



EPA To Conduct Cleanup of NL Phase 2 Residential Properties

Near Former NL Industries Site
Depew, New York

April 2009

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 this site, please contact Michelle Tabayoyong, On-Scene Coordinator, at (732) 906-6934, or email Michelle at:

tabayoyong.michelle@epa.gov

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

The United States Environmental Protection Agency (EPA) Region 2 conducted discussions with numerous potentially responsible parties regarding the NL Phase 2 Residential Properties cleanup of lead contaminated soil from residential properties to the west and east side of Transit Road, Depew, New York. EPA was optimistic that the discussions with these companies would have resulted in an agreement(s) to perform the required cleanup activities but, unfortunately, the discussions stalled. EPA Region 2 will be performing the cleanup activities itself.

The EPA is set to begin the cleanup of lead contaminated soils at 66 residential properties located on Tyler, Rumford, Brewster and Lincoln Streets as well as Harvard and Walden Avenue in Depew, New York starting mid May 2009.

Cleanup activities will include: removal of lead contaminated soils; possible removal of shrubs and/or trees; restoration with clean topsoil, new shrubs/trees and installation of sod.

EPA's Command Post located will be located at 56 Transit Rd. Once phone service is installed, EPA will notify you of the telephone numbers for EPA's On-Scene Coordinator, Michelle Tabayoyong. EPA will be available to answer any questions regarding the cleanup activities for the site.

Overview of the Site

The Site is located in an industrial and residential area in Depew, New York.

In early 1998, NYSDEC approached Norampac, Inc. ("Norampac"), a member of Cascades Group, regarding the elevated PAHs and metals detected at the former NL property in 1987 and requested that Norampac

conduct a subsurface investigation on their property. Normapac & NL Industries, Inc. ("NL") extended the investigation to residential properties to the north of Walden Avenue and west of Transit Road. Lead contaminated residential properties were identified and were later distinguished as the Phase 1 Residential Properties or Phase 1 area.

A total of 36 properties on Transit Road, Walden and Harvard Avenues, as well as Bostwick Place, W. Third and W. Second Streets were found to have lead-contaminated soil that required remediation. These residential properties were remediated by NL in 2005 under an Administrative Order on Consent ("AOC") executed by EPA on September 29, 2004.

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Overview of the Site (cont'd)

In November 2004, as a result of the public's concerns of potential lead contamination, EPA initiated a sampling investigation of residential properties located on Tyler, Rumford, Brewster, and Lincoln Streets as well as Walden Avenue. The sampling event started on April 26, 2005 and continued through November 3, 2005. During this sampling period, EPA investigated a total of 71 residential properties which has been distinguished as the Phase 2 Residential Properties. The sampling event identified 59 of the 71 properties to have lead concentrations at elevated levels. Based on the results of the sampling activities, EPA plans to initiate a removal action at the Phase 2 Residential Properties to mitigate the threats to the public associated with lead.

In October 2008, EPA continued the sampling investigation of residential properties in the Phase 2 area. During this sampling period, EPA investigated a total of 15 residential properties and several Depew owned Rights of Way. The sampling event identified 5 of the 15 properties to have lead contamination at elevated levels, which will be incorporated in the removal action in the Phase 2 Residential Properties Site.

The activities listed below are included in the proposed scope of work for the Phase 2 Residential Properties.

- Acquire access agreements for each privately held property proposed for remediation and/or sampling;
- Prepare an inventory of each property (landscaping, features, mature trees, etc.);
- Removal of trees, shrubs, and landscape items (as necessary);
- Excavation of lead-contaminated soil from residential properties with the collection of post excavation confirmatory samples to verify attainment of remediation goals;
- Restore excavated areas with backfill, topsoil, and sod as well as the replacement of shrubs/trees from the affected areas;
- Dispose of lead-contaminated soil at an off-site disposal facility that is in compliance with EPA's off-site Disposal Rule; and
- Monitoring of site conditions for one year after the property is restored.