

FUDS Property No. C02NY0002

FUDS Project Name – Northeastern Industrial Park
Formerly Used Defense Site
Guilderland, NY

Decision Document
Northeastern Industrial Park AOC 3

March 2017

Prepared for:



U.S. Army Corps of Engineers

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LIST OF ABBREVIATIONS AND ACRONYMS

ACEMC – Albany County Environmental Management Council
AOCs – Areas of Concern
AR – Administrative Record
ARAR – Applicable or Relevant and Appropriate Requirement
CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act
COCs – Contaminant(s) of Concern
CSM – Conceptual Site Model
DERP-FUDS – Defense Environmental Restoration Program for Formerly Used Defense Sites
DoD – Department of Defense
DOH – Department of Health
DTW - Deep Temporary Well
HHRA – Human Health Risk Assessment
NEIP – Northeastern Industrial Park
NYSDEC – New York State Department of Environmental Conservation
NYSDOH – New York State Department of Health
PCBs – Polychlorinated Biphenyls
PCE – Perchloroethene
RI – Remedial Investigation
SADVA - Schenectady Army Depot – Voorheesville Area
SLERA – Screening-Level Ecological Risk Assessment
STW - Shallow Temporary Well
SVOCs - Semi-Volatile Organic Compounds
TCE – Trichloroethene
USACE – U.S. Army Corps of Engineers
USEPA – United States Environmental Protection Agency
VC – Vinyl Chloride
VOCs – Volatile Organic Compounds

1.0 DECLARATION

1.1 SITE NAME AND LOCATION

The former Schenectady Army Depot-Voorheesville Area (SADVA) is located one-quarter mile southeast of the Village of Guilderland Center, New York (Figure 1-1). The former SADVA was a storage and supply depot for the military during World War II and the Korean War. It was established in 1941-1942 and consisted of approximately 650 acres. The former SADVA is classified as a Formerly Used Defense Site (FUDS). In 1969, the property was declared surplus. Today, 541 acres of the former SADVA is occupied by the Northeastern Industrial Park (NEIP), and is used for warehouse and light industrial purposes.

AOC 3 is one of nine areas of concern identified in the Remedial Investigation Report, Former SADVA, completed in September 2007 (Parsons, 2007). AOC 3 is located in the northwestern portion of the NEIP, and is bordered by Black Creek, the Guilderland Nursing Home and Route 146 to the north; by Guilderland High School to the west and northwest; and by NEIP to the south and east (Figure 1-2).

1.2 STATEMENT OF BASIS AND PURPOSE

This Decision Document presents the selected remedy of no further action at the former SADVA AOC 3, Guilderland, New York. The United States Army Corps of Engineers (USACE) is the lead agency under the Defense Environmental Restoration Program (DERP) for response actions for Department of Defense (DoD) hazardous substances at FUDS, and has developed this Decision Document consistent with the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq, as amended, and to the extent practical the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) 40 Code of Federal Regulations (CFR) Part 300. This decision is based on the Administrative Record (AR) file for this site.

A Proposed Plan (USACE, 2016) was issued in June 2016, with a preferred approach of no further action for AOC 3. The public comment period for the Proposed Plan ran from December 16, 2016 to January 31, 2016. The Proposed Plan was posted on the USACE web site, and direct-mailed copies of the plan were provided to the Guilderland Public Library and Voorheesville Public Library. A public meeting was held on December 19, 2016 at the Guilderland Public High School where the USACE presented the Proposed Plan and the public was offered an opportunity to voice their comments, and/or to provide them in writing.

The New York State Department of Environmental Conservation and the New York State Department of Health concurs with the selected remedy for AOC 3 of no further action.

The AR, which concerns information relevant to decision making for this site, may be viewed at the Guilderland Public Library, 2228 Western Ave, Guilderland, NY, the Voorheesville Public Library, 51 School Rd, Voorheesville, NY, or on the project web site: <http://www.nan.usace.army.mil/Missions/Environmental/Environmental-Remediation/Formerly-Used-Defense-Sites/Former-Schenectady-Army-Depot-Voorheesville-Area>.

1.3 ASSESSMENT OF THE SITE

The USACE has conducted a thorough remedial investigation of AOC 3, pursuant to CERCLA, with regard to the DoD's former use of the site. Investigations conducted in 2000 and 2001 at the AOC 3 burn pit area found soils impacted by volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), pesticides and metals. Interim actions were completed to remove visibly identified disposed materials and source area soils.

A supplemental remedial investigation (RI) for AOC 3, was initiated in 2013 to determine whether any remaining contamination posed a threat to human health or the environment. The RI report (H2H, 2016) concluded that no unacceptable risks remain to human health or the environment.

1.4 DESCRIPTION OF THE SELECTED REMEDY

Based on the results of the RI report, there are no unacceptable risks identified for current or reasonably foreseeable future use of the site including the portions of the NEIP and Guilderland Central School District properties associated with AOC 3; therefore, no further action is deemed necessary. Under CERCLA, the no further action option is appropriate for sites when there is no current or potential threat to human health or the environment.

Under the no further action plan, land use controls would not be implemented, and no monitoring would occur to determine if further remedial action or feasibility study is necessary. All monitoring wells associated with AOC 3 would be properly closed.

1.5 STATUTORY DETERMINATION

1.5.1 Statutory Requirements

USACE, acting in accordance with CERCLA, as well as FUDS program policy, has determined the no further action for AOC 3 is protective of human health and the environment, and 5-year reviews are not required.

1.5.2 Ongoing Responsibilities

In accordance with FUDS program policy, if future conditions, or new information, suggest a response action is necessary to address FUDS-eligible hazardous substances, pollutants or contaminants, the property may be reactivated.

1.6 DATA CERTIFICATION CHECKLIST

The following information is included in Section 2.0 of this Decision Document. Additional information can be found in the AR for this site.

Data Item	Location in Decision Document
Contaminants of Concern (COCs) and their respective concentrations.	Section 2.5.3
Current and Potential Site and Resource Use.	Section 2.6
Baseline risk represented by COCs.	Section 2.7

1.7 AUTHORIZING SIGNATURE

This Decision Document presents the selected remedy of no further action at the former SADVA AOC 3, Guilderland, New York. The USACE is the lead agency under the DERP for response actions for DoD's hazardous substances at FUDS, and has developed this Decision Document consistent with CERCLA, as amended, and to the extent practical with the NCP. This Decision Document will be incorporated into the larger AR file for the former Schenectady Army Depot, which is available for public view. Based on the findings of the risk assessment and other information provided in the Final Supplemental Remedial Investigation Report, the selected remedy of no further action is protective of human health and the environment. This decision is approved by the undersigned, pursuant to Memorandum, DAIM-ZA, September 9, 2003, subject: Policies for Staffing and Approving Decision Document, and to the FUDS Program Policy, U.S. Army Corps of Engineers Regulation 200-3-1 (2004).



WILLIAM H. GRAHAM
Brigadier General, USA
Commanding



Date

2.0 DECISION SUMMARY

2.1 SITE NAME, LOCATION, AND BRIEF DESCRIPTION

The former Schenectady Army Depot-Voorheesville Area (SADVA) is located one-quarter mile southeast of the Village of Guilderland Center, New York (Figure 1-1). The former SADVA was a storage and supply depot for the military during World War II and the Korean War. It was established in 1941-1942 and consisted of approximately 650 acres. The former SADVA is classified as a Formerly Used Defense Site (FUDS). In 1969, the property was declared surplus. Today, 541 acres of the former SADVA is occupied by the Northeastern Industrial Park (NEIP), and is used for warehouse and light industrial purposes.

AOC 3 is one of nine areas of concern identified in the Remedial Investigation, Former SADVA, completed in September 2007 (Parsons, 2007). AOC 3 has been documented to be the location of a former burn pit area that was used for the burning of wastes during the operations of the Department of Defense (DoD) at the site. AOC 3 is located in the northwestern portion of the NEIP, and is bordered by Black Creek, the Guilderland Nursing Home and Route 146 to the north; by Guilderland High School to the west and northwest; and by NEIP to the south and east.

In accordance with the provisions of the DERP Management Guidance, the Department of the Army (DA) serves as the DoD Executive Agent for execution of the Defense Environmental Restoration Program for Formerly Used Defense Sites (DERP-FUDS).

The DA further delegated the responsibility of the DERP-FUDS program management and execution to the USACE. All plans and activities conducted by USACE at the former SADVA are coordinated with the NYSDEC, the New York State Department of Health (NYSDOH), the Albany County Department of Health, and the current owner of the SADVA property.

2.2 SITE HISTORY AND ENFORCEMENT ACTIVITIES

2.2.1 Activities Leading to Current Problems

AOC 3 has been documented to be the location of a former burn pit area that was used for the burning of wastes during the operations of the DoD at the site. (Parsons 2007).

There is no history at AOC 3 of any cited violations under Federal or State environmental regulations or statutes.

2.2.2 Site Investigations

In 1980, the Albany County Environmental Management Council (ACEMC) published a study of the entire SADVA area which included an historical aerial photograph survey of AOC 3. In addition to the ACEMC report, a Final Archival Search Report prepared by EAEST in 2003, included interpretations of historical aerial photographs and site history. The following additional investigations have assisted in characterizing AOC 3:

- Preliminary Contamination Evaluation (Metcalf and Eddy, 1988)
- “Sampling and Analysis of Groundwater, Northeast Industrial Park” for the Galesi Group (Empire Soils Investigations, Inc., September 29, 1989)
- “Report of Findings Environmental Liability Review Northeast Industrial Park” for the Galesi Group. (ERM-Northeast, March 15, 1990)

- Geophysical Investigation. (Quantum Geophysics, Inc., 1999)
- Focused Feasibility Study for Area of Concern 3 (AOC 3), Former Schenectady Army Depot – Voorheesville Area, Guilderland, New York. (Parsons, March 2002).
- Guilderland High School Emergency Response Completion Report. (Shaw, 2003)
- Interim Remedial Measure Area of Concern No. 3 Former Schenectady Army Depot-Voorheesville Area, Guilderland Center, New York. (Shaw, 2004)
- Groundwater Sampling Report November 2006, Area of Concern No. 3, Former Schenectady Army Depot, Voorheesville Area, Guilderland NY. (Shaw, 2007)
- Groundwater Sampling Report for MW-9 at Area of Concern 3 Former Schenectady Army Depot-Voorheesville Area, Guilderland, New York. (Shaw, 2011)
- Supplemental Remedial Investigation Area of Concern 3 (AOC 3). (H2H, 2016)

2.2.3 Remedial Actions

Soon after the Focused Feasibility Study for AOC 3 was completed in 2002, wastes from the DoD operations at the former SADVA were found to extend beyond the current northwest fence line of the NEIP adjacent to the former burn pit area, onto property now occupied by the Guilderland Central School District. Outdated supplies and debris related to DoD depot operations were discovered buried in this area in August 2002 during excavation work associated with the school's new bus garage. Review of past documents confirmed that the property boundary of the former depot extended beyond the current northwest fence line between NEIP and the Guilderland Central School District property, therefore, at the time the materials were disposed, the property was owned by the U.S. Government. Based on the discovery of the buried items, an emergency response action was undertaken on behalf of USACE on the Guilderland Central School District property from August 27 through November 27, 2002 to identify and remove buried materials and impacted soils. The total mass of removed and off-shipped material of 1,347.52 tons included 530.22 tons of oxidizer solids/debris (sodium hypochlorite), 188 tons of lead-contaminated debris, 21.72 tons of flammable solids and 607.58 tons of non-hazardous sharps. (Shaw, 2003).

After the Guilderland School emergency response, an interim remedial measure in the form of soil excavation was conducted on the NEIP property from April 2003 through July 2003 to remove soils and debris believed to be associated with the burn pit area. This removal action was expedited in response to construction concerns in the vicinity of the former burn pits. A total of 2012.22 tons of soil and 719.22 tons of debris were shipped off the site. (Shaw, 2004).

2.3 COMMUNITY PARTICIPATION

Community participation activities provided the public with an opportunity to express its views on the proposed plan of no further action. USACE considered both state (NYSDEC and NYSDOH), and public input during community participation activities.

A public meeting was held on December 19, 2016, to present the no further action proposed plan for AOC 3, and to receive input from the public.

Public notices announcing the proposed plan meeting were published in the Altamont Enterprise, and the Schenectady Gazette, newspapers of general circulation in the area of the former SADVA. In the notice, the public was requested to provide any written comments by January 31, 2017; no written comments were received. A responsiveness summary, documenting public comments voiced at the December 19, 2016 meeting, are addressed in Section 3.0 of this Decision Document.

The minutes of the December 19, 2016 meeting are included in Section 3.0 (Responsiveness Summary).

2.4 SCOPE AND ROLE OF THE RESPONSE ACTION

The site is currently a privately-owned industrial park known as the NEIP. The FUDS program does not address any environmental impacts that may be associated with the current use of the site – it is focused only on DoD’s contaminants.

This *Decision Document* addresses AOC 3 only. It does not include, or apply to, any other AOCs at SADVA. Previous removal of impacted soils, and subsequent analysis of soil and groundwater at AOC 3, indicate that there remains no current unacceptable risk to human health and the environment.

2.5 SITE CHARACTERISTICS

2.5.1 Conceptual Site Model

A conceptual site model (CSM) is an effective tool for defining site dynamics, streamlining risk assessments, establishing exposure hypotheses, and developing appropriate corrective actions. CSMs are useful for identifying completed exposure pathways between the contaminated media and potential receptors. The purpose of the CSM is to aid in understanding and describing a site and presents the assumptions regarding:

- Suspected sources and types of contaminants present;
- Contaminant release and transport mechanisms;
- Affected media;
- Potential receptors that could come in contact with site-related contaminants in affected media under current and future land use scenarios; and
- Potential routes of exposure.

Potential human receptors are defined as individuals who may be exposed to site-related contaminants in environmental media. Consistent with United States Environmental Protection Agency (USEPA) guidance, current and reasonably anticipated land uses were considered in the receptor selection process.

USEPA defines an exposure pathway as: “The course a chemical or physical agent takes from a source to an exposed organism. An exposure pathway describes a unique mechanism by which an individual or population is exposed to chemicals or physical agents at or originating from a site. Each exposure pathway includes a source or release from a source, an exposure point, and an exposure route. If the exposure point differs from the source, a transport/exposure medium (e.g., air) or media (in cases of intermedia transfer) is also included.”

A review of potential exposure pathways links the sources, locations, and types of environmental releases with receptor locations and activity patterns to determine the significant pathways of concern. Based on the investigations conducted at the site, the observations and reasonable assumptions for the potential human receptors for AOC 3 are listed below.

- **Current Receptors**– The current land use at the NEIP is industrial/commercial. The workers and tenants are not known to use groundwater from the site vicinity. Receptors include outdoor maintenance worker, indoor worker, and off site residents. Downgradient

of the NEIP, current land use includes the Guilderland High School and the Guilderland School Bus Garage. Receptors include the outdoor maintenance worker, student, indoor worker, and off site resident. Groundwater is used by the school for irrigation purposes.

- **Future Receptors** – Land use is expected to remain industrial at the NEIP, and educational downgradient of the NEIP. Groundwater use is not expected to change. Future receptors include the outdoor maintenance worker, construction worker, student, indoor worker, and off site resident.

2.5.2 Sampling Strategy

Sampling was conducted in a manner consistent with evaluating the nature and delineating the extent of contamination at AOC 3. A total of 34 groundwater samples from permanent wells, along with 22 groundwater samples from temporary wells, were collected during the Supplemental RI from 2013-2015. In addition, a total of 25 gas samples were collected during the Supplemental RI; 20 soil gas, 3 sub-slab soil gas, 1 indoor air and 1 ambient outdoor air.

2.5.3 Sources, Types and Extent of Contamination

2.5.3.1 Contaminant Source Area

The primary source of contamination at AOC 3 is the former waste burning and waste disposal at the burn pit area by personnel at the former SADVA. Investigation into this area found that soils had been impacted by volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), pesticides and metals. These VOCs, SVOCs, pesticides and metals in soils subsequently impacted the underlying groundwater over time primarily through percolation of precipitation and vertical leaching.

Some soils were also found to be directly impacted by former waste disposal on the Guilderland school property. These impacted soils were addressed by the 2002 emergency response action at the Guilderland Bus Garage.

As part of the remedial actions at the former burn pit area on NEIP property, most of the impacted soils were removed in 2003, with minor detectable concentrations of some compounds remaining in soil at depths of 16 to 20 feet below ground surface. Based on the post-excavation results, contaminant concentrations that pose unacceptably high risk are no longer present at the site.

The direction of groundwater flow in the local shallow aquifer is to the northwest based on previous groundwater elevation measurements conducted at the site. There is no evidence of a continuous confining layer within the glacial deposits beneath the site area so it is assumed that the shallow and deep portions of the glacial deposit aquifer are hydraulically connected. A groundwater contaminant plume extended from the former burn pit area northwest onto the school property as indicated by the results of past sampling events. VOC-impacted soil vapor is associated with the plume. Contaminant concentrations in the plume appear to be decreasing with time.

2.5.3.2 Groundwater

Subsequent to these soil removal measures, quarterly groundwater sampling and analysis was conducted at selected site monitoring wells from September 2003 through June 2005. Two additional quarters of sampling were conducted in August 2006 and November 2006. Further annual sampling and analysis of groundwater from monitoring well MW-9 (Figure 2-1) was

conducted in June 2007, 2008, 2009, 2010, and 2011, because MW-9 continued to indicate concentrations of the VOC trichloroethene (TCE) slightly above the NYSDEC Ambient Water Quality Standard (AWQS) for Class GA groundwater of 5 micrograms/Liter ($\mu\text{g/L}$) or 5 parts per billion. The TCE concentrations ranged from 5.3 $\mu\text{g/L}$ to 7.5 $\mu\text{g/L}$.

TCE was detected above the AWQS in June 2013 in shallow temporary wells (STW) and deep temporary wells (DTW) wells DTW-1, STW-2, STW-3, STW-4, and STW-6 completed in the aquifer. The groundwater concentrations ranged from 6.76 $\mu\text{g/L}$ to 18.4 $\mu\text{g/L}$ (Figure 2-2). These locations are all in the vicinity of MW-10 and the school parking lot area.

During the Supplemental RI sampling in 2014 and 2015, TCE was detected in monitoring wells MW-8, MW-9, and MW-10 at levels near or just above the AWQS of 5 $\mu\text{g/L}$ (parts per billion) for groundwater. For all three wells, concentrations decreased with time, with some of the most recent samples exhibiting concentrations well below the AWQS. All other detected compounds, perchloroethene (PCE), cis-1,2 dichloroethene (DCE), and vinyl chloride (VC), were present at concentrations below their respective AWQS.

Decreasing TCE concentrations were observed in these three wells. The samples from MW-8, located on the NEIP/School property border, decreased from 6.26 $\mu\text{g/L}$ in June 2013, to 3.7 $\mu\text{g/L}$ in April 2014, and to 1.0 $\mu\text{g/L}$ in July 2015. The concentrations in MW-9 decreased from 3.72 $\mu\text{g/L}$ in April 2014 to 1.0 $\mu\text{g/L}$ in July 2015. The concentrations from samples in MW-10 decreased from 5.55 $\mu\text{g/L}$ in April 2014, to 1.1 $\mu\text{g/L}$ in May 2015.

2.5.3.3 Irrigation Wells

Across (north of) Black Creek and northwest of MW-9, the Guilderland Central School District operates five deep water supply wells that pump groundwater into a storage/mixing tank for use for athletic field irrigation (Figure 2-1). These wells are screened relatively deep in the aquifer. In response to community concerns, the mixed irrigation water in the tank was tested in April 2010. TCE was detected at a concentration of 1.8 $\mu\text{g/L}$, which is below the New York State AWQS of 5 $\mu\text{g/L}$ for drinking water.

Follow-up water sampling of the individual irrigation wells that supply the tank was performed in 2011, TCE was detected in two individual irrigation wells, well #5, at concentrations of 6.7 and 10.0 $\mu\text{g/L}$, and in well #2, at concentrations of 0.38 and 1.4 $\mu\text{g/L}$, in June and October 2011, respectively.

Subsequent sampling of the irrigation wells during the Supplemental RI in 2014 and 2015 indicated estimated concentrations of TCE only in irrigation well #2. The estimated concentrations were 0.9 $\mu\text{g/L}$ in 2014, and 0.4 $\mu\text{g/L}$ in 2015. TCE was not detected in irrigation wells #1, #3, #4 or #5 in either year. The results from this recent irrigation water testing for TCE and, other compounds, including PCE, DCE, and VC, did not exceed drinking water standards. Sampling in May 2015 confirmed these results (Figure 2-2).

2.5.3.4 Soil Vapor

The potential for soil vapor contamination was addressed through the 2007 human health risk assessment (HHRA) in the RI report. In the HHRA the potential for vapor intrusion of VOCs in shallow groundwater was evaluated through comparison to screening levels developed using USEPA procedures (2002). The screening levels were calculated to correspond to indoor air

concentrations that would be protective of human health if vapor intrusion were to occur assuming a residential exposure pathway. The risks of vapor intrusion were evaluated based on groundwater concentrations at each individual permanent well at AOC 3 that were in place in 2007. The analysis indicated that only the concentrations at MW-9 posed an unacceptable calculated risk.

The modeled risks at MW-9 were based on only two groundwater samples collected in 2006. MW-9 is in an open area located approximately 600 feet hydraulically downgradient of the NEIP warehouse, and approximately 300 feet from the old Guilderland School District bus garage where a groundwater supply well is located. With this approach, and taking MW-9's location into account, there appeared to be no unacceptable risk for vapor intrusion of VOCs into the existing buildings at and near AOC 3.

Further, as part of the Supplemental RI in 2014 and 2015, soil gas sampling was conducted in subsurface soils in the vicinity of NEIP and school property buildings near AOC 3, and along the length of the groundwater plume (Figure 2-3). The analyses identified PCE, TCE, cis-1,2-DCE, and VC in the soil gas mostly in an area south of Black Creek, but VC was also detected at a low concentration in one subsurface sample collected north of Black Creek (Figure 2-4).

Based on the initial results of the 2014 Supplemental RI, USACE subsequently collected sub-slab soil vapor samples from buildings near and above the groundwater plume. This sampling was conducted at four buildings, one on the NEIP property and three buildings on the school property. Low-level VOC concentrations less than risk-based screening levels were reported for the sub-slab samples, with the exception of the subsample at Building #2, the Maintenance Garage on school property (Figure 1-3). Based on groundwater flow patterns, historical analyses of impacted soil and groundwater, and current analytical data, the elevated PCE concentrations detected in the sub-slab sample at Building #2 are thought to originate from local sources and not from the AOC 3 burn pit area.

2.5.4 Materials to be Remediated

No materials will be remediated at AOC 3 under the no further action remedy.

2.6 CURRENT AND POTENTIAL FUTURE SITE AND RESOURCE USES

The NEIP current land use is industrial. Based on future land use plans at NEIP, as described in the Northeastern Industrial Park Generic Environmental Impact Statement (NEIP EIS) (June 2005)), the AOC 3 site will likely remain industrial on the NEIP. Downgradient of the NEIP, current land use includes the Guilderland High School and the Guilderland School Bus Garage and is expected to remain as an educational institution for the foreseeable future. Residential property is located farther to the west and north of this area. To the south of AOC 3 and south of the southernmost warehouse, the NEIP EIS indicates an area for future development (including a motel, diner, convenience store, tractor-trailer spaces with hook-ups, and fuel station). This area of potential development is upgradient of AOC 3. The NEIP EIS indicates that AOC 3 will not be converted to residential use (Parsons, 2007 RI).

2.7 SUMMARY OF SITE RISKS

2.7.1 Findings of the Human Health Risk Assessment

The purpose of the HHRA was to evaluate the potential threats associated with the residual soil and groundwater impacts at AOC 3. Quantified cancer risks and non-cancer Hazard Indices were

compared with EPA target values, as presented in the Supplemental RI Report. The following contaminants of potential concern were identified:

- PCE and TCE in soil gas, and
- TCE, cis-1,2-DCE, and VC in groundwater.

Potential exposure scenarios were considered in the human health risk assessment for the Outdoor Maintenance Worker, Construction Worker, School Student, Indoor Worker, and Off-Site Resident.

2.7.1.1 Outdoor Maintenance Worker

The outdoor maintenance worker may be exposed to future surface soil (i.e., subsurface soil mixed with current surface soil because of future excavation activities) via incidental ingestion, dermal contact, and inhalation of volatile or fugitive dust emissions. Outdoor workers were also considered to be possibly exposed through drinking water or showering. Volatile contaminants may be released during water use and inhaled by the workers. No unacceptable risks were found for this receptor.

2.7.1.2 Construction Worker

Similar to the outdoor maintenance worker, the future construction worker could be exposed to soil contaminants through incidental ingestion, dermal contact, and inhalation of volatile and fugitive dust emissions. Because of the dust-generating potential of construction activities, the inhalation exposure route is of particular importance to the construction worker. No unacceptable risks were found for this receptor.

2.7.1.3 School Student

Under current site conditions, the student may be exposed to PCE and TCE via soil vapor intrusion. Soil gas sampling locations are depicted on Figure 2-3. Soil gas sample SG-6, collected approximately 200 feet east of the school buildings, had detections of both TCE and PCE (Figure 2-3). PCE and TCE were not detected in sample SG-7, which was collected south of SG-6 and is closer to some of the school buildings. Because it is possible, although unlikely, for the vapors at location SG-6 to migrate into the school building, the HHRA conservatively evaluated the potential impact of this sample's data. No potential non-carcinogenic or carcinogenic effects are expected for a student's exposure to soil vapor intrusion. Under future conditions, the student may be exposed to both future surface soil (i.e., subsurface soil mixed with current surface soil because of future excavation activities) and soil gas. As well, it was assumed (hypothetically) that the student could be exposed through drinking water and showering in the school gym and in turn inhaling volatile chemicals released from the water into the air. For these combined exposure media, there were no unacceptable risks.

2.7.1.4 Indoor Worker

This indoor worker may be exposed to soil through incidental ingestion, but this receptor may also be exposed to site contaminants through vapor intrusion. The indoor worker was also assumed to be exposed to groundwater through drinking or showering at work. Three indoor worker exposure scenarios were quantified: school worker; NEIP worker; and indoor worker at a future, onsite building.

An assessment of risk with respect to vapor intrusion from soil gas data resulted in the following conclusions:

- For the current/future indoor school worker there were no unacceptable risks;
- For the current/future NEIP worker there were no unacceptable risks; and
- An individual working inside a future building, hypothetically constructed in the area of highest soil gas concentrations, may potentially be subject to unacceptable non-carcinogenic or carcinogenic effects, if vapor intrusion mitigation measures are not taken in the construction of such a building.

2.7.1.5 Off-Site Resident

The off-site adult and child resident could be exposed to soil gas via vapor intrusion and groundwater (through drinking and showering). For an adult or child off-site resident there were no unacceptable risks. The off-site resident evaluation does apply to the residents of the Guilderland Nursing Home.

2.7.1.6 HRRA Summary

In summary, evaluation of data for soil, groundwater, and soil gas identified no threats to human health under current site conditions. Reasonably foreseeable future land use is industrial for the NEIP and continued use of the school property as an educational institution. If a building is constructed over the area of highest soil gas concentrations, the vapor intrusion pathway may pose a threat to the indoor worker depending on the degree of contaminant attenuation that occurs as the soil gas migrates into the building. In addition, PCE and TCE in soil gas were identified as risk drivers for the hypothetical future on-site resident. Based on the reasonably foreseeable future land uses, it is unlikely that people would reside on the site. The risks to a hypothetical on-site resident were evaluated only to provide a conservative evaluation of potential risks.

2.7.2 Findings of the Ecological Screening Level Risk Assessment

During the 2007 RI, a screening-level ecological risk assessment (SLERA) was conducted to evaluate potential adverse impacts to the ecological receptors at SADVA due to the presence of certain organic compounds and metals above applicable criteria in sediment and surface water at SADVA. The SLERA can be used to identify and evaluate the ecological risks at the site, if any. The objective of the SLERA was to evaluate whether unacceptable adverse risks may be present. This objective was met by characterizing ecological plant and animal communities at or near the site, defining and describing the contaminants present in the environmental media at the site, and identifying the potential pathways for exposure to contaminants at the site. The information used in the SLERA was largely taken from the Generic EIS prepared for the NEIP (Clough Harbour and Associates, 2005), supplemented by the RI sampling data and site visits by risk assessment professionals. NYSDEC reviewed and approved the SLERA, as part of the overall approval of the SADVA RI Report.

The qualitative ecological risk assessment for the SADVA site, which included assessment of AOCs 6 and 9, concluded that the SADVA site supports wildlife typical for the area and for the commercial/industrial setting that the site has retained for over 60 years and no unacceptable ecological risk exists.

2.8 SUMMARY OF THE RATIONALE FOR NO FURTHER ACTION

Based on the results of the Supplemental Remedial Investigation there are no unacceptable risks identified for current or reasonably foreseeable future use of the site including the portions of the NEIP and Guilderland Central School District properties associated with AOC 3.

The USACE, with the concurrence of the NYSDEC, has determined that no further action under CERCLA or DERP is necessary to protect human health or the environment from hazardous substances in groundwater and soil at the AOC-3. Based on the results of investigations conducted at this site, the USACE and NYSDEC have determined that groundwater and soil at AOC-3 do not pose a current unacceptable risk to human health or the environment. Because no further action will be taken due to the absence of risk at the site, neither a five-year review nor implementation of institutional controls, a remedy schedule, or annual operation and maintenance will be necessary. No further costs are expected to be incurred.

Under DoD policy, the DoD conducts response actions for vapor intrusion only in existing structures when DoD is the sole source of contamination. When there are no existing structures overlying or near a potential vapor intrusion pathway, the DoD documents the potential vapor intrusion risk and provides notice of potential vapor intrusion risks to the non-DoD property owners in writing. For this site, the current property owners were notified by USACE of their responsibility to assure vapor intrusion risks are addressed in the construction of future buildings, should they be located in areas of highest soil gas concentrations.

2.8.1 Monitoring Well Closure

All monitoring wells related to previous investigations will be properly closed.

2.9 DOCUMENTATION OF SIGNIFICANT CHANGES

The Proposed Plan was issued for the former SADVA AOC 3 in December 2016, and identified no further action for AOC 3. The public comment period ran from December 16, 2016 to January 31, 2017. USACE reviewed and responded to verbal comments submitted during the public comment period; there were no written comments received. It was determined that no significant changes to the remedy, as originally identified in the Proposed Plan, were necessary or appropriate.

3.0 RESPONSIVENESS SUMMARY

The Proposed Plan for AOC 3 was made available during the public comment period, which commenced on December 16, 2016 and closed on January 31, 2017. A public meeting was held to solicit public comment on the Proposed Plan at the Guilderland Public High School in Guilderland, New York, on December 19, 2016.

The appendices of this document include copies of the public notice for the meeting, the material presented at the meeting, the official transcript of the meeting, applicable newspaper articles and concurrence letters.

3.1 SUMMARY OF COMMENTS AND RESPONSES TO COMMENTS

Written comments were requested on the Proposed Plan for the Former Burn Pit Area (known as AOC -3) of the former Schenectady Army Depot (the property now known as “Northeastern Industrial Park”) in Guilderland, Albany County, New York. The comment period ended, as of January 31, 2017, and there were no written comments received from the public.

Two basic questions/concerns were raised in the December 19, 2016 public meeting on the Proposed Plan that were answered, in part, by Mr. Gregory J. Goepfert of the U.S. Army Corps of Engineers. The following is a summary and more elaborative response to the concerns presented at that meeting by Mr. Ted Ausfeld, a local resident and once co-chair of the Restoration Advisory Board, and Mr. Neil Sanders, Superintendent for Business of the Guilderland Central School District:

1. In view of the fact that during prior construction activity within the former Depot, areas of disposal activity were uncovered related to Army activities, what responsibility will the Army retain to inform future parties of the potential for discovering residual effects of Army activities, should they plan to build in the future? Will the Army take responsibility and respond to any findings of any unknown Army-related property impacts?

Thank you for your questions and concern, Mr. Ausfeld. As you know, the U.S. Army Corps of Engineers completed an archive search, and a comprehensive Remedial Investigation (RI) for the former Schenectady Army Depot that was completed in 2007. Since then, we have executed response actions at the former Bivouac Area (AOC-2) and at the Southern Landfill (AOC-1), and more recently, completed a Supplemental RI in 2016 for the former Burn Pit area (AOC-3), which is the subject of this “No Further Action” Proposed Plan. We are confident that we have taken a thorough approach to identifying areas of prior Depot activities, addressing those areas by performing remedial investigations, conducting risk assessments, and taking response actions as necessary or proposing no further action at areas for which it was determined there were no unacceptable risks.

Under current program policy, USACE has an ongoing responsibility for its formerly used defense sites (FUDS). While our Proposed Plan is for “no further action” at AOC-3, the property may be reactivated if future conditions or new information suggests this is necessary, and USACE will respond accordingly.

We have compiled a complete Administrative Record (AR) for the site, which includes correspondence with stakeholders, investigation and remedial action reports, and documents leading to decisions made. Copies of the AR have been sent to the current owners of former Depot property (namely, Northeastern Industrial Park and the Guilderland Central School District), to the New York State Department of Environmental Conservation, the New York State Department of Health, the Albany County Health Department and the Town of Guilderland. The AR is also available for inspection in the Guilderland and Voorheesville, New York Public Libraries.

We believe the AR provides substantial documentation to the property owners of the nature of prior Depot site activities, to assist them in future building plans. We have requested, via letters dated March 31, 2017, that the current property owners of Northeastern Industrial Park and the Guilderland Central School inform the U. S. Army Corps of Engineers, the New York State Department of Environmental Conservation and New York State Department of Health, should they plan to construct a building in the areas of highest soil vapor concentrations at AOC 3. We have also sent a letter dated March 31, 2017 to the Guilderland Building Department providing information on AOC 3 for their records. State and local governments, including the Town of Guilderland, have broad authority to regulate land use and to add special conditions to construction permits in order to promote public safety. Moreover, property owners have an incentive to disclose site conditions to protect their interests.

Filing a deed notice is also a possible approach to inform future property owners of site conditions addressed and remaining, related to former Depot operations. While USACE is not authorized to impose deed notices on property not owned by the Department of Defense, we would provide support to, and continue discussion with the property owners of Northeastern Industrial Park and the Guilderland Central School, with regard to filing a deed notice related to the areas of highest soil vapor concentrations at AOC 3.

We are not aware that either the owners of Northeastern Industrial Park or the Guilderland Central School have current plans to transfer ownership of their property.

Incidentally, however not directly related to AOC-3, the U. S. Army Corps of Engineers (USACE) is providing an annual periodic review report (PRR), as required by the Site Management Plan for the “Southern Landfill” (AOC-1) at Northeastern Industrial Park, subsequent to installing the cap and cover system in 2013. AOC-1 is listed on the New York State Department of Environmental Conservation’s database of inactive hazardous waste sites, and filing an annual PRR is a requirement of that designation. One of the questions requiring a response in the PRR is “has some or all of the site’s property been sold, subdivided, merged or undergone a tax plan amendment during this reporting period?”

The property owner is required to co-sign the PRR, so it is expected that by virtue of this PRR, it will be a matter of record that a property transaction has taken place, which will afford USACE the opportunity to provide the new property owner with a copy of the AR for the site, had that information not been previously provided to them.

2. While the areas of highest soil gas concentrations do not pose a current vapor intrusion risk, as there are no current inhabited buildings located above that area, what if the Guilderland School District planned to construct a building in that area? What would be the ongoing risk or financial obligation that the School District may have?

Thank you for your questions and concern, Mr. Sanders.

We understand there are no current plans to construct a new building at this location, however, under current program policy, USACE acknowledges our ongoing responsibility for its formerly used defense sites (FUDS), and to correct or mitigate risk from conditions presented by them.

The absence of human health risk in that area under current property use does not require action by USACE under the FUDS program. Further, it is expected that soil gas contaminant concentrations will be reduced by natural degradation, over time.

However, your concern for potential risk and financial obligation is understood, should the District want to construct a new building in the area of highest soil gas concentrations identified in the 2016 Supplemental RI report.

Therefore, should the School District plan to build a new building in this area, USACE will provide services, subject to availability of funds, to assess site conditions at that time, review promulgated regulations and evaluate the necessity for vapor intrusion mitigation measures. We request the School District provide at least one year of notice to USACE of their building plans, to facilitate budgeting and planning for those services. Should installation of a vapor mitigation system be deemed necessary, solely because of soil gas conditions related to former Depot operations, then the cost of system installation will be borne by FUDS program, subject to availability of funds.

3.2 STATE ACCEPTANCE

Definition: This criterion considers whether the State agrees with, opposes, or has no comment on the Selected Alternative.

Analysis: The New York State Department of Environmental Conservation and the New York State Department of Health concurs with the selected remedy for AOC 3 of no further action.

3.3 COMMUNITY ACCEPTANCE

Definition: This criterion considers whether the local community agrees with the Selected Alternative. Comments received during the Public Comment Period are an important indicator of community acceptance.

Analysis: Comments received from the public during the meeting are documented in Section 3.1 above. The public's perspective, in general, is for DOD to accept future responsibility for its contaminants; acknowledgment of this responsibility is stated in FUDS policy, and the responses presented in Section 3.1.

4.0 REFERENCES

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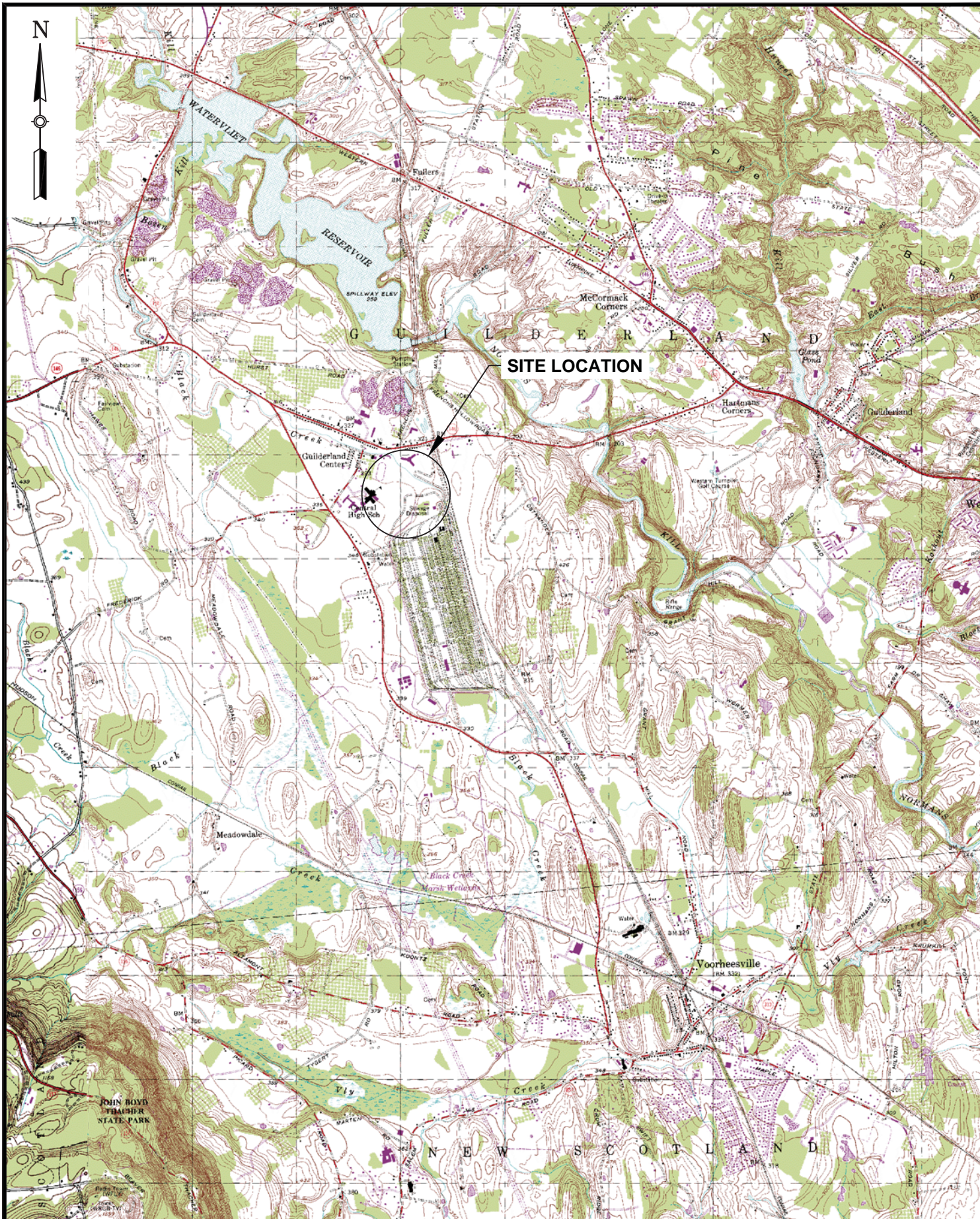
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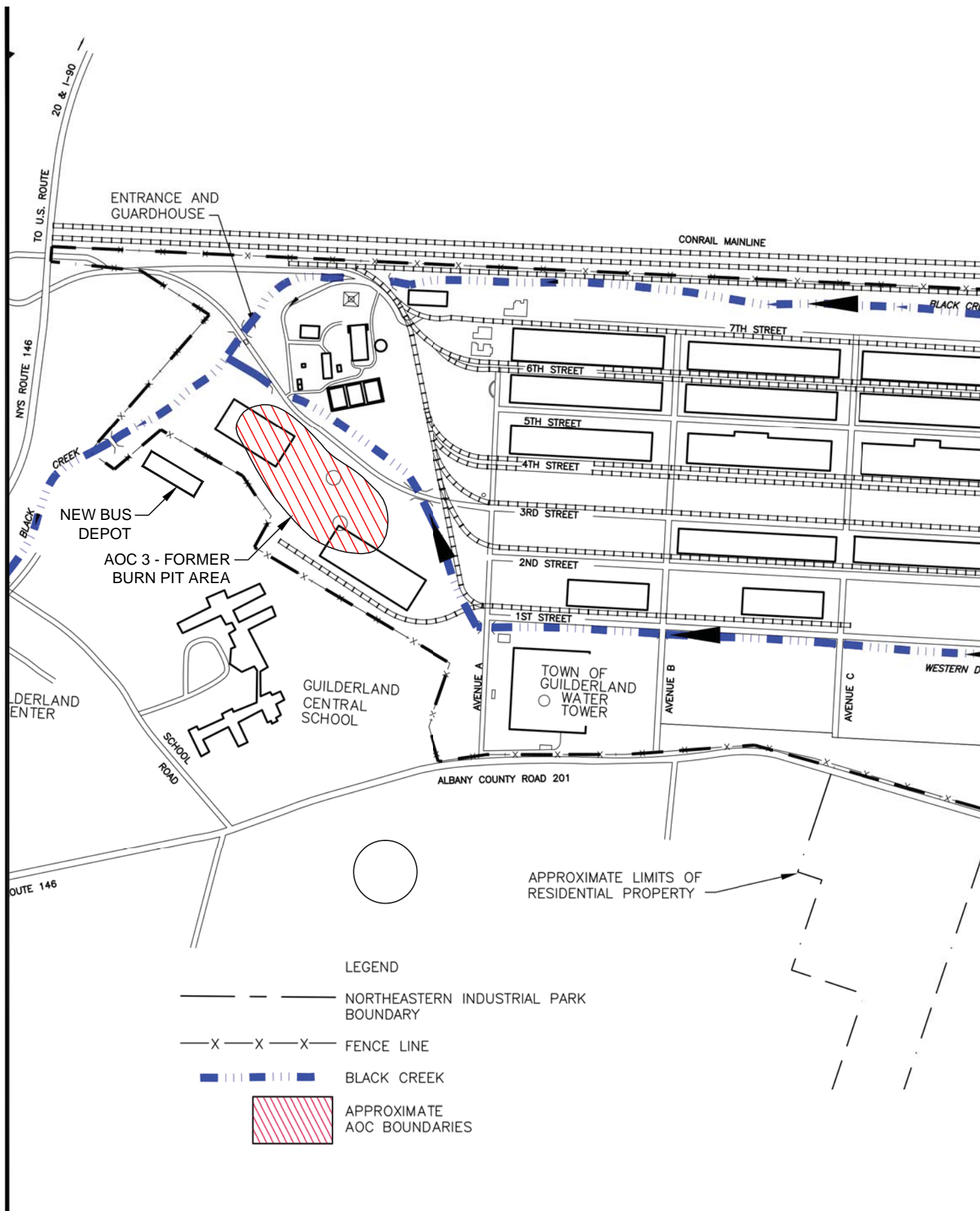
Shaw, 2006. Final Groundwater Sampling Report – AOC 3, Shaw Environmental, Inc., January 2006.

USACE, 2016. Proposed Plan Northeastern Industrial Park (aka Former Schenectady Army Depot-Voorheesville Area, AOC 3) Guilderland, New York Project #C02NY000203. December, 2016.



DRAWN BY: MVF
 DESIGN BY: MVF
 CHECK BY: LH
 PROJ. NO: 610.25
 SCALE: NTS
 DATE: 07-27-2015

SITE LOCATION MAP	
USACE - NORTHEAST INDUSTRIAL PARK AOC 3	
GUILDERLAND	ALBANY COUNTY, NY
 US ARMY CORPS OF ENGINEERS- BALTIMORE DISTRICT	FIGURE 1-1



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PROJ. NO: 610.25

SCALE: NTS

DATE: 07-27-2015

SITE PLAN

USACE - NORTHEAST INDUSTRIAL PARK AOC 3

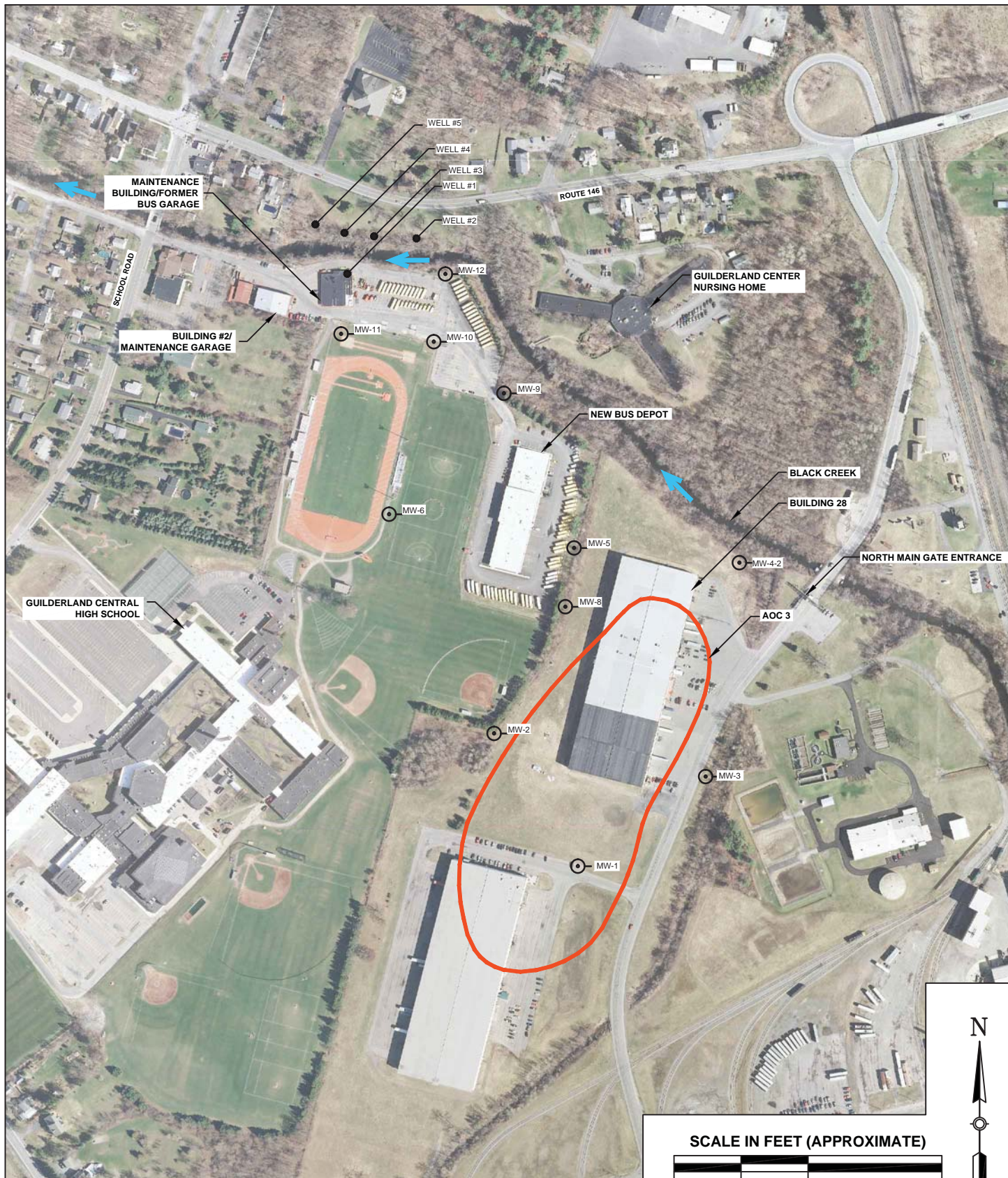
GUILDERLAND

ALBANY COUNTY, NY







US ARMY CORPS OF ENGINEERS-BALTIMORE DISTRICT


FIGURE 1-2

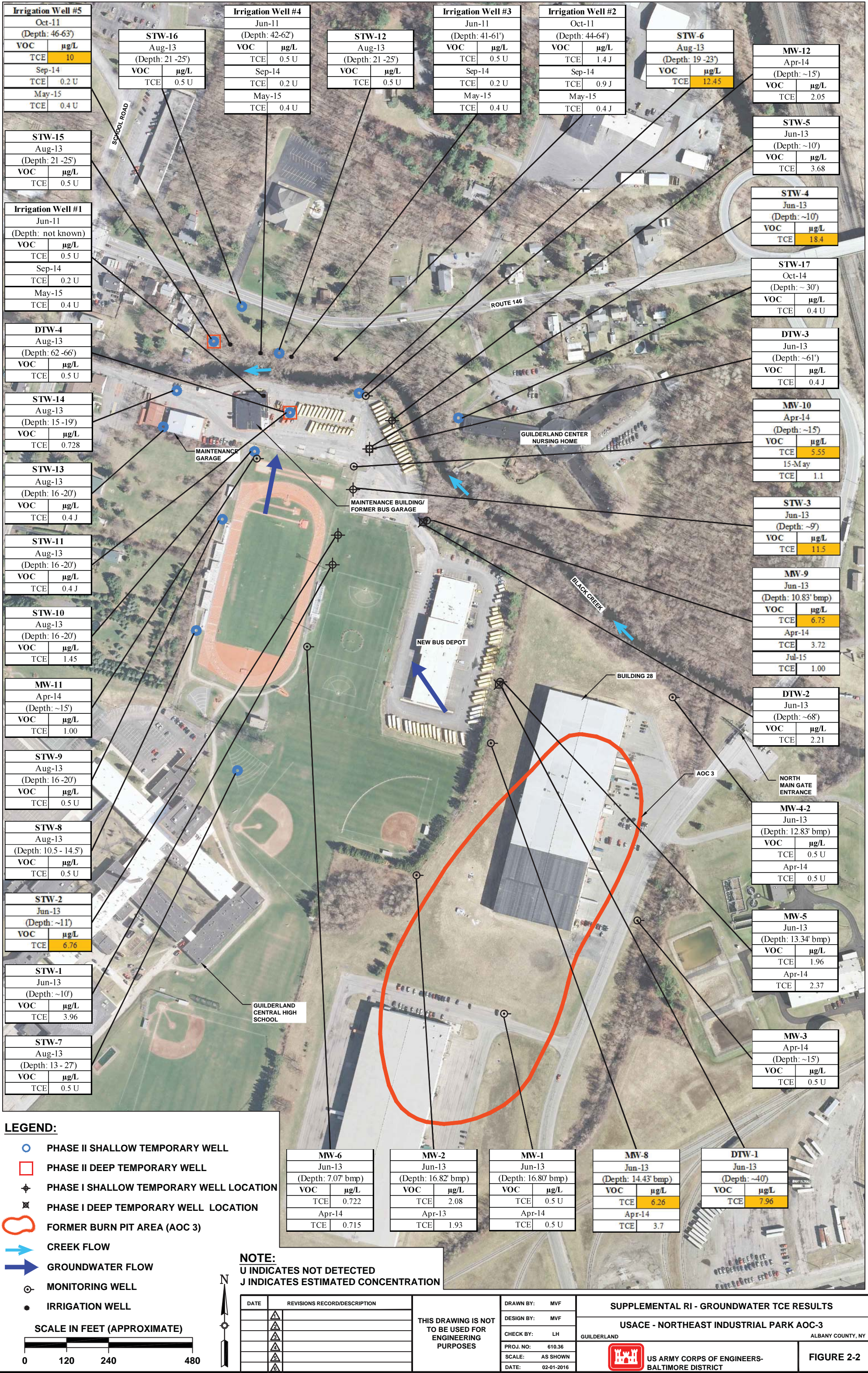


LEGEND:

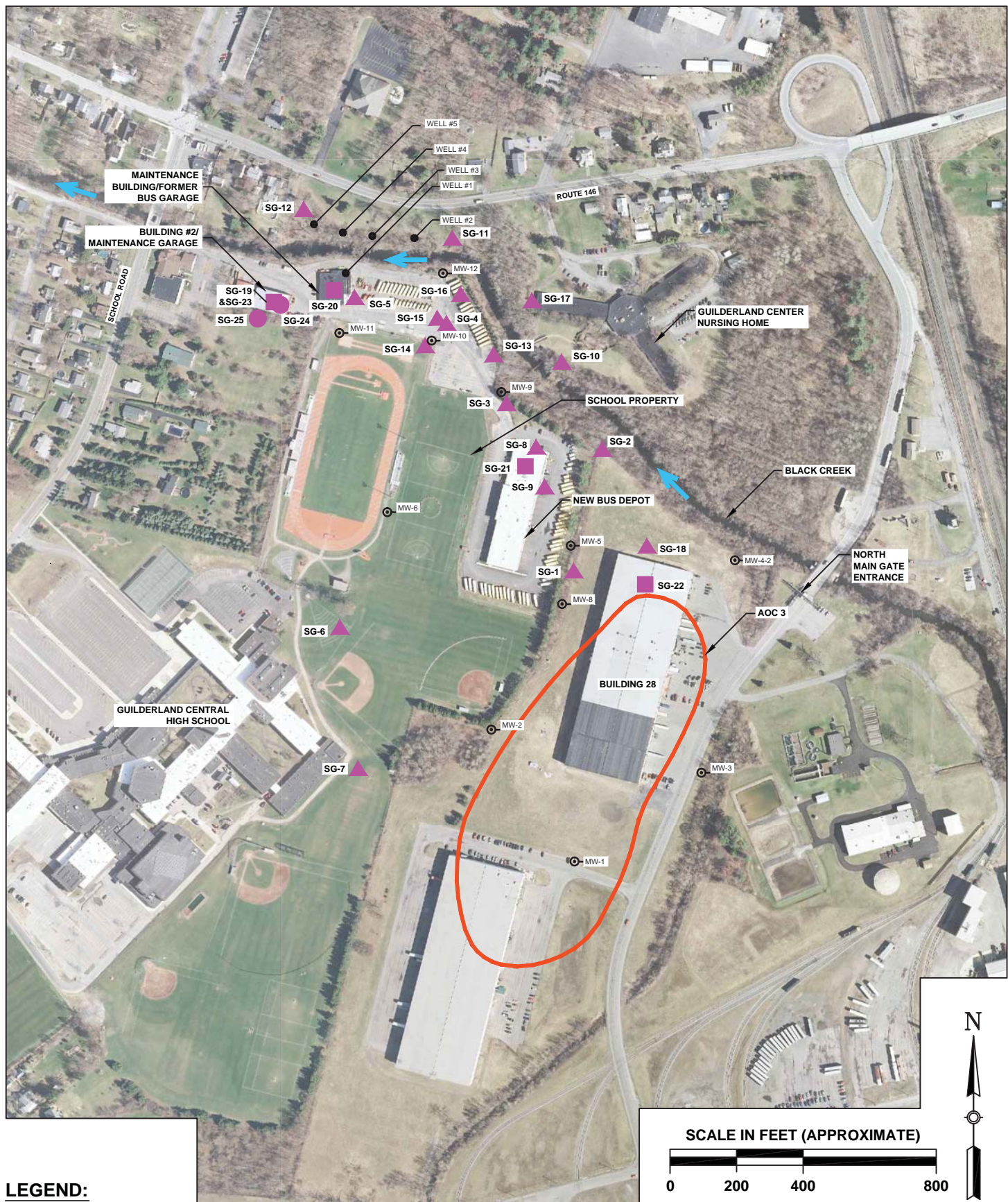
-  FORMER BURN PIT AREA (AOC 3)
-  CREEK FLOW
-  MONITORING WELL
-  IRRIGATION WELL

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AOC-3 MONITORING WELL LOCATIONS	
USACE - NORTHEAST INDUSTRIAL PARK AOC 3	
GUILDERLAND	ALBANY COUNTY, NY
 US ARMY CORPS OF ENGINEERS- BALTIMORE DISTRICT	FIGURE 2-1



P:\2016\USACE-NAB\AOC3\CAD\2016-06-28 GW Investigation TCE results.dwg 6/28/2016 1:47:49 PM mvf

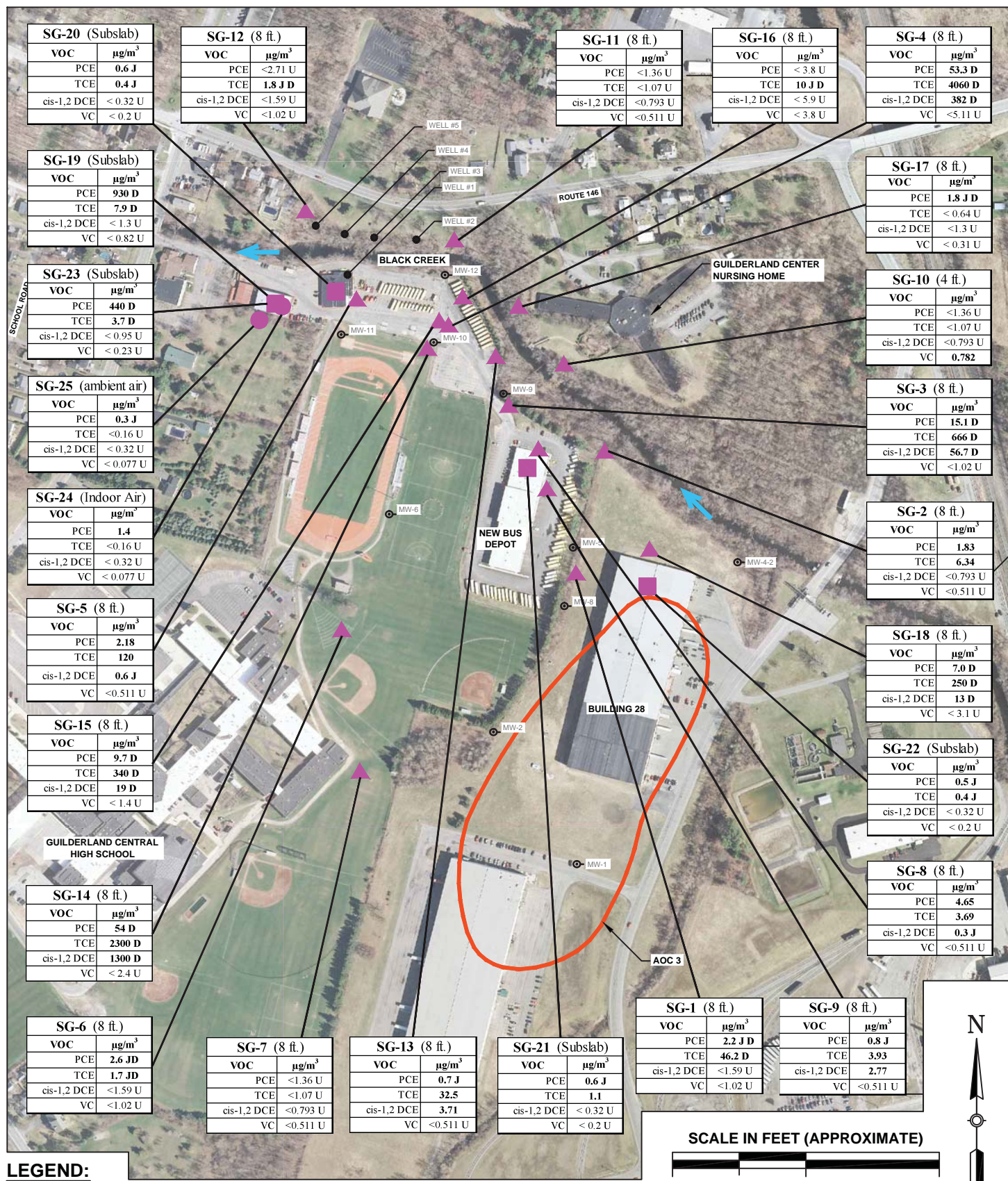


LEGEND:

- ▲ SUBSURFACE VAPOR POINT
- SUBSLAB VAPOR POINT
- AIR SAMPLING POINT
- ⊙ MONITORING WELL
- IRRIGATION WELL
- CREEK FLOW
- FORMER BURN PIT AREA (AOC 3)

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PROJ. NO:	610.27
SCALE:	AS SHOWN
DATE:	01-29-2014

SOIL VAPOR POINTS	
USACE - NORTHEAST INDUSTRIAL PARK AOC 3	
GUILDERLAND	ALBANY COUNTY, NY
FIGURE 2-3	



LEGEND:

- FORMER BURN PIT AREA (AOC 3)
- CREEK FLOW
- SUBSURFACE SOIL VAPOR
- SUBSLAB SOIL VAPOR
- POINT
- AIR SAMPLING LOCATION

NOTE:

- SG-1 - SG-6 - SAMPLED AUGUST 2013
- SG-7 - SG-9 - SAMPLED FEBRUARY 2014
- SG-10 - SG-13 - SAMPLED APRIL 2014
- SG-14 - SG-22 - SAMPLED AUGUST 2014
- SG-17 - SAMPLED OCTOBER 2014
- SG-23-25 - SAMPLED NOVEMBER 2014

DRAWN BY:	MVF
DESIGN BY:	MVF
CHECK BY:	LH
PROJ. NO:	610.36
SCALE:	AS SHOWN
DATE:	02-01-2016

SUPPLEMENTAL RI - SOIL VAPOR RESULTS

USACE - NORTHEAST INDUSTRIAL PARK AOC 3	
GUILDERLAND	ALBANY COUNTY, NY
	FIGURE 2-4

APPENDICES

APPENDIX A
Public Meeting Notices



MARC SCHULTZ/GAZETTE PHOTOGRAPHER

In this file photo from Dec. 8, Gov. Andrew M. Cuomo (center) waves to the crowd gathered for the 2016 Regional Economic Development Council Awards ceremony while Howard Zensky, president and CEO of Empire State Development and Commissioner of the New York State Department of Economic Development and Maria Bartiromo television journalist, magazine columnist, and author who served as master of ceremonies, look on.

REDC

Continued from page C1

Elsewhere in the county, \$671,000 was awarded for the emergency services facility relocation and \$1.5 million was awarded for improvements to Route 5S leading to the Florida Business Park Extension.

The Montgomery County Executive's Office said in a news release that the county received funding for every one of its priority projects.

"I am beyond thrilled," said County Executive Matthew Ossenfert. "To receive funding for all of our priority projects throughout Montgomery County is fantastic news. I am excited about putting the money from these grant awards into action and keeping the local economy moving forward."

Half of the region's award came in the form of \$11 million in Excelsior Job Credits and \$30 million in low-cost economic development financing. The Job Credits program sets aside tax credits for business invest-

'I am beyond thrilled.... I am excited about putting the money from these grant awards into action and keeping the local economy moving forward.'

MATTHEW OSSENFORT
Montgomery County Executive

ments that create jobs, while the low-cost financing allows local government issuers to sell federal tax-exempt bonds for economic development, infrastructure and community revitalization projects.

More information on the 2016 REDC awards is available at www.ny.gov.

Reach Gazette reporter Dan Fitzsimmons at 852-9605, dfitzsimmons@dailygazette.net or @DanFitzsimmons on Twitter.

Expand

Continued from page C1

Dussault said, which includes metal 3-D printing and large machining technologies.

The space will be used to accomplish three things, he said. The first is to train and develop the next generation of the manufacturing workforce. The second is to test prototypes for aerospace products and other materials on site, and the third is to improve production of existing products.

The Capital Region Economic Development Council listed the manufacturing center among its priority projects for funding during the latest round of the regional awards process. The awards were announced Thursday, and the Capital Region's council garnered \$83.1 million for 116 development projects.

The P1 proposal received a \$750,000 grant, falling just short of the \$782,000 the council had requested. The project's total cost is listed at nearly \$4 million, according to

the council's proposal.

Dussault said he's unsure when the facility will be built, though he'd like to start next year. It's largely dependent on how the state funding is distributed, he said. The company has already looked at the equipment it would acquire and determined a possible building layout, he said.

"I'd love to get it started and finished in 2017, but I don't know how reasonable that is," Dussault said.

The company currently employs around 90 people in the area. The new facility will be built at 17 Mohawk Ave., just off of Front Street. P1 also operates a facility on Technology Drive in Schenectady.

In addition to construction jobs, the project would create more than 40 jobs at P1 over the next three years, Dussault said.

Reach Gazette reporter Brett Samuels 395-3113, bsamuels@dailygazette.net or @Brett_Samuels27.

Leandra's Law DWI is alleged

HALFMOON — A Clifton Park woman was charged Friday with violating Leandra's Law after state police said she drove under the influence of drugs and alcohol with four children in the car.

Troopers said Nicole M. Martin, 30, was pulled over around 10:15 p.m. on Route 9 in Halfmoon after she changed lanes unsafely, failed to signal and for having illegally tinted windows.

As she was interviewed, she showed several indicators of impairment and a strong odor of marijuana was detected coming from inside her 2015 Nissan, troopers said.

After field sobriety tests were administered, she was arrested and charged with driving while ability impaired by

drugs, troopers said. A search of the vehicle produced cocaine, a small amount of marijuana and a suboxone film strip, troopers said. There were also four children under the age of 16 in the car.

Martin was brought to the trooper barracks where she refused to take a chemical test to determine the alcohol and drug content of her blood, troopers said. She was additionally charged with aggravated DWI with a child passenger younger than 16 (Leandra's Law), third-, fifth- and seventh-degree criminal possession of a controlled substance, unlawful possession of marijuana and several traffic violations.

Martin was arraigned in Halfmoon Town Court and sent to the Saratoga County Jail.

SARATOGA SPRINGS

Building demo remains on hold

BY NED CAMPBELL
Gazette Reporter

The demolition of a historic Caroline Street building damaged by a Thanksgiving morning fire was delayed last week over concerns that tearing it down could harm the adjacent 24 Caroline St., which shares a wall and is home to Hamlet & Ghost and several apartments.

Saratoga Springs Code Enforcer Dan Cogan said the owners of 24 and 30 Caroline St. were both instructed at Tuesday's City Council meeting to produce engineering reports to make sure their buildings would remain standing once 26 Caroline St. was taken down.

The owner of 30 Caroline St., home to Sperry's Restaurant, provided an engineer's report, but when it came time for the demolition Friday, the report had not been produced by the owner of 24 Caroline St., he said.

Cogan said a structural engineer for 24 Caroline St. inspected the site Friday and indicated he could provide

an opinion as early as Friday afternoon, "but the owner of 26 Caroline St. wanted it in writing."

"The owner is being cautious because he doesn't want to damage the other buildings," he said.

Cogan said he was hopeful that the report would be finalized quickly and demolition could proceed today. With a snowstorm in the forecast for last night, he expressed concerns, however, about more strain being put on a building city officials have deemed a public safety hazard.

The fire started in the back of Mio Posto at 68 Putnam St. and spread to 26 Caroline St., leaving its second floor and roof partially collapsed.

"This building is in a state of collapse — there's a lot of weight hanging on places in the building," Cogan said.

Reach Gazette reporter Ned Campbell at 395-3142, ncampbell@dailygazette.net or @nedcampbell on Twitter.

Trash

Continued from page C1

they're now in a position of paying for a service they're not receiving. His opinion is that Gloversville is saving a few bucks and betting that nobody will fight the ordinance in court.

"Who's going to spend thousands pay a lawyer to fight this?" said Frederico. "So they do it and get away with it."

Frederico added that he knows certain tenants can't afford even a small monthly increase in their rent, and that the ordinance may result in some residents having to find new accommodations.

"We'll raise rents if it's possible, but being that it's tougher to rent out there, I don't know that we can get more," he said. "People just can't afford it out

'I think rents are going to have to go up one way or another. That's a big hit.'

MICHAEL FREDERICO
Eagle Property Management

there. There's just nothing out there in terms of decent-paying jobs; everything's gone."

Councilman Arthur Simonds, who is also a city landlord but is unaffected by the ordinance, said he understands the concern from those who are affected but he maintains that their buildings are commercial enterprises.

"The people who own four units or more actually have a business, and they're making money. And if they're making money, obviously they can afford to take care of their own trash," he said. "They're all

making money; it's just that this is a squeeze for them. I get it."

Simonds said municipal taxes paid by property owners go to fund city operations as a whole, and that other cities do not offer public trash collection for businesses. He said the council may consider amending the ordinance to include two- and three-unit buildings that are not owner-occupied.

"That may be something we take a look at down the road," he said. "Eventually, more than likely, I'm going to have to do the same thing, and I'm not against it."

As for tenants who may become displaced by the ordinance, Simonds said there's plenty of housing stock to accommodate them.

"The person who's renting [where a rent increase occurs] may look to go elsewhere," said Simonds. "There are a lot of vacant homes in Gloversville."

Kathleen Mussi, who operates A&M Prospect Properties, a realty and property management firm in Gloversville, said owners affected by the ordinance aren't as flush as city leaders seem to think

'As landlords, we're scraping by, too.... We're all in the same boat ... no property owner in Gloversville is well-off.'

KATHLEEN MUSSI
A&M Prospect Properties

they are.

"As landlords, we're scraping by, too. I'm taking cash advances off my credit card and putting it towards some of these bills," said Mussi, who owns a property affected by the ordinance and manages four others. "On top of that, I'm paying \$100 a month for trash removal? We're all in the same boat ... no property owner in Gloversville is well-off."

She said she's hearing from other owners that rent increases are inevitable.

"I really hate to be passing this on to the tenant, I really feel bad doing that, but as property owners we can't keep absorbing these costs,"

she said.

Mussi added that she picks up trash at her properties when needed and that the city ordinance essentially turns property owners into babysitters for their tenants.

"I'm over there picking up garbage after work; how much more diligent can I get?" she said. "They should be going after each individual adult who's not taking care of their garbage, but they want to go after the owners ... tenants are grown-ups, too."

She said property owners affected by the ordinance are upset that they're not getting some sort of tax break for a decrease in services, and that there are those who are looking to exit Gloversville's housing market.

"It's not going over well here," said Mussi. "Most of the landlords are telling me they don't want anything to do with the area anymore, and they want me to sell the properties off. That's what they're creating here."

Mayor Dayton King said that, while some tenants may have to move, and some landlords may have to absorb an additional cost, the overall impact will be minimal compared to the 7,000 units of housing in Gloversville and the savings that will benefit the city.

"We thought of all these alternatives, and this is exactly what we expected. At the end

'We thought of all these alternatives, and this is exactly what we expected.'

DAYTON KING
Mayor, city of Gloversville

of the day, all we're looking for is some compliance," said King. "We're gonna save the taxpayers \$1,000 a month for not picking up what is essentially commercial trash."

King added that there's no provision in the law that would enable city officials to hold individuals responsible for not properly disposing of their trash. He also downplayed the likelihood that the ordinance will be extended to two- and three-unit buildings that are not owner-occupied.

As for landlords complaining about their taxes not being decreased to compensate for services being reduced, King said the city had no business picking up commercial trash in the first place.

"It was probably never right to begin with, so when previous administrations allowed this to happen, they probably shouldn't have," he said. "We don't pick up Rite-Aid's or any of the downtown Main Street businesses' trash, and the way this council and myself agreed is probably anything over a four-unit building is commercial and should be treated that way."

The U.S. Army Corps of Engineers invites you to attend a Public Meeting Proposed Plan for Area of Concern #3 Former Schenectady Army Depot - Voorheesville Area
Monday, December 19, 2016
7:00 p.m. to 9:00 p.m.
Guilderland High School
Large Group Instruction Room
8 School Road
Guilderland, NY 12085

The agenda for the meeting will be to present and receive public comment on the Proposed Plan for the former Burn Pit area (AOC #3).

In view of the previous actions that have been taken to remove impacted soils, and the completion of subsequent environmental testing, the U. S. Army Corps of Engineers is proposing that no further action be taken at AOC #3.

The Proposed Plan is available for public review in the reference section of the Guilderland Public Library, located at 2228 Western Avenue, Guilderland, NY, and the Voorheesville Public Library, located at 51 School Road Voorheesville, NY.

The document may also be accessed at:
<http://www.nan.usace.army.mil/Missions/Environmental/Environmental-Remediation/Formerly-Used-Defense-Sites/Former-Schenectady-Army-Depot-Voorheesville-Area/Reports/>

Public comments on the Proposed Plan for AOC #3 are requested no later than January 31, 2017; please mail your written comments to:

Mr. Gregory J. Goepfert
Project Manager
U.S. Army Corps of Engineers, New York District
26 Federal Plaza, Room 1811
CENAN-PPE
New York, NY 10278

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Rensselaerville to add planning and zoning alternates, board attempts to correct record

By Tim Tulloch
RENSSELAERVILLE — Someone arguing that New York State is a tad over-regulated might use an item on the Dec. 6 town board meeting agenda as a talking point.

Town Attorney Tom Fallati explained that a law proposed and passed that evening — it added an alternate member to the town planning board and the zoning board of appeals in the interest of conducting business when a regular member may be absent — required that a State Environmental Quality Review be completed before such a law could be enacted.

The reason: The work of each of the boards may have environmental impact. Although a full-blown SEQR for something like a communications tower, for example, can demand deep-dive review, analysis, and data collection, the proposed law required only that the town make a negative declaration that the addition of a backup member would have no adverse impact on the environment. No one could think of any it would have, and a pro forma SEQR negative declaration was passed unanimously.

Corrections made

Two other matters came up in the meeting that might also be considered eyebrow raising.

One was an issue raised by one of only two persons in the audience, former town supervisor Marie Dermody. Dermody, a Democrat, resigned the position

in 2012 and was succeeded by the current town supervisor, Valerie Lounsbury, a Republican, in the post. Dermody attends all town board meetings, both regular and workshop, and can be relied upon for comment when public comment is invited.

She also electronically publishes the R’ville Community Newsletter, reproducing both draft and final minutes of town board meetings, offering her viewpoint, and listing town events.

Dermody challenged the minutes of an Oct. 11 budget workshop meeting of the board as incomplete and stated again an objection she says she made at that meeting and that went unrecorded.

At the Oct. 11 meeting, the board went into executive session for the purpose, Lounsbury said, of discussing a “budget line item.”

Dermody said at Thursday’s meeting that she objected to this action at the time but was “ignored.” Her objection: the reason given was not among those established by the state’s Open Meetings Law as legitimate reasons for a public body to confer privately in executive session.

In fact, budgetary matters are not among those reasons the law defines as legitimate.

“You can’t discuss in private,” Dermody told the board, “what should have been discussed in public.”

“Going into executive session,” she told the board, again,” was illegitimate.”

As for her original objection not being recorded, Lounsbury told Dermody, “Minutes don’t have to be verbatim and the minutes have been approved.”

“Minutes should reflect what happened,” Dermody rejoined.

The New York State Open Meetings Law specifies only that “Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.”

Council member Marion Cooke joined the discussion, “I don’t think it is a major issue either way.”

But the board, in a unusual move, decided to amend the approved minutes and retroactively change the reason for entering executive session to read, “discuss personnel history.”

Asked to comment, Robert Freeman, chairman of the State’s Committee on Open Government said, “Minutes cannot be changed in a way that changes history.”

He dismissed both the original and amended reasons for going into executive session as illegitimate and not allowed by the Open Meetings law.

“We hear all the time that ‘personnel reasons’ are given to explain the need for an executive session,” he says, “but the word ‘personnel’ appears nowhere in the law.”

The Open Meeting Law authorizes six reasons for conducting

a non-public session; one of them is is for the board to discuss “the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotions, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.”

Lounsbury said, “I misspoke,” referring to the original reason offered and now replaced.

Trying to clarify the knotty issue, newly elected Democratic member John Dolce, appealed to Dermody, “You have so much knowledge, Marie. Help us.”

Freeman said knowledge of the Open Meetings Law is spotty across the 2,000 public bodies in the state. He said that one problem is that “the cast of characters is always changing.” A board that knew the law well and adhered to it may change to a board that doesn’t, as its members change.

Fixed in time

Another correction was made in the meeting.

Lounsbury offered her “deepest apologies” for having made an error in preparing the now-approved budget.

She said the number entered on the summary page for highway-department machinery was too low and therefore the tax rate for highway lines 2, 3, and 4 combined was too low as well.

“But fortunately the tax bills had not yet gone out when the error was caught,” Lounsbury said.

The machinery line was cor-

rected from \$125,700 to \$136,496 and the tax rate for lines 2,3 and 4 (bridges, snow removal, and machinery) was corrected from \$2.70 to \$2.78.

Other business

Among other business, the board:

— Learned that Jeannette Rice, whose term on the town Zoning Board of Appeals expires at the end of the year, does not wish to be reappointed;

— Approved the transfer of \$10,494 from the checking account to the water and sewer district to cover the replacement of the water system’s sand filter and of another \$1,101 to cover the cost of hooking up the new filter;

— Approved the transfer from the contingency fund of \$3,669 to cover city of Albany charges for dumping and a total of \$5,719 for truck repairs;

— Approved, as required by state law though no financial obligation or liability is incurred by the town, the financing for the renovation of the Medusa firehouse;

— Authorized the highway department to participate in online bidding for equipment, up to \$10,000,

— Approved the 2017 contract with the town’s accounting firm, Pattison, Koskey, Howe & Bucci; and

— Scheduled the final town board meeting of the year for Dec. 30 at 7 p.m.

LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LEGAL NOTICE	LOCAL NOTICE
<p>LEGAL NOTICE</p> <p>NOTICE OF FORMATION of limited liability company (LLC). Name: SJMD STARTUP FRONTIERS LLC. Articles of Organization filed with Secretary of State of NY (SSNY) on 11/17/2016. Office location: Albany County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: THE LLC 4921 BAY PARKWAY, BROOKLYN, NY 11230. Purpose: any lawful purpose. (9-21-26)</p> <p>LEGAL NOTICE</p> <p>NOTICE OF FORMATION of limited liability company (LLC). Name: CRESCENT CAPITAL ASSOCIATES LLC. Articles of Organization filed with Secretary of State of NY (SSNY) on 11/1/2016. Office location: Albany County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: THE LLC 199 LEE AVENUE, SUITE 157, BROOKLYN, NY 11211. Purpose: any lawful purpose. (10-21-26)</p> <p>LEGAL NOTICE</p> <p>NOTICE OF FORMATION of limited liability company (LLC). Name: 342 RUTLAND HOLDINGS LLC Articles of Organization filed with Secretary of State of NY (SSNY) on 11/28/2016. Office location: Albany County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: THE LLC 5308 13TH AVENUE SUITE 185, BROOKLYN, NY 11219. Purpose: any lawful purpose. (11-21-26)</p> <p>LEGAL NOTICE</p> <p>NOTICE OF FORMATION of limited liability company (LLC). Name: RALPH BERGEN LLC. Articles of Organization filed with Secretary of State of NY (SSNY) on 11/29/2016. Office location: Albany County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: THE LLC 1449 37TH STREET, SUITE 420, BROOKLYN, NY 11218. Purpose: any lawful purpose. (13-21-26)</p>	<p>LEGAL NOTICE</p> <p>NOTICE OF FORMATION of limited liability company (LLC). Name: JB CENTRE LLC. Articles of Organization filed with Secretary of State of NY (SSNY) on 11/30/2016. Office location: Albany County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: THE LLC 320 ROEBLING STREET SUITE 628, BROOKLYN, NY 11211. Purpose: any lawful purpose. (14-21-26)</p> <p>LEGAL NOTICE</p> <p>Luma Advisory, LLC. filed with Secy. Of State of NY (SSNY) on 8/1/16. Office in Albany Co. SSNY design. Agent of LLC upon whom process against it may be served. SSNY shall mail process to PO Box 985, NY, NY 10116. Purpose: Any lawful purpose. (15-21-26)</p> <p>LEGAL NOTICE</p> <p>Notice of formation of SSWHIT DESIGN, LLC.</p> <p>Articles of Org. filed with NY Secretary of State (NS) on 5/6/15, office location: Albany County, NS is designated as agent upon whom process may be served, NS shall mail service of process (SOP) to NW Registered Agent LLC @ 90 State St STE 700 Office 40, Albany, NY 12207, NW Registered Agent LLC is designated as agent for SOP at 90 State St STE 700 Office 40, purpose is any lawful purpose. (16-21-26)</p> <p>LEGAL NOTICE</p> <p>Notice of formation of Bespoke Strategic Sourcing, LLC.</p> <p>Articles of Org. filed with NY Secretary of State (NS) on September 2, 2016, office location: Albany County, NS is designated as agent upon whom process may be served, NS shall mail service of process (SOP) to NW Registered Agent LLC @ 90 State St STE 700 Office 40, Albany, NY 12207, NW Registered Agent LLC is designated as agent for SOP at 90 State St STE 700 Office 40, Albany, NY 12207, purpose is any lawful purpose. (17-21-26)</p> <p>LEGAL NOTICE</p> <p>Notice of formation [domestic] ACE ADVISORY MANAGEMENT, LLC</p> <p>Articles of Org. filed with NY Secretary of State (NS) on SEPT 30 2007, office location: Albany County, NS is designated as agent upon whom process may be served, NS shall mail service of process (SOP) to NW Registered Agent LLC @ 90 State St STE 700 Office 40, Albany, NY 12207, NW Registered Agent LLC is designated as agent for SOP at 90 State St STE 700 Office 40, Albany, NY 12207, purpose is any lawful purpose. (1-22-27)</p>	<p>LEGAL NOTICE</p> <p>Notice of formation of Trident Public Relations LLC. Articles of Org. filed with NY Secretary of State (NS) on 10/4/16, office location: Albany County, NS is designated as agent upon whom process may be served, NS shall mail service of process (SOP) to Registered Agents Inc. @ 90 State St STE 700 Office 40, Registered Agents Inc. is designated as agent for SOP at 90 State St STE 700 Office 40, purpose is any lawful purpose. (2--22-27)</p> <p>LEGAL NOTICE</p> <p>Notice of formation of Soul And Being LLC. Articles of Org. filed with NY Secretary of State (NS) on 12/6/16, office location: Albany County, NS is designated as agent upon whom process may be served, NS shall mail service of process (SOP) to Registered Agents Inc. @ 90 State St STE 700 Office 40, Registered Agents Inc. is designated as agent for SOP at 90 State St STE 700 Office 40, purpose is any lawful purpose. (3--22-27)</p> <p>LEGAL NOTICE</p> <p>Notice of formation of Grandolp Media LLC. Articles of Org. filed with NY Secretary of State (NS) on 12-5-2016, office location: Albany County, NS is designated as agent upon whom process may be served, NS shall mail service of process (SOP) to Registered Agents Inc. @ 90 State St STE 700 Office 40, Registered Agents Inc. is designated as agent for SOP at 90 State St STE 700 Office 40, purpose is any lawful purpose. (4--22-27)</p> <p>LEGAL NOTICE</p> <p>NOTICE OF FORMATION of Aike Capital LLC. Art. of Org. filed with Secy of State of NY (SSNY) on 10/03/2016. Off. Loc.: Albany County. SSNY has been desig. as agent upon whom process against it may be served. SSNY shall mail service of process (SOP) to: NORTHWEST REGISTERED AGENT LLC, 90 STATE STREET, STE 700, OFF 40, ALBANY, NY 12207. Purpose: Any lawful act. (5-22-27)</p> <p>LEGAL NOTICE</p> <p>MCD Stone, LLC Art. of Org. filed with the SSNY on 12/05/2016. Office: Albany County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 90 State Street, STE 700, Office 40, Albany, NY 12207. Purpose: Any lawful purpose. (6--22-27)</p> <p>LEGAL NOTICE</p> <p>NOTICE OF FORMATION DOMESTIC LIMITED LIABILITY COMPANY (LLC).</p>	<p>Name: Scotia Fulfillment LLC. Articles of Organization filed with NY Secretary of State, December 7, 2016. Purpose: to engage in any lawful act or activity. Office: in Albany County. Secretary of State is agent for process against LLC and shall mail copy to 1202 Troy Schenectady Rd., Bldg. 3, Suite 203, Latham, NY 12110. (7--22-27)</p> <p>LEGAL NOTICE</p> <p>ML HEIGHTS L.P. Legal Notice: Notice of formation of limited partnership ("LP"). Cert. filed with the Sec. of State of NY ("SSNY") on 06/10/2016. Office location: Albany County. SSNY is designated as agent upon whom process against the LP may be served. SSNY may mail a copy of any process against the LP served upon him/her to: THE LP 1465A FLATBUSH AVENUE, BROOKLYN, NY 11210. Name and address of each general partner is available from the SSNY. Latest date to dissolve: 6/1/2115. Purpose/Character: any lawful purpose. (8-22-27)</p> <p>LEGAL NOTICE</p> <p>Notice of Formation of 17 BRADFORD ST BLAST LLC. Articles of Org. filed w/ NY Sec. of State (SSNY) on 11/23/16. Office Location: Albany County, SSNY designated as agent of LLC whom process may be served. SSNY shall mail process to: C/O 17 BRADFORD ST BLAST LLC, 6 Grey Hollow Road Norwalk, CT 06850. Purpose: any lawful activity. (9--22-27)</p> <p>LEGAL NOTICE</p> <p>Notice of formation of Collection 26 LLC</p> <p>Articles of Org. filed with NY Secretary of State (NS) on 20 th January 2016. office location: Albany County, NS is designated as agent upon whom process may be served, NS shall mail service of process (SOP) to Registered Agents Inc. @ 90 State St STE 700 Office 40, Registered Agents Inc. is designated as agent for SOP at 90 State St STE 700 Office 40, purpose is any lawful purpose. (10-22-27)</p> <p>LEGAL NOTICE</p> <p>NOTICE TO BIDDERS</p> <p>The Board of Education of the Guilderland Central School District, County of Albany, Guilderland, New York, will receive sealed bids at the Administration Office, 8 School Road, P.O. Box 18, Guilderland Center, NY 12085 on December 30, 2016 at 11:00 a.m. for the following bid: Surplus Buses and Equipment Bid Specifications may be obtained at the Administration Offices, 8 School Road, Guilderland Center, New York. The Board of Education reserves the right to reject any or all bids.</p> <p>Neil T. Sanders Assistant Superintendent for Business (11-22)</p>	<p>LEGAL NOTICE</p> <p>The Town Board of the Town of Knox will hold the 2017 Organizational Meeting on Monday, January 2, 2017 at 6:30 p.m. at the Knox Town Hall.</p> <p>TARA MURPHY Knox Town Clerk (12-22)</p> <p>LEGAL NOTICE</p> <p>The U.S. Army Corps of Engineers invites you to attend a Public Meeting Proposed Plan for Area of Concern #3 Former Schenectady Army Depot – Voorheesville Area Monday, December 19, 2016 7:00 p.m. to 9:00 p.m. Guilderland High School Large Group Instruction Room 8 School Road Guilderland, NY 12085</p> <p>The agenda for the meeting will be to present and receive public comment on the Proposed Plan for the former Burn Pit area (AOC #3).</p> <p>In view of the previous actions that have been taken to remove impacted soils, and the completion of subsequent environmental testing, the U. S. Army Corps of Engineers is proposing that no further action be taken at AOC #3.</p> <p>The Proposed Plan is available for public review in the reference section of the Guilderland Public Library, located at 2228 Western Avenue, Guilderland, NY, and the Voorheesville Public Library, located at 51 School Road Voorheesville, NY.</p> <p>The document may also be accessed at: http://www.nan.usace.army.mil/Missions/Environmental/Environmental-Remediation/Formerly-Used-Defense-Sites/Former-Schenectady-Army-Depot-Voorheesville-Area/Reports/</p> <p>Public comments on the Proposed Plan for AOC #3 are requested no later than January 31, 2017; please mail your written comments to: Mr. Gregory J. Goepfert Project Manager U.S. Army Corps of Engineers, New York District 26 Federal Plaza, Room 1811 CENAN-PP-E New York, NY 10278 (13-22)</p> <p>LEGAL NOTICE</p> <p>The Town Board of the Town of Rensselaerville adopted a local law on December 8, 2016 amending its zoning law. The amendments allow for the appointment of an alternate member of the Planning Board. They also revise the provisions relating to the appointment of an alternate member of the Zoning Board of Appeals to make the alternative member provisions for both boards parallel. A full text of the amendments is available at Town Hall. (14-22)</p>	<p>LEGAL NOTICE</p> <p>TOWN OF RENSSELAERVILLE SEASONAL ROADS</p> <p>The Town Board of the Town of Rensselaerville wishes to inform the residents of the Town and the Public that the following roads are Limited Use Highways and will not be maintained from December 1, 2016 through April 1, 2017:</p> <p>Gulf Road Extension from Gulf Road to the northerly end of State Lands;</p> <p>Kenyon Road from the intersection of Roney Road to CR 358;</p> <p>Roney Road from last residential structure in from Pearson Road to the intersection of Kenyon Road;</p> <p>Scutt Road from the southerly end of State Lands to CCC Road; and</p> <p>Edwards Hill Road from 500 feet in from SR 145 to the top of the hill. Dated December 8, 2016</p> <p>BY ORDER OF THE TOWN BOARD</p> <p>Victoria H. Kraker Town Clerk (15-22)</p> <p>LEGAL NOTICE</p> <p>Notice is hereby given that a Public Hearing has been scheduled for December 20, 2016 at 8:00 PM at the Guilderland Town Hall, Rte. 20 Guilderland, NY on a proposed Local Law for amendments to the Zoning Code §280-22 ("Industrial (I) District") and §280-23 ("Industrial Park (IP) District). All those wishing to be heard will be heard.</p> <p>DATED: December 6, 2016</p> <p>BY THE ORDER OF THE TOWN BOARD OF THE TOWN OF GUILDERLAND</p> <p>Jean J. Cataldo Town Clerk (18-21-22)</p> <p>LEGAL NOTICE</p> <p>Notice is hereby given that a Public Hearing has been scheduled for December 20, 2016 at 7:45 PM at the Guilderland Town Hall, Rte. 20 Guilderland, NY on a proposed Local Law for the purpose of replacing Town Code §285-2 ("Miscellaneous Fees"). All those wishing to be heard will be heard.</p> <p>DATED: December 6, 2016</p> <p>BY THE ORDER OF THE TOWN BOARD OF THE TOWN OF GUILDERLAND</p> <p>Jean J. Cataldo Town Clerk (19-21-22)</p> <p>LEGAL NOTICE</p> <p>Notice is hereby given that a Public Hearing has been scheduled for December 20, 2016 at 7:30 PM at the Guilderland Town Hall, Rte. 20 Guilderland, NY on a proposed Local Law for rezone of 2259 Western Avenue from R15 to BNRP.</p> <p>All those wishing to be heard will be heard.</p> <p>DATED: November 15, 2016</p> <p>BY THE ORDER OF THE TOWN BOARD OF THE TOWN OF GUILDERLAND</p> <p>Jean J. Cataldo Town Clerk (20-21-22)</p>

APPENDIX B
Public Meeting Presentation

Proposed Plan for No Further Action

Former Schenectady Army Depot Area of Concern (AOC) # 3

Gregory J. Goepfert

Project Manager

U. S. Army Corps of Engineers

New York District

December 19, 2016



US Army Corps of Engineers
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Purpose

- Present the Proposed Plan for No Further Action for AOC 3 of the Former Schenectady Army Depot in Guilderland NY.
- Solicit public input on the Proposed Plan.
- Verbal comments provided tonight will be recorded.
- Written comments can be provided anytime through January 31, 2017.



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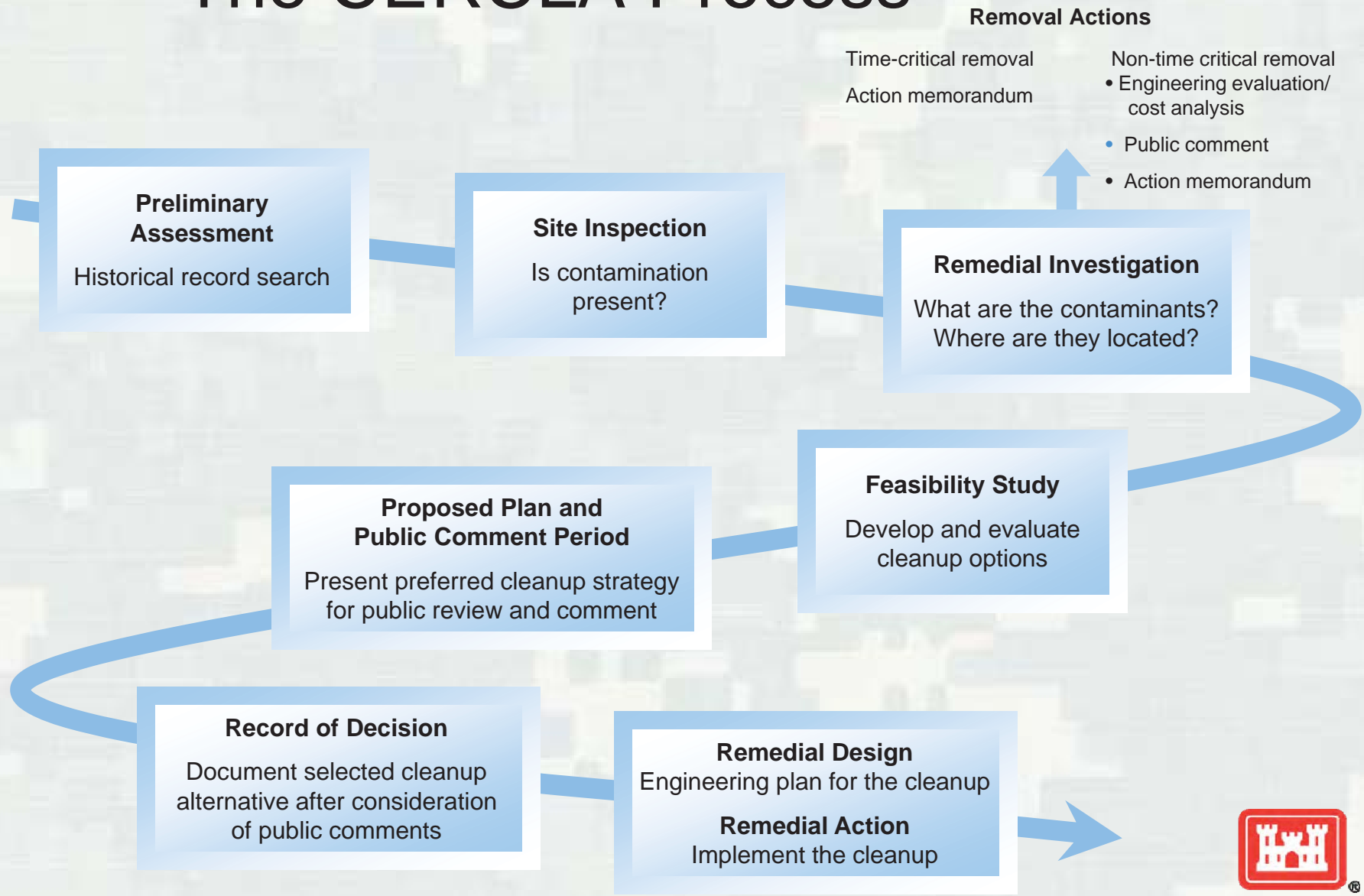
Regulatory Framework

- Site is a Formerly Used Defense Site (FUDS).
- USACE is the lead agency for addressing FUDS in accordance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).
- We have coordinated with NY State Department of Environmental Conservation and NY State Department of Health on all related work at this FUDS.

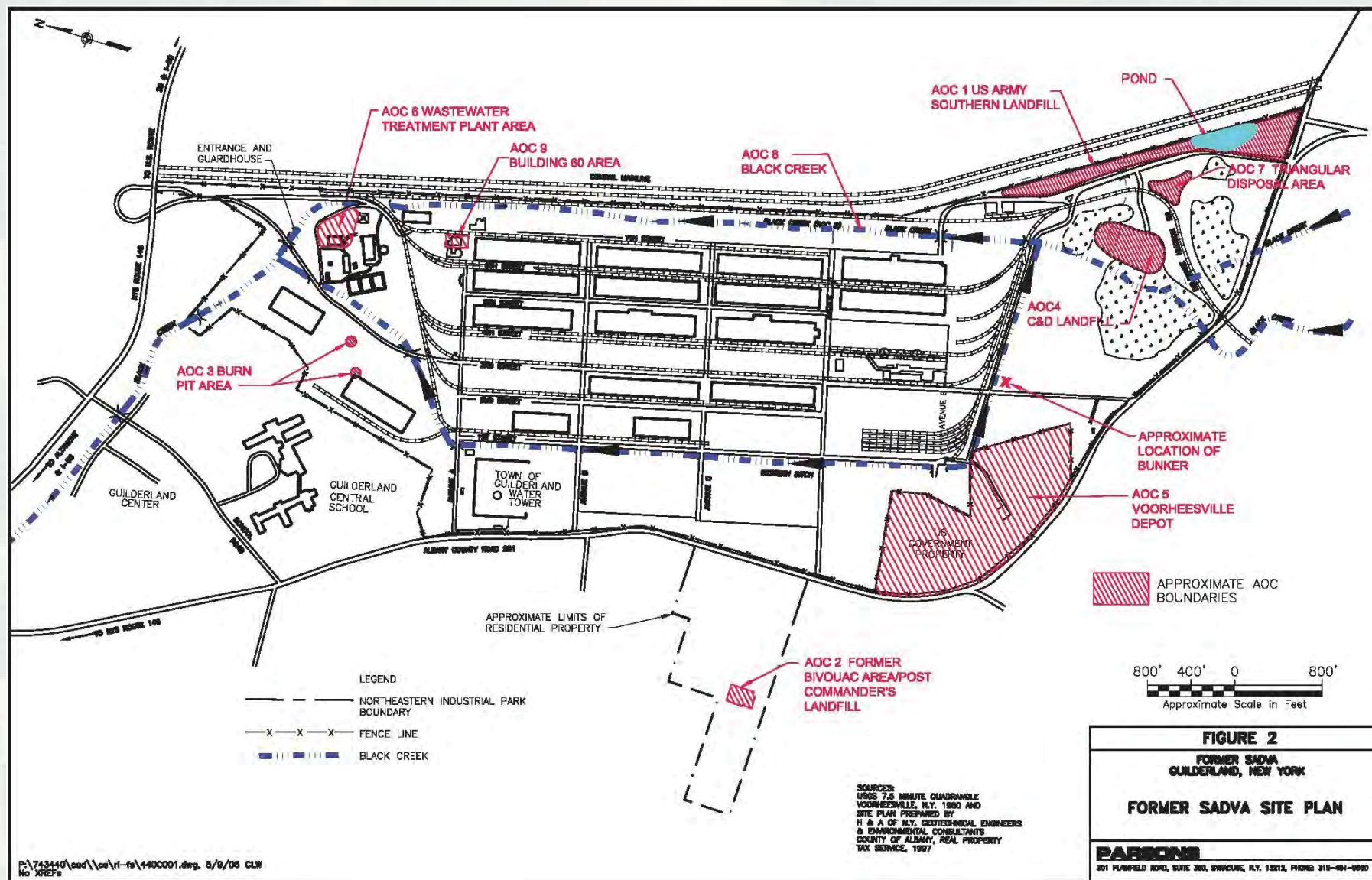


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The CERCLA Process



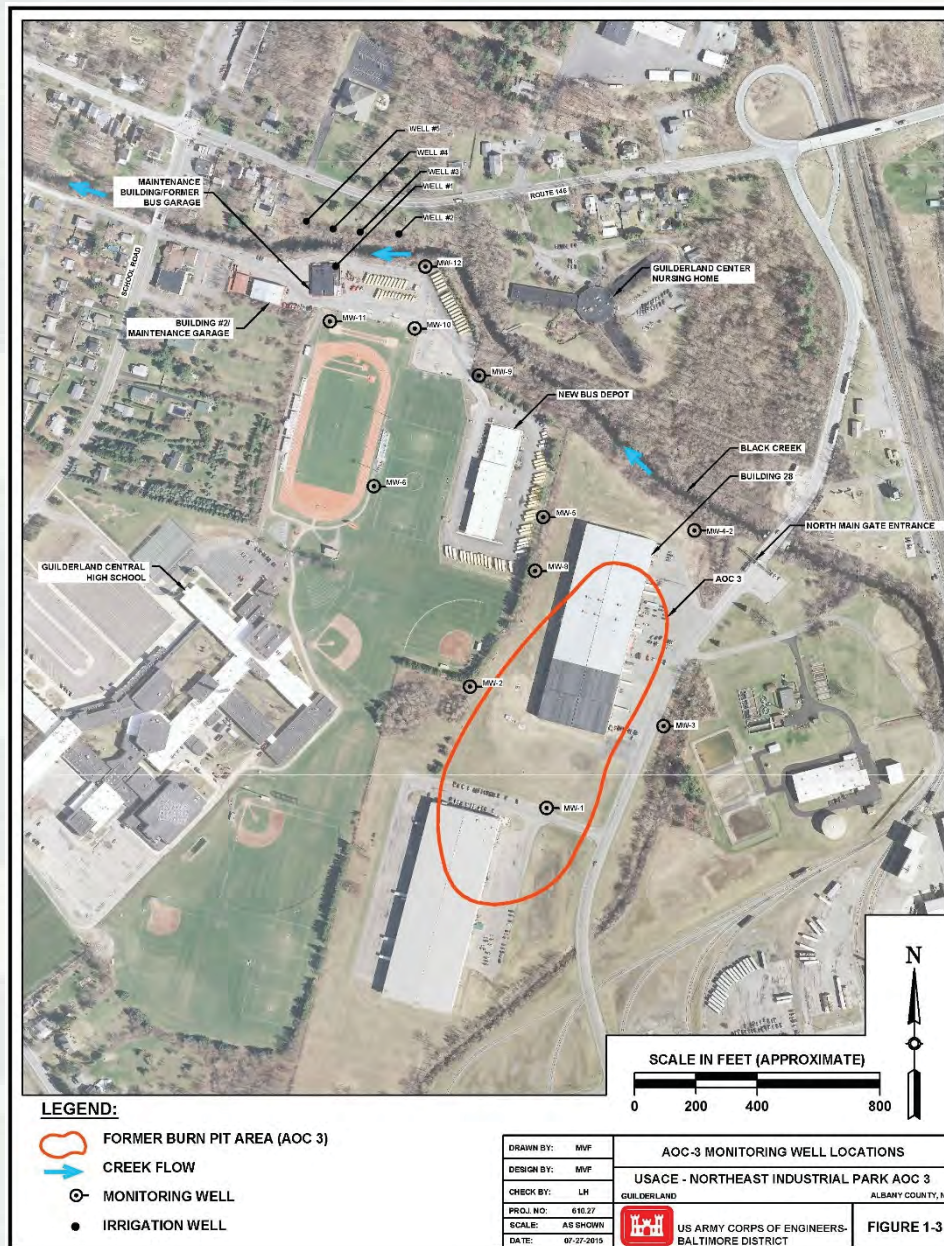
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SADVA Site Map



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AOC 3 Site Map



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AOC 3 History & Background

- AOC 3 is associated with the former Schenectady Army Depot-Voorheesville Area (SADVA), is currently known as Northeastern Industrial Park.
- The former SADVA was a storage and supply depot for the military during World War II and the Korean War.
- AOC 3 was the location of a former burn pit area that was used for the burning of wastes during DoD operations at the site.
- Property declared surplus in 1969.



Environmental Investigations

- Prior investigations at the AOC 3 burn pit area found soils impacted by burn pit operations and disposal activities.
- The results of the prior investigations were incorporated into a Focused Feasibility Study (FFS) completed in 2002.
- 2007 – Completed Remedial Investigation (RI).
- 2016 – Completed a Supplemental RI



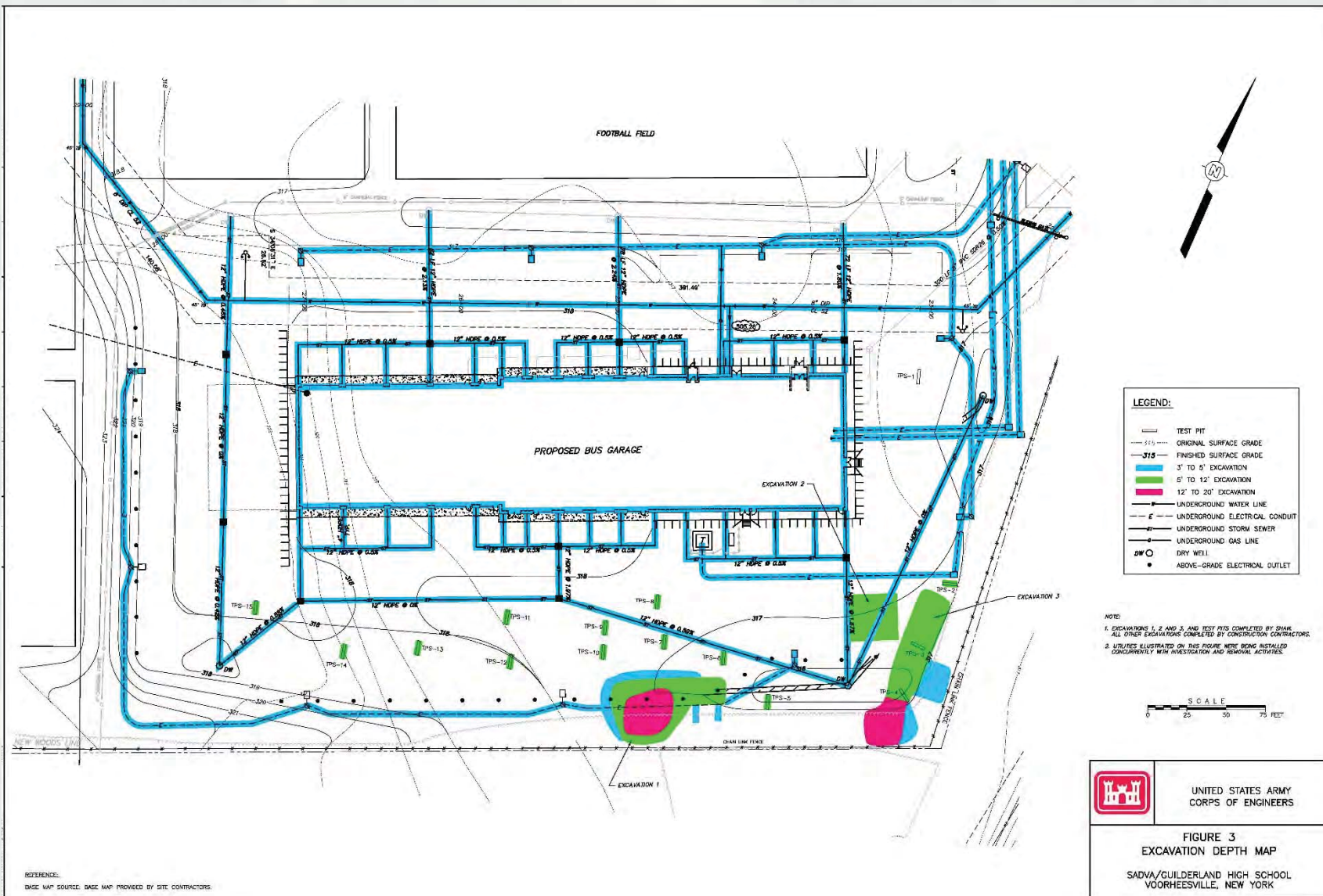
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Remedial Actions Taken

- An emergency response action was undertaken in 2002 to identify and remove 1,347.52 tons of buried materials and impacted soils on the School District's property.
- A removal action consisting of soil excavation was conducted on the NEIP property in 2003 to remove 2,731 tons of soils and debris.



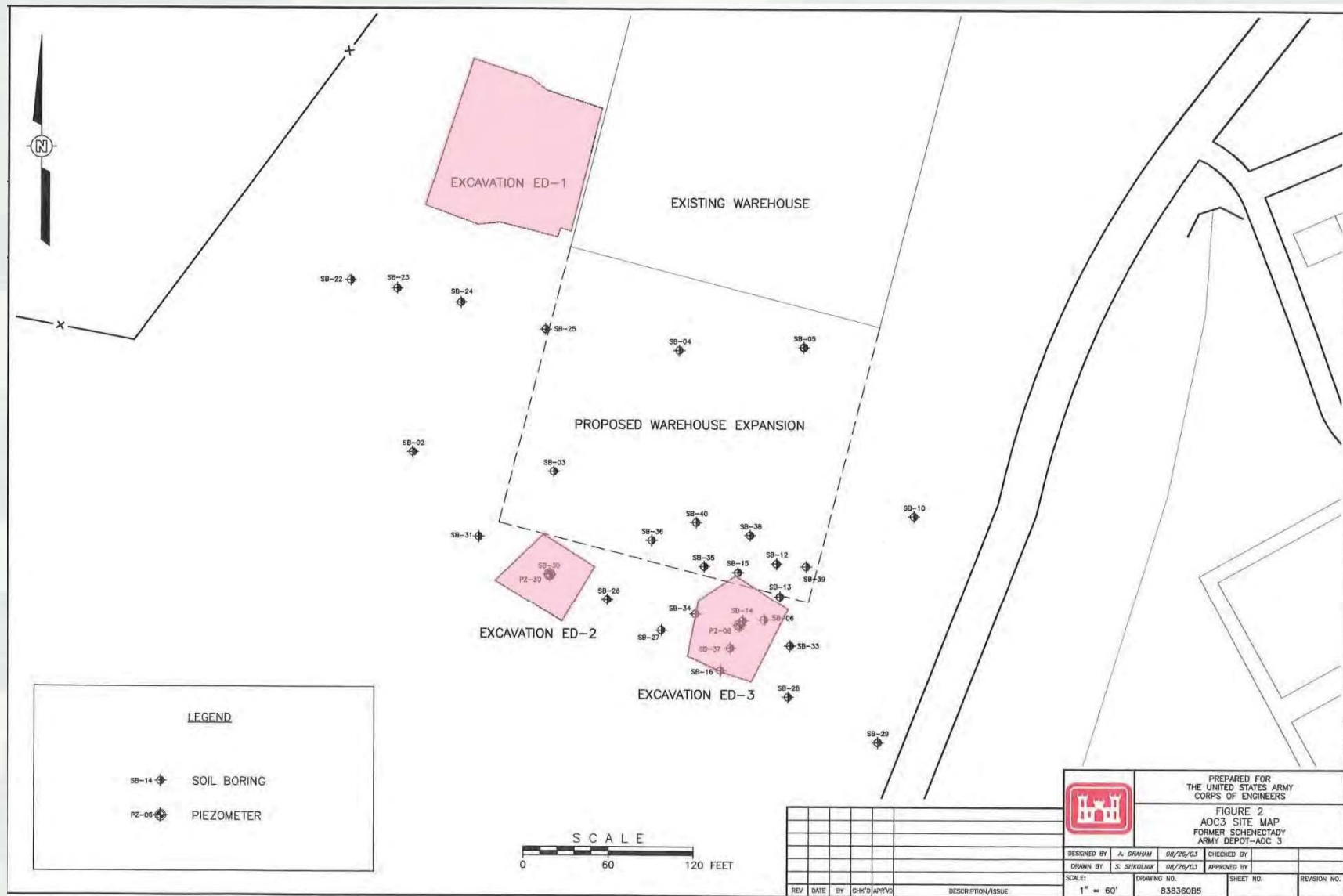
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Emergency Response Excavations



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Removal Action Excavations



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Supplemental Groundwater Investigation

- 34 samples from permanent wells, along with 22 samples from temporary wells, were collected during the supplemental RI from 2013-2015.
- Three new permanent groundwater monitoring wells were installed.



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AOC 3 Groundwater Concentrations

- TCE was detected in shallow temporary wells in the vicinity of the bus parking area next to Black Creek in June 2013 resulting in the installation of three new permanent monitoring wells.
- Groundwater tested from permanent monitoring wells in 2015 met New York State Ambient Water Quality Standards.
- Groundwater tested in 2015 from Guilderland School District's irrigation wells met New York State Ambient Water Quality Standards.



Supplemental RI Soil Gas Investigation

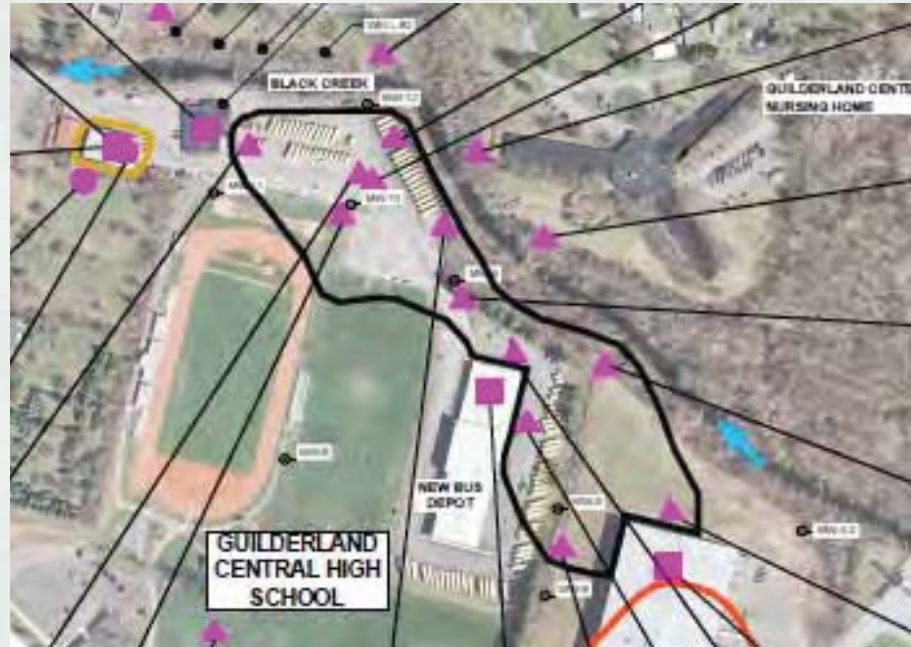
- A total of 25 gas samples were collected.
- 20 soil gas, 3 subslab soil gas, 1 indoor air and 1 ambient outdoor air.



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AOC 3 Soil Gas Concentrations

- Elevated soil gas concentrations of TCE & PCE were detected 8 ft. below ground in the area outlined in black.
- Elevated subslab soil gas concentrations of PCE were detected in the area outlined in yellow, but NYSDOH indoor air guideline met.
- Subslab vapors were found to be at levels not requiring actions to address indoor air in the School District's bus garage, maintenance building or at the Bldg. 28 warehouse on NEIP property.



AOC 3 Human Health Risk Assessment

- Performed risk assessment in accordance with U.S. EPA (CERCLA) guidance
- Evaluated potential exposures for Outdoor Maintenance Workers, Construction Worker, School Students, Indoor Workers and Off-Site Residents to:
 - *PCE and TCE in soil gas, and,
 - *TCE, cis-1,2-DCE and vinyl chloride in groundwater.
- Excess lifetime cancer risks (ELCR) for current land use receptors are within or below the acceptable risk range (between 1/million and 1/ten thousand).
- Threshold non-cancer screening Hazard Indices (HI) and/or the target organ-based segregated HI were less than 1, meaning negligible risk of adverse effects during a lifetime.



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Risk Assessment Findings for AOC 3

- There is no vapor intrusion risk to students, teachers or other personnel in the school's academic buildings.
- There are no vapor intrusion risks for workers in the School's New Bus Garage and Maintenance Building (old bus garage); at the maintenance garage indoor air levels were below action levels (November 2014).
- Groundwater meets NY State's ambient water quality standards, from all five of the School's irrigation wells, based on 2015 test results.
- Evaluation of data for soil, groundwater and soil gas identified no threats to human health under current site conditions.
- There are no threats to human health associated with AOC 3 for current, or reasonably foreseeable future use of the School District, Northeastern Industrial Park or off-site residential properties (including the Nursing Home).
- The only remaining potential risk would be soil vapor intrusion into a future building constructed in the area identified as having the highest soil gas concentrations on Northeastern Industrial Park and School District property.



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Proposed Plan: No Further Action

- The Guilderland School District and Northeastern Industrial Park have been notified of the need to assess site conditions if a future building is planned to be constructed in areas of elevated soil gas concentrations (per DOD policy).
- The U.S. Army Corps of Engineers will not implement land use controls, nor conduct any future monitoring; all existing monitoring wells associated with AOC 3 will be properly closed.
- No Further Action is proposed to be taken at AOC 3 by the U. S. Army Corps of Engineers.



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Next Steps

- Public Comment period on the Proposed Plan ends January 31, 2017.
- All public comments (written and verbal) will be addressed in the Responsiveness Summary provided as part of the Decision Document.
- The Decision Document documents the selected remedy and is signed by the Army and NYSDEC (*anticipated Spring 2017*).



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APPENDIX C
Transcript of Public Meeting

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FORMER SCHENECTADY ARMY DEPOT FUDS - AOC 3

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PROPOSED PLAN PUBLIC MEETING

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REPORTED BY: THERESA L. KLOS, CSR, RMR

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1 P R O C E E D I N G S

2 MR. GOEPFERT: Thank you, everyone, for
3 coming this evening. My name is Greg Goepfert.
4 I'm the project manager for the Formerly Used
5 Defense Site known as the Former Schenectady Army
6 Depot, which is also today known as the Northeast
7 Industrial Park.

8 This public meeting is in accordance with our
9 policy to solicit public comments on work that
10 we've done, decisions that we expect to be making
11 in the near future with respect to the site.

12 So I'm going to run through a very brief
13 presentation of what we've done at this site and
14 what we're planning to do and then I will open up
15 the floor to public comments, which you can feel
16 free to make this evening or you could submit in
17 writing by the end of January of 2017.

18 So the comment period ends on January 31st,
19 2017. I have some copies of the proposed plan
20 right over here on the table if you'd like to take
21 that home and read it over. It is also available
22 on our website, which is noted on the front page
23 of the proposed plan.

24 So I just said what was on this slide ahead

1 of time. We appreciate public input, because it
2 helps us make better decisions on what our plan
3 going forward is at our Formerly Used Defense
4 Sites.

5 Some of you might want to know: What is a
6 Formerly Used Defense Site? Basically, a Formerly
7 Used Defense Site is a property that has been
8 transferred outside of the Department of Defense's
9 control before 1986.

10 So any property that was used by the military
11 before 1986 usually falls into a category called a
12 Formerly Used Defense Site. The Army Corps of
13 Engineers, USACE, is the lead agency for
14 addressing Formerly Used Defense Sites in
15 accordance with a law that's called the
16 Comprehensive Environmental Response
17 Compensation & Liability Act, otherwise known as
18 CERCLA.

19 We have coordinated with the New York State
20 Department of Environmental Conservation and New
21 York State Department of Health on all work
22 related at this Formerly Used Defense Site.

23 The process that we go through to evaluate
24 and take action on our sites, the CERCLA process,

1 is mapped out here on this slide. Where we are at
2 this point is since some interim actions were
3 taken at this particular Area of Concern, which is
4 AOC-3, the proposed plan and public comment period
5 box is where we are right now, which feeds into a
6 Record of Decision.

7 Since we've taken interim actions in the
8 past, there's no expectation of any work in this
9 process beyond the Decision Document or Record of
10 Decision.

11 This is a site map of the Former Schenectady
12 Army Depot. You see on the left-hand side of the
13 slide, which is the northern part of the property,
14 an area designated as the AOC-3 burn pit area.
15 You also see to the west of that area, you see the
16 property known as the Guilderland Central School.

17 This is an overview site map. And this map
18 shows many of the monitoring well locations,
19 groundwater wells that we've monitored over the
20 past several years.

21 History and background. Area of Concern
22 Number 3 is associated with the Former Schenectady
23 Army Depot, which is actually currently known as
24 Northeast Industrial Park.

1 The former depot was a storage and supply
2 activity for the military during World War II and
3 the Korean War. AOC-3 is the specific location
4 that was shown on the previous slide of the burn
5 pit area that was used for burning waste during
6 DoD operations at the site. And in 1969, the Army
7 no longer used the site as a depot.

8 Prior investigations at the AOC-3 burn pit
9 area found soils impacted by burn pit operations
10 and disposal activities. You may have read about
11 a lot of our work in the local newspaper, the
12 Altamont Enterprise.

13 We also have had several members of the
14 community that were very active in explaining to
15 others what operations actually took place at this
16 burn pit as well as a 2007 remedial investigation
17 report that is actually located in several
18 libraries locally. One is the Guilderland Public
19 Library; the other at the Voorheesville Public
20 Library. We also have that remedial investigation
21 report posted on our website.

22 And then in 2016, we completed a supplemental
23 remedial investigation that was funded back in
24 2012 and the field work was completed in 2015.

1 And in June of this past year -- of this year, we
2 issued a report, which we call the Supplemental RI
3 for AOC-3, Area of Concern Number 3.

4 So typically, the process that I had shown
5 previously is such that you would go through an
6 investigation phase, then you would go and do some
7 kind of remedial action on a property that
8 required it.

9 In this case, there were several issues that
10 needed to be dealt with sooner than later. One
11 was an emergency response action that was taken
12 back in 2002 at the Guilderland school property
13 right over the fence line from where the
14 Industrial Park is. And we removed over 1,300
15 tons of buried materials that the Army had placed
16 in that location.

17 Subsequently, in the next year, we returned
18 to the Northeast Industrial Park property in 2003
19 and we removed about 2,700 tons of soils and
20 debris that were actually associated with the burn
21 pit operations.

22 That picture there is a picture, I believe,
23 on the Industrial Park side. The excavations were
24 down about 20 feet. This is a picture of the site

1 plan of the old -- excuse me, the new bus garage
2 at the Guilderland Central School District.

3 The blue lines on the chart depict the
4 excavated areas where utilities are located which
5 we inspected. And the green and red lines in the
6 lower right corner of the picture depict the areas
7 that we, the Army Corps, excavated and disposed of
8 where materials had previously been disposed.

9 So this way, the new bus garage proceeded on
10 their normal schedule to get built. We also had
11 several areas, these are the areas depicted on the
12 Industrial Park side of the property, that were
13 excavated and cleaned up. That was back in the
14 2002, I believe.

15 Now, subsequent to that, those actions that
16 were taken, the State of New York came out with
17 some regulations regarding vapor intrusion in
18 buildings; it wasn't regulation, I think it was
19 called guidance, in 2006.

20 So as part of our program, what we usually do
21 is we go back to sites and we find out if anything
22 new has come about with respect to regulations or
23 guidance that we may need to go back to our sites
24 and look at and address.

1 So we have to go back and say okay, we had
2 several years of monitoring at one of the wells
3 subsequent to the two clean-up actions, and we
4 went back and we did some additional groundwater
5 monitoring work to make sure that we knew to what
6 extent any of the materials may have impacted
7 groundwater at the site.

8 So 34 samples from permanent wells along with
9 22 samples from temporary wells were collected
10 during the supplemental remedial investigation
11 that took place between 2013 and 2015. And then
12 three new permanent groundwater monitoring wells
13 were installed and these were on the school
14 property.

15 So as far as groundwater was concerned, a
16 compound called trichloroethylene, TCE, was
17 detected in shallow temporary wells in the
18 vicinity of the bus parking area next to Black
19 Creek in 2013 resulting in the installation of
20 those three new permanent wells.

21 Those wells were again tested in 2015 and
22 they met the New York State Ambient Water Quality
23 Standards. Groundwater tested in 2015 from
24 Guilderland School District's irrigation wells,

1 there's five school irrigation wells, also met the
2 New York State Ambient Water Quality Standards.

3 And what that means really is that these
4 standards are really equivalent to a drinking
5 water standard. So if I say they meet the ambient
6 water quality standards, the actual concentration
7 of contaminants is the same or less than the
8 maximum allowable drinking water concentration.

9 We also -- as I was mentioning before about
10 soil vapor intrusion work, we also did in our
11 supplemental investigation, we did some soil gas
12 investigation work. And the reason we do that is
13 to find out if any buildings on the site may have
14 been impacted or were potentially impacted by
15 remaining soil gas that basically emanates from
16 groundwater at the site.

17 So we sampled -- we took 25 gas samples, soil
18 gas samples. Twenty were actually soil gas, which
19 is in the ground; three were subslab soil gas
20 samples, which are below buildings, existing
21 buildings; one indoor air sample; and one ambient
22 outdoor air sample.

23 That means a sample just out in the open air
24 as opposed to pointed into a subslab or ground gas

1 port.

2 This is a picture of the locations of the
3 samples that were taken, the soil gas samples. We
4 found that there were some higher soil gas
5 concentrations of a compound called TCE and PCE,
6 perchloroethylene, detected at eight feet below
7 the ground surface in the area that's highlighted
8 in black on this figure.

9 Elevated subslab soil gas concentrations of
10 PCE only were detected in the area highlighted in
11 yellow on that figure. However, when the indoor
12 air sample was taken, the state's health guideline
13 was met for indoor air in that building. And that
14 building is an old vehicle maintenance facility,
15 the school's building.

16 Subslab vapors were found to be at levels
17 that did not require any actions to address indoor
18 air in the school district's bus garage; by that,
19 I mean the new bus garage, the existing -- the old
20 maintenance building or at the building 28
21 warehouse on the Industrial Park property. That's
22 the area there off to the right.

23 To simplify the human health risk assessment
24 that was done, basically, we look at the results

1 of the analysis that we did from the field samples
2 that were taken and there is a very aggressive
3 standard that needs to be met, which means that if
4 there is more than one additional cancer
5 occurrence in ten thousand up to a million,
6 between one in ten thousand and one in a million,
7 according to the EPA standard, that's an
8 acceptable level of risk to be taken. Anything
9 that's less than one in a million is certainly
10 acceptable, but that's actually an aggressive, you
11 know, milestone to meet.

12 I have one of our risk assessors here that
13 may want to give a very brief discussion about
14 that. I don't know if I made that well
15 understood. But I know that it's between one and
16 ten thousand and one in a million additional case
17 in that baseline is considered acceptable.

18 Cliff, did you want to address that?

19 MR. OPDYKE: I would just interject that it's
20 above background. That's the background rate of
21 cancer, which is quite high, as we all know,
22 between -- for men, if we live long enough, it's
23 near a hundred percent chance of getting cancer.
24 But it's certainly well over a third. We're

1 talking 33 percent chance. And this is chances in
2 a population between one in ten thousand and one
3 in a million above background, which is right now
4 around between 25 and 33 percent, to put it in
5 perspective.

6 MR. GOEPFERT: So actually, to put things a
7 little bit more in the here and now, the bottom
8 line for us here at this site is that there's no
9 vapor intrusion risk to students, teachers or
10 other personnel in the school's academic
11 buildings.

12 There's no vapor intrusion risk for workers
13 in the school's new bus garage and the maintenance
14 building, which is called the old bus garage. At
15 the maintenance garage, the old maintenance
16 garage, indoor air levels were below action levels
17 in the samples taken in November of 2014.

18 Groundwater meets the State's Ambient Water
19 Quality Standards from all five of the school's
20 irrigation wells. Evaluation of data for soil,
21 groundwater and soil gas identified no threats to
22 human health under current site conditions. There
23 are no threats to human health associated with
24 AOC-3 for current or reasonably foreseeable future

1 use of the school district's property, Northeast
2 Industrial Park or off-site residential
3 properties, which actually includes the nursing
4 home, because we did include the nursing home in
5 our analysis.

6 The only remaining potential risk at AOC-3
7 would be for soil vapor intrusion into a future
8 building constructed in the area that I had
9 identified in the previous slide where the highest
10 soil gas concentrations are located at the school
11 district and on the Industrial Park property.

12 So in accordance with our processes, our
13 proposed plan is that the U.S. Army Corps of
14 Engineers will be taking -- at this Area of
15 Concern is proposing that we take no further
16 action. The School District and the Industrial
17 Park have been notified of the need to assess site
18 conditions if a future building is planned to be
19 built in an area where those elevated soil gas
20 concentrations have been identified from our
21 investigation work.

22 The Corps of Engineers will not implement any
23 land use controls or conduct any future monitoring
24 at AOC-3. All existing monitoring wells at AOC-3

1 will be closed properly. And again, no further
2 action is proposed at AOC-3 by the Army Corps.

3 So what are the next steps?

4 MR. AUSFELD: Don't those two kind of
5 conflict against one another? You say in one that
6 they have to notify you or they have to --

7 MR. GOEPFERT: Can I ask you, Ted, to -- you
8 can continue. I just want you to identify
9 yourself for the stenographer.

10 MR. AUSFELD: Well, I've been on RAB for a
11 long time. I'm Ted Ausfeld.

12 It seems like those two contradict one
13 another. You're saying Northeastern Industrial
14 Park has to, they have to -- how did you put it
15 there? Can you go back to that?

16 MR. GOEPFERT: Sure.

17 MR. AUSFELD: "Have been notified of the need
18 to assess site conditions if a future building is
19 planned to be constructed in an area."

20 But then the next one: "Will not implement
21 land use control."

22 MR. GOEPFERT: Right. So the Corps doesn't
23 implement the control. The property owner
24 implements the control.

1 MR. AUSFELD: Okay. But they would have to
2 contact you?

3 MR. GOEPFERT: They don't have to contact us.

4 MR. AUSFELD: They don't. So they can just
5 do whatever they want?

6 MR. GOEPFERT: They can do -- we've notified
7 them that under the conditions that we see today,
8 this is what we're recommending in the future.

9 MR. AUSFELD: So what if there was a problem
10 and nobody was aware of that problem? I mean,
11 here, you're telling them on that site location,
12 there's a possibility there could be a problem but
13 they're going to build on it, but they don't --
14 you know, they don't bring it out. Nobody's aware
15 of it, like the contractors and different
16 people.

17 MR. GOEPFERT: Well, I mean, ultimately, the
18 property owner is responsible. As long as the
19 property owner is notified from the Army Corps,
20 we've done our diligence to notify --

21 MR. AUSFELD: But the Army Corps is going to
22 be responsible forever on this site; correct? If
23 there's something that occurs 25 years from now
24 that's related to the Army Corps --

1 MR. GOEPFERT: Yes. If there's something
2 else that's discovered 25 years from now that's a
3 result of Army activity, we will respond. We have
4 an ongoing responsibility for the site. That's
5 one question.

6 MR. AUSFELD: It just seems like there's
7 some contradiction there somehow.

8 MR. GOEPFERT: I think some of that's going
9 to be clarified a little later after some other
10 folks, you know, ask their questions.

11 MR. AUSFELD: Okay.

12 MR. GOEPFERT: So tonight, you may feel free
13 to offer your own public comments on this proposed
14 plan verbally or if you'd like to give me written
15 comments before you leave, we'd be happy to take
16 them. I provided some blank sheets that you could
17 provide comments on; or if you'd like to think
18 about the situation and send me comments, I'd be
19 more than happy to entertain them. And we would
20 just like to have them postmarked by 31 January,
21 2017, which is about a month and a half away.

22 What we actually do is we will respond to the
23 comments, and that is called a Responsiveness
24 Summary. That Responsiveness Summary gets

1 included into a Decision Document. And that
2 Decision Document actually has the selected remedy
3 which may include, you know, no further action and
4 is signed by the District Engineer of the U.S.
5 Army Corps of Engineers. And hopefully, we'd be
6 at that point in the spring next year.

7 So at this point, I'd like to open up the
8 floor to any comments. And if you would, please
9 announce your name and your comment.

10 MR. AUSFELD: It seems like over the years,
11 back in 1975 or '76 when I worked for the Town of
12 Guilderland at the water plant, the first problem
13 that we came upon because we didn't know the pits
14 were there and, all of a sudden, we had the
15 contractors on site.

16 So if you have -- if they have somebody come
17 in, they have this person on site, all of a
18 sudden, the problem exists and that costs a lot of
19 money, because you have your own engineer there.

20 So I still think there should be like a
21 direct route back somehow to get a hold of you
22 right away.

23 MR. GOEPFERT: We are always on call. We're
24 always on duty. Army Corps program is going to

1 not go away. We have over \$500 million worth of
2 backlog in our district of work. This site does
3 not fall off our radar screen.

4 In fact, at another location of this site,
5 Area of Concern Number 1, we are currently
6 continuing to monitor Area Number 1, which is the
7 southern landfill.

8 MR. AUSFELD: See, I said that all along. No
9 matter where you go around the Industrial Park, if
10 you're going to start building, you have a
11 potential problem there. Because you start
12 digging, the problem is there, nobody knows how
13 to handle that.

14 I mean, it's just not -- it should be part of
15 your final close-out, how they take care of that.
16 You contact somebody, there should be something in
17 writing to that effect, because that's everywhere.
18 Everywhere on the Industrial Park, you're going to
19 have people that want to build, maybe even on that
20 pit, and that's what -- you know, that's what we
21 did.

22 We'd start construction. Boom, there was a
23 problem. It became a big problem, because we
24 didn't have a direct path to the Army Corps of

1 Engineers.

2 The Town ended up having to pay for all that
3 in our construction project. So I can see that
4 happening anywhere in the Industrial Park. I'm
5 just saying.

6 MR. GOEPFERT: Thank you for your comment. I
7 understand your comment. And the current property
8 owners are aware of their responsibilities as
9 property owners. They're also aware of my phone
10 number and the phone number of the Army Corps New
11 York District.

12 So if that happened again, just like at the
13 construction of the new bus garage, the Army Corps
14 would respond as any good citizen would.

15 MS. BOYD: Hi. I'm Bridget Boyd. I'm with
16 the New York State Department of Health. As Greg
17 mentioned earlier, we and the DEC have been
18 working on this project along with Greg for many
19 years now and there is no exposures ongoing right
20 now.

21 So conceptually, we agree and support the no
22 further action plan. Thank you.

23 MR. SANDERS: Hi. I'm Neil Sanders,
24 Superintendent of the School District. I just

1 want to follow up on Ted's comment a little bit.
2 We are concerned as a school community, obviously,
3 about any ongoing risk or financial obligations
4 the School District may have.

5 I understand we're talking about today,
6 everything looks good, but what assurances can you
7 provide that we won't have any future obligation
8 going forward that the School District will need
9 to then address in your absence?

10 MR. GOEPFERT: Well, thank you for your
11 comment, Mr. Sanders. We look forward to being
12 available to the District to address anything that
13 you might find in the future.

14 I will tell you that current policy is under
15 vapor intrusion that the risk is not in place
16 until, perhaps, a new building is constructed.

17 However, if there are measures that are taken
18 by the School District, for example, installing a
19 radon control system in a new building, that
20 would actually be roughly equivalent to a
21 mitigation system that would be put into a new
22 building anyway.

23 However, we understand your concern about the
24 future liabilities for the District. As I

1 mentioned to Mr. Ausfeld previously, we keep our
2 ongoing responsibilities for our Formerly Used
3 Defense Sites. However, the vapor intrusion issue
4 is something a little bit different.

5 But based upon your comment tonight, we will
6 evaluate your comment a little further and provide
7 a more complete answer in our Responsiveness
8 Summary and, hopefully, get an answer satisfactory
9 to you before we make our final decision at this
10 Area of Concern.

11 Any other comments at this time?

12 MR. SWARTWOUT: I'm John Swartwout. I'm
13 the Section Chief at the Department of
14 Environmental Conservation at our headquarters in
15 downtown Albany.

16 I just wanted to assure everyone that on this
17 particular project, along with everything else
18 that the Corps of Engineers does in New York under
19 the FUDS program, DEC has a Memorandum of
20 Agreement with the Department of Defense under
21 which we oversee, review and coordinate with the
22 Corps of Engineers on all of their projects in New
23 York, including this one, including all aspects at
24 this particular site, you know, the Former

1 Schenectady Army Depot.

2 So that includes things over on the other end
3 of the depot where the Class 2 inactive hazardous
4 waste disposal site is where the Corps of
5 Engineers capped the old landfill as well as all
6 these other various issues that have come up over
7 the years on other portions of the depot and
8 carrying over onto the school property.

9 So even though this particular Area of
10 Concern is not part of the State Superfund
11 program, nevertheless, under our cooperative
12 agreement with the Defense Department, we've been
13 fully involved with reviewing work plans,
14 reviewing reports that have consulted with us on
15 how the next phase of investigation should take
16 place.

17 And while our role is basically with the
18 environmental issues, we work hand in glove with
19 the State Health Department who does the review
20 that relates to health issues.

21 So we've been involved from the beginning and
22 look forward to getting this to a conclusion
23 shortly.

24 MR. GOEPFERT: Thank you, Mr. Swartwout.

1 Anybody else have any other comments?

2 (No response.)

3 MR. GOEPFERT: So at this time, I'd like to
4 invite you all to review the document that was
5 provided. Also, we do have all our previous
6 reports uploaded on our U.S. Army Corps of
7 Engineers New York District website. If you have
8 any trouble getting into our website, all you have
9 to do is type in "missions environmental", and
10 you'll see FUDS come up, New York District.

11 You'll see a whole list of reports that are
12 current on the website as well as the fact sheet
13 that I handed out tonight.

14 So hearing no further comment, I'd like to
15 close this meeting. And thank you very much for
16 coming out on this cold December evening.

17 (Whereupon, at 7:34 p.m., the public hearing
18 was closed.)

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1 C E R T I F I C A T I O N

2

3 I, **THERESA L. KLOS**, Shorthand Reporter and Notary
4 Public within and for the State of New York, do hereby
5 CERTIFY that the foregoing record taken by me at the time
6 and place noted in the heading hereof is a true and
7 accurate transcript of same, to the best of my ability
8 and belief.

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THERESA L. KLOS, CSR, RMR

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14 Dated: December 27, 2016.

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APPENDIX D

Newspaper Articles

THE ALTAMONT ENTERPRISE

GUILDERLAND

Defunct Army burn pit still raises concerns

by [Melissa Hale-Spencer](#)

GUILDERLAND — The Army Corps of Engineers says no further action is needed in a burn pit area, which the Corps has cleaned up and monitored, at the defunct Army depot in Guilderland Center. But concerns were raised at a public session Monday about future building in an area with elevated soil-gas concentrations.

A long-time member of an advisory board meant to guide the cleanup process asked: What if future property owners are not aware of dangers from remaining vapors?

And a Guilderland school leader asked: Will the federal government cover costs to mitigate “vapor intrusion” if a new structure is built in the area with elevated concentrations?

For 15 years, Gregory Goepfert has been the project manager of the United States Army Corps of Engineers cleanup project at the former depot, on land now largely occupied by the Northeastern Industrial Park, adjacent to the Guilderland High School campus. The depot was used by the Army from the 1941 to the 1969, during World War II and the Korean War. Some of the debris left by the Army was hazardous.

Goepfert estimated for The Enterprise that the federal government has spent \$4 million on testing, defining, monitoring, capping, and cleaning up the nine sites at the old depot considered a risk to human health and labeled as Areas of Concern, or AOCs.

Monday night, Goepfert conducted a session at Guilderland High School attended by a score of people, reviewing how the Army Corps had handled the burn pit area, AOC 3, over the years and concluding there are “no unacceptable risks” for school staff and students or for industrial park workers inside and out.

Investigations conducted in 2000 and 2001 had found soil with volatile organic compounds and semi-volatile organic compounds, known as VOCs and SVOCs; and polychlorinated biphenyls, known as PCBs; pesticides; and metals.

VOCs are compounds that are emitted as gases from certain solids or liquids and include a variety of chemicals, some of which may have short- and long-term adverse health effects. VOCs are emitted by thousands of products, ranging from paints and strippers to glues and adhesives.



The Enterprise- Melissa Hale-Spencer

Encouraging comment, Gregory Goepfert, project manager with the United States Army Corps of Engineers, urges the public to submit written comments on the burn pit area through Jan. 31, 2017 to: U.S. Army Corps of Engineers, New York district, attention Mr. G. Goepfert, CENAN-PP-E, Room 1811, 25 Federal Plaza, New York, NY 10278.

Long-term exposure to volatile organic compounds can cause damage to the liver, kidneys, and central nervous system, according to the U.S. National Library of Medicine; short-term exposure to VOCs can cause eye and respiratory-tract irritation, headaches, dizziness, visual disorders, fatigue, loss of coordination, allergic skin reactions, nausea, and memory impairment.

PCBs are a group of toxic, persistent chemicals used in electrical transformers and capacitors for insulating purposes, and in gas pipeline systems as lubricant. PCBs accumulate in animal tissue with pathogenic effects.

Long-term exposure to PCBs may have serious effects on the liver, immune system, endocrine system, reproductive system, and thyroid hormone levels, which in turn may affect normal growth and development, according to the U.S. National Library of Medicine; exposure may damage the nervous system, causing headaches, numbness, weakness, and tingling in the arms and legs; it may also cause learning deficits and changes in activity.

The burn-pit area begins less than 800 feet from the back of the high school on the northern portion of the former depot.

Originally, the burn-pit area was believed to be about a half-acre, but that jumped to about 5.8 acres in 1999 when Quantum Geophysics Inc. performed a geophysical evaluation of the site. Quantum identified 11 likely disposal areas, according to a Corps-commissioned report by Parsons Engineering Science Inc.

Aerial photographs indicate the area had several dumps and burn pits, beginning in the 1940s, the report states. While interviews with former employees did not reveal the substances buried or burned during the 1950s — the Army left behind no records — patrols were assigned twice daily to check the pit because it sometimes began to burn spontaneously.

The worst of the obvious soil contamination of the burn pit recorded during a field test was found at a test site about 500 feet from the fence separating the industrial park from the Guilderland High School property.

Soils in the area, at a depth of 14 feet, were found to be far in excess of criteria set by the state's Department of Environmental Conservation for seven types of carcinogenic materials and heavy metals such as aluminum, lead, and iron. PCBs above the state standard were also found.

In several samples, dioxins were found at between two and three inches below the surface. In addition to byproducts of manufacturing, dioxins are caused by burning plastics. The worst contamination was at a test site about 300 feet from the school property line.

Water sampled from monitoring wells showed that some contaminants were above state standards. The Army Corps concluded that a plume containing these contaminants appeared to be moving in a north-northwesterly direction, which is toward the school campus.

A new building in the industrial park in 2002 had angered some local residents on the Restoration Advisory Board; they were concerned that the contamination would find its way into the nearby Black Creek, which feeds the Watervliet Reservoir, Guilderland's major source of drinking water.

“What if nobody’s aware?”

Ted Ausfeld, who had served as a member of the Restoration Advisory Board and was acknowledged by Goepfert on Monday for his work, pointed out what he saw as a contradiction in Goepfert’s presentation.

On the one hand, Goepfert had said that the only remaining risk would be “soil vapor intrusion” into a future building constructed in the area identified as having the highest soil gas concentrations. Such areas lie on property now owned by the Northeastern Industrial Park and the Guilderland School District.

Both the school district and the industrial park, Goepfert said, have “been notified of the need to assess site conditions if a future building is planned.”

On the other hand, Goepfert said that the Army Corps “will not implement land-use controls nor conduct any future monitoring. All existing monitoring wells associated with AOC 3 will be properly closed.”

When Ausfeld asked about the discrepancy, Goepfert said, “The Corps doesn’t implement land-use control; the property owner does.”

“What if there were a problem and nobody’s aware of it?” asked Ausfeld, stating it was his understanding that “the Army Corps is responsible forever.”

Goepfert concurred that, if something were to be discovered 25 years from now, the Army Corps would bear responsibility for a problem generated by Army activity.

Ausfeld, who has since retired, worked for the town of Guilderland in in the mid-1970s when the town was building a new water plant on land that had once been part of the Army depot.

“We didn’t know the pits were there,” said Ausfeld of when the problems were first discovered, and the town ended up bearing much of the cost. “There should be a direct route back to get you people right away,” said Ausfeld.

“We’re always on call,” said Goepfert, noting there is a \$500 million backlog of work to be done cleaning up formerly used defense sites, known as FUDS. He also noted that the Army Corps is continuing to monitor AOC 1, the southern landfill.

“No matter where you build in the Northeastern Industrial Park, you’ve got a potential problem,” said Ausfeld. He said he was sure, sometime in the future, someone would want to build there. “You start construction, boom, there’s a problem...Just sayin’,” he concluded.

“The current property owners are aware of their responsibilities as property owners and are also aware of my phone number,” responded Goepfert.

After the meeting, The Enterprise asked Goepfert how someone in the future owning the property with potential risks would know about those risks. Goepfert said that tracing property titles would show it was once owned by Army; asked if the title would indicate the danger, he said, “No.”

He also said, “I would imagine the town of Guilderland has something in their planning documents that would show that this was a formerly used defense site.”

Guilderland Supervisor Peter Barber, who for years chaired the town's zoning board, told the Enterprise on Wednesday, "Recent case law says there's an obligation to check with the zoning and planning department."

He said it is unlikely a future builder in the zone with vapor intrusion would find any information on that in the Albany County Clerk's Office, viewed as "the official repository." But the town's zoning and highway departments do maintain files, Barber said, although he added he would have to check to see if such information is included.

Further, he surmised the industrial park had "binders full of documents" on the hazardous wastes uncovered there.

"I think there is a lot of institutional knowledge out there," concluded Barber, although he couldn't, on short notice, point to specific documents, as Goepfert had suggested.

Asked if designating potentially hazardous building areas should be part of town zoning, Barber said, "It's not in the zoning code. It's part of due diligence for anyone buying property."

"What can you provide going forward?"

A second question was raised on Monday by Neil Sanders, the assistant superintendent for business for the Guilderland School District. In 2002, as the school district prepared to build a new bus garage, the construction work unearthed some Army debris.

The Army Corps paid about half-a-million dollars to clean it up. The district had purchased, for one dollar, about seven acres from the industrial park for the bus-facility project. Three types of debris were initially unearthed in August 2002 — glass vials containing chlorine used by soldiers to purify water; bottles with orthotolidine tablets to test the safety of water; and tubes with anti-lewisite, which soldiers rubbed in their eyes to prevent blistering.

In September of that year, more was unearthed, including bottles with syringes containing water and citric acid used for intravenous regeneration of blood plasma; skin ointment tubes with packaging materials that contained lead; and at least one can of an oily-type of substance.

Over 1,300 tons of soil were removed from the site, dispersed to landfills designed for various kinds of wastes — one was in Michigan; another in Pennsylvania.

Ground-penetrating radar was used to see if there were other kinds of debris in the ball-field area at the south end of the school property; nothing was found.

The next year, another 2,700 tons of soil and debris were removed from the burn pit area on property owned by the Northeastern Industrial Park.

On Monday night, Sanders said the school district was concerned about any future risks and asked, "What can you provide going forward?"

"The risk is not in place until perhaps a new building is constructed," responded Goepfert. He added, "We understand your concern about future liabilities to the district."

Goepfert stressed that comments from Monday's meeting would become part of the record, and that people can submit written comments through Jan. 31, 2017 to: U.S. Army Corps of

Engineers, New York district, attention Mr. G. Goepfert, CENAN-PP-E, Room 1811, 25 Federal Plaza, New York, NY 10278.

After the meeting, Goepfert told The Enterprise, in response to Sanders's concerns, "Five years down the road, under our current policies, for vapor intrusion for a building that does not exist today, we would not shoulder that burden."

He also said of Sanders, "We have a public process where he gets to voice his concerns...I will discuss it with my team...I haven't really answered him," said Goepfert.

"I had hoped for an answer," Sanders told The Enterprise after the meeting. "We can wait to get that response."

"Within the acceptable risk range"

"The important thing," Goepfert stressed to The Enterprise, "is students and teachers are safe in the schools and workers are safe at the industrial park."

During his presentation, Goepfert said that 34 samples were taken from permanent monitoring wells and 22 from temporary wells over two years, from 2013 to 2015.

He had noted earlier, in 2010, when a Guilderland mother had raised concerns about water safety at the high school, that the school gets its drinking water from Guilderland's municipal system. The athletic fields, however, are watered from a school well nearby and the mother was concerned, saying of the athletes, "They are literally eating the dirt."

When asked at the time if athletes could be harmed on playing fields watered by a well with that level of VOCs, Goepfert said, "I don't think you'd have a hazard. It would volatilize; it would break down in the air."

TCE — trichloroethene, a volatile organic compound, typically used as a degreaser — was detected in shallow temporary wells in the vicinity of the bus parking area next to the Black Creek in June 2013, Goepfert reported during Monday's presentation; this discovery resulted in the installation of three new permanent monitoring wells.

In 2015, Goepfert said, groundwater tested from permanent monitoring wells and from the school district's irrigation wells met the state's water quality standards.

Also, Goepfert reported, 25 gas samples were collected — 20 of soil gas, three of sub-slab soil gas, one of indoor air, and one of outdoor air. Elevated soil gas concentrations of TCE and PCE — perchlorethylene, a volatile organic compound primarily used for dry-cleaning fabrics and degreasing metals — were found eight feet below ground partly on school-district property near the bus garage and partly on nearby industrial park property.

Indoor air guidelines were met, said Goepfert, and sub-slab vapors were at levels not requiring actions to address indoor air at the school's bus garage, maintenance building, or the Building 28 warehouse in the industrial park.

A human health risk assessment was conducted as well for the burn pit area, evaluating the exposure for outdoor and indoor workers and for students and teachers as well as for nearby Guilderland Center nursing home residents.

"Excess lifetime cancer risks...are within or below the acceptable risk range," said Goepfert.

Clifford Opdyke, Ph. D., with the Army Corps, agreed, noting of cancer, “The background rate now is between 25 and 33 percent.”

“There is no vapor-intrusion risk,” said Goepfert, to students or teachers in the schools nor for workers in the bus garage or maintenance buildings. Further, he said, “There are no threats to human health associated with AOC 3 for current, or reasonably foreseeable future use of the school district, Northeastern Industrial Park, or offsite residential properties including the nursing home.”

“There is no exposure right now,” said Bridget Boyd with the state’s Department of Health, stating that her department agrees with the Army Corps’ assessment that no further action is needed for the burn pit area.

Similarly, John Swartwout, section chief with the state’s Department of Environmental Conservation, said that, on this particular project, the DEC has a memorandum of agreement with the Department of Defense in which the state agency coordinates with the federal one.

“We’ve been fully involved,” said Swartwout. “We work hand in glove with the state health department...We’ve been involved since the beginning and look forward to getting this to a conclusion shortly.”

Post date: December 21, 2016

Tags: [Army depot](#) [Guilderland Center](#) [toxins](#) [environment](#)

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APPENDIX E
Concurrence Letters

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
625 Broadway, 12th Floor, Albany, New York 12233-7011
P: (518) 402-9706 | F: (518) 402-9020
www.dec.ny.gov

March 31, 2017

Gregory J. Goepfert, Project Manager
New York District, Corps of Engineers
Jacob K. Javits Federal Building
New York, NY 10278-0090

Re: Decision Document
AOC3 Former Burn Pits
Northeast Industrial Park Site
NYSDEC Site #401009
Town Guilderland, Albany County, New York
Dated March 2016

Dear Mr. Goepfert:

The New York State Department of Health (DOH) and the New York State Department of Environmental Conservation (DEC) have reviewed the March 2017 AOC3 (aka burn pit area) Decision Document for the Northeast Industrial Park Site in Guilderland, Albany County, NY.

Interim actions were completed to remove visibly identified disposed materials and source area soils at the site. A supplemental remedial investigation was also performed to determine whether any remaining contamination posed a threat to human health or the environment. The selected remedy is no further action. There remains a potential for vapor intrusion risk if a future building is constructed above areas of soil vapor contamination. The current property owners (the Guilderland Central School District and the Northeastern Industrial Park/Galesi Group) have been notified of this potential risk and will be asked to notify United States Army Corps of Engineers (ACOE), the DEC and DOH if they construct new buildings in areas of soil vapor contamination.

Should the School District plan to build a new building in this area, the United States Army Corps of Engineers (ACOE) will provide services, subject to the availability of funds, to assess site conditions at that time and fund the installation of a vapor mitigation system if found to be necessary solely because of conditions related to the former Depot operations. We encourage the ACOE to continue discussing a deed notification on the site with the current owners. As discussed in our conference call on March 27th, 2017, we



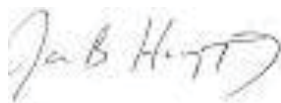
Department of
Environmental
Conservation

recommend that the ACOE also send a letter to the Town of Guilderland Building Department providing information on AOC3 for their records.

Based on our review of the document, and with the understanding that the ACOE will request that the property owners notify the ACOE, DEC, and DOH in the event the future construction occurs in the areas of interest, the State concurs with the proposed determination and approves the above referenced document.

If you have any questions, please contact John Swartwout at john.swartwout@dec.ny.gov or (518) 402-9620.

Sincerely,

A handwritten signature in dark ink, appearing to read "J.B. Harrington". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James B. Harrington, P.E.
Bureau Chief
Division of Environmental Remediation

Ec:

J. Swartwout, NYSDEC
H. Bishop, NYSDEC
E. Obrecht, NYSDEC
M. Ryan, NYSDEC
J. Deming, NYSDOH
B. Boyd, NYSDOH