

**New York State Department of Environmental Conservation**

**Office of Environmental Quality, Region 4**

1130 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2045 • Fax: (518) 357-2398

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

December 21, 2011

Mr. Steve Feinberg  
Federal Project Director  
U.S. Department of Energy  
SPRU Field Office, SP-23  
2425 River Road  
Niskayuna, NY 12309

**Re: Department of Energy – Environmental Management  
Separations Process Research Unit (SPRU)  
6 NYCRR Part 373 Permit – Corrective Action Permit # 4-4224-00024/00042  
Final RCRA Interim Corrective Measure (ICM) Data Report for Lower Level Areas  
July 29, 2011**

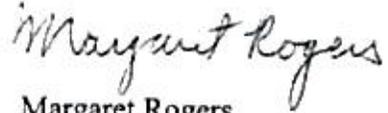
Dear Mr. Feinberg:

The Division of Environmental Remediation (DER) has reviewed the above-referenced report and its revisions dated November 10, 2011. Based on all current information, DER herewith approves the revised report and the recommendation of no further action, in accordance with Module II, Condition E.1(b) and (c) of the above-referenced permit. This approval is based on attainment of 6NYCRR Part 375 soil cleanup objectives for chemical constituents of concern attributed to SPRU releases, as stipulated in the August 12, 2008 RCRA ICM Work Plan for the SPRU Lower Level Land Areas, or as otherwise deemed acceptable by the Department. Please note that a change in site status resulting in an actual or potential site use as restricted under 6NYCRR Part 375-1.8(g)(2)(i) may result in further action by the Department. Should contamination by hazardous and/or mixed waste(s) and/or hazardous constituents be discovered at this area in the future, the provisions of Module II, Section D of your Part 373 permit will apply.

Please also note that, in accordance with RCRA Corrective Action and milestone tracking requirements, evaluation, reporting and public notice of the SPRU Lower Level Areas remediation may be performed in future as part of the overall final Corrective Measures assessment for the KAPL site.

Should you have any questions, please contact me at (518) 357-2353.

Sincerely,



Margaret Rogers  
Engineering Geologist II

MOR:lg\LLICMrepapp.doc

cc: A. Park - USEPA Region II  
J. Hill - USDOE-NRLFO  
L. Winterberger - NYSDEC Central Office  
File

ec: R. Leone - NYSDEC Region 4