

DEPARTMENT OF THE ARMY  
Office of the Assistant Chief of Staff for Installation Management  
BRAC Division  
Seneca Army Depot, Seneca, NY

**MEMORANDUM FOR RECORD**

**19 May 2017**

**SUBJECT:** Environmental Liabilities for site SEAD-9 Old Scrap Wood Pile at Seneca Army Depot

1. This memorandum serves as formal documentation of the information used to develop the Cost-To-Complete (CTC) estimate for SEAD 009 during the 2017 data call. Estimators experience is documented on the Estimator Experience Form, per the Federal Accounting Standards Advisory Board (FASAB) Handbook Technical Release 2 (Enclosure 1).

The following sites are included with SEAD-9: SEADs 1, 2, 5, 12, 13, 16, 17, 27, 39, 40, 41, 42, 44A, 44B, 52, 56, 59, 62, 64A, 64B, 64C, 64D, 66, 67, 71, 121C, 121I, 122D, 122B and 122E. Each site has a Land Use Control which requires annual reporting and documentation.

The 2017 estimate combines SEAD 003-R-01 for future costs for LUCs. SEAD 003-R-01 included SEAD 002-R-01, East EOD Ranges, SEAD 003-R-01 (alias SEAD 57), SEAD 46 Small Arms Range, SEAD 70, and SEAD 007-R-01, Rifle Grenade Range. There are no future costs or land use controls for SEAD 70. The MMR Sites ROD was signed by EPA on 27 April 2017.

SEAD 003-R-01 will have a no-cost CTC MFR.

It is assumed the MMR LUC costs will be the same as inspection costs and reporting in the enclosures.

The Contract W912DY-09-D-0062 Task Order 0023 (Source 3), awarded 30 march 2016 was used to estimate annual monitoring cost and 5 year reviews.

Monitoring cost for 24 years is provided as the first year annual cost x 24 years, and the 5 year review in Task 0009(a) for 5 events.

UFP-QUAPP and GIS costs are included for annual costs for 24 years as included in Tasks 0001 and 0002 due to updating requirements by EPA.

SEAD 122D is included for perfluorinated compounds as an Emerging Contaminant IAW DODI through 11 June 2016 (enclosed).

COE oversight policy for New York District (CENAN) is to manage programs at 10-11% oversight cost; RACER default of 11% is adequate.

Emerging Contaminants are expected to have no further action due to existing LUCs or one additional groundwater use restriction.

2. **Site History:** The Old Scrap Wood Site (SEAD-009) is located in the eastern-central portion of the depot where future land use has been designated as

## Environmental Liabilities for site SEAD-9 Old Scrap Wood Pile at Seneca Army Depot

industrial development. All sites with Land Use Controls (LUCs) have been consolidated for LUC implementation.

3. **Current Site Status:** SEAD-9 Old Scrap Wood Pile. This site includes all AOCs where Land Use Controls that restrict use of the property and access to the ground water and limit excavation are the only remaining activity. Areas with contamination left in place, landfill covers and excavation restrictions will require LUC management in perpetuity. Perfluorinated Compounds (PFC) are to be evaluated as emerging contaminants under SEAD 009 due to RC at two of three sites, SEAD 25, 26, and 122D (airfield).
4. **Exit Strategy:** LTM includes maintaining LUCs and preparing site closeout documentation. The LTM duration is indicated in the phase schedule extends for 30 years and costing is estimated for 30 years per the Financial Accounting Standards Board Handbook (FASB) Technical Release 2, however, LTM is anticipated to continue in perpetuity. Perfluorinated compounds if found will have no further action at SEAD 25, 26 due to existing non-residential and no-groundwater use LUCs. If found at SEAD 122D, there exists a non-residential LUC; a no-groundwater use LUC may need to be added if required by EPA.
5. **Enclosures:**
  1. Estimators Experience Sheet
  2. Final ROD For Seventeen SWMUs Requiring Institutional Controls, SEADs-13,39,40,43/56/69,44A,44B,52,62,64B,64C,64D,67,122B,122E; March 2007.
  3. Final ROD Five Former SWMUs SEADs-1, 2, 5, 24 and 48, April 2009.
  4. Contract W921DY-08-D-0003 task Order 0015 LTM, annual evaluations and 2017 Escalation Rates
  5. Final ROD for sites requiring Institutional Controls in Planned Industrial/Office Development or Warehousing Area, July 2004
  6. Final ROD for DRMO Yard (SEAD-121C) and Rumored Cosmoline Oil Disposal Area (SEAD-121I), June 2008
  7. Final ROD Fill Area West of BLDG 135 (SEAD 59) and the Alleged Paint Disposal Area (SEAD 71)
  8. RACER Cost to Owner Guidance
  9. Final Record of Decision, Ash Landfill, January 2005
  10. Final Record of Decision SEAD-16 and SEAD-17, March 2006.
  11. Final ROD Special Weapons Storage Site SEAD 012 and RCRA Closure Mixed Waste Storage Bldg SEAD 72 dated March 2015; and DODI for Emerging Contaminants (PFCs and PFOAs)
  12. Final Record of Decision, SEAD -46, SEAD 003-R-01 (SEAD 57), SEAD 002-R-01, SEAD 007-R-01 (Seneca AD Munitions Response Sites) and SEAD 70
  13. DOD Instruction, June 11, 2009, Emerging Contaminants
  14. Estimate Summary Table

SEAD 003-R-01

Phase	2016	2017	2018	2019	2020	2021	2022	2023	Out Years	
L7M1		23	23	23	23	23	23	23	619	17
OWNER COST		3	3	3	3	3	3	3	65	
SITE CLOSURE									43	
		26	26	26	26	26	26	26	727	909

John

SEAD - 006

2017

Phase	2017	2018	2019	2020	2021	2022	2023	2024	Outyears	CTC
LTM MMR LUCs	13	6	6	6	6	6	6	6		
LTM LUCS	46	18	18	18	18	18	18	18		
OWNER COST		3	3	3	3	3	3	3		
FYR				42						
	59	27	27	69	27	27	27	27	574	864

Phase	2017	2018	2019	2020	2021	2022	2023	2024	Outyears
Workplan B	18	24		24					
Soand 9	13								
Small Medical	6								
Owner		3							
2003				42					
Owner									
412									
412	59	27	27	69	43	27	27	27	574
101									
	13	13	79	13	17		13	13	738
	46	42	140	46	46	46	46	46	1582
ULS	59	59	219	59	59	59	59	59	2150
ULS									2246
									3708

CTC

864

MP CTC 2016  
A

3708

80ms  
x 18450  
14,760

43K

28K  
15K owner

1K owner  
7K  
18K  
2K owner  
20K

Clin 008a  
17,934

Clin 609a  
5,895  
2K  
6K  
1K owner

28  
14  
42  
14  
14

6  
18  
24K  
2K  
owner

18.1  
293,6928  
109,16928

SEAD 009

AES

	Phase	2016	2017	2018	2019	2020	2021	2022	2023	Out Years
248	LTM LUCS		26	26	26	26	26	26	26	248
	LTM MFR		36	6	6	6	6	6	6	99
386	SVR REV					45 <sup>28</sup>				120
56	OWNER		6	6	6	11	6	6	6	34
PYR <sup>276</sup>	LTM		238							
Closeout 30										
			276	38	38	88	38	38	38	501

26  
13  
39

wp -219 in 2020 PYR

~~1058~~  
-1055

6  
45

219  
-46 LUC  
173

MFR  
165 = keep PYR  
81~~00~~ owner cost  
173

wp 46

445  
LUC 147  
LUC w MFR 186  
PYR 86  
owner

MFR  
LUC 445  
LUC MFR 147  
PYR 186  
778

778  
Owner 86

Bill Miller  
Docs  
Update Normals  
" Dir's  
864

276  
120  
386

501  
x 276  
777

- update costs again July  
windows/ days 3<sup>rd</sup> week

Environmental Liabilities for site SEAD-9 Old Scrap Wood Pile at Seneca Army Depot

**6. Owner Cost Assumptions:**

Contract Activity and S&A costs are included for all onsite efforts. COE oversight costs are estimated by estimated loaded rate hours and loaded rates shown in this MFR. COE loaded rates are based upon the Army Management System calculations at the time of estimate. Hours are based upon project management for scoping, contract management and stakeholder interaction over the life of the project.

**7. Cost Summary SEAD-9**

**Land Use Controls (Source 3, CLIN 0008a)**

To monitor environmental easement for 24 yrs.

First year LTM tasks

(Source 3, CLIN 0008a) = \$17,934.42

\$17,934.42 x 24 years = \$430,426.08

(Rounded to \$430,426)

**\$444,794**

X 2017 Escalation Factor (1.0338) = \$444,794.40

Rounded (\$444,794)

**Land Use Controls for Munitions Sites**

(Source 3, CLIN 0009a) = \$5,895.00

\$5,895.00 x 24 years =

**\$146,292**

X 2017 Escalation Factor (1.0338) = \$146,292.02

Rounded (\$146,292)

**Five-year Reviews**

(Source 3, CLIN 10) = \$27,488.41

6, 5-year review events at \$27,488.41 each

6 x \$27,488.41 = \$164,930.46

(Rounded to \$164,930) = \$164,930

Owner Support for Five Year Reviews):

\$184.50 x 80 hours = \$14,760

Subtotal Five Year Reviews = \$179,690

X 2017 Escalation Factor (1.0338) = \$185,763.52

Rounded, (\$185,764)

**\$185,764**

**Subtotal**

**\$776,850 (\$777K)**

Cost to Owner for Contract management

\$776,850 X .11 = \$85,453.50

**\$85,454**

(Rounded to \$85,454)

Environmental Liabilities for site SEAD-9 Old Scrap Wood Pile at Seneca Army Depot

**Total Site Cost = \$776850 + \$85,454= \$864,304 (\$864K)**

**8. Material Change:** The CTC for FY17 is \$864K, the CTC for FY16 was \$1,056K. The calculated percentage change was -21%. This is a Material Change. The difference is the Emerging Contaminant cost in FY16 (\$238K) that was funded but has no future cost. The addition of LUCs for the MMR sites was incremental due to the only cost being the contract line item to add these sites.

Material Change = absolute value of (indexed prior year CTC – current CTC – current obligations)/indexed prior year CTC

MC =  $((\$1,056K * 1.0338 - \$864K - 0) / (\$1,056K * 1.0338)) = -20.85\%$   
(Rounded, -21%)

Prepared by: Randall Battaglia  
Cost Estimator

**BATTAGLIA.RAND  
ALL.W.1228816724**

Digitally signed by  
BATTAGLIA.RANDALL.W.1228816724  
DN: c=US, o=U.S. Government, ou=DoD,  
ou=PKI, ou=USA,  
cn=BATTAGLIA.RANDALL.W.1228816724  
Date: 2017.05.19 10:56:55 -04'00'

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Signature

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Date

Reviewed by: Bill Millar  
Cost Estimate Reviewer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# ESTIMATOR EXPERIENCE

<b>ESTIMATOR NAME:</b> Randall Battaglia	<b>POSITION:</b> Project Manager
<b>LOCATION:</b> USACE NY Seneca Proj. Ofc	<b>YEARS OF EXPERIENCE:</b> 31 years
<b>EMAIL:</b> Randy.W.Battaglia@usace.army.mil	<b>PHONE NUMBER:</b> 607-869-1532

**DESCRIPTION:** (Insert description of experience here, such as educational background, training, etc.)

B.S. Chemical Engineering, 1982; Certified Project Manager, 2007

Work Experience: Project Manager, USACE, 1995-Present: Prepare and manage Life-Cycle Cost for HTRW projects; executes the COE project management business process & establishing a project management plan with a project development team consisting of interdisciplinary, regional or other agencies teams to execute & ensure all projects meet customer, budgetary, safety, scope and schedule requirements during the life cycle of the project, under changing management parameters. Represents the Army as an Alternate for the installation manager in all customer/sponsor, congressional, public contacts, including public meetings, organizations, property transfers with the state, EPA, county, & independent organizations interested in the projects. Served also as the BRAC Environmental Coordinator, 2016-Present.

Environmental Coordinator, Seneca Army Depot, 1985-1995; performed all program management, cost estimation, budget regulatory, permitting, and other management for the environmental program at the active Seneca Army Depot for hazardous waste, TSDf, air, wetlands, CERCLA, RCRA, engineering projects, etc.

Process Engineer, IEC Electronics, 1983-1985 Process engineering for production, product development, personnel, process & Quality

Relevant Continuing Education: Network Systems Analysis; Project Management for Military Projects & HTRW projects; Environmental Auditing; Economic Assessment; Various Project Management & environmental remediation courses; Cost Estimating

**SITE TYPE REVIEWED:** Insert site number(s) at which experience gained for each site type to the maximum extent possible.

SITE TYPE	SITE NUMBER	SITE TYPE	SITE NUMBER
Above Ground Storage Tank	SEAD 5,59,71	Open Burn	SEAD 23, 24, 006-R-01, 003-R-01, 007-R-01
Burn Area	SEAD 24,45,25,26	Plating Shop	
Chemical Disposal	SEAD 13,72,4	POL (Petroleum/Lubricant Lines	SEAD 9
Contaminated Buildings	SEAD 12, 16,17, 3	Radioactive Waste Area	SEAD 012,48,72, 63, NRC License closeout
Contaminated Fill	SEAD 3, 9,4	Sewage Treatment Plant	SEAD 20,21
Contaminated Groundwater	SEAD 025,006, 001-R-01, 023, 064B&D, 041	Small Arms Range	SEAD 57, 46, 120B,122A,122B
Contaminated Sediments	SEAD 4, 3,	Soil Contamination After Tank Removal	SEAD 59,
Contaminated Soil Piles	SEAD 5	Spill Site Area	SEAD 122
Dip Tank		Storage Area	SEAD 123
Disposal Pit/Dry Well		Surface Disposal Area	
Explosive Ordnance Disposal Area	SEAD 23, 24, 006-R-01, 003-R-01, 007-R-01	Training and Maneuver Area	
Fire/Crash Training Area	SEAD 025,026	Underground Storage Tank	SEAD 27
Firing Range		Underground Tank Farm	
Incinerator	SEAD 006, 001-R-01,019, 018	Unexploded Munitions/Ordnance	SEAD 115
Industrial Discharge		Wash rack	
Landfill	SEAD 006, 064 A,B&D, 011,	Waste Lines	
Maintenance Yard	SEAD 122	Waste Treatment Plant	SEAD
Oil Water Separator	SEAD 27		



**US Army Corps  
of Engineers®**



# Certificate of Completion

**Randall Battaglia**

has successfully completed

**Environmental Liability (EL)/Cost to  
Complete (CTC) Training**

Jan 18, 2017 - Web/Audio Teleconference

*Sandi M. Zebrowski*

**Sandi Zebrowski, P.E.**

**Director, USACE Environmental and  
Munitions Center of Expertise,**

FUDS Training Services  
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FINAL  
RECORD OF DECISION  
FOR

Seventeen No Action/No Further Action SWMUs Requiring Land Use Controls  
(SEADs 13, 39, 40, 41, 43/56/69, 44A, 44B, 52, 62, 64B, 64C, 64D, 67, 122B, and 122E)

SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK

Sites

Prepared for:

SENECA ARMY DEPOT ACTIVITY  
5786 STATE ROUTE 96  
ROMULUS, NEW YORK 14541

and

UNITED STATES ARMY CORPS OF ENGINEERS  
4820 UNIVERSITY SQUARE  
HUNTSVILLE, ALABAMA 35816

Prepared By:

**PARSONS**  
150 Federal St., 4<sup>th</sup> Floor  
Boston, Massachusetts 02110

Contract Number: DACA87-02-D-0005

Delivery Orders: 0026

USEPA Site ID: NY0213820830; NY Site ID: 8-50-006

March 2007

Encl 2

## 1.0 DECLARATION OF THE RECORD OF DECISION

### Site Names and Location

Seneca Army Depot Activity  
CERCLIS ID# NY0213820830  
New York Site ID# 8-50-0006  
Romulus, Seneca County, New York

This Record of Decision (ROD) formalizes and documents the U.S Army's (Army's) and U.S Environmental Protection Agency's (USEPA's) selected remedy for 17 historic solid waste management units (SWMUs) at the former Seneca Army Depot Activity (SEDA). Each of the Army's selected remedies for the 17 former SWMUs requires the definition and use of Land Use Controls (LUCs). The 17 former SWMUs discussed in this ROD include:

- SEAD-13, Inhibited Red-Fuming Nitric Acid (IRFNA) Disposal Site;
- SEAD-39, Building 121 Boiler Blowdown Leach Pit;
- SEAD-40, Building 319 Boiler Blowdown Leach Pit;
- SEAD-41, Building 718 Boiler Blowdown Leaching Pit;
- SEADs-43/56/69, Building 606 – Old Missile Propellant Test Laboratory/Herbicide and Pesticide Storage/Disposal Area;
- SEAD-44A, Quality Assurance Test Laboratory;
- SEAD-44B, Quality Assurance Test Laboratory;
- SEAD-52, Buildings 608 and 612 – Ammunition Breakdown Area;
- SEAD-62, Nicotine Sulfate Disposal Area near Buildings 606 and 612;
- SEAD-64B, Garbage Disposal Area;
- SEAD-64C, Garbage Disposal Area;
- SEAD-64D, Garbage Disposal Area;
- SEAD-67, Dump Site East of Sewage Treatment Plant No. 4;
- SEAD-122B, Small Arms Range, Airfield Parcel; and
- SEAD-122E, Plane Deicing Area.

Sites

These SWMUs are also referred to below as "Areas of Concern" or "AOCs" or individually as an "Area of Concern" or "AOC."

### Statement of Basis and Purpose

This decision document presents the Army's and the USEPA's selected remedy for SEADs 13, 39, 40, 41, 43/56/69, 44A, 44B, 52, 62, 64B, 64C, 64D, 67, 122B, and 122E (or the AOCs), located at the Seneca Army Depot Activity (SEDA or the Depot) in the Towns of Romulus and Varick, Seneca County, New York. The decisions were developed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended, 42 U.S.C. §9601 et seq., and, to the extent practicable, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP),

40 CFR Part 300. The Base Realignment and Closure (BRAC) Environmental Coordinator, the Chief, Alpha Branch, Army BRAC Division, and the USEPA Region 2 have been delegated the authority to approve this Record of Decision (ROD).

This ROD is based on the Administrative Record that has been developed by the Army in accordance with Section 113(k) of CERCLA. The Administrative Record is available for public review at the Seneca Army Depot Activity, 5786 State Route 96, Building 123, Romulus, NY 14541. The Administrative Record Index identifies each of the items considered during the selection of the remedial action. This index is included in Appendix A.

The New York State Department of Environmental Conservation (NYSDEC) has concurred with the selected remedy. The NYSDEC Declaration of Concurrence is provided in Appendix B of this ROD.

#### Site Assessment

The response action selected for each SWMU identified in this ROD is necessary to protect human health or the environment from actual or threatened releases of hazardous substances into the environment or from actual or threatened releases of pollutants or contaminants from these SWMUs, which may present an imminent and substantial endangerment to public health or welfare.

#### Description of the Selected Remedy

The selected remedy for each of the 17 AOCs discussed in this ROD is either No Action (NA) or No Further Action (NFA) combined with the establishment, maintenance, and monitoring of Land Use Controls (LUCs). AOCs where the selected remedy is NA with LUCs include:

- SEAD-13, Inhibited Red-Fuming Nitric Acid (IRFNA) Disposal Site;
- SEADs-43/56/69, Building 606 – Old Missile Propellant Test Laboratory/Herbicide and Pesticide Storage/Disposal Area;
- SEAD-44B, Quality Assurance Test Laboratory;
- SEAD-52, Buildings 608 and 612 – Ammunition Breakdown Area;
- SEAD-62, Nicotine Sulfate Disposal Area near Buildings 606 and 612;
- SEAD-64C, Garbage Disposal Area; and
- SEAD-122E, Plane Deicing Area.

AOCs where the Army's selected remedy is NFA with LUCs include:

- SEAD-39, Building 121 Boiler Blowdown Leach Pit;
- SEAD-40, Building 319 Boiler Blowdown Leach Pit;
- SEAD-41, Building 718 Boiler Blowdown Leaching Pit;
- SEAD-44A, Quality Assurance Test Laboratory;
- SEAD-64B, Garbage Disposal Area;
- SEAD-64D, Garbage Disposal Area;
- SEAD-67, Dump Site East of Sewage Treatment Plant No. 4; and,
- SEAD-122B, Small Arms Range, Airfield Parcel.

documented by the Army will be imposed, monitored, and maintained until the concentrations of hazardous substances remaining at the site allow for the unlimited exposure and unrestricted use. It is also recommended that other LUCs previously not documented be imposed at five AOCs (i.e., SEADs 13, 64E, 64C, 122B and 122E) that are subject of this ROD.

The Army has previously documented and imposed LUCs within three portions of the former Depot: in the southeastern corner of the Depot where the Five Points Correctional Facility ("Prison Area") currently is located; in the east central portion of the Depot where the Planned Industrial/Office Development (PID Area) and Warehousing Area is located; and in the north-central portion (i.e., "North End Barracks" Area) of the Depot where the Hillside Children's Center is currently located. One or more of the 12 AOCs defined above (i.e., SEADs 39, 40, 41, 43/56/69, 44A, 44B, 52, 62, 64C, and 67) are located within land covered by existing LUCs within these three parcels of the former Depot. Within this ROD, the Army formalizes and documents its intention to impose the existing LUCs on the AOCs located within each of these parcels under CERCLA. Land within the "Prison Area" and the area currently occupied by the Hillside Children's Center have been transferred to the community [i.e., to the people of the State of New York and Seneca County Industrial Development Agency (SCIDA), respectively] under deeds that have been recorded by the Seneca County Clerk. Land within the PID and Warehousing Area of the Depot has not yet been transferred to the community, but LUCs including a residential activity use restriction and a groundwater use/access restriction have been identified and documented within the "Final Record of Decision for Sites Requiring Institutional Controls in the Planned Industrial/Office Development or Warehousing Area, Seneca Army Depot Activity" (September 2004).

New LUCs are proposed for the remaining five AOCs (SEADs 13, 64B, 64D, 122B, and 122E) discussed within this ROD. The groundwater use/access restriction proposed for SEAD-13 and SEAD-64D, and the residential use/activity restriction proposed for SEAD-122E result from the Army's determination that potential risks to human health or the environment exist due to the presence of hazardous substances at the historic SWMUs. The Army further recommends that the residential use/activity restriction proposed for SEAD-122E be imposed throughout the area occupied by the former Sampson / Seneca Army Depot Airfield to facilitate its transfer to the SCIDA; this LUC would encompass the entire parcel known as the Airfield. The LUC proposed for implementation at SEAD-64B (no unauthorized excavation and maintenance of cover) results from historic requirements of New York State Solid Waste Management Regulations; this LUC will also be applied along with the groundwater access/use restriction at SEAD-64D.

The specific LUCs selected for each AOC are summarized in Table 1-1 and described more completely as follows:

"Prison Area" Land Use Controls (SEADs 43/56/69, 44A, 44B, 52, 62, and 64C):

Existing Deed with Reversionary Clause

LUC'S

The "Prison Area" property was transferred under a public benefit conveyance. The United States used a deed with a reversionary clause, as is required under Federal implementing regulations<sup>1</sup>, to convey land in the southeastern part of the former Depot (i.e., Prison Area, see Figure 1-1) to the people of the State of New York for the construction of the Five Points Correctional Facility. It includes language that requires that the "property shall be used and maintained for a correction facility in perpetuity"<sup>2</sup> and that "the property shall not be sold, leased, mortgaged, assigned or otherwise disposed of"<sup>3</sup> without the prior consent of the Federal Government. In the event that any condition of the deed is breached "as to all or any portion or portions of the described property by New York or its successors or assigns,"<sup>4</sup> the "title and interest to such portion or portions of the property, in its existing condition, including all improvements thereon, shall revert to, and become property of, the Government at the option of and upon demand made in writing by the General Services Administration, or its successor in function."<sup>5</sup>

Provisions of the deed apply to the following SWMUs, which were transferred prior to a ROD being prepared and which are currently located within the bounds of New York's Five Points Correctional Facility Parcel:

- SEAD-43: Building 606 – Old Missile Propellant Test Laboratory;
- SEAD-44A: Quality Assurance Test Laboratory;
- SEAD-44B: Quality Assurance Test Laboratory;
- SEAD-52: Buildings 608 and 612 – Ammunition Breakdown Area;
- SEAD-56: Building 606 – Herbicide and Pesticide Storage;
- SEAD-62: Nicotine Sulfate Disposal Area near Buildings 606 and 612;
- SEAD-64C: Garbage Disposal Area; and,
- SEAD-69: Building 606 – Disposal Area.

Hazardous substances may be present at one or more of the listed historic SWMUs at concentrations that do not allow for unlimited exposure and unrestricted use. However, based on the results of previous investigations, risk assessments, and/or removal actions, these sites do not pose or represent a risk or threat to human health and the environment, given consideration of the area's continuing restricted use as a state maximum security correctional facility. The deed with the reversionary clause was recorded by the Seneca County Clerk on 26 September 2000 (see Seneca County Liber 612 Page 014 through page 031). Pursuant to the terms of the deed, the prison use restriction remains in effect for these AOCs in perpetuity, or the property ownership reverts to the United States.

<sup>1</sup> Title 41 Code of Federal Regulations, Part 101-47 Federal Property Management Regulations, Utilization and Disposal of Real Property, Section Sec. 101-47.308-9 Property for correctional facility use.

<sup>2</sup> Seneca County Clerk, Waterloo, New York, Deed, United States of America to People of the State of New York, September 26, 2000, Liber 612, Page 019.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

## Residential Use and Groundwater Access/Use Restrictions

A ROD was signed by the Army and USEPA in 2004 for land within the Planned Industrial/Office Development (PID) and Warehousing Area (see Figure 1-1) of the former Depot. The PID Area encompasses numerous historic Seneca Army Depot SWMUs. The PID Area-wide land use restriction imposes LUCs that:

- Prohibit residential housing, elementary and secondary schools, childcare facilities and playgrounds activities; and,
- Prohibit access to or use of the groundwater until Class GA Groundwater Standards are met.

These LUCs are documented in the "Final, Record of Decision for Sites Requiring Institutional Controls in the Planned Industrial/Office Development or Warehousing Area, Seneca Army Depot Activity" (September 2004).

These use restrictions result from determinations made specifically for SWMUs designated as SEAD-27 (Building 360 Steam Cleaning Waste Tank), SEAD-64A (Garbage Disposal Area), and SEAD-66 (Pesticide Storage near Buildings 5 and 6) in the PID Area. These land use restrictions will now be applied to three AOCs discussed in this Record of Decision and designated as:

- SEAD-39 (Building 121 Boiler Blow Down Pit);
- SEAD-40 (Building 319 Boiler Blow Down Pit); and
- SEAD-67 (Dump Site East of Sewage Treatment Plant No. 4).

Future land owners or users of sites located in the PID Area may request a variance to the LUCs identified above on a location-by-location basis. However, the future owner/user seeking the variance will need to provide relevant data to substantiate the validity of its request. Once a request is received, the Army, USEPA, and NYSDEC will evaluate and assess waiver requests for land in the PID Area on a case-by-case basis. Otherwise, the LUCs will remain in effect until the concentrations of hazardous substances in the soil and the groundwater beneath the sites have been reduced to levels that allow for unlimited exposure and unrestricted use of the land.

### "North End Barracks" Area Land Use Controls (SEAD-41):

#### Existing Deed with Groundwater Notification

A deed was used to document the transfer of the land currently used for the Hillside Children's Center (i.e., former "North End Barracks" Area, see Figure 1-1) at the north end of the former Depot to the SCIDA. In the deed, the Army notified SCIDA that groundwater contamination had been identified in the vicinity of the former Building 718. This determination was made based on the results of historic groundwater sampling data that was collected during the investigation of SEAD-41, which indicated that total petroleum hydrocarbons (TPH, 690 parts per billion [ppb]) were present in the upper aquifer of the



groundwater. The Army applied the deed notification, based on the water quality from sampling, to all property located within the "North End Barracks" parcel. A public water supply services the entire area. This includes the area of the former SWMU SEAD-41, Building 718 Boiler Blowdown Pit.

The reported level of TPH at SEAD-41 exceeds the New York State Public Water System standards for unspecified organic contamination of 100 ppb. The deed further states "The Grantee, its successors and assigns, agree that in the event they use the groundwater as a public water supply source at the Property, they will comply with all applicable laws and regulations." Under New York regulations, future owners or occupants of the area would need to confirm the quality and acceptability of the groundwater as a source of potable water before it could be used for such a purpose. It is recommended that the LUC documented in the existing deed for the "North End Barracks" parcel be continued until the concentrations of hazardous substances in groundwater have been reduced to levels that allow for unrestricted use.

#### **Land Use Controls (SEADs 13, 64B, 64D, 122B and 122E):**

##### Groundwater Use/Access Restriction (SEAD-13)

A groundwater use/access restriction is also proposed at the following site:

- SEAD-13: Inhibited Red-Fuming Nitric Acid (IRFNA) Disposal Site:

The proposed groundwater use/access restriction is intended to eliminate human contact with groundwater, thereby reducing risk to acceptable levels for potential human receptors. There is risk associated with the use of the groundwater at SEAD-13, driven by the concentrations of nitrate, aluminum, and manganese identified. The risk from the presence of metals is associated with the suspended solids contained in the collected groundwater samples and not from the groundwater itself. The presence of nitrate is likely related to past activities conducted in the area. The extent of the nitrate plume is defined and restricted to the area located between the historic disposal pits observed in SEAD-13-East and the Duck Pond to the west. Groundwater data from monitoring wells in the SEAD-13-West side of this AOC does not show evidence of a nitrate plume in this area of the AOC, which is downgradient of SEAD-13-East and the Duck Pond. Chemical analysis of surface water in the Duck Pond indicated that the nitrate/nitrite-nitrogen concentrations are below the levels established for drinking water sources nationally and within the State of New York.

Therefore, a LUC will be implemented over the geographic area of SEAD-13 to prohibit access to or use of the groundwater. This restriction will remain in effect until the concentrations of hazardous substances in groundwater beneath the AOC have been reduced to levels that allow for unlimited exposure and unrestricted use. Once groundwater cleanup standards are achieved, the groundwater use/access restriction may be eliminated, with USEPA approval.

##### Residential Activities Restriction (SEAD-122B and SEAD-122E)

The development and use of property for residential housing, elementary or secondary schools, child care facilities, and playgrounds will be prohibited in the following two AOCs:

- SEAD-122B: Small Arms Range, Airfield Parcel
- SEAD-122E: Plane Deicing Area

The proposed residential activities LUC will be implemented over the entire Airfield Parcel, which extends beyond the bounds of SEAD-122B and SEAD-122E. This LUC will be applied to all areas within the former Airfield, and will continue until such time as the concentrations of hazardous substances are reduced to levels that allow for unlimited exposure and unrestricted use. Future owners or users of land within the Airfield may request a waiver from the LUC on a location-by-location basis. At the time of the waiver request, the applicant must develop and submit sufficient data and information, subject to review and approval by the Army and the USEPA, to substantiate its request that the identified location is suitable for unlimited exposure and unrestricted use.

The boundary of the Airfield Area is defined as the boundary of the Airfield Special Events, Institutional, and Training area highlighted on **Figure 1-1**.

#### Unauthorized Digging Restriction (SEAD-64B)

A LUC that prohibits unauthorized digging and excavations within the bounds of the SWMU will be imposed for:

- SEAD-64B: Garbage Disposal Area.

SEAD-64B is a former solid waste disposal area that was closed by the Army prior to 1979. As a historic solid waste landfill, this SWMU is subject to requirements of the New York State's Solid Waste Regulations (6 NYCRR Part 360) in effect at the date of closure. Under New York's Solid Waste Regulations effective in 1979, a soil and vegetative cover was required to be placed on and maintained above the closed landfill. The proposed LUC would prohibit digging within the bounds of the former solid waste site. The LUC will continue at the AOC until solid wastes are removed, and concentrations of hazardous substances allow for unlimited exposure and unrestricted use.

#### Unauthorized Digging and Groundwater Access/Use Restriction (SEAD-64D)

LUCs that restrict unauthorized excavation and access to and use of groundwater will be imposed for the:

- SEAD-64D: Garbage Disposal Area.

Results of the mini risk assessment for this AOC indicate that ingestion of groundwater could pose a risk to future receptors. Furthermore, as a historic solid waste landfill, this SWMU is subject to requirements of the New York State's Solid Waste Regulations (6 NYCRR Part 360), as were in effect in 1979 when it was closed. Under New York's 1979 Solid Waste Regulations, a soil and vegetative cover must be placed on and maintained above the closed landfill.

The proposed groundwater use/access restriction will be implemented over the geographic area of SEAD-64D to prohibit access to or use of the groundwater until the levels of hazardous substances are reduced to levels that allow for unlimited exposure and unrestricted use. The restriction to prohibit unauthorized excavation at the SWMU will remain in effect as long as solid waste remains at the SWMU. The reduction of groundwater contamination to levels that allow for unlimited exposure and unrestricted use,

allowed at this SWMU.

### Land Use Control Performance Objectives

The land use control (LUC) performance objectives at these 17 SWMUs, which will be (or have been) incorporated into leases and/or deeds for the parcels of real property that comprise these AOCs, as appropriate, are as follows:

- Comply with the use limitations documented and imposed in the Deed used to transfer property containing SEADs 43/56/69, 44A, 44B, 52, 62 and 64C from the U.S. Government to the people of the State of New York for the construction of a correctional facility (See Seneca County Liber 612 Page 014 through 031);
- Prohibit access to or use of groundwater at SEADs 39, 40, 41, 64D, and 67 until concentrations of hazardous substances contained are reduced to levels that allow unrestricted use;
- Prohibit residential housing, elementary and secondary schools, childcare facilities, and playgrounds activities at SEADs 39, 40, 67, 122B, and 122E until levels of hazardous substances found at the former SWMUs allow for unlimited exposure and unrestricted use; and
- Prohibit unauthorized excavation at SEADs 64B and 64D.

The Army and USEPA's selected remedy for each AOC discussed in this ROD includes LUCs. To implement the Army's selected remedy at these AOCs (i.e., SEADs 13, 39, 40, 41, 43/56/69, 44A, 44B, 52, 62, 64B, 64C, 64D, 67, 122B, and 122E), a LUC Remedial Design (RD) for each LUC combination identified (e.g., reversionary deed; groundwater use/access restriction only; groundwater use/access restriction and residential activities restriction; residential activities restriction only; digging restriction only; and digging and groundwater use/access restriction) will be prepared. The LUC RD Plan will include: a site description; land use restrictions; mechanism to ensure that the land use restrictions are not violated in the future; implementation and maintenance actions, including periodic inspections; and reporting/notification requirements. In addition, the Army will prepare an environmental easement for each AOC as needed, consistent with Section 27-1318(b) and Article 71, Title 36 of ECL, in favor of the State of New York and the Army, which will be recorded at the time of transfer of the AOCs from federal ownership. A schedule for completion of the draft LUC RD covering the individual AOCs will be completed within 21 days of the ROD signature, consistent with Section 14.4 of the Federal Facilities Agreement (FFA). In accordance with the FFA and CERCLA §121(c), the remedial action (including ICs) will be reviewed no less often than every five years. After such reviews, modifications may be implemented to the remedial program, if appropriate.

The Army shall implement, inspect, maintain, report, and enforce the ICs described in this ROD in accordance with the approved LUC RD. Although the Army may later transfer these responsibilities to another party by contract, property transfer agreement, or other means, the Army shall retain ultimate responsibility for remedy integrity.

RECORD OF DECISION

For

Five Former Solid Waste Management Units (SWMUs)  
SEAD-1, Hazardous Waste Container Storage Facility; SEAD-2, PCB Transformer  
Storage Facility; SEAD-5, Sewage Sludge Waste Piles; SEAD-24, Abandoned Powder Burn  
Pit; and, SEAD-48, Row E0800 Pitchblende Storage Igloos

SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK

Prepared for:

SENECA ARMY DEPOT ACTIVITY  
5786 STATE ROUTE 96  
ROMULUS, NEW YORK 14541

and

UNITED STATES ARMY CORPS OF ENGINEERS  
4820 UNIVERSITY SQUARE  
HUNTSVILLE, ALABAMA 35816

Prepared By:

**PARSONS**  
150 Federal St., 4<sup>th</sup> Floor  
Boston, Massachusetts 02110

Contract Number: DACA87-02-D-0005  
Delivery Orders: 0033  
EPA Site ID: NY0213820830  
NY Site ID: 8-50-006

April 2009

ENCL 3

## 1.0 DECLARATION FOR THE RECORD OF DECISION

### Areas of Concern Names and Site Location

SEAD-1 – the former Hazardous Waste Container Storage Facility (Building 307)

SEAD-2 – the former PCB Transformer Storage Facility (Building 301)

SEAD-5 – Sewage Sludge Waste Piles

SEAD-24 – the Abandoned Powder Burn Pit

SEAD-48 – Row E0800 Pitchblende Ore Storage Igloos

Seneca Army Depot Activity

5786 State Route 96

Romulus, New York 14541

CERCLIS ID# NY0213820830; New York Site ID# 8-50-0006

### Statement of Basis and Purpose

This Record of Decision (ROD) documents the U.S Army's (Army's) and U.S Environmental Protection Agency's (EPA's) selected remedies for five historic solid waste management units (SWMUs) at the former Seneca Army Depot Activity (the Site, SEDA, or Depot) in the Towns of Varick and Romulus, Seneca County, New York. The decisions were developed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended, 42 U.S.C. § 9601, *et seq.*, and to the extent practicable, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), Title 40, Protection of Environment, Code of Federal Regulations (CFR) Part 300. The Base Realignment and Closure (BRAC) Environmental Coordinator; the Chief, Consolidation Branch, Army BRAC Division; and, the Emergency and Remedial Response Division Director, EPA Region II have been delegated the authority to approve this ROD.

This ROD is based on the Administrative Record that has been developed in accordance with Section 113(k) of CERCLA. The Administrative Record is available for public review at the Seneca Army Depot Activity, 5786 State Route 96, Building 123, Romulus, NY 14541. The Administrative Record Index identifies each of the items considered during the selection of the remedial actions for these historic SWMUs. This index is included in Appendix A.

The State of New York, through the New York State Department of Environmental Conservation (NYSDEC), has concurred with the selected remedies. The NYSDEC Declaration of Concurrence is provided in Appendix B of this ROD.

### AOC Assessment

The selected remedies for three of the historic SWMUs (i.e., SEADs 1, 2, and 5) address contaminated soil and groundwater. The selected remedies for these SEADs will limit soil and groundwater as exposure pathways for potential receptors. The response actions selected in this ROD for SEADs 1, 2, and 5 are necessary to protect human health and the environment from actual or threatened releases of hazardous substances into the environment or from actual or threatened releases of pollutants or contaminants, which may present an imminent and substantial endangerment to public health or welfare.

Site

No Further Action (NFA) is called for at SEAD-24 where a time-critical removal action (TCRA) previously removed soil contaminated with hazardous substances, and where conditions now indicate that the land is suitable for unrestricted use and unlimited exposures. Finally, NFA is also selected for SEAD-48 where radiological decontamination and remedial actions completed as part of the SEDA's Nuclear Regulatory Commission (NRC) radiological license termination process have shown that soils, groundwater, and building surfaces are suitable for unrestricted use and unlimited exposures.

#### Description of the Selected Remedies

The selected remedies for SEAD-24 (the Abandoned Powder Burning Pit) and SEAD-48 (Row E0800 Pitchblende Ore Storage Igloos) are No Further Action. These selections are based on the Army's and EPA's determination that these sites do not pose a significant threat to human health or the environment. The locations of SEADs 24 and 48 are shown in **Figure 1-1**.

The response actions selected in this ROD for SEAD-1 (the Hazardous Waste Container Storage Facility), SEAD-2 (the PCB Transformer Storage Facility), and SEAD-5 (Sewage Sludge Waste Piles) address contaminated soil and groundwater.

The common elements of the selected remedies at SEADs 1, 2, and 5 include:

- Establishing, maintaining, monitoring, and reporting on a land use control (LUC) that prohibits residential housing, elementary and secondary schools, childcare facilities and playgrounds until unrestricted use and unlimited exposure criteria are attained within the areas of concern (AOCs); and,
- Establishing, maintaining, monitoring, and reporting on a second LUC that prohibits access to and use of groundwater at the AOCs until its quality allows for unrestricted use and unlimited exposures.

In addition, at SEAD-5, the selected remedy requires:

- Covering of contaminated soils (including those originating at SEADs-59 and 71) with at least one foot of clean fill that meets New York's Restricted Commercial Use soil cleanup objectives (SCOs);
- Placing demarcation fabric (e.g., colored "snow" or safety fence) between the contaminated soil and the clean fill; and,
- Establishing, maintaining, monitoring, and reporting on a third LUC that prohibits unauthorized excavations or activities that might compromise the integrity of the engineered cover.

As the selected remedies for the latter three AOCs (i.e., SEADs 1, 2, and 5) do not allow unrestricted use and unlimited exposures, the Army or its successors will be required to complete a review of the selected remedies at least once every 5 years, in accordance with Section 121(c) of the CERCLA.

#### Land Use Control (LUC) Performance Objectives:

The common LUC performance objectives for SEADs 1, 2, and 5 are to:

- Prohibit access to, or use of, the groundwater until groundwater cleanup standards are achieved; and,
- Prohibit the use of the land within the AOCs for residential housing, elementary and secondary schools, childcare facilities, and playground activities.

At SEAD-5, the additional LUC performance objective is to:

- Prohibit unauthorized excavation or other activities that could compromise the integrity of the engineered cover.

SEADs 1, 2, and 5 represent a small portion of a larger tract of land located in the east-central portion of the former SEDA that comprises the Planned Industrial / Office Development and Warehousing (PID) Area that has been transferred to the Seneca County Industrial Development Agency (SCIDA), exclusive of any Army retained property. Based on an agreement reached between the Army, the EPA, and the NYSDEC, the entire PID Area, exclusive of Army retained property, is subject to equivalent LUCs (i.e., prohibit groundwater access/use; prohibit residential housing/elementary and secondary schools/childcare facilities/playgrounds) as are proposed for imposition at SEADs 1, 2, and 5. The referenced LUCs comprised the remedy selected in a 2004 ROD [*Final ROD for Sites Requiring Institutional Controls in the Planned Industrial/Office Development or Warehousing Areas* (Parsons, 2004)] for SEADs 27, 64A, and 66, three other AOCs within the PID Area, due to levels of contaminants that were identified at those AOCs. At the time of the 2004 ROD, the Army, EPA, and NYSDEC agreed that these LUCs should be applied to all land within the greater PID Area, pending the provision and evaluation of new data for specific sites within the PID Area if a future owner or occupant wished to apply for a variance from the specified LUCs. The PID Area LUCs were implemented when the PID Area was transferred to the SCIDA by the Army, but they are not applied to the land comprising SEADs 1, 2, or 5, as these parcels were retained by the Army at the time of the greater PID Area's transfer, pending completion of necessary investigations and studies, the evaluation of potential remedial actions, and the selection of an approved remedy for SEADs 1, 2, and 5. The Army will ensure that the LUCs selected in this ROD will be maintained and enforced, until such time as the Army transfers these properties to other owners. The locations of SEADs 1, 2, and 5, and the land that is subject to institutional controls in the PID Area are shown in Figure 1-1.

The unauthorized excavation LUC for SEAD-5 will be implemented only at that location where the protective cover is established over SEAD-5 soils. The location where engineered cover is installed will be documented during the Remedial Design phase, and formally documented subsequent to the completion of the remedial action at this AOC.

The Army shall, through the on-site Commander's representative or other designated official, implement, maintain, inspect, report on, and enforce the remedy described in this ROD. This ROD selects as the remedy for SEAD-1, SEAD-2, and SEAD-5, LUCs (i.e., prohibit unauthorized excavations, SEAD-5 only; and groundwater access/use and land use limitations, SEAD-1, SEAD-2, and SEAD-5) to be imposed by an environmental easement at the time when land comprising SEAD-1, SEAD-2, or SEAD-5 is transferred from Army ownership to another party, as well as the prohibition of any pre-transfer use inconsistent with the LUCs. Although the Army may later transfer these responsibilities to another party, the Army shall retain ultimate responsibility for remedy integrity.

To implement the remedies selected in this Record of Decision, which will include the imposition of LUCs at SEAD-1, SEAD-2, and SEAD-5, a LUC Remedial Design will be prepared which will provide for the recording of an environmental easement which is consistent with Paragraphs (a) and (c) of the

New York State Environmental Conservation Law (ECL) Article 27, Section 1318: Institutional and Engineering Controls. In addition, the Army will prepare an environmental easement for SEAD-1, SEAD-2, and SEAD-5, consistent with Section 27-1318(b) and Article 71, Title 36 of ECL, in favor of the State of New York, which will be recorded at the time of the property's transfer from Federal ownership and which will require the owner and/or any person responsible for implementing the LUCs set forth in this ROD to periodically certify that such institutional controls are in place. The Army and the EPA will be named as third-party beneficiaries on the environmental easement. A schedule for completion of the draft SEAD-1, SEAD-2, and SEAD-5 LUC Remedial Design Plan (LUC RD) will be completed within 21 days of the ROD signature, consistent with Section 14.4 of the Federal Facilities Agreement (FFA). To implement the remedy prior to transfer, the Army, as the owner and operator of the property at SEAD-1, SEAD-2, and SEAD-5, will through the on-site Commander's representative or other designated official, ensure that the LUCs are implemented by monitoring the property at SEAD-1, SEAD-2, and SEAD 5 and restricting development or use on this property if inconsistent with the LUCs.

**State Concurrence**

NYSDEC forwarded a letter of concurrence to the EPA regarding the selection of the remedial actions. This letter of concurrence has been placed in **Appendix B**.

**Declaration**

The remedies selected in this ROD are, as required by CERCLA and the NCP, protective of human health and the environment; cost effective; compliant with applicable or relevant and appropriate requirements, criteria or limitations promulgated under federal or state laws (ARARs) unless waived; and, use permanent solutions, alternative treatment technologies, and resource recovery options to the maximum extent possible. CERCLA and the NCP also state a preference for treatment as a principal element for the reduction of toxicity, mobility, or volume of the hazardous substances.

*5 yr Review*

The remedies identified for SEADs 1, 2, and 5 will result in hazardous substances and pollutants or contaminants remaining on-site above levels that allow for unlimited use and unrestricted exposure for an indeterminate period. A review of the AOCs and the selected remedies will be conducted within five years after the signing of this ROD to ensure that the remedy is, or will be, protective of human health and the environment, with consideration given to each AOC's continuing and planned future use.

The remedies identified for SEAD-24 and SEAD-48 do not result in hazardous substances and pollutants or contaminants remaining on-site. The selected remedies for SEAD-24 and SEAD-48 (NFA) are protective of human health and the environment, comply with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and are cost effective. The remedy uses permanent solutions. Insofar as contamination does not remain at these SWMUs at concentrations above levels that provide for unrestricted use and unlimited exposure, institutional controls and five-year reviews are not necessary.

The estimated cost associated with implementing, monitoring, assessing and reporting on the continued suitability of the actions selected for SEADs 1, 2, and 5 is \$379,380 in total. There are no estimated costs for the implementation of remedies selected (i.e., NFA) for SEADs 24 and 48.



ORDER FOR SUPPLIES OR SERVICES

PAGE 1 OF 58

1. CONTRACT PURCH. ORDER / AGREEMENT NO. W912DY-09-D-0062	2. DELIVERY ORDER / CALL NO. 0023	3. DATE OF ORDER / CALL (YYYYMMDD) 2016 Mar 30	4. REQ. PURCH. REQUEST NO. W31RYO00838003	5. PRIORITY
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6. ISSUED BY US ARMY ENGINEERING & SUPPORT CENTER CEHNC-CT 4820 UNIVERSITY SQUARE HUNTSVILLE AL 35816-1822	CODE W912DY	7. ADMINISTERED BY (if other than 6) DIRECTORATE OF CONTRACTING - HNC ATTN: MICHELLE BLACKMON 256-895-2531 HUNTSVILLE AL 35816	CODE W912DY	8. DELIVERY FOB <input checked="" type="checkbox"/> DESTINATION <input type="checkbox"/> OTHER  (See Schedule if other)
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9. CONTRACTOR PARSONS GOVERNMENT SERVICES INC. NAME MICHELLE SMITH AND 100 W WALNUT ST ADDRESS PASADENA CA 91124-0001	CODE 1BVK6	FACILITY	10. DELIVER TO FOB POINT BY (Date) (YYYYMMDD) SEE SCHEDULE	11. MARK IF BUSINESS IS <input type="checkbox"/> SMALL <input type="checkbox"/> SMALL DISADVANTAGED <input type="checkbox"/> WOMEN-OWNED
			12. DISCOUNT TERMS Net 30 Days	13. MAIL INVOICES TO THE ADDRESS IN BLOCK See Item 15

14. SHIP TO SEE SCHEDULE SEE SCHEDULE SEE SCHEDULE SEE SCHEDULE AA	CODE W912DY	15. PAYMENT WILL BE MADE BY US ARMY ENG & SUP CENTER - FINANCE OFFIC US ARMY CORPS OF ENGRS FINANCE CTR 5722 INTEGRITY DRIVE MILLINGTON TN 38054-5005	CODE 964145	MARK ALL PACKAGES AND PAPERS WITH IDENTIFICATION NUMBERS IN BLOCKS 1 AND 2.
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16. TYPE OF ORDER	DELIVERY / CALL <input checked="" type="checkbox"/>	PURCHASE <input type="checkbox"/>	This delivery order/call is issued on another Government agency or in accordance with and subject to terms and conditions of above numbered contract.
			Reference your quote dated Furnish the following on terms specified herein. REF:

ACCEPTANCE. THE CONTRACTOR HEREBY ACCEPTS THE OFFER REPRESENTED BY THE NUMBERED PURCHASE ORDER AS IT MAY PREVIOUSLY HAVE BEEN OR IS NOW MODIFIED, SUBJECT TO ALL OF THE TERMS AND CONDITIONS SET FORTH, AND AGREES TO PERFORM THE SAME.

*Parsons Gov Services* *[Signature]* *Don Silberbauer, VP* *3/30/16*  
 NAME OF CONTRACTOR SIGNATURE TYPED NAME AND TITLE DATE SIGNED (YYYYMMDD)

If this box is marked, supplier must sign Acceptance and return the following number of copies: *3/30/16*

17. ACCOUNTING AND APPROPRIATION DATA / LOCAL USE  
See Schedule

18. ITEM NO.	19. SCHEDULE OF SUPPLIES / SERVICES	20. QUANTITY ORDERED / ACCEPTED*	21. UNIT	22. UNIT PRICE	23. AMOUNT
SEE SCHEDULE					

* If quantity accepted by the Government is same as quantity ordered, indicate by X. If different, enter actual quantity accepted below quantity ordered and encircle.	24. UNITED STATES OF AMERICA TEL: MULLADY.RICHARDJ.1090040282 EMAIL: MULLADY.RICHARDJ.1090040282 BY:	Digitally signed by MULLADY.RICHARDJ.1090040282 DN: cn=US, ou=U.S. Government, ou=DOD, ou=PR, ou=USA, c=MULLADY.RICHARDJ.1090040282 Date: 2016.03.30 15:39:53 -0500 CONTRACTING / ORDERING OFFICER	25. TOTAL \$637,951.85	26. DIFFERENCES
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27a. QUANTITY IN COLUMN 20 HAS BEEN  
 INSPECTED  RECEIVED  ACCEPTED, AND CONFORMS TO THE CONTRACT EXCEPT AS NOTED

b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE  
c. DATE (YYYYMMDD)  
d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE

c. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE  
28. SHIP NO.  
29. DO VOUCHER NO.  
30. INITIALS

f. TELEPHONE NUMBER g. E-MAIL ADDRESS  
31. PAYMENT  
 PARTIAL  
 FINAL  
32. PAID BY  
33. AMOUNT VERIFIED CORRECT FOR

36. I certify this account is correct and proper for payment.  
a. DATE (YYYYMMDD)  
b. SIGNATURE AND TITLE OF CERTIFYING OFFICER  
34. CHECK NUMBER  
35. BILL OF LADING NO.

37. RECEIVED AT  
38. RECEIVED BY  
39. DATE RECEIVED (YYYYMMDD)  
40. TOTAL CONTAINERS  
41. S/R ACCOUNT NO.  
42. S/R VOUCHER NO.

ENCL 4

## Section A - Solicitation/Contract Form

AWARD NARRATIVE

Task Order 0023, which contains Firm Fixed-Price (FFP) tasks, is being issued to Parsons Government Services, Inc for Remedial Action at Seneca Army Depot Activity, Romulus, NY, EPA Site ID# NY0213820830, NY Site ID# 8-50-006 in accordance with Performance Work Statement Revision 2, dated March 24, 2016.

The period of performance is date of award through March 30, 2018.

US Department of Labor Wage Determination Number 15-2381, Revision 1, dated March 1, 2016 shall be used with project task order.

The Terms and Conditions of the basic contract, W912DY-09-D-0062 takes precedence in the case of any ambiguity or conflict.

This task order is awarded in the amount of \$1,211,190.20 of which \$637,951.83 is being funded at the time of award.

Task	Description	Type	Amount	Total
1	UFP-QAPP and QASP	FFP	7,063.20	7,063.20
2	GIS	FFP	3,908.96	3,908.96
2a	Optional, Additional GIS per FY	FFP	1,525.90	
3	Long Term Monitoring of The OB Grounds	FFP		
3a	(FY17) First Annual Groundwater Monitoring	FFP	21,453.84	21,453.84
3b	Optional, (FY18) Second Annual Groundwater Monitoring	FFP	21,457.76	
3c	Optional, (FY19) Third Annual Groundwater Monitoring	FFP	21,461.68	
3d	Optional, (FY20) Fourth Annual Groundwater Monitoring	FFP	21,465.59	
3e	Optional, (FY21) Fifth Annual Groundwater Monitoring	FFP	21,469.51	
4	Long Term Monitoring of the Fire Training and Demonstration Pad Area	FFP		
4a	(FY17) First Annual Groundwater Monitoring	FFP	26,049.47	26,049.47
4b	Optional, (FY18) Second Annual Groundwater Monitoring	FFP	26,080.17	
4c	Optional, (FY19) Third Annual Groundwater Monitoring	FFP	26,110.87	
4d	Optional, (FY20) Fourth Annual Groundwater Monitoring	FFP	26,141.57	
4e	Optional, (FY21) Fifth Annual Groundwater Monitoring	FFP	26,172.27	
5	Long Term Monitoring of the Ash Landfill Operable Unit	FFP		
5a	(FY17) First Annual Groundwater Monitoring	FFP	51,594.03	51,594.03
5b	Optional, (FY18) Second Annual Groundwater Monitoring	FFP	51,686.28	
5c	Optional, (FY19) Third Annual Groundwater Monitoring	FFP	51,778.54	
5d	Optional, (FY20) Fourth Annual Groundwater Monitoring	FFP	51,870.79	
5e	Optional, (FY21) Fifth Annual Groundwater Monitoring	FFP	51,963.04	
6	Ash Landfill Operable Unit Biowall Recharge	FFP	440,038.65	440,038.65
7	Long Term Monitoring of the Deactivation Furnaces Operable Unit	FFP		
7a	(FY17) First Annual Groundwater Monitoring	FFP	23,146.49	23,146.49
7b	Optional, (FY18) Second Annual Groundwater Monitoring	FFP	23,178.47	
7c	Optional, (FY19) Third Annual Groundwater Monitoring	FFP	23,210.46	
7d	Optional, (FY20) Fourth Annual Groundwater Monitoring	FFP	23,242.44	
7e	Optional, (FY21) Fifth Annual Groundwater Monitoring	FFP	23,274.43	
8	Monitoring of LUCs at Various Sites	FFP		
8a	(FY17) First Annual Monitoring Event	FFP	17,934.42	17,934.42

←  
 ← TASK 4  
 130,554.35

←

8b	Optional, (FY18) Second Annual Monitoring Event	FFP	17,934.42	
8c	Optional, (FY19) Third Annual Monitoring Event	FFP	17,934.42	
8d	Optional, (FY20) Fourth Annual Monitoring Event	FFP	17,934.42	
9	Monitoring of LUCs at Various Munition Sites	FFP		
9a	(FY17) First Annual Monitoring Event	FFP	5,895.00	5,895.00
9b	Optional, (FY18) Second Annual Monitoring Event	FFP	5,895.28	
9c	Optional, (FY19) Third Annual Monitoring Event	FFP	5,895.28	
9d	Optional, (FY20) Fourth Annual Monitoring Event	FFP	5,895.28	
10	Five-year Review	FFP	27,488.41	27,488.41
11	Community Relations Support	FFP	13,379.36	13,379.36
11a	Optional, Additional Meetings	FUP	8,646.02	
12	Optional, Administrative Record	FFP	1,013.48	
	<b>Totals</b>		\$1,211,190.20	\$637,951.83

3.7.8 AC: Conduct the RA in accordance with the accepted/approved UFP-QAPP, and Seneca LTM Plan. QC data submitted meets requirements described in the most recent geophysics and chemistry DIDs.

- No more than 3-4 CARs/948s for non-critical violations and/or 1 CAR/948 for critical violation. No unresolved corrective action requests.
- All final data and QC tests/documentation submitted. Government QA acceptance of QC tests/documentation gained.
- No Class "A" Safety accidents, contractor at fault; No Class "B", contractor at Fault, no more than 1 non-explosive Class "C" accident; and <2 non-explosive related Class "D" accidents, IAW AR 385-40.
- Major safety violations, no more than 1 non-explosive related safety violation.
- Minor safety violations, no more than 2 safety violations.
- Zero letters of reprimand, grievances, or formal complaints

3.7.9 Measurement / Monitoring: Periodic inspection/review of field work. Verify compliance with accepted UFP-QAPP and SAP and Seneca LTM Plan. Quality control tests/documentation submitted per the QASP for government review.

3.7.10 Task specific Incentives/Disincentives: Satisfactory or greater CPARS rating/poor CPARS rating and/or re-performance of work at contractor's expense.

3.7.11 Specific Task Requirements:

- Restore all areas to their original condition; all access/excavation/detonation holes shall be backfilled.

**- Hazardous Waste (HW) / Investigative-Derived Waste (IDW) Disposal:** The Contractor shall collect, secure, store, and arrange for disposal of hazardous waste, and decontamination wastes, etc. generated as a result of field activities. The HW/IDW containers shall be staged, secured, labeled, sampled and analyzed (if required) IAW the approved work plan. The Contractor shall recommend appropriate disposal actions for all waste items. The Contractor shall perform the HW disposal in a timely manner.

- The contractor shall propose on the sampling rationale, and methods that will be utilized to ensure that data generated are of an acceptable quality for its intended use. The contractor shall also propose on the quantity, quality and the methods used to verify adherence to the PARCCS parameters for sample collection, handling, laboratory analysis, verification and validation. The contractor shall propose processes that will be utilized to address the corrective actions when established criteria are not being met. Any deviations from the accepted SAP shall be documented in the Daily Quality Control Reports (DQCR) and conveyed to USAESCH personnel immediately.

- Assess the physical condition of each water well.

- The Contractor shall sample and analyze the water quality at all wells

- Prepare annual report that summarizes data and analyses data for trends.

- Recommendation of any changes (e.g. changing frequency of data collection for the LTM Plan, groundwater well repairs, etc.) that are proposed for implementation for the LTM Plan.

**- Project Management:** The contractor shall manage the delivery order in accordance with the basic contract statement of work. All project management associated with the delivery order, with the exception of the direct technical oversight of the work described in the preceding tasks, shall be accounted for in this task.

**3.8 Task 8, (CLIN 0008) DESCRIPTION OF SERVICES FOR THE MONITORING OF LAND USE CONTROLS (LUCs) AT VARIOUS SITES:** This is a firm fixed price task for all sites under this task.

Objective: Monitor LUCs in accordance with the accepted UFP-QAPP, Seneca LTM Plan, and all applicable standards such that the objective of this PWS is met at following sites:

SITEDESCRIPTION

<del>SEAD 27</del>	- STEAM JENNY PIT
SEAD 64A	- GARBAGE DISPOSAL AREA
SEAD 66	- PESTICIDE STORAGE AREA
SEAD 25	- FIRE DEMONSTRATION PAD
SEAD 26	- FIRE TRAINING AREA
SEAD 39	-BUILDING 121 BOILER BLOW DOWN PIT
SEAD 40	-BUILDING 319 BOILER BLOW DOWN PIT
SEAD 41	- BUILDING 718 BOILER BLOW DOWN PIT
SEAD 67	- DUMPSITE EAST OF STP 4
SEAD 13	- INHIBITED RED FUMING NITRIC ACID (IRFNA)
SEAD 64B	- GARBAGE DISPOSAL AREA
SEAD 64C	- RUMORED GARBAGE DISPOSAL AREA
SEAD 64D	- GARBAGE DISPOSAL AREA
SEAD 122B	- AIRFIELD SMALL ARMS RANGE
SEAD 122E	- DEICING LOCATIONS
SEAD 44A	- QUALITY ASSURANCE TEST LAB WEST
SEAD 44B	- QUALITY ASSURANCE TEST LAB
SEAD 43	- OLD MISSILE PROPELLANT TEST LAB
SEAD 56	- HERBICIDE AND PESTICIDE STORAGE
SEAD 69	- BUILDING 606 DISPOSAL AREA
SEAD 62	- NICOTINE SULFATE DISPOSAL AREA
SEAD 52	- AMMUNITION BREAKDOWN AREA
SEAD 3, 6, 8, 14, and 15	- ASH LANDFILL OPERABLE UNIT
SEAD 1	-HAZARDOUS WASTE CONTAINER STORAGE FACILITY
SEAD 2	-PCB TRANSFORMER STORAGE FACILITY
SEAD 5	-SEWAGE SLUDGE WASTE PILES
SEAD 16	-ABANDONED DEACTIVATION FURNACES
SEAD 17	-ACTIVE DEACTIVATION FURNACES
SEAD 59	-PAINT DISPOSAL AREA
SEAD 71	-ALLEGED PAINT DISPOSAL AREA
SEAD 121C	-DEFENSE REUTILIZATION AND MARKETING OFFICE YARD
SEAD 121I	-RUMORED COSMOLINE DISPOSAL AREA
SEAD 12	-RADIOLOGICAL WASTE BURIAL SITES

**3.8.1 Task 8a, CLIN 0008a (FY17) MONITORING OF LUCs AT VARIOUS SITES.** Refer to historical project documentation of site location, historical information, and boundaries.

**3.8.2 Task 8b, (Optional) (CLIN 0008b (FY18)) MONITORING OF LUCs AT VARIOUS SITES.** Refer to historical project documentation of site location, historical information, and boundaries.

**3.8.3 Task 8c, (Optional) (CLIN 0008c, (FY19)) MONITORING OF LUCs AT VARIOUS SITES.** Refer to historical project documentation of site location, historical information, and boundaries.

**3.8.4 Task 8d, (Optional) (CLIN 0008d, (FY20)) MONITORING OF LUCs AT VARIOUS SITES.** Refer to historical project documentation of site location, historical information, and boundaries.

3.8.5 All subtasks listed above shall meet the following:

3.8.6 Performance Standard: Field work, quality, and analysis of said data shall meet the following standards:

## ESCALATION RATES

### Constant Year (FY17) Dollars

The CTC estimates shall be reported on a current cost basis (unadjusted for inflation). The following factors should be used to bring previous year costs to the current year.

Base Fiscal Year	Escalation Rate*
FY12	1.0897
FY13	1.0736
FY14	1.0578
FY15	1.0463
FY16	1.0338

\* Rates based on FY18 Joint Inflation Calculator (weighted index) – 9 Mar 2017

FINAL  
RECORD OF DECISION  
FOR  
SITES REQUIRING INSTITUTIONAL CONTROLS IN THE PLANNED  
INDUSTRIAL/OFFICE DEVELOPMENT OR WAREHOUSING AREAS  
SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK

Prepared for:

SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK

and

UNITED STATES ARMY ENGINEERING & SUPPORT CENTER  
4820 UNIVERSITY SQUARE  
HUNTSVILLE, ALABAMA

Prepared By:

**PARSONS**

100 Summer St, Suite 800  
Boston, Massachusetts

EPA Site ID No.: NY0213820830  
NY Site ID No.: 8-50-006  
DACA87-95-D-0031, Delivery Order 21  
736026

July 2004

ENCL 5

Site Name and Location

Building 360 - Steam Cleaning Waste Tank (SEAD-27), the Garbage Disposal Area (SEAD-64 and the Pesticide Storage Area Near Building 5 and 6 (SEAD-66).

Seneca Army Depot Activity (SEDA)

CERCLIS ID# NY0213820830

NY State ID# 8-50-006

Romulus, Seneca County, New York

Statement of Basis and Purpose

This decision document presents the U.S. Army's and EPA's selected remedy for Building 360 - Steam Cleaning Waste Tank (SEAD-27), the Garbage Disposal Area (SEAD-64A), and the Pesticide Storage Area Near Building 5 and 6 (SEAD-66), located at the Seneca Army Depot Activity (SEDA) near Romulus, New York. The decision was developed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended, 42 United States Code (USC) §9601 et seq. and, to the extent practicable, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300. The Base Realignment and Closure (BRAC) Environmental Coordinator; the Director, National Capital Region Field Office; and the U.S. Environmental Protection Agency (USEPA) Region II have been delegated the authority to approve this Record of Decision (ROD).

This ROD is based on the Administrative Record that has been developed in accordance with Section 113(k) of CERCLA. The Administrative Record is available for public review at the Seneca Army Depot Activity, Building 123, Romulus, NY. The Administrative Record Index identifies each of the items considered during the selection of the remedial action. This index is included in Appendix A.

The State of New York, through NYSDEC and the New York State Department of Health (NYSDOH), has concurred with the Selected Remedy. The NYSDEC Declaration of Concurrence is provided in Appendix B of this ROD.

Site Assessment

The response action selected in this ROD is necessary to protect the public health and the environment from actual or threatened releases of hazardous substances into the environment or from actual or threatened releases of pollutants or contaminants from this site that may present an imminent and substantial endangerment to public health or welfare.



The Army recommends establishing institutional controls (ICs) in the form of land use controls (LUCs) at SEADs 27, 64A, and 66. The LUCs will be applied area wide. A map showing location of SEADs 27, 64A, and 66 and the LUC boundary is provided at Figure 1-1. Five y reviews of this remedy will be conducted in accordance with Section 120(c) of CERCLA.

### Land Use Control Performance Objectives

The LUC performance objectives at these sites are as follows and will also be incorporated in deeds and/or leases for this property:

- Prevent residential housing, elementary and secondary schools, childcare facilities and playgrounds activities at the SEAD 27, 64a, and 66 sites.
- Prevent access to or use of the groundwater at the SEAD 27, 64a, and 66 sites until Class G Groundwater Standards are met.
- Prevent unauthorized excavation at the SEAD 64a site.

The LUCs will continue until the concentration of hazardous substances in the soil and the groundwater beneath have been reduced to levels that allow for unlimited exposure and unrestricted use.

### Land Use Control Remedial Design

In order to implement the Army's remedy, which includes the imposition of land use controls, a LUC Remedial Design for the Sites Requiring Institutional Controls in the Planned Industrial/Office or Warehousing Area ("PID Area"), will be prepared which satisfies the applicable requirements of Paragraphs (a) and (c), Environmental Conservation Law (ECL) Article 27, Section 1318: Institutional and Engineering Controls. In addition, the Army will prepare an environmental easement for the PID Area, consistent with Section 27-1318(b) and Article 71, Title 36 of ECL, in favor of the State of New York and the Army, which will be recorded at the time of the property's transfer from federal ownership.

A schedule for completion of the draft Institutional Control Remedial Design Plan will be completed within 21 days of the ROD signature consistent with Section 14.4 of the Federal Facilities Agreement (FFA).

The Army shall be responsible for implementing, inspecting, reporting on and enforcing the LUCs described in this ROD in accordance with the approved LUC remedial design. Although the Army may later transfer these responsibilities to another party by contract, property transfer agreement, or

RECORD OF DECISION

FOR

THE DEFENSE REUTILIZATION AND MARKETING OFFICE (DRMO) YARD (SEAD 121C)  
AND  
THE RUMORED COSMOLINE OIL DISPOSAL AREA (SEAD 121I)

SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK

*site*

Prepared for:

SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK

and

UNITED STATES AIR FORCE CENTER FOR ENGINEERING AND THE ENVIRONMENT  
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Prepared By:

**PARSONS**  
150 Federal Street, 4<sup>th</sup> Floor  
Boston, Massachusetts

Contract Number: FA8903-04-D-8675

Task Order: 0031

CDRL: A001C

EPA Site ID: NY0213820830; NY Site ID: 8-50-006

June 2008

ENCL 6

**Site Name and Location**

The Defense Reutilization and Market Office (DRMO) Yard (SEAD 121C) and the Rumored Cosmoline Oil Disposal Area (SEAD 121I)  
Seneca Army Depot Activity  
CERCLIS ID# NY0213820830  
Romulus, Seneca County, New York

**Statement of Basis and Purpose**

This decision document presents the U.S. Army's (Army's) and the U.S. Environmental Protection Agency's (EPA's) selected remedies for two areas of concern (AOCs), SEAD 121C and SEAD 121I located at the Seneca Army Depot Activity (SEDA or the Depot) in the Towns of Varick and Romulus, Seneca County, New York. The decisions were developed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended, 42 U.S.C. §9601 et seq., and, to the extent practicable, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300. The Base Realignment and Closure (BRAC) Environmental Coordinator, the Chief, Consolidations Branch, Army BRAC Division, and the Acting Director, EPA Region II have been delegated the authority to approve this Record of Decision (ROD).

This ROD is based on the Administrative Record that has been developed in accordance with Section 113(k) of CERCLA. The Administrative Record is available for public review at the Seneca Army Depot Activity, 5786 State Route 96, Building 123, Romulus, NY 14541. The Administrative Record Index identifies each of the items considered during the selection of the remedial actions. This index is included in **Appendix A**.

The State of New York, through the New York State Department of Environmental Conservation (NYSDEC), has concurred with the selected remedy. The NYSDEC Declaration of Concurrence is provided in **Appendix B** of this ROD.

**Site Assessment**

The response actions selected in this ROD are necessary to protect human health and the environment from actual or threatened releases of hazardous substances into the environment or from actual or threatened releases of pollutants or contaminants from SEAD 121C and SEAD 121I, which may present an imminent and substantial endangerment to public health or welfare.

**Description of the Selected Remedy**

The selected remedies for SEAD 121C and SEAD 121I address contaminated soil and groundwater. The selected remedies will result in the elimination of soil and groundwater as exposure pathways for potential receptors.

*Remedy Re*

The elements that compose the selected remedies at SEAD 121C and SEAD 121I include:

- Establish and maintain land use controls (LUCs) that prohibit residential housing, elementary and secondary schools, childcare facilities, and playgrounds until unrestricted use and unlimited exposure criteria are attained at the two AOCs; and,
- Establish and maintain LUCs that prohibit access to, and use of, groundwater until its quality allows for unrestricted use and unlimited exposure.

As the selected remedies for the AOCs do not allow unrestricted use and unlimited exposures, the Army or its successors will be required to complete a review of the selected remedies every 5 years (at minimum), in accordance with Section 121(c) of the CERCLA.

#### SEAD 121C and SEAD 121I Land Use Control (LUC) Performance Objectives

The LUC performance objectives for SEAD 121C and SEAD 121I are to:

- Prohibit access to or use of the groundwater until New York State's GA groundwater standards are achieved; and,
- Prohibit residential housing, elementary and secondary schools, childcare facilities and playgrounds activities.

The LUCs will be implemented over the land contained within the boundaries of SEAD 121C and SEAD 121I. Equivalent LUCs have been implemented over other land that is located within the greater Planned Industrial / Office Development and Warehousing Area (PID Area) at the Depot, but these LUCs were not imposed on parcels of land within the PID Area that were retained by the Army, pending completion of the CERCLA regulatory process. The existing PID Area-wide LUCs were implemented as a result of conditions identified in SEADs 27, 64A, and 66, and these conditions are presented in the Record of Decision entitled *Final ROD for Sites Requiring Institutional Controls in the Planned Industrial/Office Development or Warehousing Areas* (Parsons, 2004). The location of SEAD 121C, SEAD 121I, and the land that is subject to institutional controls in the PID Area are shown in **Figure 1-1**. Under the 2004 PID Area-wide ROD, LUCs have been implemented for those properties within the PID Area that are the subject of the 2004 PID ROD to prohibit residential housing, elementary and secondary schools, childcare facilities, and playground activities, and to prohibit access to and use of the groundwater. The restrictions may be removed at specific AOCs or specific portions of the PID Area upon a determination by the Army and EPA, with concurrence from the NYSDEC, that soil and groundwater constituent concentrations at such areas are at levels that allow for unrestricted exposure and unrestricted use.

To implement the remedies selected in this Record of Decision, which include the imposition of LUCs, a LUC Remedial Design for SEAD 121C and SEAD 121I will be prepared which is consistent with Paragraphs (a) and (c) of the New York State Environmental Conservation Law (ECL) Article 27, Section 1318: Institutional and Engineering Controls. In addition, the Army will prepare an environmental easement for SEAD 121C and

5 year  
review

RECORD OF DECISION

FOR

Site

THE FILL AREA WEST OF BUILDING 135 (SEAD-59) AND  
THE ALLEGED PAINT DISPOSAL AREA (SEAD-71)

SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK

Prepared for:

SENECA ARMY DEPOT ACTIVITY  
5786 STATE ROUTE 96  
ROMULUS, NEW YORK 14541

and

UNITED STATES ARMY CORPS OF ENGINEERS  
4820 UNIVERSITY SQUARE  
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Contract Number: DACA87-02-D-0005  
Delivery Orders: 0013  
USEPA Site ID: NY0213820830  
NY Site ID: 8-50-006

March 2009

ENCL 7

## 1.0 DECLARATION OF THE RECORD OF DECISION

### Areas of Concern Name and Location

The Fill Area West of Building 135 (SEAD-59) and the Alleged Paint Disposal Area (SEAD-71)  
Seneca Army Depot Activity  
5786 State Route 96  
Romulus, New York 14541  
USEPA Site ID: NY0213820830; NY Site ID: 8-50-006

Source:

### Statement of Basis and Purpose

This Record of Decision (ROD) documents the U.S. Army's (Army's) and the U.S. Environmental Protection Agency's (USEPA's) selected remedies for the Fill Area West of Building 135 (SEAD-59) and the Alleged Paint Disposal Area (SEAD-71) located at the Seneca Army Depot Activity (SEDA or the Depot) in the Towns of Varick and Romulus, Seneca County, New York. The decisions for these two areas of concern (AOCs) were developed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended, 42 U.S.C. Section 9601, *et seq.* and, to the extent practicable, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300. The Base Realignment and Closure (BRAC) Environmental Coordinator, the Chief, Consolidations Branch, BRAC Division, and the USEPA Region II have been delegated the authority to approve this Record of Decision (ROD).

This ROD is based on the Administrative Record that has been developed in accordance with Section 113(k) of CERCLA. The Administrative Record is available for public review at the Seneca Army Depot Activity, 5786 State Route 96, Building 123, Romulus, NY 14541. The Administrative Record Index identifies each of the items considered during the selection of the remedial actions. This index is included in Appendix A.

The State of New York, through the New York State Department of Environmental Conservation (NYSDEC), has concurred with the selected remedies. The NYSDEC Declaration of Concurrence is provided in Appendix B of this ROD.

### AOC Assessment

The response actions selected in this ROD are necessary to protect human health and the environment from actual or threatened releases of hazardous substances into the environment from SEAD-59 and SEAD-71 or from actual or threatened releases of pollutants or contaminants, which may present an imminent and substantial endangerment to public health or welfare.

### Description of the Selected Remedies

The selected remedies for SEAD-59 and SEAD-71 address contaminated soil and groundwater. The selected remedies will result in the removal of soil and groundwater as exposure pathways for potential receptors.

The elements that compose the selected remedies at SEAD-59 and SEAD-71 include:

LUC

- Establish, monitor, and maintain land use controls (LUCs) that:
  - Prohibit access to or use of the groundwater until unrestricted use and unlimited exposure criteria are attained; and,
  - Prohibit the development or use of the property for residential housing, elementary and secondary schools, childcare facilities and playgrounds until unrestricted use and unlimited exposure criteria are attained at SEAD-59 and SEAD-71.

Soils excavated from SEAD-59 and SEAD-71 that remain staged in stockpiles in the vicinity of the two AOCs will be moved to SEAD-5 where they will continue to be managed by the Army. Although these soils contain measureable concentrations of hazardous substances, they are not hazardous by characteristic determinations (i.e., toxicity characteristic, ignitability, corrosivity, reactivity). It is possible that the stockpiled soil will subsequently be used as part of a multi-layered cap that may be constructed over SEAD-5 soil to address conditions that have been identified at that AOC.

SEAD-59 and SEAD-71 represent a small portion of a larger tract of land located in the east-central portion of the former SEDA that comprises the Planned Industrial / Office Development and Warehousing (PID) Area that has been transferred to the Seneca County Industrial Development Agency (SCIDA), exclusive of any Army retained property. Based on an agreement reached between the Army, the USEPA, and the NYSDEC, the entire PID Area, exclusive of Army retained property, is subject to equivalent LUCs (i.e., prohibit groundwater access/use; prohibit residential housing/elementary and secondary schools/childcare facilities/playgrounds) as are proposed for imposition at SEAD-59 and SEAD-71 in this ROD. The referenced LUCs were the remedy selected in a 2004 ROD [*Final ROD for Sites Requiring Institutional Controls in the Planned Industrial/Office Development or Warehousing Areas* (Parsons, 2004)] for SEAD 27, 64A, and 66, three other AOCs within the PID Area, due to levels of contaminants that were identified at those AOCs. At the time of the 2004 ROD, the Army, USEPA, and NYSDEC agreed that these LUCs should be applied to all land within the greater PID Area, pending the provision and evaluation of new data for specific sites within the PID Area if a future owner or occupant wished to apply for a variance from the specified LUCs. The PID Area LUCs were implemented when the PID Area was transferred to the SCIDA by the Army, but they are not applied to the land comprising SEAD-59 and SEAD-71, as these parcels were retained by the Army at the time of the greater PID Area's transfer, pending completion of necessary investigations and studies, the evaluation of potential remedial actions, and the selection of an approved remedy for SEAD-59 and SEAD-71.

The Army shall, through the on-site Commander's representative or other designated official, implement, inspect, report on, and enforce the remedy described in this ROD. This ROD selects as the remedy for SEAD-59 and SEAD-71 LUCs (i.e., groundwater access/use and land use limitations) to be imposed by an environmental easement at the time when land comprising SEAD-59 or SEAD-71 is transferred from Army ownership to another party, as well as the prohibition of any pre-transfer use inconsistent with the LUCs. Although the Army may later transfer these responsibilities to another party, the Army shall retain ultimate responsibility for remedy integrity.

To implement the remedies selected in this Record of Decision, which will include the imposition of LUCs at SEAD-59 and SEAD-71, a LUC Remedial Design will be prepared which will provide for the recording of an environmental easement which is consistent with Paragraphs (a) and (c) of the New York State Environmental Conservation Law (ECL) Article 27, Section 1318: Institutional and Engineering Controls. In addition, the Army will prepare an environmental easement for SEAD-59 and SEAD-71, consistent with Section 27-1318(b) and Article 71, Title 36 of ECL, in favor of the State of New York, which will be recorded at the time of the property's transfer from Federal ownership and which will require the owner and/or any person responsible for implementing the LUCs set forth in this ROD to periodically certify that such institutional controls are in place. The Army and the USEPA will be named as third-party beneficiaries on the environmental easement. A schedule for completion of the draft SEAD-59 and SEAD-71 LUC Remedial Design Plan (LUC RD) will be completed within 21 days of the ROD signature, consistent with Section 14.4 of the Federal Facilities Agreement (FFA). To implement the remedy prior to transfer, the Army, as the owner and operator of the property at SEAD-59 and SEAD-71, will through the on-site Commander's representative or other designated official, ensure that the LUCs are implemented by monitoring the property at SEAD 59 and SEAD 71 and restricting development or use on this property if inconsistent with the LUCs.

SEAD 59  
SEAD 71

Once the selected remedies are applied, a review of the selected remedies will be made at least once every five years in accordance with Section 121(c) of the CERCLA. The periodic reviews of the remedies are required by CERCLA at sites where contamination remains in order to assure the protectiveness of the selected remedy.

The groundwater access/use restriction and the restriction prohibiting residential housing, elementary and secondary schools, childcare facilities and playgrounds may be eliminated, on a site-by-site basis, if data is provided to, and approved by, the Army, USEPA, and the NYSDEC that documents that groundwater quality achieves applicable groundwater standard levels and that soil data allows for unrestricted use and unlimited exposures.

The Army and USEPA expect that remedial action will be needed at SEAD-5 to address soils currently in the ground at that AOC that represent a potential risk to human health. One of the potential remedial actions that may be taken at SEAD-5 is to spread the stockpiled soils staged at SEAD-59 out over soils in SEAD-5 that pose the potential threat. The stockpiled soil would become part of a multi-layered cover that would be placed over the contaminated soil to prohibit access and exposure to future users or occupants. The SEAD-5 remedial action would be followed by the imposition of a LUC to restrict allowable activities at that AOC, and an imposition of a LUC to protect the soil cover and the demarcation fabric above such interred soils. The remedial action for SEAD-5 will be addressed in a separate Record of Decision to be issued pursuant to CERCLA for that AOC.

#### State Concurrence

NYSDEC forwarded to USEPA a letter of concurrence regarding the selection of a remedial action in the future. This letter of concurrence has been placed in Appendix B.



## Owner Cost

In RACER, Owner Cost is the owner's workforce cost to initiate, contract, oversee, direct, implement and closeout the project. Owner costs may include the following categories or items:

- Supervision, Inspection, and Overhead (SIOH);
- Construction management and "Owner's Representative" services;
- Laboratory quality assurance;
- Operations and maintenance manual; and
- Other costs (e.g. technical, real estate, administrative, contracting, accounting, etc.).

The system default percentage for Owner Cost is 11 %. The valid range for the Owner Cost markup factor is 0% to 20%.

1  
OWNER COST  
DEFAULT  
VALUE

FINAL  
RECORD OF DECISION  
FOR

ASH LANDFILL

SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK

Prepared for:

SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK

and

UNITED STATES ARMY CORPS OF ENGINEERS  
4820 UNIVERSITY SQUARE  
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Prepared By:

**PARSONS**  
100 Summer Street, 8<sup>th</sup> Floor  
Boston, Massachusetts

Contract Number: DACA87-95-D-0031  
Delivery Order 0010

July 2004

ENCL 9

Description of the Selected Remedy

Site

The selected remedy for the Ash Landfill Operable Unit consists of a combination of one source control alternative and one migration control alternative. The selected remedy removes potential sources of soil and groundwater contamination and addresses residually-contaminated soil and groundwater. The selected remedy for the Ash Landfill Operable Unit consists of the following elements:

- Excavation and off-site disposal of Debris Piles, and establishment and maintenance of a vegetative soil cover for the Ash Landfill and the Non-Combustion Fill Landfill (NCFL) for source control;
- Installation of three in-situ permeable reactive barrier walls, and maintenance of the proposed walls and the existing wall for migration control of the groundwater plume;
- Backfilling and re-grading the Incinerator Cooling Water Pond (SEAD-3) to fill the pond during the excavation of the debris piles;
- A Contingency Plan will be developed to include one of the following options; provision of an alternative water supply for potential downgradient receptors (farmhouse) or air sparging of the plume in the event that groundwater conditions downgradient of the recommended remedial action described above exceed trigger values;
- Land Use Controls (LUCs) to attain the remedial action objectives; and
- Completion of a review of the selected remedy every five-years (at minimum) in accordance with Section 121(c) of the CERCLA. If a wall material other than iron is selected, the Army will conduct a review of the remedy's effectiveness one year after the walls are installed. Subsequent annual reviews will be performed until the first five year review. The typical five year review schedule will be followed thereafter.

LUC  
5 yr

Land Use Control Performance Objectives

The LUC performance objectives for the Ash Landfill are to:

- Prevent access to or use of the groundwater until cleanup levels are met;
- Maintain the integrity of any current or future remedial or monitoring system such as monitoring wells and impermeable reactive barriers;
- Prohibit excavation of the soil or construction of inhabitable structures (temporary or permanent) above the area of the existing groundwater plume; and

- Maintain the vegetative soil layer over the ash fill areas and the NCFL to limit ecological contact.

The groundwater LUCs will be continued until such time that the concentration of hazardous substances in the groundwater have been reduced to levels that allow for unlimited exposure and unrestricted use. Intrusive restrictions for those areas requiring a vegetative soil cover will continue indefinitely. These land use controls will be implemented over the area of the groundwater plume, NCFL, and the Ash Landfill, as shown on Figure 1-1.

### LUC Remedial Design

In order to implement the Army's remedy, which includes the imposition of land use controls, a LUC Remedial Design for the Ash Landfill will be prepared which satisfies the applicable requirements of Paragraphs (a) and (c), Environmental Conservation Law (ECL) Article 27, Section 1318: Institutional and Engineering Controls. In addition, the Army will prepare an environmental easement for the Ash Landfill, consistent with Section 27-1318(b) and Article 71, Title 36 of ECL, in favor of the State of New York and the Army, which will be recorded at the time of the property's transfer from federal ownership. A schedule for completion of the draft Ash Landfill LUC Remedial Design Plan (LUC RD) will be completed within 21 days of the ROD signature, consistent with Section 14.4 of the Federal Facilities Agreement (FFA).

The Army shall implement, inspect, report, and enforce the LUCs described in this ROD in accordance with the approved LUC RD. Although the Army may later transfer these responsibilities to another party by contract, property transfer agreement, or through other means, the Army shall retain ultimate responsibility for remedy integrity. Should the Army transfer these responsibilities, the Army shall provide timely written notice to the regulators of the transferee which shall include the entity's name, address, and general remedial responsibility.

The five-year reviews are intended to evaluate whether the response actions remain protective of public health and the environment, and they would consist of document review, ARAR review, interviews, inspection/technology review, and reporting.

### State Concurrence

NYSDOH forwarded a letter of concurrence regarding the selection of a remedial action to NYSDEC, and NYSDEC, in turn, forwarded to EPA a letter of concurrence regarding the selection of a remedial action. This letter of concurrence has been placed in Appendix B.

### Declaration

The selected remedy is consistent with CERCLA and, to the extent practicable, with the NCP, and it is protective of human health and the environment, complies with federal and state requirements that

**FINAL  
RECORD OF DECISION**

**FOR**

**THE ABANDONED DEACTIVATION FURNACE (SEAD-16) AND  
THE ACTIVE DEACTIVATION FURNACE (SEAD-17)**

**SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK**

**Prepared for:**

**SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK**

**and**

**UNITED STATES ARMY CORPS OF ENGINEERS  
4820 UNIVERSITY SQUARE  
HUNTSVILLE, ALABAMA**

**Prepared By:**

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4<sup>th</sup> Floor  
Boston, Massachusetts

**Contract Number: DACA87-95-D-0031**

**Delivery Order 003**

**USEPA Site ID: NY0213820830; NY Site ID: 8-50-006**

**March 2006**

**ENCL 10**

### Cleanup Standards for Industrial Use at SEAD-16 and SEAD-17

COMPOUNDS	SOIL CLEANUP GOAL
<b>Polycyclic Aromatic Hydrocarbons (PAHs)</b>	
Benzo(a)anthracene ( $\mu\text{g}/\text{Kg}$ )	20,417
Benzo(a)pyrene ( $\mu\text{g}/\text{Kg}$ )	2,042
Benzo(b)fluoranthene ( $\mu\text{g}/\text{Kg}$ )	20,417
Benzo(k)fluoranthene ( $\mu\text{g}/\text{Kg}$ )	50,000
Chrysene ( $\mu\text{g}/\text{Kg}$ )	50,000
Dibenz(a,h)anthracene ( $\mu\text{g}/\text{Kg}$ )	2,042
Indeno(1,2,3-cd)pyrene ( $\mu\text{g}/\text{Kg}$ )	20,417
<b>Metals</b>	
Antimony (mg/Kg)	29
Arsenic (mg/Kg)	20
Cadmium (mg/Kg)	14
Copper (mg/Kg)	331
Lead (mg/Kg)	1250
Mercury (mg/Kg)	0.54
Thallium (mg/Kg)	2.6
Zinc (mg/kg)	773

To complete Resource Conservation and Recovery Act (RCRA) closure of the deactivation furnace at SEAD-17, the Army will either further decontaminate or demolish and dispose off-site the structures that failed to meet closure standards during the interim closure (i.e., concrete slabs and block walls).

#### SEAD-16 AND SEAD-17 Land Use Control (LUC) Performance Objectives

The LUC performance objectives for SEAD-16 and SEAD-17 are to:

- Prevent access to or use of the groundwater until cleanup levels are met; and
- Prevent residential housing, elementary and secondary schools, childcare facilities and playgrounds activities.

The LUCs would be implemented over the area bounded by the boundary at SEAD-16 (**Figure 1-1**) and SEAD-17 (**Figure 1-2**). The boundary of SEAD-16 is defined as the fence; SEAD-17 is bounded by the fence to the east and by natural boundaries, such as ditches. It should be noted that land within the Planned Industrial/Office Development (PID) area, which includes SEAD-16 and SEAD-17, is also subject to a separate Proposed Plan and ROD that include institutional controls (ICs) ["Final ROD for Sites Requiring Institutional Controls in the Planned Industrial/Office Development or Warehousing Areas" (Parsons, 2004)]. Groundwater use restrictions will continue until groundwater constituent concentrations have been reduced to levels that allow for unlimited exposure and unrestricted use. With USEPA approval, once groundwater cleanup standards are achieved, the groundwater use restrictions may be eliminated.

To implement the Army's remedy, which includes the imposition of LUCs, a LUC Remedial Design for SEAD-16 and SEAD-17 will be prepared which satisfies the applicable requirements of Paragraphs (a) and (c) of Environmental Conservation Law (ECL) Article 27, Section 1318: Institutional and Engineering Controls. In addition, the Army will prepare an environmental easement for SEAD-16 and SEAD-17, consistent with Section 27-1318(b) and Article 71, Title 36 of ECL, in favor of the State of New York and the Army, which will be recorded at the time of the property's transfer from federal ownership. A schedule for completion of the draft SEAD-16 and SEAD-17 LUC Remedial Design Plan (LUC RD) will be completed within 21 days of the ROD signature, consistent with Section 14.4 of the Federal Facilities Agreement (FFA).

The Army shall implement, inspect, report, and enforce the LUCs described in this ROD in accordance with the approved LUC RD. Although the Army may later transfer these responsibilities to another party by contract, property transfer agreement, or through other means, the Army shall retain ultimate responsibility for remedy integrity.

#### **State Concurrence**

NYSDOH forwarded a letter of concurrence regarding the selection of a remedial action to NYSDEC, and NYSDEC, in turn, forwarded to USEPA a letter of concurrence regarding the selection of a remedial action in the future. This letter of concurrence has been placed in **Appendix B**.

#### **Declaration**

CERCLA and the NCP require each selected remedy to be protective of human health, public welfare, and the environment; be cost effective, comply with other statutory laws; and use permanent solutions, alternative treatment technologies, and resource recovery options to the maximum extent possible. CERCLA and the NCP also state a preference for treatment as a principal element for the reduction of toxicity, mobility, or volume of the hazardous substances.

The selected remedy is consistent with CERCLA and the NCP and is protective of human health and the environment, complies with Federal and State requirements that are applicable or relevant and appropriate to the remedial action, is cost-effective, and utilizes permanent solutions. This remedy also reduces the toxicity, mobility, or volume of hazardous substances, pollutants, or contaminants.

5 yr  
review

Because this remedy may result in hazardous substances, pollutants, or contaminants remaining on-site above levels that allow for unlimited use and unrestricted exposure for an indeterminate period, a statutory review will be conducted every 5 years after initiation of the remedial action to ensure that the remedy is, or will be, protective of human health and the environment.

**FINAL  
RECORD OF DECISION**

**FOR**

*Sites*

**THE RADIOACTIVE WASTE BURIAL SITES (SEAD-12) AND  
THE MIXED WASTE STORAGE FACILITY (SEAD-72)**

**SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK**

**Prepared for:**

**SENECA ARMY DEPOT  
5786 State Route 96  
Romulus, New York 14541**

**and**

**UNITED STATES ARMY CORPS OF ENGINEERS**

**US Army Engineering  
and Support Center  
4820 University Square  
Huntsville, Alabama 35816**

**USACE New York District  
26 Federal Plaza  
New York, New York 10278**

**Contract Number: W912DY-08-D-0003**

**Delivery Orders: 0013**

**EPA Site ID: NY0213820830**

**NY Site ID: 8-50-006**

**March 2015**

*ENCL 11*



## **1.0 DECLARATION OF THE RECORD OF DECISION**

### **Areas of Concern Name and Location**

SEAD-12 – The Radioactive Waste Burial Sites

SEAD-72 – The Mixed Waste Storage Facility (Building 803)

Seneca Army Depot

5786 State Route 96

Romulus, New York 14541

EPA Site ID: NY0213820830; NY Site ID: 8-50-006

### **Statement of Basis and Purpose**

This Record of Decision (ROD) documents the U.S. Army's (Army's) and the U.S. Environmental Protection Agency's (EPA's) selected remedies for the Radioactive Waste Burial Sites (SEAD-12) and the Mixed Waste Storage Facility (SEAD-72) located at the Seneca Army Depot (SEAD or the Depot) in the Towns of Varick and Romulus in Seneca County, New York. The remedy selected for each of the identified areas of concern (AOCs) was developed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended, 42 U.S.C. Section 9601, *et seq.*, and, to the extent practicable, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, and regulation under the Resource Conservation and Recovery Act (RCRA). The Director of the Emergency and Remedial Response Division, Environmental Protection Agency (ERRD) has been delegated the authority to approve this ROD. The Base Realignment and Closure (BRAC) Environmental Coordinator and the Chief of the Base Realignment and Closure Division have been delegated the authority to approve this ROD for the Army.

This ROD is based on the Administrative Record that has been developed in accordance with Section 113(k) of CERCLA. The Administrative Record is available for public review at the Seneca Army Depot Activity, 5786 State Route 96, Building 123, Romulus, New York, 14541. The Administrative Record Index identifies each of the items considered during the selection of the remedial actions for these historic Solid Waste Management Units (SWMUs). This index is included in **Appendix A**.

Through the New York State Department of Environmental Conservation (NYSDEC), the State of New York, concurs with the selected remedy. The NYSDEC concurrence letter is provided in **Appendix B** of this ROD.

### **Assessment of Areas of Concern**

The Army and EPA have concluded that the majority of land within SEAD-12 is suitable for unrestricted use and unlimited exposures with no further action required, with the exception of groundwater and soil within a small portion of SEAD-12. Land that underlies two unoccupied buildings (Buildings 813 and 814) and that is in the vicinity of former monitoring well MW12-37, is contaminated with volatile organic compounds (VOCs), primarily trichloroethene (TCE) at levels exceeding federal and state groundwater drinking water standards and state soil cleanup objective (SCO) levels. Based upon the soil data collected at the buildings' edges during the interim removal action, it is likely that VOCs beneath the buildings

remain at sufficient concentrations to pose a potential risk to future users or occupants of the land via vapor intrusion. The response action selected in this ROD is necessary to protect human health and the environment from actual or threatened releases of hazardous substances into the (indoor air) environment from the AOC, or from actual or threatened releases of pollutants or contaminants, which may present an imminent and substantial endangerment to public health or welfare.

The Army and EPA have concluded SEAD-72 is suitable for unrestricted use and unlimited exposures with no further action required.

### Description of the Selected Remedy

In response to this future-use concern, the selected remedy for this portion of SEAD-12 addresses contaminated soil and groundwater, and includes:

- subject to the limitations set forth in the following paragraph, the implementation, monitoring, and maintenance of an environmental land use control (LUC) restricting access to and use of the existing vacant Buildings 813/814 and the construction of inhabitable structures (temporary or permanent) above the area and within a fifty foot perimeter of Buildings 813/814 and fifty foot radius from MW12-37 where TCE-contaminated soil was previously identified, and where contaminated groundwater may exist; and
- the implementation, monitoring, and maintenance of a LUC that prohibits access to and use of groundwater in the vicinity of Buildings 813/814.

The extent of the land within SEAD-12 affected by the selected remedy is shown on **Figure 1-1**. The selected remedy is meant to protect a future user of this area. Because VOCs can naturally attenuate over time, and occupancy of the area is not currently anticipated, residual contamination may dissipate in the intervening time period. At a future time, when occupancy of existing or newly constructed buildings is under consideration, the restricted use may be removed, with the concurrence from the Army, EPA and NYSDEC, if monitoring conducted at that time by a future user indicates that exposure through vapor intrusion is not a concern.

### Statutory Requirements

The selected remedy is protective of human health and the environment, complies with federal and state requirements that are applicable or relevant and appropriate to the remedial action, is cost-effective, and utilizes permanent solutions and alternative treatment (or resource recovery) technologies to the maximum extent practicable.

### Statutory Preference for Treatment

The selected remedy does not satisfy the statutory preference for remedies that employ treatment that reduces toxicity, mobility, or volume as a principal element for reasons explained in the Decision Summary.

### Five-Year Review Requirements

Five-year reviews will be conducted until the remediation goals are achieved to ensure that the selected remedy is, or will be, protective of human health and the environment. Five-year reviews are already required for other areas of the Depot.

5 yr  
review

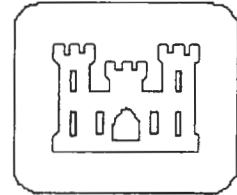
### ROD DATA CERTIFICATION CHECKLIST

The following information is included in the Decision Summary section of this ROD. Additional information can be found in the Administrative Record file for the Site.

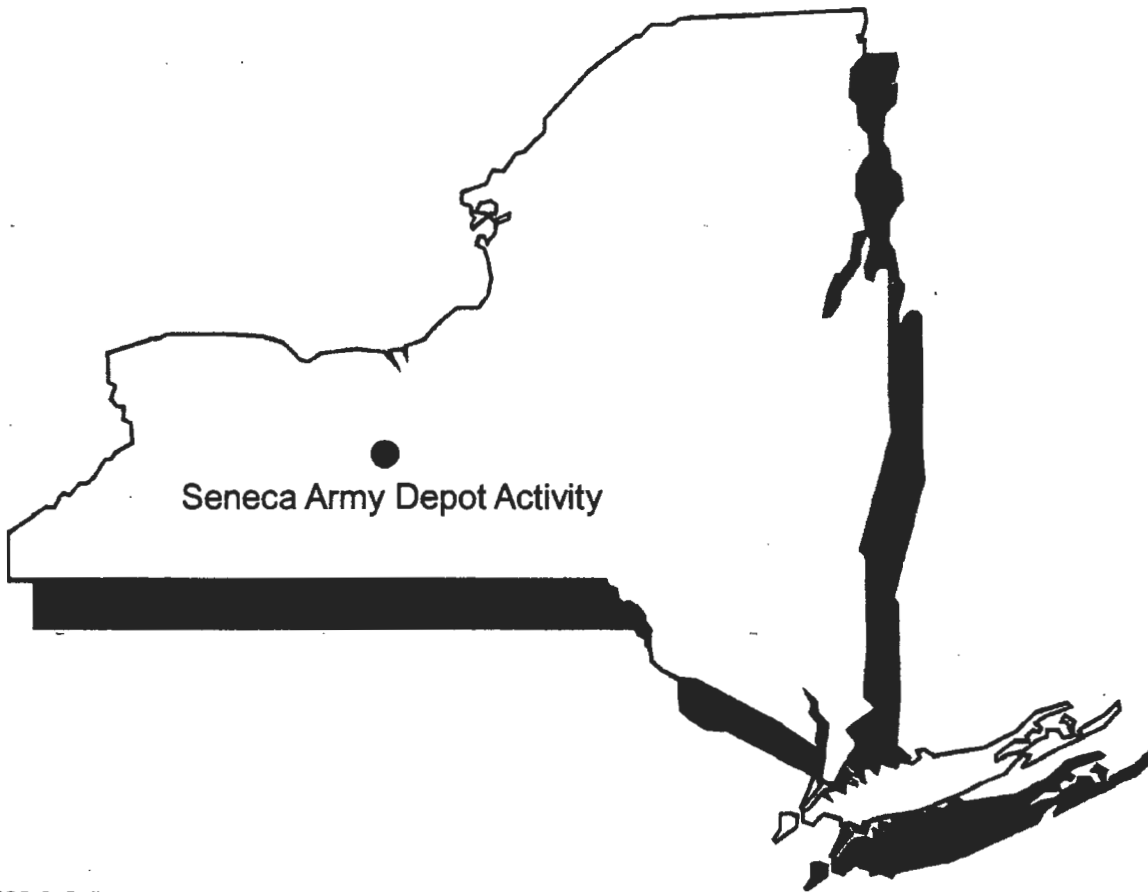
- Chemicals of concern and their respective concentrations may be found in the "Site Characteristics" section;
- Baseline risk represented by the chemicals of concern may be found in the "Summary of Site Risks" section;
- A discussion of cleanup levels for chemicals of concern may be found in the "Remedial Action Objectives" section;
- A discussion of source materials constituting principal threats may be found in the "Principal Threat Waste" section;
- Current and reasonably anticipated future land use assumptions are discussed in the "Current and Potential Future Site and Resource Uses" section;
- A discussion of potential land uses that will be available at the Site as a result of the Selected Remedy is found in the "Current and Potential Future Site and Resource Uses" section;
- Estimated capital, annual operation and maintenance (O&M), and total present worth costs are discussed in the "Description of Alternatives" section; and
- Key factor(s) that led to selecting the remedy (i.e., how the Selected Remedy provides the best balance of tradeoffs with respect to the balancing and modifying criteria, highlighting criteria key to the decision) may be found in the "Comparative Analysis of Alternatives" and "Statutory Determinations" sections.



US Army, Engineering & Support Center  
Huntsville, AL



Seneca Army Depot Activity  
Romulus, NY



**FINAL  
RECORD OF DECISION**

SEAD-46, SEAD 003-R-01 (SEAD-57), SEAD 002-R-01 and SEAD 007-R-01  
(Seneca AD Munitions Response Sites) and SEAD-70  
SENECA ARMY DEPOT ACTIVITY

EPA Site ID# NY0213820830  
NY Site ID# 8-50-006

**PARSONS**

MARCH 2017

489233



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**FINAL  
RECORD OF DECISION**

**SEAD-46, SEAD 003-R-01 (SEAD-57), SEAD 002-R-01 and  
SEAD 007-R-01 (Seneca AD Munitions Response Sites) and SEAD-70**

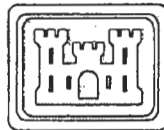
**SENECA ARMY DEPOT ACTIVITY  
ROMULUS, NEW YORK**

**Federal Facility ID - NY0213820830  
NY Site ID - 8-50-006**

**Prepared for:  
United States Army Corps of Engineers**

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**USACE New York District  
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**Prepared by:  
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**March 2017**

# PART 1 DECLARATION

## 1. SITE NAME AND LOCATION

Seneca Army Depot (AD) Munitions Response Sites (MRSs):  
Small Arms Firing Range (Former 3.5-inch Rocket Range) (SEAD-46)  
Explosive Ordnance Disposal (EOD) Range 1 (SEAD 003-R-01 [SEAD-57])  
East EOD Ranges (Former EOD Area 2 and EOD Area 3) (SEAD 002-R-01)  
Rifle Grenade Range (SEAD 007-R-01)

And

Former Building T-2110, Filled Area (SEAD-70)

Seneca Army Depot Activity  
5786 State Route 96  
Romulus, New York 14541  
EPA Site ID: NY0213820830; NY Site ID: 8-50-006

## 2. STATEMENT OF BASIS AND PURPOSE

This Record of Decision documents the selection of remedial action by the U.S. Army (Army) and the U.S. Environmental Protection Agency (USEPA) for the Seneca Army Depot (AD) Munitions Response Sites (MRSs) of SEAD-46, SEAD 003-R-01 (SEAD-57), SEAD 002-R-01, and SEAD 007-R-01 and the SEAD-70 Area of Concern (AOC) at the former Seneca Army Depot Activity (SEDA or Depot), located in Seneca County, New York (Figure 1).

The selected remedy identified for each of the identified AOCs was chosen in accordance with the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. Section 9601, *et seq.* and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300. The Army and the United States Environmental Protection Agency ("US EPA") have selected the remedy described herein.

This ROD is based on the Administrative Record that was developed in accordance with Section 113(k) of CERCLA. The Administrative Record is available for public review at the Seneca Army Depot Activity, 5786 State Route 96, Building 123, Romulus, NY 14541. This index is included in **Part 4**.

The State of New York, through the New York State Department of Environmental Conservation (NYSDEC), concurs with the selected remedies identified in this ROD. The NYSDEC Declaration of Concurrence is provided in Appendix B of this ROD.

## 3. ASSESSMENT OF SITE

Four of the identified AOCs (i.e., SEAD-46, SEAD 003-R-01 (SEAD-57), SEAD 002-R-01, and SEAD 007-R-01 and herein referred to as the Seneca AD MRSs) were subjects of a Munitions Response and

CERCLA action which included munitions and ordnance detection and removal activities followed by environmental sampling and analysis to assess residual levels of hazardous substance, contaminants, and pollutants present at the sites. An interim soil removal action followed by a focused confirmatory environmental sampling and analysis program was conducted at SEAD-70 to eliminate hazardous substances, pollutants and contaminants identified during an earlier Expanded Site Investigation (ESI) and risk assessment characterization of the AOC. Munitions and ordnance removal operations were not needed at SEAD-70 because historic review of available records and information and inspections of the AOC did not indicate or suggest that munitions were ever handled or stored at the site.

Updated human health risk assessments were prepared for all five of the AOCs based on post-action sampling and analysis results, to estimate potential levels of non-carcinogenic health hazards and carcinogenic risks that may remain at the AOCs due to the presence of quantities of hazardous substances, chemical pollutants, and other contaminants. Results of the risk assessments suggest that there are no potential non-carcinogenic health hazards or carcinogenic risks for future residential receptors at the AOCs. A review of the estimated hazards and risks indicate that they are attributable to the following (Note: A full review of the risk assessment is provided in **Attachment 3**):

- consideration of exposure pathways that do not currently exist and may not be completed in the future;
- use of reference doses for contaminants that may not be present in the specific form at the AOCs;
- the identification of chemical contaminants at the AOC(s) at levels that are consistent with regional background levels; or,
- the identification of chemical contaminants at the AOC(s) at levels that are lower than, or consistent with, federal and state guidance levels for residential or unrestricted use.

Risk management assessments conducted based on further review and consideration of these factors indicate that carcinogenic risks and non-carcinogenic hazards resulting are manageable, and thus based on review of the munitions constituent (MC) risk, the property within the five AOCs is suitable for unrestricted use and unlimited exposures.

However, results and conclusions of the munitions response removal actions conducted at the Seneca AD MRSs indicate that there was evidence that MEC were previously present at the AOCs designated as SEAD-46, SEAD 003-R-01 (SEAD-57), SEAD 002-R-01, and SEAD 007-R-01, and there remains a possibility that MEC may still remain. During the munitions response investigations and removal actions performed, state-of-the-art investigation and removal techniques were implemented, completed, and documented to identify and mitigate residual quantities of munitions and ordnance that may remain at the sites, but in spite of these efforts, there is a continuing potential that undetected MEC may remain, and if they do, there is a potential that future receptors could be affected or harmed.

This ROD addresses hazardous substances, pollutants and contaminants which may pose a threat to human health and welfare or the environment.

#### **4. DESCRIPTION OF SELECTED REMEDY**

The Seneca AD MRSs includes four AOCs: SEAD-46, SEAD 003-R-01, SEAD 002-R-01, SEAD 007-R-01. All four AOCs were subject to MC sampling and geophysical investigation to determine the MC risk and MEC hazards. Based investigations and previous work, no further risk is expected due to MC.

Based on the outlined munitions response actions performed by the Army, the *Munitions Response Completion Report* concluded that the Seneca AD Munitions Response Sites are free of all known MEC. Notwithstanding this determination, there is a possibility, albeit small, given the prior use of the

Seneca AD MRSs that MEC may be encountered on the property in the future. Accordingly, this ROD documents the selection of remedial action that incorporates land use controls (LUCs).

- The remedy for the Seneca AD Munitions Response Sites is to impose, maintain, and monitor a LUC that prohibits the development or use of property for residential housing, elementary and secondary schools, childcare facilities or playgrounds at the real property within the Seneca AD MRSs.
- The remedy for SEAD-70 is NFA.

The total estimated cost for the selected remedy (total present value [TPV]) is \$98,863. The specific components of the selected remedy for the Seneca AD MRSs are:

- Prohibits the development or use of property for residential housing, elementary and secondary schools, childcare facilities or playgrounds through the use of LUCs.
- Requires the Army (or Army contractor) to conduct an annual 3R Explosives Safety Education Program for property owners of the Seneca AD Munitions Response Sites.

In accordance with the FFA and CERCLA §121(c), the remedial action (including LUCs) will be reviewed no less often than every 5 years to assure that the remedial action remains protective of human health and the environment. After such reviews, modifications to the remedial action may be implemented, if appropriate.

This determination for the Seneca AD Munitions Response Sites is based on the confirmed historic use of these properties for munitions and explosives related activities such as range training and explosive ordnance disposal. Even with the successful completion of munitions response actions at the Seneca AD Munitions Response Sites, a potential exists that MEC may remain at the AOCs and could pose hazards to a future receptor.

The selected remedy for SEAD-70 is no further action (NFA). Available data for other hazardous substances, pollutants, and contaminants indicates that levels of residual concentrations are not sufficient to prohibit future unlimited use and unlimited exposures by potential human receptors.

## 5. STATUTORY DETERMINATIONS

### *Seneca AD MRSs*

Based on the information currently available, the selected remedy for the Seneca AD MRSs (LUCs) is protective of human health and the environment and satisfies the statutory requirements of CERCLA §121(b) with regard to the former use of the MRSs by the DoD. The selected remedy complies with Federal and State requirements that are applicable or relevant and appropriate to the remedial action, is cost-effective, and utilizes permanent solutions and alternative treatment technologies to the maximum extent practicable.

Because this remedy will not allow for unlimited use and unrestricted exposure at the MRSs, a statutory review will be conducted within five years after initiation of the remedial action to ensure that the remedy continues to be protective of human health, safety, and the environment and minimizes explosive safety hazards.

### *SEAD-70*

Based on the information currently available, the selected remedy (NFA) is protective of human health and the environment and satisfies the statutory requirements of CERCLA §121(b).



Because this selected remedy will not result in hazardous substances, pollutants, or contaminants remaining on-site above levels that allow for unlimited use and unrestricted exposure, a five-year review will not be required for this AOC.

## 6. DATA CERTIFICATION CHECKLIST

The following information is included or otherwise addressed in this ROD.

### Seneca AD MRSs

- A summary of the characterization of MEC hazards and MC risks at the Seneca AD MRSs.
- Current and reasonably anticipated future land use assumptions for the Seneca AD MRSs.
- Key factors that led to the selection of LUCs as the remedy for the Seneca AD MRSs.
- Estimated costs related to the selected remedy.
- Baseline risk represented by the chemicals of potential concern (COPC).
- Because the selected remedy for the Seneca AD MRSs does not include additional source removal, the following information does not apply and is not included in this Record of Decision:
  - Cleanup levels established for chemicals of concern (COC) and the basis for these levels.
  - How source materials constituting principal threats will be addressed.

### SEAD-70

- A summary of the characterization of MEC hazards and MC risks at SEAD-70.
- Current and reasonably anticipated future land use assumptions for SEAD-70.
- Key factors that led to the selection of the NFA alternative as the remedy for SEAD-70.
- Baseline risk represented by the chemicals of concern (COC).
- Because the selected remedy for SEAD-70 is the No Action Alternative, the following information does not apply and is not included in this Record of Decision:
  - Estimated costs related to the selected remedy.
  - Cleanup levels established for COC and the basis for these levels.
  - How source materials constituting principal threats will be addressed.

7. AUTHORIZING SIGNATURE

The foregoing represents the selection of a remedial action for Seneca AD Munitions Response Sites and SEAD-70 by the U.S. Department of the Army and the U.S. Environmental Protection Agency, with the concurrence of the New York State Department of Environmental Conservation.

Concur and recommend for immediate implementation:

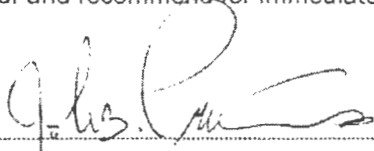
  
.....  
JAMES E. BRIGGS  
CHIEF, OPERATIONS BRANCH  
BASE REALIGNMENT AND CLOSURE DIVISION

*30 March 2017*  
.....  
DATE

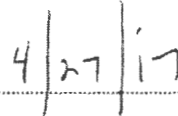
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The foregoing represents the selection of a remedial action for Seneca AD Munitions Response Sites and SEAD-70 by the U.S. Department of the Army and the U.S. Environmental Protection Agency, with the concurrence of the New York State Department of Environmental Conservation.

Concur and recommend for immediate implementation:



JOHN PRINCE  
ACTING DIRECTOR, EMERGENCY AND REMEDIAL  
RESPONSE DIVISION  
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION II



DATE



# Department of Defense INSTRUCTION

NUMBER 4715.18

June 11, 2009

*Certified Current Through June 11, 2016*

USD(AT&L)

SUBJECT: Emerging Contaminants (ECs)

References: See Enclosure 1

1. PURPOSE. This Instruction establishes policy and assigns responsibilities for the identification, assessment, and risk management of ECs that have the potential to impact the Department of Defense *DoD* in accordance with the authority in DoD Directive (DoDD) 5134.01 (Reference (a)) and the guidance in DoDD 4715.1E, DoD Instruction 5000.02, and Defense Acquisition University Risk Management Guide (References (b), (c), and (d)).

2. APPLICABILITY. This Instruction:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense *DoD* (hereafter referred to collectively in this Instruction as the "DoD Components").

b. Applies to the DoD activities and programs involving the development, production, use, storage, or release of chemicals and materials that can be considered ECs at DoD operations, activities, and installations in the United States.

c. Applies to the DoD managed response actions at formerly used defense sites.

d. Does not apply to:

(1) Contractor-owned or contractor-operated facilities.

(2) Radiological data collected under the Naval Nuclear Propulsion Program or other DoD radiological programs.

(3) Chemical, biological, radiological, nuclear, and explosive incident training or response programs.

ENC 13

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. Chemicals and materials used, or planned to be used, by the Department of Defense *DoD* that meet the definition of an ECs shall be identified as early as possible.

b. Risks to people, the environment, and DoD missions, programs, and resources shall be assessed and, when appropriate, actions shall be taken to reduce risks related to ECs development, use, or release.

c. The Department of Defense *DoD*, where necessary, performs sampling, conducts site-specific risk assessments, and takes response actions for ECs released from DoD facilities in accordance with chapter 160 of title 10, United States Code (U.S.C.), (Reference (e), known as the “Defense Environmental Restoration Program”), and consistent with chapter 103 of title 42, U.S.C.; (Reference (f), known as the “Comprehensive Environmental Response, Compensation, and Liability Act of 1980”), and the procedures in this Instruction.

d. Subject to appendix 2 to title 5, U.S.C. (Reference (g), known as the “Federal Advisory Committee Act”), the Department of Defense *DoD* shall work cooperatively and collaboratively with appropriate representatives from regulatory agencies, industry, and academia on ECs issues and initiatives.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. See Enclosures 3 and 4.

7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. ~~This instruction is effective immediately.~~ *This Instruction:*

a. *Is effective June 11, 2009.*

b. *Must be reissued, cancelled, or certified current within 5 years of its publication to be considered current in accordance with DoD Instruction 5025.01 (Reference (h)).*

*c. Will expire effective June 11, 2019, and be removed from the DoD Issuances Website if it hasn't been reissued or cancelled in accordance with Reference (h).*



Ashton B. Carter  
Under Secretary of Defense  
for Acquisition, Technology and Logistics

Enclosures

1. References
2. Responsibilities
3. Use of Provisional Toxicity Values
4. Initiation of Actions Related to EC Releases

Glossary

## Estimate Summary Table Site # SEAD-009

Site Number	Phase	CTC Subtotal (\$K)	Estimate Type	Assumption	Basis of Assumption	Basis of Assumption Document Name	Location of Basis of Assumption Document
SEAD 009	LTM	445	Contract Price	Annual LUC Inspections	TO 0023, CLIN 0008a	Contract #: W912DY-09-D-0062, D.O. 0023 dated 30 June 2016	HNC 1600 University Square Huntsville Al
				2017 Escalation Factor			
	LTM	147	Contract	Annual LUCs for Munitions Sites	TO 0023, CLIN 0009a	Contract # W912DS-09-D-0062 DO 0023 dated 30 March 2016	USACE NY 5786 State Route 96 Romulus, NY 14541
	LTM	186	Contract	Five Year Reviews	TO0023 CLIN 10	W912-DS-09-D-0062, DO 23	USACE NY 5786 State Route 96 Romulus, NY 14541
	LTM	85	IGE	COE Oversight	RACER Cost to Owner 11% Contract Cost	RACER CENAN Policy	USACE NY 5786 State Route 96 Romulus, NY 14541
<b>Total cost to complete</b>		863					
Does the CTC estimate include work through site closure? (Yes/No)		yes		Note: PFC SI Estimate includes COE oversight cost in marked-up cost. LUCs in perpetuity.			