



**Department of
Environmental
Conservation**

DEC Region 4 Remediation Unit

Comments for BCP Conference, Herkimer NY

April 2024
Chris O'Neill

Examples – ‘Before’ and ‘After’



BCP Site
Google Earth Image- Circa 1995
Site in Rensselaer County

Google Earth
Image Licensed / Copied from
Image © U.S. Geological Survey



BCP Site
Google Earth Image- Current
Site in Rensselaer County

Google Earth
Image © 2024 Airbus

Legend

700 ft

Examples – ‘Before’ and ‘After’



BCP Site
Google Earth Image- Circa 1997
Site in Schenectady County



BCP Site
Google Earth Image- Current
Site in Schenectady County

Examples – ‘Before’ and ‘After’



“Initial Data”

Phase 2 Envir Site Assessment (e.g. ASTM standard)

- + each/all environmental media
- + include PFAS and 1,4-dioxane in analyticals
- + gw flow direction

Pre-application Meeting/Worksheet

- + sufficient data (???)



Superfund vs BCP vs Spills

Superfund – site-specific pre-release goal, if practicable

- Minimum: Part 375 Use-based and Other
(soil, gw, sw, sediment, indoor air, ecological, etc.)

BCP – Part 375 Use-based and Other

- (soil, gw, sw, sediment, indoor air, ecological, etc.)

Spills – site-specific, petroleum (only/mostly)

- Meets Standards or Does Not Meet Standards



BCP “Notes”

1. If “indications” at pre-app mtg of sparse data then probably want to consider getting more data or risking denial/incomplete
2. Prescribed procedures, practices, criteria so no/few surprises should occur
3. DER PA, DER PM and DOH PM will do their best, but each has a queue and priorities that control time and effort
+ DER/DOH best efforts to review docs w/in 45 days
4. Keep comms respectful and professional



BCP “Notes” part 2

Ya but....!

Ya but...! Ya but...!

Ya but...! Ya but...! Ya but...!

What about...?

What about...? What about...?

What about...? What about...? What about...?

DER-10 Guidance

Part 375 Regs (revisions)

Part 375 SCOs

CP-51 Guidance SSCOs

PFAS/Dioxane Guidance

DEC TOGS 1.1.1

DEC Sediment Guidance



BCP “Notes” part 3

1. The BCP is a VOLUNTARY program
2. Do the work as planned and APPROVED
3. Communicate BEFORE, DURING and AFTER
+ respectfully and professionally
4. Collect the data – Remedial Investigation
5. Evaluate the data
6. a. Submit report with data et. al., OR
b. Submit plan (Add'l RI Phase or Supplemental RIWP) for data gaps

BCP “Notes” part 3, continued

7. Finalized/Approved RI Report

+ determination for Significant Threat

8. Remedial Action Work Plan and Decision Document

9. {Remedial Design}

+ RAWP may suffice based on site and remedy details

10. Remedial Action – implementation of remedy

11. Final Engineering Report



BCP “Notes” part 3, continued

11. Final Engineering Report, continued

- + Site Management Plan (OMM Plan, Excavation Plan, etc.)

- + Environmental Easement

12. Certificate of Completion

Award and Reward

- + AND Liability Release

13. Let’s not forget about Site Management (post-COC requirements)

PLUS: Public Participation Steps Along The Way

REMINDER: BCP is a VOLUNTARY remedial program



Department of
Environmental
Conservation

Thank You

- Chris O'Neill
- Professional Engineer 2
- NYSDEC, Schenectady
- christopher.oneill@dec.ny.gov
- 518-357-2394

Connect with us:

Facebook: www.facebook.com/NYSDEC

Twitter: twitter.com/NYSDEC

Flickr: www.flickr.com/photos/nysdec



Department of
Environmental
Conservation