



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

BY ELECTRONIC AND FIRST CLASS MAIL

May 10, 2007

Scott Durnin, Vice President, Safety and Environmental Affairs
FCI USA, Inc.
825 Old Trail Road
Etters, PA 17319-7059

Re: Conceptual Approach to Removal Action
Wampus Milford Associates Site
80 Wampus Lane, Milford, Connecticut

Dear Mr. Durnin:

Thank you for submitting the *Conceptual Approach to Removal Action* document ("the Conceptual Approach") on behalf of FCI USA, Inc. ("FCI"), for the Wampus Milford Associates Site, located at 80 Wampus Lane in Milford, Connecticut. The Conceptual Approach is dated May 2, 2007 and was prepared by HRP Associates, Inc. The U.S. Environmental Protection Agency ("EPA") received the Conceptual Approach from you on May 2, 2007 via e-mail and a hard copy on May 3, 2007 via UPS.

The purpose of this letter is to provide EPA's comments on the Conceptual Approach. FCI must submit responses to the comments below to EPA within seven (7) calendar days of receipt of this letter, or in the alternative, in order to avoid delaying the project, FCI may submit its response to the comments and incorporate the modifications requested below directly into the Soil Excavation Work Plan deliverable that will be required under the anticipated Administrative Order on Consent to be signed by EPA and FCI and Wampus Milford Associates ("WMA").

EPA's comments on the Conceptual Approach are as follows:

1. In Section 2.3 *Swale Conditions*, it states, "Based upon a recent inspection, it appears that the discharge piping historically present at the head of the swale has been removed by WMA, and an additional drainage feature has been excavated to the southwest, an estimated 30 to 40 feet "upstream" of the former discharge pipe. The purpose for this modification is unknown at this time." In Section 4.2 *Removal Action Activities / Limits of Excavation*, the Conceptual Approach describes- "[the] expanded swale area, which was constructed by WMA upstream to the historic concrete pipe discharge location." In Section 4.2 *Removal Action Activities / Excavation Backfill and Reconstruction of Swale* it states, "The open drainage feature recently excavated by WMA in place of the former discharge pipe will not be excavated or modified by the proposed action."

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Please include specific source citations in your discussions of this area. Also provide additional information on the construction, design, and operation of this additional drainage feature, including information on materials, including hazardous substances, pollutants or contaminants, or hazardous waste, that were (or are currently being) generated, treated, stored, or disposed of in this drainage area.

Page 15 of the Conceptual Approach states, “FCI does not propose to excavate any portion of the expanded swale area, which was constructed by WMA upstream to the historic concrete pipe discharge location. This newly created swale was not subject to any industrial discharges prior to the 1999 sale.” While the newly created swale may not have been subject to industrial discharges prior to the 1999 sale of the property, stormwater may have drained through this portion of the swale since its creation. FCI notes that stormwater directed to the swale is a secondary source of contaminants (see page 5 of the Conceptual Approach). Therefore, it would make sense for FCI to evaluate this portion of the swale for presence of stormwater-related contaminants that could re-contaminate remediated sections of the swale channel, and investigate options for permanently diverting stormwater to the municipal sewer.

2. In Section 3.3 *Applicable or Relevant and Appropriate Requirements (ARARs) / Applicable Removal Action Clean-up Standards*, it states, “...sidewall samples from the proposed excavation will be compared to the [Significant Environmental Hazard (SEH) Condition] notification thresholds to ensure that potential residual imminent hazards associated with the lateral limits of the excavation are appropriately abated. If exceedances of the Notification Thresholds are identified, additional excavation of surrounding soil will be performed as part of the proposed plan.... The Removal Action will be determined to be complete when it can be demonstrated through confirmation sampling that all constituents of concern detected in the excavation sidewall samples (representing soils surrounding the swale) are below SEH Notification Thresholds, and any Industrial/Commercial Direct Exposure Criteria (“I/C DEC”) exceedances identified in the bottom of the excavation have been backfilled with a minimum 4 foot cover of clean material.”

Please revise the Conceptual Approach to include sampling of surface soils along the perimeter of the excavation footprint, and include plans for addressing surface soils exceeding the applicable I/C DEC that remain following the initial swale excavation. Also include in your discussion of post-excavation sampling information on the planned location of where the samples will be taken from sidewalls. Revise your Conceptual Approach to utilize the I/C DEC for sidewall sample action levels as opposed to the SEH Notification Thresholds. The SEH Notification Thresholds appear to be designed as hazard notification criteria and are not appropriate criteria or remediation goals for a Superfund Removal Action. For example, according to your Conceptual Approach, a sidewall sample taken at 2 inches (in) below grade (bg), showing 25,000 ppm lead, would require no further excavation because the sampling result is below the SEH Notification Threshold of 30,000 ppm, though more than an order of magnitude above the I/C DEC for lead of 1,000 ppm. The Conceptual Approach should be structured so as to result in the remediation of surficial sidewall samples exceeding the I/C DEC.

3. Under Section 3.3 *Applicable or Relevant and Appropriate Requirements (ARARs) / Applicable Removal Action Clean-up Standards*, please include mercury, cyanide, vanadium, and polychlorinated biphenyls (PCBs) in your confirmation sampling program, or otherwise provide a detailed justification for omitting these constituents.
4. Under Section 3.3 *Applicable or Relevant and Appropriate Requirements (ARARs) / Applicable Removal Action Clean-up Standards*, please revise to clarify that the chromium analysis will include hexavalent chromium, or otherwise provide a justification for total chromium analysis only.
5. In Section 4.2 *Removal Action Activities*, please elaborate on the air monitoring activities that will be conducted during “dust monitoring” to demonstrate that the dust suppression system implemented during construction/removal activities is functioning appropriately.
6. In Section 4.2 *Removal Action Activities / Area Preparation*, please elaborate on the “sedimentation and erosion controls” that will be employed.
7. In Section 4.2 *Removal Action Activities / Limits of Excavation*, please elaborate on the sampling, treatment, and discharge protocols to be employed during dewatering.
8. In Section 4.2 *Removal Action Activities / Swale Drainage Channel*, please clarify how your excavation of the swale drainage channel will address I/C DEC sampling exceedances shown on Figure 2 (including, but not limited to, SD-19, 20, 21, 22, 23, 25, 26, 30, 31, 33, 35, 43, 48, 49, 50, and 53; and SS-08 and 12), that do not currently appear to be addressed in the Conceptual Approach.
9. In Section 4.2 *Removal Action Activities / Confluence of Swale and Stubby Plain Brook*, it states, “In both areas (the main swale channel and the swale/Stubby Plain Brook confluence area), the final width of the excavation will be enlarged if necessary until sidewall compliance with SEH Notification Thresholds can be demonstrated.” In Section 4.4 *Demonstration of Compliance with Proposed ARARs / Removal Clean-up Standards*, it states, “Sidewall samples collected from the trench excavation will be compared to the appropriate regulatory Notification Thresholds (Appendix C). If necessary, due to an exceedance of the Notification Threshold, excavation will continue laterally around the distinct channel to a depth of 2 feet until additional sidewall samples are at or below Notification Thresholds.” Table 1 of the Conceptual Approach also states, “excavation/disposal of contaminated soil in excess of Notification Thresholds outside swale channel to depth of 2 feet.” Please revise the Conceptual Approach to include sampling of surface soils along the perimeter of the excavation footprint, and include plans for addressing surface soils exceeding the applicable I/C DEC that remain following the initial swale excavation. Also revise the Conceptual Approach to provide that the I/C DEC, as opposed to the SEH Notification Thresholds, will be utilized as the action levels for the contaminated surface soils addressed by the Removal Action.

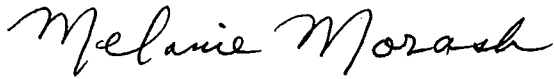
10. In Section 4.2 *Removal Action Activities / Area Restoration*, please include more detailed information on methods of re-grading, extent of topsoil placement, longer-term operation and maintenance to ensure viability of newly installed vegetation, as well as more detail on the specific erosion and sedimentation controls (e.g., placement of erosion-control matting, hay bales/filter fabric fence installation) in the affected area.
11. In the Remedial Action Plan to be prepared, as mentioned on Page 13 of the Conceptual Approach, please include plans for measures designed to minimize impacts from truck traffic on local roads. These plans should include, but not be limited to, the following: scheduling arrival and departure of dump trucks during times when traffic is light and school buses are not on the road, inspecting trucks before they leave the site to ensure that they are not tracking soil from the site and that covers are securely fastened, and implementing control measures to ensure that posted speed limits are obeyed at all times.
12. In Section 4.4 *Demonstration of Compliance with Proposed ARARs / Permits*, please include more detailed information on the technical requirements of the permits cited in this section, and include plans for complying with the substantive requirements of each of these permitting programs.
13. In Section 4.6 *Additional Recent Findings Impacting Remediation Alternatives*, it states, "...at the time of HRP's recent inspection, we were informed that an on site pump station is now in use to discharge at least some portion of onsite stormwater to the municipal sewer system. This information, if accurate, suggests the possibility that the stormwater currently directed to the subject swale could potentially be diverted elsewhere on a permanent basis. If this is the case, the continued functional use of the swale as a stormwater conveyance feature would no longer be required, and *the overall approach to swale remediation would be re-evaluated* [italics added]. If continued use of an incised fluvial channel is no longer required, and *if the swale materials are no longer subject to erosion, an alternative approach of rendering significant portions of these impacted materials inaccessible via placement of 4 feet of overlying clean fill, with considerably reduced excavation requirements, would also be considered* [italics added]."

Please be advised that the removal action at the site must address all of the threats to public health or welfare or the environment, as identified in EPA's Action Memorandum for the site dated March 22, 2007, which cites threats to public health, welfare, and the environment in addition to the one listed above, i.e., from high levels of hazardous substances in soils at the surface that may migrate. Specifically, the removal action must also address the actual or potential exposure to public health, welfare, and the environment, from the hazardous substances or pollutants or contaminants that are present in surface soils and exposed to the environment, weather conditions that may cause the hazardous substances or pollutants or contaminants to migrate or be released by other mechanisms (such as mobilization via groundwater mechanisms to the Stubby Plain Brook), and the actual or potential contamination of sensitive ecosystems due to the contamination present at the site.

14. Please modify Figure 2 to delineate the approximate extent of the excavation relative to the existing sampling points showing I/C DEC exceedances.

Please do not hesitate to contact me at (617) 918-1298 [office] or (617) 571-5666 [cell] with any questions. You may also email me at morash.melanie@epa.gov.

Sincerely,



Melanie Morash, On-Scene Coordinator
U.S. EPA

cc: Amelia Katzen, Esq., Senior Enforcement Counsel, EPA
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