RECORD OF DECISION

E-Z Stop
Environmental Restoration Project
Remsen, Oneida County
Site No. E633067
March 2012

Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - RECORD OF DECISION

E-Z Stop
Environmental Restoration Project
Remsen, Oneida County
Site No. E633067
March 2012

Statement of Purpose and Basis

This document presents the remedy for the E-Z Stop site, an environmental restoration site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the E-Z Stop site and the public's input to the proposed remedy presented by the Department. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Description of Selected Remedy

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the above referenced site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) or alternatives analysis (AA). The IRM(s) undertaken at this site are discussed in Section 6.2.

Based on the implementation of the IRM(s), the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment; therefore No Further Action is the selected remedy. The remedy may include continued operation of a remedial system if one was installed during the IRM and the implementation of any prescribed institutional controls/engineering controls (ICs/ECs) that have been identified as being part of the remedy for the site.

The IRM(s) conducted at the site attained the remediation objectives identified for this site in Section 6.5 for the protection of public health and the environment.

New York State Department of Health Acceptance

The New York State Department of Health (NYSDOH) concurs that the remedy for this site is protective of human health.

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 to the extent practicable, and is cost effective. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

March 27,2012

Date

Robert W. Schick, P.E., Acting Director
Division of Environmental Remediation

RECORD OF DECISION

E-Z Stop
Remsen, Oneida County
Site No. E633067
March 2012

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site resulted in threats to public health and the environment that were addressed by actions known as interim remedial measures (IRMs), which were undertaken at the site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) or feasibility study (FS). The IRMs undertaken at this site are discussed in Section 6.2. Contaminants include hazardous wastes and/or petroleum.

Based on the implementation of the IRM(s), the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment. The IRM(s) conducted at the site attained the remediation objectives identified for this site, which are presented in Section 6.5, for the protection of public health and the environment. No Further Action is the remedy selected by this Record of Decision (ROD). A No Further Action remedy may include continued operation of any remedial system installed during the IRM and the implementation of any prescribed controls that have been identified as being part of the remedy for the site. This ROD identifies the IRM(s) conducted and discusses the basis for No Further Action.

The 1996 Clean Water/ Clean Air Bond Act provides funding to municipalities for the investigation and cleanup of brownfields. Brownfields are abandoned, idled, or under-used properties where redevelopment is complicated by real or perceived environmental contamination. They typically are former industrial or commercial properties where operations may have resulted in environmental contamination. Brownfields often pose not only environmental, but legal and financial burdens on communities. Under the Environmental Restoration Program, the state provides grants to municipalities to reimburse up to 90 percent of eligible costs for site investigation and remediation activities. Once remediated, the property can then be reused.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

A public meeting was also conducted. At the meeting, the findings of the remedial investigation (RI) and the alternatives analyses (AA) were presented along with a summary of the proposed remedy. After the presentation, a question-and-answer period was held, during which verbal or written comments were accepted on the proposed remedy.

Comments on the remedy received during the comment period are summarized and addressed in the responsiveness summary section of the ROD.

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The Former E-Z Stop site is located on State Route 12 in the Town of Trenton, Oneida County, New York. The 1.5 acre site is a vacant parcel and is surrounded by commercial, residential and agricultural properties.

Site Features: The main site feature was a single story gas station/repair shop. All on-site structures have been demolished. The site's cover is comprised of asphalt, concrete, clean backfill (gravel/sand) and vegetation in various areas.

Current Zoning/Use: The site is currently zoned for commercial use. The surrounding parcels are a mix of commercial properties, residential homes and farmland. An operating diner is located immediately north of the site.

Historic Use: The site was developed as a gasoline station in the late 1950's and included a building/service station. The building was used for automobile repair until 1988 when it was converted to a gas station and convenience store. The property was abandoned in November 2000 and the Town of Trenton took a temporary incident of ownership to the site to enter the ERP in 2004. In the fall of 2011, the Town of Trenton obtained ownership of the site.

Site Geology and Hydrogeology: Site soils are comprised of mainly glacial till. The depth to groundwater is approximately 30 feet below grade and flows in a southeasterly direction toward Cincinnati Creek.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives (or an alternative) that restrict(s) the use of the site to commercial use (which allows for industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the investigation to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is included in the Tables for the media being evaluated in Exhibit A.

SECTION 5: ENFORCEMENT STATUS

Potentially Responsible Parties (PRPs) are those who may be legally liable for contamination at a site. This may include past or present owners and operators, waste generators, and haulers.

No PRPs have been documented to date.

Since no viable PRPs have been identified, there are currently no ongoing enforcement actions. However, legal action may be initiated at a future date by the state to recover state response costs should PRPs be identified. The Town of Trenton will assist the state in its efforts by providing all information to the state which identifies PRPs. The Town of Trenton will also not enter into any agreement regarding response costs without the approval of the Department.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A Remedial Investigation (RI) has been conducted. The purpose of the RI was to define the nature and extent of any contamination resulting from previous activities at the site. The field activities and findings of the investigation are described in the RI Report.

The following general activities are conducted during an RI:

- Research of historical information,
- Geophysical survey to determine the lateral extent of wastes,

- Test pits, soil borings, and monitoring well installations,
- Sampling of waste, surface and subsurface soils, groundwater, and soil vapor,
- Sampling of surface water and sediment,
- Ecological and Human Health Exposure Assessments.

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. The tables found in Exhibit A list the applicable SCG in the footnotes. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Information

The analytical data collected on this site includes data for:

- groundwater
- drinking water
- soil

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized in Exhibit A. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

BENZENE	XYLENE (MIXED)
ETHYLBENZENE	NAPHTHALENE
TOLUENE	1,2,4-TMB

Based on the investigation results, comparison to the SCGs, and the potential public health and environmental exposure routes, certain media and areas of the site required remediation. These media were addressed by the IRM(s) described in Section 6.2. More complete information can be found in the RI Report and the IRM Construction Completion Report.

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Record of Decision.

The following IRM(s) has/have been completed at this site based on conditions observed during the RI.

Interim Remedial Measure

In April of 2010 an interim remedial measure was conducted utilizing funds from the American Recovery and Reinvestment Act of 2009 (ARRA) Leaking Underground Storage Tank (LUST) Trust Fund Program. A total of 4,947 tons of petroleum contaminated soils were excavated for off-site disposal at an approved facility. In addition, 4,246 gallons of petroleum and petroleum contaminated water was recovered and shipped off-site for proper disposal. Clean fill, which met the commercial use soil cleanup objectives, was brought in to replace the excavated soil, and establish the design grades at the site. The site cover is comprised of clean fill, which meet unrestricted SCOs, in the tank excavation area; pavement and concrete. A narrow vegetated/wooded strip of land exists to the east and south.

6.3: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure.*

Measures are in place to control the potential for coming in contact with subsurface soil and groundwater contamination remaining on the site. Contaminated groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect indoor air quality. Currently, there are no buildings on the site. An evaluation of the potential for soil vapor intrusion to occur will be completed should the current site use change.

6.4: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water.

Based upon the resources and pathways identified and the toxicity of the contaminants of ecological concern at this site, a Fish and Wildlife Resources Impact Analysis (FWRIA) was deemed not necessary for OU 01.

Based upon investigations to date and the interim remedial measure that was conducted, the primary contaminants of concern at the site include volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs). Contamination was related to leakage from underground storage tanks and piping which contained petroleum products.

Impacts to groundwater have been documented above groundwater standards. Residual soil contamination remains above the unrestricted soil cleanup objective (SCO), but confirmation soil sampling has demonstrated that residential soil cleanup objectives have been achieved.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

RAOs for Environmental Protection

- Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent practicable.
- Remove the source of ground or surface water contamination.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

SECTION 7: SUMMARY OF SELECTED REMEDY

Based on the results of the investigations at the site, the IRM that has been performed and the evaluation presented here, the Department is proposing No Further Action and the implementation of ICs/ECs listed below as the proposed remedy for this site. The Department

believes that this remedy is protective of human health and the environment and satisfies the remediation objectives described in Section 6.5.

1. Imposition of an institutional control in the form of an environmental easement for the controlled property that:

- 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);
- allows the use and development of the controlled property for commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restricts the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH;
- prohibits agriculture or vegetable gardens on the controlled property; and
- requires compliance with the Department approved Site Management Plan.

2. A Site Management Plan is required, which includes the following:

a. an 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 ensure the following institutional and/or engineering controls remain in place and effective:
Institutional Controls: The Environmental Easement discussed above.
Engineering Controls: Sub-Slab Depressurization System or evaluation of soil vapor intrusion pathway if the site is developed.
This plan includes, but may not be limited to:

o an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
o descriptions of the provisions of the environmental easement including any land use and/or groundwater;
o a provision for evaluation of the potential for soil vapor intrusion for any buildings developed on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
o provisions for the management and inspection of the identified engineering controls;
o maintaining site access controls and Department notification; and
o the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

o monitoring of groundwater to assess the performance and effectiveness of the remedy;
o monitoring for vapor intrusion for any buildings occupied or developed on the site, as may be required by the Institutional and Engineering Control Plan discussed in item a above.

Exhibit A

Nature and Extent of Contamination

As described in the Remedial Investigation (RI) report, many soil and groundwater samples were collected to characterize the nature and extent of contamination. As summarized in Table 1, the main categories of contaminants that exceed their SCGs are volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and inorganics (metals). For comparison purposes, where applicable, SCGs are provided for each medium.

Chemical concentrations are reported in parts per billion (ppb) for water and parts per million (ppm) for waste, soil, and sediment. Air samples are reported in micrograms per cubic meter ($\mu g/m^3$). The following are the media which were investigated and a summary of the findings of the investigation.

Waste

Wastes are defined in 6 NYCRR Part 375-1.2 (aw) and include solid, industrial and/or hazardous wastes. Source Areas are defined in 6 NYCRR Part 375 (au). Source areas are areas of concern at a site were substantial quantities of contaminants are found which can migrate and release significant levels of contaminants to another environmental medium. Wastes and Source areas were identified at the site include petroleum tanks, piping and soil.

The waste/source areas identified at the site were addressed by the IRM(s) described in Section 6.2

Groundwater

Between September of 2007 and November of 2009 twelve (12) monitoring wells were installed and sampled to evaluate the extent of on-site and off-site groundwater contamination. The following table summarizes the groundwater quality conditions at the site that existed prior to the 2010 IRM.

Table 1 – Groundwater (Pre-IRM)

Detected Constituents	Concentration Range Detected (ppb)[a]	SCG[b] (ppb)	Frequency Exceeding SCG
VOCs			
Methylene Chloride	ND – 106 J	5	3 out of 15
Methyl tert-butyl ether	ND – 354	10	3 out of 15
Benzene	ND – 632	1	4 out of 15
Ethylbenzene	ND – 2680	5	4 out of 15
Toluene	ND – 3010	5	4 out of 15
Xylene	ND – 14,100	5	3 out of 15
SVOCs			
Naphthalene	ND – 440	10	4 out of 15
2-4 Dimethylphenol	ND – 110	50	1 out of 15
2-Methylphenol	ND – 51	2	1 out of 15
Bis(2-ethylhexyl) phthalate	ND – 7.2 J	5	1 out of 15
Metals			

Aluminum	14 – 890	100	10 out of 15
Barium	21 -7,900	1000	7 out of 15
Chromium	31 -2,600	50	5 out of 15
Cobalt	ND – 81	5	4 out of 15
Iron	41 – 2600	300	10 out of 15
Lead	14 – 1,400	25	6 out of 15
Magnesium	1,900 – 530,000	35,000	7 out of 15
Manganese	1,400 – 250,000	300	10 out of 15
Mercury	ND – 3.5	0.7	3 out of 15
Nickel	ND – 2,400	100	4 out of 15
Selenium	ND - 57	10	1 out of 15
Thallium	ND – 69 J	0.5	1 out of 15
Zinc	91 – 9,000	2000	2 out of 15

a - ppb: parts per billion, which is equivalent to micrograms per liter, ug/L, in water.
b- SCG: Standard Criteria or Guidance - Ambient Water Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).
J – Estimated

In August of 2011, three (3) additional monitoring wells were installed to evaluate the post IRM groundwater conditions. In September of 2011 the three new monitoring wells and two existing monitoring wells were sampled. The following table summarizes the post IRM groundwater quality conditions.

Table 2 – Groundwater (Post IRM) September 2011

Detected Constituents	Concentration Range Detected (ppb)[a]	SCG[b] (ppb)	Frequency Exceeding SCG
VOCs			
1,2,4-Trimethylbenzene	ND - 5,300	5	1 out of 5
1,3,5-Trimethylbenzene	ND - 1,300	10	1 out of 5
Ethylbenzene	ND - 1,200	5	1 out of 5
Toluene	ND - 6,500	5	1 out of 5
Xylene	ND -15,600	5	1 out of 5
SVOCs			
Naphthalene	ND – 750	10	1 out of 5
Bis(2-ethylhexyl) phthalate	ND – 11	5	3 out of 5
Metals			
Aluminum	2,300 – 7,400	100	5 out of 5
Iron	2,100 – 14,000	300	5 out of 5
Manganese	360-2,900	300	5 out of 5

a - ppb: parts per billion, which is equivalent to micrograms per liter, ug/L, in water.
b- SCG: Standard Criteria or Guidance - Ambient Water Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).
J – Estimated

Table 2 – Groundwater (Post IRM) December 2011			
Detected Constituents	Concentration Range Detected (ppb)[a]	SCG[b] (ppb)	Frequency Exceeding SCG
VOCs			
1,2,4-Trimethylbenzene	ND – 2,500	5	1 out of 5
1,3,5-Trimethylbenzene	ND - 550	10	1 out of 5
Ethylbenzene	ND – 630	5	1 out of 5
Toluene	ND – 3,100	5	1 out of 5
Xylene	ND – 6,500	5	1 out of 5
SVOCs			
Naphthalene	ND – 380	10	1 out of 5
Bis(2-ethylhexyl) phthalate	ND – 5.6	5	1 out of 5

a - ppb: parts per billion, which is equivalent to micrograms per liter, ug/L, in water.
b- SCG: Standard Criteria or Guidance - Ambient Water Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).
J – Estimated

Based on the findings of the RI and the post IRM sampling data, the past disposal of petroleum products has resulted in the contamination of groundwater with VOCs, SVOCs and metals. The highest level of pre-IRM groundwater contamination was found in the most downgradient well (MW-07-01) near the southern boundary of the site and the former tank area. The highest level of post-IRM groundwater contamination was found in monitoring well MW-11-06, which was placed downgradient of former monitoring well MW-07-01.

In 2009, one off-site well was installed downgradient of the site (MW-09-01). The one off-site well sampled in 2009 exhibited low level VOCs below the SCGs for site related compounds (See Figure 6). In order to further assess the post-IRM groundwater conditions, two additional off-site wells were installed in 2011(MW-11-7 and MW-11-8). No site-related compounds were found in any of the off-site downgradient wells in 2011(See Figure 6). Three nearby private water wells were sampled in April of 2009 and no compounds were detected above the method detection limits (see Figure 2). Post remedial groundwater monitoring has demonstrated that impacts to on-site groundwater are diminishing through natural processes. Groundwater sampling in 2011 has shown a reduction of over fifty percent, supporting that groundwater contamination identified during the RI has been addressed by the IRM described in Section 6.2.

Surface Soil

During the IRM, the majority of site surface soils were excavated and taken off-site for proper disposal and clean soil was placed in the excavation. Clean backfill covers approximately sixty percent of the site footprint and the remaining surface soils are covered by asphalt or concrete. In order to access the portion of the site that was not removed during the IRM, three (3) surface soil samples were obtained in 2011. The results of this surface soil sampling have shown no exceedances of unrestricted SCOs, supporting that surface soil contamination identified during the RI has been addressed by the IRM described in Section 6.2.

Subsurface Soil

Based on the findings of the RI, the past disposal of petroleum products has resulted in the contamination of soil with VOCs SVOCs and metals. In June of 2007, prior to the IRM, eight (8) soil borings were advanced to characterize subsurface soils. Soil samples were analyzed for VOCs, SVOCs, metals and PCBs (see Figure 3). No contaminants of concern were identified above the unrestricted SCOs, however, visual and olfactory observations in the vicinity of the former tank field and the pump island identified that contamination was present.

Based on the visual and olfactory evidence of contamination found at the site, an IRM was conducted in April of 2010. Following the excavation of petroleum contaminated soils, twenty three (23) subsurface confirmation samples were obtained (see Figure 5) and the results are summarized in the following table.

Table 3 - Post IRM Confirmation Soil Sampling

Detected Constituents	Concentration Range Detected (ppm)[a]	Protection of GW SCO[b] (ppm)	Frequency Exceeding Protection of GW SCO[c]	Residential SCO[c] (ppm)	Frequency Exceeding Residential SCO[d]
VOCs					
1,2,4-Trimethylbenzene	ND – 46	3.6	2 out of 23	47	0 out of 23
1,3,5-Trimethylbenzene	ND - 13	8.4	1 out of 23	47	0 out of 23
Ethylbenzene	ND – 8.5	1	1 out of 23	30	0 out of 23
N-propylbenzene	ND-6.0	3.9	1 out of 23	100	0 out of 23
Toluene	ND – 7.3	0.7	1 out of 23	100	0 out of 23
Xylene	ND - 52	1.6	1 out of 23	100	0 out of 23

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;
b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.
c - SCG: Part 375-6.8(b), Protection of Groundwater Soil Cleanup Objectives.
d – SCG: Part 375-6.8(b), Residential Soil Cleanup Objectives.

Soil contamination identified during the RI was addressed during the IRM described in Section 6.2. Residual contamination, exceeding the protection of groundwater and unrestricted SCOs, remains in two areas on the site (see Figure 5). The highest levels of VOCs remain along NYS Route 12 and in the vicinity of the former pump island. These areas are identified on Figure 4 as Area 1 & 2. The volume of contamination remaining in these areas above the unrestricted SCOs is not considered significant and is expected to attenuate over time. In addition, the remedy calls for groundwater use restrictions at the site. All areas of the site meet residential soil cleanup objectives. Therefore, no further action is needed for the soils.

Location Map, EZ Stop, Figure 1

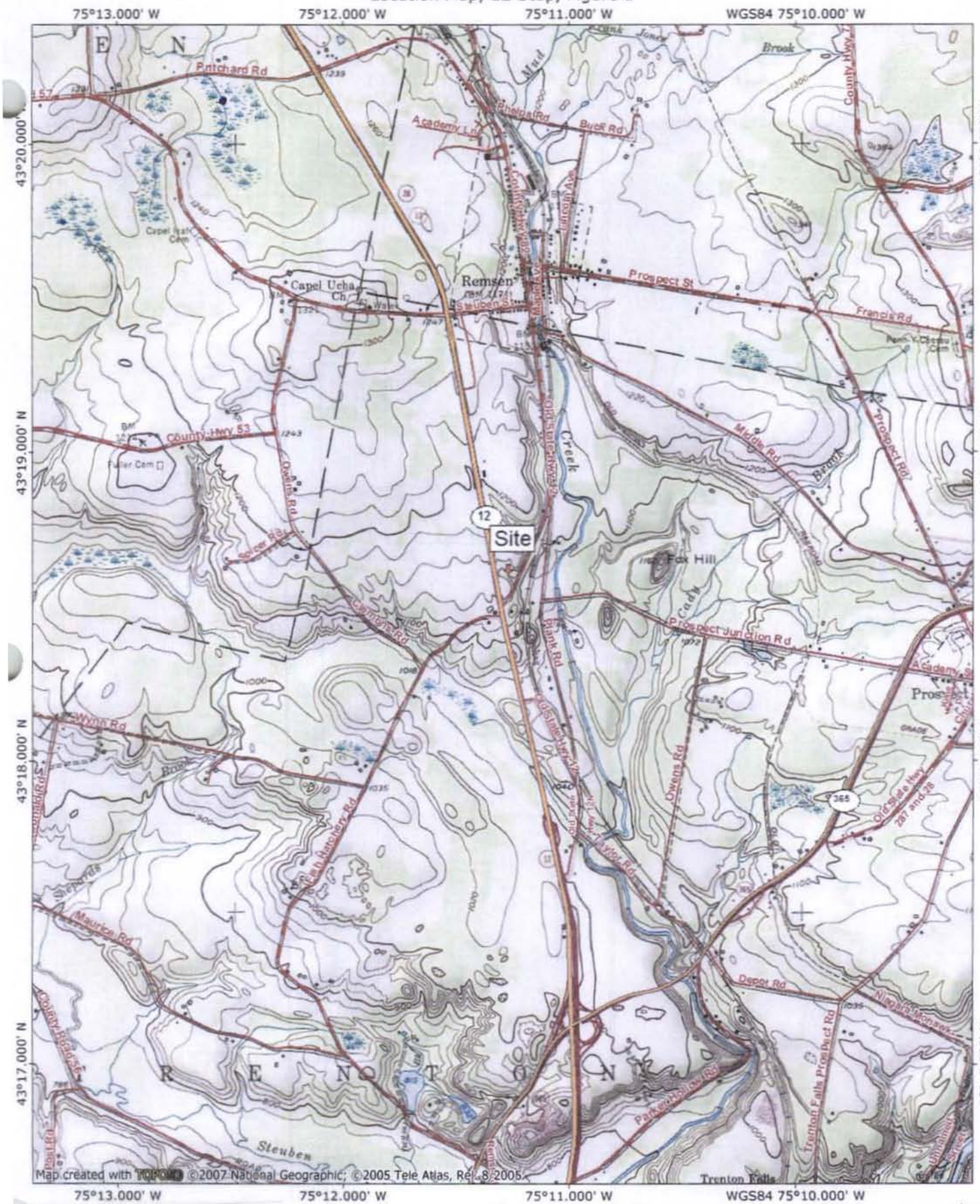


Figure 1 – Site Location

VICINITY PLAN
Former EZ Stop
9244 State Route 12
Remsen, New York
ERP Site E6-33-067
Drawing No. 2

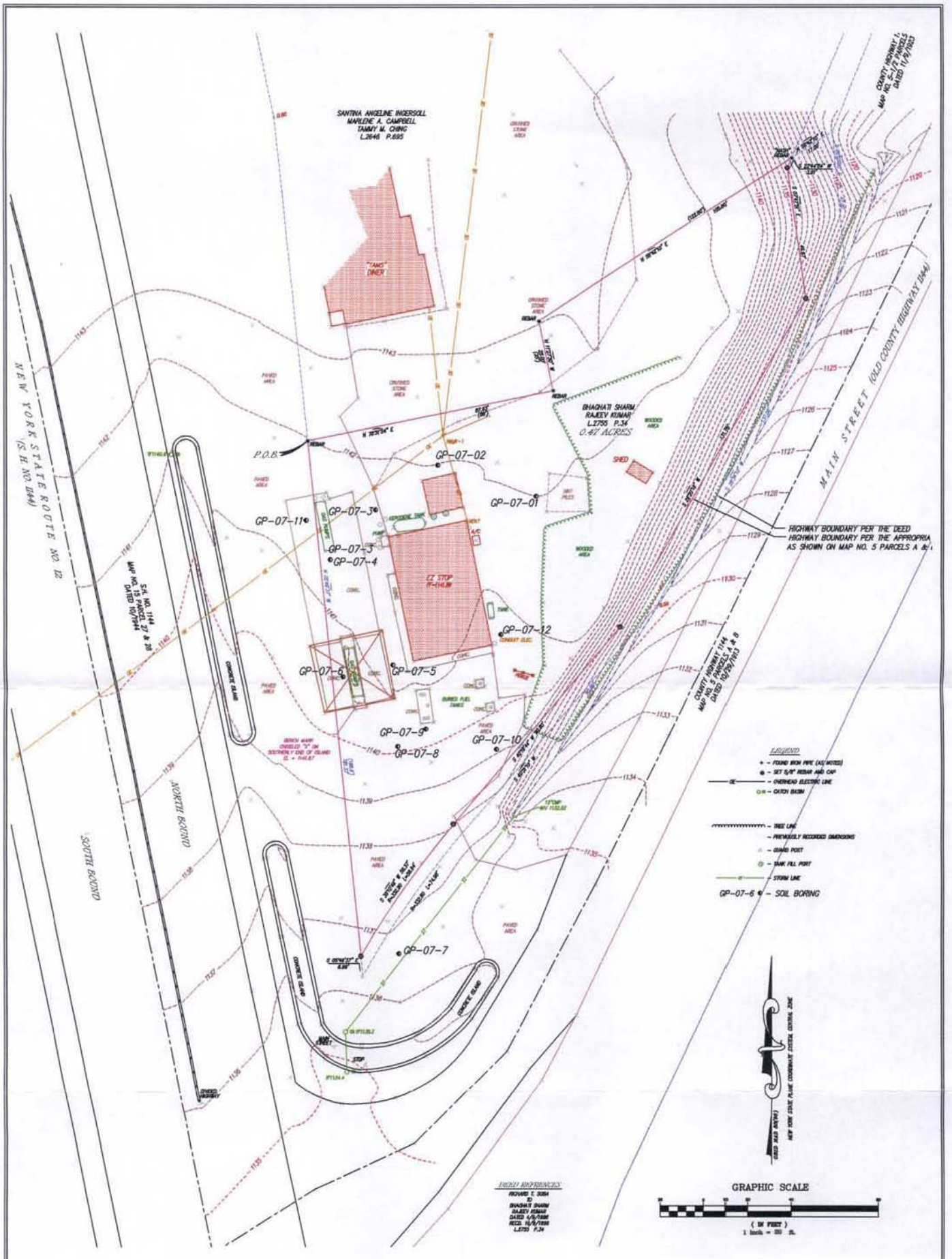


Figure 3 – Pre IRM Sampling Locations

NOTE: THIS DRAWING WAS BASED ON TOPOGRAPHIC SURVEY OF LANDS NOW OR FORMERLY BHAGHATI SHARM & RAJEEV KUMAR, PREPARED BY LAFAVE, WHITE & MCGIVERN, L.S., P.C., DATED 1/3/2008.

L:\2061\TECHS\SAMPLING POINT LOCATION.DWG

SAMPLING POINT LOCATION PLAN FORMER EZ STOP 5044 STATE ROUTE 12 REMSEN, NEW YORK		
DR. BY: SMC/SDW	SCALE: AS SHOWN	PROJ. NO: 2061/8
REVD BY:	DATE: APRIL 2008	DRWG. NO: 4

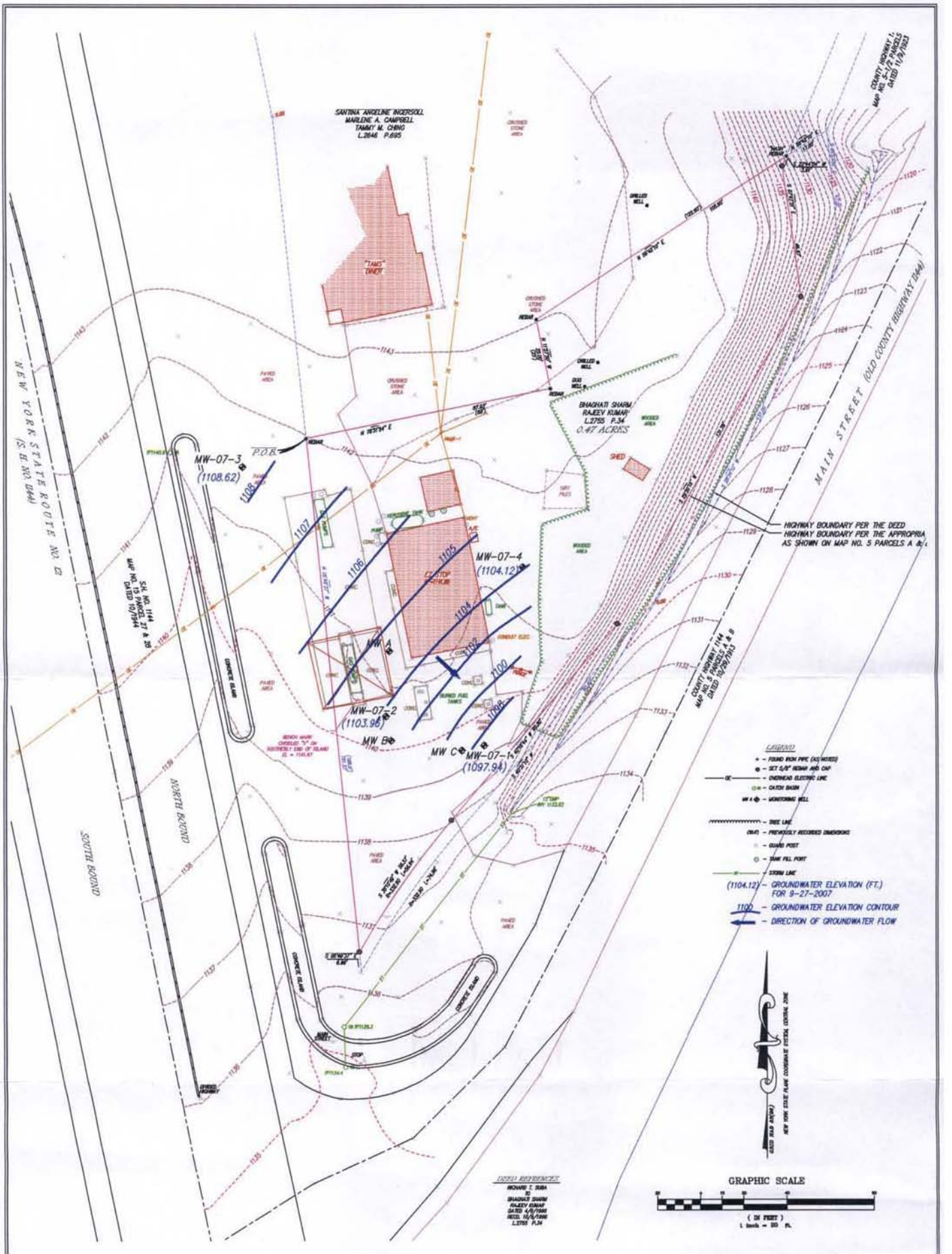


Figure 4 – Groundwater Contour

NOTE: THIS DRAWING WAS BASED ON TOPOGRAPHIC SURVEY OF LANDS NOW OR FORMERLY BHAGHATI SHARM & RAJEEV KUMAR, PREPARED BY LAFAVE, WHITE & MCGIVERN, L.S., P.C., DATED 1/3/2008.

WATER TABLE MAP 9-27-2007
FORMER EZ STOP
9244 STATE ROUTE 12
REMSEN, NEW YORK

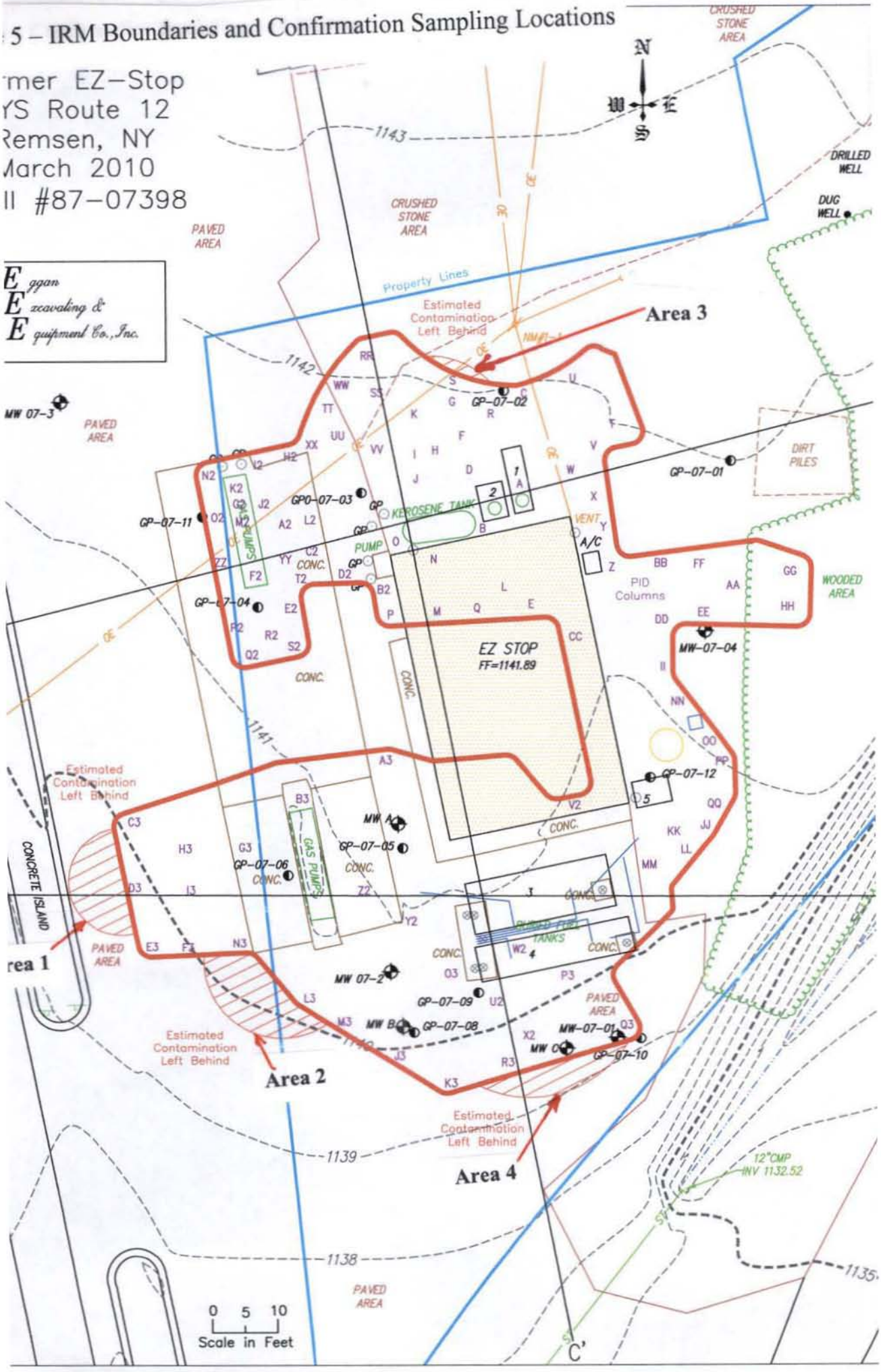
DR. BY: SMC/SDW	SCALE: AS SHOWN	PROJ. NO: 206078
REVD BY:	DATE: APRIL 2008	DRWG. NO: 6

L:\2060\8\TECH\WT SEPT 2007.DWG

5 – IRM Boundaries and Confirmation Sampling Locations

mer EZ–Stop
YS Route 12
Remsen, NY
March 2010
II #87–07398

Egan Excavating & Equipment Co., Inc.



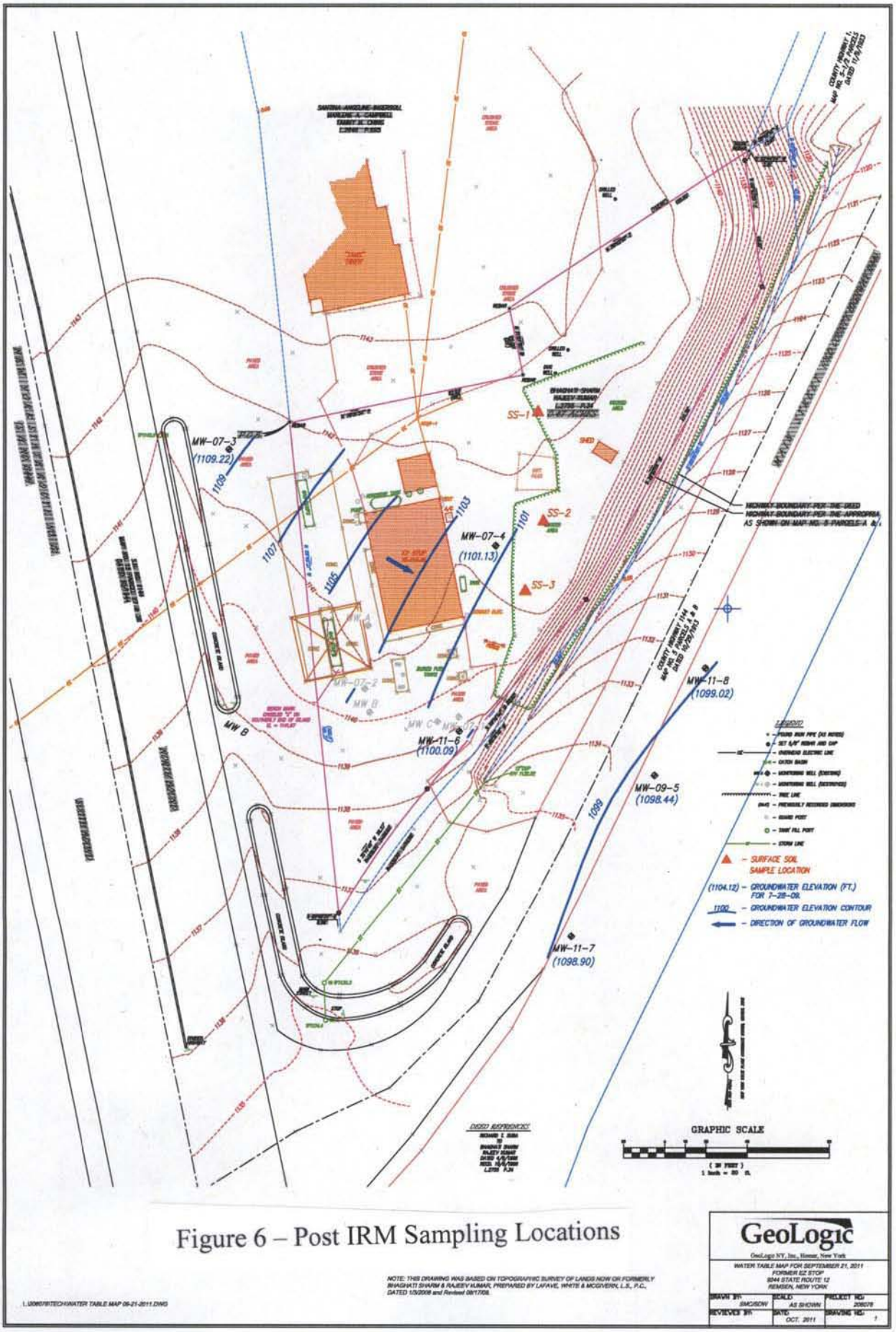


Figure 6 – Post IRM Sampling Locations

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

E-Z Stop
Environmental Restoration Project
Town of Trenton, Oneida County, New York
Site No. E633067

The Proposed Remedial Action Plan (PRAP) for the E-Z Stop 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 8, 2012. The PRAP outlined the remedial measure proposed for the contaminated soil and groundwater at the E-Z Stop 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 1, 2012, which included a presentation of the site investigation (SI) and interim remedial measure (IRM) reports for the E-Z Stop site, 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 23, 2012.

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: What is left at the site?

RESPONSE 1: Several small areas of petroleum impacted soil remain on-site at a depth of approximately 20 feet below grade. At the southern end of the site, a small area of groundwater contamination remains which is being monitored. The groundwater sampling has shown a 50% decrease in petroleum contamination from September to December of 2011. This downward trend is expected to continue.

COMMENT 2: Are there off-site impacts?

RESPONSE 2: All soil impacts are isolated to the on-site area. While groundwater sampling has shown very low levels of contamination in the off-site wells in the past, however, the post-remedial groundwater monitoring program has shown no off-site impacts above groundwater standards.

COMMENT 3: What can the site be used for once the Record of Decision is signed?

RESPONSE 3: The site has been remediated to meet residential use soil cleanup objectives. However, the site is zoned commercial and will be limited to commercial uses.

COMMENT 4: When will the Record of Decision be signed?

RESPONSE 4: The Record of Decision is expected to be signed by March 31, 2012.

COMMENT 5: When can the site be sold?

RESPONSE 5: To insure the Town receives the full benefits of the Environmental Restoration Program and to facilitate any future property transfer, the Department will work with the Town of Trenton and their consultant to develop the required closeout documents, including a Final Engineering Report and Site Management Plan. This process is expected to be completed by the end of 2012.

APPENDIX B

Administrative Record

Administrative Record

E-Z Stop
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Proposed Remedial Action Plan for the E-Z Stop site, dated February 2012, prepared by the Department.

Addendum to Remedial Investigation Report, dated January 2012, prepared by Geologic NY, Inc.

Spill Cleanup Report, dated March 2010, prepared by Eggan Excavation and Equipment Co., Inc.

Private Water Well Sampling Report, dated May 2009, prepared by Geologic NY, Inc.

Site Investigation Report, dated June 2008, prepared by Geologic NY, Inc.

Site Investigation Work Plan, dated February 2007, prepared by Geologic NY, Inc.