

Brownfield Cleanup Program

Citizen Participation Plan for Bowers Business Park

March 2022

BCP Site #: C734145 Canada Drive East Syracuse Onondaga County, New York

www.dec.ny.gov



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

Applicant:Bowers Business Park, LLC ("Applicant")Site Name:Bowers Business Park ("site")Site Address:Canada DriveSite County:Onondaga CountySite Number:C734145

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

New York's Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a 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 who conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and 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 Activities

Why NYSDEC Involves the Public and Why It Is Important

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

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

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment
- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community

 Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

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

Project Contacts

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

Locations of Reports and Information

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

Site Contact List

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

The site contact list includes, at a minimum:

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

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

Note: The first site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See:

http://www.dec.ny.gov/chemical/61092.html

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

CP Activities

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

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

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

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

Technical Assistance Grant

NYSDEC must determine if the site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the site, as described in Section 5.

If the site is determined to be 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 group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

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

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the site had not yet been made.

To verify the significant threat status of the site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at:

http://www.dec.ny.gov/regulations/2590.html

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

Citizen Participation Activities	Timing of CP Activity(ies)					
Applicatio	Application Process:					
 Prepare site contact list Establish document repository(ies) 	At time of preparation of application to participate in the BCP.					
Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period Publish above ENB content in local newspaper Mail above ENB content to site contact list Conduct 30-day public comment period						
After Execution of Brownfield	Site Cleanup Agreement (BCA):					
Prepare Citizen Participation (CP) Plan	Before start of Remedial Investigation Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.					
Before NYSDEC Approves Reme	dial Investigation (RI) Work Plan:					
 Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan Conduct 30-day public comment period 	RI activities and announcing 30-day public period about draft RI Work Plan Plan is submitted with application, public comment periods will be combined and public notice will include					
After Applicant Complete	s Remedial Investigation:					
Distribute fact sheet to site contact list that describes RI results	Before NYSDEC approves RI Report					
Before NYSDEC Approves	Before NYSDEC Approves Remedial Work Plan (RWP):					
 Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) Conduct 45-day public comment period 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.					
	rte Cleanum Actions					
Before Applicant Sta						
Distribute fact sheet to site contact list that describes upcoming cleanup action	Before the start of cleanup action.					
After Applicant Completes Cleanup Action:						
Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report	At the time the cleanup action has been completed. Note: The two fact sheets are combined when possible if there is not a delay in issuing the COC.					
Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC)						

3. Major Issues of Public Concern

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

Potentially affected stakeholders related to the proposed remediation project will be the occupants of adjacent properties.

As detailed in Section 4 – Site Information, the primary contaminant of concern identified at the site is PCBs, which are a suspected carcinogen. The use of PCBs was banned in 1976. Other contaminants such as petroleum, heavy metals, pesticides, etc. will be tested for in site soils and groundwater during upcoming remedial investigation activities.

A previous investigation revealed that the PCBs appear to be limited to surface soils, and therefore are not anticipated to be found in groundwater. Furthermore, the site and surrounding properties are served by municipal potable water supply.

Public access (hiking, etc.) is not allowed on the property; however, a public nature trail is present from the Canada Drive cul-de-sac running north to Maxwell Park. Portions of this trail are within the Brownfield Cleanup Program site (areas north of the Canada Drive cul-de-sac).

All site work will be performed by professionals experienced in environmental investigation and remediation activities. A site-specific Health & Safety Plan will cover work activities performed at the site, and a Community Air Monitoring Program will be developed and approved by the NYSDEC and New York State Department of Health (NYSDOH). Investigation and remedial activities will be performed during normal business hours. Although dump trailers will be used to haul contaminated soils from the site, a noticeable increase in traffic is not anticipated. Excavations will likely be shallow and excavated in a manner to prioritize safety on- and off-site.

4. Site Information

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

Site Description

The 34.40-acre Brownfield Area is located at the intersection of Canada Drive and Loucks Road Extension in the Town of Dewitt, in Onondaga County, New York.

The site is situated in a semi-rural mixed-use area. Surrounding properties consist of undeveloped land, warehousing facilities, retail stores, a cemetery, and residential properties.

History of Site Use, Investigation, and Cleanup

The site has a history of agricultural use (field crops, dairy, and milk plant) until the 1980s. Some sand quarrying in the southern portion of the site also occurred.

Beginning in April 2008, the site was cleared and graded, and limited improvements (roadways, storm sewers) were constructed. The site is mostly covered by weeds, shrubs, a few trees, and wooded areas.

The site is zoned Industrial, except for the portion bordering the intersection of Loucks Road Extension and Collamer Road (NYS Route 298), which is zoned Business Transitional.

In March 2013, the previous Owner was notified by a third-party that soils sampled and analyzed from the site might contain PCBs. Subsequent sampling and analysis by the Owner's consultant confirmed the presence of PCBs. The NYSDEC was notified and spill # 14-00433 was assigned to the site.

In order to determine the nature and extent of the PCB contamination, the previous Owner performed additional sampling of surface soils and existing soil piles. More than 100 surface soil samples have been collected within the Brownfield Area and adjacent areas. The results of this investigation revealed widespread PCB contamination across the site.

In addition, a limited number of soil samples at depths up to 2.5 feet below the surface, were collected. Generally, the PCB concentrations decrease with increasing depth, which supports the assumption that the PCB contamination is primarily present in surficial soils.

The contamination occurred prior to the current owner taking title to the site, and the source of the PCB contamination was not identified during previous investigations. Before they were banned in the 1970s, PCBs were typically found in oils and lubricating fluids. A couple theories are that the farmer serviced tractors / other equipment and dumped the used PCB-contaminated oils on the ground (which was not uncommon at the time), or that the farmer unknowingly may have brought in contaminated fill originating from an off-site location.

PCBs are a suspected carcinogen. Existing data has found PCBs in shallow soils on the site. Contamination of groundwater is not expected since the contamination appears to primarily be limited to surface soils and the fact that PCBs do not readily dissolve in groundwater.

5. Investigation and Cleanup Process

Application

The Applicant, Bowers Business Park, LLC has applied for and been accepted into New York's Brownfield Cleanup Program as a Volunteer as defined in New York State Environmental Conservation Law, section 27-1405(1)(b). This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the site took place after the discharge or disposal of contaminants, and that the Applicant has exercised appropriate care by taking reasonable steps to prevent any current or future discharge and to limit human, environmental, or natural resource exposure. The Volunteer must fully characterize the nature and extent of contamination onsite, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its application proposes that the site will be used for restricted commercial purposes.

To achieve this goal, the Applicant will conduct investigation and cleanup 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 these activities at the site.

Investigation

The Applicant has completed a partial site investigation before it entered into the BCP. For the partial investigation, NYSDEC will determine if the data are useable.

The Applicant will conduct an investigation of the site officially called a "remedial investigation" (RI). This investigation will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation work plan, which is subject to public comment.

The site investigation has several goals:

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

The Applicant submits a draft "Remedial Investigation Work Plan" to NYSDEC for review and approval. NYSDEC makes the draft plan available to the public review during a 30-day public comment period.

When the investigation is complete, the Applicant will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

NYSDEC will use the information in the investigation report to determine if the site poses a significant threat to public health or the environment. If the site is a "significant threat," it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Interim Remedial Measures

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

Remedy Selection

When the investigation of the site has been determined to be complete, the project likely would proceed in one of two directions:

 The Applicant may recommend in its investigation report that no action is necessary at the site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a "Certificate of Completion" (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a "Remedial Work Plan". The Remedial Work Plan describes the Applicant's proposed remedy for addressing contamination related to the site.

When the Applicant submits a draft Remedial Work Plan for approval, NYSDEC would announce the availability of the draft plan for public review during a 45-day public comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft cleanup plan if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the site Decision Document.

The Applicant may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes cleanup activities, it will prepare a final engineering report that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the final engineering report. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the site after it receives a COC.

Site Management

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

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

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

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed.

To access the site's BCP application and historical reports, follow the DECinfo Locator link provided here: <u>https://www.dec.ny.gov/data/DecDocs/C734145/</u>

Appendix A - Project Contacts & Locations of Reports and Information

Project Contacts

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

New York State Department of Environmental Conservation (NYSDEC)

Karen Cahill, Project Manager NYSDEC Region 7 Division of Environmental Remediation 615 Erie Boulevard West Syracuse, New York 13204 (315) 426-7400 Stephanie Webb or Kerry McElroy Public Participation Specialists NYSDEC Region 7 615 Erie Boulevard West Syracuse, New York 13204 (315) 426-7403

New York State Department of Health (NYSDOH)

Gregory Rys Public Health Specialist NYSDOH - Herkimer Field Office 5665 NYS Route 5 Herkimer, New York 13350 (315) 619-3194

Locations of Reports & Information

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

Community Library of Dewitt & Jamesville 5110 Jamesville Road Jamesville, New York 13078 Hours: Check online or call for hours Call: (315) 446-3578 Visit: https://cldandj.org/ NYSDEC Region 7 615 Erie Boulevard West Syracuse, New York 13204 Attn: Karen Cahill, Project Manager Phone: (315) 426-7400 Hours: Call ahead for appointment

To find out more information about the site, please visit the following:

https://www.dec.ny.gov/data/DecDocs/C734145/

Appendix B - Site Contact List

Onondaga County

Onondaga County Government J.Ryan McMahon II, County Executive John H. Mulroy Civic Center, 14th Floor 421 Montgomery Street Syracuse, New York 13202 (315) 435-3516

Town of Dewitt

Town Board Edward Michalenko Supervisor 5400 Butternut Drive East Syracuse, New York 13057 (315) 446-3910 ext. 5 <u>supervisor@townofdewitt.com</u> Onondaga County Planning Board Daniel Cupoli, Chairperson John H. Mulroy Civic Center, 11th Floor 421 Montgomery Street Syracuse, New York 13202 (315) 435-2611

Public Water Supplier

Town of Dewitt Water Department 5400 Butternut Drive East Syracuse, New York 13057 (315) 446-3734 ext. 4 water@townofdewitt.com

Note: Although the site has a mailing address of East Syracuse, the site is not within the jurisdictional boundaries of the Village of East Syracuse, but rather the Town of Dewitt.

Local News Media

WSYR-TV James Campagna, News Director 5904 Bridge Street East Syracuse, New York 13057 (315) 446-9900 assignmentdesk@LocalSYR.com

WSTM / WSTQ / WTVH Rae Fulkerson, News Director 1030 James Street Syracuse, New York 13203 (315) 477-9441 news@cnycentral.com

Spectrum News 815 Erie Blvd. East Syracuse, New York 13210 (315) 234-1000 ext. 2 yournews@charter.com

WAER-FM 88.3 795 Ostrom Avenue #2945 Syracuse, New York 13210 (315) 443-4021 cabot@syr.edu Syracuse Post Standard Syracuse Media Group 220 South Warren Street Syracuse, New York 13202 (315) 470-0011 <u>citynews@syracuse.com</u> features@syracuse.com

Eagle News Jason Emerson, Eagle Bulletin Editor 2501 James Street Suite 100 Syracuse, New York 13206 (315) 434-8889 ext. 340 editor@eaglebulletin.com

News Radio 570 WSYR-AM 500 Plum Street Syracuse, New York 13204 (315) 474-6397 wsyrnews@heartmedia.com

Adjacent Property Owners

Property Address / Use

201 Canada Drive FedEx Distribution Facility

<u>145 Canada Drive</u> Non-Auto Dealership

6876 Sandhill Road Multi-Family Apartments

<u>6874 Sandhill Road</u> Single Family Residence

6868 Sandhill Road Single Family Residence

6541 Collamer Road Two Family Residence

6542 Collamer Road Mini-Mart

6564 Collamer Road Single Family Residence

6576 Collamer Road Nursery and Greenhouse

Collamer Road Cemetery

Fly Road Vacant Industrial

Owner Name / Address

OCIDA c/o Transportation Invest 7005 Pinegate Road Fairview, PA 16415

Resun Modspace Inc. c/o Modular Space Corp-TA 1200 Swedesford Road Berwyn, PA 19312

Michael and Sarah Gaulin 4945 Fayetteville Manlius Road Manlius, NY 13104

Alan and Susan Fleming 6874 Sandhill Road East Syracuse, NY 13057

Mary Ellen Forkhamer 6868 Sandhill Road East Syracuse, NY 13057

Heatway, LLC PO Box 3456 Syracuse, NY 13220

Bhramani, LLC 6542 Collamer Road East Syracuse, NY 13057

Harold and Lorraine Vollmer 6686 Loucks Road East Syracuse, NY 13057

David Vollmer 6576 Collamer Road East Syracuse, NY 13057

Collamer Cemetery 6564 Collamer Road East Syracuse, NY 13057

5793 Crabtree Ln, LLC 8355 Brewerton Road Cicero, New York 13039 6993 Fly Road Family Residential

6991 Fly Road Family Residential

Fly Road Vacant Industrial

6985 Fly Rd Family Residential

6558 Badgley Road Family Residential

Badgley Road Vacant Industrial

6590 Badgley Road Family Residential James & Connie Hickey 6993 Fly Road East Syracuse, New York 1357

Theodore & Lois Klein 6991 Fly Road East Syracuse, New York 13057

Joseph & Betty Farr 5915 Warren Drive, RR4 Cicero, New York 13039

David/Joan Jones Irrevocable Trust Kimberly Jones 6985 Fly Road East Syracuse, New York 13057

Donald Waite 6558 Badgley Road East Syracuse, New York 13057

Mersud Malkic 103 Bennett Street East Syracuse, New York 13057

Steven & Dorothy Napoli 6590 Badgley Road East Syracuse, New York 13057



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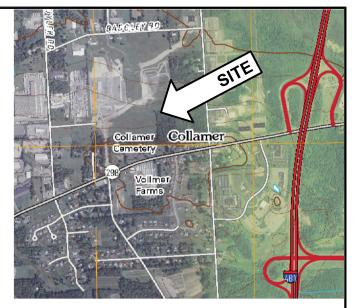


6308 Fly Road East Syracuse, NY 13057

PROJECT NO.	20-044
DRAWN:	JAN. 2022
DRAWN BY:	нs
CHECKED BY:	КВ
FILE NAME:	

Scale

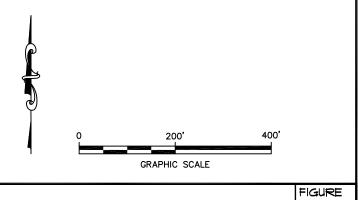
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SITE LOCATION

LEGEND:

 BCP SITE BOUNDARY
 PUBLIC WALKING TRAIL



N. 2022 HS	Appendix C - Site Location Plan	
КB	BOWERS BUSINESS PARK CANADA DRIVE, TOWN OF DEWITT ONONDAGA COUNTY, NEW YORK	1

Appendix D– Brownfield Cleanup Program Process

