



**New York State Department of Environmental Conservation**

**NYSDEC MGP Remedial Program**

**Citizen Participation Plan**

**for**

**NYSEG**

**Lyons Manufactured Gas Plant Site**

**NYSDEC Site # 8-59-020**

**Index # D0-0002-9309**

Village of Lyons  
Wayne County, New York

October 2011

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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:** New York State Electric and Gas Corporation (NYSEG)

**Site Name:** Lyons MGP Site

**Site Address:** Corner Water and Geneva Streets

**Site County:** Wayne County

**Site Number:** NYSDEC Site # 8-59-020

NYSEG is investigating the site under an Order on Consent with the NYSDEC (Index #: D0-0002-9309).

## **1. New York's MGP Site Investigation and Remedial Program**

The NYSDEC Manufactured Gas Plant (MGP) Program is the State's program for identifying, investigating and cleaning up sites where consequential amounts of MGP-related residuals exist. From the late 1800's to the mid 1900's, hundreds of manufactured gas plants across New York State supplied homes and industry with fuel for heating, cooking, and lighting. Today, the New York State DEC is overseeing the investigation and cleanup of contamination left behind from these plants.

MGP sites go through a process of investigation, evaluation, cleanup and monitoring that has several distinct stages. An environmental investigation called a Site Characterization (SC) is performed when the Division of Environmental Remediation (DER) is made aware that an MGP operated at a site. The goal of the SC is to determine the presence of MGP-related residuals and to determine the threat posed by the site to public health or the environment.

Once the presence of a consequential amount of MGP-related residuals is confirmed at a site, the site is added to the State's official list of sites and is given a classification code. Sites that are deemed to be a significant threat to public health and/or the environment and requiring action undergo a detailed environmental investigation, called a remedial investigation (RI). Each site is assigned a NYSDEC project manager. When a responsible party performs an investigation, the project manager reviews and approves investigation work plans and reports and ensures the responsible party performs a thorough and proper investigation. The project manager also works closely with New York State Department of Health staff who ensure that public health concerns are addressed.

The NYSDEC project manager writes the Proposed Remedial Action Plan (PRAP) that outlines the State's preferred method to address the site. The project manager presents the proposed plan at a public meeting and responds to public comments. After a final plan is selected and the Record of Decision (ROD) is approved, DER staff may remain involved with the design and implementation of the cleanup.

The Lyons MGP site is part of a multi-site order on consent between NYSEG and NYSDEC which covers several MGP sites across New York State. NYSEG is responsible for site cleanup at this site which is performed in compliance with NYSDEC regulations and oversight. Once clean up is achieved, NYSDEC will issue a Certificate of Completion to NYSEG for the site.

## **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 the following:

- 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 investigation and cleanup 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 the 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 NYSEG.

### ***Project Contacts***

Appendix A identifies the 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 project work plans and reports and information related to the site's investigation and cleanup program also are identified in Appendix B. These locations provide convenient access to important project documents for public review and comment. Some documents, including this one, may be placed on the NYSDEC web site at following link:

<http://www.dec.ny.gov/chemical/37556.html>

NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

### ***Site Contact List***

The NYSDEC, with input from NYSEG, has developed a site-specific contact list given in Appendix B. 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 field work), as well as availability of project documents and announcements about public comment periods.

The site contact list typically includes:

- 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 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 near the site for purposes of posting and/or dissemination of information at the facility; and
- Location(s) of work plans 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.

NYSDEC invites the public to sign up with one or more contaminated sites county email listservs available at the following web page: [www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html). Listserv members will periodically receive site-related information/announcements for all contaminated sites in the county(ies) selected.

### ***CP Activities***

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

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.

Note: The table identifying the CP activities related to the site's investigation and cleanup program follows:

#### **NYSDEC MGP Program Citizen Participation Requirements**

<b>Citizen Participation Requirements</b>	<b>Timing of CP Requirement(s)</b>
<b>Before Start of Remedial Investigation (RI):</b>	
<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 RI Work Plan in document repository</li> <li>• Mail fact sheet to site contact list that announces availability of RI Work Plan and describes upcoming RI field work.</li> </ul>	Before the start of RI: Note: Draft CP Plan must be submitted to DER within 20 days of effective date of Consent Order. Plan must be approved by DER before distribution.
<b>When NYSDEC Approves Remedial Investigation Report:</b>	
<ul style="list-style-type: none"> <li>• Mail fact sheet to site contact list that describes RI results</li> <li>• Place approved RI Report in document repository</li> </ul>	When DER approves RI Report.
<b>When DER Releases Proposed Remedial Action Plan (PRAP):</b>	
<ul style="list-style-type: none"> <li>• Place PRAP in document repository</li> <li>• Mail 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>	When DER releases PRAP. Comment period begins/ends as per dates identified in fact sheet. Public meeting is held during the comment period.
<b>When DER Issues Record of Decision (ROD):</b>	
<ul style="list-style-type: none"> <li>• Place ROD in document repository</li> <li>• Mail notice to site contact list that announces availability of ROD. ROD includes responsiveness summary of significant comments about PRAP</li> </ul>	When DER issues ROD.
<b>Before Start of Remedial Action (RA):</b>	
<ul style="list-style-type: none"> <li>• Mail fact sheet to site contact list that describes upcoming RA</li> </ul>	Before the start of RA at the site.

Citizen Participation Requirements	Timing of CP Requirement(s)
<p align="center"><b>When DER Issues Certificate of Completion (COC) or Other Similar Site Closure Document:</b></p> <ul style="list-style-type: none"> <li>Place COC in document repository</li> <li>Mail fact sheet to site contact list that announces issuance of COC</li> </ul>	
	Within 10 days after DER issues COC or other similar site closure document.

### 3. Site Information

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

#### *Site Description*

The site is located within a mixed commercial and residential area on the corner of Geneva and Water Streets in the Village of Lyons. The site consists of one parcel of land that is owned by NYSEG. NYSEG leases the parcel to Wayne County. The County uses the parcel for municipal parking. Most of the ground surface of the site is covered by an asphalt parking lot. The lot is surrounded on all sides by grass-covered and landscaped areas. Because the parcel is a municipal parking lot, public access to the site is unrestricted. In the north/central area of the site is the NYSEG Natural Gas House Regulator Station R#80/81. The station is a small, one story masonry building which contains natural gas regulating and metering equipment. Access to the building is limited to NYSEG employees.

#### *Adjacent Properties*

To the north of the site is a parcel of land owned by the Village of Lyons which is a municipal parking lot. Further to the north of the Village of Lyons parcel is an additional commercial parcel. A car dealership is present at this parcel.

Directly to the south of the site are Water Street, and the intersection of Water, Geneva, and Elm Streets. To the southwest of Water Street is the Village of Lyons Fire Department building. At the corner of Water Street and Geneva Streets are several parcels, which together comprise a former business, situated at the top of the bank of the New York State (NYS) Barge Canal. At the southeast corner of Elm and Geneva Streets is a parcel owned by the Village of Lyons. This parcel has recently been redeveloped. New landscaping and a sidewalk have recently been constructed in this area to provide access to a new recreational path to the south, along the north shore of the NYS Barge Canal. Further to the south of these parcels is the NYS Barge Canal.

To the east of the site is Geneva Street. To the east of Geneva Street are three parcels of land. Two of the parcels are residential properties. The third parcel to the east of the site is located at the corner of Geneva and Elm Streets. A gasoline service station was formerly present at this parcel; however, the parcel is now vacant land.

To the west of the site is a strip of land owned by the Village of Lyons. The footprint of this strip of land roughly corresponds to the footprint of the former Erie Canal and tow path which was filled in prior to 1931. This area is currently a municipal parking lot.

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

#### **PRIOR AND CURRENT USE(S):**

The Lyons MGP was constructed in 1859 by the Lyons Gas Light Company. Based on the date of construction and the configuration of the plant the MGP was constructed and operated as a coal carbonization plant using coal as a feedstock. The annual gas production ranged from 2,000,000 cubic feet in 1889, to 8,000,000 cubic feet in 1899, to 3,000,000 cubic feet in 1909. The MGP was shut down in 1917. NYSEG acquired the Empire Gas and Electric Company and the Lyons MGP parcel in 1936. NYSEG used one of the two gas holders from the MGP for the storage and distribution of natural gas. The MGP Building was used as a natural gas governor to control natural gas flow. The building and gas holder were demolished in 1976.

#### **PREVIOUS ENVIRONMENTAL ASSESSMENTS:**

Two phases of Site Characterization (SC) work have been performed at the site. A Preliminary Site Screening investigation was performed in November 1990. The investigation included the collection of four surface soil samples, and the description of site characteristics for input into a site screening and prioritization program. A second phase of SC investigation work was performed in 1992. The field activities for the investigation included: a land use survey, a geophysical survey, a soil gas survey, surface soil sampling and laboratory analysis, the advancement of soil borings and the analysis of subsurface soil samples, the installation of monitoring wells and a piezometer, aquifer permeability testing, and quarterly groundwater sampling was performed for a period of one year (four sample events).

#### **CONTAMINANTS RELATED TO THE SITE THAT ARE KNOWN OR SUSPECTED:**

Coal tar has been found within a subsurface historic gas plant process structure, and in soil beneath a limited portion of the former gas plant building. The coal tar was a by-product of manufacturing gas from coal at the site in the late 1800's and early 1900's. The primary contaminants of concern associated with coal tar are benzene, toluene, ethylbenzene, and xylenes (BTEX) and polycyclic aromatic hydrocarbons (PAHs). The coal tar is present below the ground surface and site users cannot come into contact with it unless excavations are performed. The coal tar is thought to be limited to the area beneath the paved parking lot facility. Groundwater which comes into contact with the contaminated soil contains dissolved compounds associated with the coal tar. Additional monitoring wells will be installed during the RI to determine the extent of the groundwater contamination at the site and the surrounding areas.



## **4. Investigation and Cleanup Process**

### *Investigation*

NYSEG will conduct the RI phase of the investigation as the next step in this process. This investigation will be performed with NYSDEC oversight. NYSEG has developed a Remedial Investigation Work Plan that sets forth the investigation activities which has been approved by the NYSDEC.

The site investigation will have several goals which include the following:

- 1) Defining the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) Identifying the source(s) of the contamination;
- 3) Assessing the possible impact of the contamination on public health and the environment; and
- 4) Providing information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

When the investigation is complete, NYSEG will prepare and submit a report that summarizes the results. This report also will indicate whether or not cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

### *Remedy Selection*

After the NYSDEC's approval of the RI Report, a feasibility study evaluation (FS) will be prepared. NYSEG will then work with the NYSDEC to develop an acceptable cleanup plan. A Proposed Remedial Action Plan (PRAP) will then be prepared and the public will have the opportunity to ask questions or comment on the proposed site remedy. The NYSDEC will then issue a Record of Decision (ROD) for the selected remedy for site cleanup.

## **Appendix A**

### **Project Contacts 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):**

Ms. Kiera Becker  
Project Manager  
NYS Department of Environmental  
Conservation  
Division of Environmental Remediation  
625 Broadway, 11th Floor  
Albany, NY 12233-7014  
(518) 402-9662  
Fax: (518) 402-9679

Ms. Linda Vera  
Citizen Participation Specialist  
NYSDEC Region 8  
6274 E. Avon-Lima Road  
Avon, NY 14414  
(585) 226-5324

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

Ms. Katherine Fish  
Public Health Specialist  
Environmental Exposure Investigation  
NYS Department of Health/Rochester Field  
Office  
335 E. Main Street  
Rochester, New York 14604  
(585) 423-8156  
[kjc05@health.state.ny.us](mailto:kjc05@health.state.ny.us)

#### **NYSEG:**

Bob Pass  
Regional Manager  
Community Outreach & Development  
P.O. Box 3607  
Binghamton, NY 13902-3607  
Tel: 607.762.6298 (Binghamton)  
607.347.2148 (Ithaca)

## **Location of Project Reports and Information**

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

### **Lyons Public Library**

Contact Information

Director: Theresa Streb

122 Broad Street

Lyons, New York 14489

(315) 946-9262

Fax: (315) 946-3320

[LyonsLibraryDirector@owwl.org](mailto:LyonsLibraryDirector@owwl.org)

<http://www.lyonslibrary.blogspot.com/>

### **Open Hours**

Monday: 10 - 5 & 7 - 9

Tuesday: 12 - 9

Wednesday: 10 - 5 & 7 - 9

Thursday: 12 - 9

Friday: 10 - 5

Saturday: 9 - 1

Sunday: closed

### **NYSDEC Region 8**

6274 E. Avon-Lima Road

Avon, New York 14414

(585) 226-5324

## **APPENDIX B**

### **Site Contact List**

As of this writing, the Site Contact List is comprised of the following:

- 155 Nearby Residences
- 85 Nearby Businesses
- 11 Media Outlets
- 10 Public Officials

## Appendix C Site Location Map

