



Phase I - Residential Property Cleanup Work Completed

Phase II - Cleanup Timeline Under Review

Former NL Industries Site
Depew, New York

June 2007

Our Goal is to Keep You Informed

Public participation is essential to the success of the EPA superfund program. If you have any questions regarding EPA's response activities at the site, please contact Dan Harkay, On-Scene Coordinator, at (732) 321-6614, or email Dan at:

Harkay.Dan@epa.gov

You can also call Mike Basile, EPA's Community Involvement Coordinator, at (716) 551-4410, or email Mike at:

Basile.Michael@epa.gov

Regional Public Liaison

EPA, Region 2 has designated a Regional Public Liaison for you to call, should you have concerns or complaints about the Superfund program. Please call (888) 283-7626.

For information on the Superfund process, please visit EPA's website at:

www.epa.gov/superfund

Information on the various tools and resources available to community groups, as well as fact sheets about other sites, can be found there.

In 2003, NL Industries Inc. was identified by EPA as a responsible party for lead contamination identified in soil on residential properties located in the neighborhood situated north of their former facility at 3241 Walden Avenue. The source of this contamination originated from dust and operational emissions that migrated from their former facility on prevailing northeast wind currents into the adjacent neighborhood. On September 29, 2004, an administrative order on consent was executed between EPA and NL Industries where they agreed to take responsibility for the delineation of lead contamination and cleanup of residential properties where lead was identified above EPA standards. In November 2004, NL initiated sampling events in the neighborhood west of Transit Road to delineate the extent of contamination in the area. NL began cleanup activities in the neighborhood in May 2005 and completed work in December 2006. A total of 36 residential properties were cleaned up by NL Industries and their remediation contractors.

Simultaneous with the cleanup actions that were performed in the neighborhood discussed above, EPA conducted soil sampling investigations in the neighborhood east of Transit Road. These sampling events were initiated as a result of the residents concerns that lead contaminated particulates may have migrated on the prevailing northeast winds into their neighborhood. Between April - September 2005 EPA collected soil samples from seventy one residential properties. In October 2006 the report summarizing the findings of EPA's sampling events was completed. Fifty nine of the seventy one properties sampled contained lead in surface and or subsurface soil at elevated concentrations.

EPA has met with NL Industries and has notified other companies that operated in the area of their potential liability for the cleanup. EPA is optimistic that discussions with these companies will result in agreement(s) to perform the required cleanup activities.

During the summer of 2005 when EPA was conducting sampling in the neighborhood east of Transit Road, an estimated time-line was provided to the residents regarding the start of cleanup activities. The summer of 2007 was given as the expected start of this project. EPA is optimistic that negotiations with the potential responsible parties

will result in an agreement(s) to perform the work. In this case, those parties would begin the work by early fall.

Work would be limited to non-intrusive activities such as arranging for site access, performing site surveys, conducting public availability sessions, and selection of cleanup contractors. The construction season in Depew, NY for the work that is required in this neighborhood is limited to a five-month period, beginning in May and ending in September. Because of this brief construction window, it is not expected or recommended that soil excavation activities be scheduled until May 2008.

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FAX HEADER	
To: Marty Doster NYS DEC	Date: 6/25/2007
Location Contact Phone # 716-851-7220 Fax # 716-851-7226	
From Michael J. Basile USEPA Community Involvement Coordinator 186 Exchange St. Buffalo, NY 14204	Number of Pages (including header) 3
Phone # 716-551-4410 Fax # 716-551-4417	
Subject: NL Industries Update	
<p>USEPA REGION 2 is providing you with the attached fact sheet to keep you informed of the on-going clean-up efforts for this site. The fact sheet will be delivered to approximately 59 families Tuesday, June 26, 2007</p> <p>If you have any questions, please feel free to contact me at 551-4410.</p>	