

# DECISION DOCUMENT

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NM - Gloversville Washington St. MGP  
Voluntary Cleanup Program  
Gloversville, Fulton County  
Site No. V00476  
October 2013



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

# **DECLARATION STATEMENT - DECISION DOCUMENT**

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NM - Gloversville Washington St. MGP  
Voluntary Cleanup Program  
Gloversville, Fulton County  
Site No. V00476  
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## **Statement of Purpose and Basis**

This document presents the remedy for the NM - Gloversville Washington St. MGP site, a voluntary cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and applicable guidance.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the NM - Gloversville Washington St. MGP site and the public's input to the proposed remedy presented by the Department.

## **Description of Selected Remedy**

The elements of the remedy are as follows:

1. A remedial design program would be implemented to provide the details necessary for the construction, operation, 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 gas 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 and off-site disposal of on-site contaminant source areas, including grossly contaminated soils, defined as soils containing visible coal tar or PAHs exceeding 500 ppm, and soils that create a nuisance condition, as defined by Commissioners Policy CP-51, Soil Cleanup Guidance. Approximately 450 cubic yards of soil will be removed and treated prior to disposal

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

4. Imposition of an institutional control in the form of a Deed Restriction for the controlled property that:

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

5. 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:

i. Institutional Controls: The Deed Restriction discussed in Paragraph 4 above;

ii. Engineering Controls: The soil cover discussed in Paragraph 3. 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 deed restriction including any land use or groundwater use restrictions;
- a provision for evaluation of the potential for soil vapor intrusion for any buildings developed on the site, including provisions 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;

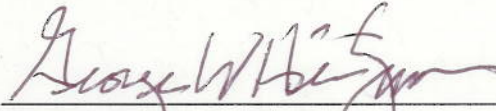
- a schedule of monitoring and frequency of submittals to the Department;
- monitoring for soil vapor intrusion for any buildings developed on the site, as may be required by the Institutional and Engineering Control Plan discussed in item (a) above.

**Declaration**

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

October 21, 2013

Date



George Heitzman, Director  
Remedial Bureau C

# DECISION DOCUMENT

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Gloversville, Fulton County  
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## **SECTION 1: SUMMARY AND PURPOSE**

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The Voluntary Cleanup Program (VCP) is a voluntary program. The goal of the VCP is to enhance private sector cleanup of brownfields by enabling parties to remediate sites using private rather than public funds and to reduce the development pressures on "greenfields." This document is a summary of the information that can be found in the site-related reports and documents.

## **SECTION 2: CITIZEN PARTICIPATION**

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

Gloversville Public Library  
Attn: Barbara Madonna  
58 E. Fulton Street  
Gloversville, NY 12078  
Phone: 518-725-2819

### **Receive Site Citizen Participation Information By Email**

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program,

Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at <http://www.dec.ny.gov/chemical/61092.html>

### **SECTION 3: SITE DESCRIPTION AND HISTORY**

**Location:** The site is the location of a former manufactured gas plant (MGP) at 7 Broadway Street, Gloversville. The rectangular site comprises approximately one-fifth of an acre.

**Site Features:** The site is currently an open lot, comprised of grass and gravel parking.

**Current Zoning/Use(s):** The site is currently inactive, and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial and residential uses. The nearest residential area is approximately 130 feet to the east.

**Past Use of the Site:** The former MGP operated at the site between 1846 and 1900. By 1902 all of the former MGP structures had been removed. By 1905, a lumber yard owned the site and operated there until the 1980s.

**Site Geology and Hydrogeology:** The geology at the site consists of two distinct layers; a fill layer ranging from 0 to 8 feet below ground surface (bgs); and a silt and fine sand layer that ranges from 8 to 40 feet bgs. Groundwater depth is approximately 6 feet bgs, and generally flows to the southwest.

A site location map is attached as Figure 1.

### **SECTION 4: LAND USE AND PHYSICAL SETTING**

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, at a minimum, alternatives (or an alternative) that restrict(s) the use of the site to commercial use (which allows for industrial use) as described in DER-10, Technical Guidance for Site Investigation and Remediation were/was evaluated.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

### **SECTION 5: ENFORCEMENT STATUS**

The voluntary cleanup agreement is with a responsible party. The agreement requires the party to address on-site and off-site contamination. Accordingly, no enforcement actions are necessary.

### **SECTION 6: SITE CONTAMINATION**

## **6.1: Summary of the Remedial Investigation**

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor

### **6.1.1: Standards, Criteria, and Guidance (SCGs)**

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

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

### **6.1.2: RI Results**

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

COAL TAR	Chrysene
BENZENE	ACENAPHTHENE
BENZ(A)ANTHRACENE	ACENAPHTHYLENE
BENZO(A)PYRENE	ANTHRACENE
XYLENE (MIXED)	BENZO[K]FLUORANTHENE
TOLUENE	FLUORANTHENE
BENZO(B)FLUORANTHENE	FLUORENE
DIBENZ[A,H]ANTHRACENE	PHENANTHRENE
indeno(1,2,3-cd)pyrene	PYRENE
NAPHTHALENE	ETHYLBENZENE

The contaminant(s) of concern exceed the applicable SCGs for:

- groundwater
- soil

### **6.2: Interim Remedial Measures**

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

There were no IRMs performed at this site during the RI.

### **6.3: Summary of Environmental Assessment**

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Based upon investigations conducted to date, the primary constituents of concern at the include benzene, toluene, ethylbenzene and xylene (BTEX) and polycyclic aromatic hydrocarbons (PAHs). There is also a defined area where free-phase coal tar is present, both on and off-site (under Broadway Street). There are utilities present underneath Broadway, ranging from 4 to 7 feet below ground surface. The coal tar found underneath the street has migrated below these utilities, and extends approximately 20 feet from the site to the west. Soil borings installed along the west side of Broadway had no impacts present, indicating that the limit of tar migration is under the roadway.

The BTEX concentrations ranged from non-detect to 2,200 parts per million (ppm) in shallow subsurface soils (4-6 feet bgs). The PAH concentrations ranged from non-detect to 12,000 ppm in subsurface soils from 4 to 10 feet bgs. Surface soil sampling indicated that only two locations exceeded commercial SCOs. One sample had several PAH constituents above SCOs, and the second location had two inorganic constituents present. The inorganic concentrations were



comparable to off-site background concentrations. The surficial sample with PAH exceedances is underlain by soil that contains free-phase coal tar.

Groundwater was found not to be impacted at the perimeter of the site, or in the area down gradient of the off-site soil impacts. Groundwater was not sampled in the immediate tar-impacted areas, but is presumed to be contaminated. Soil vapor at the site was not impacted by site contaminants at levels of concern under current conditions.

#### **6.4: Summary of Human Exposure Pathways**

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

Access to the site is unrestricted. However, contact with contaminated soil is unlikely unless people dig below the ground surface. People are not coming into contact with potentially contaminated groundwater because the area is served by a public water supply that is not affected by site-related contamination. Volatile organic compounds in the soil and potentially present in groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Because there is no on-site building, inhalation of site contaminants in indoor air due to soil vapor intrusion does not represent a current concern for the site. However, the potential exists for the inhalation of site contaminants due to soil vapor intrusion for any future on-site development. In addition, sampling indicates soil vapor intrusion is not a concern for off-site buildings.

#### **6.5: Summary of the Remediation Objectives**

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

The remedial action objectives for this site are:

##### **Groundwater**

###### **RAOs for Public Health Protection**

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

###### **RAOs for Environmental Protection**

- Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent

- practicable.
- Prevent the discharge of contaminants to surface water.

### **Soil**

#### **RAOs for Public Health Protection**

- Prevent ingestion/direct contact with contaminated soil.

#### **RAOs for Environmental Protection**

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

### **Soil Vapor**

#### **RAOs for Public Health Protection**

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

## **SECTION 7: ELEMENTS OF THE SELECTED REMEDY**

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation.

The selected remedy is referred to as the On Site Excavation remedy.

The elements of the selected remedy, as shown in Figure 2, are as follows:

1. A remedial design program would be implemented to provide the details necessary for the construction, operation, 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;
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Guidance. Approximately 450 cubic yards of soil will be removed and treated prior to disposal using thermal desorbtion, if necessary. 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.

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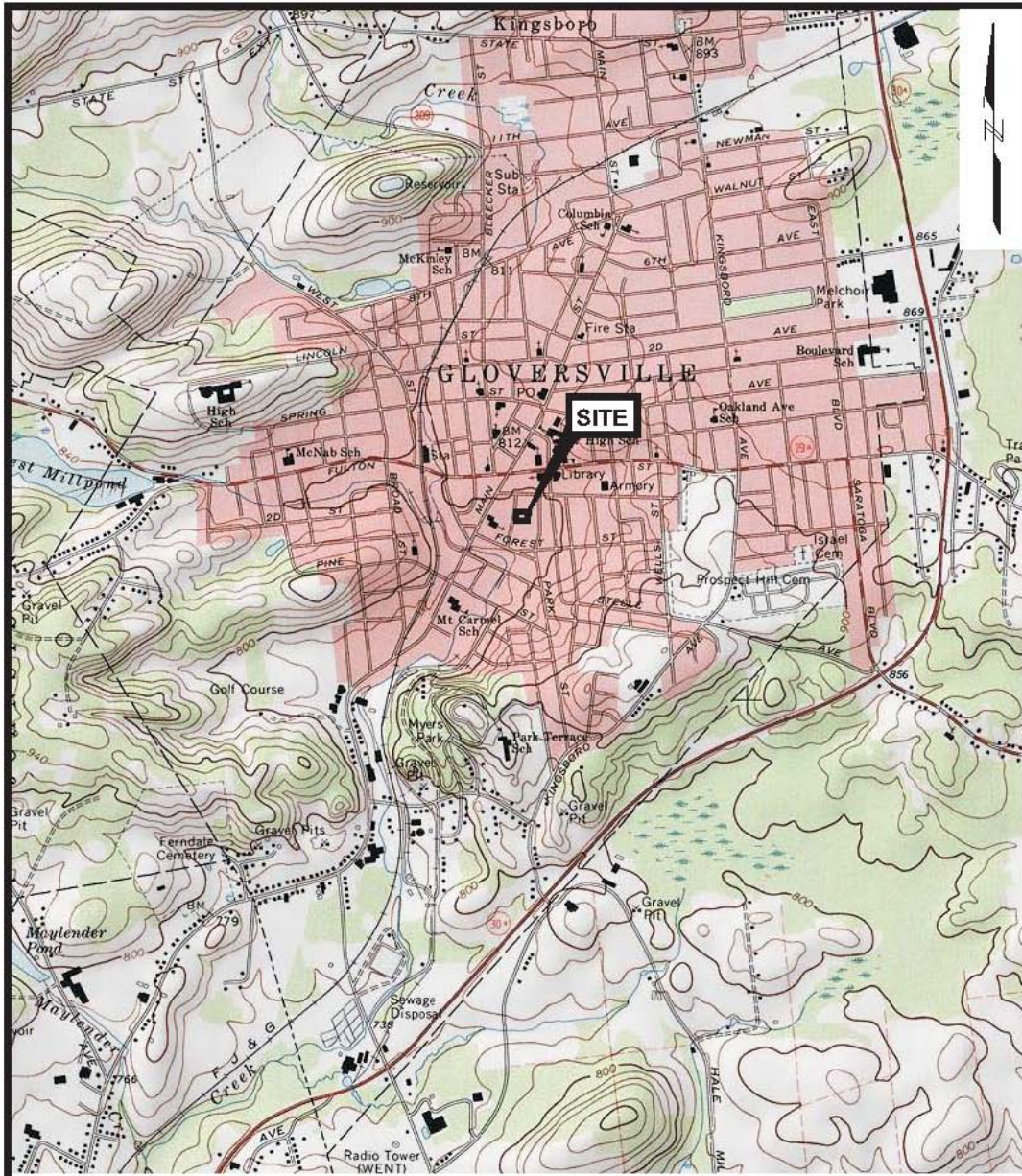
ii. Engineering Controls: The soil cover discussed in Paragraph 3. This plan

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 deed restriction including any land use or groundwater use restrictions;
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- 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 soil vapor intrusion for any buildings developed on the site, as may be required by the Institutional and Engineering Control Plan discussed in item (a) above.



SOURCE: Map created with TOPO! © 2001 National Geographic  
 (www.nationalgeographic.com/topo)



<p><b>ALTERNATIVE ANALYSIS REPORT          GLOVERSVILLE (WASHINGTON STREET) MGP          GLOVERSVILLE, NEW YORK</b></p>	 <p><b>GEI</b>          Consultants</p>	<p><b>SITE LOCATION MAP</b></p>
	<p>Project 115130-1-1102</p>	<p>January 2013 <span style="float: right;">Figure 1</span></p>

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