

New York State Department of Environmental Conservation

Brownfield Cleanup Program

Citizen Participation Plan for Seneca Market 1, LLC Seneca Harbor Hotel

Site #8-49-002
2-20 North Franklin Street
Watkins Glen
Schuyler County, New York

December 2005

Contents

<u>Section</u>	<u>Page Number</u>
1. WHAT IS NEW YORK’S BROWNFIELD CLEANUP PROGRAM?	1
2. CITIZEN PARTICIPATION PLAN OVERVIEW	1
3. SITE INFORMATION.....	3
4. REMEDIAL PROCESS	5
5. CITIZEN PARTICIPATION ACTIVITIES.....	7
6. MAJOR ISSUE OF PUBLIC CONCERN	7
APPENDIX A – PROJECT CONTACTS AND DOCUMENT REPOSITORIES.....	9
APPENDIX B – IDENTIFICATION OF CITIZEN PARTICIPATION ACTIVITIES.....	10
APPENDIX C – BROWNFIELD SITE CONTACT LIST	11
APPENDIX D – SITE LOCATION MAPS.....	20
APPENDIX E – FACT SHEETS.....	23

* * * * *

Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site’s remedial process.

Applicant: **Seneca Market 1, LLC (“Applicant”)**
Site Name: **Seneca Harbor Hotel (“Site”)**
Site Number: **8-49-002**
Site Address: **2-20 North Franklin Street, Watkins Glen, NY 14891**
Site County: **Schuyler**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) is designed to encourage the private sector to investigate, remediate (cleanup) and redevelop brownfields. A brownfield is any real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal and financial burdens on a community. If the brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants accepted into the BCP as they conduct brownfield site remedial activities. The BCP contains strict investigation and remediation (cleanup) requirements, ensuring that cleanups protect public health and the environment based on the intended use of the brownfield site. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use. For more information about the BCP, go online at: www.dec.state.ny.us/website/der/bcp.

2. Citizen Participation Plan Overview

A Citizen Participation (CP) Plan provides members of the affected and interested public with information about how NYSDEC will inform and involve them during the investigation and remediation of a site under the BCP.

This CP Plan has been developed for the site under the BCP. Appendix D contains a map locating the site. NYSDEC is committed to informing and involving the public concerning the investigation and remediation of the site. This CP Plan describes the public information and involvement program that will be carried out with assistance from the Applicant.

Appendix A of this CP Plan identifies NYSDEC project contact to whom the public may address questions or request information about the site’s remedial program. The locations of the site’s document repositories also are identified in Appendix A. The document repositories provide convenient access to important project documents for public review and comment.

Appendix C contains the brownfield site contact list. This list has been developed to keep the

community informed about, and involved in, the site's investigation and remediation process. The brownfield site contact list includes, at a minimum:

- Chief executive officer and zoning board of each county, city, town and village in which the site is located.
- Residents on and/or adjacent to the site.
- The public water supplier that services the area in which the site is located.
- Any person who has requested to be placed on the site contact list.
- The administrator of any school or day care facility located on and/or adjacent to the site for purposes of posting and/or dissemination at the facility.
- Document repositories and their contacts.

The brownfield site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project, including notifications of upcoming remedial activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The brownfield site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact identified in Appendix A.

Appendix B identifies the CP activities that have been and will be conducted during the site's remedial program.

The CP activities are designed to achieve the following objectives:

- Help the interested and affected public to understand contamination issues related to a brownfield site, and the nature and progress of an Applicant's efforts, under State oversight, to investigate and, if appropriate, remediate a brownfield site.
- Ensure open communication between the public and project staff throughout a brownfield site's remedial process.
- Create opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a brownfield site's investigation and remediation.

This CP Plan may be revised due to changes in major issues of public concern or in the nature and

scope of remedial activities. Modifications may include additions to the site contact list, updates to major issues of concern to the public, and changes in planned citizen participation activities. The public is encouraged to discuss its ideas and suggestions about the citizen participation program with the project contact listed in Appendix A.

3. Site Information

Site Description

Seneca Market I, LLC and Seneca Market II, LLC (hereafter referred to jointly as Seneca Market) own 0.29-acre and 0.2-acre parcels, respectively, within the block bounded by Franklin, First, and Decatur Streets, and the Finger Lakes Railway right-of-way in the Village of Watkins Glen, Schuyler County, New York. Seneca Market has an option on 1.76-acre and 0.13-acre parcels within this same block. The approximately 0.29-acre parcel, located along North Franklin Street, contains the Seneca Market building, a multipurpose shopping and office building located along the northern side of the property; this parcel will be part of the site redevelopment but is not part of the BCP. The approximately 0.20-acre parcel contains the former Glen Vintage Auto Museum (presently unoccupied). The western portion of the 1.76-acre parcel contains a large block building that was formerly used as a bus garage and is currently leased to Seneca Hardwoods, a manufacturer of custom flooring. A building foundation, reputedly a remnant of a former Welch's Grape facility, also remains on the 1.76-acre parcel. The 0.13-acre parcel contains a structure deemed the "former dry cleaning building." This is a two-story brick building that includes two unoccupied single-story brick sheds to the east. A VFW building is located immediately south of the former dry cleaning building, but is outside of the 0.13-acre property limits. The former dry cleaning building is presently occupied by a real estate firm. Appendix D contains site location maps.

The Site is located in an urban setting and is surrounded by a mixture of residential and commercial properties. The commercial properties include retail, medical, service, recreational, and professional uses.

Site History

The parcel along North Franklin Street currently contains three structures: the Seneca Market building, the former Glen Vintage Auto Museum (currently unoccupied), and a vacant building (formerly a dry cleaner. A larger building further east was previously used as a bus maintenance garage and is currently leased to Seneca Hardwoods.

Seneca Market plans to redevelop the approximately 2.38-acre site as a hotel complex. An additional 0.19-acre parcel along the railroad and 0.21-acre property south of First Street will also be incorporated in the plan to provide space for a hotel veranda and ancillary parking, respectively. With the exception of the Seneca Market building, all buildings and foundations within this entire 2.77-acre site will be demolished to facilitate redevelopment efforts. Areas within the site that are

not incorporated into the hotel or related structures will be covered by asphalt parking areas, driveway and landscaping.

The parcels have a history of use that dates back to the 1860s. The Seneca Market building has formerly been used as a foundry; a flour and grist mill; and most recently retail shops on the first floor and professional office space on the second and third floors. A marble works building was formerly present just south of Seneca Market until it was destroyed in 1970. The former Auto Museum was previously used for miscellaneous storage, in particular auto parts. The vacant building has mainly been used for retail businesses, an automobile parking garage, a machine shop, and for dry cleaning operations.

Despite the remedial activities completed to-date, residual chlorinated organic contaminant concentrations exceeding remedial action objectives remain. These contaminants are chemicals remaining from the former dry cleaner operations at the site. In particular, three such areas exist beneath and to the east of the side (north) door of the former dry cleaning building; one outside the building at a depth of 0-4 feet below ground surface, another is located beneath the building at a depth of 4-6 feet below ground surface, and one is located beneath and adjacent to the building at depths greater than 6 feet below ground surface. Based on the site hydrogeology, it is likely that other small, isolated pockets with high levels of contamination may exist elsewhere beneath and outside the building.

In addition, petroleum-related contamination in soil and groundwater is suspected to exist beneath the former bus garage on the Site. Petroleum contamination may also exist on the eastern portion of the Site proximate to the potential source areas that were excavated in the late 1990s. The suspected contaminants of primary concern are petroleum hydrocarbons and lower levels of chlorinated hydrocarbons.

Environmental History

In 1991 the Norstar Bank had an environmental assessment performed at the Site. The environmental assessment revealed that groundwater under the Site (i.e., 20 Franklin Street at the corner of North Franklin and First Streets) was contaminated with chlorinated organic compounds. Therefore, the NYSDEC added the site to its official list of inactive hazardous waste disposal sites as a Class 2 site. A classification of 2 means the site poses a significant threat to public health and/or the environment and action is required. The inactive hazardous waste site encompasses the 0.13-acre parcel, including the former dry cleaner building, and a portion of the 0.29-acre parcel. A Remedial Investigation/Feasibility Study was performed and completed in 1993 by URS Consultants under a Standby Contract with the NYSDEC. The Remedial Investigation/Feasibility Study delineated the extent of soil and groundwater contamination as a result of former dry cleaning operations at the site from 1976 to 1988 and on surrounding parcels. This work was performed under the New York State Inactive Hazardous Waste Site Remedial Program - commonly known as Superfund.

URS Consultants designed remediation systems to treat the soil and groundwater as required by the Record of Decision signed in 1994. The remediation systems included a soil vapor extraction system that treated the shallow soil and a groundwater treatment system that extracted and treated the groundwater in the area of the former dry cleaner. The subsequent remediation was performed from 1996 to 2001. The treatment systems at the Site have been discontinued as the Record of Decision called for the soil vapor extraction system to operate until soil cleanup objectives were achieved, and for the groundwater extraction system to operate and be evaluated after five years or sooner, if warranted, using the data generated during the monitoring program. Low levels of chlorinated solvents still exist in soil and groundwater across the Site and higher levels beneath existing buildings proximate to the source area.

In 1998/1999, URS Consultants performed additional soil investigations and cleanup technology feasibility studies to evaluate the deeper soil contamination. It was concluded that chlorinated organic compounds remained on-site in a small area directly adjacent to and outside the former dry cleaning building, as well as beneath the former dry cleaner building at depths greater than 16 feet. A chemical oxidation pilot study was conducted from March through May 2000. The chemical oxidation pilot study significantly reduced the mass of chlorinated contaminants in the soil at the Site. Despite the reduction, localized areas of residual contamination still remain at a depth of 4 to 6 feet within the subsurface clay below the former dry cleaner building. In March 2004, an active venting system was installed within the former dry cleaner building to control the potential indoor migration of vapors from the residual contamination.

A Phase I Environmental Site Assessment was performed in November 1991 for the parcels on the eastern portion of the Site. The Phase I Environmental Site Assessment identified several potential environmental conditions including possible underground storage tanks, drums, an inoperable piston arrangement for a hydraulic lift, and oil spills near the corner of First and Decatur Streets. Petroleum hydrocarbons, lower levels of chlorinated hydrocarbons, and several elevated inorganic compounds related to the above described conditions were detected in the soil and groundwater during a Remedial Investigation/Feasibility Study. There were two areas on the larger parcel that contained soil contaminated with benzene, toluene, ethyl benzene, and xylene (as known as BTEX) above New York State standards. The soil from those two areas was excavated and bioremediated off-site in the late 1990s. However, during the soil removal activity, another area of benzene, toluene, ethyl benzene, and xylene contamination was found but was not addressed. The benzene, toluene, ethyl benzene, and xylene contamination in soil and groundwater exists proximate to these potential source areas.

4. Remedial Process

The Applicant has applied for and has been accepted into New York's Brownfield Cleanup Program as a Volunteer. As a Volunteer, the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the site took place after the discharge or disposal of contaminants.

The Applicant in its Application proposes that the site will be used for restricted purposes. To achieve this goal, the Applicant will conduct remedial (cleanup) activities at the site with oversight provided by the NYSDEC. The Brownfield Cleanup Agreement provides the responsibilities of each party in conducting a remedial program at the site.

The NYSDEC determines whether the site poses a significant threat to public health and/or the environment. If NYSDEC determines that the site is a “significant threat,” a qualifying community group may apply for a Technical Assistance Grant. The purpose of a Technical Assistance Grant is to provide funds to the qualifying community group to obtain independent technical assistance. This assistance helps the Technical Assistance Grant recipient to interpret and understand the existing environmental information about the nature and extent of contamination related to the Site and the development/implementation of a remedy.

For more information about the Technical Assistance Grant Program and the availability of the grants, go online at: www.dec.state.ny.us/website/der for additional information.

After the NYSDEC approves the Remedial Investigation Report, the Applicant will be able to develop a Remedial Work Plan. The Remedial Work Plan describes how the Applicant would address the contamination related to the site.

The public would have the opportunity to review and comment on the remediation proposal (the Remedial Work Plan). The site contact list would be sent a fact sheet that describes the Remedial Work Plan and announces a 45-day public comment period. The NYSDEC would factor this input into its decision to approve, reject or modify the Remedial Work Plan.

The approval of the Remedial Work Plan by the NYSDEC would allow the Applicant to design and construct the remedy selected to remediate the site. The site contact list would receive notification before the start of Site remediation. When the Applicant completes remedial (cleanup) activities, the Applicant will prepare a Remedial Action Report that certifies that remediation activities have been achieved or will be achieved within a specific time frame. The NYSDEC will review the Remedial Action Report to be certain that the remediation is protective of public health and the environment for the intended use for the site. The site contact list will receive a fact sheet that announces the completion of remedial (cleanup) activities and the review of the Remedial Action Report.

The NYSDEC would then issue the Applicant a Certificate of Completion. This Certificate of Completion states that remediation goals have been achieved, and relieves the Applicant from future remedial liability subject to statutory conditions. If the Applicant used institutional controls or engineering controls to achieve the remedial objectives, the site contact list would receive a fact sheet discussing the institutional and/or engineering controls.

An institutional control is a non-physical means of enforcing a restriction on the use of real property that limits human or environmental exposure; restricts the use of groundwater; provides notice to

potential owners, operators, or members of the public; or prevents actions that would interfere with the effectiveness of a remedial program or with the effectiveness and/or integrity of site management at or pertaining to a brownfield site. An example of an institutional control is an environmental easement.

An engineering control is a physical barrier or method employed to actively or passively contain, stabilize, or monitor contamination; restrict the movement of contamination to ensure the long-term effectiveness of a remedial program; or eliminate potential exposure pathways to contamination. Examples include caps and vapor barriers.

Site management will be conducted by the Applicant as required with the appropriate NYSDEC oversight.

Activities required to be conducted to inform and involve the public during the site's remedial process are introduced in Section 5 and identified in the chart in Appendix B.

5. Citizen Participation Activities

Citizen Participation activities that have already occurred and are planned during the investigation and remediation of the site under the Brownfield Cleanup Program are included in Appendix B - Identification of Citizen Participation Activities. NYSDEC will ensure that these citizen participation activities are conducted with appropriate assistance from the Applicant.

All citizen participation activities seek to provide the public with significant information about site findings and planned remedial activities, and some activities announce comment periods and request public input about important draft documents such as the Proposed Remedial Work Plan.

The Citizen Participation Plan for the site may be revised based on changes in the site's remedial program or major issues of public concern.

All written materials developed for the public will be reviewed and approved by the NYSDEC for clarity and accuracy before they are distributed and placed in the document repository.

6. Major Issue of Public Concern

This section of the CP Plan identifies major issues of public concern as they relate to the site. Additional major issues of public concern may be identified during the site's remedial process.

Local Residents

The Site Remediation will be carried out by professionals experienced in performing cleanup

activities in densely populated areas. All work will be conducted under a site-specific Health and Safety Plan and Community Air Monitoring Program approved by the NYSDEC and NYSDOH. The Site Remediation will be conducted over a limited duration (approximately 4-6 weeks) and during normal business hours. Soil excavations will be secured to eliminate the risk of injury. The Site Remediation will be performed with minimal equipment; hence, there will be no change in traffic patterns.

Stakeholders

The Site Remediation must be completed during the 2005 construction season in order to begin development in the fall of 2005. The sequencing of events is important to the timely redevelopment of the Site.

Appendix A – Project Contacts and Document Repositories

Project Contacts

For information about the site's remedial program, the public may contact the following NYSDEC project contacts:

Ms. Charlotte B. Theobald
Project Manager
NYSDEC Region 8
6274 East Avon-Lima Road
Avon, New York 14414
(585) 226-5354

Ms. Lisa LoMaestro Silvestri
Citizen Participation Specialist
NYSDEC Region 8
6274 East Avon-Lima Road
Avon, New York 14414
(585) 226-5326

Document Repositories

The document repositories identified below have been established to provide the public with convenient access to important project documents:

Watkins Glen Public Library
610 South Decatur Street
Watkins Glen, New York 14891
Phone: (607) 535-2346
Hours:
M., W., F.: 12 PM - 5 PM & 7 PM – 9 PM
T., Th.: 10 AM – 5 PM & 7 PM – 9 PM
Sat.: 11 AM – 3 PM
Sun.: 2 PM – 4 PM

NYSDEC Region 8 Office
6274 East Avon-Lima Road
Avon, New York 14414-9519
Attn: Ms. Lisa LoMaestro Silvestri
Phone: (585) 226-5326
(Call for appointment)

Appendix B – Identification of Citizen Participation Activities

Required Citizen Participation Activity	Citizen Participation Activity(ies) To Occur At This Point	Date Completed
Application Process:		
• Prepare brownfield site contact list.	At time of preparation of application to participate in Brownfield Cleanup Program. When NYSDEC determines that Brownfield Cleanup Program application is complete. The 30-day comment period begins on date of publication of notice in Environmental Notice Bulletin. End date of comment period is as stated in Environmental Notice Bulletin notice. Therefore, Environmental Notice Bulletin, newspaper, and brownfield site contact list notices should be provided to the public at the same time.	May 2005
• Establish document repositories.		June 2005
• Publish notice in Environmental Notice Bulletin announcing receipt of application and 30-day comment period.		June 2005
• Publish above Environmental Notice Bulletin content in local newspaper.		Date Published
• Mail above Environmental Notice Bulletin content to brownfield site contact list.		Date Mailed
After Execution of Brownfield Site Cleanup Agreement:		
• Prepare citizen participation plan.	Draft Citizen Participation Plan must be submitted within 20 days of entering Brownfield Site Cleanup Agreement. Citizen Participation Plan must be approved by NYSDEC before distribution.	December 2005
After Remedial Investigation Work Plan Received:		
• Mail fact sheet to brownfield site contact list about proposed Remedial Investigation activities and announcing 30-day public comment period on draft Remedial Investigation Work Plan.	Before NYSDEC approves Remedial Investigation Work Plan. If Remedial Investigation Work Plan is submitted with application, comment periods will be combined and public notice will include fact sheet. A 30-day comment period begins/ends as per dates identified in fact sheet.	Not Applicable
After Remedial Investigation Completion:		
• Mail fact sheet to BSCL describing results of Remedial Investigation.	Before NYSDEC approves RI Report.	Not Applicable
After Remedial Work Plan Received:		
• Mail fact sheet to brownfield site contact list about proposed Remedial Work Plan and announcing 45-day comment period.	Before NYSDEC approves Remedial Work Plan. 45-day comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day comment period.	July 2005
• Public meeting by NYSDEC about proposed Remedial Work Plan (if requested by public).		Not Applicable
After Approval of RWP:		
• Mail fact sheet to brownfield site contact list summarizing upcoming remedial construction.	Before the start of remedial construction.	Date Mailed
After Remedial Action Completed:		
• Mail fact sheet to brownfield site contact list announcing that remedial construction has been completed.	At the time NYSDEC approves Final Engineering Report. These two fact sheets should be combined when possible if there is not a delay in issuance of Certificate Of Completion.	Date Mailed
• Mail fact sheet to brownfield site contact list announcing issuance of Certificate of Completion.		Date Mailed

Appendix C – Brownfield Site Contact List

EXECUTIVE DIRECTOR
THE ARC OF SCHUYLER COUNTY
203 12TH STREET
WATKINS GLEN, NY 14891

RICHARD WEAKLAND
CORNING ENTERPRISES INC.
114 PINE STREET
CORNING, NY 14831

ALLAN FLORO, ESQ.
NIXON PEABODY LLP.
CLINTON SQUARE
P.O. BOX 31051
ROCHESTER, NY 14603-1051

MARK WEIRMILLER
ZIFF WEIRMILLER & HAYDEN
303 WILLIAM STREET
P.O. BOX 1338
ELMIRA, NY 14902-1338

PETER S. GILFILLAN, ESQ.
600 LAFAYETTE COURT
465 MAIN STREET
BUFFALO, NY 14203-1787

CYNTHIA S. HUTCHINSON, ESQ.
SAYLES, EVANS, BRAYTON, PALMER & TIFFT
1 WEST CHURCH STREET
ELMIRA, NY 14901

JOHN C.T. HAYES
ATTORNEY AT LAW
2481 TEXAS HOLLOW ROAD
ODESSA, NY 14869-9607

ERNEST PELTZ, ESQ.
STAHR & CURRAN LAW FIRM
7 WEST MORRIS STREET
P.O. BOX 386
BATH, NY 14810

PETER KROG
4 CENTER DRIVE
ORCHARD PARK, NY 14127

FINGER LAKES BOARD OF REALTORS INC.
13 WEST MAIN STREET
WATERLOO, NY 13165

THOMAS RYAN
SCHUYLER CO. TAXPAYERS ASSOCIATION
2305 UPPER FALLS HILL ROAD
MONTAIGNE FALLS, NY 14865

JAMES BERG, PRESIDENT
SCHUYLER COUNTY CHAMBER OF COMMERCE
100 NORTH FRANKLIN STREET
STATE ROUTE 14
WATKINS GLEN, NY 14891

J. KELSEY JONES, EXECUTIVE DIRECTOR
SCHUYLER CO. PARTNERSHIP FOR ECON. DEV. INC.
2 NORTH FRANKLIN STREET
SUITE 330
WATKINS GLEN, NY 14891

MATT HAYDEN, CHAIRPERSON
SCHUYLER COUNTY CHAMBER OF COMMERCE
100 NORTH FRANKLIN STREET
STATE ROUTE 14
WATKINS GLEN, NY 14891

CHUCK DUSEL
URS CORPORATION
77 GOODELL STREET
BUFFALO, NY 14203

DANIELLE HAUTANIEMI, DIRECTOR
SCHUYLER COUNTY PLANNING/COMMUNITY DEVELOPMENT
RURAL URBAN CENTER
208 BROADWAY STREET
MONTAUR FALLS, NY 14865

WATKINS GLEN PUBLIC LIBRARY
610 SOUTH DECATUR STREET
WATKINS GLEN, NY 14891

WATKINS GLEN REVIEW EXPRESS
210 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

JAMES HOWELL
SCHUYLER COUNTY WATERSHED INSPECTOR
105 NINTH STREET
WATKINS GLEN, NY 14891

GORDON WRIGHT
CODE ENFORCEMENT OFFICER
VILLAGE OF WATKINS GLEN
303 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

JEROLD MARVEL
SCHUYLER COUNTY LEGISLATURE
105 NINTH STREET
WATKINS GLEN, NY 14891

DAVID LISK
BUILDING MAINTENANCE SUPERVISOR
SCHUYLER COUNTY
105 NINTH STREET
WATKINS GLEN, NY 14891

MARK L. SPECCHIO
SUPERINTENDENT OF PUBLIC WORKS
VILLAGE OF WATKINS GLEN
303 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

ROBERT H. LEE, MAYOR
VILLAGE OF WATKINS GLEN
303 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

DONNA BEARDSLEY, CLERK
VILLAGE OF WATKINS GLEN
303 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

GREGORY COON, TRUSTEE
VILLAGE OF WATKINS GLEN
303 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

WAYNE WEBER, TRUSTEE
VILLAGE OF WATKINS GLEN
303 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

R. MARK SWINNERTON, TRUSTEE
VILLAGE OF WATKINS GLEN
303 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

JUDITH PHILIPS, TRUSTEE
VILLAGE OF WATKINS GLEN
303 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

NEWS DIRECTOR
NEWS CHANNEL 36
474 OLD ITHACA ROAD
HORSEHEADS, NY 14845

ASSIGNMENT EDITOR
WETM-TV 18
101 EAST WATER STREET
P.O. BOX 1207
ELMIRA, NY 14901

NEWS DIRECTOR
WELM-AM/WLVY-FM
1705 LAKE STREET
ELMIRA, NY 14901

NEWS DIRECTOR
WWLZ-AM/WPGI-FM
2205 COLLEGE AVENUE
ELMIRA, NY 14903

NEWS DIRECTOR
WFLR-AM/FM
30 MAIN STREET
DUNDEE, NY 14837

OPERATIONS MANAGER
WYLF-AM
100 MAIN STREET
PENN YAN, NY 14527

METRO EDITOR
STAR-GAZETTE
P.O. BOX 285
ELMIRA, NY 14902

CITY EDITOR
THE LEADER
34 WEST PULTENEY STREET
CORNING, NY 14830

THE HONORABLE RANDY KUHL
UNITED STATES HOUSE OF REPRESENTATIVES
P.O. BOX 153
22 BUELL STREET
BATH, NY 14810

THE HONORABLE HILLARY RODHAM CLINTON
UNITED STATES SENATE
KENNETH B. KEATING FEDERAL OFFICE BUILDING
100 STATE STREET, ROOM 3280
ROCHESTER, NY 14614

THE HONORABLE CHARLES SCHUMER
UNITED STATES SENATE
304 FEDERAL BUILDING
100 STATE STREET
ROCHESTER, NY 14614

THE HONORABLE THOMAS F. O'MARA
NEW YORK STATE ASSEMBLY
33 EAST WATER STREET
3RD FLOOR, SUITE 301
ELMIRA, NY 14901

THE HONORABLE GEORGE H. WINNER, JR.
NEW YORK STATE SENATE
228 LAKE STREET
BOX 588
ELMIRA, NY 14902

DAVID CHIUSANO
NYSDEC
625 BROADWAY
12TH FLOOR
ALBANY, NY 12233-7012

LINDA VERA
NYSDEC
6274 EAST AVON-LIMA ROAD
AVON, NY 14414-9519

CHARLOTTE THEOBALD
NYSDEC
6274 EAST AVON-LIMA ROAD
AVON, NY 14414-9519

BART PUTZIG, P.E.
NYSDEC
6274 EAST AVON-LIMA ROAD
AVON, NY 14414-9519

LISA SILVESTRI
NYSDEC
6274 EAST AVON-LIMA ROAD
AVON, NY 14414-9519

NYSDEC
HORSEHEADS SUB-OFFICE
276 SING SING ROAD, SUITE 1
HORSEHEADS, NY 14845

GLEN BAILEY
DIVISION OF ENVIRONMENTAL ENFORCEMENT
NYSDEC REGION 9
270 MICHIGAN AVENUE
BUFFALO, NY 14203-2999

MARK VAN VALKENBURG
NEW YORK STATE DEPARTMENT OF HEALTH
FLANIGAN SQUARE
ROOM 300
547 RIVER STREET
TROY, NY 12180

RICHARD BILLS
NEW YORK STATE DEPARTMENT OF HEALTH
HORNELL DISTRICT OFFICE
107 BROADWAY
HORNELL, NY 14843

THOMAS M. GIFFORD, CHAIRMAN
SCHUYLER COUNTY LEGISLATURE
COUNTY OFFICE BUILDING
105 NINTH STREET
WATKINS GLEN, NY 14865

LINDA M. COMPTON
SCHUYLER COUNTY CLERK
COUNTY OFFICE BUILDING
105 NINTH STREET, UNIT #8
WATKINS GLEN, NY 14891

BRUCE ADAMS, CHAIRMAN, AT LARGE
SCHUYLER COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL
208 WEST BROADWAY STREET
MONTAUR FALLS, NY 14865

SCOPED/IDA
2 NORTH FRANKLIN STREET
UNIT 330
WATKINS GLEN, NY 14891

DISTRICT MANAGER
SCHUYLER COUNTY SOIL & WATER CONSERVATION DISTRICT
208 WEST BROADWAY STREET
MONTAUR FALLS, NY 14865

CENTER FOR ENVIRONMENTAL INFORMATION
55 ST. PAUL STREET
ROCHESTER, NY 14604-1314

MIKE SCHADE
CITIZENS' ENVIRONMENTAL COALITION
WESTERN NEW YORK OFFICE
543 FRANKLIN STREET
BUFFALO, NY 14202-1109

EXECUTIVE DIRECTOR
SENECA LAKE PURE WATERS ASSOCIATION
601 SOUTH MAIN STREET
P.O. BOX 247
GENEVA, NY 14456-0247

MARCIA WEBER, EXECUTIVE DIRECTOR
SOUTHERN TIER CENTRAL REGIONAL
PLANNING & DEVELOPMENT BOARD
145 VILLAGE SQUARE
PAINTED POST, NY 14870-1320

VILLAGE OF WATKINS GLEN
WATKINS GLEN WATER FILTRATION PLANT
STEUBEN STREET
WATKINS GLEN, NY 14891

WATKINS GLEN CENTRAL SCHOOL (EIGHT BLOCKS FROM SITE)
MARY ELLEN CORREA, SUPERINTENDENT
12TH STREET
WATKINS GLEN, NY 14891

SHARON S. BINGELL, DISTRICT I
SCHUYLER COUNTY REPRESENTATIVE
2715 IRELANDVILLE ROAD
WATKINS GLEN, NY 14891

DENNIS FAGAN, DISTRICT I
SCHUYLER COUNTY REPRESENTATIVE
P.O. BOX 335
TYRONE, NY 14887

GAIL M. HUGHEY, CLERK
SCHUYLER COUNTY LEGISLATURE
3011 COUNTY ROUTE 16
WATKINS GLEN, NY 14891

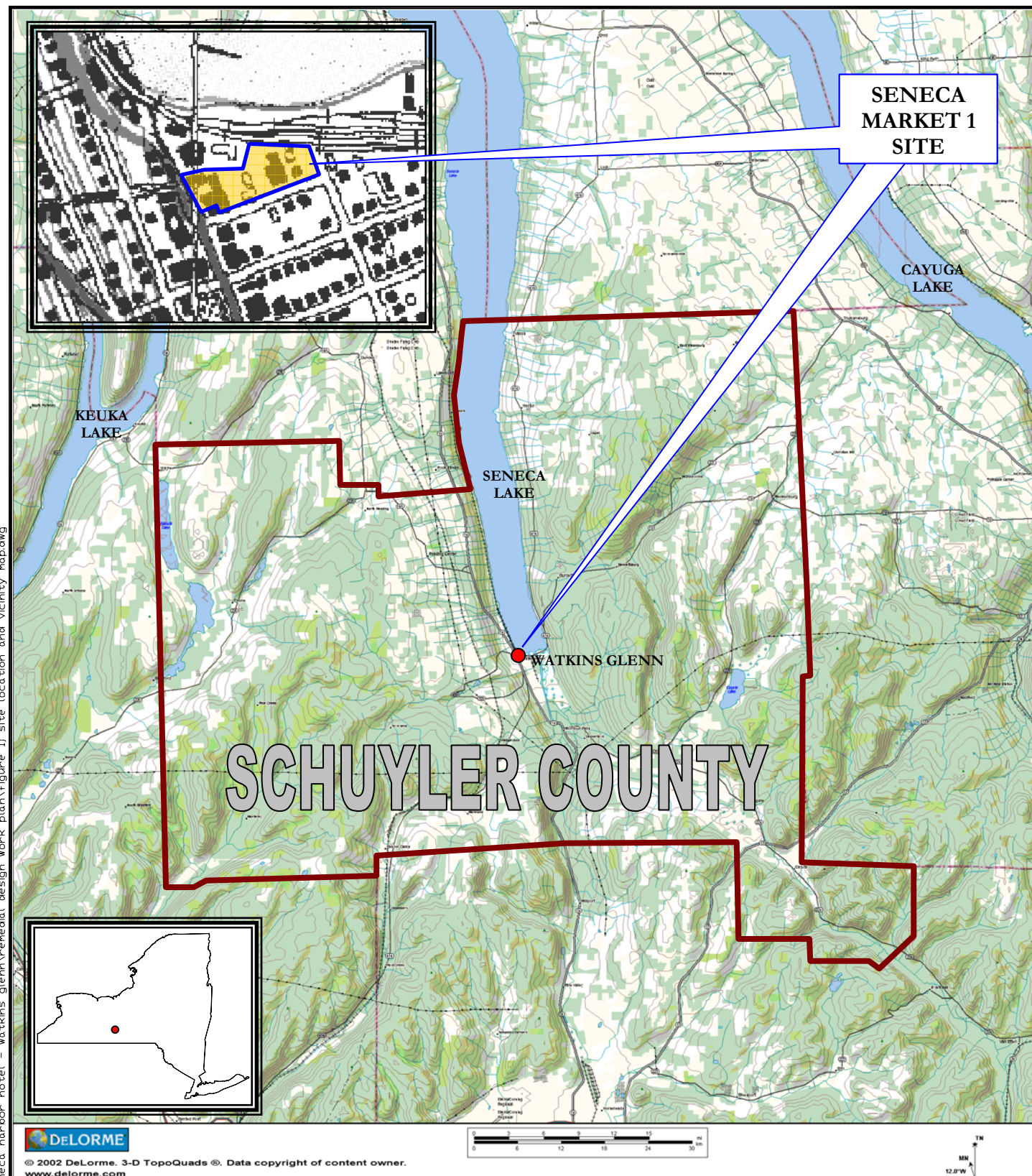
CHARLES FRANZESE
ENVIRONMENTAL REPRESENTATIVE
SOUTHERN TIER CENTRAL REGIONAL
PLANNING & DEVELOPMENT BOARD
145 VILLAGE SQUARE
PANITED POST, NY 14870

STAN CRISS
FAGAN ENGINEERS
113 EASTCHEMUNG PLACE
ELMIRA, NY 14904

JACKIE & MIKE GIASSI
WATERFALLS OF THE FINGERLAKES
20 NORTH FRANKLIN STREET
WATKINS GLEN, NY 14891

Appendix D – Site Location Maps

FIGURE 1



© 2002 DeLorme. 3-D TopoQuads®. Data copyright of content owner.
www.delorme.com



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0599

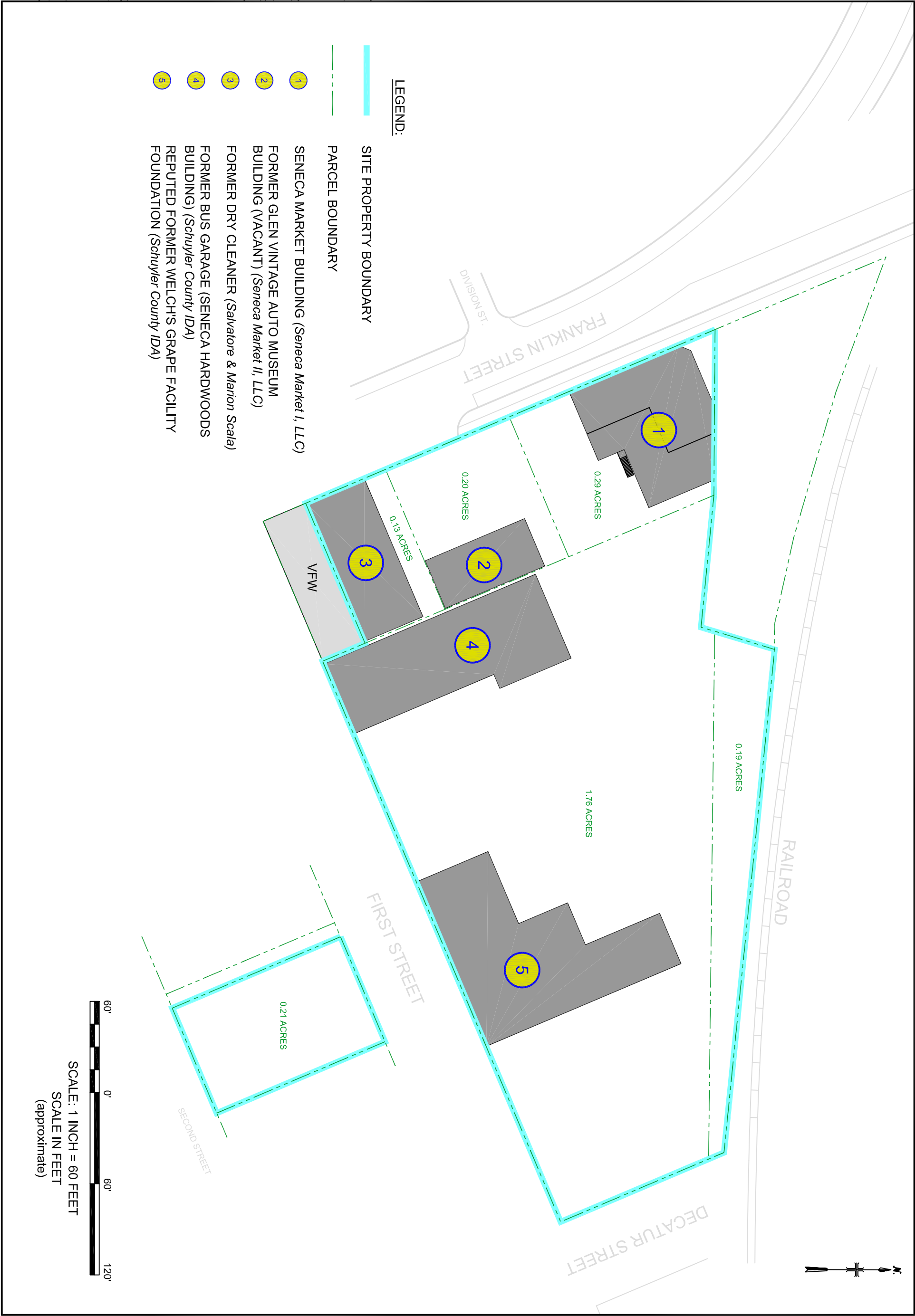
PROJECT NO.: 0092-002-100
DATE: MAY 2005
DRAFTED BY: BCH

SITE LOCATION AND VICINITY MAP

BROWNFIELDS CLEANUP PROGRAM

SENECA MARKET 1 SITE
WATKINS GLENN, NEW YORK

PREPARED FOR
SENECA MARKET 1, LLC



Appendix E – Fact Sheets



FACT SHEET

Brownfield Cleanup Program

Seneca Market I, LLC
BCP No. C849004
Watkins Glen, NY

July 2005

Draft Remedial Design Work Plan Available for Public Comment

The New York State Department of Environmental Conservation (NYSDEC) requests public comments as it reviews a proposed remedy to address contamination related to the Seneca Market I, LLC site located at 2-20 North Franklin Street in Watkins Glen, Schuyler County, New York. See the attached maps for the location of the site. The proposed remedy is described in a draft “Remedial Design Work Plan” that was submitted by Seneca Market I, LLC under New York’s Brownfield Cleanup Program (BCP).

NYSDEC previously received an application submitted by Seneca Market I, LLC to participate in the Brownfield Cleanup Program. The application proposes that the site will be used for commercial purposes.

Public Comments about the Draft Remedial Design Work Plan

NYSDEC is accepting written public comments about the draft Remedial Design Work Plan for 45 days, from **June 29, 2005** through **August 15, 2005**. The draft Remedial Design Work Plan is available for public review at the document repository identified in this fact sheet.

Written comments should be submitted to:

Charlotte Theobald
New York State Department of Environmental Conservation
6274 East Avon-Lima Road
Avon, New York 14414

Highlights of the Draft Remedial Design Work Plan

The Remedial Design Work Plan has several goals. The cleanup levels, referred to as site-specific action levels have been established for the soil/fill on the Seneca Market I, LLC site. These values are derived

Brownfield Cleanup Program: New York’s Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and redeveloped. These uses include recreation, housing and business.

A **brownfield** is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit:
www.dec.state.ny.us/website/der/bcp

from remedial goals accepted by the NYSDEC on other restricted use brownfield redevelopment sites and are generally consistent with NYSDEC Technical Assistance and Guidance Memorandum (TAGM) HWR-94-4046 “Determination of Soil Cleanup Objectives and Cleanup Levels.” These action levels are designed to be target values that will be used in determining the need for and/or continuation of remedial measures.

“*Remediation*” means all necessary actions to address any known or suspected contamination associated with the site.

The Remedial Design Work Plan incorporates remedial

elements that are designed to be protective of human health and the environment. The remedial elements include excavation and off-site disposal of contaminated soil and fill material that exceed the site-specific action levels as well as implementation of institutional and/or engineering controls. The redevelopment of the site will be limited to a commercial use. The specific elements of the proposed remedial work include the following:

- Excavation and off-site disposal of the soil from the three remaining chlorinated VOC “hot spot” areas near and below the former dry cleaning building as well as a suspected petroleum-contaminated “hot spot” that may be encountered following the demolition of the bus garage. Groundwater encountered during excavation work will be treated on-site prior to disposal.
- Implementation of a Soil/Fill Management Plan that addresses the handling of other areas of contaminated soil/fill that may be encountered during redevelopment and/or post redevelopment construction activities. The Soil/Fill Management Plan will include the requirements for soil reuse and/or backfilling.
- Construction of a vapor barrier and the installation of an active sub-slab depressurization system beneath all newly created on-site structures to mitigate the intrusion of vapors from residual VOCs in soil and groundwater.
- Placement of cover in the form of asphalt parking areas, driveways, curbing, building foundations, and landscaping to mitigate direct contact with surface soils on the redeveloped property.

Next Steps

NYSDEC will consider public comments when it completes its review, has any necessary revisions made and, if appropriate, approves the Remedial Design Work Plan. NYSDOH must concur in the approval of the Remedial Design Work Plan. The approved Remedial Design Work Plan will be placed in the document repository. When NYSDEC approves the Remedial Design Work Plan, Seneca Market I, LLC may proceed with the design and construction of the site remedy. The Applicant estimates that design and construction activities will take about 6 months.

The remedial action proposed for the Seneca Market site is relatively simple. For simple remedial actions, the approved Remedial Design Work Plan should provide sufficient documentation and control for the project, with the addition of site-specific technical plans to allow it to serve as a Remedial Action Work Plan.

NYSDEC will keep the public informed during the remediation of the Seneca Market I, LLC site.

Background

Site Description

Seneca Market 1, LLC owns or has an option on a 2.38-acre parcel of land within the village block bounded by Franklin Street, First Street, Decatur Street, and the Conrail right-of-way in Watkins Glen, Schuyler County, New York. Site location maps are attached.

The Seneca Market I, LLC plans to redevelop the approximately 2.38-acre site as a hotel complex. The parcel along North Franklin Street currently contains three structures: the Seneca Market building, the former Glen Vintage Auto Museum (currently unoccupied), and a brick building (former dry cleaner). A larger building further east was previously used as a bus maintenance garage and is currently leased to Seneca Hardwoods. The site is located in an urban setting and is surrounded by a mixture of residential

and commercial properties. The commercial properties include retail, medical, service, recreational, and professional uses.

Site History

The parcels have a history of use that dates back to the 1860s. The Seneca Market building has formerly been used as a foundry; a flour and grist mill; and most recently retail shops on the first floor and professional office space on the second and third floors. A marble works building was formerly present just south of Seneca Market until it was destroyed in 1970. The former Auto Museum was previously used for miscellaneous storage, in particular auto parts. The brick building has mainly been used for retail businesses, an automobile parking garage, a machine shop, and for dry cleaning operations.

Environmental History

In 1991 Norstar Bank had an environmental assessment performed. The environmental assessment revealed that groundwater under the Site (i.e., 20 Franklin Street at the corner of North Franklin and First) was contaminated with chlorinated organic compounds. Therefore, the NYSDEC added the site to its official list of inactive hazardous waste disposal sites as a Class 2 site. A classification of 2 means the site poses a significant threat to public health and/or the environment and action is required. The inactive hazardous waste site encompasses the 0.14-acre parcel, including the former dry cleaner building, and a portion of the 0.49-acre parcel. A Remedial Investigation/Feasibility Study was performed and completed in 1993 by URS Consultants under a Standby Contract with the NYSDEC. The Remedial Investigation/Feasibility Study delineated the extent of soil and groundwater contamination as a result of former dry cleaning operations at the site from 1976 to 1988 and on surrounding parcels. This work was performed under the New York State Inactive Hazardous Waste Site Remedial Program--commonly known as Superfund.

URS Consultants designed remediation systems to treat the soil and groundwater, as required by the Record of Decision that was signed in 1994. The remediation systems included a soil vapor extraction system that treated the shallow soil and a groundwater treatment system that extracted and treated the groundwater in the area of the former dry cleaner. The subsequent remediation was performed from 1996 to 2001. The treatment systems at the site have been discontinued as the Record of Decision called for the soil vapor extraction system to operate until soil cleanup objectives were achieved, and for the groundwater extraction system to operate and be evaluated after five years or sooner, if warranted, using the data generated during the monitoring program. Low levels of chlorinated solvents still exist in soil and groundwater across the site and higher levels beneath existing buildings proximate to the source area.

In 1998/1999, URS Consultants performed additional soil investigations and cleanup technology feasibility studies to evaluate the deeper soil contamination. It was concluded that chlorinated organic compounds remained on-site in a small area directly adjacent to and outside the former dry cleaning building, as well as beneath the former dry cleaner building at depths greater than 16 feet. A chemical oxidation pilot study was conducted from March through May 2000. The chemical oxidation pilot study significantly reduced the mass of chlorinated contaminants in the soil at the site. Despite the reduction, localized areas of residual contamination still remain at a depth of 4 to 6 feet within the subsurface clay below the former dry cleaner building. In March 2004, an active venting system was installed within the former dry cleaner building to control the potential indoor migration of vapors from the residual contamination.

A Phase I Environmental Site Assessment was performed in November 1991 for the parcels on the eastern portion of the Site. The Phase I Environmental Site Assessment identified several potential environmental conditions including possible underground storage tanks, drums, an inoperable piston arrangement for a hydraulic lift, and oil spills near the corner of First and Decatur Streets. Petroleum hydrocarbons, lower levels of chlorinated hydrocarbons, and several elevated inorganic compounds

related to the above described conditions were detected in the soil and groundwater during a Remedial Investigation/Feasibility Study. There were two areas on the larger parcel that contained soil contaminated with benzene, toluene, ethyl benzene, and xylene (as known as BTEX) above the New York State standards. The soil from those two areas was excavated and bioremediated off-site in the late 1990s. However, during the soil removal activity, another area of BTEX contamination was found but was not addressed. The BTEX contamination in soil and groundwater exists proximate to these potential source areas.

The Brownfield Cleanup Program application was submitted to the NYSDEC on June 9, 2005. Seneca Market 1, LLC received notification on June 20, 2005 that the Brownfield Cleanup Program application has been determined to be complete.

FOR MORE INFORMATION

Document Repository

A local document repository has been established at the following location to help the public to review important project documents. These documents include the draft Remedial Design Work Plan and the application to participate in the BCP accepted by NYSDEC:

Watkins Glen Public Library
610 South Decatur Street
Watkins Glen, NY 14891
Phone: (607) 535-2346
Hours: M, W, F 12PM - 5PM & 7PM - 9PM
T, Th 10AM - 5PM & 7PM - 9PM
Sat. 11AM - 3PM
Sun. 2PM - 4PM

Who to Contact

Comments and questions are always welcome and should be directed as follows:

Project Related Questions

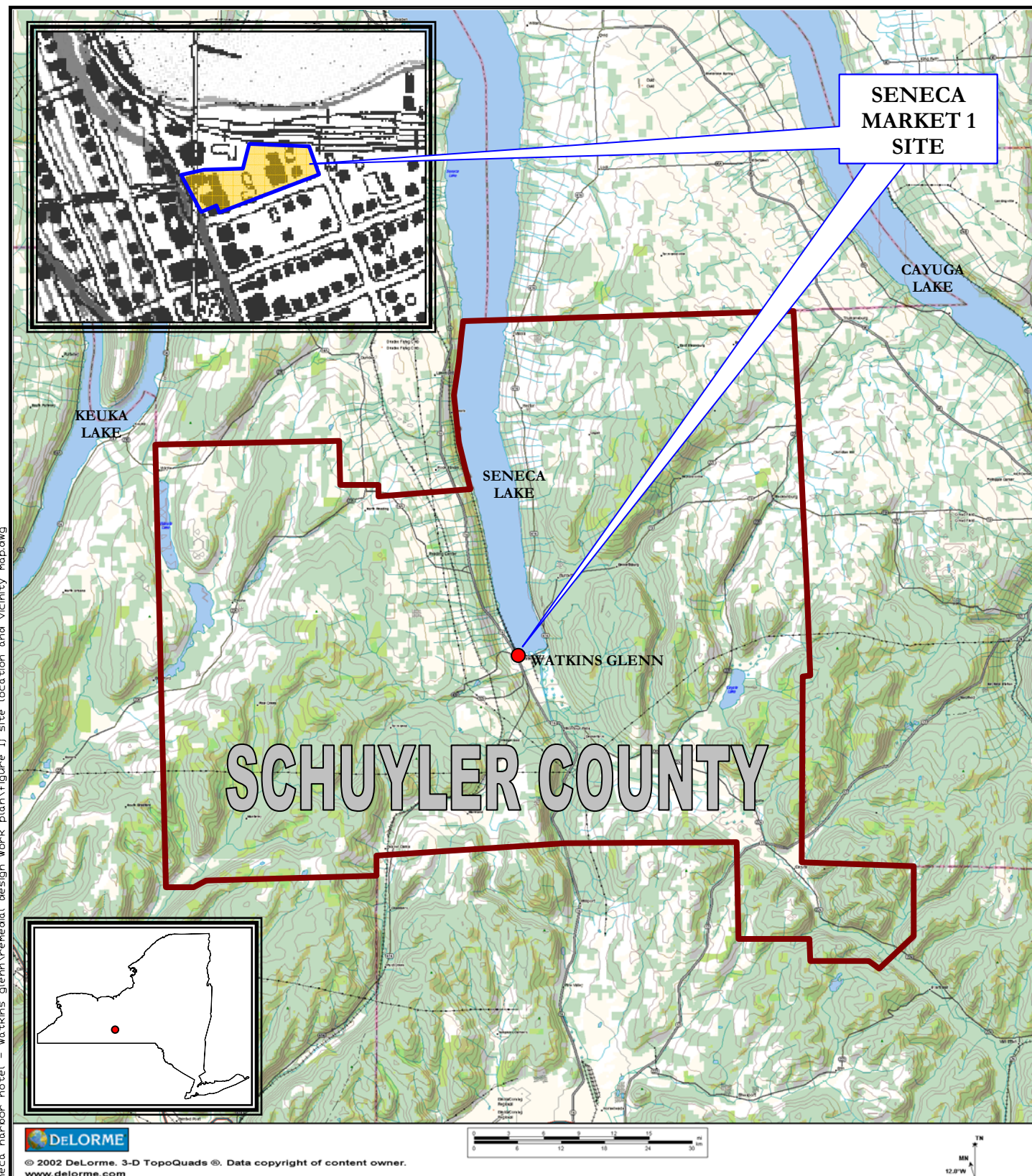
Ms. Charlotte Theobald
Project Manager
NYSDEC Region 8
6274 East Avon-Lima Road
Avon, NY 14414
(585) 226-5354

Health Related Questions

Mark Van Valkenburg
New York State Department of Health
Flanigan Square, Room 300
547 River Street
Troy, NY 12180
(518) 402-7850

If you know someone who would like to be added to the project mailing list, have them contact the NYSDEC project manager above. We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

FIGURE 1



© 2002 DeLorme. 3-D TopoQuads®. Data copyright of content owner.
www.delorme.com



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0599

PROJECT NO.: 0092-002-100
DATE: MAY 2005
DRAFTED BY: BCH

SITE LOCATION AND VICINITY MAP

BROWNFIELDS CLEANUP PROGRAM

SENECA MARKET 1 SITE
WATKINS GLENN, NEW YORK

PREPARED FOR
SENECA MARKET 1, LLC

