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NYSDEC

SEP 08 2008



Bureau of Hazardous Waste & Radiation Management  
Division of Solid & Hazardous Materials  
3800 Dewey Avenue, #317 Rochester, NY 14616-2579

September 5, 2008

Regional Air Engineer  
New York State Department of Environmental Conservation  
Region 8 Office  
6274 East Avon-Lima Rd.  
Avon, NY 14414

Director, Bureau of Hazardous Waste and Radiation Management  
Division of Solid & Hazardous Materials  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-7258

**Re: Hazardous Waste Management Facility Part 373 Permit for Kodak Park  
DEC Permit No. 8-2614-00205/00104; Eastman Kodak Company, Kodak  
Park Corrective Action Program – Report on Investigation Area MIA-317  
Corrective Measures Implementation Plan**

Gentlemen,

Please find attached the report on “Investigation Area MIA-317 Corrective Measures Implementation Plan; Kodak Park, Rochester, New York”. The report is being submitted as a requirement of the Corrective Action Module within Kodak Park’s Part 373 Hazardous Waste Management Facility Permit. The report describes the implementation of the NYSDEC approved Final Corrective Measures for the MIA-317 investigation area.

Should you have any questions regarding the attached report, please contact me at 585-588-2117.

Very truly yours,

Quantum Management Group, Inc.

Attachment

**INVESTIGATION AREA MIA-317  
CORRECTIVE MEASURES IMPLEMENTATION PLAN**

**Kodak Park  
Rochester, NY**

**September 2008**

**CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



David P. Steklosa  
Director - Kodak Rochester Facilities  
Eastman Kodak Company

9/5/08  
Date

**INVESTIGATION AREA MIA-317  
CORRECTIVE MEASURES IMPLEMENTATION PLAN  
KODAK PARK  
ROCHESTER, NEW YORK**

*Submitted by:*

*Eastman Kodak Company  
Building 56, 5th Floor, Kodak Park  
1669 Lake Avenue  
Rochester, New York 14652-6259*

September 1, 2008

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## **1.0 INTRODUCTION**

This report presents the Corrective Measures Implementation (CMI) Plan for Investigation Area MIA-317 (MIA-317). This report is submitted as part of Eastman Kodak Company's (Kodak's) Resource Conservation and Recovery Act (RCRA) Corrective Action program for individual solid waste management units (SWMUs) and groups of SWMUs (termed Investigation Areas) within Kodak Park and as a requirement of Kodak Park's NYCRR Part 373 Hazardous Waste Management Facility Permit #8-2614-00205/00104.

MIA-317, shown on Figure 1, has been the subject of a RCRA Facility Investigation (RFI) (Golder 2002) and a Presumptive Remedy evaluation (Golder 2003). The Presumptive Remedy Report was submitted to the New York State Department of Environmental Conservation (NYSDEC) in lieu of a Corrective Measures Study (CMS). In October 2006, the NYSDEC issued a Final Statement of Basis (NYSDEC 2006), based on the Presumptive Remedy Report, for the selection of the final remedy for soils and groundwater in MIA-317. This CMI Plan presents the plan for implementation of this selected remedy.

## **2.0 MIA-317 FINAL CORRECTIVE MEASURES**

Based on the evaluations presented in the MIA-317 Presumptive Remedy Report, the final corrective measures selected in NYSDEC's Statement of Basis for MIA-317 are to maintain existing conditions. These corrective measures involve the following activities within MIA-317 (summarized list):

- operation and maintenance of the MIA-317 sewer systems;
- operation, maintenance, and performance evaluation (including reporting) of the Northern KPM groundwater migration control system (MCS);
- continued groundwater monitoring to assess the effectiveness of the remedy;
- administrative/institutional controls to address potential exposure to contaminated soils and groundwater. This includes the continued implementation of existing institutional controls (i.e., site access restrictions) and adding deed restrictions to limit the future use and development of the MIA-317 property to commercial/industrial uses only. This will include a restriction preventing the future use of groundwater as a source of potable water. Due to the presence of volatile organic compounds in groundwater, the potential for vapor intrusion to indoor air will be evaluated prior to any new construction or change in use of existing structures on the site. Controls also include an operation and maintenance plan specifying routine monitoring, maintenance and reporting for soil cover systems for areas with soils concentrations above industrial/commercial (I/C) comparison values;
- continued implementation of Kodak Park Excavation Master Plan (EMP) II and project-specific health and safety protocols for any future excavations within MIA-317 that may be necessary (for example) to conduct routine maintenance activities; and,
- annual certification by the property owner that the institutional controls and engineering controls are in place and continue to be effective.

Each of the components which comprise the final corrective measures is currently being implemented as part of Kodak's routine operational practices. The components of this remedy will continue to be implemented/maintained for a presumed corrective action performance monitoring period of 30 years.

### KPM North Fence Line Top-of-Rock (TOR) MCS

The TOR MCS consists of two 100-foot long fractured bedrock trenches (linear zones extending approximately 25 feet into the bedrock where the rock has been purposefully fractured to enhance the collection of groundwater) each having a groundwater extraction well to intercept groundwater flow in the shallow weathered bedrock along the northern KPM boundary. Both segments parallel the KPM North Fence Line Overburden MCS. The system includes associated control and telemetry systems and discharges into the Kodak Park industrial sewer. The system was constructed in 1997.

### **3.3 Groundwater Quality Monitoring Program**

As part of Kodak's corrective action requirements, the Kodak Park Groundwater Sampling and Analysis Plan (KPGSAP) was developed to monitor subsurface conditions at Kodak Park. Implementation of the corrective measures for MIA-317 will include a continuation of groundwater quality monitoring for wells currently monitored under the KPGSAP within KPM and in the vicinity of MIA-317 (Figure 2). Reporting, sampling frequency, and analytes are as specified in the KPGSAP.

### **3.4 Administrative/Institutional Controls**

The following administrative controls will be implemented as part of the MIA-317 corrective measures.

#### **3.4.1 Controls for Groundwater - Update Bulletin and Health and Safety Plans**

Currently, an institutional advisory in the form of an annual "Update Bulletin", a newsletter published by Kodak and sent to local residents and owners of properties on and near Kodak Park (including north of MIA-317), is issued as a vehicle to advise neighbors concerning the existence of contaminants in groundwater at Kodak Park. These bulletins will continue to be issued and will advise neighbors not to develop wells for the use or consumption of groundwater and to remain connected to municipal potable water supplies.

On Kodak Park property, project-specific Health and Safety Plans (HASPs) are developed for activities which have the potential for groundwater exposure in MIA-317. The HASPs will consider potential exposure risk and detail protective measures for project personnel.

#### 3.4.2 Controls for Soils - EMP II and Health and Safety Plans

Kodak's current Excavation Master Plan II (EMP II) provides guidance for addressing health, safety, and environmental concerns for routine soil excavation activities within Kodak Park. The soil excavation activities covered in the EMP II include routine excavations and corrective action projects. Routine excavations are defined in the EMP II as maintenance, repairs, facility upgrades and construction projects where soil is excavated. Under the MIA-317 CMI, the EMP II will continue to set forth the approach and decision-making criteria Kodak will use to excavate, backfill, transport, redistribute, characterize, treat, and store excavated material resulting from those activities.

In addition, project-specific HASPS will be developed for appropriate excavation activities in MIA-317. The HASPs will consider potential soil and contaminant exposure risk and detail protective measures for project personnel.

The protective cover for the investigation area will be annually inspected to assess the cover integrity. The cover areas will be considered as being compromised if there are visual indications that sub-soil below surficial cover is exposed. The inspection of the MIA-317 area will be conducted concurrent with annual inspection of other areas of Kodak Park subject to protective cover maintenance. Based on results of the inspection, should the protective cover be deemed insufficient to protect workers from exposure to underlying soil where contaminants may be present, appropriate measures will be taken to repair the cover. Records of the inspections and repairs will be maintained within Kodak's files.



### 3.4.3 Controls for Vapor Intrusion – Vapor Intrusion Assessment

Due to the presence of volatile organic compounds in groundwater, the potential for vapor intrusion to indoor air will be evaluated prior to any new construction or change in use of existing structures at the site.

### 3.4.4 Site Access Restrictions

MIA-317 is located within the Kodak Park security perimeter. Access to this area is limited by fencing and controlled access points. Only Kodak-authorized personnel are allowed within this area.

### 3.4.5 Property Use Restrictions

A "Notice of Contaminated Site" has been filed for a portion of the KPM Section of Kodak Park within the Liber of Deeds of the Monroe County Clerk's Office. The Notice encompasses the MIA-317 Investigation Area and acknowledges that residual soil and groundwater contamination remains on the property, and that the NYSDEC has determined that the property is suitable for, and is restricted to, use for commercial and/or industrial purposes until adequate remediation has been completed as approved by the NYSDEC. The Notice of Contaminated Site is provided as Appendix A.

## **3.5 Implementation and Reporting**

Each of the components which comprise the final corrective measures are currently being implemented as part of Kodak's routine operational practices. Semi-annual reports are prepared and submitted to the NYSDEC regarding groundwater monitoring under KPGSAP and groundwater remediation systems operation. Activities monitored under EMPII are reported annually in a summary report to the NYSDEC. Additionally, Kodak submits an annual summary report that documents (along with other items) site-wide groundwater monitoring, groundwater remediation system operation, deed notifications, and protective soil

cover system maintenance. This annual document submittal also provides certification by Kodak that institutional controls are in-place and continue to be effective.

#### **4.0 REFERENCES**

Eastman Kodak Company, 1999, "Excavation Master Plan II, Kodak Park Facility, Eastman Kodak Company, Rochester, New York, Revised, June 1999".

Eastman Kodak Company, 2002, "Kodak Park Groundwater Sampling and Analysis Plan, Eastman Kodak Company, Kodak Park Facility, Rochester, New York, Revised January 2002".

Golder Associates Inc., 2002, "MIA-317 RCRA Facility Investigation Report, Kodak Park Corrective Action Program, Eastman Kodak Company, Rochester, New York".

Golder Associates Inc., 2003, "MIA-317 Presumptive Remedy Report, Kodak Park Corrective Action Program, Eastman Kodak Company, Rochester, New York".

NYSDEC, Division of Solid and Hazardous Materials, 2006, "Statement of Basis for Kodak Park Investigation Area MIA-317, Final Corrective Measures Selection, Final, October 2006, Eastman Kodak Company, Kodak Park, Rochester New York, Monroe County".

## FIGURES

RECEIVED  
NYSDEC

SEP 19 2008

Bureau of Hazardous Waste &  
Radiation Management  
Department of Environmental Conservation



LOT 75

STREET

KPM North Fenceline Overburden MCS

KPM TOR MCS

KPM TOR MCS

Investigation Area  
MIA-317

B-317

B-326

B-318

B-321

B-313

B-350

B-351

B-319

B-325

B-335

B-332

B-349

B-315

B-341

B-322

DPI LOT

B-309

B-322

B-312

B-307

B-308

B-312

B-307

LOT 72

LOT 76

LOT 73

Feet

0 200 400

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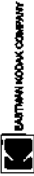
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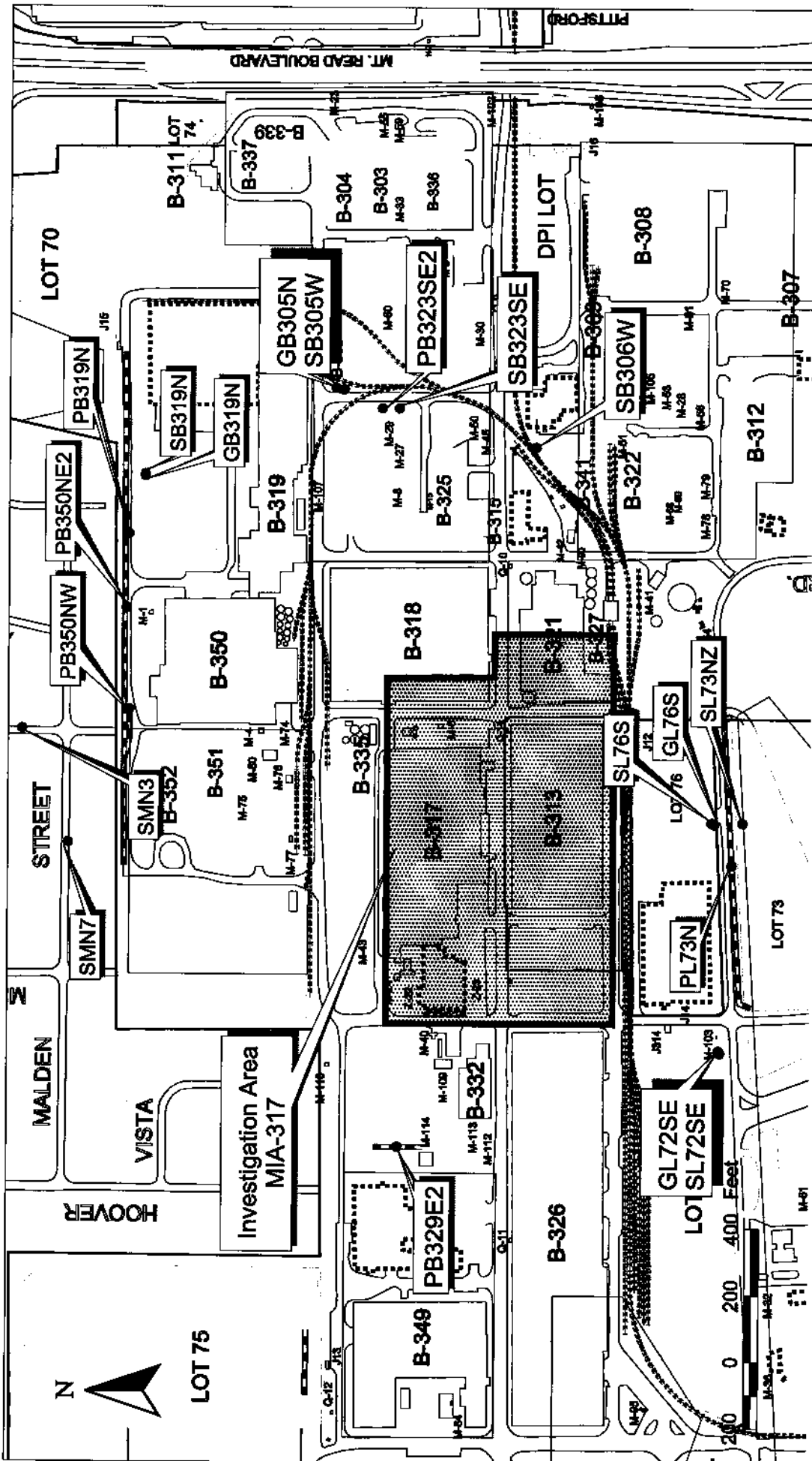


DRAWN  
DATE  
APP'D  
PREPARE  
PROJECT NUMBER

KODAK PARK  
CORRECTIVE ACTION PROGRAM  
EASTMAN KODAK COMPANY  
ROCHESTER, NEW YORK

# MIA-317 Corrective Measures Implementaion Plan Location Map

Figure 1



KODAK PARK CORRECTIVE ACTION PROGRAM EASTMAN KODAK COMPANY ROCHESTER, NEW YORK	<b>Figure 2</b>	
	SHEET:	DATE:
	APPR:	PLAN:
	PROJECT NUMBER:	PROJECT TITLE:

**MIA-317 Corrective Measures Implementation Plan**  
**KPGSAP Monitoring Locations Near MIA-317**

*New recd 9/19/08*

**Appendix A**  
**Notice of Contaminated Site**

MONROE COUNTY CLERK'S OFFICE



Return To:

BOX 80

Index DEEDS

Book 10509 Page 0099

No. Pages 0005

Instrument NOTICE

Date : 8/27/2007

Time : 4:47:00

Control # 200708271249

EASTMAN KODAK COMPANY

EASTMAN KODAK COMPANY

Employee ID NB40

MORTGAGE TAX

FILE FEE-S	\$	19.00	MORTGAGE AMOUNT	\$	.00
FILE FEE-C	\$	8.00	BASIC MORTGAGE TAX	\$	.00
REC FEE	\$	15.00	SPEC ADDIT MTG TAX	\$	.00
	\$	.00	ADDITIONAL MTG TAX	\$	.00
	\$	.00	Total	\$	.00
	\$	.00			
	\$	.00			
	\$	.00			
	\$	.00			
	\$	.00			
Total:	\$	42.00			

STATE OF NEW YORK  
MONROE COUNTY CLERK'S OFFICE

TRANSFER AMT

WARNING - THIS SHEET CONSTITUTES THE CLERKS ENDORSEMENT, REQUIRED BY SECTION 317-a(5) & SECTION 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH OR REMOVE.	TRANSFER AMT \$	.00
	TRANSFER TAX \$	.00

Cheryl Dinolfo  
Monroe County Clerk



0105090099



RECORD AND RETURN TO:  
CATHY KAMAN RYAN  
Box 80

STATE OF NEW YORK)

COUNTY OF MONROE) SS.:

## NOTICE OF CONTAMINATED SITE

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the requirements of the New York State Department of Environmental Conservation ("NYSDEC"), this document is hereby filed in Monroe County Clerk's Office in the Liber of Deeds of Monroe County, New York.

### I

This notice pertains to the tract of land (hereinafter, the "Property") located inside the perimeter boundary line as illustrated on the map attached hereto as **EXHIBIT "A"**, which is incorporated herein. This area is located within the KPM Section of Kodak Park in both the City of Rochester and the Town of Greece, Monroe County, New York and consists of portions of the parcel identified by the following Tax Map Parcel Number(s): 089.08-2-53 and 090.05-1-14.1. The Property is the location of a former manufacturing facility the former operation of which resulted in certain releases of hazardous substances into the soil and groundwater. Residual subsurface contamination remains at the Property.

### II

Cleanup levels established for the Property in the Final Corrective Measures approved by the NYSDEC were based on current and future use of the site for commercial and/or industrial purposes. Without limitation of any other permissible uses, the Property is suitable for use for commercial and/or industrial purposes. The Final Corrective Measures require that use of the Property be restricted to commercial and/or industrial purposes unless and until the Property is further remediated in accordance with a NYSDEC-approved corrective action plan.

The Final Corrective Measures approved for this site reduce site risks to meet protection requirements for the site conditions at the time of this filing. However, persons who will be conducting subsurface construction activities such as, but not limited to, the excavation of soils, installation or repair of subsurface utilities, installation of foundation piers, groundwater extraction, or other such activity may encounter the soils, soil vapors, or groundwater which have been affected by the releases. Due to the presence of volatile organic compounds in groundwater at the site, the Final Corrective Measures require that the potential for vapor intrusion to indoor air must be evaluated prior to any new construction on the site or any change in use of existing structures on the site for other than commercial or industrial purposes. The owner of the Property at the time of any future subsurface construction activities must comply

with all environmental, worker protection and other laws, rules and regulations then applicable to the Property.

III

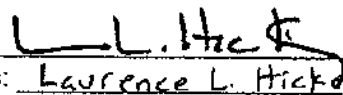
The current owner and operator of the Property and the facilities thereon is Eastman Kodak Company, whose address is 343 State Street, Rochester, New York 14650. More specific information regarding the condition of the Property may be obtained from the agents or assigns of Eastman Kodak Company.

IV

This deed is not a representation or warranty by the NYSDEC as to the suitability of the Property for any particular use or purpose, nor does it constitute any guarantee by the NYSDEC that additional remediation will not be required in the future. Further information concerning this matter may be found in files and reports which are kept on file by the NYSDEC for public inspection at its office located at 625 Broadway, Albany, NY 12233.

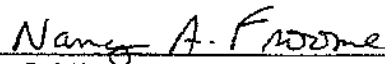
EXECUTED this 27 day of August, 2007

EASTMAN KODAK COMPANY

By:   
Name: Laurence L. Hickey  
Title: Secretary

STATE OF NEW YORK)  
COUNTY OF MONROE) SS.

On the 27<sup>th</sup> day of August in the year 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Laurence L. Hickey, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Notary Public

NANCY A. FROOME  
Notary Public, State of New York  
Qualified in Livingston County  
Commission Expires 4-3-10

**EXHIBIT "A"**

**Map of Property**

