EXPLANATION OF SIGNIFICANT DIFFERENCE
NOSS INDUSTRIAL PARK SITE

City of Cortland / Cortland County / Site No. E712011 / November 2025

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

1.0 INTRODUCTION

The purpose of this notice is to describe the progress of the cleanup at the Noss Industrial Park Site (Site) and to inform you about a change in the Site remedy. The site is located at the terminus of Noss Park Drive in the City of Cortland, Cortland County (Figure 1 and 2). On March 27, 2018, the New York State Department of Environmental Conservation (NYSDEC or Department), in consultation with the New York State Department of Health (NYSDOH), issued a Record of Decision (ROD) which selected a remedy to cleanup the Site.

The remedy selected for the site, as documented in the ROD, included:

- excavation of approximately 1,000 cubic yards of contaminated soil;
- backfilling with clean, imported soil to replace the excavated soil and establish the designed grades at the site and to ensure that the top one foot of soil across the site met the commercial use soil cleanup objectives (SCOs);
- imposition of an of an Institutional Control (IC) on the site in the form of an environmental easement (EE) restricting the use of the site to commercial use as defined in Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York Part 375 (Part 375); and
- development of a Site Management Plan (SMP) including an Institutional and Engineering Control Plan.

Following completion of the first two elements of the remedy listed above (excavation and backfill), the City of Cortland proposed using a portion (1.5 acres) of the 4.76-acre site as a public dog park. Under Part 375, a dog park is considered an active recreational use and is subject to compliance with Restricted Residential Use SCOs (RR SCOs). Therefore, a cover system must be constructed which complies with restricted residential requirements. This would require construction of a cover that consists of pavement, concrete, hardscapes, etc., or two feet of soil which meets the RR SCOs. Partial use of the site as a public dog park also requires imposition of an EE which allows restricted residential use across a portion of the site used as a public dog park and commercial use across the remainder of the site. The site cover in the public dog park area may include paved surface parking areas, sidewalks or soil where the upper two feet of exposed surface soil meets the applicable SCOs for restricted residential use. Any fill material brought to the site will meet the requirements for the identified site use as set forth in 6 NYCRR 375-6.7(d).

This Explanation of Significant Difference (ESD) will become part of the Administrative Record for this Site. The information here is a summary of what can be found in greater detail in

documents that have been placed in the following repositories:
https://www.dec.ny.gov/data/DecDocs/E712011/

The documents are also available in person at these locations:

Cortland Free Library
32 Church Street
Cortland, NY 13405
(607) 753-1042

NYSDEC Region 7
5786 Widewaters Parkway
Syracuse, NY 13214
(315) 426-7400
By appointment only

Although this is not a request for comments, interested persons are invited to contact the Department's Project Manager for this site to obtain more information or have questions answered.

Stephanie Fitzgerald
NYSDEC Region 7
(315) 426-7525
stephanie.fitzgerald@dec.ny.gov

2.0 SITE DESCRIPTION AND ORIGINAL REMEDY

2.1 Site History, Contamination, and Selected Remedy

The Noss Industrial Park site is a 4.76-acre densely wooded unimproved parcel located at the terminus of Noss Park Drive, on the east side of Main Street. The eastern boundary of the site is formed by the former Rosen Brothers property, an EPA designated National Priorities List site (Region 7, NYSDEC class 2; Site ID No. 712004). The northern boundary of the site consists of a small strip of City-owned property followed by a rail line.

The site was occupied by the former Wickwire Brothers, Inc. wire factory from about 1866 to 1970. The site was formerly covered by the Nail Mill, Netting Mill, Glass Cloth Weave Mill and several storage buildings while the company was in existence. When buildings were demolished, a considerable amount of rubble was reportedly bulldozed into basements and was used to fill excavations, depressions, and large trenches. Some concrete floor slabs, foundation walls, and footings at or below ground level were reportedly not removed. A Phase I environmental investigation report also indicates that past use of the property for wire and woven wire manufacturing. In addition, chemical pickling of wire involved the use of strong acids. The property has been served by public sewers since approximately 1900. The City of Cortland obtained ownership of the site on November 1, 1979.

A Remedial Investigation (RI) was conducted to define the nature and extent of contamination resulting from previous activities at the Site with the final RI Report submitted in December

2015. Soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), and pesticides. A summary of the RI sample results includes the following:

- Soils containing levels of several metals exceeding “Unrestricted Use” SCOs are present within both the unsaturated zone and the saturated zone (to the approximately twenty-foot terminal depth of investigation). One or more SVOCs were detected at levels exceeding “Unrestricted Use” SCOs at one of twelve soil boring locations and at one of eleven test pit locations. There were no detections of analytical parameters in subsurface soil that exceeded “Commercial Use” SCOs (CU SCOs). There were no detections of analytical parameters in surface soil that exceeded CU SCOs with the exception of the samples collected from SS-6 (See Figure 3). The contaminants detected at this location included benzo(a)pyrene at 9.9 parts per million (ppm) in the 0” to 2” interval and 3.3 ppm in the 2” to 12” interval (compared to the CU-SCO of 1 ppm), benzo(b)fluoranthene at 14 ppm in the 0” to 2” interval (compared to the CU-SCO of 5.6 ppm), dibenzo(a,h,)anthracene at 1.5 ppm in the 0” to 2” interval (compared to the CU-SCO of 0.56 ppm) and arsenic at 28 ppm in the 0” to 2” interval (compared to the CU-SCO of 16 ppm).

Groundwater samples were collected from ten monitoring wells. The primary groundwater contaminant is the chlorinated VOC trichloroethene (TCE), which was present at concentrations exceeding the NYSDEC Class GA groundwater standard of 5 parts per billion (ppb) in 4 of 10 wells. Concentrations of TCE ranged from non-detect to 9 ppb with the maximum concentrations detected in the groundwater samples collected from the wells located in the northern portion of the site, (MW-6, MW-7, MW-9, and MW-10 on Figure 3), and adjacent to the Rosen Site.

The major component of the 2018 Record of Decision were 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. Excavation

All soils in the upper foot which exceed the commercial SCOs will be excavated and transported off-site for disposal.

It is estimated approximately 1,000 cubic yards of contaminated soil will be removed from the site.

Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil and establish the designed grades at the site.

3.Institutional Control

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

- require 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);
- allow the use and development of the controlled property for commercial use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and
- require 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.
This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- descriptions of the provisions of the environmental easement including any land use, and groundwater use restrictions;
- a provision for evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

B. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan

includes, but may not be limited to:

- monitoring of groundwater to assess the performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the Department;
- monitoring for vapor intrusion for any occupied existing or future buildings on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

3.0 CURRENT STATUS

Elements 1 and 2 of the ROD (as listed above) were completed between May and June 2022. Approximately 1 acre of the site was excavated a minimum of one foot and approximately 0.1 acre was excavated a minimum of two inches; a demarcation barrier was placed at the limit of the excavation, and clean backfill was placed to create the clean soil cover system and establish the design grades.

4.0 DESCRIPTION OF SIGNIFICANT DIFFERENCE

4.1 New Information

Following the completion of the remedial design and excavation of the selected remedy, the City of Cortland identified a desired change in the proposed future use of the site from commercial uses to a public dog park. Under Part 375, a public dog park is considered active recreation and is subject to compliance with Restricted Residential Use SCOs (RR SCOs). Therefore, the previously implemented remedial actions do not comply with soil cover requirements, as a commercial site requires one foot of soil, and a residential site requires two feet. Therefore, the placement of additional soil in combination with hardscape cover system elements are required to comply with RR SCOs in the area of the public dog park.

4.2 Comparison of Changes with Original Remedy

As stated in the ROD, excavation of contaminated soil and clean backfill to replace the excavated soil was required to meet the Remedial Action Objectives (RAO) to prevent contact with contaminated soil. Approximately 1,850 cubic yards of soil which exceeded commercial SCOs were excavated and transported off-site for disposal (see orange-shaded areas on Figure 4). Clean backfill meeting the requirements of 6 NYCRR Part 375-6.7(d) was brought in to replace the excavated soil and establish the designed grades at the site.

Due to the nature of a dog park, an additional soil placement or cover is needed to prevent contact with contaminated soil (per the RAO in the original ROD). The approximate area to be remediated to RR SCOs is 1.5 acres (See Figure 5 and 6 for the proposed public dog park area). A site cover will be required in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs), to allow for future restricted residential use of the site. Where a soil cover is to be used it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. In the areas where one-foot clean soil cover currently exists, an additional foot of clean soil will be added, creating a minimum of two feet of clean soil cover. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components

may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components may include, but are not necessarily limited to: pavement, concrete, paved surface parking areas, sidewalks, open air building foundations and building slabs.

The area of additional remediation will require a change in the imposition of an institutional control in the form of an environmental easement for the controlled property which will allow the use and development of this portion of the controlled property for restricted residential, commercial and/or industrial use for. The remaining 3.26 acres of the site will remain unchanged from the original March 2018 ROD, and the environmental easement will allow the use and development of this remaining portion of the controlled property for commercial and/or industrial use.

A requirement of the ROD which is unaffected by this ESD is to implement a monitoring plan to assess the performance and effectiveness of the remedy. The plan includes, but is not limited to:

- monitoring of groundwater to assess the performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the Department;
- monitoring for vapor intrusion for any buildings on the site, as may be required by the Institutional and Engineering Control Plan.

The remedy as described in this ESD has been determined to be protective of human health and the environment and achieves compliance with New York State Standards, Criteria, and Guidance. The new remedy will provide additional cover material on 1.5 acres of the site to allow for restricted residential use.

5.0 SCHEDULE AND MORE INFORMATION

If you have questions or need additional information you may contact any of the following:

Project-Related Questions
Stephanie Fitzgerald, Project Manager
NYSDEC Region 7
5786 Widewaters Parkway
Syracuse, NY 13214
315-426-7525
stephanie.fitzgerald@dec.ny.gov

Health-Related Questions
Shaun Surani
NYSDOH
Empire State Plaza
Corning Tower, Room 1787
Albany, NY 12237
518-402-7860
shaun.surani@health.ny.gov

11/3/2025
Date

Stephanie Fitzgerald, Project Manager
Region 7

11/3/2025
Date

Joshua Cook. RHWRE
Region 7

11/14/2025
Date

Jason Pelton, Director
Remedial Bureau D

11/19/2025
Date

David Harrington, Assistant Director
Division of Environmental Remediation

DECLARATION

The selected remedy is protective of public 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.

Noss Industrial Park
Site Location
City of Cortland, Cortland County, New York

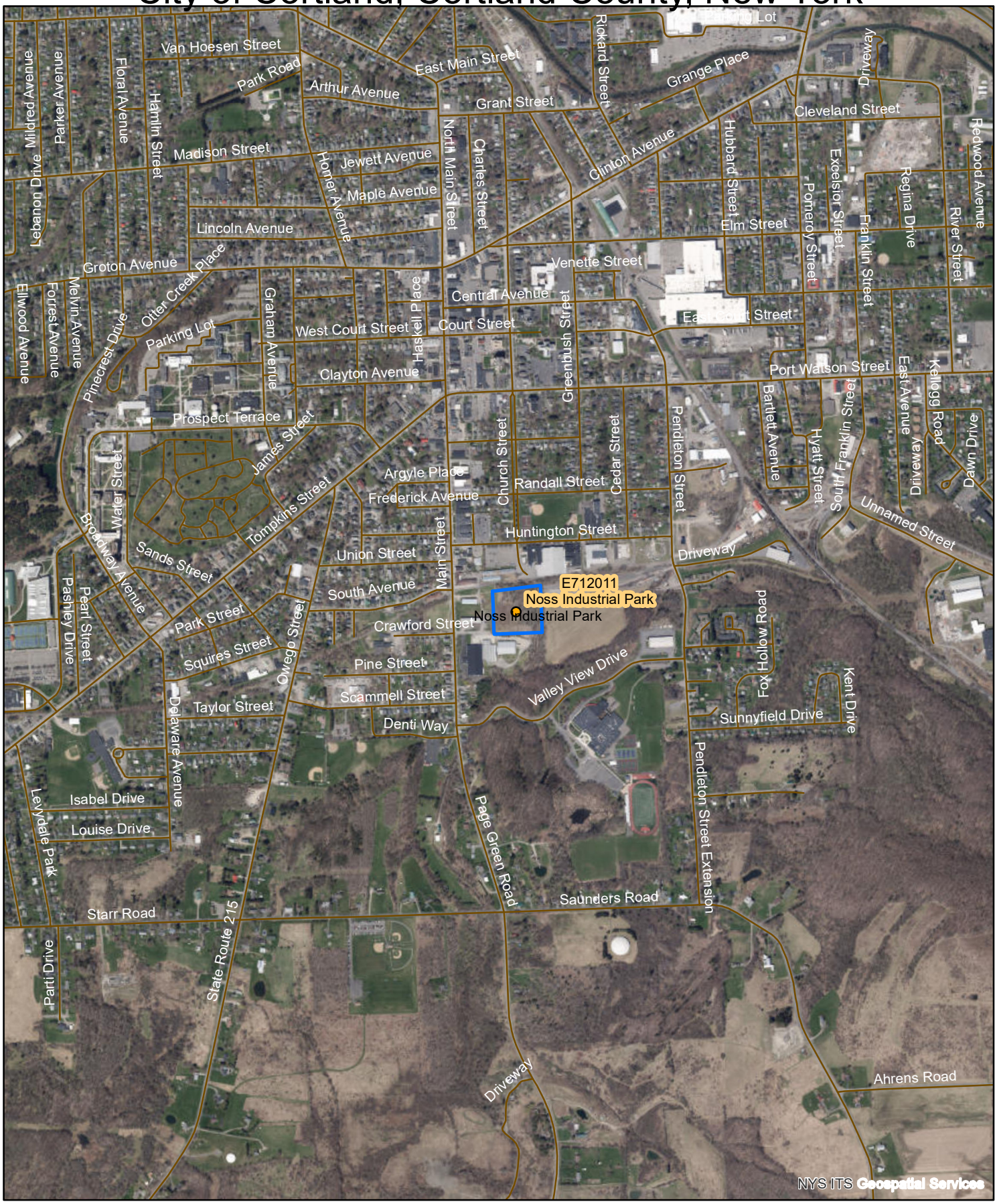

Figure 1

Property Boundary

N

0 625 1,250 2,500 Feet

CORTLAND COUNTY INDUSTRIAL DEV. (R.O.) 369/71

N89-28E
454.29'

SET I.R.

FENCE
1.2' OVER

FND. I.R.
0.2' E.

DEMUNN
(R.O.)
417/94

CITY OF CORTLAND
(REPUTED OWNER)
BOOK 363 OF DEEDS,
PAGE 152

4.76+ ACRES

DEMUNN
(R.O.)
469/6

N4-49E
437.36'

479.72'
S4-49W

ROSEN (R.O.) 367/1018

MON.
WELLS

3.8'

FND. I.R.
0.3' S.

NOSS PARK
DRIVE

452.31'
N85-11W

SET I.R,

SET I.R.

SCHUG (R.O.) 1050746-001

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C&S Engineers, Inc.
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Syracuse, New York 13212
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Noss Park Brownfield Site
City of Cortland
Cortland County, New York

N

0 Feet 100

PROJECT NO:	
DATE:	September 29, 2009
SCALE:	AS SHOWN
DRAWN BY:	WNR
DESIGNED BY:	WNR
CHECKED BY:	RW

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Site Survey Map

Figure 2

Benzo(a)pyrene | ***1.8 mg/kg***

Semivolatile Organics	0-2 inches	2-12 inches
Benzo(a)anthracene	10 mg/kg	
Benzo(a)pyrene	***9.9 mg/kg***	3.3 mg/kg
Benzo(b)fluoranthene	***14 mg/kg***	
Dibenzo(a,h)anthracene	***1.5 mg/kg***	0.6 mg/kg
Indeno(1,2,3-cd)pyrene	5.8 mg/kg	
Metals		
Arsenic, total	***28 mg/kg***	
Copper, total	330 mg/kg	390 mg/kg
Lead, total		1600 mg/kg

Metals	2-12 inches
Cadmium	11 mg/kg

Property Boundry = Site Boundry

Exceedences of commercial represented.
Exceedences of industrial are noted in bold italic letters. This occurs at SD-2, 0-2 inches and at SD-2.

SD-2 SD-3 SD-1
MW-6 MW-7 MW-8 MW-9 MW-10
SS-1 SS-2 SS-3 SS-4 SS-5 SS-6 SS-7 SS-8 SS-9 SS-10
TT-1 TT-2 TT-3 TT-4 TT-5 TT-6 TT-7 TT-8 TT-9 TT-10 TT-11
MW-1 MW-2 MW-3 MW-4 MW-5
B-2

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Legend

- Surface Samples (November 2015)
- Previous Sediment Sample
- Previous Monitoring Well
- Previous Surface Sample
- Previous Test Pits
- Previous Boring Location
- Property Boundary
- Approx. Former Building Limits

Noss Park Brownfield Site
City of Cortland
Cortland County, New York

N

0 Feet 100

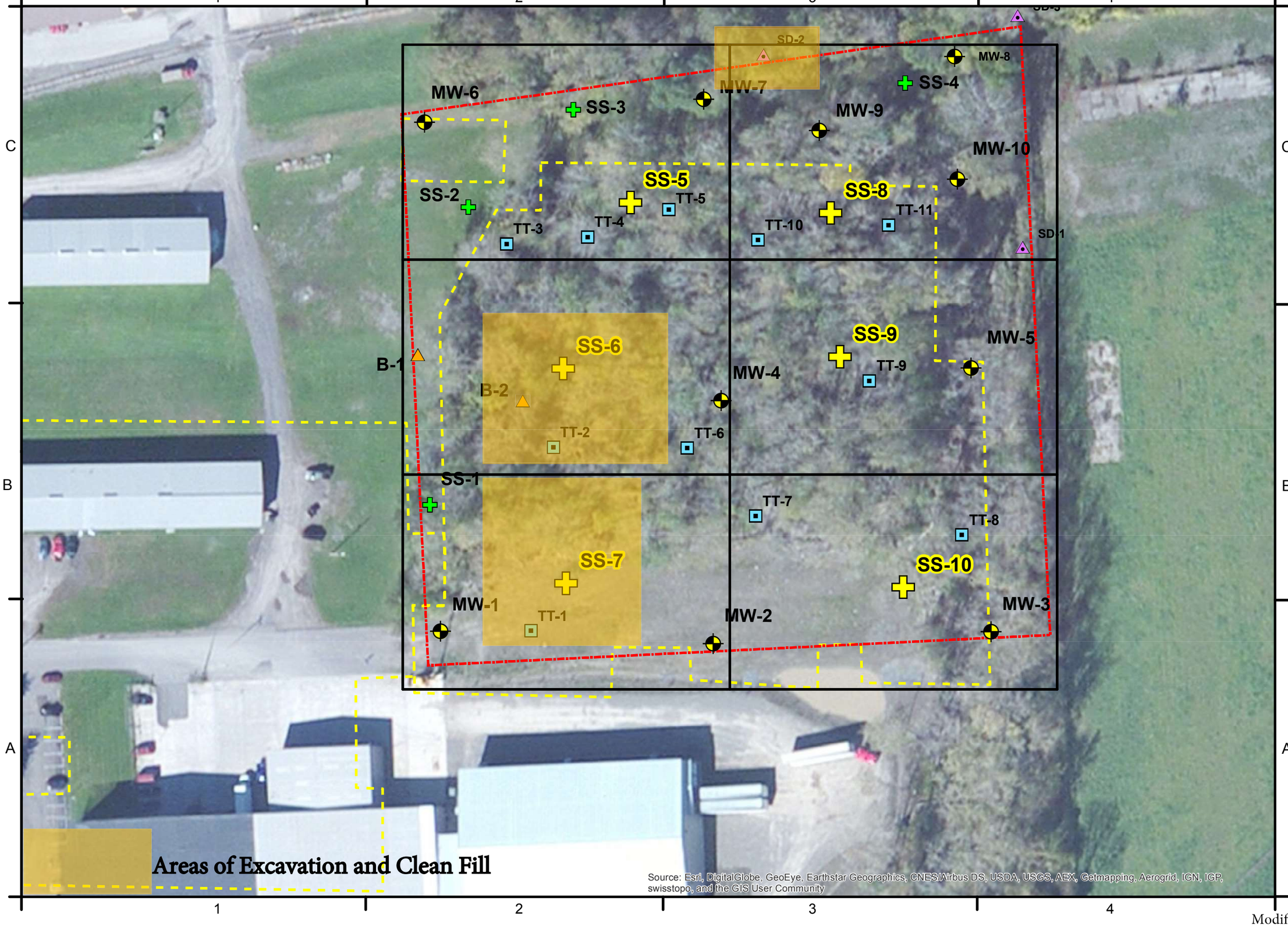
PROJECT NO:	
DATE:	Decemberr 2015
SCALE:	AS SHOWN
DRAWN BY:	WNR
DESIGNED BY:	WNR
CHECKED BY:	RW

9/29/09 - F:\Project\131 - CITY OF CORTLAND\131012001 - Noss Park Brownfield\GIS\Projects\Figure_3.mxd

RI/RAA Report
Soil Analytical Results

Figure 3

Modified By DEC, March 23, 2017



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Legend

- Surface Samples (November 2015)
- Previous Sediment Sample
- Previous Monitoring Well
- Previous Surface Sample
- Previous Test Pits
- Previous Boring Location
- Property Boundary
- Approx. Former Building Limits

Noss Park Brownfield Site
City of Cortland
Cortland County, New York

N

0 Feet 100

PROJECT NO:	
DATE:	Decemberr 2015
SCALE:	AS SHOWN
DRAWN BY:	WNR
DESIGNED BY:	WNR
CHECKED BY:	RW

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RI/RAA Proposed Remedy

Figure 4

Modified By DEC, March 23, 2017

Figure 3

Previous Remediation Limits

Legend

- Site
- Proposed Dog Park (Restricted Residential Use)
- Area to Remain for Commercial Use
- PDI Sampling Grid Boundaries

Soil Removal Limits

- Soil Removal Depth: 0 - 12"
- Soil Removal Depth: 0 - 4"
- Existing Soils Meet Restricted Residential SCOs

N

0 25 50 100 Feet

1 inch equals 50 feet
When printed at 11 in. by 17 in.

Noss Industrial Park
ERP Site No. E712011
Cortland, New York

Sources: . Created by C&S Engineers, Inc.

Date Saved: 1/4/2024 3:01 PM
User Name: cdelfatti

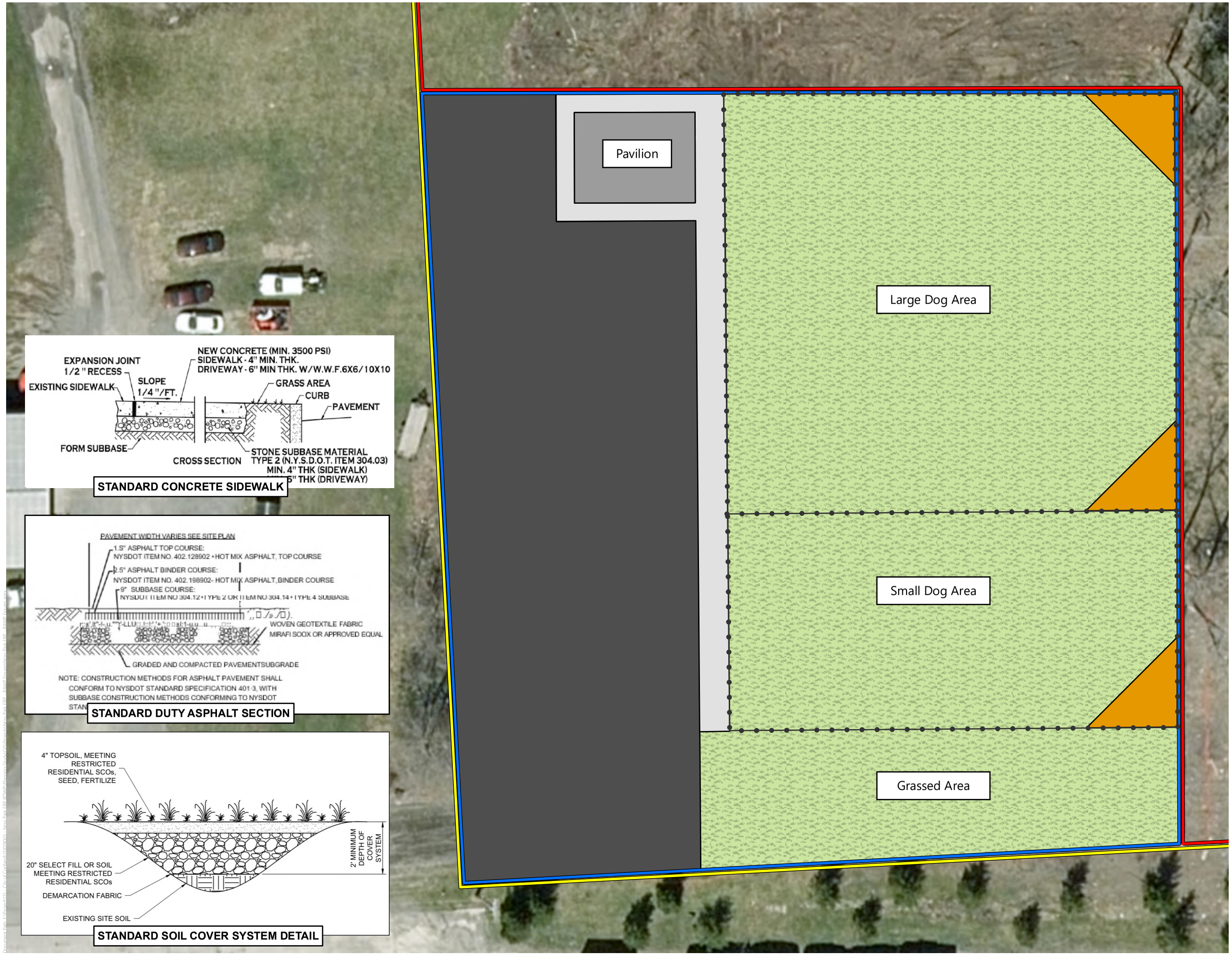

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Figure 4

Proposed Cover Elements

Legend

- Site
- Proposed Dog Park (Restricted Residential Use)
- Area to Remain for Commercial Use
- Fencing
- Pavilion Building Concrete Slab
- Concrete Sidewalk
- Asphalt Parking Lot
- Shade Structures
- Additional One Foot of Clean Soil Required

N

0 15 30 60 Feet

1 inch equals 30 feet
When printed at 11 in. by 17 in.

Noss Industrial Park
ERP Site No. E712011
Cortland, New York

Sources: . Created by C&S Engineers, Inc.

Date Saved: 8/12/2025 1:14 PM
User Name: wrandall