

APPENDIX B
SCOPE OF WORK
VERMONT MILL PROPERTIES SUPERFUND REMOVAL SITE
BENNINGTON, VERMONT

Pursuant to the
Administrative Settlement Agreement and Order on Consent
To Perform a Removal Action

CERCLA Docket No. 01-2008-0036

Preface

This scope of work ("SOW") identifies the components of the work required pursuant to the Administrative Order on Consent ("Settlement Agreement") (CERCLA Docket No. 01-2008-0036) to perform a removal action at the Vermont Mill Properties Superfund Removal (the "Site") located in Bennington, Vermont. Under this SOW, Benmont Mill Properties, Inc. and Mace Security International, Inc., ("Respondents") shall prepare and submit to the On-Scene Coordinator ("OSC") for approval the items identified below. The removal action conducted under this Settlement Agreement and SOW shall abate the potential danger to public health or welfare or the environment, which may otherwise result from the actual or threatened release of hazardous substances at or from the Site.

A. General Requirements

- 1) For communications between EPA and the Respondents related to the implementation of the SOW, the OSC shall be the point of contact. The Respondents shall communicate freely with the OSC prior to and during the development of plans and deliverables, and continually throughout the implementation of the work described in this SOW. Open and routine communication will result in the most effective, safest, and efficient cleanup. Where deliverables are required, draft documents may be submitted for consideration prior to the due date and submission of the final documents for OSC approval. Respondents will be notified of the identities of any OSC-designated representatives assigned during oversight of on site removal activities.
- 2) All work performed by the Respondents shall be conducted in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, ("CERCLA"), the National Contingency Plan ("NCP"), 40 CFR Part 300 and any amendments thereto, applicable guidance documents provided by EPA, and the provisions of this Settlement Agreement including any standards, specifications, and time schedules contained in the approved SOW or as specified by the OSC.
- 3) Each plan generated pursuant to the requirements identified below must be approved by EPA prior to implementation.
- 4) The Respondents shall perform and complete all activities that have been authorized in accordance with this Settlement Agreement.
- 5) The Respondents may be required to alter or expand upon the plans after approval, based on new information, changes in Site conditions, or subsequently identified deficiencies.

- 6) By telephone or otherwise, the Respondents shall inform the OSC of any disposal shipments no less than three (3) working days prior to the event.
- 7) The Respondents shall submit to EPA a report weekly detailing Site activities, problems encountered, other important issues, and activities anticipated in the two weeks to follow.

B. Work Tasks

The Respondents shall provide the required technical experts, personnel, equipment and materials to perform the following tasks associated with this site, to be completed within the approved time schedule:

- Provide to the OSC an inventory of all hazardous waste and materials stored at the Site, including its size, container type, condition, volume contained (if known), detail of any labeling and dates. (If containers were not labeled or dated, indicate "not labeled" or "not dated");
- Secure the services of a licensed structural engineer to assess the structural integrity of the Cold Storage and the 1924 building and perform any necessary shoring operations, as recommended and documented in the engineering report, to ensure a safe working environment during removal activities;
- Establish and maintain a command post at the Site;
- If necessary, install runoff control measures for containment during removal activities;
- Delineate the work zones and decontamination area in compliance with Occupational Safety and Health Administration ("OSHA") regulations;
- Develop a site-specific Health and Safety Plan ("HASP"), in accordance with OSHA regulations 29 CFR Parts 1910, 1926 and 1904, that addresses all stages of removal activities;
- Implement measures to ensure safe egress and access to containers and materials during characterization, disposal and restaging operations;
- Prepare an air monitoring plan and perform air monitoring, as required, to ensure worker safety during removal activities;
- Develop task specific work plans which include Quality Assurance/Quality Control (QA/QC) procedures;
- Develop a task specific sampling and analysis plan ("SAP") for sampling, identification

and hazard characterization of all waste and materials located at the Site which has been designated by the OSC as requiring disposal or restaging (e.g., sampling will include, but not be limited to, all drums and containers of waste material located in the 1924 and Cold Storage building, 2-chlorobenzalmalononitrile material, debris material stored in rolloff containers stored at the site, soil samples);

- Based on the results of the sampling, perform consolidation, appropriate segregation, staging and offsite disposal of materials at an EPA approved disposal facility;
- Per the direction of the OSC, assess and characterize any additional hazardous materials discovered during the course of this action;
- Due to being stored outside for an extended period of time and being exposed to extremes of temperature, random sampling of approximately 10% of 2-chlorobenzalmalononitrile containers located within the Cold Storage and 1924 buildings is required to determine the present condition of the materials for identification and hazard categorization for threat analysis. OSC to determine the containers requiring sampling;
- Arrange for disposal of all waste streams, including decontamination waste and spent PPE (e.g., including, but not be limited to, all drums and containers of waste material located in the 1924 and Cold Storage building, debris material stored in rolloff containers stored at the site, contaminated soils);
- Removal of hazardous materials being stored on site for use or sale to appropriate storage locations on or off site to ensure safety of the public and the environment;
- Disposal of materials in accordance with *40 CFR Part 300.440 Procedures for Planning and Implementing Off-Site Response Actions*. Determine that all disposal facilities are in compliance with the *CERCLA Off-Site Rule (40 CFR Part 300.440)* or are deemed to be more appropriate facilities as approved in writing by the OSC; and
- Provide and affix all appropriate labels in accordance with state and federal regulations for storage, transportation, and/or disposal of waste streams, as appropriate.

1) Designation of the Contractor and Project Coordinator

The Respondents shall propose an environmental consulting services contractor or an environmental services cleanup contractor for the purpose of performing and/or supervising the work required by this Settlement Agreement in accordance with the terms and conditions of the Settlement Agreement and shall notify EPA of the name(s) and qualifications of such contractor(s) within three (3) days of the Effective Date. Respondents shall also notify EPA of the name(s) and qualification(s) of any other contractor(s) or subcontractor(s) retained to perform the Work under this Settlement Agreement at least three (3) days prior to commencement of such Work. The supervising contractor shall provide written task specific work plans, which include specific QA/QC

procedures that outline the work to be performed under this Settlement Agreement and SOW and the schedule for completing the work. The contractors and the schedule must be approved by the OSC prior to the commencement of any work required in the SOW.

Within three (3) days after the Effective Date, Respondents shall designate a Project Coordinator who shall be responsible for administration of all actions by Respondents required by this Settlement Agreement and shall submit to EPA the designated Project Coordinator's name, address, telephone number, and qualifications. The Project Coordinator shall be present on Site while removal activities are being conducted, as required in the SOW. EPA retains the right to disapprove the designated Project Coordinator. If EPA disapproves the designated Project Coordinator, Respondents shall retain a different Project Coordinator and shall notify EPA of that person's name, address, telephone number, and qualifications within five (5) days following EPA's disapproval. Receipt by Respondents Project Coordinator of any notice or communication from EPA relating to this Settlement Agreement shall constitute receipt by Respondents.

2) Site Security

The Respondents shall take necessary precautions to properly prevent unauthorized access onto the Site for the duration of the removal action. If, in the judgment of the OSC, these precautions are not preventing unauthorized access to the Site, the Respondents will institute additional security measures, which may include 24 hour security, until the removal action is completed.

3) Within 15 days after the inventory is complete and accepted by the OSC

Respondents shall submit a work plan that describes how the work in the SOW will be completed. The plan should describe the methods that will be used including, but not limited to: personnel and equipment that will be utilized and contingency plans including spill containment. For the media characterization, the plan shall include a Sampling and Analysis Plan ("SAP") that will discuss, but not be limited to: sample methodology; the name, address, and point of contact of the laboratory that will be utilized; and quality assurance/quality control ("QA/QC") procedures.

4) Within 10 days after sampling, analysis and profiling is complete

Respondents shall submit to EPA for approval the transport and disposal ("T&D") facilities where the waste material is to be transported. Transport vehicles and disposal facilities must be properly licensed and permitted for handling the constituents of the waste from the Site.

5) Within 5 days of the effective date of this Settlement Agreement

Respondents shall submit to EPA for approval the Health and Safety Plan ("HASP") to be implemented for the duration of activities conducted under this Settlement Agreement.

6) **By May 30, 2008**

All waste material shall be transported off site for disposal to a permitted T&D facility.

7) **Within 60 days of the final transportation**

Respondents shall submit to EPA for approval a final completion of work report that shall include at a minimum:

- a. A discussion of a chronology of all removal activities;
- b. Any difficulties encountered, if applicable; and
- c. All waste manifests (legible), signed by the disposal facility and any other disposal documents.

C. Site-Specific Health and Safety Plan ("HASP")

In conducting all activities under this Settlement Agreement, the Respondents shall comply with OSHA regulations 29 CFR Parts 1910, 1926 and 1904 in development of the site-specific HASP. The Respondents shall submit the HASP to EPA for review. The Respondents shall ensure that all persons performing on-site work identified in the Removal Work Plan shall sign and comply with the requirements of the HASP.

In conducting all activities under this SOW, Respondents shall:

- 1) Institute practices during loading of waste material to ensure the safe transfer of materials from the mill to the transport vehicle;
- 2) Identify and comply with all State and Federal Applicable or Relevant and Appropriate Requirements ("ARARs") including but not limited to: manifesting, packaging, labeling, marking, recordkeeping, use of containers, and land disposal restrictions. Regarding off-site activities, Respondents shall comply with all applicable local, state, and federal laws and regulations which include all Department of Transportation regulations regarding transportation of hazardous substances.
- 3) Provide the On-Scene Coordinator, upon request, all sampling data and quality assurance/quality control procedures utilized by the supervising contractor and their laboratory pertaining to all sampling and analytical work performed pursuant to this Settlement Agreement.
- 4) Provide three (3) days advance notification to the On-Scene Coordinator of any planned field activities related to this Settlement Agreement including restaging, sampling, bulking, and loading for transportation and disposal.