

Brownfield Cleanup Program Application

*500 South Union Street Site
Spencerport, NY*

May 2009

0188-001-100

Prepared For:

Eyezon Associates, Inc.



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION



BROWNFIELD CLEANUP PROGRAM (BCP)

ECL ARTICLE 27 / TITLE 14

07/07

DEPARTMENT USE ONLY
BCP SITE #: _____

Section I. Requestor Information

NAME

ADDRESS 4

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S CONSULTANT

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S ATTORNEY

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, the requestor certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

Requestor Relationship to Property (check one):

Previous Owner

Current Owner

Potential /Future Purchaser

Other _____

If requestor is not the site owner, requestor will have access to the property throughout the BCP project.

Yes

No

(Note: proof of site access must be submitted for non-owners)

Section II. Property Information Summary Sheet

PROPERTY NAME:

ADDRESS/LOCATION

CITY/TOWN

ZIP CODE

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

COUNTY

SITE SIZE (ACRES)

LATITUDE (degrees/minutes/seconds)

LONGITUDE (degrees/minutes/seconds)

HORIZONTAL COLLECTION METHOD: SURVEY GPS MAP

HORIZONTAL REFERENCE DATUM:

FOR EACH PARCEL, FILL OUT THE FOLLOWING TAX MAP INFORMATION (if more than three parcels, attach additional information)

Parcel Address

Parcel No.

Section No.

Block No.

Lot No.

Acreage

1. Do the property boundaries correspond to tax map metes and bounds?

Yes No

If no, please attach a metes and bounds description of the property.

2. Is the required property map attached to the application? (application will not be processed without map)

Yes No

3. Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)?

Yes No

For more information go to: http://www.nylovesbiz.com/BrownField_Redevelopment/default.asp.

If yes, identify area (name) _____

50% 100% of the site is in the En-zone (check one)

PROPERTY DESCRIPTION NARRATIVE:

List of Existing Easements (type here or attach information)

Easement Holder

Description

List of Permits issued by the NYSDEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

Initials of each Requestor: __RS__ _____

Section III. Current Site Owner/Operator Information

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. Requestor Eligibility Information (Please refer to ECL § 27-1407)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

- | | | |
|--|-----|----|
| 1. Are any enforcement actions pending against the requestor regarding this site? | Yes | No |
| 2. Is the requestor subject to an existing order relating to contamination at the site? | Yes | No |
| 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? | Yes | No |
| 4. Has the requestor been determined to have violated any provision of ECL Article 27? | Yes | No |
| 5. Has the requestor previously been denied entry to the BCP? | Yes | No |
| 6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? | Yes | No |
| 7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration? | Yes | No |
| 8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department? | Yes | No |
| 9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.8(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? | Yes | No |

Section V. Property Eligibility Information (Please refer to ECL § 27-1405)

- | | | |
|--|-----|----|
| 1. Is the property listed on the National Priorities List? | Yes | No |
| 2. Is the property listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?
If yes, please provide: Site # _____ Class # _____ | Yes | No |
| 3. Is the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____ | Yes | No |
| 4. Is the property subject to a cleanup order under navigation law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____ | Yes | No |
| 5. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment. | Yes | No |

Section VI. Project Description

What stage is the project starting at? investigation remediation

Please attach a description of the project which includes the following components:

- Purpose and scope of the project
- Estimated project schedule

Section VII. Property's Environmental History

To the extent that existing information/studies/reports are available to the requestor, please attach the following:

1. Environmental Reports

A phase I environmental site assessment report prepared in accordance with ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), and all environmental reports related to contaminants on or emanating from the site.

If a final investigation report is included, indicate whether it meets the requirements of ECL Article 27-1415(2): Yes No

2. Sampling Data: Indicate known contaminants and the media which are known to have been affected:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

*Please describe: _____

3. Suspected Contaminants: Indicate suspected contaminants and the media which may have been affected:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS:

Above Ground Pipeline or Tank	Lagoons or Ponds	Underground Pipeline or Tank	Surface Spill or Discharge
Routine Industrial Operations	Dumping or Burial of Wastes	Septic tank/lateral field	Drums or Storage Containers
Adjacent Property	Seepage Pit or Dry Well	Foundry Sand	Electroplating
Coal Gas Manufacture	Industrial Accident	Unknown	
Other: _____			

5. INDICATE PAST LAND USES:

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner	Salvage Yard	Bulk Plant
Pipeline	Service Station	Landfill	Tannery	Electroplating	Unknown
Other: _____					

6. Owners

A list of previous owners with names, last known addresses and telephone numbers (describe requestor's relationship, if any, to each previous owner listed. If no relationship, put "none").

7. Operators

A list of previous operators with names, last known addresses and telephone number (describe requestor's relationship, if any, to each previous operator listed. If no relationship, put "none").

Section VIII. Contact List Information

Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board/dept. chair of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of a letter sent to the repository acknowledging that it agrees to act as the document repository for the property.

Section IX. Land Use Factors (Please refer to ECL § 27-1415(3))

Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

Intended Use: Unrestricted Residential Commercial Industrial (check all that apply)

Please check the appropriate box and provide an explanation as an attachment if appropriate. Provide a copy of the local zoning classifications, comprehensive zoning plan designations, and/or current land use approvals.

Yes No

1. Do current historical and/or recent development patterns support the proposed use? (See #12 below re: discussion of area land uses)

2. Is the proposed use consistent with applicable zoning laws/maps?

3. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans?

4. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).

5. Are there any federal or state land use designations relating to this site?

6. Do the population growth patterns and projections support the proposed use?

7. Is the property accessible to existing infrastructure?

8. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile?

9. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species within ½ mile?

10. Are there floodplains within ½ mile?

11. Are there any institutional controls currently applicable to the property?

12. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas.

13. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas.

14. Describe on attachment the geography and geology of the site.

Statement of Certification and Signatures

(By requestor who is an individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____ Print Name: _____

(By an requestor other than an individual)

Eyezon Associates, Inc.

I hereby affirm that I am President (title) of _____ (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 5-20-09 Signature: Robert Spencer Print Name: Robert Spencer

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, must be sent to:

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

- One (1) paper copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.ny.gov/about/776.html>

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE: 64380 LEAD OFFICE: Reg 8

C828153

LIST OF APPLICATION ATTACHMENTS

*NYSDEC Brownfield Cleanup Program Application
500 South Union Street Site
Spencerport, New York*

Attachment No.	Description
1	Site Description, BCP Eligibility Statement, Location Map and Site Plan
2	Tax Map and Survey
3	Project Description and Schedule
4	Redevelopment Plan
5	Phase I Environmental Site Assessment
6	Previous Phase II Environmental Site Assessments
7	Listing of Current and Previous Site Owners
8	Listing of Current and Previous Site Operators
9	Contact List Information
10	Document Repository Confirmation Letter
11	Environmental Factors and Historic Land Use Considerations
12	Nearby Land Use Map
13	Groundwater Vulnerability Assessment
14	Description of Site Geography/Geology

ATTACHMENT 01

SITE DESCRIPTION, BCP ELIGIBILITY STATEMENT, LOCATION MAP & SITE PLAN

Attachment 01

Site Description and BCP Eligibility Statement

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

A. SITE DESCRIPTION

The subject property (hereinafter, the “Project Site” or the “Site”) subject to the BCP application is as an approximate 1.2-acre site improved with one 12,750-square foot building located at the corner of South Union Street (Route 259) and Nichols Street (Route 31) in the Spencerport, New York (see Figures 1-1 and 1-2). The parcel included in this application is described as:

500 South Union Street, Town of Ogden, Village of Spencerport, Monroe County, New York- S.B.L# 087.17-1-61.

The Site is a mixed-use commercial-retail property, which contains: a dry-cleaner; a vacant laundry facility; a pizzeria; a restaurant/diner; and, vacant space (see Site photos attached).

The Site was historically utilized as a button factory from the 1940s until the 1970’s. It was used as a dry-cleaner starting in the early 1970s (see the TurnKey Environmental Restoration LLC Phase I ESA dated April 2008 ([Attachment 5](#)) at page 4 and the Haley & Aldrich Phase I/II ESA dated November 1998 ([Attachment 6](#)) at page 17. Prior to 1986, spent filters from the dry-cleaning unit were disposed of in dumpsters located outside the building on the eastern portion of the Site.

Subsurface Investigations completed in 1998 and 2008 identified the presence of chlorinated VOCs, specifically tetrachloroethylene (PCE) and its chemical breakdown products, in soil and groundwater on-Site. PCE is a common dry-cleaning solvent which was historically utilized on-Site. The distribution of PCE and other chlorinated VOCs in groundwater is illustrated in Figure 1-3 attached and suggests that on-Site contamination originated from the location of the dumpster into which spent dry cleaning filters were disposed until 1986. [Attachment 6](#) includes copies of the investigation reports.

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Site Description and BCP Eligibility Statement

**Eyezon Associates, Inc.
500 South Union Street Site
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As clearly evidenced by the contamination identified in the previous subsurface investigation reports, significant environmental concerns are associated with the Project Site. These concerns are complicating use and future redevelopment/reuse of the Project Site.

The Site is bound by South Union Street to the west, Nichols Street to the south, residential condominiums/apartments to the north, and a residential/commercial apartment building to the east (see Figure 1-2). A land use map for the Site and surrounding area is included in Attachment #12.

B) ELIGIBILITY FOR ACCEPTANCE INTO THE BROWNFIELD CLEANUP PROGRAM

The Site meets the definition of a “Brownfield site” as set forth in New York State Environmental Conservation Law (the “ECL”). The ECL Section 27-1405(2) defines a “Brownfield site” as “any real property, the development or reuse of which may be complicated by the presence or potential presence of a contaminant”. The regulations in 6NYCRR 375-3.3(a)(1) reiterate that a brownfield site has two elements and adds a “reasonable basis” test to each:

- (1) A brownfield site has two elements:
 - (i) there must be confirmed contamination on the property or a reasonable basis to believe that contamination is likely to be present on the property (the “Contamination Element”); and,
 - (ii) there must be a reasonable basis to believe that the contamination or potential presence of contamination may be complicating the development, use or re-use of the property (the “Complication Element”)

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Site Description and BCP Eligibility Statement

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

Moreover, the New York State Department of Environmental Conservation BCP Eligibility Guidance dated March 2005 which is incorporated into the Brownfield Cleanup Program Guide establishes several factors that the Department considers in evaluating whether the Contamination Element and the Complication Element exist.

The Contamination Element

The Department considers the following factors with respect to the Contamination Element, to the extent they are relevant to the proposed Site:

- (A) the nature and extent of known or suspected contamination;
- (B) whether contaminants are present at levels that exceed standards, criteria or guidance;
- (C) whether contamination on the proposed site is historic fill material or exceeds background levels;
- (D) whether there are or were industrial or commercial operations at the proposed site which may have resulted in environmental contamination; and/or,
- (E) whether the proposed site has previously been subject to closure, a removal action, an interim or final remedial action, corrective action or any other cleanup activities performed by or under the oversight of the State or Federal government.

The Contamination Element of the BCP Eligibility Test has clearly been met in this application because:

- A. The Phase II ESA established that on-site soils and groundwater have been impacted by cVOCs and pVOCs. See TurnKey Environmental Restoration LLC Phase II ESA dated April 2008, page 6.
- B. Each of the six (6) groundwater samples collected in the 2008 TurnKey Phase II and the 1998 Haley & Aldrich Phase I/II site investigation detected cVOCs

Attachment 01

Site Description and BCP Eligibility Statement

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

above NYS groundwater quality standards. See TurnKey Environmental Restoration LLC Phase II ESA dated April 2008, page 6.

- C. Contamination on the proposed site is not historic fill material. Rather, it originated from the disposal of spent filters from dry cleaning operations before 1986. See the TurnKey Environmental Restoration LLC Phase I ESA dated April 2008 (Attachment 5) at page 4 and the Haley & Aldrich Phase I/II ESA dated November 1998 (Attachment 6) at page 17.
- D. Commercial operations at the Site resulted in environmental contamination. Contamination originated from the disposal of spent filters from dry cleaning operations before 1986. See the TurnKey Environmental Restoration LLC Phase I ESA dated April 2008 (Attachment 5) at page 4 and the Haley & Aldrich Phase I/II ESA dated November 1998 (Attachment 6) at page 17.
- E. The proposed site has not previously been subject to closure, a removal action, an interim or final remedial action, corrective action or any other cleanup activities performed by or under the oversight of the State or Federal government.

The Complication Element

The Department considers the following factors with respect to the Contamination Element, to the extent they are relevant to the proposed Site:

- (A) whether the proposed site is idled, abandoned or underutilized;
- (B) whether the proposed site is unattractive for redevelopment or reuse due to the presence or reasonable perception of contamination;
- (C) whether properties in the immediate vicinity of the proposed site show indicators of economic distress such as high commercial vacancy rates or depressed property values; and/or,

Attachment 01

Site Description and BCP Eligibility Statement

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

(D) whether the estimated cost of any necessary remedial program is likely to be significant in comparison to the anticipated value of the proposed site as redeveloped or reused.

The Complication Element of the BCP Eligibility Test has clearly been met in this application because the proposed site is unattractive for redevelopment or reuse due to the presence or reasonable perception of contamination. This factor is clearly established by the following:

- (A) The Site has a history of dry-cleaning use and documented disposal of waste solvent filters by the dry-cleaning operator prior to 1986.
- (B) The Site is unattractive for redevelopment or reuse due to the actual presence of contamination.
- (C) Two separate contracts to sell the Site have failed after environmental investigation was performed.
- (D) In 1998 and 2008 prospective purchasers terminated the planned purchase and redevelopment of the Site due to the high costs of remediation and environmental liability concerns associated with the environmental impairments at the Site.
- (E) The estimated cost of a proposed remedial program with regard to the Site is significant in comparison to the value of the Site.

Based on the foregoing and as further set forth in the BCP application, the Site meets the Contamination Element and the Complication Element tests. As such, the Site qualifies as a Brownfield Site eligible for participation in the BCP because (A) there is confirmed contamination on the Site, and (B) there is a reasonable basis to believe that the contamination is complicating the development, use or re-use of the Site.

Attachment 01

Site Description and BCP Eligibility Statement

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

The Requestor as a Volunteer

A BCP applicant may be either a “participant” or a “volunteer.”

A “participant” is an applicant who either (i) was the owner of the site at the time of the disposal or discharge of contaminants; or (ii) is otherwise responsible according to applicable principles of statutory or common law liability, unless such person’s liability arises solely as a result of such person’s ownership or operation of or involvement with the site subsequent to the disposal or discharge. NY ECL 27-1405(1)(a). This definition is repeated verbatim at 6 NYCRR 375-3.2(b)(1) and is paraphrased in the Brownfield Cleanup Program Guide at Section 2.4(1)(A).

A “volunteer” is an applicant other than a participant, including a person whose liability arises solely as a result of such person’s ownership or operation of or involvement with the site subsequent to the disposal or discharge of contaminants provided that such person exercises appropriate care with respect to the contamination. NY ECL 27-1405(1)(b). This definition is repeated verbatim at 6 NYCRR 375-3.2(b)(2) and is paraphrased in the Brownfield Cleanup Program Guide at Section 2.4(1)(B).

The applicant, Eyezon Associates, Inc., took title to the Site by deed dated October 15, 1999 and recorded in the Monroe County Clerk’s Office on October 19, 1999 at liber 9228 of deeds, page 382. The applicant acquired the site from a related entity, Eyezon Associates. Eyezon Associates took title to the site by deed dated December 31, 1985 and recorded in the Monroe County Clerk’s Office on January 24, 1986 at liber 6849 of deeds, page 66.

It is undisputed that the contamination originated from the disposal of spent dry cleaning filters in an outside dumpster and that this disposal practice stopped “before 1986.” See the TurnKey Environmental Restoration LLC Phase I ESA dated April 2008 ([Attachment 5](#)) at page 4 and the Haley & Aldrich Phase I/II ESA dated November 1998 ([Attachment 6](#)) at page 17. Since the applicant took title after the cessation of the disposal practices that caused the contamination, there was nothing the applicant could do to stop

Attachment 01

Site Description and BCP Eligibility Statement

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

any continuing release, prevent any threatened future release or prevent exposure to previously released contamination.

Since the applicant owned the property after the disposal or discharge of contaminants and took appropriate care with respect to the contamination, it is entitled to volunteer status under NY ECL27-1405(1)(b).

SITE PHOTOGRAPHS

Photo 1:



Photo 2:



Photo 3:



Photo 4:



Photo 1: Subject Property (Looking east)

Photo 2: Adjacent Property – residential (Looking southeast)

Photo 3: Adjacent Property – Kwik Fill Gas Station (Looking west)

Photo 4: Adjacent Property (Looking south)

**500 South Union Street Site
Spencerport, New York**

Photo Date: March 11, 2008



SITE PHOTOGRAPHS

Photo 5:



Photo 6:



Photo 7:



Photo 8:



- Photo 5: Exterior Conditions (view north)
- Photo 6: Exterior Conditions (gas meters)
- Photo 7: Watersraat Dry Cleaners (view east)
- Photo 8: Grease and refuse dumpsters (view northwest)

**500 South Union Street Site
Spencerport, New York**

Photo Date: March 11, 2008



SITE PHOTOGRAPHS

Photo 9:



Photo 10:



Photo 9: Exterior conditions (view west)

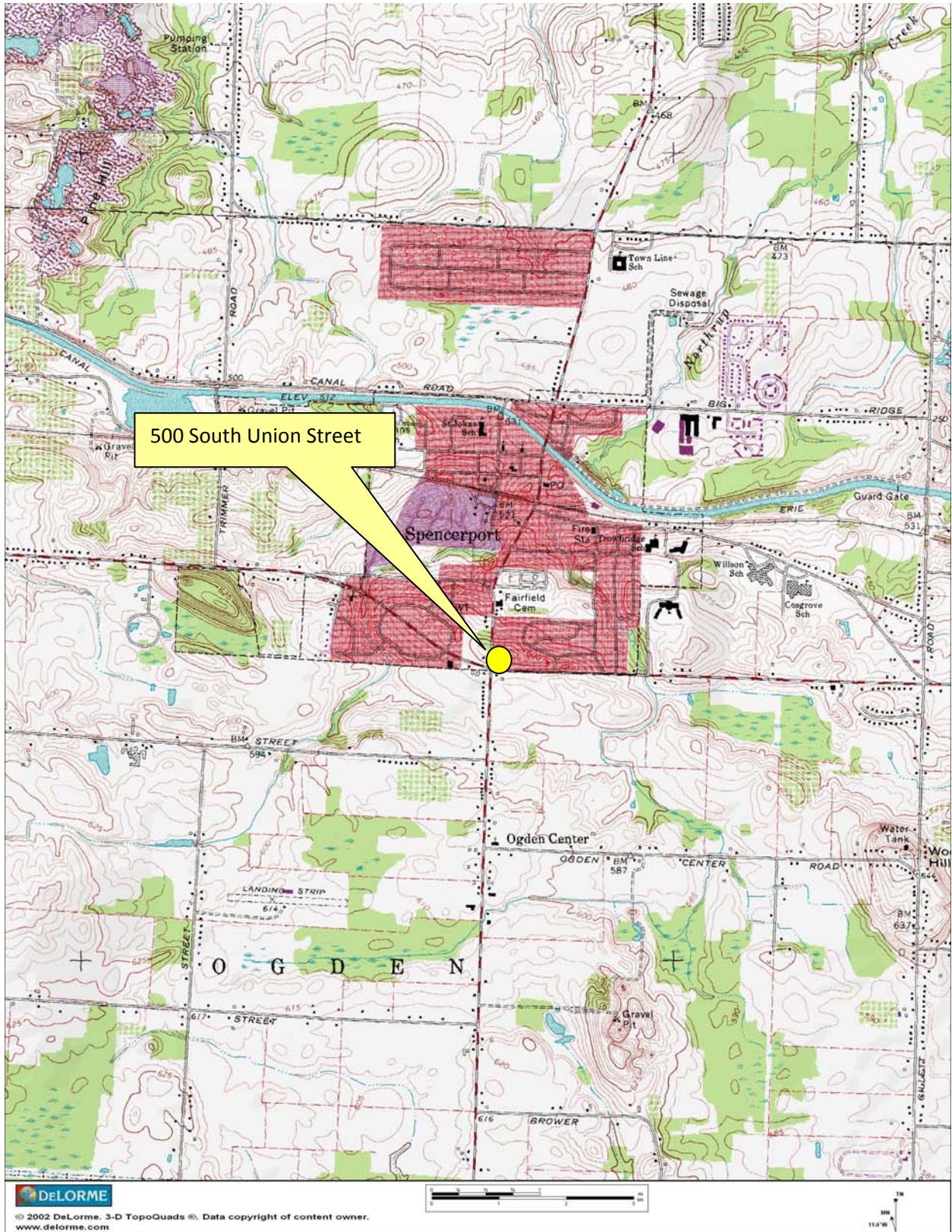
Photo 10: Former laundry facility

**500 South Union Street Site
Spencerport, New York**

Photo Date: March 11, 2008



FIGURE 1-1



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0635

SITE LOCATION AND VICINITY MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

500 SOUTH UNION STREET SITE
SPENCERPORT, NEW YORK

PREPARED FOR
EYEZON ASSOCIATES

PROJECT NO.: 0188-001-100

DATE: AUGUST 2008

DRAFTED BY: NTM

Adjacent Properties:

- 1 – Kwik-Fill (501 S. Union Street)
- 2 – Residential Complex (22 – 60 Union Hill)
- 3 – Office Complex (21 Union Hill)
- 4 – Vacant – (2841 Nichols St)
- 5 – Restaurant – (2273 Timber Ridge)

500 South Union Street Site

S. Union Street

Nichols Street

Property Boundary Approximate – Not to Scale



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0635

PROJECT NO.: 0188-001-100

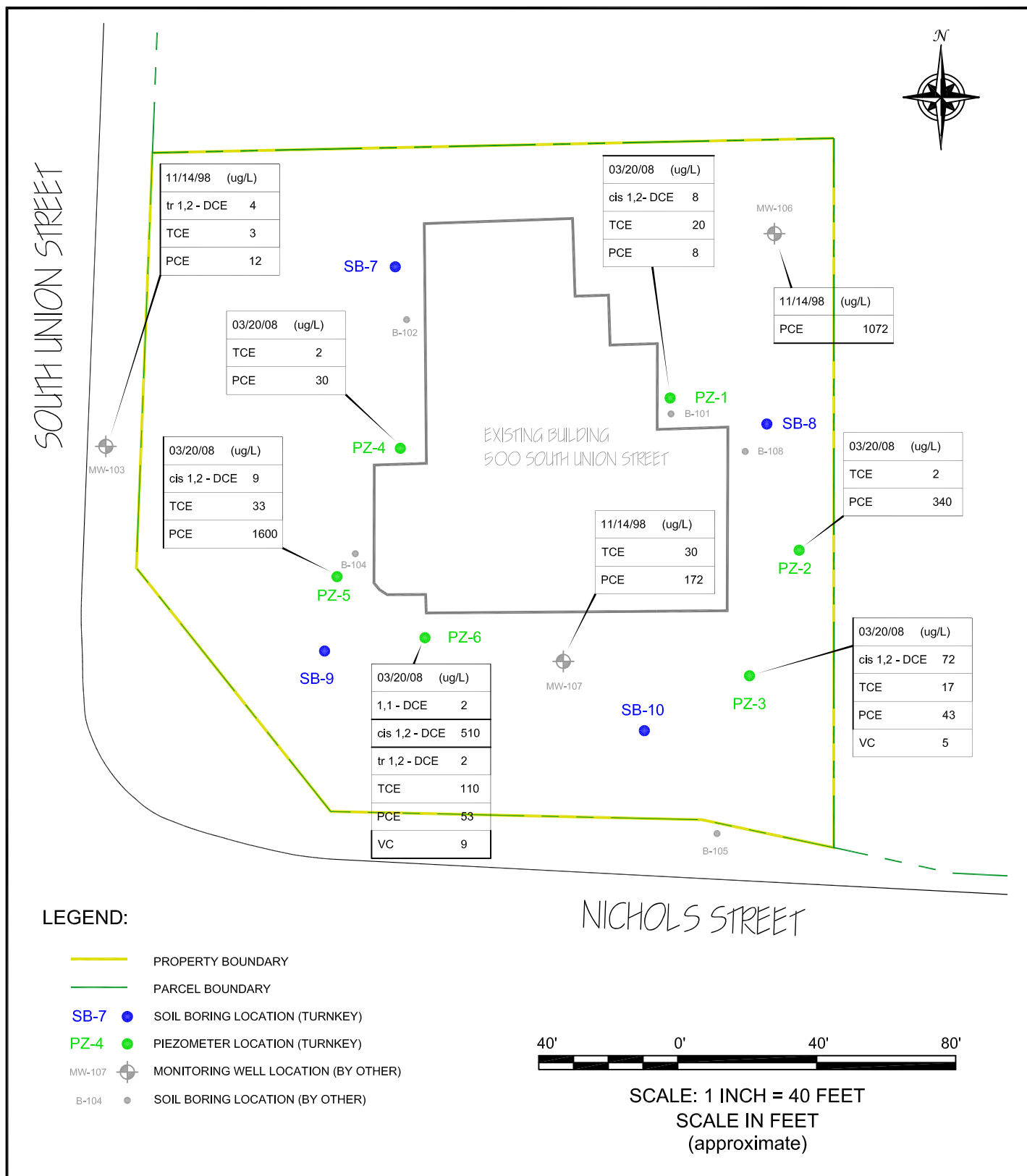
DATE: AUGUST 2008

DRAFTED BY: NTM

SITE PLAN
BROWNFIELD CLEANUP PROGRAM APPLICATION
500 SOUTH UNION STREET SITE
SPENCERPORT, NEW YORK
PREPARED FOR
EYEZON ASSOCIATES

FIGURE 1-2

FIGURE 1-3



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0635

CHLORINATED VOCs IN GROUNDWATER

BROWNFIELD CLEANUP PROGRAM APPLICATION

500 SOUTH UNION STREET SITE

SPENCERPORT, NEW YORK

PREPARED FOR

EYEZON ASSOCIATES

PROJECT NO.: 0188-001-100

DATE: AUGUST 2008

DRAFTED BY: NTM

ATTACHMENT 02

TAX MAP

FIGURE 2-1

500 South Union Street Site

S.B.L. No. 087.17-1-61



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0635

PROJECT NO.: 0188-001-100

DATE: AUGUST 2008

DRAFTED BY: NTM

TAX MAP
BROWNFIELD CLEANUP PROGRAM APPLICATION
500 SOUTH UNION STREET SITE

SPENCERPORT, NEW YORK
PREPARED FOR
EYEZON ASSOCIATES

DRAFTED BY: NTM

ATTACHMENT 03

PROJECT DESCRIPTION & SCHEDULE

Attachment 03

Project Description

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

PROJECT DESCRIPTION

Based on records obtained during the completion of Phase I Environmental Site Assessment, the Site has a history of use as a dry-cleaner since the early 1970s. Subsurface Investigations completed in 1998 and 2008 have identified the presence of the dry-cleaning solvent PCE and its chemical breakdown products in soil and groundwater on-Site at concentrations that require delineation and remediation.

Eyezon Associates, Inc. (Eyezon), acting as non-responsible volunteer, is willing to investigate and remediate the Site under the Brownfield Cleanup Program and is submitting this BCP application for eligibility into the Program. Upon acceptance into the BCP, Eyezon will submit and implement a Remedial Investigation/Alternatives Analysis Report (RI/AAR) Work Plan that will provide a basis for a Remedial Work Plan to address the VOC contamination on-Site.

PROJECT SCHEDULE

The environmental engineering and consulting tasks, including completion and implementation of a RI/AAR, and up to implementation of a Remedial Work Plan, are estimated as follows:

May 2009- Submit BCP application
August 2009- Execute Brownfield Cleanup Agreement (BCA)
September 2009- Submit RI/AAR Work Plan
November 2009- Complete RI field activities
February 2010- Submit RI/AAR Report
April 2010- Submit Remedial Work Plan
Summer 2010- Implement Remedy

ATTACHMENT 04

PROPOSED REDEVELOPMENT PLAN (TO BE DETERMINED)

ATTACHMENT 05

PHASE I ENVIRONMENTAL SITE ASSESSMENT INCLUDED ELECTRONICALLY:

TurnKey Environmental Restoration, LLC. *Phase I Environmental Site Assessment Report,*
500 South Union Street Site, Spencerport, New York. April 2008

Phase I Environmental Site Assessment Summary

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

A summary of the Phase I ESA that was completed for the Site is presented below. The complete Phase I ESA report is provided on the attached CD.

April 2008– Phase I Environmental Site Assessment

TurnKey Environmental Restoration, LLC (TurnKey) conducted a Phase I Environmental Site Assessment (ESA) of the subject property. TurnKey identified several areas of concern, which are described below:

- One current occupant of the commercial-retail building is an active dry cleaning facility. According to the current owner the facility, tetrachloroethylene (PCE) was historically utilized in their facility.
- The subject property contains tenants that are listed as a Dry Cleaner, Resource Conservation and Recovery Act Small Quantity Generator (RCRA-SQG), and RCRA-Large Quantity Generator (LQG), Manifest, SPILLS, and a Facility Index System (FINDS) site.
- Based on the records obtained and interviews conducted, the site has included an active dry-cleaning facility since the 1970s.
- A previous Phase I ESA completed in 1998 for the Site identified similar findings to the April 2008 Phase I ESA. A Phase II investigation completed at that time identified elevated concentrations of chlorinated VOCs in soil and groundwater above NYSDEC guidance values or standards that would typically require remediation.

ATTACHMENT 06

PREVIOUS ENVIRONMENTAL INVESTIGATIONS INCLUDED ELECTRONICALLY:

**PHASE I/II ENVIRONMENTAL SITE ASSESSMENT
HALEY AND ALDRICH –NOVEMBER 1998**

**PHASE II SITE INVESTIGATION REPORT
TURNKEY ENVIRONMENTAL RESTORATION - APRIL 2008**

**ADDITIONAL SUBSURFACE INVESTIGATION (LETTER REPORT)
TURNKEY ENVIRONMENTAL RESTORATION – JULY 2008**

ATTACHMENT 06

**PREVIOUS ENVIRONMENTAL INVESTIGATIONS
INCLUDED ELECTRONICALLY:**

Attachment 6

Previous Environmental Investigations

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

A summary of the previous investigations that have been completed for the Site is presented below. The previous studies are provided on the attached CD.

November 1998 Phase I/II Environmental Site Investigation

A Focused Phase I/II Environmental Site Assessment (ESA) Report was completed by Haley & Aldrich of New York (H&A) in November 1998. The Phase I ESA findings included historic use of the Site as a dry-cleaner since the 1970s and evidence of historic exterior disposal/storage of dry-cleaning machine filters in dumpsters east of the building. The Phase II study included eight soil borings and three monitoring wells to investigate conditions of environmental concern identified in their Phase I ESA. The Phase II study identified elevated concentrations of chlorinated volatile organic compounds (cVOCs) typically associated with dry-cleaning operations within groundwater at each of the monitoring well locations and elevated concentrations of cVOCs and petroleum VOCs (pVOCs) within soil.

April 2008 Phase II Site Investigation

TurnKey conducted a Phase II Site Investigation at the 500 South Union Street Site in March 2008. The investigation included the completion of ten (10) soil borings, and the installation of six piezometers on-site. Soil and groundwater samples were collected and analyzed during the investigation. Analytical results indicate the presence cVOC analytes related to dry-cleaning operations (i.e. tetrachloroethene and its chemical breakdown products). cVOC analytes exceeding NYSDEC Groundwater Quality Standards (GWQS) were detected in each of the six piezometers during this investigation, with the highest concentrations of cVOCs exceeding NYSDEC GWQS were detected in sample locations PZ-5 (1,642 micrograms/liter (ug/L) total cVOCs).

Attachment 6

Previous Environmental Investigations

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

July 2008 Additional Subsurface Investigation (Letter Report)

TurnKey conducted an Additional Subsurface Investigation at the 500 South Union Street Site in July 2008. This investigation included completion of one soil boring, installation and sampling of one new piezometer off-Site, and sampling of one existing groundwater monitoring well on-Site. The samples indicate the presence of PCE in the on-Site well and cis-1,2-dichloroethene (cis-1,2-DCE) in the off-Site piezometer above the NYSDEC GWQS.

ATTACHMENT 07

LISTING OF CURRENT & PREVIOUS SITE OWNERS

Attachment 07

Listing of Current & Previous Site Owners

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

INTRODUCTION

Reasonable attempts were made to attain complete previous site owner contact information. In some cases, previous owners' complete contact information was not available.

The following table lists the current and previous property owners:

Name and Address of Owner	Date(s)	Relationship to Applicant
Current Owner		
Eyezon Associates, Inc. 2344 Lyell Avenue Rochester, New York 14606 (585) 738-2360	1999 - Current	Self
Previous Owners		
Eyezon Associates 2344 Lyell Avenue Rochester, New York 14606	1986-1999	Predecessor entity to current owner
Union Square Enterprises 500 South Union Street Spencerport, New York 14459	1982-1985	None
Waterstraat Laundries, Inc. Mr. Ron Waterstraat	1970s - 1982	None
Pischer's Dairy	1960s	None
George Baker (as part of a 75.5-acre greater parcel)	1924	None
Henry H. Goff (as part of a 85.5-acre greater parcel)	1902	None

ATTACHMENT 08

LISTING OF CURRENT & PREVIOUS SITE OPERATORS

Attachment 08

Listing of Current & Previous Site Operators

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

INTRODUCTION

To the best of our knowledge, the entities listed below are known tenants of the Subject Site in the years listed.

Reasonable attempts were made to attain complete previous site operators/tenants contact information. In some cases, complete contact information was not available. The following listings were obtained by reviewing Historic City Directories provided by EDR (March 2008) and the November 1998 Phase I/II Environmental Site Assessment prepared by Haley & Aldrich of New York.

Name of Operators/Tenants	Date(s)	Relationship to Applicant
Current Operators/Tenants		
Diner/Restaurant Pontillo's Pizzeria The Hair Spot Waterstraat Dry Cleaners Vacant Laundry Facility Vacant Retail Store	2009	Tenants
Previous Operators/Tenants		
Austin Dale Pharmacy GVS Appliance Service The Hair Spot Jim's Restaurant Pontillo's Pizzeria Waterstraat Dry Cleaners	2006	Tenants
Borrelli Louis Jerry's Family Restaurant Waterstraat Dry Cleaners	2000	Tenants
Borrelli Louis Jerry's Family Restaurant GVS Electronics Supply / Appliance Service Total Obsessions Hair Joan's Corner Laundromat Waterstraat Dry Cleaners	1995	None

Attachment 08

Listing of Current & Previous Site Operators

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

Jerry's Family Restaurant Viele J Wallpaper and Print Jessie's Hair Design Waterstraat Dry Cleaners	1990	None
Name of Operators/Tenants	Date(s)	Relationship to Applicant
Jerry's Family Restaurant Georges Dairy Barn Austin Dale Pharmacy Spencerport Pharmacy Union Square Enterprise Viele J Wallpaper and Print Jessie's Hair Design SM Beauty Salon Waterstraat Dry Cleaners	1985	None
Georges Dairy Barn Austin Dale H Spencerport Pharmacy Viele J Wallpaper SM Beauty Salon Waterstraat Dry Cleaners	1980	None
Georges Dairy Barn Austin Dale H Spencerport Pharmacy Viele James Contr. Ramblewood Beauty Center	1975	None
Pischer Bros Ridgcroft Farms Vanguard Prec. Machine	1970	None
Pischer Bros Ridgcroft Farms Roy's Electric Vanguard Prec. Machine	1965	None
Button Factory	1951	None

ATTACHMENT 09

CONTACT LIST INFORMATION

Attachment 09

Contact List Information

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

CONTACT LIST

The following is the contact list information for the subject property. The following contacts will be sent fact sheets throughout the project's duration.

New York State Agency Contacts:

Regional Director Paul D'Amato
NYSDEC, Region 8
6274 East Avon-Lima Road
Avon, NY 14414-9516

Bartholomew H. Putzig, P.E.
Regional Haz. Waste Remediation Engineer
NYSDEC, Region 8
6274 East Avon-Lima Road
Avon, NY 14414-9516

Charlotte Theobald
NYSDEC, Region 8
6274 East Avon-Lima Road
Avon, NY 14414-9516

Lisa LoMaestro Silvestri, CP Specialist
NYSDEC, Region 8
6274 East Avon-Lima Road
Avon, NY 14414-9516

Linda Vera
Citizen Participation Specialist
NYSDEC, Region 8
6274 East Avon-Lima Road
Avon, NY 14414-9516

Geoffrey Laccetti
Chief- Central Section
NYSDOH- Bureau of Environmental
Exposure Investigation
547 River St.
Troy, NY 12180-2269

Elected Officials:

Senator Charles Schumer
3040 Federal Building
100 State Street
Rochester, New York 14614-1350

Senator Kirsten Gillibrand
3040 Federal Building
100 State Street
Rochester, New York 14614-1350

Congressman Chris Lee
26th District, U.S. Congress
1577 West Ridge Road
Rochester, New York 14615-3030

Senator George Mazarz
62nd District, NYS Senate
350 New Campus Drive
Brockport, New York 14420-2997

Attachment 09

Contact List Information

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

Assemblyman William D. Reilich
134th District
2727 West Ridge Road
Rochester, New York 14626-2800

Monroe County Contacts:

Honorable Maggie Brooks
Monroe County Executive
39 West Main Street
Rochester, New York 14614

Monroe County Legislator Robert Colby
District 20
261 Colby Street
Spencerport, New York 14559

Dr. Andrew S. Doniger, Director
Monroe County Dept. of Public Health
111 Westfall Rd., Room 952, P.O. Box 92832
Rochester, NY 14692

Terrence Slaybaugh, Director
County of Monroe Industrial Dev. Agency
8100 City Place, 50 W. Main St.
Rochester, NY 14614

Judy A. Seil, Director
Department of Planning and Development
8100 City Place, 50 W. Main St.
Rochester, NY 14614

Mary Louise Meisenzahl, Administrator
Office of Emergency Management
1190 Scottsville Rd., Suite 200
Rochester, NY 14624

Louise Hartshorn
Monroe County Env. Mgmt. Council
111 Westfall Road, P.O. Box 92832
Rochester, NY 14692

Village of Spencerport/Town of Ogden Contacts:

Mayor Joyce Lobene
Village of Spencerport
27 West Avenue
Spencerport, NY 14559

Gay H. Lenhard
Supervisor Town of Ogden
269 Ogden Center Road
Spencerport, NY 14559

Attachment 09

Contact List Information

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

Supplier of Potable Water:

Edward T. Marianetti
Executive Director
Monroe County Water Authority
475 Norris Drive
Rochester, New York 14610- 0999

Local News Media:

West Side News
ATTN: Keith Ryan, Publisher
1776 Hilton-Parma Corners Rd, PO Box 106
Spencerport, NY 14559

Rochester Democrat and Chronicle
ATTN: News Editor
55 Exchange Boulevard
Rochester, NY 14614

R News, Ch. 9
ATTN: News Director
71 Mt. Hope Avenue
Rochester, NY 14620

WHEC-TV, Ch. 10
ATTN: News Director
191 East Avenue
Rochester, New York 14604

13WHAM News
ATTN: News Director
4225 West Henrietta Road
Rochester, NY 14623

WUHF-TV/WROC-TV
ATTN: News Director
201 Humboldt St
Rochester, NY 14610

WRWB-TV Rochester's WB16
ATTN: News Director
126 Andrews St
Rochester, NY 14604

1180 WHAM Radio
ATTN: Randy Gorman, News Director
207 Midtown Plaza
Rochester, NY 14604

The Messenger Post
ATTN: News Editor
73 Buffalo Street
Canandaigua, NY 14424

Attachment 09

Contact List Information

Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application

Document Repository (see Attachment 10):

Kay Hughes-Dennett, Library Director
Town of Ogden Library
269 Ogden Center Road
Spencerport, NY 14559

Nearby Schools:

Superintendent Bonnie Seaburn
Spencerport Central Schools
71 Lyell Avenue
Spencerport, NY 14559

Bernabi Elementary School
1 Bernabi Road
Spencerport, NY 14559

Cosgrove Middle School
2749 Spencerport Road
Spencerport, NY 14559

Spencerport High School
2707 Spencerport Road
Spencerport, NY 14559

Other Interested Parties:

Center for Environmental Information, Inc.
55 St. Paul Street
Rochester, NY 14604

Citizens Environmental Coalition
33 Central Avenue
Albany, NY 12210



ATTACHMENT 09

AREA PROPERTY OWNERS

Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application

Adjacent Property Address		Owner Name and Mailing Address
No.	Street	
501	South Union Street	Mini-Mart Owner 501 South Union Street Spencerport, NY 14559
2273	Union Street	Restaurant Owner 2273 Union Street Spencerport, NY 14559
21	Union Hill Drive	Professional Building Owner 21 Union Hill Drive Spencerport, NY 14559
23	Union Hill Drive	Current Resident 23 Union Hill Drive Spencerport, NY 14559
25	Union Hill Drive	Current Resident 25 Union Hill Drive Spencerport, NY 14559
27	Union Hill Drive	Current Resident 27 Union Hill Drive Spencerport, NY 14559
29	Union Hill Drive	Current Resident 29 Union Hill Drive Spencerport, NY 14559
31	Union Hill Drive	Current Resident 31 Union Hill Drive Spencerport, NY 14559
33	Union Hill Drive	Current Resident 33 Union Hill Drive Spencerport, NY 14559
35	Union Hill Drive	Current Resident 35 Union Hill Drive Spencerport, NY 14559
37	Union Hill Drive	Current Resident 37 Union Hill Drive Spencerport, NY 14559
39	Union Hill Drive	Current Resident 39 Union Hill Drive Spencerport, NY 14559
41	Union Hill Drive	Current Resident 41 Union Hill Drive Spencerport, NY 14559



ATTACHMENT 09

AREA PROPERTY OWNERS

Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application

Adjacent Property Address		Owner Name and Mailing Address
No.	Street	
43	Union Hill Drive	Current Resident 43 Union Hill Drive Spencerport, NY 14559
45	Union Hill Drive	Current Resident 45 Union Hill Drive Spencerport, NY 14559
47	Union Hill Drive	Current Resident 47 Union Hill Drive Spencerport, NY 14559
49	Union Hill Drive	Current Resident 49 Union Hill Drive Spencerport, NY 14559
54	Union Hill Drive	Current Resident 54 Union Hill Drive Spencerport, NY 14559
56	Union Hill Drive	Current Resident 56 Union Hill Drive Spencerport, NY 14559
58	Union Hill Drive	Current Resident 58 Union Hill Drive Spencerport, NY 14559
60	Union Hill Drive	Current Resident 60 Union Hill Drive Spencerport, NY 14559
40	Nichols Street	Car Wash Owner 40 Nichols Street Spencerport, NY 14559
42	Nichols Street	Shopping Center Owner 42 Nichols Street Spencerport, NY 14559
2839	Nichols Street	Property Owner 2839 Nichols Street Spencerport, NY 14559
2841	Nichols Street	Property Owner 2841 Nichols Street Spencerport, NY 14559

-- Residents names withheld for privacy concerns

ATTACHMENT 10

DOCUMENT REPOSITORY CONFIRMATION LETTER



May 15, 2009

Kay Hughes-Dennett
Library Director
Town of Ogden Library
269 Ogden Center Road
Spencerport, NY 14559

Re: Document Repository for Brownfield Cleanup Program
Eyezon Associates
500 South Union Street Site

Dear Ms. Hughes-Dennett:

Thank you for agreeing to the Town of Ogden Library acting as the document repository for the above-referenced Site. In the future, we will be sending various documents related to the referenced site that should be made available for public review upon request.

Please contact me or at 856-0635 if you have questions or require additional information.

Sincerely,
TurnKey Environmental Restoration, LLC

Michael Lesakowski

Michael Lesakowski
Project Manager

c: File: 0188-001-100

ATTACHMENT 11

ENVIRONMENTAL FACTORS AND HISTORIC LAND USE CONSIDERATIONS

Attachment 11

Environmental Factors & Historic Land Use Considerations

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

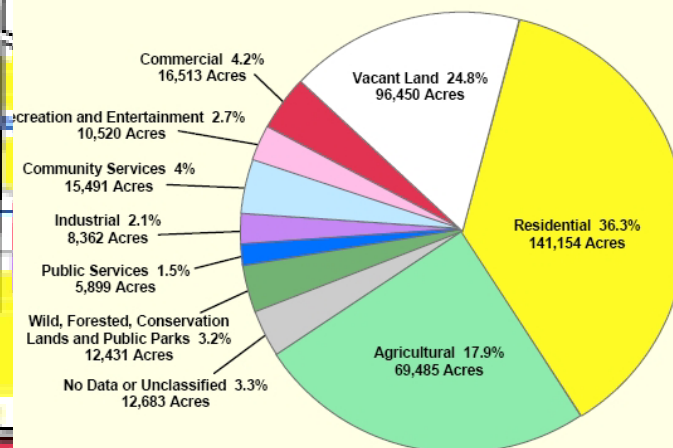
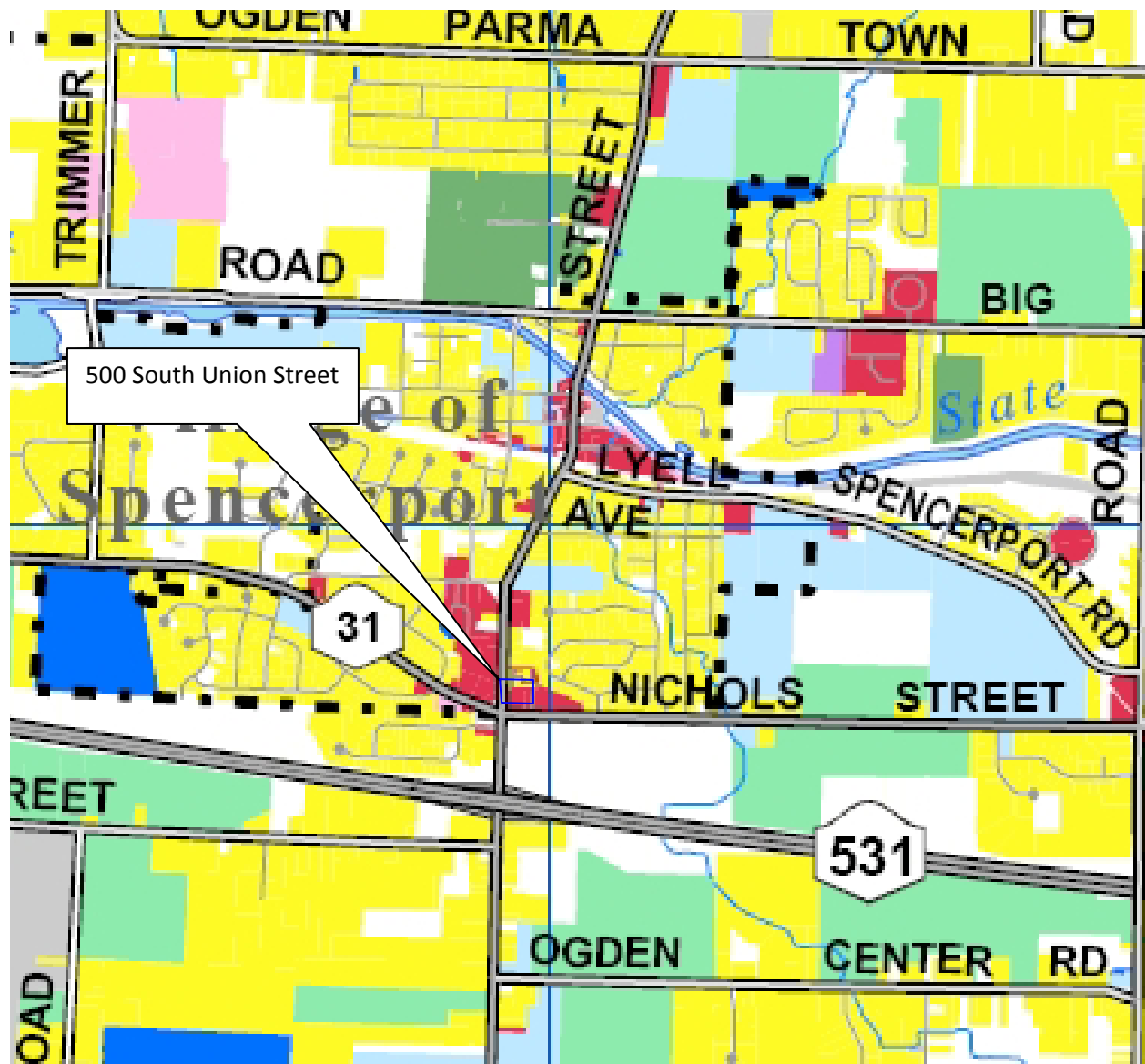
INTRODUCTION

The following provides a brief summary of the Site:

- The Site is located within a suburban predominantly commercial and residential developed area.
- There are no State or Federal wetlands or floodplains on the Site.
- The Site is not adjacent to a Significant Coastal Fish and Wildlife Habitat.
- There are no threatened or endangered species, nor important plant habitats listed at the Site.

ATTACHMENT 12

NEARBY LAND USE MAP



Percent land use listed above related to total acreage within Monroe County

Land Use Map per Monroe County GIS



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0635

PROJECT NO.: 0188-001-100

DATE: AUGUST 2008

DRAFTED BY: NTM

NEARBY LAND USE

BROWNFIELD CLEANUP PROGRAM APPLICATION

500 SOUTH UNION STREET SITE

SPENCERPORT, NEW YORK

PREPARED FOR

EYEZON ASSOCIATES

FIGURE 12-1

Attachment 12

Surrounding Land Use Description

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

SURROUNDING LAND USE DESCRIPTION

The Site, located at 500 South Union Street in Spencerport, New York, is bound by South Union Street to the west and Nichols Street to the south.

The Site is located in a mixed commercial-residential area, with residential apartments adjacent to the north, a residential/commercial building to the east, a gasoline station across Union Street to the west and a large fallow/vacant parcel to the south (see Figure 12-1).

ATTACHMENT 13

GROUNDWATER VULNERABILITY ASSESSMENT

Attachment 13

Groundwater Vulnerability Assessment

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

POTENTIAL VULNERABILITY OF GROUNDWATER TO CONTAMINATION

Groundwater on the Site has been impacted by chlorinated volatile organic compounds (cVOCs). Subsurface Investigations completed in 1998 and 2008 have identified the presence of chlorinated VOCs, specifically tetrachloroethylene (PCE) and its chemical breakdown products, in groundwater on-Site above NYSDEC Groundwater Quality Standards. The distribution of PCE and other chlorinated VOCs in groundwater is illustrated in Figure 1-3 in [Attachment 1](#). [Attachment 6](#) includes copies of the investigation reports.

Currently, there are no known deed restrictions on the use of groundwater at the Site. Groundwater in the area has not been developed for industrial, agriculture, or public supply purposes. Potable water service is provided on-site and off-site by the Monroe County Water Authority; groundwater supply wells are not present on the Site

GROUNDWATER FLOW/RECHARGE

Based on the groundwater gauging data collected during the April 2008 Phase II Investigation, localized Site groundwater generally flows in a southwest direction.

RECOMMENDATIONS

Further work is required to evaluate groundwater quality. Additional sampling to assess groundwater flow patterns and water quality will be investigated during the Remedial Investigation.

ATTACHMENT 14

DESCRIPTION OF SITE GEOGRAPHY/GEOLOGY

Attachment 14

Description of Site Geography/Geology

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

ECOLOGICAL SETTING

The Site is improved with an approximate 12,750-square foot building that includes a beauty salon, a pizzeria, a restaurant, a commercial dry-cleaning facility, a vacant former laundry facility, and a vacant retail store. The remainder of the Site is covered with asphalt-paved or gravel parking lots.

DEMOGRAPHY AND LAND USE

The Site is located in mixed-use residential and commercial area of the Town of Ogden, Village of Spencerport, Monroe County, New York. Land use surrounding the Site includes commercial businesses, residential townhouses, and vacant properties zoned commercial (see Figure 12-1).

REGIONAL GEOLOGY/HYDROGEOLOGY

The Site is located in the Ontario Lowlands physiographic province, which occupies the northern tier of the State from Lake Erie to the Adirondack Mountains. This province is somewhat analogous to the Erie Lowlands Province, in that it occupies relatively low lying ground north of the Onondaga Escarpment, which forms the east-west oriented northerly limit or boundary of the Allegheny Plateau. The Ontario Lowlands occupy an excessive area of land south of the present Lake Ontario Basin. Lake Ontario is a reduced-size version of a glacial lake (Lake Iroquois) that formerly occupied more of the basin area during the late Wisconsin period of the Pleistocene Epoch, more than 10,000 years ago.

The surficial geologic deposits within the Ontario Lowlands province consist primarily of glaciolacustrine lake silts, clays and fine sands, with major areas overlain by glacial till or

Attachment 14

Description of Site Geography/Geology

**Eyezon Associates, Inc.
500 South Union Street Site
Brownfield Cleanup Program Application**

ground moraine. The province also contains several notable east-west oriented linear surficial deposits consisting of either moraines (glacial ice-front deposits) or beach ridge deposits. Minor deposits of sand and gravel are found in localized, glacially related ice contact and outwash deposits. Recent sand and gravel deposits are found as alluvium in major stream valleys.

Bedrock has not been encountered during previous investigations but is reported to be part of the Clinton Group that consists of dolostones and limestones (New York State Geologic Survey, 1970).

SITE GEOLOGY/HYDROGEOLOGY

Based on a Phase II Investigation performed in April 2008, the geology at the site is generally described as a thin layer of non-native fill materials overlying reddish brown clayey silt, with some fine sands and trace coarse grained sand. The fill materials consist of miscellaneous silt, sand and gravel at depths of 0.0 to 1.5 fbs. Native material of reddish brown, moist to wet, clayey silt was encountered from approximately 1.5 to 20 fbs.

Based on the groundwater gauging data collected during the April 2008 Phase II Investigation, localized groundwater flows across the Site in a general southwest direction.