PROPOSED RECORD OF DECISION AMENDMENT
MR. C'S DRY CLEANERS SITE

Village of East Aurora / Erie / Registry No. 915157 May 2026

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

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

The New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), is proposing an amendment to the March 1997 Record of Decision (ROD) and April 2000 Explanation of Significant Difference (ESD) for the above referenced site. The disposal of hazardous wastes at this site, as more fully described in the original ROD document and Section 6 of this document, has caused the contamination of various environmental media. The proposed amendment is intended to attain the remedial action objectives identified for this site for the protection of public health and the environment. This amendment identifies the new information which has led to an alternate remedy that is different to the previously selected remedy and discusses the reasons for the preferred remedy.

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

On March 27, 1997, the NYSDEC signed a Record of Decision (ROD) which selected a remedy to clean up the Mr. C's Dry Cleaners Site. The original March 1997 ROD remedy consisted of in-situ air stripping with carbon treatment of the recovered air stream. On May 2, 2000, the Department signed an ESD that modified the selected site remedy to utilize a groundwater extraction and treatment system in lieu of the in-situ air system. This modification was required because an in-situ air treatment system was determined to be infeasible. The groundwater extraction system was designed and installed in 2002 and began operation in 2003 and was in operation until 2022 when a major component of the system failed and the system was shut down. During the time the system was not operating, groundwater contaminant concentrations were continually monitored and showed that contaminant levels had stabilized and even decreased with the system turned off. Prior to the system shut down, a drop in the system's efficiency was observed attributed to the low influent contaminant concentrations and the age of the system, NYSDEC decided to reevaluate the remedy. The shutdown of the current groundwater extraction treatment system and evaluation of a new remedy has resulted in this Amended Record of Decision (AROD), which is supported by a Remedial System Optimization (RSO) study. The proposed remedy recommended by the RSO differs from the original remedy by injecting chemicals with biological amendments into groundwater to enhance the natural attenuation process, as well as continuing to monitor the natural attenuation process.

SECTION 2: CITIZEN PARTICIPATION

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

Aurora Town Public Library,
550 Main St, East Aurora, NY 14052
Phone: (716) 652-4440
Email: askus@buffalolib.org
Hours of Operation: Monday, Tuesday & Thursday: 10:00 AM to 8:00 PM
Wednesday: 10:00 AM to 6:00 PM
Friday: 10:00 AM to 5:00 PM
Saturday: 10:00 AM to 3:00 PM
Sunday: Closed

Access project documents through the DECinfo Locator and at the following location:
https://extapps.dec.ny.gov/data/DecDocs/915157/

A public comment period has been set for May 22, 2026 to provide an opportunity for you to comment on these proposed changes. A public meeting is scheduled for June 3, 2026 at Aurora Municipal center beginning at 6pm.

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

Written comments may also be sent to:

Gavin Vlainich, Project Manager
NYS Dept. of Environmental Conservation
Division of Environmental Remediation
625 Broadway, Albany, NY 12233 (518)-402-9665

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

Receive Site Citizen Participation Information By Email

Please note that NYSDEC's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county

under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html.

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The approximately 0.3-acre site is located within a commercial "Main Street" setting at 586 Main Street in the Village of East Aurora. The site is comprised of two tax parcels consisting of a parking lot area and the former Mr.C's Dry Cleaners building. The site is located east of the northeast intersection of Main Street and Whaley Avenue (Figure 1).

Site Features: The property consists of a one-floor building on a concrete slab foundation and an adjacent paved parking lot. A dry-cleaning business continues to operate at the site but only serves as a transfer operation. There are no longer any active dry-cleaning activities conducted on the property. This service has been discontinued as late as 2015.

Current Zoning and Land Use: The site is currently zoned for commercial use. The surrounding parcels are commercial. The nearest residential area is 300 feet west on Whaley Avenue. There are no census tracts within a half-mile vicinity of the site that meet the criteria of disadvantaged communities (DACs) under the Climate Leadership and Community Protection Act (CLCPA). Tannery Brook is located approximately 1,000 feet north of the site as it transverses the Village. Tannery Brook is classified as a class "C" waterbody. A class "C" waterbody is defined as a "Waters shall be suitable for fish, shellfish and wildlife propagation and survival. The water quality shall be suitable for primary and secondary contact recreation, although other factors may limit the use for these purposes."

Past Use of the Site: The existing building has operated as Mr. C's since 1974, and as a dry-cleaners since 1970. Dry cleaning operations at Mr. C's used a cleaning solvent comprised predominantly of tetrachloroethene (a.k.a. tetrachloroethene or PCE). After 1985, all wastes were disposed of through a commercial disposal firm. Prior to 1985, waste was disposed of via the sanitary sewer and the dumpster located behind the adjacent hardware store. It was suspected that tetrachloroethene may have been released to the environment as a result of leakage from the sewer and dumpster, as well as accidental spillage.

Environmental investigations began in October 1991 when chemical odors were detected in the basement of the First Presbyterian Church, located across the street. As a result of the investigations, a plume of contaminated groundwater was delineated. To address the immediate impact to the public, portable indoor air cleaners were installed at the church, as well as one residence on Whaley Avenue. Subsequently, to address the potential for long term indoor area quality in local structures, sub-slab depressurization systems have been installed at seven (7) additional, or nine (9) total, properties in the vicinity of the site.

From 1993 to 1995 a remedial investigation was conducted to determine the full nature and extent of contamination and to identify complete exposure pathways for both the environment and human health. The results of the investigation and the resulting Feasibility Study led to the issuance of a Record of Decision in 1997 that selected the remedy for the property to be in-situ air stripping technology. During the remedial design process, it was determined that this technology could not be feasibly implemented so an ESD was issued in May 2000. This

documented that groundwater extraction and treatment would be the selected remedy to remediate contaminated groundwater at the site and control and limit the extent of groundwater contamination.

Upon finalization of the ESD, DEC designed and constructed the groundwater extraction and treatment system. The system began operation in 2003 and was in operation until 2022 when a major component of the system failed and the system was shut down. Since that time, groundwater monitoring has shown that the extent of groundwater contamination has remained stable and continues to decrease in concentration.

Site Geology and Hydrogeology:

There are three major hydrostratigraphic units present at the Site, including an unconfined aquifer of saturated outwash deposits (outwash aquifer); the underlying lacustrine aquifer; and a confining layer consisting of the stratified till deposits, discussed in further detail below. The outwash and lacustrine aquifers are hydraulically connected and have nearly the same hydraulic heads. However, they are characterized by different hydraulic conductivities and porosities.

A. Outwash Aquifer – The outwash aquifer is an unconfined aquifer with a saturated thickness of approximately 18 feet. The average depth to the water table in this area is approximately 11 feet below ground surface. Wells screened across the entire outwash aquifer exhibited a geometric mean hydraulic conductivity of 4×10^{-3} centimeter per second (cm/s), equal to 11.3 feet per day (ft/day). Precipitation and infiltration are the main recharge sources for this aquifer, with possible exfiltration from sewers located above the water table.

B. Lacustrine Aquifer – The lacustrine aquifer is a rather uniform aquifer with a saturated thickness of approximately 13 feet. Wells screened across the lacustrine aquifer exhibited hydraulic conductivities that ranged from 1.5×10^{-4} to 4.9×10^{-4} cm/s (MPI 1995b), equal to 0.43 to 1.39 ft/day. During the RI, groundwater flow direction in this aquifer appeared very similar to that in the outwash aquifer.

C. Stratified Till Unit – The confining stratified till unit consists of interbedded layers of clayey till and sand. The hydraulic conductivity for the unit was estimated at 8.8×10^{-6} cm/s, equal to 0.025 ft/day based on slug testing performed at well MPI-4D. A previously calculated upward vertical hydraulic gradient for this unit indicated that the outwash and lacustrine aquifers beneath the Site are not the source of recharge to the stratified till unit. While not specifically determined during the earlier remedial investigations in the mid-1990s, literature on regional geologic conditions suggests that this stratified till unit can reach a depth of approximately 150 to 200 feet below ground surface, before encountering shale bedrock.

The majority of the monitoring wells for the Site are constructed in the Outwash Aquifer but there is evidence that the Outwash and Lacustrine Aquifer are hydrologically connected. Groundwater flow directions vary across the site and adjacent properties and are likely influenced by manmade structures and development. In general, groundwater flow in the upper Outwash and Lacustrine aquifers is to the west.

SECTION 4: LAND USE AND PHYSICAL SETTING

NYSDEC may consider the current, intended, and reasonably anticipated future land use of the

site and its surroundings when evaluating a remedy for soil remediation. The Mr. C's Dry Cleaners site is currently zoned for commercial use and is located in an area of commercial use. All residential and commercial properties within the project area are served by a public water supply.

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 Mr. C's site was referred to the state Superfund for an RI/FS in 1992, based on Mr. C's demonstrating an inability to fund the project.

SECTION 6: SITE CONTAMINATION

6.1: Summary of Environmental Assessment

During the original remedial investigation activities in 1995 soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), and pesticides. Soil vapor including sub-slab soil vapor and indoor air samples were also analyzed for VOCs during the initial investigations. Based upon the investigations conducted to date, the primary contaminants of concern on the site consists of tetrachloroethene (PCE) and its degradation products, such as trichloroethene (TCE), cis-1,2-dichloroethene (DCE) and vinyl chloride (VC), which have been detected in groundwater and soil vapor. Contaminants of concern were not detected in soil at concentrations above the commercial Standards and Guidance Values (SGVs).

Groundwater – During the most recent groundwater monitoring in December 2025, the highest levels of VOCs were found in groundwater downgradient and off-site which exceeded the NYS Ambient Water Quality Standards and Guidance Values (AWQSGVs), including maximum concentrations of PCE, TCE and DCE at 840 parts per billion (ppb), 390 ppb, and 950 ppb, respectively. (AWQSGV is 5 ppb each). PCE from the site has migrated approximately 300 feet down-gradient off-site to the southwest at a maximum concentration of 840 ppb.

Analysis of soil vapor, sub-slab soil vapor, and indoor air was conducted at twenty-two (22) locations in proximity of the site. Evaluation of the data was performed in accordance with NYSDOH's Soil Vapor Intrusion Guidance and required the installation of sub-slab depressurization Systems (SSDSs) at nine structures both on- and off-site.

While levels of VOCs, in particular PCE, have been reduced over the years through the active operation of a groundwater extraction and treatment system, residual groundwater contamination remains present. The extent of the groundwater plume has also changed. Residual contamination in the groundwater continues to be managed under a Site Management Plan, which includes routine groundwater monitoring and operation of the SSDSs. Due to the inefficiency of the current remedy (groundwater pump and treat) and the contaminant concentrations remaining stable or decreasing, DEC completed a Remedial System Optimization (RSO) study to assess other remedial alternatives which included monitored natural attenuation and in-situ treatment. The assessment included an evaluation of each alternative's effectiveness and costs in meeting the site RAOs. In addition, an environmental footprint analysis of each alternative was performed as part of the RSO. The RSO recommended a combination of in-situ chemical reduction (ISCR) and bioremediation via injections within the source area as the optimal alternative and proposed amended remedy for further reducing site contamination.

6.2: Interim Remedial Measures (IRM)

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

During the sampling of indoor air in buildings in the vicinity of the project area, elevated levels of PCE and/or one or more of its degradation products were detected in two off-site structures. In 1996 temporary indoor air purifying units, containing activated carbon filters, were installed in these two structures near the site. These filters were operated and maintained in these structures until the subslab vapor depressurization systems were installed and went into operation in 2004. The current statis of vapor intrusion is discussed below in Section 6.3.

6.3: Summary of Human Exposure Pathways

Access is not restricted and people who enter the site could contact contaminants in the soil by digging or otherwise disturbing the subsurface soil. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Subsurface workers may encounter contaminated groundwater in subsurface excavations. Identified wells in the area are not used for potable uses. Volatile organic compounds in the groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. SSDS (systems that remove contaminated air from beneath the building) are currently installed in the on-site building and multiple off-site buildings to address potential exposures via soil vapor intrusion in these structures. Additional investigations were completed in 2022 and 2023 to determine that no other off-site structures are impacted by site contamination.

SECTION 7: SUMMARY OF ORIGINAL REMEDY WITH ESD AND PROPOSED AMENDMENT

7.1 Original Remedy with ESD

1. Installation of up to 8 groundwater extraction wells along the axis of the source plume and associated piping necessary to convey groundwater to an air stripping system at a central location.

2. Continued operation, maintenance, and monitoring of the groundwater extraction wells

3. Continued operation and maintenance of the indoor air filters, including periodic monitoring. SSDS replaced the indoor air filters in 2004 subsequent to the ESD.

4. Continued monitoring of residential irrigation wells.

5. A monitoring program would be instituted to allow the effectiveness of the selected remedy to be monitored and would be a component of the operation and maintenance for the site.

7.2 Elements of the Remedy Already Performed

The ex-situ air stripping through the implementation of groundwater extraction (eight pumping wells) and air stripping system (the "groundwater treatment system") was implemented from 2003 to 2022. During the design phase, analysis of the soil data determined that further soil remediation was not required beyond implementation of the groundwater remedy. Indoor air filters were operated and maintained until subslab depressurization systems (SSDSs) were installed at these off-site properties in 2004. Monitoring of residential irrigation wells was not performed due to spatial overlap with the existing groundwater monitoring network. Groundwater monitoring continues to be implemented during site management. In addition, structures (both residential and commercial) that have been determined through sampling to have sub-slab soil vapor or indoor air contamination have been fitted with sub-slab depressurization systems (SSDS) to eliminate the soil vapor intrusion exposure pathway.

7.3 New Information

The groundwater treatment system began operation in 2003 and operated until 2022. While operating, the groundwater treatment system removed nearly 10 times more PCE from the groundwater than originally estimated in the 1997 ROD. However, the groundwater treatment system equipment exceeded its intended lifespan and began to operate inefficiently due to reduced groundwater concentrations. The inefficient operation and failure of some crucial components led to the shutdown of the treatment system in 2022 after which continued groundwater monitoring indicated that groundwater concentrations would continue to decrease at a similar rate with the system off. This data prompted the completion of an updated RSO study. The purpose of an RSO is to verify current remedy effectiveness, optimize remedial action efficiency regarding contaminant removal and treatment, identify impediments to meeting the RAOs, address any new-found issues, provide a reduction in energy consumption and indirect pollution emissions, implement Green and Sustainable Remediation (GSR) initiatives and/ or promote costs savings.

Groundwater continues to be monitored periodically, and sample results have shown that despite the system being shut down, the area of groundwater contamination and average concentrations of site COCs have either remained stable or decreased (Figure 2a & 2b). Due to the inefficiency of the current remedy and the concentration remaining stable or decreasing, the RSO assessed other remedial alternatives which included monitored natural attenuation and in-situ treatment. The assessment included an evaluation of all the alternative balancing criteria in Part 375, including but not limited to effectiveness in meeting the site RAOs and cost effectiveness. In addition, an environmental footprint analysis of each alternative was performed as part of the RSO. The RSO recommended a combination of in-situ chemical reduction (ISCR) and bioremediation via injections within the source area as the optimal alternative and proposed amended remedy for further reducing site contamination.

In situ chemical reduction, or "ISCR," uses chemicals called "reducing agents" to help change contaminants into less toxic or less mobile forms. It is described as "in situ" because it is conducted in place, without having to excavate soil or pump groundwater above ground for cleanup. ISCR can clean up several types of contaminants dissolved in groundwater.

Bioremediation is the use of microbes to clean up contaminated soil and groundwater. Microbes are very small organisms, such as bacteria, that live naturally in the environment. Bioremediation stimulates the growth of certain microbes that use contaminants as a source of food and energy. Contaminants treated using bioremediation include oil and other petroleum products, solvents, and pesticides.

In accordance with DER-31, the proposed amended remedy was selected in part due to its more aggressive approach to contamination reduction when compared with continued pump and treat and monitoring programs. Such a program will allow for the permanent shutdown of the ex-situ air stripper and therefore eliminate the need for long-term operation and maintenance of the treatment system. The proposed amended remedy also utilizes a low-energy remediation technique called enhanced bioremediation as well as an optimized sampling schedule in order to keep energy consumption as low as possible throughout its lifespan.

The proposed amended remedy will also comply with DER-31 initiatives by utilizing whenever possible passive sampling devices, clean diesel, direct-push technologies, and optimal oxidant packaging that reduce waste. Vendor proximity, truck travel for transport and disposal, and vehicle idling will also be kept to a minimum while conducting remedial operations. Sustainability will also be evaluated within each Periodic Review Report (PRR) and suggestions will be made, where appropriate, to further the GSR efforts at the site.

While the majority of the environmental burden associated with the proposed amended remedy will occur within a relatively short time frame, the long-term benefits, such as the reduction of electrical power usage, noise and vibration from operating equipment, are expected to reduce the overall environmental burden and bring lasting, positive effects to the surrounding community.

7.4 Proposed Changes to the Original Remedy

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

SUMMARY OF PROPOSED REMEDY CHANGES

Mr. C's Dry Cleaners Site (No. 915157) Amended Record of Decision

Media:	1997 ROD / 2000 ESD / Implemented Remedy	Proposed Amended ROD
Groundwater	(1) Ex-situ air stripping via a ground water extraction and treatment system and extraction wells; (2) A monitoring program would be instituted to allow the effectiveness of the selected remedy to be monitored and would be a component of the operation and maintenance for the site.	(1) In-situ chemical reduction (ISCR) with bioremediation in source areas via injection of approved reductant/amendment; *(changed)* (2) Hot spot application of treatment amendment materials in areas of downgradient contamination; *(changed)* (3) Monitoring of ground water parameters and quality to assess effectiveness of the in-situ treatment remedy. *(modified)* (4) Long term monitoring; *(modified)* (5) Environmental Easement to restrict groundwater use *(modified)*
Soil	(1) Use of a Site Management Plan (SMP) to maintain IC/ECs at the site.	Environmental Easement to limit the use of the site to industrial/commercial use and require compliance with the SMP *(modified).*
Soil Vapor/Indoor Air	(1) Installation of SSDSs for areas of the building and nearby properties impacted by vapor intrusion was completed as an Interim Remedial Measure (IRM); (2) Monitoring of the SSDSs installed during the IRM to evaluate performance.	(1) Any on-site buildings and off-site buildings impacted by the site will be required to have a SSDSs, or other acceptable measures, to mitigate the migration of vapors into the building from soil and/or groundwater *(unchanged).*

SECTION 8: EVALUATION OF PROPOSED CHANGES

8.1 Remedial Goals

Goals for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375-1.8(f). The overall remedial goal is to meet all Standards, Criteria, and Guidance (SCGs) and be protective of human health and the environment.

At a minimum, the remedy selected should eliminate or mitigate all significant threats to the public health and to the environment presented by the hazardous waste disposed of at the site, through the proper application of scientific and engineering principles.

8.1.1 1997 ROD Remedial Goals

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

- Mitigate human health risk by reducing the potential for inhalation of vapors in on-site and off-site basements.
- Mitigate the source area of the contaminant plume to prevent further migration of the chlorinated volatile organic compounds and reduce volatilization into adjacent basements.
- Achieve NYSDEC groundwater quality standards to the extent practical.

8.1.1 Revised Remedial Goals

Since the issuance of the 1997 ROD, the Department has developed standard remedial action objectives (RAOs) to be used at remedial sites. The applicable RAOs for the site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

RAOs for Environmental Protection

- Restore groundwater aquifer to pre-disposal/pre-release conditions, to the extent practicable.
- Remove the source of groundwater contamination.

RAOs for Environmental Protection

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

Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from the potential for soil vapor intrusion into existing or future buildings at a site.

In addition to the goals identified in the original ROD, the remedial goals are also updated to comply with DER-31 and the 2019 Climate Act. This includes incorporating GSR into the selected remedy.

- Eliminate or reduce, to the extent practicable, the environmental footprint of the remedy.
- Additionally, incorporate green remediation principles and techniques to the extent feasible.

8.2 Evaluation Criteria

The criteria used to compare the remedial alternatives are defined in the regulation that directs the remediation of inactive hazardous waste sites in New York State (6 NYCRR Part 375). For each criterion, a brief description is provided. A detailed discussion of the evaluation criteria and comparative analysis is contained in the Remedial System Optimization study (2025).

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

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

The original remedy detailed in the 1997 ROD and 2000 ESD satisfied this criterion by removing the source material and capturing/treating the groundwater plume. The proposed amended remedy is also protective of human health and the environment by using biological and/or chemical technologies to remove or destroy the remaining areas of elevated groundwater contamination. This remedy also is protective of human health and the environment by providing continued long-term monitoring of the contaminant plume in conjunction with continued operation of sub-slab depressurization systems on affected structures.

Although the proposed amended remedy will produce some greenhouse gas emissions through vehicle miles traveled for in-situ injections and monitoring, operation of heavy equipment to complete injections, and shipment of amendment material to the site; it will still result in the far lower production of greenhouse gases compared to the original remedy, due to decreases in vehicle miles traveled for operation and maintenance (O&M) and site visits and the elimination of the need for electricity associated with groundwater treatment system operation.

Both the original and proposed amended remedy rely on institutional and engineering controls to minimize the risk of exposure to residual contamination following implementation of the remedy and long-term monitoring to ensure the remedy was effective.

2. Compliance with New York State Standards, Criteria, and Guidance (SCGs). Compliance with SCGs addresses whether a remedy will meet environmental laws, regulations, and other standards and criteria. In addition, this criterion includes the consideration of guidance which NYSDEC has determined to be applicable on a case-specific basis. Some important SCGs are listed below. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html.

- 6 NYCRR Part 375 – Environmental Remediation Programs, including the Inactive Hazardous Waste Disposal Site Remedial Program
- DER-10 – Technical Guidance for Site Investigation and Remediation
- DER-31 – Green Remediation
- NYSDEC Division of Water TOGS 1.1.1 – Ambient Water Quality Standards and Groundwater Effluent Limitations

The proposed amended remedy, ISCR with bioremediation in source areas and hot spot application of treatment amendment in monitoring wells in areas of downgradient contamination, complies with the SCGs. The groundwater is being treated to address contaminants above the Class GA standards. In addition, the proposed amended remedy is anticipated to comply with DER-31 and not be inconsistent with CLCPA, as the proposed amended remedy meets threshold criteria and is anticipated to have a lower environmental footprint when compared to the original remedy. The proposed amended remedy also incorporates green remediation principles and techniques such as a low-energy remediation technique called enhanced bioremediation as well as an optimized sampling schedule in order to keep energy consumption as low as possible throughout its lifespan. The proposed amended remedy will also comply with DER-31 initiatives by utilizing whenever possible passive sampling devices, clean diesel, direct-push technologies, and optimal oxidant packaging that reduce waste. Vendor proximity, truck travel for transport and disposal, and vehicle idling will also be kept to a minimum while conducting remedial operations.

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

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

The proposed amended remedy has the potential for minimal short-term adverse impacts to the public during implementation of the in-situ injection program, and while the existing groundwater extraction system is removed. Additional injections events may be necessary but those would also be short in duration and less intrusive than the initial drilling activities. Additional short-term impacts are associated with storage, handling, and deployment of the amendments. However, most short-term impacts (except for increased traffic) can be mitigated by implementing appropriate engineering, monitoring, and administrative controls. Potential exposures to workers could occur during drilling and installation but will be managed by a health and safety plan and a community air monitoring program (CAMP) will be implemented. The additional potential short-term environmental impacts posed by the proposed amended remedy are considered minor compared to the improved level and speed of cleanup achievable through this proposed amended remedy. Short term effectiveness of GSR methods were employed in the proposed amended remedy to reduce emissions and waste generation at the site during remedial action as discussed above.

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

The proposed amended remedy is expected to be more effective and permanent in the long-term. The in-situ treatments are expected to significantly and permanently reduce the contaminant mass remaining in groundwater. Any contaminant mass remaining after the proposed amended remedy is implemented is expected to naturally attenuate and exposures to this remaining contamination will be prevented by the institutional controls required. An issuance of an Environmental Easement, implementation of a revised SMP, and long-term groundwater and SSDS monitoring will ensure that the remedy remains effective in protecting human health and the environment in the long-term. Recent groundwater monitoring has shown that dechlorination and reduction of contaminant concentrations have been naturally occurring since the shutdown of the groundwater treatment system that occurred in 2022. The effectiveness of naturally occurring processes to reduce the volume of contaminated groundwater is expected to continue over time, with an increase in effectiveness expected after each round of in-situ injections. The proposed amended remedy alternative will provide long term resiliency of the site by reducing the need for optimization or repairs of a physical groundwater treatment system as well as eliminating the use of significant electrical demands such a physical system would require.

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

The proposed amended remedy provides a higher degree of reduction of contaminant toxicity, mobility, and volume as compared to the original remedy. With the introduction of in-situ treatment, the natural reduction of toxicity and volume of contamination is expected to be enhanced and expedited due to enhanced anaerobic biodegradation or chemical reduction. There is a potential increase in mobility of contamination from this alternative due to the injection of amendments, which will be monitored closely through continued groundwater sampling. SVI mitigation with vapor barriers, and SSDSs will reduce the exposure pathway for VOCs in the properties where these remedies are already in place.

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

The proposed amended remedy is implementable. The equipment and materials needed for the proposed amended remedy are commercially available. An environmental easement will have to be implemented to ensure that the use of the site is restricted to protect human health and the environment. Groundwater monitoring will be required after completion of the remediation. Any implementability challenges for these remedial technologies can be easily addressed during the design process. The materials used for the injections are reliably available and can be sourced from regional suppliers. This can reduce long lead times and remedy delays while also reducing emissions generated.

7. Cost-Effectiveness. Capital costs and annual operation, maintenance, and costs were estimated for each alternative and compared on a present worth basis. Although cost-effectiveness is one of the last two 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 proposed amended remedy is less expensive than repairing the original remedy. The failure of the originally installed equipment would require an entirely new treatment system to be purchased and installed to continue implementing the original remedy. In addition, new extraction wells would likely need to be installed to address the plume's current conditions. The design of the proposed amended remedy

will incorporate GSR elements into the remedy as much as possible in an effort to produce cost savings via reductions in O&M activities such as reduced energy usage, transportation and disposal, shipping distances, etc.

8. Land Use:

This criterion is an evaluation of the current, intended and reasonably anticipated future use of the site and its surroundings, as it relates to an alternative or remedy, when unrestricted levels would not be achieved. This evaluation considered the current use and historical and/or recent development patterns with the understanding the current and reasonably anticipated future land use as commercial property is not expected to change and that it is consistent with its current use and with applicable zoning laws and map. The proposed amended remedy restricts the site to commercial/industrial use which is consistent with the historical and current land use.

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

9. Community Acceptance. Concerns of the community regarding the proposed changes are evaluated. It is believed that the selected remedy adequately includes GSR elements which will result in a remedy with a reduced environmental footprint or impact through the elimination of high use/energy intensive treatment systems that will be favorable to the local community. With the use of an insitu treatment technology, the use of a physical treatment system will be eliminated. At the conclusion of the public comment period a responsiveness summary will be prepared that describes public comments received and the manner in which NYSDEC will address the concerns raised. If the final remedy differs significantly from the proposed remedy, notices to the public will be issued describing the differences and reasons for the changes.

SECTION 9: PROPOSED AMENDED REMEDY

NYSDEC is proposing to amend the ROD for the Mr. C's Dry Cleaners Site. The changes to the selected remedy are summarized in Section 7.3 above.

The estimated present worth cost to carry out the proposed amended remedy is $1,587,000. The estimated present worth to complete the original remedy was $1,244,000 (equivalent to approximately $2,498,000 in 2025 dollars). The cost to construct the proposed amended remedy is estimated to be $891,000 and the estimated average annual cost for 10 years is $655,000.

The elements of the proposed amended remedy listed below are identified as *unchanged, modified or new* when compared to the March 1997 ROD and May 2000 ESD.

1. Remedial Design *(new)*

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;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings shall be constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction.

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint analysis will be updated from what was completed for the 2025 RSO. The environmental footprint analysis was completed using the environmental footprint analysis calculator SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA). Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use were estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Additionally, the remedial design program will include a climate resiliency analysis, to evaluate the impact of climate change on the project site and the proposed amended remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified as part of a climate screening. If the screening identifies potential climate-related impacts to the site, a climate vulnerability analysis will be conducted to provide in-depth analysis of potential impacts and measures to protect against those impacts. The remedial design program will incorporate recommended measures to minimize the impact of climate change on potential identified vulnerabilities.

(new)

2. In-situ Chemical Reduction with Enhanced Bioremediation

In-situ chemical reduction (ISCR) with enhanced biodegradation will be implemented to treat contaminants in groundwater. A chemical reducing agent or biological agent will be injected into the subsurface to destroy the contaminants located in the remaining plume area (Figure 2b) where PCE-related VOCs are determined to be elevated in the groundwater. The method and depth of injection will

be determined during the remedial design.

Prior to the full implementation of this technology, laboratory and on-site pilot scale studies will be conducted to more clearly define design parameters. Groundwater monitoring will be required up-gradient, down-gradient, within the treatment zone. Monitoring will be conducted for contaminants of concern upgradient and downgradient of the treatment zone. The treatment zone may also be monitored for dissolved oxygen and oxidation/reduction potential.

(new)

3. Vapor Mitigation

Any on-site buildings and off-site buildings impacted by the site will be required to have a sub-slab depressurization system, or other acceptable measures, to mitigate the migration of vapors into the building from soil and/or groundwater.

(unchanged)

4. Institutional Controls

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

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

(modified)

5. Site Management Plan

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

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

   Institutional Controls: The Environmental Easement discussed in Remedy Element 4 above.
   Engineering Controls: the sub-slab depressurization system discussed in Remedy Element 3 above.

   - An Excavation Plan which details the provisions for management of future excavation in areas of remaining contamination.
   - Descriptions of the provisions of the environmental easement including any land use, and groundwater use restrictions

- Provisions for the management and inspection of identified engineering controls;
- Maintaining site access controls and NYSDEC notification; and
- The steps necessary for the periodic reviews including updates to the environmental footprint analysis to identify opportunities to reduce energy use for any long-term operation of systems; best management practices; and the climate screening and/or climate vulnerability assessments; and certification of the institutional/engineering controls.

b. A Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, by may not be limited to:
   - Monitoring of groundwater to assess the performance and effectiveness of the remedy;
   - A schedule of monitoring and frequency of submittals to the NYSDEC;
   - Monitoring for vapor intrusion for any buildings on/off the site, as may be required by the Institutional and Engineering Control Plan discussed above.

c. An Operation and Maintenance (O&M) Plan to ensure continued operation, maintenance, inspection, and reporting of any mechanical or physical components of the active vapor mitigation system(s). The plan includes, but is not limited to:
   - Procedures for operating and maintaining the system(s); and
   - Compliance inspection of the system(s) to ensure proper O&M as well as providing the data for any necessary reporting.

(modified)

6.0 NEXT STEPS

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

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

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

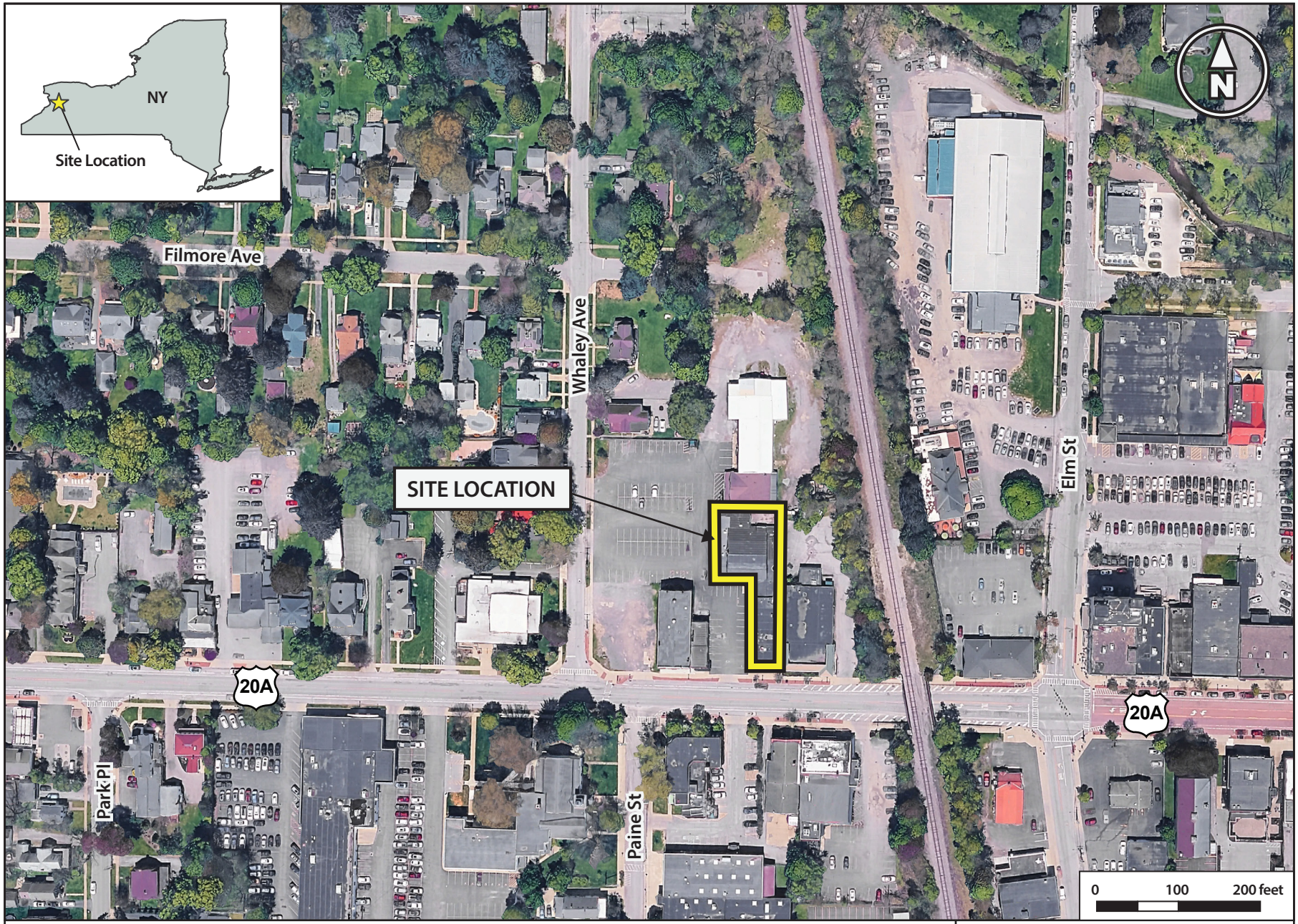

Figure 1 Mr.C's Dry Cleaners Site Location, NYSDEC Site # 91517, Village of East Aurora, Erie County

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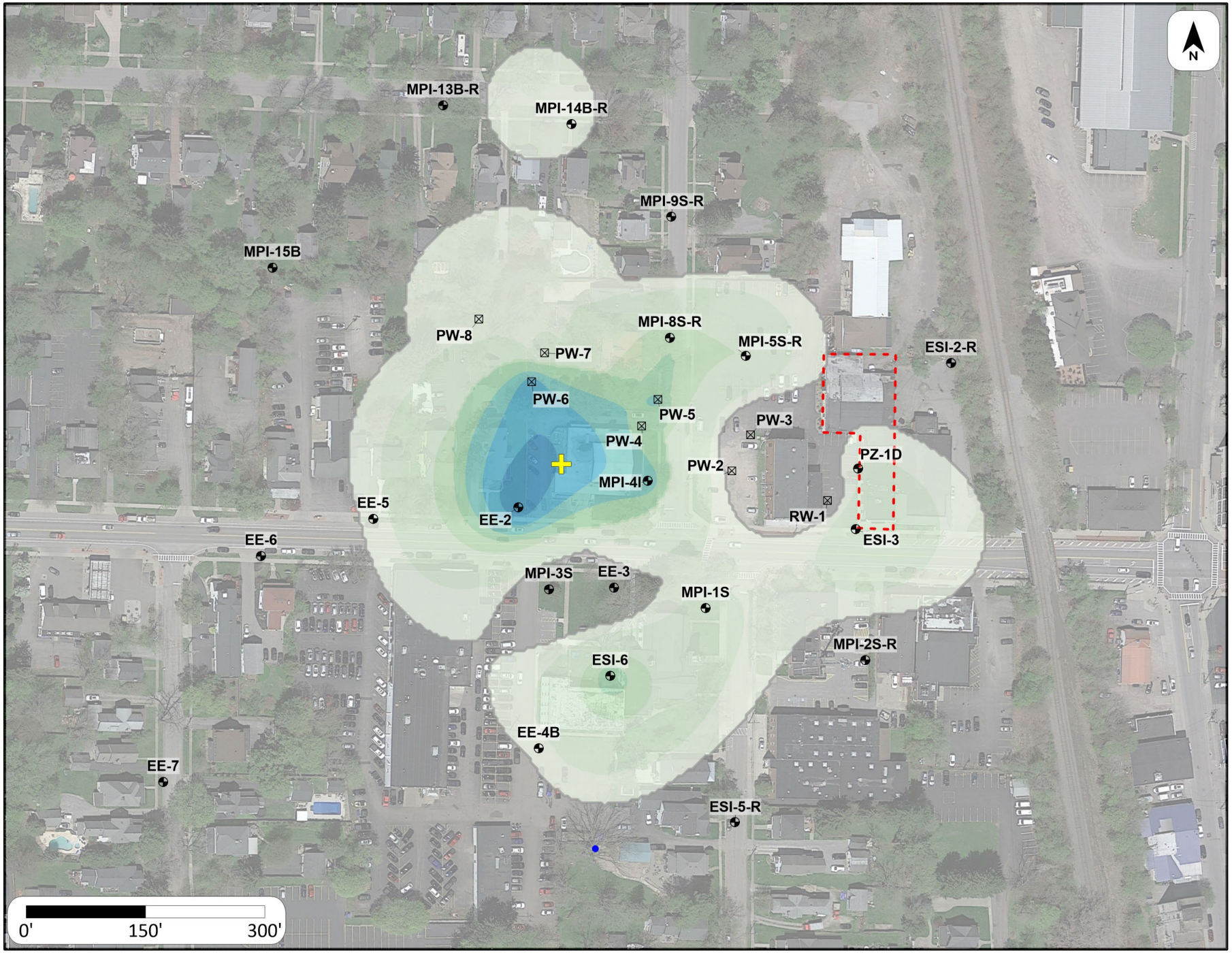

Total Analyzed cVOCs
Dec-2025

Concentration Above Constituent MCLs (µg/L)

0 | 10 | 50 | 100 | 250 | 500 | 1,000 | 2,500 | 5,000 | 10,000

Plume Characteristics

Plume Area: **7.9 acres**
Plume Average Concentration: **86.7 µg/L**
Plume Mass Indicator: **17.3 lbs**

- Monitoring Well
- Pumping Well (Inactive)
- Plume Center of Mass
- Control Point
- Mr. C's Site Boundary

Figure 2b

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Environmental Specialists