UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

5 POST OFFICE SQUARE, SUITE 100, BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

SEP 18 2014

Town of Greenwich
Attn: Amy J. Siebert, Commissioner
Department of Public Works
Town Hall
101 Field Point Road
Greenwich, Connecticut 06836-2540

Re: Modification to PCB Soil Disposal Approval under §§ 761.61(a) and (c)
Greenwich High School – MISA Footprint Project Area

Dear Ms. Siebert:

This is in response to the Town of Greenwich ("the Town") letter dated July 29, 2014 to modify the *PCB Soil Disposal Approval under §§ 761.61(a) and (c)* dated December 3, 2012 ("the Approval") for cleanup of PCB-contaminated soils within the MISA Footprint project area ("the Site") at the Greenwich High School property located at 10 Hillside Road in Greenwich, Connecticut. The Town has submitted the modification in accordance with Attachment 1, Condition 18 of the Approval. Specifically, the Town has requested modification to Attachment 1, Condition 22 of the Approval in regards to the manner and timing for recording the deed restriction. Please note that the correct reference is Condition 23, not Condition 22. A copy of the Approval is enclosed for your reference.

Attachment 1, Condition 23 of the Approval requires the following:

> "Within 60 days of completion of the cleanup activities described in the Notification and authorized by this Approval, and as required under § 761.61(a)(8)(i)(B), GPS shall submit to EPA a certification, that it has recorded the notation on the deed as required under § 761.61(a)(8)(i)(A). A copy of the notation on the deed must also be submitted."

In your letter, you have requested that the above condition be amended to allow the deed restriction to be recorded after completing site-wide remediation. You have also requested that the time period be extended for a period of two years following completion of remedial activities to allow an adequate time period for filing of the required Environmental Land Use Restriction ("ELURs") as described in the Connecticut General Statutes Section 22a-133q-1.

Given the ongoing remedial work on the GHS property, EPA has determined that it is reasonable to modify Condition 23 to allow the required deed notation to be recorded upon completion of site-wide remedial activities and to allow appropriate coordination with the Connecticut Department of Energy and Environmental Protection ("CTDEEP"). Accordingly, Condition 23 is modified as follows:

> "Within 60 days of completion of the site-wide remedial actions at the Greenwich High School property, the Town of Greenwich ("the Town") shall submit a draft deed restriction to EPA and the Connecticut Department of Energy and Environmental Protection ("CTDEEP"). Within 60 days of receiving EPA and CTDEEP concurrence of the draft deed restriction, the Town shall submit to EPA a certification that it has recorded the notation on the deed as required under 40 CFR § 761.61(a)(8)(i)(A). A copy of the notation on the deed must also be submitted."

Should you have any questions on this matter, please contact Kimberly Tisa at (617) 918-1527.

Sincerely,

James T. Owens, III
Director, Office of Site Remediation & Restoration

Enclosure

cc: File
Malcolm Beeler, AECOM
Gary Trombly, CTDEEP
Jeff Wilcox, CTDEEP

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEC 0 3 2012

Ronald Matten, Director of Facilities
Greenwich Public Schools
290 Greenwich Avenue
Greenwich CT 06830

Re: PCB Soil Disposal Approval under §§ 761.61(a) and (c)
Greenwich High School – MISA Footprint Project Area

Dear Mr. Matten:

This is in response to the Greenwich Public Schools (GPS) Notification[1] to address PCB-contaminated soils within the MISA footprint project area (the Site) at the Greenwich High School property located at 10 Hillside Road in Greenwich, Connecticut. The Site contains PCBs at concentrations that exceed the allowable PCB levels for unrestricted use under the federal PCB regulations at 40 CFR § 761.61(a). GPS has requested an approval to clean up and dispose of the PCB-contaminated soils located at the Site under the PCB self-implementing cleanup and disposal option (SIP) at 40 CFR § 761.61(a).

GPS is proposing the following PCB cleanup and disposal plan in the MISA footprint and its associated structures (storm water detention tank and new piping):

- ⇨ Within the MISA footprint, remove all soil with total PCB concentrations greater than or equal to (≥) 50 parts per million (ppm) and dispose in a TSCA-permitted disposal facility or RCRA hazardous waste landfill in accordance with § 761.61(a)(5)(i)(B)(*2*)(*iii*); and, collect verification samples to confirm that all ≥ 50 ppm PCB-contaminated soil has been removed prior to removal of the less than (<) 50 ppm PCB-contaminated soil;

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1 Information was submitted on behalf of GPS by AECOM to satisfy the notification requirements under 40 CFR §§ 761.61(a)(3) and (c). Information was provided dated January 23, 2012 (Soil Remedial Action Plan MISA Phase IIB Construction); April 20, 2012 (Soil Remedial Action Plan Addendum); August 16, 2012 (Response to EPA Comments); September 26, 2012 (Soil Remedial Action Plan MISA Construction Schedule); October 17, 2012 (US Army Corps of Engineers letter); October 24, 2012 (email Distribution of PCB concentrations in MISA project area); and, November 20, 2012 (email regarding MISA waterproofing and groundwater elevation). These submittals will be referred to as the "Notification."

- ⇨ Within the MISA footprint, remove all soil with total PCB concentrations greater than (>) 10 ppm but < 50 ppm and dispose in a RCRA non-hazardous waste landfill in accordance with § 761.61(a)(5)(i)(B)(*2*)(*ii*); and, collect verification samples to confirm that all > 10 ppm PCB-contaminated soil has been removed;

- ⇨ For soils excavated from within the MISA footprint during MISA construction which have concentrations of PCBs > 1 ppm but less than or equal to (≤) 10 ppm, dispose of those soils in a RCRA non-hazardous waste landfill in accordance with § 761.61(a)(5)(i)(B)(*2*)(*ii*);

- ⇨ Within the MISA footprint, construct compliant cap (i.e., building structure) conforming to the requirements under § 761.61(a)(7);

- ⇨ Remove soils located in the new storm water detention tank area and associated new piping area(s), and dispose as a ≥ 50 ppm PCB waste in a TSCA-permitted disposal facility or RCRA hazardous waste landfill in accordance with § 761.61(a)(5)(i)(B)(*2*)(*iii*); and,

- ⇨ Record a notation on the deed to document that PCBs at > 1 ppm remain within the MISA footprint beneath a compliant cap in accordance with § 761.61(a)(8).

With the exception of the MISA footprint soil characterization sampling for off-site disposal, the information provided meets the requirements under § 761.61(a). Given the proposed excavation plan and the proposed sampling during excavation of the MISA footprint, EPA finds that the proposed deviation will pose no unreasonable risk to public health or the environment. Thus, EPA may approve this deviation under § 761.61(c).

EPA is approving the Notification and GPS may proceed with its PCB cleanup and disposal under 40 CFR §§ 761.61(a) and (c); its Notification; and this Approval, subject to the conditions of Attachment 1.

This Approval only applies to the MISA footprint and **does not** apply to those areas where additional data is being collected to confirm the current PCB concentrations at the Site, including the storm water detention tank and associated new piping. However, please be aware that EPA is requiring sampling of soils located within the area(s) of the new storm water detention tank and the new piping that will be installed as part of the MISA project to document conditions within these locations. See Attachment 1, Condition 14.

Under this Approval, EPA **is requiring** GPS to conduct the necessary outreach to its GHS users regarding the work to be undertaken for the MISA project. GPS shall ensure that its website is updated to reflect MISA project activities and is current as to information regarding investigations and work that has been and will be taken at the Greenwich High School property. See Attachment 1, Condition 12.

This Approval does not release GPS from any applicable requirements of federal, state or local law, including the state requirements related to PCB-contaminated soils remaining on-site at concentrations > 1 ppm and ≤ 10 ppm under the Connecticut Department of Energy and Environmental Protection (CTDEEP) regulations; to any additional requirements necessary to address pollutant mobility and direct exposure criteria; and, to the cleanup of other [non-PCB] contaminants. EPA encourages GPS to continue to work with the CTDEEP to insure it has all approvals necessary for this project.

Questions and correspondence regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator
United States Environmental Protection Agency
5 Post Office Square, Suite 100 (OSRR07-2)
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

EPA shall not consider this MISA project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with the 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

Nancy Barmakian for

James T. Owens, III
Director, Office of Site Remediation & Restoration

cc: M. Beeler, AECOM
G. Trombly, CTDEEP
J. Wilcox, CTDEEP
S. Rusnak, CTDPH
File

ATTACHMENT 1:

PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
GREENWICH HIGH SCHOOL - MISA CONSTRUCTION
10 HILLSIDE ROAD
GREENWICH, CONNECTICUT

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to *PCB remediation waste* located within the proposed MISA construction project as identified in the Notification.[1] Specifically, this Approval addresses cleanup and disposal of PCB-contaminated soils located within the MISA footprint, and excavation and disposal of PCB-contaminated soil located within the new storm water detention tank and the associated new piping areas.

2. Greenwich Public Schools (GPS) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.

3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.

4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.

5. GPS must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill of PCBs during response actions, GPS shall contact EPA within 24 hours for direction on sampling and cleanup requirements.

6. GPS is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time GPS has or receives information indicating that GPS or any other person has failed to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.

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1 Information was submitted on behalf of GPS by AECOM to satisfy the notification requirements under 40 CFR §§ 761.61(a)(3) and (c). Information was provided dated January 23, 2012 (Soil Remedial Action Plan MISA Phase IIB Construction); April 20, 2012 (Soil Remedial Action Plan Addendum); August 16, 2012 (Response to EPA Comments); September 26, 2012 (Soil Remedial Action Plan MISA Construction Schedule); October 17, 2012 (US Army Corps of Engineers letter); October 24, 2012 (email Distribution of PCB concentrations in MISA project area); and, November 20, 2012 (email regarding MISA waterproofing and groundwater elevation). These submittals will be referred to as the "Notification."

7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by GPS are authorized to conduct the activities set forth in the Notification. GPS is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.

8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release GPS from compliance with any applicable requirements of federal, state or local law; or 3) release GPS from liability for, or otherwise resolve, any violations of federal, state or local law.

9. Failure to comply with the Approval conditions specified herein shall constitute a violation of the requirement in § 761.50(a) to store or dispose of PCB waste in accordance with 40 CFR Part 761 Subpart D.

NOTIFICATION AND CERTIFICATION CONDITIONS

10. This Approval may be revoked if the EPA does not receive written notification from GPS of its acceptance of the conditions of this Approval within 10 days of receipt.

11. GPS shall submit the following information to EPA:

    a. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the analytical and quality assurance requirements specified in the Notification and in this Approval;

    b. a contractor work plan, prepared and submitted by the selected contractor(s), detailing the procedures that will be employed for management of groundwater into the MISA area, for removal of PCB-contaminated soils and for air monitoring during removal activities. This work plan should also include information on waste storage, handling, and disposal for each waste stream type and for equipment decontamination; and,

    c. a certification signed by its selected remediation contractor, stating that the contractor has read and understands the Notification, and agrees to abide by the conditions specified in this Approval.

CLEANUP AND DISPOSAL CONDITIONS

12. GPS shall conduct outreach to GHS users and property abutters on the MISA project remedial activities. GPS shall ensure that its website is updated to reflect MISA project activities and that the website is current as to information regarding investigations and work that has been and will be taken at the Greenwich High School property.

13. The cleanup level for *PCB remediation waste* shall be less than or equal to (≤) 10 parts per million (ppm) within the MISA footprint.

    a. Bulk *PCB remediation waste* (i.e., soil) samples shall be collected on a bulk basis (i.e., mg/Kg) and results shall be reported on a dry-weight basis. Verification sampling shall comply with Subpart O and samples shall be collected from both the bottom and sidewalls to confirm that the required PCB cleanup standard has been met.

        i) Following removal of the greater than or equal to (≥) 50 parts per million (ppm) PCB-contaminated soil, verification samples shall be collected in accordance with Subpart O to confirm than all ≥ 50 ppm PCBs have been removed prior to removal of the less than (<) 50 ppm PCB-contaminated soil.

    b. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction and/or analytical method(s) is validated according to Subpart Q.

14. Soil samples shall be collected within the area(s) where the new storm water detention tank and new piping will be installed. At a minimum, samples shall be collected on a bulk basis (i.e., mg/Kg) in accordance with Subpart N and results shall be reported on a dry-weight basis.

    a. Sampling is not required for soils that will be excavated for off-site disposal as a ≥ 50 ppm PCB waste.

    b. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction and/or analytical method(s) is validated according to Subpart Q.

    c. In the event PCB concentrations are found at ≥ 50 ppm, GPS shall contact EPA for a determination on what, if any requirements, which could include additional excavation, shall apply prior to placement of the new tank or piping in the contaminated area(s).

15. PCB waste (at any concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with CFR 40 CFR §§ 761.40 and 761.45; stored in a manner consistent with 40 CFR § 761.65; and, disposed of in accordance with 40 CFR § 761.61, unless otherwise specified below:

a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g)(6).

b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).

c. PCB-contaminated water generated during decontamination or dewatering shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

16. GPS shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by GPS to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.

17. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).

18. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

19. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

20. Approval for these activities may be revoked, modified or otherwise altered: if EPA finds a violation of the conditions of this Approval or of 40 CFR Part 761, or of other applicable rules and regulations; if EPA finds that these activities present an unreasonable risk to public health or the environment; or, if EPA finds that there is migration of PCBs from the MISA project area.

RECORDKEEPING AND REPORTING CONDITIONS

21. GPS shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the activities authorized under this Approval and the analytical sampling shall be established and maintained by GPS in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection by authorized representatives of EPA.

22. GPS shall submit a final report, in both hard and electronic copy, to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities with photo-documentation; characterization and confirmation sampling analytical results with associated figures depicting sampling locations; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the remediated area(s); copies of manifests; and copies of certificates of disposal or similar certifications issued by the disposer.

23. Within 60 days of completion of the cleanup activities described in the Notification and authorized by this Approval, and as required under § 761.61(a)(8)(i)(B), GPS shall submit to EPA a certification, that it has recorded the notation on the deed as required under § 761.61(a)(8)(i)(A). A copy of the notation on the deed must also be submitted.

24. Required submittals shall be mailed to:

    Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
    United States Environmental Protection Agency
    5 Post Office Square, Suite 100
    Boston, Massachusetts 02114-3912
    Telephone: (617) 918-1527
    Facsimile: (617) 918-0527

25. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self disclosure or penalty policies.

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END OF ATTACHMENT 1