



New York State Department of Environmental Conservation

State Superfund Program

Citizen Participation Plan
for
Former Kenco Chemical Company

107 Freemans Bridge Road
Glenville
Schenectady County, New York

August 2010

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Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site investigation and cleanup process.

Responsible Party: Kenco Chemical Company; Voelkner Sales; Ultimate LLC
Site Name: Former Kenco Chemical Company (site)
Site Address: 107 Freemans Bridge Road, Glenville
Site County: Schenectady County
Site Number: 447039

1. What is New York's State Superfund Program?

New York's State Superfund Program (SSF) identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that pose a significant threat to public health or the environment, such as the site identified above, undergo a process of investigation, evaluation, cleanup, and monitoring.

The New York State Department of Environmental Conservation (NYSDEC) administers the SSF Program with assistance and input from the New York State Department of Health (NYSDOH). When the parties responsible for the contamination of the site are known (responsible parties), they often pay for or perform the investigation and evaluation of cleanup options under an enforceable consent order. At sites where responsible parties cannot be found or are unable or unwilling to fund an investigation, the State pays for the investigation and may try to recover costs from a responsible party after the investigation and cleanup are complete.

The SSF program contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. For more information about the SSF program, go online at: <http://www.dec.ny.gov/chemical/8439.html> .

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interest in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment
- Improving public access to, and understanding of, issues and information related to a particular site and that site's remedial process

- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the site's remedial program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

Site Contact List

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and cleanup process. The site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods. The site contact list includes, at a minimum:

- chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;
- residents, owners, and occupants of the site and properties adjacent to the site;
- the public water supplier which services the area in which the site is located;

- any person who has requested to be placed on the site contact list;
- the administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 4.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of remedial activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

The site identified above poses a significant threat to public health or the environment, so that a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its members' health, economic well-being, or enjoyment of the environment may be affected by a release or threatened release of contamination at the site.

For more information about TAGs, go online at: <http://www.dec.ny.gov/regulations/2590.html> .

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page:

Citizen Participation Requirements (Activities)	Timing of CP Activity(ies)
<p align="center">Before Start of Remedial Investigation (RI):</p> <p>Prepare site contact list</p> <p>Establish document repository</p> <p>Prepare Citizen Participation (CP) Plan</p> <p>Place approved RI Work Plan in document repository</p> <p>Distribute fact sheet to site contact list that announces availability of RI Work Plan and describes upcoming RI field work</p>	
<p align="center">When NYSDEC Approves Remedial Investigation Report:</p> <p>Distribute fact sheet to site contact list that describes RI results</p> <p>Place approved RI Report in document repository</p>	
<p align="center">When NYSDEC Releases Proposed Remedial Action Plan (PRAP):</p> <p>Place PRAP in document repository</p> <p>Distribute fact sheet to site contact list that describes PRAP and announces 30-day comment period and public meeting</p> <p>Conduct 30-day public comment period</p> <p>Hold public meeting about PRAP</p>	
<p align="center">When NYSDEC Issues Record of Decision (ROD):</p> <p>Place ROD in document repository</p> <p>Distribute notice to site contact list that announces availability of ROD. ROD includes responsiveness summary of significant comments about PRAP</p>	
<p align="center">Before Start of Remedial Action:</p> <p>Distribute fact sheet to site contact list that describes upcoming remedial action</p>	
<p align="center">When NYSDEC Issues Certificate of Completion (COC) or Similar Site Closure Document:</p> <p>Place COC in document repository</p> <p>Distribute fact sheet to site contact list that announces issuance of COC</p>	

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the site. Additional major issues of public concern may be identified during the course of the site's investigation and cleanup process.

The human receptor population includes occupants of downgradient residences and businesses and construction workers performing work in the Study Area. Possible major issues of public concern related to the site include potential impacts to site occupants, workers, and trespassers via direct contact with contaminated soil and surface water. Additional issues of public concern include potential impacts to nearby surface water bodies, health concerns related to contaminated vapors infiltrating businesses and private residences, and potential impacts to downgradient water supply wells beyond the known extent of contamination.

Groundwater flow has transported the contaminant plume 0.5-mile downgradient of the release. Based on laboratory data, the primary contaminants include tetrachloroethene (PCE), and its breakdown products: trichloroethene (TCE), cis-1,2-dichloroethene (DCE), and vinyl chloride (VC). A public water supply provides drinking water to the Site and most of the surrounding area. No downgradient private water supply wells have been confirmed to be impacted by the Site; although investigation is ongoing. It is unlikely that a private water supply well will be installed in the Study Area in the future.

The Site is situated near the eastern edge of the Schenectady Aquifer, which is the sole source of drinking water to five municipalities and approximately 90 percent of Schenectady County residents. Given the distance to the well fields and the groundwater flow directions, the groundwater recharge in the Site area does not likely contribute to this public groundwater supply.

A portion of the Site was found to contain free phase product, which is raw waste material that has not been mixed with groundwater, also known as non-aqueous phase liquid (NAPL). This material is characterized as a dense non-aqueous phase liquid (DNAPL), since PCE is denser than water; therefore, the DNAPL migrates down within the water bearing zone until it reaches a barrier. Although no current human exposures are occurring (the material is below the ground surface at a depth of approximately 20 feet below grade), the presence of DNAPL represents a potential point of direct contact causing inhalation of vapors by future construction and utility workers working in excavations. Additionally, this material may affect the indoor air quality of an on-site building due to potential migration of vapors. The nature and extent of this DNAPL has not been characterized to date.

Shallow soil samples, defined as soils located 0 to 2 feet below ground surface, indicate the presence of PCE at elevated concentrations. Current on-site residents and Site trespassers may be exposed to contaminants in surface soils on a limited basis due to incidental ingestion and dermal contact with surface soils. Potential future receptors to surface soil contaminants may

include future on-site residents and future construction and utility workers.

Subsurface soils collected in the areas of concern at the Site revealed the presence of volatile organic compounds (VOCs) that may be potentially of concern from a human health standpoint. Since it is unreasonable to assume future direct contact with subsurface soils that are 2 feet below the ground surface (they are inaccessible), it is unlikely that any current exposures to contaminants in subsurface soils are occurring. However, potential future receptors of contaminants in subsurface soil may include future on-site residents and future construction and utility workers.

Data suggests that shallow groundwater at the Site ultimately discharges to Warner Creek. Surface water in Warner Creek was found to contain VOCs that may be of potential concern to human health. Potential receptors may include nearby residents using the creek for recreational purposes. Due to the nature of the creek and the relative inaccessibility (steep banks and heavy vegetation) it is expected that any exposures to contaminants in Warner Creek surface water would be extremely limited.

An evaluation of sub-slab soil vapor and/or indoor air data collected during the soil vapor intrusion (SVI) evaluation indicates that soil vapor is contaminated within part of the PCE groundwater plume footprint. Depending on the building construction, impacted soil vapor could present a public health risk from inhalation of vapors that have migrated into structures, if the exposure pathway is not mitigated. Outdoor (ambient) air samples were collected at 16 businesses and residences along Freemans Bridge Road during RI activities. VOCs in ambient air were found to be within acceptable limits. Additionally, air emissions from the treatment system are compliant with the NYSDEC Air Guidelines. Therefore, ambient air is not expected to result in significant human exposures or health risks.

4. Site Information

Appendix C contains a map identifying the location of the site.

Site Description

The Site is the former Kenco Chemical Company (Kenco Site) located at 107 Freemans Bridge Road, Town of Glenville, Schenectady County, New York (Appendix C for Site Location). The Site parcel, approximately 0.86 acres in size, contains an unused warehouse and once contained at least part of an aboveground storage tank.

Adjacent properties are a mix of residential and commercial properties with some farmland along the western edge of the property. The Study Area, encompassing the area of remedial investigation, includes approximately 50 acres extending from the railroad tracks north of the Site to Warner Creek. Based upon the available data the site has been designated a Class 2 Site, which presents a significant threat to public health and/or the environment and requires action.

History of Site Use, Investigation, and Cleanup

The Site was reportedly used as a chemical warehouse from at least 1988 until circa 1999 and used for the storage and resale of bulk chemicals for redistribution by both the Kenco Chemical Company, Inc. (Kenco) and Voelker Sales, Inc. Kenco was under the ownership of Kenneth K. Cochrane, until approximately 1999, when the parcel was transferred to Ultimate, LLC. The Kenco Site has been abandoned since that time.

The groundwater, saturated soils, and soil vapor at the site and downgradient of the site are contaminated with VOCs, including PCE, TCE, and DCE. These compounds are solvents commonly used for metal degreasing or dry cleaning. PCE is considered a potential human carcinogen by the U.S. Department of Health and Human Services.

Several previous investigations were completed on the Site and within the Study Area. The complete reports are available at the NYSDEC Region 4 Office. A summary of project activities is provided below:

- 2007 - Initial discovery of groundwater contamination during a pending property transaction adjacent to the Site.
- 2007 – Limited on-site investigation performed by property owner, which confirmed soil and groundwater contamination within the Site.
- 2007 – Limited off-site investigation performed by NYSDEC, which confirmed soil and groundwater contamination originating within Site.
- 2007 – Limited off-site investigation performed by the New York State Department of Health (NYSDOH), which confirmed solvent contamination within two residences in the study area around the Site. These residences were outfitted with sub-slab depressurization systems as a corrective action.
- 2009 – Expanded on-site and off-site investigation performed by NYSDEC and NYSDOH, including sampling of groundwater, soil, surface water, sediment, soil vapor, and indoor air within the Study Area. Findings confirmed solvent contamination emanating from the Site and extending off-site, via groundwater flow, approximately 2600 feet southeast of the Site. Additional locations were identified that required mitigation or further monitoring of health risks associated with current or potential future impacts to indoor air quality.
- 2010 – Residential well survey and supplemental indoor air quality investigation initiated by U.S. Environmental Protection Agency (EPA).

In response to the identification of contaminated emanating from the Site, an Interim Remedial Measure (IRM) was designed and constructed in 2009 to mitigate potential exposure to surface water and to intercept and treat contaminated groundwater to prevent further off-site migration. The groundwater component of the IRM is operational; however, the surface water component is

undergoing modification to address performance issues related to excessive suspended solids and biological growth.

5. Investigation and Cleanup Process

Investigation

A detailed study of the site is currently being performed by NYSDEC and NYSDOH. This detailed study is officially called a Remedial Investigation (RI). The investigation work plan is officially called a Remedial Investigation Work Plan. A report has been drafted which details the results of the investigation through April 2010. Both documents are available for public review at the Locations of Reports and Information identified in Appendix A.

The site investigation has several goals:

- define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- identify the source(s) of the contamination;
- assess the impact of the contamination on public health and the environment;
- provide information to support the development of a proposed remedy to address the contamination.

NYSDOH reviews and recommends activities that will be performed during the investigation to ensure that a complete picture of potential health impacts is understood. Such activities include identifying the ways contamination can reach people, such as through direct contact, eating, drinking, or breathing.

The information collected during the site investigation will be summarized in a report.

Feasibility Study

After the site investigation is complete, NYSDEC will conduct a Feasibility Study. This study uses information developed during the site investigation to develop and evaluate potential ways to clean up contamination related to the site. Another possibility is that the information collected during the site investigation may support the conclusion that no action, or no further action, is needed to address site-related contamination.

Proposed Remedy

The evaluation of possible remedies ends with a recommended proposal to eliminate the threat posed by contaminants at the site. NYSDEC approves or prepares this proposal, officially called a Proposed Remedial Action Plan (PRAP). The PRAP describes the remedy preferred by NYSDEC, or a no action or no further action alternative. The PRAP summarizes the decision that led to the recommendation of the preferred remedy by discussing each alternative and the reasons for choosing or rejecting it. The goal of any cleanup plan is to protect public health and the environment. NYSDEC will present the PRAP to the public for its review and comment during a 30-day comment period and at a public meeting.

Selected Remedy

NYSDEC considers public comments as it selects the remedy to address contamination related to the site. The selected remedy will be described in a document officially called a Record of Decision (ROD). The ROD will explain why the remedy was selected and respond to public comments. This document will be placed in the location of reports and information. If the selected remedy is no action or no further action, NYSDEC may then take steps to reclassify the site or remove the site from its list of contaminated sites.

Cleanup Action

If the Record of Decision for the site calls for cleanup action, the project then moves to designing and performing the cleanup actions to address the site contamination. When cleanup actions have been completed, NYSDEC will approve or prepare a final engineering report that describes the cleanup actions undertaken and certifies that cleanup requirements have been achieved or will be achieved.

Certificate of Completion

Upon approval of the final engineering report, NYSDEC may issue a Certificate of Completion (COC). The COC would recognize the findings of the final engineering report. The COC would note that the cleanup program achieved a cleanup level consistent with specific categories of use for the site. The recipient of the COC would be entitled to limited liability as long as it complied with the terms of the COC, and other conditions.

A COC may be modified or revoked if, for example, the recipient does not comply with the terms of the COC, or if the recipient commits fraud regarding its certification that it has met cleanup levels.

Site Management

Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management may be conducted by NYSDEC, or by the responsible party under NYSDEC oversight, if contamination will remain in place. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An institutional control is a non-physical restriction on use of the site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the site suitable for some, but not all uses.

An engineering control is a physical barrier or method to manage contamination. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that is pumping and treating groundwater. Site management continues until NYSDEC determines that it is no longer needed.

During the Site Management phase, NYSDEC may also take steps to reclassify the site or remove the site from the Registry.

Appendix A

Project Contacts and Locations of Reports and Information

Project Contacts

For information about the site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Christopher O'Neill, P.E.

Project Manager
NYSDEC Region 4
Division of Environmental Remediation
1130 North Westcott Road
Schenectady, NY 12306
518-357-2045

Rick Georgeson

Regional Citizen Participation Specialist
1130 North Westcott Road
Schenectady, NY 12306
518-357-2075

New York State Department of Health (NYSDOH):

Stephanie Selmer

Project Manager
NYSDOH
Flanigan Square
547 River Street
Troy, NY 12180-2216
518-402-7860

Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

Schenectady County Public Library –
Glenville Branch
20 Glenridge Road, Glenville, NY 12302
Phone: 518-386-2243
Hours: Mon-Thur 10:00am-8:30pm, Fri-Sat
10:00am-5:00pm, Closed Sunday.

NYSDEC Region 4
1130 N. Westcott Rd.
Schenectady, NY 12306
Attn: Christopher O'Neill
Phone: 518-357-2045
Hours: Mon-Fri 8:30am - 4:45pm
(call for appointment)

Appendix B - Site Contact List

The following sections provide the mailing lists that will be used to distribute information regarding the project.

1.1 CURRENT SITE OWNER (1999-PRESENT)

Ultimate, LLC
Shaun Cole
c/o Cole Industrial Supply)
99 Freemans Bridge Road
Glenville, NY 12302

James E Walsh, Esq. (Atty. for
Cole/Ultimate)
514 State Street
Schenectady, NY 12305

1.2 ADJACENT/NEIGHBORING PROPERTY OWNERS

List is confidential and maintained by NYSDEC Project Manager.

1.3 MUNICIPAL/ELECTED OFFICIALS

Christopher A. Koetzle
Town of Glenville,
Supervisor
18 Glenridge Rd.
Glenville, NY 12302

Town of Glenville,
Councilman
18 Glenridge Rd.
Glenville, NY 12302

Health Department
107 Nott Terrace
Schenectady, NY 12308

Alan J. Boulant
Town of Glenville,
Councilman
18 Glenridge Rd.
Glenville, NY 12302

Linda Neals
Town of Glenville, Town
Clerk
18 Glenridge Rd.
Glenville, NY 12302

Commissioner
Schenectady County
Economic Development and
Planning
Schaffer Heights, Suite 303
107 Nott Terrace
Schenectady, NY 12302

Mark A. Quinn
Town of Glenville,
Councilman
18 Glenridge Rd.
Glenville, NY 12302

Cathy Visco
Town of Glenville,
Sewer/Water
18 Glenridge Rd.
Glenville, NY 12302

Schenectady County
Manager
County Office Building
620 State Street
Schenectady, NY 12305

Sid Ramotar
Town of Glenville,
Councilman
18 Glenridge Rd.
Glenville, NY 12302
Gina M. Wierzbowski

Kevin Corcoran
Town Planning Department
18 Glenridge Rd.
Glenville, NY 12302
Dr. David Pratt, Commiss.
Schenectady County

Schenectady Co. Leg. Chair
County Office Building
620 State Street
Schenectady, NY 12305

Mayor
Village of Scotia
4 N. Ten Broeck Street
Scotia, NY 12302

Senator Hugh T. Farley
2430 Riverfront Center
Amsterdam, NY 12010
Water Department

Assemblyman James Tedisco
12 Jay Street
Schenectady, NY 12305

Clerk
Village of Scotia
4 N. Ten Broeck Street
Scotia, NY 12302

Town of Glenville
18 Glenridge Road
Glenville, NY 12302

John J. Woodward
Schenectady Co., Clerk
620 State Street
Schenectady, NY 12305

Schenectady County Health
Department
107 Nott Terrace, Suite 304
Schenectady, NY 12308-
3170

1.4 MEDIA

The Daily Gazette Co.
2345 Maxon Road Extension
Schenectady, NY 12308

The Times Union
News Plaza, Box 15000
Albany, NY 12212
tucitydesk@timesunion.com

The Spotlight
125 Adams Street
Delmar, NY 12054
news@spotlightnews.com

1.5 ENVIRONMENTAL GROUPS

Environmental Clearinghouse of Schenectady
2682 Aqueduct Road
PO Box 9118
Niskayuna, NY 12309-0118

1.6 OTHER INTERESTED PARTIES

Reference Librarian
Schenectady County Public Library - Glenville Branch
20 Glenridge Road
Glenville, NY 12302

Appendix C - Site Location Map

