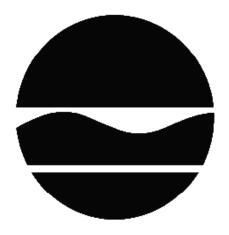
RECORD OF DECISION

K&K Stripping
State Superfund Project
Lima, Livingston County
Site No. 826021
June 2020



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

DECLARATION STATEMENT - RECORD OF DECISION

K&K Stripping
State Superfund Project
Lima, Livingston County
Site No. 826021
June 2020

Statement of Purpose and Basis

This document presents the remedy for the K&K Stripping site, a Class 2 inactive hazardous waste disposal site. The remedial program was chosen in accordance with the 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, and is not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan of March 8, 1990 (40CFR300), as amended.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the K&K Stripping site and the public's input to the proposed remedy presented by the Department. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Description of Selected Remedy

The elements of the selected remedy are as follows:

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.

2. Excavation and Off-site Disposal

The western portion of the existing on-site building will be demolished and materials which can't be beneficially reused on site will be taken off-site for proper disposal in order to implement the remedy. Soils beneath the demolished portion of the building and near the southern property line which exceed residential SCOs, as defined by 6 NYCRR Part 375-6.8 will be excavated and disposed of at a permitted off-site disposal facility. Approximately 120 cubic yards of contaminated soil will be removed from the site and clean backfill will be imported to the site that meets the residential SCOs.

3. Groundwater Monitoring

A Monitoring Plan will be developed to assess the performance and effectiveness of the remedy. The plan will include annual monitoring of groundwater. It is assumed that monitoring will continue for a period of three years, though findings will be assessed to determine the need for continued monitoring or other appropriate measures thereafter.

New York State Department of Health Acceptance

The New York State Department of Health (NYSDOH) concurs that the remedy for this site is protective of human health.

Declaration

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

June 8, 2020

Michael J. Ryan, P.E., Director Division of Environmental Remediation

K&K Stripping, Site No. 826021

Date

RECORD OF DECISION

K&K Stripping Lima, Livingston County Site No. 826021 June 2020

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of hazardous wastes at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of hazardous wastes at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Inactive Hazardous Waste Disposal Site Remedial Program (also known as the State Superfund Program) is an enforcement program, the mission of which is to identify and characterize suspected inactive hazardous waste disposal sites and to investigate and remediate those sites found to pose a significant threat to public health and environment.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

DECInfo Locator - Web Application https://gisservices.dec.ny.gov/gis/dil/index.html?rs=826021

Lima Public Library Attn: Catherine Allen 1872 Genesee Street Lima, NY 14485 Phone: 585-582-1311 Pursuant to Executive Order 202.15, a public meeting was not held, in an effort to limit the community spread of COVID-19.

Comments on the remedy received during the comment period are summarized and addressed in the responsiveness summary section of the ROD.

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 and Resource Conservation and Recovery Act Program. We for encourage the public to sign up one or more county listservs http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The site is a former furniture stripping facility known as K&K Stripping located at 1920 Buell Avenue in the Village of Lima, in the northeastern corner of Livingston County, New York. The parcel is identified on real property records as Tax Map Number 37.14-1-21.2.

Site Features: This small property is located along a primarily residential street one block southeast of the intersection of Routes 20 and 15A. It is surrounded on three sides by residential properties. A small auto detailing shop abuts the site to the south. There is a vacant single-story commercial structure on-site (approximately 4,300 square feet) along the northern property line. The property is serviced by a gravel driveway. The perimeter and rear of the property are grass-covered. The area is served by a public water supply.

The topography is generally flat and to the south. An unnamed tributary to Spring Brook flows along the southern property line. Surface water runoff flows to this tributary which flows in an easterly direction before entering a culvert flowing beneath Buell Avenue. This tributary discharges to a class C unnamed tributary of Spring Brook.

Current Zoning and Land Use: The site is zoned residential according to the Village of Lima, although actual use of the site had been commercial. The property is currently abandoned.

Past Use of the Site: Prior to Livingston County acquiring the property in August 2010, the former owner operated a furniture stripping business at the site. The stripping business ceased operations following the conviction of the former owner (October 2000) for treatment of hazardous wastes without authorization. Solvents utilized during facility operations included acetone, toluene, MEK, methanol, and methylene chloride.

This site was the subject of two Department criminal investigations (1997-1998 and 2009-2010) and a hazardous waste removal action by the Department in 2009 (Spill #0900191). Samples

collected in 1997 from the sanitary sewer upstream of the municipal sewer main documented VOC and metals being discharged to the village sewer system causing WWTP upsets and high metals in sludge. Data also showed mishandling of hazardous waste with evidence of solvent spillage on the concrete floors and high lead levels in the gravel driveway. In 2009, DEC initiated a removal action which pumped/disposed of 2,000 gallons of solvent waste from a subfloor sump and removed/disposed of some assorted waste containers.

In 2012, the Department completed a site characterization and identified high levels of lead in soil, solvents in interior sumps, and low levels of acetone, xylene, toluene, and 1,3,5 trimethylbenzene in groundwater. Total VOCs in groundwater were less than 10 parts per billion (ppb), lead was detected in groundwater at levels exceeding the New York State groundwater standards. No site-related contamination was detected in surface water. Based upon the Site Characterization Report, the Department completed an interim remedial measure (IRM) at the site in 2016.

Site Geology and Hydrogeology: The uppermost overburden underlying the site generally consists of fill ranging in thickness from approximately one foot to 10 feet. The fill consists of varying amounts of silt, sand, gravel, small amounts of clay and at times ash and metal fragments. The fill is underlain by clay-rich glacial till with variable gravel and silt content. The thickness of the overburden is unknown, and mapping indicates that Onondaga Limestone underlies the site.

Groundwater was encountered in monitoring wells at depths ranging from 4.5 to 10 feet below ground surface. Groundwater flows toward the south-southeast, generally following the topography and likely influenced by the nearby stream.

A site location map is attached as Figure 1.

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. For this site, alternatives (or an alternative) that restrict(s) the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the RI to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is included in the Tables for the media being evaluated in Exhibit A.

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.

The PRPs for the site, documented to date, include:

Kenneth Schreib

The PRP for the site declined to implement a remedial program when requested by the Department. After the remedy is selected, the PRP will again be contacted to assume responsibility for the remedial program. If an agreement cannot be reached with the PRP, the Department will evaluate the site for further action under the State Superfund. The PRP is subject to legal actions by the state for recovery of all response costs the state has incurred.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A Remedial Investigation (RI) has been conducted. The purpose of the RI was to define the nature and extent of any contamination resulting from previous activities at the site. The field activities and findings of the investigation are described in the RI Report.

The following general activities are conducted during an RI:

- Research of historical information,
- Geophysical survey to determine the lateral extent of wastes,
- Test pits, soil borings, and monitoring well installations,
- Sampling of waste, surface and subsurface soils, groundwater, and soil vapor,
- Sampling of surface water and sediment,
- Ecological and Human Health Exposure Assessments.

The analytical data collected on this site includes data for:

- groundwater
- -surface water
- soil

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has

developed SCGs for drinking water and soil vapor intrusion. The tables found in Exhibit A list the applicable SCGs in the footnotes. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a hazardous waste that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized in Exhibit A. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

lead acetone

As illustrated in Exhibit A, the contaminant(s) of concern exceed the applicable SCGs for:

- groundwater
- soil

6.2: Interim Remedial Measures

An interim remedial measure (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.

The following IRM(s) has/have been completed at this site based on conditions observed during the RI.

Soil Removal and Oil/Water Sparator Demolition

In 2016, a soil removal and oil/water separator demolition was completed by a DEC-hired The goal was to excavate and dispose of lead contaminated soils exceeding commercial SCOs of 1000 ppm due to a proposed zoning change from residential to commercial. Approximately 67 tons of lead-contaminated soil was excavated from the western portion of the property to a depth of approximately 2 feet. These soils were disposed of off-site at a permitted landfill. One of six sidewall confirmatory samples indicated lead levels of 646 ppm which exceed the residential SCO of 400 ppm. The excavation was backfilled with crusher-run stone. Within the building an elevated oil/water separator structure was pumped out, and demolished. Approximately 1,050 gallons of solvent contaminated liquids and sludge were disposed of offsite as a hazardous waste. Approximately 110 tons of associated concrete, fill material, and wooden structural materials were disposed of off-site at a permitted landfill. Confirmatory soil samples indicated lead levels of 696 ppm and 826 ppm which exceed the residential SCO for lead. The area was backfilled with crusher-run stone. Surface water samples from an unnamed tributary to Spring Brook on the south side of the property did not indicate any site-related contamination. The IRM is documented in a construction completion report that is included as an appendix in the Remedial Investigation Report prepared by Ramboll dated October 2019.

A proposed zoning change to commercial use never went forward, and the property remains zoned for residential use. Figure 2 depicts the IRM areas.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water.

Based upon the resources and pathways identified and the toxicity of the contaminants of ecological concern at this site, a Fish and Wildlife Resources Impact Analysis (FWRIA) was deemed not necessary for OU 01.

Nature and Extent of Contamination:

The Remedial Investigation was completed at the site in 2019. The goal of the RI was to determine the nature and extent of contamination remaining on-site after completion of the IRM in 2016.

Soil:

Acetone and lead were the only contaminants detected above the unrestricted use SCOs. Acetone contamination is limited to shallow soils in a small area beneath the former oil/water separator in the building. This area was subject to the IRM. Lead contamination exceeds the residential SCO of 400 ppm within the upper 2 feet of soil in two small areas of the site.

Groundwater:

Lead was the only contaminant of concern detected in one groundwater well above the New York State Groundwater Standard of 25 parts per billion (ppb). The highest level detected was 53 ppb. These exceedances for lead may be a result high levels of suspended solids (turbidity) in the groundwater samples.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

People are not coming into contact with the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Access to the site is unrestricted and persons who enter the site could contact contaminants in the soil by walking on the soil, digging or otherwise disturbing the soil.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives 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

• Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent practicable.

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.

SECTION 7: SUMMARY OF THE SELECTED REMEDY

To be selected the remedy must be protective of human health and the environment, be cost-effective, comply with other statutory requirements, and utilize permanent solutions, alternative technologies or resource recovery technologies to the maximum extent practicable. The remedy must also attain the remedial action objectives identified for the site, which are presented in Section 6.5. Potential remedial alternatives for the Site were identified, screened and evaluated in the feasibility study (FS) report.

A summary of the remedial alternatives that were considered for this site is presented in Exhibit B. Cost information is presented in the form of present worth, which represents the amount of money invested in the current year that would be sufficient to cover all present and future costs associated with the alternative. This enables the costs of remedial alternatives to be compared on a common basis. As a convention, a time frame of 30 years is used to evaluate present worth costs for alternatives with an indefinite duration. This does not imply that operation, maintenance, or monitoring would cease after 30 years if remediation goals are not achieved. A summary of the Remedial Alternatives Costs is included as Exhibit C.

The basis for the Department's remedy is set forth at Exhibit D.

The selected remedy is referred to as the Targeted Soil Removal with Partial Building Demolition remedy.

The estimated present worth cost to implement the remedy is \$200,000. The cost to construct the remedy is estimated to be \$194,000 and the estimated average annual cost is \$2,500 (year 1-3).

The elements of the selected remedy are as follows:

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.

2. Excavation and Off-site Disposal

The western portion of the existing on-site building will be demolished and materials which can't be beneficially reused on site will be taken off-site for proper disposal in order to implement the remedy. Soils beneath the demolished portion of the building and near the southern property line which exceed residential SCOs, as defined by 6 NYCRR Part 375-6.8 will be excavated and disposed of at a permitted off-site disposal facility. Approximately 120 cubic yards of contaminated soil will be removed from the site and clean backfill will be imported to the site that meets the residential SCOs.

3. Groundwater Monitoring

A Monitoring Plan will be developed to assess the performance and effectiveness of the remedy. The plan will include annual monitoring of groundwater. It is assumed that monitoring will continue for a period of three years, though findings will be assessed to determine the need for continued monitoring or other appropriate measures thereafter.

Exhibit A

Nature and Extent of Contamination

This section describes the findings of the Remedial Investigation for all environmental media that were evaluated. As described in Section 6.1, samples were collected from various environmental media to characterize the nature and extent of contamination.

For each medium for which contamination was identified, a table summarizes the findings of the investigation. The tables present the range of contamination found at the site in the media and compares the data with the applicable SCGs for the site. The contaminants are arranged into four categories: volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), polyfluoroalkyl substances (PFAS), and inorganics metals. For comparison purposes, the SCGs are provided for each medium that allows for unrestricted use. For soil, if applicable, the Restricted Use SCGs identified in Section 4 and Section 6.1.1 are also presented.

Groundwater

During the 2012 Site Characterization, several temporary monitoring wells were installed and identified very low levels of acetone, xylenes, toluene, and 1,3,5 trimethylbenzene with total VOC concentrations less than 10 ppb. The scope of the remedial investigation was to determine downgradient groundwater quality after the 2016 IRM was performed. During the RI, three downgradient wells were installed and sampled during three sampling rounds. Two rounds of sampling were for VOCs, SVOCs, PCBs and pesticides, metals, and cyanides. The third sampling round was for PFAs.

Sample results from the RI did not indicate any VOCs in groundwater as were previously detected during the. Site Characterization. 1,4-dioxane was detected at 0.2 ppb and ND which is below the screening level of 1 ppb for groundwater. Iron, lead, manganese, and sodium were all detected above SCGs in groundwater. Iron, manganese and sodium are all naturally occurring in groundwater and were not considered as site-related contaminants. Lead exceeded the groundwater SCG of 25 ppb in one well; however, the water samples had a high turbidity. A decanted sample of water from this well that was analyzed for inorganics did not contain concentrations exceeding the groundwater SCGs. This suggests that lead exceedances observed are likely a result of elevated turbidity. Please refer to Figure 3 for groundwater sample locations and flow direction.

For PFAS, perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) were reported at concentrations of ND and 4.6 parts per trillion (ppt), respectively, below the 10 ppt screening levels for groundwater for each. No other individual PFAS exceeded the 100 ppt screening level. The total concentration of PFAS, including PFOA and PFOS, were reported at concentrations of up to 4.6 ppt, below the 500 ppt screening level for groundwater.

Table #1 – Groundwater Monitoring Results

| Detected Constituents | Concentration Range Detected (ppb) ^a | SCG ^b (ppb) | Frequency Exceeding SCG |
|-----------------------|--|------------------------|-------------------------|
| Metals | | | |
| Lead | 3.1 to 53 | 25 | 2/9 |

a - ppb: parts per billion, which is equivalent to micrograms per liter, ug/L, in water.

Based on the findings of the RI, the presence of lead may have resulted in the contamination of groundwater. The site contaminants that are considered to be the primary contaminants of concern which will drive the remediation of groundwater to be addressed by the remedy selection process is: lead.

Soil

Acetone was the only VOC to exceed unrestricted use SCOs and the exceedances were limited to within the footprint of the former elevated oil/water separator. SVOCs were not detected above SCOs. Lead concentrations in subsurface soil exceed the unrestricted use SCO across much of the site including a few of the samples collected along the Site boundary. The Groundwater Protection SCO for lead of 450 ppm was exceeded in one sample. Lead concentrations exceeding residential use SCOs are limited to two general on-site areas: one sample location on the south-central portion of the property and two locations in the northwest corner of the property. The data collected suggest that the limits of residential SCO use exceedances are within the site boundary.

Low levels of PCBs detected in one surface soil sample exceeded the unrestricted use SCO of 0.1 ppm, but PCB concentrations were below the residential use SCO of 1 ppm. PCBs were not detected anywhere else on-site; therefore, PCBs will not be considered a contaminant of concern.

Lead was the only contaminant detected in both soil and groundwater exceeding the residential use SCO of 400 ppm for soil and the SCG for groundwater of 25 ppb. Five surface soil samples exceeded the protection of Groundwater Protection SCO for lead of 450 ppm, and one near surface soil sample (2"-6") exceeded the Groundwater Protection SCO for lead. Data from the RI suggest that sample turbidity may be the cause for lead exceedances in groundwater and may not be due to the lead detected in on-site soil. Please refer to Figures 4 and 5 for surface and sub-surface soil results exceeding SCOs.

Only one surface soil sample taken within the unnamed tributary exceeded the unrestricted use SCO for lead at 65.9 ppm.

b- SCG: Standard Criteria or Guidance - Ambient Water Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).

Table 2 – Soil Results

| Detected Constituents | Concentration Range Detected (ppm) ^a | Residential SCO (ppm) ^c | Frequency Exceeding Residential SCO | Unrestricted SCO/ Groundwater Protection SCO ^{bd} (ppm) | Frequency Exceeding Unrestricted Use SCO |
|--------------------------|---|---------------------------------------|--|--|--|
| VOCs | | | | | |
| Acetone | ND to 0.11 | 100 | 0 of 20 | 0.05/0.05 | 2 of 20 |
| Metals | | | | | |
| Lead | 8.9 to 888 | 400 | 6 of 63 | 63/450 | 49 of 63 |
| PCBs | | | | | |
| Total PCBs | ND to 0.38 | 1 | 0 of 2 | 0.1/3.2 | 2 of 2 |

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

Migration of lead in subsurface soil by natural transport processes is likely to be minimal, as these soils are not subject to weathering or storm water runoff. In some subsurface soils, lead may bind to organic material and sulfides under reducing conditions within the soil matrix to form relatively insoluble complexes that limit transport and bioavailability. Groundwater in areas of affected soil occurs at depths below the soil interval where lead is known to exceed the groundwater protection SCO, suggesting that groundwater interaction with affected soil is unlikely. Therefore, horizontal and vertical migration of lead in subsurface soil is expected to be limited. The presence of lead in off-site subsurface soil samples below the residential use SCO is indicative that lead transport from the site has not contributed to lead levels in the unnamed tributary to Spring Brook.

Based on the findings of the Remedial Investigation, the presence of lead and acetone has resulted in the contamination of soil. The site contaminants identified in soil which are considered to be the primary contaminants of concern, to be addressed by the remedy selection process are lead and acetone.

b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

c - SCG: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Public Health for Residential Use.

d - SCG: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Groundwater.

Exhibit B

Description of Remedial Alternatives

The following alternatives were considered based on the remedial action objectives (see Section 6.5) to address the contaminated media identified at the site as described in Exhibit A.

Alternative 1: No Further Action

The No Further Action Alternative recognizes the remediation of the site completed by the IRM(s) described in Section 6.2 This alternative leaves the site in its present condition and does not provide any additional protection of the environment.

Alternative 2: Restoration to Unrestricted Conditions

This alternative achieves all of the SCGs discussed in Section 6.1.1 and Exhibit A and soil meets the unrestricted soil clean objectives listed in Part 375-6.8 (a). This alternative would include: excavation of soil exhibiting lead concentration above the Unrestricted SCO. Demolition of the entire building and removal of the concrete slab is required. Approximately 1,500 tons of soil and 1,200 tons of demolition debris would be required to be disposed of at a permitted off-site facility. Site restoration includes backfill with clean soil and at least six inches of topsoil. The remedy would not rely on institutional or engineering controls to prevent future exposure. There is no Site Management, no restrictions, and no periodic review.

Alternative 3: Targeted Soil Removal

This alternative involves excavation and off-site disposal of soils that exceed the Residential SCOs. The remedy involves excavation of approximately 90 tons of soil and disposal at a permitted facility. Up to three years of post-excavation groundwater monitoring are included to confirm that groundwater is not impacted by site-related contaminants. Since lead levels beneath the building will exceed Residential SCOs, the building is included as site cover. This alternative includes an environmental easement, site management plan, and periodic reviews.

| Present Worth: | \$174,000 |
|----------------|-----------|
| Capital Cost: | \$109.000 |
| Annual Costs: | · |

Alternative 4: Targeted Soil Removal with Partial Building Demolition

This alternative involves excavation and off-site disposal of soils that exceed the Residential SCOs, partial demolition of the western portion of the building, removal of the concrete slab, and excavation and off-site disposal of soils beneath the slab that exceed the residential SCOs, currently estimated to be two feet deep. Approximately 150 tons of soil and 200 tons of demolition debris are the estimated quantities for off-site disposal at a permitted facility. Up to three years of post-excavation groundwater monitoring are included to confirm that groundwater is not impacted by site-related contaminants. Since lead levels in on-site soil will meet the Residential SCOs, a site cover is not included.

| Present Worth: | \$200,000 |
|----------------|-----------|
| Capital Cost: | \$194,000 |
| Annual Costs: | • |

Exhibit C

Remedial Alternative Costs

| Remedial Alternative | Capital Cost (\$) | Annual Costs (\$) | Total Present Worth (\$) |
|---|-------------------|---|---------------------------------|
| 1. No Further Action | \$0 | \$0 | \$0 |
| 2. Restoration to Unrestricted Conditions | \$823,000 | \$0 | \$823,000 |
| 3. Targeted Soil Removal | \$109,000 | \$12,500(year 1-3) \$2,500 (year 4-30) | \$174,000 |
| 4. Targeted Soil Removal with Partial Building Demolition | \$194,000 | \$2,500(year 1-3) | \$200,000 |

Exhibit D

SUMMARY OF THE SELECTED REMEDY

The Department has selected Alternative 4, Targeted Soil Removal with Partial Building Demolition as the remedy for this site. Alternative 4 would achieve the remediation goals for the site by excavation and off-site disposal of soils exceeding the Residential SCO for lead. The elements of this remedy are described in Section 7. The selected remedy is depicted in Figure 6.

Basis for Selection

The selected remedy is based on the results of the RI and the evaluation of alternatives. The criteria to which potential remedial alternatives are compared are defined in 6 NYCRR Part 375. A detailed discussion of the evaluation criteria and comparative analysis is included in the FS report.

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

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

The selected remedy, Alternative 4 will satisfy this criterion by excavating and disposing of soils exceeding the residential SCOs at a permitted facility. Alternative 2 will meet this criterion because the building will be demolished, and all contaminated soils exceed unrestricted use will be disposed of at a permitted facility. Alternative 3 meets this criterion because all soils exceeding Residential SCOs from currently accessible areas of the site would be disposed of at a permitted facility. Remaining soils beneath a portion of the building would be under site cover. Alternative 1 does not satisfy this criterion because soils exceeding the Residential SCOs will remain on-site and there will be no site cover or use restrictions. Alternative 1 will no longer be considered.

2. <u>Compliance with New York State Standards, Criteria, and Guidance (SCGs).</u> 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.

Alternative 2 meets all SCGs because there will no longer be any contaminants on-site exceeding the unrestricted SCOs. Alternative 3 will meet SCGs because the accessible soils exceeding residential SCOs will be excavated and disposed of off-site. The remaining soils exceeding residential SCOs will be beneath the building. Alternative 4 meets SCGs because all soils exceeding residential SCOs will be excavated and disposed of at a permitted facility, and there will be no site cover requirements.

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

3. <u>Long-term Effectiveness and Permanence.</u> 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.

Long-term effectiveness is best accomplished by Alternative 2, because all contaminated soils exceeding Unrestricted SCOs would be excavated and disposed of at a permitted facility. Alternative 4 will have long-term effectiveness because all soils will meet the residential SCOs without the requirement for soil cover. Alternative 3 meets this criterion, but it requires a portion of the building to remain as site cover.

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

Alternative 2 best reduces, toxicity, mobility, and volume by removing all contaminated soils exceeding Unrestricted SCOs. Alternative 4 meets this criterion by excavation and off-site disposal of all soils exceeding residential SCOs without a cover requirement. Alternative 3 meets this criterion by excavation and off-site disposal of all accessible soils exceeding residential SCOs. Remaining soils exceeding the Residential SCO will be protected by site cover (the building).

5. <u>Short-term Impacts and Effectiveness.</u> 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.

All of the alternatives will be effective in the short-term because exposure to contaminated soils will be removed or be protected by site cover. Since this site is within a residential neighborhood, Alternative 2 will have the most short-term impacts. Truck traffic will disrupt the neighborhood, and this alternative will have the largest carbon footprint of all of the Alternatives. Alternative 3 will have the least short-term impacts because the building will not be demolished, and the quantity of soil to removed will be relatively small. While the quantity of soil to be removed in Alternative 4 is only a few truckloads more than Alternative 3, partial building demolition will cause more disruptions to the neighborhood.

6. <u>Implementability</u>. The technical 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.

All remedies can be implemented within a 6-month period; however, Alternative 2 will be the most difficult to implement because it is much larger scale than Alternative 3 and 4. Alternatives 3 will be the easiest to implement because no building demolition is required, and soil removal quantities are relatively small. Alternative 4 will be more involved because partial demolition and repair of the current structure will be required.

7. <u>Cost-Effectiveness</u>. 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 capital costs of the alternatives vary \$109,000 to \$823,000. Alternative 3 has the lowest cost that meets all other criterion. Alternatives 2 and 4 involve partial or complete building demolition, which may not be a

desirable cost. Alternative 2 is the most expensive and provides little additional environmental benefit for a significant added cost.

8. <u>Land Use.</u> When cleanup to pre-disposal conditions is determined to be infeasible, the Department may consider the current, intended, and reasonable anticipated future land use of the site and its surroundings in the selection of the soil remedy.

Currently the property is vacant and zoned for single-family residential use. Alternatives 2 and 4 allow for the best use of the property in accordance with current zoning. Alternative 3 would require institutional and engineering controls and not allow the best use of the property.

The final criterion, Community Acceptance, is considered a "modifying criterion" and is taken into account after evaluating those above. It is evaluated after public comments on the Proposed Remedial Action Plan have been received.

9. <u>Community Acceptance.</u> Concerns of the community regarding the investigation, the evaluation of alternatives, and the PRAP 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 selected remedy differs significantly from the proposed remedy, notices to the public will be issued describing the differences and reasons for the changes.

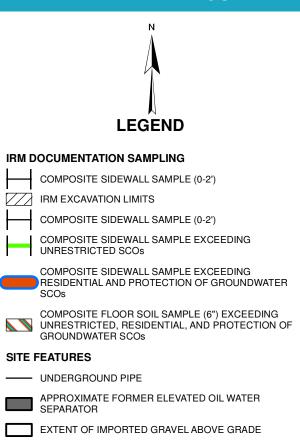
Alternative 4 was selected because, as described above, it satisfies the threshold criteria and provides the best balance of the balancing criterion.

Figure 1 - K&K Stripping



Livingston County, New York

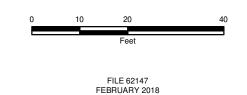




NYSDEC REMEDIAL INVESTIGATION K&K STRIPPING SITE LIMA, NEW YORK SITE NO. 826021

PROPERTY LINE
UNNAMED TRIBUTARY

INTERIM REMEDIAL MEASURES SITE LAYOUT





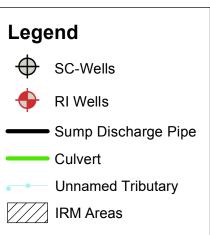
O'BRIEN & GERE ENGINEERS, INC.

Figure 3 - Groundwater













RI SAMPLE LOCATIONS

- ♦ MONITORING WELL
- SOIL BORING
- SURFACE SOIL
- NEAR SURFACE SOIL

SC SAMPLE LOCATIONS

★ NEAR SURFACE SOIL

△ SOIL BORING

IRM SAMPLE LOCATIONS

COMPOSITE FLOOR SOIL SAMPLE (6") EXCEEDING UNRESTRICTED, RESIDENTIAL, AND PROTECTION OF GROUNDWATER SCOs

IRM EXCAVATION LIMITS

LEAD RESULTS COMPARED TO SCOs1

LEAD EXCEEDS UNRESTRICTED SCO (63 mg/kg)

LEAD EXCEEDS RESIDENTIAL SCO (400 mg/kg)

LEAD EXCEEDS PROTECTION OF GROUNDWATER SCO (450 mg/kg)

SITE FEATURES

UNDERGROUND PIPE

APPROXIMATE FORMER ELEVATED OIL WATER SEPARATOR

EXTENT OF IMPORTED GRAVEL ABOVE GRADE

PROPERTY LINE

UNNAMED TRIBUTARY

NYSDEC REMEDIAL INVESTIGATION **K&K STRIPPING SITE** LIMA, NEW YORK SITE NO. 826021

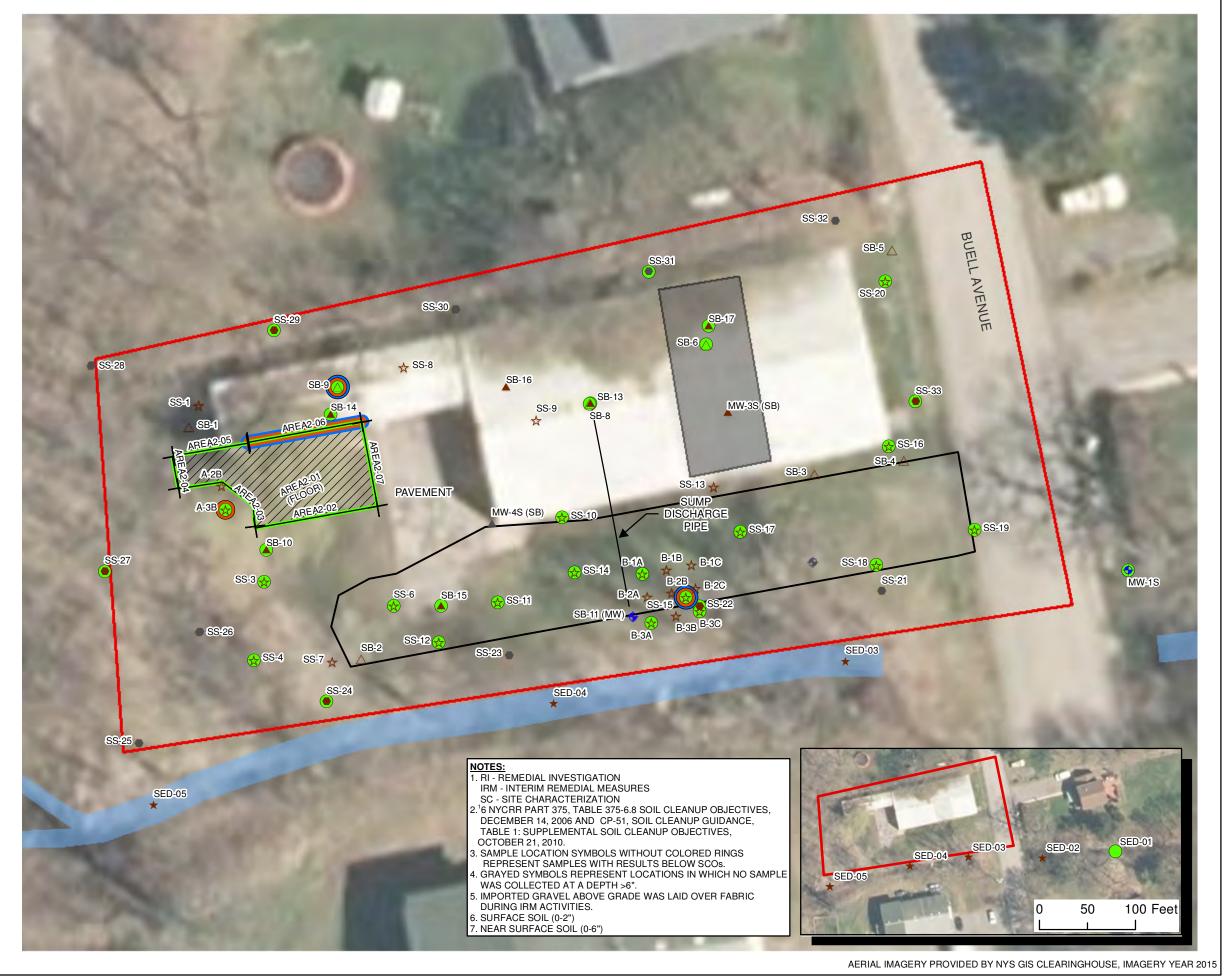
SURFACE SOIL (0-2") LEAD EXCEEDANCES



FILE NO. 8653.62147 FEBRUARY 2018



O'BRIEN & GERE ENGINEERS, INC.





RI SAMPLE LOCATIONS

- ♦ MONITORING WELL
- ▲ SOIL BORING
- SURFACE SOIL
- SURFACE SOIL/SOIL BORING
- ★ NEAR SURFACE SOIL

SC SAMPLE LOCATIONS

- ★ NEAR SURFACE SOIL
- △ SOIL BORING

IRM DOCUMENTATION SAMPLING

- COMPOSITE SIDEWALL SAMPLE (0-2')
- IRM EXCAVATION LIMITS

LEAD RESULTS COMPARED TO SCOs1

- LEAD EXCEEDS UNRESTRICTED SCO (63 mg/kg)
- LEAD EXCEEDS RESIDENTIAL SCO (400 mg/kg)
- LEAD EXCEEDS PROTECTION OF GROUNDWATER SCO (450 mg/kg)

SITE FEATURES

- UNDERGROUND PIPE
- APPROXIMATE FORMER ELEVATED OIL WATER
- EXTENT OF IMPORTED GRAVEL ABOVE GRADE
- _____ EXTENT OF INITIONIED GRAVEE ABOVE
- PROPERTY LINE
- UNNAMED TRIBUTARY NYSDEC

REMEDIAL INVESTIGATION K&K STRIPPING SITE LIMA, NEW YORK SITE NO. 826021

RI, IRM, AND SC SUBSURFACE SOIL (>6" DEPTH) LEAD EXCEEDANCES



FILE 62147 FEBRUARY 2018

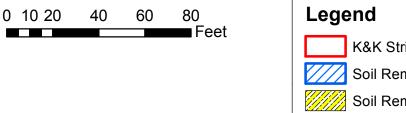


O'BRIEN & GERE ENGINEERS, INC.

Figure 6 - K&K Stripping Proposed Remedy







Legend

K&K Stripping

Soil Removal Area 1

Soil Removal Area 2

Culvert

Unnamed Tributary

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

K&K Stripping State Superfund Project Livingston, County, New York Site No. 826021

The Proposed Remedial Action Plan (PRAP) for the K&K Stripping site was prepared by the New York State Department of Environmental Conservation (the Department) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on February 26, 2020. The PRAP outlined the remedial measure proposed for the contaminated soil at the K&K Stripping site.

The release of the PRAP was announced by sending a notice to the public contact list, informing the public of the opportunity to comment on the proposed remedy.

To limit the community spread of COVID-19, Governor Cuomo issued Executive Order 202.15 suspending in-person public meetings relating to proposed site remedies. The NYSDEC remains committed to providing the public with ample opportunity to provide input on proposed remedies in their community. The initial public comment period for the PRAP ended on March 16, 2020. Out of an abundance of caution to prevent the community spread of COVID-19, DEC postponed the original public meeting and comment period. A new public comment period was initiated on April 22, 2020 and ended on May 22, 2020.

This responsiveness summary responds to all questions and comments raised during the public comment period. The following are the comments received, with the Department's responses:

Frances and George Gotcsik submitted a letter dated May 8, 2020 which included the following comments:

COMMENT 1: We are especially concerned that Alternative 4 allows for much of the building to be retained. While zoned residential, it is unacceptable for this structure ever to be used as a residence. Instead, given its current condition and its use history, it will unfortunately be destined to remain an eyesore and attractive nuisance in our village for a very long time. In fact, DEC's Proposed Remedial Action Plan (PRAP) states, "Based on current facility zoning as residential and the likelihood that the zoning will not change given the setting, it is reasonable to anticipate that the on-Site building will continue to be vacant and any future use would need to conform to residential zoning." A remedial alternative must be chosen that includes demolition of the entire structure and removal of the concrete slab so that the village, and especially the neighborhood, no longer have to be impacted by this unusable and unsightly building.

RESPONSE 1: Alternative #4 includes partial demolition of the existing building to excavate lead contaminated soils that exceed the residential soil cleanup objectives (SCOs). The remedy allows for the property to be used for its current residentially-zoned use based upon these

cleanup objectives. Complete demolition of the remainder of the structure would be part of future site development, and is not required to implement the site cleanup. While the building may have fallen into disrepair, the Department cannot spend State Superfund money to perform site improvements or redevelopment. The Village of Lima would regulate future site development as required by local building codes and zoning.

COMMENT 2: We are concerned about mischaracterization of the "drainage ditch" on the southern boundary of the property as found in Figure I in the PRAP. This "ditch" is actually a second unnamed tributary of Spring Brook. It originates in a wetland south of the Lima Ambulance Facility on West Main Road, flows north and crosses West Main Road, and continues behind properties on the north side of West Main within the village. Just to the west of Genesee Street in the village it goes underground and travels southeast under the parking lot for the former Save-a-Lot grocery store. There it crosses under Rte. 5&20 and travels under the road in front of the Lima Firehouse and the rest of the business district buildings on the south side of West and East Main Streets until it reaches the Kruk & Campbell building. It then turns south, under the parking lot to the east that building, and comes above ground at the southern edge of the Kruk & Campbell parking lot. Then, as an open stream it turns to the east toward the southern boundary of the K&K property. The NYSDOT drawings from the rebuilding of Rte. 5&20 in 1988 should substantiate this information.

As this is not an intermittent drainage ditch, we recommend that appropriate vegetation be installed along the riparian corridor of this tributary not only to stabilize soil erosion and contribute to bioremediation, but also to ensure the property is more visually appealing.

RESPONSE 2: The drainage ditch currently is not listed in the NYSDEC stream database. Nevertheless, during the remedial investigation, both surface water and sediment samples were taken in the ditch. No site related contaminants were found. Any permanent erosion control measure that is not associated with soil or sediment remediation is considered to be a site improvement, which cannot be a part of the State-funded remedial actions at this site.

After a recent site inspection, the drainage ditch is fed by water from a large culvert located offsite behind the Lima Family Diner. The origin of this flow would have to be confirmed by the Village of Lima because it is not readily apparent where the flow originates. The figures in the ROD were revised to show the culvert location and the correct flow path of the ditch.

COMMENT 3: It is unfortunate that no remedial alternative addresses improving the aesthetics of this site. This property has been an eyesore that has negatively affected property values and community pride for decades. The neighbors deserve better. The village will soon be installing sidewalks along Buell Avenue, which will result in more persons walking past the property than ever before. When the village is investing in promoting a more walkable community, this site deserves to be more than an overgrown lot with a rusting, abandoned building. Any remedial activities should include plantings and other actions to improve and enhance the appearance of the entire property and make a positive contribution to the neighborhood surroundings.

| REPSONSE 3: While the Department acknowledges your views on the aesthetics of this property, it is up to the site owner (Livingston County) and the Village of Lima to determine the proper course of action to address these concerns. |
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APPENDIX B

Administrative Record

Administrative Record

K&K Stripping State Superfund Project Livingston, County, New York Site No. 826021

- 1. Proposed Remedial Action Plan for the K&K Stripping site, dated February 2020, prepared by the Department.
- 2. Referral Memorandum dated January 12, 2015 for State Superfund Referral K&K Stripping Site. describe.
- 3. Final Site Characterization Report Former K and K Stripping Facility," February 2012, prepared by Shaw Environmental & Infrastructure Engineering of New York, P.C.
- 4. "Remedial Investigation Feasibility Study Work Plan," May 8, 2015, prepared by O'Brien and Gere Engineers, Inc.
- 5. "Citizen Participation Plan for K&K Stripping Site," August 2015, prepared by the Department.
- 6. "Interim Remedial Measure Work Plan," November 2015, prepared by O'Brien and Gere Engineers, Inc.
- 7. "Remedial Investigation Report K&K Stripping Site," October 2019, prepared by Ramboll.
- 8. "Feasibility Study Report Former K&K Stripping Site," October 2019, prepared by Ramboll.
- 9. Letter dated May 8, 2020 from Frances and George Gotcsik.