

**EPA Superfund
Record of Decision:**

**FOREST GLEN MOBILE HOME SUBDIVISION
EPA ID: NYD981560923
OU 01
NIAGARA FALLS, NY
12/29/1989**

ANILINE, PHENOTHIAZINE, BENZOTHAZOLE, MERCAPTOBENZOTHAZOLE, AND PAHS.

EXPOSURE ASSESSMENT INFORMATION

IN ITS PRELIMINARY HEALTH ASSESSMENT, ATSDR IDENTIFIED SEVERAL PATHWAYS WHICH COULD RESULT IN RESIDENTIAL EXPOSURE TO CONTAMINANTS AT THE SITE. THE PRIMARY ROUTES OF EXPOSURE AT THE SITE ARE RELATED TO THE CONTAMINATED SURFACE AND SUBSURFACE SOILS AT THE SITE. THESE PATHWAYS INCLUDE DIRECT INGESTION, DERMAL CONTACT, INHALATION, OR DERMAL ABSORPTION. RESIDENTS MIGHT BE EXPOSED TO BURIED WASTES AT THE SITE DURING GARDENING, CONSTRUCTION, EXCAVATION, OR OTHER ACTIVITIES WHICH DISTURB THE SOIL COVER AT THE SITE. BECAUSE GROUND WATER MONITORING WELLS HAVE NOT BEEN INSTALLED AT THE SITE, ATSDR COULD NOT EVALUATE POTENTIAL GROUND WATER CONTAMINATION. ALTHOUGH THE SITE IS SUPPLIED WITH PUBLIC WATER, ATSDR IDENTIFIED INGESTION OF CONTAMINATED DRINKING WATER AS A POTENTIAL THREAT AT THE SITE. THIS IS BECAUSE ON PREVIOUS OCCASIONS, LATERAL CONNECTIONS FROM THE PUBLIC WATER SUPPLY LINES TO SOME RESIDENCES HAVE DETERIORATED, POSSIBLY DUE TO CORROSION. ATSDR DETERMINED THAT, AT THE PRESENT TIME, THE POTENTIAL FOR SURFACE WATER AND SEDIMENT CONTAMINATION THROUGH EROSION IS MODERATE BECAUSE OF EXISTING SOIL COVER AND VEGETATION ON THE SITE. ADDITIONAL SAMPLING IS REQUIRED TO DETERMINE WHETHER CONTAMINATED SEDIMENT AND SURFACE WATER ARE OF CONCERN AT THE SITE. ATSDR COULD NOT DETERMINE WHETHER CONTAMINANTS WERE BEING INGESTED IN HOME GARDENS. BASED ON EPA AIR SAMPLING DATA, THERE IS CURRENTLY NO EVIDENCE OF RESIDENTIAL EXPOSURE VIA INHALATION OF AMBIENT AIR.

TOXICITY ASSESSMENT INFORMATION

ATSDR EVALUATED THE HEALTH IMPLICATIONS OF EXPOSURE TO SEVERAL CHEMICALS DETECTED IN SITE SOIL, INCLUDING ANILINE, PHENOTHIAZINE, BENZOTHAZOLE, MERCAPTOBENZOTHAZOLE, AND PAHS. OF THESE CHEMICALS, ANILINE IS CLASSIFIED AS A PROBABLE HUMAN CARCINOGEN AND PAHS ARE CLASSIFIED AS POTENTIAL HUMAN CARCINOGENS. OCCUPATIONAL EXPOSURE TO ANILINE HAS RESULTED IN ELEVATED CONCENTRATIONS OF METHEMOGLOBIN IN THE BLOOD WHICH CAN LEAD TO CYANOSIS AND ASPHYXIA. PHENOTHIAZINE EXPOSURE HAS RESULTED IN SKIN SENSITIZATION AND MAY PRECIPITATE ALLERGIC CONTACT DERMATITIS. BENZOTHAZOLE AND MERCAPTOBENZOTHAZOLE MAY CAUSE ALLERGIC CONTACT DERMATITIS. BASED ON THIS INFORMATION AND ON THE HIGH CONCENTRATIONS OF THESE CHEMICALS FOUND IN SURFACE SOILS, ALL OF THE ABOVE COMPOUNDS ARE CONSIDERED CONTAMINANTS OF CONCERN AT THE PRESENT TIME.

RISK CHARACTERIZATION INFORMATION

ATSDR DETERMINED THAT RESIDENTS OF THE SUBDIVISION MIGHT BE EXPOSED TO SIGNIFICANT LEVELS OF CONTAMINATION DURING NORMAL WORK OR PLAY ACTIVITIES, AND THAT THE RISK OF EXPOSURE TO CONTAMINANTS MIGHT BE INCREASED BY ON-SITE REMEDIAL OR REMOVAL OPERATIONS. IN ADDITION, ATSDR DOCUMENTED THE POTENTIAL FOR CONTAMINATION OF THE PUBLIC WATER SUPPLY IF BURIED WASTES CAUSE DETERIORATION OF WATER SUPPLY LINES. FINALLY, ATSDR DETERMINED THAT SUBSIDENCE OF THE FILL UNDERLYING PARTS OF THE SITE POSED A POTENTIAL PHYSICAL HAZARD AS WELL AS A POTENTIAL HEALTH THREAT BECAUSE OF THE POTENTIAL FOR A RELEASE OF HAZARDOUS GASES TO THE ENVIRONMENT. ATSDR RECOMMENDED THAT RESIDENTS BE RELOCATED FROM THE FOREST GLEN SUBDIVISION SITE UNTIL THE FINDING OF A SIGNIFICANT RISK TO HUMAN HEALTH IS SHOWN TO BE UNFOUNDED AND/OR THE SIGNIFICANT RISK TO HUMAN HEALTH HAS BEEN ELIMINATED OR SUBSTANTIALLY MITIGATED.

ACTUAL OR THREATENED RELEASES OF HAZARDOUS SUBSTANCES FROM THIS SITE, IF NOT ADDRESSED BY IMPLEMENTING THE RESPONSE ACTION SELECTED IN THIS ROD, MAY PRESENT AN IMMINENT AND SUBSTANTIAL ENDANGERMENT TO PUBLIC HEALTH, WELFARE, OR THE ENVIRONMENT.

#DA

DESCRIPTION OF ALTERNATIVES

THE FOREST GLEN SUBDIVISION SITE FOCUSED FEASIBILITY STUDY OF RELOCATION OPTIONS (FFS), RELEASED FOR PUBLIC COMMENT ON NOVEMBER 17, 1989, EVALUATES, IN DETAIL, THREE ALTERNATIVES FOR RELOCATING RESIDENTS FROM THE SITE. THESE ALTERNATIVES ARE SUMMARIZED BELOW.

ALTERNATIVE 1: NO ACTION

PRESENT WORTH COST: \$2,050,000 (ESTIMATE)
MONTHS TO IMPLEMENT: NONE

EPA IS REQUIRED TO ANALYZE A NO-ACTION ALTERNATIVE AS PART OF THE FEASIBILITY STUDY PROCESS TO PROVIDE A BASIS OF COMPARISON TO BE USED IN EVALUATING OTHER ALTERNATIVES. THE NO-ACTION ALTERNATIVE PRESENTED HERE ASSUMES THAT NO FURTHER ACTION TAKES PLACE AT THE SITE TO PROTECT THE HEALTH OF SITE RESIDENTS. UNDER THE NO-ACTION ALTERNATIVE, THE TEMPORARY RELOCATION WHICH IS CURRENTLY BEING OFFERED TO RESIDENTS WOULD BE CEASED AND RESIDENTS THAT HAVE NOT BEEN RELOCATED WOULD REMAIN LIVING ON THE SITE. AT PRESENT, APPROXIMATELY ONE-HALF OF THE FOREST GLEN SUBDIVISION RESIDENTS HAVE AGREED TO TEMPORARY RELOCATION. TEMPORARY RELOCATION OF ALL RESIDENTS WOULD CEASE IN APRIL 1990 AFTER THE EXPIRATION OF THE TEMPORARY RELOCATION PROGRAM CURRENTLY BEING IMPLEMENTED UNDER EPA EMERGENCY AUTHORITIES.

UNDER THE NO-ACTION ALTERNATIVE, NO ACTIONS WOULD BE TAKEN IN THE SHORT-TERM TO MITIGATE THE POTENTIAL THREAT TO RESIDENTS. RESIDENTS WOULD CONTINUE TO BE EXPOSED TO CONTAMINATED SOIL AND THE MIGRATION OF CONTAMINANTS FROM THE SITE WOULD CONTINUE. POTENTIAL METHANE GAS GENERATION AND SUBSIDENCE OF THE LANDFILL WOULD NOT BE ADDRESSED. IN ADDITION, GILL CREEK WOULD CONTINUE TO BE A POTENTIAL CONTAMINANT MIGRATION PATHWAY TO THE NIAGARA RIVER.

THIS REMEDY COULD BE IMPLEMENTED IMMEDIATELY AND WOULD REQUIRE NO TIME TO COMPLETE. THE COSTS ASSOCIATED WITH THIS ALTERNATIVE WOULD INCLUDE THOSE FOR MONITORING AND REVIEW OF THE SITE AND THE MONEY SET ASIDE, TO DATE, FOR INTERIM MEASURES SUCH AS FENCING, SITE COVER, AND DRUM REMOVAL AND TEMPORARY RELOCATION OF RESIDENTS THROUGH APRIL 1990.

ARARS

THERE ARE NO ARARS ASSOCIATED WITH THIS ALTERNATIVE.

ALTERNATIVE 2: CONTINUED TEMPORARY RELOCATION OF RESIDENTS

PRESENT WORTH COST: \$5,717,000 - \$11,065,000 (ESTIMATES)
MONTHS TO IMPLEMENT: 60 TO 120 (ESTIMATES)

UNDER THIS ALTERNATIVE, EPA WOULD CONTINUE TO OFFER TEMPORARY RELOCATION TO RESIDENTS AT THE SITE THROUGH FEMA UNTIL SUCH TIME AS RESIDENTS COULD MOVE BACK TO THE SITE. AT PRESENT, APPROXIMATELY ONE-HALF OF THE FAMILIES IN THE FOREST GLEN SUBDIVISION HAVE AGREED TO TEMPORARY RELOCATION. UNDER THIS ALTERNATIVE, EPA AND FEMA WOULD CONTINUE TO OFFER TEMPORARY RELOCATION TO THOSE RESIDENTS WHO HAVE NOT YET AGREED TO RELOCATION. FOR PURPOSES OF COST ESTIMATION, IT IS ASSUMED THAT ALL RESIDENTS ARE TEMPORARILY RELOCATED FOR A PERIOD OF FIVE TO TEN YEARS.

THE SITE WOULD BE FENCED AND SECURED TO PREVENT TRESPASSING AFTER TEMPORARY RELOCATION OF RESIDENTS WAS COMPLETED. IN ADDITION, A PROGRAM OF SITE SECURITY AND PROPERTY MAINTENANCE WOULD BE REQUIRED TO ENSURE AGAINST VANDALISM, THEFT, AND DETERIORATION OF THE HOMES AT THE SITE.

AS IT IS CURRENTLY BEING IMPLEMENTED, FEMA PROVIDES ASSISTANCE TO INDIVIDUALS WHO ARE BEING DISPLACED FROM THEIR PRIMARY RESIDENCE. THE PROGRAM ALLOWS INDIVIDUALS TO RELOCATE BY COVERING REASONABLE EXPENSES WHICH ARE ADDITIONAL TO EXPENSES INCURRED PRIOR TO DISPLACEMENT. ALTHOUGH ASSISTANCE VARIES WITH INDIVIDUAL NEED, TYPICAL TYPES OF ASSISTANCE OFFERED TO DATE INCLUDE TEMPORARY HOUSING, SUBSISTENCE PAYMENTS, RENTAL FURNITURE, A UTILITY SUBSIDY, UTILITY CONNECTION COSTS, EXPENSES FOR TRANSPORTATION OF HOUSEHOLD GOODS, DECONTAMINATION AND/OR ACQUISITION OF PERSONAL PROPERTY, AND KENNEL COSTS.

THIS ALTERNATIVE IS ESTIMATED TO COST BETWEEN \$5,717,000 (FIVE YEARS TEMPORARY RELOCATION) AND \$11,065,000 (TEN YEARS TEMPORARY RELOCATION). THE MAJORITY OF THESE COSTS RESULT FROM THE RENTAL OF REPLACEMENT RESIDENCES AND THE MAINTENANCE AND SECURITY OF RESIDENCES DURING THE PERIOD AFTER RESIDENT RELOCATION HAS OCCURRED.

ARARS

THERE ARE NO ENVIRONMENTAL LAWS ASSOCIATED WITH THIS ALTERNATIVE. HOWEVER, THE MAJOR GUIDELINES ASSOCIATED WITH FEDERAL IMPLEMENTATION OF THIS ALTERNATIVE ARE THE REQUIREMENTS OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 (42 USC 4601 ET SEQ.) AND ITS IMPLEMENTING REGULATIONS AT 40

CFR 4.1 ET SEQ.

ALTERNATIVE 3: PERMANENT RELOCATION OF RESIDENTS

PRESENT WORTH COST: \$4,705,000 - \$6,023,000 (ESTIMATES)

MONTHS TO IMPLEMENT: 12 - 18 (ESTIMATE)

UNDER THIS ALTERNATIVE, EPA, IN CONJUNCTION WITH FEMA AND THE STATE OF NEW YORK, WOULD PERMANENTLY RELOCATE ALL RESIDENTS FROM THE FOREST GLEN SUBDIVISION SITE. FEMA ADMINISTERS PERMANENT RELOCATION ACTIVITY UNDER SUPERFUND IN ACCORDANCE WITH THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 AS AMENDED. THIS ACT PROVIDES FOR UNIFORM AND EQUITABLE TREATMENT OF PERSONS DISPLACED FROM THEIR HOMES BY FEDERAL PROGRAMS.

UNDER FEMA, PERMANENT RELOCATION PROJECTS ARE CARRIED OUT IN TWO PHASES: PROPERTY ACQUISITION, IN WHICH RESIDENTS ARE COMPENSATED FOR THE VALUE OF REAL PROPERTY WHICH IS BEING ACQUIRED, AND RELOCATION ASSISTANCE, IN WHICH RESIDENTS ARE ASSISTED IN IDENTIFYING AND MOVING INTO REPLACEMENT RESIDENCES. EPA HAS EVALUATED TWO OPTIONS FOR PROPERTY ACQUISITION (ACQUISITION OF LAND AND MOVING MOBILE HOMES, AND ACQUISITION OF ALL REAL PROPERTY) AND TWO OPTIONS FOR RELOCATION ASSISTANCE (INDIVIDUAL RELOCATION AND GROUP RELOCATION).

PROPERTY ACQUISITION

THE PROPERTY ACQUISITION PHASE MAY INCLUDE ACQUISITION OF LAND OR LAND AND HOMES BECAUSE SEVERAL OF THE HOMES IN THE SUBDIVISION ARE MOBILE AND OTHERS ARE NOT. ALL RESIDENTS AT THE SITE WOULD BE RELOCATED. RELOCATION WOULD INCLUDE THE ACQUISITION OF DEVELOPED LAND AT FAIR MARKET VALUE, AS WILL BE EXPLAINED BELOW. MOBILE HOMES AT THE SITE WOULD BE ACQUIRED OR, DEPENDING ON RESIDENT PREFERENCE AND FEASIBILITY, MOVED TO A NEW LOCATION.

OPTION A: ACQUISITION OF LAND/MOVEMENT OF EXISTING MOBILE HOMES

BASED ON RESIDENT PREFERENCE AND OTHER CONSIDERATIONS, MOBILE HOMES AT THE SITE COULD BE MOVED TO A NEW LOCATION. MOBILE HOMES WHICH ARE TO BE MOVED WOULD BE TESTED TO DETERMINE THE EXTENT OF CHEMICAL CONTAMINATION AND THE FEASIBILITY OF MOVING THE HOME. IF THE HOME WAS FOUND TO BE UNCONTAMINATED OR WAS ABLE TO BE DECONTAMINATED AND WAS IN GOOD STRUCTURAL CONDITION AND IF IT PROVED ECONOMICALLY FAVORABLE TO DO SO, ONLY LAND WOULD BE ACQUIRED AND THE HOME COULD BE MOVED TO A NEW SITE. IF THE HOME WAS FOUND TO BE CONTAMINATED SUCH THAT IT COULD NOT BE ECONOMICALLY CLEANED OR IF IT WAS FOUND TO BE STRUCTURALLY IMPAIRED SO THAT MOVING THE HOME WOULD BE IMPRACTICAL, THE HOME WOULD BE PURCHASED AND THE RESIDENTS ASSISTED IN LOCATING REPLACEMENT HOUSING.

OPTION B: ACQUISITION OF ALL REAL PROPERTY

FOR THOSE RESIDENTS WHO DO NOT WISH TO MOVE THEIR MOBILE HOMES, BOTH LAND AND HOME WOULD BE ACQUIRED. ALL REAL PROPERTY IN THE FOREST GLEN SUBDIVISION WOULD BE APPRAISED IN ACCORDANCE WITH DEPARTMENT OF JUSTICE STANDARDS TO DETERMINE ITS FAIR MARKET VALUE. BASED ON FAIR MARKET VALUE OF THE PROPERTY, AN OFFER TO PURCHASE WOULD BE MADE TO EACH PROPERTY OWNER. THIS OFFER COULD BE ACCEPTED OR CONTESTED BY THE PROPERTY OWNER WHO WOULD PRESENT EVIDENCE SUBSTANTIATING HIS OR HER REASONS FOR CONTESTING THE OFFER. WHEN AGREEMENT IS REACHED, THE PROPERTY OWNER WOULD RECEIVE THE AGREED UPON AMOUNT LESS ANY ENCUMBRANCES ON THE PROPERTY.

RESIDENTS WOULD BE OFFERED JUST COMPENSATION FOR ANY REAL PROPERTY TO BE ACQUIRED. PROPERTY WOULD BE APPRAISED DISREGARDING ANY DECREASE IN THE FAIR MARKET VALUE OF THE REAL PROPERTY CAUSED BY CHEMICAL CONTAMINATION AT THE SITE. IN ADDITION, UNDER OPTION A, ACQUISITION OF LAND/MOVEMENT OF EXISTING MOBILE HOMES, OR OPTION B, ACQUISITION OF ALL REAL PROPERTY, RESIDENTS WOULD BE REIMBURSED FOR THE REPLACEMENT OF PERSONAL PROPERTY WHICH EPA DETERMINED TO BE IMMOBILE OR WHICH WAS NOT ABLE TO BE DECONTAMINATED.

GENERAL INFORMATION ON PROPERTY ACQUISITION

EPA AND FEMA WOULD CONTINUE TO OFFER TEMPORARY RELOCATION TO RESIDENTS UNTIL PERMANENT RELOCATION COULD BE COMPLETED. AS WILL BE EXPLAINED BELOW, FEMA WOULD ASSIST RESIDENTS IN LOCATING REPLACEMENT RESIDENCES AND IN

MOVING TO THOSE RESIDENCES OR IN MOVING HOMES TO REPLACEMENT LOTS.

DURING PERMANENT RELOCATION ACTIVITIES, THE SITE WOULD BE SECURED TO PREVENT TRESPASSING. IN ADDITION, A PROGRAM OF SITE SECURITY AND PROPERTY MAINTENANCE WOULD BE REQUIRED TO ENSURE AGAINST VANDALISM, THEFT, AND DETERIORATION OF THE HOMES AT THE SITE WHILE PERMANENT RELOCATION ACTIVITIES WERE ONGOING. THIS PROGRAM WOULD CONTINUE UNTIL PERMANENT RELOCATION WAS COMPLETED AND REAL AND PERSONAL PROPERTY REMAINING AT THE SITE WERE EITHER DISPOSED OF OR SALVAGED.

FOLLOWING THE PERMANENT RELOCATION OF ALL RESIDENTS, THE SITE WOULD BE FENCED AND SECURED TO PREVENT TRESPASSING. REAL AND PERSONAL PROPERTY REMAINING ON-SITE WOULD BE DECONTAMINATED, IF NECESSARY. FOLLOWING SUCCESSFUL DECONTAMINATION, PROPERTY WOULD BE DISPOSED OF OR SALVAGED. TITLE TO ALL PROPERTIES ACQUIRED DURING THE PERMANENT RELOCATION WOULD BE TRANSFERRED TO THE STATE OF NEW YORK FOLLOWING THE COMPLETION OF REMEDIAL ACTIONS AT THE SITE, AS REQUIRED BY LAW. FIELD WORK FOR THE SECOND OPERABLE UNIT WOULD BEGIN ONCE PERMANENT RELOCATION WAS COMPLETED AND THE SITE WAS SUFFICIENTLY CLEARED TO ALLOW ACCESS FOR SAMPLING ACTIVITIES.

RESIDENT RELOCATION

IN THE RESIDENT RELOCATION PHASE OF THIS ALTERNATIVE, RESIDENTS WOULD BE OFFERED ASSISTANCE IN LOCATING AND/OR MOVING TO REPLACEMENT RESIDENCES OR IN MOVING MOBILE HOMES TO REPLACEMENT LOTS. BASED ON INPUT FROM RESIDENTS AT THE SITE, EPA HAS INCLUDED TWO OPTIONS UNDER THE RELOCATION PHASE OF THIS ALTERNATIVE.

OPTION C: INDIVIDUAL RELOCATION OF RESIDENTS

UNDER OPTION C, HOUSEHOLDS WOULD BE RELOCATED ON AN INDIVIDUAL BASIS ACCORDING TO THE REQUIREMENTS OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970. IN THE RELOCATION PHASE, FEMA WOULD PROVIDE ASSISTANCE TO INDIVIDUALS IN LOCATING REPLACEMENT HOMES OR REPLACEMENT LOTS. ADDITIONAL INFORMATION ON THE TYPES OF RELOCATION ASSISTANCE AVAILABLE ARE DISCUSSED IN THE SECTION BELOW ENTITLED, "GENERAL INFORMATION ON RESIDENT RELOCATION."

OPTION D: GROUP RELOCATION OF RESIDENTS

UNDER OPTION D, RESIDENTS WOULD BE RELOCATED TO A NEW NEIGHBORHOOD IN CIRCUMSTANCES WHICH ARE COMPARABLE TO CONDITIONS IN THE FOREST GLEN SUBDIVISION. RESIDENTS WOULD EITHER MOVE THEIR EXISTING MOBILE HOMES OR WOULD PURCHASE NEW COMPARABLE HOUSING. BECAUSE OF THE NUMBER OF RESIDENTS INVOLVED, THIS OPTION COULD INCLUDE PURCHASING, SUBDIVIDING, AND DEVELOPING A PARCEL OF LAND SO THAT INDIVIDUAL LOTS COULD BE COMPARABLE TO THOSE IN THE FOREST GLEN SUBDIVISION.

ALTHOUGH THIS OPTION HAS BEEN TERMED "GROUP RELOCATION" BY THE RESIDENTS AND EPA, ACTUAL MOVING PAYMENTS AND RELOCATION ASSISTANCE WOULD BE PROVIDED ON AN INDIVIDUAL BASIS. THE AMOUNTS OF ANY PAYMENTS FOR RELOCATION ASSISTANCE WOULD BE DETERMINED FOR EACH INDIVIDUAL HOUSEHOLD IN THE SAME MANNER AS FOR OPTION C. THEREFORE, THE AMOUNTS OF THESE PAYMENTS WOULD DEPEND ON THE INDIVIDUAL CIRCUMSTANCES OF EACH HOMEOWNER BEFORE AND AFTER RELOCATION AS EXPLAINED IN THE NEXT SECTION.

AT PRESENT, EPA AND FEMA ARE INVESTIGATING WAYS IN WHICH THE FEDERAL GOVERNMENT COULD ASSIST INTERESTED RESIDENTS IN IMPLEMENTING GROUP RELOCATION. RESIDENTS MIGHT REQUIRE ASSISTANCE IN REZONING OR IN OBTAINING ZONING VARIANCES AND/OR IN ENGAGING A DEVELOPER. EPA WOULD WORK WITH THE COMMUNITY TO DETERMINE THE OTHER TYPES OF SUPPORT REQUIRED TO IMPLEMENT GROUP RELOCATION.

GENERAL INFORMATION ON RESIDENT RELOCATION

UNDER EITHER OPTION C, INDIVIDUAL RELOCATION OF RESIDENTS, OR OPTION D, GROUP RELOCATION OF RESIDENTS, THE TYPES AND AMOUNTS OF RELOCATION ASSISTANCE AVAILABLE ARE GOVERNED BY THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970. ELIGIBLE INDIVIDUALS COULD RECEIVE: COMPENSATION FOR THE ADDED COST OF A COMPARABLE REPLACEMENT DWELLING; A PAYMENT TO OFFSET ANY INCREASED MORTGAGE INTEREST COSTS; A PAYMENT FOR THOSE REASONABLE COSTS CONNECTED WITH THE PURCHASE OF A REPLACEMENT DWELLING; LIMITED MOVING COSTS; RENTAL ASSISTANCE; INFORMATION ON THE AVAILABILITY OF SUITABLE REPLACEMENT HOUSING; ASSISTANCE TO HELP

OVERCOME ANY DISCRIMINATORY PRACTICES THAT MAY BE ENCOUNTERED IN OBTAINING HOUSING OF CHOICE; INSPECTION OF REPLACEMENT HOUSING TO INSURE THAT THE PROPERTY IS DECENT, SAFE AND SANITARY; ASSISTANCE IN FILLING OUT CLAIM FORMS; COUNSELING ABOUT OTHER SOURCES OF ASSISTANCE THAT MAY BE AVAILABLE; AND SUCH OTHER HELP AS MAY BE APPROPRIATE.

IMPLEMENTATION OF THIS REMEDY WOULD TAKE APPROXIMATELY 12 - 18 MONTHS. THIS ALTERNATIVE IS ESTIMATED TO COST BETWEEN \$4,705,000 AND \$6,023,000. THIS RANGE REPRESENTS THE MINIMUM AND MAXIMUM COSTS FOR PERMANENT RELOCATION BASED ON THE OPTIONS DISCUSSED ABOVE. EPA AND FEMA WOULD WORK WITH RESIDENTS TO DETERMINE THE OPTION WHICH BEST SUITS THE CIRCUMSTANCES OF EACH RESIDENT.

THESE COSTS ARE SOMEWHAT HIGHER THAN THE COSTS PRESENTED IN THE FOREST GLEN SUBDIVISION PROPOSED PLAN PUBLISHED ON NOVEMBER 17, 1989. BASED ON PUBLIC INPUT AND OTHER INFORMATION PRESENTED TO EPA, THE ESTIMATE OF THE COST OF ACQUIRING AN INDIVIDUAL LOT IN THE FOREST GLEN SUBDIVISION HAS BEEN INCREASED APPROXIMATELY 210% AND THE COST ESTIMATES FOR THE ACQUISITION OF MOBILE AND PERMANENT HOMES HAVE BEEN INCREASED APPROXIMATELY 30% - 40%. THESE INCREASES HAVE, IN TURN, RAISED THE OVERALL COST RANGE OF ALTERNATIVE 3 BY APPROXIMATELY 11% - 12%. IN ADDITION, THE ESTIMATED IMPLEMENTATION TIME FOR PERMANENT RELOCATION HAS BEEN MODIFIED TO A RANGE OF 12 TO 18 MONTHS TO REFLECT THE ADDITIONAL TIME WHICH MAY BE REQUIRED TO IMPLEMENT GROUP RELOCATION. THESE INCREASES, REFLECTED IN THIS ROD, WERE NOT CONSIDERED SIGNIFICANT CHANGES BY EPA.

ARARS

THERE ARE NO ENVIRONMENTAL LAWS ASSOCIATED WITH THIS ALTERNATIVE. HOWEVER, THE MAJOR GUIDELINES ASSOCIATED WITH FEDERAL IMPLEMENTATION OF THIS ALTERNATIVE ARE THE REQUIREMENTS OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 (42 USC 4601 ET SEQ.) AND ITS IMPLEMENTING REGULATIONS AT 40 CFR 4.1 ET SEQ. DEPENDING ON THE OPTIONS IMPLEMENTED DURING PERMANENT RELOCATION, STATE OR LOCAL ZONING OR SUBDIVISION LAWS MAY ALSO BE APPLICABLE TO THIS ACTION.

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SUMMARY OF COMPARATIVE ANALYSIS OF ALTERNATIVES

THIS SECTION OF THE ROD PROFILES THE PERFORMANCE OF THE THREE ALTERNATIVES DISCUSSED ABOVE AGAINST EPA'S NINE EVALUATION CRITERIA. THIS EVALUATION IS THE BASIS FOR EPA'S SELECTION OF AN ALTERNATIVE FOR THE RELOCATION OF RESIDENTS FROM THE FOREST GLEN SUBDIVISION SITE.

OVERALL PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT

ALTERNATIVE 3, PERMANENT RELOCATION, IS PROTECTIVE OF HUMAN HEALTH. THE PROTECTIVENESS OF ALTERNATIVE 2 MAY VARY SINCE TEMPORARY RELOCATION WOULD BE A VOLUNTARY PROGRAM. BOTH ALTERNATIVES PROVIDE PROTECTION BY ELIMINATING THE PATHWAY FOR EXPOSURE TO RESIDENTS AND THE PUBLIC. ALTERNATIVE 1, NO ACTION, IS NOT PROTECTIVE BECAUSE RESIDENTS WOULD REMAIN ON THE SITE AND THERE WOULD BE THE POTENTIAL FOR CONTINUED EXPOSURE TO SITE CONTAMINANTS.

COMPLIANCE WITH APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS (ARARS)

THERE ARE NO ENVIRONMENTAL LAWS ASSOCIATED WITH ANY OF THE ALTERNATIVES; HOWEVER, ALTERNATIVES 2 AND 3, TEMPORARY AND PERMANENT RELOCATION, COMPLY WITH ALL IDENTIFIED FEDERAL RELOCATION REQUIREMENTS. THEREFORE, NO ARAR WAIVERS WOULD BE REQUIRED. ALTERNATIVE 1 HAS NO ARARS.

LONG-TERM EFFECTIVENESS AND PERMANENCE

ALTERNATIVE 2, TEMPORARY RELOCATION, AND ALTERNATIVE 3, PERMANENT RELOCATION, ARE BOTH EFFECTIVE IN THE LONG TERM PROVIDED THERE IS 100% RESIDENT PARTICIPATION IN BOTH PROGRAMS. HOWEVER, ALTERNATIVE 2 RELIES ON CONTINUANCE OF THE TEMPORARY LODGING ARRANGEMENTS MADE BY EPA AND ON CONTINUED SUPPORT BY RESIDENTS, WHICH IS UNLIKELY OVER A PERIOD OF FIVE TO TEN YEARS. IN ADDITION, THE LONG-TERM EFFECTIVENESS OF ALTERNATIVE 2 IS ONLY ASSURED IF SITE CAN BE REMEDIATED SUCH THAT FUTURE RISKS TO RESIDENTS CAN BE MITIGATED. IF THIS IS NOT THE CASE, RESIDENTS WILL HAVE TO BE PERMANENTLY RELOCATED TO ASSURE LONG-TERM EFFECTIVENESS. ALTERNATIVE 3 DOES NOT HAVE SUCH CONSTRAINTS. THEREFORE, THE DEGREE OF LONG TERM MANAGEMENT OF RELOCATION EFFORTS IS LESS

FOR ALTERNATIVE 3 THAN FOR ALTERNATIVE 2. ALL OF THE ALTERNATIVES WOULD REQUIRE A REVIEW OF THE SITE AT LEAST EVERY FIVE YEARS. THIS REQUIREMENT WILL BE MET THROUGH SUBSEQUENT INVESTIGATIONS AT THE SITE. BOTH ALTERNATIVE 2, TEMPORARY RELOCATION, AND ALTERNATIVE 3, PERMANENT RELOCATION, ALSO REQUIRE SITE SECURITY AND FENCING TO MINIMIZE FUTURE EXPOSURE TO SITE CONTAMINANTS BY TRESPASSERS.

ALTERNATIVE 1, NO ACTION, IS NOT EFFECTIVE IN THE LONG TERM SINCE THE POTENTIAL RISK TO REMAINING RESIDENTS WOULD STILL EXIST.

REDUCTION OF TOXICITY, MOBILITY, OR VOLUME THROUGH TREATMENT

NONE OF THE ALTERNATIVES BEING CONSIDERED UTILIZE TREATMENT. REMEDIATION OF THE SITE, INCLUDING THE NEED FOR TREATING CONTAMINATION AT THE SITE, WILL BE CONSIDERED IN A FUTURE OPERABLE UNIT.

SHORT-TERM EFFECTIVENESS

ALTERNATIVE 2, TEMPORARY RELOCATION, AND ALTERNATIVE 3, PERMANENT RELOCATION, ARE PROTECTIVE IN THE SHORT-TERM PROVIDED THE SAME NUMBER OF RESIDENTS AGREE TO TEMPORARY RELOCATION UNDER BOTH ALTERNATIVES. THIS IS BECAUSE, UNDER BOTH ALTERNATIVES, TEMPORARY RELOCATION COULD BE IMPLEMENTED IMMEDIATELY THROUGH FEMA AND BECAUSE EPA WOULD CONTINUE TO OFFER TEMPORARY RELOCATION TO RESIDENTS UNTIL PERMANENT RELOCATION IS COMPLETE.

IMPLEMENTABILITY

IN THE SHORT-TERM, ALTERNATIVE 2, TEMPORARY RELOCATION, IS POTENTIALLY MOST EASILY IMPLEMENTABLE BECAUSE IT IS A CONTINUATION OF TEMPORARY RELOCATION ACTIVITIES CURRENTLY BEING CONDUCTED AT THE SITE. HOWEVER, IF SOME RESIDENTS CONTINUE TO RESIST TEMPORARY RELOCATION, THE IMPLEMENTABILITY OF ALTERNATIVE 2 COULD BE COMPLETELY ELIMINATED. IN ADDITION, IF IT IS LATER DETERMINED, THROUGH THE SECOND OPERABLE UNIT REMEDIAL INVESTIGATION AND FEASIBILITY STUDY (RI/FS), THAT ON-SITE SOURCE MATERIALS COULD NOT BE REMOVED OR TREATED TO ELIMINATE THE RISK TO SITE RESIDENTS, THE IMPLEMENTABILITY OF THIS ALTERNATIVE WOULD BE VERY LOW SINCE PERMANENT RELOCATION WOULD THEN BE REQUIRED.

ALTERNATIVE 3, PERMANENT RELOCATION, IS EXPECTED TO BE EASILY IMPLEMENTABLE SINCE AN INTERAGENCY AGREEMENT BETWEEN EPA AND FEMA FOR FEMA ASSISTANCE WITH PERMANENT RELOCATION IS CURRENTLY IN PLACE. RESIDENT COOPERATION IS ESSENTIAL TO THE IMPLEMENTATION OF BOTH ALTERNATIVES 2 AND 3. IN ADDITION, IN THE CASE OF ALTERNATIVES 2 AND 3, FUTURE INVESTIGATIONS AND ACTIONS AT THE SITE WOULD BE VERY EASY TO UNDERTAKE SINCE RELOCATION OF RESIDENTS WOULD PROVIDE UNLIMITED ACCESS TO THE SITE.

THERE IS NO NEED TO CONSIDER IMPLEMENTABILITY FOR ALTERNATIVE 1, NO-ACTION. THIS ALTERNATIVE WOULD NOT FACILITATE ANY FUTURE REMEDIAL WORK AT THE SITE.

COST

DEPENDING ON THE OPTIONS SELECTED UNDER ALTERNATIVE 3 AND THE DURATION OF TEMPORARY RELOCATION ACTIVITIES UNDER ALTERNATIVE 2, EITHER ALTERNATIVE 3, PERMANENT RELOCATION OR ALTERNATIVE 2, TEMPORARY RELOCATION, WOULD BE THE LEAST COSTLY OF THE ACTION ALTERNATIVES CONSIDERED. IN SOME CASES, THE POTENTIAL COST DIFFERENCES BETWEEN ALTERNATIVES 2 AND 3 COULD BE INSIGNIFICANT. HOWEVER, THE COST OF ALTERNATIVE 2 IS VERY SENSITIVE TO CHANGES IN THE ASSUMPTION THAT RESIDENTS WOULD BE TEMPORARILY RELOCATED FOR FIVE TO TEN YEARS. IN ADDITION, THE COSTS OF ALTERNATIVE 2 WOULD INCREASE SIGNIFICANTLY IF IT IS LATER DETERMINED, THROUGH THE SECOND OPERABLE UNIT RI/FS, THAT ON-SITE SOURCE MATERIALS COULD NOT BE REMOVED OR TREATED TO ELIMINATE THE RISK TO SITE RESIDENTS. IN THIS CASE, RESIDENTS WOULD HAVE TO BE PERMANENTLY RELOCATED AFTER SEVERAL YEARS OF TEMPORARY RELOCATION AND THE COSTS ASSOCIATED WITH ALTERNATIVE 2 COULD POTENTIALLY DOUBLE.

THE COSTS ASSOCIATED WITH ALTERNATIVE 1, NO ACTION, ARE \$2,050,000. THE COSTS ASSOCIATED WITH ALTERNATIVE 2, TEMPORARY RELOCATION ARE BETWEEN \$5,717,000 AND \$11,065,000. THE COSTS ASSOCIATED WITH ALTERNATIVE 3, PERMANENT RELOCATION, ARE BETWEEN \$4,705,000 AND \$6,023,000.

STATE ACCEPTANCE

AN ALTERNATIVE THAT DOES NOT PROVIDE FOR THE PERMANENT RELOCATION OF ALL RESIDENTS WOULD NOT BE ACCEPTABLE TO THE STATE.

COMMUNITY ACCEPTANCE

COMMUNITY ACCEPTANCE WILL BE JUDGED AFTER FORMAL COMMENT ON THESE ALTERNATIVES. HOWEVER, SOME RESIDENTS OF THE FOREST GLEN SUBDIVISION HAVE REFUSED OFFERS OF TEMPORARY RELOCATION IN THE PAST AND HAVE INDICATED THEY WILL DO SO IN THE FUTURE. OTHER RESIDENTS HAVE INDICATED THAT THEY WILL ACCEPT TEMPORARY RELOCATION ONLY AS AN INTERIM MEASURE WHILE PERMANENT RELOCATION IS BEING IMPLEMENTED. IN ADDITION, SEVERAL RESIDENTS STRONGLY SUPPORT ALTERNATIVE 3, OPTION D, PERMANENT GROUP RELOCATION, AND HAVE INDICATED THAT THEY ARE UNWILLING TO ACCEPT PERMANENT RELOCATION UNLESS IT INCLUDES GROUP RELOCATION. OTHER RESIDENTS HAVE EXPRESSED A PREFERENCE FOR ALTERNATIVE 3, OPTION C, INDIVIDUAL RELOCATION.

#SR

SELECTED REMEDY

EPA HAS SELECTED ALTERNATIVE 3, PERMANENT RELOCATION, AS THE RELOCATION ALTERNATIVE FOR THE FOREST GLEN SUBDIVISION RESIDENTS. WITHIN ALTERNATIVE 3, EPA PREFERS AN OPTION THAT WOULD INCLUDE A COMBINATION OF INDIVIDUAL RELOCATION AND GROUP RELOCATION TO BEST MEET THE NEEDS OF THE COMMUNITY IN ACCORDANCE WITH THE NATIONAL CONTINGENCY PLAN AND ALL APPLICABLE LAWS, REGULATIONS, AND STANDARDS.

UNDER ALTERNATIVE 3, ALL RESIDENTS OF THE SITE WILL BE PERMANENTLY RELOCATED FROM THE SITE. THIS WILL RESULT IN THE ELIMINATION OF ALL RISKS TO THE RESIDENTS POSED BY THE SITE. TEMPORARY RELOCATION WILL CONTINUE WHILE THE PERMANENT RELOCATION PROCESS IS BEING IMPLEMENTED TO MITIGATE SHORT-TERM RISKS TO THE RESIDENTS. IN ADDITION, ALTERNATIVE 3 INCLUDES SAMPLING AND, IF REQUIRED, DECONTAMINATION OF THE MOBILE HOMES AT THE SITE. MOBILE HOMES WHICH ARE NOT MOVED TO NEW LOCATIONS WILL BE SALVAGED OR DISPOSED AND THE SITE WILL BE FENCED AND SECURED.

THE COSTS ASSOCIATED WITH ALTERNATIVE 3, PERMANENT RELOCATION, ARE ITEMIZED IN TABLES 3 THROUGH 8 IN APPENDIX 2. SOME MODIFICATIONS MAY BE MADE TO THE SELECTED REMEDY AS A RESULT OF THE PLANNING ACTIVITIES WHICH WILL BE PERFORMED PRIOR TO THE PERMANENT RELOCATION AND AS A RESULT OF THE IMPLEMENTATION OF THE PERMANENT RELOCATION PROCESS.

#SD

STATUTORY DETERMINATIONS

THIS SECTION OF THE ROD DESCRIBES HOW THE SELECTED REMEDY, PERMANENT RELOCATION, MEETS THE STATUTORY REQUIREMENTS OF SECTION 121 OF CERCLA.

PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT

THE SELECTED REMEDY, PERMANENT RELOCATION, IS NECESSARY TO PROTECT THE PUBLIC HEALTH OR WELFARE, AND WILL PROTECT THE HEALTH OF RESIDENTS BY PERMANENTLY REMOVING THEM FROM THE SOURCE OF CONTAMINATION. THUS, THE RISK TO THE RESIDENTS' HEALTH WILL BE ESSENTIALLY ELIMINATED. WHILE THE PERMANENT RELOCATION PROCESS IS BEING IMPLEMENTED, THE RISK TO RESIDENTS WILL BE ELIMINATED THROUGH THE USE OF TEMPORARY RELOCATION. DURING THE PERMANENT RELOCATION PROCESS, THE SITE WILL BE SECURED TO REDUCE RISKS TO NON-RESIDENTS. ONCE THE PERMANENT RELOCATION PROCESS IS SUBSTANTIALLY COMPLETE, THE SITE WILL BE FENCED AND SECURITY WILL BE MAINTAINED TO PROTECT HUMAN HEALTH.

COMPLIANCE WITH APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS

THE SELECTED REMEDY WILL COMPLY WITH ALL FEDERAL AND ANY MORE STRINGENT STATE REQUIREMENTS THAT ARE APPLICABLE OR RELEVANT AND APPROPRIATE TO THIS ACTION. ALTHOUGH THERE ARE NO ENVIRONMENTAL LAWS ASSOCIATED WITH THIS ALTERNATIVE, THE MAJOR ACTION-SPECIFIC GUIDELINES ASSOCIATED WITH FEDERAL GOVERNMENT IMPLEMENTATION OF THIS ALTERNATIVE ARE THE REQUIREMENTS OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 (42 USC 4601 ET SEQ.) AND ITS IMPLEMENTING REGULATIONS AT 40 CFR 4.1 ET SEQ. DEPENDING ON THE OPTIONS IMPLEMENTED DURING PERMANENT RELOCATION, STATE OR LOCAL ZONING OR SUBDIVISION LAWS MAY ALSO

BE APPLICABLE TO THIS REMEDIAL ACTION.

COST EFFECTIVENESS

THE SELECTED REMEDY AFFORDS OVERALL EFFECTIVENESS PROPORTIONATE TO ITS COSTS. BASED ON THE ORDER OF MAGNITUDE COST ESTIMATES PREPARED BY EPA, THE RANGE OF COSTS ASSOCIATED WITH THE SELECTED ALTERNATIVE, PERMANENT RELOCATION, IS CONSIDERABLY LESS THAN THAT OF TEMPORARY RELOCATION. EVEN IF TEMPORARY RELOCATION CONCLUDED AFTER FIVE YEARS, THE COSTS OF TEMPORARY RELOCATION WOULD BE ROUGHLY EQUAL TO THE HIGHEST COST ESTIMATE FOR PERMANENT RELOCATION. THIS, IN COMBINATION WITH THE FACT THAT THE LONG-TERM EFFECTIVENESS AND IMPLEMENTABILITY PROVIDED BY PERMANENT RELOCATION ARE HIGHER THAN THOSE FOR TEMPORARY RELOCATION AND THE FACT THAT THE COMMUNITY STRONGLY PREFERS PERMANENT RELOCATION WARRANT ANY POTENTIAL ADDITIONAL COSTS ASSOCIATED WITH THE SELECTED ALTERNATIVE.

UTILIZATION OF PERMANENT SOLUTIONS AND ALTERNATIVE TREATMENT TECHNOLOGIES TO THE MAXIMUM EXTENT PRACTICABLE (MEP)

THE SELECTED REMEDY, PERMANENT RELOCATION OF SITE RESIDENTS, UTILIZES PERMANENT SOLUTIONS AND ALTERNATIVE TREATMENT TECHNOLOGIES TO THE MAXIMUM EXTENT PRACTICABLE. HOWEVER, BECAUSE THE SELECTED REMEDY ADDRESSES THE IMMEDIATE THREAT TO THE HEALTH OF RESIDENTS, IT INCLUDES RELOCATION ONLY AND NO TREATMENT OF WASTES. THE USE OF TREATMENT FOR SITE WASTES WILL BE ADDRESSED IN A FUTURE OPERABLE UNIT.

PERMANENT RELOCATION ASSURES PROTECTION OF HUMAN HEALTH AND IS MOST EFFECTIVE IN THE LONG TERM BECAUSE THE HEALTH OF RESIDENTS WOULD BE PROTECTED REGARDLESS OF THE TYPE OF REMEDIATION WHICH IS PERFORMED AT THE SITE IN THE FUTURE. ALTHOUGH IT WILL REQUIRE APPROXIMATELY ONE TO ONE AND ONE HALF YEARS TO IMPLEMENT, THE SHORT-TERM EFFECTIVENESS OF ALTERNATIVE 3 IS INCREASED IF RESIDENTS AGREE TO TEMPORARY RELOCATION WHILE PERMANENT RELOCATION IS BEING IMPLEMENTED. IN ADDITION, ALTERNATIVE 3 IS MORE IMPLEMENTABLE IN THE LONG TERM SINCE IT DOES NOT REQUIRE INDEFINITE TEMPORARY RELOCATION OF FAMILIES. FINALLY, THE RANGE OF COSTS OF PERMANENT RELOCATION IS CONSIDERABLY LESS THAN THAT OF ALTERNATIVE 2, TEMPORARY RELOCATION. IN FACT, THE HIGH COST ESTIMATE ASSOCIATED WITH PERMANENT RELOCATION ROUGHLY EQUALS THE LOWEST COST ESTIMATE ASSOCIATED WITH TEMPORARY RELOCATION. LONG-TERM EFFECTIVENESS AND IMPLEMENTABILITY WERE THE MOST DECISIVE FACTORS IN EPA'S SELECTION OF ALTERNATIVE 3, PERMANENT RELOCATION. BOTH THE STATE AND THE COMMUNITY STRONGLY PREFERRED PERMANENT RELOCATION.

PREFERENCE FOR TREATMENT AS A PRINCIPAL ELEMENT

THE PREFERENCE FOR TREATMENT AS A PRINCIPAL ELEMENT OF THIS REMEDY IS NOT SATISFIED. TREATMENT IS NOT WITHIN THE LIMITED SCOPE OF THIS RELOCATION ACTION. THE POSSIBLE USE OF TREATMENT TO ADDRESS THE PRINCIPAL THREATS POSED BY THIS SITE WILL BE ADDRESSED IN FUTURE OPERABLE UNITS.

#DSC

DOCUMENTATION OF SIGNIFICANT CHANGES

ALTERNATIVE 3, PERMANENT RELOCATION, WAS THE PREFERRED ALTERNATIVE IDENTIFIED BY EPA IN THE FOREST GLEN SUBDIVISION SITE PROPOSED PLAN RELEASED FOR PUBLIC COMMENT ON NOVEMBER 17, 1989. NO SIGNIFICANT CHANGES WERE MADE TO THE SELECTED REMEDY FROM THE DATE THE PROPOSED PLAN AND FFS WERE RELEASED FOR PUBLIC COMMENT AND THE DATE OF THIS ROD.

#TA

TABLES AND ATTACHMENTS

TABLE 1

SUMMARY OF ANALYTICAL RESULTS OF 9/27-29/88 SAMPLING

CHEMICAL	CONCENTRATION RANGE (2) (PPM)	MEDIA	OCCURRENCES (1)
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SEMI-VOLATILES

ACENAPHTHENE	24 - 260	W (3)	2/23
N-NITROSODIPHENYLAMINE (4)	47	S (5)	1/38
N-NITROSODIPHENYLAMINE (4)	5300	W	2/23
PHENANTHRENE	0.9 - 57	S	10/38
PHENANTHRENE	33 - 880	W	5/23
ANTHRACENE	32 - 350	W	2/23
FLUORANTHENE	1.1 - 85	S	15/38
FLUORANTHENE	2.9 - 1300	W	6/23
PYRENE	0.98 - 87	S	15/38
PYRENE	33 - 1100	W	5/23
BENZO(A)ANTHRACENE	0.95 - 74	S	15/38
BENZO(A)ANTHRACENE	28 - 890	W	5/23
CHRYSENE	1 - 74	S	13/38
CHRYSENE	30 - 880	W	5/23
BENZO(B)FLUORANTHENE	0.83 - 4500	S	15/38
BENZO(B)FLUORANTHENE	30 - 820	W	5/23
BENZO(K)FLUORANTHENE	0.95 - 60	S	11/38
BENZO(K)FLUORANTHENE	25 - 630	W	5/23
BENZO(A)PYRENE	0.9 - 59	S	10/38
BENZO(A)PYRENE	30 - 840	W	5/23
INDENO(1,2,3-CD)PYRENE	0.9 - 31	S	8/38
INDENO(1,2,3-CD)PYRENE	28 - 420	W	3/23
BENZO(G,H,I)PERYLENE	0.84 - 31	S	7/38
BENZO(G,H,I)PERYLENE	30 - 370	W	3/23

INORGANICS

CADMIUM	1.7 - 12	S	2/38
CHROMIUM	15.2 - 285	S	38/38
CHROMIUM	57 - 294	W	20/23
LEAD	13 - 1450	S	38/38
LEAD	110 - 339	W	10/23
MERCURY	0.1 - 61	S	38/38

TICS

BENZOTHAZOLE	0.69 - 560	S	5/38
BENZOTHAZOLE	8 - 46000	W	9/23
2-MERCAPTOBENZOTHAZOLE	2.4 - 64000	W	9/23
MOLECULAR SULFUR	12 - 27	S	2/38
MOLECULAR SULFUR	3.6 - 8400	W	9/23
BENZO(C)PHENANTHRENE	0.79 - 14	S	3/38
BENZO(J)FLUORANTHENE	0.69 - 31	S	8/38
BENZO(GHI)FLUORANTHENE	17	S	1/38
BENZO(K)FLUORANTHENE	9.9	S	1/38
BENZO(A)PYRENE	11 - 14	S	2/38
ANILINE	3.2 - 4000	W	4/23

NOTES

- 1 OCCURRENCES IS THE RATIO OF THE NUMBER OF POSITIVE ANALYSES OF A PARTICULAR CHEMICAL TO THE NUMBER OF SAMPLES TAKEN.
- 2 SOME COMPOUNDS WERE PRESENT BELOW CONTRACT-SPECIFIED DETECTION LIMITS, BUT ABOVE INSTRUMENT DETECTION LEVELS. TIC CONCENTRATIONS ARE ESTIMATED VALUES.
- 3 W = SOLID WASTE SAMPLE
- 4 THE METHOD USED TO ANALYZE THESE SAMPLES DOES NOT DISTINGUISH BETWEEN N-NITROSODIPHENYLAMINE AND DIPHENYLAMINE. SUBSEQUENT ANALYSES HAVE CONCLUDED THAT DIPHENYLAMINE IS THE ACTUAL COMPOUND PRESENT.
- 5 S = SOIL SAMPLE

TABLE 2

SUMMARY OF ANALYTICAL RESULTS OF 4/13/89 RE-SAMPLING

CHEMICAL	CONCENTRATION RANGE (2) (PPM)	MEDIA	OCCURRENCES (1)
TICS			
ANILINE	2600 - 5700	W (3)	3/7
ANILINE	0.01 - 0.35	S (4)	2/7
BENZOTHIAZOLE	0.15 - 2000	W	7/7
BENZOTHIAZOLE	0.35 - 90	S	6/7
PHENOTHIAZINE	3.3 - 5500	W	5/7
PHENOTHIAZINE	0.70 - 19.5	S	5/7

NOTES

- 1 OCCURRENCES IS THE RATIO OF THE NUMBER OF POSITIVE ANALYSES OF A PARTICULAR CHEMICAL TO THE NUMBER OF SAMPLES TAKEN.
- 2 TIC CONCENTRATIONS ARE ESTIMATED VALUES.
- 3 W = SOLID WASTE SAMPLE
- 4 S = SOIL SAMPLE

TABLE 3

RANGE OF TOTAL COSTS ASSOCIATED WITH PERMANENT RELOCATION

ALTERNATIVE	COST
I.	
OPTION A - ACQUISITION OF LAND	\$ 4,705,000
OPTION C - INDIVIDUAL RELOCATION: MOVE EXISTING MOBILE HOMES TO COMPARABLE MOBILE HOME PARKS ONE YEAR TEMPORARY RELOCATION FENCING	
II.	
OPTION A - ACQUISITION OF LAND	\$ 4,705,000
OPTION D - GROUP RELOCATION: MOVE EXISTING HOMES TO NEW PARCEL OF LAND; PURCHASE AND DEVELOP LAND ONE YEAR TEMPORARY RELOCATION FENCING	
III.	
OPTION B - ACQUISITION OF ALL REAL PROPERTY	\$ 6,023,000
OPTION C - INDIVIDUAL RELOCATION: MOVE RESIDENTS TO COMPARABLE HOMES ONE YEAR TEMPORARY RELOCATION FENCING	
IV.	
OPTION B - ACQUISITION OF ALL REAL PROPERTY	\$ 6,023,000
OPTION D - GROUP RELOCATION: MOVE RESIDENTS TO NEW PARCEL OF LAND; PURCHASE AND DEVELOP LAND ONE YEAR TEMPORARY RELOCATION FENCING	

TABLE 4

BREAKDOWN OF COSTS ASSOCIATED WITH PERMANENT RELOCATION

PROPERTY ACQUISITION PHASE

OPTION A: ACQUISITION OF LAND/MOVEMENT OF EXISTING MOBILE HOMES

ITEM	COST
DECONTAMINATION OF MOBILE HOMES @ \$3,500/HOME (1)	\$ 179,000
TESTING AND ANALYSIS OF SAMPLES FROM HOMES @ \$1,200/SAMPLE AND @ 10 SAMPLES/ MOBILE HOME	\$ 612,000
MOVING MOBILE HOMES @ \$6,000/HOME	\$ 306,000
ACQUIRE PERMANENT RESIDENCES @ \$65,000/HOME	\$ 130,000
ACQUIRE LAND ONLY @ \$10,000/51 LOTS	\$ 510,000
CONTINGENCY FOR DAMAGE TO HOMES CAUSED BY MOVING (ASSUME 10% OF COST OF MOVING MOBILE HOMES)	\$ 31,000
	<hr/>
SUBTOTAL	\$ 1,768,000
CONTINGENCY (10%)	\$ 177,000
	<hr/>
SUBTOTAL	\$ 1,945,000
ADMINISTRATIVE COSTS (10%)	\$ 194,000
	<hr/>
TOTAL	\$ 2,139,000

NOTE

1 BASED ON 51 MOBILE HOMES AND 2 PERMANENT HOMES

TABLE 5

BREAKDOWN OF COSTS ASSOCIATED WITH PERMANENT RELOCATION

PROPERTY ACQUISITION PHASE
OPTION B: ACQUISITION OF ALL REAL PROPERTY

ITEM	COST
DECONTAMINATION OF MOBILE HOMES @ \$3,500/HOME (1)	\$ 179,000
TESTING AND ANALYSIS OF SAMPLES FROM HOMES @ \$1,200/SAMPLE AND @ 10 SAMPLES/ MOBILE HOME	\$ 612,000
PURCHASE OF MOBILE HOMES (2) @ \$35,000/HOME	\$ 1,785,000
PURCHASE OF PERMANENT HOMES (2) @ \$65,000/HOME	\$ 130,000
DECONTAMINATION/ACQUISITION OF PERSONAL PROPERTY @ \$1,500/HOUSEHOLD	\$ 80,000
DISPOSAL OF MOBILE HOMES (ASSUMING 70% OF HOMES ARE SCRAPPED @ \$3,500/HOME)	\$ 125,000
SALVAGE OF MOBILE HOMES (ASSUMING 30% OF HOMES ARE SALVAGED @ \$3,500/HOME)	\$ (54,000)
	<hr/>
SUBTOTAL	\$ 2,857,000
CONTINGENCY (10%)	\$ 286,000
	<hr/>
SUBTOTAL	\$ 3,143,000
ADMINISTRATIVE COSTS (10%)	\$ 314,000
	<hr/>
TOTAL (3)	\$ 3,457,000

NOTE

- 1 BASED ON 53 HOUSEHOLDS (51 MOBILE HOMES AND 2 PERMANENT HOMES),
UNLESS OTHERWISE NOTED
- 2 INCLUDES THE COST OF ACQUIRING BOTH THE LAND AND THE HOME
- 3 DOES NOT INCLUDE THE VALUE OF UTILITIES LEFT IN PLACE.

TABLE 6

BREAKDOWN OF COSTS ASSOCIATED WITH PERMANENT RELOCATION

RELOCATION PHASE

OPTION C: INDIVIDUAL RELOCATION OF RESIDENTS (1)

ITEM	COST
MOVING EXPENSES @ \$1,250/HOUSEHOLD (2)	\$ 66,000
RELOCATION ASSISTANCE @ \$20,000/HOUSEHOLD	\$ 1,060,000
	<hr/>
SUBTOTAL	\$ 1,126,000
ADMINISTRATIVE COSTS (10%)	\$ 113,000
	<hr/>
TOTAL	\$ 1,239,000

NOTE

1 FUNDS FOR PURCHASING REPLACEMENT PROPERTIES ARE INCLUDED IN TABLES 4 AND 5.

2 BASED ON 53 HOUSEHOLDS (51 MOBILE HOMES AND 2 PERMANENT HOMES),
UNLESS OTHERWISE NOTED

TABLE 7

BREAKDOWN OF COSTS ASSOCIATED WITH PERMANENT RELOCATION

RELOCATION PHASE

OPTION D: GROUP RELOCATION OF RESIDENTS (1)

ITEM	COST
LAND DEVELOPMENT AND PREPARATION @ \$20,000/LOT (2)	\$ 1,060,000
MOVING EXPENSES @ \$1,250/HOUSEHOLD	\$ 66,000
	<hr/>
SUBTOTAL	\$ 1,126,000
ADMINISTRATIVE COSTS (10%)	\$ 113,000
	<hr/>
TOTAL	\$ 1,239,000

NOTES

- 1 FUNDS FOR PURCHASING REPLACEMENT PROPERTIES ARE INCLUDED IN TABLES 4 AND 5.
- 2 BASED ON 53 HOUSEHOLDS (51 MOBILE HOMES AND 2 PERMANENT HOMES),
UNLESS OTHERWISE NOTED

TABLE 8

BREAKDOWN OF COSTS ASSOCIATED WITH PERMANENT RELOCATION

OTHER COSTS COMMON TO ALL OPTIONS

ITEM	COST
TEMPORARY RELOCATION OF RESIDENTS FOR ONE YEAR DURING PERMANENT RELOCATION PROCESS (1)	\$ 1,201,000
FENCING @ \$21/FT/5,500 FT	\$ 115,000
	<hr/>
SUBTOTAL	\$ 1,316,000
CONTINGENCY (10% FOR FENCING)	\$ 11,000
	<hr/>
TOTAL	\$ 1,327,000

#RS

RESPONSIVENESS SUMMARY

OVERVIEW

ON NOVEMBER 17, 1989, THE US ENVIRONMENTAL PROTECTION AGENCY (EPA) AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) RELEASED A FOCUSED FEASIBILITY STUDY OF RELOCATION OPTIONS (FFS) AND A PROPOSED PLAN FOR RELOCATION OF RESIDENTS FROM THE FOREST GLEN SUBDIVISION SITE IN NIAGARA FALLS, NEW YORK. EPA'S AND NYSDEC'S PREFERRED RELOCATION ALTERNATIVE, OUTLINED IN THE PROPOSED PLAN, WAS PERMANENT RELOCATION OF RESIDENTS, INCLUDING OPTIONS FOR ACQUISITION OF LAND ONLY AND MOVEMENT OF MOBILE HOMES, ACQUISITION OF ALL REAL PROPERTY, INDIVIDUAL RELOCATION, AND GROUP RELOCATION. THE EXACT OPTIONS TO BE IMPLEMENTED IN THE PERMANENT RELOCATION WOULD BE DETERMINED DURING THE PERMANENT RELOCATION PROCESS, CONSIDERING WHAT BEST SUITED THE NEEDS OF THE COMMUNITY IN ACCORDANCE WITH THE NATIONAL CONTINGENCY PLAN AND ALL APPLICABLE LAWS, REGULATIONS, AND STANDARDS.

BASED ON COMMENTS RECEIVED AT SEVERAL PUBLIC AVAILABILITY SESSIONS HELD PRIOR TO THE RELEASE OF THE FFS AND PROPOSED PLAN AND ON WRITTEN AND VERBAL COMMENTS RECEIVED AFTER THESE DOCUMENTS WERE RELEASED, RESIDENTS OF THE FOREST GLEN SUBDIVISION PREFER PERMANENT RELOCATION. APPROXIMATELY ONE-HALF OF THE RESIDENTS HAVE INDICATED AN INTEREST IN GROUP RELOCATION AND SEVERAL RESIDENTS HAVE INDICATED THAT THEY WILL NOT RELOCATE IF THEY ARE NOT MOVED AS A GROUP. THE REMAINING RESIDENTS PREFER INDIVIDUAL RELOCATION. A COMMITTEE OF RESIDENTS HAS PRESENTED A GROUP RELOCATION PROPOSAL TO EPA AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

SEVERAL POTENTIALLY RESPONSIBLE PARTIES (PRPS) ASSOCIATED WITH THE SITE HAVE, IN WRITTEN COMMENTS ON THE FFS AND PROPOSED PLAN SUBMITTED TO EPA, QUESTIONED THE LEGITIMACY OF THE AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY'S (ATSDR'S) PRELIMINARY HEALTH ASSESSMENT (PHA) OF THE SITE WHICH DETERMINED THAT THE SITE POSED AN IMMEDIATE DANGER TO RESIDENTS AND EPA'S SUBSEQUENT DETERMINATION TO IMMEDIATELY RELOCATE SITE RESIDENTS. AS A RESULT, THESE PRPS HAVE SUGGESTED THAT EPA TAKE NO ACTION AT THE SITE UNTIL A FULL REMEDIAL INVESTIGATION AND FEASIBILITY STUDY (RI/FS) OF THE SITE IS COMPLETED TO DETERMINE MORE FULLY THE NATURE AND EXTENT OF SITE CONTAMINATION AND THE RISKS POSED BY THE SITE.

THE PROPOSED PLAN FOR THE FOREST GLEN SUBDIVISION SITE IS ATTACHMENT 1 TO THIS RESPONSIVENESS SUMMARY. THE WRITTEN COMMENTS SUBMITTED TO EPA DURING THE PUBLIC COMMENT PERIOD ARE ATTACHMENT 2. A TRANSCRIPT OF THE PUBLIC MEETING HELD ON NOVEMBER 30, 1989 IS ATTACHMENT 3 TO THIS DOCUMENT.

BACKGROUND ON COMMUNITY INVOLVEMENT

EPA HAS CONDUCTED AN EXTENSIVE COMMUNITY RELATIONS PROGRAM AT THE SITE TO INFORM AND INVOLVE ALL RESIDENTS IN THE ACTIVITIES TAKING PLACE AT THE SITE. EPA HELD A PUBLIC AVAILABILITY SESSION ON JUNE 14, 1989 WHEN DATA REVEALED CONTAMINATION AT THE SITE. AT THAT TIME, SEVERAL RESIDENTS EXPRESSED A DESIRE FOR BUYOUTS AND HEALTH TESTING. AT THE ISSUANCE OF THE ATSDR PHA IN JULY 1989, EPA HELD AN AVAILABILITY SESSION TO INFORM RESIDENTS OF THE TEMPORARY RELOCATION PROGRAM BEING INITIATED UNDER EPA EMERGENCY REMOVAL AUTHORITIES. AT THAT TIME, SEVERAL RESIDENTS EXPRESSED A DESIRE FOR PERMANENT RELOCATION AND REFUSED TO PARTICIPATE IN THE TEMPORARY RELOCATION PROGRAM. IN ADDITION, RESIDENTS OF EXPRESSWAY VILLAGE, A MOBILE HOME PARK WHICH ADJOINS THE FOREST GLEN SUBDIVISION EXPRESSED CONCERN ABOUT THE POSSIBILITY OF CONTAMINATION AND HEALTH EFFECTS IN THEIR COMMUNITY. EPA HAS SINCE PERFORMED TWO ROUNDS OF SAMPLING IN EXPRESSWAY VILLAGE.

EPA AND FEMA HELD ANOTHER AVAILABILITY SESSION IN SEPTEMBER 1989, TO ANSWER QUESTIONS ABOUT THE FEDERAL RELOCATION PROCESS. PRIOR TO THAT SESSION AND AT THAT SESSION, SEVERAL RESIDENTS EXPRESSED AN INTEREST IN "RE-ESTABLISHMENT" OR RELOCATION AS A GROUP TO A NEW SUBDIVISION. EPA AND FEMA AGREED TO STUDY THE RESIDENTS' GROUP RELOCATION PROPOSAL. EPA AND FEMA HELD AVAILABILITY SESSIONS TO ANNOUNCE THE LISTING OF THE SITE ON THE NATIONAL PRIORITIES LIST ON NOVEMBER 15 AND THE BEGINNING OF THE FFS AND PROPOSED PLAN COMMENT PERIOD ON NOVEMBER 17. ON NOVEMBER 16, RESIDENTS PRESENTED A GROUP RELOCATION PROPOSAL TO EPA AND FEMA AND INDICATED THAT APPROXIMATELY HALF OF THE FAMILIES IN FOREST GLEN WERE INTERESTED IN GROUP RELOCATION. ON NOVEMBER 30, EPA HELD A PUBLIC MEETING TO ACCEPT COMMENTS ON THE FFS AND PROPOSED PLAN.

TO DATE, RESIDENTS AT THE SITE HAVE PARTICIPATED IN ALL ASPECTS OF EPA'S INVOLVEMENT AT THE SITE. EPA

MAINTAINS OFFICES AT THE SITE AND HAS A PUBLIC INFORMATION OFFICE IN DOWNTOWN NIAGARA FALLS.

SUMMARY OF PUBLIC COMMENTS AND LEAD AGENCY RESPONSE.

ORAL AND WRITTEN COMMENTS SUBMITTED DURING THE PUBLIC COMMENT PERIOD FOR THE FOREST GLEN SUBDIVISION SITE RELOCATION OPERABLE UNIT ARE SUMMARIZED BELOW. THE PUBLIC COMMENT PERIOD WAS HELD FROM NOVEMBER 17, 1989 THROUGH DECEMBER 18, 1989.

COMMENT: SEVERAL RESIDENTS STATED THAT THEY WOULD LIKE TO BE PERMANENTLY RELOCATED AS SOON AS POSSIBLE BECAUSE OF THE DANGER POSED TO THEIR HEALTH.

EPA'S RESPONSE: EPA HAS EXPEDITED THE LISTING OF THE SITE AND THE FFS PROCESS AND WILL CONTINUE TO EXPEDITE THE PERMANENT RELOCATION OF RESIDENTS. EPA RECOMMENDS THAT RESIDENTS AGREE TO TEMPORARY RELOCATION WHILE PERMANENT RELOCATION IS BEING IMPLEMENTED.

COMMENT: A RESIDENT REQUESTED THAT TONY GIRASOLE, A LOCAL APPRAISER, BE ONE OF THE APPRAISERS.

EPA'S RESPONSE: EPA DOES NOT SELECT THE APPRAISERS TO BE USED IN THE PERMANENT RELOCATION PROCESS. FEMA HAS SELECTED AN APPRAISER BASED ON FEDERAL COMPETITIVE PROCUREMENT REQUIREMENTS. MR. GIRASOLE HAS BEEN SELECTED BY FEMA. FEMA WAS NOT AWARE OF THE RESIDENT'S REQUEST.

COMMENT: SEVERAL RESIDENTS STATED THAT LAND, MOBILE HOMES, AND PERMANENT RESIDENCES IN THE FOREST GLEN SUBDIVISION ARE WORTH FAR MORE THAN ESTIMATES WHICH WERE GIVEN IN THE FFS. IN ADDITION, A RESIDENT STATED THAT THE DEVELOPER OF FOREST GLEN SOLD THE LAST TWO LOTS FOR \$10,000 AND THAT HE WOULD NOT ACCEPT LESS FOR HIS LAND. ANOTHER RESIDENT STATED THAT THE DEVELOPER OF FOREST GLEN SAID THAT HE WOULD SELL A LOT FOR \$15,000 AND THAT EVERY LOT IN FOREST GLEN IS WORTH THAT. HE ALSO STATED THAT HE WOULD NOT MOVE FROM THE FOREST GLEN SUBDIVISION UNLESS HE GOT EXACTLY WHAT HE WANTED.

EPA'S RESPONSE: BASED ON PUBLIC INPUT AND OTHER INFORMATION PRESENTED TO EPA, THE ESTIMATE OF THE COST OF ACQUIRING AN INDIVIDUAL LOT IN THE FOREST GLEN SUBDIVISION HAS BEEN INCREASED APPROXIMATELY 210% AND THE COST ESTIMATES FOR THE ACQUISITION OF MOBILE AND PERMANENT HOMES HAVE BEEN INCREASED APPROXIMATELY 30%-40% FROM THE ESTIMATES GIVEN IN THE FFS. IN THE RECORD OF DECISION (ROD), THE ESTIMATED VALUE OF LAND IS \$10,000/LOT. THE ESTIMATED VALUE OF MOBILE HOMES IN THE ROD IS \$35,000/HOME AND THE ESTIMATED VALUE OF THE TWO PERMANENT HOMES IS \$65,000/HOME. THESE FIGURES ARE, HOWEVER, ESTIMATES, DEVELOPED BY EPA FOR COST COMPARISON PURPOSES. THE ACTUAL VALUE OF LAND AND HOMES IN THE FOREST GLEN SUBDIVISION WILL BE DETERMINED THROUGH APPRAISALS. THESE APPRAISALS WILL FORM THE BASIS FOR THE DETERMINATION OF JUST COMPENSATION FOR EACH HOME. THE COST ESTIMATES DEVELOPED BY EPA HAVE NO BEARING ON THE APPRAISAL PROCESS.

COMMENT: A RESIDENT REQUESTED A SEPARATE APPRAISAL FOR HER HOME.

EPA'S RESPONSE: EACH HOME IN THE FOREST GLEN SUBDIVISION WILL BE APPRAISED SEPARATELY. LAND AND HOMES WILL BE APPRAISED TOGETHER, PROVIDING THE HOMEOWNER OWNS BOTH THE LAND AND THE HOME.

COMMENT: A RESIDENT STATED THAT SHE FEELS RESIDENTS WHO MOVE SHOULD BE REIMBURSED AS LONG AS THEY HAVE RECEIPTS OF THEIR EXPENSES.

EPA'S RESPONSE: ELIGIBLE MOVING EXPENSES ARE REIMBURSABLE. ANY MOVING EXPENSE THAT FALLS OUTSIDE OF STATED GUIDELINES SHOULD BE APPROVED IN ADVANCE BY FEMA AND EPA.

COMMENT: A RESIDENT DEMANDED THAT SHE RECEIVE \$22,500 RELOCATION ASSISTANCE REGARDLESS OF WHETHER SHE IS AN OWNER OR A RENTER. SHE STATED THAT ANYONE WHO BUYS PROPERTY SHOULD BE ENTITLED TO \$22,500 RELOCATION ASSISTANCE.

EPA'S RESPONSE: FEDERAL REGULATIONS STATE THAT PROPERTY OWNERS ARE ENTITLED TO RELOCATION ASSISTANCE UP TO A LIMIT OF \$22,500. RENTERS ARE ENTITLED TO UP TO \$5,250 IN RELOCATION ASSISTANCE. IN ADDITION, FEDERAL REGULATIONS AUTHORIZE CERTAIN ASSISTANCE TO HELP RENTERS WHO DESIRE TO BECOME OWNERS. INDIVIDUAL CIRCUMSTANCES WILL BE EVALUATED BY EPA AND FEMA IN LIGHT OF APPLICABLE FEDERAL REGULATIONS.

COMMENT: A RESIDENT STATED THAT SHE IS ENTITLED TO \$20,000 IN BUSINESS LOSSES BECAUSE SHE WILL LOSE PROXIMITY TO THE INTERSTATE ON/OFF RAMP IN RELOCATING.

EPA'S RESPONSE: FEDERAL REGULATIONS STATE THAT UP TO \$20,000 IN BUSINESS LOSSES MAY BE PAID IF LOSSES ARE SUBSTANTIATED. INDIVIDUAL CIRCUMSTANCES WILL BE EVALUATED BY EPA AND FEMA IN LIGHT OF APPLICABLE FEDERAL REGULATIONS.

COMMENT: A RESIDENT STATED THAT THE NO ACTION ALTERNATIVE DOES NOT ELIMINATE THE HAZARD TO RESIDENTS.

EPA'S RESPONSE: EPA AGREES THAT ALTERNATIVE 1, NO ACTION, IS NOT PROTECTIVE OF HUMAN HEALTH.

COMMENT: A RESIDENT AND SEVERAL PRPS STATED THAT TEMPORARY RELOCATION IS NOT APPROPRIATE FOR THE FOLLOWING REASONS:

- * IT IS NOT A MANDATORY PROGRAM;
- * IT IS NOT PROTECTIVE OF HEALTH;
- * IT IS UNREASONABLE IN ITS COST; AND
- * IT IS UNREASONABLE IN ITS TREATMENT OF RESIDENTS.

EPA'S RESPONSE: EPA AGREES WITH THIS COMMENT AND HAS DISCUSSED THESE FACTORS IN ITS EVALUATION OF ALTERNATIVE 2, TEMPORARY RELOCATION IN THE FFS AND THE RECORD OF DECISION (ROD).

COMMENT: TWO RESIDENTS STATED THAT ALTERNATIVE 3, OPTION A, ACQUISITION OF LAND/MOVEMENT OF EXISTING MOBILE HOMES HAS MANY PROBLEMS INCLUDING:

- * THE HOMES WOULD HAVE TO BE CERTIFIED CLEAN;
- * MOST OF THE HOMES IN THE DEVELOPMENT ARE IMMOBILE FOR VARIOUS REASONS;
- * THERE IS NO LAND AVAILABLE FOR PURCHASE IN NIAGARA FALLS WHICH IS ZONED FOR MOBILE HOMES;
- * AREA MOBILE HOME PARKS ARE FULL; AND
- * AREA MOBILE HOME PARKS ARE UNWILLING TO ACCEPT FOREST GLEN SUBDIVISION TRAILERS.

EPA'S RESPONSE: EPA AGREES THAT HOMES WHICH ARE MOVED FROM THE FOREST GLEN SUBDIVISION WOULD HAVE TO BE TESTED AND, POSSIBLY, DECONTAMINATED TO ENSURE THAT THEY ARE FREE FROM CHEMICAL CONTAMINATION PRIOR TO MOVING. EPA ALSO AGREES THAT MANY OF THE HOMES IN THE SUBDIVISION HAVE BEEN SIGNIFICANTLY ALTERED SO AS TO RENDER THEM IMMOBILE. EPA ALSO AGREES THAT IF THERE IS NO AVAILABLE ZONED LAND AT THE TIME OF THE MOVE OR IF MOBILE HOME PARK SPACE IS NOT AVAILABLE, MOVEMENT OF MOBILE HOMES WITHIN THE NIAGARA FALLS AREA WILL BE IMPOSSIBLE.

COMMENT: A RESIDENT STATED THAT ALTERNATIVE 3, OPTION D, GROUP RELOCATION OF RESIDENTS, IS NOT FEASIBLE BECAUSE RESIDENTS CAN NOT GET ALONG WITH EACH OTHER.

EPA'S RESPONSE: APPROXIMATELY 25 FAMILIES HAVE INDICATED AN INTEREST IN GROUP RELOCATION. EPA AND FEMA WILL CONTINUE TO ASSESS THE DESIRABILITY AND FEASIBILITY OF GROUP RELOCATION. NO FINAL DECISION ON GROUP RELOCATION WILL BE MADE UNTIL AFTER THE APPRAISAL PROCESS IS COMPLETE.

COMMENT: A RESIDENT STATED THAT ALTERNATIVE 3, OPTION C, INDIVIDUAL RELOCATION, IS THE MOST FEASIBLE OPTION AVAILABLE.

EPA'S RESPONSE: EPA AND NYSDEC HAVE SELECTED ALTERNATIVE 3, PERMANENT RELOCATION, AS THE REMEDY FOR THE RELOCATION OF FOREST GLEN RESIDENTS. WITHIN ALTERNATIVE 3, EPA ACKNOWLEDGES SEVERAL OPTIONS WHICH MAY BE IMPLEMENTED DEPENDING ON WHAT BEST MEETS THE NEEDS OF THE COMMUNITY IN ACCORDANCE WITH THE NCP AND ALL APPLICABLE LAWS, REGULATIONS, AND STANDARDS.

COMMENT: SEVERAL RESIDENTS STATED THAT THEY ARE CONCERNED THAT THEY WILL NOT BE IN A COMPARABLE ECONOMIC SITUATION AFTER RELOCATIONS. THEY ALSO STATED THAT THEY WILL NOT CONSIDER A "TRAILER PARK" COMPARABLE TO THEIR CURRENT SITUATION.

EPA'S RESPONSE: EPA AND FEMA HAVE STATED THAT, PER REGULATION, RESIDENTS' ECONOMIC SITUATION AFTER RELOCATION WILL BE EQUIVALENT TO THEIR CURRENT ECONOMIC SITUATION. COMPARABILITY OF HOUSING IS A DETERMINATION WHICH IS BASED ON MANY FACTORS, INCLUDING THE ABILITY TO OWN LAND AT THE FOREST GLEN SUBDIVISION AND AT OTHER LOCATIONS.

COMMENT: A RESIDENT ASKED FOR CLARIFICATION OF A STATEMENT ON THE FFS THAT, UNDER GROUP RELOCATION, RELOCATION ASSISTANCE PAYMENTS WOULD BE POOLED BY RESIDENTS TO FINANCE A NEW SUBDIVISION.

EPA'S RESPONSE: THE STATEMENT IN THE FFS REFERS TO THE FACT THAT UNDER GROUP RELOCATION, SOME COSTS WHICH MAY BE ASSOCIATED WITH THE DEVELOPMENT OF A NEW SUBDIVISION, MAY BE FINANCED THROUGH THE RELOCATION ASSISTANCE PAYMENTS RECEIVED BY RESIDENTS. IN ADDITION, EPA AND FEMA ARE CONTINUING TO INVESTIGATE WAYS TO ASSIST RESIDENTS WHO CHOOSE GROUP RELOCATION. THE STATEMENT HAS BEEN REMOVED FROM THE ROD SINCE IT MAY NOT BE ENTIRELY ACCURATE.

COMMENT: A RESIDENT WHO CURRENTLY OWNS HER TRAILER AND RENTS HER LAND INQUIRED AS TO WHETHER THE RELOCATION ASSISTANCE PAYMENT CAN BE USED FOR PURCHASING LAND UNDER GROUP RELOCATION.

EPA'S RESPONSE: GENERALLY, THE RELOCATION ASSISTANCE PAYMENT MAY NOT BE USED FOR THIS PURPOSE. FEDERAL REGULATIONS DO PROVIDE FOR CERTAIN ASSISTANCE TO RENTERS WHO DESIRE TO BECOME OWNERS.

COMMENT: A RESIDENT ASKED HOW LONG THE APPRAISAL PROCESS WOULD TAKE BEFORE RESIDENTS RECEIVED AN OFFER.

EPA'S RESPONSE: AFTER THE APPRAISAL PROCESS BEGINS, IT MAY TAKE UP TO THREE MONTHS BEFORE FEMA IS PREPARED TO MAKE AN OFFER TO PURCHASE. APPRAISERS ARE GIVEN UP TO SIXTY DAYS TO COMPLETE APPRAISALS. APPRAISALS MUST THEN BE REVIEWED BEFORE THEY CAN BE USED AS THE BASIS ON WHICH AN OFFER TO PURCHASE IS MADE.

COMMENT: SEVERAL RESIDENTS EXPRESSED A PREFERENCE FOR GROUP RELOCATION. SEVERAL ALSO STATED THAT GROUP RELOCATION OFFERED THEM CONTINUED SECURITY. IN ADDITION, SOME OF THESE RESIDENTS ALSO STATED THAT THEY WOULD NOT ACCEPT ANYTHING OTHER THAN GROUP RELOCATION.

EPA'S RESPONSE: IN RESPONSE TO RESIDENTS' CONCERNS, EPA HAS INCLUDED AN OPTION FOR GROUP RELOCATION IN ALTERNATIVE 3, PERMANENT RELOCATION.

COMMENT: A RESIDENT ASKED WHETHER MOBILE HOMES (ESPECIALLY THOSE WHICH HAD BEEN IMPROVED AND ALTERED IN WAYS WHICH MADE THEM SUBSTANTIALLY IMMOBILE) WOULD BE APPRAISED AS HOMES OR AS MOBILE HOMES.

EPA'S RESPONSE: THE APPRAISER WILL DETERMINE WHETHER THE STATE OF NEW YORK CLASSIFIES THE STRUCTURES IN THE FOREST GLEN SUBDIVISION AS REAL PROPERTY (HOMES) OR AS PERSONAL PROPERTY (MOBILE HOMES).

COMMENT: A RESIDENT COMMENDED THE GOVERNMENT FOR ITS EFFORTS TO DATE AT THE FOREST GLEN SUBDIVISION SITE. HE ALSO EXPRESSED A PREFERENCE FOR GROUP RELOCATION.

COMMENT: A RESIDENT STATED THAT INDIVIDUAL RELOCATION SHOULD BE CONSIDERED.

EPA'S RESPONSE: EPA'S AND NYSDEC'S PREFERRED ALTERNATIVE IS FOR PERMANENT RELOCATION, WITH A COMBINATION OF INDIVIDUAL AND GROUP RELOCATION AS BEST MEETS THE NEEDS OF THE COMMUNITY IN ACCORDANCE WITH THE NCP AND ALL APPLICABLE LAWS, REGULATIONS, AND STANDARDS.

COMMENT: A RESIDENT REQUESTED THAT THE ROD FOR PERMANENT RELOCATION BE SIGNED IMMEDIATELY. HE ASKED WHETHER EPA COULD GUARANTEE ROD SIGNATURE BY DECEMBER 15, 1989.

EPA'S RESPONSE: EPA CAN NOT GUARANTEE ROD SIGNATURE BY DECEMBER 15, 1989. BY LAW EPA IS REQUIRED TO TAKE PUBLIC COMMENT ON THE FFS AND PROPOSED PLAN FOR AT LEAST 21 DAYS. THE PUBLIC COMMENT PERIOD, SCHEDULED TO END ON DECEMBER 8, 1989, WAS EXTENDED TO DECEMBER 18, 1989, AT THE REQUEST OF PRPS. EPA MUST RESPOND TO ALL COMMENTS RECEIVED DURING THE PUBLIC COMMENT PERIOD. THE ROD WILL BE SIGNED AS SOON AS POSSIBLE AFTER EPA HAS RESPONDED TO ALL COMMENTS.

COMMENT: A RESIDENT INQUIRED ABOUT THE POSSIBLE DELAY OF PERMANENT RELOCATION WHILE EPA REVIEWS AND APPROVES THE STATE OF NEW YORK'S CAPACITY ASSURANCE PLAN.

EPA'S RESPONSE: BY LAW, EPA CANNOT INITIATE NEW REMEDIAL ACTIONS WITHIN THE STATE OF NEW YORK UNTIL THE NEW YORK STATE CAPACITY ASSURANCE PLAN (CAP), WHICH CONFIRMS HAZARDOUS WASTE DISPOSAL CAPACITY WITHIN THE STATE, HAS BEEN APPROVED. THIS PLAN WAS SUBMITTED IN OCTOBER, 1989.

APPRAISALS OF THE HOMES IN THE FOREST GLEN SUBDIVISION WILL CONTINUE THROUGH MARCH, 1990. THEREFORE, IF THE CAP IS APPROVED BY MARCH, THERE WILL BE NO DELAY IN THE PURCHASE OF HOMES IN THE FOREST GLEN SUBDIVISION. IN ADDITION, EPA IS PURSUING ENFORCEMENT ACTIONS AGAINST PRPS. APPROVAL OF THE CAP DOES NOT AFFECT THE INITIATION OF PRIVATELY FUNDED REMEDIAL ACTIONS. IN THE MEANTIME, EPA ENCOURAGES RESIDENTS TO ENROLL IN THE TEMPORARY RELOCATION PROGRAM TO ENSURE PROTECTION OF HEALTH UNTIL PROPERTY IN THE FOREST GLEN SUBDIVISION CAN BE PURCHASED.

COMMENT: A RESIDENT ASKED WHETHER EPA HAD INTENTIONS OF REDEVELOPING THE FOREST GLEN SUBDIVISION ONCE THE RELOCATION IS COMPLETE. HE STATED THAT HE WOULD HATE TO SEE THE EXAMPLE OF LOVE CANAL REPEATED WITH PEOPLE TRYING TO KEEP CONTAMINATED PLACES FROM GOING ON THE MARKET.

EPA'S RESPONSE: ONCE RELOCATION OF RESIDENTS IS COMPLETE, A RI/FS WILL BE PERFORMED TO EVALUATE OPTIONS FOR REMEDIATING THE CONTAMINATION AT THE FOREST GLEN SUBDIVISION SITE. THIS STUDY WILL RESULT IN A PROPOSED PLAN FOR CLEANUP OF THE SITE. THIS PLAN MAY INCLUDE COMPLETE REMOVAL AND/OR TREATMENT OF ALL CONTAMINATION, CONTAINMENT OF CONTAMINATION, OR A COMBINATION OF THESE TWO METHODS. PUBLIC COMMENT WILL BE A FACTOR IN DETERMINING THE CLEANUP PLAN FOR THE SITE. THE REDEVELOPMENT OF THE SITE WILL DEPEND ON WHETHER CONTAMINATION IS REMOVED OR CONTAINED AT THE SITE AND WILL BE DETERMINED FOLLOWING REMEDIATION OF THE SITE.

COMMENT: A RESIDENT INQUIRED AS TO WHETHER EPA AND ATSDR HAD DETERMINED ANYTHING FURTHER ABOUT THE HEALTH EFFECTS OF THE CHEMICALS BURIED AT THE FOREST GLEN SUBDIVISION SITE.

EPA'S RESPONSE: ATSDR HAS REVIEWED THE RESULTS OF ALL SAMPLING PERFORMED BY EPA. ATSDR HAS NOT DETERMINED ANYTHING MORE ABOUT THE CHEMICALS DISCOVERED AT THE FOREST GLEN SUBDIVISION SITE AT THIS TIME.

COMMENT: THE SAME RESIDENT ASKED FOR AN UPDATE ON EPA ACTIVITIES WITH PRPS FOR THE SITE.

EPA'S RESPONSE: EPA IS CURRENTLY NEGOTIATING WITH SEVERAL PRPS. ON NOVEMBER 29, EPA ISSUED A SPECIAL NOTICE TO ALL KNOWN PRPS. PRPS HAVE BEEN GIVEN SIXTY DAYS TO RESPOND TO EPA WITH A GOOD FAITH OFFER TO IMPLEMENT THE PERMANENT RELOCATION OUTLINED IN THIS ROD.

COMMENT: A RESIDENT WHOSE FAMILY HAD BEEN TEMPORARILY RELOCATED FOR TWO AND ONE HALF MONTHS COMMENTED THAT HEALTH PROBLEMS EXPERIENCED BY HER SON HAD STOPPED SINCE RELOCATING AND THAT SHE WOULD NOT MOVE BACK TO FOREST GLEN. SHE ALSO ASKED WHEN APPRAISERS WOULD BE AT THE SITE.

EPA'S RESPONSE: APPRAISERS BEGAN TO CONTACT RESIDENTS OF THE SITE IN DECEMBER, 1989. APPRAISERS ARE DEVELOPING A REFERENCE BOOK OF PROPERTIES COMPARABLE TO THE PROPERTIES IN THE FOREST GLEN SUBDIVISION.

COMMENT: A RESIDENT ASKED WHETHER LAND OR HOMES WOULD BE APPRAISED TOGETHER OR SEPARATELY.

EPA'S RESPONSE: EPA WILL APPRAISE WHATEVER IS OWNED BY THE RESIDENT. IF THE RESIDENT OWNS BOTH THE LAND AND THE HOME, THEY WILL BE APPRAISED AS ONE UNIT.

COMMENT: A RESIDENT ASKED THAT A COPY OF THE TRANSCRIPT OF THE MEETING HELD ON NOVEMBER 30 BE GIVEN TO ALL RESIDENTS THAT ATTENDED THE MEETING.

EPA'S RESPONSE: A COPY OF THE TRANSCRIPT HAS BEEN DISTRIBUTED TO ALL RESIDENTS WHO ATTENDED THE MEETING.

COMMENT: A PRP REQUESTED AN EXTENSION OF THE PUBLIC COMMENT PERIOD TO HAVE TIME TO ADEQUATELY RESPOND TO THE FFS AND PROPOSED PLAN.

EPA'S RESPONSE: THE PUBLIC COMMENT PERIOD FOR THE FFS AND PROPOSED PLAN WERE EXTENDED TO DECEMBER 18, 1989.

COMMENT: A NUMBER OF PARTIES WHO HAVE BEEN IDENTIFIED AS PRPS HAVE SUBMITTED COMMENTS DISPUTING THE BASIS OF THEIR BEING IDENTIFIED AS PRPS.

EPA'S RESPONSE: EPA CONTINUES TO RESPOND, ON AN INDIVIDUAL BASIS, TO THE PRPS REGARDING THE BASIS OF THEIR IDENTIFICATION AS PRPS.

COMMENT: A PRP COMMENTED THAT THERE IS INADEQUATE FACTUAL AND LEGAL SUPPORT FOR THE AGENCY TO DETERMINE THAT THERE IS A RISK TO THE HEALTH OF RESIDENTS WHICH SHOULD CAUSE THE SITE TO BE LISTED ON THE NATIONAL PRIORITIES LIST (NPL) OR TO PROVOKE ACTIONS BY EPA AS PROPOSED IN THE FFS.

EPA'S RESPONSE: EPA BASED ITS DECISION FOR PERMANENT RESIDENT RELOCATION OUTLINED IN THIS ROD ON THE ATSDR PHA ISSUED ON JULY 21, 1989. THIS DOCUMENT STATED THAT THE SITE POSED AN IMMINENT THREAT TO RESIDENTS AND THAT RESIDENTS SHOULD BE RELOCATED FROM THE SITE UNTIL THE SITE WAS REMEDIATED OR THE THREAT WAS SHOWN TO BE UNFOUNDED. AS EXPLAINED, A SUBSEQUENT RI/FS WILL BE PERFORMED TO FURTHER ASSESS THE DANGER POSED BY THE SITE. REMEDIATION OF THE SITE WILL FOLLOW. THESE EVENTS ARE ESTIMATED TO REQUIRE FIVE TO TEN YEARS TO COMPLETE. IN THE INTERIM, RESIDENTS MUST BE RELOCATED TO ENSURE PROTECTION OF THEIR HEALTH. AS EXPLAINED IN THE ROD, PERMANENT RELOCATION IS THE PREFERRED METHOD TO ACHIEVE THIS RELOCATION.

COMMENT: THE SAME PRP STATED THAT EPA HAS FAILED TO DEMONSTRATE WHY THE FOREST GLEN SUBDIVISION REQUIRES SUCH UNUSUAL ADMINISTRATIVE ACTION. FURTHER, THEY STATED THAT THIS "FAST-TRACK" DECISION PROCESS SETS A DANGEROUS ADMINISTRATIVE PRECEDENT.

EPA'S RESPONSE: THE USE OF A FFS RATHER THAN A FULL RI/FS IS NOT UNUSUAL AT SITES WHEN EPA WISHES TO INVESTIGATE AND ANALYZE LIMITED REMEDIAL OPTIONS FOR A DISCRETE OPERABLE UNIT. FOR EXAMPLE, EPA HAS PERFORMED FFS'S WHICH LEAD TO THE SELECTION OF ALTERNATE WATER SUPPLIES FOR COMMUNITIES WHOSE WATER SUPPLY HAS BEEN CONTAMINATED. IN THE SAME MANNER, EPA HAS CHOSEN TO PERFORM AN FFS AT THE FOREST GLEN SUBDIVISION SITE TO EVALUATE THE LIMITED RELOCATION OPTIONS AVAILABLE FOR THE FOREST GLEN SUBDIVISION RESIDENTS. THE FFS OUTLINES WHY OPTIONS OTHER THAN RELOCATION OPTIONS WERE NOT CONSIDERED AT THIS TIME. NON-RELOCATION OPTIONS REQUIRE FURTHER INFORMATION WHICH WILL BE ACQUIRED THROUGH A LATER RI/FS. IN THE INTERIM, HOWEVER, RELOCATION IS REQUIRED TO PROTECT THE HEALTH OF RESIDENTS. BASED ON THESE FACTS, EPA DISAGREES THAT THE USE OF AN FFS IN THIS INSTANCE SETS A DANGEROUS ADMINISTRATIVE PRECEDENT OR IS AN UNUSUAL ADMINISTRATIVE ACTION.

COMMENT: THE SAME PRP STATED THAT EPA HAS FAILED TO DEMONSTRATE WHY A FULL RI/FS NEED NOT OCCUR BEFORE REMEDIAL ACTION IS TAKEN AT THE FOREST GLEN SUBDIVISION SITE. THEY STATED THAT A FULL RI/FS WOULD ALLOW ADEQUATE DATA TO BE TAKEN WHICH WOULD PERMIT ALL OF THE PARTIES TO MAKE AN INFORMED DECISION ABOUT RELOCATION OF RESIDENTS AS WELL AS A PLAN FOR FINAL REMEDIATION OF THE SITE.

EPA'S RESPONSE: EPA BELIEVES THAT, IN ORDER TO PROTECT THE HEALTH OF RESIDENTS DURING RI/FS ACTIVITIES AND REMEDIAL ACTIONS WHICH MAY TAKE FIVE TO TEN YEARS, SOME TYPE OF RELOCATION IS REQUIRED. THEREFORE AS EXPLAINED IN THIS ROD AND IN THE PROPOSED PLAN, EPA HAS SELECTED PERMANENT RELOCATION OF RESIDENTS FOR THIS FIRST OPERABLE UNIT AT THE FOREST GLEN SUBDIVISION SITE.

COMMENT: SEVERAL PRPS COMMENTED THAT EPA'S ACTION IS BASED ENTIRELY ON THE PHA PERFORMED BY ATSDR IN JULY, 1989.

EPA'S RESPONSE: EPA'S ACTIONS ARE BASED ON INFORMATION CONTAINED IN THE ADMINISTRATIVE RECORD FOR THE FOREST GLEN SUBDIVISION WHICH INCLUDES ATSDR'S PHA.

COMMENT: THE SAME PRPS STATED THAT THE PHA IS INADEQUATE TO SUPPORT THE ACTIONS PROPOSED IN THE FFS. THEY ALSO STATED THAT THE PHA IS NOT BASED ON SCIENTIFIC STANDARDS OR PROTOCOLS FOR CONDUCTING HEALTH RISK ASSESSMENTS.

EPA'S RESPONSE: THE PHA IS NOT MEANT TO BE THE EQUIVALENT TO THE RISK ASSESSMENTS COMMONLY USED BY EPA TO ASSESS CURRENT AND FUTURE RISKS AT SUPERFUND SITES. AS DEFINED IN THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), HEALTH ASSESSMENTS INCLUDE PRELIMINARY ASSESSMENTS OF THE POTENTIAL

RISK TO HUMAN HEALTH POSED BY INDIVIDUAL SITES AND FACILITIES. BASED ON DATA COLLECTED BY EPA, ATSDR, USING METHODS CONSISTENT WITH GUIDELINES ON PERFORMING HEALTH ASSESSMENTS, DETERMINED THAT A SIGNIFICANT RISK TO HUMAN HEALTH EXISTS AT THE FOREST GLEN SUBDIVISION. ATSDR'S PROTOCOLS ARE BASED ON ESTABLISHED SCIENTIFIC STANDARDS AND PROTOCOLS FOR CONDUCTING HEALTH ASSESSMENTS.

COMMENT: THE SAME PRPS ASSERTED THAT SUBSEQUENT TO THE PHA, EPA HAS UNDERTAKEN SEVERAL PRECAUTIONARY STEPS TO REDUCE PERCEIVED RISK AT THE SITE THROUGH CONTACT WITH ANY CONTAMINATED SOILS. THEY ALSO STATE THAT THESE MEASURES INCLUDE COLLECTING AND SECURING DRUMS OF WASTE LOCATED IN CERTAIN AREAS OUTSIDE THE RESIDENTIAL AREA, INSTALLATION OF FENCING AROUND AREAS OF CONTAMINATION, AND COVERING WITH CONCRETE AREAS WHERE CONTAMINANTS WERE VISIBLY OBSERVED.

EPA'S RESPONSE: THE PRECAUTIONARY STEPS TAKEN BY EPA SUBSEQUENT TO THE FFS INCLUDE SECURING WASTE LOCATED OUTSIDE THE RESIDENTIAL AREA, INSTALLATION OF FENCING AROUND SUSPECTED AREAS OF CONTAMINATION, AND COVERING ONE HOTSPOT OF CONTAMINATION WITH CONCRETE. THESE ACTIONS ALONE DO NOT ADDRESS THE THREATS DISCUSSED IN THE PHA, NAMELY THE DIRECT CONTACT THREAT ASSOCIATED WITH OTHER CONTAMINATED SOILS AT THE SITE OR RELATED TO SUBSURFACE ACTIVITIES AT THE SITE, THE POTENTIAL FOR CONTAMINATION OF WATER LINES, AND THE POTENTIAL FOR SUBSIDENCE OF THE SITE.

COMMENT: THE SAME PRPS POINTED OUT THE LACK OF RESIDENTIAL EXPOSURE TO CONTAMINANTS BY INHALATION AND THE LACK OF CONTAMINATION IN THE HOMES.

EPA'S RESPONSE: INHALATION OF CONTAMINANTS AND CONTAMINATION IN THE HOMES AT THE FOREST GLEN SUBDIVISION ARE NOT THE BASIS FOR THE PHA FINDINGS AT THE FOREST GLEN SUBDIVISION.

COMMENT: THE SAME PRPS STATED THAT THE ROUTES OF POTENTIAL EXPOSURE TO CONTAMINANTS CITED BY ATSDR IN THE PHA (DIRECT CONTACT DURING ROUTINE DOMESTIC ACTIVITIES SUCH AS GARDENING, PLAYING, AND LAWN CARE) CAN BE ADDRESSED BY PRECAUTIONARY MEASURES AND THAT THERE IS NO HISTORY OF DOCUMENTED HEALTH PROBLEMS RELATING TO ANY SUCH EXPOSURE TO SOIL CONTAMINATION.

EPA'S RESPONSE: EPA DOES NOT AGREE THAT ANY REMEDIAL MEASURES CAN BE IMPLEMENTED ON-SITE WHICH WILL ELIMINATE THE DIRECT CONTACT THREAT AT THE SITE UNTIL A MORE THOROUGH INVESTIGATION OF THE SITE CAN BE COMPLETED. IN THE INTERIM, RESIDENTS ON THE SITE ARE THREATENED BY CONTAMINATION WHICH CAN NOT BE COMPLETELY CONTROLLED. FOR EXAMPLE, WHILE IT MAY BE POSSIBLE TO CAP HOTSPOTS OF CONTAMINATION AS THEY ARE FOUND, IT IS IMPOSSIBLE TO CAP THE ENTIRE SITE TO PREVENT EXPOSURE TO UNDISCOVERED SOIL CONTAMINATION WHILE RESIDENTS REMAIN ON THE SITE.

EPA AGREES THAT MORE STUDIES MUST BE PERFORMED TO RELATE HEALTH PROBLEMS AT THE SITE TO EXPOSURE TO CONTAMINATED SOIL. THE NEW YORK STATE DEPARTMENT OF HEALTH IS PRESENTLY CONDUCTING SUCH WORK.

COMMENT: THE SAME PRPS ASSERT THAT ATSDR'S CONCERN APPEARS BASED ON ANECDOTAL EXPOSURE. THEY ALSO STATE THAT THIS TYPE OF INFORMATION IS NOT RELIED UPON FOR SCIENTIFICALLY VALID CONCLUSIONS.

EPA'S RESPONSE: ATSDR RELIES ON SEVERAL SOURCES OF INFORMATION IN PREPARING PHAS. THESE SOURCES INCLUDE DATA ON THE NATURE AND EXTENT OF CONTAMINATION AT THE SITE, TOXICITY DATA FROM THE LITERATURE, AND ANECDOTAL EXPOSURE DATA FROM RESIDENTS. ON THE BASIS OF THESE AND OTHER AVAILABLE DATA, ATSDR MADE A JUDGEMENT ABOUT THE ACTUAL AND POTENTIAL HEALTH RISK PRESENTED BY A SITE.

COMMENT: THE SAME PRPS STATED THAT POTENTIAL EXPOSURES AT THE SITE COULD CONTINUE TO BE ADDRESSED THROUGH COVERING AREAS OF CONTAMINATION AS EPA HAS DONE AS WELL AS CAUTIONS AGAINST ENGAGING IN ACTIVITIES WHICH MIGHT RESULT IN EXPOSURE DURING THE RI/FS PERIOD.

EPA'S RESPONSE: EXTENSIVE SAMPLING WILL BE REQUIRED TO DETERMINE THE EXTENT OF ALL AREAS OF CONTAMINATION AT THE FOREST GLEN SUBDIVISION SITE. THEREFORE, ALL ACTUAL AND POTENTIAL THREATS POSED BY THE SITE COULD NOT BE ADDRESSED THROUGH ON-SITE CONTROL MEASURES UNTIL AN RI/FS HAD BEEN COMPLETED FOR THE SITE WHICH MORE FULLY IDENTIFIES ALL AREAS OF CONTAMINATION. IN THE INTERIM, RELOCATION WILL PROTECT RESIDENTS FROM ALL REAL AND POTENTIAL THREATS AT THE SITE. CAUTIONS TO RESIDENTS AGAINST ENGAGING IN ALL ROUTINE OUTDOOR DOMESTIC ACTIVITIES SUCH AS GARDENING, PLAYING, AND LAWN CARE IS IMPRACTICAL, AND QUITE LIKELY, UNENFORCEABLE.

COMMENT: THE SAME PRPS COMMENTED THAT ATSDR'S PHA WAS BASED UPON SECOND-HAND DATA AND THAT NO EVIDENCE OF ADEQUATE QUALITY ASSURANCE AND QUALITY CONTROL (QA/QC) OF DATA WAS AVAILABLE IN THE ADMINISTRATIVE RECORD FOR THE SITE.

EPA'S RESPONSE: THE QA/QC INFORMATION FOR THE DATA USED IN THE PHA IS LOCATED IN THE ADMINISTRATIVE RECORD IN THE ITEMS NUMBERED 1 THROUGH 5 IN THE INDEX.

COMMENT: THE SAME PRPS COMMENTED THAT ATSDR FAILED TO DEMONSTRATE ASSOCIATIONS BETWEEN EXPOSURES AND HEALTH EFFECTS.

EPA'S RESPONSE: ATSDR'S PHA ASSUMED THAT RESIDENTS COULD POTENTIALLY BE EXPOSED TO CONTAMINATED SOIL. THE PHA DISCUSSED THE RELATIONSHIP BETWEEN EXPOSURE AND HEALTH EFFECTS AS BEST AS POSSIBLE GIVEN THE LIMITATION OF THE TOXICITY DATA BASE.

COMMENT: THE SAME PRPS COMMENTED THAT ATSDR DOES NOT APPEAR TO HAVE CONSULTED ALL AVAILABLE INFORMATION WITH RESPECT TO CONTAMINANTS OF CONCERN AT THE SITE.

EPA'S RESPONSE: ATSDR RELIES ON AVAILABLE TOXICITY DATA WHICH ARE THE RESULT OF A THOROUGH LITERATURE SEARCH.

COMMENT: THE SAME PRPS POINTED OUT THAT ANILINE, A POTENTIAL CARCINOGEN AT THE SITE IS RAPIDLY BIODEGRADED AND UNLIKELY TO BE PERSISTENT IN THE ENVIRONMENT. THEY ALSO STATED THAT PAHS ARE UNLIKELY TO BE AVAILABLE THROUGH COMMON HUMAN EXPOSURE PATHWAYS. IN ADDITION, THEY STATED THAT, IN INTERPRETING LITERATURE DATA, ATSDR FAILED TO ACCOUNT FOR SIGNIFICANT DIFFERENCES BETWEEN THE SITUATIONS BEING REPORTED IN THE LITERATURE AND THE SITE.

EPA'S RESPONSE: THE FACT THAT ANILINE WAS DETECTED AT SIGNIFICANT CONCENTRATIONS AT THE SITE POINTS TO THE FACT THAT IT HAS NOT BEEN COMPLETELY BIODEGRADED AND POSES A DIRECT CONTACT THREAT AT THE SITE. ATSDR RELIED ON AVAILABLE ANIMAL AND HUMAN STUDIES IN ITS DISCUSSION OF THE EFFECTS OF PAHS ON RESIDENTS. THESE ARE COMMON SOURCES OF TOXICOLOGICAL DATA. STUDIES OF WORKERS EXPOSED TO PAHS IN COAL TAR AND PITCH WERE USEFUL SOURCES OF HUMAN DATA IN THE DETERMINATION OF THE CARCINOGENICITY OF PAHS.

COMMENT: THE SAME PRPS COMMENTED THAT THE OCCUPATIONAL STUDIES REFERRED TO IN THE PHA DO NOT LINK ANILINE TO CANCER, BUT TO INCREASED LEVELS OF METHEMOGLOBIN IN THE BLOOD.

EPA'S RESPONSE: THE CLASSIFICATION OF ANILINE AS A POSSIBLE HUMAN CARCINOGEN IS BASED ON ANIMAL STUDIES WHICH ARE RECOGNIZED SOURCES OF TOXICOLOGICAL INFORMATION.

COMMENT: THE SAME PRPS COMMENTED THAT SITE-SPECIFIC EXPOSURE PATHWAY MODELING IS NEEDED TO CONSTRUCT A VALID ASSESSMENT OF ANY POTENTIAL HEALTH RISK. THEY ALSO COMMENTED THAT WITHOUT SUCH ANALYSES, A SCIENTIFICALLY VALID HEALTH ASSESSMENT IS NOT POSSIBLE AND APPLICABLE LEGAL STANDARDS CANNOT AND HAVE NOT BEEN MET.

EPA'S RESPONSE: BASED ON DATA COLLECTED BY EPA, ATSDR, USING METHODS CONSISTENT WITH GUIDELINES ON PERFORMING HEALTH ASSESSMENTS, DETERMINED THAT A SIGNIFICANT RISK TO HUMAN HEALTH EXISTS. ATSDR'S PROTOCOLS ARE BASED ON ESTABLISHED SCIENTIFIC STANDARDS FOR CONDUCTING HEALTH ASSESSMENTS.

COMMENT: THE SAME PRPS COMMENTED THAT ATSDR HAS NOT DEMONSTRATED THAT EXPOSURES TO HIGH CONCENTRATIONS OF CHEMICALS OF CONCERN HAVE OCCURRED OR THAT ANY LIKELY EXPOSURE WOULD LEAD TO SIGNIFICANT HEALTH RISKS.

EPA'S RESPONSE: THE PHA ASSUMES THE POTENTIAL FOR EXPOSURE TO THE HIGH CONCENTRATIONS OF CONTAMINANTS PRESENT IN SAMPLES TAKEN BY EPA. TOXICITY DATA INDICATE THAT CHEMICALS OF CONCERN AT THE FOREST GLEN SUBDIVISION SITE POSE A THREAT TO HUMAN HEALTH.

COMMENT: THE SAME PRPS COMMENTED THAT RESIDENTS OF THE SITE ARE SUPPLIED WITH PUBLIC DRINKING WATER, AND THERE IS NO EVIDENCE THAT IT IS CONTAMINATED.

EPA'S RESPONSE: IN THE PHA, ATSDR CITED THE POTENTIAL OF A POSSIBLE BREACH IN THE WATER LINES WHICH MIGHT

ALLOW SUBSURFACE CONTAMINATION TO ENTER WATER LINES AT THE SITE. THIS POSES A POTENTIAL THREAT TO SITE RESIDENTS.

COMMENT: THE SAME PRPS STATED THAT THE POSSIBILITY OF SUBSIDENCE CITED BY ATSDR IN THE PHA APPEARS BASED ENTIRELY ON SPECULATION. THEY ALSO STATE THAT NO REPORTED EVIDENCE OF SUBSIDENCE APPEARS IN THE ADMINISTRATIVE RECORD.

EPA'S RESPONSE: SEVERAL ITEMS IN THE ADMINISTRATIVE RECORD CITE REPORTS OF SEMI-LIQUID MATERIAL WHICH OOZED TO THE SURFACE DURING DIGGING. SINCE MOBILE SEMI-LIQUID MATERIAL HAS BEEN FOUND AT THE SITE, IT IS POSSIBLE THAT ADDITIONAL MOBILE SEMI-LIQUIDS EXIST THERE. THE PRESENCE OF THESE MOBILE MATERIALS BELOW THE GROUND UPON WHICH THE SUBDIVISION HAS BEEN BUILT CREATES THE POSSIBILITY OF SUBSIDENCE. THE RISK OF POTENTIAL SUBSIDENCE IS BASED ON THESE REPORTS.

COMMENT: THE SAME PRPS COMMENTED THAT THE EPA APPEARS TO HAVE PREJUDGED THE RESULTS OF ANY RI/FS IN ITS ANALYSIS OF OPTIONS IN THE FFS. THEY STATE THAT EPA'S ANALYSIS OF OPTIONS PROCEEDS ON THE ASSUMPTION THAT THE RI/FS WILL CONFIRM ITS VIEW THAT A SIGNIFICANT HEALTH RISK EXISTS AT THE SITE AND THAT EXTENDED RELOCATION WILL BE NECESSARY.

EPA'S RESPONSE: EPA HAS NOT PREJUDGED THE RESULTS OF ANY FUTURE RI/FS AT THE FOREST GLEN SUBDIVISION SITE. THE NEED FOR SOME TYPE OF ACTION TO PROTECT THE HEALTH OF THE RESIDENTS IS BASED ON THE PHA AND ITS FINDING THAT THE SITE POSES AN IMMEDIATE THREAT TO RESIDENTS. ATSDR HAS STATED THAT RESIDENTS SHOULD BE RELOCATED UNTIL THE SITE IS REMEDIATED OR THE THREAT TO RESIDENTS HAS BEEN SHOWN TO BE UNFOUNDED.

IN ADDITION, EPA'S ANALYSIS OF ALTERNATIVE 2 IS BASED ON THE ASSUMPTION THAT RESIDENTS WOULD BE RELOCATED FOR A PERIOD OF FIVE TO TEN YEARS. AS EXPLAINED IN THE FFS, THIS ASSUMPTION IS BASED ON THE PERIOD REQUIRED TO COMPLETE TEMPORARY RELOCATION, CONDUCT AN RI/FS, AND CONDUCT REMEDIAL ACTIONS AT THE SITE. BASED ON THE LEVELS OF CONTAMINATION ALREADY DETECTED AT THE SITE, IT IS A REASONABLE AND CONSERVATIVE ASSUMPTION THAT SOME TYPE OF REMEDIATION WILL BE REQUIRED AT THE SITE.

COMMENT: THE SAME PRPS COMMENTED THAT EPA HAS SUMMARILY DISMISSED, WITHOUT ADEQUATE JUSTIFICATION, THE OPTION OF DOING THE RI/FS WITHOUT RELOCATION OR WITH LIMITED RELOCATION.

EPA'S RESPONSE: NON-RELOCATION OPTIONS REQUIRE FURTHER INFORMATION WHICH WILL BE ACQUIRED THROUGH A LATER RI/FS. IN THE INTERIM, HOWEVER, BASED ON ATSDR'S DETERMINATION THAT A SIGNIFICANT HEALTH THREAT CURRENTLY EXISTS AT THE SITE, RELOCATION AT THIS TIME IS REQUIRED TO PROTECT THE HEALTH OF RESIDENTS. IN ADDITION, AS THE FFS STATES, FIELD ACTIVITIES REQUIRED TO DETERMINE THE EXTENT OF CONTAMINATION COULD EXPOSE SUBSURFACE WASTES AND FURTHER ENDANGER HUMAN HEALTH.

COMMENT: THE SAME PRPS COMMENTED THAT EPA FAILED TO CONSIDER THE POSSIBILITY OF LIMITED, TEMPORARY RELOCATION DURING ANY PERIOD DURING THE RI/FS WHEN INTRUSIVE ACTIVITIES ARE CONDUCTED. THEREFORE, RELOCATION IS THE ONLY POSSIBILITY THAT REASONABLY PREVENTS POTENTIAL EXPOSURE OF RESIDENTS DURING THE RI/FS AND ANY FUTURE REMEDIAL ACTION.

EPA'S RESPONSE: LIMITED TEMPORARY RELOCATION DURING THOSE PERIODS OF THE RI/FS WHEN INTRUSIVE ACTIVITIES TAKE PLACE WOULD NOT BE FULLY PROTECTIVE OF HUMAN HEALTH, SINCE THE THREAT OF RESIDENTIAL EXPOSURE TO SOIL CONTAMINATION WILL CONTINUE UNTIL THE SITE HAS BEEN REMEDIATED.

COMMENT: THE SAME PRPS COMMENTED THAT IT WOULD BE MOST CONSISTENT WITH CERCLA AND DEVELOPMENT OF AN OVERALL EFFECTIVE REMEDY TO AWAIT THE RESULTS OF AN RI/FS AS WELL AS AN ACCEPTABLE HEALTH RISK ASSESSMENT BEFORE JUMPING TO THE CONCLUSION THAT EXTENDED RELOCATION IS NECESSARY.

EPA'S RESPONSE: EPA'S APPROACH IS CONSISTENT WITH CERCLA AND THE NCP. EPA HAS EXPEDITED ITS RESPONSE TO AN IMMEDIATE THREAT TO RESIDENTS AT THE FOREST GLEN SUBDIVISION THROUGH THE DEVELOPMENT OF THE FFS AND THROUGH ITS PROPOSAL TO PERMANENTLY RELOCATE SITE RESIDENTS.

COMMENT: THE SAME PRPS COMMENTED THAT THE SITUATION AT THE SITE AFFORDS MEANS OF ACCESS OTHER THAN EDGEWOOD DRIVE.

EPA'S RESPONSE: EDGEWOOD DRIVE IS PRESENTLY THE ONLY ROAD WHICH CONNECTS THE FOREST GLEN SUBDIVISION TO THE SERVICE ROAD EAST OF THE SITE. EPA HAS INSTALLED ITS OFFICES ON EDGEWOOD DRIVE. FIELD ACTIVITIES CONDUCTED TO DATE BY EPA HAVE NOT REQUIRED LARGE EQUIPMENT WHICH WOULD LIMIT ACCESS TO THE SITE.

COMMENT: THE SAME PRPS COMMENTED THAT A CITATION TO DEPARTMENT OF JUSTICE APPRAISAL STANDARDS, DISCUSSED IN THE FFS AND ROD, SHOULD BE PROVIDED.

EPA'S RESPONSE: APPRAISAL STANDARDS ARE DISCUSSED IN UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITION PUBLISHED BY THE GOVERNMENT PRINTING OFFICE IN WASHINGTON, DC IN MAY 1973. COPIES OF THESE STANDARDS HAVE BEEN DISTRIBUTED TO SITE RESIDENTS AND ARE AVAILABLE AT THE EPA PUBLIC INFORMATION OFFICE IN NIAGARA FALLS, NEW YORK.

COMMENT: THE SAME PRPS COMMENTED THAT THE FFS FAILS TO INCLUDE ANY EXPLANATION OR JUSTIFICATION TO SUBSTANTIATE COSTS.

EPA'S RESPONSE: AS EXPLAINED IN THE FFS ON PAGE 37, COST ESTIMATES PRESENTED IN THE FFS ARE BASED ON A VARIETY OF INFORMATION, INCLUDING QUOTES FROM SUPPLIERS IN THE AREA OF THE SITE, GENERIC UNIT COSTS, VENDOR INFORMATION, CONVENTIONAL COST ESTIMATING GUIDES, AND PRIOR EXPERIENCE.

COMMENT: SEVERAL PRPS COMMENTED THAT EPA IMPLIES, IN THE FFS, THAT THE COST OF GROUP RELOCATION IS EQUIVALENT TO THAT OF INDIVIDUAL RELOCATION. THEY ASK EPA TO EXPLAIN HOW IT WOULD ENSURE THAT IF GROUP RELOCATION IS SELECTED, THE COST WOULD NOT EXCEED THE COST OF INDIVIDUAL RELOCATION.

EPA'S RESPONSE: THE COSTS GIVEN IN THE FFS ARE ESTIMATES USED IN EVALUATING ALTERNATIVES. IN ESTIMATING THE COST OF GROUP RELOCATION, EPA ASSUMED THAT THE UNIT COSTS ASSOCIATED WITH DEVELOPMENT OF LAND WOULD BE BORNE BY RESIDENTS WHO WOULD POOL INDIVIDUAL RELOCATION ASSISTANCE PAYMENTS TO FINANCE THE DEVELOPMENT. WHILE THIS IS ONE POSSIBLE WAY TO FINANCE THE DEVELOPMENT OF A NEW SUBDIVISION FOR GROUP RELOCATION, IT IS NOT THE ONLY APPROACH. FOR EXAMPLE, FEDERAL REGULATIONS DO PROVIDE FOR THE DEVELOPMENT OF A NEW SUBDIVISION IN CERTAIN CASES. ACTUAL COSTS FOR DEVELOPMENT OF A NEW SUBDIVISION FOR GROUP RELOCATION WILL BE DEVELOPED, AS NECESSARY, DURING THE DESIGN OF THE NEW SUBDIVISION.

COMMENT: A PRP COMMENTED THAT THE ATSDR PHA SHOULD BE APPENDED TO THE FFS. THEY ALSO STATED THAT ANY EPA REPORTS WHICH EVALUATE THE DATA SAMPLING PROGRAM AND THE ACCURACY OF RESULTS AS WELL AS THE CONCLUSIONS DRAWN FROM RAW DATA SHOULD BE REFERENCED IN THE FFS.

EPA'S RESPONSE: THE ATSDR PHA ALONG WITH THE OTHER EPA DATA REPORTS REFERENCED ABOVE ARE AVAILABLE IN THE FOREST GLEN SUBDIVISION SITE ADMINISTRATIVE RECORD.

COMMENT: THE SAME PRP COMMENTED THAT THE FFS SHOULD DISCUSS THE EFFECT, IF ANY, THAT THE LARGE OPEN FIELD TO THE NORTH HAD ON EPA'S DETERMINATION TO RELOCATE RESIDENTS OF THE SUBDIVISION.

EPA'S RESPONSE: DATA USED BY ATSDR IN SUPPORT OF ITS PHA INCLUDE DATA TAKEN IN THE UNDEVELOPED PARCEL NORTH OF THE SUBDIVISION. THIS AREA IS BEING INCLUDED IN THE SITE STUDY AREA. A COMPLETE INVESTIGATION OF THIS AREA WILL BE CONDUCTED IN THE FULL RI/FS WHICH WILL BE PERFORMED AT THE SITE FOLLOWING COMPLETION OF RELOCATION ACTIVITIES.

COMMENT: THE SAME PRP COMMENTED THAT EPA'S STATEMENT IN THE FFS THAT THE POWER AUTHORITY OF THE STATE OF NEW YORK (PASNY) OWNS THE UNDEVELOPED LAND NORTH OF THE SUBDIVISION IS ERRONEOUS.

EPA'S RESPONSE: INFORMATION SUBMITTED BY THE NEW YORK POWER AUTHORITY, FORMERLY PASNY, INDICATES THAT THE UNDEVELOPED LAND NORTH OF THE SUBDIVISION WAS SOLD BY PASNY TO THOMAS SOTTILE. EPA IS CONTINUING TO INVESTIGATE OWNERSHIP OF THE LAND NORTH OF THE SUBDIVISION.

COMMENT: THE SAME PRP COMMENTED THAT EPA SHOULD GIVE FURTHER INFORMATION ON THE DRUMS OF WASTE WHICH WERE THE SUBJECT OF THE ADMINISTRATIVE ORDER TO CERTAIN PRPS AND WHICH WERE LATER SECURED BY EPA.

EPA'S RESPONSE: DRUM FRAGMENTS LOCATED IN THE UNDEVELOPED AREAS NORTH AND EAST OF THE SITE WERE SECURED BY

EPA. AN ADMINISTRATIVE ORDER DID DIRECT CERTAIN PRPS TO SECURE DRUMS AND CONTAINERS AT THE SITE WHICH WERE LEAKING OR IN DANGER OF LEAKING. THIS ADMINISTRATIVE ORDER WAS BASED ON SAMPLING DATA WHICH SHOWED CONTAMINATION NORTH OF THE SITE IN AREAS OF SUSPECTED DRUM DUMPING.

COMMENT: THE SAME PRP COMMENTED THAT A FIGURE SHOWING SEPTEMBER 27-29, 1988 SAMPLING LOCATIONS REVEALS THAT NO SAMPLING WAS UNDERTAKEN IN THE UNDEVELOPED AREA NORTH OF THE SUBDIVISION.

EPA'S RESPONSE: FIGURE 2A IN THE REPORT ON THE SEPTEMBER 27-29, 1988 DATA SHOWS TWO SAMPLING LOCATIONS NEAR THE BERM IN THE UNDEVELOPED AREA NORTH OF THE SITE.

COMMENT: THE SAME PRP COMMENTED THAT THE FFS SHOULD INCLUDE SAMPLE LOCATIONS AND THE BASIS FOR SELECTING SAMPLES TAKEN ON APRIL 13, 1989. THEY ALSO STATE THAT THE FFS SHOULD DEFINE EXTREMELY CONTAMINATED AND STATE WHETHER THE CONTAMINATION WAS FROM HAZARDOUS WASTE. IN ADDITION, THEY STATE THAT THE FFS SHOULD INDICATE CONFIDENCE LEVELS ASSOCIATED WITH TENTATIVELY IDENTIFIED COMPOUND (TIC) CONCENTRATIONS.

EPA'S RESPONSE: INFORMATION IN THE ADMINISTRATIVE RECORD IDENTIFIES SAMPLING LOCATIONS FOR THE APRIL 13, 1989 SAMPLING. SAMPLES WERE COLLECTED FROM LOCATIONS SAMPLED IN SEPTEMBER, 1988. THE SAMPLE NUMBERS FOR BOTH SAMPLING EVENTS WERE IDENTICAL. THEREFORE, THE SAMPLING LOCATIONS FOR THE APRIL SAMPLING ARE SHOWN IN FIGURES INCLUDED IN THE REPORT ON THE SEPTEMBER SAMPLING EVENT. SOME SAMPLES ANALYZED AS A RESULT OF THE APRIL, 1989 SAMPLING WERE REPORTED BY THE OPERATOR TO BE "EXTREMELY CONTAMINATED." ANALYTICAL RESULTS FOR THE SAMPLES ARE GIVEN IN THE FFS AND THESE DEMONSTRATE THE DEGREE OF CONTAMINATION FOUND IN THE SAMPLES.

COMMENT: THE SAME PRP COMMENTED THAT THE FFS SHOULD RECONCILE INCONSISTENCIES BETWEEN THE SEPTEMBER 27-29, 1988 SAMPLING RESULTS AND THE MAY 22, 1989 SAMPLING RESULTS. THEY ALSO STATED THAT RESULTS OF THE MAY 22, 1989 AND AUGUST 1, 1989 SAMPLING SHOULD BE TABULATED IN THE FFS.

EPA'S RESPONSE: IN THE FUTURE, DATA WILL BE TAKEN TO FURTHER CHARACTERIZE CONTAMINATION AT THE SITE. DETAILED RESULTS OF THE MAY, 1989 SAMPLING EVENT ARE GIVEN IN THE FOREST GLEN SUBDIVISION SITE ADMINISTRATIVE RECORD.

COMMENT: THE SAME PRP COMMENTED THAT EPA SHOULD INDICATE WHETHER ATSDR HAD CONSIDERED THE RESULTS OF ALL SAMPLING EVENTS.

EPA'S RESPONSE: ATSDR HAS CONSIDERED THE RESULTS OF ALL SAMPLING EVENTS AT THE FOREST GLEN SUBDIVISION SITE. THE FINDINGS IN THE ATSDR PHA REMAIN UNCHANGED.

COMMENT: THE SAME PRP COMMENTED THAT THE DEVELOPMENT OF A NEW SUBDIVISION WILL REQUIRE COMPLIANCE WITH SEVERAL LOCAL AND STATE LAND USE AND ENVIRONMENTAL LAWS AND REGULATIONS.

EPA'S RESPONSE: EPA HAS INCLUDED STATE AND LOCAL ZONING AND SUBDIVISION REQUIREMENTS AS POTENTIALLY APPLICABLE TO THE DEVELOPMENT OF A NEW SUBDIVISION FOR RELOCATION.

COMMENT: THE SAME PRP COMMENTED THAT THE ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE USE OF UNDEVELOPED PROPERTY INSTEAD OF EXISTING LAND SHOULD BE DISCUSSED.

EPA'S RESPONSE: ANY ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE DEVELOPMENT OF PREVIOUSLY UNDEVELOPED LAND WILL BE CONSIDERED UPON SELECTION OF A PARCEL OF LAND FOR RELOCATION.

COMMENT: THE SAME PRP QUESTIONED WHETHER BOTH THE CLAIMS OF ABSENTEE LANDLORDS AND OWNERS ARE ADDRESSED IN THE EPA COST ANALYSIS. THEY ALSO QUESTIONED WHETHER THE COSTS ESTIMATES ARE IN 1989 DOLLARS OR CURRENT DOLLARS.

EPA'S RESPONSE: THE PERMANENT RELOCATION SELECTED BY EPA GENERALLY APPLIES TO RESIDENTS AND OWNERS OF PERMANENT HOMES IN THE FOREST GLEN SUBDIVISION. COST ESTIMATES IN THE FFS HAVE NOT BEEN DISCOUNTED.

COMMENT: THE SAME PRP QUESTIONED HOW EPA ARRIVED AT A PURCHASE PRICE OF \$25,000 FOR A MOBILE HOME AND LOT WHEN MOBILE HOMES HAVE BEEN ESTIMATED TO HAVE A RESALE VALUE OF \$3,500 AND LOTS ARE ESTIMATED TO HAVE A FAIR

MARKET VALUE OF \$3,200.

EPA'S RESPONSE: THE ESTIMATED PURCHASE PRICE OF A MOBILE HOME AND LOT IN THE FOREST GLEN SUBDIVISION HAS BEEN INCREASED TO \$35,000. THIS FIGURE IS BASED ON AVERAGE PRICES OF MOBILE HOMES IN THE NIAGARA FALLS AREA AND ON INFORMATION PROVIDED BY AREA REAL ESTATE PROFESSIONALS. THE FAIR MARKET VALUE OF LAND IN THE FOREST GLEN SUBDIVISION HAS BEEN INCREASED TO \$10,000. THE MOBILE HOME SALVAGE VALUE OF \$3,500 GIVEN IN THE FFS IS A CONSERVATIVE ESTIMATE OF THE VALUE OF A MOBILE HOME AT THE FOREST GLEN SUBDIVISION TO A DEALER WHO WOULD HAUL THE HOMES AWAY FROM THE SITE, RESTORE THEM, AND RESELL THEM.

COMMENT: THE SAME PRP COMMENTED THAT THE FFS FAILS TO LIST THE APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS FOR PERMANENT RELOCATION.

EPA'S RESPONSE: NO FEDERAL ENVIRONMENTAL LAWS WERE FOUND TO BE APPLICABLE OR RELEVANT AND APPROPRIATE TO THE PERMANENT RELOCATION OF RESIDENTS. HOWEVER, DEPENDING ON THE OPTIONS SELECTED DURING IMPLEMENTATION OF PERMANENT RELOCATION, STATE OR LOCAL ZONING OR SUBDIVISION LAWS MAY BE APPLICABLE. THIS FACT IS REFLECTED IN THE ROD.

COMMENT: THE SAME PRP STATED THAT THE DESCRIPTION OF DISPOSAL ACTIVITIES AT THE SITE IS INCOMPLETE.

EPA'S RESPONSE: EPA CONTINUES TO INVESTIGATE THE HISTORY OF DISPOSAL ACTIVITIES AT THE FOREST GLEN SUBDIVISION SITE.

COMMENT: A PRP COMMENTED THAT EPA'S ISSUANCE OF SPECIAL NOTICE TO PRPS PRIOR TO THE RELEASE OF THE ROD WAS PREMATURE. THEY ALSO REQUESTED THAT SPECIAL NOTICE BE WITHDRAWN.

EPA'S RESPONSE: EPA POLICY IS TO ISSUE SPECIAL NOTICE FOLLOWING THE RELEASE OF THE PROPOSED PLAN.

ROD FACT SHEET

SITE

NAME: FOREST GLEN SUBDIVISION

LOCATION: NIAGARA FALLS, N.Y.

HRS SCORE:

NPL RANK:

ROD

DATE SIGNED: 12/29/89

REMEDY: PERMANENT RELOCATION OF ALL SITE
RESIDENTS; CONTINUATION OF TEMPORARY
RELOCATION WHILE PERMANENT RELOCATION IS
BEING IMPLEMENTED

CAPITAL COST: \$4.71 - 6.02 MILLION

O&M/YEAR: \$0

PRESENT WORTH COST: \$4.71 - 6.02 MILLION

LEAD

EPA REMEDIAL

PRIMARY CONTACT: LISA CARSON, (212) 264-5712

SECONDARY CONTACT: GLORIA SOSA, (212) 264-2110

MAIN PRPS: GOODYEAR TIRE AND RUBBER CO.

PRP CONTACT:

WASTE

TYPE: NON-TCL ORGANICS

MEDIUM: SOIL

ORIGIN: UNAUTHORIZED DUMPING PRIOR TO SUBDIVISION DEVELOPMENT

EST. QUANTITY: UNKNOWN