



**NEW YORK**  
STATE OF  
OPPORTUNITY.

**Department of  
Environmental  
Conservation**

# **State Superfund Program**

## **Citizen Participation Plan for Old Palmyra Landfill**

June 2020

NYSDEC Site #859008  
Garnsey Road  
Town of Palmyra  
Wayne County, New York

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

Responsible Party: **Town of Palmyra (“Responsible Party”)**  
Site Name: **Old Palmyra Landfill (“Site”)**  
Site Address: **Garnsey Road**  
Site County: **Wayne County**  
Site Number: **859008**

## **1. What is New York’s State Superfund Program?**

New York’s State Superfund Program (SSF) identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that pose a significant threat to public health or the environment, undergo a process of investigation, evaluation, cleanup, and monitoring. The Site identified above is in the process of being characterized and has not yet been identified as a threat to public health or the environment.

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

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

## **2. Citizen Participation Activities**

### *Why NYSDEC Involves the Public and Why It Is Important*

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

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

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment

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

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the responsible party.

#### *Project Contacts*

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

#### *Locations of Reports and Information*

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

#### *Site Contact List*

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and cleanup process. The site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of

upcoming activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The site contact list includes, at a minimum:

- chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;
- residents, owners, and occupants of the site and properties adjacent to the site;
- the public water supplier which services the area in which the site is located;
- any person who has requested to be placed on the site contact list;
- the administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- location(s) of reports and information.

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

**Note:** The first site fact sheet (related to the upcoming Site Characterization) was distributed in April 2019. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See <http://www.dec.ny.gov/chemical/61092.html>.

Subsequent fact sheets about the site will be distributed exclusively through the listserv except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if this is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

### *CP Activities*

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.
- **Important announcements** are provided periodically on the Town of Palmyra's website about the site investigation and cleanup. These announcements can be found at <http://www.palmyra.com/government/town/home.htm>

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

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

#### *Technical Assistance Grant*

The site identified above has not yet been identified to pose a significant threat to public health or the environment. If it is determined to pose a significant threat to public health or the environment after the Site Characterization, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

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

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

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

Citizen Participation Activities	Timing of CP Activity(ies)
<p align="center"><b>Before Start of Site Characterization (SC):</b></p> <ul style="list-style-type: none"> <li>• Prepare site contact list</li> <li>• Establish document repository</li> <li>• Prepare Citizen Participation (CP) Plan</li> <li>• Place approved SC Work Plan in document repository</li> <li>• Distribute fact sheet to site contact list that announces availability of SC Work Plan and describes upcoming SC field work</li> </ul>	
<p align="center"><b>When NYSDEC Approves Site Characterization Report:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes SC results</li> <li>• Place approved SC Report in document repository</li> </ul>	<p>Before start of SC.</p> <p>Note: Draft CP Plan must be submitted to NYSDEC within 20 days of effective date of Consent Order. CP Plan must be approved by NYSDEC before distribution.</p> <p>When NYSDEC approves SC Report</p>
<p align="center"><b>Before Start of Remedial Investigation (RI)</b></p>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that announces availability of RI Work Plan and describes upcoming RI field work</li> </ul>	<p>Before start of RI.</p>
<p align="center"><b>When NYSDEC Releases Proposed Remedial Action Plan (PRAP)</b></p> <ul style="list-style-type: none"> <li>• Place PRAP in document repository</li> <li>• Distribute fact sheet to site contact list that describes PRAP and announces 30-day comment period and public meeting</li> <li>• Conduct 30-day public comment period</li> <li>• Hold public meeting about PRAP</li> </ul>	
<p align="center"><b>When NYSDEC Issues Record of Decision (ROD):</b></p> <ul style="list-style-type: none"> <li>• Place ROD in document repository</li> <li>• Distribute notice to site contact list that announces availability of ROD. ROD includes responsiveness summary of significant comments about PRAP</li> </ul>	<p>When NYSDEC releases PRAP. Comment period begins/ends as per dates identified in fact sheet. Public meeting is held during the comment period.</p> <p>When NYSDEC issues ROD</p>
<p align="center"><b>Before Start of Remedial Action:</b></p>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes upcoming remedial action</li> </ul>	<p>Before start of remedial action at the site</p>
<p align="center"><b>When NYSDEC Certifies Cleanup Requirements Achieved:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that announces cleanup requirements achieved</li> <li>• If Certificate of Completion (COC) is issued, announce in fact sheet</li> <li>• If COC is issued, place copy in document repository</li> </ul>	
<p align="center"><b>If NYSDEC Reclassifies the Site</b></p> <ul style="list-style-type: none"> <li>• If reclassifying site, may announce in fact sheet announcing achievement of cleanup requirements</li> </ul>	<p>When NYSDEC certifies cleanup requirements achieved, or within 10 days after NYSDEC issues COC or other similar site closure document</p> <p>At time NYSDEC proposes to reclassify the site</p>
<p align="center"><b>If NYSDEC Proposes to Delist the Site from the Registry of Contaminated Sites</b></p>	

<ul style="list-style-type: none"> <li>• Publish notice in Environmental Notice Bulletin about proposal and 30-day public comment period</li> <li>• Distribute notice to site contact list. May announce proposal in fact sheet announcing achievement of cleanup requirements</li> <li>• Conduct 30-day public comment period about proposed delist</li> <li>• Distribute notice to site contact list when site is delisted</li> </ul>	At time NYSDEC proposes to delist the site
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### 3. Major Issues of Public Concern

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

Based on preliminary investigations by the NYSDEC's Division of Materials Management, the primary contaminants of concern for the Old Palmyra Landfill are perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS). Local residents, nearby property owners, and the Town board are all important stakeholders for this site.

### 4. Site Information

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

#### *Site Description*

The site is a 6.8-acre disposal area located ½ mile west of State Route 31 along Garnsey Road, in the Town of Palmyra, in southwestern Wayne County. The topography of the site is relatively flat on the west side and gets progressively steeper on the east side. There is a small stream that follows an old trolley bed east of the Old Landfill. The closest dwelling to the south of the Old Landfill is approximately 100 feet away; however, this dwelling is currently vacant. Several residences are also located directly across the road.

#### *History of Site Use, Investigation, and Cleanup*

The site is an inactive landfill that was operated by the Village and then Town of Palmyra until it was closed in the late 1970s. A separate municipally-owned disposal area, located south of the site on the opposite side of Garnsey Road, was properly closed by the Town under the Part 360 program and is not part of the Old Palmyra Landfill site.

Waste disposal began to the Old Palmyra Landfill in the mid to late 1950s. Waste disposed included municipal solid waste and industrial waste. Documentation available indicates that industrial waste including rubber, asbestos, fibrous materials and



construction refuse were disposed of in the landfill. Operations at the site ceased in October 1978.

In December 2017 and July 2018, the NYSDEC Division of Materials Management performed groundwater, leachate, and surface water sampling at the site under the Inactive Landfill Initiative. Results from that investigation indicated PFOA and PFOS concentrations in groundwater and surface water above the Environmental Protection Agency's (EPA) Health Advisory Level (HAL) of 70 parts per trillion (ppt), as well as several metals that exceed current guidance criteria. Since that time, NYSDEC has released a document in January 2020 titled "Guidelines for Sampling and Analysis of PFAS" that indicates PFAS should be further assessed in groundwater or surface water if PFOA or PFOS is detected in any water sample at or above 10 ng/L.<sup>1</sup>

## **5. Investigation and Cleanup Process**

### *Investigation*

A detailed study of the site will be performed by the Town of Palmyra with oversight by NYSDEC and NYSDOH. The initial study is called a "Site Characterization." At the end of the Site Characterization, investigation results will be evaluated to determine if the Site poses a significant threat to public health or the environment. If the Site is determined to not represent a significant threat, then no further investigation or action is warranted. If the Site poses a significant threat, then a further detailed study will be required. This study is called a "Remedial Investigation." These documents will be made available for public review at the "Locations of Reports and Information" identified in Appendix A.

The site investigation has several goals:

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

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

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

### *Feasibility Study*

After the site investigation has begun, the Town of Palmyra, with oversight by NYSDEC will conduct a “Feasibility Study.” This study uses information developed during the site investigation to develop and evaluate potential ways to clean up contamination related to the site. Another possibility is that the information collected during the site investigation may support the conclusion that no action, or no further action, is needed to address site-related contamination.

### *Proposed Remedy*

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

### *Selected Remedy*

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

### *Cleanup Action*

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

### *Certificate of Completion*

Upon approval of the Final Engineering Report, NYSDEC may issue a Certificate of Completion (COC). The COC would recognize the findings of the Final Engineering Report and note that the cleanup program achieved a cleanup level consistent with specific categories of use for the site. The recipient of the COC would be entitled to

limited liability as long as it complied with the terms of the COC, and other conditions.

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

### *Site Management*

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

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

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

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed. During the site management phase, NYSDEC may also take steps to reclassify the site or delist the site from the Registry.

## **6. References**

<sup>1</sup>*“Guidelines for Sampling and Analysis of PFAS Under NYSDEC’s Part 375 Remedial Program.”* New York State Department of Environmental Conservation. January 2020.

## **Appendix A -- Project Contacts and Locations of Reports and Information**

### **Project Contacts**

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

#### **New York State Department of Environmental Conservation (NYSDEC):**

**Brittany O'Brien**

Project Manager

NYSDEC

Division of Environmental Remediation

625 Broadway, Albany NY 12233

(518) 402-9676

[Brittany.obrien@dec.ny.gov](mailto:Brittany.obrien@dec.ny.gov)

**Maureen Wren**

Director, Office of Media Relations

NYSDEC

625 Broadway

Albany, NY 12233

(518) 402-8000

[Maureen.wren@dec.ny.gov](mailto:Maureen.wren@dec.ny.gov)

#### **New York State Department of Health (NYSDOH):**

**Angela Martin**

Project Manager

NYSDOH

Bureau of Environmental Exposure

Investigation

Corning Tower, Empire State Plaza

Albany, NY 12237

(518) 402-7860

### **Locations of Reports and Information**

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

**Palmyra Community Library**

402 East Main Street, Palmyra, NY

14522

Attn: Patricia Baynes

Phone: (315) 597-5276

Hours: Mon. – Thu. 10 AM – 8 PM

Fri. 10 AM – 5 PM

Sat. 10 AM – 2 PM

**Palmyra Town Office Clerk**

1180 Canandaigua Road

Palmyra, NY 14522

Phone: (315) 597-5521

Hours: Mon. – Fri. 9 AM – 5 PM

**NYSDEC**

625 Broadway, Albany, NY 12233

Attn: Brittany O'Brien

Phone: (518) 402-9676

**NYSDEC PM Hours:**

Mon. – Fri. 7:30 AM – 3:30 PM (call for appointment)

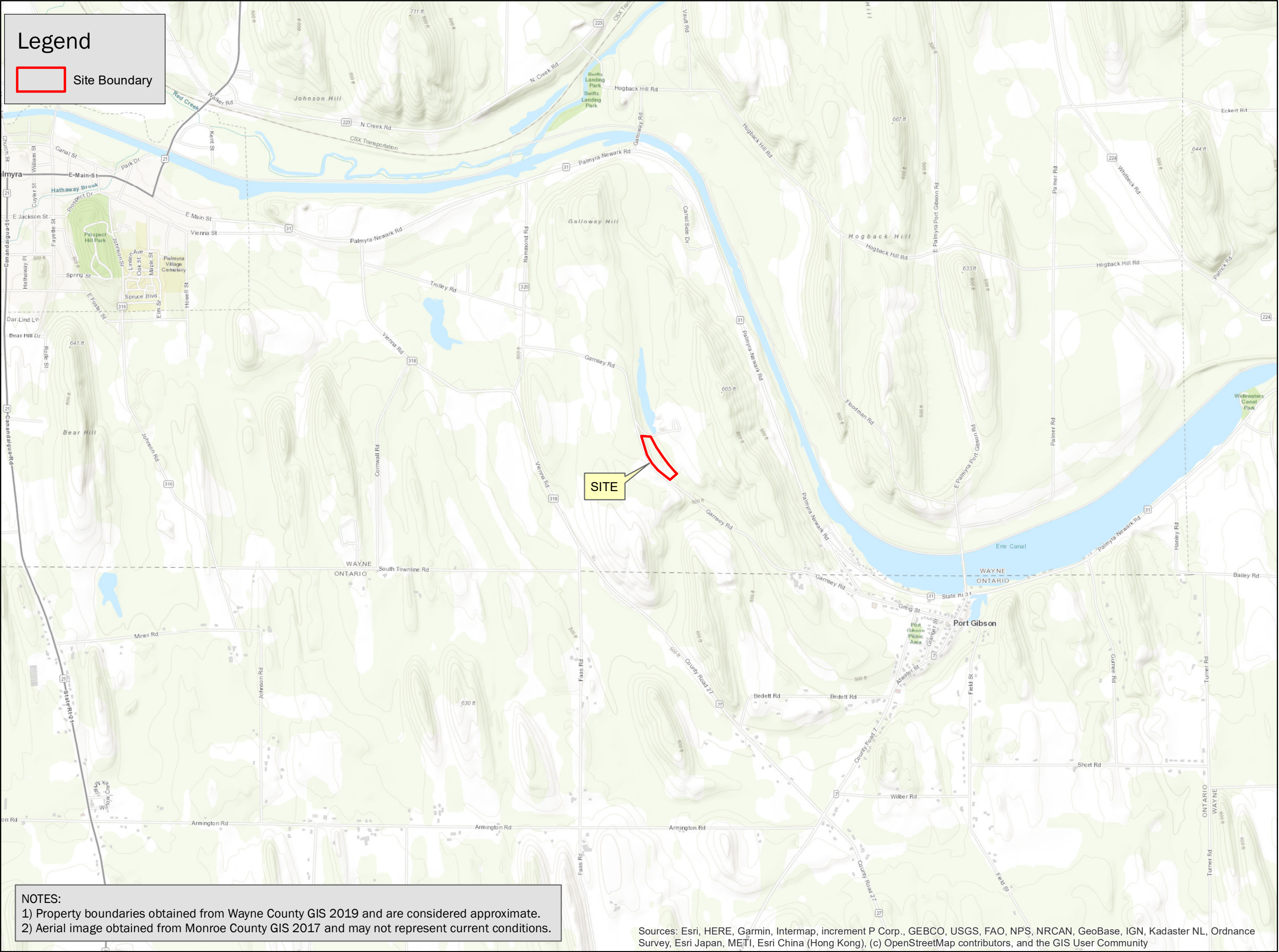
## Appendix B -- Site Contact List

**Ken Miller**

Town of Palmyra Supervisor  
1180 Canandaigua Rd. (NYS Rt. 21)  
Palmyra, NY 14522  
(315) 597-2324  
[palmyrasupv@palmyrany.com](mailto:palmyrasupv@palmyrany.com)

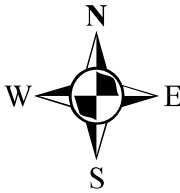
## **Appendix C -- Site Location Map**





NOTES:  
1) Property boundaries obtained from Wayne County GIS 2019 and are considered approximate.  
2) Aerial image obtained from Monroe County GIS 2017 and may not represent current conditions.

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



0 1,000 2,000

Feet

1 inch = 2,000 feet

INTENDED TO PRINT AS: 11" X 17"

CLIENT:

TOWN OF PALMYRA

PROJECT:

CITIZEN PARTICIPATION  
PLAN  
OLD PALMYRA  
LANDFILL

DRAWING NAME:

SITE LOCATION MAP

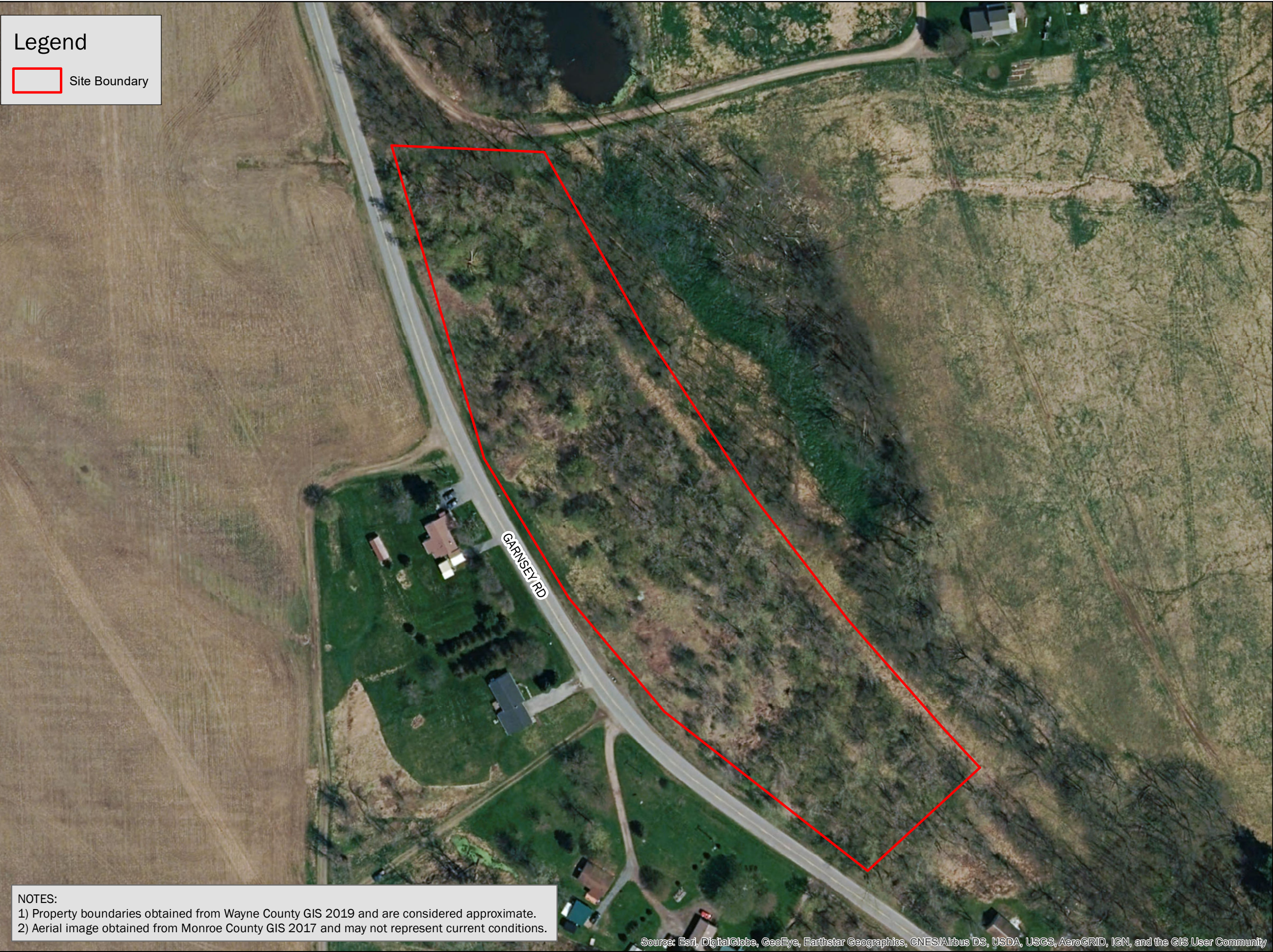
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FIGURE 1

2/26/2020



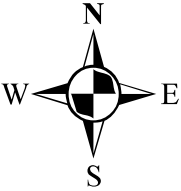


Legend

Site Boundary

NOTES:  
1) Property boundaries obtained from Wayne County GIS 2019 and are considered approximate.  
2) Aerial image obtained from Monroe County GIS 2017 and may not represent current conditions.

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



0 50 100  
Feet  
1 inch = 120 feet

INTENDED TO PRINT AS: 11" X 17"

CLIENT:

TOWN OF PALMYRA

PROJECT:

CITIZEN PARTICIPATION  
PLAN  
OLD PALMYRA  
LANDFILL

DRAWING NAME:

SITE BOUNDARY MAP

PROJECT #/DRAWING #/ DATE

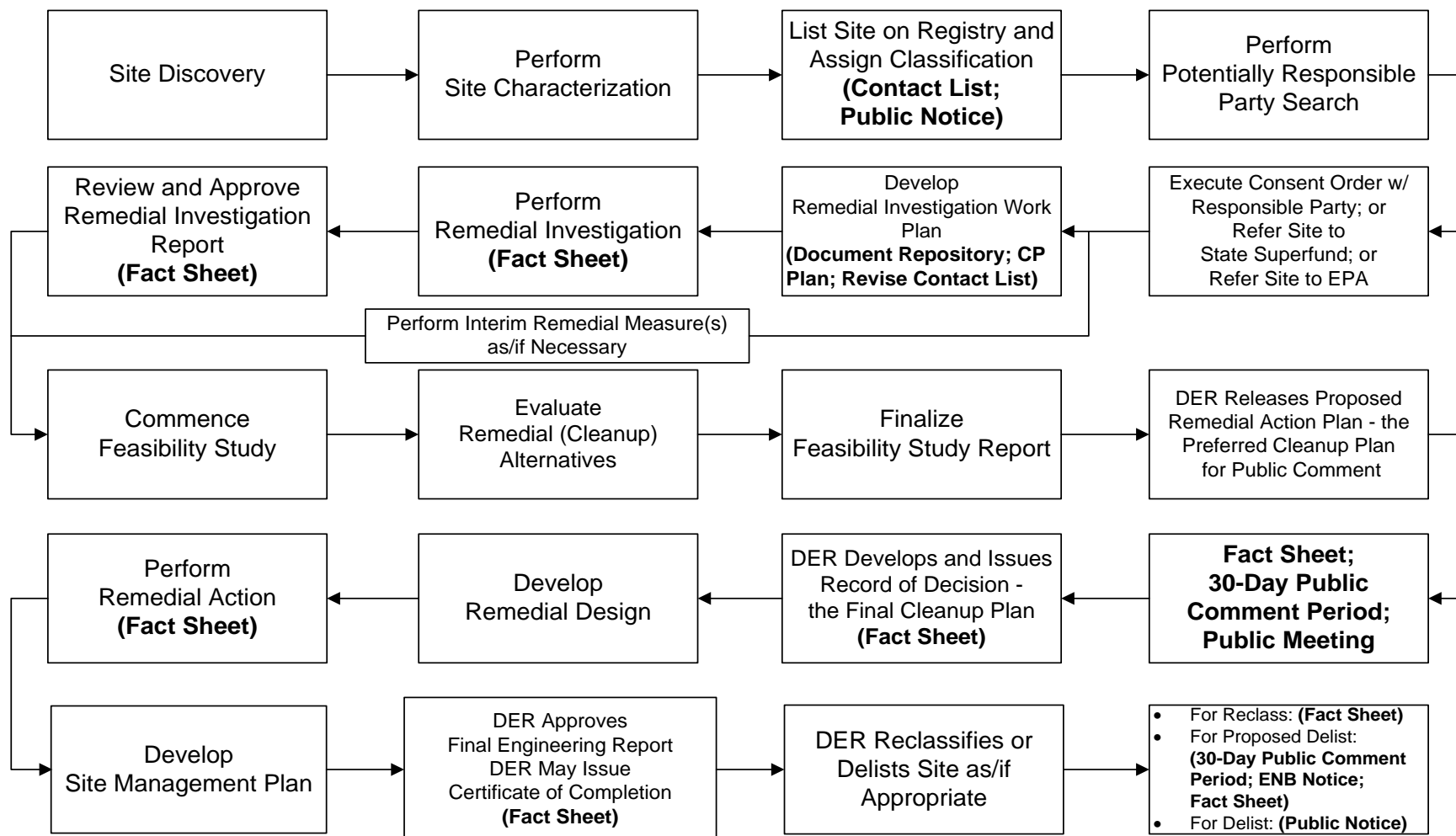
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FIGURE 2

2/26/2020



## Appendix D - State Superfund Program Remedial Process



**Note:** CP Activities are in **Bold**.

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