

DECLARATION STATEMENT - RECORD OF DECISION

Autohaus of Rochester Inactive Hazardous Waste Site Perinton (T) , Monroe County, New York Site No. 8-28-084

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedial action for the Autohaus of Rochester inactive hazardous waste disposal site which was chosen in accordance with the New York State Environmental Conservation Law (ECL). The remedial program selected is not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan of March 8, 1990 (40CFR300).

This decision is based upon the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for the Autohaus of Rochester Inactive Hazardous Waste Site and upon public input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. A bibliography of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Assessment of the Site

Actual or threatened release of hazardous waste constituents from this site, have been addressed by implementing the interim response action identified in this ROD, therefore the site no longer represents a current or potential threat to public health and the environment.

Description of Selected Remedy

Based upon the results of the Investigations and Interim Remedial Measure undertaken at the Autohaus of Rochester site and the criteria identified for evaluation of alternatives, the NYSDEC has selected no further action as the remedy for this site. The remedy will continue monitoring the groundwater to confirm the current trend of declining groundwater contaminant concentrations in the wells at the site. The site will be reclassified as a Class 4 indicating remedial actions have been implemented which require continued monitoring.

New York State Department of Health Acceptance

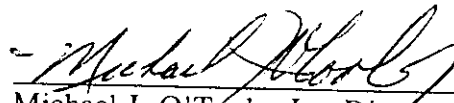
The New York State Department of Health concurs with the remedy selected for this site as being protective of human health.

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 of a principal element.

Date

3/27/94



Michael J. O'Toole, Jr., Director
Division of Environmental Remediation

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Record of Decision
Autohaus of Rochester
Perinton (T), Monroe County, New York
Site No. 8-28-084
March 1998

SECTION 1: SITE LOCATION AND DESCRIPTION

The Autohaus of Rochester site is located at 99 Marsh Road in the Town of Perinton. The site is approximately 1.6 acres in size and is located in an area of commercial development, with other car dealerships and businesses adjacent or in close proximity. The site is bounded by Marsh Road on the east, a car dealership to the north and a railroad embankment to the south side. To the west of and at an elevation about 20 feet above the site, is the approximately 16 acre former public water supply well field for the Village of East Rochester. Figure 1 shows the site location.

The site is flat and contains an approximate 9,500 square feet former automobile showroom/service building. With the exception of a small area of grass in front of the building, the rest of the site is paved.

SECTION 2: SITE HISTORY

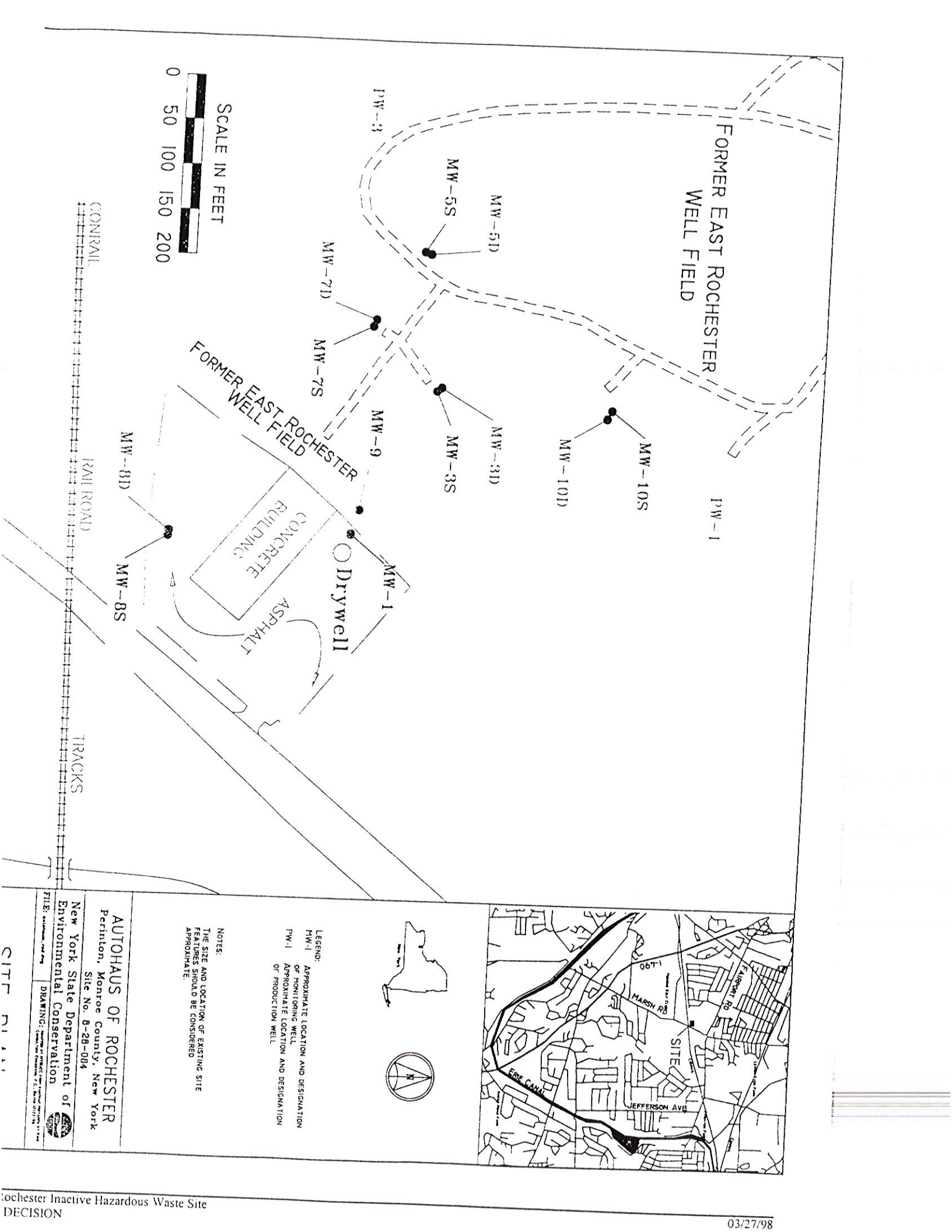
2.1: Operational/Disposal History

The property, owned by Ms. Anni Irmer since 1969, had been used as a Porsche/Audi dealership from the early 1970s through the mid-1980s, and then leased to Autohaus of Rochester which continued to operate as a Porsche/Audi automotive dealership until 1990. During a 1989 environmental audit of the property, an underground drywell which received drainage from the automobile service area was found to be contaminated with volatile organic compounds (VOCs) and petroleum compounds. A drywell is a tank with holes in it designed to release water into the surrounding soils.

2.2: Remedial History

May 1989: An environmental audit performed on this site identified a contaminated drywell.

1990: As a result of the environmental audit a shallow groundwater monitoring well was installed adjacent to the drywell. Laboratory results of groundwater from this well revealed the presence of VOCs. The well had a total VOC concentration of 4,776 parts per billion (ppb) the first time it was sampled and in a second sample, the total VOC concentration was 3,490 ppb. The major contaminants of concern included acetone, methyl ethyl ketone (MEK or 2-butanone), toluene, and xylenes.



May 1991: The Autohaus of Rochester site was listed as a Class 2 site on the NYS Registry of Inactive Hazardous Waste Disposal Sites, indicating that the site posed a significant threat to public health or the environment and action is required.

June 1992: The NYSDEC and the property owner, Ms. Anni Irmer, entered into an Order of Consent. The Order obligated the responsible party to implement an Interim Remedial Measure (IRM) remedial program.

June 1992: A tank and soil removal Interim Remedial Measure (IRM) was performed. The details of this action are included in Section 3.2 Interim Remedial Measures.

November 1992: Due to ongoing problems with chloride and increasing mineral content in the water, the Village of East Rochester discontinued use of their public water supply pumping wells and began using the Monroe County Water Authority as their source of potable water. The problems with chloride and the increasing mineral content in the water were not related to the Autohaus site. This change in the source of potable water was intended as a temporary measure until the Village evaluated solutions to the problem.

Summer 1993: NYSDEC, using the State Superfund, installed an early warning monitoring well system in the Village of East Rochester public water supply field.

July 1995: The Village of East Rochester decided to permanently abandon the public water supply wells and extended their current lease agreement with Monroe County Water Authority to forty years. Alternative private and public uses for the former well field property are being considered. The Village of East Rochester intends to cap and abandon the existing public water supply wells.

Spring of 1997: Wells in the well field and on the Autohaus of Rochester site were sampled by the Potentially Responsible Party (PRP). A sample was also taken from a septic tank located between the building and Marsh Road.

December 1997: A post IRM site characterization was completed by the PRP. See Section 3.3 Post IRM Site Characterization.

2.3 Interim Remedial Measures

IRMs are conducted at sites when a source of contamination or exposure pathway can be effectively addressed before completion of the Remedial Investigation/Feasibility Study (RI/FS).

In June of 1992, an IRM was performed to remove the drywell and grossly contaminated soil identified at the site. The dry well and soils were disposed off site. The final excavation was about 26 feet in diameter and 21 feet deep. Confirmatory samples were taken from the sides

(approximately 18 feet below the surface) and bottom of the pit to determine the level of any contamination in the soils remaining on site. To act as a marker for the extent of the excavation, a geotextile liner was placed along the sides and bottom of the pit. The pit was then back-filled with clean gravel. The area excavated during the IRM is shown on Figure 1. Further information concerning the results of the confirmation sampling is presented in Section 4.1 Summary of Site Investigations.

As part of this IRM, the garage floor drains, the oil/water separator, and the drywell (before removal) were cleaned of sediments and the liquid contents. The contaminants were introduced into the drywell from the garage floor drains, which flowed to an oil water separator before discharging to the drywell. The piping from the floor drains and separator was cut off and capped when the drywell was removed. Nineteen drums of regulated oil waste and liquids containing chlorinated hydrocarbons were separated and sent off site for disposal. This material, which was the source of the groundwater contamination, had total VOC levels of 2,386,100 ppb.

As a follow up to the soil and drywell removal and at the request of the NYSDOH, in 1993, NYSDEC installed an early warning monitoring well system in the Village of East Rochester public water supply well field, as a second IRM, using funds from the 1986 Environmental Quality Bond Act (the State Superfund). Nine monitoring wells were installed in the well field and two background wells were installed on the Autohaus of Rochester property. These wells were to be used as an early warning to potential contaminant migration towards the public water supply wells. Because the Village of East Rochester never reactivated the public water supply wells, there was never a need to use the monitoring wells as an early warning system.

2.4 Post IRM Site Characterization

To evaluate the effectiveness of the 1992 removal, a post IRM site characterization was undertaken by the site owner, in 1997. Groundwater samples were taken within the vicinity of the drywell excavation and in adjacent areas of the former public water supply well field. These water samples were collected to assess the effectiveness of the soil removal and to determine the current status of the contaminated groundwater plume. Two geoprobe monitoring wells were also installed to verify the current direction of ground water flow in the vicinity of the soil and tank removal. A geoprobe monitoring well is a well that is installed by pressing the pipe into the ground rather than by drilling.

As part of this investigation a sample was also taken from a septic tank located between the building and Marsh Road, to determine if the septic tank had received any discharge of similar contaminants as were found in the drywell. The analysis of the sample from the septic tank did not detect any site related contamination.

SECTION 3: CURRENT STATUS

In response to a determination that the presence of hazardous waste at the site presents significant threat to human health and the environment, the NYSDEC and the property owner have completed various investigations and reports. They include:

- Interim Remedial Measures for the Autohaus of Rochester site, Drywells Removal Report July 1993 (Property Owner).
- Installation of Early Warning Monitoring Well System, New York State Superfund Standby Contract, Autohaus of Rochester, July 1994 (NYSDEC).
- Monitoring Well Survey and Groundwater Sampling Report, Autohaus of Rochester, June 1997 (Property Owner).
- Groundwater Sampling Report, Autohaus of Rochester Site, January 1998 (Property Owner).

These documents are also available at the document repository.

3.1: Summary of the Site Investigations

The purpose of the investigations was to define the nature and extent of any contamination resulting from previous activities at the site.

To determine which media (soil, groundwater, etc.) contain contamination at levels of concern, the site analytical data was compared to environmental Standards, Criteria, and Guidance (SCGs). Groundwater, drinking water and surface water SCGs identified for the Autohaus of Rochester site were based on NYSDEC Ambient Water Quality Standards and Guidance Values and Part V of NYS Sanitary Code. NYSDEC Technical and Administrative Guidance Memorandum (TAGM) 4046 soil cleanup guidelines for the protection of groundwater, background conditions, and risk-based remediation criteria were used as SCGs for soil. The NYSDEC Guidance for Screening Contaminated Sediments is used for surface water sediments.

For the Autohaus of Rochester site, a formal RI/FS has not been performed, however, the investigations and remedial activities completed to date have met the general requirements of a RI/FS project.

Chemical concentrations are reported in parts per billion (ppb). For comparison purposes, SCGs are given for each medium.

3.1.1 Nature of Contamination

As described in the various reports, samples from the groundwater, soil, and drywell were collected at the Site to characterize the nature and extent of contamination. The primary contaminants of concern at this site are the volatile organic compounds (VOCs): acetone, methylene chloride, tetrachloroethene, 1,1,1-trichloroethane, benzene, toluene, xylenes, ethylbenzene, and 1,2-dichlorobenzene. All of these compounds were found in the samples taken from the drywell. All of these compounds, except tetrachloroethene, 1,1,1-trichloroethane, benzene, and 1,2-dichlorobenzene were also found in a monitoring well approximately 20 feet from the drywell. The following additional compounds were found in the monitoring well as well: 2-butanone (or MEK), 1,1-dichloroethene, and trichloroethene. In general, the concentrations of the compounds found in the drywell (9,200 ppb total VOCs) were about two to three times higher than the concentrations of the same compounds found in the monitoring well (3,200 ppb total VOCs). These compounds are consistent with materials used at the dealership such as engine degreasers, tar and wax removers, tetrachloroethylene, brake parts cleaner, and 1,1,1-trichloroethane.

3.1.2 Extent of Contamination

Table 1 summarizes the extent of contamination for the contaminants of concern remaining in the soil after the soil and drywell removal. Table 2 presents the concentration of contaminants, overtime, in the two monitoring wells (MWs 1 & 9) closest to the excavation. These two wells are the only monitoring wells which, historically, have shown any significant levels of contamination. This table compares the data with the proposed remedial action levels (SCGs) for the site. The following are the media which were investigated and a summary of the findings of the investigation.

Soil

Table 1 shows the results of the NYSDEC confirmation sampling performed after the soil and drywell removal. The maximum value for each contaminant is shaded. When these values are compared with the TAGM 4046 levels (soil cleanup guidelines), it is clear that for all the compounds except xylenes, the concentrations remaining are within or near TAGM 4046 levels. For xylenes, as a foot note to the table indicates, split samples analyzed by the PRP had a maximum value of only 6,200 ppb. A split sample is a second portion of the original sample sent to a different laboratory for analysis. This second value is significantly closer to the TAGM 4046 level for xylene. The levels of xylene in the confirmation samples are significantly lower than the 30,000 ppb of xylene detected in the sludge that was removed from the trench drains, and the 30,000 ppb of xylene detected in the sludge removed from the drywell. Based on the depth of this sample, approximately 18 feet below ground surface, and the decreasing contaminant levels in the groundwater it was determined that further excavation of soils would not be necessary.

Groundwater

In general the extent of the groundwater contamination appears to be minimal. Three sampling events over a four year period did not identify the presence of significant levels of contamination at any locations further than approximately 40 feet from the former drywell location. Historically elevated levels of contamination have only been found in monitoring wells MW-1 and MW-9 which are approximately 20 and 40 feet, respectively, from the former location of the drywell. Table 2 shows that the contaminant concentrations in MW-1 have decreased over time to below groundwater standards. Table 2 also indicates a decrease in concentration over time in MW-9, however a greater number of compounds are present and the levels of some of the compounds still exceed groundwater standards.

In the December 1997 post-IRM site characterization, 23 groundwater samples were collected in the vicinity of the 1992 soil and drywell removal. Table 3 shows the maximum concentration levels for the various VOCs identified in the groundwater samples collected in this area and Figure 2 shows the location of the sampling. These levels indicate that the area in the vicinity of the former drywell is no longer acting as a source of groundwater contamination. As part of this investigation, two geoprobe monitoring wells were also installed and sampled. Table 4 presents the concentration of contaminants identified in the two geoprobe monitoring wells. When the Village of East Rochester's public water supply wells were shut down, the groundwater flow direction was expected to return to the natural area wide flow pattern. Therefore, the two additional geoprobe groundwater elevation monitoring points were installed to evaluate how the groundwater flow direction had changed. Data from these and other monitoring wells show that the groundwater flow direction is now to the northeast; and the gradient, which is the change in groundwater elevation over distance, indicates that groundwater in the area of the site is flowing very slowly. Figure 2 shows the former groundwater flow direction to the northwest and the newly established direction to the northeast. Because of the low gradient, the rate of contaminant movement is expected to be less, resulting in relatively limited migration over time.

Since the removal IRM, the levels of contamination detected in the groundwater have been decreasing. Removal of the contaminated soil and drywell, natural attenuation, and dilution are the probable causes for this decrease. Since the source of the groundwater contamination has been removed and the concentrations of chemicals in groundwater have been consistently decreasing, it is reasonable to propose that no additional remedial action is necessary. Additionally:

- groundwater is not being used for public consumption
- the limited groundwater flow is in a direction where there are no apparent receptors
- ketones and the other major groundwater contaminants are biodegradable, so continued decline in their concentration is expected over time.

3.2 Summary of Human Exposure Pathways:

This section describes the types of human exposures that are evaluated to identify potential added health risks to persons at or around the site.

An exposure pathway is how an individual may come into contact with a contaminant. The five elements of an exposure pathway are 1) the source of contamination; 2) the environmental media and transport mechanisms; 3) the point of exposure; 4) the route of exposure; and 5) the receptor population. These elements of an exposure pathway may be based on past, present, or future events.

When the East Rochester public water supply wells were in operation, there was a potential for contamination to be drawn from the Autohaus of Rochester site into the public water supply wells. While the public water supply wells were in operation, they were sampled several times to evaluate whether or not the public water supply wells were being affected from the site. No hazardous waste contamination was ever detected in the public water supply wells at any time during their operation.

The East Rochester public water supply wells are no longer in operation and are being decommissioned from future use. There are currently no known potential or completed exposure pathways that would pose a risk to the public health.

3.3 Summary of Environmental Exposure Pathways:

This section summarizes the types of environmental exposures which may be presented by the site.

The 1997, post IRM site characterization indicated it was not likely that groundwater contamination from the Autohaus site would discharge to a nearby stream. The area immediately downgradient of the contaminated groundwater is primarily commercial with large areas covered with asphalt. The stream in question passes through a culvert for several thousand feet, receiving stream runoff from the various commercial sites. The areal extent of the groundwater plume appears to be fairly localized and is approximately 10 to 20 feet below the surface of the ground. All these factors indicate that significant exposure to plant or animal life is not anticipated.

SECTION 4: 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 NYSDEC and Ms. Anni Irmer entered into an Order on Consent on June 19, 1992. The Order obligated the Respondent to implement an Interim Remedial Measure (IRM) program.

Upon issuance of the Record of Decision the NYSDEC will approach the property owner or operators to implement the necessary site monitoring under an Order on Consent.

Ms. Irmer is the only PRP for this site to undertake the task required by the Department. Additional PRPs identified by the Department include Ms. Irmer's former husband, Adolph Irmer and the Autohaus of Rochester, Inc., corporation and its individual principals.

In addition to the implementation of the soil and drywell removal IRM, the NYSDOH determined that an Early Warning Monitoring Well System (EWMWS) was needed to protect the East Rochester public water supply wells. The PRP declined to implement the EWMWS, therefore, the State installed the wells using the State Superfund.

SECTION 5: SUMMARY OF THE REMEDIAL GOALS AND SELECTED ACTION

The selected remedy for any site should, at a minimum eliminate or mitigate all significant threats to the public health or the environment presented by the hazardous waste present at the site. The State believes that the remedial actions taken to date, described in Section 3.3, will accomplish this objective provided that continued groundwater monitoring confirms that the levels of contamination continue to decrease with time and remain limited in extent.

Therefore, based upon the results of the previous investigations and the IRMs that have been performed at the site, the NYSDEC is selecting no further action with continued groundwater monitoring as the remedial alternative for the site. The site monitoring program, will include sampling from MW-1, MW-9, and GFZ-11. The sampling will initially be performed semi-annually, with this frequency evaluated based upon the results obtained. The groundwater samples will be analyzed for VOC's, ketones, and 1,2,4- and 1,3,5- trimethylbenzene, the compounds historically found at the site. If the results of the monitoring program indicate that additional monitoring wells are necessary to adequately monitor groundwater conditions, the required additional wells will be installed and monitored.

The Department will also reclassify the site from a Class 2 to a Class 4 on the New York State Registry of Inactive Hazardous Waste Disposal Sites (Registry), which means that this site has been properly closed but requires continued operation, maintenance, and/or monitoring. In the future, should the monitoring program show that the contaminant concentrations in the wells continue to exhibit a downward trend, approaching groundwater standards, this site would be a candidate for delisting from the Registry.

SECTION 6: HIGHLIGHTS OF COMMUNITY PARTICIPATION

As part of the remedial investigation process, a number of Citizen Participation (CP) activities were undertaken in an effort to inform and educate the public about conditions at the site and the potential remedial alternatives. The following public participation activities were conducted for the site:

- A site mailing list was established which included nearby property owners, local political officials, local media, and other interested parties in October 1991.
- A fact sheet describing the site, known contaminants and their potential health affects, and expected future activities was prepared by NYSDOH and NYSDEC and mailed to the public in October 1991.
- A fact sheet announcing the implementation of the soil and drywell removal IRM and the availability of the work plan for review at the Region 8 NYSDEC office.
- An availability session announcement was mailed to the public in September 1992.
- A local repository for documents pertaining to the site was established in October 1992.
- An availability session was held on October 14, 1992 to describe the completed soil and drywell removal IRM and the proposed installation of an early warning monitoring well system. Potential exposures to site related chemicals and potential health effects from ingestion of hard water were also discussed. A site information sheet was handed out at the availability session.
- A fact sheet announcing the implementation of field work for the early warning monitoring well system was mailed to the public in April 1993. The location of the document repository for this site was also provided.
- Development of a Citizen Participation Plan for this site in August 1994.
- An availability session announcement was mailed to the public in September 1994.
- An availability session was held on September 19, 1994 to discuss the results of the sampling the early warning monitoring well system.
- A meeting announcement was sent to the public in February 1998. This announcement also informed the public of the availability of the PRAP for review and comment.

- A public meeting was held on March 5, 1998 to discuss the PRAP and the results of the post IRM site characterization. Public comments were solicited during this meeting.
- In March, 1998, a Responsiveness Summary was made available to the public to address the comments received during the public comment period for the PRAP.
- Throughout the life of the project, phone conversations were held with various members of the public and local government officials, answering their questions and listening to their concerns.

Concerns of the community regarding the site assessment reports and the Proposed Remedial Action Plan have been evaluated. The "Responsiveness Summary" included as Appendix A presents the public comments received and the Department's response to the concerns raised. The public comments received were supportive of the selected remedy.

Table 1
Soil Confirmation Sampling
June 1992

	Dry Well Contents Pre-IRM	Trench Drains Pre-IRM	TAGM 4046	Pit Bottom Post IRM	North Side Post IRM	East Side Post IRM	South Side Post IRM	West Side Post IRM	Number above TAGM 4046
Ethylene chloride	580,000 B	170,000 B	100	13B	880JB	320J	55B	70B	2/5
acetone	NA	NA	200	120B	1200JB	550JB	660B	110B	3/5
Butanone	ND	ND	300	19	620J	340J	ND	ND	2/5
tetrachloroethene	230,000	260,000	1400	ND	180J	170J	ND	ND	0/5
toluene	130,000	810,000	1500	ND	5100	3,700	21J	ND	2/5
ethylbenzene	52,000	160,000	5500	ND	620J	2,500	18J	42J	0/5
xylene	530,000	1,000,000	1200	ND	23,000*	24,000*	160	ND	2/5

The following qualifiers apply to Tables 1-4:

- Shading indicates the maximum value for that compound in the soil confirmation samples, only.

* split samples for the north and east sides had concentrations of 1,700 and 6,200 ppb, respectively for xylenes.

J estimated value

B compound also found in a quality control sample, or "blank". This usually means that some portion of the contamination found in the sample may be due to some other factor such as laboratory contamination and the contamination in the groundwater sample is lower than reported.

NA not analyzed for

ND Not detected. This means that the indicated compound was not detected.

D Sample had to be diluted before it was analyzed due to the potential for excessive interferences. The dilution factor is taken into account when the contaminant levels are reported.

E estimated value

Table 2
MW-1 & MW-9 Data

Contaminants	MW-1			MW-9			
	July 1990 (ppb)	April 1994 (ppb)	March 1997 (ppb)	August 1993 (ppb)	April 1994 (ppb)	March 1997 (ppb)	
1,1-Dichloroethene	ND	1.3	ND	40J	ND	ND	
1,2-Dichloroethane	55.9	ND	ND	ND	ND	ND	
1,1,1-Trichloroethane	ND	1.2	0.2J	ND	ND	ND	
Tetrachloroethene	ND	1.6	3	ND	ND	ND	
1,4-Dichlorobenzene 1,2-Dichlorobenzene	ND	2.1 6.2	ND	ND	ND	ND	
Acetone	973	ND	ND	2600J	1700	180	
2-Butanone(MEK)	1010	ND	ND	200	215	59JD	
1,2-Dichloropropane	ND	ND	ND	ND	ND	ND	
Trichloroethene	25.9	ND	ND	ND	ND	ND	
Benzene	ND	ND	ND	ND	ND	6JD	C
4-Methyl-2-Pentanone (MIBK)	ND	ND	ND	ND	35	ND	N
Toluene	944	ND	ND	ND	180	320	:
Chlorobenzene	ND	ND	ND	ND	ND	ND	:
Ethylbenzene	53.7	ND	ND	ND	ND	ND	:
Styrene	ND	ND	ND	ND	ND	ND	:
Total Xylene (o,m,p)	347	ND	ND	ND	ND	36	5
Methylene Chloride	80.7	ND	ND	ND	ND	15JD	5
Methyl Tert Butyl Ether	ND	ND	ND	ND	46	ND	NI

See Table 1 for data qualifiers

SCG = Groundwater Standards

Table 3
1997 Groundwater Sampling Near Former Drywell

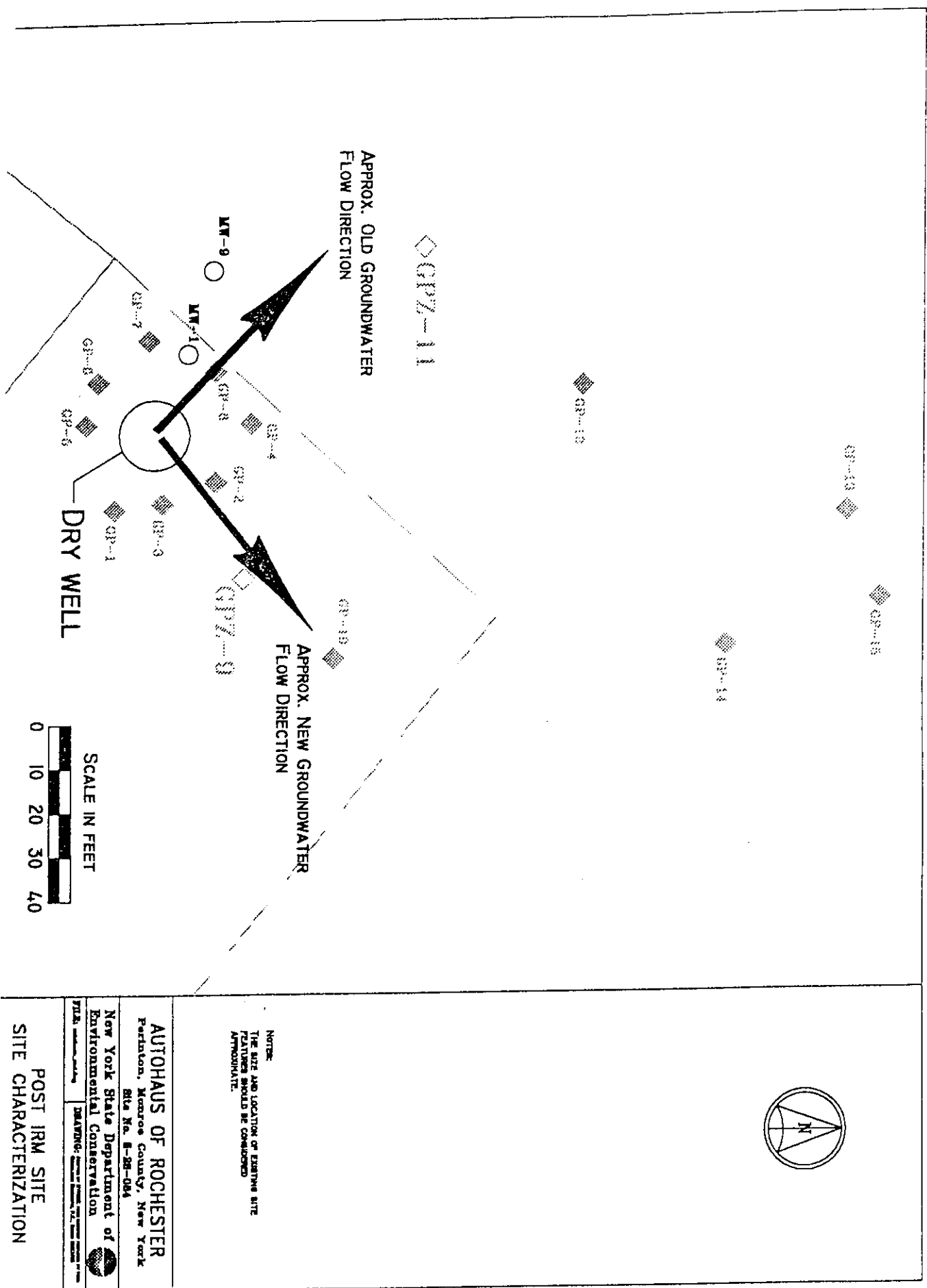
	Maximum Values	Groundwater Standard
Acetone	56	50
Carbon Disulfide	4J	ND
1,1-Dichloroethane	3	ND
Chloroform	4	ND
Benzene	2	0.7
Trichloroethene	0.5	5
Toluene	23	5
Tetrachloroethene	3	5
Ethylbenzene	9D	5
Xylenes(total)	110D	5
Isopropylbenzene	9D	ND
n-propylbenzene	22D	ND
1,3,5- Trimethylbenzene	94D	ND
1,2,4- Trimethylbenzene	250ED	ND
sec-Butylbenzene	18D	ND
p-Isopropyltoluene	30D	ND
1,3- Dichlorobenzene	0.9J	ND
1,4- Dichlorobenzene	9D	4.7
1,2- Dichlorobenzene	52D	4.7
Napthalene	39E	ND

See Table 1 for data qualifiers

Table 4
1997 Geoprobe Monitoring Wells
New Groundwater Flow Direction

	GPZ - 9	GPZ - 11	Groundwater Standard
Acetone	1300	ND	50
Carbon Disulfide	ND	ND	ND
1,1-Dichloroethane	14	0.9J	ND
Chloroform	ND	ND	ND
Benzene	15	0.5J	0.7
Trichloroethene	ND	ND	5
Toluene	110	1.0J	5
Tetrachloroethene	ND	ND	5
Ethylbenzene	7	ND	5
Xylenes(total)	79	0.4J	5
Isopropylbenzene	ND	ND	ND
n-propylbenzene	ND	ND	ND
1,3,5- Trimethylbenzene	ND	ND	ND
1,2,4- Trimethylbenzene	7	ND	ND
sec-Butylbenzene	ND	ND	ND
p-Isopropyltoluene	ND	ND	ND
1,3- Dichlorobenzene	ND	ND	ND
1,4- Dichlorobenzene	ND	ND	4.7
1,2- Dichlorobenzene	12	ND	4.7
Napthalene	8	ND	ND
2-Butanone	290	ND	ND
Methylene Chloride	8	0.7J	ND
1,2-Dichloropropane	4J	ND	ND
Chloroethane	2J	0.5J	ND
1,1,1-Trichloroethane	ND	ND	ND
4-Methyl-2-Pentanone	35	ND	ND
Styrene	ND	0.3J	ND

See Table 1 for data qualifiers



Appendix A

RESPONSIVENESS SUMMARY

**Autohaus of Rochester
Proposed Remedial Action Plan
Perinton (T), Monroe County
Site No. 8-28-084**

The Proposed Remedial Action Plan (PRAP) for the Autohaus of Rochester Site was prepared by the New York State Department of Environmental Conservation (NYSDEC) and issued to the local document repository on February 18, 1998. This Plan outlined the preferred remedial measure proposed for the Autohaus site. The preferred remedy calls for no further action with continued groundwater monitoring for the site.

The release of the PRAP was announced via a notice to the mailing list, informing the public of the PRAP's availability.

A public meeting was held on March 5, 1998 which included a presentation of the investigations and the interim remedial measure conducted at the site, as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. Written comments were received from the law firm representing a PRP.

This Responsiveness Summary responds to all questions and comments raised at the January 21, 1998 public meeting and to the written comments received.

The following are the comments received at the public meeting, with the NYSDEC's responses:

COMMENT 1: What would cause a spike in the concentration of contaminants at the site during future monitoring?

RESPONSE 1: First, it is important to note that we do not expect that an increase in the concentration of contaminants is likely, however, this situation could occur under the following hypothetical scenario. We already know that the groundwater table has risen over the past 4-6 years approximately 10 feet. We do not know, yet, whether or not the water table will continue to rise. If the water table were to continue to rise and contact some contaminated soil

remaining in the source area, then it is possible that the level of contamination in the groundwater could increase. Again, it is emphasized that we do not expect that there is any significant contamination left in the soil at the site and do not expect to see a sharp increase in the level of contamination found in the groundwater.

COMMENT 2: Where the dry well was excavated, was it filled with clean dirt?

RESPONSE 2: After the excavation was completed, but before the contractor began to backfill the hole, a geo-textile liner was placed along the sides and bottom of the excavation to mark the extent of the removal. Then the contractor backfilled the excavation with clean gravel to the ground surface. There was no hole left at the site from the excavation.

COMMENT 3: You are talking two more years of monitoring at the site. Does that mean you are not going to allow any development?

RESPONSE 3: The NYSDEC has never stated that no development of the site is or would be possible. The current status of the site in the remedial program should not preclude the commercial development of the site, which is the type of development indicated by the current zoning of the area. Any development, at the site which avoided the area of the excavation could be expected to proceed with no restrictions placed on any subsurface activities. Any subsurface activities proposed within the vicinity of the former excavation would be evaluated on a case by case basis. Any development at the site however should not interfere with the ability to continue monitoring at the site.

COMMENT 4: So the area that you are talking about is not underneath the building itself.

RESPONSE 4: No, the area addressed by the actions completed to date and the apparent source of the residual groundwater contamination is located to the rear of the parking lot to the northwest of the building, see Figure 1 of the ROD. We are not aware of any contamination underneath this building.

COMMENT 5: Would there be a problem if you put an apartment complex at the site?

RESPONSE 5: If a structure were to be constructed right over the drywell area, it is possible, some additional steps to deal with any residuals may be required in the construction. If the development were elsewhere on the property, it is unlikely any special steps would be needed. If any construction is proposed, at that point we would recommend that the County Health Department, the

State Health Department and the NYSDEC be contacted for their recommendations relative to the actual project being considered.

COMMENT 6: Why don't you check and see if there is any contamination underneath the building?

RESPONSE 6: During the early stages of the investigation of this site, a complete inventory of all tanks, piping ,etc. was performed. Since no potential sources were identified and no contamination was evident in the groundwater in the vicinity of the building, there was no basis to support the need to investigate the area underneath the building. (Also see Response 4.)

COMMENT 7: If the owner wanted to divide the site and develop it, would the owner have to go to the expense of making sure there is no contamination under the building?

RESPONSE 7: Sampling has not indicated any additional contamination moving from under the building. We are aware of a septic tank in the lawn in front of the property. This septic tank was sampled and no contamination was detected. All the trench drains, piping, etc. within the building were cleaned and capped. Therefore, as stated in response 7, there is no reason to believe that there is any significant problem there. However should a previously unknown problem be discovered it could be up to the site owner at that time to address it.

COMMENT 8: Is it safe to say that south of the building there was no contamination?

RESPONSE 8: We found no contamination in the area south of the building. The past and current groundwater flow regimes indicate that contamination associated with the former drywell should not have migrated to this area of the site.

COMMENT 9: Who conducted the investigations?

RESPONSE 9: Both the responding PRP and the NYSDEC have completed investigations of the site. The PRP installed MW-1 after the 1989 Environmental Audit. In June 1992, the PRP implemented the soil and dry well IRM removal. Both the PRP and the Department took confirmation samples from the sides and bottom of the excavation. During the summer of 1993, the Department installed an early warning monitoring well system and sampled the wells

twice. In the spring of 1997, the PRP sampled all the wells, and in December 1997, the PRP performed the post IRM site characterization.

COMMENT 10: If the contaminant levels continue to decrease, what would the Department recommend? Could the site ever be removed from the Registry of Inactive Hazardous Waste Disposal Sites? If after two years of monitoring, everything looks good, could the site be taken off the list?

RESPONSE 10: After the ROD is signed it is expected that the site would be reclassified from a class 2 to a class 4 site. At some point in time it is possible that the site would be a candidate for delisting, however, the time frame cannot be estimated at this time. If the contaminants in the groundwater continue to decrease over time, delisting the site may be appropriate if the NYSDEC and the NYSDOH determine such action is warranted based upon the results of the monitoring program.

COMMENT 11: Could you explain the site classification system?

RESPONSE 11: The following is the NYSDEC classification system for sites listed on the *New York State Registry of Inactive Hazardous Waste Disposal Sites*:

- Class 1: Hazardous waste has been disposed, causing or presenting an imminent danger of causing irreversible or irreparable damage to the public health or environment - immediate action is required;
- Class 2: Hazardous waste has been disposed with significant threat to the public health or the environment - action is required;
- Class 3: Hazardous waste has been disposed which does not present a significant threat to the public health or the environment - action may be deferred;
- Class 4: Site is properly closed and requires continued management;
- Class 5: site is properly closed, no evidence of present or potential adverse impact - no further action is required.

COMMENT 12: If Mrs. Irmer wanted to put the facility back in to action again, how would the oil-water separator be dealt with? If they got a SPDES permit, what would it be for? You said the site next door now discharges stuff to the

sewer. Could the same be done at this site if the building became operational again?

RESPONSE 12: The old system of using an oil-water separator to discharge the oil to a sealed underground tank and the water to a dry well would not be acceptable today. The oil-water separator could not be connected to any surface or subsurface discharge, without proper treatment of the discharge to meet either groundwater or surface water treatment standards, as appropriate for the planned discharge (6 NYCCR Part 700-705). It could be hooked to a tank which would be pumped and taken for disposal, or could be hooked up to the existing public sewage collection system. Before they could hook up with the public sewage collection system, a permit from the treatment facility would be needed. Whatever system would be built, local permits and subsequent inspections would be required.

COMMENT 13 After this site is reclassified as a class 4, is there anything that could cause the site to become a class 2 again?

RESPONSE 13: With what we know about the site today, it is unlikely.

The following comments are based upon the comment letter received by the NYSDEC during the comment period. The person or agency commenting is identified and the summarized comments, along with the State's response, are presented below. The complete letters have been included in the Administrative Record for the ROD.

A letter dated March 20, 1998 was received from Alan J. Knauf of Knauf, Craig & Shaw, LLP, submitted on behalf of 99 Marsh Road, Inc. and Ms Anni Irmer, which included the following comments:

Comment 14: We request that the Record of Decision specify the monitoring wells that should be sampled, the parameters that should be analyzed, and the testing frequency.

Response 14: This was stated in general terms in the PRAP, and Section 5 of the ROD has been modified to specifically identify MW-1, MW-9, GPZ-9, and GFZ-1, as the monitoring points.

Comment 15: We request that a goal be selected for specific target compounds, whether in actual concentrations, or a concentration trend, and at that point the Site be delisted.

Response 15: The PRAP and ROD both state the following as the goal for the monitoring program:

In the future, should the monitoring program show that the contaminant concentrations in the wells continue to exhibit a downward trend, approaching groundwater standards, this site would be a candidate for delisting from the Registry.

Comment 16: Our records show that the excavation was 25 feet in diameter and 20 feet deep (as opposed to the stated 26 and 21 feet, respectively).

Response 16: The dimensions were taken from the June 29, 1992 field notes of Mr. Robert Long, the NYSDEC construction inspector. The excavated hole was not a perfect circle, therefore the NYSDEC will continue to utilize the record dimensions of our inspector.

Comment 17: Further, we were unable to verify the total VOC concentrations in the material removed from the drywell to be as stated in the PRAP.

Response 17: After review of the data from the samples collected at the time of the removal, it appears that the values cited represent the results of a sample taken from the trench drains which led to the drywell, not the drywell. Further review of the data having identified another sample which was taken from the drywell. This information has been added to Table 1, along with the previously reported concentrations, and these findings are also reflected in the discussion in Section 3.1.2 of the ROD.

Appendix B

ADMINISTRATIVE RECORD

Autohaus of Rochester
Proposed Remedial Action Plan
Perinton (T), Monroe County
Site No. 8-28-084

The following documents constitute the Administrative Record for the Autohaus of Rochester Inactive Hazardous Waste Disposal Site Record of Decision.

Documents

Groundwater Sampling Report, Autohaus of Rochester, GZA Environmental (GZA), January 1998

Monitoring Well Survey and Groundwater Sampling Report, GZA, June 1997.

Installation of Early Warning Monitoring Well System, New York State Superfund Standby Contract, Final Report, ES, July 1994.

Interim Remedial Measures for the Autohaus, Drywell Removal Report, Lozier, July 1993.

Environmental Audit dated April 10, 1990 and prepared by North State Consultants, P.C.

Final Engineering Report, East Rochester Well Field Demonstration Well Project, Located on Fairport Road, for the Town-Village of East Rochester, prepared by D. J. Parrone & Associates, P. C. (P&A), May 30, 1985.

Engineering Study, Water Source and Treatment Facilities, Demonstration Well Program, for the Town-Village of East Rochester, prepared by P&A, February 8, 1984.

Report on Shallow Aquifer Evaluation, East Rochester, New York, for the Town-Village of East Rochester, prepared by Ground Water Associates, December 15, 1982.

As-built well construction logs for the Village of East Rochester Public water supply wells.

Correspondence

Letter dated March 20, 1998, from Alan Knauf, lawyer for Anni Irmer, property owner, to Wayne Mizerak, NYSDEC, concerning comments on the PRAP.

Interagency Memorandum dated February 12, 1998, from Christine McGrath to Wayne Mizerak, concerning fingerprint pattern indicative of petroleum in water samples.

Letter dated January 13, 1998, from Robert Minning to Wayne Mizerak, concerning submission of the report and their final conclusions of recent groundwater sampling.

Interagency Memorandum dated June 5, 1997, from Christine McGrath to Wayne Mizerak, concerning Department review of Data Review Report prepared by DATAVAL, Inc.

Interagency Memorandum dated April 4, 1997, from Wayne Mizerak to Christine McGrath requesting her to review the attached Data Review Report prepared by DATAVAL, Inc. for water samples taken on December 9 and 10, 1996. Also attached is a letter dated March 18, 1997, stating that the data validator had rejected the latest round of groundwater sampling and that re-sampling was scheduled to begin on March 20, 1997.

Letter dated March 20, 1997 from Robert Scott, NYSDEC, to Gary Smith, P&A, concerning abandonment of existing well field and water treatment plant.

Interagency Memorandum dated November 7, 1997, from Wayne Mizerak for Distribution containing attachments to be considered as the final work plan for the Fall 1997 field activities. Attached letters included:

- A letter dated October 10, 1996, from Rudolph Gabel, Rudolph C. Gabel, Inc. (RCGI), to Wayne Mizerak NYSDEC with attached work plan.
- A letter dated October 18, 1996, from Rudolph Gabel, RGCI, to Wayne Mizerak, NYSDEC, containing a chronology of field events.
- A letter dated October 17, 1996, from Glen Bailey, NYSDEC, to Alan Knauf, Knauf and Craig (K&C), concerning further investigation of the site under IRM Order on Consent.

A letter dated August 30, 1996, from Rudolph Gabel, RGCI, to Wayne Mizerak, NYSDEC, concerning the inaccuracy of some of the data reported in the *Interim Remedial Measures for the Autohaus, Drywell Removal Report*.

Field logs dated February 15, 1994 for NYSDEC sampling of wells and prepared by Wayne Mizerak.

Letter dated November 13, 1992, from Richard Elliot, Monroe County Department of Health (MCDOH), to Peter Quincy, Mayor of the Village of East Rochester, concerning sampling results of water taken from the Village of East Rochester public water supply distribution system.

Letter September 25, 1992, from Richard Elliot, MCDOH, to Peter Quincy, Mayor of the Village of East Rochester, concerning sampling results of water taken from the Village of East Rochester public water supply distribution system.

Letter dated September 16, 1992 from Judith Stone, Roy F. Weston, Inc.(RFWI), concerning re-analysis of a soil sample.

Letter dated September 9, 1996 from John G. Victor, Lozier, to Renee Cohen, NYTest Environmental, Inc. (NYTEI), requesting clarification on the accuracy of some analytical work reported in the *Interim Remedial Measures for the Autohaus, Drywell Removal Report*.

Analytical results dated August 21, 1992, for IRM confirmation samples sent by NYSDEC to Roy F. Weston Laboratories.

Interagency Transmittal Slip dated July 2, 1992, from Robert Long to Wayne Mizerak with the following attachments:

- Notes on where the samples were taken
- Contract Lab Sample Information Sheet for the NYSDEC confirmation samples for the Drywell and Soil Removal IRM.
- Robert Long's field notes for June 22, 25, 26, and 30, 1992 for the Drywell and Soil Removal IRM.

Letter dated April 17, 1992, from Richard Elliot, MCDOH, to Peter Quincy, Mayor of the Village of East Rochester, concerning sampling results of water taken from the Village of East Rochester public water supply distribution system.

Memorandum dated August 6, 1992, from Wayne Mizerak for distribution concerning data summary reports for NYSDEC confirmation samples for Drywell and Soil Removal IRM.

Letter dated January 16, 1992, from Richard Elliot, MCDOH, to Peter Quincy, Mayor of the Village of East Rochester, concerning sampling results of water taken from the Village of East Rochester public water supply distribution system.

Letter dated November 9, 1991, from Rudolph Gabel, RCGI, to Wayne Mizerak, NYSDEC, with the following drawings enclosed:

- Jenkins Wurzer Starks As-Built 3/23/76, dwg. A-1
- Jenkins Wurzer Starks As-Built 3/23/76, dwg. A-2
- Jenkins Wurzer Starks As-Built 3/23/76, dwg. A-3
- Jenkins Wurzer Starks As-Built 3/23/76, dwg. EHV-1
- Jenkins Wurzer Starks As-Built 3/23/76, dwg. P-1
- Jenkins Wurzer Starks As-Built 3/23/76, dwg.
- Jenkins Wurzer Starks Drywell Location Plan, dwg. D-1
- Carlton E. DeWolf Site Plan, 5/10/71, dwg. S-1

Interagency Memorandum dated October 18, 1991, from Gardiner Cross to Wayne Mizerak concerning determination of groundwater flow direction at the Autohaus of Rochester Site.

Laboratory Report dated February 28, 1990 for groundwater sampling.

Laboratory Report dated August 27, 1990 for groundwater sampling.

Laboratory Report dated April 4, 1990 for groundwater sampling.

Laboratory Report dated March 5, 1990 for groundwater sampling.

Environmental Audit dated April 10, 1990 and prepared by North State Consultants, P.C.

