

# BROWNFIELD CLEANUP PROGRAM DECISION DOCUMENT

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## **Cahoon Parcel Site Wolcott, New York Site No. C859026 August, 2010**

### **Statement of Purpose and Basis**

This Brownfield Cleanup Program (BCP) Decision Document presents the remedy identified by the Department of Environmental Conservation (Department) for the Cahoon Parcel site. The remedial program was chosen in accordance with Article 27 Title 14 of the New York State Environmental Conservation Law and the 6 NYCRR375 regulations relative to the BCP.

### **Description of the Site**

The Cahoon Parcel site is located at 11863 Orchard Street in an industrial/commercial area of the Village of Wolcott, Wayne County. The site is approximately 1.24 acres in size and is 300 feet east and 100 feet north of the intersection of Orchard Street with West Port Bay Road. The property is currently vacant. The applicant intends to develop the property for commercial use.

The site is surrounded by an industrial manufacturing facility to the north, a cold storage warehouse to the East, the Wolcott volunteer fire department to the west, and an empty parcel to the south.

The site is currently vacant but was reportedly used in the 1930s to 1950s as a gladiolus growing operation. These operations are the suspected source of identified Mercury contamination in surface soils due the use of Mercury based fungicides.

This property was accepted into the Brownfield Cleanup Program (BCP) on October 23, 2006 with the signing of a Brownfield Cleanup Agreement.

As of this update, completed investigations include; Phase II Environmental Site Assessment (2004) and BCP Remedial Investigation (2007).

### **Nature and Extent of Contamination**

The primary contaminant of concern at the site is Mercury in surface and subsurface soils.

Investigations of the property, including both soil and groundwater, have identified Mercury contaminated soils. This contamination has been attributed to the historic use of insecticides and fungicides by a former greenhouse operation. The extent of contamination is primarily limited to shallow soils (0-2 foot depth) and ranges up to 167 ppm of total mercury. The highest levels of mercury contamination have been identified in the northwestern and eastern-central areas of the property. See attached Figure.

Mercury exceeds standards, criteria, and guidance in surface soils. The proposed future use of the site is commercial. The applicable remedial soil cleanup objective is the 6NYCRR Part 375-6.8 Restricted Use Soil Cleanup Objective for the Protection of Public Health, Commercial Use, is 2.8 ppm. Eleven soil samples have been identified as exceeding this objective in the top two feet of soil during the two previous investigations.

Contamination identified by the Remedial Investigation of this site represents a significant threat to public health and the environment, requiring a remedial program for the site to address the contamination identified below.

**Nature of contamination:**

Mercury in surface and subsurface soils reportedly related to the historic use of fungicides on the property.

**Extent of contamination:**

Source areas/Waste disposal – Mercury contamination in surface and subsurface soils was identified in two areas of concern, AOC #1A in the east-central section of the site, and AOC #1B in the northwestern section of the site. AOC #1A is approximately 70 ft by 90 ft by 2 ft deep and AOC #1B is 40 ft by 70 ft by 2 ft deep. The AOCs are shown in the attached Figure.

Surface soil - Mercury contamination above the soil cleanup objective at one location within AOC 1A (SS-01) and one location within AOC 1B (SS-12).

Subsurface soil – Mercury contamination above the soil cleanup objective at two locations within AOC 1A (SB-01, 02) and four locations within AOC 1B (SB-08, 24, 25, 26).

Groundwater - no impact to groundwater from the COCs has been identified.

The remedy will address surface and subsurface soil contamination due to Mercury.

**Description of the Remedy**

Based on the results of the Alternatives Analysis and the criteria identified for evaluation of alternatives, the NYSDEC has selected a Track 2 cleanup for this BCP site. The components of the remedy set forth in the Remedial Work Plan and shown on the attached Figure are as follows:

1. Mercury contaminated soils found at a depth of 0 to 2 feet within the boundaries of AOCs 1A and 1B are to be excavated and disposed off-site at an approved facility. The total excavated soil is expected to be approximately 450 cubic yards from AOC 1A and 200 cubic yards from AOC 1B.
2. The excavated areas will be backfilled with clean soil. The top six inches of soil must be of sufficient quality to support vegetation. Clean soil is soil that is tested and meets the Division of Environmental Remediation's criteria for backfill or local site background.
3. The site to be graded to promote drainage.
4. To maximize the net environmental benefit, Green remediation and sustainability efforts are considered in the design and implementation of the remedy to the extent practicable, including;
  - reducing green house gas emissions
  - conserve natural resources
  - increase recycling and reuse of clean materials
  - utilize native species and discourage invasive species establishment during restoration

5. Imposition of an institutional control in the form of an environmental easement 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 and engineering controls in accordance with Part 375-1.8 (h)(3).

(b) land use is subject to local zoning laws, the remedy allows the use and development of the controlled property for

residential use  restricted residential use  commercial use  industrial use

(c) prohibits agriculture or vegetable gardens on the controlled property;

(d) requires compliance with the Department approved Site Management Plan;

6. Since the remedy results in contamination remaining at the site that does not allow for unrestricted use, a Site Management Plan is required, which includes the following:

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

Institutional Controls: The Environmental Easement discussed in Paragraph 5 above.

This plan includes, but may not be limited to:

- (i) Soil Management 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; and
- (iii) the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls;

### **Declaration**

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action and will allow for the identified use of the site. This remedy utilizes permanent solutions and alternative treatment to the maximum extent practicable, and satisfies the preference for remedies that reduce remove or otherwise treat or contain sources of contamination and protection of groundwater.

Date

10/5/10

Coordinator

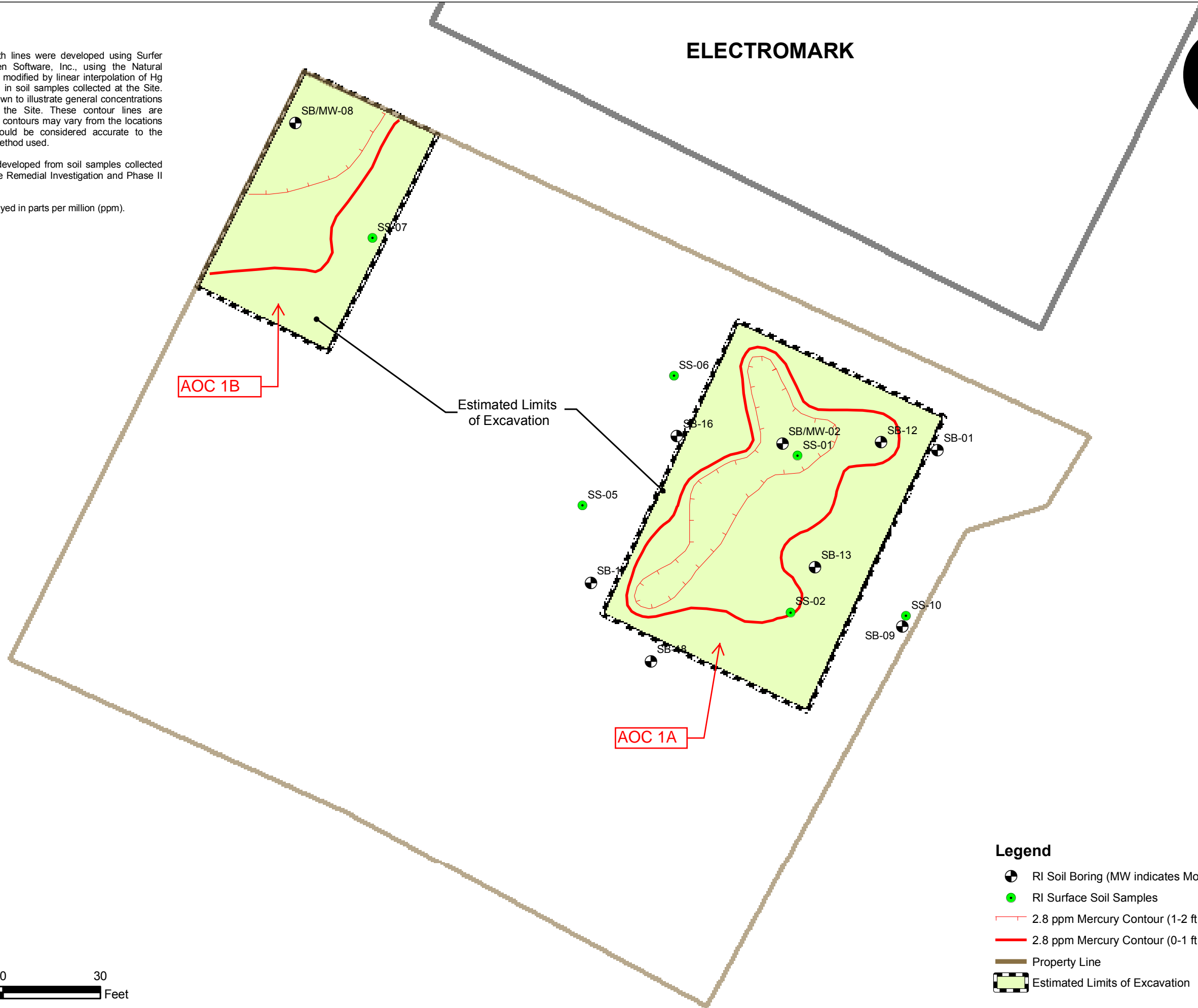
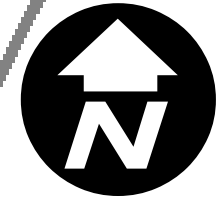
Remedial Bureau E

Division of Environmental Remediation

Note:

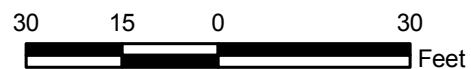
1. Mercury (Hg) isopleth lines were developed using Surfer version 8.05 by Golden Software, Inc., using the Natural Neighbor algorithm and modified by linear interpolation of Hg concentrations detected in soil samples collected at the Site. These contours are shown to illustrate general concentrations of Hg in the soil at the Site. These contour lines are approximate and actual contours may vary from the locations shown. This data should be considered accurate to the degree implied by the method used.
2. Contour lines were developed from soil samples collected and analyzed during the Remedial Investigation and Phase II ESA.
3. Concentrations displayed in parts per million (ppm).

# ELECTROMARK



**Legend**

- RI Soil Boring (MW indicates Monitoring Well)
- RI Surface Soil Samples
- 2.8 ppm Mercury Contour (1-2 ft BGS)
- 2.8 ppm Mercury Contour (0-1 ft BGS)
- Property Line
- Estimated Limits of Excavation



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DRAWING TITLE  
PROPOSED REMEDIAL ACTION  
PLAN - ALTERNATIVE D

ISSUED FOR: FINAL  
DATE: 5/12/2010

DESIGNED BY: MFP  
DRAWN BY: MFP/RCN  
REVIEWED BY: RM

PROJECT/DRAWING NUMBER

209491

FIGURE 5