

# New York State Department of Environmental Conservation

## Division of Environmental Remediation

Remedial Bureau E, 12<sup>th</sup> Floor

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OCT 28 2008

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Division of  
Environmental Remediation



Alexander B. Grannis  
Commissioner

### MEMORANDUM

**TO:** Dale A. Desnoyers, Director, Division of Environmental Remediation

**FROM:** A. Joseph White, Chief, Remedial Section C, Remedial Bureau E

**THRU:** Robert C. Knizek, Director, Remedial Bureau E

*A. Joseph White*  
10/24/08  
rbh 2105708

**SUBJECT:** Explanation of Significant Differences, Golden Road Disposal Site,  
Site: ID No. 8-28-021

**DATE:** OCT 28 2008

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Attached is the Explanation of Significant Differences (ESD) for the Golden Road Disposal site. The Project Manager is Mr. James Moras from Remedial Bureau E. The New York State Department of Health (DOH) has reviewed the ESD and is in agreement with it; the DOH concurrence letter is attached.

Two of the components of the remedy included in the 2002 ROD were: 1) re-grade flat areas across fill area in south parcel to provide positive overland drainage throughout the south parcel, flatten existing mounds to fill in low spots, and fill the intermittent pond area; and 2) require that the property owner place a deed restriction limiting the use of groundwater as a potable or process water from the south parcel without necessary water quality treatment. An annual certification by the property owner will be included as part of the restriction to verify that this restriction has been maintained.

The two components of the ROD discussed in the previous paragraph need to be modified. The significant differences to the remedy, compared to what was originally selected in the October 2002 ROD, are: 1A) areas of the site will not be re-graded (the intent was to re-grade flat areas to promote positive overland drainage and mitigate migration of fill contaminants to the wetland); 1B) the intermittent pond will not be filled in (again, the original intent was to mitigate migration of fill contaminants to the wetland); and 1C) approximately six inches of sediment will be removed from the pond, followed by restoration of the pond; in addition 2) when the Site Management Plan is prepared it will include a requirement for an evaluation of the potential for soil vapor intrusion if development of the site property is proposed in the future; this language will also be added when developing the deed restrictions.

These changes are being made in response to recently gathered information. Site visits and a wetland delineation have been conducted at the site since the ROD was issued. The site is currently well vegetated with no visible signs of surface erosion. The best way to meet the remedial goal of limiting migration of fill contaminants to the wetland would be to allow the

current vegetation to remain in place; if necessary, some low spots may be filled in, but the current vegetated surface will not be disturbed. The remedy in the Record of Decision (ROD) included a provision to fill in the intermittent pond. Since the ROD was issued, a wetland delineation survey has been conducted at the site. Based on that survey the intermittent pond is now considered part of the wetland area which exists, in general, to the south and east of the site.

Recommendation:

We believe that the ROD, as modified by the ESD, presents the best alternative for site remediation and we recommend that you sign the ESD.

If you would like a meeting to discuss the ESD, we are prepared to do so at your convenience.

Attachment

cc: w/o Att. R. Knizek

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# EXPLANATION OF SIGNIFICANT DIFFERENCE GOLDEN ROAD DISPOSAL SITE



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Chili (T) / Monroe County / Site No. 8-28-021 / October 2008

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

## 1.0 INTRODUCTION

The purpose of this notice is to inform you about a change in the site remedy at the Golden Road Disposal Site. The Golden Road Disposal Site was privately run from 1955 through 1976. The site received a wide variety of wastes, including drummed chemical wastes, metal slag, fly ash, foundry sand, artillery shell casings and junked vehicles. The Site is located in a rural residential area on the west side of Golden Road, north of Interstate Route 490, in the Town of Chili, Monroe County (Figure 1). The site was originally 19-acres in size, divided into two parcels (north and south parcels) separated by railroad tracks running generally east to west across the site. The north parcel (twelve acres) is generally flat with some localized mounds (fill piles), an abandoned residence, and various debris. It is bounded by residences to the north and east, railroad tracks to the south, and a wooded area to the west. The south parcel (seven acres) is an uneven fill area overgrown with brush and trees. It falls off steeply on the south, east and west to a seasonal deciduous forested wetland area. The south parcel is bounded to the north by railroad tracks and to the south by Interstate 490. No consequential amounts of hazardous waste were identified on the property north of the railroad tracks, and that portion of the property has subsequently been removed from the site description (no longer a part of the site).

In October 2002 the New York State Department of Environmental Conservation (NYSDEC) issued a Record of Decision (ROD) which selected a remedy to clean up the site. It is proposed that certain aspects of the remedy included in the ROD be modified. The main change to that remedy concerns the component of the ROD which called for re-grading the site. The ROD included language that stated that “flat areas across the fill would be re-graded to provide positive overland drainage throughout the southern fill area, and existing mounds would be flattened to fill in low spots; the intermittent pond area would be filled.” The goal of this component of the remedy was to “limit migration of fill contaminants to the wetlands.” Since the ROD was issued a wetland delineation has been performed at the site; based on that wetland delineation the intermittent pond is now included as a part of the wetland that exists just to the south and east of the site.

The modified remedy would: 1) remove the provisions in the ROD to re-grade the area; 2) remove the provision to fill in the intermittent pond; and 3) add the provision to remove surface sediments from the intermittent pond and restore with similar type soil/sediment and beneficial vegetation; in addition 4) the Site Management Plan will include a requirement for an evaluation of the potential for soil vapor intrusion if development of the site property is proposed in the future; this language will also be added when developing the deed restrictions. Instead of regrading the site and filling in the intermittent pond, this Explanation of Significant Differences (ESD) includes the following provisions: 1) one of the goals of the ROD is to limit migration of fill contaminants to the wetland; since the area is well vegetated and not currently susceptible to surface erosion, the best way to achieve this goal would be to not re-grade the mounds and surface features (re-grading would temporarily expose fill material making it susceptible for surface erosion); 2) the intermittent pond is now classified as a wetland area, reasonable efforts should be taken to maintain it as a resource; maintaining the intermittent pond as a resource will involve removing the “surface” sediments in the pond (there are elevated concentrations of certain metals in the sediment; approximately six inches of sediment will be removed and backfilled with clean material to remove the potential for exposure and erosion/migration); after the surface sediment is removed, the pond will be backfilled with clean material that has similar physical properties to the sediment that was removed, restored to it’s original elevations, and re-vegetated with vegetation that is beneficial for this type of habitat.

This 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:

Chili Public Library  
3333 Chili Avenue  
Rochester, NY 14624

Hours: Mon-Thurs, 9:00 am - 9:00 pm

Fri, 9:00 am - 5:00 pm

Sat, 9:00 am - 5:00 pm (closed June-August)

Sun, 1:00 pm - 4:00 pm (closed June-September)

Telephone #: (585) 889-2200

NYS Dept. of Environmental Conservation  
Region 8 Headquarters

6274 E Avon-Lima Road, Avon, NY 14414

Hours: Mon-Fri 8:30-4:45

Contact: Mr. Frank Sowers, (585) 226-2466

Interested persons are invited to contact the NYSDEC’s Project Manager for this site to obtain more information or have questions answered. The Project Manager for this site is Mr. James Moras. To obtain additional information, he can be contacted at 625 Broadway, Albany, New York 12233-7017, telephone number: (518) 402-9814.

## 2.0 SITE DESCRIPTION AND ORIGINAL REMEDY

The Golden Road Disposal Site is located in a rural residential area on the west side of Golden Road, north of Interstate Route 490, in the Town of Chili, Monroe County (Figure 1). The site was originally 19-acres in size, divided into two parcels (north and south parcels) separated by railroad tracks running generally east to west across the site. No consequential amounts of hazardous waste were identified on the property north of the railroad tracks, and that portion of the property is no longer part of the Site. The south parcel (seven acres) is an uneven fill area overgrown with brush and trees. It falls off steeply on the south, east and west to a seasonal deciduous forested wetland area. Interstate 490 is located south of the south parcel.

The Golden Road Disposal Site was privately run from 1955 through 1976. The site received a wide variety of wastes, including drummed chemical wastes, metal slag, fly ash, foundry sand, artillery shell casings and junked vehicles. In addition, drummed waste was disposed on the south parcel. No records have been found to indicate the amount of waste that was disposed at the site.

During the initial site inspection in 1983 by NYSDEC, over 200 drums in various stages of decay were discovered south of the tracks. Foundry sand was observed on both sides of the tracks as well. In 1984, the Golden Road Disposal Site was listed as a Class 2 site in the Registry of Inactive Hazardous Waste Disposal Sites in New York (Registry). A "Class 2" site is a site where hazardous waste represents a significant threat to human health or the environment and action is required. A drum removal and surficial soil/debris removal was carried out on the south parcel in 1985 under the direction of the NYSDEC. A total of 562 drums and containers, and 75 cubic yards of contaminated soil and debris were removed from the site south of the railroad tracks.

Based on the information gathered during the RI, the following is a summary of the contamination present at the site:

- Primary contaminants in soil are PAHs and metals. One surface soil location in the southwest corner of the parcel was found to have an elevated concentration of pentachlorophenol; (this area has been targeted for remediation). Additionally, VOCs, particularly xylene, ethylbenzene and toluene, were elevated in the eastern portion of the south parcel (sample location TP 3N, east bank area). This area has been identified as a contamination hot spot.
- No VOC or SVOC contaminants were detected in the five groundwater wells monitoring the lower sand unit aquifer. During Phase II of the RI, four additional monitoring wells were installed in the shallow upper sand unit where there is seasonal perched groundwater. One of

these Phase II wells was installed immediately adjacent to the east bank area, where aerosol waste cans were found during test pit excavations. Elevated levels of VOC and SVOCs consistent with the waste analytical results were detected in this well. It appears that the waste located on the east bank has contaminated shallow perched groundwater, but the impacts do not extend beyond the immediate source area.

The following is a summary of the remedy included in the October 2002 ROD:

- Surficial cleanup and off-site disposal of the asbestos-containing material and the partially filled drum found on the south parcel during the RI.
- Excavation and off-site disposal of waste and contaminated soil from the two hot spots on the south parcel:
  - 1) east bank (RI test pit 3N area): All waste material (cans, liquid waste and visibly contaminated soil) and soil exhibiting VOC contamination above NYSDEC TAGM 4046 soil cleanup guidelines will be removed;
  - 2) RI sample SS-2 area: Soil contaminated with pentachlorophenol above the NYSDEC TAGM 4046 soil cleanup guideline will be removed.

All excavated areas will be backfilled with certified clean backfill.

- Re-grade flat areas across fill area in south parcel to provide positive overland drainage throughout the south parcel, flatten existing mounds to fill in low spots, and fill the intermittent pond area. All regrading efforts will mitigate the environmental threat due to migration of fill contaminants to the wetlands.
- Require that the property owner place a deed restriction limiting the use of groundwater as a potable or process water from the south parcel without necessary water quality treatment. An annual certification by the property owner will be included as part of the restriction to verify that this restriction has been maintained.
- A long-term groundwater monitoring program on the south parcel to monitor effectiveness of the remedy. This program will allow the effectiveness of the hot spot removal and site regrading to be monitored and will be a component of the operation and maintenance for the site.

### **3.0 CURRENT STATUS**

The Remedial Investigation/Feasibility (RI/FS) was State-funded. After the Record of Decision was issued in October 2002 the Responsible Party (RP) was offered the opportunity to perform the Remedial Design and Remedial Action (RD/RA) at the site. The RP entered into negotiations with the State and in October 2006 an RD/RA Consent Order was executed. Additional information was needed to define the limits of waste material in certain areas so specifications can be developed for the remedy. This was done as a part of the pre-design investigation (PDI) initiated in early 2008. At the time of the preparation of this document the information gathered during the PDI was being evaluated and the remedial design was being initiated.

### **4.0 DESCRIPTION OF SIGNIFICANT DIFFERENCES**

#### **4.1 New Information**

Site visits and a wetland delineation have been conducted at the site since the ROD was issued. The site is currently well vegetated with no visible signs of surface erosion. The best way to meet the remedial goal to limit migration of fill contaminants to the wetland would be to allow the current vegetation to remain in place; if necessary, some low spots may be filled in, but the current vegetated surface will not be disturbed.

The remedy included in the Record of Decision (ROD) included a provision to fill in the intermittent pond. Since the ROD was issued a wetland delineation survey has been conducted at the site. Based on that survey the intermittent pond is now considered part of the wetland area which exists, in general, to the south and east of the site.

#### **4.2 Comparison of Changes with Original Remedy**

The significant differences to the remedy, compared to what was originally selected in the October 2002 ROD, are: 1) the site will not be re-graded; 2) the intermittent pond will not be filled in; and 3) approximately six inches of sediment will be removed from the pond, followed by restoration of the pond; in addition 4) the Site Management Plan will include a requirement for an evaluation of the potential for soil vapor intrusion if development of the site property is proposed in the future; this language will also be added when developing the deed restrictions. The goals for these components of the remedy (taken from the 2002 ROD) are discussed below, along with a discussion on how the modified remedy will better address these goals while maintaining an environmental resource.

First of all, as stated in the ROD, the goal of regrading the site was to “provide positive overland drainage to mitigate the environmental threat due to migration of fill contaminants to the wetland.” The potential migration pathways for fill contaminants to move to the wetland would be surface erosion of fill material and/or migration of the contaminants dissolved in groundwater. The surface of the site is well vegetated and resistant to surface erosion, and the groundwater indicates only slightly elevated concentrations of contaminants (with the exception of the “east bank” area where source removal of soil/waste material will be performed as a part of the remedy). As a result, this goal will be better met without regrading the site (there will be no potential short-term impacts caused by exposing fill material during excavation/regrading).

Second, the intent of filling in the intermittent pond would be the same as stated in the previous paragraph, to mitigate the environmental threat due to migration of fill contaminants to the wetland. In order to mitigate the environmental threat to the rest of the wetland and maintain the current habitat offered by the intermittent pond, the surface sediments will be removed (approximately six inches), the area will be backfilled with similar soil/sediment, and beneficial vegetation will be planted as a part of the site restoration following sediment removal.

The remedy is being modified to better address the remedial goals, while maintaining the wetland habitat provided by the intermittent pond. This change in scope is considered a significant change, but is not considered a fundamental change to the remedy.

The relevant remedial goals listed in the October 2002 ROD for this site include:

- Eliminate, to the extent practicable, exposures to contaminated soil and sediment;
- Prevent, to the extent practicable, the erosion and migration of contaminated fill material into the adjacent deciduous forested wetland;
- Prevent, to the extent practicable, off-site migration of contaminated shallow groundwater that exceeds NYSDEC Class C Ambient Water Quality Criteria to the adjacent deciduous forested wetland.

The ROD, as modified by this ESD, is protective of human health and the environment and meets the goals originally included in the October 2002 ROD. The New York State Department of Health concurs that the modified remedy is protective of public health.

## **5.0 SCHEDULE AND MORE INFORMATION**

It is the Department’s intention to move forward with the schedule to complete the design and implement the remedy as soon as possible. The planned schedule calls for the initiation of the remedial construction during the 2009 construction season.



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

Mr. James Moras  
Project Manager  
NYSDEC  
625 Broadway  
Albany, NY 12233-7017  
(518) 402-9814

Ms. Deborah McNaughton  
NYS Department of Health  
335 East Main Street  
Rochester, NY 14604-2127  
(585) 423-8069

Mr. Frank Sowers  
Regional Project Manager  
NYSDEC  
Region 8 Headquarters  
6274 E. Avon-Lima Rd.  
Avon, NY 14414  
(585) 226-5356

10/24/08

Date



James A. Moras, Project Manager  
Remedial Bureau E

10/24/08

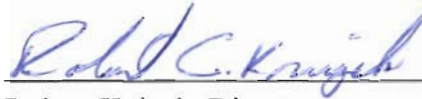
Date



A. Joseph White, Section Chief  
Remedial Bureau E

27 OCT 08

Date



Robert Knizek, Director  
Remedial Bureau E

1/20/08

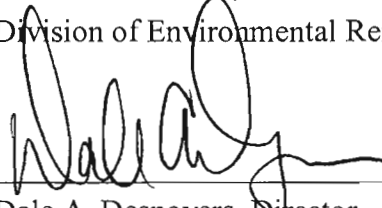
Date



Salvatore Ervolina, Assistant Director  
Division of Environmental Remediation

JAN 21 2009

Date



Dale A. Desnoyers, Director  
Division of Environmental Remediation



**URS Greiner Woodward Clyde**

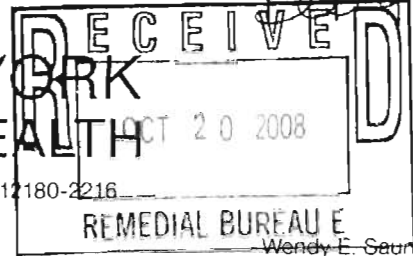
**GOLDEN ROAD DISPOSAL SITE  
SITE LOCATION MAP**

**FIGURE 1**



STATE OF NEW YORK  
DEPARTMENT OF HEALTH

Flanigan Square 547 River Street Troy, New York 12180-2216



Wendy E. Saunders  
Chief of Staff

Richard F. Daines, M.D.  
Commissioner

October 15, 2008

Mr. Dale Desnoyers, Director  
Division of Environmental Remediation  
NYS Dept. of Environmental Conservation  
625 Broadway - 12<sup>th</sup> Floor  
Albany, NY 12233-7011

Re: Explanation of Significant Differences  
Golden Road Disposal Site  
Site #828021  
Chili (T), Monroe County

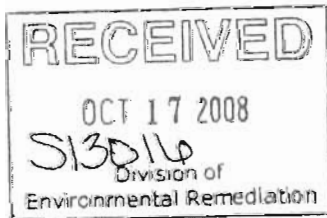
Dear Mr. Desnoyers:

Staff reviewed the September 2008 Explanation of Significant Differences (ESD) for the Golden Road Disposal Site in the Town of Chili, Monroe County. Previous investigations at the site have identified semi-volatile and volatile organic compounds in groundwater and soil. Polycyclic aromatic hydrocarbons and metals were also identified in soil.

The Record of Decision (ROD) signed for this site in October 2002 included excavation of contaminated soil and sediments; and filling and re-grading the intermittent pond and surrounding area to mitigate the migration of fill contaminants to the adjacent wetland.

Based on our review of the ESD, I understand that filling and re-grading the intermittent pond will no longer be a part of the remedy; instead the remedy will include a provision to remove contaminated surface soil/sediments from the intermittent pond area and to restore the pond with a similar type of clean soil/sediment and beneficial vegetation. In addition, the site management plan that will be developed for this site will include an evaluation of the potential for soil vapor intrusion into any future buildings on the site.

I believe that the proposed modifications of the October 2002 ROD will be protective of public health and concur with the proposed remedy set forth in the September 2008 ESD. If you have any questions, please contact Mr. Geoffrey Laccetti at (518) 402-7860.



Sincerely,

Steven M. Bates, Assistant Director  
Bureau of Environmental Exposure Investigation

Mr. Dale Desnoyers  
Explanation of Significant Differences  
Site #828021  
October 15, 2008

cc: G. A. Carlson, Ph.D./ A. Salame-Alfie, Ph.D.  
G. Litwin/G. Lacetti/file  
D. McNaughton, RFO  
R. Knizek, DEC Albany  
J. Kosmala, MCHD  
J. White/J. Moras, DEC Albany

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