UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

FEB 17 2015

Sally M. Keating, P.E.
Manager of Environment, Health and Safety
The Metropolitan District
555 Main Street
Hartford, Connecticut 06103

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a) and (c) and § 761.79(h)
Metropolitan District – Reservoir No. 6 Flocculation Tank Deck
West Hartford, Connecticut

Dear Ms. Keating:

This is in response to the Metropolitan District ("MDC") Notification[1] for approval of a proposed plan to address PCB contamination at the Reservoir No. 6 Flocculation Tank Deck located in West Hartford, Connecticut ("the Site"). The Site contains PCB-contaminated materials that exceed the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a), § 761.61, and § 761.62. PCBs have been found in caulk and in adjacent concrete substrates.

Under this Notification, MDC is proposing the following PCB cleanup activities for this project:

- Remove PCB caulk and PCB-contaminated *porous surfaces* located within 3 inches horizontally and 2 inches vertically of the caulk joints and dispose as a *PCB bulk product waste* in accordance with 40 CFR § 761.62;

- Remove/scarify remaining PCB-contaminated *porous surfaces* located within 16 inches of the caulk joint (or until a vertical barrier is encountered, whichever is less) to a depth of 0.5 inches, the concrete stairs leading to the flash mix tank, and the concrete pads for the drywell access hatches and dispose as a *PCB bulk product waste* in accordance with 40 CFR § 761.62; and,

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[1] Information was submitted by AECOM on behalf of MDC to satisfy the requirements under 40 CFR §§ 761.61(a) and (c) and § 761.79(h). Information was provided on January 9, 2015 (December 2011 Revised PCB Abatement Work Plan and May 20, 2014 Modification to Revised PCB Abatement Work Plan); February 4, 2015 (email modified verification sampling table); and February 5, 2015 (email verification sampling table). These submittals shall be referred to as the Notification.

- Conduct post-abatement sampling of remaining *porous surfaces* to document that the PCB cleanup standard of less than or equal to ("≤") 1 part per million ("ppm") has been met.

With exception of the proposed verification sampling frequency, the information provided in the Notification meets the requirements under 40 CFR §§ 761.61(a), 761.62, and 761.79(h) for decontamination, cleanup and/or disposal of PCB-contaminated wastes. Given the data and the proposed removal limits, the alternative sampling frequencies for decontaminated *porous surfaces* appear reasonable. EPA has determined that the alternative sampling frequencies will not pose an unreasonable risk of injury to health or the environment as the alternative sampling should be sufficient to confirm that PCB concentrations at the Site are ≤ 1 ppm.

MDC may proceed with its cleanup in accordance with 40 CFR §§ 761.61(a) and (c); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1. This Approval does not release MDC from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCBs or other contaminants under the Connecticut Department of Energy and Environmental Protection (CTDEEP) regulations.

Questions and correspondence regarding this Approval should be directed to:

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

EPA shall not consider this 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 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

Nancy Barmakian

Nancy Barmakian, Acting Director
Office of Site Remediation & Restoration

cc: M. Beeler, AECOM
G. Trombly, CTDEEP
File

Attachment 1: Approval Conditions

ATTACHMENT 1:

PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS RESERVOIR NO. 6 FLOCCULATION TANK WEST HARTFORD, 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 the *PCB bulk product waste* and the *PCB remediation waste* identified in the Notification[2] and located at this Site.

2. The Metropolitan District ("MDC") 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. MDC 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 during response actions, MDC shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.

6. MDC 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 MDC has or receives information indicating that MDC or any other person has failed, or may have 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.

7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by MDC are authorized to conduct the activities set forth in the Notification. MDC 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.

[2] Information was submitted by AECOM on behalf of MDC to satisfy the requirements under 40 CFR §§ 761.61(a) and (c) and § 761.79(h). Information was provided on January 9, 2015 (December 2011 Revised PCB Abatement Work Plan and May 20, 2014 Modification to Revised PCB Abatement Work Plan); February 4, 2015 (email modified verification sampling table); and February 5, 2015 (email verification sampling table). These submittals shall be referred to as the Notification.

8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release MDC from compliance with any applicable requirements of federal, state or local law; or 3) release MDC 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 40 CFR § 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 MDC of its acceptance of the conditions of this Approval within 10 business days of receipt.

11. MDC shall submit the following information for EPA review and/or approval:

    a. a certification signed by its selected abatement/remediation contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;

    b. a contractor work plan, prepared and submitted by the selected demolition or remediation contractor(s) describing the containment and monitoring that will be employed during abatement activities. This work plan should also include information on waste handling, storage, and disposal and decontamination of field equipment; and,

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

CLEANUP AND DISPOSAL CONDITIONS

12. To the maximum extent practical, engineering controls and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes to minimize the potential for release of PCB-contaminated dust and overspray outside of the containment area. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.

13. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as follows:

    a. All visible caulk and PCB-contaminated *porous surfaces* (i.e., concrete) with greater than (">") 1 part per million ("ppm") shall be removed as described in the Notification.

    b. The decontamination standard for *porous surfaces* shall be less than or equal to (≤) 1 ppm PCBs for unrestricted use or disposal.

        i) All post-decontamination verification sampling of *porous surfaces* shall be performed on a bulk basis (i.e. mg/Kg). Samples shall be collected according to the EPA Region 1 *Standard Operating Procedure for Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs), Rev. 4, May 5, 201,* to a maximum depth of 0.5 inches. Samples shall be collected at the frequencies described in the Notification.

        ii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 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.

        iii) For decontaminated *porous surfaces* that have PCB concentrations exceeding the decontamination standard, MDC may conduct additional decontamination to achieve the required decontamination standard or must store and dispose of these materials as TSCA-regulated waste in accordance with 40 CFR Part 761.

14. 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; stored in a manner consistent with 40 CFR § 761.65; and, disposed of in accordance with 40 CFR § 761.61 or § 761.62, unless otherwise specified below.

    a. Decontamination wastes and residues may 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 shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.70.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

15. MDC 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 MDC to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.

16. 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).

17. 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.

18. 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, including EPA's PCB Spill Cleanup Policy, or other applicable rules and regulations; or, if EPA finds that these activities present an unreasonable risk of injury to public health or the environment.

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.

RECORDKEEPING AND REPORTING CONDITIONS

20. MDC 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 decontamination and the analytical sampling shall be established and maintained by MDC in one centralized location. All records shall be made available for inspection by authorized representatives of the EPA, until such time as EPA approves in writing a request for an alternative disposition of such records.

21. MDC shall submit a final report in both hard copy and electronic format (CD-ROM) 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; 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 bills of lading; and copies of certificates of disposal or similar certifications issued by the disposer.

22. 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 02109-3912
    Telephone: (617) 918-1527
    Facsimile: (617) 918-0527

23. 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