

New York State
Department of Environmental
Conservation
Division of
Environmental Remediation

Schuyler Heights
Fire District

DEC Site No.: E4-01-050

FIGURE 1

Site Location

Map Details

Created in ArcMap 9.2

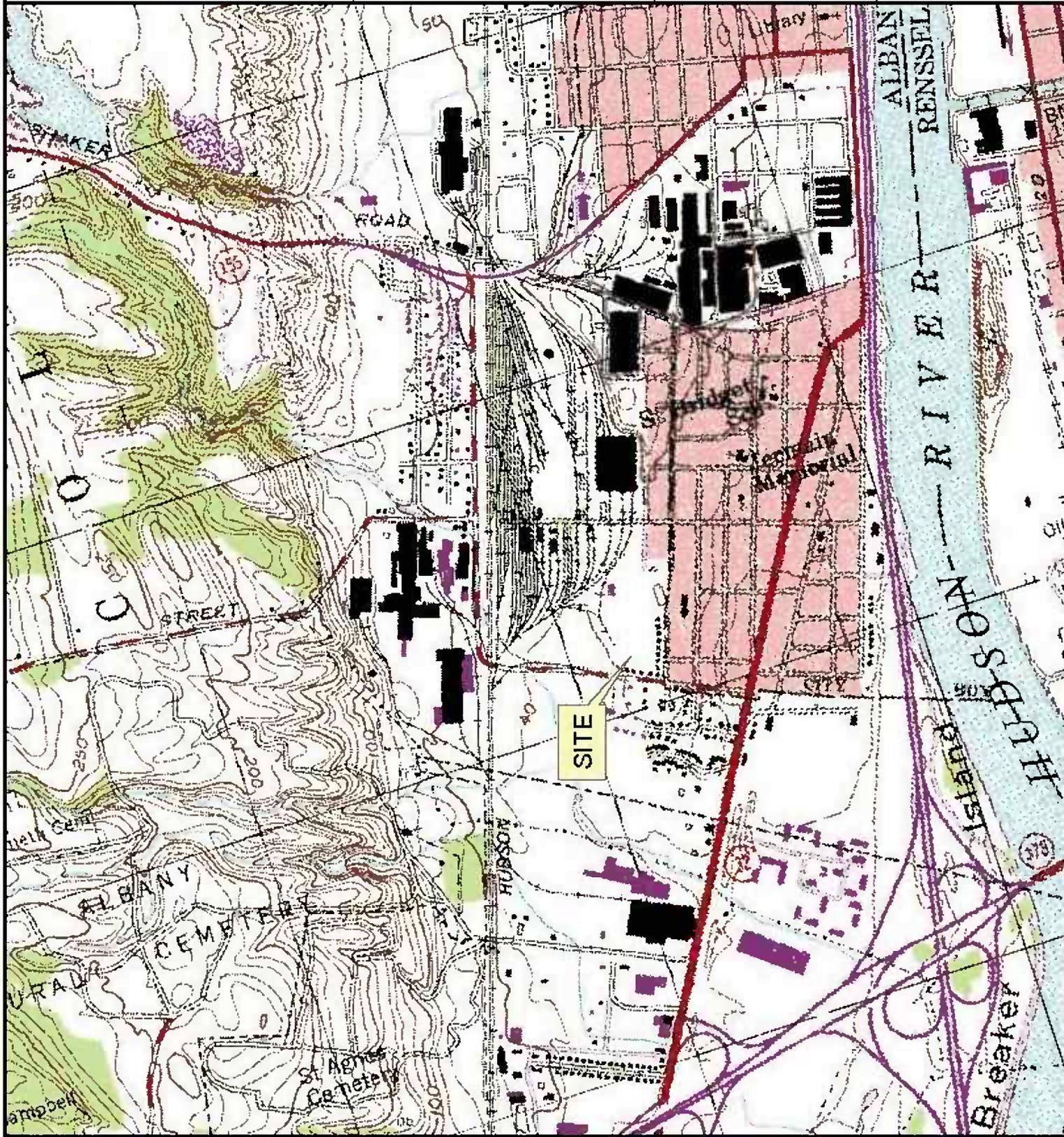
Date of Last

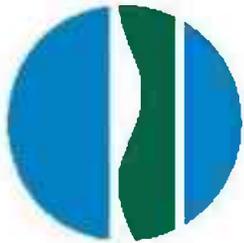
Revision: 09.28.2007

UNAUTHORIZED DUPLICATION
IS A VIOLATION OF
APPLICABLE LAWS



North American Datum 1983
UTM Zone 18





New York State
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FIGURE 2

Site Boundary

Map Details

Created in ArcMap 9.2

Date of Last

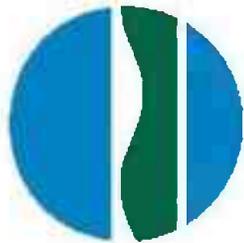
Revision: 10.01.2007

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FIGURE 3

Semivolatile Organic Compound Exceedences in Surface & Subsurface Soils

Map Details

Created in ArcMap 9.2

Date of Last

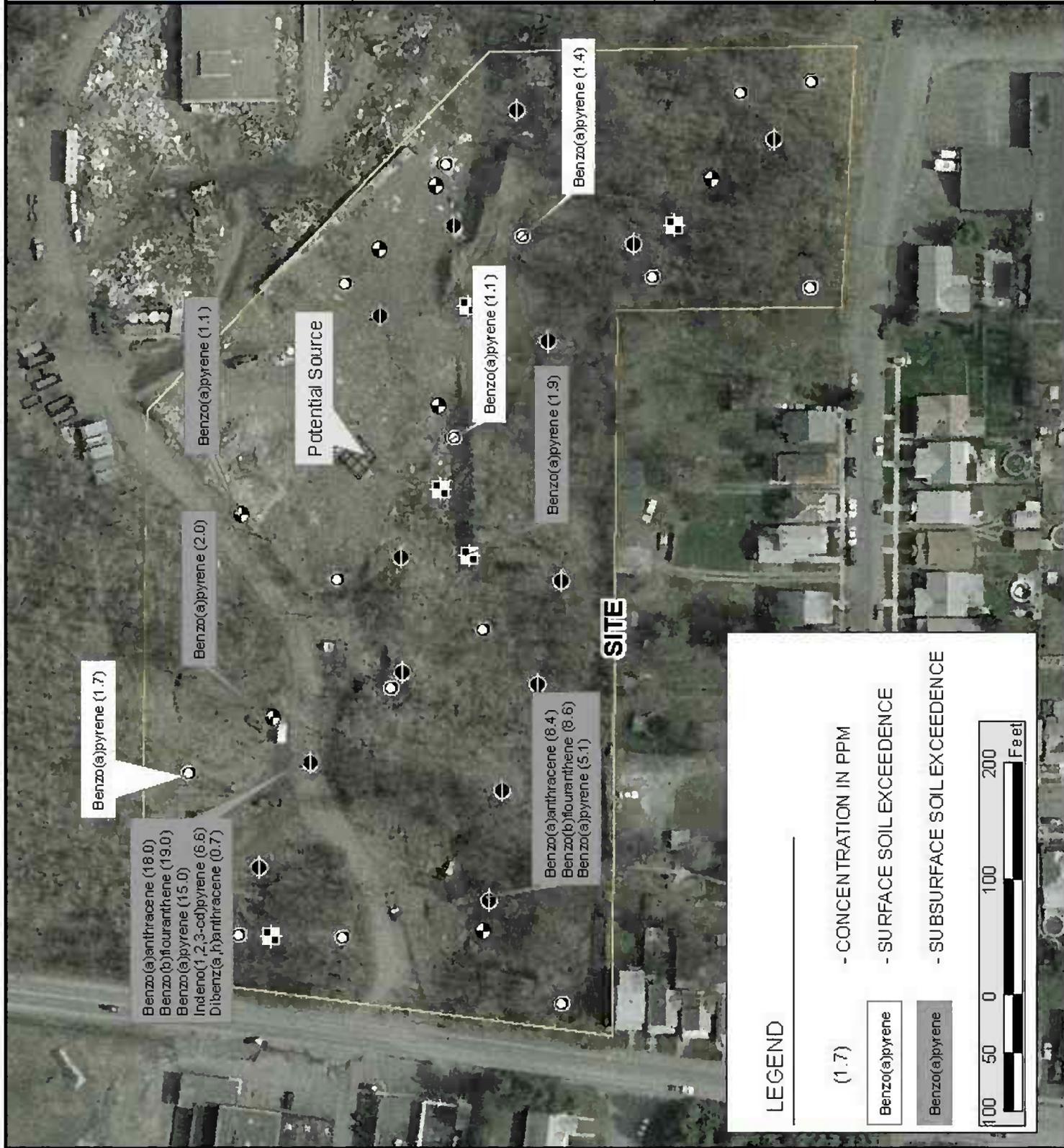
Revision: 10.01.2007

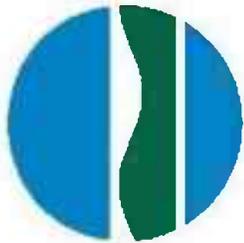
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FIGURE 4

**Inorganics Exceedences
&
Subsurface Soils**

Map Details

Created in ArcMap 9.2

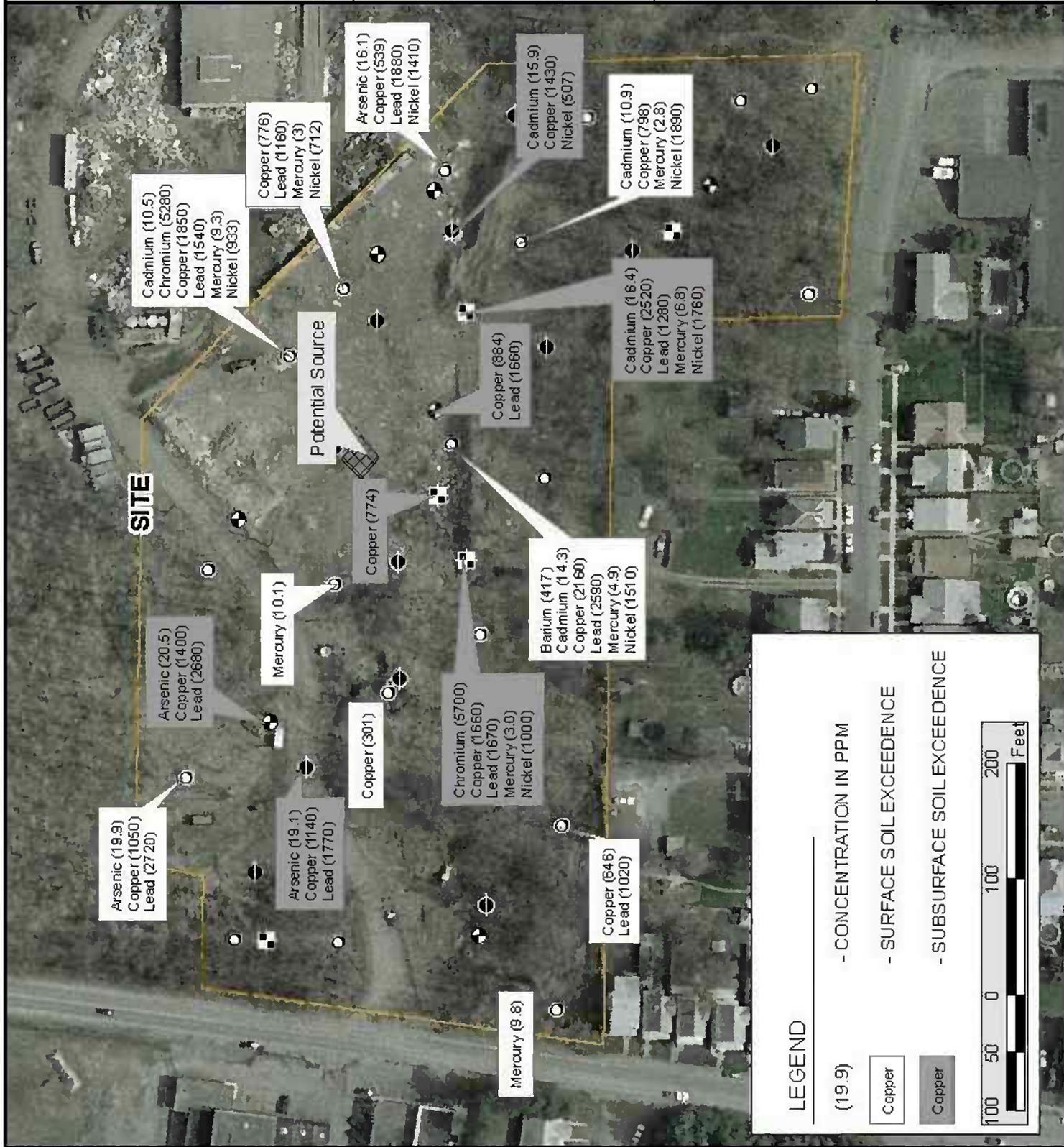
Date of Last

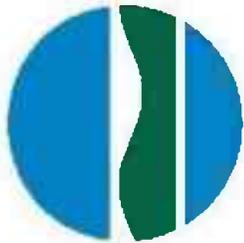
Revision: 10.01.2007

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Schuylers Heights
Fire District

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FIGURE 5

**PCB Exceedences
in Surface
&
Subsurface Soils**

Map Details

Created in ArcMap 9.2

Date of Last

Revision: 11.14.2007

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LEGEND

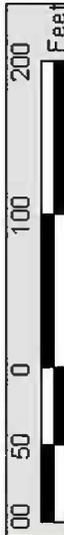
(1.2) - CONCENTRATION IN PPM

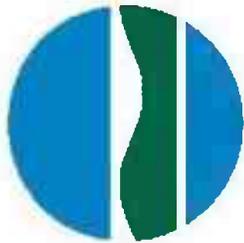
Arochlor - 1254

- SURFACE SOIL EXCEEDENCE

Arochlor - 1254

- SUBSURFACE SOIL EXCEEDENCE





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FIGURE 6

**Inorganics, Volatile
Organic Compounds &
Pesticides Exceedences
in Groundwater**

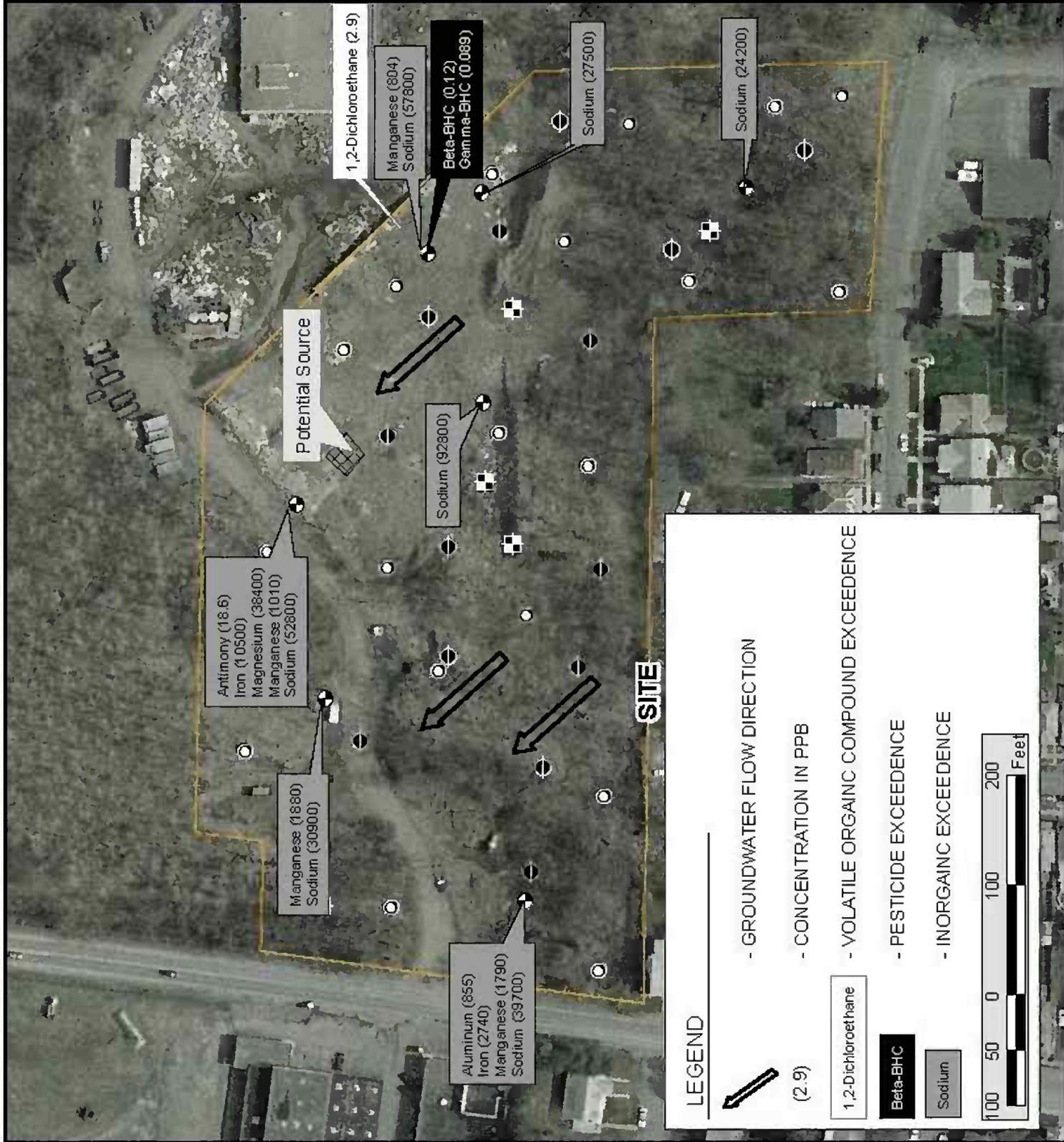
Map Details

Created in ArcMap 9.2
Date of Last
Revision: 11.08.2007

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UTM Zone 18



APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

**Proposed Schuyler Heights Fire District Station House
Environmental Restoration Site
Town of Colonie, Albany County New York
Site No. E401050**

The Proposed Remedial Action Plan (PRAP) for the Proposed Schuyler Heights Fire District Station House 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 January 22, 2008. The PRAP outlined the remedial measure proposed for the contaminated soil and historic fill at the Proposed Schuyler Heights Fire District Station House 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 February 13, 2008, which included a presentation of the Site Investigation (SI) and the Remedial Alternatives Report (RAR) as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens 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 March 7, 2008.

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

Albany County Legislator, Phil Steck, asked the following two questions:

COMMENT 1: Could the Department elaborate on the differences between proposed Alternatives 3 and 4?

RESPONSE 1: The Department explained that the significant differences between Alternative 3 and Alternative 4 included the following: (1) Alternative 4 requires the removal of all soil and fill where exceedences of commercial soil cleanup objectives were detected while Alternative 3 does not and (2) Alternative 4 requires that two large mounds of mixed soil and processed material located in the northern and central portions of the site are removed. Alternative 3 requires that the mounds be leveled and graded on site. Both Alternatives require a one foot soil cover (or a minimum of 6 inches of pavement) over the entire site and in Alternative 3, the cover would be placed over the mounded material once graded on site.

COMMENT 2: Is the Fire District expected to finance the entire cost of the cleanup?

RESPONSE 2: Presently there are no state funds available under the Environmental Restoration Program (ERP) to assist the Fire District with cleanup costs.

Town of Colonie Planning & Economic Development Director, Joseph LaCivita asked the following question:

COMMENT 3: Is the Fire District committed to moving forward with building a new fire house?

The response was provided by the attorney representing the Fire District, Jack Clarke.

RESPONSE 3: Fire District lawyer said yes. He noted that the Fire District also will need to go to the voters in the district with a referendum seeking approval to bond for the project.

Three residents asked about dust monitoring and the potential for off-site migration via airborne particulates.

COMMENT 4: Will measures be taken to prevent contaminants from getting into residential neighbors' yards and houses via air or soil (dust) during the construction of the remedy? Will the data from dust monitoring be available for review by the public?

RESPONSE 4: Yes, there will be continuous dust monitoring during ground intrusive activities to determine whether dust may be migrating from the site. If the dust monitor alarms are triggered, procedures, such as the application of water, will be initiated to prevent further migration from the site. On the question of whether data will be available for public review, yes. Concerned members of the public may contact the Department if they would like to see the results.

COMMENT 5: How thick will the cover be?

RESPONSE 5: As described in Section 7.1 and shown in Detail 1 of the PRAP, the soil cover system will consist of the following components starting from the bottom: a demarcation layer, a minimum of 8 inches of soil, and a minimum of 4 inches of soil capable of supporting vegetation totaling a 1-foot thick soil cover. It was also noted that asphalt, concrete, or other construction materials creating a layer not less than 6-inches in thickness and that would provide a suitable barrier cover, may be substituted for the soil cover.

COMMENT 6: Will there be a visual barrier during construction?

RESPONSE 6: It is unlikely that a visual barrier to the site remediation activities will be constructed. A visual barrier is generally not considered to be necessary to protect the local population from exposure to site contaminants.

An e-mail was received from Mr. Mark Malinoski (dated February 28, 2008) which included the following comments:

COMMENT 7: Support for the remedial plan was expressed because a vacant and polluted site will be remediated to provide a useable property for the construction of a volunteer fire station. The plan would likely eliminate potential exposures to the local population. The commenter also expressed hope that the ERP fund will be sufficient to provide 90% of the remediation costs and thanked the Department for an informative meeting.

RESPONSE 7: The Department appreciates the comment. Regarding the funding status of the ERP program, the Department fully supports refunding of the program to continue investigation and remediation of municipal brownfield sites.

The following four questions were received from C.T. Male on behalf of their client, the Schuyler Heights Fire District, and relate to aspects of the ERP program such as funding and eligibility concerns.

COMMENT 8: From an [ERP] program procedural standpoint, if the District does not have an approved amended state assistance contract (SAC) for remediation and wants us to complete the remedial design, will the Department be in a position to review and approve the design?

RESPONSE 8: The Department has the discretion to review the design for consistency with this Record of Decision.

COMMENT 9: Similarly, if the Department approves the design and the District completes the work in accordance with the design and we provide certification that it was done in accordance with the design, will the Department be able to issue a certificate of completion?

RESPONSE 9: The Department will issue a satisfactory completion letter for the investigation project. However it would not issue a similar letter for the design and remediation.

COMMENT 10: Lastly, if the District performs all the ERP requirements in terms of design, construction and certification without an approved amended SAC for remediation, but receives such either during or after completion of the remedial action, will these efforts be reimbursable?

RESPONSE 10: Currently there are no funds available for new ERP investigation or remediation projects.

COMMENT 11: In an effort to reduce the overall cost of the new fire station, and considering that the District only needs about 2 of the 8 acres to develop the new fire house, could the remedial action be broken out into 2 phases (operable units)? The first phase would involve remediation of the 2 acres for the new fire house, and the second phase for the remaining lands. In this instance, the remaining 6 acres would be fenced in and essentially remain as is until either new funding was available for the District to complete the work, or the District sells the property to someone else who would then be responsible to complete the remedial action in accordance with the ROD, possibly through the BCP.

RESPONSE 11: The scenario that is proposed is reasonable provided that access to the remaining 6 acres is restricted until such time the remedy is completed and that this restriction be included in an environmental easement for the entire 8 acre property. Once the Schuyler Heights Fire District determines exactly how they want to use the two portions of the property, they should conduct one American Land and Title Association survey with separate metes and bounds description for each portion. Each portion could then have a separate use restriction, commercial for the location of the new fire station and restricted access for the remaining 6 acres where a cover system would still be needed. One environmental easement for the entire property would need to be executed, with separate use descriptions for each portion of the property. Once the new fire station is completed and the environment easement is executed and filed, the Department can then issue a technical completion letter, which would allow the use of the new fire station and for the district to remain in compliance with their state assistance contract. The easement could be modified in the future when all elements of the remedy outlined in the ROD (i.e. installation of the cover system over the remaining 6 acres) are completed.

APPENDIX B

Administrative Record

Administrative Record

Proposed Schuyler Heights Fire District Station House Site No. E401050

1. Proposed Remedial Action Plan for the Schuyler Heights Fire District Station House site, dated January, 2008, prepared by the Department.
2. New York State Department of Environmental Conservation Environmental Restoration Program Application, August, 2005.
3. "Remedial Investigation Report," August, 2007, Prepared by C.T. Male Associates.
4. "Alternatives Analysis Report," September, 2007, Prepared by C.T. Male Associates.
5. Soil Vapor Sampling Results, February 2008, Prepared by C.T. Male Associates.