



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

April 3, 2008

Thomas Lukasewicz, President  
Throop Borough Council  
Municipal Building  
436 Sanderson Street  
Throop, PA 18512-1224

Re: Marjol Battery Site  
Response to Borough Concerns

Dear Mr. Lukasewicz:

EPA and PADEP offer these responses to the issues raised by Throop Borough Council members during the March 11, 2008 council work session. In the responses, I reference the particular sections of the draft construction specifications that address the issue. The draft construction specifications are in Appendix G of the Pre-Final Remedial Design documents for the Marjol construction project, prepared by AGC for Gould Electronics. A copy of the Pre-Final Remedial Design report is in the Marjol Repository located in the Throop Municipal Building. EPA, the US Army Corps of Engineers, PADEP, and Gannet Fleming reviewed the Pre-Final Remedial Design. AGC/Gould will make changes to the Pre-Final Remedial Design, including the draft construction specifications, based on review comments provided by the reviewers. The changes that will be made to the draft specifications as a result of the reviewer's comments and in response to the issues raised by the Borough Council are noted in these responses.

Procedure to Handle Unexpected Waste Material

Gould's contractor will be required to segregate excavated material that is not expected based on past waste characterization. Examples of expected materials are battery casing material, mine spoils, empty drums, and wooden pallets. The unexpected material will be set aside for characterization, including radiation screening. Any material that would pose a release hazard, such as liquid waste, or has a high radiation reading will be disposed of off-site in accordance with state and federal regulations.

The draft construction specifications already prohibit the disposal of liquid waste in the containment area (page 02209-12). The specifications will be revised to require the contractor to spell out the process of segregation and screening, including radiation screening, in its Health and Safety Plan.

In addition, Gould will have an emergency response contractor under contract to respond if the remediation contractor needs additional support and such action is warranted.

## Radiation Monitoring

In addition to the radiation screening of unexpected waste material, as described above, the Health and Safety Officer will survey the waste excavation areas each work day with radiation screening equipment. The readings will be recorded. EPA and PADEP will be notified if high readings are detected.

## EPA/PADEP Construction Oversight

Construction oversight will be provided by the US Army Corps of Engineers, on behalf of EPA, and Gannett Fleming, on behalf of PADEP. PADEP will also provide spot inspections by staff inspectors. As we discussed during the March 11, 2008 Council meeting, we do not have the resources to provide 100% field oversight of construction. The level of oversight that we will provide is significantly greater than that typically provided at remediation sites. We are providing the maximum amount of field oversight that our resources will allow, due to the Council's concerns over the safety of the project. We intend to provide week-long oversight during the startup of each activity that involves the management of contaminated material or technically complex tasks, such as cap construction. We will also provide part-time oversight during the remainder of the project.

In addition to the field oversight to be provided by the US Army Corps of Engineers, Gannett Fleming, and PADEP, Gould will have two individuals providing oversight on a full-time basis monitoring the contractor's compliance with the contract and performing sampling and testing. The air will be monitored throughout the construction seasons to assure that the dust control measures are effective. All contaminated excavation areas will have confirmatory sampling to document that the area meets the clean-up standards (pages 02209-4 and 5 of specifications). Cap materials and construction quality will be tested (sections 02210, 02749, 02751, 02755, 02759 of the specifications). Records will be kept of all sampling and testing results.

Gould will accommodate a Borough inspector. They will also accommodate an on-site trailer, should the Borough decide to provide a trailer and related utilities. Please note that depending on where the trailer is placed, the Borough may need to relocate the trailer during the course of construction if it is located in an area that will require soil removal.

## Foul Weather/High Wind

Severe weather conditions of heavy rain and high winds may occur during the construction project. As with any construction project, construction activities will be limited during heavy rain conditions due to the limitations of operating equipment under very wet conditions. High winds during dry conditions, however, could pose a contamination release hazard at the site depending on the nature of the material being handled at the time. Wind blown contaminated dust can transport contamination off-site.

A replacement on-site weather station will be used to determine up-wind and down-wind



directions at the site. Real-time air monitors will be located at the perimeter of the work zones based on the weather station information. The specifications require operating conditions that generate “no visible dust” (pages 02117-3 and 02117-4). Dust control agents are required (page 02117-2 of the specifications). Gould’s representatives, including but not limited to, the owner’s representative, the QA official and the Field Coordinator and their field staff, will have the authority to stop work at any time if visible dust is present. Gould’s representatives are independent of the contractor. A work stoppage for visible dust will be at “no additional cost to the owner” (page 02117-3 of the specifications). This provision allows the Gould (owner) representatives to stop work without concern for any financial impact to Gould.

The specifications require work to stop immediately and implement additional dust control if dust levels exceed established trigger levels, based on the real-time monitors located at the perimeter of the work areas (page 02117-5). The specifications will be revised to give the authority to stop work to the owner’s representative, consistent with the “no visible dust” stop work authority.

As discussed during the council meeting, the site guard will check real-time monitors during non-work hours. Gould will develop an action plan to control dust during non-work hours. The action plan will be included in the Community Relations Plan that is described in the Communication and Contacts section, see below.

#### Parking/Truck Routes/Truck Requirements

Adequate on-site parking for site personnel, owner, and regulators is required by the specifications (page 015504).

Excavated waste will be transported using on-site access roads. Trucks transporting waste to the containment area will not exit the site or use public roadways (page 02209-9 of the specifications).

Site access routes are specified as Cypress Street, Delaware Street, and Dunmore Street. The Delaware Street entrance is specified for all trucks and delivery vehicles. The Woodlawn Street entrance may be used only for personal vehicles and only when the Delaware Street entrance is closed to allow excavation and restoration of the access road (page 01550-4 of the specifications and drawing 0801).

Most of the truck traffic through the Borough will be for material entering the site. All material transported to the site through public roadways will be clean material, either clean fill or construction equipment and supplies. These trucks will be weighed and labeled at the place of origin. Most (likely all) of the excavated material will remain on-site and will be placed in the on-site containment area. The specifications require the contractor to properly manifest, label, and placard all material taken off-site. The trucks may not exceed the maximum weight standards. The vehicles must be decontaminated, lined and covered (page 02209-13 of the specifications). The contractor must follow all local, state, and federal requirements for transportation, including any noise restrictions in place regarding brakes.



An AGC memo to Rob Kalinowski, Throop Borough, dated 9/26/07, is attached. It describes the expected truck traffic and materials that will be transported. In the memo, Gould commits to stationing a flag person at the intersections of Delaware and George Streets, and Delaware and Pearl Streets during times when large quantities of trucks will enter the site. At the time that the memo was written, there were no bus stops on Delaware, Short or George Streets. Gould's Community Relations Representative will contact the School District again to determine whether any bus stops will be impacted by the construction traffic.

The Borough engineer, Robert Nitch, reviewed the design documents, and he recommended a \$75,000 bond for Delaware Street. The specifications require the contractor to repair road damage (page 01550-3). The bond will be payable to the Borough if damage to Delaware Street is not properly repaired. Dunmore and Cypress Streets are state roads and are rated for truck traffic.

### Decontamination of Vehicles

All vehicles, equipment and personnel that enter the contamination zone must be decontaminated when leaving the contaminated zone. The contractor is required to submit procedures for personnel and equipment decontamination as part of the contractor's written Health and Safety Plan (page 01545-4 of specifications).

In addition, excavation of contaminated material must be sequenced to prevent cross contamination of clean areas with contaminated material (page 02209-13 of the specifications).

### Air Monitoring

During the council meeting, the issue of air monitoring within the community was raised, but a specific request was not made. We will discuss any specific request that the council would like to propose.

The project sampling plan requires air monitoring of three zones. The air monitoring requirements are detailed in the draft Sampling and Analysis Plan, Appendix I of the Pre-Final Remedial Design documents. The draft Sampling and Analysis Plan will be revised based on review comments by EPA, the US Army Corps of Engineers, PADEP, and Gannett Fleming. As discussed during the council meeting, the site guard will check real-time monitors during non-work hours.

The three zones will be monitored as follows (Tab 8 of the draft Sampling and Analysis Plan):

1. The contractor will perform personnel air monitoring within the work areas in accordance with the contractor's written Health and Safety Plan.

2. The owner's representative will perform real-time monitoring at the perimeter of the work area. Trigger levels will be set that will insure that air quality standards are not exceeded at the facility boundary. The trigger levels will be based on the contamination level of the material that is exposed at the work area. The equipment will continuously record the dust level in the air. The owner's representative will read the monitors once every hour. Work will stop immediately if trigger levels are exceeded, as described in the Foul Weather/High Winds section, above. The real-time monitoring equipment will operate throughout the construction seasons.

3. Perimeter air monitors will survey the air at the perimeter of the Marjol property as a confirmation that real-time monitors are maintaining safe air quality levels. The perimeter monitors will continue the existing monitoring program, with a 24-hour sample taken on a 6-day rotating schedule. The perimeter monitors cannot provide immediate results. They collect air particulate samples that must be sent to a laboratory for analysis.

### Communication and Contacts

Gould will update the current Community Relations Plan to bring all of the elements of project information communication and notifications into one place. It will incorporate notification information from the Emergency Response Plan. The plan will identify contact people and describe the notification process. Gould will consult with the Borough Council on the notification process prior to the start of construction. The contractor's Health and Safety Plan will further expand the procedures, following the format of the Emergency Response Plan. The procedures in the Health and Safety Plan will be reviewed with the local emergency responders prior to the start of construction.

### Project Shutdown

The owner's representative has the authority to shut down the project, as noted in Foul Weather/High Winds section, above. Under emergency situations, EPA or PADEP emergency response personnel may shut down the project should conditions pose a danger to the community.

The contractor will submit an Emergency Response Plan that is part of the contractor's Health and Safety Plan (page 01545-5 of the specifications). In addition, Gould will have an emergency response contractor under contract to respond if the contractor requires additional assistance and if such action is warranted.

### Videotaping

A council member requested videotaping of all construction activities to provide a permanent record of site activities. That level of documentation is beyond that provided for remediation projects. The project oversight by the Army Corps of Engineers, Gannett Fleming, and PADEP along with the required sampling and testing will provide a significant amount of documentation for the project. In addition to the sampling and testing documentation required by the construction contract, the oversight inspectors will document the project



through reports and photographs.

### Community Compensation

Council members requested compensation for costs that the Borough will bear as a result of the construction project. Services such as additional police hours and road maintenance during foul weather were mentioned. Compensation was also requested for a Borough inspector to oversee the construction project.

Compensation for these expenses is not within the authority of the EPA and PADEP remediation programs. However, I have been informed that even though Gould believes that a building permit is not required for this type of work, Gould is willing to submit a building permit application and is negotiating a building permit fee with the Borough to cover project-related expenses.

EPA and PADEP will sponsor an informational Open House for the Throop community on Tuesday, April 8, 2008. We will also attend the Borough Council work session at 6:30 pm on that day. Thank you for providing space for the Open House and for inviting us to the work session. We can discuss any of these comments or other issues or concerns at that time.

If you wish to discuss the project prior to the April 8<sup>th</sup> meeting, please call me, at 215-814-3416.

Sincerely,

Maureen Essenthier, Project Manager  
PA Operations Branch, 3WC22  
Waste & Chemicals Management Division

Enclosure

cc: Honorable Stanley Lukowski, Mayor, Throop Borough  
Robert Lewis, Pennsylvania Department of Environmental Protection  
James F. Cronmiller, Gould Electronics Inc.

