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Slack

TO: Alan Rockmore, Director, Bureau of Construction Services
 FROM: Joseph L. Slack, Director, Bureau of Eastern Remedial Action
 SUBJECT: Sealand Restoration , Lisbon (T), St. Lawrence County
 Citizen Participation Plan

DATE: JAN 11 1989

Attached is a copy of the final Citizen Participation Plan for the Sealand Restoration construction project to be implemented this year. Also included in this transmittal are copies of the information sheet and agenda for the upcoming public information meeting to be held in the Town of Lisbon, St. Lawrence County. These final documents reflect your comments submitted as well as comments from the Bureau of Eastern Remedial Action (BERA), Region 6, and the New York State Department of Health.

The Bureau of Eastern Remedial Action recommends that your staff schedule this public information meeting at their convenience after the work plans are substantially complete and prior to construction activities. As indicated in the past, BERA staff will be available to assist in this informational meeting.

If you have any questions, please call David Curtis, of my staff, at 7-5677.

- cc: D. Sweredoski
- G. Laccetti
- C. Nevins

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SEALAND RESTORATION
LISBON (T), ST. LAWRENCE COUNTY
I.D. 6-45-014

CITIZEN PARTICIPATION PLAN

- I. INTRODUCTION TO PLAN
- II. BASIC SITE INFORMATION
- III. PROJECT DESCRIPTION
- IV. IDENTIFICATION OF AFFECTED AND/OR INTERESTED PUBLIC
(CONTACT LIST)
- V. IDENTIFICATION OF DEPARTMENT CONTACTS
- VI. IDENTIFICATION OF DOCUMENT REPOSITORIES
- VII. DESCRIPTION OF SPECIFIC CITIZEN PARTICIPATION ACTIVITIES
- VIII. GLOSSARY OF KEY TERMS AND MAJOR PROGRAM ELEMENTS

SECTION I INTRODUCTION TO PLAN

The New York State Department of Environmental Conservation (NYSDEC) is committed to a citizen participation program as a part of its responsibilities for the inactive hazardous waste sites. It provides an opportunity for the Department to obtain information from the public in developing a comprehensive remedial program which is protective of both public health and the environment.

SECTION II BASIC SITE INFORMATION

The Sealand Restoration site is located on a 200 acre farm in the Town of Lisbon, St. Lawrence County. The contaminated portions of the site requiring clean up is on the south end of this farm. Mc Fadden Road, Pray Road, and Tuck Road are the residential areas immediately surrounding the site. The Hamlet of Lisbon is located approximately 2 miles to the southeast and the City of Ogdensburg is located approximately 10 miles to the northeast of the site.

SECTION III PROJECT DESCRIPTION

The Sealand Restoration site has been an inactive hazardous waste site since its officials filed for bankruptcy in 1982. There has been much local and legislative concern about the site. The New York State Legislature granted St. Lawrence County numerous Local Assistance Grants for site remediation. The NYSDEC has performed a State Superfund Phase I, Phase II, and a RI/FS at the site. The Remedial Investigation/Feasibility Study (RI/FS) was completed in the spring of 1987 and recommended removal of the waste from the disposal cell. The United

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States Environmental Protection Agency (USEPA) was requested at that time to perform a removal action. USEPA's initial reaction was favorable indicating Federal monies were available for site cleanup.

In August 1987, the NYSDEC held a public meeting in the Town of Lisbon to present the RI/FS report and to provide a status on the USEPA Superfund removal action. The public was also informed at that time that investigations completed at and around the site did not reveal an impact to the individual water supplies surrounding the site. In addition, the public was informed that the recommendation made by the consultant was to remove the disposal cell and that the removal was being evaluated by the USEPA as a possible Federal removal project.

During the fall of 1987, the NYSDEC contracted with a hazardous waste contractor to excavate trenches within the disposal cell in order for the Department to directly sample the waste within the cell. This work provided additional information which the USEPA needed to finalize their decision regarding a federally funded removal action. In March, 1988, the USEPA finally decided not to carry out this removal during Federal Fiscal Year 88/89, and did not give any commitments for funding in future years. Therefore, it was decided that the State would undertake the required work through its State Superfund Program.

The delay in USEPA's decision not to perform a federally funded removal action considerably affected the selected alternatives addressed in the RI/FS report. The RI/FS report recommended that the disposal cell be removed and properly disposed at a permitted Treatment, Storage, and Disposal Facility (TSDF). The cell contains primarily soil, debris and drummed waste contaminated with solvents (i.e. F001 through F005 USEPA listed wastes) and oil spill materials. Effective November 8, 1988, the "Federal Land Ban Restrictions" became a major consideration in the proper disposal of these wastes. Generally, the federal regulations require wastes destined for landburial after November, 1988 to meet stringent standards for land burial of organic wastes.

Wastes sampled and analyzed from the disposal cell located at the Sealand site have been identified to contain solvent wastes above concentrations listed by the USEPA requiring treatment other than land disposal. In order to comply with the proposed land burial requirements, the best demonstrated available technology for disposal of solvent contaminated wastes is incineration. Although incineration is the best technology for permanently destroying solvent contaminated waste, landburial of these wastes might also be a viable alternative if the wastes were pretreated to meet the land burial disposal standards. Therefore, the NYSDEC advertised the removal of the disposal cell on July 20, 1988 with three (3) disposal alternates. The alternates were defined as 1) landburial after pretreatment of the solvent wastes, 2) on-site incineration, or 3) off site incineration. Twenty-one contracting firms attended a mandatory pre-bid meeting held in August, 1988. The bids were opened on October 6, 1988 with Severson Environmental Services being the only bidder. Table 1 summarizes the bid price.

TABLE 1

	ENGINEER'S ESTIMATE	SEVENSON'S BID
ALTERNATE 1 (Landburial with pretreatment)	\$4,457,500.00	\$4,718,620.00 *
ALTERNATE 2 OFF (ON -site Incineration)	\$17,017,500.00	\$11,928,620.00
ALTERNATE 3 ON (OFF site Incineration)	\$8,517,500.00	\$8,635,120.00

After a detailed evaluation of the three alternative bids by the New York State Department of Environmental Conservation, the first alternative (landburial) was considered non-responsive due to inadequate pretreatment methods to meet the requirements of the land ban requirements. The third alternative (on-site incineration) was also considered non-responsive due to a conditioned bid. The second alternative (off site incineration) bid was determined to be the only responsive bid.

The Department has sent a letter of intent to award to Severson Environmental Services, Inc. An executed contract to commence the necessary work is expected by April 1, 1988.

IV. IDENTIFICATION OF AFFECTED AND/OR INTERESTED PUBLIC

Congressman	David Martin
State Senator	John Mc Hugh
Assemblyman	JOHN O'NEAL
Town Supervisor (Lisbon)	TIMOTHY FLACKE
St. Lawrence County Environmental Management Council	MARY VERLAQUE, DIRECTOR JON MONTAN, EMC PLANNER
New York State Department of Health	
Massena District Office Syracuse Regional Office Bureau of Environmental Exposure Assessment	VICTOR PISANI RONALD HEERKENS RONALD TRAMONTANO

V. IDENTIFICATION OF DEPARTMENT CONTACTS

Division of Hazardous Waste Remediation Project Manager	JAMES VAN HOESEN
Regional Solid and Hazardous Waste Engineer	JOHN KENNA
NYSDEC Citizen Participation Specialist	CHARLES NEVINS

VI. IDENTIFICATION OF DOCUMENT REPOSITORIES

Town of Lisbon
Town Hall
Lisbon, New York

St. Lawrence County
Environmental Management Council
Court House
Canton, New York

V. DESCRIPTION OF SPECIFIC CITIZEN PARTICIPATION ACTIVITIES

The proposal is to proceed with the project using only the best demonstrated available technology alternative. This alternative will be implemented using off site incineration. The following summarizes the citizen participation activities necessary during the construction activities.

A public meeting was held in August 1987 to discuss the selected remedy (removal and off site disposal of waste in the disposal cell). Another public informational meeting is expected during January 1989 to present the status of the project and also to present the plans that will be implemented for waste handling and health and safety at the site. The following additional citizen participation activities will be provided after the contract is executed:

1. A public availability session will be scheduled once the contract is executed to discuss the project with any interested member of the public.
2. The Department, through the Department's Project Manager, will answer questions from the public during the project.

VIII.GLOSSARY OF KEY TERMS AND MAJOR PROGRAM ELEMENTS

The definitions of commonly used citizen participation terms and significant elements and terms of the remedial program are list in the attached appendices.

APPENDIX E

Definitions of Commonly Used Citizen Participation Terms

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

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

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

Citizen Participation Specialist - A Department staff member within the Office of Public Affairs who provides guidance, evaluation and assistance to help the Project Manager carry out his/her site-specific Citizen Participation program.

Contact List - Names, addresses and/or telephone numbers of individuals, groups, organizations and media interested and/or affected by a particular hazardous waste site. Compiled and updated by the Department. Interest in the site, stage of remediation and other factors guide how comprehensive the list becomes. Used to assist the Department to inform and involve the interested/affected public.

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

Information Sheet - A written discussion of a site's remedial process, or some part of it, prepared by the Department for the public in easily understandable language. May be prepared for the "general" public or a particular segment. Uses may include, for example: discussion of an element of the remedial program, opportunities for public involvement, availability of a report or other information, or announcement of a public meeting. May be mailed to all or part of the interested public, distributed at meetings and availability sessions or sent on an "as requested" basis.

Project Manager - A Department staff member within the Division of Hazardous Waste Remediation (usually an engineer, geologist or hydrogeologist) responsible for the day-to-day administration of activities, and ultimate disposition of, one or more hazardous waste sites. The Project Manager works with the Office of Public Affairs as well as fiscal and legal staff to accomplish site-related goals and objectives.

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

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

Public Notice - A written or verbal informational technique for telling people about an important part of a site's remedial program coming up soon (examples: announcement that the report for the RI/FS is publicly available; a public meeting has been scheduled).

The public notice may be formal and meet legal requirements (for example: what it must say, such as announcing beginning of a public comment period; where, when and how it is published).

o Publish - For purposes of 6NYCRR Part 375.7, at a minimum requires publication of a legal notice in a local newspaper of general circulation.

Another kind of public notice may be more informal and may not be legally required (examples: paid newspaper advertisement; telephone calls to key citizen leaders; targeted mailings).

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

Toll-Free "800" Telephone Information Number - Provides cost-free access to the Department by members of the public who have questions, concerns or information about a particular hazardous waste site. Calls are taken and recorded 24 hours a day and a Department staff member contacts the caller as soon as possible (usually the same day).

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APPENDIX F

Definitions of Significant Elements and Terms of the Remedial Program

NOTE: The first eight definitions represent major elements of the remedial process. They are presented in the order in which they occur, rather than in alphabetical order, to provide a context to aid in their definition.

Site Placed on Registry of Inactive Hazardous Waste Sites - Each inactive site known or suspected of containing hazardous waste must be included in the Registry. Therefore, all sites which state or county environmental or public health agencies identify as known or suspected to have received hazardous waste should be listed in the Registry as they are identified. Whenever possible, the Department carries out an initial evaluation at the site before listing.

Phase I Site Investigation - Preliminary characterizations of hazardous substances present at a site; estimates pathways by which pollutants might be migrating away from the original site of disposal; identifies population or resources which might be affected by pollutants from a site; observes how the disposal area was used or operated; and gathers information regarding who might be responsible for wastes at a site. Involves a search of records from all agencies known to be involved with a site, interviews with site owners, employees and local residents to gather pertinent information about a site. Information gathered is summarized in a Phase I report.

After a Phase I investigation, DEC may choose to initiate an emergency response; to nominate the site for the National Priorities List; or, where additional information is needed to determine site significance, to conduct further (Phase II) investigation.

Phase II Site Investigation - Ordered by DEC when additional information is still needed after completion of Phase I to properly classify the site. A Phase II investigation is not sufficiently detailed to determine the full extent of the contamination, to evaluate remedial alternatives, or to prepare a conceptual design for construction. Information gathered is summarized in a Phase II report and is used to arrive at a final hazard ranking score and to classify the site.

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

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

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

Construction - DEC selects contractors and supervises construction work to carry out the designed remedial alternative. Construction may be as straightforward as excavation of contaminated soil with disposal at a permitted hazardous waste facility. On the other hand, it may involve drum sampling and identification, complete encapsulation, leachate collection, storage and treatment, groundwater management, or other technologies. Construction costs may vary from several thousand dollars to many millions of dollars, depending on the size of the site, the soil, groundwater and other conditions, and the nature of the wastes.

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

Consent Order - A legal and enforceable negotiated agreement between the Department and responsible parties where responsible parties agree to undertake investigation and cleanup or pay for the costs of investigation and cleanup work at a site. The order includes a description of the remedial actions to be undertaken at the site and a schedule for implementation.

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

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

Delisting - Removal of a site from the state Registry based on study which shows the site does not contain hazardous wastes.

Potentially Responsible Party Lead Site - An inactive hazardous waste site at which those legally liable for the site have accepted responsibility for investigating problems at the site, and for developing and implementing the site's remedial program. PRP's include: those who owned the site during the time wastes were placed, current owners, past and present operators of the site, and those who generated the wastes placed at the site. Remedial programs developed and implemented by PRP's generally result from an enforcement action taken by the State and the costs of the remedial program are generally borne by the PRP.

Ranking System - The United States Environmental Protection Agency uses a hazard ranking system (HRS) to assign numerical scores to each inactive hazardous waste site. The scores express the relative risk or danger from the site.

Responsible Parties - Individuals, companies (e.g. site owners, operators, transporters or generators of hazardous waste) responsible for or contributing to the contamination problems at a hazardous waste site. PRP is a potentially responsible party.

Site Classification - The Department assigns sites to classifications established by state law, as follows:

o Classification 1 - A site causing or presenting an imminent danger of causing irreversible or irreparable damage to the public health or environment --immediate action required.

o Classification 2 - A site posing a significant threat to the public health or environment--action required.

o Classification 2a - A temporary classification for a site known or suspected to contain hazardous waste. Most likely the site will require a Phase I and Phase II investigation to obtain more information. Based on the results, the site then would be reclassified or removed from the state Registry if found not to contain hazardous wastes.

o Classification 3 - A site which has hazardous waste confirmed, but not a significant threat to the public health or environment--action may be deferred.

o Classification 4 - A site which has been properly closed--requires continued management.

o Classification 5 - A site which has been properly closed, with no evidence of present or potential adverse impact--no further action required.

State-Lead Site - An inactive hazardous waste site at which the Department has responsibility for investigating problems at the site and for developing and implementing the site's remedial program. The Department uses money available from the State Superfund and the Environmental Quality Bond Act of 1986 to pay for these activities. The Department has direct control and responsibility for the remedial program.

SEALAND RESTORATION SITE INFORMATION SHEET

Prepared by
NYS Department of Environmental Conservation
Division of Hazardous Waste Remediation

THE SEALAND RESTORATION SITE is located on a 200 acre farm in the Town of Lisbon, St. Lawrence County. The contaminated portions of the site requiring clean up is on the south end of this farm. Mc Fadden Road, Pray Road, and Tuck Road are the residential areas immediately surrounding the site. The Hamlet of Lisbon is located approximately 2 miles to the southeast and the City of Ogdensburg is located approximately 10 miles to the northeast of the site.

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After a detailed evaluation of the three alternative bids by the New York State Department of Environmental Conservation, the first alternative (landburial) was considered non-responsive due to inadequate pretreatment methods to meet the requirements of the land ban requirements. The third alternative (on-site incineration) was also considered non-responsive due to a conditioned bid. The second alternative (off site incineration) bid was determined to be the only responsive bid.

The Department has sent a letter of intent to award to Severson Environmental Services, Inc. An executed contract to commence the necessary work is expected by April 1, 1988.

WE WANT YOU TO BE INVOLVED

You are an important part of the NYSDEC's Remedial Investigation and Feasibility Study at the Hiteman Leather Company Sote. To keep you involved and informed we will:

- hold a public meeting to exchange information and concerns about various aspects of the construction project.
- issue an information sheet to help describe project status and project schedule.
- Provide the news media with accurate, timely information.
- respond to periodic telephone calls from local individuals and officials to exchange information and concerns.
- a local document repository will be established at the Town Hall, Lisbon, to make applicable information available for your review.

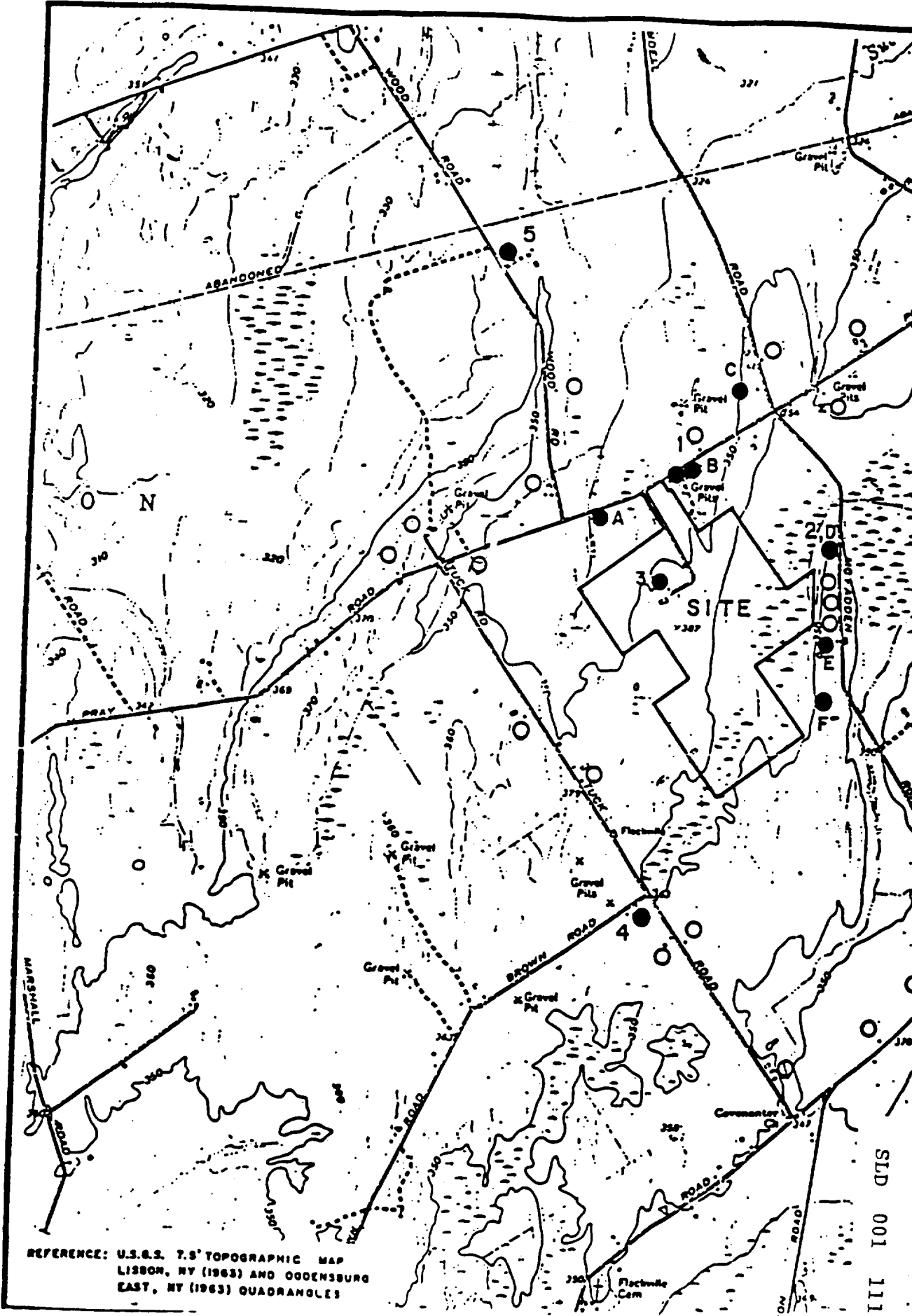
If you have any questions, please feel free to contact the following State Representatives:

James G. Van Hoesen, P.E., Project Manager (Construction)
50 Wolf Road, Room 425, Albany, NY 12233
518-457-9279

David J. Curtis, P.E., Project Manager (RI/FS)
50 Wolf Road, Room 224, Albany, NY 12233
518-457-5677

Charles Nevin, Citizen Participation Specialist
Watertown Office: State Office Building, Watertown, NY 13601
518-785-2244

GEOFFRY LACETTI, Progam Research Specialist II
Bureau of Environmental Exposure Assessment, Rm 205
New York State Department of Health
Albany, New York 12203



REFERENCE: U.S.G.S. 7.5' TOPOGRAPHIC MAP
LISBON, NY (1963) AND OGDENSBURG
EAST, NY (1963) QUADRANGLES

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SEALAND RESTORATION SITE
LISBON (T), ST. LAWRENCE COUNTY
I.D. 6-45-014

I. INTRODUCTION

NYSDEC REGION 6
DARREL SWEREDOSKI, P.E.

II. UPDATE OF PROJECT SINCE
AUGUST 1987 PUBLIC INFORMATION
MEETING REGARDING RI/FS AND ITS
SELECTED ALTERNATIVES

BUREAU OF E. REMEDIAL ACTION
DAVID CURTIS, P.E.
RI/FS PROJECT MANAGER

III. SUMMARY OF THE DEPARTMENT'S
ACTIONS REGARDING REMEDIATION OF
THE SITE AND STATUS OF CONSTRUCTION
CONTRACT

BUREAU OF CONSTRUCTION SERVICES
JAMES VAN HOESEN, P.E.
REMEDATION PROJECT MANAGER

IV. PRESENTATION OF THE CONTRACTOR'S
WORK PLANS, HEALTH AND SAFETY
PLANS, CONTINGENCIES PLANS, QA/QC
PLANS, etc.

BUREAU OF CONSTRUCTION SERVICES
JAMES VAN HOESEN, P.E.
REMEDATION PROJECT MANAGER

V. QUESTIONS AND ANSWERS

NYSDEC PANEL

PANEL MEMBERS

JAMES VAN HOESEN, P.E., DIVISION OF HAZARDOUS WASTE REMEDIATION
BUREAU OF CONSTRUCTION SERVICES
REMEDATION PROJECT MANAGER

RAYMOND E. LUPE, P.E., DIVISION OF HAZARDOUS WASTE REMEDIATION
BUREAU OF EASTERN REMEDIAL ACTION
CENTRAL REMEDIAL PROJECT SECTION

DAVID J. CURTIS, P.E. DIVISION OF HAZARDOUS WASTE REMEDIATION
BUREAU OF EASTERN REMEDIAL ACTION
RI/FS PROJECT MANAGER

DARRELL SWEREDOSKI, P.E. NYSDEC, REGION 6
REGIONAL HAZARDOUS WASTE REMEDIATION ENGINEER

CHARLES NEVINS * NYSDEC, REGION 6
REGIONAL CITIZEN PARTICIPATION SPECIALIST

* OPTIONAL REPRESENTATION