



Department of Environmental Conservation

Division of Environmental Remediation

Former Bouchard Junkyard
Site Number 411014
Town of New Lebanon, Columbia County
Remedial Investigation/Feasibility Study
Citizen Participation Plan

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New York State Department of Environmental Conservation
GEORGE E. PATAKI, *Governor* Erin M. Crotty, *Commissioner*

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1.0 INTRODUCTION

This Citizen Participation Plan (CPP) has been developed as a requirement of, and to ensure compliance with 6NYCRR Part 375-1.5, public participation requirements of New York State's Regulations for Inactive Hazardous Waste Disposal Sites. 6NYCRR Part 375 requires the New York State Department of Environmental Conservation (NYSDEC) to keep interested and/or affected public informed of progress on inactive hazardous waste site remedial projects. These regulations also require NYSDEC to solicit public comment before selecting a final remedy for a site.

This CPP consists of sections containing information about the Former Bouchard Junkyard (Site Information) and a brief summary of the remedial project (Project Description). These are followed by descriptions of activities planned for this project to inform the interested and/or affected public of remedial work, answer questions, and obtain comments. The focus of this plan is the first phase of the project, the Remedial Investigation/Feasibility Study. The CPP will be amended as necessary for future phases of the project.

2.0 SITE INFORMATION

The Former Bouchard Junkyard is listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites. The site is located near the intersection of Routes 20 and 22 in the Town of New Lebanon, Columbia County. Operations at this junkyard ceased in 1971 after the New York State Police broke up a stolen car parts ring that was operating at this location. According to a General Electric Company "memo to file" dated October 10, 1980, drums containing oil and pyranol (which contains PCBs), were taken to this site. The oil was likely used for weed and dust control or burned or otherwise disposed at this junkyard. These drums originated at the General Electric facility in nearby Pittsfield, Massachusetts.

The junk cars were removed from the site in the late 1970s. The former junkyard is now occupied by the offices of an engineering firm, a dinner theater, and a car repair shop. The remaining portion of the property is currently undeveloped but has been used for agricultural purposes. There is open access to the site; houses are located on adjacent properties, and the Wyomanock Creek flows near the eastern boundary of the property. In 1998, the DEC collected soil samples in the area of the former junkyard, and found PCBs at concentrations above 50 parts per million (ppm) at several locations. PCBs at concentrations above 50 ppm are defined as hazardous waste.

3.0 PROJECT DESCRIPTION

The Remedial Program required for the Former Bouchard Junkyard consists of four phases: (1) Remedial Investigation/ Feasibility Study, (2) Remedial Design, (3) Remedial Construction, and (4) Operation, Maintenance and Monitoring. These phases are described below. The scope of each phase depends on the findings of the previous phase.

- **Remedial Investigation/ Feasibility Study (RI/FS):** The **Remedial Investigation** is a thorough investigation of the nature and extent of contamination from the site. Groundwater, surface water, and soil are sampled. Fish, animals and plants will be observed and sometimes sampled for uptake of chemicals from the site. Geological and climatological data are obtained, and an analysis of potential health impacts is conducted. During the **Feasibility Study**, which is done concurrently with the Remedial Investigation, a range of alternatives for cleanup of the site, varying in effectiveness, practicability, and cost, is assembled. As more data become available, some of these alternatives are rejected. Finally, the remaining alternatives are subjected to a thorough analysis based on seven criteria outlined in the regulations. One alternative is determined to best meet the remedial goals for the site and balance other concerns such as cost. The state will then present the recommended cleanup alternative to the public in a document called the Proposed Remedial Action Plan (PRAP). After a mandated comment period and a public meeting, the state will issue a Record of Decision (ROD) outlining the selected remedy, the basis for selection, and any changes made in response to public concerns. A typical RI/FS up to the Record of Decision takes from one and a half to three years.
- **Interim Remedial Action:** Sometimes a cleanup action does not have to wait for approval of a site-wide remedial plan. During the RI/FS, it may become obvious that certain activities can take place immediately to reduce the threat posed by the site. These activities are defined as an Interim Remedial Measure (IRM). Often, an IRM will reduce site hazards to the point where no further remedial action is needed, except for perhaps monitoring. In that case, NYSDEC would issue a “No Further Action” ROD. An IRM contains many of the activities described under the next two bullets (remedial design and construction), but usually in a compressed time frame during the RI/FS, such as six months to a year.
- **Remedial Design:** If a remedial action is required by the ROD, the details of how to construct and operate it must be specified. Sometimes more field data must be collected or a test system installed, for example a pilot water treatment system. Plans, specifications, and a construction contract are developed for public bidding or other competitive procurement. Remedial design typically takes from six months to one year.
- **Remedial Construction:** The contractor builds the components of the selected remedy, for example, a groundwater treatment plant, a landfill cap, a groundwater collection drain, or a new water supply. Contaminated waste and soil may be removed if required as part of the remedy. The contractor is required to abide by state and local laws and to conduct activities with as little impact as possible to surrounding neighborhoods, businesses, and natural resources. The state receives a report at the end of construction certifying that the remedy was completed in accordance with the Record of Decision. Depending on the complexity of the remedy, the time of construction may be very short or as long as two to three years.
- **Operation, Maintenance and Monitoring:** It is not always possible to clean up a site once and for all, especially when contamination is at a great depth below the ground surface. If

hazardous materials must remain on site, air, groundwater, and surface water will be sampled periodically to be sure contaminants are not migrating off site. Many remedies such as groundwater treatment require years of operation. The state requires an O&M Plan that describes in detail how to operate, maintain, and monitor the effectiveness of the chosen remedy for the site. This plan also contains backup measures should the remedy fail. Every year reports are compiled of problems, repairs, and analytical results.

In all phases of the remedial project, final plans and reports such as the RI/FS Report will be made available to the public through the Document Repositories (Appendix 3). In addition, announcements and fact sheets will be mailed during every phase to keep people on the contact list and the media apprised of progress. State representatives in Appendix 1 may be contacted any time with questions or comments. These and other citizen participation activities are further described in the next section.

4.0 CITIZEN PARTICIPATION ACTIVITIES - Remedial Investigation/ Feasibility Study

The means of keeping the public informed, and giving opportunity for comment, are described below. These activities will primarily be conducted by NYSDEC staff with review by NYSDOH.

4.1 Project Mailing List

A preliminary list of potentially interested or affected public has been created as required by 6NYCRR Part 375 prior to starting the RI/FS. The list contains government representatives, civic organizations, environmental groups, adjacent property and easement owners, potentially responsible parties, and other individuals and groups. This list will be updated as needed during the RI/FS. Anyone may request to be added to the Project Mailing List by contacting the NYSDEC Project Manager (see Appendix 1, Project Contacts).

4.2 Document Repositories

Three *document repositories* will be set up to house administrative record documents and other final site documents such as the Preliminary Site Assessment reports. One repository will be located in the Rotterdam offices of NYSDEC Region 4. Another will be located at the New Lebanon Town Hall and a third repository will be located at the New Lebanon Library. Locations, contact people, and hours are listed in Appendix 3.

The *Administrative Record* is the collection of documents (reports, correspondence, data) from the RI/FS that supports NYSDEC's decision concerning how to remediate the site. It is important to organize this backup information and make it readily available for perusal by anyone concerned about the basis for NYSDEC's action. Not all publicly-available documents concerning the site will become part of the Administrative Record - only those that directly support the Record of Decision. (Other documents can be requested from the Project Manager through the Freedom of Information

Act.) Comments from the public on the proposed remedy become part of the Administrative Record, along with NYSDEC responses.

4.3 Fact Sheets

Fact sheets are informational papers describing the site and progress, giving the names of primary contact people for more information and announcing a public meeting or availability of a final document. They are concise (one to four pages), readable, and suitable for mass mailing to the Project Mailing List and faxing to media. Fact sheets will be the primary means of communicating with the public on this project. The Citizen Participation Schedule (Appendix 4) shows mandatory and optional occasions for issuing fact sheets. Fact sheets will be generated by the NYSDEC Project Manager and Citizen Participation Specialist and must be reviewed by NYSDOH prior to mailing.

4.4 Public Meetings

Public informational meetings are used to present large amounts of information and to obtain comments. A public meeting will be held when the RI/FS is complete and a Proposed Remedial Action Plan (PRAP) has been issued. If interest or issues warrant, other, optional public meetings could occur at the release of the preliminary RI/FS Report (see schedule in Appendix 4) OR if an Interim Remedial Measure (IRM) is authorized.

Public meetings are informal, opened with short presentations by NYSDEC and NYSDOH staff about the site and progress to date followed by the question-and-answer period. The consulting engineer may be requested to give the detailed technical presentation or just to assist with answering questions. The consultant may also be requested to prepare visual aids. Detailed notes should be obtained of all speakers' questions and comments, along with a sign-in sheet of attendees. A responsiveness summary will be prepared after all meetings and made part of the ROD (see below under Responsiveness Summaries).

4.5 Responsiveness Summaries

A *responsiveness summary* is a document responding to questions and comments received during a designated public comment period. Specific responses are given to individual questions or comments (although similar questions and comments may be combined for one response). Responses may be organized by topic of the inquiry or comment, such as health-related questions or "Cost of Remedy" comments. Both oral comments from public meetings, and written comments are addressed in the responsiveness summary. Comment letters, statements and other written comment documents are referenced or attached and become part of the Administrative Record along with the responsiveness summary.

The Record of Decision (ROD) must contain a responsiveness summary for the preceding 30-day comment period. Responsiveness summaries, however, are also appropriate after any other public

meeting or comment period. The announcing fact sheet should indicate that a responsiveness summary will be available in the Document Repositories within a reasonable time after the close of the comment period. Depending on interest, copies of the responsiveness summary can also be mailed to meeting attendees and other commentors.

The NYSDEC Project Manager will obtain the input of NYSDOH in responding to questions or comments pertaining to public health.

4.6 Remedy Selection Comment Period

The most crucial period for interaction between NYSDEC and the public during a hazardous waste site cleanup is during selection of the final remedy. 6NYCRR Part 375 mandates a minimum thirty-day comment period before issuance of the Record of Decision. During this period, a public meeting must be held to present the remedial alternatives and the proposed remedy.

To facilitate public comment, the NYSDEC will issue a paper called the “Proposed Remedial Action Plan” (PRAP) at the beginning of the comment period. The PRAP follows a standard format, incorporating a concise history of the site, summary of the remedial investigation, brief descriptions of the alternatives, and the recommended alternative. Maps and data tables are attached. The NYSDEC Project Manager will prepare the PRAP and place it in the Document Repositories. A Fact Sheet announcing availability of the PRAP and the date and place of the public meeting will then be issued.

Following the close of the comment period, the Project Manager will prepare the draft Record of Decision and responsiveness summary. After formal concurrence by NYSDOH, the Division Director signs the ROD on behalf of the Commissioner.

A fact sheet may be appropriate to announce signature and availability of the ROD if a long period elapses between the PRAP and the ROD. See above under Responsiveness Summaries.

4.7 Other Activities

Informal Contacts: This CPP emphasizes that although there are designated comment periods and meetings for milestone events, concerned members of the public are welcome to contact NYSDEC or DOH at any time during the RI/FS. Contacts are listed in Appendix 1. Sample results and other site data are public information and available at any time through the Freedom of Information Act. If data are preliminary (i.e., not yet audited) the project manager will indicate so to the requestor.

Availability Sessions: Availability sessions provide a forum for the public to meet with NYSDEC and NYSDOH staff, but unlike a public meeting, do not include a formal presentation. Instead, site information is displayed at a public location, with staff present, for a longer period of time such as an afternoon or evening. Concerned citizens can view site information and discuss it one-on-one or in small groups with staff. Attendees are encouraged to sign in, and notes are taken of questions

and comments. As with a public meeting, a responsiveness summary should be issued after the availability session. Availability sessions especially lend themselves to public review and interaction on design and construction documents.

Site Location

Site Map

Appendix 1

Project Contacts

Lawrence J. Alden, P.E.
NYSDEC Project Manager
New York State Department of Environmental Conservation
625 Broadway, 12th Floor
Albany, NY 12233-7010
(518) 402-9774 or toll-free (800) 342-9296

Eric Hamilton, P.E.
NYSDEC Region 4 Office
1150 North Westcott Road
Schenectady, NY 12306
(518) 357-2373

Lani Rafferty
New York State Department of Health
Bureau of Environmental Exposure Investigations
Flanigan Square
547 River Street
Troy, NY 12180-2216
Phone (518) 402-7890

Appendix 2

Affected and/or Interested Public

Former Bouchard Junkyard

A. U. S. Elected Officials

Honorable Charles E. Schumer
U. S. Senate
District Office
26 Federal Plaza , Suite 31-100
New York, NY 10278
(212) 486-4430

Honorable Hillary Rodham Clinton
U. S. Senate, District Office
Leo W. O'Brien Federal Office Building
1 Clinton Square, Room 821
Albany, NY 12207
(518) 431-0120

Honorable John Sweeney
House of Representatives District 22
District Office
285 Broadway
Saratoga Springs, NY 12866
(518) 587-9800

B. State Officials

Honorable Stephen M. Saland
New York State Senate District 41
946 Legislative Office Building
Albany, NY 12247
(518) 455-2411

Honorable Pat Manning
New York State Assembly District 99
937 Legislative Office Building
Albany, NY 12248
(518) 455-5177

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NYSDEC Project Manager
New York State Department of Environmental
Conservation
625 Broadway, 12th Floor
Albany, NY 12233-7010
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625 Broadway, 12th Floor
Albany, NY 12233-7010
(518) 402-9774

Dale Desnoyers
Division of Environmental Enforcement
New York State Department of Environmental
Conservation
625 Broadway, 14th Floor
Albany, NY 12233-5550
(518) 402-9512

Eric Hamilton, P.E.
NYSDEC Region 4 Office
1150 North Westcott Road
Schenectady, NY 12306
(518) 357-2373

Larry Ennist
Citizen Participation Specialist
NYSDEC
625 Broadway, 12th Floor
Albany, NY 12233-7010
(518) 457-1684

Lani Rafferty - Eastern Section
NYSDOH
Flanigan Square
547 River Street
Troy, NY 12180-2216
(518) 402-7890

Dale Rowe
Columbia County Department of Health
71 North Third Street
Hudson, NY 12534
(518) 828-3358

C. Town of New Lebanon Officials

Albert Wheeler
Supervisor, Town of New Lebanon
Box 328
New Lebanon, NY 12125
(518) 794-8889 or
794-8024

Barbara Felter
Town Clerk, Town of New Lebanon
Box 328
New Lebanon, NY 12125
(518) 794-8889

Town Board Members

Larry Benson
John King
Margaret Robinson
John Trainor

D. Media

Albany Times Union
P. O. Box 15000
Albany, NY 12212
(518) 454-5420 / newsroom

The Berkshire Eagle
75 South Church Street

P.O. Box 1171
Pittsfield, MA 01202
(413) 447-7311

The Daily Gazette, Downtown Albany Bureau
100 State Street, Suite 301
Albany, NY 12207
(518) 432-4391, fax (518) 432-6388

Hudson Register-Star
364 Warren Street
Hudson, NY 12534
(518) 828-1616, fax (518) 828-9437

Chatham Courier
24 Park Row
Chatham, NY 12037
(518) 392-4141, fax (518) 392-7322

The Independent
P.O. Box 246
Hillsdale, NY 12529
(518) 325-4300 or 325-4400, fax (518)
325-4497

WGY News Department
1 Washington Square
Albany, NY 12205
(518) 452-4848

WAMC, FM 90.3 News Room
318 Central Avenue
Albany, NY 12206
(518) 465-5233, fax (518) 432-0991

WHUC, 1230 AM News Department
P.O. Box 123
Union Turnpike
Hudson, NY 12534
(518) 828-7310, fax (518)

WCKL (Strauss Media)
Jody Tosti, News Director

P.O. Box 445
Catskill, NY 12414
(518) 828-5006, fax (518) 828-1080

Channel 6 WRGB, News Department
P.O. Box 1400
Schenectady, NY 12301-1400
Attn. Assignment Director Jim Parisi
(518) 381-4988, fax (518) 346-6249

Channel 10 WTEN, News Department
341 Northern Boulevard
Albany, NY 12204
Attn. Assignment Editor Rob Lillpopp
(518) 436-4822, fax (518) 426-4792

Channel 13 WNYT, News Department
15 North Pearl Street
Menands, NY 12204
Attn. Assignment Editor Vicki Moorhead
(518) 436-4791, fax (518) 434-0659

Channel 17 WMHT, Tower Communications,
Inc.
17 Fern Avenue, P.O. Box 17
Schenectady, NY 12301
(518) 356-1700

Channel 23 WXXA Fox, News Department
28 Corporate Circle
Albany, NY 12203
(518) 862-2323, fax (518) 862-0930

E. Nearby Residences

The NYSDEC has a list of local residences that are on the mailing list. If you want to be added to or deleted from this mailing list, please contact Larry Alden at 402-9774.

Appendix 3

Document Repository Locations

New Lebanon Library

550 State Route 20

New Lebanon, NY 12125

Hours: Monday 2:30 PM to 6:00 PM, Tuesday and Thursday 11:00 AM to 6:00 PM, Wednesday 11:00 AM to 7:00 PM, Friday 2:30 PM to 5:00 PM, Saturday 9:30 AM to 3:00 PM
(518) 794-8844

New Lebanon Town Hall

Box 328

New Lebanon, NY 12125

Hours: Monday, Wednesday, Thursday 9:00 AM to 3:00 PM, Friday 4:00 PM to 7:00 PM
Appointment requested; contact
Barbara Felter (518) 794-8889

NYSDEC Region 4 Office

1150 North Westcott Road

Schenectady, NY 12306

(518) 357-2373

Hours: Monday-Friday 8:30 AM to 4:00 PM

Appointment requested; contact

Eric Hamilton (518) 357-2373

Appendix 4

Project Schedule

Remedial Investigation/ Feasibility Study

<u>Milestone</u>	<u>Citizen Participation Activity</u>
Work Plan Approval	Fact Sheet
Field Investigation (well installation and sampling; hydrogeologic measurements)	
Submittal of preliminary (first-phase) RI and Preliminary Alternatives (first-phase and second phase FS) Report, plus Work Plan Addendum for second-phase RI work	Place preliminary report and second-phase work plan in the repositories Public Meeting (Optional) <i>(if meeting to be held a fact sheet/ announcement will be circulated)</i>
Conduct second round of well samples and other second-phase RI work as necessary	
(Optional) Conduct Interim Remedial Measure	Fact Sheet
Submittal of RI/FS Report, including Human Exposure Assessment and Fish & Wildlife Impact Analysis, and Detailed Analysis of Alternatives	Place copies of RI/FS Report in the repositories
Proposed Remedial Action Plan (PRAP) issued Minimum 30-day public comment period	PRAP placed in repositories Fact Sheet summarizing PRAP and announcing the public meeting Public Meeting - oral comments gathered on the RI/FS and PRAP
NYSDEC issues the Record of Decision (ROD) with attached Responsiveness Summary	ROD placed in repositories Fact sheet announcing availability of ROD

Appendix 5

Hazardous Waste Site Program Glossary and Acronyms

GLOSSARY

This glossary defines terms associated with New York’s hazardous waste site citizen participation program, and important elements of the hazardous waste site remedial program. Words in **bold** in the definitions are defined elsewhere in the glossary. A list of acronyms often used in the remedial program begins on page 22.

Administrative Record	Part of a site’s Record of Decision which lists and defines documents used in the development of NYSDEC’s decision about selection of a remedial action.
Availability Session	A scheduled gathering of program staff and members of the public in a casual setting, without a formal presentation or agenda but usually focusing on a specific aspect of a site’s remedial process.
Citizen Participation	A program of planning and activities to encourage communication among people affected by or interested in hazardous waste sites and the government agencies responsible for investigating and remediating them.
Citizen Participation Plan	A document which must be developed at a site’s Remedial Investigation stage. A CP Plan describes the citizen participation activities that will be conducted during a site’s remedial process.
Citizen Participation Record	A document prepared at a major remedial stage which describes the citizen participation activities required at that stage. A CP Record also directs a scoping process to determine if additional citizen participation activities are appropriate and feasible.
Citizen Participation Specialist	A staff member from an NYSDEC central office or regional office who has specialized training and experience to assist a project manager and other staff to plan, conduct and evaluate a site-specific citizen participation program.

Classification

A process to place a hazardous waste site within a category which defines its hazardous waste status and its threat or potential threat to public health and the environment. Sites are listed along with their classifications in the **Registry of Inactive Hazardous Waste Disposal Sites**.

Class 1 - causing or representing an imminent danger of causing irreversible or irreparable damage to public health or environment -- immediate action required.

Class 2 - significant threat to public health or environment -- action required.

Class 2a - temporary classification assigned to a site for which there is inadequate or insufficient data for inclusion in any other classification.

Class 3 - does not present a significant threat to public health or environment -- action may be deferred.

Class 4 - site properly closed -- requires continued management.

Class 5 - site properly closed -- no further action required.

Delisted - site no longer considered an inactive hazardous waste disposal site.

Comment Period

A time period for the public to review and comment about various documents and DER actions. For example, a 30-day comment period is provided when DER issues a **Proposed Remedial Action Plan (PRAP)**, and when DER proposes to **Delist** a site from the **Registry of Inactive Hazardous Waste Disposal Sites**.

Community Profile

A document which is prepared in support of the **Citizen Participation Records**. The Community Profile identifies important information to effectively plan a site CP program. It summarizes information about land use, population, demographics, economics and other aspects of the community around a site and helps to identify affected/interested community members.

Consent Order

A legal and enforceable agreement negotiated between NYSDEC and a **responsible party**. The order sets forth agreed upon terms by which a responsible party will undertake site investigation and/or cleanup, or pay for the costs of those activities. The order includes a description of the remedial actions to be taken by the responsible party with NYSDEC oversight, and a schedule for implementation.

Contact List	Names, addresses and/or telephone numbers of individuals, groups, organizations, government officials and media affected by or interested in a particular hazardous waste site. The size of a contact list and the categories included are influenced by population density, degree of interest in a site, the stage of the remedial process and other factors. It is an important tool needed to conduct outreach activities.
Delist	Action by which DER removes a hazardous waste site from the Registry of Inactive Hazardous Waste Disposal Sites upon determination that: the site contains inconsequential amounts of hazardous waste; or that a remediated site no longer requires Operation and Maintenance ; or that a remediated site does not require Operation and Maintenance. A proposal to delist a site triggers a public notification and comment period process.
Division of Environmental Enforcement (DEE)	A unit within the New York State Department of Environmental Conservation which works with the Division of Environmental Remediation and others to negotiate with responsible parties to achieve agreements for the investigation and remediation of hazardous waste sites. A negotiated agreement is contained in a consent order .
Division of Environmental Remediation	Formerly the Division of Hazardous Waste Remediation , a major program unit within the New York State Department of Environmental Conservation created to manage the hazardous waste site remedial program from site discovery through Operation and Maintenance activities. Staff include: engineers, geologists, chemists, attorneys, citizen participation specialists, environmental program specialists and support staff.
Division of Hazardous Waste Remediation	(See Division of Environmental Remediation .)
Document Repository	A file of documents pertaining to a site's remedial and citizen participation programs which is made available for public review. The file generally is maintained in a public building near the hazardous waste site to provide access at times and a location convenient to the public.

Enforcement	NYSDEC's efforts, through legal action if necessary, to compel a responsible party to perform or pay for site remedial activities. NYSDEC may perform this effort by itself or in concert with other agencies.
Environmental Quality Bond Act (EQBA)	The 1986 Environmental Quality Bond Act which gives New York State bonding authority of up to \$1.2 billion to fund the State's share of the total cost of remediating hazardous waste sites in New York State.
Fact Sheet	A written discussion about part or all of a site's remedial process, prepared and provided by DER to the public. A fact sheet may focus on: a particular element of the site's remedial program; opportunities for public involvement; availability of a report or other information, or announcement of a public meeting or comment period . A fact sheet may be mailed to all or part of a site's contact list , distributed at meetings, placed in a document repository and/or sent on an "as requested" basis.
Interim Remedial Measure (IRM)	A discrete action which can be conducted at a site relatively quickly to reduce the risk to people's health and the environment from a well-defined hazardous waste problem. An IRM can involve removing contaminated soil and drums, providing alternative water supplies or securing a site to prevent access.
National Priorities List	The U.S. Environmental Protection Agency's list of the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term remedial response using money from a special trust fund.
New York State Department of Health	Agency within the executive branch of New York State government which: performs health-related inspections at suspected hazardous waste sites; conducts health assessments to determine potential risk from environmental exposure; reviews Risk Assessments prepared during the Remedial Investigation and Feasibility Study ; conducts health-related community outreach around sites; and reviews remedial actions to assure that public health concerns are adequately addressed.

**New York State
Department of Law**

Agency within the executive branch of New York State government which takes the lead on hazardous waste sites requiring civil enforcement through court action. Litigation can involve negotiations and court action with **responsible parties** to clean up sites; natural resource damage claims, and recovery of remedial costs.

**New York State
Registry of Inactive
Hazardous Waste
Disposal Sites**

The “Registry.” A document which NYSDEC is directed by law to maintain and which lists and provides information about every hazardous waste site in New York State which meets criteria established through a definition of hazardous waste and a **classification** system.

Operable Unit

A discrete part of an entire site that produces a release, threat of release, or pathway of exposure. An Operable Unit can receive specific investigation, and a particular remedy may be proposed. A **Record of Decision** is prepared for each Operable Unit.

**Operation and
Maintenance**

A period in which remedial action may be conducted following construction at a site (for example, operation of a “pump and treat” system), or which is performed after a remedial action to assure its continued effectiveness and protection of people’s health and the environment. Activities can include site inspections, well monitoring and other sampling.

**Preliminary Site
Assessment (PSA)**

A PSA is DER’s first investigation of a site. A PSA is performed to determine if a site meets New York State’s definition of an inactive hazardous waste disposal site by confirming the presence of hazardous waste and determining if the site poses a significant threat to public health or the environment.

Project Manager

An NYSDEC staff member within the **Division of Environmental Remediation** (usually an engineer, geologist, or hydrogeologist) responsible for the day-to-day administration of remedial activities at, and ultimate disposition of, a hazardous waste site. The Project Manager works with legal, health, **citizen participation** and other staff to accomplish site-related goals and objectives.

Proposed Remedial Action Plan (PRAP)	An analysis by DER of each alternative considered for the remediation of a hazardous waste site and a rationale for selection of the alternative it recommends. The PRAP is created based on information developed during the site's Remedial Investigation and Feasibility Study . The PRAP is reviewed by the public and other state agencies.
Public Meeting	A scheduled gathering of Division of Environmental Remediation staff with the affected/interested public to give and receive information, ask questions and discuss concerns about a site's remedial program. Staff from other NYSDEC divisions, legal and health staff, and staff from consultants and a responsible party often also attend. A public meeting, unlike an availability session , generally features a formal presentation and a detailed agenda.
Reclassification	A process by which DER redefines the threat posed by a hazardous waste site to public health and the environment by developing and assessing site information and, based on findings and conclusions, assigning a new classification code.
Record of Decision (ROD)	A document which provides definitive record of the cleanup alternative that will be used to remediate a hazardous waste site. The ROD is based on information and analyses developed during the Remedial Investigation/Feasibility Study and public comment.
Remedial Construction	The physical development, assembly and implementation of the remedial alternative selected to remediate a site. Construction follows the Remedial Design stage of a site's remedial program.
Remedial Design	The process following finalization of a Record of Decision in which plans and specifications are developed for the Remedial Construction of the alternative selected to remediate a site.
Remedial Investigation/Feasibility Study (RI/FS)	The RI fully defines and characterizes the type and extent of hazardous waste contamination at the site. The FS, which may be conducted during or after the RI, uses information developed during the RI to develop alternative remedial actions to eliminate or reduce the threat of hazardous waste contamination to public health and the environment.

Responsible Party	An individual or business who: currently owns or operates a hazardous waste site; or historically owned or operated a site when hazardous waste was disposed; or generated hazardous waste at a site; or transported hazardous waste to a site.
Responsiveness Summary	A written summary of major oral and written comments received by DER during a comment period about key elements of a site's remedial program, such as a Proposed Remedial Action Plan , and DER's response to those comments.
Site Issues and Information Scoping Sheet	A document prepared to support each Citizen Participation Record . Each Scoping Sheet identifies issues and information important to DER and the community and information that needs to be exchanged at a particular remedial stage.
Site Program Profile	A document prepared to support the Citizen Participation Records . The Site Program Profile adds to information about a site contained in the Registry by summarizing investigation and remediation activities to be performed.
Superfund	The common name for the Federal program established by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended in 1986. The Superfund law authorizes the U.S. Environmental Protection Agency to investigate and clean up sites nominated to the National Priorities List .
Title 3 Project	Remediation of a municipally owned site through the State Superfund Title 3 Program whereby New York State pays 75 percent of eligible costs for remediation and the municipality pays 25 percent.
Toll-Free "800" Number	An information line maintained by the Division of Environmental Remediation to provide convenient access for people who have questions, concerns or information about hazardous waste sites and their remedial programs.

ACRONYMS

AG	--	New York State Attorney General's Office
ARAR	--	Applicable, Relevant and Appropriate Requirement
C & D	--	Construction and Demolition Debris
CERCLA	--	Comprehensive Environmental Response, Compensation and Liability Act of 1980
CO	--	Consent Order
CP	--	Citizen Participation
CPP	--	Citizen Participation Plan
CPS	--	Citizen Participation Specialist
CQC/CQA	--	Construction Quality Control/Construction Quality Assurance
DEE	--	Division of Environmental Enforcement
DER	--	Division of Environmental Remediation, formerly the Division of Hazardous Waste Remediation
DHWR	--	Division of Hazardous Waste Remediation, now the Division of Environmental Remediation
DOD	--	Department of Defense
DOL	--	Department of Law
DOW	--	Division of Water
ENB	--	Environmental Notice Bulletin
EQBA	--	1986 Environmental Quality Bond Act
EPA	--	Environmental Protection Agency
F & W	--	Division of Fish and Wildlife
FDA	--	Food and Drug Administration
FSF	--	Federal Superfund
FOIL	--	Freedom of Information Law
FS	--	Feasibility Study
FY	--	Fiscal Year
GPM	--	Gallons Per Minute
HeLP	--	Health Liaison Program
IRM	--	Interim Remedial Measure
mg/kg	--	milligrams per kilogram
NAPL	--	Non-Aqueous Phase Liquid
NPL	--	National Priorities List
NYSDEC	--	New York State Department of Environmental Conservation
NYSDOH	--	New York State Department of Health
O & M	--	Operation and Maintenance
OSHA	--	Occupational Safety and Health Administration
OU	--	Operable Unit
PAH	--	Poly-Aromatic Hydrocarbon
PCB	--	Poly-Chlorinated Biphenyl

PM	--	Project Manager
ppm/ppb/ppt	--	parts per million/parts per billion/parts per trillion
PRAP	--	Proposed Remedial Action Plan
PRP	--	Potentially Responsible Party
PRS	--	Priority Ranking System
PSA	--	Preliminary Site Assessment
QA/QC	--	Quality Assurance/Quality Control
RA	--	Remedial Action
RCRA	--	Resource Conservation and Recovery Act
RD	--	Remedial Design
RFP	--	Request for Proposals
RHWRE	--	Regional Hazardous Waste Remediation Engineer
RI	--	Remedial Investigation
RI/FS	--	Remedial Investigation/Feasibility Study
ROD	--	Record of Decision
RP	--	Responsible Party
SSF	--	State Superfund
TAGM	--	Technical and Administrative Guidance Memorandum
TCLP	--	Toxicity Characteristic Leaching Procedure
TSDF	--	Treatment, Storage and Disposal Facility
ug/l	--	micrograms per liter
USGS	--	U.S. Geological Service
VOC	--	Volatile Organic Compound