

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



VOLUNTARY CLEANUP PROGRAM APPLICATION

NYSDEC Site No.: _____

(rev. 11/00)

STATEMENT OF CERTIFICATION

I, Frank C. Brown, do hereby certify and attest that the information included in this Voluntary Cleanup Program application, including any attachments, is, to the best of my knowledge and belief, accurate and complete; and that the applicant has the necessary funds to undertake the activities proposed to be implemented under this application, if approved.

2-20-02

Date

Frank C. Brown

Signature

TYPE OF CONTAMINANTS:

Petroleum Hazardous Substances MGP Other

I. SITE NAME AND LOCATION

SITE NAME (legal, common, or descriptive):

FiberMark DSI Inc. (formerly REXAM DSI Inc.)

SITE LOCATION: Street or Route No.:

Bridge Street (North side of Black River - Just West of Bridge)CITY/TOWN: BrownvilleJeffersonZIP: 13615LATITUDE: 44° 01' 00"LONGITUDE: 75° 59' 00"COUNTY TAX MAP IDENTIFIER NO(S): Plot 73a2, Block 2, Lot 38NYTM Coordinates: E: 421,205 N: 4,872,483

II. CURRENT OWNER/OPERATOR INFORMATION

Current owner's name, address, and phone and fax nos.:

FiberMark Inc.
PO Box 489 / 161 Wellington Road
Brattleboro, VT 05302-0489
(802)257-5906 (802)257-5900 fax

Current operator's name, address, and phone and fax nos.:

FiberMark DSI Inc.
Bridge St.
Brownville, NY 13615
(315)782-5800 (315)782-5416 - fax

III. VOLUNTEER IDENTIFICATION

Volunteer's name, address, and phone and fax nos.:

REXAM Inc.
4201 Congress Street
Charlotte, NC 28209
(704)551-1500 (704)551-1572 - fax

Volunteer's contact's name, address, and phone and fax nos.:

Frank C. Brown
REXAM Inc.
4201 Congress St. Charlotte, NC 28209
(704)551-1520 (704)551-1572 - fax

Describe Volunteer's relationship, if any, to current owner and current operator (subsidiary, shareholder, partner, etc.). If no relationship, put "none".

Former property owner/operator.

IV. PROPERTY'S ENVIRONMENTAL HISTORY OVER PAST 50 YEARS

A. To the extent that existing information/studies/reports/ are readily available to the applicant, attach: See Phase I report.

- a description of the environmental history of the site that includes previous uses of the property, types of operation, chemicals used on the property, by-products or wastes produced by previous activities on-site, and a list of any orders, decrees, or other legal documents regarding violations of the Environmental Conservation Law or equivalent federal environmental statutes;
- a list of previous owners with names, last known addresses and telephone numbers (describe Volunteer's relationship, if any, to each previous owner listed. If no relationship, put "none"); and
- a list of previous operators with names, last known addresses and telephone numbers (describe Volunteer's relationship, if any, to each previous operator listed. If no relationship, put "none").

B. Is the site listed in New York State's Registry of Inactive Hazardous Waste Sites?

YES NO

If yes, the Registry Site Code is _____.

C. Is the site listed as Class 1 or 2 in New York State's Registry of Inactive Hazardous Waste Sites?

YES NO

D. Did the Volunteer generate, transport or dispose of, arrange for or cause the generation, transportation or disposal of hazardous substance on the property? See below.

YES NO

E. Is the site a treatment, storage, or disposal facility (TSDF) subject to corrective action or closure under permit or order issued under the Department's hazardous waste management regulatory ("RCRA") program?

YES NO

F. Is the site a TSDF operating under interim status under the RCRA program that is subject to enforcement action leading to the issuance of an order containing a corrective action schedule?

YES NO

V. INTENDED SITE USE

Briefly describe below the Contemplated Use of the site following cleanup.

The site will continue to be used as an industrial establishment for the manufacturing of latex saturated paper.

D. The site maintained a small quantity generator status (USEPA ID No. NYD 982188427). The only material that was generated onsite and shipped offsite for disposal as hazardous waste was spent mercury containing light bulbs (recycled) and spent Safety-Kleen self contained parts washer fluid (recycled). See Section 4.7 of the Phase I report for more details.

Received
2/26/02

ENVISION ENVIRONMENTAL, INC.

February 21, 2002

Chief, Brownfields/Voluntary Cleanup Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
50 Wolf Road – Room 260A
Albany, New York 12233-7010

RE: Voluntary Cleanup Program Application
FiberMark DSI Inc. (Former REXAM DSI INC. Facility)
Bridge Street
Brownville, Jefferson County, NY

ENVISION Project ID: 601.REX

Dear Department:

On behalf of REXAM INC. (REXAM), ENVISION ENVIRONMENTAL, INC. (ENVISION) is requesting enrollment of the above referenced site into the New York State Department of Environmental Conservation (NYSDEC) Voluntary Cleanup Program (VCP). As a result, enclosed please find one (1) original and one (1) copy of the NYSDEC VCP Application Form. Each application form also contains copies of the following ENVISION reports:

- August 2000 Phase I Environmental Site Assessment (ESA) Report (2 volumes)
- December 2000 Phase II ESA Report (2 volumes)

REXAM retained ENVISION in 2000 to conduct environmental due diligence assessments in preparation for the sale of the Brownville, NY facility. The August 2000 report documents an ASTM Phase I ESA conducted in June 2000. During this Phase I, a number of Recognized Environmental Conditions (RECs) were identified. These RECs were investigated as part of a Phase II ESA conducted in October 2000. The purpose of the Phase II ESA was to determine the potential environmental impact from the RECs identified during the Phase I ESA. The results of the Phase II ESA were documented in the December 2000 report.

ENVISION compared the sampling results from the Phase II investigation to the TAGM 4046 generic cleanup objectives. Based upon this analysis, some soil samples collected onsite reported concentrations of polycyclic aromatic hydrocarbons/base neutral (PAH/BN) compounds and heavy metals, which exceeded the respective generic TAGM cleanup objectives. It appears that these concentrations of PAH/BN compounds and heavy metals are associated with the historic fill (coal, coal ash, cinders, etc.) found across the site, and may be considered background.

The sale of the Brownville facility was finalized in 2001. As a condition of the sale, REXAM agreed to enter the VCP with the intention of obtaining a no further action decision on the soil and groundwater conditions identified during the assessment activities. As a result, we would

**ENVISION
ENVIRONMENTAL, INC.**

Chief, Brownfields/VCP Section
NYSDEC
Division of Environmental Remediation
February 21, 2002
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like to utilize the enclosed Phase I and Phase II ESAs as the basis for any future activities necessary to satisfy the VCP. It is our understanding that the next step in this process may include the **formulation of an NYSDEC-approved sampling plan** in order to develop site-specific clean-up objectives. We would like to utilize the data generated from the Phase II ESA as the basis for the development of such a plan.

Please note that one (1) original and one (1) copy of the NYSDEC VCP Application Form, along with the enclosed reports, have also been forwarded to Region 6.

We appreciate your time and effort in reviewing this material. Should you have any questions, please feel free to contact me at any time.

Very truly yours,



Mark P. Roman, CHMM
President

cc: Darrel Sweredoski
NYSDEC – State Office Building
317 Washington Street
Watertown, NY 13601

Frank Brown – REXAM

Jonathan Rose - FiberMark

New York State Department of Environmental Conservation
Division of Environmental Enforcement
Western Field Unit
270 Michigan Avenue, Buffalo, New York 14203-2999
Phone: (716) 851-7050 • FAX: (716) 851-7067
Website: www.dec.state.ny.us



April 23, 2002

Frank C. Brown
Rexam Inc.
4201 Congress Street
Charlotte, North Carolina 28209

Re: Voluntary Cleanup Program Application, Rexam Inc. Volunteer, FiberMark DSI Inc.
Site, V00525-6, Brownville, Jefferson County, New York

Dear Mr. Brown:

The Commissioner of the New York State Department of Environmental Conservation is pleased to offer you this opportunity to participate in the voluntary program developed to facilitate the remediation of contaminated sites throughout the State of New York. The Department has determined that the above application dated February 20, 2002 is complete and that based on the representations contained therein and in the documents which accompanied the application the Volunteer is eligible to participate in the Voluntary Cleanup Program as a PRP-Volunteer provided it executes and returns to the Department within 15 days of receipt the enclosed Agreement, which provides for the submission, review, approval and implementation of work plans under the Voluntary Cleanup Program. An appropriate representative of the Volunteer should sign all three originals and return them to the undersigned. Following signature by the Department one fully executed original will be returned to you.

Please note that the Department will not review any proposed work plans or submissions until a fully executed agreement is returned to the Department. If you have any questions or comments, feel free to call me.

Very truly yours,

Maura C. Desmond
Senior Attorney

MCD:d:k
A:D1647.24
Enclosure

cc: w/o enc. **Darrell Sweredoski**
 P. Onderkirk

bc: w/o enc. **D. Desnoyers**
 M. Lesser
 C. Costopoulos
 Michael Komoroske
 Mike Rivara