PROPOSED RECORD OF DECISION AMENDMENT
SHULMAN'S SALVAGE YARD SITE

Elmira / Chemung County / Registry No. 808013 January 2022

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

SECTION 1: PURPOSE AND SUMMARY OF THE PROPOSED RECORD OF DECISION AMENDMENT

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), is proposing an amendment to the Record of Decision (ROD) for the above referenced site. The disposal of hazardous wastes at this site, as more fully described in the original ROD document and Section 6 of this document, has caused the contamination of various environmental media. The proposed amendment is intended to attain the remedial action objectives identified for this site for the protection of public health and the environment. This amendment identifies the new information which has led to this proposed amendment and discusses the reasons for the preferred remedy.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375 Environmental Remediation Programs. This document is a summary of the information that can be found in the site-related reports and documents in the document repository identified below.

On March 31, 2015, the New York State Department of Environmental Conservation (Department) signed a Record of Decision (ROD) which selected a remedy to clean up the Shulman's Salvage Yard Site. On August 20, 2021, the United States Environmental Protection Agency (EPA) approved a risk-based cleanup plan for the soils contaminated with polychlorinated biphenyls (PCBs). The soil cleanup objectives in the EPA-approved cleanup plan are different from those in the ROD. This proposed ROD amendment changes the soil cleanup objectives in the ROD to align with those in the EPA-approved cleanup plan.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on this proposed ROD Amendment. This is an opportunity for public participation in the remedy selection process. The information here is a summary of what can be found in greater detail in reports that have been placed in the Administrative Record for the site. The public is encouraged to review the reports and documents, which are available at the following repositories:

City of Elmira, NY
Steele Memorial Library
101 East Church Street
Elmira, NY 14901
Contact: Librarian
(607) 733-9173

NYSDEC Central Office
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, New York 12233-7017
Contact: Charles Gregory
(518) 402-8246
By Appointment Only

Site-specific documents may be found online through the DECinfo Locator at: https://www.dec.ny.gov/data/DecDocs/808013.

A public comment period has been set for Jan. 18th through Feb. 17, 2022 to provide an opportunity for you to comment on these proposed changes. A virtual public meeting is scheduled for 2/2/2022 beginning at 7:00pm. If you are interested in attending the virtual public meeting, you can register for the meeting at: https://meetny.webex.com/meetny/onstage/g.php?MTID=ea94971c6d5fd86779e372a33d2b16247.

At the meeting, a description of the original ROD and the circumstances that have led to proposed changes in the ROD will be presented. After the presentation, a question and answer period will be held, during which you can submit verbal or written comments on the proposal. We encourage you to review this summary and attend the meeting.

Written comments may also be sent to:

Charles Gregory, Project Manager
NYS Dept. of Environmental Conservation
Division of Environmental Remediation
625 Broadway, Albany, NY 12233-7017
Phone: 518-402-8246
Email: charles.gregory@dec.ny.gov

The Department may modify or reject the proposed changes based on new information or public comments. Therefore, the public is encouraged to review and comment on this proposal. Comments will be summarized and addressed in the responsiveness summary section of the final version of the ROD Amendment. This ROD Amendment is the Department's final selection of the remedy for the site.

Receive Site Citizen Participation Information By Email
Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html.

SECTION 3: SITE DESCRIPTION AND HISTORY

The Shulman's Salvage Yard Site is a 7.34-acre site located in a mixed residential and commercial area in the City of Elmira, Chemung County. The property is located along the intersection of Eastern

Washington Avenue and Clemens Center Parkway. A rail-spur on the northern end of the property connects to Norfolk Southern Railroad for shipment of materials by rail. Figure 1 shows the site location, and Figure 2 shows a layout of the site.

The property includes four permanent buildings along with a weigh station and a scale house trailer. The gated main entrance to the property is locked after business hours, and fencing surrounds much of the property. With the exception of an asphalt surface along the southern portion of the site, the majority of the site is unpaved and used for the storage and handling of salvage materials.

The property has operated as the Shulman's Salvage Yard for various metal salvaging operations since the 1970's. Data collected during initial site characterization activities at the site in 1984 and 1987 indicate that metal salvaging operations had resulted in polychlorinated biphenyls (PCBs) and metals contamination in soil, as well as volatile organic compound (VOC) contamination (mainly trichloroethylene) in groundwater. The PCB contamination was suspected to be linked to a shipment of drained transformers processed on-site in 1982.

The 1984 and 1987 Site Characterization investigations were executed pursuant to Orders on Consent between the Department and Shulman and Son, Inc. These Orders on Consent referenced that, as a result of dismantling and salvaging of parts and material from various transformers and capacitors by Shulman "during the past 25 years", PCB contamination has been found at the site. Based on the initial findings of the 1984 investigation, the site was classified as a class 2 inactive hazardous waste disposal site in 1986. A remedial program for the site was subsequently prepared under the direction of the Department.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. The Shulman's Salvage Yard site is currently zoned for general industrial use, and is located in an area of mixed industrial, commercial, and residential use.

SECTION 5: ENFORCEMENT STATUS

Potentially Responsible Parties (PRPs) are those who may be legally liable for contamination at a site. This may include past or present owners and operators, waste generators, and haulers.

Shulman and NYSEG, who are PRPs, are performing the work under a Consent Order (CO). The Order requires that the PRPs either remediate the site pursuant to the 2015 Record of Decision (ROD), or submit a risk-based application to the United States Environmental Protection Agency (EPA) to remediate the subsurface soil to industrial use soil cleanup objectives.

The 2015 ROD required excavation and off-site disposal of soil exceeding 1 ppm of PCBs in the surface (top 1 foot of soil) and soil exceeding 10 ppm PCBs in the subsurface (deeper than one foot below ground surface).

The Consent Order maintains the requirement for excavation and proper off-site disposal of surface soil exceeding 1 ppm of PCBs, but allows for increasing the sub surface soil cleanup from 10 ppm to 25 ppm PCBs subject to certain criteria. The Consent Order stipulates that subsurface soil criteria can only be changed from 10 ppm to 25 ppm if: 1) the site is rezoned from commercial to industrial use; and 2) the

United States Environmental Protection Agency (USEPA) approves a risk-based approach to the site.

SECTION 6: SITE CONTAMINATION

6.1: Summary of Environmental Assessment

Nature and Extent of Contamination:
The primary contaminants of concern (COCs) at the site include polychlorinated biphenyls (PCBs) present in site soil; metals including lead, cadmium, arsenic, mercury and copper present in soil, groundwater and catch basin water; and trichloroethylene in groundwater. Several other volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) were detected in groundwater and catch basin water, respectively, but not at levels warranting designation as COCs.

Soil:
PCBs and metals including lead, cadmium, arsenic, mercury, and copper have been detected in site soil above commercial use soil cleanup objectives (SCOs). The majority of the contamination was found in the main portion of the scrapyard (the processing and rail transit areas) from zero to four feet below ground surface (bgs). At these depths, PCBs, lead and copper were also found above commercial SCOs at a few locations in the outlying parcel. PCBs and copper were also found in surface soils above commercial SCOs at one location in the recycling area, on the east side of the main office building. PCBs and all metal COCs exceeded unrestricted SCOs at depth (up to 12 ft bgs), but only PCBs, copper, and arsenic were found above commercial SCOs. PCBs and metals contamination also extended off-site to the northwest onto to the Norfolk Southern Railroad property. Contamination above commercial SCOs was limited mainly to locations just beyond the property-line. No trichloroethylene (TCE) or other volatile organic compounds were detected in on-site or off-site soils. Figure 3 shows PCB concentrations in the soil.

Groundwater:
Volatile organic compounds (VOCs), primarily TCE, were detected in groundwater screening samples collected near and northwest of the office building, at a maximum concentration of 120 parts per billion (ppb). These VOCs, which include breakdown products of TCE, exceeded Standards, Criteria and Guidance (SCGs) at three locations at depths ranging from 10 to 30 ft bgs. The highest concentrations appear between the office building and the northwest property line adjacent to the hill, at a depth of 10-14 ft bgs. Various metals were found at concentrations exceeding groundwater standards in most screening locations and at various depths, including COCs lead (5 locations) and arsenic (2 locations). Concentrations of metals and VOCs appear lower in hydraulically downgradient samples. Two SVOCs (phenol and benzo(a)pyrene) were also detected at levels slightly above groundwater standards. PCBs were not detected above standards in site groundwater.

The groundwater data suggests the metals and SVOC impacts to groundwater are due to contamination found in on-site soils. However, based on off-site investigations performed on the adjacent property hydraulically upgradient to the site, the suspected source of VOC groundwater contamination is from the Former Industrial Services Corporation site (ID No. 808045). Further investigation of the extent of this VOC contamination and any subsequent remediation will be done under the Former Industrial Services Corporation site investigation.

Catch Basin Water:
Two water samples were collected from catch basins at the site which direct surface runoff into city sewers discharging to the Chemung River. Results show various metals and several semi-volatile organic

compounds (SVOCs) above surface water standards, including lead and copper. PCBs were also detected in the catch basins. No TCE or other VOCs were detected in surface water.

Soil Vapor Intrusion:
Attempts were made to evaluate soil vapor intrusion (SVI) in the on-site office building in 2014 and 2019 via sub-slab soil vapor and indoor/outdoor air sampling, but access for this was denied. The suspected source of the VOC contamination that could lead to VI was determined to be off-site on the adjacent Former Industrial Services Corporation property.

6.2: Interim Remedial Measures

An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Record of Decision.

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

6.3: Summary of Human Exposure Pathways

People are not drinking contaminated groundwater because the area is served by a public water supply that is not affected by site-related contamination. The majority of the site is fenced, which restricts public access. However, persons who enter unfenced portions of the site could contact contaminants in the soil by walking on the site, digging or otherwise disturbing the soil. Volatile organic compounds in the groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. A potential exists for the inhalation of site contaminants due to soil vapor intrusion in the on-site buildings and in any buildings developed on-site in the future. Previous attempts were made to evaluate the potential for soil vapor intrusion to occur in the on-site office building, however, access to the building was denied and the evaluation was not completed. An evaluation is needed to determine whether soil vapor intrusion is a concern for any off-site buildings.

SECTION 7: SUMMARY OF ORIGINAL REMEDY AND PROPOSED AMENDMENT

7.1 Original Remedy

The components of the 2015 remedy were as follows:

- Excavation and off-site disposal of approximately 25,000 cubic yards of PCB contaminated soil. This includes on-site and off-site areas where soil exceeds 1 ppm PCBs in the surface (top 1 foot of soil) and 10 ppm in the subsurface (deeper than one foot below ground surface).

- On-site consolidation of approximately 26,000 cubic yards of on-site and off-site soil which marginally exceed commercial-use SCOs for metals but which do not exceed 10 ppm for PCBs. The material will be excavated and consolidated among excavated areas in the site's sub-surface above the water table.

- A site cover will be required to allow for commercial use of the site. The cover will consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil

cover.

- Imposition of an environmental easement for the controlled property that: requires periodic certification of institutional and engineering controls, allows the use and development of the controlled property for commercial and industrial uses, restricts the use of groundwater as a source of potable or process water, and requires compliance with the Department approved Site Management Plan.

7.2 Elements of the Remedy Already Performed

The remedy implementation has not begun.

7.3 New Information

On February 25, 2017, the Department entered into an Order on Consent with Shulman Co., Inc. (Shulman) and New York State Electric & Gas Corporation (NYSEG) [Respondents] to implement the selected remedy. The Order allowed the Respondents to clean up contaminated soil to industrial use soil cleanup objectives (SCOs) for PCBs provided that: 1) the site zoning was changed from commercial to industrial; and 2) the Respondents apply for, and receive approval from, the USEPA for a risk-based cleanup to remediate PCB-contaminated soil on the site. The site was rezoned from commercial to industrial on January 21, 2021, under Resolution No. 2020-29 and Ordinance No. 2020-13. The USEPA approved the risk-based cleanup plan on August 20, 2021. Therefore, the criteria for applying the industrial use SCOs have been met. The site's past, current and expected future use is an industrial salvage yard.

7.4 Proposed Changes to the Original Remedy

A summary of the changes to the original ROD as proposed in this document are shown in the Table on the following page:

SUMMARY OF PROPOSED REMEDY
Shulman's Salvage Yard (No. 808013) Record of Decision Amendment

Media:	March 2015 ROD	Amended ROD
Soil	(1) Excavation and off-site disposal of approximately 25,000 cubic yards of PCB contaminated soil. This includes on-site and off-site areas where soil exceeds 1 ppm PCBs in the surface (top 1 foot of soil) and 10 ppm in the subsurface (deeper than one foot below ground surface).	(1) Excavation and off-site disposal of approximately 1,800 cubic yards of PCB contaminated soils from on-site and off-site areas where on-site surface soil exceeds 1 ppm and subsurface soil exceeds 25 ppm, and off-site surface soil exceeds residential soil cleanup objectives.
	(2) Approximately 26,000 cubic yards of on-site and off-site soil which marginally exceed commercial-use SCOs for metals but which do not exceed 10 ppm for PCBs will be excavated and consolidated among excavated areas in the sub-surface on-site above the water table.	(2) Excavation and off-site disposal of approximately 1,935 cubic yards of metals contaminated soils from on-site and off-site areas where on-site soil exceeds industrial soil cleanup objectives, and off-site surface soil exceeds residential soil cleanup objectives. Element #1 addresses soils that will be removed due to PCB contamination that also contain metals.
	(3) A site cover will be required to allow for commercial use of the site. The cover will consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover.	(3) A site cover will be required to allow for industrial use of the site. The cover will consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover.
	(4) Imposition of an environmental easement for the controlled property that; requires periodic certification of institutional and engineering controls, allows the use and development of the controlled property for commercial and industrial uses, restricts the use of groundwater as a source of potable or process water, and requires compliance with the Department approved Site Management Plan.	(4) Imposition of an environmental easement for the controlled property that; requires periodic certification of institutional and engineering controls, allows the use and development of the controlled property for industrial uses, restricts the use of groundwater as a source of potable or process water, and requires compliance with the Department approved Site Management Plan.

Figure 4 shows the approximate limits of excavation for the amended remedy.

SECTION 8: EVALUATION OF PROPOSED CHANGES

8.1 Remedial Goals

Goals for the cleanup of the site were established in the original ROD. The goals selected for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.

RAOs for Environmental Protection

- Remove the source of ground or surface water contamination.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.

RAOs for Environmental Protection

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

Surface Water

RAOs for Environmental Protection

- Restore surface water to ambient water quality criteria for the contaminant of concern.

8.2 Evaluation Criteria

The criteria used to compare the remedial alternatives are defined in the regulation that directs the remediation of inactive hazardous waste sites in New York State (6 NYCRR Part 375). For each criterion, a brief description is provided. A detailed discussion of the evaluation criteria and comparative analysis is contained in the original Feasibility Study.

The first two evaluation criteria are called threshold criteria and must be satisfied in order for an alternative to be considered for selection.

1. Protection of Public Health and the Environment. This criterion is an overall evaluation of each alternative's ability to protect public health and the environment.

The amended remedy is as protective of human health and the environment as the original remedy would have been. Changing the soil cleanup objectives to industrial use would be protective because the site's current and future use is industrial, as memorialized by zoning ordinance, and the site access is controlled.

2. Compliance with New York State Standards, Criteria, and Guidance (SCGs). Compliance with SCGs addresses whether a remedy will meet environmental laws, regulations, and other standards and criteria. In addition, this criterion includes the consideration of guidance which the Department has determined to be applicable on a case-specific basis.

The amended remedy complies with New York State Standards, Criteria, and Guidance (SCGs), as did the original remedy. The amended remedy's use of industrial soil cleanup objectives would be protective because the site's current and future use is industrial, as memorialized by zoning ordinance, and the site access is controlled.

The next five "primary balancing criteria" are used to compare the positive and negative aspects of each of the remedial strategies.

3. Short-term Effectiveness. The potential short-term adverse impacts of the remedial action upon the community, the workers, and the environment during the construction and/or implementation are evaluated. The length of time needed to achieve the remedial objectives is also estimated and compared against the other alternatives.

The amended remedy requires less soil excavation than would be required for the original remedy. Hence, the length of time required to meet the remedial objectives will be reduced and therefore the potential short-term impacts of the remedial action upon the community, the workers, and the environment will also be reduced.

4. Long-term Effectiveness and Permanence. This criterion evaluates the long-term effectiveness of the remedial alternatives after implementation. If wastes or treated residuals remain on-site after the selected remedy has been implemented, the following items are evaluated: 1) the magnitude of the remaining risks, 2) the adequacy of the engineering and/or institutional controls intended to limit the risk, and 3) the reliability of these controls.

The amended remedy revises the soil excavation and removal criteria from commercial to industrial. Also, the site zoning has been revised from commercial to industrial, and the future anticipated land use is for industrial purposes. Therefore, the amended remedy is expected to provide the long-term effectiveness and permanence as did the original remedy with regards to addressing the primary source of contamination, with reliance on the new property zoning.

5. Reduction of Toxicity, Mobility or Volume. Preference is given to alternatives that permanently and significantly reduce the toxicity, mobility or volume of the wastes at the site.

The original remedy would have provided reduction of toxicity and volume on-site by excavating soil to commercial SCOs and properly disposing it off site. The amended remedy will remove less contaminated material than would have been removed by the original remedy, but the remaining material will be at concentrations consistent with the site's land use. As PCBs were not found in the site groundwater above SCG values, mobility of contaminants is not a concern.

6. Implementability. The technical feasibility and administrative feasibility of implementing each alternative are evaluated. Technical feasibility includes the difficulties associated with the construction of the remedy and the ability to monitor its effectiveness. For administrative feasibility, the availability of the necessary personnel and materials is evaluated along with potential difficulties in obtaining specific operating approvals, access for construction, institutional controls, and so forth.

The original and amended remedies are both technically feasible to implement, although implementation of the original remedy may have taken more time than the amended remedy, given the original remedy's

more stringent cleanup level.

Each remedy is administratively feasible to implement. Both remedies would require similar administrative activities related to obtaining environmental easements and access agreements to the off-site area.

7. Cost-Effectiveness. Capital costs and annual operation, maintenance, and monitoring costs are estimated for each alternative and compared on a present worth basis. Although cost-effectiveness is the last balancing criterion evaluated, where two or more alternatives have met the requirements of the other criteria, it can be used as the basis for the final decision.

The estimated cost for the original remedy is $6,390,000, while the amended remedy would cost approximately $4,170,000.

This final criterion is considered a modifying criterion and is considered after evaluating those above. It is focused upon after public comments on the proposed ROD amendment have been received.

8. Community Acceptance. Concerns of the community regarding the proposed changes are evaluated. A responsiveness summary will be prepared that describes public comments received and the manner in which the Department will address the concerns raised. If the final remedy differs significantly from the proposed remedy, notices to the public will be issued describing the differences and reasons for the changes.

SECTION 9: PROPOSED AMENDED REMEDY

The Department is proposing to amend the Record of Decision (ROD) for the Shulman's Salvage Yard Site. The changes to the selected remedy are summarized in Section 7.3 above.

The estimated present worth cost to carry out the amended remedy is $4,170,000. The estimated present worth to complete the original remedy was $6,390,000. The cost to construct the amended remedy is estimated to be $4,090,000 and the estimated average annual cost for 5 years is $16,900.

The elements of the proposed amended remedy listed below are identified as *unchanged, modified or new* when compared to the March 2015 remedy:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;

- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

(*Unchanged)*

2. Excavation and Off-Site Disposal of PCB-Contaminated Soil

All on-site and off-site areas where soil exceeds 1 ppm PCBs in the surface (top 1 foot of soil) and 25 ppm in the subsurface (deeper than one foot below ground surface), as defined by CP-51 Soil Cleanup Guidance, will be excavated and transported off-site for disposal at an appropriately permitted facility. This includes removal of all contaminated soil from affected catch basins. All off-site areas where soil exceeds residential standards for PCBs as defined by 6 NYCRR Part 375-6.8(b), will also be excavated and transported off-site for disposal. Approximately 1,800 cubic yards of PCB contaminated soil is estimated to be removed from the on-site and off-site areas. On-site excavation areas will be backfilled with material meeting the requirements of 6 NYCRR Part 375-6.7(d) for industrial use and off-site areas with material meeting the requirements of 6 NYCRR Part 375-6.7(d) for residential use. These areas will be regraded to accommodate installation of a cover system as described in remedy element 4. Soil derived from the regrading meeting industrial standards may be used to backfill the on-site excavation. Removal of contaminated surface soil will eliminate sources of surface water runoff contamination.

(*Modified)*

3. Excavation and Off-Site Disposal of Metals-Contaminated Soil

All on-site and off-site areas where soil exceeds industrial use soil cleanup objectives, as defined by 6 NYCRR Part 375-6.8(b), will be excavated and transported off-site for disposal at an appropriately permitted facility. This includes removal of all contaminated soil from affected catch basins. All off-site areas where soil exceeds residential standards for metals as defined by 6 NYCRR Part 375-6.8(b), will also be excavated and transported off-site for disposal. Approximately 1,935 cubic yards of metals contaminated soil is estimated to be removed from the on-site and off-site areas. On-site excavation areas will be backfilled with material meeting the requirements of 6 NYCRR Part 375-6.7(d) for industrial use and off-site areas with material meeting the requirements of 6 NYCRR Part 375-6.7(d) for residential use. These areas will be regraded to accommodate installation of a cover system as described in remedy element 4. Soil derived from the regrading meeting industrial standards may be used to backfill the on-site excavation. Removal of contaminated surface soil will eliminate sources of surface water runoff contamination. Remedy element 2 addresses soils that will be removed due to PCB contamination that also contain metals.

(Modified)

4. Cover

A site cover will be required to allow for industrial use of the site. The cover will consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper one foot of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs) but cannot contain more than 1 ppm of PCBs. Where the soil cover is required it will be a minimum of one foot of soil, meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for industrial use. The soil cover will be placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetation layer. Any fill material brought to the site will meet the requirements for the identified site use as set forth in 6 NYCRR Part 375-6.7(d).

(*Modified)*

5. Institutional Control
Imposition of an institutional control in the form of an environmental easement for the controlled property that:

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

6. Site Management Plan
A Site Management Plan is required, which includes the following:

a.) Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

- Institutional Controls: The environmental easement discussed in Paragraph 5 above
- Engineering Controls: The soil cover discussed in Paragraph 4 above.

This Site Management Plan also includes, but may not be limited to:
- o An Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- o Descriptions of the provisions of the environmental easement including any land use, or groundwater use restrictions;
- o Maintaining site access controls and Department notification; and
- o The steps necessary for the periodic reviews and certification of the institutional controls.

b.) A Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

- expansion of the groundwater monitoring network as necessary and monitoring of groundwater to assess the performance and effectiveness of the remedy;
- monitoring of soil cover to assure cover remains in place and effective; and
- a schedule of monitoring frequency of submittals to the Department;
(*Unchanged)*

SECTION 10: NEXT STEPS

As described above, there will be a public meeting and comment period on the proposed changes to the selected remedy. At the close of the comment period, the Department will evaluate the comments received and prepare a responsiveness summary which will be made available to the public. A notice describing the Department's final decision will be sent to all persons on the site mailing list.

If you have questions or need additional information you may contact any of the following:

Project Related Questions
Charles Gregory
Project Manager
NYSDEC
625 Broadway, 12th Floor
Albany, NY 12233
518-402-8246
charles.gregory@dec.ny.gov

Site-Related Health Questions
Mark Sergott, P.G., Project Manager
New York State Department of Health
Bureau of Environmental Exposure
Investigation
Empire State Plaza, Corning Tower,
Room 1787
Albany, NY 12237
(518) 402-7860 beei@health.ny.gov

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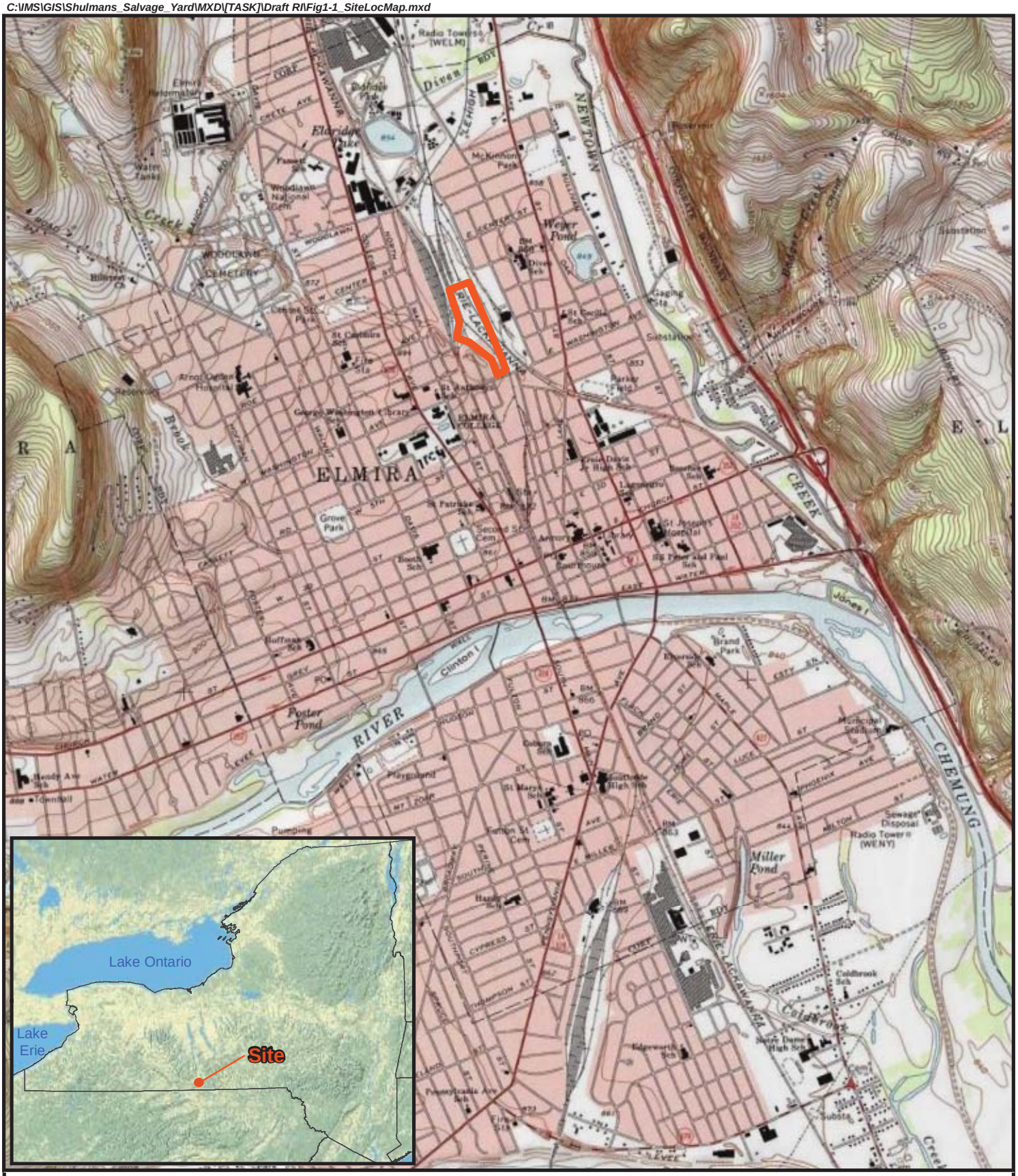

Site Boundary

N

0 0.25 0.5 1 Miles

Figure 1
Site Location Map
Shulman's Salvage Yard
Elmira, New York

CDM Smith

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OUTLYING PARCEL

NORFOLK SOUTHERN PROPERTY

RAIL TRANSIT AREA

PROCESSING AREA

RECYCLING AREA

RIGHT OF WAY

GRAVEL DRIVE

EDGE OF WOODS

RAILROAD SIDINGS

DEBRIS PILES

CRUSHER #2

BUILDING #3

TIRE PILE

EDGE OF GRAVEL

STOCKPILE AREA

BASIN-1

BASIN-2

BASIN-3

BASIN-4

BASIN-5

CRUSHER #1

DRAINAGE SWALE

MW-1D

MW-1S

MW-2S

MW-3S

MW-4S

OFFICE BUILDING

EDGE OF ASPHALT

CARDBOARD/METAL RECYCLING

SCALE

TRAILER

MAINTENANCE BUILDING

GRAVEL PARKING LOT

SIDEWALK

Site Boundary
Norfolk Southern Property
Site Areas (as defined for RI discussion)
Historical Structures
Catch Basin
Manhole
Former Wells
Debris Piles
Fenceline

Topographic Contours
Elevation (feet above mean sea level)
Index Contours
1-foot Contours

N

0 62.5 125 250 Feet

Figure 2
Site Plan
Shulman's Salvage Yard
Elmira, New York

CDM Smith

SOIL SAMPLES COLLECTED BETWEEN 0 AND 2 FEET BGS

SOIL SAMPLES COLLECTED BETWEEN 2 AND 4 FEET BGS

SOIL SAMPLES COLLECTED BETWEEN 4 AND 8 FEET BGS

SOIL SAMPLES COLLECTED GREATER THAN 8 FEET BGS

Site Boundary
Norfolk Southern Property
Site Areas (as defined for RI discussion)
Historic Structures
Catch Basin
Manhole
Former Wells
Debris Piles
Fenceline

Total PCBs in Soil Samples

- <1,000 ug/kg
- 1,000 - 10,000 ug/kg
- 10,000 - 100,000 ug/kg
- > 100,000 ug/kg

Total PCB Isocontours

- 1,000 - 10,000 ug/kg
- 10,000 - 100,000 ug/kg
- >100,000 ug/kg

N

0 75 150 300 Feet

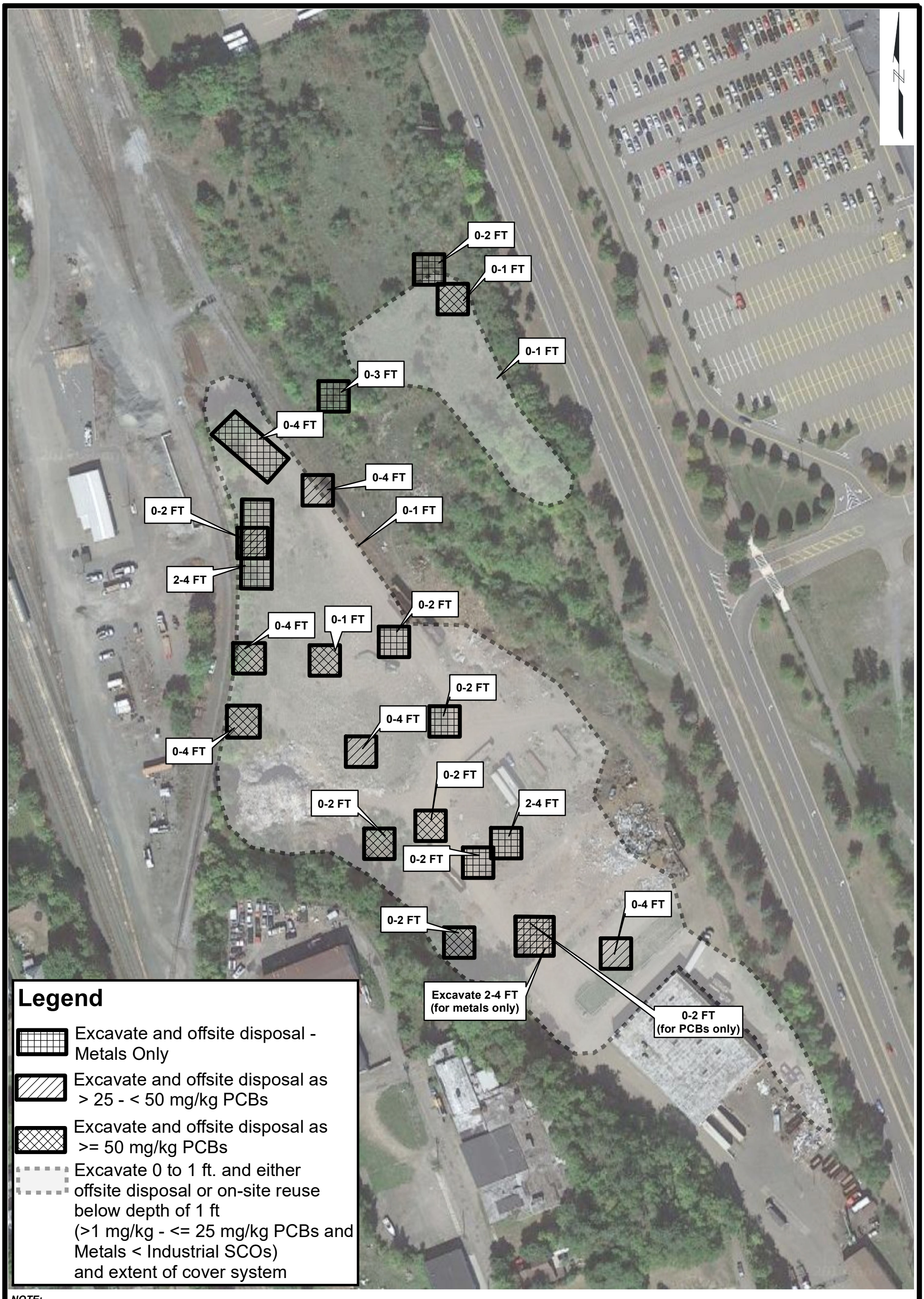
Notes:
1. Results for total PCBs are presented in micrograms per kilogram (µg/kg).
2. Each plot presents the concentration of the specified contaminant in soil samples and interpolated isocontours meant to represent an approximate extent of contamination based on the current data.

Figure 3

Soil Sampling Results - April 2013 Data Total PCB Isocontours

Shulman's Salvage Yard
Elmira, New York

CDM Smith



NOTE:
1. PCBs = POLYCHLORINATED BIPHENYLS.
2. EXCAVATION LIMITS AND THE EXTENT OF THE COVER SYSTEM WILL BE REVISED, AS NEEDED, BASED ON THE RESULTS OF THE PROPOSED ADDITIONAL DELINEATION SAMPLING.
3. SCO = SOIL CLEANUP OBJECTIVE.

SOURCE:
1. 2016 AERIAL PHOTO ACCESSED VIA GOOGLE EARTH PRO.

0 120 240

SCALE: 1" = 120'

Shulmans Salvage Yard
Elmira, New York

NYSEG
Binghamton, New York

GEI Consultants

Project 1700735

Figure 4: Modified Alternative 3 - Industrial SCOs - Preliminary Excavation Limits and Extent of Cover System

October 2021

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