New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau E, 12th Floor
625 Broadway, Albany, New York 12233-7017
Phone: (518) 402-9814 • **Fax:** (518) 402-9819
Website: www.dec.ny.gov

Joe Martens
Commissioner

December 11, 2014

Mr. John D. Holtz
Linleigh Realty, L.P.
131 Kilbourn Road
Henrietta, New York 14623

RE: Holtz Porsche, Audi, Mazda (PAM) Site
Site ID No. C828181, Henrietta (T), Monroe County
Remedial Work Plan & Decision Document

Dear Mr. Holtz:

The New York State Department of Environmental Conservation (Department) and the New York State Department of Health (NYSDOH) have reviewed the Remedial Work Plan (RWP) for the Holtz Porsche, Audi, Mazda (PAM) site dated August 2014 and prepared by LaBella Associates on behalf of Linleigh Realty, LP. The RWP is hereby approved. Please ensure that a copy of the approved RWP is placed in the document repository(ies). The draft plan should be removed.

Enclosed is a copy of the Department's Decision Document for the site. The remedy is to be implemented in accordance with this Decision Document. Please ensure that a copy of the Decision Document is placed in the document repository(ies).

Please contact the Department's Project Manager, Matthew Gillette, at 585-226-5308 or mpgillet@dec.ny.gov at your earliest convenience to discuss next steps. Please recall the Department requires seven (7) days notice prior to the start of field work.

Sincerely,

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

Enclosure

ec:
R. Schick, DER
M. Ryan, DER
B. Putzig, Region 8
M.Gillette, Region 8
J. Mahoney, OGC
K. Anders, NYSDOH
J. Deming, NYSDOH
B. Boyd, NYSDOH
D. Engert, LaBella Associates
P. Sylvestri, HSE

DECISION DOCUMENT

Holtz Porsche, Audi, Mazda (PAM)
Brownfield Cleanup Program
Henrietta, Monroe County
Site No. C828181
December 2014

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

DECLARATION STATEMENT - DECISION DOCUMENT

Holtz Porsche, Audi, Mazda (PAM)
Brownfield Cleanup Program
Henrietta, Monroe County
Site No. C828181
December 2014

Statement of Purpose and Basis

This document presents the remedy for the Holtz Porsche, Audi, Mazda (PAM) site, a brownfield cleanup 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 Holtz Porsche, Audi, Mazda (PAM) 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:

1. Green Remediation

Green remediation principals and techniques will be implemented to the extent feasible in the site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gas and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste.

2. Cover System

A site cover will be required to allow for commercial use of the site. The cover will consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper one foot of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where the soil cover is required it will be a minimum of one foot of soil, meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for commercial use. The soil cover will be placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetation layer. Any fill material brought to the site will meet the requirements for the identified site use as set forth in 6 NYCRR Part 375-6.7(d).

3. Institutional Control

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

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

4. Site Management Plan

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

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

Institutional Controls:
The Environmental Easement discussed above.

Engineering Controls:
Soil cover system

This plan includes, but may not be limited to:

- o an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- o descriptions of the provisions of the environmental easement including any land use and groundwater use restrictions;
- o a requirement to evaluate the potential for soil vapor intrusion in any buildings developed on the site and in any building where the use is changed from an automotive sales and repair facility, including actions to address exposures related to soil vapor intrusion;
- o provisions for the management and inspection of the identified engineering controls;
- o maintaining site access controls and Department notification; and
- o the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.
- o a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:
    a. monitoring of groundwater to assess the performance and effectiveness of the remedy;
    b. a schedule of monitoring and frequency of submittals to the Department;
    c. monitoring for vapor intrusion for any buildings developed on the site, or where use is changed from an automotive sales and repair facility, as may be required by the Institutional and Engineering Control Plan discussed above.

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: 2014.12.10 11:50:25 -05'00'

Date

Michael Cruden, Director
Remedial Bureau E

DECISION DOCUMENT

Holtz Porsche, Audi, Mazda (PAM)
Henrietta, Monroe County
Site No. C828181
December 2014

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

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 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

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:

Henrietta Public Library
455 Calkins Road
Henrietta, NY 14623
Phone: 585-359-7092

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

Location: The Holtz Porsche, Audi, Mazda Brownfield Cleanup Program (BCP) site is located at 3955 West Henrietta Road in the Town of Henrietta, Monroe County. The site is approximately 250 feet north of the intersection of Bailey and West Henrietta Roads.

Site Features: The site is a 3.93± acre parcel of land that currently includes a 26,446± square foot automotive sales and service facility. The property also has a 1,200± square foot storage building. The remainder of the site is primarily covered with asphalt paved parking areas. A small portion of the perimeter of the site is grassed area.

Current Zoning and Land Use: The property is in an area zoned by the Town of Henrietta for Commercial use. The site is currently utilized for automobile sales and service. Adjacent properties to the north and south are commercial, vacant to the west, and West Henrietta Road is to the east. The nearest residential properties are approximately 500 feet to the south and the east.

Past Use of the Site: The property was used for agricultural purposes until 1973 when it was developed and used for automobile sales and service activities.

Site Geology and Hydrogeology: Lacustrine deposits exist beneath the asphalt or concrete layer at approximately 1 to 8 feet below ground surface (bgs) consisting primarily of silt intermixed with little to trace amounts of fine sand and clay. From approximately 8 to 16 feet bgs soil generally consists of a red/brown clay and silt. Groundwater levels ranged from approximately 0.55 to 2.83 feet bgs. The data indicate groundwater flow direction to be generally toward the west to west-southwest.

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, alternatives (or an alternative) that restrict(s) the use of the site to commercial use (which allows for industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

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 Participant. The Applicant has an obligation to address on-site and off-site contamination. However, the Department has determined that this site does not pose a significant threat to public health or the environment, accordingly, no enforcement actions are necessary.

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
- soil vapor
- 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:

ACETONE
1,2,4-TRIMETHYLBENZENE
Polycyclic Aromatic Hydrocarbons (PAHs), Total
VINYL CHLORIDE
TRICHLOROETHENE (TCE)
ARSENIC
LEAD
SELENIUM
ANTIMONY
MTBE (METHYL-TERT-BUTYL ETHER)
1,1-DICHLOROETHANE
BENZENE
Butylbenzene
Sec-Butylbenzene

The contaminant(s) of concern exceed the applicable SCGs for:
- groundwater
- soil

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:

Based upon investigations conducted under the Brownfield Cleanup Program, the primary contaminants of concern include Polycyclic Aromatic Hydrocarbons (PAHs) in surface soils, and petroleum related volatile organic compounds (VOCS), chlorinated VOCs, and metals in groundwater.

Surface Soils:
Soil samples were collected from the top two inches of soil at three locations of exposed soil around the perimeter of the site. Surface soils were analyzed for SVOCs, Metals, PCBs, and Pesticides. Three PAHs were detected in one surface soil sample at concentrations exceeding the 6NYCRR Part 375-6.8 Soil Cleanup Objectives (SCO) for commercial use. Benzo(b)fluoranthene was detected at a concentration of 6,400 ppb as compared to a commercial use SCO of 5,600 ppb. Benzo(a)pyrene was detected at a concentration of 4,800 ppb as compared to a commercial use SCO of 1,000 ppb. Benzo(b)fluoranthene was detected at a concentration of 6,400 ppb as compared to a commercial use SCO of 5,600 ppb. Dibenzo(a,h)anthracene was detected at a concentration of 950 ppb as compared to a commercial use SCO of 560 ppb. Surface soil contamination is not assumed to extend off-site due to nature of the SVOC contamination being related to the edge of the pavement area.

Subsurface soils:
Eight subsurface soil samples were collected from depths ranging from 8 to 21 ft below the ground surface. Subsurface soils were analyzed for VOCs, SVOCs, Metals, PCBs, and Pesticides. Contaminant concentrations were not detected above site soil cleanup objectives associated with commercial use.

Groundwater:
Eight groundwater samples were initially collected from existing wells. Ten groundwater wells were installed and sampled during the course of the investigation under the BCP. These ten wells were sampled on two occasions. Groundwater was analyzed for VOCs, SVOCs, Metals, PCBs, and Pesticides.

The primary contaminants detected were chlorinated volatile organic compounds (CVOCs), petroleum related VOCs, and metals.

CVOCs (primarily cis-1,2-dichloroethene and vinyl chloride) were detected above standards in nine (9) groundwater samples. Detected concentrations of cis-DCE in these samples ranged from 5.8 to 430 ppb as compared to a groundwater standard of 5 ppb. The highest concentration of cis-DCE was detected in MW-21 which is located under the center of the maintenance area.

Petroleum related VOCs (primarily benzene) were detected above groundwater standards in five monitoring wells. Detected concentrations of benzene ranged from 1.2 to 2.1 ppb as compared to a standard of 1 ppb. The highest concentrations of petroleum related VOCs were identified in monitoring well MW-19 which is located under the center of the maintenance area.

Metals were detected above groundwater standards in nine monitoring wells. Metals occurrence above standards:
Antimony 9.3 - 20 ppb (6 MWs)
Arsenic 31.2 ppb (1 MW)
Lead 121 ppb (1 MW)
Selenium 12.3 - 12.7 ppb (2 MWs)

Groundwater contamination, although detected above groundwater standards, is limited to within the property boundary. Sampling outside the footprint of the structure did not show migration of contamination outside of this area.

Soil Vapor/Indoor Air Sampling:
Five soil vapor samples were collected from the perimeter of the site. Three indoor air and three sub-slab soil vapor samples were collected from inside the site building. One ambient air sample was collected from the western perimeter of the site. Samples were analyzed for VOCs. The results of soil vapor and indoor air sampling did not identify contaminant concentrations which required further action at this time given the current use of the building.

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*.

Direct contact with contaminants in the soil is unlikely because the majority of the site is covered with buildings and pavement. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not contaminated by the site. 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 has indicated that soil vapor intrusion does not represent a current exposure pathway given the use of the site. However, an additional soil vapor intrusion evaluation is recommended if the building use changes from an automotive sales and repair facility. Sampling has indicated that soil vapor intrusion is not an off-site concern.

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.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

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

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.

Soil Vapor

RAOs for Public Health Protection

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

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Track 4: Restricted use with site-specific soil cleanup objectives remedy.

The selected remedy is referred to as the remedy.

The elements of the selected remedy, as shown in Figure 2, are as follows:

1. Green Remediation

Green remediation principals and techniques will be implemented to the extent feasible in the site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gas and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste.

2. Cover System

A site cover will be required to allow for commercial use of the site. The cover will consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper one foot of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where the soil cover is required it will be a minimum of one foot of soil, meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for commercial use. The soil cover will be placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetation layer. Any fill material brought to the site will meet the requirements for the identified site use as set forth in 6 NYCRR Part 375-6.7(d).

3. Institutional Control

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

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

4. Site Management Plan

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

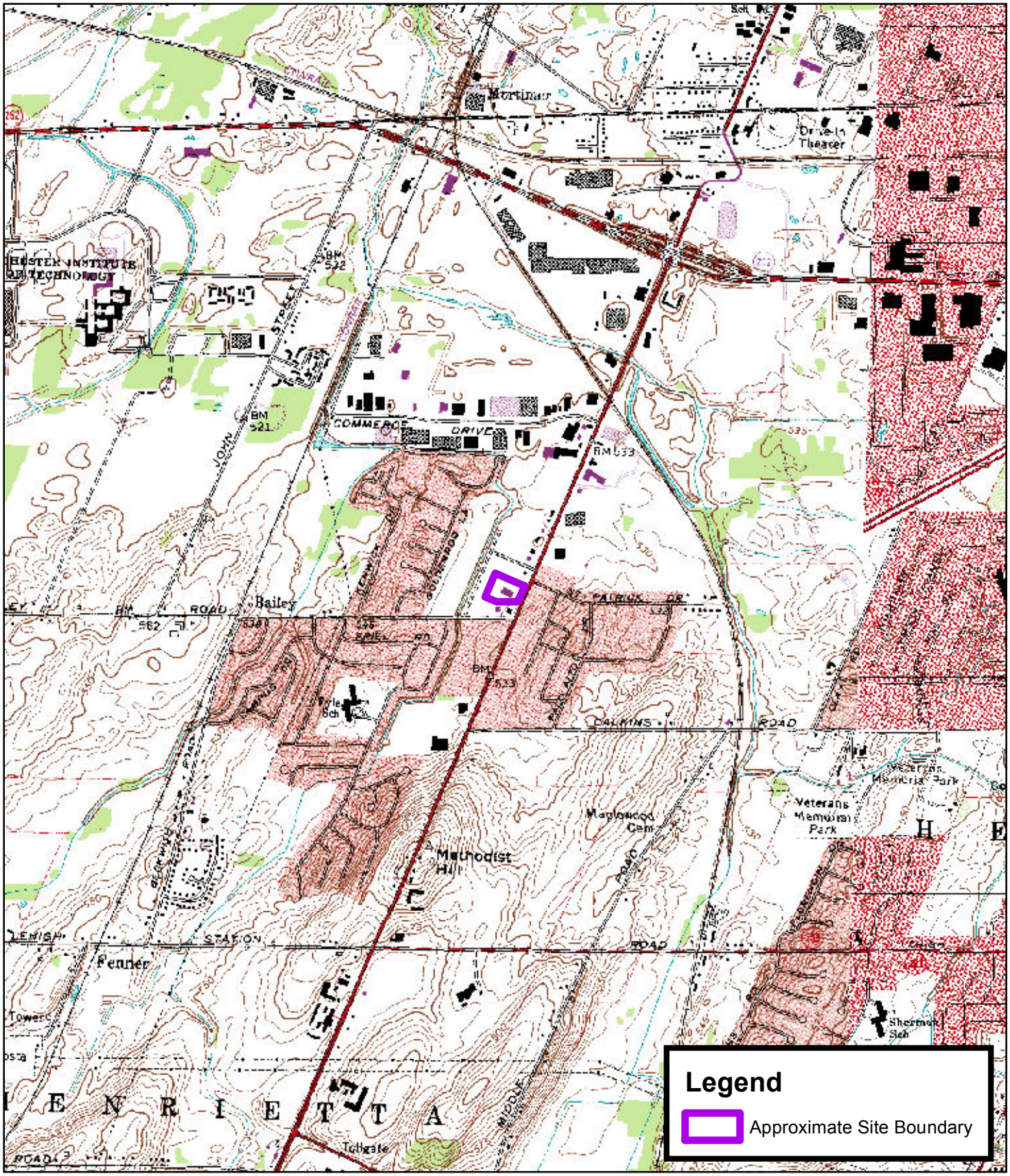
a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls:
The Environmental Easement discussed above.

Engineering Controls:
Soil cover system

This plan includes, but may not be limited to:

- o an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- o descriptions of the provisions of the environmental easement including any land use and groundwater use restrictions;
- o a requirement to evaluate the potential for soil vapor intrusion in any buildings developed on the site and in any building where the use is changed from an automotive sales and repair facility, including actions to address exposures related to soil vapor intrusion;
- o provisions for the management and inspection of the identified engineering controls;
- o maintaining site access controls and Department notification; and
- o the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.
- o a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:
    a. monitoring of groundwater to assess the performance and effectiveness of the remedy;
    b. a schedule of monitoring and frequency of submittals to the Department;
    c. monitoring for vapor intrusion for any buildings developed on the site, or where use is changed from an automotive sales and repair facility, as may be required by the Institutional and Engineering Control Plan discussed above.



LABELLA Associates, P.C.

300 STATE STREET
ROCHESTER, NY 14614
P: (585) 454-6110
F: (585)454-3066

www.labellapc.com

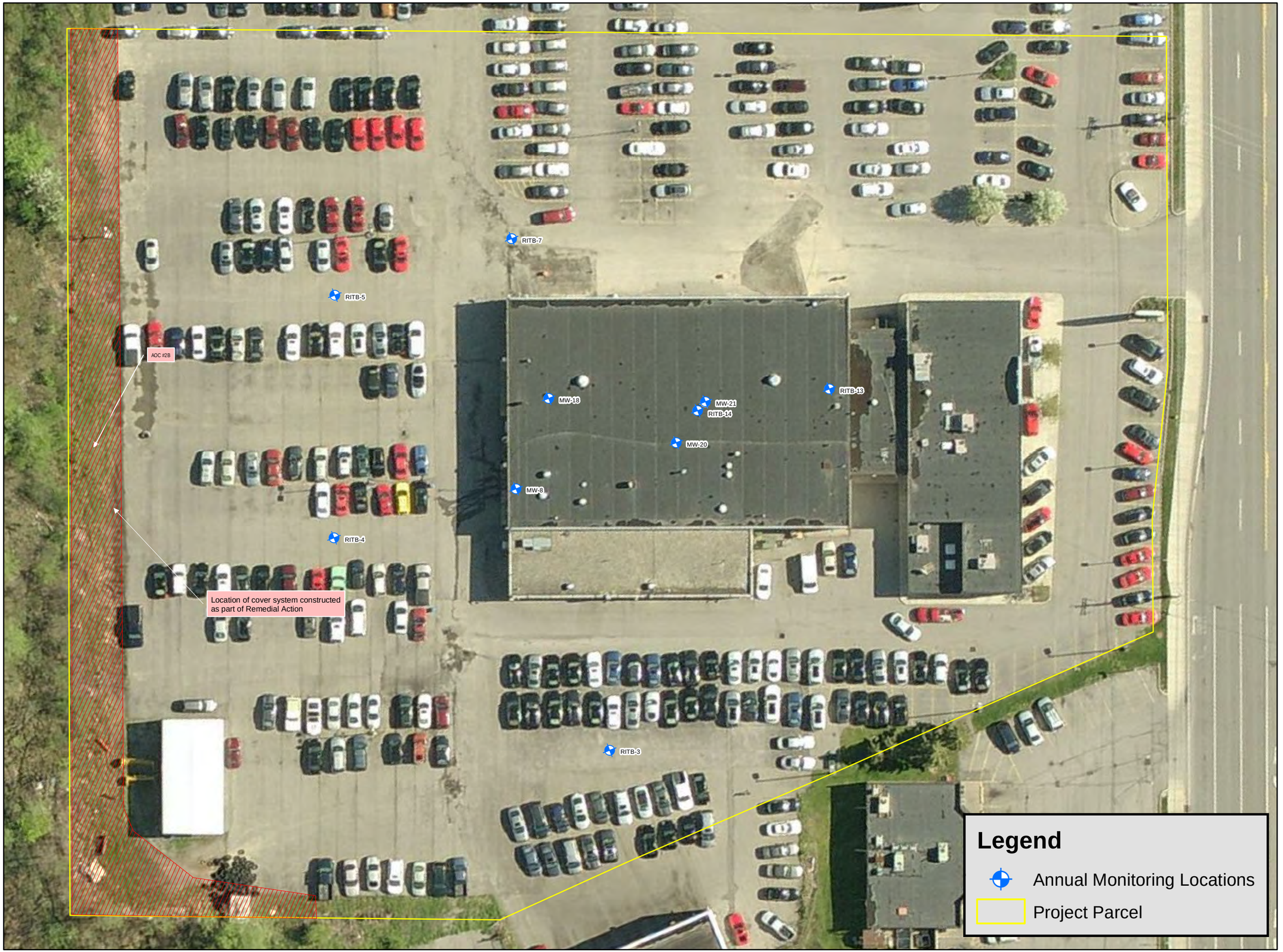
FIGURE 1

Holtz Porsche Audi Mazda
3955 West Henrietta Road
Town of Henrietta, New York

Scale: 1:24,000

N

I:\Linleigh Realty, LP\212300\Drawings\RIR\Figure 1 USGS Holtz PAM.mxd



I:\Lehigh Realty, LP\21230\Drawings\RIR\Figure 5B RI Well Locations.mxd

LABELLA Associates, D.P.C.
300 STATE STREET
ROCHESTER, NY 14614
P: (585) 454-6110
F: (585)454-3066
www.labellapc.com

FORMER HOLTZ PORSCHE, AUDI, MAZDA
3955 WEST HENRIETTA ROAD
HENRIETTA, NEW YORK

BCP SITE NO. C828181

Location of Cover System and Annual Monitoring Locations

N E W S

0 10 20 40

1 inch = 40 feet

Issued For: **FINAL**

Date: 07/23/2013

Drawn By: MFP

Figure 2