EXPLANATION OF SIGNIFICANT DIFFERENCE
UTICA HARBOR POINT MGP SITE

Utica | Oneida County | Site No. 6-33-021 | July, 2011

Prepared by the New York State Department of Environmental Conservation
Division of Environmental Remediation

1.0 INTRODUCTION

The purpose of this notice is to describe the progress of the cleanup at the Harbor Point Site in Utica, New York, and to inform you about a change in the site remedy.

In 2002, the New York State Department of Environmental Conservation (Department) issued a Record of Decision which selected a remedy to cleanup the site. The remedy consists of 17 components, one of which is the on-site treatment of contaminated soil by low temperature thermal desorption. This Explanation of Significant Difference documents the Department's decision to allow contaminated soil from the site to be addressed either by on-site or off-site treatment.

This Explanation of Significant Difference (ESD) will become part of the Administrative Record for this site. The information here is a summary of what can be found in greater detail in documents that have been placed in the following repositories:

Utica Public Library
303 Genesee Street
Utica, NY 13501

NYSDEC Albany
625 Broadway
Albany, NY 12233

Although this is not a request for comments, interested persons are invited to contact the Department's Project Manager for this site to obtain more information or have questions answered.

2.0 SITE DESCRIPTION AND ORIGINAL REMEDY

2.1 Site History, Contamination, and Selected Remedy

The 2002 "Record of Decision (ROD) NIMO Harbor Point Property, Operable Unit No. 1 – Peninsula, Site No. 6-33-021, New York Tar Emulsion Products Site, Site No. 6-33-031, Mohawk Valley Oil Site, Site No. 6-33-032", selected a remedy to address the contamination associated with the three inactive hazardous waste disposal sites on the Harbor Point peninsula historically linked to the former Utica Harbor Point manufactured gas plant (MGP). Contaminated soil on the New York Tar Emulsion Products Site and the Mohawk Valley Oil Site that required removal per the 2002 ROD has been either completely, or substantively, removed and therefore this ESD applies to the NIMO Harbor Point Property only. The NIMO Harbor Point Property is also known as the Utica Harbor Point MGP Site.

The 72-acre Utica Harbor Point MGP Site is roughly bounded by the Mohawk River, Utica Harbor and the CSX railroad. Area topography is flat, with the entire peninsula lying within the 100 year floodplain

and approximately one-half of the peninsula lying within the regulatory floodway. There are currently no buildings on the site. From approximately 1848 to the early 1950s gas was manufactured from coal utilizing both the coal carbonization and water gas processes. Waste disposal occurred at the site as part of the typical industrial operations which required the wastes to be removed from the system or released into the environment through leaks in plant containment structures or piping. Certain polycyclic aromatic hydrocarbons (PAHs) and monoaromatic hydrocarbons (naphthalene, benzo(a)pyrene, and benzene for example) which form during the gas making process, are found in soil in concentrations above the recommended soil clean-up objectives. In addition, approximately 17 acres of the peninsula have coal tar contamination in the form of a non-aqueous liquid. The coal tar contamination is found as deep as 40 feet below ground surface. Groundwater exceeds groundwater quality standards over approximately 60 acres; higher contaminant concentrations generally coincided with areas of coal tar contaminated soil.

The 2002 ROD for the Harbor Point Site requires the removal of hot-spot contaminated soil generally to a depth of six feet followed by the on-site treatment by low temperature thermal desorption. Once treated to the criteria specified in the ROD, the soil could be used as backfill to restore the site to the existing grade. The ROD also allows for off-site disposal of a portion of waste, if determined to be cost effective and facilitate construction of the remedy.

3.0 CURRENT STATUS

The removal of the site soil and subsequent thermal treatment, the final major element of the 2002 ROD to be implemented, is in the remedial design phase. Plans are being developed to bid the project to prospective contractors.

The following elements of the ROD have been completed:

- Lining of the Washington Street storm sewer
- Containment wall and cap at the Water Gas Plant area
- Removal of contaminated soil at the Lee Street outfall
- Removal of contaminated soil at the Mohawk Valley Oil Site
- Removal of contaminated soil at the New York Tar Emulsion Products Site

4.0 DESCRIPTION OF SIGNIFICANT DIFFERENCE

4.1 New Information

The Department's evaluation of the following information forms the basis for this ESD:

- Abandonment of the site bundling concept. At the time of the ROD it was envisioned that the contaminated soil could be "concurrently treated with soils from some of Niagara Mohawk's other MGP sites", referred to as site bundling. Since the issuance of the ROD, two of the six sites proposed for bundling have had the majority of contaminated soil removed. Also, the concurrent treatment of soil from other Niagara Mohawk MGP sites would likely extend the remediation schedule of the Harbor Point Site. For these reasons, site bundling is not a current consideration.

- Experience with past off-site transport of soil projects on or near the peninsula. The following projects were conducted to the satisfaction of the Department:

    - In 2005 approximately 50,000 tons of soil were removed from the New York Tar Emulsion Products Site at a rate of approximately 25 trucks per day;
    - In 2009 approximately 24,000 tons of soil were removed from the Lee Street Extension Sewer Outfall at an average rate of 13 trucks per day;
    - In 2009 approximately 15,000 tons of soil were removed from a dredged sediment disposal area at an average rate of 12 trucks per day;
    - In 2010 approximately 105,000 tons of soil were removed from the Mohawk Valley Oil Site at a rate of approximately 100 trucks per day.

    At the time of the ROD issuance the then current City administration raised concerns regarding the potential impacts to streets, traffic, etc. resulting from truck traffic in the area surrounding the site. No significant negative public comment was received during these projects.

- Availability of mobile low temperature thermal desorption vendors. In 1993 seven firms capable of operating a treatment unit on-site submitted proposals for a pilot scale project. In 2009 only three firms had the potential qualifications by National Grid to carry-out the treatment. Further concerns at the time of the ROD regarding the availability of sufficient off-site treatment capacity have not materialized.

4.2 Comparison of Changes with Original Remedy

This ESD provides for the option of off-site low temperature thermal desorption treatment and/or disposal of the remainder of the Harbor Point peninsula soil that must be removed per the ROD. The following comparison of this ESD to the original remedy is made with the assumption that all future soil will be treated off-site.

The Department gives preference to destruction technologies which render the contaminants innocuous. Therefore, the Department expects that National Grid will give preference to thermal desorption treatment, a destruction technology. The use of off-site disposal facilities, such as solid waste landfills, for contaminated soil and other materials must satisfy the regulatory requirements and the disposal facility's requirements.

- Scope: The volume and areal extent of contaminated soil to be removed are not altered by this ESD.

- Performance: The performance of the remedy is largely unaltered by this ESD. Both on-site and off-site treatment have short-term advantages and disadvantages which balance one means against the other. An on-site unit provides immediate backfill and is isolated from soil treatment market values but carries the burdens of soil blending and equipment maintenance. Additionally, an on-site unit avoids truck traffic but requires stack gas monitoring. There is no significant difference between the rate (tons treated per day) of on-site treatment versus off-site transport and treatment. However, because the setup and initial tuning of an on-site treatment unit are not required, the project length of the project using off-site treatment is reduced by at least three months.

- Cost: Currently, off-site treatment costs are comparable to an up-and-running on-site thermal desorption unit. However, the set-up and demobilization costs of an on-site unit are estimated to be about $500,000. Overtime costs associated with the 24-hour on-site operation are estimated to be about $300,000. While this cost savings is significant, it represents less than ten percent of the estimated total treatment cost.

- Protective of public health and the environment. Protection of public health and the environment is comparable for either on-or off-site treatment. The only difference brought forth with this ESD is the location of contaminated soil treatment. Therefore, the reduction in contaminant mobility and volume remain the same. The criteria for soil backfill also remain the same. Safeguards, such as the use of permitted haulers, specific truck routes and solid tarps, will be in place to minimize the potential for contaminant releases during transport.

5.0 SCHEDULE AND MORE INFORMATION

Plans for the removal and treatment of Harbor Point Site soil are scheduled to be finalized by October 2011. Construction is planned in 2012.

If you have questions or need additional information you may contact:

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