



Department of  
Environmental  
Conservation

# **Brownfield Cleanup Program**

## **Citizen Participation Plan for Harbor View Square – Off-site**

July 2019

Site ID C738040A  
Near 68 West First Street  
City of Oswego  
Oswego County, New York

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**Note:** The information presented in this Citizen Participation Plan was current as of the date of its development 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.

Site Name: **Harbor View Square – Off-site**  
Site Address: **Near 68 West First Street, Oswego, NY 13126**  
Site County: **Oswego**  
Site Number: **C738040A**

## **1. Introduction**

This document is a Citizen Participation Plan (CPP) for the remedial program for areas surrounding the Harbor View Square site, which may be impacted by contamination from the site. These areas are referred to as the off-site areas.

The Harbor View Square Site is undergoing remediation, which is being conducted by Harbor View Square, LLC through the Brownfield Cleanup Program (BCP) with oversight by the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH). For more information about the BCP, please visit <http://www.dec.ny.gov/chemical/8450.html>.

The remedial program for the off-site areas will be conducted by the NYSDEC, through its consultant and contractors, in consultation with the NYSDOH, and funded through the New York State Superfund. For more information about the State Superfund, please visit <http://www.dec.ny.gov/chemical/8439.html>.

A description of the facility and the off-site areas is included in Section 2 below. A description of the remedial process is included in Section 3. Section 4 describes the citizen participation activities that will be conducted, and Section 5 lists issues that may be of public concern.

A list of contacts for the project and the locations where reports and information can be obtained is included in Appendix A. A site contact list is included in Appendix B. Anyone who wishes to be added to the contact list should contact the NYSDEC Project Manager listed in Appendix A.

## **2. Site Information**

### 2.1 Site and Area Description

[Appendix C](#) contains a map identifying the location of the on-site and off-site areas.

The area of concern subject to this work is considered off-site from BCP site C738040, Harbor View Square.

The Harbor View Square site is located at 68 West First Street in an urban area of the City of Oswego, Oswego County. It covers approximately 2.4 acres and consists of the

block bounded by West First Street to the east, West Second Street to the west, West Schuyler Street to the south, and Lake Street to the north.

The Oswego River is located approximately 390 feet to the east of the Harbor View Square site, and flows north into Lake Ontario, which, at its nearest point, is located approximately 100 feet north of the Harbor View Square site. The Oswego River is a [Class C Waterbody](#) in the vicinity of the site. Lake Ontario is a Class C waterbody in the vicinity of the site and where the Oswego River enters.

The area to the west of the Harbor View Square site is primarily residential, with one adjacent property used for commercial purposes on the northwest corner of the intersection of West Second Street and West Schuyler Street. The area to the south contains a mixture of residential and commercial properties, and to the north there is a municipal parking area, boat launch, marina, United States Coast Guard facility, and marine museum located on property owned by the Oswego Port Authority. To the east and northeast are industrial properties, including a major oil storage facility, the City of Oswego West Side Excess Flow Management facility and a cement shipping terminal.

## 2.2 History of Site Use

### *2.2.1 On-site Area*

The site has been used for industrial purposes since at least 1880. Past industrial operations at the site include a tinware manufacturing facility, lumberyards, a lumber planing mill, Oswego Casket Company, Global Match Company, and machine shops. The most recent manufacturing facility at the site was a wire manufacturing facility that was owned and/or operated by the Flexo Wire Company in 1960 and the Copperweld Steel Company, Flexo Wire Division in 1972. Prior uses that appear to have led to site contamination include solvent usage and disposal, reportedly associated with the wire drawing operations; coal storage, usage, and coal ash disposal; and metal working operations, including machining and annealing.

### *2.2.2 Off-site Area*

Much of the surrounding area to the east and north was used for industrial purposes from the late 1800s through recent times. The areas to the east and northeast continue to be used for industrial purposes. The areas to the west and northwest of the site have been mainly used for residential purposes since the late 1800s, with the exception of the adjacent property located on the northwest corner of the intersection of West Second Street and West Schuyler Street which has been used for industrial or commercial purposes over that time period.

### 3. Investigation and Cleanup Process

#### 3.1 Remedial Investigation

The site and off-site areas potentially impacted by the site were investigated under the Environmental Restoration Program (ERP), Site ID E738040, by the City of Oswego, the former site owner. The investigation was a detailed study of the site, called a remedial investigation. The remedial investigation had 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.

During the course of the remedial investigation, an interim remedial measure (IRM) was conducted. An IRM is an action which can be undertaken without extensive investigation and evaluation, to prevent, mitigate or remedy environmental damage or the consequences of environmental damage attributable to a site.

The IRM consisted of removal of a 550-gallon aboveground fuel oil storage tank and a 15,000-gallon underground storage tank (UST), along with sludge that was present within the UST and debris that was present within both tanks.

The aboveground tank was located on the west side of the on-site building in a concrete block containment structure. There was no indication that a release of oil had occurred from the tank.

The 15,000-gallon UST was located on the eastern side of the site and appeared to be a buried railroad tank car. Its original use is unknown, but it is believed to have been used for recirculation of solvents or waste disposal during operation of the on-site wire drawing facility. Approximately 4,258 gallons of sludge were removed from the tank along with debris such as wood, rocks, and heating coils. The sludge and debris were disposed of off-site at an approved facility. The tank was cleaned using water that was collected for proper off-site disposal.

##### 3.1.1 *On-site Area Investigation Summary*

The investigation of the on-site area identified contamination in soil, groundwater, and soil vapor. Soil was found to be contaminated by solvents; specifically, tetrachloroethene (PCE) and trichloroethene (TCE) and their degradation products, metals, and polycyclic aromatic hydrocarbons (PAHs). On-site groundwater and soil vapor were found to be contaminated by PCE, TCE, and their degradation products.

### 3.1.2 *Off-site Area Investigation Summary*

The investigation of the off-site area identified site-related contamination in groundwater and soil vapor. Contaminants identified off-site include PCE, TCE, and their degradation products.

### 3.2 Proposed Remedy

Upon completion of the remedial investigation, the NYSDEC developed a recommended proposal to eliminate the threat posed by contaminants at the site. The goal of any cleanup plan is to protect public health and the environment. A remedy was proposed for on-site and off-site areas impacted by the site.

The proposed remedy for each area was described in a document officially called a Proposed Remedial Action Plan (PRAP), that was developed based on reports submitted by the City of Oswego. The PRAPs also summarized the decision that led to the recommendation of the preferred remedy by discussing each remedial alternative and the reasons for choosing or rejecting it. NYSDEC presented the PRAPs to the public for the opportunity to review and provide comment during a 45-day public comment period that included a public meeting.

### 3.3 Selected Remedy

NYSDEC considered public comments as it selected the remedies to address contamination related to the site. The selected remedy for each area (on-site and off-site) was described in a document officially called a Record of Decision (ROD). The RODs explained why the remedy was selected and responded to public comments.

#### 3.3.1 *On-site Area Remedy*

The major elements of the selected remedy for the on-site area included:

- Excavation and proper off-site disposal of soils which represented a source of groundwater contamination;
- *In-situ* (in place) treatment of contaminated groundwater;
- Mitigation of the potential for soil vapor intrusion in on-site buildings. Soil vapor intrusion is the process by which volatile organic compounds in the subsurface may move into overlying buildings and affect the indoor air quality; and
- Development of a Site Management Plan to manage the site and any remaining contamination in the future.

### 3.3.2 Off-site Area Remedy

The major elements of the selected remedy for the off-site area included:

- *In-situ* (in place) treatment of contaminated groundwater;
- Evaluation of the potential for soil vapor intrusion in nearby buildings, and if necessary, mitigation; and
- Development of a Site Management Plan to manage any remedial systems and remaining contamination in the future.

## 3.4 Remediation

### 3.4.1 On-site Area Remediation

Subsequent to issuance of the ROD, ownership of the Harbor View Square site was transferred to Harbor View Square, LLC (the Applicant), which is conducting the on-site remediation under the Brownfield Cleanup Program. The remediation and redevelopment of the Harbor View Square site commenced in December 2018 and are expected to be completed in 2020. The soil excavation required by the remedy was completed in early 2019, and additional soils were excavated from the site to accommodate the site redevelopment. All soils that required excavation per the site's remedy, and all soils that could not be reused on-site were properly disposed of off-site. Existing site buildings were demolished and all new buildings that will be occupied by people will be constructed with sub-slab depressurization systems (SSDS) to prevent soil vapor intrusion. An investigation of the area requiring groundwater treatment was initiated in June 2019. The investigation was intended to more closely define the zone to be treated, and collect other data to assist in designing the treatment.

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 ensure the cleanup is protective of public health and the environment for the intended use of the site.

When NYSDEC is satisfied that cleanup requirements have been or will be achieved for the on-site area, 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.

### 3.4.2 Off-site Area Remediation

NYSDEC determined the Harbor View Square site, Site C738040, represented a significant threat to public health and the environment on April 3, 2017. NYSDEC was unsuccessful in its attempts to compel potentially responsible parties to conduct the off-

site remedial program. As such, the remedial program for off-site areas will be conducted by NYSDEC, through its consultant and contractors, as noted in Section 1. If NYSDEC identifies a potentially responsible party (PRP) that is willing to conduct the remedial program in the future, the PRP would complete any remaining remedial work under NYSDEC oversight.

The first steps of the remediation process for the off-site area will include conducting sampling to better define the areas requiring groundwater treatment and conducting sampling to evaluate the potential for soil vapor intrusion in nearby buildings.

### 3.5 Site Management

Site management is the last phase of a site cleanup program. This phase begins when the COC is issued or following completion of active remediation. Site management incorporates any *institutional controls* and *engineering controls* required to ensure that the remedy implemented for the site remains protective of public health and the environment.

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 is pumping and treating groundwater. All significant activities are detailed in a Site Management Plan. Site management continues until NYSDEC determines that it is no longer needed.

#### *3.5.1 On-site Area Site Management*

The Applicant will develop a Site Management Plan as the site nears the end of the remedial action phase. Site management for the on-site area will be conducted by Applicant and/or the property owner(s).

#### *3.5.2 Off-site Area Site Management*

Site management for the off-site area will be conducted by NYSDEC, unless, as noted above, a PRP is identified to implement the remedial program under NYSDEC oversight.



## 4. 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 remedial 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; and
- 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 Plan provides information about how NYSDEC will inform and involve the public during the cleanup of the Harbor View Square Off-site areas.

### *Project Contacts*

[Appendix A](#) identifies NYSDEC project contacts to whom the public should address questions or request information about the site's remedial program. The public's suggestions about this Citizen Participation Plan and the Citizen Participation 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 remedial 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 to distribute an initial fact sheet about the site. Subsequent fact sheets will be distributed through email via NYSDEC's listserv. The initial fact sheet will include instructions on how to sign up for the listserv. Fact sheets will 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.

If "paperless" is not an option for you, call or write to the DER project manager identified in [Appendix A](#). Indicate that you need to receive paper copies of fact sheets through the US Postal Service and include the site name in your correspondence. The option to receive paper is available to individuals only. Groups, organizations, businesses, and government entities are assumed to have email access.

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; and
- Location(s) 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 contact(s) identified in [Appendix A](#). Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

### *Citizen Participation Activities*

The table at the end of this section identifies the Citizen Participation activities, at a minimum, that have been and will be conducted during the investigation and cleanup program for the off-site area. The public is informed about these Citizen Participation 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 Citizen Participation activities are explained briefly below 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 Citizen Participation Plan may be revised due to changes in major issues of public concern identified in [Section 3](#) or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

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

Citizen Participation Activity Requirements	Timing of Citizen Participation Activities
<p><b>When NYSDEC Released the Proposed Remedial Action Plan (PRAP):</b></p> <ul style="list-style-type: none"> <li>• Place PRAP in document repository</li> <li>• Distribute fact sheet to site contact list that describes PRAP and announces 45-day comment period and public meeting</li> <li>• Conduct 45-day public comment period</li> <li>• Hold public meeting about PRAP</li> </ul>	<p>PRAP fact sheet was distributed on August 27, 2013.</p> <p>45-day comment period was conducted August 30 through October 14, 2013.</p> <p>Public meeting was held September 12, 2013.</p>
<p><b>When NYSDEC Issued the Record of Decision (ROD):</b></p> <ul style="list-style-type: none"> <li>• Place ROD in document repository</li> <li>• Distribute notice to site contact list that announces availability of ROD. ROD includes responsiveness summary of significant comments about PRAP</li> </ul>	<p>ROD was issued November 27, 2013</p> <p>Notice of ROD availability distributed on December 4, 2013.</p>
<p><b>Before Start of Cleanup Action:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes upcoming cleanup action</li> </ul>	<p>Before the start of cleanup action at the site.</p>
<p><b>When NYSDEC Certifies Cleanup Requirements Achieved:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that announces cleanup requirements achieved</li> <li>• If Certificate of Completion (COC) is issued, announce in fact sheet</li> </ul>	<p>When NYSDEC certifies cleanup requirements achieved, or within 10 days after NYSDEC issues COC or other similar site closure document.</p>

## 5. Issues of Potential Public Concern

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

The remedial program will evaluate the potential for soil vapor intrusion at nearby properties. Site contaminants of concern include volatile organic compound (VOCs). VOCs may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to

the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion.

## Appendix A Project Contacts and 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):**

##### Site Related Information

Joshua Cook, Project Manager  
NYSDEC Region 7  
615 Erie Blvd West  
Syracuse, NY 13204  
315-426-7411  
[joshua.cook@dec.ny.gov](mailto:joshua.cook@dec.ny.gov)

##### CP Information & Media Inquiries

Stephanie Webb or Kerry McElroy  
NYSDEC Region 7  
615 Erie Boulevard West  
Syracuse, NY 13204  
315-426-7403  
[Info.R7@dec.ny.gov](mailto:Info.R7@dec.ny.gov)

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

Sarita Wagh, Project Manager  
NYSDOH  
Bureau of Environmental Exposure Investigation  
Empire State Plaza - Corning Tower Room #1787  
Albany, NY 12237  
518-402-7860  
[bee@health.ny.gov](mailto:bee@health.ny.gov)

### Locations of Reports and Information

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

Oswego Public Library  
Attn: Edward Elsner  
120 East Second Street  
Oswego, NY 13126  
315-341-5867  
<http://www.oswegopubliclibrary.org/>  
Mon-Thurs – 10:00 am to 8:00 pm  
Fri – 10:00 am to 5:00 pm  
Sat & Sun – 12:00 pm to 5:00 pm

## Appendix B Site Contact List

**Please note, for residential properties, the names, addresses, and email addresses of adjacent property owners and residents are not placed in versions of this document available to the public. Instead, they are maintained confidentially in the NYSDEC project manager's files.**

See note above re: nearby residences

William Barlow, Jr., Mayor  
City of Oswego  
[mayor@oswegony.org](mailto:mayor@oswegony.org)

Justin Rudgick, Director  
City of Oswego  
Community & Economic Development  
[jrudgick@oswegony.org](mailto:jrudgick@oswegony.org)

Tom Kells, Commissioner  
Department of Public Works  
Oswego Water Department  
[waterplant@oswegony.org](mailto:waterplant@oswegony.org)

Christina Chamberlain, Chair  
City of Oswego Planning Board  
[cchamberlain@twcny.rr.com](mailto:cchamberlain@twcny.rr.com)

Robert Johnson  
City of Oswego Engineering Office  
[rjohnson@oswegony.org](mailto:rjohnson@oswegony.org)

Philip Church  
Oswego County Administrator  
[Phil.Church@oswegocounty.com](mailto:Phil.Church@oswegocounty.com)

Donna Scanlon, Director  
Oswego County  
Community Development and Planning Office  
[donna.scanlon@oswegocounty.com](mailto:donna.scanlon@oswegocounty.com)

OCWA  
200 Northern Concourse  
PO Box 4949  
Syracuse, NY 13221-4949

Julie Sweet, NYS Dept. of State  
[julie.sweet@dos.ny.gov](mailto:julie.sweet@dos.ny.gov)

James Candiloro, NYS Canal Corporation  
[james.candiloro@canals.ny.gov](mailto:james.candiloro@canals.ny.gov)

Kelly Sweet  
Harbor View Square, LLC  
[kloveland@housingvisions.org](mailto:kloveland@housingvisions.org)

Fushi Copperweld, Inc.

Southwire Company

Sprague Oswego Terminal  
Attn: Greg Cooper  
1 West Van Buren Street  
Oswego, NY 13126

General Portland, Inc.  
8700 W. Bryn Mawr Ave, Suite 300  
Chicago, IL 60631

LaFarge Corp.  
1 West Van Buren St, # 2  
Oswego, NY 13126

Oswego Waterfront Development, LLC  
70 East First Street  
Oswego, NY 13126

Oswego Port Authority  
1 East Second Street  
Oswego, NY 13126

United States Coast Guard Station  
1 Lake Street  
Oswego, NY 13126

Oswego Mechanical, LLC  
45 West Second Street  
Oswego, NY 13126

R. Berkely Properties, LLC  
83 Garden Drive  
Oswego, NY 13126

Harborside Interiors, LLC  
51 West Third Street  
Oswego, NY 13126

Skip's Fish Fry  
42 West Second Street  
Oswego, NY 13126

Crown Skateshop  
38 West Second Street  
Oswego, NY 13126

Current Occupant  
77-79 West First Street  
Oswego, NY 13126

David Thompson  
Jeffrey O'Connor  
8 West Second Street  
Oswego, NY 13126

Oswego Public Library  
Attn: Edward Elsner  
120 East Second Street  
Oswego, NY 13126



### Appendix C Site Location Map

