

## **Response to Comments**

### **Regulatory Submittal Part IV(R) Remediation Phase Waste Sampling and Management Plan Dated January 9, 2008**

#### **Section 6.2 Lead Based Paint Waste**

1 Response to EPA Comment No. 1: The sequencing of the lead abatement work has been changed since EPA reviewed the last version of this section. Section 6.2 originally stated that the lead abatement would be performed immediately following the completion of asbestos abatement activities. Now this section states that the lead abatement will be performed concurrently with the asbestos abatement in each of the three respective remediation work areas. Consequently, this decision will impact the final disposal options for the lead based paint waste streams. For porous materials and non-porous materials not being appropriately cleaned, the lead based paint waste streams would be managed, characterized, handled, stored, transported, and disposed as asbestos waste, at a minimum, in addition to being handled, managed, stored, and disposed as lead waste, and depending on any final waste characterization results that may have been or may be conducted for that waste stream. Please revise this section to address this item.

Lead abatement will be conducted subsequent to the environmental clearance in the loading dock bumper pole work area (first floor clean zone). The sink will be decontaminated and removed intact from the containment area to be broken up (if necessary) for packaging and disposal under wet dust control methods in a negative air tent containment exterior to the building. The 4<sup>th</sup> floor plaster will be segregated for waste disposal testing and handled as described in Section 6.2. All three lead abatement work areas will be cleared as required by applicable local lead abatement requirements only. Section 6.2 has been revised to reflect these procedures.

2 Response to EPA Comment No. 2: The new sequencing of the lead abatement work discussed in Section 6.2 of the Remediation Phase Waste Sampling and Management Plan (Remediation WSMP), and discussed in our comment above, appears to conflict with the sequencing of the work specified in Sections 6.1.6 and 6.11.1 of the Remediation Work Plan. Sections 6.1.6 and 6.11.1 of the Remediation Work Plan still state that lead removal will be performed immediately following the completion of asbestos abatement activities while Section 6.2 of the Remediation WSMP states that the lead abatement will be performed concurrently with the asbestos abatement in each of the three respective remediation work areas. This conflict in the sequencing of the work should be resolved and be consistent since the sequencing of the work will determine the final decisions for the management, characterization, handling, storage, transportation and disposal of the lead based paint waste streams. Please revise all relevant sections of the Remediation WSMP and the Remediation Work Plan, as necessary, to address these issues.

Sections 6.1.6 and 6.11.1 of the Remediation Work Plan and Section 6.2 of the Remediation Waste Plan have been reviewed and edited where necessary for consistency.

3 Response to EPA Comment No. 2: New language has been added to Section 6.11.1 of the Remediation Work Plan to discuss the procedures for the removal and handling of the lead based painted ceramic sink. Section 6.11.1 of the Remediation Work Plan states that the sink will be broken down into smaller pieces by manual means and that the pieces of the sink will be placed into drums. Please clarify in this section that wet methods will be used as a means of dust control during the breaking of the sink into smaller pieces within the work area regardless if this activity is conducted immediately following the completion of asbestos abatement activities or concurrently with the asbestos abatement. If the removal of the sink will be performed concurrently with the asbestos abatement in its respective remediation work area, Airtek should be cognizant to comply with the proper packaging and handling of the sink as asbestos waste at a minimum, in addition to lead waste, and depending on any final waste characterization results that may have been or may be conducted for that waste stream. This comment pertains to the layers of poly referenced in the 6<sup>th</sup> sentence of Section 6.11.1 of the Remediation Work Plan. Please clarify in Section 6.11.1 of the Remediation Work Plan and Section 6.2 of the Remediation WSMP if the breaking of the sink into smaller pieces will be conducted within the work area during abatement activities. Section 6.2 of the Remediation WSMP states that “the sink will be taken to the primary waste decon, where it will be sized for packaging”. This seems to imply that the sink will be broken into smaller pieces within the waste decontamination facility. Based on discussions with the NYSDOL, it is recommended that if the sink is intended to be broken into smaller pieces as opposed to being disposed as one whole piece, the breaking of the sink should be done in the active abatement work area instead of the waste decontamination facility.

Please see response to Comments #1 and #2 above.

### **Section 6.9 Roofing Materials**

4. Response to EPA comment No. 4: EPA had indicated that Section 6.13.3 of the Remediation Work Plan had additional language which clarified the approach to be taken for the cooling tower structure if it was not possible to effectively clean the cooling tower unit while it was intact. EPA requested that this information, and any revisions made to Section 6.13.3 of the Remediation Work Plan, should be incorporated into Section 6.9 of the Remediation WSMP so that there would be no conflict and discrepancy in the approach to be taken for the cooling tower and its fill between the two documents since it would be discussed in both documents. This information was not incorporated into Section 6.9 of the Remediation WSMP. Please find below the information that EPA was referencing from Section 6.13.3 of the Remediation Work Plan:

“If it is not possible to effectively clean the cooling tower unit while it is intact, NYS DOL and NYC DEP certified asbestos handlers will dismantle the tower and clean all the components which will be left where the tower was located for removal during the deconstruction phase. All detached cooling tower components will be secured to the roof to prevent from being blown off prior to disposal during the deconstruction phase. Any components that cannot be cleaned will be removed from the tower, wrapped in two layers of poly, processed through the waste decontamination facility and disposed of as asbestos waste or in accordance with any waste characterization results during the Remediation Phase.”

It is recommended that this language be incorporated into the fourth paragraph of Section 6.9 of the Remediation WSMP.

The recommended language has been incorporated into Section 6.9 of the Waste Plan.

### **Section 6.6 Refrigerant-containing Equipment**

5. Response to EPA Comment No. 6: Airtek states in its response to comments that the Scaffold Erection Operation (SEO) Phase will continue for some time and that the SEO Phase and the Remediation Phase will overlap in some aspects. Please clarify what aspects of the SEO Phase will continue into the Remediation Phase since it was the regulators impression that the SEO Phase would be completed prior to the commencement of the Remediation Phase. Airtek still states that the removal of refrigerant containing equipment will occur during the Scaffold Erection Operation (SEO) Phase; and, an amendment to the Final SEO Work Plan will be submitted “shortly”. Again, the timing of this work activity was first discussed between the regulators, DASNY, CUNY, and Airtek in the summer of 2007. Please provide a specific date for the submission of this amendment in order for the regulators to appropriately coordinate the review of this amendment in conjunction with the review of the Remediation Phase documents and documents pertaining to other projects.

The following SEO activities will overlap with the remediation work plan.

Creation of additional façade openings on the northeast corner (hoist location)

Scaffold Installation

Hoist Installation

Shoring installation (as deemed necessary by engineer of record for scaffold)

Exact date for refrigerant removal is still to be determined. The regulators will be notified as soon as an actual date is determined.