Ben - for Janet

Two Tower Center Blvd.
10th Floor
East Brunswick, New Jersey 08816

CHEMICAL LAND HOLDINGS, INC.

Steven - lets try to discuss next week - can we get rid of this letter to put an end to all these "pending"?

June 19, 2001

U.S. Environmental Protection Agency, Region II
Emergency and Remedial Response Division
Diamond Alkali Superfund Site/Passaic River Study Area
290 Broadway, 19th Floor, Room W-20
New York, NY 10007-1866

Attention: Ms. Janet Conetta
Strategic Integration Manager

Subject: Monthly Progress Report No. 86
Passaic River Study Area

Dear Ms. Conetta:

Submitted herewith are two (2) copies of Monthly Progress Report No. 86 for work performed during May 2001 at the Passaic River Study Area. This progress report has been prepared pursuant to Section X, Paragraph 64 of the Administrative Order of Consent between U.S. Environmental Protection Agency and Occidental Chemical Corporation, Index No. II-CERCLA-0117.

If you have any questions, please contact me at (732) 246-5851.

Sincerely,

C. Firstenberg

Clifford Firstenberg
Project Manager
On behalf of Occidental Chemical Corporation
(as successor to Diamond Shamrock Chemicals Company)

(2 copies sent)

Attachment

DIRECTOR'S OFFICE
2001 JUN 20 AM 10: 16
U.S. EPA, REGION II
EMER. & REM. RES. DIV.

2c: Section Chief
NJDEP-Bureau of Federal Case Management
401 East State Street -CN 028
Trenton, NJ 08625-0028
Attn: Jonathan D. Berg

1c: Chief, New Jersey Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency
290 Broadway, 19th Floor, Room W-20
New York, NY 10007-1866
Attention: Diamond Alkali Site Attorney - Passaic River Study Area

MONTHLY PROGRESS REPORT NO. 86
PASSAIC RIVER STUDY AREA
WORK PERIOD: May 2001

A. Actions Taken Toward Achieving Compliance with the Order

1. Screening of remedial technologies.

2. Implement Creel Angler Survey.

B. Actual or Potential Violations and Other Problems Encountered:

No actual or potential violations. The following problems have been encountered:

1. SED2DV45 does not appear to conserve mass (first reported in Monthly Progress Report No. 78, September 2000).

2. SED2DV45 test case model results differ between WES and CLH (first reported in Monthly Progress Report No. 78, September 2000).

3. Lack of surface water data precludes assessing a number of receptors in the human health risk assessment and in developing an ecological risk assessment consistent with EPA guidance that considers the surface water pathway (first reported in Monthly Progress Report No. 78, September 2000).

4. Based on the results of the Creel Angler Survey, it has been determined that we have insufficient tissue data for American eel, carp, and catfish for a thorough human health risk assessment.

C. Corrective Actions:

1. A number of tests to evaluate the lack of mass conservation in SED2DV45 have been conducted. CLH submitted a letter to EPA and WES reporting on the results of additional testing (October 31, 2000).

2. A number of tests to determine the cause of differing model results between SED2DV45 run by WES versus SED2DV45 run by CLH will be completed upon resolution of the lack of mass conservation.

3. CLH submitted a letter describing the missing surface water data and a recommendation for mitigating the problem (October 19, 2000).

4. CLH submitted a letter on April 19, 2001 to EPA describing the situation and advising the Agency that additional tissue samples will be collected during late spring/early summer.

MONTHLY PROGRESS REPORT NO. 86
PASSAIC RIVER STUDY AREA
WORK PERIOD: May 2001
(continued)

D. Validated Sampling or Testing Results Received or Generated During the Course of Implementing the Work:

1. None.

E. Future Plans, Actions and Data Scheduled for June and July 2001:

1. Pending resumption of modeling program, determine the cause of different model results for SED2DV45 run by WES versus SED2DV45 run by CLH, and communicate to EPA and WES.

2. Pending resumption of the modeling program, resume implementation of the protocol for evaluation of the potential use of the STUDH-2000 (SED2DV45) beta model for the Passaic River Study Area, upon resolution of the two identified problems (lack of mass conservation and differing results between CLH and WES versions of the model).

3. Pending CLH's request for a meeting with EPA (CLH letter dated February 16, 2001, prepared in response to EPA's letter dated January 30, 2001), continue work on the second human health risk assessment interim deliverable according to RAGS Part D.

4. Pending CLH's request for a meeting with EPA (CLH letter dated February 16, 2001, prepared in response to EPA's letter dated January 30, 2001), continue work on the second ecological risk assessment interim deliverable according to ERAGS.

5. Continue collecting and assessing information on remedial technologies to evaluate need for treatability testing.

6. Submit revised CSO Work Plan following receipt of additional CARP QAPP documents and evaluation of the Harbor Estuary Program's (HEP's) Contaminant Assessment Reduction Program (CARP) methods.

7. Continue to implement the Creel/Angler Survey according to the Work Plan dated October 23, 2000, and incorporate revisions resulting from EPA comments.

8. Collect additional fish tissue as set forth in the letter submitted by CLH to EPA dated April 19, 2001, pursuant to the Ecological Sampling Plan Work Plan.

MONTHLY PROGRESS REPORT NO. 86
PASSAIC RIVER STUDY AREA
WORK PERIOD: May 2001
(continued)

F. Work Completion Estimates:

1. The RIWP is 100% complete.

2. The FSWP is 100% complete.

3. The Graphic Data Representation is 100% complete.

4. The Model Test Case Report is 100% complete.

5. The Screening-Level HERA is 100% complete.

6. The Alternatives Array Document is 35% complete.

7. The Ecological Sampling Plan is 100% complete (i.e., original submittal to EPA).

8. The Calibration and Verification Status Report is 100% complete (i.e., original submittal to EPA)

9. Creel/Angler Survey Work Plan is 100% complete (i.e., original submittal to EPA)

G. Delays Encountered or Anticipated and Mitigation Actions:

1. Lack of mass conservation in SED2DV45 and the tests being performed to determine the cause may delay completion of the implementation of the protocol for evaluation of the potential use of the STUDH-2000 (SED2DV45) beta model for the Passaic River Study Area.

2. Differing model results between WES and CLH when running standard model input using SED2DV45 and the tests being performed to determine the cause may delay completion of the evaluation of the potential use of the STUDH-2000 (SED2DV45) beta model for the Passaic River Study Area.

3. The lack of surface water data can be addressed though implementation of a surface water collection program. There is no plan or schedule for this activity pending EPA's response to CLH's request submitted on October 19, 2000.

4. EPA's letter dated January 30, 2001 advised (i.e., "should") CLH to "cease" sediment transport modeling, recommended that CLH "suspend" risk assessment work, and advised (i.e., "should") that CLH "suspend" treatability activities until further notice. CLH requested in its response letter dated February 16, 2001, to meet with the Agency, either separately on each of these topics, or together on the three. EPA's directive has a direct impact on the project schedule, which is now in delay pending a meeting with the Agency and/or EPA's directive to resume these required activities.