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November 9, 2009

Mr. Frank Sowers
Project Manager
New York State Department of Environmental Conservation
Region 8 – Division of Environmental Remediation
6274 East Avon-Lima Road
Avon, NY 14414

Subject: **VCA Index # B8-0508-97-02**
Former Taylor Instrument Facility
October 2009 Progress Report
MACTEC Project 3031-05-2006-08

Dear Mr. Sowers:

In accordance with Section II of the Taylor VCA, attached please find the October 2009 progress report.

Should you have any questions, please contact me at (865) 588-8544 or RARyan@mactec.com.

Sincerely,

MACTEC Engineering and Consulting, Inc.

A handwritten signature in blue ink, appearing to read "Ricky A. Ryan".

Ricky A. Ryan, P.E.
Sr. Principal Project Manager
[960]

A handwritten signature in blue ink, appearing to read "K. Joe Deatherage".
K. Joe Deatherage *with permission*
Senior Environmental Engineer

cc: Bart Putzig, NYSDEC (electronic)
James D. Charles, NYSDEC (electronic)
Katherine Comerford, NYSDOH (electronic)
Jeffrey Kosmala, MCHD
Jean McCreary, Nixon Peabody LLP
David McAdams, Thermo Fisher Scientific
Nelson Walter, MACTEC (electronic)
John Conant, ABB (electronic)
Melody Christopher, ABB (electronic)

Enclosure

Progress Report – October 2009

Voluntary Cleanup of Former Taylor Instruments Facility

I. Introduction

In accordance with Section II of the Voluntary Cleanup Agreement (the Agreement) between Combustion Engineering (C-E) and the New York State Department of Environmental Conservation (NYSDEC), Agreement Index Number B8-0508-97-02, MACTEC Engineering and Consulting, Inc. (MACTEC), on behalf of C-E, has prepared this monthly progress report. The progress report is intended to supply information described in Items A.1 through A.5 of Section II of the Agreement.

As the department is aware, C-E and Thermo Fisher Scientific Company (formerly Fisher Scientific LLC) have reached an agreement through which C-E will take the lead on all on-site activities, while Thermo Fisher Scientific will take the lead on all off-site activities.

II. Description of Actions Taken Toward Compliance with Agreement [A.1]

During the reporting period, C-E undertook the following actions towards achieving compliance with the Agreement:

- As recommended in the *Accelerated Bioremediation Pilot Test Final Report, dated January 4, 2008*, the remediation system remained shut down in October 2009.
- In a teleconference with the NYSDEC and the NYSDOH on October 15, 2009, MACTEC discussed the results of the soil vapor investigation work which was performed on September 8 and 9, 2009; collecting 3 samples under Ames Street, and 2 samples in the grassy area adjacent to West Avenue. A follow-up call was made with the NYSDEC on November 2, 2009; to further discuss the overall focus for an upcoming sub-slab vapor and indoor air investigation along with CE's preparatory activities to conduct that investigation. The key points from that discussion were summarized in a letter to the NYSDEC dated November 3, 2009.
- MACTEC prepared a data usability summary report (DUSR) and substantially completed the preparation of a report for the results of the September 2009 soil vapor investigation.
- MACTEC notified the NYSDEC and the NYSDOH of the schedule for an upcoming notification to the City of Rochester, and an upcoming public outreach related to the results of the September 2009 soil vapor investigation.
- MACTEC conducted a semi-annual sitewide groundwater sampling event on October 19 – 23, 2009.

Thermo Fisher Scientific's activities related to off-site activities in October are listed below.

- In conjunction with MACTEC's sitewide semi-annual groundwater sampling event, ThermoFisher measured off-site water levels and provided the data to MACTEC.

III. Summary of Sampling and Testing Results [A.2]

Quarterly effluent water samples related to the groundwater remediation system have been routinely collected and reported to Monroe County Pure Waters (MCPW) in accordance with MCPW Sewer Use

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Permit #861. Effluent sampling has been suspended while the remediation system remains shut down during accelerated bioremediation.

IV. Required Deliverables Submitted [A.3]

- None.

V. Scheduled Future Actions [A.4]

- MACTEC will complete the preparation of a report for the results from the September 2009 soil vapor investigation and submit the report to the NYSDEC and the NYSDOH.
- CE and the NYSDOH will conduct a public outreach on November 9, 2009; to share the results of the September 2009 soil vapor investigation.
- MACTEC will begin preparation of a work plan for sub-slab vapor and indoor air investigation at the following residences; 216 Danforth; and 80, 70, and 64 Ames Street.
- Following the Department's review of the *Work Plan for Accelerated Bioremediation and Permanent Decommissioning of the Remedial Treatment System*, and resolution of any comments, MACTEC will begin planning for implementation of the work.

VI. Percentage Completion/Delays [A.5]

The following table summarizes percentage completion, expected delays, and mitigative measures for items specified in the Agreement and other major actions. For items prior to calendar year 2003, see monthly progress reports dated June 2003 or earlier.

Item	Status	Delays Anticipated or Encountered	Mitigative Measures, Comments
Final Engineering Report (Final), Mercury and VOC Remediation	100%	Completed.	Document was approved, assignable release and covenant not to sue issued by NYSDEC via letter dated September 2, 2005.
First Quarterly Groundwater Monitoring Report, 2003	100%	Completed.	None.
Second Quarter Groundwater Monitoring Report, 2003	100%	Completed.	None.
Third Quarter Groundwater Monitoring Report, 2003	100%	Completed.	None.
Fourth Quarter Groundwater Monitoring Report, 2003	100%	Completed.	None.

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Item	Status	Delays Anticipated or Encountered	Mitigative Measures, Comments
First Period 2004 Semi-Annual Groundwater Monitoring Report	100%	Completed.	None.
Second Period 2004 Semi-Annual Groundwater Monitoring Report	100%	Completed.	None.
Annual Groundwater Monitoring Report, 2005	100%	Completed.	None.
Annual Groundwater Monitoring Report, 2006	100%	Completed.	None.
DPVE Remedial System Operation	Shut down	Ongoing.	System operation started in December 2000 and was suspended in May 2006.
Accelerated Bioremediation Pilot Test	100%	Completed.	None.
Soil Vapor Investigation	99%	Ongoing.	Report of results being finalized for submission to NYSDEC and NYSDOH.
Work Plan for Accelerated Bioremediation and Permanent Decommissioning of the Remedial Treatment System	100%	None.	Awaiting NYSDEC review comments and/or approval.

VII. Proposed Investigative/Remedial Work Plan Modifications [A.6]

None.