



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

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NYSDEC - REGION 9

DEC 23 2013

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December 20, 2013

Greg Sutton  
NYS DEC Region 9  
270 Michigan Ave.  
Buffalo, NY 14203

Dear Greg:

The US Environmental Protection Agency (EPA) has finalized the Community Involvement Plan (CIP) for the Eighteen Mile Creek Superfund Site located in Niagara County, New York.

Due to your interest in the Site, EPA is providing you with a hard copy of the CIP for your records. We have also placed a copy of the CIP in two local repositories: Lockport Public Library, 23 East Avenue, Lockport, NY and the Newfane Free Library, 2761 Maple Avenue, Newfane, New York. The CIP provides the framework for how the community would like to be informed about site activities and provide input throughout the site remediation process. The CIP also describes the site history, scheduled activities, and how to contact EPA representatives.

As you may know, EPA has issued a Record of Decision (ROD) for the Site on September 30, 2013. The decision calls for cleanup of nine residential properties, permanent relocation of the residents and demolition of the homes at five of the properties and demolition of the former Flintkote building in Lockport, New York. A copy of the ROD may be obtained by visiting EPA's web page for the Site at <http://epa.gov/region02/superfund/npl/18milecreek/>. This is the first phase of Site cleanup. Future phases are planned for the Creek Corridor and north Corridor to the Creek's discharge to Lake Ontario.

If you have any questions about the CIP or any other project related issues please contact me at [Basile.Michael@epa.gov](mailto:Basile.Michael@epa.gov) or (716) 551-4410 the EPA Community Involvement Coordinator for the Site.

Sincerely,

A handwritten signature in blue ink that reads "Mike Basile".

Mike Basile  
USEPA Community Involvement Coordinator

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**Community Involvement Plan  
Eighteenmile Creek Superfund Site  
Town of Newfane, Town of Lockport,  
City of Lockport, Niagara County  
New York**

**November 2013**

**Prepared for:**



**UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY**  
Region 2  
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New York, New York 10007-1866

**Prepared by:**



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**Los Alamos Technical Associates, Inc.**

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## 1. Overview of Community Involvement Plan

Possible sources of contamination include contaminant migration from hazardous waste sites and other contaminated properties located along the Creek Corridor, as well as industrial and municipal wastewater and stormwater discharges, and combined sewer outfalls discharges.

On September 16, 2011, the Site was proposed to the NPL. The Site was added to the NPL on March 15, 2012. The United States Environmental Protection Agency's (EPA's) approach for the Site is to perform the site investigation and cleanup in three operable units (OUs). An OU is the term for each of a number of separate activities undertaken as part of a Superfund site cleanup. The planned actions for this Site are as follows:

- Action 1 (OU 1): Contaminated Residential Properties in the Creek Corridor and demolition of the former Flintkote building.
- Action 2 (OU 2): Contaminated Industrial and Commercial/Industrial properties in the Creek Corridor.
- Action 3 (OU 3): Contaminated sediment in the Creek from Lockport to the Creek discharge to Lake Ontario.

For OU-1, the EPA has reviewed the RI/**Feasibility Study** (FS) completed by the NYSDEC and has developed a Superfund **Proposed Plan** addresses the soil contamination at several residential properties in the area of Water Street in Lockport, New York, and the evaluation of conditions at an industrial building at the former Flintkote Company plant located at 300 Mill Street, in Lockport, New York. Public meetings were held on June 5, 2013, to relay information on the EPA's plans for investigating and remediating the site; and on Tuesday August 13, 2013, to formally solicit public comment on the Proposed Plan for OU-1. Both meetings were held at the 4-H Training Center at the Niagara County Fairgrounds located at 4487 Lake Road, Lockport, New York. The EPA will review the public comments and finalize the Proposed Plan based on these comments. The NPL listing allows federal funds to be used for Site remediation. The EPA will simultaneously pursue **potentially responsible parties** (PRPs) to recover the costs of investigation and any remedial work performed at the Site.

The EPA requested the assistance of the Los Alamos Technical Consultants Team under EPA Contract Number EP-W-10-007 in conducting community interviews and preparing a **Community Involvement Plan** (CIP) to ensure that the local community is informed about the progress of remedial activities at the Site and has the opportunity to provide input into decision-making processes. This effort was led by Ecology and Environment Inc. (E & E). The EPA and E & E conducted interviews with members of the community in August 2013 to seek input on local concerns and preferences for community outreach pertaining to the Site. As the interviews were confidential, the names and addresses of participants will not be released.



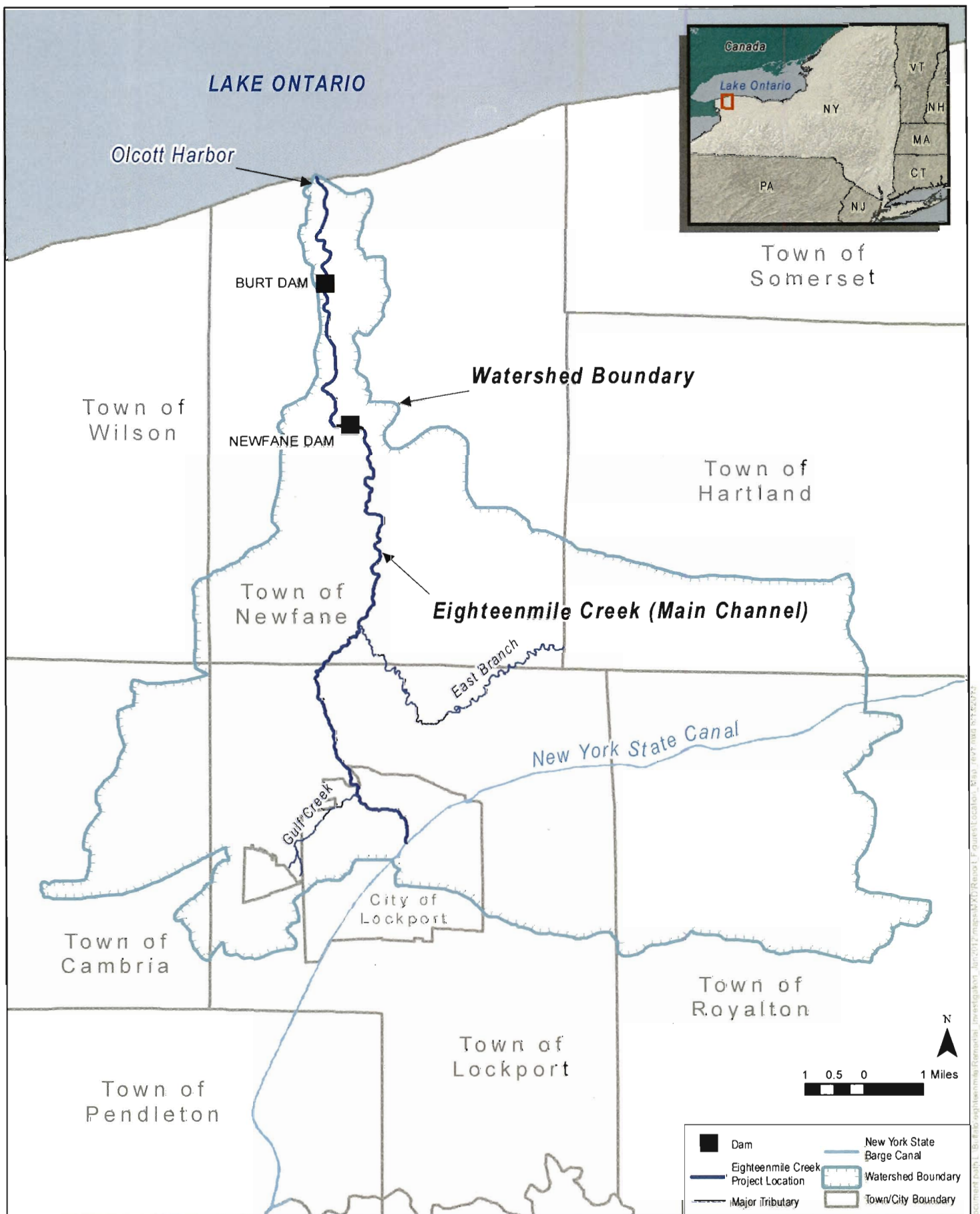


Figure 1 Eighteenmile Creek Site Location



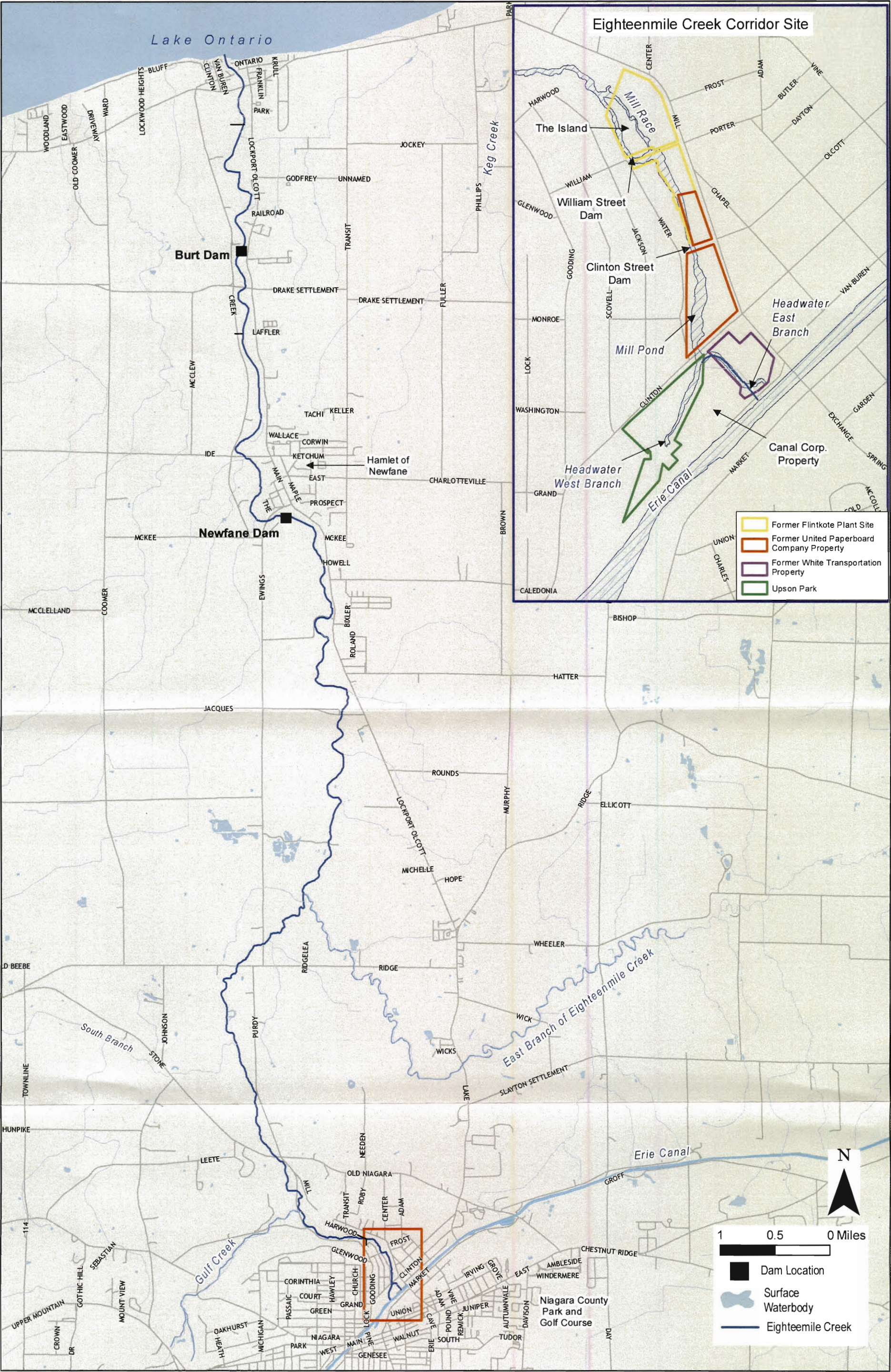


Figure 2 Eighteenmile Creek Site Areas



## 1. Overview of Community Involvement Plan

This CIP describes how the local community will be informed about Site activities and how community members can provide input throughout the Site remediation process. The CIP also describes the Site's history as well as future community involvement efforts including public announcements, where to review project-related documents, and how to contact EPA representatives.

The EPA's designated **community involvement coordinator** (CIC) will manage a CIP for the Site in coordination with the EPA's **remedial project manager** (RPM). Throughout the Site remediation process, the EPA will attempt to identify and resolve any conflicts that may arise and ensure that remediation will be efficient, cost-effective, and protective of human health and the environment.

This CIP is organized into six sections. Following this overview (Section 1), subsequent sections provide information on the Site background (Section 2), community profile and concerns expressed to date (Section 3), key elements of the CIP (Section 4), and specific community involvement activities to be scheduled during investigative and remedial activities (Section 5). References used in the preparation of this document are provided in Section 6 and are available for public review in document repositories established for the Site. Appendix A is a glossary and list of acronyms; Appendix B lists key contacts and other interested parties; and Appendix C lists the locations and hours that information repositories are open as well as possible public meeting locations.

The Western New York EPA Public Information Office in Buffalo, New York, maintains a mailing list of all potentially interested citizens, elected and non-elected government officials, and media representatives. To protect individual privacy, the mailing list is not included with this CIP. The mailing list is continually updated as new requests to be on the list and changes to the existing list are received.



# 2

## Site Background

This section includes a description of the Site and Site ownership, its geographical location, and the history of the investigations that led EPA to include the Site on the NPL.

### 2.1 Site Description

The Site is located in Niagara County, New York, and includes contaminated sediments, soil, and groundwater in and around the Creek. The headwaters of the Creek consist of an east and west branch, which begin immediately north of the New York State Barge Canal. Water from the Creek's east branch originates at the spillway on the south side of the Canal, where it is directed northward underneath the Canal and the Mill Street Bridge through a culvert. Water from the west branch originates from the dry dock on the north side of the Barge Canal and then flows northward. The east branch and west branch converge just south of Clinton Street in Lockport. The Creek flows north for approximately 15 miles and discharges to Lake Ontario in Olcott, New York (see Figures 1 and 2).

In Lockport, the Creek Corridor is bordered by residential properties along Water Street and by vacant land to the west, Upson Park to the south, Mill Street to the east, and the former Flintkote Plant property to the north (see Figure 2 inset). The topography of the area is relatively flat other than a steep downward slope toward the Creek and the millrace, which bisects the former Flintkote Plant property. The stretch of the Creek along what is referred to as the Creek Corridor is approximately 4,000 feet in length.

The EPA plans to address Site remediation in three phases or OUs. The EPA's first action (OU-1) will address the former Flintkote building and contaminated residential properties located within the Creek Corridor. The EPA's second action (OU-2) will address the remediation of Creek sediments and soil at several industrial and commercial properties in the Creek Corridor. EPA's third action (OU-3) will address contaminated sediment in the Creek from Lockport to its discharge to Lake Ontario.

The residential properties and the remaining building at the former Flintkote Plant, which encompass an area of approximately 2.25 acres along Water Street, are the subject of the Proposed Plan for OU-1. These properties are adjacent to the Creek and experience flooding during high water events. Severe flooding of

## 2. Site Background

up to 100 feet from the Creek bank reportedly occurs approximately once every two years, with lesser flooding occurring several times a year as a result of heavy precipitation and blockage of culverts through which the Creek flows under William Street. The former Flintkote Plant property occupies approximately six acres and includes parcels 300, 225, and 198 Mill Street. These parcels are located east and northeast of the Water Street properties.

### 2.2 Investigative History

Eighteenmile Creek has a long history of industrial use dating back to the 19th century when it was used as a source of power. Sampling indicates the presence of numerous contaminants in Creek sediments, including PCBs, lead, copper, pesticides/insecticides, dioxins, and furans. Possible sources of this contamination may include releases from hazardous waste sites or contaminated properties, industrial or municipal wastewater discharges, and stormwater and combined sewer overflow discharges.

The former Flintkote Company began operations as a manufacturer of felt and felt products in 1928, when the property was purchased from the Beckman Dawson Roofing Company. In 1935, Flintkote began production of sound-deadening and tufting felt for installation and use in automobiles. Manufacturing of this product line continued until December 1971, when operations ceased and the plant closed. The disposal history at the former Flintkote Plant property is largely unknown, although aerial photographs suggest that by 1938 fill was disposed of in a section of 300 Mill Street between the Creek and the millrace in an area known as the island. It has also been reported that ash resulting from the burning of municipal garbage was dumped at the former Flintkote Plant property.

In 1983, a portion of the former Flintkote Plant property, known as Building A, was listed on NYSDEC's Registry of Inactive Hazardous Waste Sites (Registry). During NYSDEC's Phase I investigation in 1983, multiple 55-gallon drums were found to contain solid material and PCB transformer oil; however, testing of these drums did not detect the presence of PCBs at levels greater than 2 parts per million. In 1984, the former property owner arranged for off-site disposal of the drums, and the property was removed from NYSDEC's Registry.

In 1989, the City of Lockport's Building Inspection Department reported multiple drums throughout the buildings at 300 Mill Street. Testing of these drums revealed that they contained hazardous substances. In 1991, NYSDEC disposed of these drums at an off-site location.

In 2002, the building at 300 Mill Street was also the subject of an EPA removal action. This removal action focused on the removal of friable asbestos-containing materials within the 300 Mill Street building and debris on the property. The removal action resulted in the off-site disposal of 170 cubic yards of asbestos-containing debris. Asbestos-containing material still remains in the building; however, most of it is in non-friable form, meaning when dry, it cannot be crumbled, pulverized, or reduced to powder by hand pressure. Friable asbestos can be



## **2. Site Background**

reduced to powder very easily, releasing asbestos fibers, which if inhaled, have been linked to the development of respiratory and other diseases, but this type of asbestos was not predominant.

The majority of the buildings on the 198 Mill Street portion of the former Flintkote Plant property have been razed, though former basement walls, concrete columns, and concrete floors remain. The building that remains on the 300 Mill Street parcel is constructed of stone, brick, and concrete with wooden or concrete roof deck structures. The remaining structure is severely deteriorated, with the majority of the building having some structural deficiencies. There are numerous openings in the floors. The roof systems are partially or completely collapsed and stairways and hand rails are in poor condition. Currently, the property is secured by a fence that is maintained by Niagara County.

In April 2002, the Niagara County Health Department (NCHD) received a request from a Water Street property owner to evaluate soils on their residential property. The property owner was concerned that elevated PCB concentrations in Creek sediment had the potential to impact their property during flooding events. NCHD conducted an initial inspection of the property owner's yard and NYSDEC subsequently collected three surface soil samples from the property on April 16, 2002. The results of the sampling analysis revealed that elevated concentrations of PCB and lead were present.

In March 2006, NYSDEC selected a remedy to address contamination at the former Flintkote Plant property. In March 2010, NYSDEC issued a second remedy to address areas of contamination in the Corridor, which included the residential properties and several other commercial/industrial properties. NYSDEC did not implement the remedies. In 2011, NYSDEC requested that EPA consider the Site for inclusion on its NPL. In March 2012, EPA included the Site on the NPL. Since that time, EPA has evaluated existing data, performed additional sampling to fill in data gaps for the residential properties, evaluated risk associated with the contaminants at these properties and proposed a remedy for OUI.

# 3

## Community Background

The following community background information includes a description of the demographics in the city of Lockport, the town of Lockport, and the town of Newfane, all located in Niagara County, New York. The section also includes the chronology of community involvement activities and a summary of key community concerns as expressed during the community interviews.

### 3.1 Community Profile

The Site is located in the city of Lockport, the town of Lockport, and the town of Newfane, Niagara County, New York.

The city of Lockport is located in the center of the town of Lockport. The headwaters of the main branch of the Creek originates within the city of Lockport at the New York State Barge Canal. According to the 2010 United States Census, the city of Lockport has a population of 21,165 and an area of 8.40 square miles, with an average population density of 2,520 people per square mile. The city government consists of a mayor and a Common Council.

The town of Lockport is located on the southern portion of the Creek and includes the headwaters of the east branch. The Creek runs north from the town of Lockport into the town of Newfane. According to the 2010 United States Census, the town of Lockport has a population of 20,529 and an area of 44.7 square miles, with an average population density of 473 people per square mile. The town government consists of a supervisor and a town board.

The town of Newfane is located on the northern portion of Eighteenmile Creek. The main channel of the Creek flows through the town of Newfane before draining into Lake Ontario at Olcott, New York. The town of Newfane has a population of 3,822 according to the 2010 United States Census and has an area of 53.5 square miles with an average population density of 71 people per square mile. The town government consists of a supervisor and a town board.

Approximately 215,124 people live in Niagara County according to the 2010 United States Census. With an area of 522.36 square miles, the average population density of the county is 414.4 persons per square mile. County government consists of a 15-member county board of legislature. The city of Lockport, Niaga-



### 3. Community Background

ra County, New York, is the most densely populated urban area in the vicinity of the Site.

#### 3.2 History of Community Involvement

As stated in Section 2.2 of this CIP, the Site was placed on the EPA's NPL in March 2012. The EPA developed a profile for the Site which included information on Site location, a summary of cleanup progress, and a cleanup impact summary. A general information meeting was held on June 5, 2013, at the 4-H building at the Niagara County fairgrounds to introduce the project and the project team. Meeting attendees indicated whether they would like to participate in community interviews. Residents, stakeholder groups, and local elected officials were contacted for interviews following the meeting.

#### 3.3 Key Community Concerns

The following key concerns and opinions were expressed during community interviews.

##### Current Site Activities

Most residents and public officials were aware of the Site and past activities but concerned that they were learning about recent activities from the local news instead of direct contact with government officials. Several officials requested they be given advanced notification of agency announcements on future Site activities. There is general concern about understanding the current extent of site contamination versus the historical contamination as the water quality visibly appears to be much better than in the past.

Residents and public officials thought relocating the families on Water Street should be a priority due to the known extent of contamination of their properties, and should be done in a timely manner. One resident was very concerned about how long homes on Water Street would remain vacant and the potential for vagrancy and increased crime on Water Street.

Interviewees were concerned with recent flooding events; many of the residents reported oil sheens and unpleasant odors during these events.

##### Extent of Contamination

Residents expressed concern about the types chemicals historically used and produced by nearby industrial facilities as well as the types of contaminants found on the Site. The boundaries of the Superfund Site were not clear to most residents and officials; these interviewees inquired as to why not all of the nearby homes were tested. Residents' concerns were focused around active sources of contamination, potential for leaching of chemicals, runoff from the Creek, and the Creek as a pollution source to Lake Ontario. The effects of flooding events on Water Street properties and the potential for historical flooding to affect downstream areas also were noted. Most residents and officials were also concerned about the extent and depth of contamination and the actual Superfund Site boundaries relative to the contamination in the area. Several residents expressed desire for more

### 3. Community Background

soil testing on additional streets to determine the actual extent of soil contamination and residents mentioned finding items in their yards that could indicate a historical fill area.

Several interviewees also were concerned about the use of water in the Creek for irrigation in the farms downstream of Lockport and the potential impacts on produce from those farms.

#### Health Hazards

Interviewees were concerned about the impact of contamination on the health of local residents and pets. Many residents in proximity to the Creek indicated that there have been high numbers of cancer, disease, miscarriages and deaths in recent years. Some residents also mentioned unusually high numbers of household pets with diseases, formation of lumps, and premature deaths. Residents were concerned that the current and historical contamination from the site was the source of these human and pet health issues. Residents inquired about health testing for residents located within blocks of the Creek.

Interviewees also indicated that children play and people fish in the Creek, and inquired about the potential for health impacts resulting from direct contact with the water and sediments.

#### Fishing

Several interviewees mentioned people fishing in Eighteenmile Creek near the Burt Dam and also relatively close to the Flintkote property. Residents near the Site in the city of Lockport noted that there is a need for fish advisories, fish consumption limits, and signage along the Creek to warn fishermen of the potential dangers associated with fishing the Creek. Some interviewees reported seeing large quantities of dead fish throughout the Creek and were concerned with the health of these fish.

Fishing and water recreation is very important to the community. As the water quality in the Creek was visibly better in the late 1990s, the fishing industry in the area has expanded. Olcott Harbor is used to develop fish stocks for trout and salmon and there is a concern that cleanup activities or the lack thereof may impact the fish stocking program that is established within Eighteenmile Creek.

#### Potential Economic Impact

Residents and public officials expressed concern about the implementation schedule for Site activities, lack of future funding, and the potential for lengthy delays that could adversely affect future property values and economic growth of their community. One interviewee noted that recent economic development activities within the city of Lockport include an urban farm that is being developed into a public venue just north of the site. Several interviewees expressed concern about the impact of Site remediation activities on the fishing industry in Olcott, New York. Additionally, contamination is impacting the ability to dredge Olcott Har-





### **3. Community Background**

bor because of sediment disposal limitations, which is affecting recreational and commercial boating in this area.

#### **Future Site Activities**

With respect to future Site activities, residents and public officials were interested in the proposed remedy. They inquired as to when the actual clean-up would take place and were interested in the methodology and processes for potential dredging and demolition. Several residents noted that they would like the two dams in Eighteenmile Creek to be removed as part of the clean-up activities.

Several residents expressed concern about agency and government involvement throughout the Superfund process. They felt that local government agencies should participate more. They were also concerned with the lack of public funding at the local level and expressed concern about the potential slow pace of the cleanup.

# 4

## Key Elements of the Community Involvement Plan

The CIP was developed to provide the residents and other stakeholders with opportunities to comment on and provide input to the investigative and decision-making process; to inform the public of planned or ongoing actions; and to identify and resolve conflicts that may arise between any of the parties involved. Specifically, the following key elements of this CIP are designed to achieve these objectives:

- Maintain a single point-of-contact at the EPA to ensure that concerns from the community are handled efficiently and consistently. The EPA's designated CIC for the Site is based at the Western New York EPA Public Information Office in Buffalo, New York. The CIC (Michael Basile) is available to answer questions or discuss Site activities and, if necessary, attend a public meeting with minimal advance notice. When necessary, the CIC will refer questions to EPA's RPM, Tom Taccone, who will contact members of the community directly to answer any questions. The names, addresses, and telephone numbers of the CIC and RPM are listed in Appendix B.
- **Disseminate Site information to the community on a consistent basis.** As indicated during community interviews, the community in the vicinity of the Site is best reached through communication with the three municipal offices, concerned citizens and individual residences via U.S. mail and electronic mail. Site updates will be prepared and disseminated to the public periodically during the remediation process.
- 
- Official public notices will be provided in newspaper advertisements or notices prior to public meetings and at specific milestones throughout the remediation process. Residents primarily obtain information from the *Lockport Union-Sun & Journal*. Some residents indicated that they would like information to be provided on the local radio stations or *Metro Retail News* (see Appendix C).
- **Disseminate information on the EPA's Site-specific Superfund Website and via Superfund Hotline.** Electronic access to information on the Superfund program and the Site remediation process will be made available on EPA's Superfund website (listed in Appendix B). Information on the Super-

#### 4. Key Elements of the Community Involvement Program

fund program also can be obtained by calling the Superfund hotline at 1-800-424-9346.

- **Schedule meetings at an easily accessible location.** Based on input from the public, the 4-H Training Center at the Niagara County Fairgrounds is the most convenient and easily accessible public meeting space. The EPA will place advertisements in the local newspaper to inform stakeholders and residents of any availability sessions, meetings or project announcements, and will send these announcements to the mailing list that was established and continues to be updated. All community members indicated that evening meetings were preferred but many were concerned about these meetings taking place only in the summer.
- **Use plain English in all communications with the community.** Information will be provided in non-technical terms. This is particularly important when communicating sampling and human health risk assessment results.
- **Ensure that local officials are informed of Site activities in advance of press releases.** Stakeholders and town officials indicate that they actively communicate with the local RAP coordinator of the Eighteenmile Creek Area of Concern (AOC). (Note: A new RAP coordinator will be identified and contact information will be provided.) A section of Eighteenmile Creek was designated as an AOC in 1985 by the International Joint Commission (IJC) because of water quality and bottom sediment contamination associated with past industrial and municipal discharge practices, the disposal of waste, and the use of pesticides by local farmers. Residents may contact the RAP coordinator, members of the local town boards/city common council, or local elected officials for information on EPA activities at the Site or verification of mailings received. The EPA will continue to communicate with the RAP coordinator and local elected officials prior to dissemination of press releases and project mailings so that these representatives may respond to their respective constituencies when announcements are released.
- **Meet with local officials at various levels to establish and maintain rapport.** Municipal leaders and the RAP coordinator are key individuals to receive feedback from residents about the EPA's efforts. To build trust and confidence in the EPA's efforts, all actions undertaken by the EPA will be clearly defined and disseminated regularly to local officials and residents.



# 5

## Community Involvement Activities and Timing

Required and suggested activities for a Superfund Site's CIP are discussed below. The Proposed Plan and **Record of Decision (ROD)** are described in the glossary in Appendix A.

The following community involvement activities are required under CERCLA, as implemented through the **National Oil and Hazardous Substances Pollution Contingency Plan (NCP)** (40 Code of Federal Regulations [CFR], Section 300).

### Information Repository and Administrative Record

Copies of Site-related documentation are required to be available for public review at a location near the Site. As stated in Section 4 of this CIP, the EPA has designated the Lockport Public Library as a formal **information repository**, where Site-related documentation can be reviewed. In addition, electronic copies of Site-related documentation will be provided to the Newfane Public Library in the future. Residents can review Site-related documents during both day and evening hours. All documents also are distributed to the program points-of-contact at the EPA and NYSDEC, including program managers and CICs. Addresses and hours of the information repositories are provided in Appendix C along with contact persons and telephone numbers.

### Community Involvement Plan

The EPA conducted interviews with local officials, residents, and other community representatives to determine their concerns about the Site and to involve the public during the Site investigation and remediation activities. The EPA conducted these interviews in August 2013 and prepared this CIP to address issues arising from these discussions. The CIP will be updated, as needed, as the process of studying and remediating the Site progresses.

### Information Contact

An information contact is required for all NPL Sites. The designated information contact is the CIC for the Site. For technical information, residents, and local officials may also contact the RPM. The address and telephone number of the CIC and RPM are:



## 5. Community Involvement Activities and Timing

**Mr. Michael Basile**  
**Community Involvement Coordinator**  
**United States Environmental Protection Agency**  
Western New York Public Information Office  
186 Exchange Street  
Buffalo, New York 14204  
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Phone: (716) 551-4410  
Fax: (716) 551-4417

**Mr. Tom Taccone**  
**Remedial Project Manager**  
**United States Environmental Protection Agency, Region 2**  
Eastern New York Remediation Section  
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New York, New York 10007-1866  
Email: [taccone.tom@epa.gov](mailto:taccone.tom@epa.gov)  
Phone: (212) 637-4281

### Proposed Plan Notification

A notice of availability for the Proposed Plan and supporting documents, including a brief summary of the Proposed Plan, must be published in a major local newspaper of general circulation. At a minimum, the EPA will publish notices in the *Lockport Union-Sun & Journal*. In addition, the EPA will mail notices to residents in the vicinity of the Site and public notices to all parties included on the mailing list.

### Public Comment Period on Proposed Plan

The 30-day public comment period on the Proposed Plan for OU-1 began July 26, 2013, and allows residents and other interested parties to express their opinions regarding EPA's preferred alternative for **remedial action** at the Site. The public comment period ended on August 26, 2013. The EPA considered these comments and prepared the ROD for OU1, the preferred alternative, which was issued on September 30, 2013.

### Public Meeting

A public meeting took place on August 13, 2013, following the release of the Proposed Plan for OU-1. The EPA CIC and RPM were available at this meeting to answer questions directly, receive comments, and to discuss the recommended remedial alternative. Public meetings regarding the Site will continue to be held at the location listed in Appendix C. An official transcript of any formal public meeting will be prepared and made available for public review at the designated **information repository**.

### Updated Mailing List

The EPA has established a mailing list for the Site, which is updated on an ongoing basis. The EPA will explore ways to expand the list as the investiga-

## 5. Community Involvement Activities and Timing

tion/remediation continues, including building upon the list from public meeting sign-in sheets as well as input from the RAP coordinator and municipal officials.

### Responsiveness Summary

A **responsiveness summary** is required following the public comment period on the Proposed Plan and as a component of the EPA's ROD. This document will summarize public concerns about the Proposed Plan during the public comment period and will document EPA's responses to those concerns. The ROD and responsiveness summary will be available for public review at the information repositories listed in Appendix C. The public can also access these documents at: <http://www.epa.gov/region02/superfund/npl/18milecreek/>.

### Record of Decision Availability and Notification

A notice of availability for the ROD and responsiveness summary must be published in a major local newspaper of general circulation. At a minimum, EPA will publish notices in the *Lockport Union-Sun & Journal*. The EPA will mail notices to individuals on EPA's mailing list for the Site.

### Fact Sheet and Public Briefing

A project fact sheet was developed in June 2013 and was made available at the public meetings, on the EPA website, and via U.S. mail distribution prior to the August 13 public meeting. A fact sheet describing the final engineering design must be issued and, as appropriate, a public briefing conducted before beginning remedial action. At a minimum, this fact sheet will be distributed to all individuals on EPA's mailing list for the Site and placed in the repository. In addition, these documents will also be available on the website.

In addition to these basic requirements, other activities will be undertaken to ensure that the community is well informed about Site activities and has the opportunity to express its concerns. Suggested community involvement activities include the following:

- **Maintain Knowledgeable Staff.** The EPA's CIC is knowledgeable about project status and planned activities. He is located at EPA's Western New York Public Information Office in the city of Buffalo to respond to public inquiries. An EPA staff member is also available at this office to support public inquiries and to facilitate review of Site files.
- **News Releases.** Prepared statements may be released to news media and the public to announce discovery of any significant findings at the Site during future investigations or to notify the community of any public meetings. Additional news releases may be disseminated when the technical reports and proposed plans are complete for other operable units and before remedial action begins. Local newspapers, television and radio stations are a source of news for the public. The public can view news releases by accessing the website where they will be  
ed: <http://www.epa.gov/region02/superfund/npl/18milecreek/>. Addresses and telephone numbers of media contacts are provided in Appendix B.





## **5. Community Involvement Activities and Timing**

- **Site Updates.** Most residents and local officials want to be informed about Site activities on a regular basis. Site updates will be prepared and distributed throughout the remediation process. These updates may be one-page summaries of Site activities and will educate residents and local officials about the remediation process and serve as a reminder that cleanup is progressing.

### **Technical Assistance Services for Communities (TASC)**

The purpose of TASC is to provide non-advocacy technical assistance services at no cost to communities to empower them to substantively participate in addressing environmental issues and actions which impact their community. EPA staff work to furnish the information, education, or support that is required by communities to be effectively engaged in EPA environmental actions, decisions, and projects. An initial discussion with community members was held on July 18, 2013, to discuss the potential for forming a TASC. The Superfund Regional TASC Project Coordinator for Region 2 is Wanda Ayala and additional information on TASC can be found at <http://www.epa.gov/superfund/community/tasc/index.htm>.

**A**

## **Acronym List and Glossary**



## ***A. Acronym List and Glossary***

### **Acronym List**

AOC	Area of Concern
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CIC	Community Involvement Coordinator
CIP	Community Involvement Plan
Creek	Eighteenmile Creek
E & E	Ecology and Environment, Inc.
EPA	(United States) Environmental Protection Agency
FS	feasibility study
GLNPO	Great Lakes National Program Office
IJC	International Joint Commission
NCHD	Niagara County Health Department
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NPL	National Priorities List
NYSBC	New York State Barge Canal
NYSDEC	New York State Department of Environmental Conservation
OU	Operable Unit
PCB	polychlorinated biphenyl
PRP	potentially responsible party
RAC	Remedial Action Committee
RAP	Remedial Action Plan
RI	remedial investigation
ROD	Record of Decision
RPM	remedial project manager
Site	Eighteenmile Creek Superfund Site
TASC	Technical Assistance Services for Communities





## **Glossary**

<b>Administrative Record</b>	A file that is maintained and contains all information used by the EPA to decide on the selection of a response action under CERCLA. This file is available for public review, and a copy is kept at or near the Site, usually at one of the information repositories. A duplicate file is kept in a central location, such as a state or regional office.
<b>Community Involvement Coordinator (CIC)</b>	The EPA official who works with the RPM to involve and inform the public about the Superfund process and response actions in accordance with the interactive community involvement requirements set forth in the NCP.
<b>Community Involvement Plan (CIP)</b>	A management and planning tool outlining the specific community involvement activities to be undertaken during the course of a response. It is designed to (1) provide for two-way communication between the affected community and the agencies responsible for conducting a response action and (2) ensure public input into the decision-making process related to the affected communities.
<b>Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)</b>	A federal law passed in 1980 and modified in 1986 by the Superfund Amendments and Reauthorization Act. Commonly known as Superfund, CERCLA is intended to protect human health and the environment. The law also created the Hazardous Substances Superfund, which is financed by special taxes and general federal revenue for the purpose of investigating and cleaning up abandoned or uncontrolled hazardous waste sites. Under the program, EPA either can pay for Site cleanup when the parties responsible for the contamination cannot be located or are unwilling or unable to perform the work or take legal action to force the parties responsible for Site contamination to clean up the Site or repay the federal government for the cleanup cost.
<b>Feasibility Study (FS)</b>	A study undertaken by the EPA to develop and evaluate options for remedial action. The FS emphasizes data analysis and is generally performed concurrently and in an interactive fashion with the RI, using data gathered during the RI. The RI data are used to define the objectives of the response action, to develop remedial action alternatives, and to undertake an initial screening and detailed analysis of alternatives. The term also refers to a report that describes the results of the study.
<b>Information Repository</b>	A file containing current information, technical reports, and reference documents regarding a Site. The information repository usually is located in a public building convenient for local residents such as a public school, town hall or library.



## **A. Acronym List and Glossary**

### **National Oil and Hazardous Substances Pollution Contingency Plan (NCP)**

The federal regulation (40 CFR 300) that guides the Superfund program. The purpose of the NCP is to provide the organizational structure and procedures for preparing for and responding to discharges of oil and releases of hazardous substances, pollutants and contaminants.

### **National Priorities List (NPL)**

EPA's list of the most serious uncontrolled or abandoned hazardous waste sites that are priorities for long-term remedial evaluation and response.

### **Potentially Responsible Parties (PRPs)**

An individual or company (e.g., owners, operators, transporters, or generators of hazardous waste) potentially responsible for, or contributing to, the contamination problems at a Superfund Site. When possible, EPA requires the PRPs, through administrative and legal actions, to clean up hazardous waste Sites that they have contaminated.

### **Proposed Plan**

A CERCLA public participation requirement in which EPA summarizes for the public the preferred cleanup strategy, the rationale for the preference, alternatives presented in the detailed analysis of the RI/FS, and possible proposed waivers of cleanup standards. The proposed plan may be prepared either as a fact sheet or as a separate document. In either case, it must actively solicit public review and comment on all considered alternatives.

### **Public Health Assessment**

An evaluation of data and information on the release of hazardous substances into the environment in order to assess any current or future impact on public health, develop health advisories or other recommendations, and identify studies or actions needed to evaluate and mitigate or prevent human health effects. The Agency for Toxic Substances and Disease Registry of the United States Department of Health and Human Services is required to perform a health assessment at every Site on the NPL.

### **Record of Decision (ROD)**

A public document that explains the cleanup alternative that will be used at NPL Sites. The ROD is based on information and technical analysis generated during the RI/FS and on consideration of public comments and community concerns.

### **Remedial Action**

The actual construction or implementation phase that follows the remedial design of the selected cleanup alternative at an NPL Site; those actions consistent with a permanent remedy taken to prevent or minimize the releases of hazardous substances so that they do not migrate to cause substantial danger to present or future public health or welfare or to the environment.

## ***A. Acronym List and Glossary***

<b>Remedial Design</b>	An engineering phase that follows the ROD when technical drawings and specifications are developed for the subsequent remedial action at an NPL Site.
<b>Remedial Investigation (RI)</b>	A process undertaken by the EPA to determine the nature and extent of the problem presented by the release of hazardous substances. The RI emphasizes data collection and Site characterization and is generally performed concurrently and in an interactive fashion with the FS. The RI includes sampling and monitoring, as necessary, and gathering sufficient information to determine the necessity for remedial action and to support the evaluation of remedial alternatives.
<b>Remedial Project Manager (RPM)</b>	The EPA official responsible for coordinating, monitoring, and/or directing remedial response activities.
<b>Responsiveness Summary</b>	A summary of oral and written public comments received by the EPA during a comment period for key EPA documents and the EPA's responses to those comments. The responsiveness summary is a key part of the ROD, highlighting community concerns for EPA decision-makers.



# B

## Contacts and Interested Parties

**B. Contacts and Interested Parties**

<b>Program Points of Contact</b>	
<b>Mr. Tom Taccone</b> <b>Remedial Project Manager</b> <b>United States Environmental Protection Agency, Region 2</b> Eastern New York Remediation Section 290 Broadway, 20th Floor New York, New York 10007-1866 Email: <a href="mailto:taccone.tom@epa.gov">taccone.tom@epa.gov</a> Phone: (212) 637-4281	<b>Mr. Michael Basile</b> <b>Community Involvement Coordinator</b> <b>United States Environmental Protection Agency</b> Western New York Public Information Office 186 Exchange Street Buffalo, New York 14204 Email: <a href="mailto:Basile.Michael@epa.gov">Basile.Michael@epa.gov</a> Phone: (716) 551-4410 Fax: (716) 551-4417
<b>Ms. Leah Graziano</b> <b>Regional Representative</b> <b>United States Department of Health and Human Services</b> Agency for Toxic Substances and Disease Registry 290 Broadway, North 20 <sup>th</sup> Floor New York, New York 10007-1866 Phone: (212) 637-4306	<b>Wanda Ayala</b> <b>Regional TASC Project Coordinator</b> <b>United States Environmental Protection Agency, Region 2</b> Eastern New York Remediation Section 290 Broadway, 20 <sup>th</sup> Floor New York, New York 10007-1866 Email: <a href="mailto:ayala.wanda@epa.gov">ayala.wanda@epa.gov</a> Phone: (212) 637-3676
<b>Federal, State, and Local Elected Officials</b>	
<b>Federal</b>	
<b>Honorable Charles E. Schumer</b> <b>United States Senate</b> 322 Hart Senate Office Building Washington, D.C. 20510 Phone: (202) 224-6542  130 South Elmwood Avenue #660 Buffalo, New York 14202 Phone: (716)846-4111 Email: <a href="http://www.schumer.senate.gov">www.schumer.senate.gov</a>	<b>Honorable Kristen Gillibrand</b> <b>United States Senate</b> 478 Russell Washington, D.C. 20510 Phone: (202) 224-4451  Larkin at Exchange 726 Exchange Street, Suite 511 Buffalo, New York 14210 Phone: (716)854-9725 Email: <a href="http://www.gillibrand.senate.gov">www.gillibrand.senate.gov</a>
<b>Honorable Chris Collins</b> <b>United States House of Representatives</b> <b>27<sup>th</sup> District</b> 1117 Longworth House Office Building Washington, DC 20515 Phone: (202) 225-5265  2813 Wehrle Drive Suite 13 Williamsville, New York 14221 Phone: (716)634-2324 Email: <a href="http://chriscollins.house.gov/">http://chriscollins.house.gov/</a>	

**B. Contacts and Interested Parties**

<b>Federal, State, and Local Elected Officials (Cont.)</b>	
<b>State</b>	
<b>Honorable George D. Maziarz</b> <b>New York State Senate</b> <b>62<sup>nd</sup> District</b> Room 708, Legislative Office Building, Albany, New York 12247 Phone: (518) 455-2024  <b>District Office</b> 175 Walnut St., Suite 6 Lockport, New York 14094 Phone: (716) 434-0680 Fax: (716) 434-3297 Email: maziarz@nysenate.gov	<b>Honorable Jane L. Corwin</b> <b>New York State Assembly</b> <b>144<sup>th</sup> District</b> Room 446, Legislative Office Building Albany, NY 12248 Phone: (518) 455-4601  <b>District Office</b> 8180 Main Street Clarence, New York 14221 Phone: (716) 839-4691
<b>Local</b>	
<b>Wayne F. Jagow</b> <b>Niagara County Clerk</b> 175 Hawley Street 1 <sup>st</sup> Floor Lockport, New York 14095-0461 Phone: (716) 439-7022	<b>Anthony J. Nemi</b> <b>Niagara County Legislature</b> <b>District 11</b> 67 S. New York Street Lockport, New York 14094 Phone: (716) 434-0133 Email: Anthony.Nemi@niagaracounty.com
<b>Richard E. Updegrove</b> <b>Niagara County Legislature</b> <b>District 12</b> 4688 Day Road Lockport, New York 14094 Phone: (716) 434-2140 Email: Richard.Updegrove@niagaracounty.com	<b>Keith McNall</b> <b>Niagara County Legislature</b> <b>District 13</b> 739 Willow Street Lockport, NY 14094 Phone: (716) 434-8070 Email: keith.mcnall@niagaracounty.com
<b>John Syracuse</b> <b>Niagara County Legislature</b> <b>District 14</b> 6091 Condren Road Newfane, New York 14108 Phone: (716) 778-5064 Email: John.Syracuse@niagaracounty.com	<b>Timothy Horanburg</b> <b>Town Supervisor</b> <b>Town of Newfane</b> 2737 Main Street Newfane, New York 14108 Phone: ((716) 778-8822
<b>Marc Smith</b> <b>Town Supervisor</b> <b>Town of Lockport</b> 6560 Dysinger Road Lockport, New York 14094 Phone: (716) 439-9520 Email: marc@elockport.com	<b>Michael W. Tucker</b> <b>Mayor</b> <b>City of Lockport</b> Lockport Municipal Building One Locks Plaza Lockport, New York 14094 Phone: (716) 439-6665

**B. Contacts and Interested Parties**

State, Local, and Tribal Agencies	
<b>New York State Department of Environmental Conservation</b> Region 9 Regional Director: Abby Snyder 270 Michigan Avenue Buffalo, New York 14203 Phone: (716) 851-7201 Fax: (716) 851-7211	<b>Niagara County Department of Health</b> Daniel J. Stapleton 5467 Upper Mountain Road Suite 100Lockport, NY 14094 Phone: (716) 439-7435 Email: dan.stapleton@niagaracounty.com
<b>Mr. Matthew Forcucci</b> <b>New York State Department of Health</b> 584 Delaware Avenue Buffalo, NY 14202 Phone: (716) 847-4385	
Media Contacts	
Newspapers (Public Notices)	
<b>Lockport Union-Sun &amp; Journal</b> 170 East Ave. Lockport, N.Y. 14094 Main Phone: (716) 439-9222 Classified Department: (716) 439-9222 Ext. 6223	
Newspapers (News Release)	
<b>Lockport Union-Sun &amp; Journal</b> 170 East Ave. Lockport, N.Y. 14094 Main Phone: (716) 439-9222 Newsroom and Advertising Fax: (716) 439-9249	<b>Buffalo News</b> 1000 Young St. Tonawanda, NY City Desk: (716) 849-4444.  Press releases can be emailed to citydesk@buffnews.com or faxed to (716) 856-5150.



**B. Contacts and Interested Parties**

<b>Radio Station (News Releases)</b>	
<b>WLVL</b> 320 Michigan Street P.O. Box 477 Lockport, NY 14095 Phone: - (716) 433-5944 Fax - (716) 433-6588 wlv1@wlv1.com	<b>WBEN</b> 500 Corporate Parkway Amherst, NY 14226 (716) 843-0600
<b>WBFO</b> P.O. Box 1263 Buffalo, NY 14240 (716) 845-7040	
<b>Television Stations (News Releases)</b>	
<b>WGRZ-TV Channel</b> 259 Delaware Avenue Buffalo, NY 14202 (716) 849-2274  wgrz.com	<b>WIVB-TV Channel</b> 2077 Elmwood Avenue Buffalo, NY 14207 (716) 874-4410  wivb.com
<b>WKBW TV-7</b> 7 Broadcast Plaza Buffalo, NY 14202 (716) 845-6100  wkbw.com	<b>Your News Now (YNN)</b> 355 Chicago Street Buffalo, NY 14204 (716) 558-8999  ynn.com



**C**

## **Repositories and Suggested Meeting Locations**

**C. Repositories and Suggested Meeting Locations**

Contact		Telephone	Hours
<b>Locations of Information Repositories/Administrative Record</b>			
<b>United States Environmental Protection Agency Public Information Office</b>	Mr. Michael Basile, Community Involvement Coordinator	(716) 551-4410	Monday - Friday 8 a.m.- 4p.m.
<b>United States Environmental Protection Agency</b> Region II Superfund Records Center 290 Broadway, 18 <sup>th</sup> Floor New York, New York	Mr. Tom Taccone, Remedial Project Manager	(212) 637-4281	Monday - Friday 8 a.m. – 4 p.m.
<b>Lockport Public Library</b> 23 East Avenue Lockport, New York	Beverly Federspiel – Director	(716) 433-5935	M-Thurs: 9 a.m.– 8 p.m. Friday: 9 a.m. – 5 p.m. Saturday: 10 a.m. – 5 p.m. Sunday: Closed.
<b>Newfane Free Library</b> 2761 Maple Avenue Newfane, New York		(716) 778-9344	Mon, Wed, Fri: 10 a.m. – 5 p.m. Tues and Thurs: 12p.m. – 8 p.m. Saturday: 11 a.m. – 2 p.m.
<b>Possible Meeting Locations</b>			
<b>4-H Training Center at the Niagara County Fairgrounds</b> 4487 Lake Road. Lockport, New York 14094		(716) 434-4949	Monday – Friday: 8 a.m. – 4 p.m.