

Date: September 2, 2015  
From: Paul L. Kahn, OSC *PLK*  
To: Old Saratoga Hospital Site T & D File  
Subject: Old Saratoga Hospital Site; Justification for  
Selecting Subcontractor for T & D of Containerized  
Hazardous Waste

On August 31, 2015, in response to a Request for Proposal (RFP) issued by the EPA prime ERRS contractor, Environmental Restoration LLC., three bids were received from vendors for the transportation and disposal (T & D) of waste from the subject site. The wastes consisted of four distinct waste streams: two comprised of 32 55-gallon drums of liquid wastes (corrosive or acidic) and 2 comprised of approximately 100 smaller containers of old paint and partially burned pails of roofing tar.

The bids that were received are:

Tradebe..... \$10,832  
Enpro..... \$13,490  
Clean Harbors... \$17,632

***Normally the winning bidder would be Tradebe, the lowest bidder.*** However, Tradebe was disqualified for two reasons. The first reason is that in its response to the bid request, Tradebe indicated that the wastes would be shipped to Canada for disposal. The provisions of the 1986 *"Agreement between the Government of Canada and the Government of the United States of America Concerning the Trans-boundary Movement of Hazardous Waste and Other Waste."* imposes very stringent procedures to effectuate trans-border disposal of haz waste in Canada. Stringent to the point that the time-frame for obtaining approval (or even a *decision* on an application for approval) from the Canadian government could take 6 months or more. In addition, the requisite lab analyses and associated export/import documentation would impose a burdensome and time-consuming process on both EPA and its ERRS contractor.

The second reason is because of a prior dealing with this OSC on another removal site, the Pure Earth Recycling Site in Vineland, NJ. During that removal action thousands of gallons of waste oil were contracted to be shipped by Tradebe for disposal at one of its own TSD facilities.

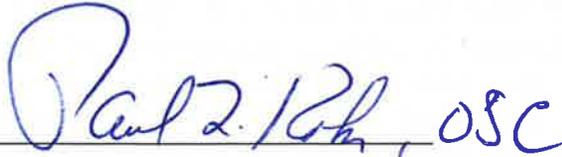
In the middle of shipping one day, Tradebe announced it was no longer accepting waste oil from the Pure Earth Site; no reason or explanation was given. ERRS had to scramble to find an alternative vendor to dispose of the remaining waste oil.

This interruption in the schedule for shipping the waste oil adversely impacted other on-going removal activities, which resulted in an overall loss of productivity by the ERRS contractor. As a result of that very disruptive experience, and the questionable reliability of Tradebe, this OSC refuses to have any dealings with Tradebe, which has proved itself to be an unreliable vendor.

**Having eliminated Tradebe from contention, EnPro** would be the next lowest bidder. However, EnPro stated in its bid response that it would ship the wastes to Canada for disposal, so the same problem would be encountered that effectively eliminated Tradebe from contention.

**Thus, the third lowest bidder, Clean Harbors,** is in line for the subcontract award. Although it is \$7,200 higher than the lowest bidder, this OSC has had many prior dealings with Clean Harbors and cannot recall an instance where this vendor failed to perform under the terms of its subcontract for T & D. Time is of the essence for this removal action; it must be completed before the end of the current fiscal year. Consequently, approval and consent is given to subcontract to Clean Harbors for the T & D of the haz wastes at the Old Saratoga Hospital Site.

Approved by

 Paul L. Kahn, OSC

Paul L. Kahn, On-Scene Coordinator