

TECHNICAL MEMORANDUM E-9

To: North Carolina Department of Environment and Natural Resources

ATTN: Larry Stanley, Hazardous Waste Section
Jackie Drummond, Solid Waste Section

FROM: Seaboard Group II and City of High Point

SUBJECT: Technical Memorandum No. E-9

Date: May 29, 2014

Seaboard Group II and City of High Point (Parties) hereby request that the construction schedule contained in the Remedial Action Settlement Agreement (RASA) Scope of Work, as modified by several earlier Technical Memoranda (including the most recent, TM E-8), be further extended. Despite our best efforts, and due to circumstances beyond the Parties' control, certain key components of the treatment system (System) have not been completed due to delays in the delivery of certain components needed for the solids removal modifications in progress at this time.

As you are aware, this system has been subject to a series of delays in achieving sustained operation. The Parties experienced very high solids loading in the leachate and shallow groundwater recovered at the Site. To address the increase in solids the Parties performed several tests during operations to determine how the removal should best be addressed. That resulted in a process design change to add a hydrocyclone to the discharge line from LS-1 into the filter building, and another hydrocyclone before the filter in the backwash line for the large filters located in the filter building. The components for these modifications were ordered in early May and some have not yet been delivered.

In addition to the mechanical changes, there is a study being performed by chemist retained by the Parties to determine the proper pH to adjust the incoming groundwater and leachate to in order to facilitate the solids flocculation and filtration in the filter building. The preliminary indication is that the pH may need to be adjusted to 4.5, or lower, to allow adequate removal of metals. This study should be completed during June and the necessary equipment installed by the end of July.

Finally, the Parties have ordered all of the equipment needed to install the seven additional level transducers in the additional wells included in the modified Remedial Monitoring and Effectiveness Evaluation Plan (RMEEP). The suppliers have not shipped some of these parts to the Site at this time. The estimated delivery and modification completion is scheduled now for mid-August.

All of these delays have raised concerns that the schedule as approved in Technical Memorandum E-8 will not be achieved. The Parties will not have all the equipment installed until at least mid-August, and need time after that to test and stabilize the system as well as to

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collect sufficient data to be able to prepare and submit the Construction Completion Report. As documented herein, the Parties have used their best efforts and expended substantial resources to remain on schedule. However, for reasons beyond the control of the Parties, the Parties must respectfully request that the schedule in the Scope of Work for placing the System into operation be extended until December 31, 2014.

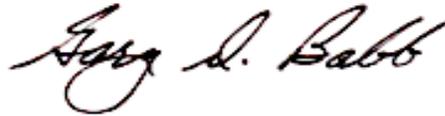
The Parties respectfully request approval of this extension to the construction schedule, and modification to the Scope of Work in the RASA. If there are any questions, or if we may be of any assistance this matter, please feel free to contact Jim LaRue at (281) 431-3571 or Gary Babb at (919) 325-0696.

Respectfully,

Seaboard Group II and City of High Point



James C. LaRue, Oversight Consultant
Seaboard Group II



Gary D. Babb, P.G., Oversight Consultant
City of High Point



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

June 16, 2014

Mr. Gary D. Babb
Babb and Associates, P.A.
P.O. Box 37697
Raleigh, NC 27627

Re: "Technical Memorandum No. E-9"
Former Seaboard Chemical Facility
High Point, NC
EPA ID # NCD 071 574 164

Dear Mr. Babb:

The North Carolina Hazardous Waste Section (HWS) grants the time extension requested in "Technical Memorandum No. E-9." This letter extends the construction schedule contained in the RASA Scope of Work (and subsequently revised construction schedules) until December 31, 2014. As the HWS understands the construction schedule, the remediation system should be operational and a "Construction Completion Report" should be submitted by the newly established deadline. (Note: Jaclynne Drummond of the NC Solid Waste Section has also reviewed "Technical Memorandum No. E-9" and agrees with approval of the deadline extension.) .

If your office has questions concerning this correspondence, please contact me at (919) 707-8211 or at Larry.Stanley@ncdenr.gov.

Sincerely,

Larry Stanley, Hydrogeologist
Division of Waste Management, NCDENR

ec: Jon D. Johnston, US EPA, Region 4
James LaRue, Seaboard Group II
Brad Bailey
Larry Stanley

Gwen Gleaton, US EPA, Region 4
Jaclynne Drummond
Bud McCarty