NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Remedial Bureau E
625 Broadway, 12th Floor, Albany, NY 12233-7017
P: (518) 402-9813 I F: (518) 402-9819
www.dec.ny.gov

December 21, 2016

Board of Directors
Union Hill Townhomes Association, Inc.
c/o Realty Performance Group, Inc.
550 Latona Road
Building E, Suite 502
Rochester, New York 14626

RE: Decision Document Issuance
500 South Union Street – Off Site
Site No. C828153A

Ladies and Gentlemen of the Board:

The New York State Department of Environmental Conservation and the New York State Department of Health have issued a Decision Document for the 500 South Union Street - Off Site investigation. The Departments have selected No Action as the remedy for the off-site area. No remedial action is necessary off-site to protect human health and/or the environment or to comply with the New York State standards, criteria, and guidance.

A copy of the Decision Document is enclosed for your convenience and has been placed in the document repository:

Ogden Farmers Library
269 Ogden Center Road
Spencerport, New York 14559
Phone: 585-617-6181

Please contact the Department's Project Manager, Benjamin Rung, at (518) 402-9813 or benjamin.rung@dec.ny.gov if you have questions or would like additional information.

Sincerely,

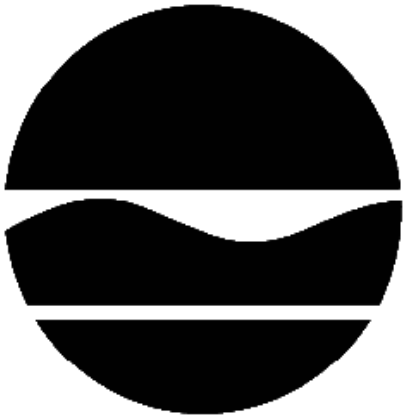
Michael J. Cruden, P.E.
Director
Remedial Bureau E
Division of Environmental Remediation

Enclosure
ec: R. Schick/M. Ryan, NYSDEC
K. Anders/J. Deming/S. Selmer, NYSDOH
B. Schilling, Region 8
B. Rung, NYSDEC

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

DECISION DOCUMENT

500 South Union Street Off-Site
Brownfield Cleanup Program
Spencerport, Monroe County
Site No. C828153A
December 2016



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

DECLARATION STATEMENT - DECISION DOCUMENT

500 South Union Street Off-Site
Brownfield Cleanup Program
Spencerport, Monroe County
Site No. C828153A
December 2016

Statement of Purpose and Basis

This document presents the remedy for the 500 South Union Street Off-Site site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the 500 South Union Street Off-Site site and the public's input to the proposed remedy presented by the Department.

Description of Selected Remedy

The elements of the selected remedy are as follows:

Based on the results of the investigation at the site, the remedial actions implemented on-site, and the evaluation presented here, the Department has selected No Action as the remedy for the off-site area. No remedial action is necessary off-site to protect human health and/or the environment or to comply with the New York State standards, criteria, and guidance.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

Michael J Cruden

Digitally signed by Michael J Cruden
DN: cn=Michael J Cruden, o=DER, ou=RBE, email=mjcruden@gw.dec.state.ny.us, c=US
Date: 2016.12.21 09:52:37 -05'00'

Date

Michael Cruden, Director
Remedial Bureau E

DECISION DOCUMENT

500 South Union Street Off-Site
Spencerport, Monroe County
Site No. C828153A
December 2016

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (Department or DEC), in consultation with the New York State Department of Health (DOH), is proposing a remedy for the above referenced site. The focus of this investigation is the off-site area immediately surrounding the 500 South Union St. site (No. C828153), which entered into the Brownfield Clean-up Program (BCP) in July 2009. Based on findings of the investigation of the off-site area, the past disposal of contaminants at the site does not pose a threat to public health and the environment off site.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

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

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

Ogden Farmers Library
269 Ogden Center Road
Spencerport, NY 14559
Phone: 585-617-6181

Receive Site Citizen Participation Information by Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

The area of concern subject to this document is considered off-site from the Brownfield Cleanup Program (BCP) site C828153 - 500 South Union St. and reflects the investigation of contamination that may have migrated from that site. This work is being carried out as provided for under the ECL Section 27-1411.5.

Location:
The 500 South Union St. site (No. C828153), which entered into the Brownfield Cleanup Program (BCP) in July 2009, is located in a mixed use commercial and residential area. The focus of this investigation is the off-site area immediately surrounding the subject site. The BCP site is located in the Village of Spencerport, Monroe County on the northeast corner of the intersection of South Union Street and Route 31 (Nichols Street).

Site Features:
The subject BCP site is a 1.2 acre parcel containing a multi-tenant commercial building (approximately 12,750 square feet) that is occupied. The exterior of the site is covered with concrete walks, an asphalt parking lot, and minimal green space. Parcels adjacent to the site consist of townhomes to the north, business offices to the east, a gasoline filling station and convenience store to the west across South Union St., and agricultural lands to the south across Route 31. The site and surrounding area is primarily flat and covered by pavement, with green spaces owned/occupied by utility rights-of-way.

Current Zoning and Land Use:
The BCP site is currently an active commercial/retail site and is zoned for commercial use. The surrounding parcels are currently used for commercial, residential, and utility rights of way. The nearest residential property lies directly to the north of and abuts the 500 South Union St. parcel.

Past Use of the Site:
The 500 South Union St. parcel was first used as agricultural land and later developed and utilized as a button factory from the 1940s until the 1970's. In the early 1970s the current commercial space was created and use as a dry cleaner began. Prior to 1986 spent filters from the dry cleaning machines were disposed of in dumpsters located on the eastern portion of the site. The dry cleaner reportedly stopped using tetrachloroethene in the dry cleaning process in 2000. Past housekeeping practices at the site by the dry cleaner operators/owners led to site contamination.

Site Geology and Hydrogeology:
Unconsolidated overburden at and surrounding the site is characterized by two subsurface areas: miscellaneous silt, sand, and gravel at depths of 0-1.5 feet below ground surface and stratified native clayey silt/sandy lean clay soils at depths of 1.5-20 feet below ground surface.

The bedrock underlying the overburden deposits consists of Silurian dolostone and was encountered at depths between 20 to 31 feet below ground surface.

The depth to groundwater ranges from three to thirteen feet below ground surface across the site. Groundwater was encountered within two zones. Shallow groundwater flow direction is observed towards the west/southwest and follows site topography. Deep groundwater flow is toward the north/northeast following the general northerly dip of the underlying bedrock. However, deep groundwater flow direction in summer months appears to flow southwest. Seasonal variations in groundwater infiltration and storage may be the cause for the deep groundwater flow variation.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, an alternative which allows for unrestricted use of the site was selected.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

SECTION 5: ENFORCEMENT STATUS

The Applicant under the Brownfield Cleanup Agreement is a Volunteer. The Applicant does not have an obligation to address off-site contamination, however, the BCP site was deemed to pose a significant threat to human health and the environment, therefore an off-site investigation was performed under the State Superfund.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI

reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- groundwater
- soil
- indoor air
- sub-slab vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

cis-1,2-dichloroethene
trichloroethene (TCE)
tetrachloroethene (PCE)

Based on the investigation results, comparison to the SCGs, and an evaluation of potential public health and environmental exposure routes, no remediation is required for this site. More complete information can be found in the RI Report.

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

There were no IRMs performed at this site during the RI.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Nature and Extent of Contamination:
The primary contaminants of concern associated with the BCP site are chlorinated volatile organic compounds, specifically PCE and its associated break-down products. These contaminants were detected on-site in the soil, groundwater, and vapor samples.

An off-site investigation of potential soil and groundwater contamination and associated vapor intrusion was conducted to determine whether contamination originating on the 500 South Union Street Site extends to off-site areas in the vicinity of the site. The following was found and is more fully described in the Remedial Investigation Report.

Subsurface Soil Samples:
Off-site soil samples collected during the drilling of shallow monitoring wells yielded only minor detections of contaminants of concern. Soil collected from one boring location west of the subject site (11-12 ft. depth) contained acetone, detected at an estimated concentration of 0.19 parts per million (ppm), above NYSDEC unrestricted soil cleanup objectives (SCOs) but below the residential use SCO. Acetone can be present as a result of its use in the laboratory environment and is thought to be the case for this detection. The sample collected from a depth of six (6) ft. below grade at the drilling location nearest to the site, at the northeast corner of the intersection of South Union Street and State Highway 31 on the BCP parcel, contained the compounds of concern PCE and TCE. Both compounds are related to historic dry-cleaning activities at the site and were detected at concentrations of 0.04 ppm and an estimated 0.003 ppm for PCE and TCE respectively. These detections are below both the unrestricted use SCO and the protection of groundwater SCO for each compound. A detection of PCE at an estimated concentration of 0.001 ppm from soil 30 ft. below grade at the location directly south, across State Highway 31, from the location previously described was the only other detection of a compound of concern associated with activities at the site. This detection is also below SCOs.

Groundwater:
Overburden/Interface Monitoring Wells:
Contaminants of concern associated with the 500 South Union Street site detected in the off-site overburden groundwater during the overburden monitoring well sampling program included PCE, TCE, and cis-1,2 DCE. These compounds were confined to the down-gradient wells nearest to the site with two of the detections exceeding the applicable NYSDEC Class GA groundwater quality standards of 5 parts per billion (ppb) for the respective compounds (9.1 ppb of cis-1,2 DCE and

5.5 ppb of PCE). TCE was detected only once at an estimated concentration of 3.4 ppb, which is below its Class GA standard concentration of 5 ppb.

Bedrock Monitoring Wells:
No contaminants of concern associated with the 500 South Union Street site were detected in groundwater samples collected from the three off-site bedrock wells during the March 2015 bedrock monitoring well sampling program.

Soil Vapor:
In December 2013, ten structures were sampled for soil vapor intrusion. Of the ten structures sampled, none of the indoor air samples detected PCE or any of its breakdown products including TCE, cis-1,2 DCE and vinyl chloride. PCE was detected in three sub-slab vapor samples. However, the concentrations detected would not be expected to affect indoor air quality. Breakdown products were not detected in any sub-slab vapor samples. Soil vapor intrusion sampling indicates no further action is warranted off-site.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure.*

People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Volatile organic compounds in the groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Sampling indicates soil vapor intrusion is not a concern for off-site buildings.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

Remedial action objectives were not established for the off-site area as no site-related contamination warranting action was observed.

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

Based on the results of the investigation at the site, the remedial actions implemented on-site, and the evaluation presented here, the Department is proposing No Action as the remedy for the off-site area. No remedial action is necessary off-site to protect human health and/or the environment or to comply with the New York State standards, criteria, and guidance.

Figure 1

500 SOUTH UNION STREET - OFF SITE
Village of Spencerport, Monroe County
Bronwfield Cleanup Program
Off-Site Investigation
Site No. C828153A

NEW YORK STATE OF OPPORTUNITY
Department of Environmental Conservation