

CITIZEN PARTICIPATION PLAN

FORMER SCOTT AVIATION FACILITY AREA 1 LANCASTER, NEW YORK NYSDEC Project Number C915233

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February 2010

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1.0 CITIZEN PARTICIPATION ACTIVITIES

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

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

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

On behalf of Scott Technologies, Inc. (Applicant), AECOM Technical Services, Inc.¹ (AECOM) submitted an application on September 11, 2008 to enter the NYSDEC BCP per Title 6 New York State Official Compilation of Codes, Rules, and Regulations (NYCRR) Part 375-3.4 for the Former Scott Aviation Facility Area 1 (Site), located at the former Scott Aviation Facility, 225 Erie Street, Village of Lancaster, Erie County, New York (Attachment A, Figure 1). On August 12, 2009, the Brownfield Site Cleanup Agreement for the Site was executed. On September 1, 2004, the former Scott Aviation Facility was acquired by the current facility owner/operator, AVOX Systems, Inc. (AVOX). Scott Technologies, Inc., as former owner/operator of the facility, has applied for entry into the NYSDEC BCP as a Participant.

This Citizen Participation (CP) Plan was developed for the Former Scott Aviation Facility Area 1 to meet the requirements of Title 6 NYCRR Parts 375-1.10 and 3.10. Citizen participation is an essential component of this project that will be fully integrated with the technical component to achieve the most effective and environmentally sound remedial program. This participation will be accomplished by identifying the affected and/or interested public, establishing a local repository for the review of site

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

² Earth Tech, Inc. was acquired by AECOM Technical Services, Inc. during July 2008, merged its name to AECOM Technical Services, Inc. as of January 1, 2009.

documents, providing adequate notice of availability of site documents and public meetings, assessing the public concerns, and responding in an appropriate manner.

The Applicant, Scott Technologies, Inc., is committed to keeping the public informed and involved throughout the process of investigating and remediating this site as part of the NYSDEC BCP. This CP Plan provides members of the affected and interested public with information about how NYSDEC will inform and involve them during the investigation and remediation of this site. The public information and involvement program will be carried out with assistance, as appropriate, from Scott Technologies, Inc. Attachment A contains figures identifying the location of the site and the layout of the site facility.

1.1 PROJECT CONTACTS

Attachment B identifies NYSDEC project contact(s) to which the public should address questions or request information about the site's remedial program. The public's suggestions about this CP Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

1.2 DOCUMENT RESPOSITORIES

The locations of the site's document repositories are identified in Attachment B. The document repositories provide convenient access to important project documents for public review and comment. A copy of the agreement letter from the Lancaster Public Library to serve as a site document repository is included in Attachment B.

1.3 BROWNFIELD SITE CONTACT LIST

Attachment C contains the Brownfield Site Contact List (BSCL). This list has been developed to keep the community informed about, and involved in, the site's investigation and remediation process. The BSCL will be used periodically to distribute Fact Sheets that provide updates about the status of the project. These will include notifications of upcoming remedial activities at the site (e.g., fieldwork), as well as availability of project documents and announcements about public comment periods.

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

1.4 DESCRIPTION OF CP ACTIVITIES

Attachment D identifies the CP activities, at a minimum, that have been and will be conducted during the site's remedial program. The flowchart in Attachment E shows how these CP activities integrate with the site remedial process. The public is informed about these CP activities through fact sheets and notices developed at significant points in the site's remedial process.

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

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

This CP Plan may be revised due to changes in major issues of public concern identified in the nature and scope of remedial activities. Modifications may include additions to the BSCL and changes in planned citizen participation activities.

1.5 SITE REMEDIAL PROGRESS

The Brownfield site remedial process is described in the following subsections.

1.5.1 BCP Application

The Applicant has applied for and been accepted into New York's BCP as a Participant. This means that the Applicant was the owner of the site at the time of the disposal or discharges of contaminants or was otherwise liable for the disposal or discharge of the contaminants. The Participant must fully characterize the nature and extent of contamination onsite, as well as the nature and extent of contamination that has migrated from the site. The Participant must also conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish, and wildlife to contaminants on the site and to contamination that may have migrated from the site.

To achieve this goal, Scott Technologies, Inc. will conduct remedial activities at the site with oversight provided by the NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and Scott Technologies, Inc. on August 14, 2009 sets forth the responsibilities of each party in conducting a remedial program at the site.

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

1.5.2 Remedial Investigation

RI activities to be completed at the site to fill in existing data gaps, including the development of an RI/AA Work Plan are described below. Upon completion of RI activities, the Applicant will prepare an AA Report. This report will summarize the results of the RI and a remedial alternatives analysis will be completed. The AA Report is subject to review and approval by NYSDEC. Before the AA Report is approved, a Fact Sheet that describes the AA Report will be sent to the BSCL. A copy of the Fact Sheet and the Final AA Report will be placed in the site document repositories.

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

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

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

1.5.3 Remedy Selection

After NYSDEC approves the AA Report, the Applicant will develop a Remedial Design Work Plan (RDWP) for any remediation that is required. The RDWP describes how the Applicant will address the contamination related to the site.

The public will have the opportunity to review and comment on the draft RDWP. The BSCL will be sent a Fact Sheet that describes the draft RDWP and announces a 45-day public comment period. NYSDEC will factor this input into its decision to approve, reject, or modify the draft RDWP.

A public meeting may be held by NYSDEC about the proposed RDWP if requested by the affected community and if significant substantive issues are raised about the draft RDWP. Please note that, in order to request a public meeting, the health, economic well-being, or enjoyment of the environment of those requesting the public meeting must be threatened or potentially threatened by the site. In addition, the request for the public meeting should be made within the first 30 days of the 45-day public comment

period for the draft RDWP. A public meeting also may be held at the discretion of the NYSDEC project manager in consultation with other NYSDEC staff as appropriate.

1.5.4 Construction

Approval of the RDWP by NYSDEC will allow the Applicant to design and construct the alternative selected to remediate the site. The BSCL will receive notification before the start of site remediation. When the Applicant completes remedial activities, it will prepare a final engineering report that certifies that remediation requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the remediation is protective of public health and the environment for the intended use of the site. The BSCL will receive a Fact Sheet that announces the completion of remedial activities and the review of the final engineering report.

1.5.5 Certificate of Completion and Site Management

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

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

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

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

2.0 BACKGROUND

2.1 SITE DESCRIPTION

The addresses that comprise the current AVOX facility (formerly Scott Technologies, Inc.) include: 225 Erie Street, 25 Walter Winter Drive, and 27 Walter Winter Drive, in Lancaster, Erie County, New York 14086. Figure 2 in Attachment A shows that the facility property encompasses three separate areas: the original 6.5-acre Plant 1 Area to the south of Erie Street, an 8.4-acre Plant 2 and Plant 3 Area to the north of Erie Street with the secondary addresses of 25 and 27 Walter Winter Drive, and an undeveloped 10.1-acre Northern Area to the north of the Plant 2 and Plant 3 Area. Walter Winter Drive is located immediately to the east of the Plant 2 and Plant 3 Area. The Plant 1 Area is comprised of three adjacent parcels: a 3.8-acre central parcel (zoned light industrial) on which Plant 1 is located; a vacant 1.1-acre parcel zoned light industrial to the west of the central parcel; and a vacant 1.6-acre parcel zoned residential to the east of the central parcel. The proposed BCP boundary for Area 1 (approximately 1.1 acres) is identified on Figure 2 in Attachment A.

2.2 PREVIOUS SITE ASSESSMENTS AND INVESTIGATIONS

A description of previous site assessment and investigation activities for Area 1 is provided in the following subsections. Additional information on each assessment or investigation can be found in the following documents:

- Phase I Environmental Site Assessment and Modified Compliance Assessment, Tyco/Scott Aviation Facility, Lancaster, New York (Earth Tech, April 2004);
- Phase II Environmental Site Investigation, Tyco/Scott Aviation Facility, Lancaster, New York (Earth Tech, June 2004; Revised April 2008); and
- Preliminary Groundwater Assessment Report, Former Scott Aviation Facility, Lancaster, New York (Earth Tech, January 2008).

2.2.1 Phase I Environmental Site Assessment

In 2004, a Phase I Environmental Site Assessment (ESA) was conducted at a level of effort consistent with American Society for Testing Materials (ASTM) Standard Practice E1527-00 to evaluate the environmental status of the entire former Scott Aviation Property. A detailed study of historical aerial photographs included in Appendix E of the Phase I ESA Report indicated an area of potentially disturbed soil on the west side of Plant 1, south of the existing visitor parking area, and just outside the Plant 1 western perimeter fence line on the adjacent vacant parcel owned by the facility (Earth Tech, April 2004).

2.2.2 Phase II Environmental Site Investigation

A Phase II Environmental Site Investigation (ESI) was completed in 2004 for the entire Scott Aviation Facility to address environmental concerns described in the Phase I ESA Report, including the area of potentially disturbed soil on the west side of Plant 1. The Phase II ESI was conducted at a level of effort consistent with ASTM Standard Practice E1903-97, Guide for Environmental Site Assessments.

During a visual inspection of the area to the west of Plant 1, Earth Tech personnel noted miscellaneous debris (empty steel compressed gas cylinder, fire brick, etc.) scattered across the ground surface and partially buried. On March 29, 2004, seven test pits were excavated on the west side of the Plant 1 perimeter fence to investigate the extent of the miscellaneous debris.

In two of the test pits (TP-24A and TP-24C), what appeared to be residual paint sludge (yellow, amber, and green colors detected in the soil) of unknown origin, was observed. The paint sludge was located approximately 18 to 24 inches below ground surface (bgs), was less than one foot thick (typically six inches), and encompassed approximately 150 square feet in area (determined from a visual inspection of the test pits). Grab samples of the soil located below the observed paint sludge were collected and submitted for laboratory analysis, including volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and metals plus cyanide. Subsequent laboratory analysis indicated elevated concentrations of VOCs and SVOCs within the grab soil samples. A complete summary of the Phase II ESI investigation at Area 1 is presented in the Phase II ESI Summary Report (Earth Tech, June 2004; Revised April 2008).

2.2.3 Interim Remedial Measure for Soil at Area 1

On June 28, 2005, Earth Tech, in accordance with the Interim Remedial Measure (IRM)/Supplemental Site Investigation Work Plan, performed an initial excavation of the buried paint sludge material located to the west of Plant 1. Earth Tech removed all residual paint sludge material and a minimum 1-foot buffer of soil vertically and horizontally around the visible material. The initial excavation footprint was approximately 14 feet by 18 feet, and the depth of the excavation ranged between 3.5 and 4 feet bgs. A total of 40 cubic yards of material (two rolloff boxes) were removed for subsequent off-Site disposal.

Three sidewall (sample identification numbers S-1, S-2, and S-3) and one floor (B-1) confirmation soil samples were collected and submitted for analysis of VOCs and phenols by Severn Trent Laboratories, Inc. (STL) of Amherst, New York. All sidewall sample results were below New York State Technical and Administrative Guidance Memorandum (TAGM) 4046 soil criteria, which was the appropriate screening criterion to be used for soil at the time the IRM was performed. In the excavation floor confirmation soil sample, ethylbenzene (14 parts per million [ppm]), toluene (15 ppm), trichloroethene (TCE; 1.2 ppm), xylenes (130 ppm), and phenol (54 parts per billion) were detected at levels above the TAGM 4046 soil criteria (Earth Tech, January 2008).

As a result of the soil concentration exceedances for confirmation soil sample number B-1, Earth Tech excavated an additional 2 feet of soil vertically within the existing excavation footprint on July 11, 2005, extending the total excavation depth to approximately 5.5 to 6 feet bgs. An additional 20 cubic yards of soil (one rolloff box) were removed for subsequent off-Site disposal. One confirmation soil sample (sample identification number B-1A) was collected at the bottom of the excavation and analyzed for VOCs and phenol by STL. Analytical results indicated TAGM 4046 soil criteria exceedances for toluene (17 ppm), 1,1,1-trichloroethane (1,1,1-TCA; 51 ppm), TCE (43 ppm), and xylenes (41 ppm) in the sample (Earth Tech, January 2008). Further excavation was not completed during the IRM because groundwater was encountered at approximately 6 feet bgs, and the scope of work for the IRM only addressed vadose zone soil. Additionally, no remaining visible paint sludge material was observed within the soil excavation footprint.

The 60 cubic yards of soil that was excavated to the west of Plant 1 was characterized for disposal by STL. The resulting analytical data indicated that the excavated soil was non-hazardous. The soil was subsequently disposed at a Waste Management landfill located in Lewiston, New York (Earth Tech, January 2008).

2.2.4 Preliminary Groundwater Assessment

As a result of the elevated VOC and SVOC (phenol only) soil concentrations detected in the excavation bottom at Area 1 during the 2005 IRM, a Preliminary Groundwater Assessment (PGA) was performed in 2006 and 2007. The purpose of the PGA was to assess the nature and extent of VOCs in groundwater in the vicinity of Area 1. The PGA Report was provided to NYSDEC in November 2007 with revised pages provided to the NYSDEC in January 2008 (Earth Tech, January 2008). The PGA Report was developed in accordance with the Draft DER-10 Technical Guidance for Site Investigation and Remediation (NYSDEC, December 2002). A summary of the PGA results for Area 1 is provided below.

The PGA at Area 1 was performed using Geoprobe[®] sampling techniques and completed in three separate phases: 1) Phase I – February through March 2006; 2) Phase II - May 2006; and 3) Phase III - May 2007. Soil borings were completed to bedrock (or refusal) using DPT sampling techniques. Continuous soil samples were obtained at each location using 2-inch diameter Geoprobe[®] Macro-Core[®] samplers. Based on lithologic characterization activities, subsurface materials encountered in Area 1 were determined to be primarily comprised of silts and clays with sand lenses (identified as the shallow overburden unit), underlain by a thin, coarser-grained silt, sand, and gravel layer (identified as the deep overburden unit) located immediately above bedrock. Depth to bedrock (refusal) ranged from 18 to 23.5 feet bgs at Area 1. Bedrock was comprised of black shale.

Eighteen, one-inch diameter temporary piezometers were installed and screened across the water table (shallow overburden groundwater) at each boring location following the collection of a deep overburden groundwater sample using a Geoprobe[®] SP-15 sampling tool. Deep overburden groundwater piezometers were not installed for the PGA at Area 1.

Groundwater surface elevations were measured periodically at Area 1 during and following each phase of the PGA. Based on these measurements, the shallow overburden groundwater flow direction beneath Area 1 was primarily inward, towards the existing on-Site storm water sewer system.

Groundwater samples were collected from each of the temporary piezometers installed at Area 1 using low-flow sampling techniques that included a peristaltic pump and dedicated poly tubing. Groundwater samples were analyzed for Target Compound List (TCL) VOCs by Environmental Protection Agency (EPA) SW846 Method 8260B, and select groundwater samples in Area 1 were also analyzed for TCL SVOCs by EPA SW846 Method 8270C.

A total of 26 VOCs and four SVOCs were detected in groundwater at Area 1. Eighteen of the 26 VOCs were detected at concentrations exceeding their respective Title 6 NYCRR Part 703 Class GA Groundwater Standards. TCE is present in the shallow overburden groundwater (90,000 micrograms per liter [ug/L]) and deep overburden groundwater (6,600 ug/L) at the highest concentration and largest areal extent of all chemical constituents detected in groundwater at Area 1. The lateral extent of TCE was delineated in both overburden groundwater units during the PGA and was limited in aerial extent to within the existing facility property boundary southwest of Plant 1.

2.3 NATURE AND EXTENT OF CONTAMINATION

The lateral extent of groundwater contamination at Area 1 has been delineated in both the shallow and deep overburden groundwater units, and it appears to be limited in aerial extent to within the existing facility property boundary southwest of Plant 1. At this time, the vertical extent of contamination has not been established. Completion of site delineation and characterization activities to address existing site investigation data gaps for Area 1 is described in detail in Section 2.0 of this CP Plan.

3.0 PROJECT DESCRIPTION

3.1 REMEDIAL INVESTIGATION SCOPE OF WORK

Previous site investigation results for Area 1 were reviewed to develop the scope of work for the Remedial Investigation (RI)/Alternatives Analysis (AA). A detailed RI/AA Work Plan for Area 1 was developed in accordance with NYSDEC's Draft DER-10 Technical Guidance for Site Investigation and Remediation (NYSDEC, December 2002). A copy of DER-10 is available for download at http://www.dec.ny.gov/docs/remediation_hudson_pdf/der10dr.pdf. In addition, the RI/AA Work Plan for Area 1 also meets the requirements of Title 6 NYCRR Parts 375-1.6, -1.8 and 375-3.6, -3.8. A copy of the RI/AA Work Plan for Area 1 is available in the site document repository (refer to Section 3.0 of this CP Plan for more information) for public viewing.

Based on a review of the existing site investigation data for Area 1, the following activities are proposed to be completed during the RI to address existing site data gaps:

- Completion of a soil vapor intrusion evaluation at AVOX Plant 1;
- Collection of groundwater levels from the existing network of temporary piezometers;
- Performance of a utility clearance;
- Installation, development, and collection of groundwater samples for six permanent monitoring wells in shallow (3 wells) and deep (3 wells) overburden groundwater and one permanent monitoring well in bedrock;
- Installation and development of two temporary piezometers with subsequent collection of groundwater samples;
- Survey of permanent monitoring wells and temporary piezometers. Completion of an ALTA survey to establish the boundaries of Area 1 for the BCP;
- Completion of aquifer characterization testing at one shallow and one deep overburden permanent monitoring well;
- Collection of soil characteristic parameter samples; and
- Collection of a soil investigation-derived waste composite sample for disposal purposes.

RI activities will be conducted in accordance with the Draft DER-10 Technical Guidance for Site Investigation and Remediation (NYSDEC, December 2002) and Title 6 NYCRR Parts 375-1.6 and 375-3.6.

3.2 ALTERNATIVES ANALYSIS APPROACH

The approach for selecting an appropriate remedial alternative for a site consists of developing a list of potentially applicable remedial technologies, screening the list of technologies, assembling a focused list of remedial alternatives, and evaluating the focused list of remedial alternatives. AA activities will be conducted in accordance with the Draft DER-10 Technical Guidance for Site Investigation and Remediation (NYSDEC, December 2002) and Title 6 NYCRR Parts 375-1.8 and 375-3.8.

3.2.1 Remedial Goals and Remedial Action Objectives Development

The results from the RI activities described in Section 2.1 of this CP Plan and previous site investigations will be utilized to establish remedial goals and to develop remedial action objectives (RAOs) for Area 1. RAOs are medium-specific objectives for the protection of public health and the environment and are developed based on contaminant-specific Standards, Criteria, and Guidance (SCGs).

Once the RAOs are developed, a list of potentially applicable remedial technologies for Area 1 will be developed and subsequently screened. The initial screening process will be used to develop a focused list of applicable remedial alternatives that will be more fully evaluated. Criteria used to initially screen potentially applicable remedial technologies include site, contaminant, and technology characteristics. A description of each criterion is provided below:

- Site characteristics: All site investigation data will be reviewed to identify conditions that may limit or preclude the use of certain technologies. Technologies whose use are clearly precluded by site characteristics will be eliminated from further consideration;
- Contaminant characteristics: Identification of contaminant characteristics that limit the effectiveness or feasibility of technologies is an important part of the screening process. Technologies clearly limited by these contaminant characteristics will be eliminated from consideration. Contaminant characteristics particularly affect the feasibility of in situ methods, direct treatment methods, and land disposal (on/off site); and
- Technology limitations: During the screening process, the level of technology development; the performance record; and the inherent construction, operation, and maintenance problems will be identified for each technology considered. Technologies that are unreliable, perform poorly, or are not fully demonstrated will be eliminated during the screening process.

3.2.2 Alternatives Analysis

Technologies which pass the initial screening will be subsequently used to develop remedial alternatives for Area 1. Each alternative will be evaluated according to the following standards:

- Overall protection of human health and the environment;
- Compliance with SCGs;
- Long-term effectiveness and permanence;
- Reduction of toxicity, mobility, or volume with treatment;
- Short-term effectiveness;
- Implementability (i.e., technical and administrative); and
- Cost (i.e., capital, operation and maintenance, and present worth).

An additional evaluation criterion, community acceptance, will be considered as modifying criteria after the public comment period has concluded.

3.2.3 Project Schedule

The RI/AA is expected to be completed by spring 2010, with work to start shortly after approval of the Final RI/AA Work Plan for Area 1 by NYSDEC. A chart that depicts the duration of the individual tasks which comprise this project is included as Figure 6 in the RI/AA Work Plan.

4.0 MAJOR ISSUES OF PUBLIC CONCERN

This Site does not currently contain any major environmental issues of public concern. If major issues arise, the stakeholders in the attached Brownfield site contact list (Appendix C) will be immediately contacted.

5.0 GLOSSARY OF KEY TERMS AND MAJOR PROGRAM ELEMENTS

5.1 DEFINITIONS OF COMMONLY USED CITIZEN PARTICIPATION TERMS

Availability Session - Scheduled gathering of the Department staff and other involved individuals with the public in a setting less formal than a public meeting. This setting encourages "one-to-one" discussions in which the public meets with people involved with the project on an individual or small group basis to discuss particular questions or concerns.

Brownfield Site Contact List (BSCL) - Names, addresses and/or telephone numbers of individuals, groups, organizations and media interested and/or affected by a particular site. Interest in the site, stage of remediation, and other factors guide how comprehensive the list becomes.

Citizen Participation - A process to inform and involve the interested/affected public in the decision-making process during identification, assessment, and remediation of Brownfield Cleanup Program sites. This process helps to assure that the best decisions are made from environmental, human health, economic, social, and political perspectives.

Citizen Participation (CP) Plan - A document that describes the site-specific citizen participation activities that will take place to complement the "technical" (remedial) activities. It also provides site background and rationale for the selected citizen participation program for the site. A plan may be updated or altered as public interest or the technical aspects of the program change.

Citizen Participation Specialist - A NYSDEC department staff member or designated representative who provides guidance, evaluation and assistance to help the Project Manager carry out the site-specific Citizen Participation program.

Document Repository - Typically a regional NYSDEC office and/or public building, such as a library, near a particular site, at which documents related to remedial and citizen participation activities at the site are available for public review. Provides access to documents at times and a location convenient to the public. Environmental Management Council (EMCs), Conservation Advisory Committees (CACs) as well as active local groups often can serve as supplemental document repositories.

Fact Sheet - A written discussion about part or all of a site's remedial process. A Fact Sheet may focus on: a particular element of the site's remedial program; opportunities for public involvement; availability of a report or other information; or announcement of a public meeting or comment period.

Project Manager - A department staff member within the Division of Environmental Remediation (DER) (usually an engineer, geologist or hydrogeologist) responsible for the day-to-day administration of activities, and ultimate disposition of, one or more hazardous waste sites. The Project Manager works

with the Office of Public Affairs as well as fiscal and legal staff to accomplish site-related goals and objectives.

Public - The universe of individuals, groups and organizations: a) affected (or potentially affected) by an inactive hazardous waste site and/or its remedial program; b) interested in the site and/or its remediation; c) having information about the site and its history.

Public Meeting - A scheduled gathering of the Department staff and the public to give and receive information, ask questions and discuss concerns. It may take one of the following forms: large-group meeting called by the Department; participation by the Department at a meeting sponsored by another organization such as at town board or Department of Health; working group or workshop; tour of the hazardous waste site.

Responsiveness Summary - A formal written summary and response by the Department to public questions and comments. Prepared during or after important elements in a site's remedial program. The responsiveness summary may list and respond to each question, or summarize and respond to questions in categories.

5.2 DEFINITIONS OF SIGNIFICANT ELEMENTS AND TERMS OF THE REMEDIAL PROGRAM

Remedial Investigation (RI) - A process to determine the nature and extent of contamination at a site by collection and analysis of data. It includes sampling and monitoring, as necessary, and includes the gathering of sufficient information to determine the necessity for, and proposed extent of, a remedial program for the site.

Alternatives Analysis (AA) - A process for developing, evaluating and selecting remedial actions, using data gathered during the remedial investigation to: define the objectives of the remedial program for the site and broadly develop remedial action alternatives; perform an initial screening of these alternatives; and perform a detailed analysis of a limited number of alternatives which remain after the initial screening stage.

Remedial Design - Once a remedial action has been selected, technical drawings and specifications for remedial construction at a site are developed, as specified in the final RI report. Design documents are used to bid by consulting engineers with experience in inactive hazardous waste disposal site remedial actions.

Construction - Applicant selects contractor(s) and supervises construction work to carry out the designed remedial alternative. Construction may be as straightforward as excavation of contaminated soil with disposal at a permitted hazardous waste facility. On the other hand, it may involve drum sampling and identification, complete encapsulation, leachate collection, storage and treatment, groundwater

management, or other technologies. Construction costs may vary from several thousand dollars to many millions of dollars, depending on the size of the site, the soil, groundwater and other conditions, and the nature of the wastes.

Monitoring/Maintenance - Denotes post-closure activities to insure continued effectiveness of the remedial actions. Typical monitoring/maintenance activities include quarterly inspection by an engineering technician; measurement of concentration of waste in monitoring wells; or collection of groundwater and surface water samples and analysis for factors showing the condition of wastes, presence of toxic substances, or other indicators of possible pollution from the site. Monitoring/maintenance may be required indefinitely at many sites.

Contract - A legal document signed by a contractor and the Department to carry out specific site remediation activities.

Contractor - A person or firm hired to furnish materials or perform services, especially in construction projects.

6.0 REFERENCES

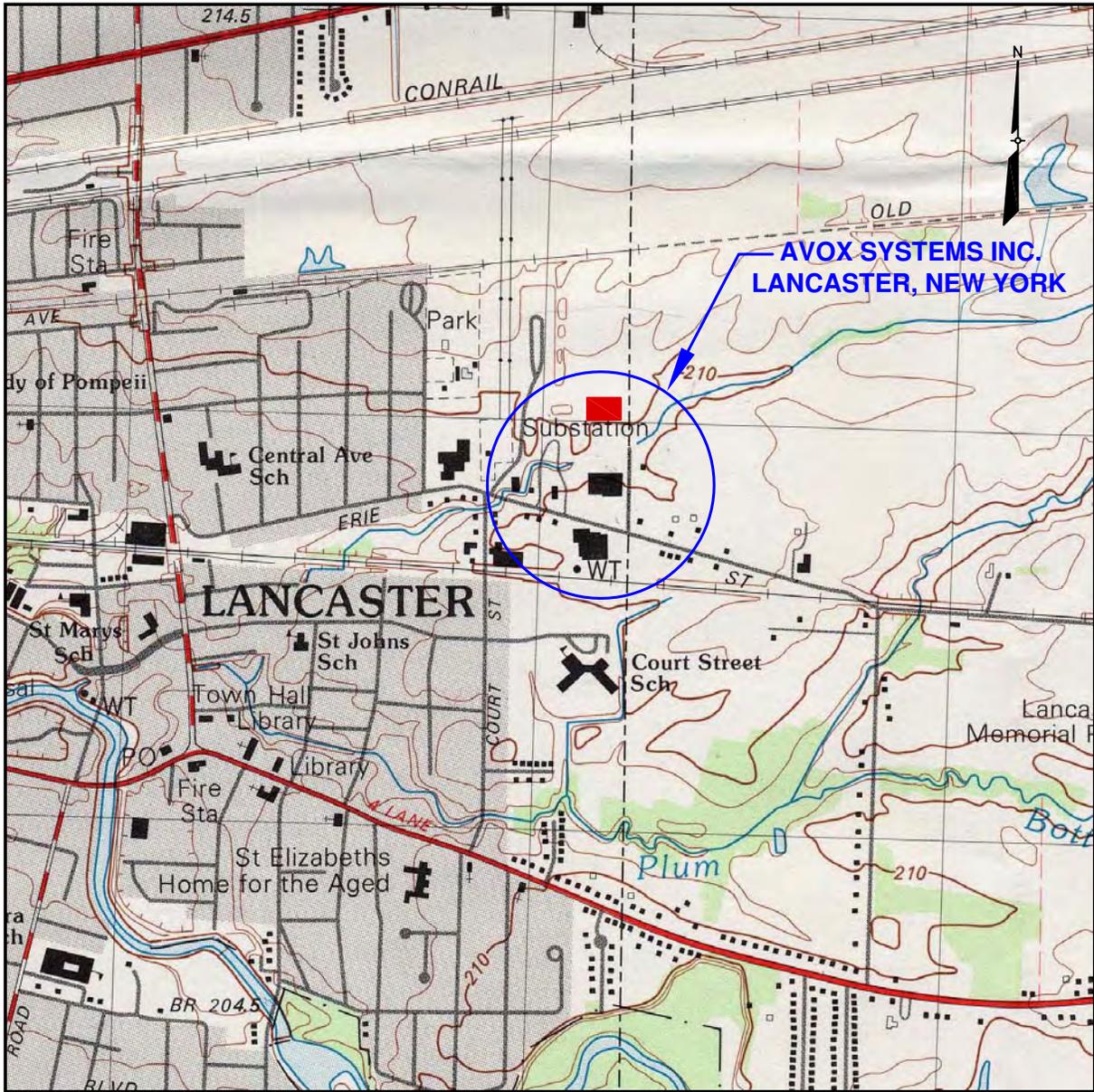
Earth Tech, April 2004, Revised April 2008. Phase I Environmental Site Assessment and Modified Compliance Assessment. Tyco Safety Products – Former Scott Aviation Site, Lancaster, New York. NYSDEC Site Code No. 9-15-149.

Earth Tech, June 2004, Revised April 2008. Phase II Environmental Site Investigation Summary Report. Tyco Safety Products – Former Scott Aviation Site, Lancaster, New York. NYSDEC Site Code No. 9-15-149.

Earth Tech, November 2007, Revised January 2008. Preliminary Groundwater Assessment Report. Tyco Safety Products – Former Scott Aviation Site, Lancaster, New York. NYSDEC Site Code No. 9-15-149.

New York State Department of Environmental Conservation, December 2002. Draft DER-10 – Technical Guidance for Site Investigation and Remediation.

ATTACHMENT A
SITE FIGURES



SOURCE:
 1982 GEOLOGIC SURVEY 7.5 X 15 MINUTE TOPOGRAPHIC QUADRANGLE
 LANCASTER, NEW YORK

LEGEND

■ AVOX PLANT 3 ADDED AFTER PUBLICATION OF LANCASTER, NEW YORK TOPOGRAPHIC QUADRANGLE.

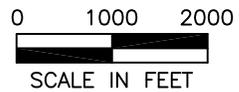


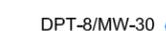
FIGURE 1
 SITE LOCATION MAP

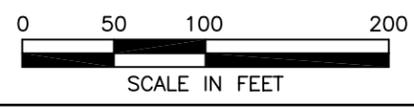
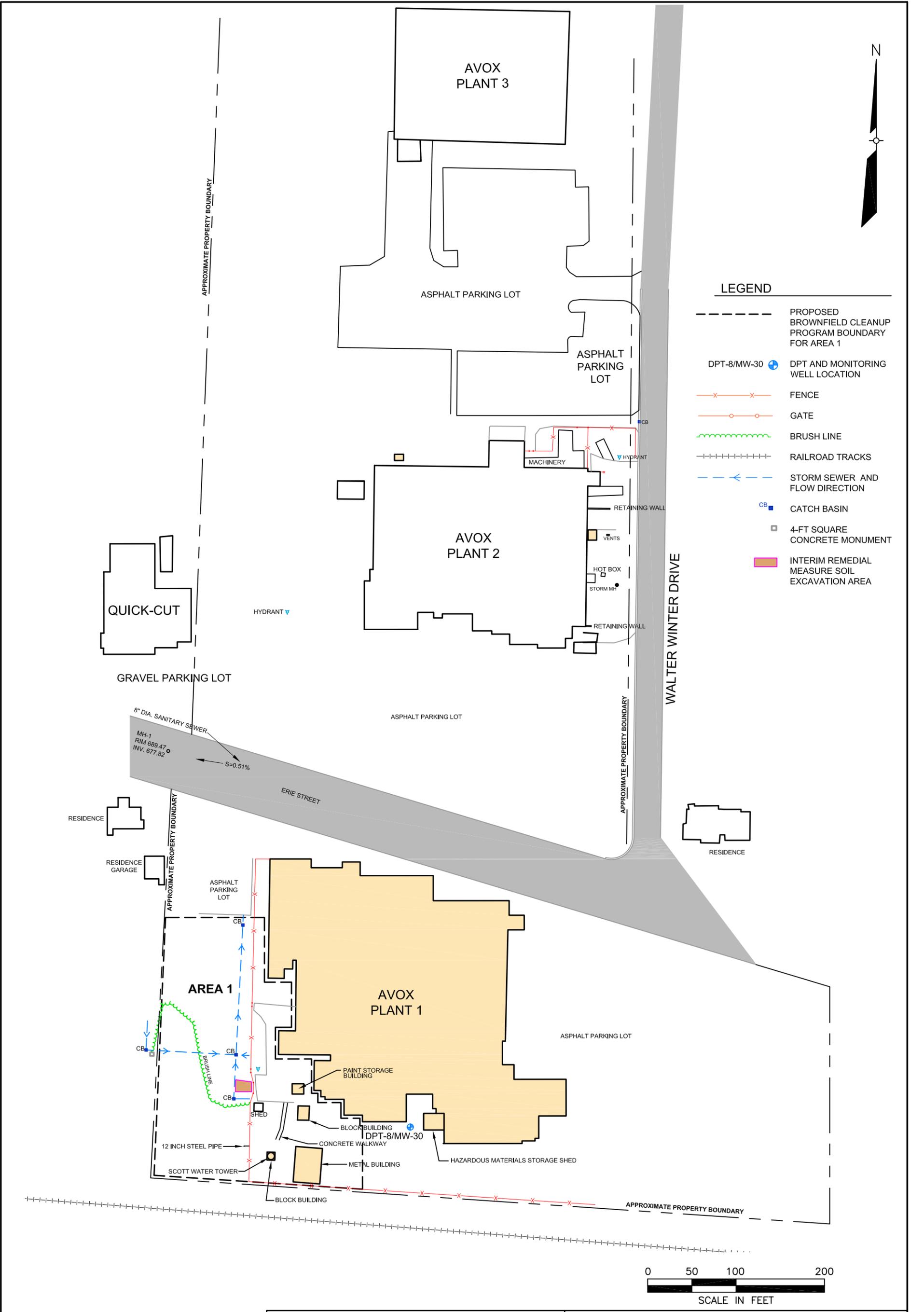
FORMER SCOTT AVIATION FACILITY AREA 1
 LANCASTER, NEW YORK

AECOM



LEGEND

-  PROPOSED BROWNFIELD CLEANUP PROGRAM BOUNDARY FOR AREA 1
-  DPT-8/MW-30 DPT AND MONITORING WELL LOCATION
-  FENCE
-  GATE
-  BRUSH LINE
-  RAILROAD TRACKS
-  STORM SEWER AND FLOW DIRECTION
-  CATCH BASIN
-  4-FT SQUARE CONCRETE MONUMENT
-  INTERIM REMEDIAL MEASURE SOIL EXCAVATION AREA



**FIGURE 2
FACILITY LAYOUT MAP**

FORMER SCOTT AVIATION FACILITY AREA 1
LANCASTER, NEW YORK

ATTACHMENT B

PROJECT CONTACT AND DOCUMENT REPOSITORY INFORMATION

PROJECT CONTACTS

For additional information about the remedial program at the Former Scott Aviation Facility Area 1, Lancaster, New York, the public is encouraged to contact any of the following people:

PROJECT MANAGEMENT

NYSDEC

Environmental Concerns

Linda Ross, CPG
Division of Environmental Remediation
NYSDEC, Region 9
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7220

Citizen Participation

Mark Baetzhold
Citizen Participation Specialist
NYSDEC - Region 9
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7220

NYSDOH

Health-Related Concerns

Tamara S. Girard, MPH
Public Health Specialist II
Bureau of Environmental Exposure Investigation
New York State Department of Health
547 River Street, Room 300
Troy, New York 12180-2216
Phone: (518) 402-7870

Scott Technologies, Inc.

John Perkins, CHMM
Director, Environment, Health & Safety
6600 Congress Avenue
Boca Raton, Florida 33487
(561) 912-6197

AECOM Technical Services, Inc.

Dino Zack, P.G.
Project Manger
100 Corporate Parkway
University Corp. Centre 100
Corporate Parkway, Suite 341
Amherst, New York 14226
Phone: (716) 836-4506 Ext. 15
Fax: (716) 834-8785
E-mail: dino.zack@aecom.com

DOCUMENT REPOSITORIES

Documents related to the RI/AA for the Former Scott Aviation Facility Area 1 site in Lancaster, New York are available for public review at the following locations:

Lancaster Public Library
5466 Broadway
Lancaster, New York 14086
Phone: (716)683-1120

Summer (Memorial Day-Labor Day)
Closed Sunday

Hours	
Monday	10:00 am – 6:00 pm
Tuesday-Thursday	10:00 am – 9:00 pm
Friday-Saturday	10:00 am – 5:00 pm
Sunday	1:00 pm – 5:00 pm

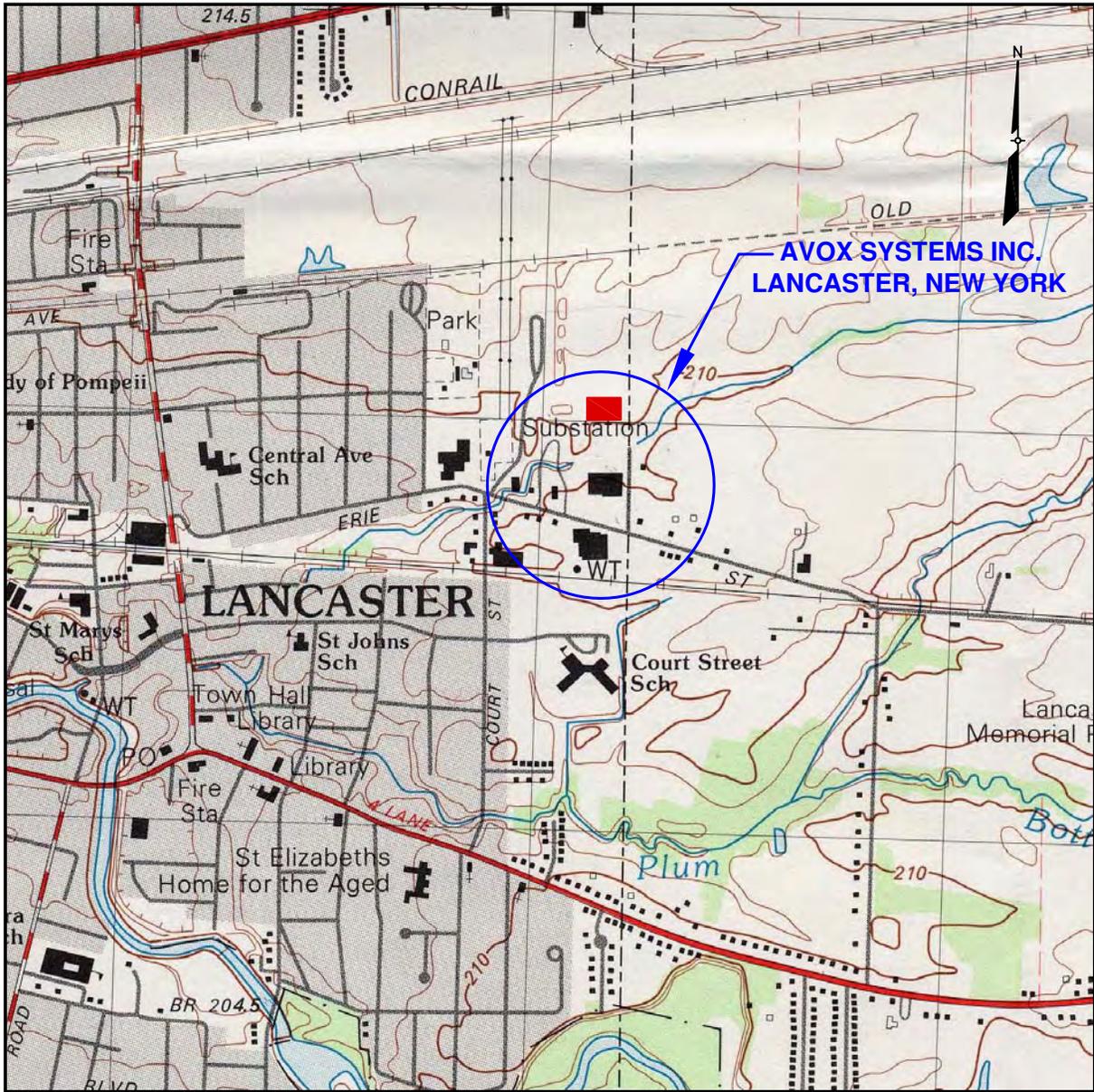
NYSDEC, Region 9
270 Michigan Avenue
Buffalo, New York 14203-2999
Phone: (716) 851-7220

Hours	
Monday – Friday	8:30 am – 4:45 pm

The following documents, if applicable, will be placed in the repositories when they become available. Project documents will also be available in electronic format on the DEC Region 9 Remedial Project Information web page. Go to <http://www.dec.ny.gov/chemical/37554.html> and look for the Scott Aviation entry under the Erie County heading.

- Final RI/AA Work Plan
- Final AA Report
- Final RDWP, including all plans and specifications for remedial construction
- Quality Assurance/Quality Control Plans
- Health and Safety Plans
- Testing, sampling and monitoring data
- Site-specific CP Plan, and
- All fact sheets, newsletters, etc.

A document availability notice will be mailed to the BSCL periodically to update the interested public about project documents that are available to review. These notices may be combined with other mailings.



SOURCE:
 1982 GEOLOGIC SURVEY 7.5 X 15 MINUTE TOPOGRAPHIC QUADRANGLE
 LANCASTER, NEW YORK

LEGEND

■ AVOX PLANT 3 ADDED AFTER PUBLICATION OF LANCASTER, NEW YORK TOPOGRAPHIC QUADRANGLE.

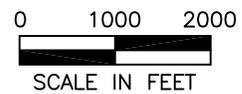


FIGURE 1
SITE LOCATION MAP

FORMER SCOTT AVIATION FACILITY AREA 1
 LANCASTER, NEW YORK

AECOM



LANCASTER PUBLIC LIBRARY

5466 BROADWAY • LANCASTER, NEW YORK / 14086 • (716) 683-1120 / FAX (716) 686-0749

April 9, 2008

Mr. Dino Zack
Site Citizen Participation Plan Manager
Earth Tech
100 Corporate Parkway
Suite 341
Amherst, NY 14226

Dear Mr. Zack:

The Lancaster Public Library agrees to be an information repository for materials concerning the "Area 1 future NYSDEC Brownfield Cleanup Program site". The Library will make all the materials accessible to the general public during normal hours of operation.

Please let the Library know the time duration that these materials should be available to the public. Also please let the Library know what the disposal procedures will be assuming there is a time limit on the materials.

Sincerely,

Jim Stelzle
Library Director

**ATTACHMENT C
BROWNFIELD SITE CONTACT LIST**

PROJECT MAILING LIST

Brownfield Site Contact List (BSCL) information for Area 1 is provided below:

1. Chief Executive Officer and Planning Board Chairperson

Chief Executive Officer – Village of Lancaster
Mayor William G. Cansdale, Jr.
Municipal Building
5423 Broadway
Lancaster, New York 14086

Chief Executive Officer – Town of Lancaster
Robert Giza – Town of Lancaster Supervisor
21 Central Avenue
Lancaster, New York 14086
(Note that the site is in the Village of Lancaster but borders the Town)

Planning Board Chairperson – Town of Lancaster
Stanley Keysa
21 Central Avenue
Lancaster, New York 14086
(Note that the site is in the Village of Lancaster but borders the Town)

Planning Board Chairperson – Village of Lancaster
Jim Allein
21 Central Avenue
Lancaster, New York 14086

Chief Executive Officer – Erie County
Chris Collins
County Executive
Rath Building
16th Floor, Room 1600
Buffalo, New York 14202

2. Parcel numbers, residents, owners, and occupants of the property and adjacent property

Facility Owner: 104.16-4-8.1, 104.16-5-8, and 104.16-5-9 (light industrial)
105.03-1-51 (residential)
AVOX Systems Inc.
Attn: William Saskowski, S&E Coordinator
225 Erie Street.
Lancaster, New York 14086

Adjacent
Properties:

105.03-1-3 (family residence)
Owner: Kenneth J. Fial
250 Erie Street
Lancaster, New York 14086

105.03-1-2 and 105.03-1-1 (vacant land)
Owner: Larry Robinson
24 and 26 Walter Winter Drive
Depew, New York 14043

105.03-1-50 (family residence)
Edward Mau
261 Erie Street
Lancaster, New York 14086

104.16-5-7 (family residence)
Ellen Willard
205 Erie Street
Lancaster, New York 14086

104.16-4-7 (light industrial)
Norman Steinbruckner
192 Erie Street
Lancaster, New York 14086

104.16-4-7 (warehouse)
Mark Nowak
188 Erie Street
Lancaster, New York 14086

104.16-4-7 (public utility - vacant land)
NYS Electric and Gas Corporation
Utility Shared Services
70 Farm View Drive
New Gloucester, ME 04260

104.16-5-1 (railroad)
Norfolk Southern Corporation
Judy Nash
1200 Peach Tree Street NE
Atlanta, Georgia 30309
1-404-962-5717

3. Local news media

Lancaster Bee
ATTN: Lisa Johnson
5564 Main Street
Williamsville, NY 14221-4924

Metro Community News
ATTN: Mr. Mathew Martin
P.O. Box 211, 25 Boxwood Lane
Cheektowaga, New York 14225

WXRL
ATTN: Environmental News Desk
5360 William Street
Lancaster, New York 14086

WNED, Environmental News Desk
ATTN: Mr. Michael Desmond
P.O. Box 1263, Horizons Plaza
Buffalo, New York 14240

WGRZ TV - Channel 2
ATTN: Ms. Maria Sisti
259 Delaware Avenue
Buffalo, New York 14202

WKBW News - Channel 7
ATTN: Ms. Melanie Pritchard
7 Broadcast Plaza
Buffalo, New York 14202

Thomas Prohaska
Buffalo News
1 News Plaza
Buffalo, New York 14240

WBEN Radio 930 & WMJQ
ATTN: Environmental News Desk
500 Corporate Parkway
Buffalo, New York 14226

WIVB - Channel 4
ATTN: Ms. Lisa Fullone
2077 Elmwood Avenue
Buffalo, New York 14207

WBFO
ATTN: Mark Scott
3435 Main Street
Buffalo, New York 14214

Business First
ATTN: Anne Marie Franczyk
465 Main Street
Buffalo, New York 14203-1793

4. The public water supplier which services the area in which the site is located

Erie County Water Authority
350 Ellicott Square Building
295 Main Street
Buffalo, New York 14203

5. Other interested parties

None currently.

6. The administrator of any school or day care facility located on or near the site

Court Street Elementary School
Deborah Ann Bojanowski – Principal
91 Court Street
Lancaster, New York 14086

7. The location of a document repository for the project (e.g., local library)

Lancaster Public Library
Jim Stelzle (Librarian)
5466 Broadway
Lancaster, New York 14086

NYSDEC, Region 9
270 Michigan Avenue
Buffalo, New York 14203-2999
Phone: (716) 851-7220

8. NY State Officials

Mr. Martin Doster
NYSDEC, Region 9
270 Michigan Avenue
Buffalo, New York 14203

Mr. Mark Baetzhold
NYSDEC Region 9
270 Michigan Avenue
Buffalo, New York 14203

Congressman Chris Lee
26th District, U.S. Congress
325 Essjay Road, Suite 405
Williamsville, New York 14221

Senator Dale Volker
59th District, NYS Senate
4729 Transit Road
Depew, New York 14043

Assemblyman Dennis Gabryszak
2560 Walden Avenue
Cheektowaga, New York 14225

Senator Kirsten Gillibrand
726 Exchange Street, Suite 511
Buffalo, New York 14202

Senator Charles Schumer
U.S. Senate, Room 620
130S Elmwood Avenue, Suite 660
Buffalo, New York 14202

9. Erie County Officials

Commissioner Kathy Konst
Erie Co. Environment and Planning
95 Franklin Street
Buffalo, New York 14202

Commissioner Anthony Billittier
Erie Co. Health Department,
95 Franklin Street, Rm. 931
Buffalo, New York 14202

Honorable Chris Collins
Erie County Executive
95 Franklin Street
Buffalo, New York 14202

Legislator Dino Fudoli
District 5, Erie Co. Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Mr. Robert Graber
Erie County Legislature Clerk
92 Franklin Street
Buffalo, New York 14202

Erie County Emergency Services
45 Elm Street
Buffalo, New York 14203

10. Community Groups

WNY Director
Citizen Environmental Coalition
33 Central Avenue
Albany, New York 12210

Citizens Campaign-Environment
735 Delaware Ave.
Box 140
Buffalo, New York 14223

Dr. Charles Lamb
Sierra Club Niagara Group
335 Walnut Lane
Youngstown, New York 14174

Dr. Joseph Gardella
BEMC Chair
178 Admiral Road
Buffalo, New York 14216

Mr. James Metzger
League of Woman Voters
70 Haverford Lane
Williamsville, New York 14521

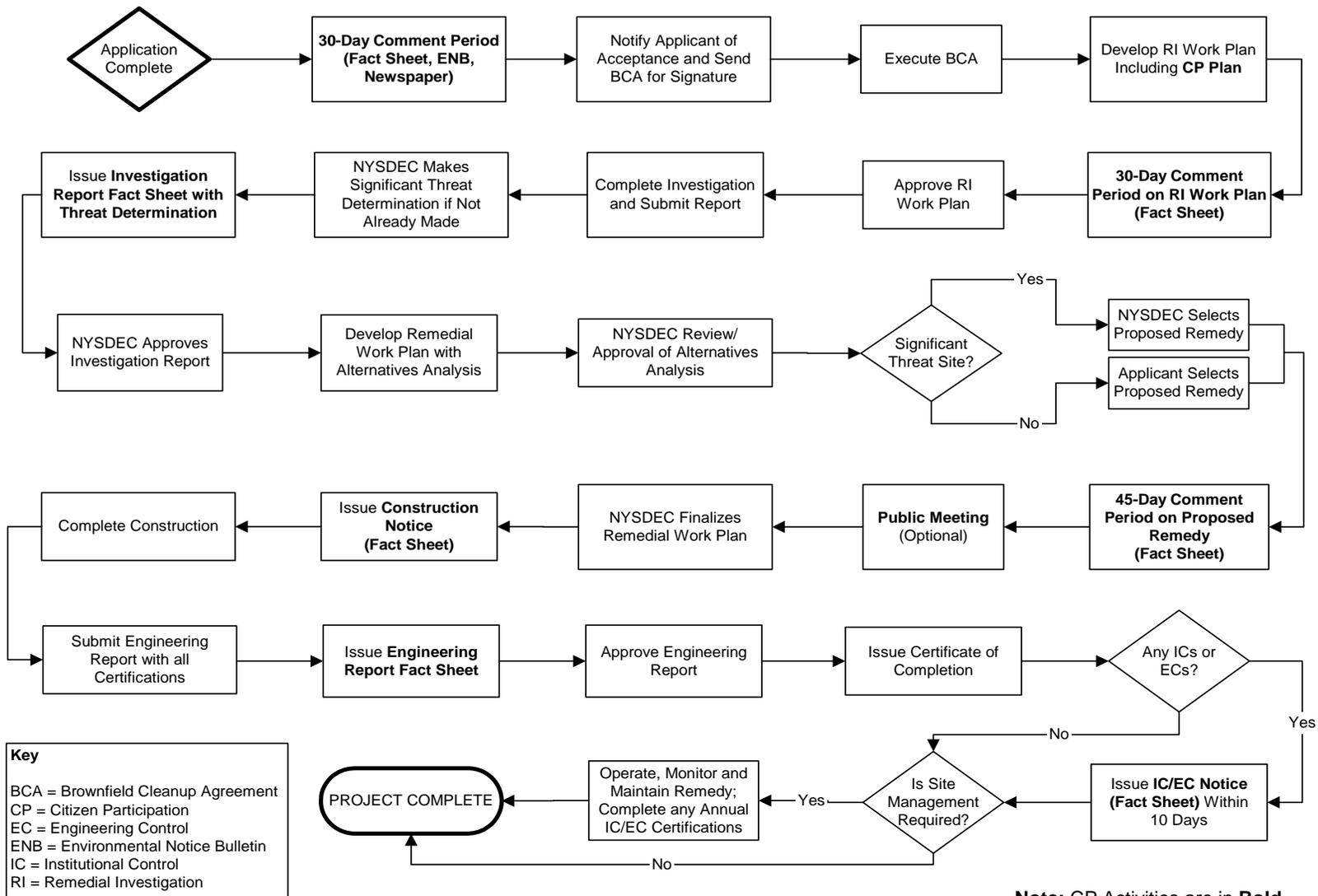
ATTACHMENT D
IDENTIFICATION OF CITIZEN PARTICIPATION ACTIVITIES

Identification of Citizen Participation Activities

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

ATTACHMENT E
BROWNFIELD CLEANUP PROGRAM REMEDIAL PROCESS

Brownfield Cleanup Program Remedial Process



Key
 BCA = Brownfield Cleanup Agreement
 CP = Citizen Participation
 EC = Engineering Control
 ENB = Environmental Notice Bulletin
 IC = Institutional Control
 RI = Remedial Investigation

Note: CP Activities are in Bold