



FACT SHEET

October 2008

**Revere Smelting & Refining (RSR) Site
Town of Wallkill, Orange County, NY**

The purpose of this Fact Sheet is to address issues raised at the September 4, 2008 public information meeting concerning the status of remedial activities at the Revere Smelting and Refining Site. While the topic of the meeting was to address those aspects of the site which concern its *past* disposal history, and for which it is listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites as Site # 366053, it was apparent that concerns regarding the *current* operations at the site also needed to be addressed. Issues regarding Air Quality and the handling of Hazardous Substances were of pre-eminent concern, and will be addressed in sequence.

AIR QUALITY

Airborne emissions coming from the RSR site are studied through the use of four off-site high volume air samplers placed at three rooftop locations. The filters from these stations are removed and replaced by DEC Air program personnel many times each month on a 6 day cycle. These filters are sent to an independent laboratory to be analyzed for lead content. When the analysis is completed, the report is sent to the DEC Albany office, where the data is correlated and then placed on the DEC website. The placement of these stations was determined through site availability and by computer modeling which accounts for variation in wind direction. In this way, the data represents the best available information on air quality from RSR emissions. In addition to removing the filters on a 6 day cycle, the monitoring stations equipment is "audited" on a quarterly basis by the DEC Air program to assure that the equipment is in proper working order.

The results of this sampling are included in the annual "Air Quality Report", which is available on the DEC Public website (address provided below). The report breaks down the data to show the dates of the top three maximum 24 hour lead concentrations recorded in micrograms per cubic meter (ug/m^3). For example, in 2007, the highest 24 hour concentration recorded at a monitoring station was $0.22\text{ug}/\text{m}^3$, which occurred twice in April. As might be expected- since April is in the 2nd quarter- the highest value quarterly average, $0.06\text{ug}/\text{m}^3$, occurred in the second quarter of 2007. To comply with the State and Federal Ambient Air Quality Standards, the maximum quarterly average cannot exceed $1.5\text{ug}/\text{m}^3$. Therefore, for 2007, the maximum quarterly reading for airborne lead emissions coming from the property ($0.06\text{ug}/\text{m}^3$) was twenty five times *less* severe than the EPA National Ambient Air Quality Standard of $1.5\text{ug}/\text{m}^3$.

AIR PERMITS

RSR currently operates under a Title V Air Permit # 3-3352-00145/00049, which has an expiration date of November 14, 2012. At present, the EPA is reviewing RSR's request to modify the existing permit to install a short rotary furnace (SRF) to process slag that is produced on site. Controls supporting the operation of the SRF include a baghouse collector and scrubber. The baghouse collector is required to effectively control particulate and lead emissions. The scrubber is needed to provide efficient sulfur dioxide control.

Operation of the SRF will eliminate the need to ship generated slag via railcar to facilities located in California and Indiana, where the lead is recovered from the slag and then shipped back to RSR via railcar or tractor-trailer for further processing.

RESOURCE CONSERVATION RECOVERY ACT (RCRA)

The RCRA program sets standards for the management of hazardous wastes generated by commercial or industrial companies. Standards vary depending upon the amount of hazardous waste created each month, and on whether the company receives and treats hazardous waste from other companies.

Because RSR is a permitted *and* receiving facility, it is formally inspected for RCRA compliance twice a year. During these inspections, records are reviewed that keep track of all hazardous waste, whether generated on the site or received from others. Physical observation of the treatment processes and controls takes place, with an emphasis on how all wastes from the processes are handled. Any violations of the regulations are recorded during this process. In addition to these 6 month RCRA inspections, a DEC Environmental Monitor visits the site several times between these formal inspections to spot-check operational and permit compliance.

RECENT ENFORCEMENT ACTIONS

When violations are noted, either during routine inspections or when Department personnel are collecting monitoring data, enforcement action is taken. On January 17, 2007 air program staff noted an opacity violation from the RSR stack. The company was cited, a fine of \$1,500 was paid, and the company agreed to take corrective measures. (Order on Consent # R3-20070207-18). This year, another such opacity violation has been referred to our Legal Program for resolution.

During a scheduled RCRA compliance inspection in March, 2008, 12 drums of lead contaminated concrete were identified as being kept at this site longer than allowed by their permit. NOTE: Disposal is required within 12 months-the drums were dated January, 2007. As a result of this violation, RSR signed a Consent Order with DEC which directed them to properly dispose of the waste within 30 days, and pay a \$6,000 penalty. (Order on Consent# CO3-20080618-44)

NY STATE REGISTRY OF INACTIVE HAZARDOUS WASTE DISPOSAL SITES

As explained in our August, 2008 Fact Sheet, the Registry site has been divided into four segments, or Operable Units (OUs). They are **OU -1**, all soil not a part of OU-4 (which is the active plant area itself); **OU-2**, all on-site groundwater; **OU-3**, all off-site areas to be investigated, and **OU-4**, the plant area.

Before comprehensive remediation can be implemented at superfund sites, there are procedural steps required. They include the Remedial Investigation (RI); the Feasibility Study; the Proposed Remedial Action Plan; and the Record of Decision (ROD). In addition, before superfund money can be spent, the Potentially Responsible Party (PRP) must be given the opportunity to pay for these steps. If the PRP agrees, the enforceable document setting forth that commitment is the Order on Consent. Under a September 2000 Order on Consent #A3-0402-9911, the RI for OU1 and OU2 was completed. Under a June 2007 Order on Consent #D3-0502-12-06, RSR agreed to conduct a RI for OU-3, and under Order on Consent # D3-0001-11-07 of June 2008, RSR committed to conducting the FS for OU-1 and OU-2.

WHAT TO DO TO REGISTER A COMPLAINT

Odors can certainly impact the quality of life in any area adjacent to industrial operations. Because odors or other activities can happen at times when State personnel are not on the premises, please follow these two steps to register a complaint.

1) Call RSR at (845) 692-4414

Extension 225 (Monday through Friday 8am to 5 pm)
Extension 215 (Evenings and Weekends)

2) Call DEC Environmental Monitor Zach Cogon at (845)-256-3173, and either speak with him directly or leave a voice mail advising him of the date and time you registered a complaint with RSR. Mr. Cogon will make certain that the incident is investigated; advise the caller whether the problem was traceable to an RSR operational activity; and what steps were taken to address the matter.

WHO TO CONTACT

For (RCRA) questions or complaints regarding the ongoing operation of the plant :

DEC Environmental Monitor Zach Cogon, 21 S. Putt Corners Road, New Paltz, NY (845)-256-3173

For questions concerning the Superfund Issues regarding the Operable Units on the site:

DEC Project Manager: William Bennett, 625 Broadway, Albany, NY 12233. (518) 402- 9662

DOH Project Manager: Anthony Perretta, 547 River Street, Troy, NY 12180. 1-(800)-458-1158 x27880

WEBSITE ADDRESSES

USEPA: Federal standards regarding lead emissions in the air:
<http://www.epa.gov/air/lead/standards.html>

NYSDEC:

2007 and Historical Ambient Air Quality Results which include "Region 3" data obtained in the vicinity of RSR: <http://www.dec.ny.gov/chemical/8536.html>

To review Title V Air Permit #3-3352-00145/00049, and the draft of the pending modification:
<http://www.dec.ny.gov/chemical/32249.html>

Information concerning the State Superfund Program: <http://www.dec.ny.gov/chemical/8439.html>

TOWN OF WALLKILL:

To the extent possible, the town has agreed to post major documents concerning RSR on their website. Currently, we have provided the town webmaster with the five Orders on Consent mentioned in this fact sheet. Future Orders on Consent and fact sheets concerning the investigation and remediation of the site's Operable Units will also be provided to the Town for posting at:
<http://www.townofwallkill.com/rsr/index.htm>

DOCUMENT REPOSITORIES

As required by the State Superfund regulations, document repositories have been established where the community can review copies of the approved documents and detailed reports generated during the Superfund remediation process. In addition to the Region 3 Office in New Paltz, local document repositories have been established in the community at the following locations:

Reference Desk, Middletown Thrall Public Library, 11-19 Depot Street, Middletown, NY 10940

Clerks' Office, Town of Wallkill, 99 Tower Drive, Middletown, NY 10941-2026