

#8



REMEDIAL INVESTIGATION/FEASIBILITY STUDY WORK PLANS

CITIZEN PARTICIPATION PLAN

WORK ASSIGNMENT D003825-17

**GOLDEN ROAD DISPOSAL SITE
CHILI (T)**

**SITE NO. 8-28-021
MONROE (C), NY**

Prepared for:
NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
50 Wolf Road, Albany, New York

John P. Cahill, Commissioner

DIVISION OF ENVIRONMENTAL REMEDIATION

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**FINAL
June 1999**

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1.0 INTRODUCTION

The New York State Department of Environmental Conservation (DEC), in partnership with the New York State Departments of Health (DOH) and Law (DOL), is responsible for seeing that hazardous waste sites across the state are investigated and, if necessary, remediated. Under the State's Hazardous Waste Site Remedial Program, DEC follows a path of thorough investigation, enforcement, remedial action selection, design and construction. Throughout this process, the NYSDEC conducts a citizen participation program.

In many instances, the NYSDEC is able to identify and enter into legal agreements with companies who owned or operated, or currently own or operate the facility identified as a hazardous waste site. These companies are called Potentially Responsible Parties, or PRPs.

In cases where PRPs cannot be identified, are no longer in existence, or are not financially capable, the State conducts remedial activities under funding from the 1986 Environmental Quality Bond Act (EQBA). Sites conducted with EQBA funds are commonly called State "Superfund" sites. The Golden Road Disposal Site is a State-funded Superfund site.

Citizen participation is aimed at increasing public understanding of NYSDEC's responsibilities and the remedial activities at the site. The citizen participation program also opens up two-way communication, thus providing 1) an opportunity for NYSDEC to obtain site information from the public that enables the NYSDEC to develop a comprehensive remedial plan which is protective of both public health and the environment, and 2) a mechanism for NYSDEC to learn public concerns and answer questions about the site and the remedial process.

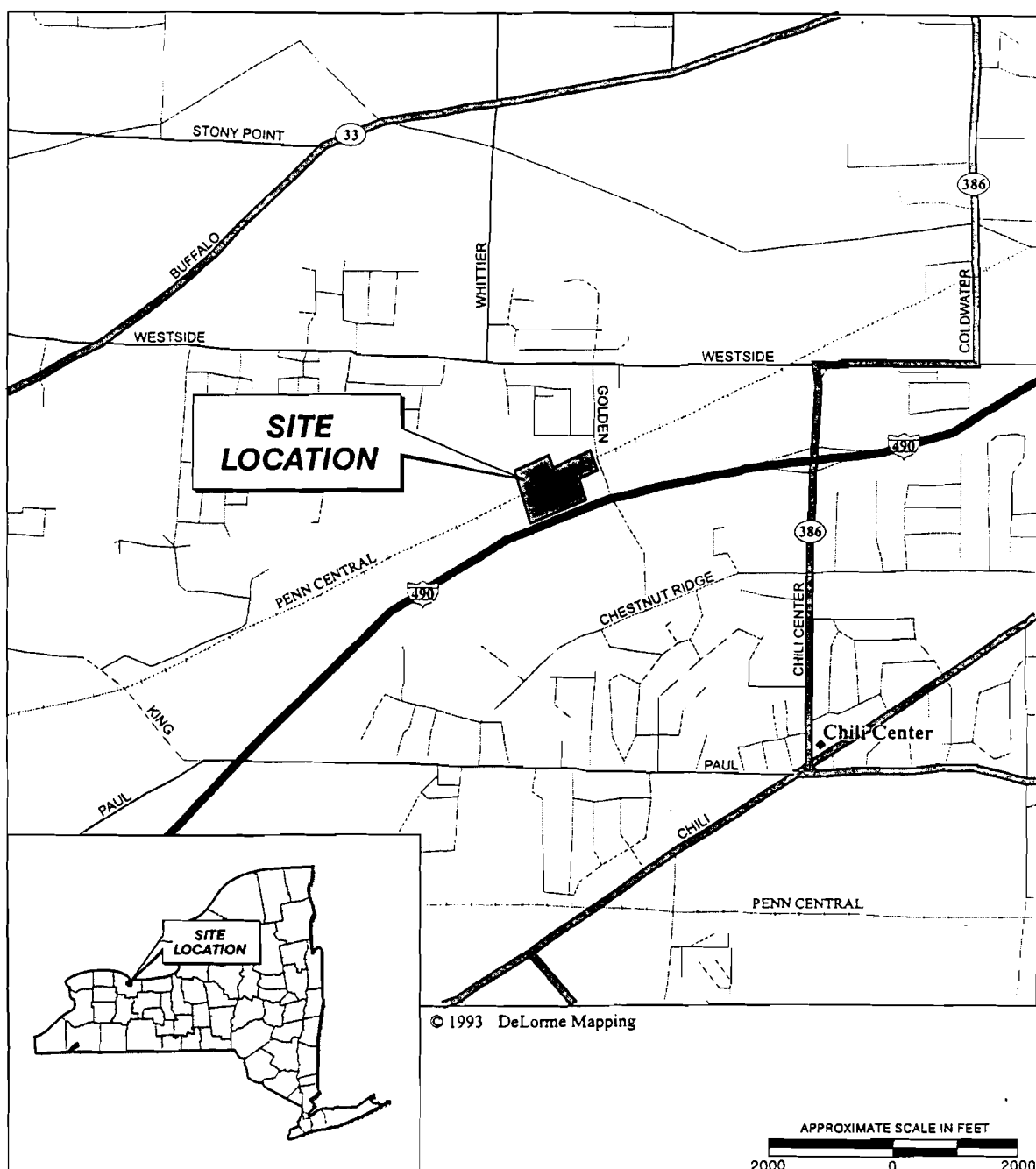
2.0 SITE BACKGROUND INFORMATION

The Golden Road Disposal Site is located adjacent to Route 490 in the Town of Chili, Monroe County, New York (Figure 1). The site is approximately 19 acres in size, and is bounded by Route 490 to the south, Golden Road to the east, a housing development to the north and open fields and wetlands to the west. Conrail railroad tracks divide the site into two separate areas, referred to as the North Parcel and the South Parcel. Both parcels lie immediately adjacent to designated wetlands and are characterized by poor drainage and a high water table.

The North Parcel can be characterized primarily as a junk yard, with several underground storage tanks (USTs) and aboveground storage tanks (ASTs) for petroleum products. The surface of the parcel is strewn with junked vehicles, equipment and various other discarded materials. In addition, there are a number of aboveground piles of fill material, reportedly foundry sand or slag, and an area in the western portion of the parcel where this fill material may have been spread and leveled. Access to the North Parcel is from a driveway off of Golden Road serving the residence of the late Howard Fitzsimons, Jr., the former owner and operator of the site.

The South Parcel can be characterized primarily as a waste fill area. Various materials, including the suspected foundry sand and slag mentioned above, were placed in this parcel, primarily by filling of a portion of the wetlands which occur there. In addition, 55-gallon waste drums and various other containers were placed in the south parcel during its period of active operation, from approximately 1955 to 1976. During 1985, approximately 560 drums were removed from the area as part of an emergency response action. The drums contained chlorinated and non-chlorinated solvents, high total organic carbon, organic solids with low flash points, polychlorinated biphenyls (PCBs) and waste oils. Partially buried drums are still visible on the parcel, as well as a number of large ASTs, metal piping, and various other debris.

The Golden Road Disposal Site is listed as a Class 2 site on NYSDEC's Registry of Inactive Hazardous Waste Sites (NYSDEC Site No. 8-28-021). The northern portion of the North Parcel was delisted by NYSDEC in 1995, based upon environmental testing which indicated that the foundry sand/slag fill material present in that area was not a hazardous waste.



3.0 PROJECT DESCRIPTION

3.1 Project Objectives

DEC, in cooperation with DOH, is undertaking a Remedial Investigation and Feasibility Study (RI/FS) at the Golden Road Disposal site. The objectives of the RI/FS are to determine the nature and extent of contamination at the site, assess the impacts of this contamination upon public health and the environment, develop and evaluate remedial alternatives for mitigating these impacts, and recommend a specific alternative for remediation of the site.

The Remedial Investigation (RI) involves primarily data collection, including field investigation activities, and data assessment. Information and data collected during the RI will be used during the Feasibility Study (FS) to determine the need for remediation, assess the degree of remediation required to protect human health and the environment, and identify/evaluate the types of remedial alternatives which can successfully achieve these objectives.

The FS will then be used as a basis to select the final remedial action for the site. Following completion of the FS, the State will select a preferred remedy (Proposed Remedial Action Plan) and seek public comment on that proposed remedy. All appropriate documents will be made available to the public, comments will be solicited and a public meeting will be held to discuss the results of the RI/FS and the proposed remedial action. Following public input, the State will make a final decision about what remedial action should be implemented. This decision will then be documented in a formal Record of Decision by the NYSDEC.

3.2 Description of Tasks

DEC will hire a contractor to perform the Remedial Investigation. As part of the Remedial Investigation, the State's contractor will:

- survey the site and prepare a detailed map;
- survey the site for radioactive materials;

- perform an electromagnetic survey to look for any drums possibly buried on the site;
- excavate small areas ("test pits") in any locations where the electromagnetic survey indicates drums may be buried;
- inventory and determine the contents of any drums found on the site;
- install and sample groundwater monitoring wells and determine the direction of groundwater flow;
- sample fill material, surface and subsurface soils;
- sample water and sediments from the wetland area and ponds on the site;
- sample storage tanks contents and potential asbestos-containing materials associated with the tank (e.g., insulation materials around old pipes);
- perform a fish and wildlife impact analysis

DEC's contractor will also perform a well survey to determine if there are residential wells in the area and may collect water samples from those wells. The contractor will also send a survey to area residents to determine if there are basements in the area that may be impacted by groundwater from the site.

After DEC determines that the site has been adequately investigated, DEC will prepare a Feasibility Study to evaluate different methods for cleaning up the site. Once the Remedial Investigation and Feasibility Study are complete, DEC, in conjunction with DOH, will propose a final action plan for the site. This plan is called a Proposed Remedial Action Plan, or PRAP. The PRAP will compare different cleanup options that could be taken at the site and recommend a preferred cleanup option based on a series of criteria, such as short- and long-term permanence of the cleanup, cost, and ease of implementation. DEC will solicit public input on the PRAP.

After considering all comments received from the public, DEC will make a final decision on the cleanup plan and outline the decision in a document called a Record of Decision, or ROD. DEC will include responses to comments they receive from citizens in an appendix in the Record of Decision. More details about the citizen participation activities that will take place during the investigation and selection of a cleanup plan can be found in the next section of this Citizen Participation Plan.

4.0 CITIZEN PARTICIPATION ACTIVITIES

This section describes specific citizen participation activities planned to be carried out during this RI/FS for the Golden Road Disposal site. These activities will be developed in phases as the remedial program progresses, and may be modified as the NYSDEC Project Manager and Citizen Participation Specialist gain additional insight into local interest in citizen participation and the project, or as the technical program and information about the site changes.

Major elements of the site remedial program are listed below. For each program element, the preliminary citizen participation activities that will take place are listed. As previously noted, additional citizen participation activities may be added, and the plan revised to include Design and Construction, Operation and Maintenance activities, etc. as the site progresses through the remedial process.

4.1 Remedial Investigation

A mailing list will be prepared for the site. Included on the list will be local residents, and local and state government officials. A document repository will be established near the site to provide interested parties with access to site documents and information.

An availability session will be held by NYSDEC prior to the commencement of RI field work. The purpose of the session will be to provide citizens with a brief description of upcoming field work, a schedule for the field work, and to learn their concerns and answer questions. NYSDEC will prepare a meeting announcement with input from NYSDOH. This notice will outline the investigation, inform the public of the availability of the RI work plan, and identify the official site document repository. Following completion of the RI, a fact sheet describing the results will be distributed to the mailing list.

4.2 Feasibility Study

RI results will be used to assess the need for remediation at the Golden Road Disposal Site, and as a basis for the development, screening and evaluation of remedial alternatives. Once these results are available, NYSDEC will identify and implement project-specific citizen participation activities at key decision points during the FS.

4.3 Proposed Remedial Action Plan and Record of Decision

Based upon the results of the Remedial Investigation and Feasibility Study, DEC, in conjunction with DOH, will prepare a "Proposed Remedial Action Plan" (PRAP). A fact sheet describing the PRAP will be mailed to the Contact List (see Section D5.0), and the public will be allowed 30 days to comment on the proposed remedial plan. During this 30-day comment period, a public meeting will be held to discuss the PRAP and gather public comments. After considering all comments received from the public, DEC will make a final decision concerning the selected remedy, and incorporate this into a document called a "Record of Decision" (ROD). The ROD will include an appendix called a "Responsiveness Summary," which addresses significant comments received during the public comment period. A fact sheet describing the ROD will be mailed to the Contact List.

4.4 Citizen Participation Record

The citizen participation activities described above will be tracked and documented through a Citizen Participation Record. A copy of this Citizen Participation Record is provided on the following pages.

Citizen Participation Record for the Golden Road Disposal Site

Part A. Activities During Site Investigations and Selection of a Remedy

1. Required Citizen Participation Activities

To enable citizens to participate more fully in decisions that may affect their health, DEC requires several opportunities for citizen involvement during the investigation and clean up of inactive hazardous waste disposal sites. The table below outlines activities that will occur during the investigation and determination of a cleanup plan for the Golden Road Disposal site.

Citizen Participation Activities			
The State will:	At this point in the investigation/ cleanup:	The activity is scheduled to be completed:	The activity was completed:
Set up Document Repositories, where citizens can review site-related documents, at the regional DEC office and a public location near the site	Before the remedial investigation starts	May 1999	May 1999
Create a list of people ("Contact List") interested in the site, including residents, government representatives, media, and any interested civic, environmental or business groups	Before the remedial investigation starts	May 1999	May 1999
Create a Citizen Participation Plan and place it in Document Repositories	Before the remedial investigation starts	June 1999	
Mail a fact sheet to the Contact List describing activities proposed for the site	At the start of the remedial investigation	July 1999	
Mail a fact sheet to the Contact List describing results of the investigation	When the remedial investigation is complete	TBD	
Mail a fact sheet to the Contact List describing the Proposed Remedial Action Plan (PRAP) and announcing a 30 day comment period	After all investigations are completed and the PRAP is written	TBD	
Allow the public 30 days to comment on the proposed clean up plan (PRAP)	After fact sheet announcing the PRAP is mailed	TBD	

Hold a public meeting to discuss the PRAP and gather public comments	During the 30- day public comment period	TBD	
Mail a fact sheet to the Contact List describing the selected remedy. DEC will place the "Record of Decision," which outlines the final remedy, at the document repositories. The Record of Decision will include responses to significant comments received during the comment period. (These responses will appear as an appendix called a "Responsiveness Summary.")	When the Record of Decision is signed.	TBD	

2. **Additional Citizen Participation Activities**

Depending on citizen interest, the State may also conduct more citizen participation activities than are required, such as holding additional public meetings or mailing more fact sheets to interested citizens. Community involvement is important to ensure that the State satisfies the needs of those living and working near the site. Any additional activities that are currently planned for this site are listed in the table below:

ACTIVITY:	This activity will be completed:	This activity was completed:

5.0 CONTACT LIST

A list of names, addresses and telephone numbers of contact persons within the NYSDEC, NYSDOH and Monroe County Health Department (Agency Contacts), who can provide information on the Golden Road Disposal Site, is provided below. Also provided are lists of local and/or elected officials, media representatives, and other interested parties.

AGENCY CONTACTS

Larry Ennist
Env Remediation
NYSDEC
50 Wolf Rd
Albany, NY 12233-7010
(518) 457-1684

Karen Maiurano
Env Remediation
NYSDEC
50 Wolf Rd
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Craig D. Jackson, P.E.
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Meaghan Boice-Green
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Avon, NY 14414-9519
(716) 226-2466

Frank Sowers
NYSDEC
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Avon, NY 14414-9519
(716) 226-2466

Mary Jane Peachey, PE
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6274 E Avon-Lima Rd
Avon, NY 14414-9519
(716) 226-2466

Capt William V. Powell
NYSDEC
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Avon, NY 14414-9519
(716) 226-2466

Mike Kadlec
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2 University Pl
Room 205
Albany, NY 12203
(518) 458-6309

Mark Van Deusen
NYS Department of Health
2 University Pl
Room 240
Albany, NY 12203
(518) 458-6402

Dave Napier
Regional Toxics Coordinator
NYS Department of Health
42 S Washington St
Rochester, NY 14608
(716) 423-8071

Joe Albert
Monroe County Health Department
PO Box 92832
111 Westfall Rd
Rochester, NY 14692-8932
(716) 274-6904

Rick Elliott
Monroe County Health Department
PO Box 92832
111 Westfall Rd
Rochester, NY 14692-8932
(716) 274-6067

LOCAL/ELECTED OFFICIALS

The Honorable Thomas Reynolds
United States House of Representatives
500 Esjay Rd
Williamsville, NY 14221

The Honorable Daniel P. Moynihan
United States Senate
28 Church St
Suite 203
Buffalo, NY 14202

The Honorable Charles Schumer
United States Senate
304 Federal Bldg
100 State St
Rochester, NY 14614

The Honorable Susan V. John
NYS Assembly
Village Gate Sq
274 N Goodman St, Suite C 254
Rochester, NY 14607

The Honorable James S. Alesi
NYS Senate
220 Packett's Landing
Po Box 66081
Fairport, NY 14450

Dennis Pelletier, President
Monroe County Legislature
Rm 407 County Office Building
39 W Main St
Rochester, NY 14614-1476

Maggie Brooks
Monroe County Clerk
101 County Office Building
39 W Main St
Rochester, NY 14614

Mary Louise Meisenzahl Administrator
Monroe County Office of
Emergency Preparedness
111 Westfall Rd Rm 11
Rochester, NY 14620

Louise Hartshorn, Technical Coordinator
Monroe County EMC
50 West Main St 7th Floor
Rochester, NY 14614

John D. Doyle
Monroe County Executive
110 County Office Building
39 W Main St
Rochester, NY 14614-1476

Tracy L. Logel
Monroe Co Legislator
39 Red Bud Rd
Rochester, NY 14624

William Kelly, Supervisor
Town of Chili
3333 Chili Avenue
Rochester, NY 14624

Carol O'Connor
Town Clerk
Town of Chili
3333 Chili Avenue
Rochester, NY 14624

J. Donald Faso
Councilperson
Town of Chili
3333 Chili Avenue
Rochester, NY 14624

Stephen Hendershott
Councilperson
Town of Chili
3333 Chili Avenue
Rochester, NY 14624

James E. Powers
Councilperson
Town of Chili
3333 Chili Avenue
Rochester, NY 14624

James J. Powers
Councilperson
Town of Chili
3333 Chili Avenue
Rochester, NY 14624

Glenn Schneider
Conservation Board Chairperson
Town of Chili
3333 Chili Avenue
Rochester, NY 14624

MEDIA

Holly Stuart, News Director
WROC-TV 8
201 Humboldt St
Rochester, NY 14610

Assignment Desk
R News Channel 9
71 Mt Hope Ave
Rochester, NY 14620

Bob Hitchcock, Assignment Editor
WHEC-TV 10
191 East Ave
Rochester, NY 14604

Shawn McNamara, Assignment Editor
WOKR-TV 13
PO Box 20555
Rochester, NY 14602-0555

Gary Walker, News Director
WXXI-TV 21
280 State St
Rochester, NY 14614

News Director
WUHF Fox 31
360 East Ave
Rochester, NY 14604

Dee Dee Sharp, News director
WBBF-AM/WBEE-FM/WKLX-FM
500 B Forman Bldg
Midtown Plaza
Rochester, NY 14604

Rob Benca, News Director
WBSU-FM
SUNY Brockport
Brockport, NY 14420

Joan Brandenburg, News Director
WCMF-FM
3136 S Winton Rd
Rochester, NY 14623

Tom Gabruk, News Director
WDKX-FM
683 E Main St
Rochester, NY 14605

Bran Smith, News Director
WHAM-AM
207 Midtown Plaza
PO Box 40400
Rochester, NY 14604

Lee Rust, News Director
WJZR-FM
1237 E Main St
Rochester, NY 14609

News Director
WPXY-FM
3136 S Winton Rd
Rochester, NY 14623

Kevin Gillan, News Director
WRMM-FM
3136 S Winton Rd
Suite 300
Rochester, NY 14623

News Director
WVOR Variety 1005
207 Midtown Plaza
Rochester, NY 14604

Peter Quartieri, News Director
WWWG-AM
1840 S Winton Rd
#2 Cambridge Plaza
Rochester, NY 14618

Bud Lowell, News Director
WXXI-AM
280 State St
Rochester, NY 14614

Don Fordham
2152 W Genesee St
Auburn, NY 13021

Suburban Editor
Democrat & Chronicle
55 Exchange Blvd
Rochester, NY 14614-2001

MEDIA (Cont'd)

Chris Fien News Editor
Gates-Chili News
2361 Chili Ave
Rochester NY 14624

Sally Becht News Editor
Tri-County Advertiser
15 Main St
PO Box 378
Brockport, NY 14420

INTERESTED PARTIES

Rocco Digiovanni, Executive Director
Monroe County IDA
8100 City Place
50 W. Main St
Rochester, NY 14614

Gerald Snow, District Chairman
Monroe County Soil & Water
Conservation District
249 Highland Ave
Rochester, NY 14620

Robert J. Fischer
628 Whispering Pines Circle
Rochester, NY 14612

Linda Liszewski
62 West Amy Lane
Rochester, NY 14626-3773

Thomas Walsh
Jaackle Fleischmann & Mugel
39 State Street
Rochester, NY 14614-1310

Margy Peet
Monroe County Water Quality
Coordinating Committee
111 Westfall Rd
Rochester, NY 14620

William R Wagner, Exec Dir
Center for Environmental Info Inc
55 St Paul St
Rochester, NY 14604-1314

Patricia Malgieri, President
Center for Governmental Research, Inc.
37 S Washington St
Rochester, NY 14608

Diane Heminway
Citizens' Environmental Coalition
Western New York Office
339 N Main St STE A
Medina, NY 14103

Finger Lakes Community College
John Van Niel
Nat Resources Conservation Instructor
4355 Lake Shore Dr
Canandaigua, NY 14424-8395

David Klein, Executive Director
The Nature Conservancy
Central/Western NY Chapter
315 Alexander St, STE 301
Rochester, NY 14604

Ray Nelson, Chairman
Sierra Club
Rochester Regional Group
PO Box 39516
Rochester, NY 14604-9516

Daniel E. Chefitz, Esq
Zevnik Horton Guibord & McGovern
77 West Wacker Drive, 33rd Floor
Chicago, IL 60601

6.0 ADDITIONAL INFORMATION

6.1 Agency Contact Persons

The following persons can be contacted for information concerning the project:

Karen Maiurano
Project Manager
New York State Department of Environmental Conservation
Division of Environmental Remediation
50 Wolf Road
Albany, NY 12233-7010
(518) 457-5636

Mike Kadlec
New York State Department of Health
2 University Pl.
Room 205
Albany, NY 12203
(518) 458-6309

Joe Albert
Monroe County Health Department
PO Box 92832
111 Westfall Rd
Rochester, NY 14692-8932
(716) 274-6904

Meaghan Boice-Green
Citizen Participation Specialist
NYSDEC, Region 8
6274 Avon-Lima Rd
Avon, NY 14414-9519
(716) 226-2466

6.2 Document Repositories

Documents developed during the course of this project will be maintained on file and available for public review at the following repositories:

DEC Region 8 Office
6274 East Avon-Lima Road
Avon, NY 14419-9519
(716) 226-2466

Chili Library
3333 Chili Avenue
Rochester, NY 14624
(716) 889-2200

6.3 Registry Information

The Golden Road Disposal Site is listed as Site No. 8-28-021 in the Registry of Inactive Hazardous Waste Disposal Sites in New York State. The site's report form within the Registry is provided on the following pages.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF HAZARDOUS WASTE REMEDIATION
INACTIVE HAZARDOUS WASTE DISPOSAL REPORT

4/1/95

CLASSIFICATION CODE: 2

REGION: 8

SITE CODE: 828021

EPA ID: NYD980780753

NAME OF SITE : Golden Road Disposal Site

STREET ADDRESS: Golden Road

TOWN/CITY:

Chili

COUNTY:

Monroe

ZIP:

14624

SITE TYPE: Open Dump- X Structure- Lagoon- Landfill- Treatment Pond-

ESTIMATED SIZE: 26.4 Acres

SITE OWNER/OPERATOR INFORMATION:

CURRENT OWNER NAME....: Howard Fitzsimmons, Sr.

CURRENT OWNER ADDRESS.: 227 Golden Rd., Rochester, NY

OWNER(S) DURING USE....: Howard Fitzsimmons, Sr.

OPERATOR DURING USE....:

OPERATOR ADDRESS.....:

PERIOD ASSOCIATED WITH HAZARDOUS WASTE: From 1955 To 1976

SITE DESCRIPTION:

Lat. 43 07'11.6"N Long. 77 45'38.9"W

Flat topography Residential area; nearest house approx. 400 feet

Nearest waterbody: Intermittent stream flows to a pond located near
Rte. 490. Wetlands are to the southeast & southwest

Nearest water supply: Private well (Fitzsimmons) Approx. 500 feet away

This site was identified thru a nuisance complaint received by the Monroe County Sheriff's Office. The site is physically divided by the Conrail Railroad tracks. It was first inspected and sampled on July 20, 1983. During the inspection about 200 drums in various stages of decay were noted at two locations on the south side of the tracks. Fly ash and foundry sand were exposed on the south side of the tracks as well. The surficial cleanup of the site was completed on June 27, 1985. A total of 562 drums and containers and 75 cubic yards of contaminated soil and debris were removed from the site. A final draft Phase II Investigation report has been approved for this site. Groundwater analysis indicated elevated levels of heavy metals & low levels of volatile organics.

Construction of a housing subdivision has been proposed in the northwestern portion of the property. A test pit investigation was performed in 1994. It indicated that four of the lots would be located on the waste disposal site. Analytical results have indicated that there are some elevated levels of metals, but they did not indicate the presence of hazardous waste.

HAZARDOUS WASTE DISPOSED:
TYPE

QUANTITY (units)

Oily wastes

Ink wastes, Solvents, PCBs

200+ drums; most are
corroded and rusted

SITE CODE: 828021

ANALYTICAL DATA AVAILABLE:

Air- Surface Water- Groundwater-X Soil-X Sediment-

CONTRAVENTION OF STANDARDS:

Groundwater- Drinking Water- Surface Water- Air-

LEGAL ACTION:

TYPE...: Consent Order State- X Federal-

STATUS: Negotiation in Progress- X Order Signed-

REMEDIAL ACTION:

Proposed- Under design- In Progress- Completed-X
NATURE OF ACTION: Removal of drums and surficial soil and debris

GEOTECHNICAL INFORMATION:

SOIL TYPE: Shallow muck

GROUNDWATER DEPTH: High seasonal water table

ASSESSMENT OF ENVIRONMENTAL PROBLEMS:

Further investigation is necessary to assess any environmental problems.

ASSESSMENT OF HEALTH PROBLEMS:

In 1985 approximately five hundred drums were removed. To date it has not been determined if disposed artillery shells from the U.S. Army Reserve are spent or remain live. Chemical contaminants include benzene, vinyl chloride, toluene, xylenes, organic dyes, cadmium and lead. Public water is available, but groundwater is used by some residents as a source of drinking water. DOH and MCHD sampling of private wells indicated that only one sample exhibited site related trichloroethene at a concentration below drinking water standards. DOH will resample residential wells in 1995. Vehicular traffic into the site is restricted. In August 1994 the MCHD requested DOH evaluate a Preliminary Health Risk Assessment for a Proposed Housing Development on the north portion of the site. DOH reviewed the assessment and concluded that the residential development was inappropriate due to the elevated levels of inorganic chemicals present.

6.4 Fact Sheets: New York State Hazardous Waste Site Remedial Program

Appendix 2 includes fact sheets which describe the different stages within the New York State hazardous site remedial program. The program begins with the discovery of potential hazardous waste site and follows a path of thorough investigation, enforcement, remedial action selection, design, construction and monitoring.

APPENDIX 1

HAZARDOUS WASTE SITE PROGRAM/ GLOSSARY AND ACRONYMS

Appendix

Hazardous Waste Site Program Glossary and Acronyms

GLOSSARY

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

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

Appendix Hazardous Waste Site Program Glossary and Acronyms

Citizen Participation Specialist	A staff member from an NYSDEC central office or regional office who has specialized training and experience to assist a project manager and other staff to plan, conduct and evaluate a site-specific citizen participation program.
Classification	<p>A process to place a hazardous waste site within a category which defines its hazardous waste status and its threat or potential threat to public health and the environment. Sites are listed along with their classifications in the Registry of Inactive Hazardous Waste Disposal Sites.</p> <p>Class 1 - causing or representing an imminent danger of causing irreversible or irreparable damage to public health or environment -- immediate action required.</p> <p>Class 2 - significant threat to public health or environment -- action required.</p> <p>Class 2a - temporary classification assigned to a site for which there is inadequate or insufficient data for inclusion in any other classification.</p> <p>Class 3 - does not present a significant threat to public health or environment -- action may be deferred.</p> <p>Class 4 - site properly closed -- requires continued management.</p> <p>Class 5 - site properly closed -- no further action required.</p> <p>Delisted - site no longer considered an inactive hazardous waste disposal site.</p>
Comment Period	A time period for the public to review and comment about various documents and DER actions. For example, a 30-day comment period is provided when DER issues a Proposed Remedial Action Plan (PRAP) , and when DER proposes to Delist a site from the Registry of Inactive Hazardous Waste Disposal Sites .
Consent Order	A legal and enforceable agreement negotiated between NYSDEC and a responsible party . The order sets forth agreed upon terms by which a responsible party will undertake site investigation and/or cleanup, or pay for the costs of those activities. The order includes a description of the remedial actions to be taken by the responsible party with NYSDEC oversight, and a schedule for implementation.

Appendix Hazardous Waste Site Program Glossary and Acronyms

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

Appendix Hazardous Waste Site Program Glossary and Acronyms

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

Appendix Hazardous Waste Site Program Glossary and Acronyms

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

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

Operable Unit

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

**Operation and
Maintenance**

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

**Preliminary Site
Assessment (PSA)**

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

Project Manager

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

**Proposed Remedial
Action Plan (PRAP)**

An analysis by DER of each alternative considered for the remediation of a hazardous waste site and a rationale for selection of the alternative it recommends. The PRAP is created based on information developed during the site's Remedial Investigation and Feasibility Study. The PRAP is reviewed by the public and other state agencies.

Public Meeting	A scheduled gathering of Division of Environmental Remediation staff with the affected/interested public to give and receive information, ask questions and discuss concerns about a site's remedial program. Staff from other NYSDEC divisions, legal and health staff, and staff from consultants and a responsible party often also attend. A public meeting, unlike an availability session , generally features a formal presentation and a detailed agenda.
Reclassification	A process by which DER redefines the threat posed by a hazardous waste site to public health and the environment by developing and assessing site information and, based on findings and conclusions, assigning a new classification code .
Record of Decision (ROD)	A document which provides definitive record of the cleanup alternative that will be used to remediate a hazardous waste site. The ROD is based on information and analyses developed during the Remedial Investigation/Feasibility Study and public comment.
Remedial Construction	The physical development, assembly and implementation of the remedial alternative selected to remediate a site. Construction follows the Remedial Design stage of a site's remedial program.
Remedial Design	The process following finalization of a Record of Decision in which plans and specifications are developed for the Remedial Construction of the alternative selected to remediate a site.
Remedial Investigation/Feasibility Study (RI/FS)	The RI fully defines and characterizes the type and extent of hazardous waste contamination at the site. The FS, which may be conducted during or after the RI, uses information developed during the RI to develop alternative remedial actions to eliminate or reduce the threat of hazardous waste contamination to public health and the environment.
Responsible Party	An individual or business who: currently owns or operates a hazardous waste site; or historically owned or operated a site when hazardous waste was disposed; or generated hazardous waste at a site; or transported hazardous waste to a site.
Responsiveness Summary	A written summary of major oral and written comments received by DER during a comment period about key elements of a site's remedial program, such as a Proposed Remedial Action Plan , and DER's response to those comments.

Appendix Hazardous Waste Site Program Glossary and Acronyms

Site Issues and Community Profile Scoping Sheet	A document prepared to support each Citizen Participation Record. Each Scoping Sheet identifies issues and information important to DER and the community and information that needs to be exchanged at a particular remedial stage. The Scoping Sheet also summarizes information about the surrounding community, including demographics, special needs, etc.
Superfund	The common name for the Federal program established by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended in 1986. The Superfund law authorizes the U.S. Environmental Protection Agency to investigate and clean up sites nominated to the National Priorities List.
Title 3 Project	Remediation of a municipally owned site through the State Superfund Title 3 Program whereby New York State pays 75 percent of eligible costs for remediation and the municipality pays 25 percent.
Toll-Free "800" Number	An information line maintained by the Division of Environmental Remediation to provide convenient access for people who have questions, concerns or information about hazardous waste sites and their remedial programs.

ACRONYMS

AG	-- New York State Attorney General's Office
ARAR	-- Applicable, Relevant and Appropriate Requirement
C & D	-- Construction and Debris
CERCLA	-- Comprehensive Environmental Response, Compensation and Liability Act of 1980
CO	-- Consent Order
CP	-- Citizen Participation
CPP	-- Citizen Participation Plan
CPS	-- Citizen Participation Specialist
CQC/CQA	-- Construction Quality Control/Construction Quality Assurance
DEE	-- Division of Environmental Enforcement
DER	-- Division of Environmental Remediation, formerly the Division of Hazardous Waste Remediation
DHWR	-- Division of Hazardous Waste Remediation, now the Division of Environmental Remediation
DOD	-- Department of Defense
DOL	-- Department of Law
DOW	-- Division of Water
ENB	-- Environmental Notice Bulletin

Appendix : : Hazardous Waste Site Program Glossary and Acronyms

EQBA	-- 1986 Environmental Quality Bond Act
EPA	-- Environmental Protection Agency
F & W	-- Division of Fish and Wildlife
FDA	-- Food and Drug Administration
FSF	-- Federal Superfund
FOIL	-- Freedom of Information Law
FS	-- Feasibility Study
FY	-- Fiscal Year
GPM	-- Gallons Per Minute
HeLP	-- Health Liaison Program
IRM	-- Interim Remedial Measure
mg/kg	-- milligrams per kilogram
NAPL	-- Non-Aqueous Phase Liquid
NPL	-- National Priorities List
NYSDEC	-- New York State Department of Environmental Conservation
NYSDOH	-- New York State Department of Health
O & M	-- Operation and Maintenance
OSHA	-- Occupational Safety and Health Administration
OU	-- Operable Unit
PAH	-- Poly-Aromatic Hydrocarbon
PCB	-- Poly-Chlorinated Biphenyl
PM	-- Project Manager
ppm/ppb/ppt	-- parts per million/parts per billion/parts per trillion
PRAP	-- Proposed Remedial Action Plan
PRP	-- Potentially Responsible Party
PRS	-- Priority Ranking System
PSA	-- Preliminary Site Assessment
QA/QC	-- Quality Assurance/Quality Control
RA	-- Remedial Action
RCRA	-- Resource Conservation and Recovery Act
RD	-- Remedial Design
RFP	-- Request for Proposals
RHWRE	-- Regional Hazardous Waste Remediation Engineer
RI	-- Remedial Investigation
RI/FS	-- Remedial Investigation/Feasibility Study
ROD	-- Record of Decision
RP	-- Responsible Party
SSF	-- State Superfund
TAGM	-- Technical and Administrative Guidance Memorandum
TCLP	-- Toxicity Characteristic Leaching Procedure
TSDF	-- Treatment, Storage and Disposal Facility
ug/l	-- micrograms per liter
USGS	-- U.S. Geological Service
VCP	-- Voluntary Cleanup Program
VOC	-- Volatile Organic Compound

APPENDIX 2

FACT SHEETS

NEW YORK STATE HAZARDOUS WASTE

SITE REMEDIAL PROGRAM

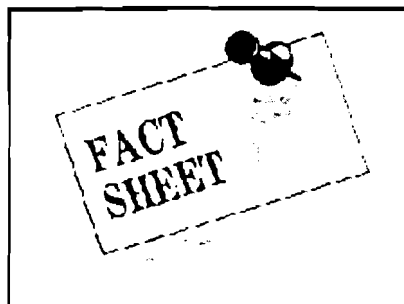


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New York State Hazardous Waste Site Remedial Program



Preliminary Site Assessments

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 **Preliminary Site Assessment**.

DEC carries out a PSA to determine whether a site is a hazardous waste site, as defined by state law.

A Preliminary Site Assessment (PSA) is DEC's first investigation of a site where hazardous waste has or may have been disposed of illegally or improperly. The goal of the PSA is to determine whether a site meets the state's definition of a hazardous waste site by confirming the presence of hazardous waste and determining if the site poses a significant threat to public health or the environment. The PSA is performed by DEC or the potentially responsible party under DEC's oversight.

The PSA is a three-step investigation to determine if the site should be classified for remediation or delisted.

The PSA has three steps that combine the former Phase I and Phase II investigations:

1. **Records Search:** a thorough background review and record check into the past use and disposal activity at the site.
2. **Sampling/Surveys:** sampling of exposed wastes, drums, surrounding soil and surface water, performing geophysical and soil gas surveys.
3. **Groundwater Monitoring:** installing monitoring wells and analyzing water samples to check for subsurface contamination.

DEC evaluates PSA information to classify or delist a site.

Each PSA step ends with a decision point that can lead to one of two outcomes.

- If the presence of hazardous waste and the degree of health or environmental threat can be documented, a site is *classified* to:
Class 1 (imminent danger)

Class 2 (significant threat)
Class 3 (no significant threat)

- If hazardous waste cannot be documented, a site is *delisted*.

Built-in decision points help move sites through the remedial process.

The decision points allow DEC to classify or delist the site as soon as enough information exists to support or refute the state's criteria for defining a hazardous waste site. They provide a mechanism to move sites into remediation at the earliest opportunity. If DEC does not have enough information to make the decision to classify or delist, the PSA continues to the next step.

Complex sites may require all three PSA steps.

At complex sites where hazardous waste is difficult to confirm or where significant threat is difficult to determine, all three PSA steps may be required before DEC makes a decision to classify or delist.

The PSA concludes with a decision to classify or delist a site.

DEC reviews the documentation and makes a decision supported by input from local government agencies, the Department of Health (DOH), DEC regional offices and the public. The PSA ends when a site is classified or delisted.

DOH plays an important role in the investigation of hazardous waste sites.

DOH participates with DEC in the PSA process. Through its own early site investigation and health assessment, DOH identifies potential impacts on public health. DEC incorporates DOH information into the PSA to ensure that public health concerns are fully investigated. DOH also helps DEC identify priority sites, reviews work plans and reports and contributes to the decisions to classify or delist a site.

DEC prioritizes sites for further investigation and remediation.

Once DEC decides a site needs remediation based on the PSA findings, the site is ranked for further remedial investigation using the state's Priority Ranking System. DEC uses this system to first focus remedial and enforcement resources on the most serious problems.

Further study and cleanup may follow a PSA.

Sites that become Class 1 or 2 move to the next stage of the remedial process - the Remedial Investigation/Feasibility Study (RI/FS). During a RI/FS, the full nature and extent of contamination is defined. Sites may also be referred for Interim Remedial Measures (early cleanup actions that may not require a full-scale investigation and design). Delisted sites are removed from the registry. Some delisted sites may then be referred to other DEC programs or the Attorney General for action (e.g., closing construction and demolition debris sites or municipal landfills).

DEC can nominate a site for federal cleanup based on PSA findings.

Information collected during the PSA can also help DEC decide if a site should be nominated for the U.S. Environmental Protection Agency's National Priorities List (NPL). NPL site remediations may be paid for by the federal Superfund.

PRELIMINARY SITE ASSESSMENT STEPS/OUTCOMES

- **Records Search:** background review to document previous disposal practices and activities. Information that describes how the waste was handled, stored, transported and disposed of comes from a wide variety of sources including: industry disposal records, site inspections, local or county investigations and interviews with local haulers, nearby residents and others who may have witnessed activities at a site.
Decision Point - delist or classify and stop the PSA, or continue to the next step.
- **Sampling/Surveys:** conduct surficial environmental sampling (surface water, soil, waste piles, drums, etc.) and geophysical/soil gas surveys. Samples are sent to laboratories for analyses.
Decision Point - delist or classify and stop the PSA or continue to the next step.
- **Groundwater Monitoring:** install and sample monitoring wells to determine if groundwater is contaminated; may conduct additional surficial sampling.
Decision Point - delist or classify.

FOR MORE INFORMATION

- About Preliminary Site Assessments, contact the Bureau of Hazardous Site Control, Division of Environmental Remediation, 50 Wolf Road, Albany, NY 12233-7010, telephone (518) 457-8807.
- For general questions about the hazardous waste remediation program, call DEC's 24-hour toll-free hazardous waste remediation information line at (800) 342-9296.
- For questions about the health impacts of hazardous waste sites, contact the Department of Health's Health Liaison Program (HeLP) at (800) 458-1158, extension 402.

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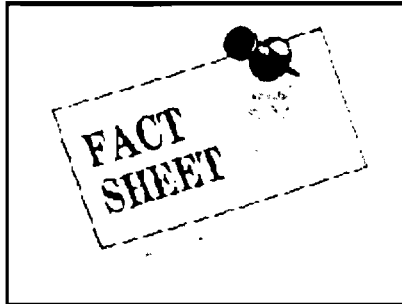
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**New York State Hazardous Waste Site Remedial Program**

## **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 to work toward an effective remedial action.*

DEC's Division of Environmental 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.

*The state achieves successful hazardous waste remediation with the cooperation of 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 remedy 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.

*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](#)."

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#### For more information

- about the RI/FS, remedy selection process, or citizen participation activities, 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.
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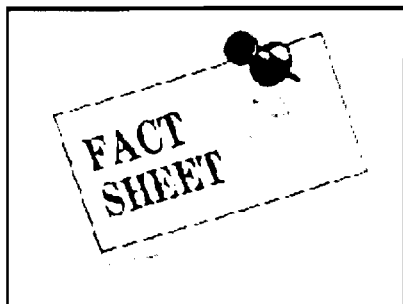
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New York State Hazardous Waste Site Remedial Program



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 investigation 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 then moves on to remedial design and construction.

ROD Contents

The ROD summarizes information used to select the remedial action.

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.

Amendments to the ROD

Amended remedial decisions require additional review and public input.

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.

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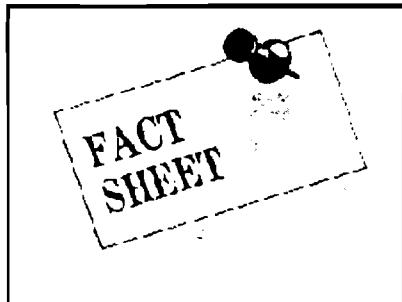
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## New York State Hazardous Waste Site Remedial Program



## Design/Construction

New York State's Hazardous Waste Site Remedial Program begins with the discovery of a potential hazardous waste site and follows a path of investigation, enforcement, remedial action selection, design, construction and monitoring. This fact sheet highlights the **Design and Construction** phase of the program.

*The Remedial Design spells out the technical requirements of the construction.*

The remedial design details the size, scope and character of a site's remediation - the planned action that will, at a minimum, protect public health and the environment. It translates information from the Remedial Investigation/Feasibility Study, the Record of Decision and additional data gathered during design preparation into clear, precise facts and numbers.

*Key participants are PRPs, state and federal agencies.*

Potentially Responsible Parties (PRPs) are legally responsible for site remediation. For many sites, remedial work is carried out by PRPs with DEC oversight. The PRPs are responsible for completion and long-term performance of the remedy. For other sites, remedial work is carried out by DEC or EPA.

*DEC ensures that all remedial designs effectively protect the environment and conform to the recommendations of the Records of Decision and consent orders.*

The NYS Department of Health (DOH) ensures that all remedial designs effectively protect the public and contain community health and safety considerations that must be implemented during construction.

*Design elements include quality control, assurance and contingency plans.*

### Construction Quality Control (CQC)

A planned system of inspections that is used to directly monitor and control the quality of a construction project. CQC, usually carried out by the contractor, is necessary to achieve quality in the constructed system.

### Construction Quality Assurance (CQA)

A planned system of activities to provide assurance to the owner and the permitting agency that all aspects of

remedial construction meet design requirements. CQA includes inspections, verifications, audits, tests and evaluations of materials and workmanship to determine and document the quality of the remedial construction.

### Contingency Plan

The contingency plan protects the local community which may be affected by an accident or emergency caused by remedial activities. Contingency plans may include:

- Name of person responsible for responding in an emergency.
- Schedule for meeting with local, state and federal agencies, the community, local emergency agencies and hospitals.
- First aid and medical information.
- Air monitoring plan if a human health risk exists through inhalation of specified pollutants.
- Spill control and countermeasures plan to prevent contamination of soil, water, air, structures, equipment or material from the discharge of wastes due to spills; to contain the spill and remove and properly dispose of media contaminated from the spill.

*Citizen participation activities, which begin when the site is identified, continue through the Design/Construction phases.*

When the remedial design is finalized, a fact sheet describing the proposed remedial action is distributed to the community and other interested people. The fact sheet also contains a construction schedule, explanations of the roles of the PRP and DEC, details of the contingency plan and descriptions of potential inconveniences such as excess traffic and noise. A public meeting or availability session may also be held to discuss schedules, changes in traffic patterns, location of monitoring equipment and how the public will be kept informed on progress. CP staff ensure that all relevant documents about the site remediation are placed in repositories for public review.

At the completion of construction, another fact sheet announcing the end of construction and describing any Operation and Maintenance activities that may have been specified in the Record of Decision (ROD) is distributed to the community.

*Remedial construction is carefully monitored.*

### Key Participants

DEC's remedial project manager attends progress meetings to discuss status of and changes in the project, test results, other findings and upcoming activities. The manager ensures that construction is not endangering public health, monitors quality assurance, coordinates remedial activities and promotes citizen participation.

The PRP's or DEC's consulting engineer and inspectors test

and inspect the constructor's work and confirm that test data are properly recorded and validated. Their main responsibility is to verify that construction conforms to the approved design documents.

**DEC oversight ensures that the construction meets all the requirements of the approved design.**

No work is performed at a site until DEC has approved the workplan. Oversight consists of two types - office and field. Office oversight includes the review, evaluation and comment on all submittals, reports, data, etc. generated by remedial activities. Field oversight is site-dependent and includes consent order requirements, construction according to approved plan, public health and environmental concerns, public sensitivity and the potential for pollutant migration.

**Final inspection ensures that all aspects of the design have been met by the construction.**

Acceptance of the remedial work signals the next step in the remedial program - site reclassification.

*Sites are often reclassified after remedial construction.*

**Site reclassification signals the conclusion of the remedial construction.**

Following remediation, a site usually is reclassified from Class 2, which called for remedial action to protect public health or the environment, to:

- Class 4, requiring continued operation, maintenance and monitoring, or
- Class 5, requiring no operation, maintenance and monitoring.

or if all hazardous wastes have been removed, the site may be removed (delisted) from the Registry of Inactive Hazardous Waste Sites.

*Operation and Maintenance may be included in the remedial program.*

Included in some remedies are monitoring requirements which are included in Operation and Maintenance (O&M) Plans. O&M includes visual inspections and upkeep and can include sampling.

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**For more information about the Design/Construction process, call DEC's 24-hour toll-free hazardous waste remediation information line at 1 (800) 342-9296.**

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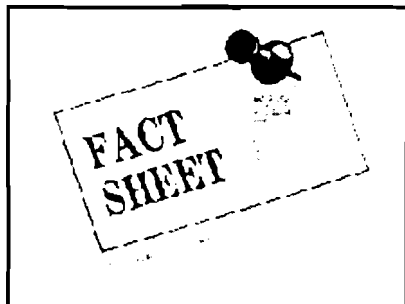
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New York State Department of Environmental Conservation

*This page was last updated 7/13/98.*Division of Environmental Remediation ~ Guidance Document

New York State Hazardous Waste Site Remedial Program



Interim Remedial Measures

New York State's Hazardous Waste Site Remedial Program begins with the discovery of a potential hazardous waste site and follows a path of investigation, enforcement, remedial action selection, design, construction and monitoring. This fact sheet highlights the **Interim Remedial Measure (IRM)**, a remedial action.

IRM defined.

An IRM is a discrete set of planned actions, used for both emergency and non-emergency situations, that can be conducted without the extensive investigation and evaluation of a Remedial Investigation/Feasibility Study (RI/FS).

An IRM can be part of or the full remediation of a site.

An IRM is designed to be a permanent part of the final remedy. Sometimes, an IRM achieves the remedial goal for a site and no further action is required. When an IRM constitutes the entire remedy, DEC drafts a Proposed Remedial Action Plan (PRAP) that proposes no further action at the site and solicits public comment.

An IRM provides a quick solution to a defined problem.

An IRM is extremely adaptable. It covers a variety of activities, large and small, to remediate an array of diverse, well-defined problems at a site. Some of these problems may be contaminated soils, surface and groundwater, debris, sediments and drinking water supplies and buried and abandoned drums of waste and bulk storage tanks.

Remedial activities carried out under an IRM include:

- Removing wastes and contaminated materials, including contaminated soil, sediments and groundwater.
- Erecting access controls, such as fences.
- Removing drums of waste and bulk storage tanks.
- Constructing diversion ditches, groundwater collection systems, leachate collection systems, gas venting systems.
- Pumping and treating contaminated groundwater.
- Treating contaminated soil onsite using innovative technologies such as soil vapor extraction.
- Installing individual drinking water filter systems.
- Demolishing and removing contaminated buildings.

IRMs provide better protection of public health and the environment.

Because of their versatility and the relative speed with which they are applied, IRMs accelerate remedial projects and the sooner sites are remediated, the sooner the public and the environment are protected. In addition, accelerated remedial projects often mean reduced remedial costs.

DEC discusses IRMs with the affected communities

In emergencies, IRMs must be implemented quickly to be most effective, making it impractical to hold public meetings and comment periods prior to the IRM actions. For time critical IRMs, the Project Manager prepares a fact sheet describing the IRM for distribution to local officials. The Regional Citizen Participation Specialist (CPS) sends the fact sheet to interested parties and residents adjacent to the site. If time does not permit mailing the fact sheet prior to implementation of the IRM, the CPS may telephone the information to local officials and conduct door-to-door notifications to residents.

For non-emergencies, the Project Manager, with the assistance of the Regional CPS, conducts an information meeting to explain the proposed IRM and listen to comments from local officials and the public.

At the issuance of a PRAP, CPSs make sure that the document is available to residents and interested parties and invite them to comment on the proposed remedial action. A Responsiveness Summary, prepared by the CPSs and the Project Manager, is issued to reply to the public comments and the Record of Decision (ROD) is signed.

State and federal agencies and PRPs carry out IRMs.

DEC carries out IRMs at State-funded sites. PRPs (potentially responsible parties) perform IRMs at their sites under consent orders. EPA (the federal Environmental Protection Agency) carries out IRMs, calling them Emergency Response Actions, at sites on the National Priorities List. Municipalities conduct IRMs at municipally-owned sites with partial funding from Title 3 grants.

DEC also carries out emergency actions at non-registry sites.

DEC's emergency response actions, such as drum removals, are carried out to prevent, mitigate or remedy environmental damage at sites not listed in the registry of hazardous waste sites.

For more information about Interim Remedial Measures or citizen participation activities, call DEC's 24-hour toll-free hazardous waste remediation information line at 1 (800) 342-9296.

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