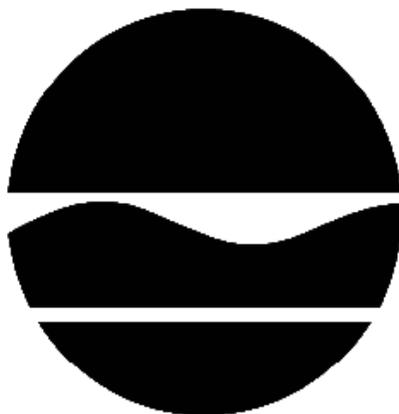


RECORD OF DECISION

701 Lawrence Street
Operable Unit Number 01: Intersection of Luquer and
Lawrence Streets
Environmental Restoration Project
Rome, Oneida County
Site No. E633063
February 2017



Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - RECORD OF DECISION

701 Lawrence Street
Operable Unit Number: 01
Environmental Restoration Project
Rome, Oneida County
Site No. E633063
February 2017

Statement of Purpose and Basis

This document presents the remedy for Operable Unit Number: 01: Intersection of Luquer and Lawrence Streets of the 701 Lawrence Street site, an environmental restoration site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for Operable Unit Number: 01 of the 701 Lawrence Street site and the public's input to the proposed remedy presented by the Department. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Description of Selected Remedy

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance

- ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. Site Cover

A site cover (Figure 5), consisting of two feet of imported soil will be required to allow for restricted-residential use of the site. The cover will consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where a soil cover is required, it will be a minimum of two feet of soil, meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for restricted-residential use. The soil cover will be placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetation layer. Any fill material brought to the site will meet the requirements for the identified site use as set forth in 6 NYCRR Part 375-6.7(d).

3. Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property that:

- requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allows the use and development of the controlled property for restricted-residential, commercial, and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restricts the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or Oneida County DOH; and
- requires compliance with the Department approved Site Management Plan.

4. Site Management Plan

A Site Management Plan is required, which includes the following:

- a. An Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in Paragraph 3 above.

Engineering Controls: The cover system discussed in Paragraph 2 above.

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations on

- the controlled property;
 - a provision, should redevelopment occur, to ensure no soil exceeding protection of groundwater concentrations will remain below storm water retention basin or infiltration structures;
 - descriptions of the provisions of the environmental easement including any land use and groundwater use restrictions;
 - provisions for the management and inspection of the soil cover;
 - a provision for evaluation of the potential for soil vapor intrusion into any future buildings developed on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion.
 - maintaining site access controls and Department notification;
 - the steps necessary for the periodic reviews and certification of the institutional controls.
- b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:
- a schedule of monitoring and frequency of submittals to the Department;
 - monitoring for vapor intrusion for any new buildings developed on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

New York State Department of Health Acceptance

The New York State Department of Health (NYSDOH) concurs that the remedy for this site is protective of human health.

Declaration

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

February 15, 2017

Date



Robert W. Schick, P.E., Director
Division of Environmental Remediation

RECORD OF DECISION

701 Lawrence Street
Operable Unit Number: 01
Rome, Oneida County
Site No. E633063
February 2017

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum. The remedy is intended to attain the remedial action objectives identified for this site for the protection of public health and the environment. This Record of Decision (ROD) identifies the selected remedy, summarizes the other alternatives considered, and discusses the reasons for selecting the remedy.

The 1996 Clean Water/ Clean Air Bond Act provides funding to municipalities for the investigation and cleanup of brownfields. Brownfields are abandoned, idled, or under-used properties where redevelopment is complicated by real or perceived environmental contamination. They typically are former industrial or commercial properties where operations may have resulted in environmental contamination. Brownfields often pose not only environmental, but legal and financial burdens on communities. Under the Environmental Restoration Program, the state provides grants to municipalities to reimburse up to 90 percent of eligible costs for site investigation and remediation activities. Once remediated, the property can then be reused.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repositories:

Jervis Public Library
613 North Washington Street
Rome, NY 13440
Phone: 315-336-4570

City of Rome
Attn: Diana Samuels
198 North Washington Street
Rome, NY 13440
Phone: 315-339-7646

A public meeting on January 19, 2017 was also conducted. At the meeting, the findings of the remedial investigation (RI) and the alternatives analyses (AA) were presented along with a summary of the proposed remedy. After the presentation, a question-and-answer period was held, during which verbal or written comments were accepted on the proposed remedy.

Comments on the remedy received during the comment period are summarized and addressed in the responsiveness summary section of the ROD.

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at <http://www.dec.ny.gov/chemical/61092.html>

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The site is comprised of two parcels divided by the New York State Barge Canal. The parcel to the north of the Barge Canal is located at the intersection of Luquer and Lawrence Streets and comprises 1.85 acres. The parcel to the south of the Barge Canal is located at the intersection of Martin and Lawrence Streets and comprises 1.4 acres.

Site Features: Both parcels are currently vacant with no structures. Forming the southern boundary of the northern parcel (Luquer and Lawrence Street) is the off-site Canalway Trail maintained by the New York State Canal Corporation. The Canalway Trail is a paved walking path with metal railings to prevent entry into the canal and a chain link fence along the southern boundary of the Luquer and Lawrence Streets parcel to prevent access to the site. There are no structures on the Canalway Trail near the site. The Canalway Trail is shown on the attached aerial photograph.

Current Zoning/Use(s): The two properties are zoned for industrial use. The surrounding parcels are also zoned industrial/commercial and include vacant lots, lands owned by the NYS Canal Corporation and an auto repair facility. Some residences are located about 500 north of the site.

Past Use of the Site: Both properties were historically connected by the former Lawrence Street bridge. Prior uses of the site that have led to site contamination were the former bulk fuel and distribution operations as well as several spills that were reported during the property's operational period as a Major Oil Storage Facility.

Operable Units (OUs): The site consists of two OUs. OU-1, the subject of this PRAP is the parcel north of the NYS Barge Canal at the intersection of Luquer and Lawrence Streets. OU-2 is the parcel located south of the Barge Canal at the intersection of Martin and Lawrence Streets. The word "site" in the remainder of this document refers to OU-1 alone.

Site Geology and Hydrogeology: The northern site (OU-1) consists of shallow fill material consisting of gravel and asphalt (ranging from 2 inches to 3 feet in depth), increasing with thickness towards the eastern portion of the site. Below the gravel fill, silt and clay extend from 1-14 feet below grade which is then underlain by sand and gravels to a depth of 22 feet below grade. Groundwater was found between 2.5 and 12.5 feet below grade and flows to the south towards the barge canal. Bedrock was not encountered during the investigation. Further investigation is required at the southern parcel (OU-2) to define the overburden geology and groundwater.

A site location map is attached as Figure 1, the property boundary is the site boundary as shown on Figure 2.

Operable Unit (OU) Number 01 is the subject of this document.

A Record of Decision will be issued for OU 02 in the future.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives (or an alternative) that restrict(s) the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the RI to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is included in the Tables for the media being evaluated in Exhibit A.

SECTION 5: ENFORCEMENT STATUS

Potentially Responsible Parties (PRPs) are those who may be legally liable for contamination at a

site. This may include past or present owners and operators, waste generators, and haulers.

No PRPs have been documented to date.

The City of Rome entered into a State Assistance Contract with the Department in 2007. The contract obligates the City to investigate the site and implement a remedy.

Since no viable PRPs have been identified, there are currently no ongoing enforcement actions. However, legal action may be initiated at a future date by the state to recover state response costs should PRPs be identified. City of Rome will assist the state in its efforts by providing all information to the state which identifies PRPs. City of Rome will also not enter into any agreement regarding response costs without the approval of the Department.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A Remedial Investigation (RI) has been conducted. The purpose of the RI was to define the nature and extent of any contamination resulting from previous activities at the site. The field activities and findings of the investigation are described in the RI Report.

The following general activities are conducted during an RI:

- Research of historical information,
- Geophysical survey to determine the lateral extent of wastes,
- Test pits, soil borings, and monitoring well installations,
- Sampling of waste, surface and subsurface soils, groundwater, and soil vapor,
- Sampling of surface water and sediment,
- Ecological and Human Health Exposure Assessments.

The analytical data collected on this site includes data for:

- groundwater
- soil
- sediment

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that

are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. The tables found in Exhibit A list the applicable SCGs in the footnotes. For a full listing of all SCGs see: <http://www.dec.ny.gov/regulations/61794.html>

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized in Exhibit A. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified for this Operable Unit at this site are:

Chromium
Nickel
Lead
Zinc
Copper
Acetone
Xylene
Ethylbenzene
Tentatively identified compounds (TICs) associated with weathered petroleum products

As illustrated in Exhibit A, the contaminant(s) of concern exceed the applicable SCGs for:

- soil

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Record of Decision.

The following IRM(s) has/have been completed at this site based on conditions observed during the RI.

Source Removal Intersection of Luquer and Lawrence Streets

An IRM was completed which included the removal of waste materials, a building, above-ground and underground tanks and soils. The IRM Completion Report was approved in March 2012.

The IRM was conducted in three phases. The first phase involved the removal of asbestos and lead paint from the former on-site building and was performed in January-February 2009. The second phase consisted of removing four 275 gallon above-ground storage tanks, a 4000 gallon mobile fueling tank, fourteen 55 gallon drums of petroleum products and miscellaneous wastes, followed by demolition of the building. The building was approximately 7,450 square feet in size and built of brick, concrete and wood. This work was accomplished in June-August 2009. The third phase included the removal of two on-site underground storage tanks (a 1000 gallon gasoline tank and a 2000 gallon fuel oil tank), a stormwater oil/water separator unit which was located off-site to the south on Canal Corporation property, and underground piping. These removal actions also included removal and off-site disposal of 730 tons of contaminated soils in the immediate area of the tanks and piping, followed by confirmatory soil sampling. The work was done from October-November 2009.

Confirmation soil samples taken after these actions found acetone ranging from non-detectable (ND) up to 0.081 parts per million (ppm), xylene (ND - 1 ppm) and ethylbenzene (ND - 1.7 ppm) and metals such as chromium (13.5 – 22 ppm) and nickel (ND - 38 ppm) were slightly above the unrestricted soil cleanup objectives (SCOs) but below the residential soil cleanup objectives (SCOs). No other constituents were detected above the unrestricted use SCO. However, several tentatively identified compounds (TICs) were noted in the subsurface soil, and visual and olfactory observation of 'weathered petroleum' were observed in the subsurface soils

Confirmation samples are included in Exhibit A.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water.

Based upon the resources and pathways identified and the toxicity of the contaminants of ecological concern at this site, a Fish and Wildlife Resources Impact Analysis (FWRIA) was deemed not necessary for OU 01.

Nature and Extent of Contamination: Environmental concerns at OU-1 result from the site's former use as Major Oil Storage Facility. Several petroleum spills have been documented at the site. Groundwater sampling results for the period of March 1992 through July 1995 revealed that contaminants representative of lubrication oil, gasoline, kerosene, and fuel oil were detected in the on-site groundwater. Monitoring wells installed as part of the site assessment were reportedly abandoned in 1997. Soil and groundwater were analyzed for volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCS), metals, and PCB/pesticides.

Surface Soil - On-site shallow soils were sampled from 4-10 inches below ground surface. The near-surface material was very gravelly, which resulted in samples being taken slightly deeper than the recommended depth of 0-2 inches below ground surface for purposes of evaluating potential exposures. The on-site soil contained metals including chromium at a maximum concentration of 23 ppm, lead at a maximum of 244 ppm, zinc at a maximum of 289 ppm and copper at a maximum of 114 ppm. These metals exceed the unrestricted use SCOs but not the restricted residential SCOs. Surface soils had no VOCs, SVOCs, PCBs or other metals which exceeded applicable Part 375 SCOs although TICs for both VOCs and SVOCs were detected. TICs ranged from non-detectable (ND) to 0.277 ppm for VOCs and ND to 7.60 ppm for SVOCs.

Subsurface Soils - Subsurface soils were collected to depths of up to 22 feet. Most samples were collected from 4 to 12 feet based on field screening and visual observation. Soils contained the metals chromium at a maximum concentration of 20 ppm, and nickel at a maximum of 40 ppm and VOCs (acetone 0.088 ppm, ethyl benzene 6.2 ppm and xylene 6 ppm), which exceed the unrestricted SCOs but not the residential SCOs. Although not reflected in the sample results, petroleum contamination in the form of stained soils and odors was apparent in soils observed during test pitting both on and off-site. Soils had no other VOCs, SVOCs, PCBs or other metals which exceeded applicable Part 375 SCOs although TICs for both VOCs and SVOCs were detected. TICs ranged from non-detectable (ND) to 210 ppm for VOCs and ND to 483 ppm for SVOCs.

Off-site, prior to its construction, the area of the Canalway trail was investigated with soil borings and sub-surface soils samples which were analyzed for VOCs, SVOCs and metals. Sample results showed exceedances of unrestricted SCOs for VOCs (acetone at 0.26 ppm) and metals (chromium at 20 ppm and nickel at 30 ppm) and SVOCs in the upper one foot of soils. In the subsurface soil the total detectable VOC concentrations (including TICs) ranged from ND to 1.4 ppm. Total detectable SVOC concentrations (including TICs) in the sub-surface soils ranged from ND to 163 ppm. These levels did not exceed the SCOs for residential use, which includes active recreational use as the Canalway Trail. Approximately one foot of stone aggregate was placed along the path of the trail prior to paving.

Groundwater - Groundwater was tested for VOCs, SVOCs, PCBs and metals, the only exceedances were iron, manganese, and sodium, although these constituents are not believed to be related to past site operations, but are naturally occurring. Groundwater flow is to the south toward the barge canal. There were no off-site groundwater samples collected.

Soil vapor - The evaluation of the potential for soil vapor intrusion resulting from the presence of site related soil and/or groundwater contamination was not evaluated by quantitative sampling. Field readings with a photoionization detector recorded VOC readings in the range of 3.5 to 1,091 ppm in the on-site soil borings and 1.5 to 330 ppm in the off-site borings. Since there are no structures on-site or on the adjacent Canalway Trail and soil and groundwater sampling showed only minimal VOC impacts, soil vapor was not further evaluated.

Special Resources Impacted/Threatened: The New York State Barge Canal is located between the two parcels. Releases from the sites have the capability of impacting this resource although no

observations of contamination have been documented. Further investigation of possible impacts to the canal are anticipated as part of the OU-2 investigation.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

Persons who dig below the ground surface may come into contact with contaminants in subsurface soil. Contaminated groundwater at the site is not used for drinking purposes and the area is served by a public water supply that obtains water from a different source not affected by this contamination. Volatile organic compounds in the groundwater 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. Because the site is vacant, the inhalation of site-related contaminants due to soil vapor intrusion does not represent a current concern. However, the potential exists for the inhalation of site contaminants due to soil vapor intrusion for any future on-site development. Sampling indicates soil vapor intrusion is not a concern for off-site buildings.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.

RAOs for Environmental Protection

- Remove the source of ground or surface water contamination.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

SECTION 7: SUMMARY OF THE SELECTED REMEDY

To be selected the remedy must be protective of human health and the environment, be cost-effective, comply with other statutory requirements, and utilize permanent solutions, alternative technologies or resource recovery technologies to the maximum extent practicable. The remedy must also attain the remedial action objectives identified for the site, which are presented in Section 6.5. Potential remedial alternatives for the Site were identified, screened and evaluated in the alternatives analysis (AA) report.

A summary of the remedial alternatives that were considered for this site is presented in Exhibit B. Cost information is presented in the form of present worth, which represents the amount of money invested in the current year that would be sufficient to cover all present and future costs associated with the alternative. This enables the costs of remedial alternatives to be compared on a common basis. As a convention, a time frame of 30 years is used to evaluate present worth costs for alternatives with an indefinite duration. This does not imply that operation, maintenance, or monitoring would cease after 30 years if remediation goals are not achieved. A summary of the Remedial Alternatives Costs is included as Exhibit C.

The basis for the Department's remedy is set forth at Exhibit D.

The selected remedy is referred to as the Soil Cover, Institutional Controls and Site Management remedy.

The estimated present worth cost to implement the remedy is \$205,130. The cost to construct the remedy is estimated to be \$202,130 and the estimated average annual cost is \$3,000.

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;

- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. Site Cover

A site cover (Figure 5), consisting of two feet of imported soil will be required to allow for restricted-residential use of the site. The cover will consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where a soil cover is required, it will be a minimum of two feet of soil, meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for restricted-residential use. The soil cover will be placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetation layer. Any fill material brought to the site will meet the requirements for the identified site use as set forth in 6 NYCRR Part 375-6.7(d).

3. Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property that:

- requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allows the use and development of the controlled property for restricted-residential, commercial, and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restricts the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or Oneida County DOH; and
- requires compliance with the Department approved Site Management Plan.

4. Site Management Plan

A Site Management Plan is required, which includes the following:

- a. An Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in Paragraph 3 above.
Engineering Controls: The cover system discussed in Paragraph 2 above.

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations on the controlled property;
 - a provision, should redevelopment occur, to ensure no soil exceeding protection of groundwater concentrations will remain below storm water retention basin or infiltration structures;
 - descriptions of the provisions of the environmental easement including any land use and groundwater use restrictions;
 - provisions for the management and inspection of the soil cover;
 - a provision for evaluation of the potential for soil vapor intrusion into any future buildings developed on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion.
 - maintaining site access controls and Department notification;
 - the steps necessary for the periodic reviews and certification of the institutional controls.
- b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:
- a schedule of monitoring and frequency of submittals to the Department;
 - monitoring for vapor intrusion for any new buildings developed on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

Exhibit A

Nature and Extent of Contamination

This section describes the findings of the Remedial Investigation for all environmental media that were evaluated. As described in Section 6.1, samples were collected from various environmental media to characterize the nature and extent of contamination.

For each medium for which contamination was identified, a table summarizes the findings of the investigation. The tables present the range of contamination found at the site in the media and compares the data with the applicable SCGs for the site. The contaminants are arranged into four categories: volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), and inorganics (metals and cyanide). For comparison purposes, the SCGs are provided for each medium that allows for unrestricted use. For soil, if applicable, the Restricted Use SCGs identified in Section 4 and Section 6.1.1 are also presented.

Waste/Source Areas

As described in the RI report, waste/source materials were identified at the site and are impacting groundwater, and soil.

Wastes are defined in 6 NYCRR Part 375-1.2(aw) and include solid, industrial and/or hazardous wastes. Source Areas are defined in 6 NYCRR Part 375(au). Source areas are areas of concern at a site where substantial quantities of contaminants are found which can migrate and release significant levels of contaminants to another environmental medium. Wastes and source areas were identified at the site, including impacts to soil from historic petroleum use at the site. The waste/source areas identified at the site, which included; four 275 gallon above-ground storage tanks, a 4000 gallon mobile fueling tank, two underground storage tanks (a 1000 gallon gasoline tank and a 2000 gallon fuel oil tank), fourteen 55 gallon drums of petroleum products, a storm water oil/water separator and underground piping, were addressed by the IRM described in Section 6.2.

Groundwater

Groundwater samples were collected from overburden monitoring wells. The samples were collected to assess groundwater conditions on-site. The results indicate that some commonly found inorganics were detected in shallow groundwater at the site that were above the respective SCGs.

Table 1 - Groundwater

Detected Constituents	Concentration Range Detected (ppm) ^a	SCG (ppm) ^b	Frequency Exceeding SCG
Inorganics			
Iron	7.73 - 48.3	0.3	6 out of 6
Manganese	1.87 - 6.58	0.3	6 out of 6
Sodium	55 - 151	20	6 out of 6

a - ppm: parts per million, which is equivalent to milligrams per liter, mg/L, in water.

b- SCG: Standard Criteria or Guidance - Ambient Water Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).

The inorganic exceedances shown in the above table are not considered to be associated with the site but are considered artifacts due to the urban environment and the high turbidity in the samples. No site-related groundwater contamination of concern was identified during the RI. Therefore, no remedial alternatives are evaluated for groundwater.

Soil

Table 2 – Shallow Soil

Detected Constituents	Concentration Range (ppm) ^a	Unrestricted Use SCO ^b (ppm)	Frequency Exceeding Unrestricted Use SCO	Restricted Residential Use SCO (ppm) ^c	Frequency Exceeding Restricted SCO
Inorganics					
Chromium	3.75-23.5	1 ^d	7 out of 7	110 ^d	0 out of 7
Lead	3.1-244	63	1 out of 7	400	0 out of 7
Zinc	17.6-289	1093	3 out of 7	10,000	0 out of 7
Copper	8.1-114	50	4 out of 7	270	0 out of 7
Organics					
Acetone	ND-0.065	0.05	1 out of 7	100	0 out of 7

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

c - SCG: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Public Health for Restricted Residential Use, unless otherwise noted.

d – Due to lack of chemical speciation for chromium, samples are conservatively compared to the SCO for hexavalent chromium.

ND = Not detected

Shallow soil samples were collected at the site during the RI. Surface soil samples were collected from a depth of 4-10 inches due to the gravelly nature of the site surface. The results indicate that surface soil at the site exceeds the unrestricted SCOs for inorganics but did not exceed the restricted residential SCOs.

Table 3 – Sub-Surface Soil

Detected Constituents	Concentration Range (ppm) ^a	Unrestricted Use SCO ^b (ppm)	Frequency Exceeding Unrestricted Use SCO	Restricted Residential Use SCO (ppm) ^c	Frequency Exceeding Restricted SCO
Inorganics					
Chromium	14.8-20.1	1 ^d	10 out of 11	110 ^d	0 out of 11
Nickel	ND-39.8	30	9 out of 11	310	0 out of 11
Organics					
Acetone	ND-0.088	0.05	4 out of 11	100	0 out of 11
Ethyl benzene	ND-6.2	1	3 out of 11	41	0 out of 11
Xylene	ND-6	0.26	1 out of 11	100	0 out of 11
*VOC TICs	ND-210				
*SVOC TICs	ND-483				

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

c - SCG: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Public Health for Restricted Residential Use, unless otherwise noted.

d – Due to lack of chemical speciation for chromium, samples are conservatively compared to the SCO for hexavalent chromium.

ND = Not detected

* TICs are tentatively identified compounds, in this case most likely breakdown products of petroleum without assigned cleanup values.

Subsurface soil samples were collected from a depth of 2 - 22 feet to assess soil contamination. The results indicate that subsurface soils at the site exceed the unrestricted SCOs for volatile organics and metals. Although not reflected in the sample results, petroleum contamination in the form of stained soils and odors was apparent in soil observed during test pitting both on and off-site. Tentatively identified compounds (TICs) ranged from not detected (ND) to 210 ppm for VOCs and ND to 483 ppm for SVOCs.

Table 4 – Off-Site Soil – Canalway Trail

Detected Constituents	Concentration Range (ppm) ^a	Unrestricted Use SCO ^b (ppm)	Frequency Exceeding Unrestricted Use SCO	Residential Use SCO (ppm)	Frequency Exceeding Residential SCO
Inorganics					
Chromium	8.36-19.6	1 ^d	7 out of 7	22 ^d	0 out of 7
Nickel	ND-30.3	30	1 out of 7	140	0 out of 7
Organics					
Acetone	ND-0.26	0.05	8 out of 12	100	0 out of 12
*VOC TICs	ND-1.4				
*SVOC TICs	ND-163				

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

d – Due to lack of chemical speciation for chromium, samples are conservatively compared to the SCO for hexavalent chromium.

ND = Not detected

* TICs are tentatively identified compounds, in this case most likely breakdown products of petroleum without assigned cleanup values.

The results indicate that soils at the site exceed the unrestricted SCOs for VOCs and metals but did not exceed the residential SCOs.

Table 5 – IRM Confirmation Soil Sample Results

Detected Constituents	Concentration Range (ppm) ^a	Unrestricted Use SCO ^b (ppm)	Frequency Exceeding Unrestricted Use SCO	Residential Use SCO (ppm)	Frequency Exceeding Residential SCO
Inorganics					
Chromium	13.5-22	1 ^d	7 out of 7	22 ^d	1 out of 7
Nickel	ND-37.7	30	2 out of 7	140	0 out of 7
Organics					
Acetone	ND-0.081	0.05	5 out of 7	100	0 out of 7
Xylene	ND-1	0.26	1 out of 7	100	0 out of 7
Ethylbenzene	ND-1.7	1	1 out of 7	30	0 out of 7

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

b - SCG: Part 375- 6.8(a), Unrestricted Soil Cleanup Objectives.

d – Due to lack of chemical speciation for chromium, samples are conservatively compared to the SCO for hexavalent chromium.

ND = Not detected

Note - PCBs were detected in the soil samples but were all below unrestricted SCOs.

The confirmation sample with a detection of xylene and ethylbenzene was a sample located below the former oil/storm water separator at a depth of 11 feet. Further excavation during the IRM was precluded because of potential stability issues in the adjacent canal wall.

Based on the findings of the Remedial Investigation and the confirmation subsurface soil results collected during the IRM, the presence of petroleum products from past operations has resulted in the contamination of site soil. The site contaminants identified in soil which are considered to be the primary contaminants of concern are metals and petroleum constituents. The source removal IRM conducted in 2009 considerably reduced the amount of contamination in the subsurface, and removed all source material. No additional remediation of subsurface soil is necessary. Remaining soil contamination will be addressed in the remedy selection process.

Soil Vapor

The evaluation of the potential for soil vapor intrusion resulting from the presence of site related soil or groundwater contamination was not evaluated by quantitative sampling. Field readings with a photoionization detector recorded VOC readings in the range of 3.5 to 1,091 ppm in the on-site soil borings and 1.5 to 330 ppm in the off-site borings. Since there are no structures on-site or on the adjacent Canalway Trail and soil and groundwater sampling showed only minimal VOC impacts, soil vapor was not further evaluated.

Soil vapor contamination for future development will be addressed in the remedy.

Exhibit B

Description of Remedial Alternatives

The following alternatives were considered based on the remedial action objectives (see Section 6.5) to address the contaminated media identified at the site as described in Exhibit A.

Alternative 1: No Further Action

The No Further Action Alternative recognizes the remediation of the site completed by the IRM(s) described in Section 6.2. This alternative leaves the site in its present condition and does not provide any additional protection of the environment or public health.

Alternative 2: Soil Cover with Institutional Controls

This alternative would include, a site cover to allow for restricted residential use of the site. The cover will consist either of structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where the soil cover is required it will be a minimum of two feet of soil, meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for restricted residential use. The soil cover will be placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetation layer. Any fill material brought to the site will meet the requirements for the identified site use as set forth in 6 NYCRR Part 375-6.7(d). This alternative also included the implementation of an institutional control in the form of an environmental easement and associated site management plan for the entire OU-1 area to prevent potential exposure to groundwater, limit use to restricted residential and ensure that the soil cover is properly maintained and contaminated soil remaining at the site is properly managed.

Present Worth: \$205,000

Capital Cost: \$147,000

Annual Costs: \$3,000

Alternative 3: Soil Excavation and Off-Site Disposal

This alternative achieves all of the SCGs discussed in Section 6.1.1 and Exhibit A, and would result in soil meeting the unrestricted soil cleanup objectives listed in Part 375-6.8 (a). This alternative would include: excavation and off-site disposal of all soil contamination above the unrestricted soil cleanup objectives, estimated to be 44,770 cubic yards. The remedy would not rely on institutional or engineering controls to prevent future exposure. There is no Site Management, no restrictions, and no periodic review. This remedy will have no annual cost, only the capital cost.

Present Worth: \$6,667,000

Capital Cost: \$4,789,000

Annual Costs: \$3,000

Exhibit C**Remedial Alternative Costs**

Remedial Alternative	Capital Cost (\$)	Annual Costs (\$)	Total Present Worth (\$)
No Action	0	0	0
Soil Cover with Institutional Controls	147,000	3,000	205,000
Soil Excavation and Off-Site Disposal	4,789,000	3,000	6,667,000

Exhibit D

SUMMARY OF THE SELECTED REMEDY

The Department has selected Alternative 2, Soil cover with institutional controls as the remedy for this site. Alternative 2 would achieve the remediation goals for the site by covering any remaining contaminated soil. This cover in combination with the previous interim remedial action which removed the main sources of contamination and the placement of an environmental easement on the site will effectively protect human health and the environment. The elements of this remedy are described in Section 7. The selected remedy is depicted in Figure 5.

Basis for Selection

The selected remedy is based on the results of the RI and the evaluation of alternatives. The criteria to which potential remedial alternatives are compared are defined in 6 NYCRR Part 375. A detailed discussion of the evaluation criteria and comparative analysis is included in the AA report.

The first two evaluation criteria are termed "threshold criteria" and must be satisfied in order for an alternative to be considered for selection.

1. Protection of Human Health and the Environment. This criterion is an overall evaluation of each alternative's ability to protect public health and the environment.

Alternative 1 (No Action) does not provide any protection to public health and the environment and will not be evaluated further.

The selected remedy (Alternative 2) would satisfy this criterion by covering the contaminated subsurface soils. Alternative 2 relies on a restriction of groundwater use at the site to protect public health. Soil vapor issues will be addressed by Alternative 2 when any new structures are constructed at the site.

Alternative 3, by removing all soil contaminated above the unrestricted soil cleanup objective, meets the criteria. Alternative 3 may require a short-term restriction on groundwater use; however, it is expected the restriction may be able to be removed in approximately three years. Soil vapor contamination is expected to be addressed through the removal of all contaminated on-site soils by Alternative 3.

2. Compliance with New York State Standards, Criteria, and Guidance (SCGs). Compliance with SCGs addresses whether a remedy will meet environmental laws, regulations, and other standards and criteria. In addition, this criterion includes the consideration of guidance which the Department has determined to be applicable on a case-specific basis.

Alternative 2 complies with SCGs to the extent practicable. It addressed source areas of contamination by the IRM, and complies with the restricted use soil cleanup objectives at the surface through construction of a cover system. It also creates the conditions necessary to restore groundwater quality in time. Because Alternatives 2 and 3 satisfy the threshold criteria, the remaining criteria are particularly important in selecting a final remedy for the site. It is expected Alternative 3 will achieve groundwater SCGs in less than 5 years, while groundwater contamination above SCGs will remain on-site under Alternative 2 for many years.

The next six "primary balancing criteria" are used to compare the positive and negative aspects of each of the remedial strategies.

3. Long-term Effectiveness and Permanence. This criterion evaluates the long-term effectiveness of the remedial alternatives after implementation. If wastes or treated residuals remain on-site after the selected remedy has been implemented, the following items are evaluated: 1) the magnitude of the remaining risks, 2) the adequacy of the engineering and/or institutional controls intended to limit the risk, and 3) the reliability of these controls.

Long-term effectiveness is best accomplished by those alternatives involving excavation of the contaminated overburden soils (Alternative 3). Alternative 3 results in removal of almost all of the chemical contamination at the site and removes the need for property use restrictions and long-term monitoring. Alternative 2 creates a barrier, but it also requires an environmental easement, a groundwater use restriction, actions to address the potential for soil vapor intrusion and long-term monitoring in order to be effective. However the incremental benefit for Alternative 3 is offset by the high cost.

4. Reduction of Toxicity, Mobility or Volume. Preference is given to alternatives that permanently and significantly reduce the toxicity, mobility or volume of the wastes at the site.

Alternative 2 would control potential exposures with institutional controls only and will not reduce the toxicity, mobility or volume of contaminants remaining. Alternative 3, excavation and off-site disposal, reduces the toxicity, mobility and volume of on-site waste by transferring the material to an approved off-site location, and would entail the excavation of 44,770 cubic yards of material. However, the incremental benefit for Alternative 3 is offset by the high cost.

5. Short-term Impacts and Effectiveness. The potential short-term adverse impacts of the remedial action upon the community, the workers, and the environment during the construction and/or implementation are evaluated. The length of time needed to achieve the remedial objectives is also estimated and compared against the other alternatives.

Alternatives 2 and 3 both have short-term impacts which could be controlled, however, Alternative 2 would have the smallest impact. Alternative 3 would have a much greater impact due to the traffic and potential odor releases associated with excavation of a large volume of soil with residual petroleum impacts. The time needed to achieve the remediation goals is the shortest for Alternative 2 (2 months) and longer for Alternative 3 (4 months).

6. Implementability. The technical and administrative feasibility of implementing each alternative are evaluated. Technical feasibility includes the difficulties associated with the construction of the remedy and the ability to monitor its effectiveness. For administrative feasibility, the availability of the necessary personnel and materials is evaluated along with potential difficulties in obtaining specific operating approvals, access for construction, institutional controls, and so forth.

Alternative 2 is favorable in that it is readily implementable. Alternative 3 is also implementable but much more difficult since excavation would entail digging below the water table in close proximity to the Barge Canal and local roadways. The volume of soil excavated under this alternative would necessitate increased truck traffic on local roads for four months.

7. Cost-Effectiveness. Capital costs and annual operation, maintenance, and monitoring costs are estimated for each alternative and compared on a present worth basis. Although cost-effectiveness is the last balancing criterion evaluated, where two or more alternatives have met the requirements of the other criteria, it can be used as the basis for the final decision.

The costs of the alternatives vary significantly. Alternative 2 has a low cost (\$205,000), but the contaminated soil would require long-term management using institutional controls. With its large volume of soil to be handled, Alternative 3 (excavation and off-site disposal) would have the highest capital cost (\$6,667,000). The long-term maintenance cost of the capped area with Alternative 2 would be higher than long-term maintenance under Alternative 3. However, the incremental benefit for Alternative 3 is offset by the high cost.

8. Land Use. When cleanup to pre-disposal conditions is determined to be infeasible, the Department may consider the current, intended, and reasonable anticipated future land use of the site and its surroundings in the selection of the soil remedy.

Since the anticipated use of the site is restricted residential, Alternative 2 would comply with this criterion by providing a site cover that is consistent with such use. Alternative 3 would remove the contaminated soil permanently and would make restrictions on the site use unnecessary.

The final criterion, Community Acceptance, is considered a "modifying criterion" and is taken into account after evaluating those above. It is evaluated after public comments on the Proposed Remedial Action Plan have been received.

9. Community Acceptance. Concerns of the community regarding the investigation, the evaluation of alternatives, and the PRAP are evaluated. A responsiveness summary was prepared that describes public comments received and the manner in which the Department addressed the concerns raised, if any. The selected remedy does not differ significantly from the proposed remedy. Therefore, the ROD selected Alternative 2 as described above, because it satisfies the threshold criteria and provides the best balance of the balancing criterion.

Therefore, Alternative 2 is the selected remedy for this site.



400 0 400 Feet

Barton & Loguidice, P.C.

Engineers • Environmental Scientists • Planners • Landscape Designers

CITY OF ROME
INVESTIGATION OF ENVIRONMENTAL
RESTORATION PROGRAM SITES

LAWRENCE STREET SITE

CITY OF ROME ONEIDA COUNTY, NEW YORK

FIGURE
1[^]



NO ALTERATION PERMITTED
HEREON EXCEPT AS PROVIDED
UNDER SECTION 2209
SUBDIVISION 2 OF THE NEW
YORK STATE EDUCATION LAW.

COMPLETED CONSTRUCTION

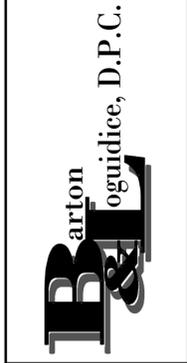
Significant Construction
Changes Are Shown

By _____ Date _____
Ck'd _____ Date _____

REVISIONS

NO.	DESCRIPTION

CITY OF ROME
ALTERNATIVE ANALYSIS REPORT
**701 LAWRENCE STREET
SITE PLAN**
CITY OF ROME
ONEIDA COUNTY, NEW YORK

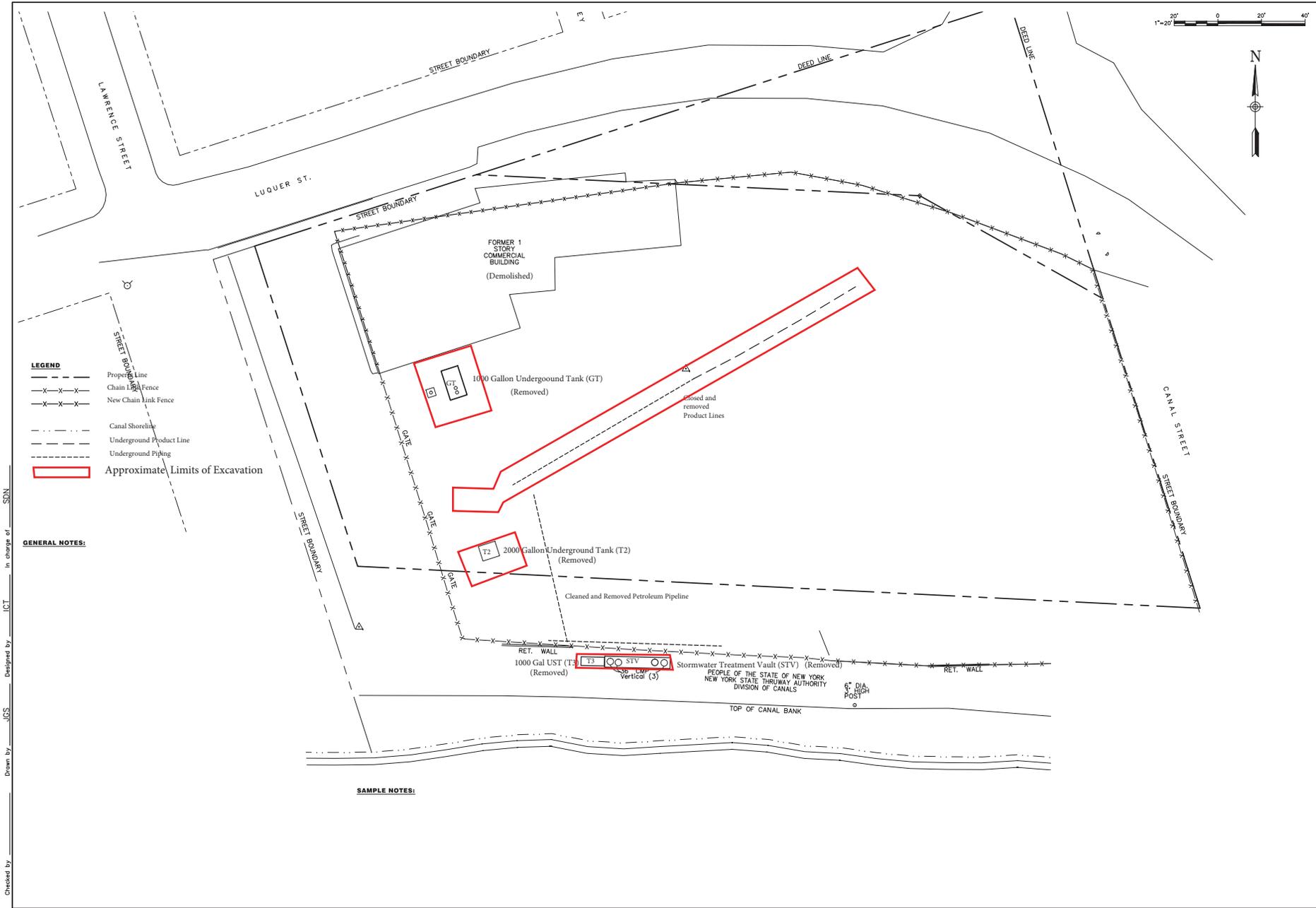


LEGEND	
	PROPERTY LINE AND SITE BOUNDARY
	MONITORING WELL LOCATION
	SOIL BORING LOCATION
	EXISTING SURFACE SOIL SAMPLE LOCATION
	FLOOR DRAIN/SURFACE SOIL SAMPLE LOCATION
	TEST PIT LOCATION
	TEST PIT (CANAL TRAIL INVESTIGATION)
	SOIL BORING (CANAL TRAIL INVESTIGATION)

NOTE:
MONITORING WELL LOCATIONS BASED ON SURVEY,
OTHER SAMPLE LOCATIONS ARE APPROXIMATE.

Plotted: Jul 28, 2016 - 1:09PM
i:\Shared\200\245005-S\SIR FIGURES\REMEDIATION INVESTIGATION REPORT\245001_REM_INV_701 LAWRENCE 072816.dwg
Checked by JCS
Designed by JGH
Drawn by JCS
In charge of SDN

Date
JULY, 2016
Scale
AS SHOWN
Sheet Number
2
File Number
245.005



- LEGEND**
- Property Line
 - - - Chain Link Fence
 - x - x - New Chain Link Fence
 - - - Canal Shoreline
 - - - - - Underground Product Line
 - - - - - Underground Piping
 - ▭ (Red Outline) Approximate Limits of Excavation

GENERAL NOTES:

SAMPLE NOTES:

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 2509 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

COMPLETED CONSTRUCTION

Significant Construction Changes Are Shown

By _____ Date _____

CK'd _____ Date _____

REVISIONS

CITY OF ROME
 REMEDIAL INVESTIGATION
701 LAWRENCE STREET
 IRM LOCATION PLAN
 ONEIDA COUNTY, NEW YORK
 CITY OF ROME



Date
 JUNE, 2014

Scale
 AS SHOWN

Figure
3

File Number
 245.005

Checked by _____ Drawn by _____ JCS Designed by _____ ICT in charge of _____ SDN



Luquer St

Lawrence St

E Whitesboro St

Canalway Trail

Canalway Trail

Figure 4

© 2016 Google

Google earth

1997

Imagery Date: 5/13/2015 43°12'07.46" N 75°27'22.20" W elev 432 ft eye alt 995 ft



701 Lawrence St. Site #E633063
 Luquer & Lawrence
 Proposed Soil Cover Extent

arlton
 oguidice, D.P.C.
B&L

Figure
 5

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

701 Lawrence Street

Operable Unit Number: 01

Environmental Restoration Project

City of Rome, Oneida County, New York

Site No. E633063

The Proposed Remedial Action Plan (PRAP) for the 701 Lawrence Street Operable Unit Number 1 (OU-1) site was prepared by the New York State Department of Environmental Conservation (the Department) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on December 22, 2016. The PRAP outlined the remedial measure proposed for the contaminated soil and groundwater at the Operable Unit Number 1 at the 701 Lawrence Street (OU-1) site.

The release of the PRAP was announced by sending a notice to the public contact list, informing the public of the opportunity to comment on the proposed remedy.

A public meeting was held on January 19, 2017, which included a presentation of the remedial investigation, alternative analysis (RI/AA) for the 701 Lawrence Street (OU-1) site as well as a discussion of the proposed remedy. The meeting provided an opportunity for the public to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. The public comment period for the PRAP ended on February 7, 2017.

This responsiveness summary responds to all questions and comments raised during the public comment period. The following are the comments received at the public meeting, with the Department's responses:

COMMENT 1: Please explain what is a site cover? How much of the site would contain a soil cover?

RESPONSE 1: A site cover may consist of soil in green spaces, parking areas, sidewalks, buildings, or a combination of all of them. A site cover eliminates the potential for exposure to contaminants which may remain in subsurface soil and will be handled by the site management plan. For a commercial use remediation, the required thickness of the cover is one foot. For the 701 Lawrence Street Site the entire site requires a cover, but the composition of the cover will depend on the development plan for the site. The extent of the soil cover largely depends on the development plan for the site after it is clean. The City or other developer may choose to temporarily install a site-wide soil cover until the site is fully developed.

COMMENT 2: Another Environmental Restoration Program (ERP) site recently completed in Rome in 2015 and has a crowned soil cover, what is the purpose of that?

RESPONSE 2: The comment is referring to the cover installed at 1201 East Dominick Street site (Site #E633065). The site remedy consisted of a temporary site-wide soil cover. The soil cover was installed at the site so that the City of Rome could proceed with the completion of the remedial program for the site and receive a Certification of Completion (COC) and associated liability releases granted under the ERP. The land use for this site was restricted residential, so a two foot soil cover was placed on top of the existing ground surface and was sloped towards the site boundary to provide proper drainage. Additionally, soil was excavated around the perimeter of the site to accommodate the required two feet of cover at the site boundary. This soil was placed underneath the cover and tapered to meet the existing grade at the property boundaries, resulting in the crowned look of the site. Should the site be developed in the future, the temporary cover could be replaced by sidewalks, buildings, parking area or in areas of green space, soil as provided for by the cover for this site.

COMMENT 3: What is the time schedule for the next phase of the project? What comes next?

RESPONSE 3: The Department is issuing the Record of Decision (ROD) which memorializes the remedy for the site. Following the ROD, the City of Rome can market the property to a potential developer who would have to implement the ROD remedy. They could do so by entering the Department's Brownfield Cleanup Program. The City may also apply to the ERP, which is being reactivated, to conduct the remedy. The ERP is not presently taking applications but is anticipated to be activated in the near future.

After the City and/or new owner applies to any of the programs mentioned above and is accepted, a revised project schedule will be prepared and approved by the Department for implanting the remainder of the remedial program. The remainder of the remedial program would consist of preparing a Remedial Design, followed by Remedial Construction to implement the remedy in accordance with the ROD.

COMMENT 4: Can the city enter into the Brownfield cleanup program (BCP)? Does the BCP allow for co-applicants with the City?

RESPONSE 4: The City can apply to enter the BCP to implement the remainder of the remedial program. The City could also be a co-applicant with a private developer in the BCP.

APPENDIX B

Administrative Record

Administrative Record

701 Lawrence Street (OU-1)
Environmental Restoration Project
City of Rome, Oneida County, New York
Site No. E633063

1. Proposed Remedial Action Plan for the 701 Lawrence Street (OU-1) site, dated December 21, 2016 prepared by the Department.
2. State Assistance Contract, Contract No. C303404, between the Department and the City of Rome, June 2007.
3. Barton & Loguidice, P.C. (B&L). 2008, Site Investigation Work Plan.
4. Barton & Loguidice, P.C. (B&L). 2012, Interim Remedial Measures (IRM) Construction Completion Report.
5. Buck Engineering, LLC. 2002, Limited Scope Environmental Assessment
6. Alternatives Analysis Report (AAR) prepared by Barton & Loguidice, P.C. (B&L), dated May 2015.
7. Citizen Participation Plan, May 2008.