

N
0 500 1,000
Feet
Source:
USGS Elmira Quadrangle - 1969

Prepared/Date: DBW 10/17/06
Checked/Date: JMI 10/18/06

NYSDEC
DIAMOND CLEANERS
Elmira, New York



Site Location
Figure 1



DIAMOND CLEANERS SITE

BENJAMIN STREET

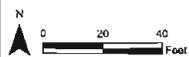
LAKE STREET

706 - 710 Benjamin Street



- | | |
|-------------------|---|
| Property boundary | Soil Only |
| Property Lines | Chlorinated VOCs in GW = 50 < 100 (µg/L) |
| Buildings | Chlorinated VOC in GWs = 150 < 450 (µg/L) |
| Fences | Chlorinated VOCs in GW = >1000 (µg/L) |

Note: 2002 Aerial photo from NYS GIS Clearinghouse. Samples collected on October 9th and 10th, 2001 by Teeter Environmental Services (TES, 2001). Sample locations are approximate.



Prepared/Date: CBW 10/23/06
Checked/Date: CRS 10/24/06

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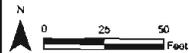


Previous Boring Locations
Project 3612-05-2028 Figure 3



- Legend**
- Property boundary
 - Property Lines
 - Buildings
 - Fences
 - + Monitoring Wells
 - o Geoprobe Borings
 - Surface Soil

Notes:
 2002 Aerial photo from NYS GIS Clearinghouse.
 Wells & buildings surveyed by
 Joseph C. Lu Engineering and Land Surveying, P.C. - July 2005



Prepared/Date: DBW 10/23/06
 Checked/Date: CRS 10/24/06

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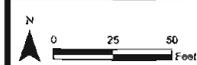
Soil Sample Locations
 Project 3612-05-2028
 Figure 4



Legend

Property boundary	Monitoring Wells
Property Lines	Micro Wells
Buildings	Geoprobe Borings
Fences	Soil Vapor

Notes.
 2002 Aerial photo from NYS GIS Clearinghouse.
 Wells & buildings surveyed by
 Joseph C. Lu Engineering and Land Surveying, P.C. - July 2005



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Groundwater and Soil Vapor
 Sample Locations
 Project 3612-05-2028 Figure 5

Prepared/Date: DBW 10/23/06
 Checked/Date: CRS 10/24/06



Legend

 Property boundary	◆ Monitoring Wells
 Property Lines	◆ Micro Wells
 Buildings	— Interpreted Potentiometric Surface
 Fences	- - - Estimated Potentiometric Surface
	→ Local Flow Gradient

Notes:
 2002 Aerial photo from NYS GIS Clearinghouse.
 Wells & buildings surveyed by
 Joseph C. Lu Engineering and Land Surveying, P.C. - July 2005
 Water levels measured by Mactec on March 23, 2006



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Groundwater Potentiometric Surface Map
 March 2006
 Project 3612-05-2028

Prepared/Date: DBW 08/08/07
 Checked/Date: CRS 08/08/07

Figure 6



Legend

- Property boundary
- Property Lines
- Buildings
- Fences
- + Monitoring Wells
- + Micro Wells
- o Geoprobe Borings
- Interpreted Soil Exceedences of PCE

Notes:
 2002 Aerial photo from NYS GIS Clearinghouse
 Wells & buildings surveyed by
 Joseph C. Lu Engineering and Land Surveying, P.C. - July 2005
 Results shown in bold exceed soil cleanup objectives
 All results shown in µg/Kg. (Only PCE Shown)
 Soil samples collected by Mactec in June, October and December - 2005.



Prepared/Date: DBW 10/23/06
 Checked/Date: CRS 10/24/06

NYSDEC
 DIAMOND CLEANERS
 Elmira, New York



Soil Exceedences of PCE
 Project 3612-05-2028
 Figure 8

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

**Diamond Cleaners
Operable Unit No. 1
Elmira, Chemung County, New York
Site No. 808030**

The Proposed Remedial Action Plan (PRAP) for the Diamond Cleaners site, was prepared by the New York State Department of Environmental Conservation (the Department) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on February 29, 2008. The PRAP outlined the remedial measure proposed for the contaminated soil at the Diamond Cleaners site.

The release of the PRAP was announced by sending a notice to the public contact list, informing the public of the opportunity to comment on the proposed remedy.

A public meeting was held on March 10, 2008, which included a presentation of the Remedial Investigation (RI) and the Feasibility Study (FS) as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. The public comment period for the PRAP ended on March 31, 2008.

This responsiveness summary responds to all questions and comments raised during the public comment period. The following are the comments received, with the Department's responses:

COMMENT 1: I couldn't find the PRAP on the web site. Could you put it on the web?

RESPONSE 1: The PRAP has been posted to our public web site; www.dec.ny.gov.

COMMENT 2: Are you saying that everything inside the purple line will get cleaned up to a certain standard? Habitat standards? Will you keep on digging until you get it all? Basically you don't stop digging until its clean? We all want to have cleanup standards for our property. Is there a standard that's achievable?

RESPONSE 2: We will excavate all soils exceeding the clean up goals of 1.3 ppm of PCE.

COMMENT 3: What happens to adjoining properties? If you have to take out [soil] under the corner of an adjacent building, do you dig it out and put it back?

RESPONSE 3: Before we work on any adjoining properties we will obtain permission of the property owner and anything we remove or disturb will be replaced in kind.

COMMENT 4: Are there contaminants on Fifth St.?

RESPONSE 4: We are not aware of any contaminants from Diamond Cleaners on Fifth St.

COMMENT 5: Do I get some type of certificate that its [my property] is clean? Is there something we can get that says we're not the cause? Can you provide that statement?

RESPONSE 5: We can provide a letter stating that the Diamond Cleaners Property (717 Lake Street) is currently the property under investigation. However, we do not provide certifications of other properties.

COMMENT 6: Have you determined the direction that groundwater is flowing? By deferring OU2, is there a means to cleanup the groundwater issue? Will cleanup be the passage of time? Do you have any idea of the OU2 timetable? What will be determined and when?

RESPONSE 6: Regional groundwater flow is to the south, southeast toward the Newtown Creek and Chemung River. The limited groundwater investigation conducted under OU-1 has local groundwater flowing to the north, northwest. The presence of the historic Chemung Canal and Junction Canal in the vicinity of the Site may be influencing groundwater flow. Additional groundwater investigations will be conducted under OU-2 and will be addressed in a decision document to be issued in the future.

COMMENT 7: Is that site [ATRS] known to be contaminated?

RESPONSE 7: The ATRS site is currently a potential Inactive Hazardous Waste Disposal Site. Our initial investigation is completed and the site is under review to determine if further investigation is required.

COMMENT 8: Does ownership represent legal exposure?

RESPONSE 8: Any questions you have on legal responsibility should be referred to your legal representative.

COMMENT 9: When will you begin demolishing and cleaning up the site? You can't start the work until that attempt [to contact the PRPs] has been made? If they [those attempts] go beyond the county, could the one year [start date] go out the window? The owner lives in Europe. He leased the dry cleaners. He'll say it was the dry cleaners. It could get dragged out for three years. I've already been dealing with it for four years. I'm concerned that it should just get going. Whether it's the state or county, it's still the taxpayers money, if that's as far as they go back [to seek costs].

RESPONSE 9: After the remedy is selected, the PRPs will again be contacted to assume responsibility for the remedial program. If an agreement cannot be reached with the PRPs, the Department will evaluate the site for further action under the State Superfund. The PRPs are subject to legal actions by the state for recovery of all response costs the state has incurred.

COMMENT 10: I heard there was also some petroleum found.

RESPONSE 10: During the former owner's limited environmental investigation petroleum contaminants potentially related to a decommissioned underground storage tank (UST) were found. Our current investigation has not found any petroleum requiring further action.

COMMENT 11: Can we roll the clock forward? What about the dust in the air? What's the potential for exposure? How disruptive will it be? There are junior high students who walk by there every day and throw rocks.

RESPONSE 11: During construction steps will be taken to minimize any disturbances to nearby properties and to make sure no one can enter the site during the work. This site will have a community monitoring program and steps will also be taken to monitor and control any dust caused by the work at the site.

COMMENT 12: Is the cost mostly to remove the 2,000 cubic yards. \$21,000 versus \$1.3 million. Does \$1.3 million include building demolition and groundwater and soil?

RESPONSE 12: The \$1.3 million includes:

- Demolition of the Diamond Cleaners building;
- Excavation of contaminated soils;
- Backfilling of the excavation;
- Transportation of debris and contaminated soils to an off-site treatment and/or disposal facility.

COMMENT 13: Did they do a Phase 1 for you? The groundwater scared off prospective buyers with the potential for liability to clean it up.

RESPONSE 13: The former owner preformed a limited environmental investigation.

COMMENT 14: Does OSHA do inspections?

RESPONSE 14: This question is beyond the scope of the ROD and it should be addressed to OSHA.

COMMENT 15: What state goes out and does the proactive [work] at dry cleaners?

RESPONSE 15: South Carolina and Florida are two states that have proactive dry cleaner programs.

COMMENT 16: Is there a contractor to do the work?

RESPONSE 16: Yes, there are many qualified contractors. The construction will be competitively bid to responsive, responsible contractors.

COMMENT 17: Knowing conditions and the law, a consumer should have no concerns?

RESPONSE 17: The New York State Department of Health has concurred with this remedy as being protective of human health and the environment. Any other questions you have on legal responsibility should be referred to your legal representative.

COMMENT 18: Does the master plan in Elmira have it zoned residential?

RESPONSE 18: The site is currently zoned A1, light industrial.

COMMENT 19: There's another empty building on Washington Ave. Who's responsible to know about any hazardous waste in the area?

RESPONSE 19: If you are aware of hazardous waste in the area please call our toll free, 24 hour hotline at 1-800-TIPP-DEC. The the identity of all TIPP callers confidential.

COMMENT 20: It seems like that whole block is contaminated.

RESPONSE 20: Currently the property at 717 Lake is the only property under investigation. Groundwater in the area is contaminated and will be addressed under OU-2.

COMMENT 21: Chemung County sold the property.

RESPONSE 21: Our records indicate that Chemung County is the property owner.

COMMENT 22: G17 is on my property line.

RESPONSE 22: G17 is on the Diamond Cleaners property near the southern property line.

COMMENT 23: The purple line goes on my property line and stops.

RESPONSE 23: The majority of the purple line, from Figure 4.1 in the RI/FS, is on the Diamond Cleaners property with a small portion on a property to the SW.

COMMENT 24: This is \$1.3 million; the one in the Watkins Glen is close to \$5 million.

RESPONSE 24: The cost of remediation varies with site specific conditions. The type of soils and conditions can make other such sites more costly to remediate.

COMMENT 25: You waited how many years and that affected more properties. It was built in 1955.

RESPONSE 25: The State was not aware of a problem until 2001. The former property owner agreed to clean up the site under the Voluntary Cleanup Program, but withdrew the application due to a lack of funds.

COMMENT 26: If its [contamination] that close, it must be on my property as well.

RESPONSE 26: Our testing shows that contaminated soil is limited to the Diamond Cleaners Site. Contaminated groundwater has migrated off-site.

COMMENT 27: It was an exit strategy, bordering criminal. He tried to will it to us [adjacent property owner] without telling us. At the first auction he wanted to sell for \$2,500 and it was a spill site without full disclosure and the county pulled it off the site.

RESPONSE 27: No response necessary.

COMMENT 28: In the folder, there's another picture. Its on the other side of Benjamin Street.

RESPONSE 28: Any investigation on the other side of Benjamin Street is part of the groundwater investigation. Groundwater will be dealt with in OU-2.

COMMENT 29: That leaves me in the middle of two potential hazardous waste sites. That building is a dead animal for selling it. I own property with two test wells on it. This site [Diamond Cleaners] has cost me the sale of the property. I'm concerned that I have property that's not "sale-able". How long do I have to wait? I talked with Jeff McCullough for months. It was supposed to happen a long time ago. It's a serious urgency for those who own property around the site. The reality is that there is a stigma attached to it. No one is going to buy the property.

RESPONSE 29: An expeditious cleanup of this site will be beneficial to the area.

COMMENT 30: Is it your understanding that its crystal clear that a property owner is not exposed?

RESPONSE 30: The purpose of our cleanup action is to eliminate to the extent practicable human exposure. Once our remedial action is completed almost all of the contaminated soil will be removed. Groundwater is not used in the area, but groundwater contamination will be addressed under OU-2. The New York State Department of Health has concurred with the remedy as being protective of human health.

COMMENT 31: If it is on public water and vapor test are done, should a consumer have concerns about the building?

RESPONSE 31: Testing to date indicated that only one structure required a vapor mitigation system.

COMMENT 32: Are there any health impacts associated with working on or near the lot (site)?

RESPONSE 32: Contamination from the site has not impacted off-site surface or subsurface soils. Therefore, health impacts would not be expected to individuals who work on adjacent parcels of land. On-site, the potential exists for exposure to volatile organic compounds via inhalation of vapors, incidental ingestion, or dermal contact with on-site contaminated groundwater or subsurface soils. The potential for health impacts would depend on whether the activities performed on-site resulted in actual exposure to contamination as well as the frequency and duration of that exposure.

Carol Mechalke, City Council Representative for the Second Council District, City of Elmira, submitted an email March 13, 2008 which included the following comments:

COMMENT 33: The project has next to it the blind shop and a residential home two sites from the cleanup site. EOP on E Fifth St does have a day care program as well as after school program for young students. Ernie Davis School is not even a block from the site. My concern is what fumes or dry material might get into the air. My other concern is that less than a block away DEC is also going to be cleaning up a site owned by New York State Electric and Gas. They will be cleaning up the site of the left over materials resulting from the production of gas at one time. How will the time frame of each be coordinated? I would appreciate if my comments become part of the record.

RESPONSE 33: During construction steps will be taken to minimize any disturbances to nearby properties and to make sure no one can enter the site during the work. This site will have a community monitoring program and steps will also be taken to monitor and control any dust caused by the work at the site.

Tony LaSorte, Health & Safety Hygienist, Elmira City School District, submitted an email March 24, 2008 which included the following comment:

COMMENT 34: Please keep me up to date by email about the Diamond Dry Cleaners remediation project on Lake Street in Elmira.

RESPONSE 34: We will keep the public updated.

APPENDIX B

Administrative Record

Administrative Record

Diamond Cleaners Operable Unit No. 1 Site No. 808030

1. Proposed Remedial Action Plan for the Diamond Cleaners site, Operable Unit No.1, dated March 2008, prepared by the Department.
2. Results of Subsurface Investigation, dated October 30, 2001, prepared by Teeter Environmental Services, Inc.
3. Final Remedial Investigation/Feasibility Study Report, dated June 2007, prepared by MACTEC Engineering and Consulting, P.C.
4. Fact Sheet - Remedy Proposed for the Diamond Cleaners Site, dated February 29, 2008, prepared by the Department.
5. Email dated March 13, 2008 from Carol Mechalke, City Council Representative for the Second Council District, City of Elmira.
6. Email dated March 24, 2008 from Tony LaSorte, Health and Safety Hygienist, Elmira City School District.
7. Diamond Cleaner Site Listing, dated November 10, 2003, prepared by the Department.

