



EBIZNEWDOC



EBIZNEWDOC

Write or Copy/Paste Document Title In This Space

WorkPlan.BCP.C734118.2009-10-26.CPP.PDF

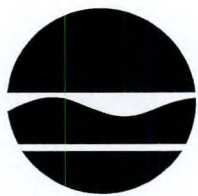
\*\*\*DO NOT PHOTOCOPY. PRINT FROM PDF VERSION ONLY.\*\*\*



EBIZNEWDOC



EBIZNEWDOC



New York State Department of Environmental Conservation

## **Brownfield Cleanup Program**

### **Citizen Participation Plan for 110 Luther Ave Brownfield Cleanup Program Site**

Brownfield Cleanup Site  
110 Luther Avenue, Liverpool  
(Town of Salina)  
County of Onondaga, New York

OCT 20 2009

October 2009

## Contents

<u>Section</u>	<u>Page Number</u>
1. What is New York's Brownfield Cleanup Program?.....	1
2. Citizen Participation Plan Overview .....	1
3. Site Information .....	5
4. Remedial Process .....	7
5. Citizen Participation Activities.....	9
6. Major Issues of Public Concern .....	10
Appendix A – Site Location Map .....	11
Appendix B – Project Contacts and Document Repositories .....	12
Appendix C – Brownfield Site Contact List.....	13
Appendix D – Identification of Citizen Participation Activities.....	16
Appendix E – Brownfield Cleanup Program Process .....	17

\* \* \* \* \*

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



Applicant: Syracuse Label Company, Inc. ("Applicant")  
Site Name: 110 Luther Ave Site  
Site Address: 110 Luther Avenue, Liverpool, NY 13088  
Site County: Onondaga County  
Site Number: C734118

## **1. What is New York's Brownfield Cleanup Program?**

New York's Brownfield Cleanup Program (BCP) is designed to encourage the private sector to investigate, remediate (clean up) and redevelop brownfields. A brownfield is any real property where redevelopment or reuse may be complicated by the presence or potential presence of a contaminant. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can create environmental, legal and financial burdens for a community. If the brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants that conduct brownfield site remedial activities.<sup>1</sup> An Applicant is a person whose request to participate in the BCP has been accepted by NYSDEC. The BCP contains investigation and remediation (cleanup) requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: <http://www.dec.ny.gov/chemical/8450.html>.

## **2. Citizen Participation Plan Overview**

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

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

### *Project Contacts*

Appendix B identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's remedial program. The public's suggestions about this CP

---

<sup>1</sup> "Remedial activities", "remedial action", and "remediation" are defined as all activities or actions undertaken to eliminate, remove, treat, abate, control, manage, or monitor contaminants at or coming from a brownfield site.



Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

### *Document Repositories*

The locations of the site's document repositories also are identified in Appendix B. The document repositories provide convenient access to important project documents for public review and comment.

### *Site Contact List*

Appendix C contains the brownfield site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and remediation process. The brownfield site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming remedial activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The brownfield site contact list includes, at a minimum:

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

Where the site or adjacent real property contains multiple dwelling units, the Applicant will work with NYSDEC to develop an alternative method for providing such notice in lieu of mailing to each individual. For example, the owner of such a property that contains multiple dwellings may be requested to prominently display fact sheets and notices required to be developed during the site's remedial process. This procedure would substitute for the mailing of such notices and fact sheets, especially at locations where renters, tenants and other residents may number in the hundreds or thousands, making the mailing of such notices impractical.

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

### *CP Activities*

Appendix D identifies the CP activities, at a minimum, that have been and will be conducted during the site's remedial program. The flowchart in Appendix E shows how these CP activities



integrate with the site remedial process. The public is informed about these CP activities through fact sheets and notices developed at significant points in the site's remedial process.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a brownfield site, and the nature and progress of efforts to investigate and remediate a brownfield site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a brownfield site's investigation and remediation.

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

This CP Plan may be revised due to changes in major issues of public concern identified in Section 6 or in the nature and scope of remedial activities. Modifications may include additions to the brownfield site contact list and changes in planned citizen participation activities.

### **3. Site Information**

The 110 Luther Ave site (the 'Site') occupies approximately 1.4 acres along the west side of Luther Avenue in the Town of Salina, Onondaga County, New York (Appendix A) based on a site survey. The site is located in a commercial/industrial area just east of Interstate 81 and is bordered by Albion Ave to the west, Knapp Ave to the north, Luther Ave to the east, and an open lot and maintenance garage to the west. The Site is owned by Syracuse Label whose office, light manufacturing, and warehousing operations are housed within the one story building which occupies the majority of the parcel. The remainder of the site consists primarily of paved parking areas. The site location is depicted on a site location map in Appendix A.

Syracuse Label is interested in investigating and remediating the 110 Luther Ave Site under the New York State Brownfield Cleanup Program (BCP) through agreement with the NYSDEC. Under the BCP, a Remedial Investigation must be completed in accordance with the NYSDEC's Department of Environmental Remediation (DER) Draft DER-10 Technical Guidance for Site Investigation and Remediation (NYSDEC, December 2002) to provide a systematic assessment of environmental conditions at the Site. Data has been generated by environmental investigations completed at the Site during property transactions; therefore, additional investigation is necessary to fill data gaps for the assessment of potential remedial approaches.

#### *Site History and Environmental History*

The site has a history of industrial/commercial use dating back at least to the 1920's. Since that time a number of industrial/commercial facilities have operated at the site including All-State Stamping Corp., Tuff Cote, Syracuse Bumper Plating, Inc., Raynor Overhead Door, Prince Tool & Die, as well as the applicant.



The following information provides a summary of environmental work completed at the site. The information presented in this section is based on previous investigation activities as reported in the documents listed below which are summarized in subsequent sections of this plan:

- C&H Engineers, P.C. Site Investigation Report and Construction Remediation Plan. November 18, 1994.
- C&H Engineers, P.C. Site Remediation Summary Report. August 22, 1995.
- Beardsley Design Associates. Limited Subsurface Investigation. April 28, 2008.

In October of 1994, C&H Engineers, P.C. completed a Phase II Environmental Assessment at the site. At the time the parcel being investigated was owned by Syracuse Truck Sales. The assessment included completing test pits along the Syracuse Truck Sales-110 Luther Ave Site property boundary and screening excavated soils with a photoionization detector (PID). PID screening of soils from test pits located along the property boundary identified soils with PID readings indicating the presence of volatile organic compound vapors. Based on the PID readings the NYSDEC was contacted and spill file 94-09529 was assigned to the site. A soil sample taken for laboratory analysis identified volatile organic compounds commonly associated with petroleum and solvent use.

In December 1994 impacted soils identified along the Syracuse Truck Sales-110 Luther Ave Site property boundary were excavated prior to construction of a warehouse building. During excavation soils were screened with a PID to determine the extent of excavation, and to determine how soils should be handled. Soils with detectable volatile organic vapors were reportedly excavated and transported offsite for disposal. PID screening of sidewall samples indicated that the majority of contaminated soils were successfully removed, and end-point samples taken from test pits adjacent to the excavation area confirmed this conclusion. The samples taken from these "clearance" test pits indicated low levels (i.e. less than 0.0049 ppm) or non-detectable levels of VOCs.

The local utility company discovered petroleum contaminated soil surrounding a utility conduit on the east side of the building while installing new service to the Syracuse Label facility. Niagara Mohawk excavated approximately 20 tons of impacted soil, which was later characterized and disposed of at the BFI Landfill in Niagara Falls, New York by Clean Harbors. It is believed that the impacted soil surrounding the pipe was caused by a leaky underground storage tank (UST) that was removed previously under spill no. 92-04555.

In December 2007, Beardsley Design Associates (BDA) conducted an investigation that included sampling groundwater from four site monitoring wells (MW-1 through MW-4). The laboratory analysis detected PCE concentrations of 170 micrograms per liter (parts per billion). A subsequent groundwater sample from well MW-1 confirmed the presence of PCE at a concentration of 110 parts per billion. As a result, twelve (12) additional monitoring wells (MW-5 through MW-16) were installed and sampled. The sample results identified PCE and its degradation by-products TCE, DCE, and vinyl chloride in samples from multiple wells including



MW-1, MW-7, MW-8, MW-10, MW-11, MW-12, and MW-13 at a concentration that exceeded groundwater standards for at least one compound. PCE was generally the compound detected at the highest concentrations. The Phase II groundwater data identified a narrow groundwater plume beneath the central-east side of the 110 Luther Ave Site building. Groundwater elevation data obtained during the BDA investigation indicated that the direction of groundwater flow is generally from west to east towards Luther Ave.

#### **4. Remedial Process**

**Note:** See Appendix E for a flowchart of the brownfield site remedial process.

##### *Application*

The Applicant was formally accepted into New York's Brownfield Cleanup Program as a Participant. However, following communications with the Department concerning historical operations at the property prior to Syracuse Label, the Department agreed that Syracuse Label was not admitting and a determination had not been made that Syracuse Label caused or contributed to site contamination.

The Applicant in its Application proposes that the site will be used for restricted purposes, which means that the site use will be limited subject to the conditions outlined in an environmental easement.

To achieve this goal, the Applicant will conduct remedial activities at the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting a remedial program at the site.

##### *Investigation*

If the Applicant conducts a remedial investigation (RI) of the site, it will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation workplan, which is subject to public comment as noted in Appendix D. The goals of the investigation are as follows:

- 1) Define the nature and extent of contamination in soil, surface water, groundwater and any other impacted media;
- 2) Identify the source(s) of the contamination;
- 3) Assess the impact of the contamination on public health and/or the environment; and
- 4) Provide information to support the development of a Remedial Work Plan to address the contamination, or to support a conclusion that the contamination does not need to be addressed.

The Applicant will prepare an RI Report after it completes the RI. This report will summarize the results of the RI and will include the Applicant's recommendation as to whether remediation is



needed to address site-related contamination. The RI Report is subject to review and approval by NYSDEC. Before the RI Report is approved, a fact sheet that describes the RI Report will be sent to the site's contact list.

NYSDEC will determine if the site poses a significant threat to public health and/or the environment. If NYSDEC determines that the site is a "significant threat," a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

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

For more information about the TAG Program and the availability of TAGs, go online at: <http://www.dec.ny.gov/regulations/2590.html>.

### *Remedy Selection*

After NYSDEC approves the RI Report, the Applicant will be able to develop a Remedial Work Plan if remediation is required. The Remedial Work Plan describes how the Applicant will address the contamination related to the site.

The public will have the opportunity to review and comment on the draft Remedial Work Plan. The site contact list will be sent a fact sheet that describes the draft Remedial Work Plan and announces a 45-day public comment period. NYSDEC will factor this input into its decision to approve, reject or modify the draft Remedial Work Plan.

A public meeting may be held by NYSDEC about the proposed Remedial Work Plan if requested by the affected community and if significant substantive issues are raised about the draft Remedial Work Plan. The health, economic well-being or enjoyment of the environment must be threatened or potentially threatened by the site in order for such a meeting to be held. The request for the public meeting should be made within the first 30 days of the 45-day public comment period for the draft Remedial Work Plan. A public meeting also may be held at the discretion of the NYSDEC project manager in consultation with other NYSDEC staff as appropriate.

### *Construction*

Approval of the Remedial Work Plan by NYSDEC allows the Applicant to design and construct the alternative selected to remediate the site. The site contact list will receive notification before the start of site remediation. When the Applicant completes remedial activities, it will prepare a final engineering report which certifies that remediation requirements have been achieved or will



be achieved within a specific time frame. NYSDEC will review the report to be certain that the remediation is protective of public health and the environment for the intended use of the site. The site contact list will receive a fact sheet that announces the completion of remedial activities and the review of the final engineering report.

#### *Certificate of Completion and Site Management*

Once NYSDEC approves the final engineering report, it will issue the Applicant a Certificate of Completion. This Certificate states that remediation goals have been achieved, and relieves the Applicant from future remedial liability, subject to statutory conditions. The Certificate also includes a description of any institutional and engineering controls or monitoring required by the approved remedial work plan. If the Applicant uses institutional controls or engineering controls to achieve remedial objectives, the site contact list will receive a fact sheet that discusses such controls.

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

An engineering control is a physical barrier or method to manage contamination, such as a cap or vapor barrier.

Site management will be conducted by the Applicant as required. NYSDEC will provide appropriate oversight. Site management involves the institutional and engineering controls required for the brownfield site. Examples include: operation of a water treatment plant, maintenance of a cap or cover, and monitoring of groundwater quality.

### **5. Citizen Participation Activities**

CP activities that have already occurred and are planned during the investigation and remediation of the site under the BCP are identified in Appendix D: Identification of Citizen Participation Activities. These activities also are identified in the flowchart of the BCP process in Appendix E. NYSDEC will ensure that these CP activities are conducted, with appropriate assistance from the Applicant.

All CP activities are conducted to provide the public with significant information about site findings and planned remedial activities, and some activities announce comment periods and request public input about important draft documents such as the Remedial Work Plan.

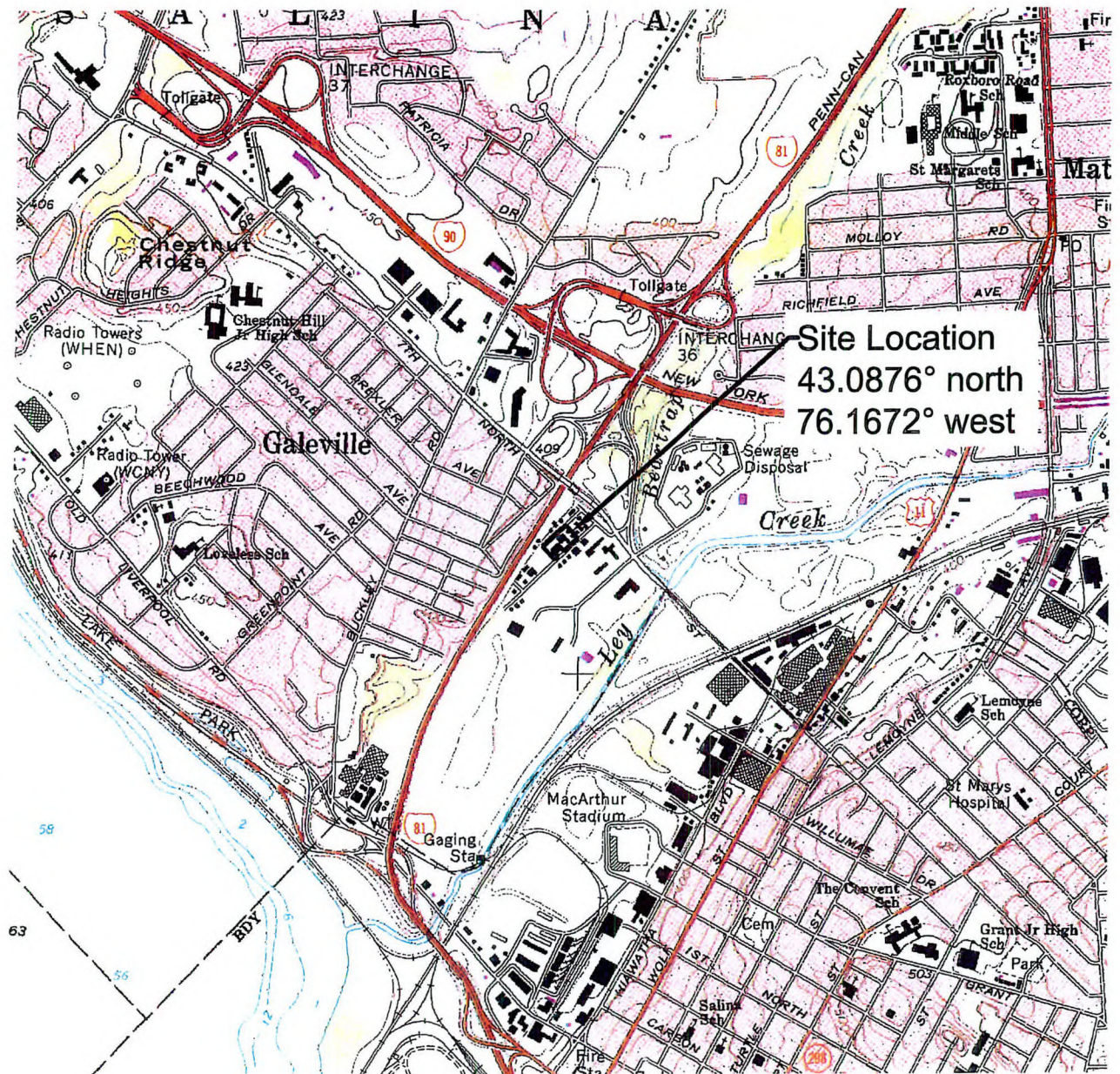
All written materials developed for the public will be reviewed and approved by NYSDEC for clarity and accuracy before they are distributed. Notices and fact sheets can be combined at the discretion, and with the approval of, NYSDEC.



## **6. Major Issues of Public Concern**

This section of the CP Plan identifies major issues of public concern, if any, that relate to the site. Additional major issues of public concern may be identified during the site's remedial process. Based on past environmental data there is potential for groundwater and soil vapor impacts associated with chlorinated solvent contamination.





SCALE in FEET



Contour Interval: 10 Feet

Map Taken From: USGS 7.5 Minute Series  
 Topographic Quadrangle;  
 Syracuse West (1975, photorevised 1978)  
[www.nysgis.state.ny.us/quads/usgsdrg.htm](http://www.nysgis.state.ny.us/quads/usgsdrg.htm)



**S&W Redevelopment**  
 of North America, LLC.  
 Syracuse, New York

DATE:10-2009 JOB No.:N8011

110 Luther Ave. Site  
 110 Luther Ave., Liverpool  
 Onondaga County, New York

**APPENDIX - A**  
**Site Location Map**

X-REF: NAMES?  
 2009/March/yr/jk  
 J:\PROJECTS\N-xxxx\N9000\N0913 - Syracuse Label\CPP\SyrLabelAppA.dwg



## **Appendix B – Project Contacts and Document Repositories**

### **Project Contacts**

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

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

Christopher Mannes  
Project Manager  
NYSDEC Region 7  
Division of Environmental Remediation  
615 Erie Boulevard West  
Syracuse, NY 13204  
(315) 426-7515

Diane Carlton  
Citizen Participation Specialist  
NYSDEC Region 7  
615 Erie Boulevard West  
Syracuse, NY 13204  
(315) 426-7403

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

Mark Segott  
Project Manager  
NYSDOH  
Flannigan Square 547 River Street  
Troy, NY 12180-2216  
(518) 402-7860

### **Document Repositories**

The document repositories identified below have been established to provide the public with convenient access to important project documents:

Salina Free Library  
100 Belmont Street  
Mattydale, NY 13211  
Phone: {315}454-4524  
Hours:

Monday 10:00 AM - 8:00 PM  
Tuesday 10:00 AM - 8:00 PM  
Wednesday 10:00 AM - 8:00 PM  
Thursday 10:00 AM - 8:00 PM  
Friday 10:00 AM - 5:00 PM  
Saturday 10:00 AM - 4:00 PM  
Sunday closed

NYSDEC Region 7 Office  
615 Erie Boulevard West  
Syracuse, NY 13204  
Attn: Christopher Mannes  
Phone: (315) 426-7403  
Hours: 8:00 a.m. to 5:00 p.m.  
(call for appointment)

## **Appendix C – Brownfield Site Contact List**

### **1. Local Government**

Onondaga County Executive –  
Joanne M. Mahoney  
John H. Mulroy Civic Center, 14<sup>th</sup> Floor  
Syracuse, NY 13202

Syracuse Onondaga County County Planning Agency  
Don M. Jordan, Jr., Director  
John H. Mulroy Civic Center, 11<sup>th</sup> Floor  
Syracuse, NY 13202

Town of Salina Planning and Development –  
Bernard D. English, Director  
201 School Road  
Liverpool, NY 13088

Town of Salina –  
Mark A. Nicotra, Supervisor  
201 School Road  
Liverpool, NY 13088

### **2. Adjacent Properties**

115 Luther Avenue (085.-11-06.0)  
Kurt Scrudato

113 Luther Avenue (085.-11-07.1)  
Kurt Scrudato

111 Luther Avenue (085.-11-08.1)  
El-Gee Holding, Inc.

146 Luther Avenue (085.-12-02.1)  
Michael and Peter Bush

116 Luther Avenue (085.-12-10.0)  
Leonardi A. Salvatore, Jr.

Luther Avenue (085.-12-15.0)  
Leonardi A. Salvatore, Jr.

106 Luther Avenue (085.-13-01.2)  
Brian and Linda Osborne



303 Old Seventh North Street (085.-14-01.1)  
Robert W. Strutz, Jr.

### **3. Local News Media**

#### **Newspaper**

The Post-Standard  
Clinton Square  
P.O. Box 49155910  
Syracuse, NY 13221-4915  
(315) 470-0011

Liverpool – North Syracuse Star Review  
Eagle Newspapers  
Firestone Drive  
Syracuse NY 13206

Syracuse City Eagle Newspaper  
5910 Firestone Drive  
Syracuse NY 13206

#### **Television**

WSTM - TV Channel 3  
1030 James Street  
Syracuse, NY 13203  
(315) 477-9400

WTVH - Channel 5  
980 James Street  
Syracuse, NY 13203  
(315) 425-5555

WSYR/WIXT - News Channel 9  
5904 Bridge Street  
East Syracuse, NY 13057-2941  
(315) 446-9999

WSYT - Fox 68  
1000 James Street  
Syracuse, NY 13203-2704  
(315) 472-6800

WNYS - WB 43  
1000 James Street  
Syracuse, NY 13203-2704  
(315) 472-6800

#### **Radio - AM**

WOLF (1490)

WTLA (1200)

WHEN (620)

#### **Radio - FM**

WWLF-WOLF (100.3)

WBBS-B (104.7)

WPHR (106.9)

WWHT (107.9)

WKRL (100.9)

WTKW (99)

WAER (88)

WZUN (102.1)

WNTQ (93.1)

WAQX (95.1)

WJPZ (89.1)

**4. Public Water Supplier –**

Onondaga County Water Authority (OCWA)

200 Northern Concourse

P.O. Box 9

Syracuse, NY 13211-0009

(315) 455-7061



## Appendix D – Identification of Citizen Participation Activities

Required Citizen Participation (CP) Activities	CP Activities) Occur at this Point
<b>Application Process:</b> <ul style="list-style-type: none"> <li>• Prepare brownfield site contact list (BSCL)</li> <li>• Establish document repositories</li> <li>• Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day comment period</li> </ul>	<p>At time of preparation of application to participate in BCP.</p> <p>When NYSDEC determines that BCP application is complete. The 30-day comment period begins on date of publication of notice in ENB. End date of comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice and notice to the BSCL should be provided to the public at the same time.</p>
<b>After Execution of Brownfield Site Cleanup Agreement:</b> <ul style="list-style-type: none"> <li>• Prepare citizen participation (CP) plan</li> </ul>	<p>Draft CP Plan must be submitted within 20 days of entering Brownfield Site Cleanup Agreement. CP Plan must be approved by NYSDEC before distribution.</p>
<b>After Remedial Investigation (RI) Work Plan Received:</b> <ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL about proposed RI activities and announcing 30-day public comment period on draft RI Work Plan</li> </ul>	<p>Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, comment periods will be combined and public notice will include fact sheet. 30-day comment period begins/ends as per dates identified in fact sheet.</p>
<b>After RI Completion:</b> <ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL describing results of RI</li> </ul>	<p>Before NYSDEC approves RI Report.</p>
<b>After Remedial Work Plan (RWP) Received:</b> <ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL about proposed RWP and announcing 45-day comment period</li> <li>• Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager in consultation with other NYSDEC staff as appropriate)</li> </ul>	<p>Before NYSDEC approves RWP. 45-day comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day comment period.</p>
<b>After Approval of RWP:</b> <ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL summarizing upcoming remedial construction</li> </ul>	<p>Before the start of remedial construction.</p>
<b>After Remedial Action Completed:</b> <ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL announcing that remedial construction has been completed</li> <li>• Mail fact sheet to BSCL announcing issuance of Certificate of Completion (COC)</li> </ul>	<p>At the time NYSDEC approves Final Engineering Report. These two fact sheets should be combined when possible if there is not a delay in issuance of the COC.</p>

## Appendix E – Brownfield Cleanup Program Process

