

Department of Environmental Conservation

Division of Environmental Remediation

**Environmental Restoration
Record of Decision
Spaulding Composites Site
Operable Unit No. 7
Tonawanda, Erie, New York
Site Number E91550**

March 2009

New York State Department of Environmental Conservation
DAVID A. PATERSON, Governor ALEXANDER B. GRANNIS, Commissioner

**DECLARATION STATEMENT
ENVIRONMENTAL RESTORATION RECORD OF DECISION**

**Spaulding Composites Environmental Restoration Site
Operable Unit No. 7
Tonawanda, Erie, New York
Site No. E915050**

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedy for Operable Unit 7 of the Spaulding Composites site, an environmental restoration 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 (the Department) for Operable Unit 7 of the Spaulding Composites environmental restoration site, and the public's input to the Proposed Remedial Action Plan (PRAP) presented by the Department. 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

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 Site Investigation/Remedial Alternatives Report (SI/RAR) for the Spaulding Composites site and the criteria identified for evaluation of alternatives, the Department has selected No Action as the remedy for Operable Unit 7 of the Spaulding Composites site.

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.

MAR 27 2009

Date



Dale A. Desnoyers, Director
Division of Environmental Remediation

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Environmental Restoration RECORD OF DECISION

**Spaulding Composites Site
Operable Unit No. 7**
Tonawanda, Erie, New York
Site No. E915050
March 2009

SECTION 1: SUMMARY OF THE RECORD OF DECISION

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected this remedy for Operable Unit 7 (Hinds Street Area) of the Spaulding Composites Site.

The 1996 Clean Water/Clean Air Bond Act provides funding to municipalities for the investigation and cleanup of brownfields. Under the Environmental Restoration Program, the state provides grants to municipalities to reimburse up to 90 percent of eligible costs for site investigation and remediation activities. Once remediated, the property can then be reused.

As more fully described in Sections 3 and 5 of this document, historical plant operations did not result in the disposal of hazardous wastes or substances at Operable Unit 7. Because a threat to human health or the environment does not exist at this operable unit, No Action has been selected as the remedy for Operable Unit 7 of the Spaulding Composites Site.

SECTION 2: SITE LOCATION AND DESCRIPTION

The 46 acre Spaulding Composites Site is located at 310 Wheeler Street in the City of Tonawanda, Erie County, New York. The site is bounded by Dodge and Enterprise Avenues and residential property to the north, Wheeler Street and a mix of commercial and residential properties to the east, Hackett Drive and commercial properties to the south, and Hinds Street and a mix of commercial and residential properties to the west (Figures 1 and 2). The topography of the site and the surrounding area is relatively flat, with most surface water runoff toward on-site drainage ditches and storm sewers. The Niagara River is located approximately one mile to the north, while Two Mile Creek is located approximately one mile to the west (Figure 1).

The geology and hydrogeology of the Spaulding Composites Site have prevented the offsite migration of contaminants via shallow groundwater and have prevented the regional bedrock aquifer from becoming impacted by site related contaminants. At the Spaulding Composites Site four distinct geologic units exist. These units, in order of increasing depth, are summarized as follows:

- Fill consisting primarily of reworked silty clay with lesser amounts of sand and gravel. Concrete rubble, crushed stone, cinders, and minor amounts of wood debris, button ash, slag, asphalt millings, foundry sand, brick and miscellaneous waste were also encountered, often mixed into the reworked silty clay. The thickness of this unit typically ranges from 1 to 10 feet within the building footprint, and from 0 to 2 feet outside the building footprint. Fill was not encountered at Operable Unit 7;
- A glaciolacustrine deposit consisting primarily of reddish brown silty clay with a small sand component. This unit has a very low permeability (meaning that groundwater cannot easily move through it). The thickness of this unit ranges from 36.4 to 45.8 feet;

- A dense glacial till consisting of dark reddish brown to gray, silty clay with abundant rock fragments and gravel. This unit was observed in 3 of 4 deep boreholes, and is less than 5 feet in thickness; and
- Shale bedrock of the Camillus Shale Formation. This unit was encountered at depths ranging from 38.5 to 54.9 feet.

Shallow groundwater is sporadically encountered within the fill material. This water is perched (located) on top of the glaciolacustrine deposit because of this unit's low permeability. Small quantities of perched water, however, can move into the upper silty clay unit through desiccation cracks. Soil pore water, found in very small quantities, is largely bound to the soil particles of the upper, unsaturated portion of this deposit. As a result, this water has very low mobility.

The Camillus Shale Formation is part of a regional aquifer in the Erie-Niagara basin. Groundwater from this bedrock aquifer, however, is not utilized as a source of drinking water in the Tonawanda area because of naturally occurring high mineral content and the close proximity of the Niagara River, an important source of municipal drinking water throughout the Western New York area. Groundwater flow in the upper bedrock aquifer is to the north toward the Niagara River.

The Spaulding Composites Site has been subdivided into seven Operable Units (OUs) as shown on Figure 2. Operable Units 1 thru 4 are associated with the State Superfund portion of the site, and consist of multiple Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs). The SWMUs and AOCs were grouped into Operable Units based upon the presence of physical waste (OU1) or contaminant type (OUs 2 and 3). Operable Unit 4 consists of multiple contaminants, and includes the remaining SWMUs and AOCs that require remediation. An operable unit 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. A Solid Waste Management Unit is a Resource Conservation and Recovery Act (RCRA) term that defines a discernible unit where solid or hazardous wastes have been placed at any time, or any area where solid wastes have been routinely and systematically released. An Area of Concern is also a RCRA term, and defines an area not known to be a SWMU, where hazardous waste and/or hazardous constituents are present, or are suspected to be present, as a result of a release from the facility. Operable Units 5 thru 7 are associated with the Environmental Restoration Program (ERP) portion of the site. These operable units were designated to facilitate the ERP Site Investigation; Operable Units 5 and 7 were not part of Spaulding's manufacturing activities and so were thought to be relatively uncontaminated. Operable Unit 6 includes the manufacturing portion of the site. Operable Units 1 thru 4 are located within Operable Unit 6, but are not part of the Environmental Restoration Program.

The Operable Units at the Spaulding Composites Site, with associated SWMUs and AOCs, are defined as follows:

OU1: Regulated Landfill Wastes (State Superfund)

SWMU 7	Resin Drum Landfill;
SWMU 8	Laminant Dust Landfill;

OU2: PCB-Contaminated Wastes (State Superfund)

SWMU 11	Sludge Settling Pond;
SWMU 12	Sludge Settling Pond and Former Fuel Oil Tanks;
SWMU 23	Former Tank Farm Area;
SWMU 38	Therminol Building Area;
AOC 48	Transformer Explosion Area;

OU3: Petroleum Contaminated Wastes (State Superfund)

SWMU 13	Former Grinding Oil Tank and Sludge Settling Pond;
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SWMU 36 Former Tank Farm Area;

OU4: Multiple Contaminant Wastes (State Superfund)

SWMU 3 Zinc Chloride Sludge Container Storage Area;
SWMU 5 Empty Drum Storage Dock;
SWMU 14 Sludge Settling Pond;
SWMU 26 Paper Sludge Land Application Area;
SWMU 35 Lab Waste Storage Area;
AOC 45 Rail Spur;
AOC 46 Drum Storage Dock;
AOC 47 Bulk Chemical Unloading Area;

OU5: Wheeler Street Parking Lot (Environmental Restoration Program)

OU6: Main Plant Area (Environmental Restoration Program)

OU7: Hinds Street Area (Environmental Restoration Program)

These operable units are shown on Figure 2, with the individual SWMUs and AOCs shown on Figure 3.

Operable Unit 7 is the subject of this document. Remedies for State Superfund Operable Units 1 thru 4 are contained in a Record of Decision issued by the NYSDEC in March 2003. Proposed remedies for Operable Units 5 and 6 will be presented to the public at a future date.

SECTION 3: SITE HISTORY

3.1: Operational/Disposal History

Spaulding Composites (Spaulding) began operations as a manufacturer of vulcanized fiber, an early "plastic" made by treating paper with a zinc chloride solution. The paper used to produce vulcanized fiber was also manufactured at the site. During the late 1940s to early 1950s, the plant began production of composite laminates (Spaldite®) that were made by impregnating natural fibers with phenolic resins (and later, melamine and epoxy resins and synthetic fibers). Many of the phenolic resins used in the production of Spaldite® were manufactured on-site. In the fall of 1992 Spaulding ceased manufacturing operations at the site and commenced decommissioning activities of the plant. Spaulding, however, maintained a limited manpower staff until January 2004 to: (1) operate an on-site water treatment system; and (2) maintain the facility (e.g., lawn mowing and security).

Contamination of site soils and groundwater (in isolated areas) has resulted largely from bulk chemical and waste handling practices at the facility. These practices include: (1) historical leaks and spills (at least 17 incidents were reported between 1958 and 1994); (2) on-site waste disposal in pits excavated into native soils (the Resin Drum and Laminant Dust Landfills); and (3) the use of settling ponds (four settling lagoons were located throughout the site). In addition, a number of disposal pits were located inside plant buildings; these pits were cleaned during decommissioning activities following facility closure in 1992. Fill material, consisting of slag, cinders and ash, has been disposed of throughout the property, excluding Operable Unit 7.

3.2: Remedial History

In the late 1980s, a consultant under contract with the United States Environmental Protection Agency (USEPA) conducted a RCRA Facility Assessment (RFA) at the site. This assessment identified 36 Solid Waste Management Units (SWMUs) and several potential Areas of Concern (AOCs). Several of these SWMUs are included in the Registry of Inactive Hazardous Waste

Disposal Sites in New York State (Registry). The RFA Report included a summary of the analytical data for site surface water, soil and groundwater that were obtained by NUS Corporation in April 1987 during a Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Site Investigation.

Spaulding completed a number of remedial activities over the years to address contamination at the site. In the late 1970s the four settling lagoons (formerly Site Number 915050A; Class 5) were excavated and backfilled with clean fill. The contaminated sludge and soils were reportedly disposed of at Seaway Landfill in Tonawanda, New York. These lagoons were utilized from 1930 to 1972 to collect and settle out wet grinding wastes.

In August 1985 the Zinc Chloride Sludge and Drum Landfill (Site Number 915050D; delisted) was excavated. This area was a 60 cubic yard landfill located beneath the plant floor inside the main plant building and contained zinc chloride sludge contaminated with cadmium and lead, drummed lab chemicals and resin solvent mixtures. The pit was backfilled and a new concrete floor installed over it.

That same year Spaulding removed lead contaminated zinc hydroxide sludge from the Zinc Hydroxide Sludge Storage Tank (SWMU 24). The sludge was disposed of at a permitted off-site secure landfill. The storage tank and surrounding area were decontaminated with high pressure water.

The Paper Sludge Land Application Area (SWMU 26) was a 5,000 square yard area where paper sludge was spread on the ground to dry prior to disposal. In 1987 this area was closed and the remaining paper sludge removed.

Spaulding initiated decommissioning activities at the site in August 1992 following plant closure. The majority of these activities were completed between September 1992 and February 1993 with the remaining decommissioning activities completed by mid 1995. These activities are documented in the "Plant Decommissioning Final Report" dated August 1995.

In early 1993 Spaulding constructed an on-site water treatment system to treat PCB contaminated water from the Spauldite[®] basement sump, the on-site K-Line storm sewer (Figure 3) and other waste waters generated on-site. In October 1994, that portion of the K-Line sewer impacted by PCB contamination was isolated from the remaining K-Line system. Contaminated storm water from the isolated portion of the K-Line storm sewer was pumped to the on-site water treatment system and discharged to an off-site storm sewer. Prior to discharge, however, this water was tested to confirm that it achieved applicable PCB discharge limits (65 parts per trillion) as specified in the RCRA Corrective Action Order on Consent between Spaulding and the NYSDEC. Periodic sampling and analysis of waters from the isolated portion of the K-Line sewer (treatment system influent), the water treatment system effluent and the remaining (untreated) portions of the K-Line sewer system was conducted as part of Spaulding's storm water monitoring program.

In June 1993 a portion of the on-site K-Line storm sewer was flushed and the sediments removed in accordance with a NYSDEC approved work plan. This work was completed following the detection of PCBs in the K-Line storm sewer sediments at concentrations up to 1,065 parts per million (ppm). The removed sediments were dewatered, placed in roll-offs, and sent to Chemical Waste Management in Model City, New York for disposal.

On October 21, 1994 it was discovered that an out-of-service transformer had been vandalized, resulting in a spill of PCB transformer oil. The transformer had been staged in a building pending off-site transfer for disposal. All visible fluids were immediately cleaned up by Spaulding personnel and the affected ground outside the building covered with plastic. This area was subsequently excavated, with the contaminated soils placed in roll-offs for off-site disposal. After several

unsuccessful attempts to clean the concrete floor inside the building, the floor was broken up, placed in roll-offs, and sent to Chemical Waste Management in Model City, New York for disposal.

On December 21, 1994 Spaulding successfully plugged an on-site gas well. The well was inspected by the NYSDEC on January 10, 1995 with no detectable leaks observed. The NYSDEC formally approved this project on January 19, 1995.

To evaluate the contamination at the State Superfund portion of the Spaulding Composites Site, and to evaluate remedial alternatives to address the significant threat to human health and the environment posed by the presence of hazardous waste, Spaulding completed both a Remedial Investigation/RCRA Facility Investigation (RI/RFI) and a Feasibility Study/Corrective Measures Study (FS/CMS) at the site. This was a joint project between the State CERCLA and RCRA programs, with overall NYSDEC management, coordination and oversight provided by CERCLA staff. To satisfy both programs, Spaulding decided to conduct a single investigation of the site. The RI/RFI was conducted in 4 phases: the first phase was conducted between April and October 1995; the second phase between July and September 1996; the third phase between October and December 1998; and the fourth phase in August 1999. Reports entitled "RCRA Facility Investigation and Remedial Investigation Report" dated September 1998; "Supplemental Remedial Investigation/RCRA Facility Investigation" dated May 24, 1999; and "Limited Groundwater Sampling Program" dated August 30, 1999 were prepared by Spaulding's consultant and described the field activities and findings of the RI/RFI in detail.

In March 2003 a Record of Decision was issued by the NYSDEC for State Superfund Operable Units 1 thru 4.

On October 15, 2003, the United States Bankruptcy court approved a recovery plan for Spaulding that in part provided for the operation of the water treatment system until January 23, 2004. On that date, in order to protect public health and the environment, the NYSDEC took over the operation and maintenance of the system. The system was operated by a NYSDEC Spill Contractor until October 11, 2004 when the K-Line sewer was plugged and abandoned in place.

In January 2004 the NYSDEC began the remediation of Operable Unit 2 by excavating PCB contaminated soils. Approximately 6,800 tons of non-hazardous soils were transported to BFI in Niagara Falls, New York for disposal, while approximately 13,500 tons of hazardous soils were transported to CWM in Model City, New York for disposal. The remediation of Operable Unit 2 was completed in February 2007 at a cost of approximately \$3,000,000.

Pre-design investigations for the State Superfund remediation of Operable Units 1, 3 and 4 have been completed. Preparation of the design documents is underway.

SECTION 4: ENFORCEMENT STATUS

Potentially Responsible Parties (PRPs) are those who may be legally liable for contamination at a site. This may include past owners and operators, waste generators, and haulers. Since no viable PRPs have been identified, there are currently no ongoing enforcement actions. However, legal action may be initiated at a future date by the state to recover state response costs should PRPs be identified. The City of Tonawanda will assist the state in its efforts by providing all information to the state which identifies PRPs. The City will also not enter into any agreement regarding response costs without the approval of the Department.

SECTION 5: SITE CONTAMINATION

The City of Tonawanda, Erie County and the Erie County Industrial Development Agency have recently completed a Site Investigation/Remedial Alternatives Report (SI/RAR) to determine the

nature and extent of contamination by hazardous wastes and substances at Operable Unit 7 of this environmental restoration site.

5.1: Summary of the Site Investigation

The purpose of the SI was to define the nature and extent of any contamination resulting from previous activities at the site. The Site Investigation was conducted between June 2007 and October 2007, with the Supplemental Site Investigation completed during June 2008. The field activities and findings of the investigation are described in the SI and Supplemental SI reports.

The SI and Supplemental SI activities completed at Operable Unit 7 included the following:

- Completion of a geophysical survey to delineate areas that might contain metal debris, drums, underground storage tanks and/or utility corridors;
- Completion of 5 soil borings to characterize soil, determine the depth to native soil and obtain samples for chemical analysis;
- Groundwater sampling and analysis from one existing overburden monitoring well;
- Excavation of 39 test pits to characterize soil, determine the depth to native soil, investigate areas identified by the geophysical survey and obtain samples for chemical analysis;
- Collection and analysis of 28 surface and subsurface soil samples to delineate the nature and extent of contamination; and
- Completion of a survey showing the locations of the soil borings, test pits and monitoring wells at Operable Unit 7.

5.1.1: Standards, Criteria, and Guidance (SCGs)

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

- Groundwater, drinking water, and surface water SCGs are based on the Department's "Ambient Water Quality Standards and Guidance Values" and Part 5 of the New York State Sanitary Code; and
- Soil SCGs are based on the Department's Regulation "6 NYCRR Subpart 375-6: Remedial Program Soil Cleanup Objectives" for unrestricted and residential use. When a Part 375 soil cleanup objective was not available, the soil cleanup objectives in "Technical and Administrative Guidance Memorandum [TAGM] 4046; Determination of Soil Cleanup Objectives and Cleanup Levels" were utilized.

Based upon the SI results, in comparison to the SCGs and potential public health and environmental exposure routes, site soils and groundwater at Operable Unit 7 do not require remediation. These results are summarized in Section 5.1.2. More complete information can be found in the SI and Supplemental SI reports.

5.1.2: Nature and Extent of Contamination

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

As described in the SI report, many soil and groundwater samples were collected to characterize the nature and extent of contamination at Operable Unit 7. As seen in Figure 4 and summarized in Table 1, the main category of contaminants that exceed their SCGs are semivolatile organic compounds (SVOCs), pesticides and inorganics (metals). For comparison purposes, where applicable, SCGs are provided for each medium.

Chemical concentrations are reported in parts per billion (ppb) for water and parts per million (ppm) for soil.

Figure 4 and Table 1 summarize the degree of contamination for the contaminants of concern in surface soil, subsurface soil and groundwater, and compare the data with the SCGs for the site. The following are the media that were investigated at Operable Unit 7 and a summary of the findings of the investigation.

Surface Soil

Three surface soil samples were collected from Operable Unit 7 during the SI and Supplemental SI (Figure 4; Table 1). Only zinc (2 samples) was detected at concentrations that exceeded the Part 375 unrestricted use SCGs (Table 1). None of these concentrations, however, exceeded the Part 375 residential use SCGs (Figure 4). Based upon these results, no remedial alternatives need to be evaluated for surface soil at Operable Unit 7.

Subsurface Soil

Twenty-five subsurface soil samples were collected from Operable Unit 7 during the SI and Supplemental SI (Figure 4; Table 1). Nickel (3 samples), selenium (1 sample) and zinc (3 samples) were the only metals detected in these samples at concentrations that exceeded the Part 375 unrestricted use SCGs (Table 1). None of these concentrations, however, exceeded the Part 375 residential use SCGs (Figure 4).

For the organic compounds, only benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene and indeno(1,2,3-cd)pyrene in a composite sample from test pits TP-31, TP-32 and TP-33 (Figure 4) were detected at concentrations that exceeded the Part 375 unrestricted use SCGs (Table 1). These contaminants, with the exception of chrysene, also exceeded the Part 375 residential use SCGs. Because no other residential use SCG exceedances were documented at Operable Unit 7, discrete samples were collected at each of the three test pit locations to confirm the results of the composite sample. Two discrete samples were collected at each test pit location (6 samples total) for chemical analysis of SVOCs. Only benzo(b)fluoranthene, fluoranthene and pyrene were detected in these samples. None of the concentrations, however, exceeded the Part 375 unrestricted use SCGs. Pesticides and PCBs were not detected in any of the samples analyzed for these contaminants (Table 1).

Using the discrete sample results in place of the composite sample results, no contaminants in subsurface soil at Operable Unit 7 were detected at concentrations that exceeded the Part 375 residential use SCGs (Figure 4). Based upon these results, no remedial alternatives need to be evaluated for subsurface soil at Operable Unit 7.

Groundwater

One overburden monitoring well is located in Operable Unit 7 (Figure 4) and was sampled during the SI. Only metals were detected in this sample, with all concentrations of toxic metals detected below groundwater SCGs (Table 1). Based upon these results, no remedial alternatives need to be evaluated for groundwater at Operable Unit 7.

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 SI/RAR.

There were no IRMs performed at this Operable Unit during the SI/RAR.

5.3: Summary of Human Exposure Pathways

This section describes the types of human exposures that may present added health risks to persons at or around the site. A more detailed discussion of the human exposure pathways can be found in Section 7.0 of the SI report. 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.

Historic operations at the Spaulding facility have not adversely impacted Operable Unit 7. Site Investigation results indicate that surface and subsurface soils meet the Part 375 residential use SCGs, while groundwater, when present, is not contaminated. Operable Unit 7 is currently vacant, but the intended future use is commercial. The site is fenced. As a result, there are no likely potential exposures requiring remediation.

5.4: Summary of Environmental Assessment

The completion of an environmental risk assessment to evaluate ecological receptors was not required during the SI because the site is located in a mixed industrial, commercial and residential area that does not provide sufficient habitat for ecological receptors. Surface water at the site occurs intermittently, primarily during and immediately following rain events. During the previous RI/RFI completed by Spaulding surface water samples from 9 outfalls throughout the site were collected for chemical analysis. None of the samples exceeded surface water SCGs. No groundwater SCG exceedances were documented in the overburden monitoring well installed in Operable Unit 7. These results indicate that there are no current or potential future environmental exposure pathways at Operable Unit 7 that require remediation.

SECTION 6: SUMMARY OF THE REMEDIATION GOALS, SELECTED REMEDY, AND THE PROPOSED USE OF THE SITE

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

The main SCGs applicable to this project are as follows:

- ambient groundwater quality standards;
- 6 NYCRR Part 375 soil cleanup objectives (SCOs); and
- TAGM 4046 soil cleanup objectives when Part 375 SCOs are not available.

The findings of the investigation of Operable Unit 7 indicate that the site does not pose a threat to human health or the environment. Therefore, the Department has selected No Action as the remedy for Operable Unit 7. This remedy will be effective in protecting human health and the environment and complies with New York State standards, criteria, and guidelines. Because surface and subsurface soils at Operable Unit 7 meet the Part 375 residential use SCGs, an environmental easement will not be required for this portion of the Spaulding Composites Site. The intended future use of the site is commercial. The Administrative Record for Operable Unit 7 of the Spaulding Composites Site is presented as Appendix B.

SECTION 7: HIGHLIGHTS OF COMMUNITY PARTICIPATION

As part of the environmental restoration 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;
- An informational meeting was held on September 18, 2007 to update the public on the various activities taking place at the Spaulding Composites Site. These activities include building demolition, the Environmental Restoration Program investigation and the State Superfund remedial design;
- A Fact Sheet providing a status update on the remediation of the State Superfund portion of the site and the start of the ERP Site Investigation was distributed to the mailing list in July 2007;
- A public meeting was held on February 26, 2009 to present and receive comment on the PRAP; and
- A responsiveness summary (Appendix A) was prepared to address the comments received during the public comment period for the PRAP.

No significant public comments were received.

TABLE 1
Nature and Extent of Contamination
 October 2004 - June 2008

SURFACE SOIL	Contaminants of Concern	Concentration Range Detected (ppm)^a	SCG^b (ppm)^a	Frequency of Exceeding SCG
Volatile Organic Compounds (VOCs)	None Detected	NA ^c	NA	NA
Semivolatile Organic Compounds (SVOCs)	None Detected Above SCGs	NA	NA	NA
Pesticides	None Detected	NA	NA	NA
PCB	None Detected	NA	NA	NA
Inorganic Compounds	Zinc	94.9 - 307	109	2 of 3

SUBSURFACE SOIL	Contaminants of Concern	Concentration Range Detected (ppm)^a	SCG^b (ppm)^a	Frequency of Exceeding SCG
Volatile Organic Compounds (VOCs)	None Detected Above SCGs	NA	NA	NA
Semivolatile Organic Compounds (SVOCs)	Benzo(a)anthracene	ND ^d - 1.5	1.0	1 of 25
	Benzo(a)pyrene	ND - 1.3	1.0	1 of 25
	Benzo(b)fluoranthene	ND - 1.8	1.0	1 of 25
	Chrysene	ND - 2.0	1.0	1 of 25
	Indeno(1,2,3-cd)pyrene	ND - 0.99	0.5	1 of 25
PCB/Pesticides	None Detected	NA	NA	NA
Inorganic Compounds	Nickel	12.5 - 39.7	30	3 of 19
	Selenium	ND - 11.0	3.9	1 of 19
	Zinc	ND - 175	109	3 of 19

TABLE 1 (CONTINUED)
Nature and Extent of Contamination
 October 2004 - June 2008

GROUNDWATER	Contaminants of Concern	Concentration Range Detected (ppb)^a	SCG^b (ppb)^a	Frequency of Exceeding SCG
Volatile Organic Compounds (VOCs)	None Detected	NA	NA	NA
Semivolatile Organic Compounds (SVOCs)	None Detected	NA	NA	NA
PCBs	None Detected	NA	NA	NA
Inorganic Compounds	None Detected Above	NA	NA	NA
	SCGs			

^a 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;

^b SCG = standards, criteria, and guidance values; groundwater SCGs are based on NYSDEC "Ambient Water Quality Standards and Guidance Values" and Part 5 of the New York State Sanitary Code, while soil SCGs are based on the NYSDEC "6 NYCRR Subpart 375-6: Remedial Program Soil Cleanup Objectives" for unrestricted use and the NYSDEC "Technical and Administrative Guidance Memorandum (TAGM) 4046; Determination of Soil Cleanup Objectives and Cleanup Levels".

^c NA = not applicable;

^d ND = contaminant analyzed but not detected;

Table 2
Remedial Alternative Costs

Remedial Alternative	Capital Cost (\$)	Annual Costs (\$)	Total Present Worth (\$)
No Action	\$0	\$0	\$0

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

Spaulding Composites Environmental Restoration Site Operable Unit No. 7 Tonawanda, Erie, New York Site No. E915050

The Proposed Remedial Action Plan (PRAP) for Operable Unit 7 (Hinds Street Area) of the Spaulding Composites site, was prepared by the New York State Department of Environmental Conservation (the Department) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on January 30, 2009.

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 February 26, 2009, which included a presentation of the Site Investigation (SI), the Supplemental Site Investigation and the Remedial Alternatives Report (RAR) 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 March 18, 2009.

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

COMMENT 1: Are surface and subsurface soils safe for residential redevelopment?

RESPONSE 1: Both surface and subsurface soils at Operable Unit 7 meet the NYSDEC Part 375 residential soil cleanup objectives. This means that Operable Unit 7 could be used for residential redevelopment without any restrictions being placed on this portion of the site. However, as stated by Mayor Pillozzi at the public meeting, the City of Tonawanda plans to redevelop all of the Spaulding property, including Operable Unit 7, for commercial or light industrial usage. Current City zoning also prohibits residential development on the site.

COMMENT 2: When will NYSDEC issue the ROD?

RESPONSE 2: The public comment period for the Operable Unit 7 PRAP ended on March 18, 2009. All of the comments received by the NYSDEC will be addressed in a Responsiveness Summary, which will be appended to the ROD. It is anticipated that once the comment period ends the ROD will be issued on or before March 31, 2009.

COMMENT 3: Will development on Operable Unit 7 be able to move forward before the other Spaulding operable units are remediated?

RESPONSE 3: Environmental Restoration Program guidance specifies that development of a property cannot take place until all elements of a remedial program are complete. As such, even though No Action is required at Operable Unit 7, redevelopment of this parcel cannot take place until Operable Units 5 and 6 have been satisfactorily addressed.

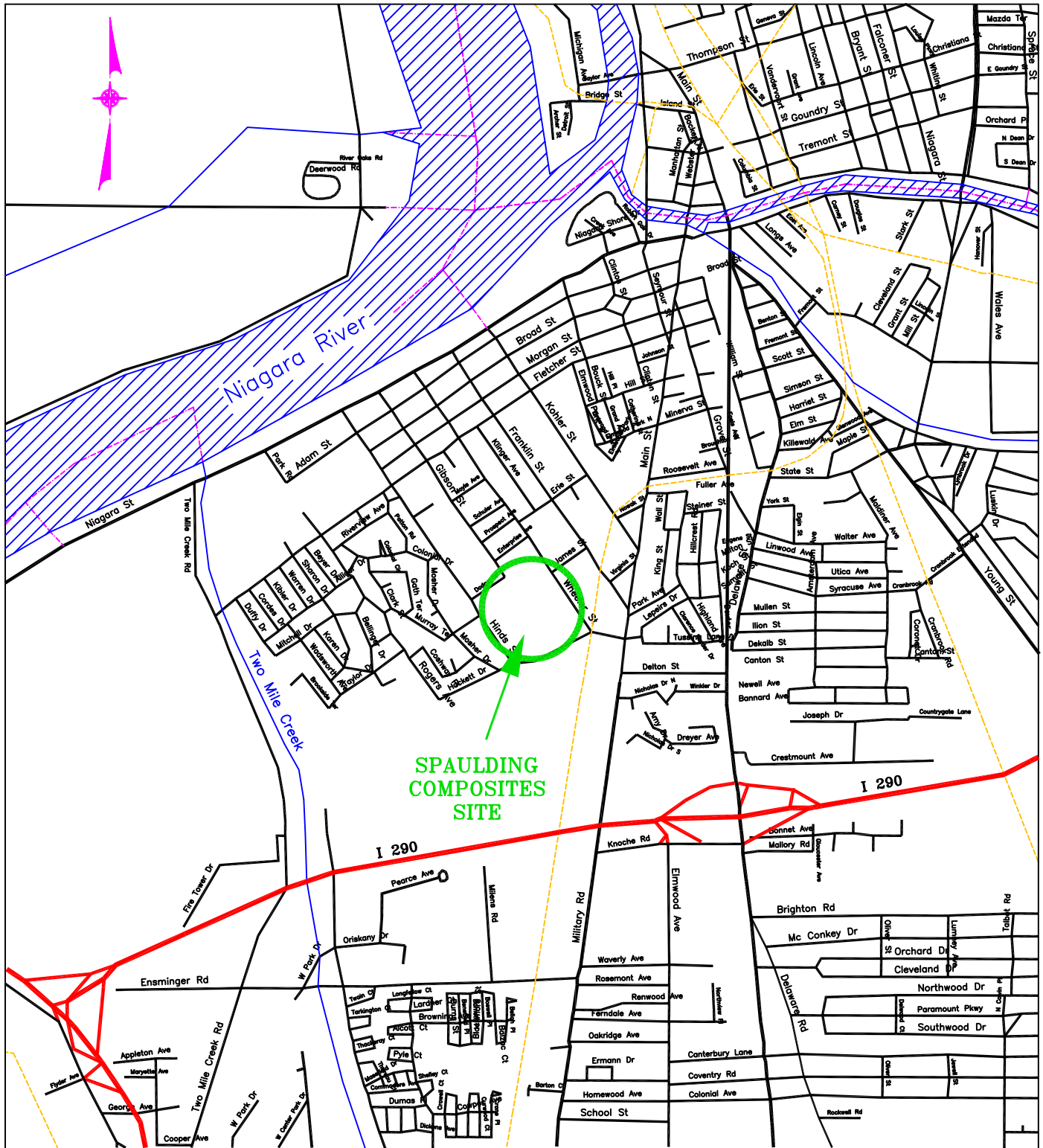
APPENDIX B

Administrative Record

Administrative Record

Spaulding Composites Site Operable Unit No. 7 Site No. E915050

1. Proposed Remedial Action Plan for the Spaulding Composites site, Operable Unit No. 7, dated January 30, 2009, prepared by the Department;
2. Fact Sheet entitled "Site Cleanup & Activities Update", July 2007, prepared by the Department;
3. "Site Specific Health and Safety Plan for the Spaulding Fibre Site Investigation", September 14, 2007, prepared by LiRo Engineers, Inc.;
4. "Citizen Participation Plan for the Spaulding Fibre Site", September 21, 2007, prepared by LiRo Engineers, Inc.;
5. "Work Plans: Part 1 - Site Investigation Plan; Part 2 - Standard Operation Procedures; Part 3 - Quality Assurance Project Plan for the Spaulding Fibre Site", October 17, 2007, prepared by LiRo Engineers, Inc.;
6. "Site Investigation Report for the Spaulding Fibre Site", May 20, 2008, prepared by LiRo Engineers, Inc.;
7. "Supplemental Site Investigation Report for the Spaulding Fibre Site", January 30, 2009, prepared by LiRo Engineers, Inc.;
8. "Remedial Alternatives Report for Operable Unit 7 at the Spaulding Fibre Site", January 19, 2009, prepared by LiRo Engineers, Inc.;
9. Fact Sheet entitled "Public Meeting on Proposal to Take No Action at Operable Unit 7 of the Spaulding Composites Site", February 2009, prepared by the Department;



Tonawanda East & West
 Quadrangles; Buffalo East &
 West Quadrangles

Scale Depends on Final Plotted Size

SITE LOCATION MAP

DIVISION OF ENVIRONMENTAL REMEDIATION

DATE: 01/25/01

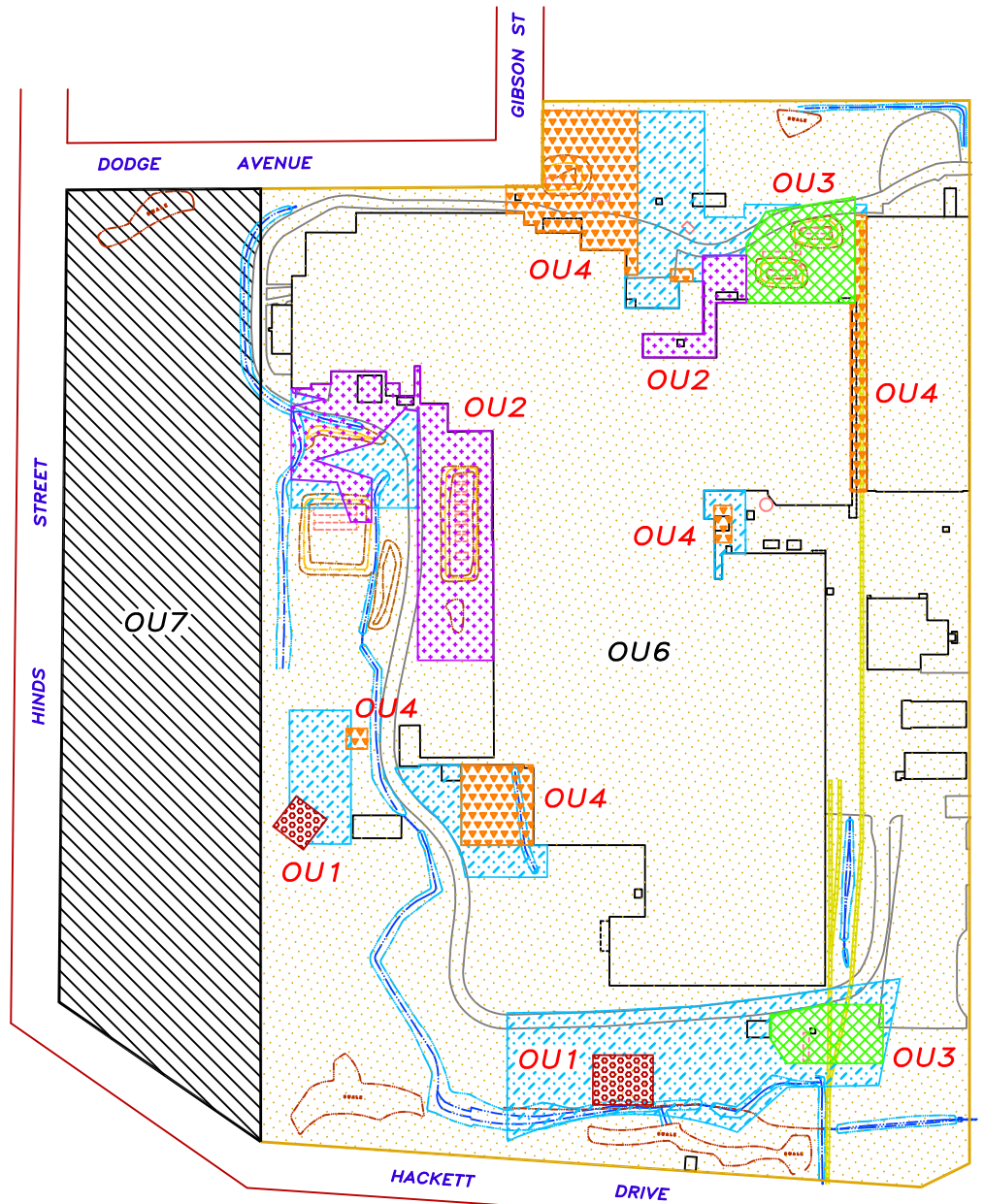
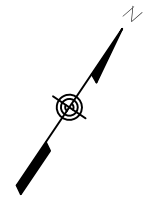
DRAWING: Location.dwg

SITE:









SPAULDING COMPOSITES SITE

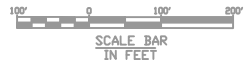


FIGURE 1



LEGEND

-  OU 1: REGULATED WASTES
-  OU 2: PCB CONTAMINATED WASTES
-  OU 3: PETROLEUM CONTAMINATED WASTES
-  OU 4: MULTIPLE CONTAMINANT WASTES
-  EXPANDED SSF REMEDIATION AREAS
-  OU 5: WHEELER STREET PARKING LOT
-  OU 6: MAIN PLANT AREA (EXCLUDES OUs 1-4)
-  OU 7: HINDS STREET AREA



OPERABLE UNIT LOCATION MAP	
DIVISION OF ENVIRONMENTAL REMEDIATION	
DATE: 11/06/08	DRAWING: Figures 2 & 3.dwg
SITE: SPAULDING COMPOSITES SITE	


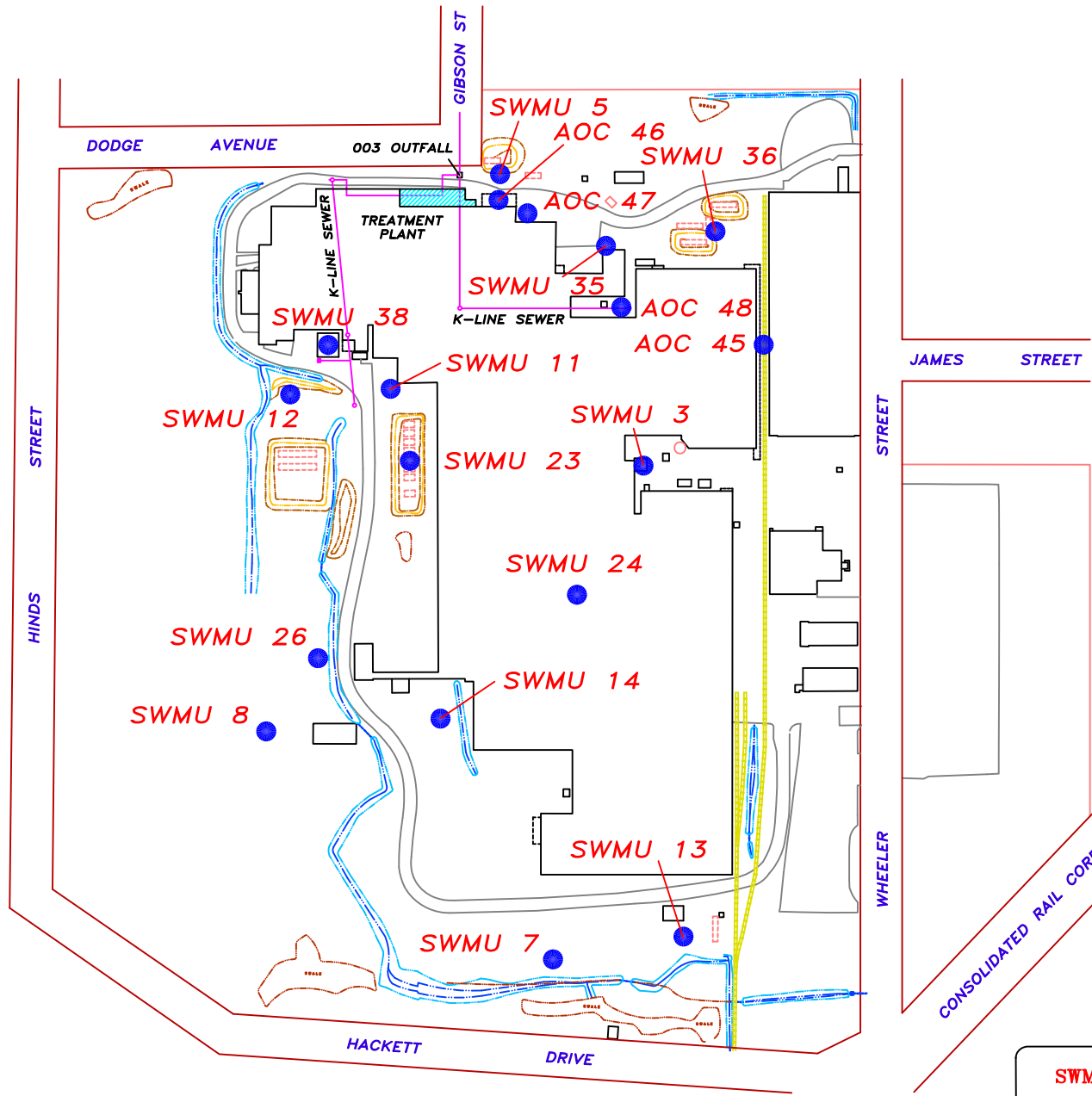
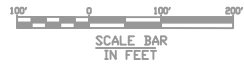


FIGURE 2



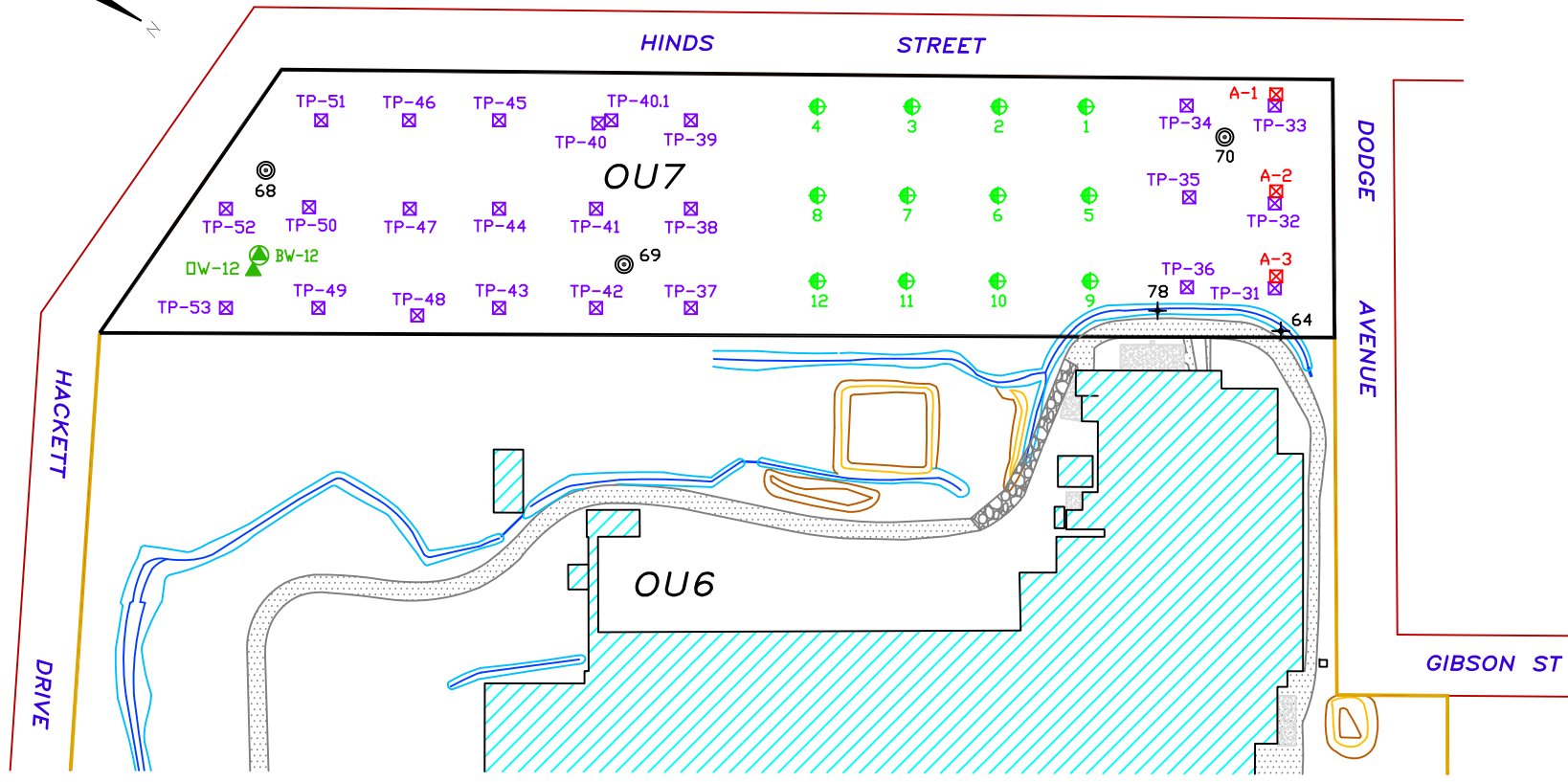
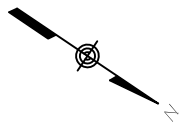
LEGEND

● SWMU OR AOC LOCATION WITH NUMBER



SWMU AND AOC LOCATION MAP		
DIVISION OF ENVIRONMENTAL REMEDIATION		
DATE: 11/06/08	DRAWING: Figures 2 & 3.dwg	
SITE: SPAULDING COMPOSITES SITE		

FIGURE 3



LEGEND

- ☒ SUPPLEMENTAL SI TEST PIT LOCATION (SUBSURFACE SOIL SAMPLE)
- ☐ SI TEST PIT LOCATION (SUBSURFACE SOIL SAMPLE)
- ◎ SI SOIL BORING LOCATION (SURFACE AND SUBSURFACE SOIL SAMPLE)
- + SI DITCH SAMPLE LOCATION (SUBSURFACE SOIL SAMPLE)
- ▲ PREVIOUS RI OVERBURDEN WELL LOCATION (GROUNDWATER SAMPLE)
- ▲ (with circle) PREVIOUS RI BEDROCK WELL LOCATION (NOT SAMPLED DURING ERP SI)
- ⊕ NYSDEC TEST PIT LOCATION (SUBSURFACE SOIL SAMPLE)



SAMPLE LOCATIONS & RESIDENTIAL USE SCG EXCEEDANCE MAP		
DIVISION OF ENVIRONMENTAL REMEDIATION		
DATE: 11/06/08	DRAWING: Figures 2 & 3.dwg	
SITE: SPAULDING COMPOSITES SITE		FIGURE 4