

NEW YORK CITY SCHOOL
CONSTRUCTION AUTHORITY



July 3, 2008

Mr. Alan J. Steinberg
Regional Administrator
USEPA Region 2
290 Broadway, 26th Floor
New York, New York 10007-1866

**Re: Notification of Self-Implementing Onsite Cleanup and Disposal of
PCB Remediation Waste/Request for Waiver of 30-day Notification
Requirement**
New York City School Construction Authority
Public School 53R (PS 53R), 330 Durant Avenue, Staten Island, NY
LLW # 45027; IEH Job # 23252

Dear Mr. Steinberg:

The New York City School Construction Authority (SCA) has prepared this Notification Letter and Request for waiver of the 30-day notification requirement in accordance with 40 CFR Part 761.61(a)(3) for the remediation of soil at Public School 53R (PS 53R) at 330 Durant Avenue, Staten Island, NY (School District 31).

Technical Specifications are currently being prepared and a contract is anticipated to be awarded to a qualified Contractor during the next few weeks. Time is of the essence to complete the work quickly enough to avoid disruption of the resumption of school activities.

Polychlorinated Biphenyls (PCBs) have been found in soils adjacent to portions of the PS 53R building. This is believed to be the result of the PCB containing caulking material used at the subject building.

PCB contamination was identified during investigations undertaken by Creative Environment Solutions Corporation (CES) on behalf of SCA, in accordance with the New York State Education Department (SED) published protocols for addressing PCBs in caulking material in school buildings that were constructed or renovated between 1950 and 1977 and that are currently undergoing renovation or demolition. The complete details of CES's investigation activities, results, and proposed remedial measures are presented in a report titled "*Polychlorinated Biphenyls (PCB) Investigation Report PS 53R, 330 Durant Avenue, Staten Island, NY*" dated July 2008, and incorporated into this notification letter by reference, where necessary.

SCA will coordinate all renovation activities related at the PS 53R school building, including activities related to remediation of PCB impacted soils around the subject building.

This notification letter provides a summary of the following information in accordance with 40 CFR Part 761.61(a), with reference to CES's July 2008 report where necessary for further details:

- Background information regarding the site and source of PCB contamination;
- Soil investigation procedures and methodologies;
- Soil Investigation results, location and extent of PCB contaminated areas;
- Cleanup plan, including schedule, cleanup technology and approach, and contingency options to be used if unanticipated higher concentrations or wider distributions of PCB remediation waste are found or other obstacles force changes in the cleanup approach;
- Written Certification by SCA regarding the availability of all provided information at the designated location for EPA inspection, if necessary.

Background

In June 2007, the New York State Education Department (SED) published protocols for addressing PCBs in caulking material in school buildings that were constructed or renovated between 1950 and 1977 and that are currently undergoing renovation or demolition. This protocol has been developed in consultation with the New York State Department of Health to address concerns about properly managing caulk containing PCBs that will be disturbed during building renovation and maintenance. The guidelines include developing a soil sampling plan, and sampling and testing of soils from demolition and renovation projects involving caulks, if applicable.

On April 26, 2008, in accordance with the SED protocols, CES on behalf of SCA assessed the condition of exterior caulk and soils at the PS 53R and on May 5, 2008 collected soil screening samples within approximately one foot from each side of the building. The results of this initial PCB screening indicated presence of PCB concentrations in soils above the EPA standard of 1 ppm on the east and west sides of the school. Additional details and results of this initial PCB screening are outlined in Section 3.0 and Table 1, respectively, of CES's referenced July 2008 report.

Based on these screening results, SCA requested that CES perform a soil investigation to determine the extent of PCBs in soils on the east and west sides of the school.

Soil Investigation Procedure

Preliminary soil screening of PCB-impacted soil was performed by CES on May 5, 2008. Delineation sampling was conducted on May 21 and 22, 2008. CES sampled using stainless steel hand-augers after a shovel was used to remove the top 2" of soil.

A total of thirty six (36) soil borings were advanced using hand-auger techniques. The boring locations are shown in Figures 3A and 3B. Soil borings were advanced to a depth of 24 inches bgs.

Composite soil samples were collected from two intervals (2"-12" below ground surface [bgs] and 12"-24" bgs) at eighteen (18) soil boring locations for a total of thirty six (36) samples. Samples collected from the shallow interval (2"-12" bgs) nearest to the east and west building walls were the first in the sequence to be analyzed. If the concentrations of PCBs in these samples exceeded the New York State Department of Environmental Conservation's (DEC) cleanup guideline of 1 ppm, soil samples collected from the deeper interval (12"-24" bgs) at the same location were analyzed, along with samples from the shallow (2"-12" bgs) interval from the row further from the wall. This procedure was repeated until all samples were analyzed or until there were no exceedances of the DEC guideline value of 1 ppm in the collected samples. In total, eight (8) of the thirty six (36) soil samples collected were analyzed for total PCBs.

Soil Investigation Results

The results of CES's soil investigation along the east and west side of the subject building indicated that PCB concentrations in soil are generally higher in close proximity to the building and decrease with depth. PCB-impacted soil was limited to within three (3) feet of the building.

PCB concentrations exceeding 1 ppm were found in the one shallow sample (2"-12" bgs) as well as the one deeper sample (12"-24" bgs) in one boring location the row closest to the building (one (1) foot from the building wall). PCB concentrations in the all other follow-up investigation samples analyzed were below 1 ppm.

The results of the screening and follow-up investigation show that on the east and west side of PS 53R, the horizontal impacts of PCB concentrations greater than 1 ppm are limited to within three (3) feet of the building.

A summary of the PCBs detected in soils, including sample locations, depths, and dates collected is provided in Table 2 of the referenced CES's July 2008 report.

Cleanup Plan

SCA proposes excavating all PCB impacted soils, with no future restrictions on the site. However, if site conditions do not allow the delineation and/or excavation of all soils with PCB concentrations greater than 1 ppm, SCA proposes a contingency of excavating impacted areas to a depth of 2 feet and backfilling soils meeting the requirements of 40 CFR 761.61(a)(7) and obtaining a deed restriction in accordance with 40 CFR 761.61(a)(8).

The Proposed Excavation Plan showing the previous soil boring locations, and approximate excavation limits is included as Figures 4A, 4B and 4C in the referenced CBS's July 2008 report. These excavation limits may be amended based on the results of the post excavation sampling that will be performed.

Based on a review of the sample results to date and the post excavation samples that will be collected, a decision will be made to either:

- Excavate the PCB impacted area to a maximum depth of 2 ft bgs to achieve PCB concentrations less than 1 ppm, or
- Excavate the PCB impacted area to a maximum depth of 2 ft bgs and backfill the excavation with material meeting the requirements of 40 CFR 761.61(a)(7) and obtain a deed restriction if PCB impacted soil (greater than 1 ppm) is encountered at a depth of greater than 2 ft bgs.

If PCB concentrations are greater than 10 ppm in samples collected 2 ft bgs, EPA will be contacted to discuss alternate courses of action.

During the remediation activities, the excavated material will be temporarily staged (<30 days) on plastic and/or in tarped rolloff containers pending waste classification and transport to an approved disposal facility in covered rolloff containers. All temporary stockpiles and rolloff containers will be located in restricted areas of the site. Temporary soil erosion and sediment control measures will be implemented for soil piles, as necessary. In addition, temporary sheeting and shoring will be used, as necessary, to protect utilities and adjacent structures where they are encountered.

Health and safety measures will be implemented during the proposed cleanup to protect the public, onsite workers, and the environment in accordance with applicable Federal, State, and local requirements. The health and safety measures will include, but not limited, the installation of security fence to restrict access to the work area, air monitoring, dust suppression, decontamination facilities, traffic control, and use of appropriate personal protective equipment.

Post-excavation samples will be collected by dividing the excavation into grids. Post excavation samples will be collected from the base of the excavation at a minimum frequency one sample per 400 square feet or one sample per 30 linear feet.

If all PCB impacted soil (i.e., greater than 1 ppm PCB) is removed, all excavation areas will be backfilled with environmentally clean fill material (including 6 inches of topsoil) and re-vegetated. If PCB impacted soil is encountered at 2 ft bgs, the excavation areas will be backfilled as follows:

- Environmentally clean fill material meeting the requirements outlined in 40 CFR 761.61(a)(7) will be placed in the excavation and properly compacted;
- The remaining depth of excavation will then be backfilled with environmentally clean fill material, including 6 inches of topsoil and the area will be re-vegetated.

Any area where PCB concentrations exceed 1 ppm after excavation will be included in a deed restriction in accordance with 40 CFR 761.61(a)(8) and applicable state and local regulations.

Soil Disposal

Since the concentrations of PCBs in soils are less than 50 ppm, the excavated soil to be removed and disposed during the remediation is not a New York State hazardous waste. However, since PCBs are present in the soil at a concentration greater than 1 ppm and it is assumed that the source of the soil impact may be from caulk containing greater than 50 ppm PCB, all excavated soil will be disposed as a PCB Remediation Waste at a state-permitted, licensed or registered municipal or non-municipal non-hazardous waste disposal facility, in accordance with 40 CFR 761.61(a)(5)(i)(B)(2)(ii) and (a)(5)(v)(A). Soil samples will be collected for waste characterization prior to disposal.

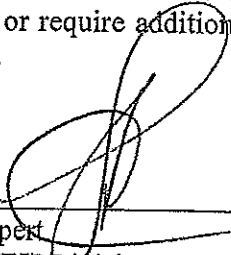
Schedule and Request for Waiver of the 30-Day Notification Requirement

The proposed cleanup activities are anticipated to require 4 to 6 weeks from Contractor mobilization to completion and site restoration. All cleanup activities are expected to be completed before August 30, 2008. An expedited Contract bid and project implementation schedule will be necessary in order to complete all activities while the school is not in session during the summer break. **As such, we respectfully request a waiver of the 30-day notification period so that the above schedule may be met.**

Written Certification

Separate written certifications in accordance with 40 CFR 761.61(a)(3)(E) are provided at the end of this document.

Your attention to this time-critical matter is greatly appreciated. Should you have any questions or require additional information, please do not hesitate to contact me at 718-472-8050.



Alex Lempert
Director, IEH Division

cc: Ken Stoller (US EPA)
Dan Kraft (US EPA)
Jim Haklar (US EPA)
Jane O'Connell (NYS DEC)
Nancy Clark (NYC DOHMH)
Gary Heath (NYC DEP)
John Wuthenow (NYC DEP)
Vinicius Castagnola (NYC SCA)
IEH File

enclosure

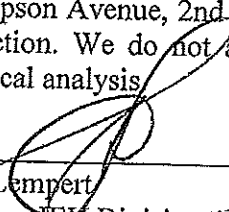
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Written Certification

Separate written certifications in accordance with 40 CFR 761.61(a)(3)(E) signed by SCA and LBA, respectively, are provided at the end of this document.

We hereby certify that all sampling plans, sample collection procedures, sample preparation procedures, extraction procedures, and instrumental/chemical analysis procedures used to assess or characterize the PCB contamination at the cleanup site, are on file at the New York City School Construction Authority offices (located at 30-30 Thompson Avenue, 2nd Floor, Long Island City, NY 11101), and are available for EPA inspection. We do not anticipate using alternate methods for chemical extraction and chemical analysis.



Alex Lempert
Director, EPH Division