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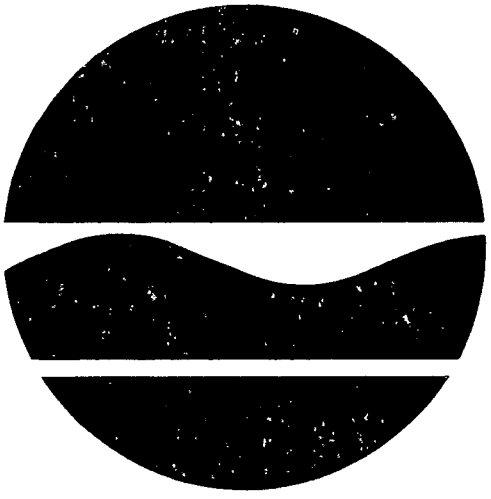
CP Plan

LEHIGH VALLEY RAILROAD DERAILMENT

Inactive Hazardous Waste Disposal Site

Town of LeRoy, New York, Genesee County
Site No. 8-19-014

CITIZEN PARTICIPATION PLAN
JANUARY 1996



Prepared by:
New York State Department of Environmental Conservation
Division of Hazardous Waste Remediation

New York State Department of Environmental Conservation

TRANSMITTAL MEMORANDUM

TO: DISTRIBUTION

FROM: David A. Crosby, P.E., Environmental Engineer, Remedial Section C DAC
Bureau of Western Remedial Action, Division of Hazardous Waste Remediation

DATE: May 23, 1996

RE: **Lehigh Valley Railroad Derailment, Site # 8-19-014, Genesee County**

Attached for your information, please find the following final documents related to the above referenced site:

- ☐ Work Plan:
- ☐ Health and Safety Plan:
- ☐ QA/QC Plan:
- ☒ Public Participation Plan:
- ☐ Fact Sheet:
- ☐ Remedial Investigation
- ☐ Feasibility Study
- ☐ Design Documents:
- ☐ Operation and Maintenance Reports:
- ☐ Response to Comments:
- ☐ Other: _____

_____

* *

If you have any questions or wish to discuss the project, please feel free to contact me at (518) 457-3373.

DISTRIBUTION:

David Napier, NYSDOH- Rochester
Mark VanValkenberg, NYSDOH-Albany
Richard Elliott , P.E., Monroe Co. DOH
James Craft, DEC, DHWR, R-8
Larry Enist, DHWR-BPM
Gardiner Cross, DHWR-BWRA
Ralph VanHouton, LCDOH
Bill Moon, GCDOH
Linda Vera, DEC, DHWR, R-8

Attachment

cc: J. White

TABLE OF CONTENTS

I. Introduction to Plan:

The New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) are committed to a citizen participation (CP) program as a part of their responsibilities for the inactive hazardous waste disposal site remedial program. Citizen participation promotes public understanding of the NYSDEC's responsibilities, planning activities, and remedial activities at inactive hazardous waste disposal sites. This plan provides an opportunity for NYSDEC and NYSDOH to exchange information with the public in order to develop a comprehensive remedial program which will be protective of both the human health and the environment.

This document provides the framework for Citizen Participation activities for the Lehigh Valley Railroad Derailment Site. This plan is designed to be consistent with New York State regulations 6 NYCRR Part 375 Inactive Hazardous Waste Disposal Site Remedial Program, May 1992 and the NYSDEC policy document New York State Inactive Hazardous Waste Site Citizen Participation Plan, August 30, 1988. This Citizen Participation Plan may be revised as a result of changes in the technical program or due to public interest. If you would like to be added to the contact list or for more information on the site, you may contact any of the project staff as listed in Section VI.

II. Site Background/ Preliminary Investigation Results:

The Lehigh Valley Railroad Derailment Site is located on Gulf Road in the Town of LeRoy, Genesee County (see Figure 1 & 2). The site is the location of a railroad derailment which occurred in December 1970. The accident broke open two railroad tank cars which released approximately 30,000 gallons of trichloroethene (TCE). As defined by soil testing, the site is an approximately 1.5 acre area of TCE contaminated surface and subsurface soils. The bedrock below the site is a highly fractured limestone. Because of the porus nature of the bedrock unit the spilled TCE has created a groundwater plume which extends over 3 square miles. The site is located in a predominantly rural/ residential area. The groundwater, which is heavily contaminated, is the only source of drinking water for homes in this area.

The NYSDEC and NYSDOH have conducted sampling at the Lehigh Valley Railroad Derailment Site since 1990. Analysis included site groundwater, soil, surface water and private wells. A partial list of the sample results are listed below.

Table 1
Maximum Trichloroethene Concentrations - Various Media
From the Remedial Investigation

Media	Concentration parts per billion (ppb)	NYSDEC Standards (S) or Guidance (G) parts per billion (ppb)
Groundwater	58,000	5 (S) *
Surface Water	630	0.6 (S)
Soil	300,000	1,750 (G)

* Groundwater and Surface Water values taken from NYSDEC Ambient Water Quality Standards and Guidance Values October 1993.

** Soil guidance value taken from NYSDEC DHWR Technical and Administrative Guidance Memorandum, # 4046 "Determination of Soil Clean Up Levels", January 1994.

Acting on this information, the United States Environmental Protection Agency in 1991 installed carbon treatment systems on private wells which had been impacted by site derived contamination. Presently the NYSDEC and NYSDOH maintain the carbon filters and sample impacted residences on a regular basis.

In addition, in the fall of 1991 the Leigh Valley Railroad Derailment Site was listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites as a class 2 site. A class 2 designation indicates that the site poses a significant threat to the public health or the environment and remedial action is required. In 1992, the NYSDEC started a state funded remedial investigation/ feasibility study (RI/FS). The purpose of the RI/FS is to first, characterize the nature and extent of site derived contamination and second, to select a cost effective clean-up strategy which is protective of human health and the environment.

Due to the site's complex nature, the RI/FS was divided into two operable units. An operable unit is a distinct aspect of a site remedial program which can be handled separately. One operable unit for the Leigh Valley Site addresses the contaminated soils above the bedrock and the second unit addresses the groundwater problem. Additional site background information is present on the attached Inactive Hazardous Waste Disposal Report. Additional information regarding the RI/FS is presented on the attached Fact Sheet (see Appendix A).

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF HAZARDOUS WASTE REMEDIATION 4/1/95
INACTIVE HAZARDOUS WASTE DISPOSAL REPORT

CLASSIFICATION CODE: 2 REGION: 8 SITE CODE: 819014
EPA ID:

NAME OF SITE : Lehigh Valley Railroad Derailment
STREET ADDRESS: Gulf Road and Lehigh Valley Railroad Crossing

TOWN/CITY:	COUNTY:	ZIP:
LeRoy	Genesee	14482

SITE TYPE: Open Dump- Structure- Lagoon- Landfill- Treatment Pond-
ESTIMATED SIZE: 1 Acres

SITE OWNER/OPERATOR INFORMATION:
CURRENT OWNER NAME....: ** Multi - Owner Site **
CURRENT OWNER ADDRESS.: * * * * *
OWNER(S) DURING USE...: Lehigh Valley R.R. (presently CONRAIL)
OPERATOR DURING USE...: Lehigh Valley R.R. (CONRAIL)
OPERATOR ADDRESS.....: 360 Dingen Street, Buffalo, N.Y.
PERIOD ASSOCIATED WITH HAZARDOUS WASTE: From 12/6/70 To 12/6/70

SITE DESCRIPTION:
Latitude: 42 59'30"N Longitude: 77 55'38"W
Mostly flat topography: Rural, light residential, nearest house 400 ft. away
Nearest surface water: Oatka Creek; less than 250 feet away

On December 6, 1970 a train derailed on a section of track in the Town of LeRoy, eastern Genesee County. The derailment occurred about two miles east of the Village of LeRoy, just south of Gulf Road and in very close proximity to a tributary of Oatka Creek. The derailment resulted in the spill of approximately 30,000 gallons of trichloroethene (TCE) and an unknown quantity of cyanide. After the accident a clean-up operation was conducted. Most of the cyanide was recovered, however, the area where the TCE spilled was flushed with approximately one million gallons of water. Most of the TCE seeped rapidly into the fractured limestone bedrock which lies close to the ground surface in this area. The TCE moved quickly through the fractured bedrock and contaminated the groundwater. Within one month, private wells near the spill became contaminated. As a remedial measure the Railroad company funded the installation of carbon filters on the drinking water systems of affected houses. The contaminant plume is continuing to move and subsequent groundwater sampling has shown that private and public drinking water supplies in neighboring Livingston and Monroe Counties have been affected. The plume has extended over three miles and has impacted more than 30 private wells. Carbon filters for the waterlines of each affected house have been provided. A State Superfund RI/FS is currently underway. Monitoring well installation has been completed, and the wells are being sampled. A large area of contaminated soil has been located near the original spill area.

HAZARDOUS WASTE DISPOSED:

TYPE	QUANTITY (units)
Trichloroethylene (TCE)	30,000 gallons
Cyanide	(Material recovered)

SITE CODE: 819014

ANALYTICAL DATA AVAILABLE:
Air-X Surface Water-X Groundwater-X Soil-X Sediment-X

CONTRAVENTION OF STANDARDS:
Groundwater-X Drinking Water-X Surface Water-X Air-

LEGAL ACTION:

TYPE..: Consent Order State- X Federal-
STATUS: Negotiation in Progress- Order Signed-

REMEDIAL ACTION:

Proposed- Under design- In Progress-X Completed-
NATURE OF ACTION: RI-FS

GEOTECHNICAL INFORMATION:
SOIL TYPE: Thin soil/Onondaga limestone/Highly fractured bedrock
GROUNDWATER DEPTH: Approx. 20-30 feet, easterly flow

ASSESSMENT OF ENVIRONMENTAL PROBLEMS:

30,000 gal. of TCE spilled onto highly fractured and karstic limestone. This, coupled with a nearby quarry dewatering operation, & the flushing of the spill w/ 1 million gal. of water, likely resulted in complex flow paths of dissolved and non-aqueous phase contaminants. The dissolved plume appears to have migrated east at least 3.5 miles from the source.

ASSESSMENT OF HEALTH PROBLEMS:

Thirty-eight wells have been found with TCE contamination above the NYS drinking water standard. All of these supplies have had a granular activated carbon filter system filter system installed. At ten other supplies TCE has been detected below the MCL. These supplies and additional supplies in the area have been sampled on a quarterly basis to monitor the contamination. To assist in evaluating the exposure which has occurred at the site, a health survey questionnaire was sent to residential locations where a water sample had been collected. The results of this survey did not find any statistically significant differences between those exposed to contaminated drinking water and the unexposed group. The remediation of the site must address not only a long term remedy for the wells currently contaminated but must also address current wells which become contaminated in the future and new wells which are installed in the contaminant plume.

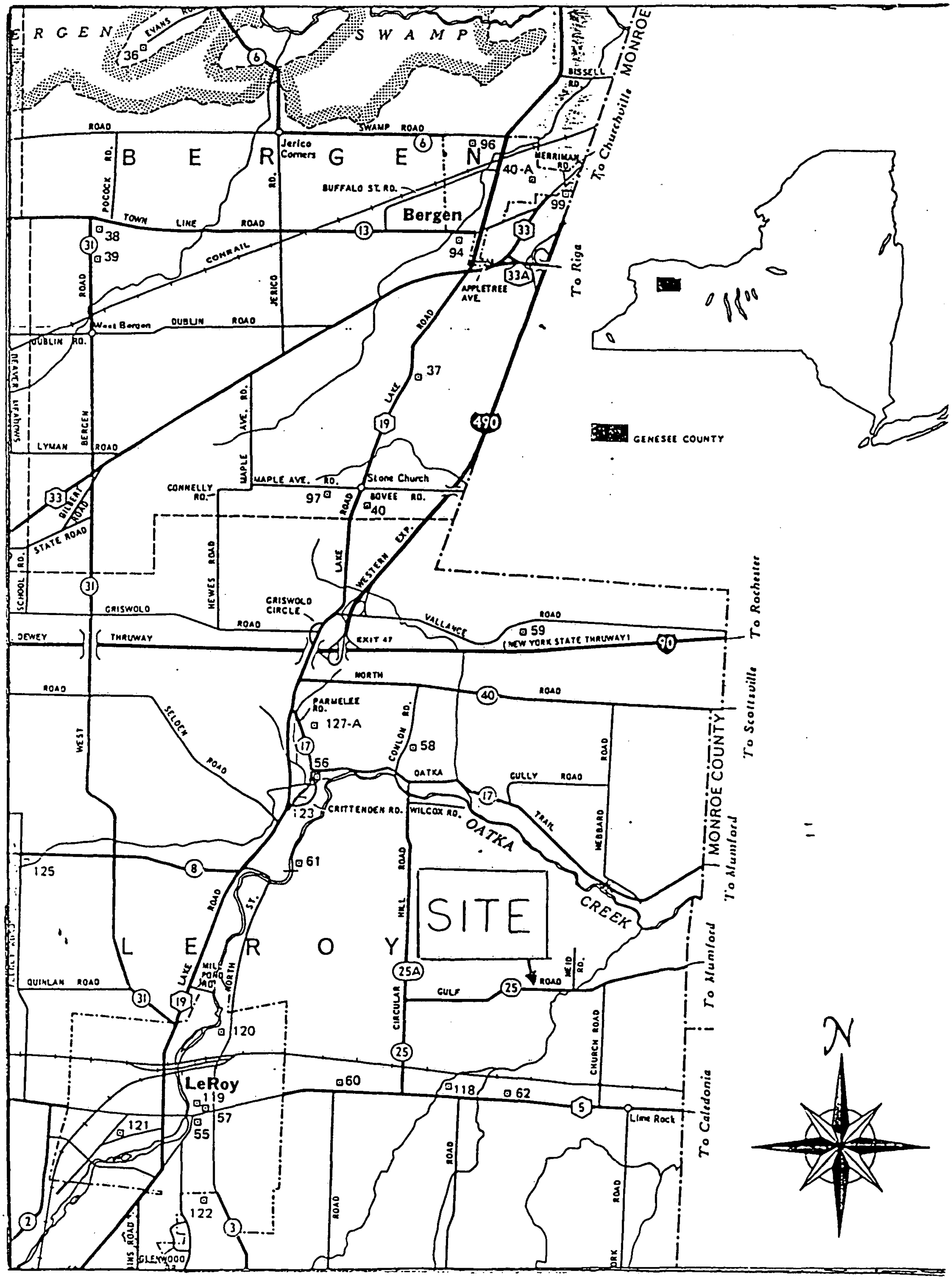
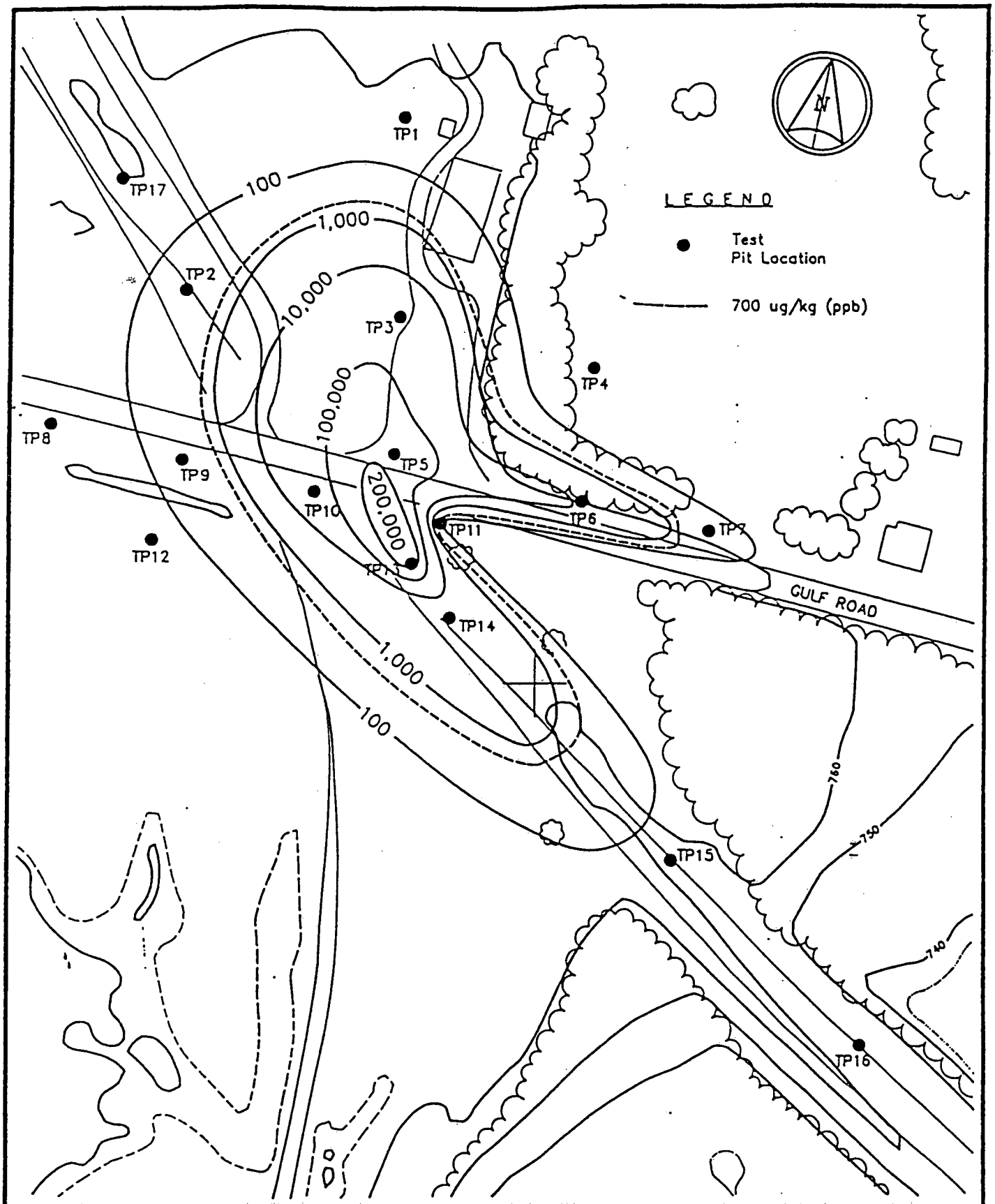

BERGEN SWAMP
BERGEN
Bergen
Jerico Corners
West Bergen
Stone Church
LEROY
LeRoy
SITE
OATKA CREEK
GENESEE COUNTY
MONROE COUNTY
MONROE
To Churchville
To Riga
To Rochester
To Scottsville
To Mumford
To Caledonia
Lime Rock
GLENWOOD
TOWN LINE ROAD
DUBLIN ROAD
BUFFALO ST. RD.
SWAMP ROAD
CONRAIL
APPLETREE AVE.
MERRIMAN RD.
BISSELL RD.
MAPLE AVE. RD.
CONNELLY RD.
BOVEE RD.
WESTERN EXP.
GRISWOLD CIRCLE
GRISWOLD ROAD
VALLANCE ROAD
EXIT 47
DEWEY THRUWAY
NEW YORK STATE THRUWAY
NORTH ROAD
PARMELEE RD.
SELDEN ROAD
CONLON RD.
OATKA TRAIL
CULLY ROAD
HEBBARD ROAD
CRITTENDEN RD.
WILCOX RD.
CIRCULAR HILL ROAD
GULF ROAD
HEID RD.
QUINLAN ROAD
MILL POND RD.
CHURCH ROAD
LYMAN ROAD
STATE ROAD
SCHOOL RD.
GILBERT ROAD
HEWES ROAD
POCOCK RD.
LAKE ROAD
N

FIGURE 1



DUNN GEOSCIENCE ENGINEERING CO., P.C.
12 Metro Park Road
Albany, NY 12205

TCE CONCENTRATION CONTOURS
(TEST PIT SOILS)

LEHIGH VALLEY RR DERAILMENT SITE

PROJECT NO. 00296-02379	DATE 11/92	DWG. NO. A9181_3	SCALE 1"=100'	FIGURE NO. 2

New York State Department of Environmental Conservation

Completed/Updated	
List/Reclass	__/__/__
Delist	__/__/__
IRM(T-Crit)	__/__/__
IRM(NT-Crit)	__/__/__
RI/FS	__/__/__
Des/Const	__/__/__
O&M	__/__/__

Division of Hazardous Waste Remediation
Site Citizen Participation Program

III. Site Program Profile

Site Name: Lehigh Valley Railroad Derailment, Operable Unit #1 (Groundwater) and Operable Unit #2 (Surface Soils).

Site I.D.: 8-19-014 Region: 8 County: Genesee

Investigation/Remediation Activities

1. List Highlights of Site Investigation That Were Performed (Summarize W/ General Time frames):
RI field activities were completed in 1993 & 1994 and included:

- Soil gas/shallow groundwater survey - Surface/subsurface soil sampling
- Groundwater sampling - Private well survey and sampling of selected private wells
- Carbon filters provided to impacted residents
- Fish and wildlife impact analysis and qualitative risk assessment were also completed

2. List Highlights of Site Remediation That Will Be Performed (Summarize W/ General Time frames):

The First Phase of the Feasibility Study to address the surface soils will be completed by December 1995.
Specific potential remedial actions and schedule have not been determined.
The Feasibility Study for the groundwater and surface soils operable unit will be completed in 1996.

New York State Department of Environmental Conservation

Completed/Updated	
List/Reclass	__/__/__
Delist	__/__/__
IRM(T-Crit)	__/__/__
IRM(NT-Crit)	__/__/__
RI/FS	__/__/__
Des/Const	__/__/__
O&M	__/__/__

Division of Hazardous Waste Remediation
Site Citizen Participation Program

IV. Community Profile

Site Name: Lehigh Valley Railroad Derailment

Site I.D.: 8-19-014 Region: 8 County: Genesee

Community Information

1. Land Use/Zoning Around Site: ☒ Residential; ☒ Agricultural; ☒ Recreational; ☐ Commercial; ☒ Industrial
2. Residential Type Around Site: ☐ Urban; ☐ Suburban; ☒ Rural
3. Population Density Around Site: ☐ High; ☐ Medium; ☒ Low
4. Community Economic Status: ☐ High; ☒ Medium; ☐ Low
5. Water Supply of Nearby Residences: ☐ Public; ☒ Private Wells; ☐ Mixed
6. Special Considerations: ☐ Language; ☐ Age; ☐ Transportation; ☐ Other _____

Interested Public

1. What Members of the Community Are Interested In, or Likely To Be Interested In, the Site, Its Investigation and/or Cleanup? (Check All That Apply):

☒ Adjacent Residents ☒ Local Officials ☐ Media

☒ Business Interests ☐ Native American Nation

☐ Citizens Group(s) (Identify): _____

☒ Environmental Group(s) (Identify): Genesee Conservation Foundation

☐ Civic Group(s) (Identify): _____

☒ Recreational Group(s) (Identify): Northwoods Sportsman's Club & Otaka Fish and Game Club

☒ Other: Regional Sand and Gravel Operations

_____

New York State Department of Environmental Conservation

Division of Hazardous Waste Remediation
Site Citizen Participation Program

V. Site Issues and Information Scoping Sheet

Site Remedial Investigation, Feasibility Study and Record of Decision

Site Name: Lehigh Valley Railroad Derailment

Site I.D.: 8-19-014 Region: 8 County: Genesee

1. List Major Issues of Interest to the Community and Information the Community Wants. Where Appropriate, Identify Individuals, Organizations or Units of Government Related to the Issue or Information. (Refer to **Interested Public** in site's **Community Profile**):

- Is the site impacting health of adjacent residents? Is the site affecting property values?
- What is the DEC going to do with the site and will the public be involved in the decision?
- What is the extent of the site contamination?

How Were These Issues and Information Identified? The Department held public informational meetings to identify potential issues of interest to the public.

2. List Information Project Staff Need From the Community. Where Appropriate, Identify Individuals, Organizations or Units of Government Related to the Issue or Information. (Refer to **Interested Public** in site's **Community Profile**):

- Location of planned residential development
- Historical records regarding the spill incident

How Was This Information Identified? The Department identified information needed from the community.

3. List Major Issues and Information Project Staff Need to Communicate to the Community. Where Appropriate, Identify Individuals, Organizations or Units of Government Related to the Issue or Information. (Refer to **Interested Public** in site's **Community Profile**):

- Desire for Department to include public input into the site remedial selection
- Site impact on adjacent residents
- Results of investigation and proposed remedial action plan

How Were These Issues and Information Identified? Department identified potential issues

VI. Department Contact List

The list below identifies names, addresses and phone numbers of contact people within the NYSDEC and the NYSDOH who can answer questions and address public concerns about the site.

Gardener Cross, Project Manager - Groundwater Operable Unit
NYSDEC, Division of Hazardous Waste Remediation
50 Wolf Road, Albany New York 12233-7010
(518) 457-3373

David Crosby, P.E., Project Manager - Soil Operable Unit
NYSDEC, Division of Hazardous Waste Remediation
50 Wolf Road, Albany New York 12233-7010
(518) 457-3373

James Craft, Engineering Geologist or,
Linda Vera, Citizen Participation Specialist
NYSDEC Region 8 Headquarters
6274 East Avon-Lima Road
Avon, New York 14414-9519
(716) 226-2466

You may also contact the NYSDEC, toll free, by dialing 1 (800) 342-9296

Please leave your name, phone number and a message. A Department representative will return your call.

Health Related Questions:

David Napper, Regional Toxic Coordinator
New York State Department of Health
Bevier Building, 42 South Washington
Rochester, New York 14608
(716) 423-8071

Anita Gabalski, Health Liaison Program
2 University Place
Albany New York 12203
(518) 458-6402

You may also contact the NYSDOH toll free, by dialing 1 (800) 458-1158 ext 402

VII. Document Repositories

Leigh Valley Railroad Derailment site related documents are available for public review at the document repositories set up at the following locations:

Caledonia Library
3108 Main Street
Caledonia, New York 14423
(716) 538-4512
Contact: Ms. Kathey Hartness

LeRoy Library
Wolcott Street
LeRoy, New York 14482
(716) 768-8300
Contact: Mr. Jerry Halligan

NYSDEC Region 8 Headquarters
6274 East Avon-Lima Road
Avon, New York 14414
(716) 226-2466
Contact: Linda Vera, Citizen Participation Specialist

Hours of operation:
9:00 am - 4:00 pm
Please call for an appointment.

Documents available (as of May, 1996):

- RI/FS Work Plan
- Spill Site Soil Investigation Report (part of Phase 1 RI, Soil Operable Unit)
- Remedial Investigation
- First Phase Feasibility Study, Soil Operable Unit
- Citizen Participation Plan
- Informational Fact Sheets

Additional site-specific documents (reports and fact sheets) will be forwarded to each of the document repositories as the remedial investigation/ feasibility study continues and more information becomes available.

New York State Department of Environmental Conservation

Division of Hazardous Waste Remediation
Site Citizen Participation Program

VIII. Citizen Participation Record

Site Remedial Investigation, Feasibility Study and Record of Decision

Site Name: Lehigh Valley Railroad Derailment, Operable Unit #1 (Groundwater), Operable Unit #2 (Surface Soils)

Site I.D.: 8-19-014 Region: 8 County: Genesee

1. Listed Below Are the CP Activities Required By Part 375 to Be Performed During a Site's Remedial Investigation, Feasibility Study and Record of Decision. Check Off the Activities When Completed and Fill in Appropriate Dates:

Site Citizen Participation Requirements

CP Requirement	Stage of Remediation	Part 375 Reference	Completed/Date
Citizen Participation Plan	Before Start of RI/FS	375-1.5(b)(1)	☒ 02/01/96
Public Contact List (Residents, Government Representatives, Media, Civic and Environmental Groups, Business Interests, etc.)	Before Start of RI/FS	375-1.5(b)(2)	☒ 12/01/91
Document Repositories (Regional DEC Office and Near the Site)	Before Start of RI/FS	375-1.5(b)(3)	☒ 12/15/91
Mailing to Contact List Describing Proposed Site Investigation	At Start of RI	375-1.5(b)(4)	☒ 12/15/91
Mailing to Contact List Describing Proposed Remedial Action Plan (PRAP) and Notice of Comment Period 30-Day Comment Period for PRAP for both Operable Unit #1 (Groundwater) & Operable Unit #2, (Surface soils)	At End of FS/ Completion of PRAP	375-1.5(c)(1)	☐ 07/10/96*
Public Meeting to Discuss PRAP and gather Public Comments both at the end of FS and Completion of PRAP for both Operable Unit #1 (Groundwater) and Operable Unit #2 (Surface Soils)	At End of FS/ Completion of PRAP	375-1.5(c)(2)	☐ 07/30/96*
Mailing to Contact List Describing the Selected Remedy and Providing Response to Significant Comments, Operable Unit #1 (Groundwater).	During/After Completion of ROD	375-1.5(c)(3)	☐ 08/15/96*

* Anticipated date. Subject to change.

Citizen Participation Record -- Site Remedial Investigation, Feasibility Study and Record of Decision (Continued)

2. Stop! Based On Knowledge of the Site and Community (Review the Site's Profile Sheets) and Analysis of Issues and Information to Be Exchanged (Complete the Site Issues and Information Scoping Sheet), Should CP Activities Beyond Those Required Above Be Conducted? ☐ Yes; ☐ No

Why or Why Not? Brief local zoning and planning officials on the implications of the remedial action for future residential development

3. If Answer To #2 Is "Yes" and There Are Sufficient Staff, Resources and Time, List Below the Additional CP Activity(ies) to Be Conducted. Check Off the Activity(ies) When Completed and Fill in Appropriate Date(s):

Additional Site Citizen Participation Activity(ies) for Remedial Investigation, Feasibility Study and Record of Decision

CP Activity	Stage of Remediation	Completed/Date
• Placed in Doc. Repository	RI/FS work plan	☒ 05/15/92
• Placed in Doc. Repository	RI Report (Spill Site Soils)	☒ 12/01/93
• Place in Doc Repository	FS Report, Operable Unit #1 (Groundwater) and Operable Unit #2 (Surface Soils) at end of FS	☐ 07/01/96 *
• Placed in Doc. Repository	PRAP for Operable Unit #1 (Groundwater) and Operable Unit # 2 (Surface Soils) at end of RI/FS	☐ 07/10/96 *

* Anticipated date. Subject to change.

Additional public meetings or availability sessions may be conducted, based upon the level of public interest in the site.

Reviewed By:

Citizen Participation Specialist (Signature) Date

Approved By:

David A. Crosby 5/6/96

Project Manager (Signature) Date

APPENDIX A

FACT SHEETS

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233-7010

Langdon Marsh
Commissioner

September 27, 1994

FACT SHEET
LEHIGH VALLEY DERAILMENT
INACTIVE HAZARDOUS WASTE SITE

The New York State Department of Environmental Conservation (NYSDEC) and New York State Department of Health are providing this fact sheet to update you on the remedial activities at the Lehigh Valley Railroad Derailment site. The NYSDEC is announcing the release, for public review, of the first phase of the Feasibility Study (FS) for remediation of the spill site soils. The Feasibility Study Report describes the process NYSDEC is using to select a remedy to address the spill site soil contamination which resulted from the train derailment at the railroad crossing with Gulf Road. The FS report is located in the site's document repositories which are listed on the attachment to this fact sheet.

BACKGROUND:

On December 6, 1970, a portion of an eastbound 114-car freight train operated by the Lehigh Valley Railroad derailed in the Town of LeRoy, Genesee County at the intersection of Gulf Road (see figure #1). Two tank cars containing trichloroethene (TCE), a common industrial solvent, ruptured and spilled their contents onto the ground. It is estimated that roughly 30,000 gallons of TCE were spilled. Initial cleanup activities were conducted in 1971; however, the full extent of the contamination was discovered when further studies were conducted in early 1990.

In the fall of 1991 the NYSDEC listed the site on the Registry of Inactive Hazardous Waste Disposal Sites as a class 2 and determined the need for a Remedial Investigation/Feasibility Study (RI/FS). A class 2 category indicates that the site poses a threat to the environment and/or public health. The Remedial Investigation, which was initiated in early

caused by the TCE spill. The investigation was done in two parts. The first part evaluated the downgradient groundwater contamination and the second part characterized the residual soil contamination at the spill site. The groundwater investigation is continuing independently and a report is scheduled for release by November, 1994. The Spill Site Soil Investigation Report was released in draft form in April 1993 and is available in the document repositories listed below.

SITE SOILS CHARACTERIZATION:

In June and December, 1992, the NYSDEC performed chemical analysis of the subsurface soils at the former derailment site. Test results indicated significant levels of residual TCE in the spill site soils. Table 1 presents a summary of the analytical results.

TABLE 1
SUMMARY OF SOIL ANALYTICAL RESULTS
LEHIGH VALLEY DERAILMENT SITE
(all results in ppm)

Contaminant	Contaminant Range	Frequency	Contaminant Average	Clean up Objectives
Trichloroethene	1.3 - 2300	22 / 22	61.6	0.5
1,2-DCE (total)	ND - 2.1	5 / 22	0.5	0.2
Mercury	0.1 - 30.4	4 / 4	7.9	0.3

ppm - parts per million
Frequency: Number of detections / Number of samples
DCE - dichloroethane
ND - not detected
Source: Draft Spill Site Soil Investigation Report, April 1993

As noted in Table 1, site soil concentrations exceed recommended clean up objectives. The objectives are based on protection of public health and the environment. Based on this information, the NYSDEC determined that the contaminated surface and subsurface soils are acting as an ongoing source of groundwater contamination and that remediation of the soil is required.

FEASIBILITY STUDY:

The next phase of the Spill Site Soils project is the Feasibility Study (FS). The purpose of the FS is to first select a potential waste management option which is protective of public health and the environment.

The attached fact sheet provides general information regarding the scope of the FS.

At the present time, it appears there is a significant amount of contaminated soil beneath the site which will require remediation. Though the FS is only in its early stages, it appears that excavation and treatment of contaminated soil may be necessary. The NYSDEC is considering on-site treatment to reduce the soil contamination to a low residual level to prevent further contamination of groundwater. Due to the extreme cost of off-site disposal, it is very possible that the treated residual may be placed back in the excavation in a manner which will present no future risk of environmental impact.

These are only preliminary findings. As the FS process continues, the details of the preferred remedy will become more apparent. The NYSDEC welcomes your input during this process and invites you to follow the progress of the FS. The NYSDEC will place all FS documents in the local document repositories which are located in the Towns of LeRoy, Caledona and Avon. Further, the NYSDEC will update you this fall with the findings of the detailed engineering analysis of the spill site soils via mailings such as this fact sheet. When the State has selected its preferred remedial alternative plan to clean up site soils, an informational public meeting will be held during a 30-day public comment period to describe the plan and solicit your input. This public meeting is expected to take place in January 1995. More information on this meeting will be forthcoming.

If you have any comments, feel free to contact the Department either by the attached mailer or utilizing the phone numbers listed on the attached contact list. The Department will respond to all of your concerns and your comments can affect the selection of the preferred remedial action plan.

A:lvfactsh.dac

Further information about the project including the Spill Site Soils Investigation Report, the preliminary screening of the FS, and fact sheets which describe the Lehigh Valley Derailment remedial program, are available at the document repositories the Department has established at the following locations:

NYSDEC-Region 8, 6274 East Avon-Lima Road, Avon, New York 14414
Telephone # (716) 226-2466, Hours: 8:30-4:00, Contact: Linda Vera, by appointment only.

Ms. Kathy Hartness, Director
Caledonia Library
3108 Main Street
Caledonia, New York 14423
(716) 538-4512
Mon - 2-5:30, 7-9 p.m.
Tues - 10-1, 2-5 p.m.
Wed - Closed
Thurs - 2-5:30, 7-9 p.m.
Fri - 2-5:30
Sat - 10 a.m. - 2 p.m.

Mr. Jerry Halligan, Director
LeRoy Library
Wolcott Street
LeRoy, New York 14482
(716) 768-8300
Summer Hours:
Mon - Fri - Noon - 5 p.m.
Mon, Wed, Fri - 7 - 9 p.m.
Sat - 10 a.m. - 4 p.m.
Sun Closed

Comments or further question about the Spill Site Soil FS project should be directed to:

David A. Crosby, Project Engineer
Div. of Hazardous Waste Remediation
NYSDEC-Albany, 50 Wolf Road
Albany, New York 12233- 7010
(518) 457-3373

Questions regarding the groundwater investigation should be directed to:

Gardiner Cross, Project Manager
Div. of Hazardous Waste Remediation
NYSDEC - Albany, 50 Wolf Road
Albany, NY 12233-7010
(518) 457-3373

NYSDEC project staff may also be reached at 1-800-342-9296; you may leave a message and a NYSDEC staff person will return your call.

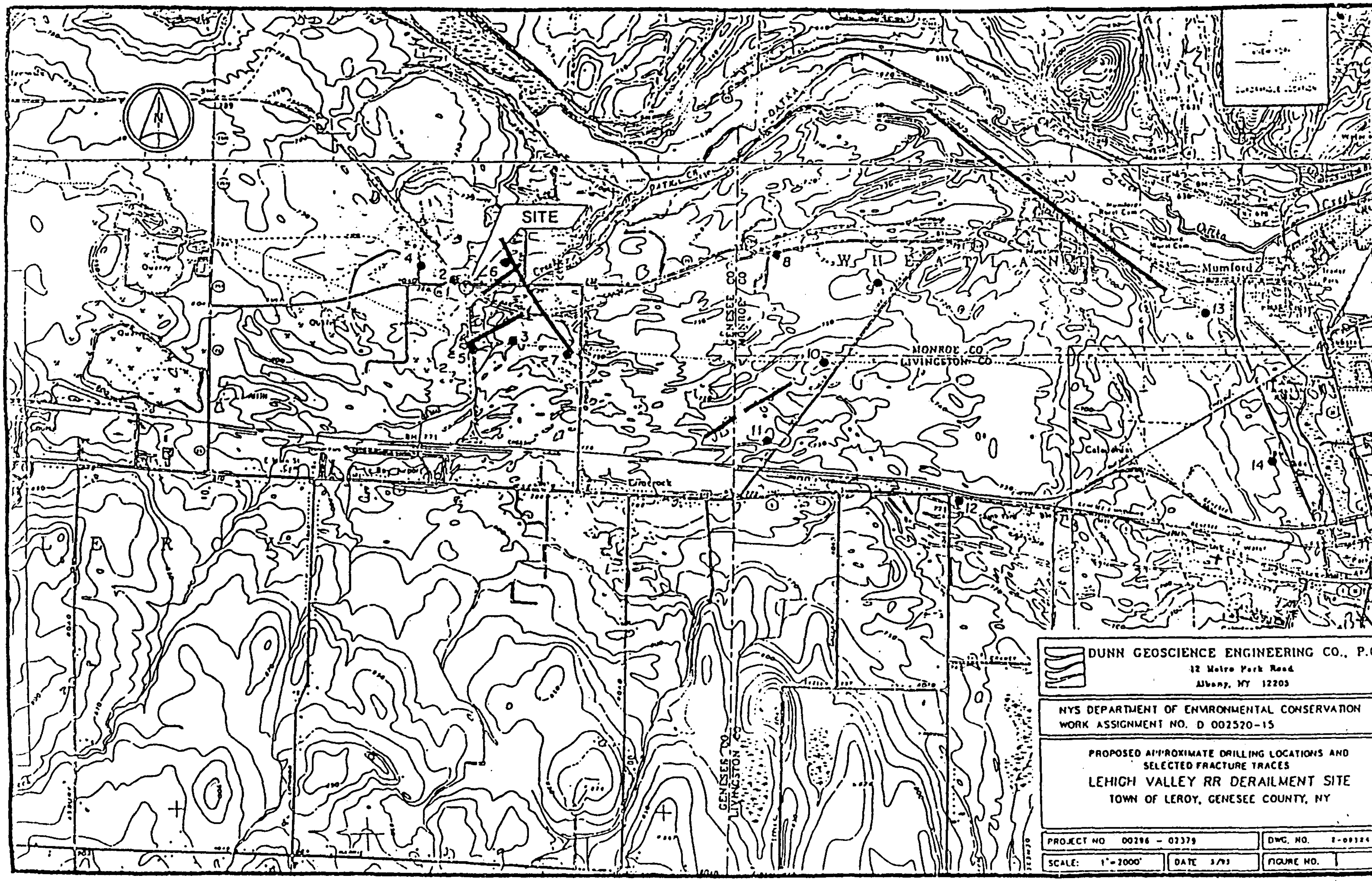
The New York State Health Department also has a toll-free number at 1-800-458-1158, extension 402.

Health related questions can be addressed to:

David Napier
Regional Toxics Coordinator
NYSDOH-Rochester
42 S. Washington St.
Rochester, New York 14608
(716) 423-8071

or

Meaghen Boice-Green
NYSDOH - HELP
2 University Place
Albany, NY 12203
1-800-458-1158
Ext. 402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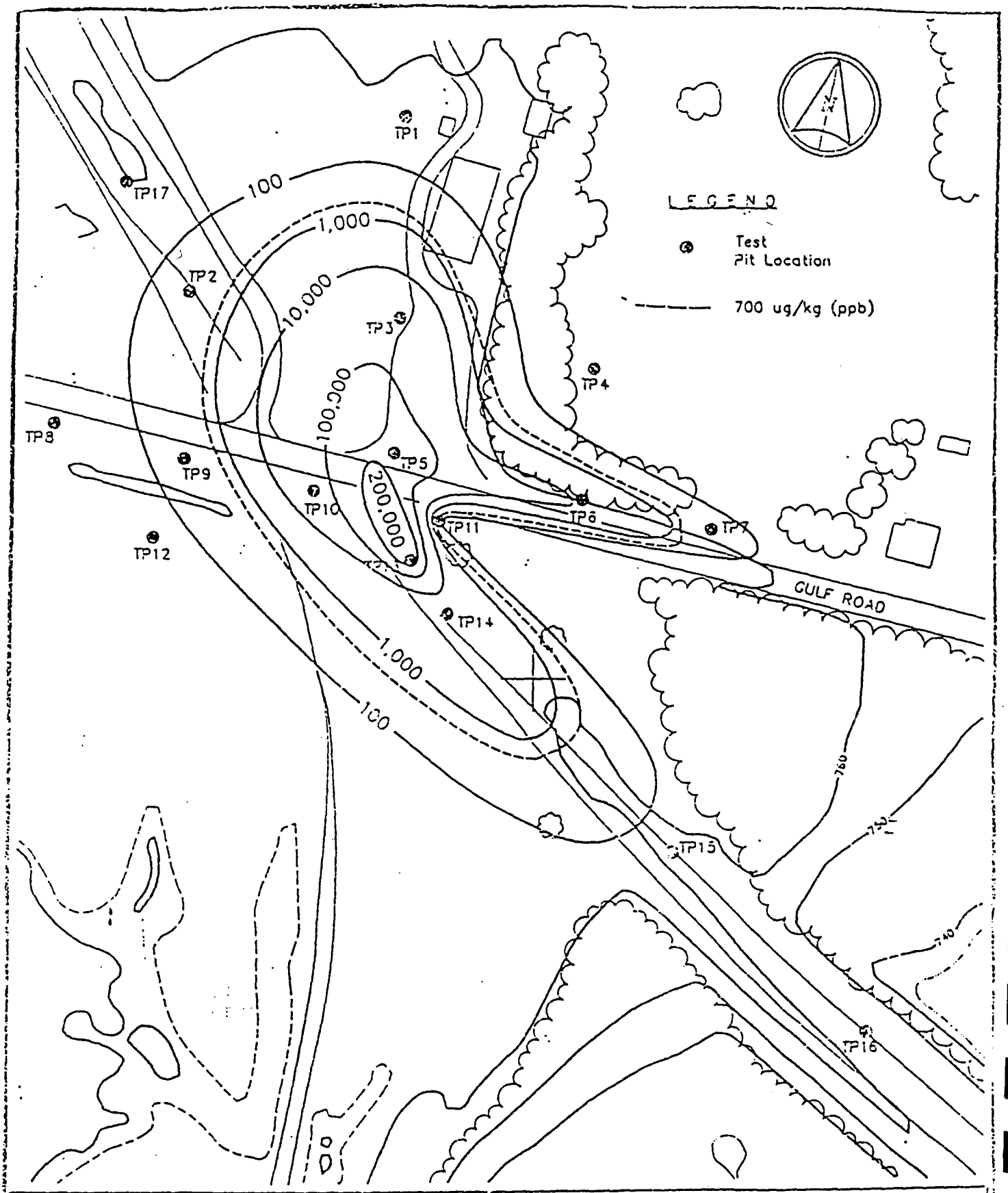
W H E A T L A N D
Mumford
MONROE CO.
LIVINGSTON CO.
GENESEE CO.
LIVINGSTON CO.
Caledonia
Limerock
DUNN GEOSCIENCE ENGINEERING CO., P.C.
12 Metro Park Road
Albany, NY 12205
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WORK ASSIGNMENT NO. D 002520-15
PROPOSED APPROXIMATE DRILLING LOCATIONS AND
SELECTED FRACTURE TRACES
LEHIGH VALLEY RR DERAILMENT SITE
TOWN OF LEROY, GENESEE COUNTY, NY
PROJECT NO
SCALE: 1"=2000'
DWG. NO.
DATE
FIGURE NO.



DUNN GEOSCIENCE ENGINEERING CO., P.C.
12 Metro Park Road
Albany, NY 12205

TCE CONCENTRATION CONTOURS
(TEST PIT SOILS)

LEHIGH VALLEY RR DERAILMENT SITE

PROJECT NO.	DATE	DWG. NO.	SCALE	FIGURE NO.
00206-02379	11/92	A9181-3	1"=100'	2

DEC Mailer

Please feel free to use this mailer for any of the following purposes:

____ 1. You would like to be placed on our Lehigh Valley Railroad Derailment mailing list.

_____ 2. You would like to include the name and address of someone you know who may be interested in receiving future fact sheets.

_____ 3. You would like to be taken off our Lehigh Valley Derailment mailing list.

_____ 4. You would like to provide us with a change of name or address.

_____ FOLD _____

Please complete the form as indicated below, fold and mail directly to the NYSDEC.

Add the following name(s):

_____ _____

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Delete the following name(s):

_____ _____

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_____ _____

Make the following changes:

(Old) _____ (New)_____

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_____ _____

_____ FOLD _____

Comments or Concerns:

FOLD

Place stamp Here

New York State Department of Environmental Conservation
Attention: David Crosby
Project Engineer - Lehigh Valley Derailment
Division of Hazardous Waste Remediation
50 Wolf Road
Albany, NY 12233-7010

FOLD

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

JUL 15 1993

Thomas C. Jorling
Commissioner

FACT SHEET #3

LEHIGH VALLEY DERAILMENT
INACTIVE HAZARDOUS WASTE SITE

SITE NO. 8-19-014

TOWN OF LEROY, GENESEE COUNTY

The New York State Department of Environmental Conservation (NYSDEC) is issuing this fact sheet as part of its ongoing Citizen Participation Program for the Lehigh Valley Derailment Inactive Hazardous Waste Site in Leroy, NY. New York State encourages public involvement in the remediation of hazardous waste sites and invites comments or questions. The third and final phase of the Remedial Investigation, consisting of the installation of approximately 52 monitoring wells, is slated to begin in mid-July, 1993.

Site Background

On December 6, 1970, an eastbound Lehigh Valley Railroad freight train derailed and overturned at the point where this railroad crossed Gulf Road in the town of Leroy. The location of the derailment is shown on the map (Figure 1) attached to this document. Two tank cars containing trichloroethylene (a common industrial cleaning solvent, also known as TCE) were ruptured during the derailment. All of the TCE from both cars, totalling some 30,000 gallons, spilled from the tank cars onto the ground.

Within a few weeks of the spill, strong TCE odors were noted in the basement of the Knickerbocker Hotel, the nearest building to the spill site. Other residents farther away from the spill site noticed TCE odors in their well water. Responding to complaints from these neighbors, the Lehigh Valley Railroad installed carbon filtration systems in the affected homes to remove the TCE and flushed the soils near the Knickerbocker Hotel with water over a period of several months. No attempt was made to recover the TCE beneath the ground surface or to determine how far it would eventually migrate.

Nearly twenty years later, in 1989, routine sampling of a well over one mile east of the site detected high levels of TCE. When neighboring wells were sampled to determine the extent of the problem, it became evident that the Lehigh Valley Spill site had contaminated groundwater over a wide area. This contamination zone (often referred to as a contaminant plume or TCE plume) extends eastward and southeastward from the site of the derailment to the Village of Caledonia, a distance of some three and one-half miles. The TCE level in thirty-seven wells in this zone was found to exceed the Maximum Contaminant Level (MCL) of 5 parts per billion (ppb). TCE has been detected

in eleven wells at levels below the MCL, and there are wells in the zone where TCE has not been detected. NYSDOH in cooperation with the county health departments has been conducting quarterly monitoring of wells in the area.

All wells with TCE levels at or above 5 ppb have been equipped with carbon filtration units by the United States Environmental Protection Agency (USEPA). Responsibility for operation and maintenance (O&M) of these filters was recently transferred to the NYSDEC.

Investigation and Remediation Process

Previous fact sheets have described the process which NYSDEC uses to determine the proper course of action at inactive hazardous waste disposal sites. Briefly, the first step is to complete a study called a Remedial Investigation/Feasibility Study, or RI/FS for short. The purpose of the RI is to determine the full extent of the contamination. Following this, the FS identifies remedial alternatives and recommends the alternative which best protects human health and the environment.

Due to the lack of basic information concerning this site and the extremely large area impacted (over five square miles), the NYSDEC chose to split the RI into three phases. The first two phases are now nearly complete and the third is set to begin shortly.

Current Status

Two major environmental problems have been identified as of July, 1993. First, the groundwater contamination resulting from the spill has spread eastward and southeastward from the spill site toward the Village of Caledonia. Second, a large mass (approximately 16,000 cubic yards) of highly contaminated soil has been identified in the immediate vicinity of the spill. The presence of this large volume of contaminated soil is somewhat surprising. Trichloroethylene is quite volatile, and the soil cover near the spill site is very thin, so it had been anticipated that most of the TCE in the soil would have volatilized in the twenty two year period since the spill took place. Further study will be required to determine how best to remove and treat this soil.

It is also very likely that a large volume of undissolved, liquid TCE remains below the surface of the ground in the immediate area surrounding the spill site. This TCE has probably spread out into joints and cracks in the bedrock. Chemicals such as TCE, which dissolve poorly in water, are commonly referred to as Non-Aqueous Phase Liquids (NAPL's for short). These chemicals dissolve very slowly in water, and thus can continue to contaminate groundwater for very long periods of time. Remediation of NAPL contamination in fractured bedrock is often extremely difficult.

Future Activities

The third phase of the RI will begin in July, 1993. This phase will include the installation and sampling of monitoring wells. The approximate locations of these wells are shown on Figure 1. The wells will be installed in groups or "clusters"; that is, more than one well will be drilled at each of the 14 locations shown. Each well in a cluster is designed to sample water from a different depth. This is done to provide information about how deep the contamination has reached at each location.

At least one and probably two well drilling trucks will be present in the area for most of the summer and early autumn of 1993. During the time that well drilling is taking place, representatives of Dunn Geoscience Engineering Company (NYSDEC's consultant for this investigation) will

establish a temporary office in a trailer located at the spill site on Gulf Road.

A Health and Safety Plan has been prepared for this site, which describes the precautions to be taken and the monitoring to be done during on-site activities and the actions to be taken should a vapor release or other incident occur. This document, and other documents describing the work to be done in this phase of the investigation, can be viewed at the document repositories listed below.

NYSDEC-Region 8
6274 East Avon-Lima Road
Avon, NY 14414
(716) 226-2466

Ms. Kathy Hartness, Director
Caledonia Library
3108 Main Street
Caledonia, NY 14423
(716) 538-4512
Mon - 2-5:30, 7-9 p.m.
Tues - 10-1, 2-5 p.m.
Wed - Closed
Thurs - 2-5:30, 7-9 p.m.
Fri - 2-5:30
Sat - 10 a.m. - 2 p.m.

Mr. Jerry Halligan, Director
Wolcott Street
LeRoy, NY 14482
(716) 768-8300
Summer Hours:
Mon - Fri - Noon - 5 p.m.
Mon, Wed, Fri - 7 - 9 p.m.
Sat - 10 a.m. - 4 p.m.
Sun - Closed

Comments or further questions about the project should be directed to:

Gardiner Cross, Project Manager
NYSDEC-Albany
50 Wolf Road
Albany, NY 12233-7010
(518) 457-3373

Questions regarding the carbon filter systems should be directed to:

Thomas Vickerson
NYSDEC-Albany
50 Wolf Rd
Albany, NY 12233
(518) 457-9280

You may also contact these people by dialing the NYSDEC's toll-free number at 1-800-342-9296. This will allow you to leave a recorded message from which the appropriate NYSDEC staff person will return your call.

Health related questions should be directed to:

David Napier
Regional Toxics Coordinator
NYSDOH-Rochester
42 South Washington St.
Rochester, NY 14608
(716) 423-8071

or

Emmy Thomee
NYSDOH
2 University Place
Albany, NY 12203
(518) 458-????

The New York State Health Department also has a toll-free number at 1-800-458-1158, extension 402.

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FILE COPY

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233

Thomas C. Jorling
Commissioner

1992

FACT SHEET

LEHIGH VALLEY RAILROAD
SITE #819014, GENESEE COUNTY

Current Status of NYSDEC Investigation

The New York State Department of Environmental Conservation (NYSDEC) is issuing this notice to update interested members of the public on the status of the remedial investigation at the Lehigh Valley Derailment Site. This notice offers an updated history of the site, a summary of our findings to date, and an overview of how the project will proceed over the coming months.

Site History

A Lehigh Valley Railroad train derailed at the Gulf Road crossing in the town of LeRoy in the early morning hours of December 6, 1970. Two tank cars carrying trichlorethylene (also called TCE) ruptured, spilling their contents on the ground. TCE is a colorless, man-made solvent. The TCE rapidly seeped into the ground, and none could be recovered.

Once below the ground, some of the TCE dissolved and was carried away with migrating groundwater. Within a few weeks after the spill, residential wells near the spill site became highly contaminated with TCE. The Lehigh Valley Railroad supplied water filters for several nearby residents who had complained of TCE odors in their well water. However, no attempt was made to follow the migration of the TCE or to determine if other wells would eventually become contaminated.

TCE was discovered in a well on Limerock Road in 1990. An extensive sampling program for residential wells was begun in January 1991 and continues today, under the direction of the New York State Department of Health (NYSDOH). Over thirty residential wells have been found to be contaminated over a large area east and southeast of the spill site. These wells have been equipped with carbon filters to remove the TCE.

The NYSDEC began a remedial investigation/feasibility study (RI/FS) in early 1992. Before proceeding with a full-scale investigation, NYSDEC elected to conduct a preliminary study. The purposes of this study were to: 1) determine the exact location of the spill, 2) to determine whether significant amounts of contaminated soil remained on site, and 3) to gather enough geological information to determine where to place monitoring wells. These wells will help us evaluate potential long-term remediation measures for the groundwater.

Current Status

The first phase of the investigation is now complete. The location of the spill (essentially on the Gulf Road crossing) has been established. A preliminary soil survey has confirmed this location and has identified a significant area of contaminated soil near the spill site. More detailed sampling will be conducted in the second phase investigation to determine the extent of the contaminated soil.

A geophysical survey has found what appear to be significant fractures in the bedrock. It is possible that these fractures carry a large portion of the

groundwater flow. We will locate some monitoring wells along these fractures to sample this groundwater.

The distribution and migration of the TCE through the bedrock appears to be very complex. Specially designed monitoring wells will be required to evaluate how the TCE is moving.

Future Activities

The second phase investigation will include test pitting and soil sampling during the late fall, an evaluation of interim measures during the winter, followed by the installation of monitoring wells in the spring. Plans for test trenches in the area around the spill site will be finalized within the next few weeks. The purpose of these trenches will be to determine how much contaminated soil remains at the site. The results will be used to evaluate possible removal actions and/or long-term remedial measures for the spill area.

Most of the springs and streams in the area will be sampled during high-flow periods this spring.

A focused feasibility study will be conducted this winter to compare the long-term costs of maintaining the carbon filter units (installed last year by USEPA and currently maintained by NYSDEC) with the costs of extending public water lines into the area. If it proves more cost-effective to bring public water into the affected area, the carbon filter systems may be replaced.

Lastly, a series of approximately fifty monitoring wells will be installed at 14 locations to determine in detail how the TCE is being transported in the groundwater. The installation of the wells has been delayed until spring to avoid the difficulties of handling large quantities of drilling water under winter weather conditions.

We anticipate that construction of the monitoring wells will require several months to complete. During this time, a temporary office trailer will be located south of Gulf Road near the spill site.

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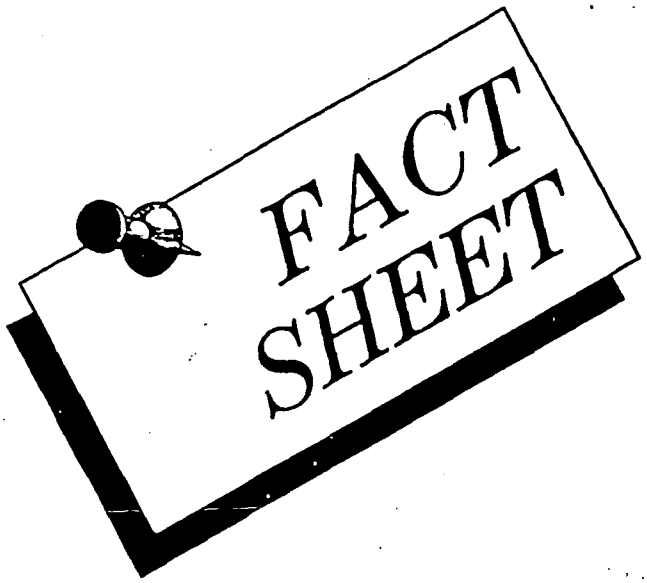
New York State Hazardous Waste Site Remedial Program



Remedial Investigation/ Feasibility Study

The Department of Environmental Conservation (DEC), along with the Departments of Health (DOH) and Law (DOL), is responsible for ensuring the cleanup of inactive hazardous waste sites across the state. Under New York State's Hazardous Waste Site Remedial Program, the process begins with the discovery of a potential hazardous waste site and follows a path of thorough investigation, enforcement, remedial action selection, design, construction and monitoring. This fact sheet highlights one stage in the comprehensive process, the **Remedial Investigation/Feasibility Study (RI/FS).**

RI/FS begins when hazardous waste contamination is confirmed.

The RI/FS follows preliminary site investigations by DEC and DOH that verify hazardous wastes are present and that the wastes pose a significant threat to public health and the environment.

DEC and DOH gather detailed site information work toward an effective remedial action.

DEC's Division of Hazardous Waste Remediation or the responsible party under an enforceable consent order carries out an RI/FS to determine the nature and extent of contamination. DEC, along with DOH, uses the RI/FS information to select a remedial action that effectively eliminates the threat posed by the site. The RI/FS results in a Record of Decision (ROD) describing the cleanup that will be carried out and documents the decisions that led to the chosen remedial action.

The state initiates a variety of activities to inform and involve the public during the remedial process.

Throughout the remedial process, the state encourages public involvement. The public plays a key role in the RI/FS to help shape the final remedial decision. Public meetings, newsletters, fact sheets and project documents contribute to the exchange of information and provide opportunity for comment.

produced by
New York State Department of Environmental Conservation
MARIO M. CUOMO, *Governor* THOMAS C. JORLING, *Commissioner*
in cooperation with
New York State Departments of Health and Law

The state achieves successful hazardous waste remediation with the cooperationof many groups

State engineers, geologists, chemists and health specialists work with consultants, contractors, municipalities, potentially responsible parties and citizens to investigate the contamination and develop appropriate remedial actions. The RI/FS process requires a detailed examination of a site to fully understand its impact on public health and the environment before deciding on a remedial action. The process can take up to two years to complete.

The sections below describe how the state reaches a remedial action decision.

Remedial Investigation (RI)

The RI defines the threat to public health and the environment.

The responsible party or DEC performs an RI at each Class 2 inactive hazardous waste site after preliminary investigations have shown that contaminants pose a significant threat to public health or the environment. Through extensive sampling and laboratory analyses, the RI identifies the length, depth and width of contamination, defines the pathways of migration and measures the degree of contamination in surface water, groundwater, soils, air, plants and animals. Information gathered during the RI fully describes the hazardous waste problem at the site so that the appropriate remedial action can be developed.

DOH evaluates ways people may be exposed to hazardous waste.

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

Feasibility Study (FS)

Remedial action choices are developed during the FS.

The Feasibility Study uses RI information to develop alternative remedial actions that will eliminate the threat to public health or the environment posed by the site. Wherever feasible, the state selects a remedy, such as destruction, that permanently reduces or eliminates the contamination.

The state evaluates the remedial alternatives to reach a balanced decision that protects people and the environment.

The responsible party and DEC screen each alternative to make sure the remeday is technically suitable for the site. Following the initial screening, DEC and DOH weigh the remaining alternatives against a number of other conditions, including:

- overall protection of public health and the environment;
- reduction in toxicity, mobility and volume of hazardous waste (e.g., by thermal destruction, biological or chemical treatments or containment wall construction);
- long-term effectiveness and permanence;
- short-term effectiveness and potential impacts during remediation;
- implementation and technical reliability;
- compliance with statutory requirements;
- community acceptance; and
- cost.

Division of Hazardous Waste Remediation
New York State
Department of Environmental Conservation

Regional Hazardous Waste Remediation Engineers

REGION 1
Anthony Candela
REGION 2
Gil Burns
REGION 3
Ram Pergadia
REGION 4
Eric Hamilton
REGION 5
Dan Steenberge
REGION 6
Darrell Sweredoski
REGION 7
Charles Branagh
REGION 8
Mike Khalil
REGION 9
Peter Buechi
Martin Doster
Joseph Sciascia

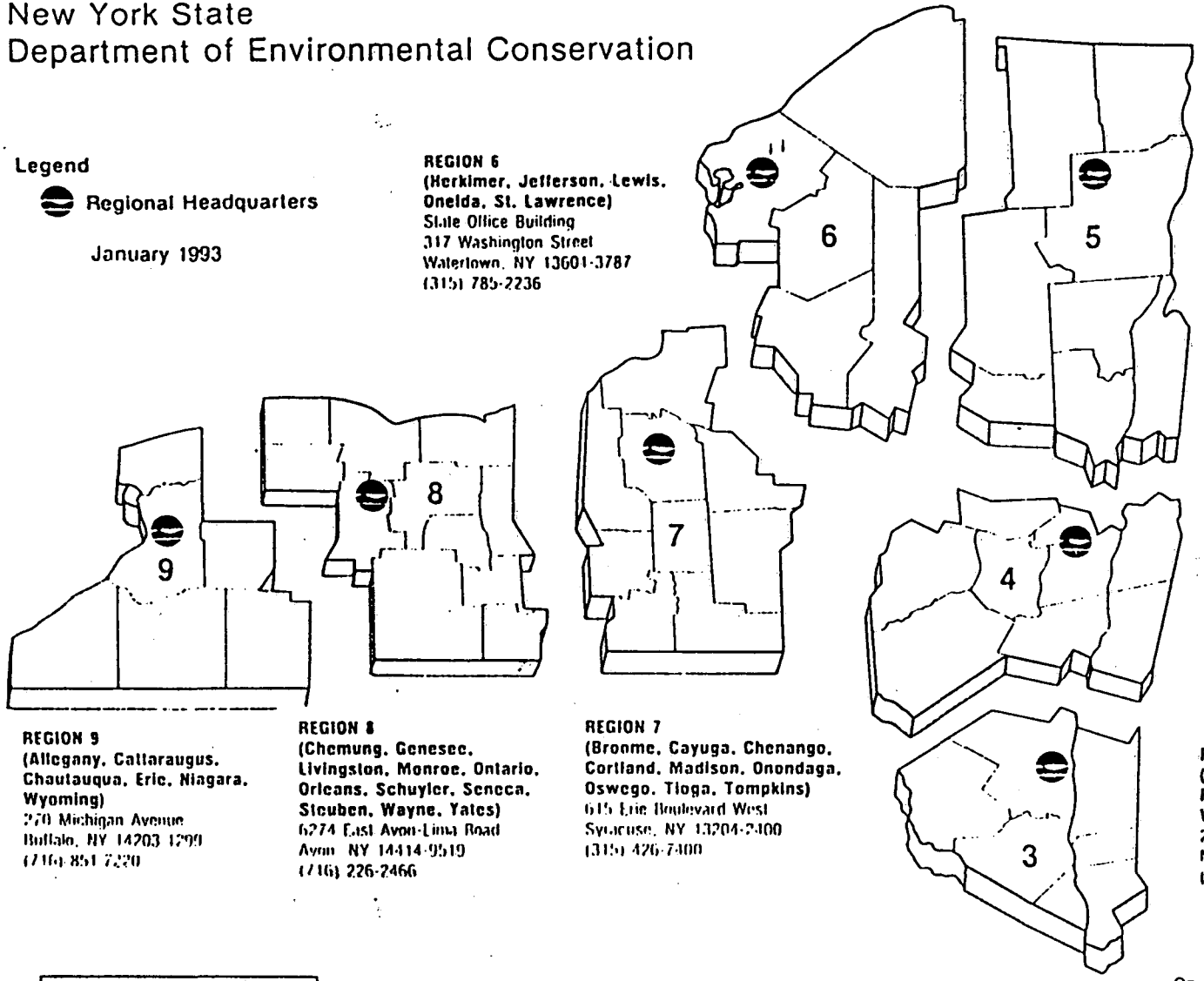
Regional Citizen Participation Specialists

REGION 1
Josh Epstein
REGION 2
William Hevelt
REGION 3
Tim O Dell
REGION 4
Darwin Boosa
REGION 5
Betsy Lowe
REGION 6
Charles Nevin
REGION 7
Kate Lacey
REGION 8
Linda Vera
REGION 9
Patricia Nelson
Michael Podd

Legend

Regional Headquarters

January 1993



REGION 6
(Herkimer, Jefferson, Lewis, Oneida, St. Lawrence)
State Office Building
317 Washington Street
Watertown, NY 13601-3787
(315) 785-2236

REGION 5
(Clinton, Essex, Franklin, Fulton, Hamilton, Saratoga, Warren, Washington)
Route 86, PO Box 296
Ray Brook, NY 12977-0296
(518) 891-1370

REGION 4
(Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schenectady, Schoharie)
2176 Guilderland Avenue
Schenectady, NY 12306-4498
(518) 382-0680

REGION 9
(Allegany, Cattaraugus, Chautauqua, Erie, Niagara, Wyoming)
270 Michigan Avenue
Buffalo, NY 14203-1299
(716) 851-7220

REGION 8
(Chemung, Genesee, Livingston, Monroe, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Yates)
6274 East Avon-Lima Road
Avon, NY 14414-9519
(716) 226-2466

REGION 7
(Broome, Cayuga, Chenango, Cortland, Madison, Onondaga, Oswego, Tioga, Tompkins)
615 Erie Boulevard West
Syracuse, NY 13204-2400
(315) 426-7400

REGION 3
(Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester)
21 South Putt Corners Road
New Paltz, NY 12561-1696
(914) 255-5453

REGION 2
(New York City)
1 Hunters Point Plaza
4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

REGION 1
(Nassau, Suffolk)
SUNY
Campus Building 40
Stony Brook, NY 11794-2356
(516) 751-7900

1 (800) 342-9296
Toll-free information line for New York State's Inactive Hazardous Waste Remediation Program

DEC prepares the proposed remedial action plan for public comment.

The outcome of the selection process is the recommendation of a remedy that best satisfies a combination of these conditions. The remedy becomes part of a proposal that is presented to the public for comment.

Proposed Remedial Action Plan and Public Comment

The state presents the proposed remedial action plan to the public.

After the RI/FS is completed, DEC and DOH hold a public meeting to propose the remedial solution. The Proposed Remedial Action Plan (PRAP) summarizes the decision that led to the recommended remedial action by discussing each alternative and the reasons for choosing or rejecting it.

Public comment can make a difference in the remedial action plan.

The public is encouraged to review the PRAP and make comments either at the meeting or during the comment period that follows. The comments are reviewed and compiled in a Responsiveness Summary and modifications to the proposed remedial action may be made. Additional public notice is required if a modified remedial action differs significantly from the earlier selection.

The final remedial decision is documented in the record of decision.

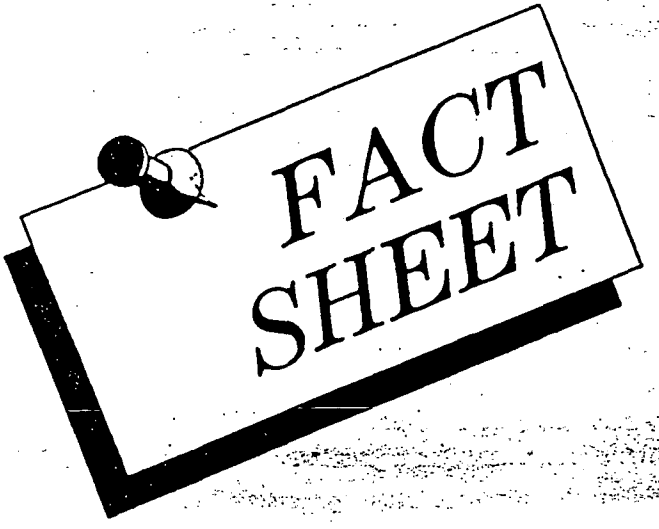
DEC drafts a Record of Decision (ROD) which includes the selected remedial action, the Responsiveness Summary and a bibliography of documents that were used to reach the remedial decision. DOH and DOL have an opportunity to comment on the draft ROD before final DEC approval. When the ROD is finalized, remedial design and construction can now begin.

For a full explanation of the ROD, see the companion fact sheet, "Record of Decision."

For More Information

- about the RI/FS, remedy selection process, or citizen participation, call DEC's 24-hour toll-free hazardous waste remediation information line at 1 (800) 342-9296.
- If you have questions about the health impacts of a hazardous waste site, contact the Department of Health's Help Liaison Program (HeLP) at 1 (800) 458-1158, extension 402.

New York State Hazardous Waste Site Remedial Program



Record of Decision

The Department of Environmental Conservation (DEC), along with the Departments of Health (DOH) and Law (DOL), is responsible for ensuring the cleanup of inactive hazardous waste sites across the state. Under New York State's Hazardous Waste Site Remedial Program, the process begins with the discovery of a potential hazardous waste site and follows a path of thorough investigation, enforcement, remedial action selection, design, construction and monitoring. This fact sheet highlights one stage in the comprehensive process, the **Record of Decision.**

The ROD contains results of the remedial invsetigation and remedy selection process.

The Record of Decision (ROD) presents the remedial action for an inactive hazardous waste site and documents the information and rationale used to arrive at the decision.

The ROD is the culmination of extensive investigations and a remedy selection that identifies a solution to remove the threat of harm from public health and the environment. (For more on this , see fact sheet "Remedial Investigation/Feasibility Study.") It serves as the definitive record of the remedial action decision for the site and as a convenient reference to other documents that were developed during the remedial process.

DEC's deputy commissioner gives the final approval to the ROD.

The Deputy Commissioner for the Office of Environmental Remediation signs the final ROD following public comment and departmental review of the proposed remedial action plan. The project moves on to remedial design and construction.

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New York State Department of Environmental Conservation
in cooperation with
New York State Departments of Health and Law

The ROD summarizes information used to select the remedial action.

ROD Contents

Each ROD produced for a hazardous waste site contains information about the site that identifies the problem and describes the remedial solution. In addition, the decision-making process that yielded the remedial action is documented to demonstrate that the appropriate solution was selected. The ROD contains:

- *site location, description and history:* provides valuable insight into the previous use of the site and identifies vulnerable areas in the surrounding environment, such as residential areas and protected wetlands, groundwater, etc.
- *problem identification:* describes the nature and extent of contamination and the pathways through which contaminants move in the environment.
- *status of enforcement actions:* provides the enforcement history and current status for the site.
- *goals for remedial action:* describes the overall goal of remediation, protection of human health and the environment, and remedial goals specific to each site—for example, preventing contaminated groundwater migration.
- *discussion of remedial alternatives:* presents each potential remedial action, including a "no action" alternative, to show that technical, legal, environmental and public concerns are met.
- *the selected remedial action:* describes the planned remedy.
- *Responsiveness Summary:* documents public comments about the selected remedy. Modifications to the remedial action based on public comment are identified in the summary.
- *Administrative Record:* references reports and other documents developed during investigation and remedial selection.

Amended remedial decisions require additional review and public input.

Amendments to the ROD

Changes to the final remedial action may occur in two cases:

1) if the ROD specifically provides for later addition of documents and reserves a portion of the decision to a later time; or,
2) if new and significant information is received or generated after the ROD is finalized.

An amended ROD must go through additional review and public comment periods.

For More Information

- about the Record of Decision and the remedy selection process, or citizen participation activities, call DEC's 24-hour toll-free hazardous waste remediation information line at 1 (800) 342-9296.