

April 23, 2007

By FAX

Honorable Alexander Grannis, Esq.
Commissioner
New York Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1011

Re: Morse Industrial Corporation (Emerson Power Transmission Co.)
NYS Route 96B
Ithaca, NY 14850
Inactive Hazardous Waste Disposal Site Code: 7-55-010

Greetings:

I trust that you have been well since we last spoke. I would like to offer my sincere congratulations and best wishes on your appointment as New York's Department of Environmental Conservation (DEC) Commissioner. This is an incredible honor and you should be very proud of your achievement.

As you will recall, I am the president of an environmental database firm called Toxics Targeting. My colleagues and I map and profile more than 500,000 known and potential toxic sites in New York. We provide services to drinking water suppliers, municipalities, engineers, environmental consultants, lenders and homebuyers.

Over the last nine years, I have alerted DEC to various toxic sites in Ithaca, NY as part of a grassroots effort to safeguard the watershed of Cayuga Lake. I also have worked with DEC staff to clean up those sites. I write today with those same purposes in mind.

Inadequate Chain Factory Clean up

In 2004, I wrote to Commissioner Crotty (see attached) to identify shortcomings in DEC's efforts to clean up the above-captioned 94-acre, 100-year old chain factory. I learned that after 17 years of remedial effort, trichloroethylene (TCE) still exceeded clean up standards by up to 5,600-fold and posed air pollution threats to nearby homes.

DEC began work on this site in 1987 after oil partially removed from a 200,000 gallon underground "fire reservoir" was found to contain high levels of TCE and concentrations of polychlorinated biphenyls (PCBs) that constituted hazardous waste. TCE was later detected in the air of nearby homes. After 20 years of effort, those problems have yet to be solved.

DEC's 1994 Record of Decision determined: "Actual or threatened release of hazardous waste constituents from this site, if not addressed by implementing the response action selected in this ROD, presents a current or potential threat to public health and the environment." The ROD predicted that a required vapor/groundwater treatment system for TCE "should operate for three years, but may reach goals in a shorter time frame."

TCE concentrations in site groundwater rose dramatically between 2003 and 2006. TCE was detected up to 28,000 parts per billion (ppb) in 2003 compared with 75,000 ppb in 1/06. An oil sheen was detected in 12/05 in groundwater (MW-5-25) near the fire reservoir. Solvent pollution has been detected in or underneath dozens of nearby homes since 2004.

Monitoring results just released today reported four "site-related" toxic chemicals underneath or present in the indoor air of three Ithaca police department buildings and the City courthouse. Those structures are approximately 1,500 feet downgradient from the contaminated factory site. See attached.

Given the uncontrolled contamination problems at the site, DEC revised its Classification Code in 2005 from "4" ("Site properly closed - requires continued maintenance.") to "2" ("Significant threat to the public health or environment - action required.") To date, however, nothing has changed in the way that pollution is being remediated at the site.

"Areas of Potential Concern"

I just reviewed a 12/13/05 consultant report that has received little or no public attention. It identifies 21 "Areas of Potential Concern" at the factory that involve extensive waste dumping or toxic chemical releases based on an internal review conducted by the responsible party's environmental consultant.

The reported Areas of Potential Concern are located over most of the factory site. It is almost inconceivable that these issues are only coming to light nearly twenty years after DEC began its investigation. It should come as no surprise that the site remains contaminated given that these areas have yet to be investigated and cleaned up.

The most troubling issues include:

- Former solvent degreasing units that may be the source of solvent soil gas vapor detected under the factory, in nearby homes as well as in contaminated groundwater;
- Multiple former tanks with a total capacity of more than 150,000 gallons that may have leaked fuel oil, cutting oil, quench oil, hydraulic oil, gasoline, waste oil or lubricating oil at various locations. A single former tank stored up to 100,000 gallons of fuel oil at a site under building 33;
- Four former Quench Oil Pits that were abandoned and either filled in or covered over: "A review of facility records indicates that holes were identified in the bottom of one of the four pits (Westinghouse furnace quench pit);
- Four areas where a total of more than two hundred drums were dumped. According to the report: "In a 1971 Morse Chain interoffice correspondence, the drums on the hillside were identified as a possible source of oil contamination reported to the facility by the Tompkins County Health Department." Those areas have yet to be fully cleaned up;
- On-going releases of oil into drainage ditches along the former railroad track line to the west of the factory. Hikers walking along this popular route may be exposed to pollution hazards;
- Plating operations that involved releases of cyanide and cadmium: "Notes on a 1968 plant drawing indicates that the drainage trench or drain line carrying effluent from the plating area was leaking and that they were to be plugged and replaced with a new drain line;" and
- Utility lines for sanitary wastewater, process wastewater, cooling water, boiler blowdown, groundwater and stormwater runoff that may have served as preferential pathways that transported contamination into local waterways as well as into adjoining residential areas.

The consultant proposed on 10/18/06 to conduct limited investigations of these areas plus four additional areas. Two nearby contaminated factory sites were earlier identified as Areas of Potential Concern (Therm, Axiohm), but are not proposed for investigation. See map. In many cases, only a few soil samples would be collected. The consultant inexplicably failed to

propose to investigate areas where literally hundreds of waste drums were earlier dumped west of the factory.

Conclusion

After failing to bring this site into regulatory compliance for 20 years, DEC must now leave no stone unturned to delineate all contamination hazards that might exist. I request that core samples be collected down to bedrock at the corners of each Area of Concern and every ten feet in a grid pattern between those points until the spatial boundaries of the pollution are known for certain. I also request that all identified contamination be removed in strict compliance with all applicable regulatory requirements.

The problems at the chain factory clearly require an entirely new DEC clean up plan. All surficial areas of concern that pose known or potential hazards should be posted and fenced. Full-scale investigation of those areas should be conducted for solvents, PCBs, polynuclear aromatic hydrocarbons and all other toxics identified to date on or near the factory. Instead of attempting to control the migration of toxic contamination, the pollution should be removed from the environment once and for all. Finally, all homes threatened or impacted by identified contamination hazards should be mitigated without further delay.

To my knowledge, the chain factory's owners and operators did not fulfill past hazardous waste disclosure obligations pursuant to the DEC's 1983 Community Right to Know program. Knowing exactly what toxic chemicals and hazardous wastes the factory may have released into the environment is essential for investigating and cleaning any problems that might have resulted. DEC should require full disclosure of the firm's historic dumping practices without further delay.

The failure to clean up this site reflects DEC's inadequate response to solvent-contaminated sites across New York. According to DEC testimony at a hearing convened by your former Assembly colleagues in Ithaca two years ago, the chain factory is one of 421 solvent-contaminated sites that are being reviewed because regulatory decisions made prior to 2003 may not have addressed soil gas vapor intrusion threats to indoor air quality.

Citizens have a right to know why the chain factory has not been cleaned up for two decades and how the recently disclosed Areas of Potential Concern will be addressed in a timely fashion. I hope that you will meet with concerned Ithacans to discuss all these matters and work with them to help you continue to champion environmental protection in our state.

I trust that you will find my concerns self-explanatory, but please do not hesitate to contact me if I can answer questions, meet with you or otherwise assist you in any way.

Thank you for your consideration.

Yours very sincerely,

Walter Hang
President
Toxics Targeting, Inc.
215 North Cayuga Street
Ithaca, NY 14850
607/273-3388

cc: Hon. Barbara Lifton, 125th Assembly District
Hon. Maurice Hinchey, 22nd District, House of Representatives
Hon. Lauren E. Signer, City of Ithaca Police Chief
Hon. Carolyn Peterson/Mayor, City of Ithaca