PERIODIC REVIEW REPORT

for the

MARKET BASKET SITE
Gates Avenue
City of Geneva, Ontario County, New York
NYSDEC Site Number: B00018
Reporting Period: March 15, 2023 to March 15, 2024

Prepared for:

CITY OF GENEVA
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Project No. 2016018

June 2024
Revised December 2024

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EXECUTIVE SUMMARY

The former Market Basket Site was operated as a food warehouse and distribution center until its closing. The property was subsequently used for other purposes, including automotive painting. After acquiring the property, the City of Geneva entered into a State Assistance Contract (SAC) with the New York State Department of Environmental Conservation (DEC) to allow the property into the Environmental Restoration Program (ERP). Remedial activities that included excavation and offsite disposal at three areas of concern were implemented in 2008, following a site investigation that found subsurface and groundwater impacts from volatile organic compounds (VOCs). Confirmation soil samples from the sides and bottoms of the remedial excavations indicated onsite sources had been largely addressed.

A Certificate of Completion letter was issued August 30, 2017. The approved Site Management Plan requires semi-annual groundwater monitoring, an annual site-wide inspection and the submission of Periodic Review Reports (PRRs), of which this is the sixth.

On October 26, 2023, the City submitted a 60-Day Advance Notification of Site Change of Use (COU) to the DEC, proposing to lease the southern portion of the property to an adjacent property owner for use as an outdoor wedding and banquet venue. The DEC approved the COU in a letter sent to the City's counsel on January 10, 2024. Refer to *Attachment 1 – Change of Use Form and DEC Acceptance Letter* for more information. The Lessee acknowledges the requirement to comply with the Site Management Plan.

SITE OVERVIEW

This Periodic Review Report (PRR) is for the former Market Basket Site on Gates Avenue in the City of Geneva, Ontario County, New York (the site). The site consists of two parcels totaling approximately 2.5 acres owned by the City of Geneva and is currently vacant. The site formerly contained a food warehouse that was subsequently used for other purposes, including a rental space for automotive repairs. The site is located in a mixed commercial, industrial and residential area. Refer to *Figure 1 – Site Location Map* and *Figure 2 – Groundwater Contour Map – October 2023* for additional information.

Environmental remediation was completed by the City of Geneva. The site was issued a Certificate of Completion (COC) by the New York State Department of Environmental Conservation (DEC) on August 30, 2017. This PRR is required by the DEC to verify that the requirements contained in the COC, more fully described in the December 2016 Site Management Plan (SMP), are being adhered to. This is the sixth PRR for the site and covers the period March 15, 2023 to March 15, 2024.

REMEDY PERFORMANCE, EFFECTIVENESS AND PROTECTIVENESS

The site remediation was accomplished by a source removal project completed in 2016. Approximately 815 cubic yards of impacted soil were removed from the site as part of a remedial excavation. The excavations were backfilled with DEC-approved clean imported fill and a 1-foot thick minimum clean soil cap was placed over the entire site.

A subsurface hydraulic cylinder was removed in September 2016 with DEC oversight. The top of the cylinder was first uncovered via hand digging during clearing of overgrown onsite vegetation. Excavated soil/fill material was inspected for visual and olfactory field indicators and screened using a photoionization detector (PID) meter with a screening level of 10 parts per million (ppm). Based on field screening results, excavated soil/fill material was segregated and staged on and covered with a minimum of 12-ml poly sheeting. The northern and southern sides of the cylinder were excavated to assess potential releases or impacts, with the excavation extended in both directions until field screening confirmed no potential impacts. Once field screening indicated no evidence of impacts, the cylinder was removed, and the excavation was advanced east and west

until further screening confirmed no evidence of impacts. The excavation measured approximately 7 by 9 by 8 feet deep. Confirmation samples were collected from each sidewall and the bottom of the excavation and analyzed for Target Compound List (TCL) VOCs, semi-volatile organic compounds (SVOCs), and polychlorinated biphenyls (PCBs). Confirmation analytical results indicated no exceedances of the site's Restricted or Commercial Soil Cleanup Objectives (SCOs).[1] The excavation area was backfilled with clean topsoil from Montemorano Brothers, Inc., and approved by the DEC.

Groundwater samples were collected from site monitoring wells MW-3R, MW-5R, MW-6, MW-9 and MW-12 in July and October 2023, per the requirements of Section 3.4 of the SMP. Refer to *Attachment 2 – Groundwater Sampling Field Logs* for additional information and *Table 1 – Monitoring Well and Groundwater Elevation Data* for monitoring well and groundwater elevation data. Groundwater flow direction is generally in a southerly direction. VOC concentrations have generally decreased since the 2008 sampling event, although some of the October 2023 results were slightly higher. One to four VOCs were detected in wells MW-3R, MW-5R and MW-6, with three exceedances of groundwater standards. Five VOCs were detected in well MW-9, one of which exceeded groundwater standards but is trending lower. Six VOCs were detected in well MW-12, four of which exceeded groundwater standards but are also trending lower over time. Refer to *Table 2 – Summary of MW-3R Groundwater Analytical Results – Detections Only*, *Table 3 – Summary of MW-5R Groundwater Analytical Results – Detections Only*, *Table 4 – Summary of MW-6 Groundwater Analytical Results – Detections Only*, *Table 5 – Summary of MW-9 Groundwater Analytical Results – Detections Only* and *Table 6 – Summary of MW-12 Groundwater Analytical Results – Detections Only* for groundwater analytical results compared to previous sampling events.

Overall, the remedy appears to have performed satisfactorily to date and has been effective in protecting public health and the environment. Concentrations where exceedances of Class GA standards were reported in 2008 were lower in November 2023. Well MW-12 consistently had the highest concentrations of VOCs and the October 2023 concentrations were substantially lower than the December 2008 levels.

[1]New York Codes, Rules and Regulations, Title 6 (6 NYCRR), Part 375-6*, Remedial Program Soil Cleanup Objectives*, dated December 2006.

INSTITUTIONAL / ENGINEERING CONTROL PLAN COMPLIANCE

The following Institutional and Engineering Controls (IECs) were stipulated for the site in the SMP:

- The property may be used for restricted commercial or industrial use.
- Use of groundwater is restricted.
- Data and information pertinent to site management must be reported per the requirements of the SMP.
- All future activities on the site that will disturb remaining contaminated material must be conducted in accordance with the SMP.
- Access to the site must be provided to representatives of the State of New York with reasonable prior notice.
- The potential for vapor intrusion must be evaluated for any buildings developed in the area within the institutional control boundaries and appropriate actions to address exposures must be implemented.
- Vegetable gardens and farming on the site are prohibited.

No IEC deficiencies were noted in this reporting period. No changes to the IECs are recommended.

MONITORING PLAN COMPLIANCE

The following monitoring requirements were stipulated for the site in the SMP:

- ***Groundwater Quality Monitoring:*** Semi-annually for a minimum of 5 years.
- ***Site-Wide Inspections****:* A minimum of once per year.

A site-wide inspection was performed July 13, 2023. No disturbances were identified during the annual inspection of the site. Refer to *Attachment 3 – Site-Wide Inspection Form, Attachment 4 – Institutional and Engineering Controls Certification Form,* and *Attachment 5 – July 13, 2023 Inspection Photographs* for additional information.

CONCLUSIONS AND RECOMMENDATIONS

No site deficiencies were noted during this monitoring period. No additional remedial measures or other improvements are recommended at this time.

The requirements for the site for this reporting period have been met.

CERTIFICATION

For each institutional control identified for the site, I certify that all of the following statements are true:

- The institutional control employed at this site is unchanged from the date the control was put in place or last approved by the Department.
- Nothing has occurred that would impair the ability of the control to protect the public health and environment.
- Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control.
- Access to the site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control.
- If a financial assurance mechanism is required under the oversight document for the site, the mechanism remains valid and sufficient for the intended purpose under the document.

- Use of the site is compliant with the deed restriction.

- The information presented in this report is accurate and complete.

I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, David K. Meixell, P.E., of Plumley Engineering, P.C., 8232 Loop Road, Baldwinsville, New York, am certifying as the City of Geneva's Designated Representative for the site.

Signature

June 28, 2024 (revised December 5, 2024)

Date

FIGURES

REF.: USGS - GENEVA NORTH (NY) QUAD., 2013, 7.5 MIN. SCALE: 1"=2000'

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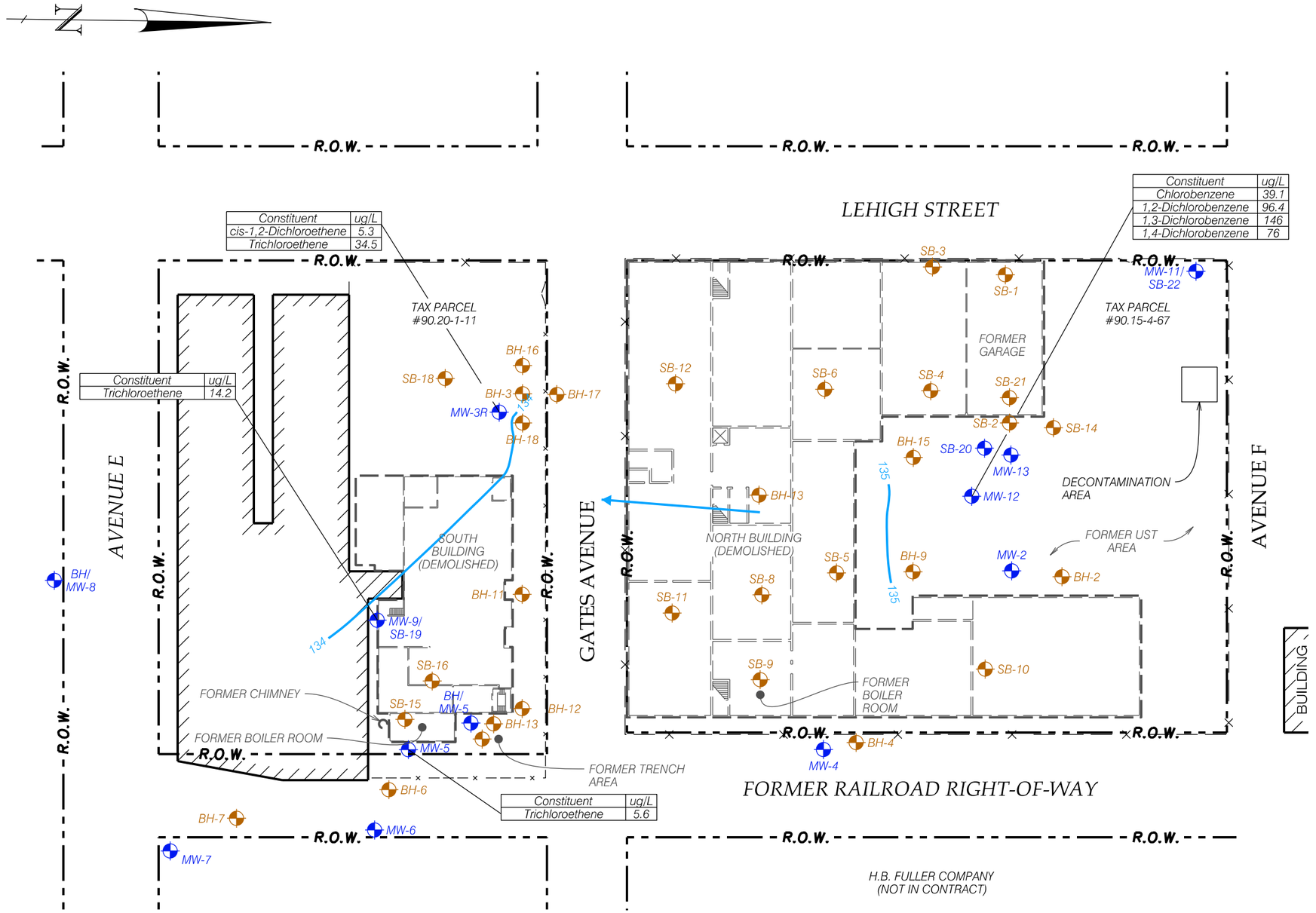
PROJECT: MARKET BASKET PROPERTY
ENVIRONMENTAL RESTORATION PROGRAM

DWG. TITLE: SITE LOCATION MAP

CLIENT: CITY OF GENEVA

LOCATION: CITY OF GENEVA, ONTARIO COUNTY, NEW YORK

PROJECT No.:	2016018
FILE NAME.:	FIGURE 1
SCALE:	AS NOTED
DATE:	AUG. 2016
ENG'D BY:	DKM
DRAWN BY:	JMD
CHECKED BY:	DKM



Key

- R.O.W. — Right of Way
- Soil Boring
- Soil Boring w/ Monitoring Well
- 137 — Groundwater Contour (July 2023)
- Groundwater Flow Direction

Plan View

1" = 60' SCALE: 30 0 30 60 FEET

Basemap Reference:

"City of Geneva, Former Market Basket Property, Environmental Resoration Program, Ontario County, New York"; Prepared by: Obrien Gere Engineers, Inc.; Dated: January 2009; File No.: 1740.30852.101.

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Civil and Environmental Engineering

REVISIONS: | DATE: | BY:

PROJECT: *MARKET BASKET PROPERTY ENVIRONMENTAL RESTORATION PROGRAM*

DWG. TITLE: GROUNDWATER CONTOUR MAP - OCTOBER 2023

CLIENT: CITY GENEVA

LOCATION: CITY OF GENEVA, ONTARIO COUNTY, NEW YORK

PROJECT No.:	2016018
FILE NAME.:	Figure2
SCALE:	AS NOTED
DATE:	Dec. 2024
ENG'D BY:	DKM
DRAWN BY:	WCM
CHECKED BY:	DKM

SHEET NO.: FIGURE 2

TABLES

MARKET BASKET SITE
City of Geneva, Ontario County, New York

TABLE 1 - MONITORING WELL AND GROUNDWATER ELEVATION DATA

Monitoring Well Construction Data[1]	Monitoring Well				
	MW-3R	**MW-5R**	**MW-6**	**MW-9**	**MW-12**
Ground Surface Elevation	138.38	136.5	138.7	137.06	142.59
Rim Elevation (feet)	140.45	136.66	141.45 *	138.58	142.39
Top of Screen Elevation (feet)	132.88	131.01	135.95	140.06	367.9
Bottom of Well Elevation (feet)	122.9	121.0	126.0	124.1	347.9
Depth of Well (feet)	15.5	15.5	15.5	13	18
Well Diameter (inches)	2	2	2	2	2
Date	**Groundwater Elevation (feet)**				
11/20/2018	135.72	135.68	135.38	135.73	139.56
07/23/2019	133.55	134.82	133.96	134.83	135.88
10/10/2019	134.59	134.83	134.47	135.10	137.10
06/11/2020	133.25	133.47	132.79	133.90	135.93
12/04/2020	134.83	134.49	134.00	135.04	135.60
06/08/2021	131.62	130.92	131.09	133.11	136.02
11/17/2021	134.85	134.53	134.58	135.13	139.11
07/13/2022	133.09	133.41	132.82	133.80	135.36
11/19/2022	134.40	134.31	133.86	134.84	135.57
07/13/2023	134.25	134.44	134.17	134.93	136.14
10/18/2023	133.80	133.68	134.50	134.53	135.08

Notes:

[1] Elevations are based on former survey datum.

*Top of wells resurveyed by Plumley Engineering on November 20, 2018 using MW-6 rim elevation (141.45) as benchmark.

MARKET BASKET SITE
City of Geneva, Ontario County, New York

TABLE 2 - SUMMARY OF MW-3R GROUNDWATER ANALYTICAL RESULTS - DETECTIONS ONLY

Lab Sample ID:	Unit	State Standard[1]	0812108-008A	7042251002	JC65603-1	JC92335-3	JC96700-4	JD8628-4	JD17361-4	JD26548-4	JD35605-4	JD48451-4	JD56115-4	JD69391-4	JD75160-4
Date Sampled:			**12/12/2008**	**01/28/2018**	**05/04/2018**	**07/23/2019**	**10/10/2019**	**06/11/2020**	**12/04/2020**	**06/08/2021**	**11/17/2021**	**07/13/2022**	**11/19/2022**	**07/13/2023**	**10/18/2023**
MS Volatiles (SW846 8260C)															
Acetone	µg/L	---	2.10 J	60.4	ND (5.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (3.1)[b]	ND (3.1)[c]	ND (3.1)[a]	ND (3.1)	ND (3.1)	ND (3.1)
Benzene	µg/L	1	ND (0.10)	ND (1.0)	ND (0.17)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)
2-Butanone (MEK)	µg/L	---	NA	ND (5.0)	ND (4.8)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (2.7)	ND (2.7)	ND (2.7)
Carbon disulfide	µg/L	60	NA	ND (1.0)	5.2	ND (0.95)	ND (0.95)	ND (0.95)[a]	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (1.8)	ND (1.8)
Chlorobenzene	µg/L	5	ND (0.10)	ND (1.0)	ND (0.24)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)
Chloroform	µg/L	7	ND (0.10)	ND (1.0)	ND (0.29)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)
Chloromethane	µg/L	5	1.24	**8.5**	ND (0.53)	ND (0.76)	ND (0.76)	ND (0.76)	ND (0.76)[a]	ND (0.76)[a]	ND (0.76)	ND (0.76)[a]	ND (0.76)	ND (0.76)[c]	ND (0.76)
1,2-Dichlorobenzene	µg/L	3	ND (0.10)	ND (1.0)	ND (0.50)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)
1,3-Dichlorobenzene	µg/L	3	ND (0.10)	ND (1.0)	ND (0.50)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
1,4-Dichlorobenzene	µg/L	3	ND (0.16)	ND (1.0)	ND (0.50)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)
1,1-Dichloroethane	µg/L	5	ND (0.10)	ND (1.0)	ND (0.21)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)
1,1-Dichloroethene	µg/L	5	ND (0.16)	ND (1.0)	ND (0.47)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)
cis-1,2-Dichloroethene	µg/L	5	0.46 J	ND (1.0)	1.3	2.1	0.52 J	1.1	ND (0.51)	1.5	ND (0.51)	1.6	ND (0.51)	ND (0.51)	**5.3**
trans-1,2-Dichloroethene	µg/L	5	ND (0.10)	ND (1.0)	ND (0.40)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
Tetrachloroethene	µg/L	5	1.06	NA	ND (0.50)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.56)	ND (0.56)	ND (0.56)
1,2,4-Trichlorobenzene	µg/L	5	ND (0.10)	ND (1.0)	ND (0.50)[a]	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)
1,1,2-Trichloroethane	µg/L	5	ND (0.16)	ND (1.0)	ND (0.24)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.54)	ND (0.53)	ND (0.53)
1,1,1-Trichloroethane	µg/L	5	ND (0.10)	ND (1.0)	ND (0.25)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.53)	ND (0.54)	ND (0.54)
Trichloroethene	µg/L	5	**9.97**	ND (1.0)	**7.2**	**14.2**	4.7	2.8	ND (0.53)	**5.4**	ND (0.53)	2.6	ND (0.53)	0.60 J	**34.5**
Vinyl chloride	µg/L	2	ND (0.33)	ND (1.0)	ND (0.62)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)[a]	ND (0.52)	ND (0.52)	ND (0.52)

Notes:

Legend: Detection | **Exceed**

[1]DEC Division of Water's Technical and Operational Guidance Series (TOGS) 1.1.1, *Ambient Water Quality Standards and Guidance Values* , reissued June 1998.
[a]Associated CCV outside of control limits high, sample was ND.
[b]Associated CCV outside of control limits low.
[c]Associated CCV outside of control limits low. A sensitivity check was analyzed to demonstrate system suitability to detect affected analyte. Sample was ND.
µg/L micrograms per liter, equivalent to parts per billion (ppb)
ND Not Detected Less Than
J Indicates an estimated value
NA Not analyzed
--- No State Standard

MARKET BASKET SITE
City of Geneva, Ontario County, New York

TABLE 3 - SUMMARY OF MW-5R GROUNDWATER ANALYTICAL RESULTS - DETECTIONS ONLY

Lab Sample ID:	Unit	State Standard[1]		JC69322-1	JC78391-1	JC92335-2	JC96700-1	JD8628-1	JD17361-1	JD26548-1	JD35605-1	JD48451-1	JD56115-1	JD69391-1	JD75160-1
Date Sampled:			**12/12/2008**	**07/03/2018**	**11/20/2018**	**07/23/2019**	**10/10/2019**	**06/11/2020**	**12/04/2020**	**06/08/2021**	**11/17/2021**	**07/13/2022**	**11/19/2022**	**07/13/2023**	**10/18/2023**
MS Volatiles (SW846 8260C)															
Acetone	µg/L	---	ND (1.0)	ND (5.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (3.1)[b]	ND (3.1)[c]	ND (3.1)[a]	ND (3.1)	ND (3.1)	ND (3.1)
Benzene	µg/L	1	ND (0.10)	ND (0.17)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)
2-Butanone (MEK)	µg/L	---	NA	ND (4.8)	11.9	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (2.7)	ND (2.7)	ND (2.7)
Carbon disulfide	µg/L	60	NA	ND (0.5)	ND (0.95)	ND (0.95)	ND (0.95)	ND (0.95)[a]	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (1.8)	ND (1.8)
Chlorobenzene	µg/L	5	ND (0.10)	ND (0.24)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)
Chloroform	µg/L	7	ND (0.10)	ND (0.29)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)
Chloromethane	µg/L	5	0.52 J	ND (0.53)	ND (0.76)	ND (0.76)	ND (0.76)	ND (0.76)	ND (0.76)[a]	ND (0.76)[a]	ND (0.76)	ND (0.76)[a]	ND (0.76)	ND (0.76)[c]	ND (0.76)
1,2-Dichlorobenzene	µg/L	3	ND (0.10)	ND (0.5)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)
1,3-Dichlorobenzene	µg/L	3	ND (0.10)	ND (0.5)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
1,4-Dichlorobenzene	µg/L	3	ND (0.16)	ND (0.5)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)
1,1-Dichloroethane	µg/L	5	ND (0.10)	ND (0.21)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)
1,1-Dichloroethene	µg/L	5	ND (0.16)	ND (0.47)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)
cis-1,2-Dichloroethene	µg/L	5	**11.0**	2.1	ND (0.51)	0.73 J	0.51 J	1.1	ND (0.51)	1.2	ND (0.51)	0.69 J	ND (0.51)	ND (0.51)	1.3
trans-1,2-Dichloroethene	µg/L	5	0.25 J	ND (0.40)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
Tetrachloroethene	µg/L	5	0.15 J	ND (0.50)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.56)	0.58 J	0.58 J
1,2,4-Trichlorobenzene	µg/L	5	ND (0.10)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)
1,1,2-Trichloroethane	µg/L	5	ND (0.16)	ND (0.24)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)
1,1,1-Trichloroethane	µg/L	5	ND (0.10)	ND (0.25)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
Trichloroethene	µg/L	5	**12.4**	**5.6**	3.5	4.8	4.2	3.2	3	3.6	3.5	4.2	3.6	4.4	**5.6**
Vinyl chloride	µg/L	2	0.61 J	0.76 J	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)[a]	ND (0.52)	ND (0.52)	ND (0.52)

Notes:

Legend: Detection | **Exceed**

[1]DEC Division of Water's Technical and Operational Guidance Series (TOGS) 1.1.1, *Ambient Water Quality Standards and Guidance Values* , reissued June 1998.
[a]Associated CCV outside of control limits high, sample was ND.
[b]Associated CCV outside of control limits low.
[c]Associated CCV outside of control limits low. A sensitivity check was analyzed to demonstrate system suitability to detect affected analyte. Sample was ND.
µg/L micrograms per liter, equivalent to parts per billion (ppb)
ND Not Detected Less Than
J Indicates an estimated value
NA Not analyzed
--- No State Standard

MARKET BASKET SITE
City of Geneva, Ontario County, New York

TABLE 4 - SUMMARY OF MW-6 GROUNDWATER ANALYTICAL RESULTS - DETECTIONS ONLY

Lab Sample ID:	Unit	State Standard[1]	0812108-011A	7042251004	JC65603-2	JC92335-1	JC96700-2	JD8628-2	JD17361-2	JD26548-2	JD35605-2	JD48451-2	JD56115-2	JD69391-2	JD75160-2
Date Sampled:			**12/12/2008**	**01/28/2018**	**05/04/2018**	**07/23/2019**	**10/10/2019**	**06/11/2020**	**12/04/2020**	**06/08/2021**	**11/17/2021**	**07/13/2022**	**11/19/2022**	**07/13/2023**	**10/18/2023**
MS Volatiles (SW846 8260C)															
Acetone	µg/L	---	ND (1.0)	67.3	ND (5.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (3.1)	ND (3.1)[b]	ND (3.1)[c]	ND (3.1)[c]	ND (3.1)	ND (3.1)
Benzene	µg/L	1	0.11 J	ND (1.0)	ND (0.17)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)
2-Butanone (MEK)	µg/L	---	NA	ND (5.0)	ND (4.8)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (2.7)	ND (2.7)	ND (2.7)
Carbon disulfide	µg/L	60	NA	ND (1.0)	ND (0.50)	ND (0.95)	ND (0.95)	ND (0.95)[a]	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (1.8)	ND (1.8)
Chlorobenzene	µg/L	5	ND (0.10)	ND (1.0)	ND (0.24)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)
Chloroform	µg/L	7	ND (0.10)	ND (1.0)	ND (0.29)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)
Chloromethane	µg/L	5	0.55 J	4.8	ND (0.53)	ND (0.76)	ND (0.76)	ND (0.76)	ND (0.76)[a]	ND (0.76)	ND (0.76)	ND (0.76)	ND (0.76)	ND (0.76)[c]	ND (0.76)
1,2-Dichlorobenzene	µg/L	3	ND (0.10)	ND (1.0)	ND (0.50)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)
1,3-Dichlorobenzene	µg/L	3	ND (0.10)	ND (1.0)	ND (0.50)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
1,4-Dichlorobenzene	µg/L	3	ND (0.16)	ND (1.0)	ND (0.50)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)
1,1-Dichloroethane	µg/L	5	ND (0.10)	ND (1.0)	ND (0.21)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)
1,1-Dichloroethene	µg/L	5	ND (0.16)	ND (1.0)	ND (0.47)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)
cis-1,2-Dichloroethene	µg/L	5	4.72	1.2	ND (0.50)	3.9	3.4	3.7	3.8	3.9	3.1	3.2	3.4	3.2	4.5
trans-1,2-Dichloroethene	µg/L	5	2.98	ND (1.0)	ND (0.40)	2.2	1.7	2.1	1.8	2.4	1.7	1.9	1.7	1.5	2.4
Tetrachloroethene	µg/L	5	ND (0.10)	NA	ND (0.50)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.56)	ND (0.56)	ND (0.56)
1,2,4-Trichlorobenzene	µg/L	5	ND (0.10)	ND (1.0)	ND (0.50)[a]	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)
1,1,2-Trichloroethane	µg/L	5	ND (0.16)	ND (1.0)	ND (0.24)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)
1,1,1-Trichloroethane	µg/L	5	ND (0.10)	ND (1.0)	ND (0.25)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
Trichloroethene	µg/L	5	0.66	ND (1.0)	0.78 J	0.69 J	1	0.54 J	ND (0.53)	0.69 J	0.81 J	0.76 J	ND (0.53)	0.81 J	ND (0.53)
Vinyl chloride	µg/L	2	1.36	ND (1.0)	ND (0.62)	1.8	0.98 J	1.5	1.1	1.7	1.3	1.9	1.3	1.4	1.9

Notes:

Legend: Detection | **Exceed**

[1]DEC Division of Water's Technical and Operational Guidance Series (TOGS) 1.1.1, *Ambient Water Quality Standards and Guidance Values*, reissued June 1998.
[a]Associated CCV outside of control limits high, sample was ND.
[b]Associated CCV outside of control limits low.
[c]Associated CCV outside of control limits low. A sensitivity check was analyzed to demonstrate system suitability to detect affected analyte. Sample was ND.
µg/L micrograms per liter, equivalent to parts per billion (ppb)
ND Not Detected Less Than
J Indicates an estimated value
NA Not analyzed
--- No State Standard

MARKET BASKET SITE
City of Geneva, Ontario County, New York

TABLE 5 - SUMMARY OF MW-9 GROUNDWATER ANALYTICAL RESULTS - DETECTIONS ONLY

Lab Sample ID:	Unit	State Standard[1]	0812108-099A	7042251001	JC65603-3	JC92335-4	JC96700-3	JD8628-3	JD17361-3	JD26548-3	JD35605-3	JD48451-3	JD56115-3	JD69391-3	JD75160-3
Date Sampled:			**12/12/2008**	**01/28/2018**	**05/04/2018**	**07/23/2019**	**10/10/2019**	**06/11/2020**	**12/04/2020**	**06/08/2021**	**11/17/2021**	**07/13/2022**	**11/19/2022**	**07/13/2023**	**10/18/2023**
MS Volatiles (SW846 8260C)															
Acetone	µg/L	---	ND (1.0)	64.1	ND (5.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (3.1)[b]	ND (3.1)[c]	ND (3.1)[a]	ND (3.1)[c]	ND (3.1)	ND (3.1)
Benzene	µg/L	1	ND (0.10)	ND (1.0)	ND (0.17)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)
2-Butanone (MEK)	µg/L	---	NA	ND (5.0)	ND (4.8)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (2.7)	ND (2.7)	ND (2.7)
Carbon disulfide	µg/L	60	NA	ND (1.0)	ND (0.50)	ND (0.95)	ND (0.95)	ND (0.95)[a]	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (1.8)	ND (1.8)
Chlorobenzene	µg/L	5	ND (0.10)	ND (1.0)	ND (0.24)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)	ND (0.56)
Chloroform	µg/L	7	0.19 J	ND (1.0)	ND (0.29)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)
Chloromethane	µg/L	5	0.42 J	1.6	ND (0.53)	ND (0.76)	ND (0.76)	ND (0.76)	ND (0.76)[a]	ND (0.76)[a]	ND (0.76)	ND (0.76)[a]	ND (0.76)	ND (0.76)[c]	ND (0.76)
1,2-Dichlorobenzene	µg/L	3	ND (0.10)	ND (1.0)	ND (0.50)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)
1,3-Dichlorobenzene	µg/L	3	ND (0.10)	ND (1.0)	ND (0.50)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
1,4-Dichlorobenzene	µg/L	3	ND (0.16)	ND (1.0)	ND (0.50)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)
1,1-Dichloroethane	µg/L	5	**5.02**	2.5	2.8	1.8	1.3	0.85 J	0.88 J	0.91 J	0.89 J	1.1	0.64 J	0.76 J	0.87 J
1,1-Dichloroethene	µg/L	5	**8.59**	1.8	2.5	1.4	1	0.70 J	ND (0.59)	0.70 J	0.71 J	0.78 J	ND (0.59)	0.66 J	0.62 J
cis-1,2-Dichloroethene	µg/L	5	**7.45**	2.9	2.9	1.9	1.5	1.1	0.97 J	1.1	1	1.3	0.92 J	1.2	1.4
trans-1,2-Dichloroethene	µg/L	5	ND (0.10)	ND (1.0)	ND (0.40)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
Tetrachloroethene	µg/L	5	0.19 J	NA	ND (0.50)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.56)	ND (0.56)	ND (0.56)
1,2,4-Trichlorobenzene	µg/L	5	ND (0.10)	ND (1.0)	ND (0.50)[a]	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)
1,1,1-Trichloroethane	µg/L	5	**27.9**	5	**5.5**	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	0.90 J	ND (0.53)	ND (0.53)
1,1,2-Trichloroethane	µg/L	1	0.19 J	ND (1.0)	ND (0.24)	3.2	2.4	1.6	1.5	1.6	1.1	1.3	ND (0.53)	ND (0.54)	1.2
Trichloroethene	µg/L	5	**28.7**	**25.1**	**28.4**	**21.1**	**17.9**	**13**	**12.3**	**12.6**	**10.8**	**14.5**	**9.9**	**12.4**	**14.2**
Vinyl chloride	µg/L	2	ND (0.33)	ND (1.0)	ND (0.62)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)[a]	ND (0.52)	ND (0.52)	ND (0.52)

Notes:

Legend: Detection | **Exceed**

[1]DEC Division of Water's Technical and Operational Guidance Series (TOGS) 1.1.1, *Ambient Water Quality Standards and Guidance Values* , reissued June 1998.
[a]Associated CCV outside of control limits high, sample was ND.
[b]Associated CCV outside of control limits low.
[c]Associated CCV outside of control limits low. A sensitivity check was analyzed to demonstrate system suitability to detect affected analyte. Sample was ND.
µg/L micrograms per liter, equivalent to parts per billion (ppb)
ND Not Detected Less Than
J Indicates an estimated value
NA Not analyzed
--- No State Standard

MARKET BASKET SITE
City of Geneva, Ontario County, New York

TABLE 6 - SUMMARY OF MW-12 GROUNDWATER ANALYTICAL RESULTS - DETECTIONS ONLY

Lab Sample ID:	Unit	State Standard[1]	0812108-003ADL	7042251003	JC65603-4	JC92335-5	JC96700-5	JD8628-5	JD17361-5	JD26548-5	JD35605-5	JD48451-5	JD56115-5	JD69391-5	JD75160-5
Date Sampled:			**12/12/2008**	**01/28/2018**	**05/04/2018**	**07/23/2019**	**10/10/2019**	**06/11/2020**	**12/04/2020**	**06/08/2021**	**11/17/2021**	**07/13/2022**	**11/19/2022**	**07/13/2023**	**10/18/2023**
MS Volatiles (SW846 8260C)															
Acetone	µg/L	---	ND (1.0)	64.5	ND (5.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (6.0)	ND (3.1)[b]	ND (3.1)[c]	ND (3.1)[a]	ND (3.1)	ND (3.1)	ND (3.1)
Benzene	µg/L	1	0.72	ND (1.0)	ND (0.17)	ND (0.43)	ND (0.43)	ND (0.43)	ND (0.43)	0.54	0.48 J	ND (0.43)	ND (0.43)	ND (0.43)	0.52
2-Butanone (MEK)	µg/L	---	NA	ND (5.0)	ND (4.8)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (6.9)	ND (2.7)	ND (2.7)	ND (2.7)
Carbon disulfide	µg/L	60	NA	ND (1.0)	3.1	ND (0.95)	ND (0.95)	ND (0.95)	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (0.46)	ND (1.8)	ND (1.8)
Chlorobenzene	µg/L	5	**63.6**	**35**	**16.1**	**33.3**	**33**	**27.1**	**11.4**	**40.4**	**24**	**22.3**	2.3	**10.1**	**39.1**
Chloroform	µg/L	7	ND (0.10)	ND (1.0)	ND (0.29)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)	ND (0.50)
Chloromethane	µg/L	5	ND (0.33)	3.3	ND (0.53)	ND (0.76)	ND (0.76)	ND (0.76)	ND (0.76)[a]	ND (0.76)[a]	ND (0.76)	ND (0.76)[a]	ND (0.76)	ND (0.76)[c]	ND (0.76)
1,2-Dichlorobenzene	µg/L	3	**155**	**158**	**80.5**	**164**	**134**	**132**	**47**	**120**	**75.2**	**98.6**	**10.1**	**26.2**	**96.4**
1,3-Dichlorobenzene	µg/L	3	**214**	**273**	**127**	**218**	**183**	**176**	**82.1**	**188**	**115**	**164**	**17**	**40.8**	**146**
1,4-Dichlorobenzene	µg/L	3	**155**	**132**	**71.8**	**144**	**98**	**109**	**34.6**	**88.7**	**53.2**	**80.7**	**7.5**	**19**	**76**
1,1-Dichloroethane	µg/L	5	ND (0.10)	ND (1.0)	ND (0.21)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)	ND (0.57)
1,1-Dichloroethene	µg/L	5	ND (0.16)	ND (1.0)	ND (0.47)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)	ND (0.59)
cis-1,2-Dichloroethene	µg/L	5	0.19 J	ND (1.0)	ND (0.50)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)	ND (0.51)
trans-1,2-Dichloroethene	µg/L	5	ND (0.10)	ND (1.0)	ND (0.40)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)
Tetrachloroethene	µg/L	5	0.57	NA	ND (0.50)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.90)	ND (0.56)	ND (0.56)	ND (0.56)
1,2,4-Trichlorobenzene	µg/L	5	0.42 J	1.5	ND (0.50)	1.3	1.8	1.4	0.74 J	1.6	0.65 J	1.3	ND (0.50)	0.55 J	1.5
1,1,1-Trichloroethane	µg/L	5	ND (0.10)	ND (1.0)	ND (0.25)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.54)	ND (0.54)	ND (0.53)
1,1,2-Trichloroethane	µg/L	1	ND (0.16)	ND (1.0)	ND (0.24)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.54)	ND (0.53)	ND (0.53)	ND (0.54)
Trichloroethene	µg/L	5	0.82	ND (1.0)	ND (0.27)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)	ND (0.53)
Vinyl chloride	µg/L	2	ND (0.33)	ND (1.0)	ND (0.62)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)	ND (0.79)[a]	ND (0.52)	ND (0.52)	ND (0.52)

Notes:

Legend: Detection | **Exceed**

[1]DEC Division of Water's Technical and Operational Guidance Series (TOGS) 1.1.1, *Ambient Water Quality Standards and Guidance Values*, reissued June 1998.
[a]Associated CCV outside of control limits high, sample was ND.
[b]Associated CCV outside of control limits low.
[c]Associated CCV outside of control limits low. A sensitivity check was analyzed to demonstrate system suitability to detect affected analyte. Sample was ND.
µg/L micrograms per liter, equivalent to parts per billion (ppb)
ND Not Detected Less Than
J Indicates an estimated value
NA Not analyzed
--- No State Standard

ATTACHMENTS

ATTACHMENT 1

CHANGE OF USE AND DEC ACCEPTANCE LETTER

HANCOCK ESTABROOK LLP

WENDY A. MARSH
Direct Dial: 315-565-4536
wmarsh@hancocklaw.com

October 26, 2023

Kelly Lewandowski, P.E.
Chief, Site Control Section
New York State Department
of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

Re: Market Basket Site: Geneva, New York
ERP Program, Site No. B00018
Proposed Change of Use

Dear Ms. Lewandowski:

We represent the City of Geneva with regard to the above referenced site. Enclosed please find the *60-Day Advance Notification of Site Change of Use, Transfer of Certificate of Completion, and/or Ownership* relative to the City's Market Basket site located at Gates Avenue, Geneva, NY, (the "Property") and further designated as Site No. B00018 pursuant to NYSDEC's Environmental Restoration Program. (See **Exhibit A**).

With respect to the notice, the City requests review pursuant to NY ECL § 27-1425 to lease a portion of the Property (the "Leased Property") for use as an outdoor wedding and event venue as shown on the map attached as **Exhibit B**. A neighboring property owner (the "Lessee") wishes to lease a portion of the site for use as an outdoor expansion secondary to its main business of operating a wedding and banquet venue on its adjacent parcel. The Lessee intends to conduct landscaping work including planting trees and installation of a tent, likely requiring subgrade stakes, and an above-grade mobile dance floor. The details of the Lessee's intended use are included in **Exhibit B**.

The Environmental Easement, attached as **Exhibit C**, limits permissible uses to commercial and industrial uses. We believe the proposed use as an outdoor wedding and event venue would fit within the Department's definition of "commercial use" specifically as a "passive recreational use," as set forth in the applicable regulations and DER-10.

We note that the Site Management Plan (SMP) sets forth extensive analytical testing requirements for the import of soil at Appendix B pages 6-8 of the SMP. Lessee will require minimal amounts of soil for above-grade landscaping purposes. Please advise if the Department

will allow for an exception to analytical testing requirements for the importation of bagged topsoil together with ornamental plants and trees from local nurseries.

Additionally, the attached map identifies remaining soil sample exceedances in limited areas of the eastern portion of the Leased Property as delineated in the cross-hatched areas. (See **Exhibit D**). Please confirm that the requirements of SMP Appendix B Excavation Work Plan will only apply to these cross-hatched areas of known remaining contamination.

Finally, there are four (4) remaining groundwater monitoring wells on the Leased Property as depicted in **Exhibit D** (MW-3R, MW-5R, MW-6, and MW-9). The City requests that the Department permit the decommissioning of MW-5R and MW-3R. Semiannual groundwater sampling for monitoring well MW-5R has not shown groundwater standard exceedances since July 2018, and sampling of MW-3R has not shown an exceedance since June 2021. Of particular interest would be the decommissioning of MW-3R considering its location in the center of the proposed venue space.

Continued monitoring of the natural attenuation of groundwater contamination would be accomplished by the remaining MW-9 on the Leased Property, MW-6 located at the eastern boundary of the Leased Property and MW-12 on the adjacent lot not subject to this submission.

We look forward to working with the NYSDEC to address these questions with the goal of restoring this property to its best use in compliance with the remedial program.

Very truly yours,

HANCOCK ESTABROOK, LLP

Wendy Marsh

Wendy A. Marsh

WAM/lmg
cc: Aimee Hendrix, City of Geneva City Manager
David K. Meixell, P.E., Plumley Engineering, P.C.
Charlotte Theobald, NYSDEC Project Manager
Bernette Schilling, NYSDEC Region 8 HW Engineer

EXHIBIT A

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

60-Day Advance Notification of Site Change of Use, Transfer of Certificate of Completion, and/or Ownership

Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation, 625 Broadway
Albany NY 12233-7020

I. Site Name: Market Basket Site **DEC Site ID No.** B-00018

II. Contact Information of Person Submitting Notification:

Name: Wendy A. Marsh, Esq.

Address1: Hancock Estabrook, LLP

Address2: 1800 AXA Tower 1, 100 Madison St., Syracuse, NY 13202

Phone: (315) 565-4536 E-mail: wmarsh@hancocklaw.com

III. Type of Change and Date: Indicate the Type of Change(s) (check all that apply):

☐ Change in Ownership or Change in Remedial Party(ies)

☐ Transfer of Certificate of Completion (CoC)

☑ Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy): ☐

IV. Description: Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

Site owner, City of Geneva, seeks department review pursuant to ECL Sect. 27-1425 for change in use. The City proposes to lease a portion of the Property ("Leased Property") for use as an outdoor wedding and event venue inclusive of installation of a seasonal tent structure, mobile dance floor and landscaping including trees and ornamental plantings.

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

The Lessee proposes use as an outdoor wedding venue fits within the Department's definition of "passive recreational use" as defined in 6 NYCRR 375-1.8(g)(2)(iii) and DER-10: 1.12. Details of the proposed use are more particularly explained in the attached cover letter. There is no change in ownership or responsibility for the remedial program.

V. **Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name: _____ _____
(Signature) (Date)

_____
(Print Name)

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

VI. **Contact Information for New Owner, Remedial Party, or CoC Holder:** If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

☐ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: _____

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

Certifying Party Name: _____

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

VII. Agreement to Notify DEC after Transfer: If Section VI applies, and all or part of the site will be sold, a letter to notify the DEC of the completion of the transfer must be provided. If the current owner is also the holder of the CoC for the site, the CoC should be transferred to the new owner using DEC's form found at http://www.dec.ny.gov/chemical/54736.html. This form has its own filing requirements (see 6NYCRR Part 375-1.9(f)).

Signing below indicates that these notices will be provided to the DEC within the specified time frames. If the sale of the site also includes the transfer of a CoC, the DEC agrees to accept the notice given in VII.3 below in satisfaction of the notice required by VII.1 below (which normally must be submitted within 15 days of the sale of the site).

Within 30 days of the sale of the site, I agree to submit to the DEC:

1. the name and contact information for the new owner(s) (see §375-1.11(d)(3)(ii));
2. the name and contact information for any owner representative; and
3. a notice of transfer using the DEC's form found at http://www.dec.ny.gov/chemical/54736.html (see §375-1.9(f)).

Name: _____ _____
(Signature) (Date)

_____
(Print Name)

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

Continuation Sheet

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ______________________________

Address1: ______________________________

Address2: ______________________________

Phone: ______________ E-mail: ______________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ______________________________

Address1: ______________________________

Address2: ______________________________

Phone: ______________ E-mail: ______________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ______________________________

Address1: ______________________________

Address2: ______________________________

Phone: ______________ E-mail: ______________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ______________________________

Address1: ______________________________

Address2: ______________________________

Phone: ______________ E-mail: ______________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ______________________________

Address1: ______________________________

Address2: ______________________________

Phone: ______________ E-mail: ______________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ______________________________

Address1: ______________________________

Address2: ______________________________

Phone: ______________ E-mail: ______________

New York State Department of Environmental Conservation

Instructions for Completing the 60-Day Advance Notification of Site Change of Use, Transfer of Certificate of Completion (CoC), and/or Ownership Form

Submit to: Chief, Site Control Section, New York State Department of Environmental Conservation, Division of Environmental Remediation, 625 Broadway, Albany NY 12233-7020

Section I	Description
Site Name	Official DEC site name. (see http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3)
DEC Site ID No.	DEC site identification number.

Section II	Contact Information of Person Submitting Notification
Name	Name of person submitting notification of site change of use, transfer of certificate of completion and/or ownership form.
Address1	Street address or P.O. box number of the person submitting notification.
Address2	City, state and zip code of the person submitting notification.
Phone	Phone number of the person submitting notification.
E-mail	E-mail address of the person submitting notification.

Section III	Type of Change and Date
Check Boxes	Check the appropriate box(s) for the type(s) of change about which you are notifying the Department. Check all that apply.
Proposed Date of Change	Date on which the change in ownership or remedial party, transfer of CoC, or other change is expected to occur.

Section IV	Description
Description	For each change checked in Section III, describe the proposed change. Provide all applicable maps, drawings, and/or parcel information. If "Other" is checked in Section III, explain how the change may affect the site's proposed, ongoing, or completed remedial program at the site. Please attach additional sheets, if needed.

Section V Certification Statement

This section must be filled out if the change of use results in a change of ownership or responsibility for the proposed, ongoing, or completed remedial program for the site. When completed, it provides DEC with a certification that the prospective purchaser has been provided a copy of any order, agreement, or State assistance contract as well as a copy of all approved remedial work plans and reports.

Name	The owner of the site property or their designated representative must sign and date the certification statement. Print owner or designated representative's name on the line provided below the signature.
Address1	Owner or designated representative's street address or P.O. Box number.
Address2	Owner or designated representative's city, state and zip code.
Phone	Owner or designated representative's phone number.
E-Mail	Owner or designated representative's E-mail.

Section VI Contact Information for New Owner, Remedial Party, and CoC Holder (if a CoC was issued)

Fill out this section only if the site is to be sold or there will be a new remedial party. Check the appropriate box to indicate whether the information being provided is for a Prospective Owner, CoC Holder (if site was ever issued a COC), Prospective Remedial Party, or Prospective Owner Representative. Identify the prospective owner or party and include contact information. A Continuation Sheet is provided at the end of this form for additional owner/party information.

Name	Name of Prospective Owner, Prospective Remedial Party or Prospective Owner Representative.
Address1	Street address or P.O. Box number for the Prospective Owner, Prospective Remedial Party, or Prospective Owner Representative.
Address2	City, state and zip code for the Prospective Owner, Prospective Remedial Party, or Prospective Owner Representative.
Phone	Phone number for the Prospective Owner, Prospective Remedial Party or Prospective Owner Representative.
E-Mail	E-mail address of the Prospective Owner, Prospective Remedial Party or Prospective Owner Representative.

If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/EC), indicate who will be the certifying party(ies). Attach additional sheets, if needed.

Certifying Party Name	Name of Certifying Party.
Address1	Certifying Party's street address or P.O. Box number.
Address2	Certifying Party's city, state and zip code.
Phone	Certifying Party's Phone number.
E-Mail	Certifying Party's E-mail address.

Section VII Agreement to Notify DEC After Property Transfer/Sale

This section must be filled out for all property transfers of all or part of the site. If the site also has a CoC, then the CoC shall be transferred using DEC's form found at http://www.dec.ny.gov/chemical/54736.html

Filling out and signing this section of the form indicates you will comply with the post transfer notifications within the required timeframes specified on the form. If a CoC has been issued for the site, the DEC will allow 30 days for the post transfer notification so that the "Notice of CoC Transfer Form" and proof of it's filing can be included. Normally the required post transfer notification must be submitted within 15 day (per 375-1.11(d)(3)(ii)) when no CoC is involved.

Name	Current property owner must sign and date the form on the designated lines. Print owner's name on the line provided.
Address1	Current owner's street address.
Address2	Current owner's city, state and zip code.

EXHIBIT B

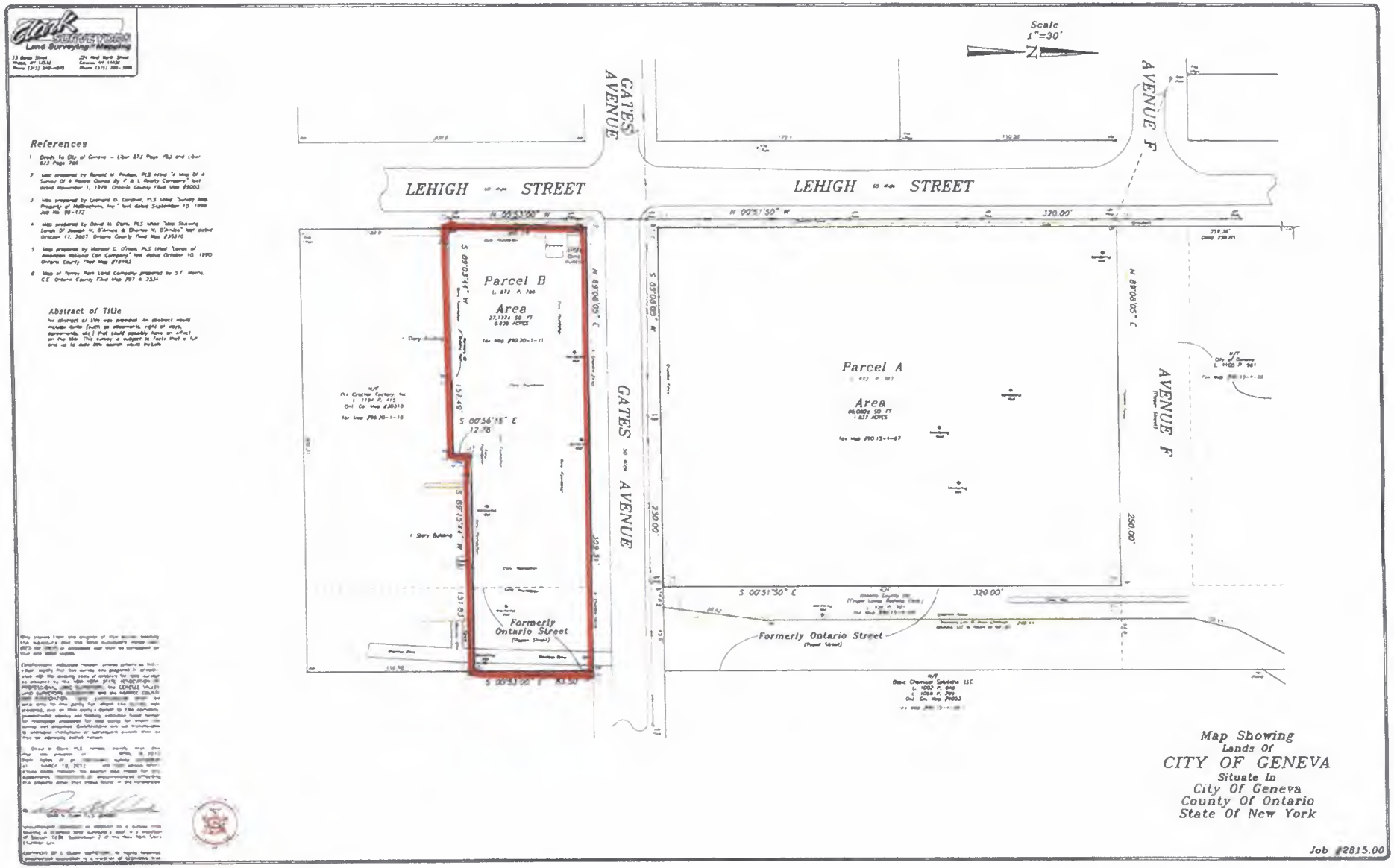


FIGURE 2A
SITE SURVEY MAP

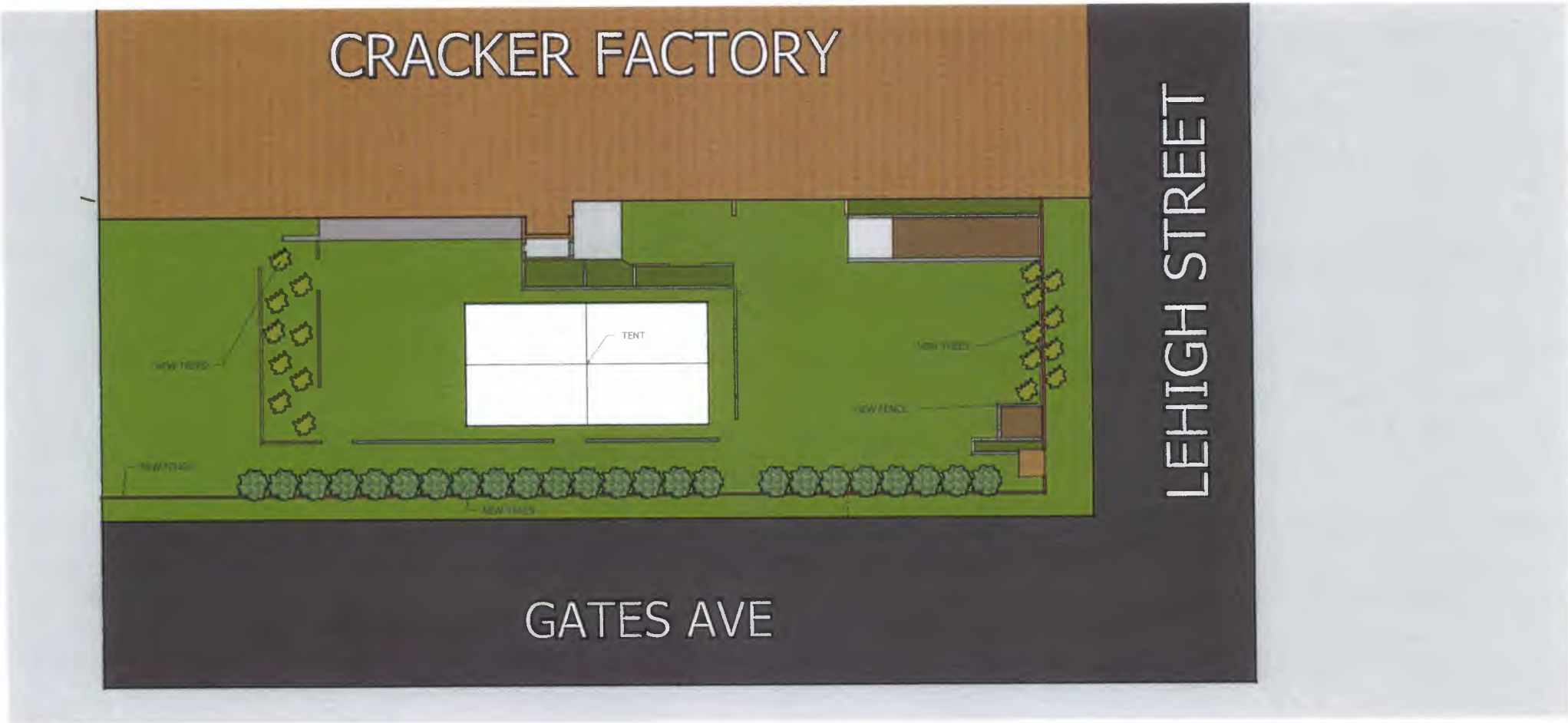

CRACKER FACTORY
LEHIGH STREET
TENT
GATES AVE

EXHIBIT C

Ontario County Clerk Recording Page

Return To

FRONTIER ABSTRACT
30 W BROAD ST
ROCHESTER, NY 14614

Matthew J. Hoose, County Clerk
Ontario County Clerk
20 Ontario Street
Canandaigua, New York 14424
(585) 396-4200

Document Type: **DECLARATION**

Receipt Number: 120036

Grantor (Party 1)
GENEVA CITY

Grantee (Party 2)

Fees	
Recording Fee	$20.00
Pages Fee	$45.00
State Surcharge	$20.00
Total Fees Paid:	$85.00

Control #: 201306110068

State of New York
County of Ontario

Recorded on June 11th, 2013 at 10:17:39 AM
in Liber **01298** of **Deeds**
beginning at page **0193**, ending at page **0201**,
with a total page count of **9**.

Matthew J. Hoose

Ontario County Clerk

This sheet constitutes the Clerk's endorsement required by section 319 of the Real Property Law of the State of New York

SL

Do Not Detach

County: Ontario Site Name: Market Basket DEC Site No.: B00018

DECLARATION of COVENANTS and RESTRICTIONS

THIS COVENANT is made the 8th day of May 2013, by City of Geneva, New York, a municipal corporation and having an office for the transaction of business at 47 Castle Street, Geneva, New York 14456.

WHEREAS, Market Basket Site is the subject of a State Assistance Contract executed by the City of Geneva as part of the New York State Department of Environmental Conservation's (the "Department's) Environmental Restoration Program, namely that parcel of real property located at the address of 63 Gates Avenue – North & South Side and Lehigh Street in the City of Geneva, County of Ontario, State of New York, being part of lands conveyed by William E. Yalden to City of Geneva by deed dated April 26, 1988 and recorded in Liber 873 at Page 783 [North Side] known and designated on the tax map of the County Clerk of Ontario as tax map parcel numbers: Block 16 Lot(s) 286 & 312A and deed dated April 26, 1988 and recorded in Liber 873 at page 786 [South Side] in the Ontario County Clerk's Office, and being more particularly described in Appendix "A," attached to this declaration and made a part hereof, and hereinafter referred to as "the Property"; and

WHEREAS, the Department approved a remedy to eliminate or mitigate all significant threats to the environment presented by the contamination disposed at the Property and such remedy requires that the Property be subject to restrictive covenants.

NOW, THEREFORE, City of Geneva, New York, for itself and its successors and/or assigns, covenants that:

First, the Property subject to this Declaration of Covenants and Restrictions is as shown on a map attached to this declaration as Appendix "B" and made a part hereof.

Second, unless prior written approval by the Department or, if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as "the Relevant Agency," is first obtained, where contamination remains at the Property subject to the provisions of the Site Management Plan ("SMP"), there shall be no construction, use or occupancy of the Property that results in the disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results in unacceptable human exposure to contaminated soils. The SMP may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233.

Third, the owner of the Property shall not disturb, remove, or otherwise interfere with the installation, use, operation, and maintenance of engineering controls required for the Remedy, which are described in the SMP, unless in each instance the owner first obtains a written waiver of such prohibition from the Department or Relevant Agency.

Fourth, the owner of the Property shall prohibit the Property from ever being used for purposes other than for Commercial or Industrial use as defined in 6 NYCRR Part 375 1.8 (g) (2) (iii) & (iv) without the express written waiver of such prohibition by the Department or Relevant Agency.

Fifth, the owner of the Property shall prohibit the use of the groundwater underlying the Property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Department or Relevant Agency

Sixth, the owner of the Property shall provide a periodic certification, prepared and submitted by a professional engineer or environmental professional acceptable to the Department or Relevant Agency, which will certify that the institutional and engineering controls put in place are unchanged from the previous certification, comply with the SMP, and have not been impaired.

Seventh, the owner of the Property shall continue in full force and effect any institutional and engineering controls required for the Remedy and maintain such controls, unless the owner first obtains permission to discontinue such controls from the Department or Relevant Agency, in compliance with the approved SMP, which is incorporated and made enforceable hereto, subject to modifications as approved by the Department or Relevant Agency.

Eighth, this Declaration is and shall be deemed a covenant that shall run with the land and shall be binding upon all future owners of the Property, and shall provide that the owner and its successors and assigns consent to enforcement by the Department or Relevant Agency of the prohibitions and restrictions that the State Assistance Contract requires to be recorded, and hereby covenant not to contest the authority of the Department or Relevant Agency to seek enforcement.

Ninth, any deed of conveyance of the Property, or any portion thereof, shall recite, unless the Department or Relevant Agency has consented to the termination of such covenants and restrictions, that said conveyance is subject to this Declaration of Covenants and Restrictions.

IN WITNESS WHEREOF, the undersigned has executed this instrument the day written below.

By: _____

Print Name: Mathew D. Horn

Title: City Manager Date: 4/5/2013

Grantor's Acknowledgment

STATE OF NEW YORK)

) s.s.:

COUNTY OF) in the Ontario County Clerk's Office

On the 5th day of April, in the year 2013 before me, the undersigned, personally appeared Mathew D. Horn, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

JILL E. BUYCK
Notary Public, State of New York
Wayne County No. 4377378
Commission Expires Jan. 20, 2015

Notary Public State of New York

EXHIBIT "A"

SCHEDULE "A"

Description

CITY OF GENEVA - PARCEL A

All that tract or parcel of land situate in the City of Geneva, County of Ontario, State of New York. All of which is shown on a map prepared by David M. Clark, PLS #049807, entitled ***"Map Showing Lands Of City Of Geneva"*** Job #2815.00. Last dated April 8, 2013. Being more particularly described as follows.

Beginning at a point, marked by an iron pin, at the intersection of the apparent easterly line of Lehigh Street and the apparent northerly line of Gates Avenue. Thence the following four (4) courses and distances.

1. Thence, N 00° 51' 50" W along the apparent easterly line of Lehigh Street a distance of 320.00 feet to a point, marked by an iron pin;

2. Thence, N 89° 08' 05" E along the southerly line of lands of the City of Geneva (L. 1106 P. 981) (Avenue E – Paper Street) a distance of 250.00 feet to a point, marked by an iron pin;

3. Thence, S 00° 51' 50" E along the westerly line of lands of the Ontario County IDA – Finger Lakes Railway (L. 956 P.501) (Ontario Street – Paper Street) a distance of 320.00 feet to a point, marked by an iron pin, in the apparent northerly line of Gates Avenue;

4. Thence, S 89° 08' 05" W along the apparent northerly line of Gates Avenue a distance of 250.00 feet back to the point of beginning.

Containing 80,000± Sq. Ft. or 1.837 Acres of land.

Subject to easements, rights of way or encumbrances of record, if any.

Intending to describe the lands conveyed to the City of Geneva by deed dated April 26, 1988 and recorded in the Ontario County Clerk's Office in liber 873 of deeds, page 783.

file:2815Add.doc

SCHEDULE "A"

Description

CITY OF GENEVA - PARCEL B

All that tract or parcel of land situate in the City of Geneva, County of Ontario, State of New York. All of which is shown on a map prepared by David M. Clark, PLS #049807, entitled ***"Map Showing Lands Of City Of Geneva"*** Job #2815.00. Last dated April 8, 2013. Being more particularly described as follows.

Beginning at a point, marked by an iron pipe, at the intersection of the apparent easterly line of Lehigh Street and the apparent southerly line of Gates Avenue. Thence the following six (6) courses and distances.

1. Thence, N 89° 08' 05" E along the apparent southerly line of Gates Avenue a distance of 309.31 feet to a point, marked by an iron pin;
2. Thence, S 00° 53' 00" E along the lands of the City of Geneva IDA (L. 1014 P. 805) (Ontario Street – Paper Street) a distance of 83.50 feet to a point;
3. Thence, S 89° 15' 44" W along the northerly line of lands of The Cracker Factory, Inc. (L. 1194 P. 415) a distance of 151.83 feet to a point;
4. Thence, S 00° 56' 16" E along the lands of The Cracker Factory, Inc. (L. 1194 P. 415) a distance of 12.78 feet to a point;
5. Thence, S 89° 03' 44" W along the northerly line lands of The Cracker Factory, Inc. (L. 1194 P. 415) a distance of 157.49 feet to a point, marked by an iron pin, in the apparent easterly line of Lehigh Street;
6. Thence, N 00° 53' 00" W along the apparent easterly line of Lehigh Street a distance of 96.14 back to the point of beginning.

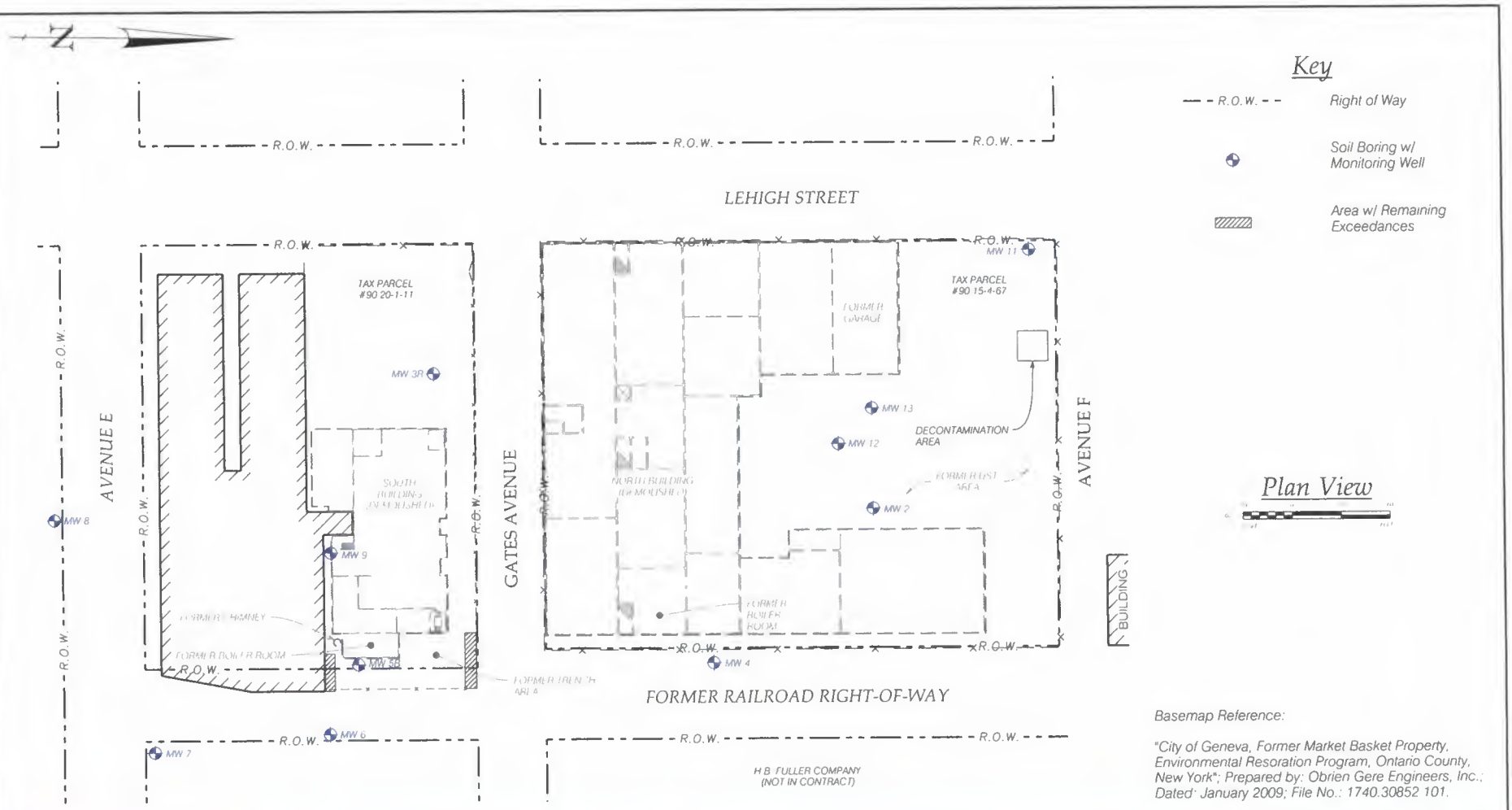
Containing 27,777± Sq. Ft. or 0.638 Acres of land.

Subject to easements, rights of way or encumbrances of record, if any.

Intending to describe the lands conveyed to the City of Geneva by deed dated April 26, 1988 and recorded in the Ontario County Clerk's Office in liber 873 of deeds, page 786.

EXHIBIT "B"

EXHIBIT D



Basemap Reference:

"City of Geneva, Former Market Basket Property, Environmental Resoration Program, Ontario County, New York"; Prepared by: Obrien Gere Engineers, Inc.; Dated: January 2009; File No.: 1740.30852 101.

PLUMLEY ENGINEERING

Civil and Environmental Engineering

PLUMLEY ENGINEERING P.C.
8272 LOCK ROAD
EAST SYRACUSE, NY 13057

REVISIONS | DATE | BY

PROJECT: MARKET BASKET PROPERTY
ENVIRONMENTAL RESTORATION PROGRAM

DWG TITLE: PLAN VIEW

CLIENT: CITY GENEVA

LOCATION: CITY OF GENEVA, ONTARIO COUNTY, NEW YORK

Note: No alteration permitted hereon except as provided under Section 7209 Subdivision 2 of the New York State Education Law

PROJECT No	2016018
FILE NAME	Figure5
SCALE	AS NOTED
DATE	OCT 2023
ENG'D BY	DKM
DRAWN BY	JMD
CHECKED BY	DKM

SHEET NO

FIGURE 5

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 8
6274 East Avon-Lima Road, Avon, NY 14414-9516
P: (585) 226-5353 I F: (585) 226-8139
www.dec.ny.gov

January 10, 2024

Wendy Marsh
Hancock Estabrook, LLP
1800 AXA Tower 1
100 Madison Street
Syracuse, New York 13202

Re: Change of Use
Market Basket Site
Site No.: B00018
Geneva (C), Ontario (C)

Dear Ms. Marsh:

The New York State Department of Environmental Conservation (Department) is in receipt of the proposed change of use (COU) notification dated October 26, 2023 for the portion of the Market Basket Site (Site) identified as Parcel B on the Site's survey map attached the deed restriction. The Site is located at Gates Avenue, Geneva, New York. The Department has completed a review of the proposed COU and conditionally approves the COU with the following modifications and clarifications.

1. The proposed use of Parcel B as a wedding and banquet venue meets the Department's definition of commercial use.

2. The City of Geneva is responsible for ensuring that all activities at the Site are in compliance with the deed restriction, Site use, and the Site's Site Management Plan (SMP).

3. Based on a review of Exhibit B, the proposed ground intrusive activities will include not only planting of trees and installation of a tent but the installation of fencing

4. The SMP including the Excavation Work Plan (EWP) and the deed restriction applies to the Site as a whole – which is both Parcel A and Parcel B. The SMP and EWP will be implemented for all ground intrusive activities conducted at Parcel B with respect to this change of use will be conducted in accordance with the SMP and the EWP.

5. The Department understands that any ground intrusive activities greater than 12 inches will require the appropriate notifications as detailed in the SMP and the EWP. The notifications must be made to the Department's project manager, project manager's supervisor, and Department site control.
    - Department project manager: Charlotte Theobald; 585-226-5354; charlotte.theobald@dec.ny.gov
    - Project manager's supervisor: David Pratt; 585-226-5449; david.pratt@dec.ny.gov
    - Site control: Kelly Lewandowski; 518-402-9569; Kelly.lewandowski@dec.ny.gov

6. All soil material imported to the Site must sampled as per the Site's SMP with exception of commercially bagged soil material that is sold at retail suppliers such as Home Depot, Lowes and

is widely available to the general public consumer. Please note that if bagged soil is purchased and used on the Site, the receipts must be submitted to the Department in the Site's subsequent Periodic Review Report.

7. All non-soil material (e.g., crushed rock, pea stone) imported to the Site must be in accordance with the Site's SMP and DER-10 except for bagged stone material that is sold at retail suppliers such as Home Depot, Lowes, etc. and is widely available to the general public consumer. Please note that if bagged stone is purchased and used on the Site, the purchase receipts must be submitted to the Department' in the Site's subsequent Periodic Review Report. For all other non-bagged stone material all supporting documentation must be provided with the Request to Import form found on the Department's public website. Note the Department's project manager has 5 days to approve the material for importation to the Site and the material must have less than 10% by weight material passing the 100-sieve analysis.

8. The Department is denying the request to decommission groundwater monitoring wells at the Site. If the groundwater monitoring wells are stick-ups, a proposal to the Department can be submitted to make the groundwater monitoring wells flush mounted. The groundwater monitoring wells must be accessible for groundwater sampling events.

9. The Department understands that the aboveground remnants of the former building will remain in place.

10. Excavation Work Plan modifications and clarifications in addition to the approved SMP:
    - Section B-1: The alteration, restoration and modification of engineering controls must conform with Article 145 Section 7209 of the Education Law regarding the application of professional seals and alterations.

    - B-2: A qualified environmental professional as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State will perform the screening.

    - B-4: A qualified environmental professional as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State will oversee (i.e., be on-site) all invasive work and the excavation and load-out of all excavated material.

    - B-4: A site utility stakeout will be completed for all utilities prior to any ground intrusive activities at the site.

    - B-4: Truck wash waters will be collected and disposed of off-site at a permitted facility in an appropriate manner.

    - B-4: Material accumulated from the street cleaning and egress cleaning activities will be disposed off-site at a permitted landfill facility in accordance with all applicable local, State, and Federal regulations.

    - B-5: Material transported by trucks exiting the site will be secured with either tight-fitting opaque covers that are secured on the sides and/or back, or opaque covers that are locked on all sides.

- B-6: All material excavated and removed from the site will be treated as contaminated and regulated material and will be transported and disposed off-site in a permitted facility in accordance with all local, State and Federal regulations.

- B-6: Unregulated off-site management of materials from this site will not occur without prior formal NYSDEC project manager approval.

- B-6: Non-hazardous historic fill and contaminated soils taken off-site will be handled consistent with 6 NYCRR Parts 360, 361, 362, 363, 364 and 365. Material that does not meet Unrestricted SCOs is prohibited from being taken to a New York State C&D debris recovery facility (6 NYCRR Subpart 360-15 registered or permitted facility).

- B-7: Contaminated on-site material may only be used beneath the site cover as backfill for subsurface utility lines with prior approval from the DEC project manager.

- B-7: Proposed materials for reuse on-site must be sampled for full suite analytical parameters including per- and polyfluoroalkyl substances (PFAS) and 1,4-dioxane. The sampling frequency will be in accordance with DER-10 Table 5.4(e)10 unless prior approval is obtained from the NYSDEC project manager for modification of the sampling frequency. The analytical results of soil/fill material testing must meet the site use criteria presented in NYSDEC DER-10 Appendix 5 – Allowable Constituent Levels for Imported Fill or Soil for all constituents listed, and the NYSDEC Sampling, Analysis, and Assessment of Per- and Polyfluoroalkyl Substances [April 2023 or date of current version, whichever is later] guidance values. Approvals for modifications to the analytical parameters must be obtained from the NYSDEC project manager prior to the sampling event.

  Soil/fill material for reuse on-site will be segregated and staged as described in Sections B-2 and B-3 of this EWP. The anticipated size and location of stockpiles will be provided in the 15-day notification to the NYSDEC project manager. Stockpile locations will be based on the location of site excavation activities and proximity to nearby site features. Material reuse on-site will comply with requirements of NYSDEC DER-10 Section 5.4(e)4. Any modifications to the requirements of DER-10 Section 5.4(e)4 must be approved by the NYSDEC project manager prior to reuse on-site.

- B-8: Dewatering, purge, and development fluids will not be recharged back to the land surface or subsurface of the site, and will be managed off-site at a permitted facility, unless prior approval is obtained from NYSDEC project manager.

- B-10: Sampling frequency will be in accordance with DER-10 Table 5.4(e)10 unless prior approval is obtained from the NYSDEC project manager for modification of the sampling frequency.

- B-12: The NYSDEC project manager will be promptly notified of the discovery.

- B-12: Chemical analysis will be performed for a full list of analytes [TAL metals, TCL volatiles and semi-volatiles (including 1,4-dioxane), TCL pesticides and PCBs, and PFAS], unless the site history and previous sampling results provide sufficient justification to limit the list of analytes. In this case, a reduced list of analytes will be proposed to the NYSDEC

project manager for approval prior to sampling. Any tanks will be closed as per NYSDEC regulations and guidance.

- B-12: Identification of unknown or unexpected contaminated media identified by screening during invasive site work will be promptly communicated by phone within two hours to NYSDEC's Project Manager.

- B-13: At a minimum the Department's generic Community Air Monitoring Plan (CAMP) will be implemented for any ground intrusive activities. The Special CAMP will be implemented for work within 20 feet of potentially exposed populations or occupied structures or within a work area. See attached.

11. Please provide the Department 7 days advance notification of any field work activities so that appropriate Department oversight can be provided.

If you have additional technical questions or concerns regarding the Site, the Site Management Plan or site management activities, please feel free to contact me at 585-226-5354 or via e-mail at charlotte.theobald@dec.ny.gov. If you have additional questions or concerns regarding the Site, please contact Dudley Loew at 585-226-5368 or via e-mail at Dudley.loew@dec.ny.gov.

Sincerely,

Charlotte B. Theobald
Assistant Engineer

Attachments

ec:
Aimee Hendrix (City of Geneva City Manager)
Carl Schmidt (Hancock Estabrook)
David Meixell (Plumely Engineering)
Justin Deming (NYSDOH)
David Pratt (NYSDEC)
Dudley Loew (NYSDEC)

CAMP Special Requirements

Special Requirements for Work Within 20 Feet of Potentially Exposed Individuals or Structures

When work areas are within 20 feet of potentially exposed populations or occupied structures, the continuous monitoring locations for VOCs and particulates must reflect the nearest potentially exposed individuals and the location of ventilation system intakes for nearby structures. The use of engineering controls such as vapor/dust barriers, temporary negative-pressure enclosures, or special ventilation devices should be considered to prevent exposures related to the work activities and to control dust and odors. Consideration should be given to implementing the planned activities when potentially exposed populations are at a minimum, such as during weekends or evening hours in non-residential settings.

- If total VOC concentrations opposite the walls of occupied structures or next to intake vents exceed 1 ppm, monitoring should occur within the occupied structure(s). Depending upon the nature of contamination, chemical-specific colorimetric tubes of sufficient sensitivity may be necessary for comparing the exposure point concentrations with appropriate pre-determined response levels (response actions should also be pre-determined). Background readings in the occupied spaces must be taken prior to commencement of the planned work. Any unusual background readings should be discussed with NYSDOH prior to commencement of the work.

- If total particulate concentrations opposite the walls of occupied structures or next to intake vents exceed 150 mcg/m^3, work activities should be suspended until controls are implemented and are successful in reducing the total particulate concentration to 150 mcg/m^3 or less at the monitoring point.

- Depending upon the nature of contamination and remedial activities, other parameters (e.g., explosivity, oxygen, hydrogen sulfide, carbon monoxide) may also need to be monitored. Response levels and actions should be pre-determined, as necessary, for each site.

Special Requirements for Indoor Work With Co-Located Residences or Facilities

Unless a self-contained, negative-pressure enclosure with proper emission controls will encompass the work area, all individuals not directly involved with the planned work must be absent from the room in which the work will occur. Monitoring requirements shall be as stated above under "Special Requirements for Work Within 20 Feet of Potentially Exposed Individuals or Structures" except that in this instance "nearby/occupied structures" would be adjacent occupied rooms. Additionally, the location of all exhaust vents in the room and their discharge points, as well as potential vapor pathways (openings, conduits, etc.) relative to adjoining rooms, should be understood and the monitoring locations established accordingly. In these situations, it is strongly recommended that exhaust fans or other engineering controls be used to create negative air pressure within the work area during remedial activities. Additionally, it is strongly recommended that the planned work be implemented during hours (e.g., weekends or evenings) when building occupancy is at a minimum.

ATTACHMENT 2

GROUNDWATER SAMPLING FIELD LOGS

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 20160B.002

Monitoring Location: MW-3R **Date:** 7/13/23

Source Description: 2" Monitoring Well **Sampler:** DTH

Well & Water Level Data:

Total Depth of Well: 15.48 feet

Initial Depth to Water: 6.20 feet

Length of Water Column (LWC): 9.29 feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed			
1	LWC * 0.041 * 3	=	_____	Gallons
1.25	LWC * 0.064 * 3	=	_____	Gallons
1.5	LWC * 0.092 * 3	=	_____	Gallons
(2)	LWC * 0.163 * 3	=	4.5	Gallons
3	LWC * 0.367 * 3	=	_____	Gallons
4	LWC * 0.653 * 3	=	_____	Gallons
6	LWC * 1.469 * 3	=	_____	Gallons

1 1/2 gallons removed

Free Product Check: **Free Product Present:** Yes (No)

Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 7/13/23

Purging Time: **From:** 10:20 AM **To:** 10:32 AM

Type of Purging Equipment Used: dedicated bailer

Purged Water Comments: none

Sampling Data: **Depth to Water at Sampling:** 6.18 feet

Color of Sample: LT BR **Sample Date:** 7/13/23

Turbidity: trace **Sample Time:** 2:00 pm

Type of Sampling Equipment Used: dedicated bailer

eld Indicators Present During Sample Collection:

Odor slight

Sheen _____

Free Product _____

None _____

Notes:

_____

_____

_____

Weather: **Temperature °F** 83°F (Sunny) Cloudy Rain Snow

Revised 08/15/07

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 2016018.002
Monitoring Location: MW-5R **Date:** 7/13/23
Source Description: 2" - monitoring well **Sampler:** DTH

Well & Water Level Data:
Total Depth of Well: 15.44 feet
Initial Depth to Water: 2.22 feet
Length of Water Column (LWC): 13.22 feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed			
1	LWC * 0.041 * 3	=	_____	Gallons
1.25	LWC * 0.064 * 3	=	_____	Gallons
1.5	LWC * 0.092 * 3	=	_____	Gallons
(2)	LWC * 0.163 * 3	=	6.4	Gallons
3	LWC * 0.367 * 3	=	_____	Gallons
4	LWC * 0.653 * 3	=	_____	Gallons
6	LWC * 1.469 * 3	=	_____	Gallons

6 gallons removed.

Free Product Check: **Free Product Present:** Yes (No)
Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 7/13/23
Purging Time: **From:** 9:35 **To:** 9:45
Type of Purging Equipment Used: dedicated 2" bailer
Purged Water Comments: some turbidity

Sampling Data: **Depth to Water at Sampling:** 2.21 feet
Color of Sample: 4 Br **Sample Date:** 7/13/23
Turbidity: NP **Sample Time:** 12:0pm
Type of Sampling Equipment Used: dedicated bailer

eld Indicators Present During Sample Collection:
Odor _____
Sheen _____
Free Product _____
None ✓

Notes:

Weather: Temperature °F 65°F (Sunny) Cloudy Rain Snow

Revised 08/15/07

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 20160B.002

Monitoring Location: MW-6 **Date:** 7/13/23

Source Description: 2" - Monitoring Well **Sampler:** _____

Well & Water Level Data:

Total Depth of Well: 13.01 feet

Initial Depth to Water: 7.28 feet

Length of Water Column (LWC): 5.73 feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed	
1	LWC * 0.041 * 3 =	_____ Gallons
1.25	LWC * 0.064 * 3 =	_____ Gallons
1.5	LWC * 0.092 * 3 =	_____ Gallons
(2)	LWC * 0.163 * 3 =	2.8 Gallons
3	LWC * 0.367 * 3 =	_____ Gallons
4	LWC * 0.653 * 3 =	_____ Gallons
6	LWC * 1.469 * 3 =	_____ Gallons

≈ 4.5 gals removed

Free Product Check: **Free Product Present:** Yes (No)

Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 7/13/23

Purging Time: **From:** 9:50 am **To:** 10:00 am

Type of Purging Equipment Used: dedicated Bailer

Purged Water Comments: trace sed turbidity

Sampling Data: **Depth to Water at Sampling:** 7.29 feet

Color of Sample: clear **Sample Date:** 7/13/23

Turbidity: None **Sample Time:** 1:30 pm

Type of Sampling Equipment Used: dedicated bailer

eld Indicators Present During Sample Collection:

Odor _____

Sheen _____

Free Product _____

None ✓

Notes:

_____

_____

_____

Weather: **Temperature °F** 63°F (Sunny) Cloudy Rain Snow

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 2016018.002
Monitoring Location: MW-9 **Date:** 7/13/23
Source Description: 2" Monitoring Well **Sampler:** DTH

Well & Water Level Data:

Total Depth of Well: 12.97 feet
Initial Depth to Water: 3.65 feet
Length of Water Column (LWC): 9.32 feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed	
1	LWC * 0.041 * 3 =	Gallons
1.25	LWC * 0.064 * 3 =	Gallons
1.5	LWC * 0.092 * 3 =	Gallons
(2)	LWC * 0.163 * 3 = 4.55	Gallons
3	LWC * 0.367 * 3 =	Gallons
4	LWC * 0.653 * 3 =	Gallons
6	LWC * 1.469 * 3 =	Gallons

5 gallons removed

Free Product Check: **Free Product Present:** Yes ~~No~~
Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 7/13/23
Purging Time: **From:** 10:04 AM **To:** 10:12 AM
Type of Purging Equipment Used: dedicated Bailers
Purged Water Comments: slight turbidity

Sampling Data: **Depth to Water at Sampling:** 3.65 feet
Color of Sample: clear **Sample Date:** 7/13/23
Turbidity: none **Sample Time:** 1:35 pm
Type of Sampling Equipment Used: dedicated Bailer

eld Indicators Present During Sample Collection:
Odor trace
Sheen
Free Product
None

Notes:

Weather: Temperature °F 63°F ~~Sunny~~ Cloudy Rain Snow

Revised 08/15/07

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 20160118.002
Monitoring Location: MW-12 **Date:** 7/13/23
Source Description: 2" monitoring well **Sampler:** DTH

Well & Water Level Data:
Total Depth of Well: 17.95 feet
Initial Depth to Water: 6.25 feet
Length of Water Column (LWC): 11.7 feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed			
1	LWC * 0.041 * 3	=	_____	Gallons
1.25	LWC * 0.064 * 3	=	_____	Gallons
1.5	LWC * 0.092 * 3	=	_____	Gallons
(2)	LWC * 0.163 * 3	=	5.7	Gallons
3	LWC * 0.367 * 3	=	_____	Gallons
4	LWC * 0.653 * 3	=	_____	Gallons
6	LWC * 1.469 * 3	=	_____	Gallons

~~N~~ 6 gallons removed.

Free Product Check: **Free Product Present:** Yes ~~No~~
Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 7/13/23
Purging Time: **From:** 10:50 am **To:** 11:05 am
Type of Purging Equipment Used: 2" dedicated Bailer
Purged Water Comments: odor, little turbidity

Sampling Data: **Depth to Water at Sampling:** 6.23 feet
Color of Sample: Clear **Sample Date:** 7/13/23
Turbidity: none **Sample Time:** 2:05 pm
Type of Sampling Equipment Used: dedicated Bailer

eld Indicators Present During Sample Collection:
Odor Slight
Sheen _____
Free Product _____
None _____

Notes:

_____

_____

_____

Weather: **Temperature °F** 63°F ~~Sunny~~ Cloudy Rain Snow

Revised 08/15/07

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 2016018.002

Monitoring Location: MW-3R **Date:** 10/18/23

Source Description: 2" Monitoring Well **Sampler:** DTH

Well & Water Level Data:

Total Depth of Well: 15.12 feet

Initial Depth to Water: 6.65 feet

Length of Water Column (LWC): 8.55 feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed			
1	LWC * 0.041 * 3	=	_____	Gallons
1.25	LWC * 0.064 * 3	=	_____	Gallons
1.5	LWC * 0.092 * 3	=	_____	Gallons
(2)	LWC * 0.163 * 3	=	4.2	Gallons
3	LWC * 0.367 * 3	=	_____	Gallons
4	LWC * 0.653 * 3	=	_____	Gallons
6	LWC * 1.469 * 3	=	_____	Gallons

¼ Gallons removed

Free Product Check: **Free Product Present:** Yes (No)

Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 10/18/23

Purging Time: **From:** 1:02 pm **To:** 1:12 pm

Type of Purging Equipment Used: dedicated bailer

Purged Water Comments: trace turbidity, slight odor

Sampling Data: **Depth to Water at Sampling:** 6.65 feet

Color of Sample: clear **Sample Date:** 10/18/23

Turbidity: none **Sample Time:** 4:05 pm

Type of Sampling Equipment Used: dedicated bailer

eld Indicators Present During Sample Collection:

Odor trace

Sheen _____

Free Product _____

None _____

Notes:

_____

_____

_____

Weather: **Temperature °F** 55°F (Sunny) Cloudy Rain Snow

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 20160018.002

Monitoring Location: MW-5R **Date:** 10/18/23

Source Description: 2" Monitoring Well **Sampler:** DTF

Well & Water Level Data:

Total Depth of Well: 15.13 feet

Initial Depth to Water: 2.98 feet

Length of Water Column (LWC): 12.32 feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed	
1	LWC * 0.041 * 3 =	Gallons
1.25	LWC * 0.064 * 3 =	Gallons
1.5	LWC * 0.092 * 3 =	Gallons
(2)	LWC * 0.163 * 3 = 6	Gallons
3	LWC * 0.367 * 3 =	Gallons
4	LWC * 0.653 * 3 =	Gallons
6	LWC * 1.469 * 3 =	Gallons

~ 6.5 removed

Free Product Check: **Free Product Present:** Yes (No)

Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 10/18/23

Purging Time: **From:** 12:15 pm **To:** 12:22

Type of Purging Equipment Used: dedicated bailer

Purged Water Comments: some mud turbidity

Sampling Data: **Depth to Water at Sampling:** 2.99 feet

Color of Sample: clear **Sample Date:** 10/18/23

Turbidity: none **Sample Time:** 3:45 pm

Type of Sampling Equipment Used: dedicated bailer

eld Indicators Present During Sample Collection:

Odor ____

Sheen ____

Free Product ____

None X

Notes:

Weather: **Temperature °F** 55°F Sunny (Cloudy) Rain Snow

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 2016018.002
Monitoring Location: MW-C **Date:** 10/18/23
Source Description: 2" monitoring well **Sampler:** DHL

Well & Water Level Data:

Total Depth of Well:	15.41	feet
Initial Depth to Water:	6.95	feet
Length of Water Column (LWC):	8.46	feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed			
1	LWC * 0.041 * 3	=	_____	Gallons
1.25	LWC * 0.064 * 3	=	_____	Gallons
1.5	LWC * 0.092 * 3	=	_____	Gallons
(2)	LWC * 0.163 * 3	=	4.1	Gallons
3	LWC * 0.367 * 3	=	_____	Gallons
4	LWC * 0.653 * 3	=	_____	Gallons
6	LWC * 1.469 * 3	=	_____	Gallons

½ 5 gallons removed

Free Product Check: **Free Product Present:** Yes (No)
Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 10/18/23
Purging Time: **From:** 12:30 PM **To:** 12:41 pm
Type of Purging Equipment Used: dedicated bailers
Purged Water Comments: none

Sampling Data: **Depth to Water at Sampling:** 6.94 feet
Color of Sample: clear **Sample Date:** 10/18/23
Turbidity: none **Sample Time:** 3:50 PM
Type of Sampling Equipment Used: dedicated bailer

eld Indicators Present During Sample Collection:

Odor	_____
Sheen	_____
Free Product	_____
None	X

Notes:

_____

_____

_____

Weather: **Temperature °F** 55°F Sunny Cloudy Rain Snow

Revised 08/15/07

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 20160018.002
Monitoring Location: MW-9 **Date:** 10/18/23
Source Description: 2"-monitoring well **Sampler:** DTH

Well & Water Level Data:

Total Depth of Well: 13.96 feet
Initial Depth to Water: 4.05 feet
Length of Water Column (LWC): 9.91 feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed	
1	LWC * 0.041 * 3 =	Gallons
1.25	LWC * 0.064 * 3 =	Gallons
1.5	LWC * 0.092 * 3 =	Gallons
(2)	LWC * 0.163 * 3 = 4.3	Gallons
3	LWC * 0.367 * 3 =	Gallons
4	LWC * 0.653 * 3 =	Gallons
6	LWC * 1.469 * 3 =	Gallons

~5 gallons removed

Free Product Check: **Free Product Present:** Yes (No)
Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 10/18/23
Purging Time: **From:** 12:48 pm **To:** 12:52 pm
Type of Purging Equipment Used: dedicated bailer
Purged Water Comments: trace turbidity

Sampling Data: **Depth to Water at Sampling:** 4.05 feet
Color of Sample: clear **Sample Date:** 10/18/23
Turbidity: none **Sample Time:** 4:00pm
Type of Sampling Equipment Used: dedicated bailer

eld Indicators Present During Sample Collection:
Odor trace
Sheen
Free Product
None

Notes:

Weather: **Temperature °F** 55°F (Sunny) Cloudy Rain Snow

Revised 08/15/07

PLUMLEY ENGINEERING, P.C.

GROUNDWATER SAMPLING FIELD LOG

Client/Site: Market Basket **Project No.:** 2016019.002

Monitoring Location: MW-12 **Date:** 10/18/23

Source Description: 2"-Monitoring Well **Sampler:** DTH

Well & Water Level Data:

Total Depth of Well: 17.97 feet

Initial Depth to Water: 7.31 feet

Length of Water Column (LWC): 10.66 feet

Purge Volume Calculation:

Well Diameter (inches):	Calculated Well Volume To Be Removed	
1	LWC * 0.041 * 3 =	Gallons
1.25	LWC * 0.064 * 3 =	Gallons
1.5	LWC * 0.092 * 3 =	Gallons
(2)	LWC * 0.163 * 3 = 5.0	Gallons
3	LWC * 0.367 * 3 =	Gallons
4	LWC * 0.653 * 3 =	Gallons
6	LWC * 1.469 * 3 =	Gallons

3.5 gallons removed

Free Product Check: **Free Product Present:** Yes (No)

Measured Thickness/Comment: NA

Purge Data: **Purge Date:** 10/18/23

Purging Time: **From:** 1:20 pm **To:** 1:32 pm

Type of Purging Equipment Used: dedicated bailer

Purged Water Comments: slight odor

Sampling Data: **Depth to Water at Sampling:** 7.32 feet

Color of Sample: clear **Sample Date:** 10/18/23

Turbidity: none **Sample Time:** 4:15 pm

Type of Sampling Equipment Used: dedicated bailer

eld Indicators Present During Sample Collection:

Odor slight

Sheen

Free Product

None

Notes:

Weather: **Temperature °F** 55°F **Sunny** **Cloudy** **Rain** **Snow**

ATTACHMENT 3

SITE-WIDE INSPECTION FORM

Site-Wide Inspection Form
Former Market Basket Site
Geneva, New York

Date: October 18, 2023 Inspector's Name (Print): Derk T. Hudson

Site Owner: City of Geneva Inspector's Phone Number: (315) 638-8587

1. Does the site comply with the required institutional controls? Yes X No __

   If no, explain deficiencies: _____

2. Describe condition and effectiveness of the soil cover: Good, with established grass cover

3. Describe general site conditions: Vacant with cover vegetation mowed

4. Is the annual groundwater monitoring program current? Yes X No __

5. Have the requirements of the Operation and Maintenance Plan been maintained? Yes X No __

   If no, explain deficiencies: _____

6. Are site records up to date? Yes X No __

   If no, explain deficiencies: _____

Additional Comments (if appropriate): _____

_____

_____

_____

Recommended Actions (if appropriate): _____

_____

_____

_____

Signature of Inspector: _____

ATTACHMENT 4

INSTITUTIONAL AND ENGINEERING CONTROLS CERTIFICATION FORM

Enclosure 2

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form

Site Details **Box 1**

Site No. **B00018**

Site Name Market Basket Site

Site Address: Corner of Gates Ave. & Lehigh Street Zip Code: 14456-
City/Town: Geneva (C)
County: Ontario
Site Acreage: 2.475

Reporting Period: March 15, 2023 to March 15, 2024

	YES	NO
1. Is the information above correct?	X	☐
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	☐	X
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	☐	X
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	☐	X
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?	☐	X

Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Commercial and Industrial	X	☐
7. Are all ICs in place and functioning as designed?	X	☐

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative Date

SITE NO. B00018 **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
90.15-4-67	City of Geneva	Ground Water Use Restriction Soil Management Plan Landuse Restriction Site Management Plan IC/EC Plan Monitoring Plan

The Deed Restriction is the legal instrument which sets forth the use restrictions and prohibitions on the future use of the Site. The Deed Restriction is filed and recorded with the property and will run in perpetuity. The Deed Restriction recorded for the property restricts the use of groundwater, restrict the use of the Site to restricted commercial and industrial, periodic certifications must be submitted to the Department, and site management must be in accordance with the Site Management Plan.

90.20-1-11	City of Geneva	Monitoring Plan Ground Water Use Restriction Soil Management Plan Landuse Restriction Site Management Plan IC/EC Plan

The Deed Restriction is the legal instrument which sets forth the use restrictions and prohibitions on the future use of the Site. The Deed Restriction is filed and recorded with the property and will run in perpetuity. The Deed Restriction recorded for the property restricts the use of groundwater, restrict the use of the Site to restricted commercial and industrial, periodic certifications must be submitted to the Department, and site management must be in accordance with the Site Management Plan.

Box 4

Description of Engineering Controls

None Required

Not Applicable/No EC's

Box 5

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

   a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;

   b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and compete.

YES	NO
X	☐

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

   (a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

   (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

   (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

   (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

   (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES	NO
X	☐

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

_____ _____

Signature of Owner, Remedial Party or Designated Representative Date

IC CERTIFICATIONS
SITE NO. B00018

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I David K. Meixell, P.E. (print name) at PLUMLEY ENGINEERING, P.C. 8232 Loop Road, Baldwinsville, New York 13027 (print business address),

am certifying as Owner's Designated Representative (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Signature of Owner, Remedial Party, or Designated Representative Rendering Certification

June 28, 2024
Date

ATTACHMENT 5

JULY 13, 2023 INSPECTION PHOTOGRAPHS

PHOTO 1

PHOTO 2

PHOTO 3

PHOTO 4

PHOTO 5

PHOTO 6