP	initial testing program plan
ITS	interim treatment system
LLDPE	Linear low-density polyethylene
LGMP	Long-Term Groundwater Monitoring Plan
MCC	motor control center
NYCRR	New York Codes, Rules and Regulations
NYSDEC	New York State Department of Environmental Conservation
O&M	operations and maintenance
OU	Operable Unit
oz/sy	ounces per square yard
PCE	tetrachloroethene
PDI	pre-design investigation

PE	Professional Engineer
PG	Professional Geologist
PM	Project Manager
POTW	publicly owned treatment works
PPE	personal protective equipment
PSM	Process Safety Management
QA	Quality Assurance
QAPP	Quality Assurance Project Plan
QC	Quality Control
RA	remedial action
RAR	Remedial action report
RAC	Remedial Action Contractor
RAWP	remedial action work plan
RCRA	Resource Conservation and Recovery Act
RDWP	remedial design work plan
ROD	Record of Decision
ROW	Right of Way
RPM	remedial project manager
SFR	Subsurface Formation Repair
SOW	Statement of Work
TCE	trichloroethylene
UO	unexpected occurrence
URS	URS Corporation
URSD	URS Diamond Group – DuPont CRG Alliance Contractor
USCS	Unified soil classification system
USEPA	United States Environmental Protection Agency
VOC	volatile organic compound
WCC	Woodward Clyde Consultants
WMP	Waste Management Plan

EXECUTIVE SUMMARY

This Remedial Action Report (RAR) has been prepared pursuant to Administrative Order (AO) Index No. II CERCLA-98-0215, dated September 28, 1998, and issued by the United States Environmental Protection Agency (USEPA). This report documents the construction of the USEPA approved final remedy that was presented in the *Final 100% Design Report, Bedrock and Overburden Source Area Hydraulic Controls,* dated March 17, 2004, and the *Final 100% Design Submittal, Cap Upgrade,* dated September 30, 2003, for the DuPont Necco Park Superfund Site located in Niagara Falls, New York.

The approved remedy includes construction of the Bedrock and Overburden Source Area Hydraulic Controls and the Landfill Cap Upgrade. This report will demonstrate that the remedial action phase of both projects have been completed as designed, and within the schedule previously agreed upon between DuPont and the USEPA.

Bedrock and Overburden Source Area Hydraulic Controls Project

The groundwater hydraulic controls portion of the remedy, including construction and startup of an on-site groundwater treatment system, was substantially completed on April 5, 2005. All components of the groundwater hydraulic controls were constructed as designed and as approved by the USEPA. The groundwater treatment system (on-site treatment option) was constructed to support the hydraulic controls remedy and operates within the standards of the AO.

Since April 5, 2005, the groundwater hydraulic controls and treatment system have been operating with 94 percent process uptime. Currently, the groundwater hydraulic controls are being operated in accordance with the September 22, 2006 DuPont Necco Park, *Operations and Maintenance Plan* (O&M Plan), (CRG 2006)

This RAR will present the performance standards as detailed in the Statement of Work (SOW); however, the evaluation of current system operation against the performance standards will be completed as part of the Long-Term Monitoring Plan (Appendix B of the O&M Plan) requirements. Specifically, the first evaluation of system operation against the performance standards was presented in the April 7, 2006 DuPont Necco Park 2005 Annual Groundwater Monitoring Report (CRG,2006a).

Currently, DuPont is evaluating the effectiveness of the groundwater hydraulic controls system, and any future improvements to the hydraulic controls will be addressed as part of Operations and Maintenance.

Landfill Cap Upgrade Project

The Landfill Cap Upgrade construction project was officially started in March 2002 when DuPont began importing non-hazardous alternate grading materials (AGM) for use as grading fill. The AGM work (landfill subgrade construction) was completed in accordance with New York State regulations (6NYCRR part 360). A significant body of correspondence including a variety of AGM proposals and agency approvals occurred between the initial AGM use petition on November 21, 2001 through the end of AGM accumulation in July 2005. All accumulated materials were managed on-site to establish minimum design slopes in accordance with the final design.

The final phase of the Landfill Cap Upgrade project (geosynthetic placement) began in August 2005 and was substantially completed on November 29, 2005, as verified by a Pre-Final Inspection site walk involving the USEPA, NYSDEC, and DuPont. This RAR will document that the landfill cap upgrade project was constructed as designed and as approved by the USEPA and that the performance standards have been obtained.

DuPont Corporate Remediation Group
Buffalo Avenue & 26th Street
Building 35
Niagara Falls, NY 14302
(716) 278-5100

June 19, 2009

Ms. Gloria Sosa
Western New York Remediation Section
New York Remediation Branch
Emergency and Remediation Response Division
U.S. EPA – Region II
290 Broadway, 20th Floor
New York, NY 10007-1866

Dear Ms. Sosa:

NECCO PARK 2008 ANNUAL REPORT

Enclosed are four copies of the *Remedial Action Post-Construction Monitoring 2008 Annual Report* for the DuPont Necco Park Hydraulic Controls System (HCS), Groundwater Treatment Facility (GWTF), and landfill cap.

This fourth annual report for the Necco Park Remedy has been prepared pursuant to Administrative Order (AO) Index No. II CERCLA-98-0215 dated September 28, 1998, issued by United States Environmental Protection Agency (USEPA). This report describes hydraulic and chemistry monitoring conducted in 2008 as required by the *Long-Term Groundwater Monitoring Plan*, dated April 2005 for the DuPont Necco Park Site located in Niagara Falls, New York.

Construction and start-up of the HCS and GWTF was substantially complete on April 5, 2005. Thereafter, the systems have been operated in accordance with the Operations and Maintenance Plan (O&M Plan). System operation uptime for 2008 was 84.0 %. Most of the downtime occurred in August and September and is attributed primarily to hydraulic testing of newly installed recovery well RW-11. Improved hydraulic control in the upper bedrock in the western portion of the site began in 4Q08 when new B/C-Zone pumping well RW-11 was put into operation. Well RW-11 was installed to replace recovery well RW-10 that exhibited diminished hydraulic efficiency soon after startup in 2005.

Approximately 512 gallons of DNAPL was recovered in 2008. This Annual Report provides a detailed evaluation of system operation with respect to the Performance Standards presented in the Necco Park Statement of Work (SOW).

Please call me at (716) 278-5496 if you have any questions or comments regarding this submittal.

Sincerely,

CORPORATE REMEDIATION GROUP

Paul F. Mazierski
Project Director

PFM/mac
Enc.
S:\URS\NECCO LONG-TERM MON - 7537\2008 Annual Report\2008 cvr ltr.doc
cc: J. Kaczor/Earth Tech, M. Hinton/NYSDEC

REMEDIAL ACTION POST-CONSTRUCTION MONITORING 2008 ANNUAL REPORT DUPONT NECCO PARK NIAGARA FALLS, NY

Date: June 19, 2009

Project No.: 507537
18985651.09002

CORPORATE REMEDIATION GROUP
An Alliance between
DuPont and URS Diamond

Barley Mill Plaza, Building 19
Wilmington, Delaware 19805

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EXECUTIVE SUMMARY

This fourth Annual Report for the Necco Park Remedial Action has been prepared pursuant to Administrative Order (AO) Index No. II Comprehensive Environmental Response, Compensation and Liability Act (Superfund) (CERCLA)-98-0215 dated September 28, 1998, and issued by United States Environmental Protection Agency (USEPA). This report describes hydraulic and chemistry monitoring conducted in 2008 as required by the *Long-Term Groundwater Monitoring Plan,* dated April 2005 for the DuPont Necco Park Site located in Niagara Falls, New York.

The Necco Park Remedial Action consists of an upgraded cap over the landfill and a groundwater hydraulic control system (HCS). The HCS includes a network of five groundwater pumping wells and a groundwater treatment facility (GWTF). Construction and startup of the HCS and GWTF was substantially complete on April 5, 2005. Thereafter, the systems have been operated in accordance with the Operations and Maintenance Plan (O&M Plan). System operation uptime for 2008 was 84%. Discounting scheduled maintenance shutdowns, system uptime for 2008 was 85.4%. Summaries of system operations and hydraulic head data have been provided to the USEPA and the New York State Department of Environmental Conservation (NYSDEC) previously in the 2008 Quarterly Data Packages. This Annual Report provides a detailed evaluation of system effectiveness with respect to the Performance Standards presented in the Necco Park Statement of Work (SOW).

Hydraulic monitoring data from 2008 show that overall the HCS has maintained hydraulic control of the source area. Improved hydraulic control in the upper bedrock in the western portion of the site began in 4Q08 when new B/C-Zone pumping well RW-11 was put into operation. Well RW-11 was installed to replace recovery well RW-10 which had exhibited diminished hydraulic efficiency soon after startup in 2005. Well RW-11 includes a 170 ft section of blast fractured bedrock trench (BFBT) in the B-Zone and a bedrock open hole in the C-Zone.

In accordance with the Long-Term Groundwater Monitoring Plan (LGMP), annual groundwater sampling began in 2008 after three years of biannual sampling. Groundwater sampling results from 2008 continue to show an overall decrease in concentrations of total volatile organic compounds (TVOCs) for all flow zones compared to historical results. The 2008 results indicate:

- With the exception of two source area limit wells, TVOC concentrations for the A-Zone were below 10 μg/l
- TVOC concentrations at key source area limit wells, such as 150B and 172B, continue to decline
- Similar decreasing or stable TVOC concentrations are apparent in the deeper bedrock zones and at key source area limit wells such as 146E

The 2008 results were compared to the zone-specific source area limits provided in the 100% design submittal for overburden and bedrock hydraulic controls. Compared to the first year of long term monitoring in 2005, the 2008 results for the respective

groundwater flow zones indicate a general reduction in the number of wells where solubility criteria (1% of pure-phase and effective) are met. Groundwater chemistry results compiled since the HCS has been operational indicate declining TVOC trends at many of the monitoring locations and support modifications to chemical monitoring program starting in 2010.

Hydraulic monitoring completed in 4Q08 indicates operation of new recovery well RW-11 has greatly enhanced the hydraulic control of the A-Zone and C-Zone in the west portion of the site. Results from continued monitoring are expected to show enhanced control of the B-Zone. Continued efforts will be made in 2009 to improve the hydraulic efficiency of recovery well RW-5 including evaluations to improve the long-term groundwater recovery at this location.

Results of the 2008 monitored natural attenuation (MNA) evaluation are consistent with the long term monitoring and previous findings indicating natural attenuation of site constituents is occurring under anaerobic degradation processes. Concentrations of site constituents have decreased in the majority of downgradient wells monitoring the B- through F-Zones. The presence of biochemical reaction products and microbial populations capable of degrading site constituents confirms MNA is providing beneficial groundwater remediation. Sampling for natural attenuation parameters (groundwater geochemistry and COC's) will be continued at the frequency described in the LGMP with the last year of assessment in 2009. Results of the MNA evaluation support discontinuing monitoring of some downgradient and sidegradient wells where contamination is not present or just marginally above detection limits.

Approximately 512 gallons of dense nonaqueous-phase liquid (DNAPL) was recovered in 2008. All of the DNAPL was recovered from B/C-Zone Recovery Well RW-5. Routine monitoring completed in 2008 show that DNAPL was only observed at well RW-5. A total of 8,335 gallons of DNAPL has been removed since initiation of the recovery program in 1989.

AUG 0 3 1998

EXPRESS MAIL

Mr. Edward R. Belmore, P.E.
Director
Bureau of Western Remedial Action
Division of Hazardous Waste Remediation
New York State Department of Environmental
Conservation (NYSDEC)
50 Wolf Road
Albany, NY 12233

Re: Draft Record of Decision (ROD), DuPont, Necco Park Site

Dear Mr. Belmore:

Attached please find a copy of the draft Record of Decision (ROD) for the DuPont, Necco Park Site, located in Niagara Falls, New York. EPA requests that the NYSDEC distribute and review this draft and, barring any substantive comments, provide us with a letter of concurrence for inclusion to the ROD (Appendix IV).

Thank you in advance for your cooperation. If you have any questions on this matter, please contact me or have your staff contact Michael Negrelli at (212) 637-4278.

Sincerely yours,

John E. La Padula, P.E., Chief
New York Remediation Branch

Attachment

cc (w/ attachment): Dave Foster, NYSDEC

RECORD OF DECISION

DuPont Necco Park Site

City of Niagara Falls and Town of Niagara,
Niagara County, New York

United States Environmental Protection Agency
Region II

August 1998

DECLARATION FOR THE RECORD OF DECISION

SITE NAME AND LOCATION

DuPont Necco Park Site

City of Niagara Falls and Town of Niagara

Niagara County, New York

STATEMENT OF BASIS AND PURPOSE

This decision document presents the selected remedial action for the DuPont Necco Park Site, which was chosen in accordance with the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), and to the extent practicable, 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 Source Area (as defined herein).

The New York State Department of Environmental Conservation (NYSDEC) concurs with the selected remedy. A letter of concurrence from the NYSDEC is attached to this document (Appendix IV).

The information supporting this remedial action decision is contained in the administrative record for this Site. The index for the administrative record is attached to this document (Appendix III).

ASSESSMENT OF THE SITE

Actual or threatened releases of hazardous substances from this site, if not addressed by implementing the response action selected in this Record of Decision, may present an imminent and substantial endangerment to public health, welfare, or the environment.

DESCRIPTION OF THE SELECTED REMEDY

The remedy described in this document for the DuPont Necco Park Site will address contaminants in the landfill soils and dense non-aqueous phase liquid (DNAPL) in the soils and bedrock which represent continuing sources of contamination to the groundwater. This action will require long-term management to maintain the groundwater pump and treat systems and groundwater monitoring to determine the effectiveness of the containment measures in reducing contaminant concentrations in the far-field aquifer.

The major components of the selected remedy include the following:

1. Containment of the Source Area by:

- upgrading the existing cap to meet New York State Part 360, or equivalent standards;

- using hydraulic (pumping and treating) measures in the overburden (A zone) to maintain an inward gradient within the Source Area or installing a physical barrier (e.g., slurry wall, sheet pile) on the southern, and portions of the eastern and western Necco Park property boundaries; and

- using hydraulic (pumping and treating) measures in the bedrock (B-F zones) to maintain an inward gradient within the Source Area and prevent the movement of contaminated groundwater beyond the Source Area boundary.

The control of the contaminated groundwater will be achieved through the installation, operation, and maintenance of the groundwater extraction wells (and, optionally, a physical barrier in the overburden). The exact number, size, depth, and pumping rates of these wells will be determined in the remedial design of the selected remedy.

2. Treatment of the extracted groundwater from the Source Area, either on-site or off-site, to achieve the appropriate discharge requirements. Currently, groundwater extracted from the Site is treated at the adjacent CECOS wastewater treatment plant. Expansion of the CECOS facility would likely be required to accomodate the increased volume of water to be treated under this remedy. The need to either expand the CECOS facility, build an on-site facility, or utilize another off-site facility for groundwater treatment will be determined during the design.

3. Collection of DNAPL in the Source Area by:

- utilizing the existing monitoring wells network;

- utilizing any groundwater recovery wells placed in the Source Area; and

- the installation of additional dedicated DNAPL recovery well(s).

Collected DNAPL would be disposed of off-site at an appropriate facility.

4. Operation and maintenance (O&M) of the existing systems and the systems constructed under this selected remedy.

5. Comprehensive monitoring to verify hydraulic control, monitor DNAPL occurrence, demonstrate the effectiveness of the remedial measures, and assess the impact of such measures on far-field groundwater quality. Existing monitoring wells on the Necco Park property will be used to monitor the performance of the groundwater extraction system and establish that sufficient control occurs. Additional monitoring wells may be required. The need for such additional wells will be determined during the design and implementation of the groundwater extraction system.

6. Additional characterization of the Site to assess whether natural attenuation will be effective in addressing far-field contamination.

7. Development and implementation of institutional controls to restrict Site access, the use of groundwater at the Site, and control land use such that it is consistent with Site conditions.

DECLARATION OF STATUTORY DETERMINATIONS

The selected remedy meets the requirements for remedial actions set forth in CERCLA §121, 42 U.S.C. §9621, is protective of human health and the environment, and is cost-effective. The remedy utilizes permanent solutions and treatment technologies to the maximum extent practicable, given the scope of the action, and will permanently reduce the toxicity, mobility, or volume of contaminants at the Site. In addition, the actions to address contamination at the Necco Park Site comply with federal and state requirements that are legally applicable or relevant and appropriate to the remedial action.

Remediation of the DNAPL contaminated soils, bedrock and groundwater in the Source Area of the Necco Park Site is considered to be technically impracticable from an engineering perspective. Therefore, this ROD waives the federal and State drinking water standards and State groundwater quality standards for the groundwater in the Source Area. The waiver is issued pursuant to Section 121(d)(4)(C) of CERCLA, 42, U.S.C. § 9621(d)(4)(C), and §300.430(f)(1)(ii)(C)(3) of the NCP. There are technical limitations which make it impracticable to recover all of the DNAPL from the Necco Park Source Area. Removal of all the DNAPL would require the excavation of more than 1,000,000 cubic yards of landfill materials (soils and fill) from the Necco Park and adjacent BFI landfills. In addition, DNAPL has migrated into the fractured bedrock beneath the Necco Park landfill, adjacent CECOS secure hazardous waste cells, and the adjacent BFI landfill. No current technology exists to completely remove the DNAPLs from the fractured bedrock medium. Since it is technically impracticable to excavate this area, and current technologies for the removal of all of the DNAPLs from the fractured bedrock are unavailable, DNAPL impacted soil, bedrock and groundwater will remain at the Site.

Because DNAPLs contribute to dissolved phase contamination, restoration of groundwater in the Source Area of the Necco Park Site has been determined to be technically impracticable.

EPA believes that the selected remedy for the Source Area at the Necco Park Site is protective of human health and the environment. Recognizing that groundwater restoration in the Source Area is technically impracticable, the goal of this remedial action is to establish hydraulic control of the contaminated groundwater within the Source Area, and to prevent groundwater and DNAPLs from migrating beyond the Source Area by utilizing hydraulic barriers (and, optionally, a physical barrier in the overburden [A zone]). This action complies with federal and State requirements that are applicable or relevant and appropriate to this remedial action (other than those requirements which are being waived as described in the preceding paragraph) and is cost-effective. The selected remedy utilizes permanent solutions and alternative treatment (or resource recovery) technologies to the maximum extent practicable, and it satisfies the statutory preference for remedies that employ treatment that reduces toxicity, mobility, or volume as a principal element.

Because this remedy will result in hazardous substances remaining on the Site above health-based levels, a review of this remedial action, pursuant to CERCLA §121(c), 42 U.S.C. §9621(c), will be conducted within five years after commencement of remedial action, and every five years thereafter, to ensure that the remedy continues to provide adequate protection of human health and the environment.

_____ _____

Jeanne M. Fox
Regional Administrator

Date

ROD FACT SHEET

SITE

Site name: DuPont Necco Park Site

Site location: City of Niagara Falls and Town of Niagara, Niagara County, New York

ROD

Selected remedy: Source containment through upgrading and expanding the existing cap, optional installation of an overburden physical barrier, groundwater pump and treat, additional DNAPL collection and additional Site characterization.

Capital cost: $7,837,136.

O&M cost: $4,614,775.

30-year present-worth cost: $57,264,743.

Total Cost: $65,102,000.

LEAD

United States Environmental Protection Agency

Primary Contact: Michael Negrelli, (212) 637-4278

Secondary Contact: Kevin M. Lynch (212) 637-4287

Main PRPs: DuPont Chemical Corporation

WASTE

Waste type: Various industrial and hazardous wastes including volatile, semi-volatile, inorganics and tentatively identified compounds (TICs).

Waste origin: Chemical manufacturing and processing.

Estimated waste quantity: Groundwater: Estimated volume to be pumped and treated annually is 73,584,000 gal. Contaminated Landfill Soils: approximately 1,000,000 cubic yds.

Contaminated medium: Groundwater, soils, and bedrock.

RECORD OF DECISION
DECISION SUMMARY

DuPont Necco Park Site

City of Niagara Falls and Town of Niagara, Niagara County, New York

United States Environmental Protection Agency
Region II
New York, New York

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ATTACHMENTS

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Technical Support, 11th Floor
625 Broadway, Albany, NY 12233-7020
Phone: (518) 402-9553 • Fax: (518) 402-9547
Website: www.dec.ny.gov

Alexander B. Grannis
Commissioner

April 22, 2010

E.I. DuPont de Nemours & Company
Attn: Mr. Paul Mazierski, Project Director
Buffalo Avenue @ 26th Street
Building 35
Niagara Falls, NY 14302

Dear Mr. Mazierski:

As mandated by Section 27-1305 of the Environmental Conservation Law (ECL), the New York State Department of Environmental Conservation (Department) 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.: 932047
Site Name: Necco Park
Site Address: 5600B Niagara Falls Boulevard, Niagara Falls, NY 14302

Classification change from 2 to 4

The reason for the change is as follows:

The Site is a 25-acre landfill used from 1930 until 1977 by DuPont to dispose of industrial and hazardous waste. Investigations by DuPont in the 1980s revealed widespread groundwater contamination around the site, and several groundwater extraction wells were installed to control further contaminant migration. In 1998, the Environmental Protection Agency issued a Record of Decision calling for an enhanced landfill cap and hydraulic containment. The remedy was implemented between 2004 and 2005, and a bedrock blast fracture trench was added in 2008 to enhance groundwater recovery. Remedial activity is complete and continued operation, maintenance and monitoring is underway.

Enclosed is a copy of the Department's Inactive Hazardous Waste Disposal Site Report form as it appears in the Registry. An explanation of the site classifications is available at http://www.dec.ny.gov/chemical/8663.html. 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:

Honorable Alexander B. Grannis
Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1010

For additional information, please contact Michael Hinton, the project manager at 716-851-7220.

Sincerely,

Kelly A. Lewandowski, P.E.
Chief
Site Control Section

KAL/DM/ss
Enclosures

ec: D. Desnoyers
D. Weigel
A. English
K. Lewandowski

ec: w/Enc.
G. Litwin, NYSDOH
R. Knizek, Chief, Remedial Bureau E
M. Brady, Regional Attorney, Region 9
S. Doleski, Regional Permit Administrator, Region 9
G. Sutton, RHWRE, Region 9
M. Hinton, Project Manager, Region 9
D. Moloughney

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL REMEDIATION
Inactive Hazardous Waste Disposal Report

Site Code	932047				
Site Name	Necco Park	**Address**	5600B Niagara Falls Boulevard		
Classification	04	**City**	Niagara Falls	**Zip**	14302
Region	9	**County**	Niagara	**Town**	Niagara
Latitude	43 degrees, 5 minutes, 42.55 seconds			**Estimated Size**	25.0000
Longitude	-78 degrees, 59 minutes, 53.73 seconds				
Site Type	EPA Landfill				

Site Description

The 25-acre Necco Park landfill is an inactive hazardous and industrial waste landfill located approximately 1.5 miles north of the Niagara River along the City of Niagara Falls and the Town of Niagara line. The landfill, located off of Niagara Falls Blvd near 56th Street, was originally used as a recreational park by the Niagara Electrochemical Company, from which 'Necco' is derived. The property was sold to DuPont in 1930. Necco Park is located in a heavily industrialized section of Niagara Falls and is bounded on three sides by commercial waste disposal facilities. Immediately adjacent to the north and east lies the Allied Waste Niagara Falls landfill. Immediately adjacent to the south are three inactive secure hazardous waste landfill cells and a wastewater treatment facility owned by CECOS International, Inc. An access road and a Conrail (Niagara Junction Railway Company) right-of-way bound the landfill to the west. The nearest residential neighborhoods are located approximately 2,000 feet to the south and 2,500 feet to the west, respectively. Wastes from the Necco Park landfill have migrated in the overburden and bedrock underneath the landfill and now extend underneath the CECOS facility and a portion of the BFI facility.

The site was closed in 1977, and a clay cap was installed. Hydrogeological investigations conducted by DuPont have revealed significant contamination of the groundwater adjacent to the site with volatile chlorinated organics as well as inorganics. Following a trial pump test in early 1982, DuPont commenced a continuous program of pumping groundwater from 2 wells adjacent to the disposal site to establish a hydraulic barrier to contaminant migration. The pumped groundwater was treated at CECOS International.

EPA issued an administrative order to DuPont in May of 1985 for further off-site investigation of the site. A second administrative order was issued in 1989 for further RI/FS work.

As a source control measure, DuPont installed a grout curtain along the north side and portions of the east and west sides of the site. A third groundwater recovery well became operational in 1992 and contributed to increasing the hydraulic control over the site.

The USEPA issued a Record of Decision (ROD) and a Unilateral Administrative Order (UAO) in September 1998 calling for an enhanced landfill cap and hydraulic containment. The design of a landfill cap modification and hydraulic containment system was completed in 2004. Construction of the hydraulic containment system along with an interim groundwater treatment system began in August 2004 and were completed in April 2005. Treated groundwater is discharged under permit to the City of Niagara Falls Waste Water Treatment Plant. Construction of the landfill cap enhancement was completed in November 2005. A Remedial Action report was approved in September 2007 including the Operation, Maintenance and Monitoring plan. In 2008 in response to groundwater monitoring data, a Blast Fractured Bedrock trench was installed along a portion of the south property line at RW-11 to enhance the hydraulic control of the upper B Zone and overburden A zone groundwater. Continous pumping of RW-11 began on November 12, 2008. Remedial activity is complete, continued Operation, Maintenqnce and Monitoring is underway. Periodic reports demonstrating the effectiveness of the remedy are submitted. Last annual report was submitted on June 22, 2009.

Contaminants of Concern (Including Materials Disposed) Quantity

OU 00

BARIUM	0.00	lb
CALCIUM	0.00	lb
CARBON TETRACHLORIDE	0.00	lb
CHLOROFORM	0.00	
HEXACHLOROBENZENE	0.00	lb
HEXACHLOROBUTADIENE	0.00	lb
HEXACHLOROETHANE	0.00	lb

METHYLENE CHLORIDE	0.00	lb
PERCHLOROETHANE	0.00	lb
TRICHLOROETHENE (TCE)	0.00	lb
VINYL CHLORIDE	0.00	lb
1,1-DICHLOROETHANE	0.00	lb
1,2-DICHLOROETHANE	0.00	lb
1,1,2 TCA	0.00	lb
1,1,2,2-TETRACHLOROETHANE	0.00	lb
PHENOL	0.00	lb
2,4,6-TRICHLOROPHENOL	0.00	lb
2,4,5-TRICHLOROPHENOL	0.00	lb

OU 01

BRINE SLUDGE, BARIUM SALTS	0.00
CHLORINATED COMPOUNDS (CHLOROBUTANES,	0.00
CHLOROETHYLENES), METHANOL, TOLUENE, ACETATES,	0.00
RUBBLE, OTHER CHEMICALS	0.00
CHLOROETHANES	0.00

Analytical Data Available for : Groundwater, Soil

Applicable Standards Exceeded for: Groundwater

Site Environmental Assessment

Available data indicates that during the operational history of the site approximately 186 million pounds or about 93,000 tons of liquid and solid industrial waste were disposed at the site. These wastes contained inorganic constituents (barium, calcium and sodium chloride) and organic compounds such as carbon tetrachloride, chloroform, hexachlorobenzene, hexachlorobutadiene, hexachloroethane,, methylene chloride, PCE and TCE. These waste were disposed of and are present in the overburden and groundwater at the site. Most groundwater contamination at the site is the result of dissolution of disposed chlorinated organic liquids. DNAPL has been observed and recovered from wells in and near the site.

The design of a landfill cap modification and hydraulic containment system based on the 1998 ROD was completed in 2004. Construction of the hydraulic containment system along with an interim groundwater treatment system began in August 2004 and were completed in April 2005. Treated groundwater is discharged under permit to the City of Niagara Falls Waste Water Treatment Plant. Construction of the landfill cap enhancement was completed in November 2005. A Remedial Action report was approved in September 2007 and the Operation Maintenance and Monitoring plan is in effect.

Periodic reports demonstrating the effectiveness of the remedy are submitted. The last annual report was submitted on June 22, 2009. Thru the 2008 Annual report approximately 8,335 gallons of DNAPL has been removed since 1989. No estimate is available for contaminant removal through the groundwater

Site Health Assessment

No one is expected to come in contact with contamination from the site because the site is capped and fenced and public water serves the area.

Owners

Current Owner(s)

Paul Mazierski

E.I. DuPont de Nemours & Company

Buffalo Ave @ 26th Street

Niagara Falls NY 14302

Previous Owner(s)

Niagara Electro Chemical Co.

Buffalo Ave

Niagara Falls NY 14302

Disposal Owner(s)

Paul F. Mazierski

E.I. DuPont de Nemours & Company

Buffalo Ave at 26th Street

Niagara Falls NY 14302

Operators

Current Operator(s)

Paul F. Mazierski

DuPont Corporate Remediatiopn Group

5600B Niagara Falls Blvd

Niagara Falls NY 14304-1532

New York State Department of Environmental Conservation

PUBLIC NOTICE | **State Superfund Program**

Site Name: Necco Park May 12, 2010
Site No. 932047 **Tax Map Nos.** 145.18-1-5 and 160.06-2-1
Site Location: 5600B Niagara Falls Boulevard, Niagara Falls, NY 14302

Inactive Hazardous Waste Disposal Site Classification Notice

The Inactive Hazardous Waste Disposal Site Program (the State Superfund Program) is the State's program for identifying, investigating, and cleaning up sites where the disposal of hazardous waste may present a threat to public health and/or the environment. The New York State Department of Environmental Conservation (Department) maintains a list of these sites in the Registry of Inactive Hazardous Waste Disposal Sites (the "Registry"). The site identified above was recently reclassified on the Registry as a site that no longer presents a significant threat to public health and/or the environment (Class 4). See map on other side for the location of the site.

The Site is a 25-acre landfill used from 1930 until 1977 by DuPont to dispose of industrial and hazardous waste. Investigations by DuPont in the 1980s revealed widespread groundwater contamination around the site, and several groundwater extraction wells were installed to control further contaminant migration. In 1998, the Environmental Protection Agency issued a Record of Decision calling for an enhanced landfill cap and hydraulic containment. The remedy was implemented between 2004 and 2005, and a bedrock blast fracture trench was added in 2008 to enhance groundwater recovery. Remedial activity is complete and continued operation, maintenance and monitoring is underway.

If you own property adjacent to this site and are renting or leasing your property to someone else, please share this information with them. If you no longer wish to be on the contact list for this site or otherwise need to correct our records, please contact the Department's Project Manager listed below.

FOR MORE INFORMATION

Additional information about this site can be found using the Department's "Environmental Site Remediation Database Search" engine which is located on the internet at:
www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3

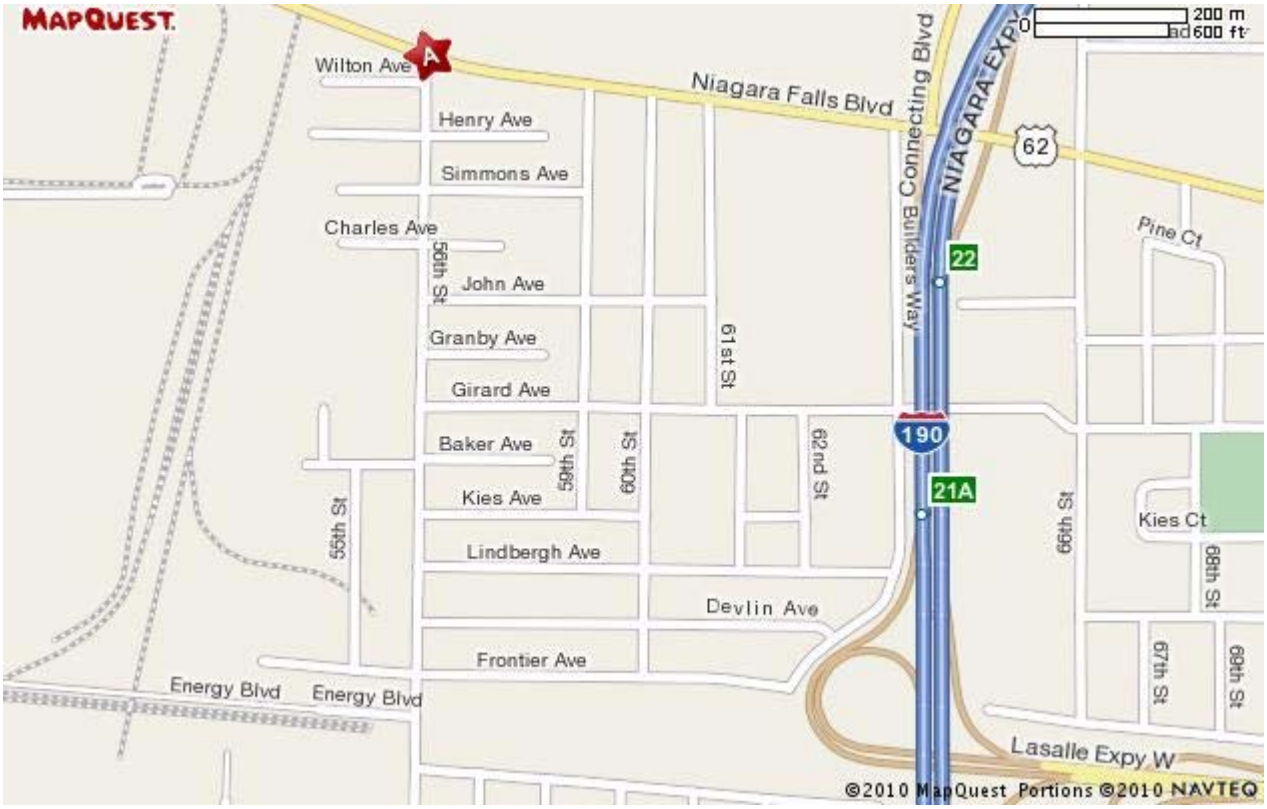
Comments and questions are always welcome and should be directed as follows:

Mr. Michael Hinton
NYS Department of Environmental Conservation
Region 9 Headquarters
270 Michigan Avenue
Buffalo, NY 14203
(716) 851-7220

The Department is sending you this notice in accordance with Environmental Conservation Law Article 27, Title 13 and its companion regulation (6 NYCRR 375-2.7(b)(6)(ii)) which requires the Department to notify all parties on the contact list for this site of this recent action.

Approximate Site Location

Necco Park Site Entrance
5600B Niagara Falls Blvd.
Niagara Falls, NY 14302



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