

# Fairfield Beach Neighborhood Meeting

## Public Works Yard Remediation

APRIL 13, 2017

<http://www.fairfieldct.org/pwyard>

# INTRODUCTIONS

First Selectman,  
Michael Tetreau

Public Works Director,  
Joseph Michelangelo

Public Works Superintendent,  
Scott Bartlett

Conservation Director,  
Brian Carey

Cindy Knight, LEP  
Logical Environmental

# BACKGROUND

Julian Operations was scheduled to end 12/15/17

Town received notice of hits for PCBs and Lead on 12/13/17

The last public meeting was held on 2/22/17

## CTDEEP RSR Standards

Element	Date	Measured	Industrial	Residential	"RCRA" Haz Waste
PCB	11/29/16	6.8 ppm	10 ppm	1 ppm	N/A
PCB	12/14/16	13.4 ppm	10 ppm	1 ppm	N/A
TCLP Lead (Measures leachability of Lead)	11/29/16	10.6 ppm	N/A	N/A	5.0 ppm

\*All standards presented in Part Per Million (PPM) or (mg/kg)

# REMEDIATION

Week of 2/13/17

- Remedial Investigation was conducted over 3 days.
- Remedial Investigation Conducted by Julian's LEP (Go Environmental) with oversight by the Town's LEP (Logical Environmental)
- Costs shared evenly by Town and Julian.
- Laboratory analysis of the contaminated fill was posted on the Town website on February 24<sup>th</sup>, 2017 in a tabature/map format.
- The Remedial Investigation Report is still pending but was not required to develop the existing Remedial Action Plan. (RFP #2017-73)

# REMEDIATION

- As part of the Remedial Investigation, eleven test pits were completed and 32 soils samples were collected.
- Select samples were analyzed for PCBs, lead, and asbestos by independent State Certified Laboratory.
- Highest PCB concentration was 16 ppm. No Asbestos Containing Materials. No Hazardous Levels of Lead detected in this round of sampling.
- Laboratory data was compiled and reviewed to determine the degree and extent of the contaminated material.

# Site Map





# REMEDIATION

## Mapped Results of Test Pits



# REMEDIATION

## What does this mean?





# REMEDIATION

- Did not exceed thresholds of Toxic Substances Control Act (TSCA) which is 50 ppm for PCBs. Can be disposed of as Non-TSCA Regulated PCB waste material.
- LEP from Logical Environmental developed a Remedial Action Plan (RAP) dictated by the results of the Remedial Investigation as represented in Request for Proposals - Bid #2017-73
- To date, CTDEEP has not issued any formal enforcement order for the removal of the waste. The CTDEEP PCB Division was consulted on the remedial investigation design and continues to be consulted on the progress of the remediation.
- Town's LEP acting as an agent of CTDEEP to oversee and certify remediation.

# REMEDIATION

## Scope of Remediation Plan

- Excavate impacted soils into lined, covered roll-offs containers
- Transport to certified disposal facility
- Collect Post Excavation Soil Samples for verification
- If not verified clean, additional material will need to be removed
- Prepare Remedial Action Report (RAR) of the final post remediation findings and submit to the CTDEEP PCB Division.
- LEP verifies cleanup completed to CTDEEP and EPA regulations

# SUMMARY OF ACTION ITEMS

- Review Responses to Remediation Proposals and Select Qualified Vendor.
- Evaluate Potential Funding Mechanism and hold Julian Responsible for Contractual Obligations
- Proceed to Schedule and Initiate Remedial Action Plan
- Continue to Provide bi-weekly Status Updates to Neighbors

# SUMMARY OF ACTION ITEMS

- Submit grading plan for landscape berm and capping to Town Boards (P&Z, Conservation) for referrals
- Develop a Materials Sampling Protocol for the processing and movement of the larger Aggregate Pile
- Submit Landfill Closure and Long-term Monitoring Plan to CTDEEP WEED for review and approval

# PUBLIC QUESTIONS

## (ENVIRONMENTAL/REMEDIATION)

- **Q.) The last testing report is dated February 14th and February 16th 2017. What has been done since that date?**
- A.) The data has been analyzed and a remedial plan (excavation and disposal) of the impacted soil, and segregation of the bulky material has been implemented via bid specifications for a potential remediation contractor. Bid specifications were finalized as of April 3, and a site walkover for potential bidders was performed on April 6. Formal bids are due April 25 in accordance with Town/ State time requirements.

# PUBLIC QUESTIONS

(ENVIRONMENTAL/REMEDIATION)

- **Q.) Final Reports on the contaminants found in the February samples?**
- A.) The Remedial Investigation Report has not been finalized and provided to the Town. The Town was able to use the laboratory reports to develop the Remedial Action Plan and bid specifications and the Remedial Investigation Report is inconsequential at this point. All of the analytical collected from the site is publically available and has been published on the Town website since late February 2017.



# PUBLIC QUESTIONS

(ENVIRONMENTAL/REMEDATION)

- **Q.) What is “the agreed upon CTDEEP protocol” and how is it being implemented?**
- A.) The implemented “protocol” is the investigation performed in conjunction with Julian and their consultant in accordance with State and federal PCB regulations, and the upcoming remediation of the identified contamination. Once the identified contamination is removed, then an additional investigation can be performed to identify if more soil and debris is impacted with PCBs and requires offsite disposal.

# PUBLIC QUESTIONS

(ENVIRONMENTAL/REMEDIATION)

**Q.) The last aggregate pile inspection is dated 11/29/16. It states, “Julian personnel with knowledge of the source of this contaminated fill should also be interviewed so that the potential quantity and PCB- source can be identified to assist in determining how much material was placed on the Town property. It is recommended that additional sampling be conducted to determine the extent and degree of the PCB-impacted soil in this area so it can be properly managed in accordance with the applicable TSCA and State regulations.” Have Julian employees been interviewed?**

A.) The additional sampling has been conducted to determine the degree and extent of the PCB impacted soils. Julian representatives have not been forthcoming with information regarding the abandonment of the impact fill.

# PUBLIC QUESTIONS

## (ENVIRONMENTAL/REMEDIATION)

- **Q. Why has weekly testing ceased?**
- A.) Since the Town stopped Julian's operation of accepting material as of December 13, 2016, no additional samples were collected of the pile on weekly basis. The inspection completed 12/8/16 prior to the shutdown of the facility did not note any new "suspect soil", only an increase of asphalt, concrete and brick on the northern/northeastern side of the pile. The Town has conducted additional sampling of the PCB contaminated materials to delineate the degree and extent of impacted soils. All of this information has been provided to the public and has been the subject of the community meetings.

# PUBLIC QUESTIONS

## (ENVIRONMENTAL/REMEDIATION)

- **Q.) Is there a protocol for testing by grid of the entire aggregate pile? The Feb. 2017 “Preliminary Materials Sampling Plan” is difficult to decipher. It appears that multi-level sampling has not been done in areas such as I-4 where PCBs were found.**
- A.) A sampling grid of 2 to 3 feet depth intervals was implemented on an approximate 10-ft grid due to the size of the pile. Test pits in loose fill cannot be completed in intervals less than approximately 10 feet due to the material caving in and not producing the required results. In addition, soil borings completed in material containing debris such as concrete and asphalt typically do not produce the desired results based upon sampler refusal, and debris blocking the sample tube nose. The I-4 grid interval represents the approximate location of a surficial grab sample collected 12/14/2016 and did not fall within the February 2017 sampling grid.

# PUBLIC QUESTIONS

## (ENVIRONMENTAL/REMEDIATION)

- **Q.) The Jan. 10 , 2017 Granata report shows a low level of PCBs on the cone crusher. Does this indicate that Julian was crushing and presumably selling materials containing PCBs?**
- A.) The results of the wipe sampling conducted on Julian's equipment documented in the January 10 report, specifically the cone crusher, were less than the federal EPA and State DEEP acceptable guidelines for PCBs on solid surfaces. The results were 1.4 ug/100 cm<sup>2</sup> which is below the threshold limit of 10.0 ug/100 cm<sup>2</sup> , so based upon the results, at some point, material containing PCBs came in contact with the crusher, but the residues left behind were less than allowable concentrations.
- The town's LEP recommended that the crusher be decontaminated so that the wipe sample results were ND (less than 1 ug/100 cm<sup>2</sup>) – Decontamination of the equipment was performed on February 3<sup>rd</sup>, 2017, and subsequent testing showed levels below analytical detection limits.
- Based upon these wipe sample results, one cannot extrapolate to determine if PCB contaminated material (greater than 1 mg/kg) was being sold by Julian for offsite use.

# PUBLIC QUESTIONS

(ENVIRONMENTAL/REMEDIATION)

- **Q.) Cynthia Knight stated, “We are going to delineate the property and take samples of the entire reclamation pile.” Where is the “delineation”? Is this sampling occurring?**
- A.) The initial delineation investigation is represented by the February sample results. Once this material is removed from the property, an additional investigation will be conducted and repeated as necessary to delineate the extent of the PCBs. A site-wide delineation investigation cannot be completed due to the magnitude of the pile. It must be conducted in sections in order to try to keep clean material segregated from impacted material as best as possible.



# PUBLIC QUESTIONS

## (ENVIRONMENTAL/REMEDIATION)

- **Q.) Has a RAP been developed and where is the RAP?**
- A.) The RAP is represented by the remediation bid specifications that are based upon the initial February investigation. At this point, a formal written standalone RAP is not required, as a complete site delineation investigation has not been conducted. The entire pile area will be sampled to delineate the extent of the contamination as contaminated material is removed and clean material is segregated.
- A comprehensive Remedial Action Report (not to be confused with a Remedial Action Plan) will be completed to document the proper removal and disposal of all impacted material from the property.

# PUBLIC QUESTIONS

(ENVIRONMENTAL/REMEDATION)

- **Q.) What is the role of Brian Carey, who has significant expertise in handling environmental situations, in this process? Shouldn't all testing, reporting, and liaison with DEEP concerning the pile be supervised by Brian Carey?**
- A.) Brian Carey has been involved with the sampling and remediation planning since the site was shut down on December 13<sup>th</sup>, 2017.

# PUBLIC QUESTIONS

## (ENVIRONMENTAL/REMEDIATION)

- **Q.) Does the plan include further soil samples of the aggregate pile as it is dismantled?**
- A.) A material sampling protocol will be developed and put in place that will be protective of both public and the environment during the processing of the aggregate and construction of the berm. Samples for constituents of concerns will be sampled at pre-determined intervals (i.e. 500 tons) to ensure any additional polluted soils are identified and properly handled for disposal.

# PUBLIC QUESTIONS

(LEGAL)

- **Q.) At the Feb. 22, 2017 meeting, Joe M. said that DPW did not look at tickets, but they would get them from Julian. Has this been accomplished?**
- A.) The Town attorney has requested this information from Julian Enterprises through their attorney but to date nothing has been provided regarding documentation of site operations.

# PUBLIC QUESTIONS

(LEGAL)

- **Q.) The presentation on Feb. 22 stated, “As directed by CT DEEP on 12/13/17. All electronic and hard copies of the records to be preserved.” Has this occurred? Where are the records?**
- **A.)** Julian Enterprises has failed to provide any documents, and the Town can't verify that their records have been preserved.

# PUBLIC QUESTIONS

## (LEGAL)

- **Q.) At the presentation, Joe M. said that the Town did not have a scale to check on Julian. Isn't it true that Julian had a scale and the Town has a scale, and the Town had a camera that was pointed at Julian's scale? How did the Town fail to monitor Julian?**
- **A.)** The configuration and weight limit of the scale at the Town's Transfer Station can not accept a typical truck that was used to haul aggregate.
- There are surveillance camera on Richard White Way which view vehicles passing in front of the Transfer Station. There is not a surveillance camera pointed at the Julian's Scale or trailer.
- The weekly tonnage numbers Julian provided the Town were faulty, as evident by the topographic survey in Jan. 2017.
- The LEP inspections did identify the contaminates found on site.



# PUBLIC QUESTIONS

(LEGAL)

- **Q.) Was Julian responsible for property taxes on equipment located at the DPW site? If so, did Julian ever receive property tax bills?**
- **A.)** Julian appealed their taxes to the Board of Assessment Appeals. The BAA ruled that they did not owe the town taxes.

# PUBLIC QUESTIONS

(LEGAL)

- **Q.) Will Julian's bond cover the cost of remediation or will the tax payer pay the bill?**
- **A.)** No. The bond that was submitted from Julian Enterprises was for \$50,000. The bond is not valid.

# PUBLIC QUESTIONS

(LEGAL)

- **Q.) Who within the town has been held accountable for these oversights?**
- A.) The Public Works Department was responsible for overseeing the Julian Operations.

# PUBLIC QUESTIONS

(LEGAL)

- **Q.) Has anyone looked into air particulates and air pollution citation issued last year?**
- A.) We have no knowledge of any air sampling or citation by CT DEEP.
- We have no knowledge of any air sampling or citation by MSHA (a division of the Federal Dept. of Labor). We have requested all information that they have on this matter.

# PUBLIC QUESTIONS

(LEGAL)

- **Q.) The town, as an outcome of the February meeting, has hired outside council for this issue. What progress have they made?**
- A.) The Town has retained outside legal council and is reviewing all available options at this time.

Thank you

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