

Marjol Battery Site Newsletter

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What has happened over the last few months?...p. 1

Results of the Supplemental Mine Fire Investigation...p. 1

Community Relations Activities...p. 1

The Pre-Design Investigation...p. 2

What is Happening in the Next Few Months...p. 2

Schedule...p.2

Ongoing Monitoring Activities...p.3

Monitoring Reports...p.3

Contact List/Repository Location...p.4

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WHAT HAS HAPPENED OVER THE LAST FEW MONTHS?

Since the signing of the Consent Order (July 13, 2006) to design and implement USEPA's Final Remedy for the Marjol site, several activities have taken place. USEPA approved portions of the Corrective Measures Implementation (CMI) Work Plan (submitted by Gould to USEPA and PADEP on July 21, 2006), such that Gould was able to conduct some of the Pre-Design Investigations (PDI), including the Supplemental Mine Fire Investigation in the Fall of 2006. On February 13, 2007, Gould received comments from USEPA on the CMI Work Plan. In its comments, USEPA authorized Gould to proceed with the work under the Work Plan, with the exception of soil sampling. With regard to the Soil Sampling Investigation (part of the PDI), USEPA has asked Gould to submit a revised Work Plan. Gould will respond to USEPA's comments and submit a revised Soil Sampling Investigation Plan in the near future.

Results of the Supplemental Mine Fire Investigation

The Supplemental Mine Fire Investigation took place between September 11, 2006 and October 13, 2006 under the supervision of geologists from Advanced GeoServices Corp. (AGC) for Gould, USEPA, and Gannett Fleming (Skelly & Loy) for PADEP. The investigation yielded information that will be useful in the design of the final remedy; two additional borings were added to further investigate the limit of the Five Foot Coal Seam. Gould submitted its conclusions on the investigation in a report to the USEPA and PADEP on October 30, 2006.

On December 18, 2006, USEPA, PADEP, and Gannett Fleming provided comments on the Supplemental Mine Fire Investigation Report to Gould.

USEPA Fact Sheet and Public Meeting on the Supplemental Mine Fire Investigation

USEPA provided a Fact Sheet Update regarding the site on December 18, 2006. In the fact sheet, USEPA states that the EPA and PADEP technical review teams have evaluated the new and previously existing data related to the coal seams and that all review parties, including the Gannett Fleming oversight team, agree with the following conclusions:

- The Top Four Foot Coal Seam and the Top Split Top Four Foot Coal Seam do not pose a mine fire hazard to the waste containment area proposed for the site;
- A waste containment area may be designed with adequate isolation from the Five Foot Coal Seam.

USEPA with PADEP presented these conclusions to Throop Borough in a Public Meeting held on January 18, 2007, at the Throop Civic Center in Throop.

To view USEPA's Fact Sheet or the article from the Times-Tribune on the Public Meeting, go to www.marjolicleanup.com.

Community Relations Activities

The Marjol web site is up and running. We encourage everyone to log onto our web site at www.marjolicleanup.com for the most recent information regarding the Marjol site.

- *Provide us with your e-mail address and we will notify you whenever the web site is updated.*
- *If you do not have access to the web, you are welcome to use our computer at the Community Relations Office (502 George Street in Throop) to review the Marjol web site (M,T,W, F—9:00 am to 3:00 pm).*

The Pre-Design Investigation (PDI)

In addition to the Supplemental Mine Fire Investigation, the PDI includes two other investigations. A summary of the PDI including what investigations have already occurred and what investigations have yet to be completed is shown below. The information obtained from the PDI will be used to determine the horizontal and vertical limits of excavation for the design of the Final Remedy.

The PDI is divided into three separate investigations with each having specific objectives as follows:

- **Supplemental Mine Fire Investigation** – As noted above, this part of the PDI has been completed. The study concluded that the Top Four Foot Coal Seam and the Top Split Top Four Foot Coal Seam do not pose a mine fire hazard to the waste containment area proposed for the site and that the waste containment area may be designed with adequate isolation from the Five Foot Coal Seam.
- **Depth to Bedrock Investigation**—This part of the investigation is complete. The study was done to determine the depth to bedrock in the area of the proposed relocated Stormwater Basin (northwest of the existing Stormwater Basin) to determine if the necessary grades for the relocated basin could be achieved in the area proposed.
- **Supplemental Soil Investigation**—The objective of this investigation is to further delineate the vertical and horizontal extent of impacted surface soils and to define wooded areas requiring clearing and excavation. This investigation has not yet been completed. Samples in the eastern portion of the Site (Grove St. and the entrance road and in the vicinity of the support trailers) were collected at the same time as the Depth to Bedrock Investigation.

WHAT IS HAPPENING IN THE NEXT FEW MONTHS?

At the Site Itself: Other than the regular air monitoring and soil and surface water sampling activities, the only activities at the site itself during the Winter months will be snow plowing. In the Spring of 2007, it is anticipated that the remaining activities associated with the PDI will occur.

Behind the Scenes: While the site itself is quiet, activities behind the scenes will be anything but that. Advanced GeoServices has begun work on what is called the **30% Design Submission**. The 30% Design Submission is due to USEPA and PADEP 90 days after all phases of the PDI are completed. (It is expected that the final phase of the PDI will be completed in the Spring of 2007 once the weather breaks and USEPA and PADEP approve Gould's Revised Soil Sampling Investigation Work Plan which will be submitted by Gould in the near future.)

The 30% Design Submission is information-filled. This document is Gould's preliminary proposal on how the Final Remedy will take place, what will be done, and what the Site will look like after the remedy is implemented.

The 30% Design Submission will include Gould's preliminary proposal for several items such as:

- What the size of the capped area will be and where it will be located on the Site;
- Where the Stormwater Management Basin will be relocated to;
- The Cap Strain analysis that was required by the Ombudsman's Report;
- The results of the Pre-Design Investigations;
- Proposed design for achieving isolation between the Five Foot Coal Seam and materials in the Containment Area;
- Preliminary Construction Drawings and sketches; and
- A Preliminary Construction Schedule.

After the USEPA and PADEP review and comment on the 30% Design Submission, their comments will be incorporated into the next design phase, the 90% Design Submission, which is submitted 90 days after the comments are received.

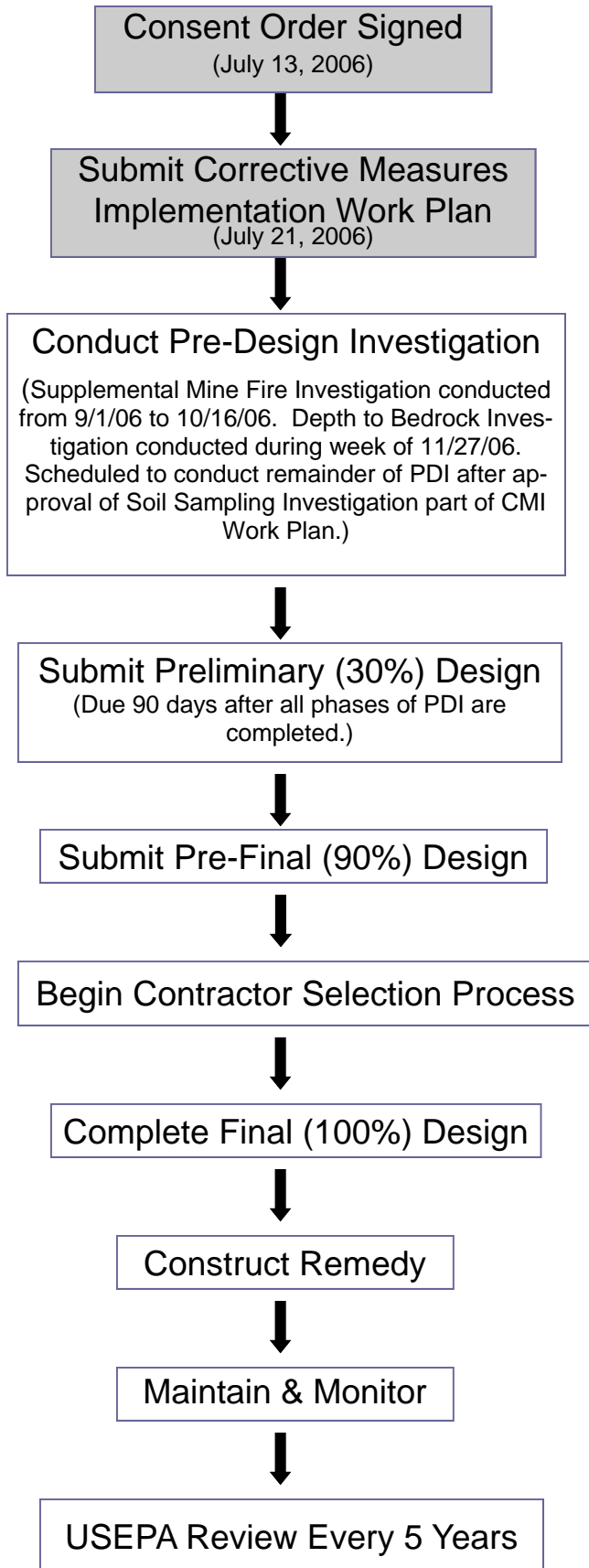
Schedule

The flow chart on the next page provides a general idea of the steps involved in the Corrective Measures Process. At this point in time we do not expect construction of the remedy to be completed before the end of 2009.

Don't forget to check out the Marjol web site! Go to...

www.marjolcleanup.com

Corrective Measures Implementation Process



Ongoing Monitoring Activities

High-Hazard Soil Stockpile Cover Test Results - The High-Hazard Soil Stockpile HDPE geomembrane cover was once again tested in the Fall of 2006 (it is tested yearly as part of the testing program which began in 1996). The testing showed that the cover is maintaining its strength and flexibility. The cover is not experiencing significant UV degradation, it continues to maintain its design function of dust control, and it has additional service life.

Water and Sediment Sampling - The Storm Water Management Basin and the Lackawanna River continue to be tested quarterly. Sediment and surface water samples continue to show that the site has no impact on the Lackawanna River water or sediment quality.

Air Monitoring - Regular air monitoring (every six days) continues to be conducted at the Site. All results indicate that air lead levels at the Site are similar to background. In April of 2004, PADEP set up two high volume air samplers at existing air monitor locations #1 and #4. PADEP continues to run its air samplers concurrently with Gould's air samplers on a quarterly basis. PADEP's air monitoring results have been consistent with those from Gould's high volume air samplers.

Weekly Site Walks and Monthly Site Visit Reports - Weekly Site walks and monthly Site visit reports continue to be performed and prepared.

Monitoring Reports

Gould submitted its second Quarterly Progress Report under the new Consent Order to USEPA and PADEP on February 15, 2007. Reports for the ongoing monitoring are attached to the Quarterly Progress Reports.

Copies of the Quarterly Progress Reports and other documents may be reviewed at the Throop Municipal Building Repository, at the Marjol Community Relations Office located at 502 George Street in Throop, or at the Marjol web site

www.marjolicleanup.com.

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Repository Location

Marjol Battery Site Repository

The repository is located at the Throop Borough Municipal Building, 436 Sanderson Street, Throop, PA and is open Monday through Friday 9 am to 4 pm.

Do you want to be added to our lists?

If you would like to be added to the Marjol Battery site newsletter mailing list or the website changes list, please contact Lisa Ayers via e-mail, telephone, or fax or you can submit your address information on our web site at <http://www.marjolcleanup.com>.

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