Macedon Films Site

Brownfield Cleanup Program (BCP) Site #C859025
2018 Periodic Review Report (PRR)

Contents

Executive Summary

Summary of Site

The site property includes a single, large manufacturing building along with three separate and smaller buildings that are all located on an 8.95 acre parcel. The 8.95 acre parcel was once part of a larger 23.6 acre facility. With the exception of two small paved parking areas adjacent to the north and south-sides of the property, the remainder of the site is developed with the manufacturing buildings. A spillway for the New York State Barge Canal borders the site to the north.

The original 23.6 acre facility was developed in the early 1900s for vegetable canning operations, use as a lumberyard, and use as a creamery. The manufacture of polyethylene packaging at the site began in the 1950's. During the 1990s, the 23.6 acre complex was divided into three parcels with some shared buildings operated by different entities. Pactiv Advanced Packaging Solutions (Pactiv) purchased the 8.95 acre Macedon Films site from Exxon-Mobil in 1995. Manufacturing operations on the 8.95 acre BCP portion of the site were discontinued by Pactiv in July 2004.

Prior uses related to manufacturing at the Macedon Films site, including the use of petroleum, solvent, and waste ink storage tanks had led to contamination of soil and groundwater at the site. Remedial activities, prior to entering the Brownfield Cleanup Program (BCP), were conducted by Pactiv that included tank removals, contaminated soil excavation and off-site disposal, and operation of groundwater recovery systems to address the site contaminants.

Remedial History

Past significant spills/releases by Mobil Oil have been addressed by various remedial actions. During the 1970s, leaking diesel fuel ASTs and gasoline USTs resulted in impacted soils in the area northeast of Building 11. In 1978, contaminated soils were excavated to approximately 10 feet below ground surface (bgs). Then in 1988, approximately 266 tons of impacted soil were excavated and disposed of off-site during removal of seven underground storage tanks (five cosolvent tanks, one methyl alcohol tank, and one hazardous waste storage tank).

In 1982 approximately 5,000 gallons of lacolene were released to the subsurface and the NYS Barge Canal. The product released to the canal was recovered immediately. A multi-phase remediation system was implemented to recover the product released in the subsurface.

Also during the 1980s, approximately 500 gallons of fuel oil from an AST were released by leaking underground piping. Fuel oil was removed from underground lines, and soil surrounding the lines and the former AST containment area was excavated. Fuel oil was also recovered by the multi-phase extraction system.

Effectiveness of the Remedial Program

The Decision Document for the Site (March 2012) selected No Further Action as the selected remedy and an environmental easement as an institutional control was put in place to address the remaining contamination. The Environmental Easement (recorded in October 2013) requires compliance with a Site Management Plan

(SMP) (November 2013), including an Excavation Work Plan (EWP). The EWP describes the proper handling of remaining contamination that may be disturbed during intrusive work. Since the issuance of the Certificate of Completion in December 2013, there has not been any occasion to utilize the EWP.

The Site continues to operate for industrial use and there are no agriculture or vegetable gardens on the site.

Compliance

The SMP requires an annual site-wide inspection and an annual certification. Although the SMP was in effect in 2013, the first site inspection did not take place until June 4, 2015. However, nothing problematic was observed during the recent site inspection and procedures have been taken to ensure that the site inspections and annual certificationsrequired under the SMP are timely performed going forward.

Recommendations

The recommended changes to the SMP are updates to Table 3: Emergency Telephone Numbers and Contact Information for Key Personnel and they are set forth in this PRR.

Site Overview

Macedon Films BCP Site is an 8.95 acre area located on the west side of a manufacturing site at 112 Main Street, Macedon, New York 14502-0550. The Erie Canal Spillway and New York State Barge Canal are located to the north.

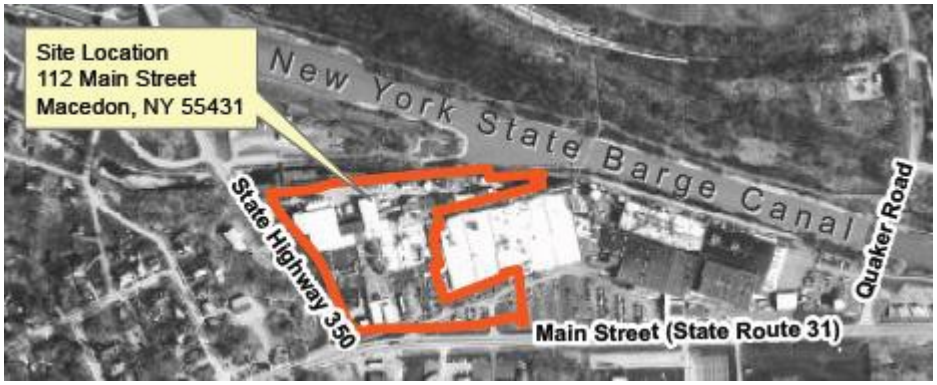


Figure 1: Site Location

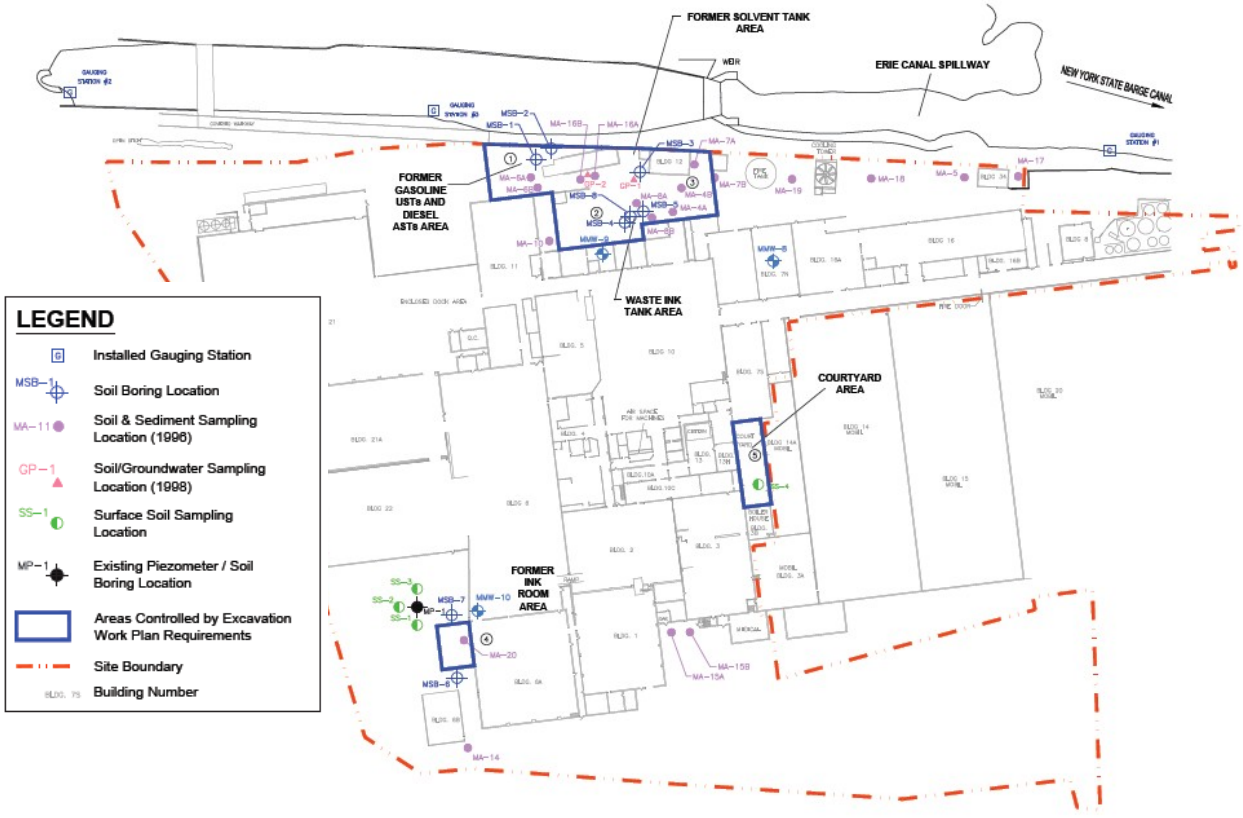


Figure 2: Areas Controlled by Excavation Work Plan Requirements

The selected remedy under the Decision Document is No Further Action, but Institutional Controls are in effect as specified in the recorded Environmental Easement and referenced SMP. The SMP requires the use of an

Excavation Work Plan for intrusive activities in areas of remaining contamination that are identified in Figure 7 of the SMP.

Evaluate Remedy Performance, Effectiveness, and Protectiveness

No intrusive activities have taken place in the three (3) areas of remaining contamination during the period covered by this PRR and so there has been no need to use the Excavation Work Plan. Otherwise, the site continues to be used for industrial purposes, which is the use allowed under the Environmental Easement. Approximately, 98% of the BCP Site is covered by paving or concrete.

IC/EC Plan Compliance

The Institutional Control (IC) for the site is in the form of an Environmental Easement that specifies the use of the SMP. There are no Engineering Controls (ECs) at the site.

As stated in the SMP, the Decision Document requires the imposition of an institutional control in the form of an Environmental Easement that:

a) requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional controls in accordance with Part 375-1.8(h)(3);

b) allows the use and development of the site for industrial use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;

c) prohibits agriculture or vegetable gardens on the site; and

d) requires compliance with the Department approved Site Management Plan.

The completed and signed IC certification forms are attached.

SMP Revisions – Revised Emergency Contact Table

Name	Affiliation	Address	Phone/Fax/Email	Function
Nick Damico	Berry Global	200 East Main Street Macedon, NY 14502	315.986.6298 nickdamico @berryglobal.com	Plant Manager
Nicole McCool	Berry Global	200 East Main Street Macedon, NY 14502	315.986.6033 nicolemccool @berryglobal.com	Environmental Manager
Ghassan Dughaish	Berry Global	101 Oakley Street Evansville, IN 47710	812.306.2437 ghassandughaish@berryglobal.com	Environmental Director

Inspection Forms

Macedon Films Site
NYSDEC Site Number: C859025
Site-Wide Inspection Form

Date: 27MAY2015

Inspector: NICOLE MCCOOL

Company: BERRY PLASTICS

Job Title: PRE-PRESS/ENVIRONMENTAL

Signature: 

Item Inspected	Action Needed (Y/N)	Comments	Inspector's Initials
Sitewide Use - Industrial Use Only (per 6 NYCRR part 375-1.8(g))	N		NMM
Sitewide Use - Absence of Agriculture or Vegetable Gardens	N		NMM
Change in Condition - Area 1 (North driveway near canal)	N		NMM
Change in Condition - Area 2 (Courtyard near building 14)	N		NMM
Change in Condition - Area 3 (Area to the west of building 6/6A)	N		NMM
Other Items:			

Macedon Films Site
NYSDEC Site Number: C859025
Site-Wide Inspection Form

Date: 9/1/2016

Inspector: NICOLE MCCOOL

Company: BERRY PLASTICS

Job Title: PREPRESS/ ENVIRONMENTAL MGR

Signature:

Item Inspected	Action Needed (Y/N)	Comments	Inspector's Initials
Sitewide Use - Industrial Use Only (per 6 NYCRR part 375-1.8(g))	N		NMM
Sitewide Use - Absence of Agriculture or Vegetable Gardens	N		NMM
Change in Condition - Area 1 (North driveway near canal)	N		NMM
Change in Condition - Area 2 (Courtyard near building 14)	N		NMM
Change in Condition - Area 3 (Area to the west of building 6/6A)	N		NMM
Other Items:			

Macedon Films Site
NYSDEC Site Number: C859025
Site-Wide Inspection Form

Date: 8/7/2017

Inspector: NICOLE MCCOOL

Company: BERRY PLASTICS

Job Title: PREPRESS/ ENVIRONMENTAL MGR

Signature:

Item Inspected	Action Needed (Y/N)	Comments	Inspector's Initials
Sitewide Use - Industrial Use Only (per 6 NYCRR part 375-1.8(g))	N		NMM
Sitewide Use - Absence of Agriculture or Vegetable Gardens	N		NMM
Change in Condition - Area 1 (North driveway near canal)	N		NMM
Change in Condition - Area 2 (Courtyard near building 14)	N		NMM
Change in Condition - Area 3 (Area to the west of building 6/6A)	N		NMM
Other Items:			

Macedon Films Site

WAYNE COUNTY, NEW YORK

Site Management Plan

NYSDEC Site Number: C859025

Prepared for:
PACTIV LLC (f/ k/ a PACTIV CORPORATION)
2651 BRICKYA RD ROAD
CANANDAIGUA, NEW YORK 14424

Prepared by:
URS CORPORATION
77 GOODELL STREET
BUFFALO, NEW YORK 14203
716-856-5636

Revisions to Final Approved Site Management Plan:

Revision #	Submitted Date	Summary of Revision	DEC Approval Date
1	7/15/2015	Updated contact information	
2	6/1/2018	Updated contact information	

NOVEMBER 2013

1.0 INTRODUCTION AND DESCRIPTION OF REMEDIAL PROGRAM

1.1 INTRODUCTION

This Site Management Plan is required as an element of the remedial program at the Macedon Films Site (hereinafter referred to as the "site") under the New York State (NYS) Brownfield Cleanup Program (BCP) administered by the New York State Department of Environmental Conservation (NYSDEC). Remedial investigations and actions were conducted at the site in accordance with Brownfield Cleanup Agreement (BCA) Index Number B8-0669-04-06, which was executed in July 2004 by Pactiv Corporation ("Pactiv").[1] A copy of the BCA is attached as Exhibit A.

1.1.1 General

Pactiv entered into the BCA with the NYSDEC to remediate a property known as the Macedon Films site, located at 112 Main Street, Village of Macedon, Wayne County, New York (Site Code # C859025). This BCA required the Remedial Party, Pactiv Corporation, to investigate and remediate contaminated media at the site. On July 20, 2012, the BCA was amended to change the party name from Pactiv Corporation to Pactiv LLC. Berry Plastics Corporation ("Berry") is the current owner of the site and Berry, or successor owners, will implement the Site Management Plan.

In order for Berry to receive the Certificate of Completion that is to be issued following NYSDEC approval of the Final Engineering Report, Pactiv and Berry made an application to NYSDEC dated July 10, 2013, in which they requested that the BCA be amended to add Berry as a Remedial Party. By letter dated July 29, 2013, NYSDEC granted the request, effective as of the date of its letter. On August 6, 2013, Pactiv forwarded a copy of the July 29 letter signed by Pactiv and Berry by which they accepted the amendment to the BCA, which included an update to the contact information for the BCA. A copy of the cover letter and copy of the July 29 NYSDEC letter signed by Pactiv and Berry Plastics are attached as Exhibit B.

Figures showing the site location and boundaries of the site are provided in Figures 1 and 2. The boundaries of the site are more fully described in the recorded Environmental Easement

[1] Since its entry into the BCA, Pactiv Corporation was converted into Pactiv LLC and it is referred to in this SMP as "Pactiv."

and ALTA survey, copies of which are included in Appendix A. The survey performed in connection with the Environmental Easement for the site determined the area to be 8.95 acres.

After completion of interim remedial measures, some contamination was left in the subsurface at this site, which is hereafter referred to as "remaining contamination." The areas of remaining contamination are shown in Figure 7 of this SMP, and more particularly, on the ALTA survey (Appendix A). This Site Management Plan ("SMP") was prepared to manage remaining contamination at the site until the Environmental Easement is extinguished in accordance with ECL Article 71, Title 36. All reports associated with the site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State.

In the Decision Document issued on March 30, 2012, NYSDEC selected No Further Action as the site remedy. Section 7 of the Decision Document specifies that as part of the remedy, there be institutional controls in the form of an Environmental Easement and an SMP. The SMP is to include:

(i) an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;

(ii) descriptions of the provisions of the environmental easement including any land use restrictions;

(iii) provisions for maintaining site access controls and procedure for Department notification; and

(iv) details on the steps necessary for the periodic reviews and certification of continued compliance with the institutional controls.

This SMP was prepared by URS Corporation (URS) on behalf of Pactiv in accordance with the requirements in NYSDEC DER-10 **Technical Guidance for Site Investigation and Remediation**, dated May 2010. This SMP addresses the means for implementing the Institutional Controls (ICs) that are required by the Environmental Easement for this site.

The Decision Document does not require Engineering Controls to protect public health and the environment. Therefore, no Engineering Controls are included in this SMP. This eliminates the need for a Site Monitoring Plan or an Operation and Maintenance Plan.

1.1.2 Purpose

As previously noted, some contamination was left in the subsurface after completion of interim remedial measures. Institutional Controls ("ICs") have been incorporated into the site remedy to control exposure to this remaining contamination during the use of the site to ensure protection of public health and the environment. This SMP provides a detailed description of all procedures required to manage the remaining contamination at the site.

The Environmental Easement granted to the NYSDEC and recorded in the Office of the Wayne County Clerk will require compliance by the site owner with this SMP and all ICs placed on the site. The ICs place restrictions on site use and mandate reporting measures for ICs. This SMP specifies the methods necessary for the site owner to ensure compliance with all the ICs identified by the Environmental Easement for the remaining contamination.

This plan has been approved by the NYSDEC and compliance with this plan by the site owner shall not be impeded by the grantor of the Environmental Easement and the grantor's successors and assigns. This SMP may only be revised with the approval of the NYSDEC.

This SMP provides a detailed description of all procedures required to manage remaining contamination at the site, including the implementation and management of all Institutional Controls and submittal of Periodic Review Reports.

It is important to note that:

- This SMP details the site-specific implementation procedures that are required by the Environmental Easement. Failure to properly implement the SMP is a violation of the Environmental Easement, which is grounds for revocation of the Certificate of Completion (COC).
- Failure to comply with this SMP is also a violation of the BCA (Index Number B8-0669-04-06) for the site.

1.1.3 Revisions

Revisions to this plan will be proposed in writing to the NYSDEC's project manager. In accordance with the Environmental Easement for the site, the NYSDEC will provide a notice of any approved changes to the SMP, and append these notices to the SMP that is retained in its files.

1.2 SITE BACKGROUND

1.2.1 Site Location and Description

The site is located in the Village of Macedon, Town of Macedon, County of Wayne, New York and is identified as Wayne County Tax Map Section 62111, Block 08 Lot 948968. The boundaries of the site are fully described in the Recorded Environmental Easement and ALTA Survey, copies of which are included as Appendix A. The site is bordered by a New York State Barge Canal (Barge Canal) spillway and a Pennsylvania Central railroad spur to the north, New York State Route 31 to the south, New York State Route 350 to the west, and to the east a contiguous manufacturing facility owned by Pliant LLC. Quaker Road and a truck trailer parking area are situated east of this manufacturing complex.

Pactiv acquired the site in 1995 from Mobil Oil Corporation ("Mobil Oil"). Pactiv conveyed the site to Carlisle Plastics LP by deed dated January 30, 2001 and recorded on March 3, 2006 (copy of deed attached as Exhibit C). The BCA notes that at the time of Pactiv's entry into the BCA, the site was occupied by Carlisle Plastics LP. Carlisle Plastics LP filed a name change amendment in Delaware to Tyco Plastics LP on February 9, 2001.

Tyco Plastics LP conveyed the site to Covalence Specialty Materials Corp. by deed dated February 16, 2006 and recorded on March 28, 2006 (copy of deed attached as Exhibit D). Covalence Specialty Materials Corp. (DE) merged into Berry Plastics Holding Corporation (DE) on April 3, 2007 by Certificate of Merger filed in Delaware. Berry Plastics Holding Corporation (DE) filed an amendment in Delaware on December 28, 2007 (effective date of December 29, 2007) to change its name to Berry Plastics Corporation. The current fee owner of the site remains Berry Plastics Corporation.

Both the Pactiv and Tyco Plastics deeds provide that the site may be used for industrial purposes only and prohibit the use of groundwater beneath the site as drinking water.

An American Land Title Association (ALTA) Survey was performed to delineate the boundaries of the site and it determined the acreage of the site to be 8.95 acres. A copy of the ALTA Survey is provided in Appendix A.

1.2.2 Site History

In the 1920s, the site was developed for vegetable canning operations. Sanborn maps from 1906, 1912, and 1931 show that there were also lumberyards and a creamery previously located on the site.

Polyethylene flexible packaging products were manufactured at the site since the 1950s. Polyethylene resin pellets were processed and extruded to form a film that was subsequently converted into packaging products such as produce bags. Manufacturing operations ceased at the site in July 2004.

Previous investigations have indicated the presence of volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), and metals in soil and groundwater samples collected at various locations throughout the site. However, the data indicated that neither the soil nor the groundwater at the site has been significantly impacted by releases or past operations at the site, and various remedial measures have been completed to address any identified sources of contamination.

Past significant spills/releases by Mobil Oil have been addressed by various remedial actions. During the 1970s, leaking diesel fuel ASTs and gasoline USTs resulted in impacted soils in the area northeast of Building 11. In 1978, contaminated soils were excavated to approximately 10 feet below ground surface (bgs). Then in 1988, approximately 266 tons of impacted soil were excavated and disposed of off-site during removal of seven underground storage tanks (five cosolvent tanks, one methyl alcohol tank, and one hazardous waste storage tank).

In 1982 approximately 5,000 gallons of lacolene were released to the subsurface and the NYS Barge Canal. The product released to the canal was recovered immediately. A multi-phase remediation system was implemented to recover the product released in the subsurface.

Also during the 1980s, approximately 500 gallons of fuel oil from an AST were released by leaking underground piping. Fuel oil was removed from underground lines, and soil surrounding the lines and the former AST containment area was excavated. Fuel oil was also recovered by the multi-phase extraction system.

1.2.3 Geologic Conditions

Previous investigations completed at the site indicate that the overburden at the site generally consists of brown and gray fine- to medium-grained sand with traces of silt and angular gravel above a one- to two-foot thick layer of brown and gray clay. Bedrock at the site generally occurs between eight and 16.5 feet bgs. Groundwater at the site occurs between 5 and 15 feet bgs, and generally flows from the southwest toward the northeast (Figures 3 and 4). Seasonal water level fluctuations in the Barge Canal and spillway affect the localized groundwater flow patterns and water levels beneath the northern portion of the site, but groundwater consistently flows toward the canal spillway in the investigation area.

1.3 SUMMARY OF REMEDIAL INVESTIGATION FINDINGS

Previous investigations completed at the site have been documented in the following reports:

- *Environmental Priority Initiative Preliminary Assessment, Mobil Chemical Company, Macedon Packaging,* USEPA, June 30, 1992.
- *Soil-Gas Survey Building 10 Courtyard Storm Drain No. 93 Area, Mobil Chemical Company, Macedon, New York,* H&A of New York, January 1995.
- *Environmental Audit Tenneco Packaging Specialty Products, Macedon, New York,* CH2M Hill, April 19, 1997.
- *Summary of Environmental Issues and Investigation Plan, Tenneco Packaging Macedon Plant,* IT Corporation, July 1998.
- *Site Assessment and Closure of Two Chemical Bulk Storage Tanks, CBS Registration No. 8-000025, Tenneco Packaging Macedon Facility,* IT Corporation, January 1999.
- *SPDES Investigation Report,* URS, 1999.
- *Soil and Groundwater Investigation for Pactiv Macedon, New York,* URS, 2000.
- *Revised Water Table Maps Soil Gas Survey Former Pactiv Facility Macedon, New York,* URS, 2002a.
- *SWMU Questionnaire for Macedon, NY,* URS, 2002b.
- *Remedial Investigation Report, Macedon Films Site,* URS, 2005.
- *Supplemental Investigation Report, Macedon Films Site,* URS, 2009.
- *Cadmium Contaminated Soil Investigation Letter Report, Macedon Films Site, Pactiv/URS, 2011a.*

- *Cadmium Contaminated Soil Investigation and Excavation Letter Report, Macedon Films Site, Pactiv/URS, 2011b.*

All reports associated with the site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State.

Based on review of the previous investigation results, there are several areas of the site in which only limited or no impacts were identified. Therefore, with the concurrence of the NYSDEC, no further investigation was conducted during the 2005 Remedial Investigation (RI) in these areas:

- Area near the Building 6A Former Ink Room;
- Erie Canal Spillway;
- Former fuel oil ASTs area near the east side of Building 12;
- Former methyl ethyl alcohol AST north of Building 10;
- Former lube oil drum storage area near the fire tank;
- Former UST area between the fire tank and the cooling tower;
- Former electrical transformer near the east side of the cooling tower;
- Former underground fuel line between Building 10 and Building 12;
- Former MEK ASTs near the west side of Building 34;
- Former gasoline AST east of Building 34; and
- Former glycol AST near Building 1 at the south side of the site.

Based on the results of the previous investigation results and discussions with the NYSDEC, the following (4) areas were the focus of a RI performed in 2005:

- Former gasoline USTs and diesel fuel ASTs area north of Building 11;
- Waste ink tank area north of Building 10;
- Former solvent tank area west of Building 12; and
- Courtyard between Buildings 3, 3B, 7S, 10, and 13.

These four areas are shown on Figure 2. The first three of the four areas are between the main buildings and the canal. These three areas have been impacted by petroleum hydrocarbons and petroleum-related VOCs and SVOCs. The courtyard was included in the 2005 RI because

only limited investigation work was previously conducted in the courtyard. The rationale for further investigation in these four areas is summarized below.

Former Gasoline USTs and Diesel Fuel ASTs Area

The potential for localized groundwater impacts downgradient of the former gasoline USTs and diesel fuel ASTs area could not be fully evaluated with the previous monitoring well network. However, groundwater impacts due to the former tanks did not appear to be widespread based on previous groundwater sampling results from well MMW-5, which is approximately 550 feet east of the former gasoline USTs and diesel fuel ASTs area. The 2005 RI activities included the collection of additional groundwater samples at and downgradient of the former gasoline USTs and diesel ASTs area.

Waste Ink Tank Area

The only detection of PCE in soil at the site was in the waste ink tank area. The extent of PCE impacts appeared to be limited to boring MSB-4 based on the soil gas survey conducted in 2002. The potential for localized groundwater impacts downgradient of the waste ink tank area could not be fully evaluated with the previous monitoring well network. However, groundwater impacts due to the waste ink tank did not appear to be widespread based on previous groundwater sampling results from well MMW-5, which is approximately 450 feet east of the waste ink tank area. The 2005 RI activities included the collection of additional soil samples at the waste ink tank area and installation of a well (MMW-6) downgradient of the waste ink tank area.

Former Solvent Tank Area

The potential for localized groundwater impacts downgradient of the former solvent tank area could not be fully evaluated with the previous monitoring well network. However, groundwater impacts due to the former solvent tank did not appear to be widespread based on previous groundwater sampling results from well MMW-5, which is approximately 450 feet east of the former solvent tank area. The 2005 RI activities included the collection of additional groundwater samples at and downgradient of the former solvent tank area.

Courtyard

The potential for groundwater impacts beneath the courtyard area could not be evaluated with the previous monitoring well network. Therefore, the 2005 RI activities included the installation of a monitoring well (MMW-7) within the courtyard. The installation of a monitoring

well in the courtyard also provided another groundwater elevation monitoring point that would help further evaluate the relationship between the canal water levels to the groundwater levels beneath the site buildings.

The Remedial Investigation was performed to characterize the nature and extent of contamination at the site. The results of the RI are described in detail in the *Remedial Investigation Report (URS, 2005).*

The RI involved drilling, installation of groundwater monitoring wells, and sampling and analysis of soil and groundwater. Boring logs and well construction diagrams are presented in Appendix B. The RI report characterized site hydrogeology, which is summarized below:

- The overburden encountered at the site consists of brown and gray fine- to medium grained sand with traces of silt and angular gravel above a one- to two-foot thick layer of brown and gray clay.
- Bedrock was generally encountered at the site between eight and 16.5 feet below ground surface (bgs). However, the boring for well MMW-6, east of the cooling tower, was advanced to a total depth of 27 feet bgs and bedrock was not encountered.
- Groundwater flow beneath the site is generally from the southwest toward the northeast.
- Seasonal water level fluctuations in the adjacent canal and spillway affect the groundwater flow patterns beneath the site. During the navigation season, between late May and October, the water level in the canal west of the weir near Building 12 is higher than the groundwater level at the site. Therefore, water flows from the canal toward the site west of the weir. When the water level in the canal is low during the non-navigation season, groundwater flows toward the canal west of the weir.

The RI report established the nature and extent of site contamination, which is summarized below:

Soil Quality

- Following the 2005 RI, sufficient data has been collected to evaluate the soil quality at the site. The data indicates that the soil quality has not been significantly impacted by historical releases or activities at the Macedon Films Site. Most of the soil impacts are petroleum related and are along the north side of the site between the buildings and the Erie Canal spillway.
- Mobil Oil has removed petroleum contaminated soil to address historical releases associated with the former gasoline USTs and former diesel fuel ASTs, the former solvent tank, and the waste ink tank areas. In addition, Mobil Oil formerly operated a multi-phase recovery system in the former solvent tank area.
- The compounds detected in soil at concentrations that exceed soil SCGs include BTEX, PCE, PAHs,

phenols, cadmium, chromium, mercury, and selenium. The maximum detected concentration for these compounds was within one or two orders of magnitude of their respective SCGs. The number of exceedances for most of these compounds was limited to one or two samples.

- The extent of PCE in soil at the waste ink tank area is limited to one soil sample collected in 1999. This one PCE detection in soil cannot be attributed to an onsite source. PCE was not detected in any other soil samples collected from the site. PCE has not been detected in any of the soil gas or groundwater samples collected from the site. The potential for exposure to PCE in soil in the waste ink tank area is minimal because this area of the site is paved.

- The extent of mercury in soil is limited to one sample location in 1996 that is west of the former ink room in Building 6A near the front side of the site. Mercury was not detected at concentrations that exceeded its SCG in the soil samples collected from this area of the site in 1999. Therefore, the extent of mercury in soil west of the former ink room is limited in areal extent.

Groundwater Quality

- Following the 2005 RI, sufficient data has been collected to evaluate the groundwater quality and flow direction at the site. The data indicates that the groundwater quality has not been significantly impacted by historical releases or activities at the Macedon Films Site. Furthermore, the 2005 RI data indicates that the concentrations of petroleum-related compounds previously detected in groundwater have decreased over time and metals have not impacted groundwater at the site.

- Previous groundwater investigations at the site near the former gasoline USTs and diesel fuel ASTs and former solvent tank areas indicated impacts by petroleum-related VOCs and SVOCs. The only VOCs detected in 2005 groundwater samples that exceeded their groundwater standards were limited to n-propylbenzene and 1,2,4-trimethylbenzene in well MMW-3 and chloroform in well MMW-6. The only SVOC detected in 2005 groundwater samples that exceeded its groundwater standard was bis(2-ethylhexyl) phthalate in upgradient piezometer MP-1.

- Groundwater is not used for water supply at or near the site. URS was unable to confirm the presence of any water supply wells at or near the site. A municipal water supply is provided by the Monroe County Water Authority, and this supply, derived from Lake Ontario, is not affected by remaining contamination at the site.

1.4 SUMMARY OF REMEDIAL ACTIONS

Following identification, remedial actions were taken to address site contamination. Remedial actions taken at the site included the closure and removal of underground and above ground storage tanks, excavation and off-site disposal of soil contamination, operation of groundwater recovery wells, and the operation of a multiphase extraction system.

In 2009, a Supplemental Remedial Investigation ("RI") (URS, 2009) was completed to evaluate contamination remaining at the site following these remedial actions. The RI identified one area of cadmium soil contamination that remained a threat to human health given industrial land use. This soil was remediated as an interim remedial measure in 2011.

1.4.1 Supplemental Investigation

One (1) surface soil sample collected in the "courtyard area" during the Supplemental RI (URS, 2009) contained cadmium in excess of its NYSDEC Part 375 Industrial Soil Cleanup Objective (SCO). In November 2010, the NYSDEC requested that this sample location and adjacent soils be excavated and removed. This excavation was undertaken in January 2011 (Pactiv/URS, 2011a). However, cadmium was detected at a concentration exceeding the industrial soil cleanup objective (60 mg/kg) in one confirmation soil sample, SS-4- C4.

In June 2011, additional shallow soil sampling was performed in the courtyard area to further delineate cadmium contamination identified in sample SS-4-C4. A URS geologist collected 15 surface soil samples (0 to 6 inches bgs) and 3 subsurface samples (6 to 12 inches bgs). Sample locations were arranged in a grid with a spacing of approximately 2-feet.

Cadmium concentrations in surface soil samples ranged from 27.9 to 623 mg/kg. Cadmium was detected at concentrations exceeding the restricted use industrial soil cleanup objective (60 mg/kg) in 11 of 15 surface soil samples. Cadmium concentrations in the shallow subsurface soil samples (6-12 inches) ranged from 10.3 to 17.9 mg/kg, falling below the SCO.

Based on these sampling results, an interim remedial measure was implemented to remove shallow cadmium contaminated soil from the courtyard area (Pactiv/URS, 2011b). On July 11, 2011, URS completed the hand excavation of 3.2 cubic yards of soil. The soil was excavated to a depth of approximately 6 inches bgs over an area of approximately 220 square feet. Confirmation soil sampling was performed to demonstrate complete removal of cadmium contaminated soil to below the industrial soil cleanup objective. URS collected four confirmation soil samples from locations near each corner of the excavation area. The confirmation samples were submitted to Columbia Analytical Services (CAS) in Rochester, New York, for analysis of cadmium by USEPA method 6010C. Laboratory results indicate that all confirmation soil sample results were below the industrial soil cleanup objective.

Excavated soil was placed in 55-gallon open-top steel drums. URS collected a composite soil sample from the drums for waste characterization. The sample was submitted to CAS' laboratory for analysis of toxicity characteristic leaching procedure (TCLP) RCRA metals. The analysis indicated that the excavated soil contained leachable cadmium requiring disposal of the soil at a facility permitted to accept hazardous waste. The soils were removed from the site on November 9, 2011, and transported under hazardous waste manifest to the RINECO waste management facility located in Benton, Arkansas. A letter report documenting the removal of cadmium contaminated soil (Pactiv/URS, 2011b) was submitted to the NYSDEC in September 2011.

1.4.2 Remaining Contamination

Soil

Analytical results for compounds present in soil at the site are summarized in Table 1. Data are compared to the following cleanup objectives listed in Title 6 of the New York Codes, Rules and Regulations (NYCRR), Subpart 375-6.8:

- Table 375-6.8(a) — Unrestricted Use Soil Cleanup Objectives, and
- Table 375-6.8(b) — Restricted Use Soil Cleanup Objectives — Protection of Public Health, Industrial Use.

The following bullets summarize the data in comparison to the cleanup objectives:

- Various VOCs were detected at five (5) sampling points (MA-8A, MSB-01, MSB02, MSB-03 and MSB-08) at concentrations exceeding their unrestricted use criteria. No VOCs were detected at concentrations exceeding the industrial restricted use SCOs. The VOCs exceeding the unrestricted SCOs included benzene; toluene; ethylbenzene; xylenes; 1,2,4-trimethylbenzene; 1,3,5-trimethylbenze; and acetone. Acetone, detected at 57 micrograms per kilogram (ug/kg) at sampling point MSB-08 (6-8 feet bgs), is believed to be present due to laboratory contamination.
- Tetrachloroethene (PCE) was detected at a concentration of 730,000 ug/kg at sampling point MSB-04 (4-6 feet bgs) collected on October 20, 1999. This concentration exceeds both the unrestricted use objective of 1,300 ug/kg and the industrial restricted use objective of 300,000 ug/kg. To evaluate potential PCE contamination in this area, the following actions were taken:
  - In 2002, a soil gas survey was conducted in the area of the waste ink tank to evaluate the extent of the PCE detected at boring MSB-4. Five soil gas samples (SG-1 through SG-5), including one duplicate sample from location

SG-4, were collected from four locations at a depth of 5 feet bgs surrounding boring MSB-4. There were no detections of PCE in any of the soil gas samples (URS, 2002a).

- In February 2005, an additional soil boring (MSB-08) was completed at the MSB-04 location to confirm the presence of PCE detected in 1999. However, PCE was not detected in either of the two soil samples collected from MSB-08 at the 4-6 and 6-8 feet bgs intervals.

- PCE was not detected in soil gas or soil samples collected from the immediate vicinity of MSB-04. Additionally, PCE has never been detected in groundwater samples collected from the site wells. Therefore, the PCE detected in MSB-04 is considered to be anomalous, not representative of site conditions, and is not considered a concern.

- Phenol, a SVOC, was detected at a concentration of 1,100 ug/kg at sampling point MSB-01 (8-10 feet bgs). This concentration exceeds the unrestricted use objective of 330 ug/kg, but does not exceed the industrial restricted use objective of 1,000,000 ug/kg.

- Metals were detected at two (2) sampling points [MA-7A (lead and silver) and MA20 (mercury)] at concentrations exceeding their unrestricted use SCO, but not their industrial restricted use criteria.

  Cadmium, detected above the industrial restricted use criteria (60 mg/kg) in the Courtyard Area, was excavated and disposed of off-site at a permitted disposal facility. The maximum cadmium concentration detected in the confirmation soil samples, and in sample locations that were not removed during the excavation, is 47.6 mg/kg. The confirmation soil sampling documents that the soil excavation in the courtyard area completed as part of an IRM was effective at removing cadmium contaminated soil at concentrations exceeding the industrial use SCOs. The unrestricted use criterion is 2.5 mg/kg or rural background, whatever is greater. All but one (1) sample (CONF- 3-SW) collected in the courtyard area contained greater than 2.5 mg/kg of cadmium.

The soil from the remaining sampling points did not contain compounds at concentrations exceeding 6 NYCRR Subpart 375-6.8 unrestricted or restricted industrial use criteria.

Figure 5 shows the soil sampling points in relation to the site features, and reveals that the sampling points with VOC exceedances are located between Buildings 10, 11 and 12 and within the former solvent, waste ink, gasoline and diesel tank areas. Figure 5 also shows that sampling point SS-04(metals exceedances) was located in a courtyard between Building 14A and

Building 13H. The area of soil removal is indicated with a hatched pattern within the courtyard area on Figure 5.

Groundwater

The *Environmental Audit Tenneco Packaging Specialty Products, Macedon, New York* (CH2M, April 1997) and *Site Assessment and Closure of Two Chemical Bulk Storage Tanks, CBS Registration No. 8-000025, Tenneco Packaging Macedon Facility* (IT, January 1999) reports describe the results of groundwater screening completed by collecting groundwater samples from temporary groundwater wells. In these samples, metals in the aquifer upgradient and downgradient of the site facility, were detected at similar concentrations. VOCs and SVOCs were detected in the aquifer downgradient of the site facility; near Buildings 10, 11 and 12, and within the former solvent, waste ink, gasoline, and diesel tank areas.

The results of the screening study prompted further investigations using permanent monitoring wells. These investigations are documented in the *Soil and Groundwater Investigation* letter report (URS, 2000), *Remedial Investigation Report* (URS, 2005) and *Supplemental Investigation Report* (URS, 2009). The data presented in these reports was used to generate Table 2, which presents a summary of analytes detected in groundwater collected at the site since 1999, and compares these data to NYSDEC Technical & Operational Guidance Series (TOGS) (1.1.1), Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations, Class GA.

Groundwater samples from 10 monitoring wells (MMW-1 through MMW-10) and one piezometer (MP-1), shown on Figure 6, were analyzed for VOCs, SVOCs, polychlorinated biphenyls, metals and dissolved metals. Table 2 shows that no compounds were detected above their TOGS criteria in the groundwater collected from these wells in the most recent sample collected at each location. In summary:

- VOCs were detected in groundwater from monitoring well MMW-03, at concentrations exceeding their TOGS criteria, during the 11/1/1999, 3/13/2000 and 4/6/2005 monitoring events. However, during the last three monitoring events at this well (6/1/2005, 7/23/2008, and 2/11/2009), no VOCs were detected at concentrations exceeding their TOGS criteria.

- VOCs were detected in groundwater from monitoring wells MMW-06, MMW-09 and MMW-10, at concentrations exceeding their TOGS criteria, during the 7/23-24/2008 monitoring event. However,

during the last monitoring event at these wells (2/11-12/2009), no VOCs were detected at concentrations exceeding their TOGS criteria.

- SVOCs were detected in groundwater from monitoring wells MMW-02, MMW-04, MMW-05 and MP-01, at concentration exceeding their TOGS criteria, during the 1999-2000 monitoring events. However, during subsequent monitoring events at these wells, no SVOCs were detected at concentrations exceeding their TOGS criteria.

The groundwater from the remaining monitoring wells did not contain compounds at concentrations exceeding TOGS criteria.

Figure 6 shows the monitoring wells in relation to the site features, and depicts the groundwater flow direction at that site.

Soil Contamination In Relation To Groundwater Contamination

The data presented in the *Supplemental Investigation Report* (URS, 2009) show that the groundwater in wells immediately downgradient of former tank areas (MMW-02, MMW-03 and MMW-04) does not contain compounds at concentrations exceeding their TOGS criteria. These wells are screened at the same depths that the soil samples with VOC exceedances were collected, suggesting that any residual soil contamination in the former tank areas is not impacting the quality of adjoining groundwater.

The *Supplemental Investigation Report* (URS, 2009) also shows that the groundwater in the monitoring well near sampling point SS-04 (MMW-07), located within the courtyard area, does not contain compounds at concentrations exceeding their TOGS criteria, suggesting that the soil contamination in this area is not impacting the quality of adjoining groundwater.

The monitoring well network at the site was decommissioned in August 2012 in general accordance with NYSDEC's CP-43: *Groundwater Monitoring Well Decommissioning Policy* and copies of the documentation associated with the well decommissioning are attached in Appendix B.

2.0 INSTITUTIONAL CONTROL PLAN

2.1 INTRODUCTION

2.1.1 General

Since remaining contamination exists in certain identified areas at the site, Institutional Controls ("ICs") are required to protect human health and the environment. This IC Plan describes the procedures for the implementation and management of all ICs at the site. The IC Plan is one component of the SMP and is subject to revision by NYSDEC.

2.1.2 Purpose

This plan provides:

- A description of all ICs on the site;
- A description of the key components of the ICs set forth in the Environmental Easement;
- A provision for implementing an Excavation Work Plan (EWP), which describes the proper handling of remaining contamination that may be disturbed during intrusive work and developing a Health and Safety Plan (HASP), and a Community Air Monitoring Plan (CAMP) during the performance of intrusive work in those areas on the site identified in the attached Figure 7 and more particularly, on the ALTA survey attached as Appendix A; and
- Any other provisions necessary to identify or establish methods for implementing the ICs required by the site remedy.

2.2 ENGINEERING CONTROLS

The Decision Document does not require Engineering Controls to protect public health and the environment. Therefore, no Engineering Controls are included in this SMP. With no Engineering Controls, a Site Monitoring Plan and an Operation and Maintenance Plan are not necessary and are not included in this SMP.

2.3 INSTITUTIONAL CONTROLS

The Decision Document requires the imposition of an institutional control in the form of an Environmental Easement along with an existing deed restriction for the site that:

a) requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional controls in accordance with Part 375-1.8 (h)(3);

b) allows the use and development of the site for industrial use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;

c) prohibits agriculture or vegetable gardens on the site; and

d) requires compliance with the Department approved Site Management Plan.

The Environmental Easement that was recorded in the Wayne County Clerk's Office on October 18, 2013 as Instrument No. R9155974 with original survey map filed as M030576 provides for the foregoing Institutional Controls. Adherence to these Institutional Controls on the site is required by the Environmental Easement and will be implemented under this SMP by the site owner. These Institutional Controls are binding on the site owner and its successors and assigns.

Institutional Controls identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement.

2.3.1 Excavation Work Plan

The site has been remediated for industrial use. Figure 7, and more particularly the ALTA survey (Appendix A), show three areas where some soil contamination exceeding the unrestricted use cleanup criteria remains in place, referred to in this SMP as the "remaining contamination." Any future intrusive work within these areas will be performed in compliance with the Excavation Work Plan (EWP) that is attached as Appendix C to this SMP.

Any work conducted pursuant to the EWP must also be conducted in accordance with the procedures defined in a Health and Safety Plan (HASP) and Community Air Monitoring Plan (CAMP) prepared for the site. Requirements for developing a HASP in compliance with DER-10, and 29 CFR 1910, 29 CFR 1926, and other applicable Federal, State and local regulations is attached as Appendix D to this SMP and a copy of the standard NYSDEC CAMP is contained in Appendix E.

The actual HASP and CAMP to be submitted with the notification provided in Section C-1 of the EWP shall reflect any future changes to State and federal health and safety requirements, and specific methods employed by future contractors. Any intrusive work within the identified areas of remaining contamination will be performed in compliance with the EWP and work-specific HASP and CAMP.

2.4 INSPECTIONS AND NOTIFICATION

2.4.1 Inspections

A comprehensive site-wide inspection will be conducted annually by the site owner, regardless of the frequency of the Periodic Review Report. The inspections will determine and document the following:

- If the institutional controls continue to be protective of human health and the environment;
- Compliance with requirements of this SMP and the Environmental Easement; and
- If site records are complete and up to date.

The reporting requirements are outlined in the Periodic Review Reporting section of this plan (Section 3.3).

2.4.2 Notifications

Notifications will be submitted by the site owner to the NYSDEC as needed for the following reasons:

- A 60-day advance notice will be submitted by the site owner to the NYSDEC as needed for any proposed changes in site use in accordance with 6 NYCRR Part 375 and the Environmental Conservation Law.
- A 7-day advance notice to the NYSDEC of any proposed intrusive work covered by the EWP.

Any change in the ownership of the site or the responsibility for implementing this SMP will include the following notifications:

- At least 60 days prior to the change, the NYSDEC will be notified in writing of the proposed change. This will include a certification that the prospective purchaser has been provided a copy of the BCA and the Environmental Easement.
- Within 15 days after the transfer of all or part of the site, the new owner's name, contact representative, and contact information will be confirmed in writing.

2.5 CONTINGENCY PLAN

The selected remedy consists of implementing ICs specified in the Environmental Easement. There is little possibility of any environmentally related situation or unplanned occurrence related to the remaining contamination. If an unplanned occurrence that is related to environmental or safety issues associated with the remaining contamination were to arise during

onsite activities related to the SMP, prompt contact should be made to appropriate emergency response personnel and appropriate project personnel. Emergency contact numbers are listed on Table 3 below. This list will be posted prominently at the site during onsite activities and made readily available to all personnel at all times.

Table 3: Emergency Telephone Numbers and Contact Information for Key Personnel

Name	Affiliation	Address	Phone/Fax/Email	Function
Nick Damico	Berry Global	200 East Main Street Macedon, NY 14502	315.986.6298 nickdamico @berryglobal.com	Plant Manager
Nicole McCool	Berry Global	200 East Main Street Macedon, NY 14502	315.986.6033 nicolemccool @berryglobal.com	Environmental Manager
Ghassan Dughaish	Berry Global	101 Oakley Street Evansville, IN 47710	812.306.2437 ghassandughaish @berryglobal.com	Environmental Director
Charles Gregory	NYSDEC	625 Broadway Albany, New York 12233-7017	518.402.9814 charles.gregory @dec.ny.gov	NYSDEC Project Manager

- Contact numbers are subject to change and should be updated as necessary.

Name	Phone
Medical, Fire, and Police:	911
One Call Center:	(800) 272-4480 (3 day notice required for utility markout)
Poison Control Center:	(800) 222-1222
Pollution Toxic Chemical Oil Spills:	(800) 424-8802
NYSDEC Spills Hotline:	(800) 457-7362
Rochester General Hospital:	(585) 922-4000

The directions to the nearest hospital facility are shown on Figure 8. Information regarding this facility is presented below:

Site Location: 112 East Main Street, Macedon, New York

Nearest Hospital: Rochester General Hospital

Hospital Location: 1425 Portland Avenue, Rochester, New York.

Hospital Phone No.: 585-922-4000

Directions to Hospital:

1) Head southwest on NY-31 West (West Main Street) toward Erie Street North. Go 9.6 miles.

2) Take the ramp onto I-490 West. Go 5.6 miles.

3) Take Exit 21 for NY-590 North. Go 0.1 miles.

4) Keep right at fork, follow signed for I-590 South and merge onto I-590 North. Go 3.8 miles.

5) Take Exit 10A to merge onto NY-104 West. Go 1.4 miles.

6) Take the exit toward Goodman Street/Portland Avenue. Go 0.1 miles.

7) Merge onto NY-104 Service Road West. Go 0.6 miles.

8) Turn left onto County Road 114/Portland Avenue. The hospital will be on the right. Go 0.2 miles.

Total Distance: 21.4 miles

Total estimated Time: 27 minutes

As appropriate, the fire department and other emergency response group will be notified immediately by telephone of the emergency. The emergency telephone number list is found at the

beginning of this Contingency Plan (Table 3). The list will also be posted prominently at the site and made readily available to all personnel at all times.

3.0 INSPECTIONS, REPORTING AND CERTIFICATIONS

3.1 SITE INSPECTIONS

3.1.1 Inspection Frequency

A site-wide inspection will be conducted annually.

3.1.2 Inspection Forms

A general site-wide inspection form will be completed during the site-wide inspection (see Appendix F). This form is subject to NYSDEC revision.

All applicable inspection forms and other records generated for the site during the reporting period will be provided in electronic format in the Periodic Review Report.

3.1.3 Evaluation of Records and Reporting

The results of the inspection will be evaluated as part of the IC certification to confirm that the:

- ICs are in place, are performing properly, and remain effective;
- The site remedy continues to be protective of public health and the environment and is performing as designed in the RAWP and FER

3.2 CERTIFICATION OF INSTITUTIONAL CONTROLS

The person completing the Annual Certification on behalf of the site owner must certify that all of the following statements are true:

- The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3);
- The institutional controls employed at this site:

  (i) are in-place;

  (ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

  (iii) that nothing has occurred that would impair the ability of such controls to protect the public health and environment; unchanged from the date the control was put in place, or last approved by the NYSDEC;

- Nothing has occurred that would constitute a violation or failure to comply with the site management plan for this control;
- Access to the site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control;
- Use of the site is compliant with the environmental easement;
- the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;
- to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices;
- The information presented in the report is accurate and complete; and.
- All information and statements in the certification form are true and that if a false statement is made, it is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

The signed certifications will be included in the Periodic Review Report described below for the applicable reporting period. The initial annual certification will be done for calendar year 2013 and each annual certification shall be prepared within sixty (60) days after the end of the previous calendar year.

3.3 PERIODIC REVIEW REPORT

A Periodic Review Report will be submitted to the NYSDEC by the site owner beginning 18 months after the date of issuance of the Certificate of Completion and then once every three years thereafter. In the event that the site is subdivided into separate parcels with different ownership, a single Periodic Review Report will be prepared that addresses the site described in the recorded Environmental Easement, a copy of which is provided in Appendix A. The report will be prepared in accordance with NYSDEC DER-10 and submitted within 45 days of the end of each certification period.

The report will include:

- Identification, assessment and certification of all ICs required bythe remedy for the site;
- Results of the required annual site inspections;
- All applicable inspection forms and other records generated for the site during the reporting period in

electronic format; and

- Any recommendations regarding any necessary changes to the remedy identified in the Decision Document.

The Periodic Review Report will be submitted, in hard-copy format, to the NYSDEC Central Office and Regional Office in which the site is located, and in electronic format to NYSDEC Central Office, Regional Office and the NYSDOH Bureau of Environmental Exposure Investigation.

According to DER-10, the site owner may certify the periodic review report because the certification for this site relates solely to land or groundwater restrictions (i.e. there are no engineering controls and/or monitoring)

3.4 CORRECTIVE MEASURES PLAN

If the periodic certification cannot be provided due to the failure of an institutional control, a corrective measures plan will be submitted by the site owner to the NYSDEC for approval. This plan will explain the failure and provide the details and schedule for performing work necessary to correct the failure. Unless an emergency condition exists, no work will be performed pursuant to the corrective measures plan until it is approved by the NYSDEC.

4.0 REFERENCES

CH2M Hill, 1997. *Environmental Audit Tenneco Packaging Specialty Products, Macedon, New York,* April.

Haley & Aldrich of New York, 1995. *Soil-Gas Survey Building 10 Courtyard Storm Drain No. 93 Area, Mobil Chemical Company, Macedon, New York,* January.

International Technology Corporation, 1999. *Site Assessment and Closure of Two Chemical Bulk Storage Tanks, CBS Registration No. 8-000025, Tenneco Packaging Macedon Facility,* January.

IT Corporation, 1998. *Summary of Environmental Issues and Investigation Plan, Tenneco Packaging Macedon Plant,* July.

Pactiv/URS, 2011a. *Cadmium Contaminated Soil Investigation at Macedon Films Site, Brownfield Cleanup Program #B8-0669-04-06, Site I.D.* C859025. Letter from Mr. Marcus Merriman (Pactiv Corporation) to Mr. Jason Pelton (NYSDEC), February.

Pactiv/URS, 2011b. *Cadmium Contaminated Soil Investigation and Excavation at the Macedon Films Site, Brownfield Cleanup Program #B8-0669-04-06, Site I.D.* C859025. Letter from Mr. Marcus Merriman (Pactiv Corporation) to Mr. Jason Pelton (NYSDEC), September.

Wayne County, January 2001. *Bargain and Sale Deed with Covenant Against Grantor's Acts (Macedon)* between Pactiv Corporation and Carlisle Plastics, L.P.

United States Environmental Protection Agency (USEPA), 1992. *Environmental Priority Initiative Preliminary Assessment, Mobil Chemical Company, Macedon Packaging,* June.

URS Corporation (URS), 1999. *SPDES Investigation Report,* August.

URS, 2000. *Soil and Groundwater Investigation for Pactiv Macedon, New York,* August.

URS, 2002a. *Revised Water Table Maps Soil Gas Survey Former Pactiv Facility Macedon, New York,* September.

URS, 2002b. *SWMU Questionnaire for Macedon, NY,* October.

URS, 2005. *Remedial Investigation Report* for the Pactiv Corporation-Macedon Films Site, November.

URS, 2009. *Supplemental Investigation Report* for the Pactiv Corporation-Macedon Films Site, June

Attachment 2 – Remedial Investigation Report – excerpt

RE: Berry MCDN BCP - PRR draft additional documentation and questions

Haugh, Joshua G (DEC) to: NicoleMcCool@berryplastics.com 07/01/2015 11:04 AM

Cc: "NickDamico@berryplastics.com" Show Details

History: This message has been replied to.

1 attachment

Report.BCP.C859025.2009-06-04.SupplementalInvestigation.Rpt.pdf

Nicole,

As of the date you're certifying, if the ICs are in place and you have an inspection representing that certification period (you do), then you can go ahead and sign as the owner representative. Your name, title and corporate contact information should suffice to demonstrate that you representing the owner.

The Department has the November 2013 SMP on file already. When you update the SMP (update site contact information), send me the revised document and I'll update the file.

For the purposes of responding to box 2A, questions 8-9, the qualitative exposure assessment you provided from the RI is suitable. As requested, I've attached the 2009 Supplemental Investigation report for your files.

The site acreage in the Department's system is 8.95. The PRR form is auto-generated and it is probably rounding the acreage to 9.0. For the purposes of the PRR, this does not need to be addressed further.

I believe I've responded to all of your questions but let me know if that isn't the case. Please submit your PRR with the certification as one file. Send the revised SMP (based on the revisions you are recommending in the PRR) at the same time.

Thanks,

Josh Haugh

NYSDEC
DER Bureau E

Berry

PACTIV
Advanced Packaging Solutions

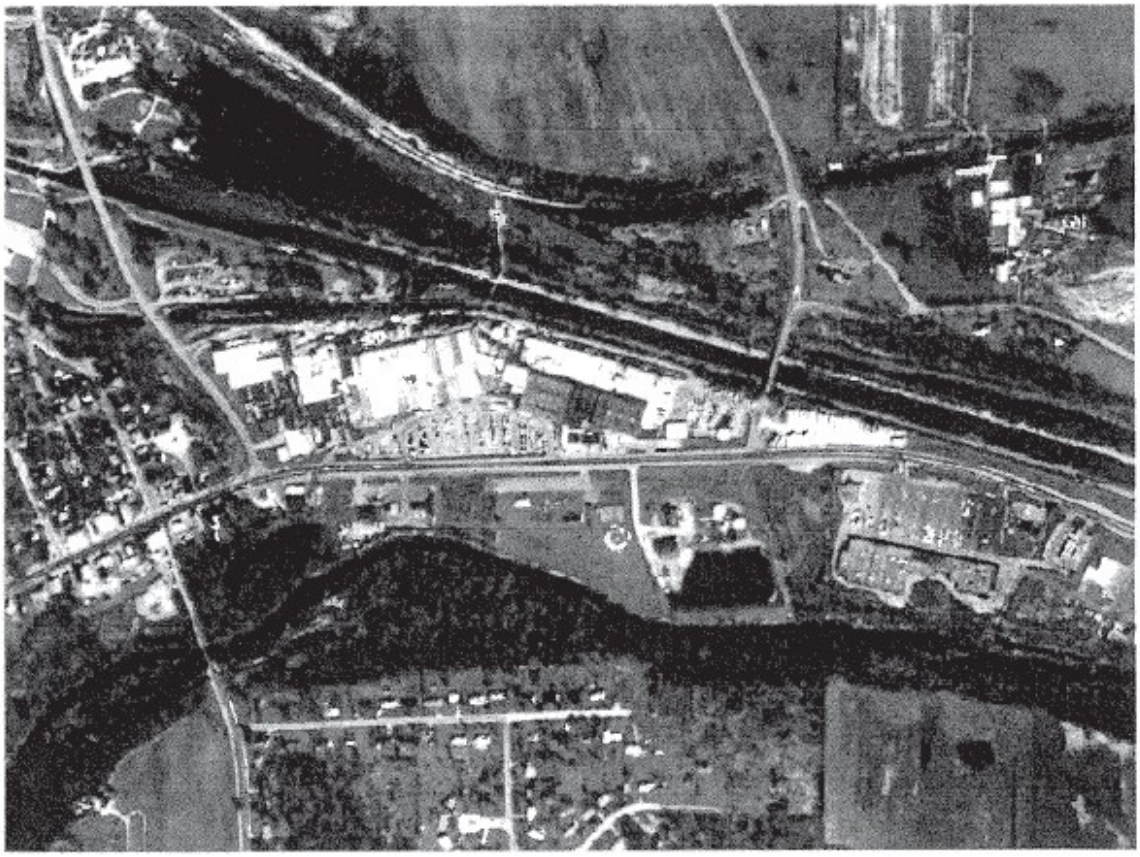
PACTIV CORPORATION

MACEDON FILMS SITE
MACEDON, NEW YORK

REMEDIAL INVESTIGATION REPORT

NOVEMBER 28, 2005

Site # C859025
Index # B8-0669-04-06



Prepared For:
Pactiv Corporation
Canandaigua, New York

URS
URS Corporation - New York
28 Corporate Drive, Suite 200
Clifton Park, New York 12065

- Soil with TPH and metals impacts that exceed RSCOs was found near the two former 1,000-gallon fuel oil ASTs near the east side of Building 12. The source of these impacts is attributed to incidentals spills associated with the former fuel oil ASTs.

- SVOCs (PAHs) were detected at concentrations that exceed RSCOs near the former methyl ethyl alcohol AST north of Building 10. The area is generally within the same area as the former solvent tank area. The same PAHs were detected in soil in the former solvent tank area.

- Soil with TPH impacts was found near the area where lube oil drums were previously stored near the fire tank. The source of the impacts is attributed to incidental spills associated with the lube oil drums.

- No impacts were detected in the soil near the former UST between the fire tank and the cooling tower.

- The easternmost detection of TPH in soil at the site was found near the area where a former electrical transformer was located east of the cooling tower. No PCBs were detected in the soil. The source of TPH (less than 50 mg/kg) in the soil at this location is not known. Petroleum-related compounds have not been detected in nearby well MMW-6 or downgradient well MMW-5.

- Metals (chromium and selenium) were found in soil at concentrations that exceed RSCOs near the area where a former underground fuel line ran between Building 10 and Building 12. This area is immediately east of the waste ink tank area where these metals have also been detected at concentrations that exceed RSCOs.

- No impacts were detected in soil near the location of three former MEK ASTs near the west side of Building 34.

- No impacts were detected in soil near the location of a former gasoline AST that was east of Building 34.

7.2.8 Former Glycol AST near Building 1

The soil quality near the location of the former glycol AST was investigated in 1996 and no impacts were found. No further investigation in this area of the site is warranted.

7.3 EXPOSURE POTENTIAL

The potential for exposure to the compounds detected in soil and groundwater at the site is minimal. Most of the site is paved or is covered by the buildings. Therefore, direct contact with the site soil or groundwater is unlikely. Furthermore, deed restrictions at the Macedon Films Site prohibit the use of groundwater beneath the site as drinking water.

There are no drinking water supply wells at the site and there are no confirmed water supply wells in Macedon according to the Macedon Water Department or the NYSDOH Source Water Assessment database. The groundwater beneath the site is influenced by flow within the canal, which is controlled by the New York State Thruway Authority. As the water level in the canal changes seasonally, groundwater may migrate into the canal at various locations along the Erie Canal spillway.

The canal spillway and the canal are not used as drinking water sources. Recreational users (fishermen) of the canal spillway have the potential for direct contact with the sediment and surface water within the canal spillway. Because the water level in the canal is not maintained around the year, the canal is not likely to be considered a sensitive ecological habitat for aquatic communities.

In summary, the human health and ecological risks associated with the soil and groundwater quality at the site are anticipated to be minimal based on the limited potential for contact with the site soil and groundwater.

Attachment 3 IC/EC Certification Form

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Environmental Remediation
625 Broadway, 11th Floor, Albany, NY 12233-7020
P: (518)402-9543 | F: (518)402-9547
www.dec.ny.gov

5/2/2018

Jason K. Greene, Esq.
Executive Vice President - General Counsel
Berry Plastics Corporation
101 Oakley Street
Evansville, IN 47706

Re: Reminder Notice: Site Management Periodic Review Report and IC/EC Certification Submittal
Site Name: Macedon Films
Site No.: C859025
Site Address: 112 Main Street
Macedon, NY 14502-

Dear Jason K. Greene, Esq.:

This letter serves as a reminder that sites in active Site Management (SM) require the submittal of a periodic progress report. This report, referred to as the Periodic Review Report (PRR), must document the implementation of, and compliance with, site specific SM requirements. Section 6.3(b) of DER-10 *Technical Guidance for Site Investigation and Remediation* (available online at http://www.dec.ny.gov/regulations/67386.html) provides guidance regarding the information that must be included in the PRR. Further, if the site is comprised of multiple parcels, then you as the Certifying Party must arrange to submit one PRR for all parcels that comprise the site. The PRR must be received by the Department no later than **July 15, 2018**. Guidance on the content of a PRR is enclosed.

Site Management is defined in regulation (6 NYCRR 375-1.2(at)) and in Chapter 6 of DER-10. Depending on when the remedial program for your site was completed, SM may be governed by multiple documents (e.g., Operation, Maintenance, and Monitoring Plan; Soil Management Plan) or one comprehensive Site Management Plan.

A Site Management Plan (SMP) may contain one or all of the following elements, as applicable to the site: a plan to maintain institutional controls and/or engineering controls ("IC/EC Plan"); a plan for monitoring the performance and effectiveness of the selected remedy ("Monitoring Plan"); and/or a plan for the operation and maintenance of the selected remedy ("O&M Plan"). Additionally, the technical requirements for SM are stated in the decision document (e.g., Record of Decision) and, in some cases, the legal agreement directing the remediation of the site (e.g., order on consent, voluntary agreement, etc.).

When you submit the PRR (by the due date above), include the enclosed forms documenting that all SM requirements are being met. The Institutional Controls (ICs) portion of the form (Box 6) must be signed by you or your designated representative. If you cannot certify that all SM requirements are being met, you must submit a Corrective Measures Work Plan that identifies the actions to be taken to restore compliance. The work plan must include a schedule to be approved by the Department. The Periodic Review process will not be considered complete until all necessary corrective measures are completed and all required controls are certified. Instructions for completing the certifications are enclosed.

All site-related documents and data, including the PRR, are to be submitted in electronic format to the Department of Environmental Conservation. The Department will not approve the PRR unless all documents and data generated in support of that report have been submitted in accordance with the electronic submissions protocol. In addition, the certification forms are required to be submitted in both paper and electronic formats.

Information on the format of the data submissions can be found at:
http://www.dec.ny.gov/regulations/2586.html

The signed certification forms should be sent to Charles Gregory, Project Manager, at the following address:

New York State Department of Environmental Conservation
Division of Environmental Remediation, BURE
625 Broadway
Albany, NY 12233-7017

Phone number: 518-402-8246. E-mail: charles.gregory@dec.ny.gov

The contact information above is also provided so that you may notify the project manager about upcoming inspections, or for any other questions or concerns that may arise in regard to the site.

Enclosures

PRR General Guidance
Certification Form Instructions
Certification Forms

Pactiv LLC

ec: w/ enclosures
Charles Gregory, Project Manager
Bernette Schilling, Hazardous Waste Remediation Engineer, Region 8

Enclosure 1

Certification Instructions

I. Verification of Site Details (Box 1 and Box 2):

Answer the three questions in the Verification of Site Details Section. The Owner and/or Qualified Environmental Professional (QEP) may include handwritten changes and/or other supporting documentation, as necessary.

II. Certification of Institutional Controls/ Engineering Controls (IC/ECs)(Boxes 3, 4, and 5)

1.1.1. Review the listed IC/ECs, confirming that all existing controls are listed, and that all existing controls are still applicable. If there is a control that is no longer applicable the Owner / Remedial Party should petition the Department separately to request approval to remove the control.

2. In Box 5, complete certifications for all Plan components, as applicable, by checking the corresponding checkbox.

3. If you cannot certify "YES" for each Control listed in Box 3 & Box 4, sign and date the form in Box 5. Attach supporting documentation that explains why the **Certification** cannot be rendered, as well as a plan of proposed corrective measures, and an associated schedule for completing the corrective measures. Note that this **Certification** form must be submitted even if an IC or EC cannot be certified; however, the certification process will not be considered complete until corrective action is completed.

If the Department concurs with the explanation, the proposed corrective measures, and the proposed schedule, a letter authorizing the implementation of those corrective measures will be issued by the Department's Project Manager. Once the corrective measures are complete, a new Periodic Review Report (with IC/EC Certification) must be submitted within 45 days to the Department. If the Department has any questions or concerns regarding the PRR and/or completion of the IC/EC Certification, the Project Manager will contact you.

III. IC/EC Certification by Signature (Box 6 and Box 7)**:**

If you certified "YES" for each Control, please complete and sign the IC/EC Certifications page as follows:

- For the Institutional Controls on the use of the property, the certification statement in Box 6 shall be completed and may be made by the property owner or designated representative.

- For the Engineering Controls, the certification statement in Box 7 must be completed by a Professional Engineer or Qualified Environmental Professional, as noted on the form.

Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form

Site Details **Box 1**

Site No. **C859025**

Site Name Macedon Films

Site Address: 112 Main Street Zip Code: 14502-
City/Town: Macedon
County: Wayne
Site Acreage: 9.0 * (*Rounded 8.95 as noted 2015)

Reporting Period: June 15, 2015 to June 15, 2018

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

Box 2

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

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

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

Signature of Owner, Remedial Party or Designated Representative Date

Box 2A

	YES	NO
8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?	☐	☒

If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.

9. Are the assumptions in the Qualitative Exposure Assessment still valid? (The Qualitative Exposure Assessment must be certified every five years)	☒	☐

If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.

SITE NO. C859025 **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
62111-08-948968	Berry Plastics Corporation	Landuse Restriction Site Management Plan IC/EC Plan

Imposition of an institutional control in the form of an environmental easement along with an existing deed restriction for the controlled property that:
a) requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional controls in accordance with Part 375-1.8 (h)(3);
b) allows the use and development of the controlled property for industrial use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
c) prohibits agriculture or vegetable gardens on the controlled property; and
d) requires compliance with the Department approved Site Management Plan.

A Site Management Plan is required, which includes the following:
a) an Institutional Control Plan that identifies all use restrictions for the site and details the steps and media-specific requirements necessary to ensure the following institutional controls remain in place and effective:
Institutional Controls: The Environmental Easement discussed above.
This plan includes, but may not be limited to:
(i) an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
(ii) descriptions of the provisions of the environmental easement including any land use restrictions;
(iii) maintaining site access controls and Department notification; and
(iv) the steps necessary for the periodic reviews and certification of the institutional controls.

Box 4

Description of Engineering Controls

None Required

Not Applicable/No EC's

Box 5

Periodic Review Report (PRR) Certification Statements

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

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

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

YES	NO
☒	☐

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

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

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

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

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

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

YES	NO
☒	☐

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

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

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. C859025

Box 6

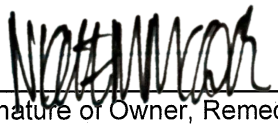
SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

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

I NICOLE MCCOOL (print name) at 200 MAIN STREET, MACEDON NY 14502 (print business address),

am certifying as OWNER (Owner or Remedial Party)

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



DESIGNATED REPRESENTATIVE — Signature of Owner, Remedial Party, or Designated Representative Rendering Certification

10JUL2018 — Date

Enclosure 3
Periodic Review Report (PRR) General Guidance

I. Executive Summary: (1/2-page or less)
   A. Provide a brief summary of site, nature and extent of contamination, and remedial history.
   B. Effectiveness of the Remedial Program - Provide overall conclusions regarding;
      1. progress made during the reporting period toward meeting the remedial objectives for the site
      2. the ultimate ability of the remedial program to achieve the remedial objectives for the site.
   C. Compliance
      1. Identify any areas of non-compliance regarding the major elements of the Site Management Plan (SMP, i.e., the Institutional/Engineering Control (IC/EC) Plan, the Monitoring Plan, and the Operation & Maintenance (O&M) Plan).
      2. Propose steps to be taken and a schedule to correct any areas of non-compliance.
   D. Recommendations
      1. recommend whether any changes to the SMP are needed
      2. recommend any changes to the frequency for submittal of PRRs (increase, decrease)
      3. recommend whether the requirements for discontinuing site management have been met.

II. Site Overview (one page or less)
   A. Describe the site location, boundaries (figure), significant features, surrounding area, and the nature and extent of contamination prior to site remediation.
   B. Describe the chronology of the main features of the remedial program for the site, the components of the selected remedy, cleanup goals, site closure criteria, and any significant changes to the selected remedy that have been made since remedy selection.

III. Evaluate Remedy Performance, Effectiveness, and Protectiveness
   Using tables, graphs, charts and bulleted text to the extent practicable, describe the effectiveness of the remedy in achieving the remedial goals for the site. Base findings, recommendations, and conclusions on objective data. Evaluations and should be presented simply and concisely.

IV. IC/EC Plan Compliance Report (if applicable)
   A. IC/EC Requirements and Compliance
      1. Describe each control, its objective, and how performance of the control is evaluated.
      2. Summarize the status of each goal (whether it is fully in place and its effectiveness).
      3. Corrective Measures: describe steps proposed to address any deficiencies in ICECs.
      4. Conclusions and recommendations for changes.
   B. IC/EC Certification
      1. The certification must be complete (even if there are IC/EC deficiencies), and certified by the appropriate party as set forth in a Department-approved certification form(s).

V. Monitoring Plan Compliance Report (if applicable)
   A. Components of the Monitoring Plan (tabular presentations preferred) - Describe the requirements of the monitoring plan by media (i.e., soil, groundwater, sediment, etc.) and by any remedial technologies being used at the site.
   B. Summary of Monitoring Completed During Reporting Period - Describe the monitoring tasks actually completed during this PRR reporting period. Tables and/or figures should be used to show all data.
   C. Comparisons with Remedial Objectives - Compare the results of all monitoring with the remedial objectives for the site. Include trend analyses where possible.
   D. Monitoring Deficiencies - Describe any ways in which monitoring did not fully comply with the monitoring plan.
   E. Conclusions and Recommendations for Changes - Provide overall conclusions regarding the monitoring completed and the resulting evaluations regarding remedial effectiveness.

VI. Operation & Maintenance (O&M) Plan Compliance Report (if applicable)
   A. Components of O&M Plan - Describe the requirements of the O&M plan including required activities, frequencies, recordkeeping, etc.
   B. Summary of O&M Completed During Reporting Period - Describe the O&M tasks actually completed during this PRR reporting period.
   C. Evaluation of Remedial Systems - Based upon the results of the O&M activities completed, evaluated

the ability of each component of the remedy subject to O&M requirements to perform as designed/expected.

D. O&M Deficiencies - Identify any deficiencies in complying with the O&M plan during this PRR reporting period.

E. Conclusions and Recommendations for Improvements - Provide an overall conclusion regarding O&M for the site and identify any suggested improvements requiring changes in the O&M Plan.

VII. Overall PRR Conclusions and Recommendations

A. Compliance with SMP - For each component of the SMP (i.e., IC/EC, monitoring, O&M), summarize;
   1. whether all requirements of each plan were met during the reporting period
   2. any requirements not met
   3. proposed plans and a schedule for coming into full compliance.

B. Performance and Effectiveness of the Remedy - Based upon your evaluation of the components of the SMP, form conclusions about the performance of each component and the ability of the remedy to achieve the remedial objectives for the site.

C. Future PRR Submittals
   1. Recommend, with supporting justification, whether the frequency of the submittal of PRRs should be changed (either increased or decreased).
   2. If the requirements for site closure have been achieved, contact the Departments Project Manager for the site to determine what, if any, additional documentation is needed to support a decision to discontinue site management.

VIII. Additional Guidance

Additional guidance regarding the preparation and submittal of an acceptable PRR can be obtained from the Departments Project Manager for the site.