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RUTGERS Organics Corporation

December 1, 2000

**VIA FEDERAL EXPRESS**

Mr. Frank Klanchar  
USEPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103

**RE: PROPOSED AMENDMENT TO RECORD OF DECISION  
CENTRE COUNTY KEPONE SITE, STATE COLLEGE, PA**

Dear Mr. Klanchar:

Following your recent request, this letter details the public consultation efforts undertaken by RUTGERS Organics Corporation (ROC) subsequent to the August 28, 2000 public meeting hosted by the U.S. Environmental Protection Agency (USEPA) regarding proposed revisions to plans for cleanup of the Centre County Kepone Site in State College, PA.

Following the public meeting, ROC has communicated with elected officials, members of the community surrounding the site, Penn State University staff and students who participated in the public meeting, and several interested community groups. These communications are detailed below and have addressed the site history, the clean-up completed to date and the scope and rationale for USEPA's proposed remedy modifications. As you know, USEPA and PADEP have also participated directly in some of these meetings. The following summarizes ROC's efforts from September through November 2000:

**September 20, 2000**

Presentation/discussion of clean-up at the Community Advisory Council of ROC's State College Plant. This independent group was established four years ago and comprises twelve local citizens who represent the community directly surrounding the site. The Council provides regular input to the company on all site related issues and also advises ROC in publishing a newsletter that is distributed to 1500 residences around the site.

**September 20/25, 2000**

Informational letters to all local elected state and federal officials (a total of five officials received this communication which is provided as Attachment A). We received a positive response letter from State Representative Lynn Herman, a copy of which is enclosed.

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**AR500538**



**September 28, 2000**

Presentation/discussion of cleanup and the proposed ROD amendment at Penn State University at the invitation of Prof. Dr. J. Matson. Professor Matson and a large group of his students had attended the Public Meeting and this meeting provided an opportunity for additional presentation and response to concerns raised by this group. Twenty or so students, university staff and one member of the public attended this meeting. Dr. Matson and his colleague Professor Schuhmann subsequently published an article in the CDT newspaper on October 8, 2000 that essentially supported moving forward with the Proposed ROD Amendment (see Attachment B).

**November 15, 2000**

1. Presentation/discussion of cleanup and the proposed ROD amendment at a public meeting hosted by the Spring Creek Watershed Community (together with USEPA and PaDEP representatives). This community group includes a wide cross-section of the public, elected officials, environmental groups and the local scientific community dedicated to the environmental protection of the watershed that includes the Site. Approximately 25 representatives were in attendance and our presentation and associated Q&A session was the focus of the meeting. USEPA invited submission of any written comments or further questions directly to the Agency.

2. Presentation/discussion of cleanup at the Community Advisory Council of ROC's State College Plant. At the request of the Council, ROC has provided an article regarding the site remediation and proposed ROD Amendment that we expect will appear in the Council's next newsletter to be published in December 2000 (as noted above, this newsletter is distributed to 1500 residences in the vicinity of the site).

**November 22, 2000**

Presentation/discussion of cleanup with 2<sup>nd</sup> graders of the local Radio Park Elementary School in State College at the invitation of their teacher Mrs. Robert (number of attendees: 24; see Attachment C)

**November 28, 2000**

Presentation/discussion of cleanup and the proposed ROD amendment at the Spring Creek Watershed Commission (together with USEPA and PaDEP representatives). The Commission comprises elected representatives from each municipality in the watershed and the County government. Approximately 30 members of the Commission and the general public were in attendance and the Commission devoted the large majority of the meeting to our presentation and associated Q&A session. At the conclusion, the Chairman expressed appreciation on behalf of the Commission and indicated that a further update after the next phase of work has been completed would be appreciated. The meeting was taped by a local cable TV channel and will be broadcast on several occasions to a viewing audience that covers the entire local region. Once again USEPA invited submission of any written comments or further questions directly to the Agency and address information will be included in the broadcast.

Collectively we have therefore presented a detailed discussion of the cleanup and the proposed ROD Amendment to over 100 members of the community, including elected officials at all levels of government. In addition, detailed information will be received by 1500 residents and a region-

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USEPA, Region III  
Mr. Frank Klanchar  
December 1, 2000

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wide viewing audience via multiple broadcasts of the presentation to the Spring Creek Watershed Commission and the associated Q&A session.

We are pleased to report that all of the feedback we have received from these efforts has been positive and supportive of the approach being proposed by the Agencies. Given the number and variety of groups we have addressed, and the attention given on each occasion to verbally respond to all questions, it is possible that the USEPA will receive limited additional written feedback. In these circumstances, and given the extensive positive verbal comments we have received from a cross-section of the general public, elected officials and the scientific and environmental communities, an absence of written communication would be indicative of satisfaction with the approach being proposed.

Sincerely yours,

A handwritten signature in black ink that reads "Rainer Domalski". The signature is written in a cursive, flowing style.

Dr. Rainer F. Domalski  
Manager Remediation Projects

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cc: D. Johnson, ROC (no attachments)  
R. Farmerie, PaDEP  
S. Finn, Golder Associates

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USEPA, Region III  
Mr. Frank Klanchar  
December 1, 2000

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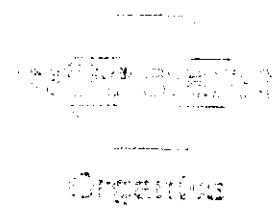
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**ATTACHMENT A**  
**LETTERS TO PUBLIC OFFICIALS**

AR50054 I.

September 15, 2000

The Honorable Rick Santorum  
United States Senate  
120 Russell Building  
Washington, DC 20510



RUTGERS Organics Corporation

David S. Johnson  
President & CEO  
Telephone: (814) 231-9244  
Fax: (814) 238-1567  
E-mail:  
djohnson@ruetgers-organics-corp.com

Dear Senator Santorum,

As you may be aware, there has been some press coverage in the *Centre Daily Times* following a recent public meeting hosted by the U.S. Environmental Protection Agency (USEPA) regarding their proposed revisions to plans for cleanup of a Federal Superfund site that includes our property in State College. This is a matter of critical importance to us as a company, and, unfortunately, there appear to be some misconceptions regarding the information conveyed at the public meeting and subsequently in the media. The purpose of this letter is to provide you with a brief summary of the site history and current status, in the event that you should receive questions from the public. In addition, we would be very pleased to meet with you or one of your staff to provide further information or answer any questions you may have.

The site occupied by RUTGERS Organics Corporation (ROC) on Struble Road in State College is part of a Federal Superfund site known as the Centre County Kepone Site. The site was placed on the Superfund list as a result of chemical releases that occurred between the 1950s and early 1970s when kepone and mirex were manufactured by Nease Chemical Company, which owned the facility at that time.

We purchased the facility in 1977 and have been working with USEPA and the Pennsylvania Department of Environmental Protection (PADEP) since that time to investigate and clean-up the historic contamination. In 1995, following extensive investigation by ROC under the direction of USEPA and PADEP, USEPA selected a remedy that included groundwater clean-up as well as soil and sediment excavation.

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Interestingly, USEPA concluded that, notwithstanding the official name of the Superfund site that had been coined in 1983, Centre County *Kepona* Site, kepone did not in fact pose an unacceptable risk to human health or the environment. In fact, almost all the potential risk posed by the site was due to volatile organic compounds in groundwater.

Since that time, we have been engaged in design and implementation of the remedy selected by USEPA, and we have so far completed the construction of the groundwater system and sediment remediation on our property at a cost to us to date of over \$5 million. As well as addressing the contaminated groundwater on our property, the groundwater system will protect groundwater and surface water (including Spring Creek) downgradient of our property.

In addition to designing and constructing the groundwater and sediment remedy, ROC has also invested in further investigation of the soil contamination and in full-scale pilot testing of an alternative approach to soil remediation. This work has again been undertaken with the full review and approval of USEPA, PADEP and USEPA's Office of Research & Development. As a result of these studies, USEPA has concluded that a better, more protective remedy for soil contamination, using technology that was not widely available in 1995, is now possible. The approach now proposed by USEPA involves removal of volatile organic contamination by direct extraction from the soil (referred to as *enhanced soil vapor extraction*), in combination with more limited soil excavation. **USEPA has concluded, and we concur, that this will result in a more protective remedy, primarily because more of the volatile organics (which pose a potential risk to human health and the environment) will be removed.**

Significantly, this proposed remedy also retains the requirement to excavate kepone in soils which exceed the very same clean-up standard as USEPA proposed in 1995. **As well as being more protective of human health and the environment, this approach will minimize disruption to the community and our operations, and be more cost-effective.**

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In its proposal, USEPA also plans to ensure that soils that are excavated are disposed of in accordance with current regulations. Unfortunately this appears to have lead to the incorrect conclusion in some circles that USEPA is relaxing standards so that a less effective clean-up occurs at the site. This is not the case, since these changes only affect the way in which excavated soils are disposed, and have absolutely no bearing on the extent of clean-up on our property.

The State College community is our community and we remain committed to thoroughly cleaning up the contamination we inherited when we purchased this facility. It is also of critical importance to us that the members of our local community have an accurate understanding of USEPA's proposals.

To put things in their simplest terms, the approach put forward by USEPA will actually achieve more than the original clean-up plan for the site, that is, the proposal will provide for a higher degree of protection of human health and the environment. The biggest difference from the original plan is the addition of new technologies that will be utilized to achieve the clean-up.

Thank you for your attention to this matter and please do not hesitate to contact me or my colleague, Dr. Rainer Domalski, on (814) 238-2424 if you or one of our staff wish to discuss this with us directly.

Yours sincerely,

David S. Johnson  
President & CEO

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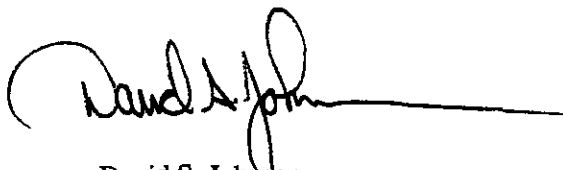
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Thank you for your attention to this matter and please do not hesitate to contact me or my colleague, Dr. Rainer Domalski, on (814) 238-2424 if you or one of our staff wish to discuss this with us directly.

Yours sincerely,

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David S. Johnson  
President & CEO

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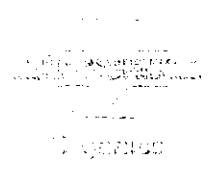


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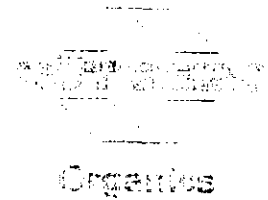
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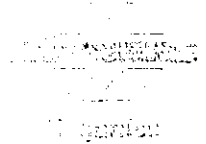
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David S. Johnson  
President & CEO

AR500553



September 25, 2000

Hon. Camille George  
Room 38B Main Capitol Building (East Wing)  
House Box 202020  
Harrisburg, PA 19120-2020



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Thank you for your attention to this matter and please do not hesitate to contact me or my colleague, Dr. Rainer Domalski, on (814) 238-2424 if you or one of our staff wish to discuss this with us directly.

Yours sincerely,

A handwritten signature in black ink, appearing to read "David S. Johnson". The signature is stylized with a large loop at the beginning and a long horizontal stroke extending to the right.

David S. Johnson  
President & CEO

AR500556

**LYNN B. HERMAN, MEMBER**

HOUSE BOX 202020  
MAIN CAPITOL BUILDING  
HARRISBURG, PA 17120-2020  
PHONE: (717) 787-8594

301 S. ALLEN STREET  
ALLENWAY BLDG. / SUITE 102  
STATE COLLEGE, PA 16801  
PHONE: (814) 238-5477

130 N. FRONT STREET  
PHILIPSBURG, PA 16866  
PHONE: (814) 342-5411



*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

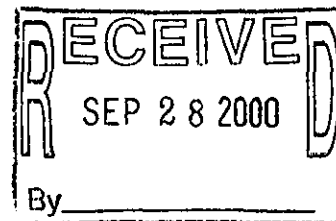
**COMMITTEES**

LOCAL GOVERNMENT, CHAIRMAN  
EDUCATION  
SUB-COMMITTEE ON HIGHER EDUCATION  
LEGISLATIVE DATA PROCESSING,  
CHAIRMAN  
LOCAL GOVERNMENT COMMISSION  
MAJORITY POLICY

PENN STATE FORUM  
CO-CHAIRMAN  
CHILDRENS CAUCUS  
FIREFIGHTERS CAUCUS  
SPORTSMEN'S CAUCUS  
SUBSTANCE ABUSE CAUCUS

September 25, 2000

Mr. David S. Johnson  
President & CEO  
RUTGERS Organics Corporation  
201 Struble Road  
State College, PA 16801



Dear Mr. Johnson:

Thank you very much for providing me with information regarding the USEPA's proposed revisions to plans for cleanup of a Federal Superfund site which includes RUTGERS Organics Corporation in State College.

I greatly appreciate your taking the time to clarify this matter. I will not hesitate to contact you or Dr. Domalski should I have any questions.

If I can be of service to you or RUTGERS Organics Corporation in any way, please feel free to contact me.

Sincerely,

A large, stylized handwritten signature in black ink that reads "Lynn B. Herman".

Lynn B. Herman  
State Representative  
77<sup>th</sup> Legislative District

LBH/lis

AR500557

USEPA, Region III  
Mr. Frank Klanchar  
December 1, 2000

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**ATTACHMENT B**

**CDT NEWSPAPER ARTICLE  
OCTOBER 8, 2000**

**FOLLOWING ROC's PRESENTATION  
AT PENN STATE  
SEPTEMBER 28, 2000**

**AR500558**

CDT October 8, 2000  
(Sunday)

# The dirty details of the Spring Creek cleanup

By JACK V. MATSON and RICHARD SCHUHMAN

A month ago the Environmental Protection Agency held a public meeting here to outline its new plan to clean up toxic chemicals at the Rietgers Chemicals site near the Nittany Mall. Kepone, Mirex and other similar chemicals have been leaching from the chemical plant for 40 years and passing through Thornton Springs at Lemont into Spring Creek. Fishermen are warned not to eat their catches because of the accumulation of Kepone and Mirex, probable carcinogenic or cancer-causing agents, in the fish.

We teach environmental courses to engineering students at Penn State and decided that the EPA proposal would make for a good project to study technical decision-making. As the students dug into the details, we became concerned that the proposed technology, soil vapor extraction, or SVE, would not work because it removes only volatile chemicals, those capable of being vaporized. Kepone and Mirex are not volatile and would not be removed by SVE.

Furthermore, the remedy for removing the toxins from the groundwater requires the capture and treatment of all the water infiltrating through the Rietgers site. How could that possibly be accomplished during periods of heavy rainfall?

The public meeting was a disaster for the EPA and a huge disappointment for the 100-plus citizens who attended. The EPA had no real answers to the big questions, and admitted that SVE would not remove the nonvolatile toxins that continued to pollute Spring Creek. A neighbor, Ann Pangborn, called me the next day and suggested we invite representatives from Rietgers to present their side in the spirit of open intellectual discussion to the class. I dialed up Rietgers and they agreed — with a surprising degree of enthusiasm.

Two weeks ago, when they attended the 8 a.m. class, their story was markedly different from the EPA's. It was so different, and seemed so technically defensible, that we wondered if Rietgers and the EPA had been speaking different languages to each other.

Rietgers acknowledged that SVE was strictly for the removal of other volatile toxics they're required to clean up, not Kepone and Mirex. It also admitted that SVE was a difficult technology to use in the low-porosity clays of this area, but indicated testing with an enhanced method of using high-pressure water to create voids in the soil was successful. Regarding the removal of Kepone and Mirex from groundwater, it discussed plans to create an underground reservoir under the site by pumping down the water table during dry periods so that when it rains, percolated water can be stored for subsequent treatment.

Although we were impressed with their level of technical understanding of the risks involved with these innovative approaches, we question how these technologies will work at this site.

However, more delays in cleanup only allow the continued release of highly toxic chemicals into Thornton Springs and Spring Creek.

Our understanding is that if the EPA gives Rietgers approval to go ahead with its plans, the EPA will provide oversight to monitor the work. This does not give us a secure feeling, given the EPA's apparent lack of

CDT

10/8/2000



FILE PHOTO

*A young child wades into Spring Creek in Houserville in the summer of 1999.*

As the students dug into the details, we became concerned that the proposed technology (for removing toxic pesticides from Spring Lake) would not work.

understanding of what Riletgers is planning to do.

The EPA needs to fully understand what is going on at this site, and expeditiously give the go-ahead. Riletgers needs to move ahead with the cleanup of the site.

Openness and responsiveness to the communities' need for updated information by both Riletgers and the EPA are essential as the technologies are implemented and cleanup progresses.

The mere fact that Riletgers is applying innovative technologies to the cleanup of the site may not be the

end of the story. If these technologies do not work as expected, the EPA and Riletgers need to expeditiously recognize this.

Other remedies mentioned at the public meeting are available, and should be considered for backup in case of failure.

*Jack V. Matson is a professor and Richard Schuhmann is an instructor with the Civil and Environmental Engineering department of Penn State University.*

AR500560

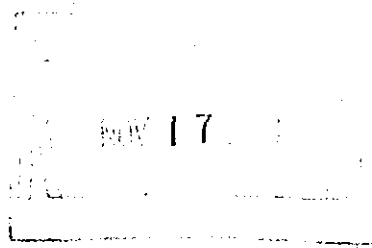
# *The ClearWater Conservancy*

*Promoting Conservation in the Heart of Pennsylvania Since 1980*

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November 15, 2000

Rainer Domalski  
Manager, Remediation Projects  
Rutgers Organics Corporation  
201 Struble Road  
State College, PA16801



Rainer,

On behalf of the Spring Creek Watershed Community (SCWC), I would like to thank you for providing the Coordinating Committee of the SCWC with the presentation on the Centre County Kepone Superfund Site Investigation and Clean-up. After the public meeting held in August 2000, the Coordinating Committee came to the realization that we, as the guiding committee of the Watershed Community, needed to become more informed of the happenings occurring at the Superfund site. The presentation was very informative and helpful in our efforts to learn more about the site and the proposed changes to the Record of Decision.

Sincerely,

Handwritten signature of Katie Ombalski.

Katie Ombalski  
Watershed Coordinator  
Spring Creek Watershed Community  
ClearWater Conservancy

2555 N. Atherton Street ♦ State College, Pennsylvania 16803 ♦ 814/237-0400

[www.clearwaterconservancy.org](http://www.clearwaterconservancy.org) ♦ [clearf2o@vicon.net](mailto:clearf2o@vicon.net)

Printed on Recycled Paper

AR500561



USEPA, Region III  
Mr. Frank Klanchar  
December 1, 2000

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**ATTACHMENT C**

**LETTER FROM STUDENTS  
OF  
RADIO PARK ELEMENTARY SCHOOL.  
STATE COLLEGE, PA**

**BEFORE AND FOLLOWING ROC's PRESENTATION  
NOVEMBER 22, 2000**

**AR500562**

Jessica

David Johnson  
Rutgers organics Corp.  
201 Struble Rd.  
State College, PA 16801

AR500563

Gabby  
David John, son  
Puetgens Organice Corp.  
201 Struble Rd.  
State College, PA 16801

AR500564

Oct. 11, 2000

Dear Mr. Johnson

Hi my name is Gabby

I am a 2<sup>th</sup> grader

I learned that Spring Creek

is polluted. Can you

help me? I hope you can

because it has been pollute

for 40 years. I want you

to help because we all

want to fish there.

Love,

Gabby

AR500565

Oct 10, 2000

Dear Mr. Johnson,

My name is Jessica.

I am a second grader. I learned

that Spring Creek is polluted.

I would like you to stop polluting  
the water. I think pollution is  
bad!

From

Jessica

AR500566

Dear Mr. Donaldski,

EX 29

Thank you so much for coming in to see the students! They really enjoyed your presentation and Mrs. Robert and I appreciate the effort you made. I couldn't have asked for anything better! Good luck with the clean up, and have a great Thanksgiving. Keep us posted :)

Sincerely,

website:

[www.personal.psu.edu/lmm210/home.htm](http://www.personal.psu.edu/lmm210/home.htm)

(turn over)

Jawen Miska

AR500567

## Student Questions

1. How and when did you know that Spring Creek was polluted?
2. How are you going to clean up the water?
3. How will the fish, bugs, and plants survive?
4. How did you get the EPA to help you?
5. Who or what else is polluting the water?
6. What tools will you use to clean the water?
7. Why can't fisherman fish there anymore?
8. How did the bugs and fish survive the pollution?
9. Once the water is cleaned, what will you do to make sure it is clean?
10. How will you let the community know the water is clean?
11. Will we be able to eat the fish after you clean?

AR500569

Annie  
Loves

Thank you for coming and  
telling us about the pollution.  
Can I help you clean up  
Spring Creek Park? Our  
my Christmas list I'll ask  
Santa if he can clean up  
Spring Creek for you.

Dear Mr. Donaldski,

NOVEMBER 22, 2000



November 22, 2016

Dear Mr. Donatski

Thank you for coming  
to room 4. Thank you for  
letting me help you put  
the pictures on the  
board. Your rilly nice.  
Happy thanksgiving!

Love

Gabby

AR500570

From  
DOLCE

Dear Mr. Donlski,  
Thank you for coming  
to are class. I learned  
that fish can survive  
the polluted water.  
I liked the papers  
that you showed us.  
I hope I have a  
good time.

11/22, 2000

Jules

Love

Thank giving,

Love and have a good

Good luck clean Spring-

I like the model for

our class to talk to us

Thank for coming to

Per Mr Donatski

11/2/00

Sung-han

Love,

out of Spring Creek.

hope you can clean the chem

that you can visit us. I

happy thanks giving. I hope

and fisherman can fish soon.

I hope Spring Creek is clean

back-cleaning Spring Creek.

polluted by the chemical goods

I learned that Spring Creek

Thank you for coming in.

Dear Mr. Donaldski,

Nov. 22, 2000

Nov. 22, 2000

Dear Mr. Donalski,

Thank you for coming.

I liked the sights. I enjoyed  
you coming. I liked <sup>it</sup> when you  
answered the questions. Have a  
good thanks giving and  
cristimas.

From,

David

AR500574

Love  
Bet

Dear Mr. Bonaish,  
Thank you show  
with that paper  
in 1958 to 1995  
It was fun. Thanks  
for coming.

Nov 22, 2000

11/2/00

Dear Mr. Donaldski

Thank you for coming  
to are classroom. Thank  
you for giving us a copy  
of the paper. I liked  
what you told us about  
the papers and what  
they were doing in the  
papers.

Love

Trey

AR500576

Nov, 22, 2000

Dear Mr. Domalski

Thank you for telling  
and answering my questions. I  
learned lots of thing from you.  
Like how the water get polluted.  
How did you know all those  
questions? I hope we meet  
again! Happy thanks giving!

love,

Eugene Choi

AR500577



11/22/00

Dear Mr. Donaldski,

Thank you for coming

I hope that spring creeks  
fish can survive the oil spill.

Thank you for doing spring creeks.

from

Clark

AR500578