Department of Environmental Conservation

Division of Environmental Remediation

Environmental Restoration
Record of Decision
Gonsenhauser Farm Site
Town of Brighton, Monroe County
Site Number B-00078-8

March 2002

New York State Department of Environmental Conservation
GEORGE E. PATAKI, *Governor* ERIN M. CROTTY, *Commissioner*

DECLARATION STATEMENT
ENVIRONMENTAL RESTORATION RECORD OF DECISION

Gonsenhauser Farm Environmental Restoration Site
Brighton (T), Monroe County, New York
Site No. B-00078-8
March 2002

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedy for the Gonsenhauser Farm environmental restoration site which was chosen in accordance with the New York State Environmental Conservation Law.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for the Gonsenhauser Farm environmental restoration site and upon public input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Assessment of the Site

Actual or threatened release of petroleum products from this site, if not addressed by implementing the remedy selected in this ROD, presents a current or potential threat to public health and the environment.

Description of Selected Remedy

Based on the results of the Site Investigation/Remedial Alternatives Report (SI/RAR) for the Gonsenhauser Farm site and the criteria identified for evaluation of alternatives, the NYSDEC has selected excavation and off-site disposal of contaminated soils. The components of the remedy are as follows:

- Parcel A - Building Demolition and excavation and off-site disposal of soil from the area where the underground storage tanks were located; and
- Parcel A - Excavation and off-site disposal of surface soil in the maintenance building.
- Parcel B - No action is required on Parcel B.

New York State Department of Health Acceptance

The New York State Department of Health concurs with the remedy selected for this site as being 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.

3/19/2002
Date

Michael J. O'Toole, Jr., Director
Division of Environmental Remediation

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RECORD OF DECISION

Gonsenhauser Farm Site
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SECTION 1: SUMMARY OF THE RECORD OF DECISION

The New York State Department of Environmental Conservation (NYSDEC) in consultation with the New York State Department of Health has selected this remedy to address the threat to human health and/or the environment created by the presence of hazardous substances at the Gonsenhauser Farm brownfield project.

The 1996 Clean Water/ Clean Air Bond Act provides funding to municipalities for the investigation and cleanup of brownfields. Under the Environmental Restoration (Brownfields) Program, the State may provide a grant to the Town of Brighton to reimburse up to 75 percent of the eligible costs for site remediation activities. Once remediated the property can then be reused.

The Gonsenhauser Farm site consists of two non-contiguous parcels of land (Figure 1). Parcel A is a 32-acre former farm consisting of a house, several barn/utility buildings and fallow farm fields (Figures 2 & 3). Parcel B is a 32.3-acre former farm (Figure 4). Parcel B was also reportedly used as a radio station after World War II. Parcel B consists of a small, deteriorated house and fallow farm fields. As more fully described in Sections 3 and 4 of this document, at Parcel A, the use of underground storage tanks, as well as routine farm machinery operations and maintenance, have resulted in the disposal of a number of hazardous substances, including petroleum, at the site. These disposal activities have resulted in the following threats to the public health and/or the environment:

- A threat to human health associated with the potential for drinking contaminated groundwater and from contact with contaminated surface soil in the earthen floor of the maintenance building;

- An environmental threat associated with potential for discharge of contaminated groundwater or surface runoff to the southeast toward the West Branch of Allens Creek.

In order to eliminate or mitigate the threats to the public health and/or the environment that the hazardous substances disposed at the Gonsenhauser Farm brownfield site have caused, the following remedy was selected to allow for recreational use of the site:

- Parcel A - Building Demolition and excavation and off-site disposal of soil from the area where the underground storage tanks were located; and, excavation and off-site disposal of surface soil in the maintenance building on Parcel A.

- Parcel B - No action is required for Parcel B.

The selected remedy, discussed in detail in Section 8 of this document, is intended to attain the remediation goals selected for this site in Section 6 of this Record of Decision (ROD) in conformity with applicable standards, criteria, and guidance (SCGs).

SECTION 2: SITE LOCATION AND DESCRIPTION

The Gonsenhauser Farm brownfield site (ID# B-00078-8) consists of two, non-contiguous parcels located in the Town of Brighton in Monroe County. Parcel A is a 32-acre former farm consisting of a house, several barn/utility buildings and fallow farm fields. Parcel A is located at 1341 Westfall Road and is surrounded by farmland on three sides and is bordered by a residential area on the north side. Parcel B is a 32.3-acre former farm. Parcel B was also reportedly used as a radio station in the 1950s. Parcel B consists of a small, deteriorated house and fallow farm fields. Parcel B abuts the west side of the Town of Brighton Meridian Centre Park, and runs between the New York State Barge Canal and Interstate 590. See Figure 1.

SECTION 3: SITE HISTORY

3.1: Operational/Disposal History

Parcels A and B are currently separated by a third parcel (Parcel C) and by Interstate 590. Parcels A, B and C were all part of one farm before Interstate 590 was built in the 1980s. Parcel C was not purchased by the Town and is therefore not a part of the brownfield site.

Parcel A contains a house built in the 1800s and several farm buildings, including barns and a silo. All these buildings are near Westfall Road. Near one of these buildings is an area that had three underground storage tanks (USTs) which contained gasoline. These three tanks were removed in 1993. One area of concern identified in the SI/RAR involves contamination of groundwater and subsurface soil as a result of leakage from one or more of these tanks. Another area of concern identified is surface soil staining in the maintenance building. These stains are suspected to be due to leakage from farm machinery or other miscellaneous spillage. Parcel A was actively farmed until approximately 1997.

Parcel B has one small house that was built in the 1950s. This building reportedly housed a radio station during the 1950s. This parcel has not been farmed since being "landlocked" when Interstate 590 was constructed. Historical aerial photographs were reviewed and did not indicate that the property has been used for purposes other than agricultural. Parcel B had debris such as old farm equipment scattered around the house. Much of the debris has been removed by the Town of Brighton. Investigations outlined in the SI/RAR did not identify hazardous substances on Parcel B.

3.2: Environmental Restoration History

Environmental restoration activities at the property occurred in 1993 with the removal of one 550-gallon and two 1000-gallon underground gasoline storage tanks. Soil samples obtained during the excavation of these tanks indicated that leakage had occurred. The NYSDEC petroleum spills unit was contacted and the spill was assigned spill number 9305270. No additional work was performed at that time.

In 1997, the Town of Brighton retained a consultant to perform Phase I and Phase II investigations at the property. The Town was interested in the property for possible recreational / park use. The Phase I and II investigations indicated that additional investigations were needed to further evaluate:

- Petroleum contamination of groundwater and soil in the vicinity of the former UST location;
- Stained earthen floors in the maintenance building;
- Slightly elevated levels of silver detected in 2 of 16 surface soil samples;
- Miscellaneous debris on Parcel B; and,
- The possible presence of asbestos in the buildings.

In 1998, the Town of Brighton applied for a Brownfield Investigation grant under the 1996 Clean Water/ Clean Air Bond Act. A State Assistance Contract (SAC) was issued effective March 12, 1998. A work plan for the investigations was approved by the NYSDEC on May 11, 1999.

SECTION 4: CURRENT STATUS

To determine the nature and extent of any contamination by hazardous substances at this environmental restoration site, the Town of Brighton has recently completed a Site Investigation/Remedial Action Report (SI/RAR).

4.1: Summary of the Site Investigation

The purpose of the SI was to define the nature and extent of any contamination resulting from previous activities at the site. The SI was conducted in 2 phases. The first phase was conducted between June 1999 and August 1999. The second phase occurred in October 2000. A report entitled Site Investigation and Remedial Alternatives Report, January 2001 has been prepared which describes the field activities and findings of the SI in detail.

The SI included the following activities:

- Collecting surface soil samples on Parcels A and B;
- Conducting a Fish and Wildlife Impact Analysis on Parcels A and B;
- Installing and sampling direct push borings on Parcel A;
- Installing and sampling four groundwater monitoring wells;
- Sampling of five existing groundwater monitoring wells;
- Conducting an asbestos survey in all buildings;
- Consolidation and off-site disposal of all liquids and solids remaining from the 1997 Phase I and II investigations; and,
- Removal of approximately 40% of the debris located on Parcel B. (Since this debris was non-hazardous, the costs for removal are not eligible for reimbursement under the State Assistance Contract (SAC). The Town of Brighton plans to remove the remaining debris at a later date.)

To determine which media (soil, groundwater, etc.) are contaminated at levels of concern, the SI analytical data were compared to environmental Standards, Criteria, and Guidance values (SCGs). Groundwater, drinking water and surface water SCGs identified for the Gonsenhauser Farm site are based on NYSDEC Ambient Water Quality Standards and Guidance Values and Part 5 of New York State Sanitary Code. For soils, NYSDEC Technical and Administrative Guidance Memorandum (TAGM) 4046 provides soil cleanup guidelines for the protection of groundwater, background conditions and health-based exposure scenarios. In addition, for soils, background concentration levels can be considered for certain categories of contaminants. Guidance values for evaluating contamination in surface water and sediments are provided by the NYSDEC Technical Guidance for Screening Contaminated Sediments.

Based on the Site Investigation results in comparison to the SCGs and potential public health and environmental exposure routes, certain media and areas of the site require remediation. These are summarized below. More complete information can be found in the SI Report.

Chemical concentrations are reported in parts per billion (ppb) and parts per million (ppm). For comparison purposes, where applicable, SCGs are provided for each medium.

4.1.1: Site Geology and Hydrogeology

Parcel A slopes gently from an elevation of approximately 505 feet above mean sea level (AMSL) at the northern boundary (Westfall Road) to an elevation of approximately 485 feet AMSL at the southern end of the parcel. Parcel B is flat and is at an elevation of approximately 485 feet AMSL. The native soils at the site are reported in the Monroe County Soil Survey (1973) as Schoharie-Odessa-Cayuga Association, which are derived from clayey, lake-laid (or lacustrine) deposits. Beneath these lacustrine deposits, glacial till is generally found. The bedrock beneath the site is reported to be the Vernon formation, consisting of shales and dolostone.

Groundwater is approximately five feet below grade and flow is generally toward the south. There is public water serving the area; therefore, groundwater is not being utilized for drinking water purposes.

4.1.2: Nature of Contamination

As described in the SI report, many soil and groundwater samples were collected at the site to characterize the nature and extent of contamination.

- Gasoline-related compounds were found in the Former UST area soils and groundwater;
- Petroleum (mainly lube oil) compounds were detected in the stained earthen floors in the maintenance building;
- The two anomalous silver detections reported in the Phase I/II investigations were not reproduced during the SI. Silver is not considered a compound of concern at the site; and,
- Asbestos-containing materials were identified in the buildings (floor tiles, roof shingles, mastic, window glazing, etc.). These asbestos containing materials would require compliance with federal and state regulations in the event of renovation and/or demolition. No asbestos abatement activities are required as a component of this project, with the exception of building demolition necessary to conduct other remediation activities.

4.1.3: Extent of Contamination

Table 1 summarizes the extent of contamination for the contaminants of concern detected above SCGs in soil and groundwater and compares the data with the SCGs for the site. The following are the media which were investigated and a summary of the findings of the investigation.

Soil

A total of 27 soil samples were obtained from four areas of the site: general surface soil sampling (Parcels A and B), sampling of the maintenance building earthen floor (Parcel A), sampling in the former equipment wash area (Parcel A), and samples obtained from soil borings in the Former UST area (Parcel A). Sampling locations are shown on Figures 2, 3, and 4.

Surface soil sampling (Parcels A and B):

Eleven surface soil samples (0 to 2 inches) were obtained from throughout the Parcel A and Parcel B fields, the Parcel A orchard and the Parcel B debris area. Parcel A samples were analyzed for pesticides and metals (see Table 1a). Parcel B samples were analyzed for pesticides, metals, and SVOCs (see Table 1b). No levels of concern were detected, with the exception of lead at 1,660 ppm in one Parcel A field sample. This area was re-sampled for lead twice and the results were 24.1 and 27.1 ppm. The 1,660 ppm appears to be an anomaly. No further action regarding the fields, orchards and debris area is planned in this PRAP. The Town of Brighton is considering removal of the debris independently.

Maintenance building floor (Parcel A):

The soil in the maintenance building floor is stained with lube oil. Six soil samples in this area were obtained from 0 to 1 foot and 1 to 3 feet below grade. Samples were analyzed for VOCs, SVOCs, and metals (see Table 1c). No elevated levels of contaminants were detected; however, visible lube oil staining is present.

Former equipment wash area (Parcel A):

Six soil samples in this area were obtained from 0 to 2 inches, 2 inches to 2 feet, and 2 to 4 feet below grade. Samples were tested for metals (see Table 1d). No levels of concern were detected.

Soil borings in the Former UST area (Parcel A):

Four soil samples in this area (one per boring) were obtained based on portable vapor analyzer readings during monitoring well installation. Sample depths range from 6 to 8, 8 to 10, and 10 to 12 feet below grade. Samples were tested for VOCs and SVOCs (see Table 1e). Benzene was detected at up to 0.74 ppm (TAGM level for benzene is 0.06 ppm), toluene was detected at 5.9

ppm (TAGM level for toluene is1.5 ppm), and total xylenes were detected at 27 ppm (TAGM level for total xylenes is 1.2 ppm).

Groundwater

Two rounds of groundwater samples were obtained from four newly installed monitoring wells and from five existing monitoring wells. Table 1f shows the compounds detected above groundwater standards. As shown in Figure 6, monitoring wells BBLMW-1 and MW-2 had the highest levels of contamination. BBLMW-1 had benzene at 9,900 ppb (groundwater standard is 1 ppb), ethylbenzene at 2,400 ppb (groundwater standard is 5 ppb), toluene at 31,000 ppb (groundwater standard is 5 ppb), and total xylenes at 11,700 ppb (groundwater standard is 5 ppb). MW-2 had benzene at 13,000 ppb, 2-butanone at 3,000 ppb (groundwater guidance value is 50 ppb), ethylbenzene at 1,500 ppb, toluene at 21,000 ppb, and total xylenes at 6,800 ppb. MW-12 had lower level detections near groundwater standards and all other wells tested were non-detect for volatile organic compounds. The volatile and semi-volatile compounds detected are petroleum related. In addition, cadmium and chromium were detected slightly above the groundwater standards. These may be attributed to petroleum additives. Selenium, iron, magnesium, and manganese were all detected above groundwater standards; however, the levels detected across the site indicate that these are naturally occurring levels.

Due to the tight, clayey nature of the soil, groundwater contamination does not appear to have spread significantly.

Soil Gas Survey

17 direct push soil probes were used to collect soil gas data in the Former UST area on Parcel A. The results of the soil gas survey were used to delineate the extent of contamination as shown on Figure 5.

Fish and Wildlife Impact Analysis

The pathway analysis for environmental impacts from the Parcel A contamination indicated minimal potential for impacts to Parcel A environmental resources. In this instance, any remediation which is protective of human health will adequately protect the environment. No contamination was detected on Parcel B; therefore, no pathway analysis was required.

4.2: Summary of Human Exposure Pathways

This section describes the types of human exposures that may present added health risks to persons at or around the site.

An exposure pathway is the manner by which an individual may come in contact with a contaminant. The five elements of an exposure pathway are 1) the source of contamination; 2) the environmental media and transport mechanisms; 3) the point of exposure; 4) the route of exposure; and 5) the receptor population. These elements of an exposure pathway may be based on past, present, or future events.

Pathways which are known to or may exist at the site include:

- Ingestion of on-site soils;
- Direct contact with on-site soils;
- Inhalation of dust from the site;
- Potential direct contact with groundwater; and
- Potential inhalation of VOCs from contaminated groundwater.

Public water serves the area, therefore, ingestion of contaminated groundwater is unlikely. It is expected that this property will be developed for recreational use. Therefore, remediation and/or institutional controls (such as deed restrictions) will be required to mitigate the known and potential future exposure pathways.

4.3: Summary of Environmental Exposure Pathways

This section summarizes the types of environmental exposures and ecological risks which may be presented by the site. The Fish and Wildlife Impact Analysis included in the SI presents a more detailed discussion of the potential impacts from the site to fish and wildlife resources. The only identified potential environmental threat at this site is associated with the potential for surface discharge of contaminated groundwater or surface runoff to the southeast toward the West Branch of Allens Creek (a class C surface water body) approximately 1,500 feet south of the Former UST area.

SECTION 5: ENFORCEMENT STATUS

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

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 Brighton will assist the State in its efforts by providing all information to the State which identifies PRPs. The Town will also not enter into any agreement regarding response costs without the approval of the NYSDEC.

SECTION 6: SUMMARY OF REMEDIAL GOALS AND PROPOSED USE

Goals for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375-1.10. The overall remedial goal is to meet all Standards, Criteria, and Guidance (SCGs) and be protective of human health and the environment. At a minimum, the remedy selected must eliminate or mitigate all significant threats to the public health and to the environment presented by the hazardous substances disposed at the site through the proper application of scientific and engineering principles.

The proposed future use for the Gonsenhauser Farm site would be recreational. The goals selected for this site are:

- Reduce, control, or eliminate to the extent practicable the contamination present within the soils/waste on site.
- Eliminate the potential for direct human or animal contact with the contaminated soils or groundwater on site.
- Mitigate the impacts of and/or exposure to contaminated groundwater to the environment.
- Provide for attainment of SCGs for groundwater quality at the limits of the area of concern (AOC), to the extent practicable.

SECTION 7: SUMMARY OF THE EVALUATION OF ALTERNATIVES

The selected remedy must be protective of human health and the environment, be cost effective and comply with other statutory requirements. Potential remedial alternatives for the Gonsenhauser Farm site were identified, screened and evaluated in a Remedial Alternatives Report. This evaluation is presented in the report entitled Site Investigation and Remedial Alternatives Report, January 2001.

A summary of the detailed analysis follows. As presented below, the time to implement reflects only the time required to implement the remedy, and does not include the time required to design the remedy or procure contracts for design and construction.

7.1: Description of Remedial Alternatives

The potential remedies are intended to address the contaminated soils and groundwater at the site. The remedies have been broken into two categories: one for the maintenance building soils and one for the Former UST area.

Parcel A Maintenance Building

Alternative 1: No Action

The No Action alternative is typically evaluated as a procedural requirement and as a basis for comparison. This alternative would leave the site in its present condition and would not provide any additional protection to human health or the environment.

Present Worth:	$ 0
Capital Cost:	$ 0
Annual O&M:	$ 0
Time to Implement:	Not Applicable

Alternative 2: Excavation and Off-Site Disposal

This alternative involves the removal and off-site disposal of approximately 500 cubic yards of unsaturated soils from the maintenance building. The cleanup goals for this alternative are TAGM 4046 cleanup levels. The excavation would then be backfilled with clean fill material.

Present Worth:	$ 64,000
Capital Cost:	$ 64,000
Annual O&M:	$ 0
Time to Implement:	2 to 3 months

Alternative 3: Excavation and Ex-situ Treatment (Bioremediation)

This alternative involves the removal of approximately 500 cubic yards of unsaturated soils, and placement into a land farming (or equivalent) cell. The cleanup goals for this alternative are TAGM 4046 cleanup levels. To enhance the biodegradation of VOCs and petroleum, soil would be mechanically mixed to increase the transport of oxygen within the soil. The excavation would then be backfilled with clean fill material and/or treated soil.

Present Worth:	$ 80,000
Capital Cost:	$ 80,000
Annual O&M:	$ 0
Time to Implement:	8 to 12 months

(Note: The tight, clayey nature of the soils makes the prediction of the time frame uncertain)

Parcel A Former UST Area

Alternative 1: No Action

The No Action alternative is typically evaluated as a procedural requirement and as a basis for comparison. This alternative would leave the site in its present condition and would not provide any additional protection to human health or the environment.

Present Worth:	$ 0
Capital Cost:	$ 0
Annual O&M:	$ 0
Time to Implement:	Not Applicable

Alternative 2: Soil Mixing

To enhance the biodegradation of petroleum constituents in place, soil would be mechanically mixed to increase the transport of oxygen in the soil. Soil mixing would be performed in place in lifts. Following the treatment of each lift, the underlying lift would be treated. Some excavation / handling of soils would be required to address the deeper soils and provide aeration. A total of approximately 3,100 cubic yards of soil would be treated. The cleanup goals for this alternative are TAGM 4046 cleanup levels. A five year groundwater monitoring program would follow the completion of the remedy.

Present Worth:	$ 335,000
Capital Cost:	$ 257,000
Annual O&M:	$ 18,000
Time to Implement:	8 to 12 months

(Note: The tight, clayey nature of the soils makes the prediction of the time frame uncertain)

Alternative 3: In-situ Bioremediation

To enhance the biodegradation of petroleum constituents in place, oxygen and/or nutrients would be injected into the subsurface. The method used to apply oxygen/nutrients in-situ can include injection of gaseous oxygen source (air, oxygen, or ozone), a liquid source (hydrogen peroxide), or solid/slurry source (ORC™). ORC™ has been used for the purpose of evaluating this alternative. A total of approximately 3,100 cubic yards of soil would be treated. The cleanup goals for this alternative are TAGM 4046 cleanup levels. A five year groundwater monitoring program would follow the completion of the remedy.

Present Worth:	$ 460,000
Capital Cost:	$ 382,000
Annual O&M:	$ 18,000
Time to Implement:	2 years

(Note: The tight, clayey nature of the soils makes the prediction of the time frame uncertain)

Alternative 4: Excavation and Off-Site Disposal

This alternative involves the removal and off-site disposal of approximately 3,100 cubic yards of saturated and unsaturated soils from the Former UST area. The cleanup goals for this alternative are TAGM 4046 cleanup levels. The excavation would then be backfilled with clean fill material. A five year groundwater monitoring program would follow the completion of the remedy.

Present Worth:	$ 537,000
Capital Cost:	$ 459,000
Annual O&M:	$ 18,000
Time to Implement:	4 months

Alternative 5: Excavation and Ex-situ Treatment (Bioremediation)

This alternative involves the removal of approximately 3,100 cubic yards of both saturated and unsaturated soils, and placement into an ex-situ treatment cell. To enhance the biodegradation of VOCs and petroleum, soil may be mechanically mixed to increase the transport of oxygen within the soil. The cleanup goals for this alternative are TAGM 4046 cleanup levels. The excavation would then be backfilled with clean fill material and/or treated soil. A five year groundwater monitoring program would follow the completion of the remedy.

Present Worth:	$ 435,000
Capital Cost:	$ 357,000
Annual O&M:	$ 18,000
Time to Implement:	8 to 12 months

(Note: The tight, clayey nature of the soils makes the prediction of the time frame uncertain)

7.2 Evaluation of Remedial Alternatives

The criteria used to compare the potential remedial alternatives are defined in the regulation that directs the remediation of environmental restoration project sites in New York State (6 NYCRR Part 375). For each of the criteria, a brief description is provided followed by an evaluation of the alternatives against that criterion. A detailed discussion of the evaluation criteria and comparative analysis is included in the Remedial Alternatives Report.

The first two evaluation criteria are termed threshold criteria and must be satisfied in order for an alternative to be considered for selection.

1. Compliance with New York State Standards, Criteria, and Guidance (SCGs). Compliance with SCGs addresses whether or not a remedy will meet applicable environmental laws, regulations, standards, and guidance. The most significant SCGs identified for this site are

NYSDEC TAGM 4046, and NYSDEC technical and operational guidance series (TOGS) 1.1.1. The documents identify soil and groundwater cleanup objectives or standards which are protective of human health and the environment.

Parcel A Maintenance Building

- Alternative 1 would not meet this criteria.
- Alternatives 2 and 3 would meet this criteria.

Parcel A Former UST Area

- Alternative 1 would not meet this criteria.
- Alternatives 2, 3, 4, and 5 would meet the soil criteria. In time, these alternatives would also meet the groundwater criteria.

2. Protection of Human Health and the Environment. This criterion is an overall evaluation of each alternative's ability to protect public health and the environment.

Parcel A Maintenance Building

- Alternative 1 would not meet this criteria.
- Alternative 2 would reduce potential human and environmental exposure by removing contaminated soil.
- Alternative 3 would reduce potential human and environmental exposure by treating contaminated soil.

Parcel A Former UST Area

- Alternative 1 would not meet this criteria.
- Alternatives 2, 3 and 5 would reduce potential human and environmental exposure by treating contaminated soil.
- Alternative 4 would reduce potential human and environmental exposure by removing contaminated soil.

The next five "primary balancing criteria" are used to compare the positive and negative aspects of each of the remedial strategies.

3. Short-term Effectiveness. The potential short-term adverse impacts of the remedial action upon the community, the workers, and the environment during the construction and/or implementation are evaluated. The length of time needed to achieve the remedial objectives is also estimated and compared against the other alternatives.

Parcel A Maintenance Building

- Alternative 1 would not meet this criteria.

- Alternatives 2 and 3 - The handling of contaminated soils may present potential short-term exposures to on-site workers and others in the vicinity of the work activities. Mitigative measures such as temporary fence installation, dust suppression controls during excavation, and the implementation of a site specific health and safety plan would be utilized to address short-term effects.

- Alternative 2 would be completed in a shorter amount of time. Furthermore, the excavation would not need to be left open as it would in Alternative 3 while bioremediation in the ex-situ cells occurred.

- Due to the tight, clayey nature of the site soils, the time frames for completion of the in-situ and ex-situ remedies (Maintenance Building Alternative 3 and UST Alternatives 2, 3, and 5) are uncertain. The possibility of an extended remediation time would hinder the municipality's and the community's desire to develop the site for recreational use in a timely manner.

Parcel A Former UST Area

- Alternative 1 would not meet this criteria.

- Alternatives 2, 3, 4 and 5: The handling of contaminated soils may present potential short-term exposures to on-site workers and others in the vicinity of the work activities. Mitigative measures such as temporary fence installation, dust suppression controls during excavation, and the implementation of a site specific health and safety plan would be utilized to address short-term effects.

- Alternative 4 would be completed in the shortest amount of time. Furthermore, the excavation would not need to be left open as it would for Alternative 5 while bioremediation in the ex-situ cells occurred.

4. Long-term Effectiveness and Permanence. This criterion evaluates the long-term effectiveness of the remedial alternatives after implementation. If wastes or treated residuals remain on site after the selected remedy has been implemented, the following items are evaluated: 1) the

magnitude of the remaining risks, 2) the adequacy of the controls intended to limit the risk, and 3) the reliability of these controls.

Parcel A Maintenance Building

- Alternative 1 would not meet this criteria.
- Alternatives 2 and 3 would meet this criteria by permanently treating or removing the contaminated soil.

Parcel A Former UST Area

- Alternative 1 would not meet this criteria.
- Alternatives 2, 3, 4 and 5 would meet this criteria by permanently treating or removing the contaminated soil.

5. Reduction of Toxicity, Mobility or Volume. Preference is given to alternatives that permanently and significantly reduce the toxicity, mobility or volume of the substances at the site.

Parcel A Maintenance Building

- Alternative 1 would not meet this criteria.
- Alternative 2 would meet this criteria by removing the contaminated soil. This alternative would not provide any reduction in toxicity in the removed soils since the contaminants would be transferred to a permanent disposal facility. At the site, this criteria would be completely met in a short period of time.
- Alternative 3 would meet this criteria by permanently treating the contaminated soil. However, this criteria would take time to achieve due to the time requirements of bioremediation.

Parcel A Former UST Area

- Alternative 1 would not meet this criteria.
- Alternatives 2, 3 and 5 would meet this criteria by permanently treating the contaminated soil. However, this criteria would take time to achieve due to the time requirements of bioremediation.
- Alternative 4 would meet this criteria on-site by removing the contaminated soil. This alternative would not provide any reduction in toxicity in the removed soils since the

contaminants would be transferred to a permanent disposal facility. At the site, this criteria would be completely met in a short period of time.

6. Implementability. The technical and administrative feasibility of implementing each alternative are evaluated. Technical feasibility includes the difficulties associated with the construction and the ability to monitor the effectiveness of the remedy. For administrative feasibility, the availability of the necessary personnel and material is evaluated along with potential difficulties in obtaining specific operating approvals, access for construction, etc.

Parcel A Maintenance Building

- All of the remedial alternatives are technically feasible and can be implemented at the site. Administratively, the feasibility of Alternative 3 would be hindered by the municipality's and community's desire to develop the site for recreational use in a timely manner.

Parcel A Former UST Area

- All of the remedial alternatives are technically feasible and can be implemented at the site. Alternative 2 may be hindered by the tight, clayey nature of the site soils. Administratively, the feasibility of Alternatives 2, 3 and 5 would be hindered by the municipality's and community's desire to develop the site for recreational use in a timely manner.

7. Cost. Capital and operation and maintenance costs are estimated for each alternative and compared on a present worth basis. Although cost is the last balancing criterion evaluated, where two or more alternatives have met the requirements of the remaining criteria, cost effectiveness can be used as the basis for the final decision. The costs for each alternative are presented in Table 2.

Parcel A Maintenance Building

- Alternative 1 is least expensive.

- Alternative 2 and Alternative 3 have total present worth costs of $64,000 and $80,000, respectively.

Parcel A Former UST Area

- Alternative 1 is least expensive.

- The total present worth of the remaining four alternatives range from $335,000 (soil mixing) to $537,000 (excavation and off-site disposal). The in-situ and ex-situ bioremediation alternatives are priced in between at $460,000 and $435,000, respectively.

This final criterion is considered a modifying criterion and is taken into account after evaluating those above. It is evaluated after public comments on the Proposed Remedial Action Plan have been received.

8. Community Acceptance - Concerns of the community regarding the SI/RAR reports and the Proposed Remedial Action Plan have been evaluated. The "Responsiveness Summary" included as Appendix A presents the public comments received and the Department's response to the concerns raised. In general the public comments received were supportive of the selected remedy.

SECTION 8: SUMMARY OF THE SELECTED ALTERNATIVE

Based on the results of the SI/RAR, and the evaluation presented in Section 7, the NYSDEC is selecting Alternative 2 (excavation and off-site disposal) for the maintenance building area and Alternative 4 (excavation and off-site disposal) for the Former UST area as the remedy for this site. No Action is required on Parcel B.

This selection is based upon the evaluation of the alternatives developed to address the contamination identified on Parcel A. With the exception of the No Action alternatives, each of the alternatives would comply with the threshold criteria. In addition, these alternatives are similar with respect to the majority of the balancing criteria. The only major difference between these alternatives, besides cost, is the time to complete the remedy and the land use encumbrance of land-farming. The uncertainty of the length of time to completion of the bioremediation alternatives due to the tight, clayey nature of the soils is a concern. The preferred alternatives provide the shortest and most predictable (in terms of time frame) cleanup of the alternatives presented. They also do not encumber areas of the property for long periods of time (necessary for the land-farming alternatives). Furthermore, the preferred alternatives correspond best with the municipality's and community's desire to develop the site for recreational use in a timely manner.

Groundwater contamination will be addressed during the excavation through the removal of unsaturated and saturated soils (the source) in the Former UST area and by extensive de-watering during the excavation. Due to the tight, clayey nature of the soil, groundwater contamination does not appear to have spread significantly. Excavation and de-watering will address the bulk of groundwater contamination and post remediation monitoring will evaluate the effectiveness.

The estimated present worth cost to implement the remedy is $601,000. The cost to construct the remedy is estimated to be $523,000 and the estimated average annual operation and maintenance cost for 5 years is $18,000.

The elements of the proposed remedy are as follows:

- A remedial design program to verify the components of the conceptual design and provide the details necessary for the construction, operation and maintenance, and monitoring of the remedial program. Any uncertainties identified during the SI/RAR will be resolved.

- Maintenance Building Area - Alternative 2 - Excavation and off-site disposal of the contaminated soil. Backfill with clean fill material.

- Former UST Area - Alternative 4 - Building demolition and excavation and off-site disposal of the saturated and unsaturated soil. Backfill with clean fill material.

- Since the preferred remedy will not immediately meet groundwater standards, a monitoring program will be instituted for a minimum of 5 years. This program will allow the effectiveness of the selected remedy to be monitored and will be a component of the operation and maintenance for the site. The monitoring program will be evaluated after 5 years to determine whether further monitoring is necessary.

- A deed restriction will be used to prohibit groundwater usage until monitoring indicates that groundwater standards have been met. The deed restriction will also require owners to annually certify to the NYSDEC that the restrictions have been adhered to and that the conditions at the site are fully protective of public health and the environment in accordance with this Record of Decision.

SECTION 9: HIGHLIGHTS OF COMMUNITY PARTICIPATION

As part of the Gonsenhauser Farm environmental restoration process, a number of Citizen Participation activities were undertaken in an effort to inform and educate the public about conditions at the site and the potential remedial alternatives. The following public participation activities were conducted for the site:

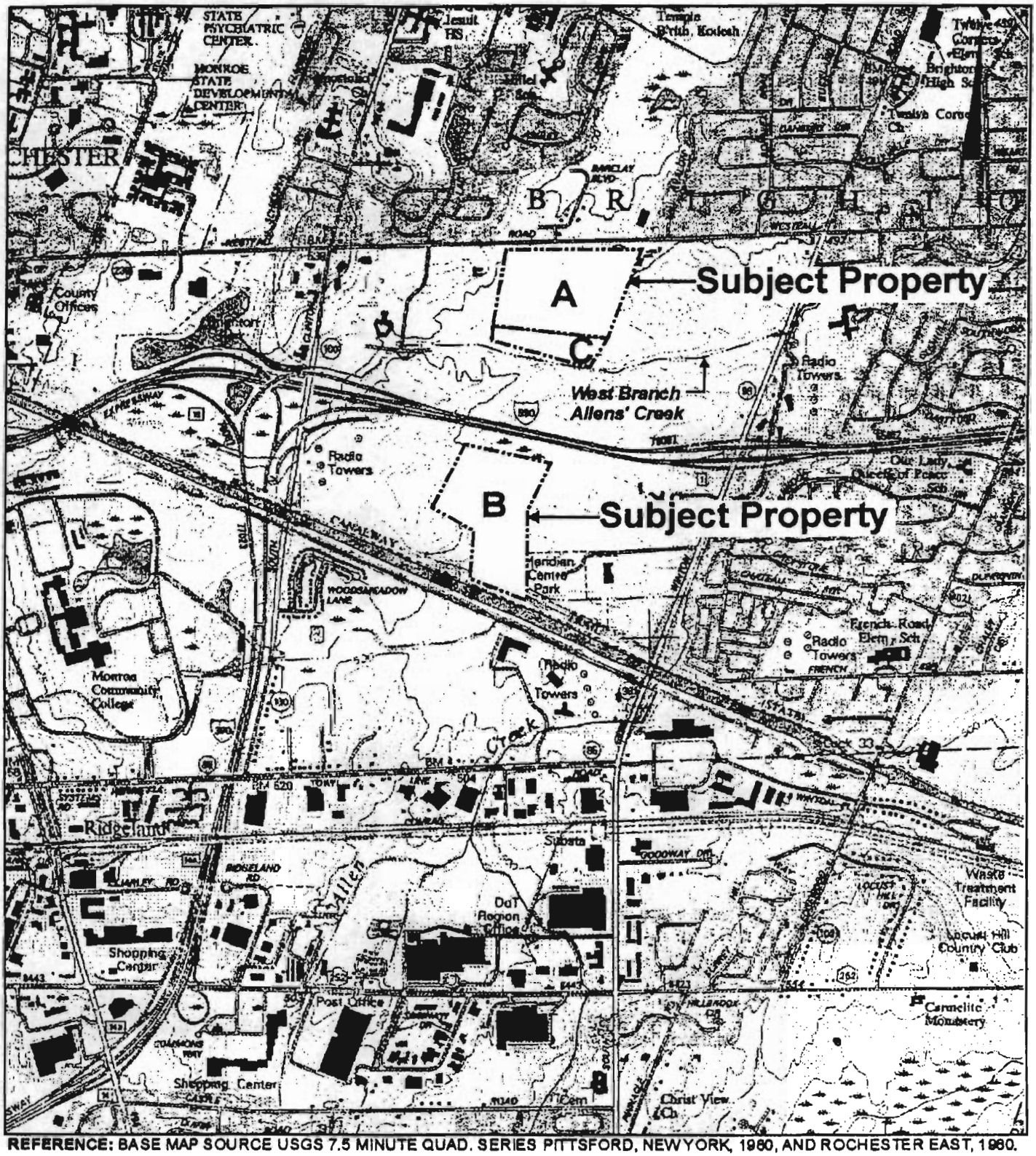
- A repository for documents pertaining to the site was established at the Town of Brighton Public Library.

- A site mailing list was established which included nearby property owners, local political officials, local media and other interested parties.

- A Fact Sheet was mailed at the beginning of field work at the site. A second Fact Sheet was mailed announcing the public meeting and availability of the PRAP for public review.

- A public meeting was held on December 17, 2001 to present the investigation results and the proposed remedial alternatives.

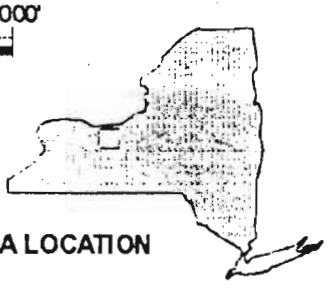
- In February 2002, a Responsiveness Summary was prepared and made available to the public, to address the comments received during the public comment period for the PRAP.



REFERENCE: BASE MAP SOURCE USGS 7.5 MINUTE QUAD. SERIES PITTSFORD, NEWYORK, 1980, AND ROCHESTER EAST, 1980.

2000' 0 2000'

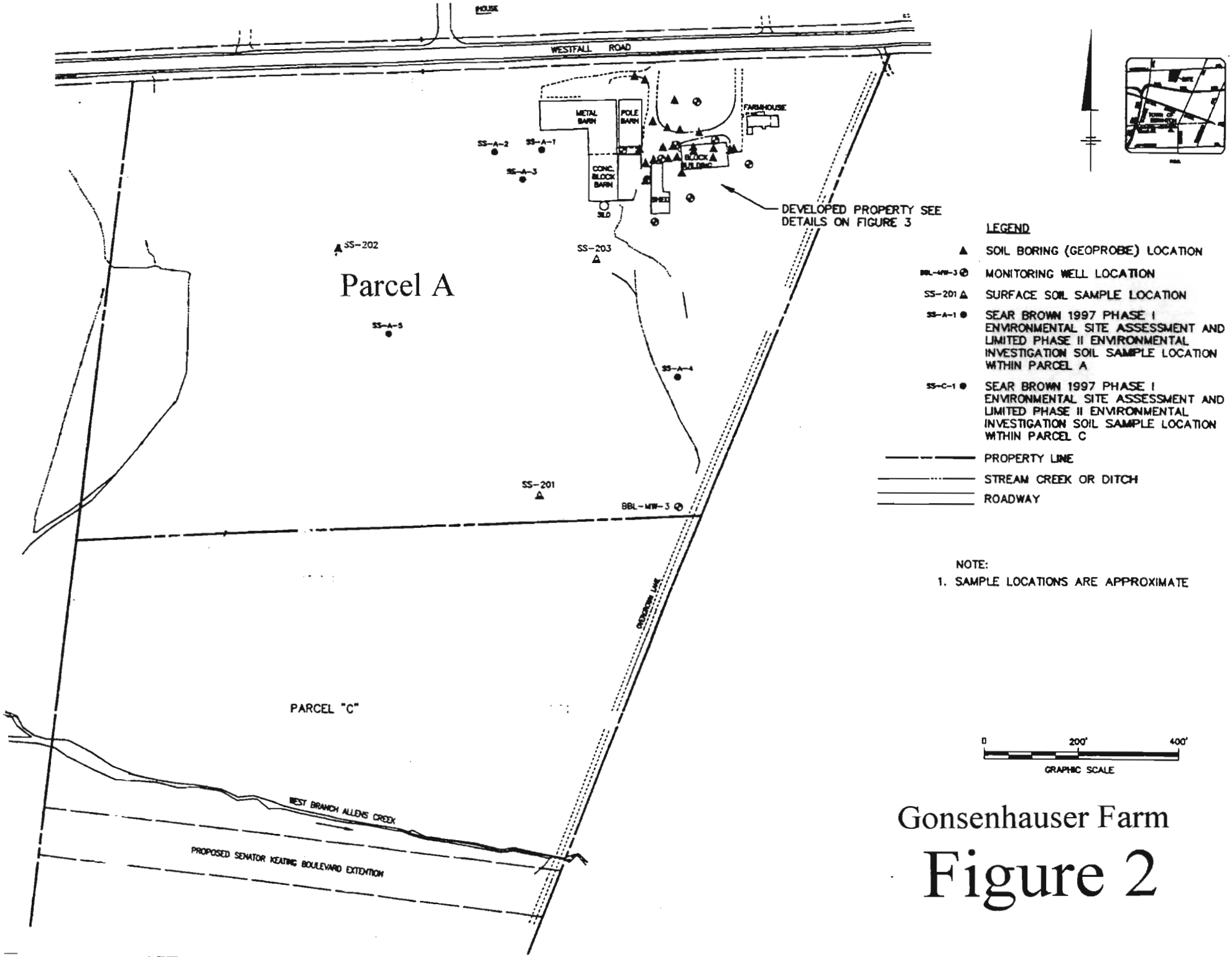
Approximate Scale: 1" = 2000'



AREA LOCATION

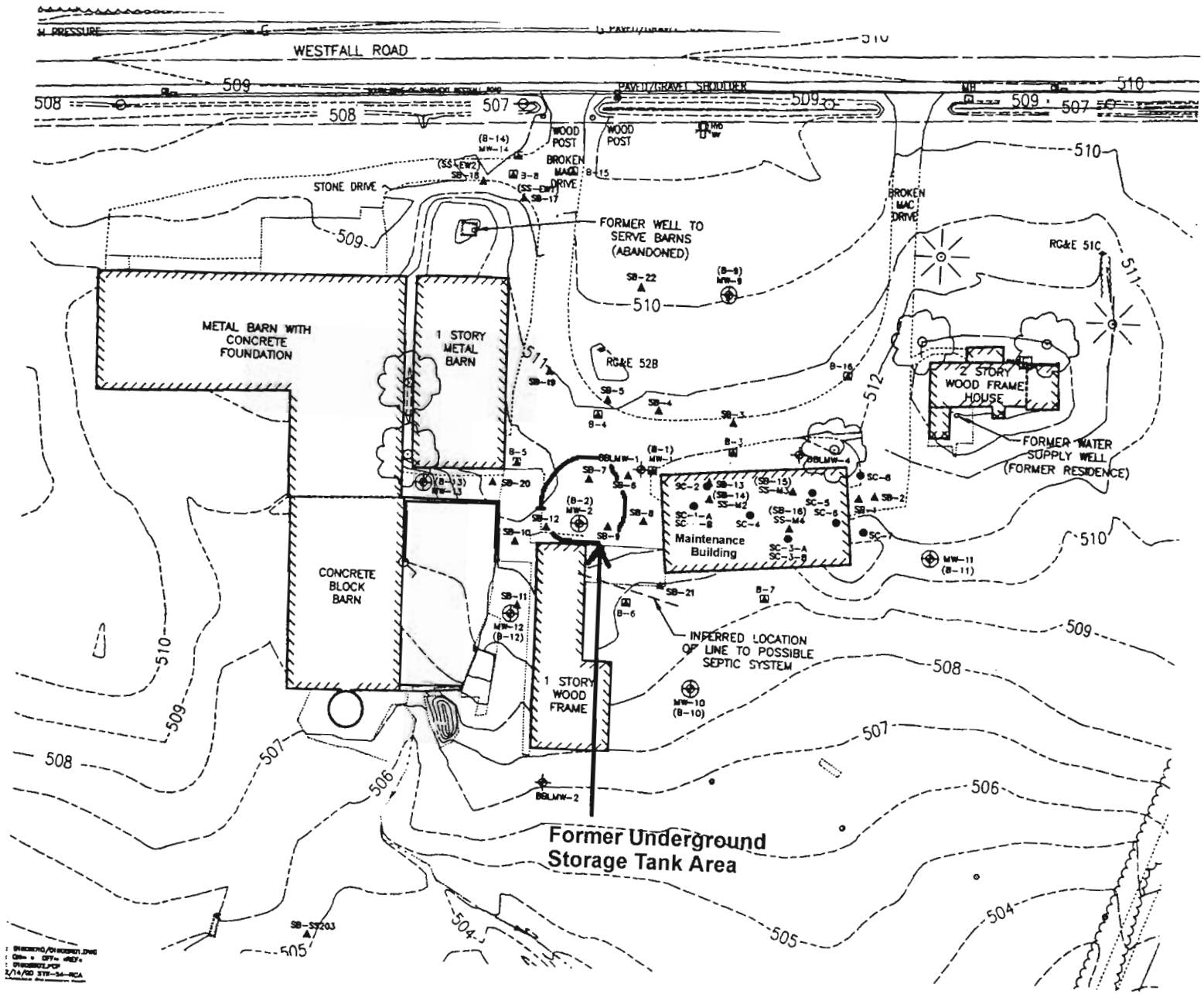
Gonsenhauser Farm

Figure 1



Gonsenhauser Farm

Figure 2



LEGEND

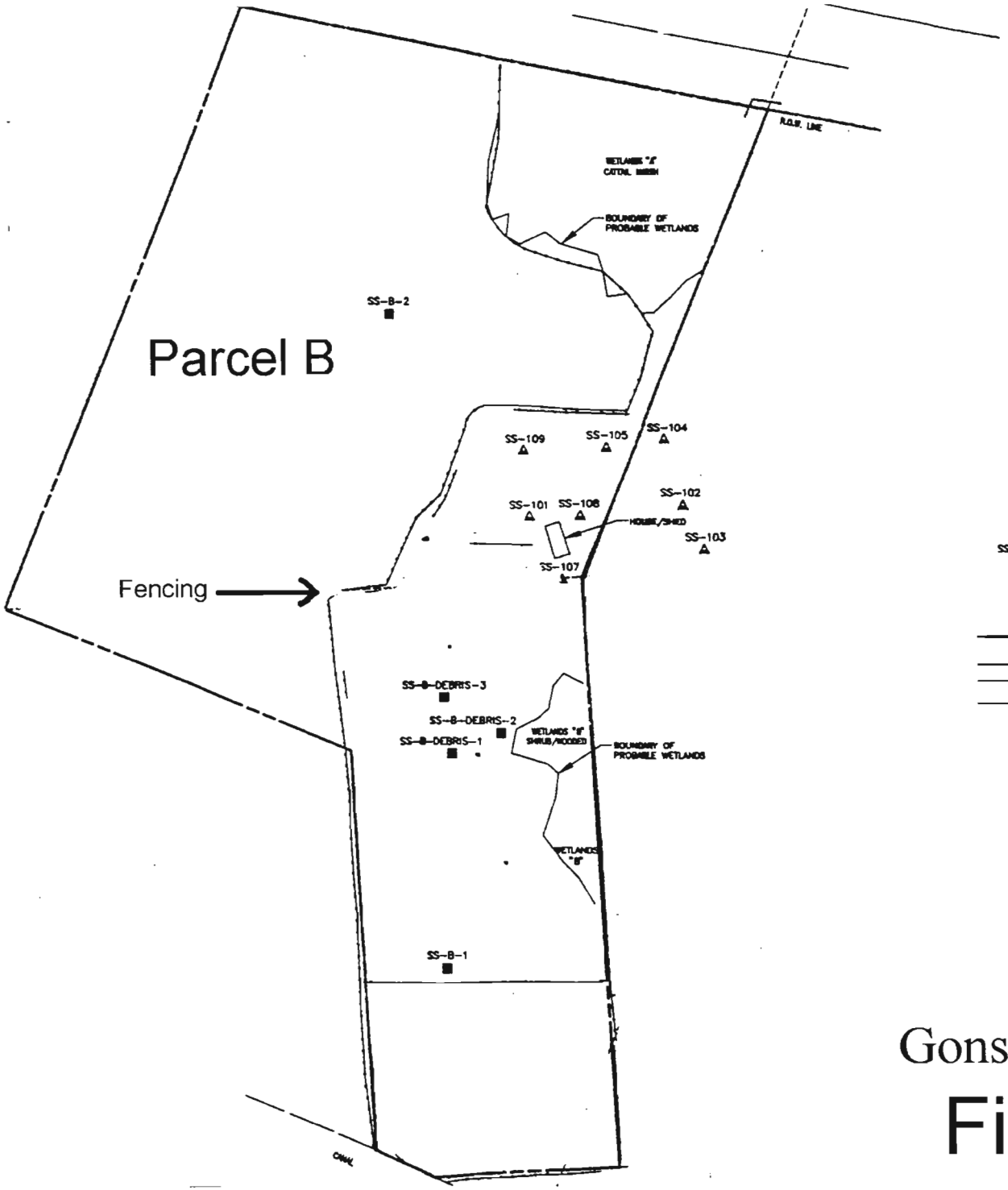
- MW-2 ⊕ MONITORING WELL LOCATION (MW- PREFIX = EXISTING WELL, BBLMW- PREFIX = NEWLY INSTALLED WELL)
- (B-10) MW-10 ⊕ SEAR BROWN 1997 PHASE I ENVIRONMENTAL SITE ASSESSMENT AND LIMITED PHASE II ENVIRONMENTAL INVESTIGATION MONITORING WELL/FORMER BOREHOLE SAMPLE LOCATION
- SB-11 ▲ BBL SI/RAR BOREHOLE (GEOPROBE) PID SAMPLE LOCATION
- SC-5 ● SEAR BROWN 1997 PHASE I ENVIRONMENTAL SITE ASSESSMENT AND LIMITED PHASE II ENVIRONMENTAL INVESTIGATION SOIL CORE SAMPLE LOCATION
- B-15 ▣ SEAR BROWN 1997 PHASE I ENVIRONMENTAL SITE ASSESSMENT AND LIMITED PHASE II ENVIRONMENTAL INVESTIGATION BOREHOLE SAMPLE LOCATION

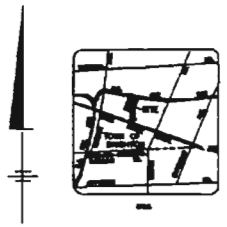
NOTE:
1. MONITORING WELL MW-14 AND MW-1 ARE DESTROYED.

0 50' 100'
GRAPHIC SCALE

Gonsenhauser Farm

Figure 3





LEGEND

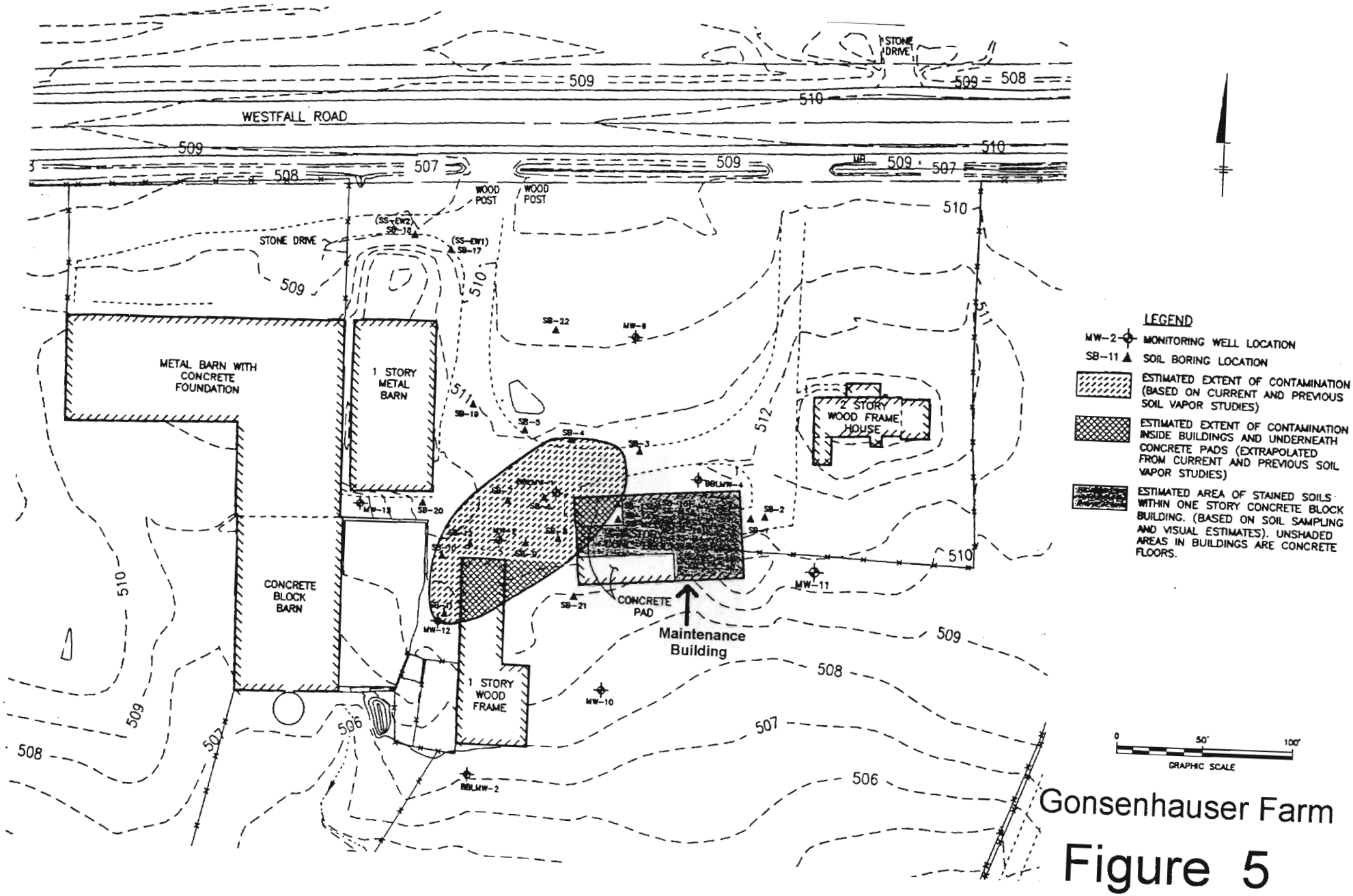
SS-101 ▲	BBL SI/RA SURFACE SOIL SAMPLE LOCATION 1999
SS-104 ▲	BBL SI/RA SURFACE SOIL SAMPLE LOCATION OFF PARCEL B, 1999
SS-108 ▲	BBL SI/RA SURFACE SOIL SAMPLE LOCATION 2000
SS-B-DEBRIS ■	SEAR BROWN 1997 PHASE I ENVIRONMENTAL SITE ASSESSMENT AND LIMITED PHASE II ENVIRONMENTAL INVENTORY
	PROPERTY LINE
	STREAM CREEK OR DITCH
	ROADWAY (APPROXIMATE)

NOTE:
1. SAMPLE LOCATIONS ARE APPROXIMATE

0 200' 400'
GRAPHIC SCALE

Gonsenhauser Farm

Figure 4



Gonsenhauser Farm

Figure 5

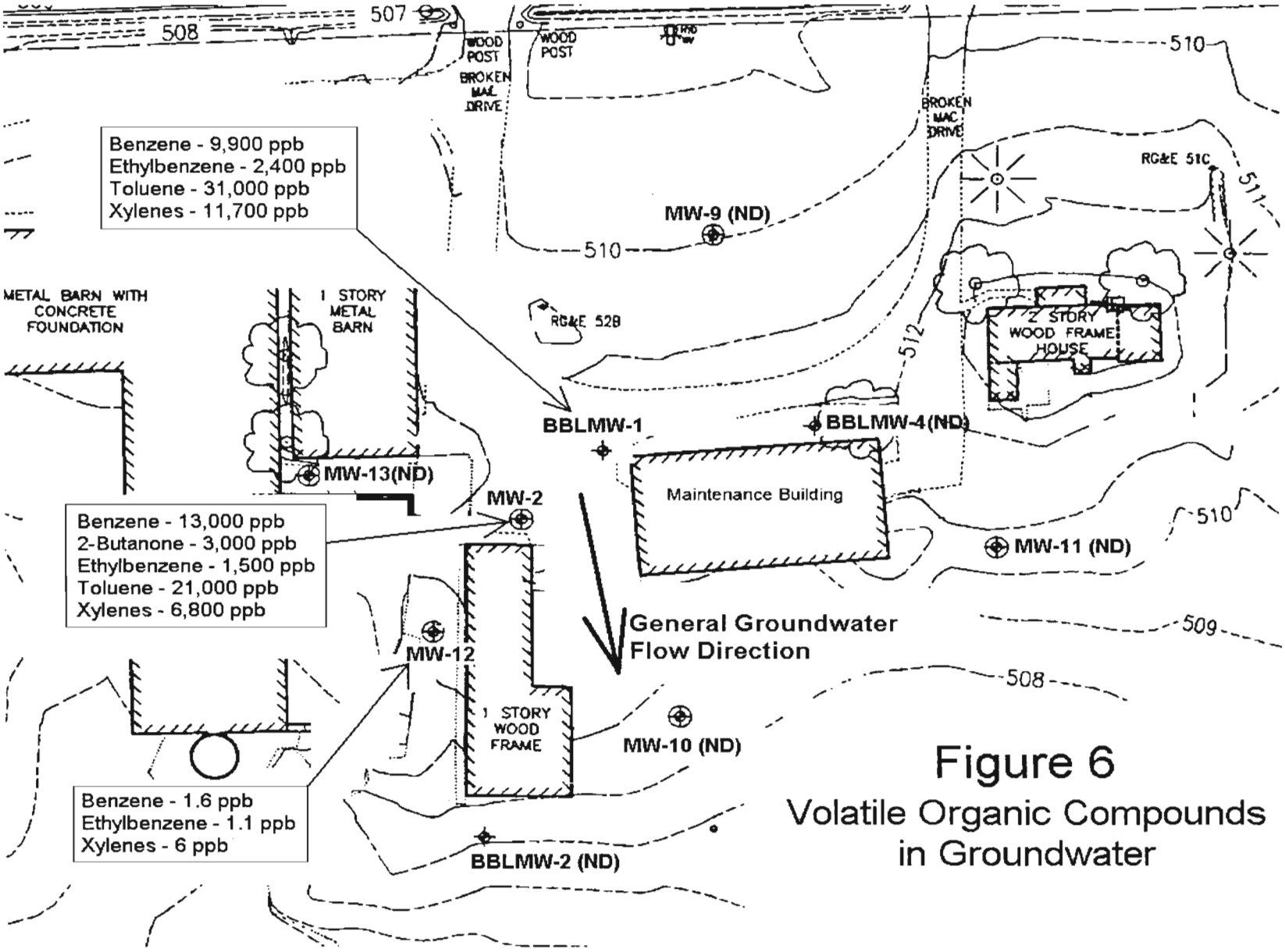


Figure 6

Volatile Organic Compounds in Groundwater

Table 1 a
Nature and Extent of Contamination

MEDIUM	CATEGORY	CONTAMINANT OF CONCERN	CONCENTRATION RANGE (ppm)	FREQUENCY of Exceeding SCGs or Background	SCG/ Bkgd. (ppm)
Surface Soil Parcel A (orchard & farm fields)	Pesticides	All pesticides were non-detect (ND)			
	Inorganics	aluminum	4,020 to 10,100	0 of 3	SB
		antimony	ND > 6.0 to 6.0	0 of 3	SB
		arsenic	ND > 0.1 to 7.9	1 of 3	7.5 or SB
		barium	33.4 to 64.3	0 of 3	300 / SB
		beryllium	ND > 0.5 to 0.5	0 of 3	0.6 or SB
		cadmium	ND > 0.5	0 of 3	1 or SB
		calcium	4,640 to 105,000	0 of 3	SB
		chromium	7.2 to 10.5	1 of 3	10 or SB
		cobalt	ND > 0.5 to 7.2	0 of 3	30 or SB
		copper	13.9 to 23.3	0 of 3	25 or SB
		iron	8,200 to 22,500	3 of 3	2,000 /SB
		lead	16.6 to 1,660	1 of 5	SB
		magnesium	3,040 to 49,500	0 of 3	SB
		manganese	364 to 383	0 of 3	SB
		mercury	ND > 0.1	0 of 3	0.1
		nickel	8.2 to 16.3	1 of 3	13 or SB
		potassium	1,300 to 1,700	0 of 3	SB
		selenium	0.3 to 0.4	0 of 3	2 or SB
		silver	ND > 1.0	0 of 3	SB
		sodium	73 to 168	0 of 3	SB
		thallium	ND > 1.0 to 0.2	0 of 3	SB
		vanadium	9.2 to 20	0 of 3	150 or SB
		zinc	72 to 189	3 of 3	20 or SB

Table 1 b
Nature and Extent of Contamination

MEDIUM	CATEGORY	CONTAMINANT OF CONCERN	CONCENTRATION RANGE (ppm)	FREQUENCY of Exceeding SCGs or Background	SCG/ Bkgd. (ppm)
Surface Soil Parcel B	Pesticides	All pesticides were non-detect (ND)			
	Semi Volatile Organic Compounds	chrysene	ND > 0.46 to 0.072	0 of 3	0.4
		fluoranthene	ND > 0.46 to 0.061	0 of 3	50
		phenanthrene	ND > 0.46 to 0.043	0 of 3	50
		pyrene	ND > 0.46 to 0.058	0 of 3	50
	Inorganics	aluminum	4,860 to 15,800	0 of 8	SB
		antimony	ND > 6.0 to 6.0	0 of 8	SB
		arsenic	1.4 to 7.8	1 of 8	7.5 or
		barium	51 to 97.2	0 of 8	300 / SB
		beryllium	ND > 0.5 to 0.6	1 of 8	0.16 /
		cadmium	ND > 0.5 to 1.4	1 of 8	1 or SB
		calcium	3,390 to 67,800	0 of 8	SB
		chromium	6.2 to 19.9	1 of 8	10 or SB
		cobalt	ND > 5 to 7.9	0 of 8	30 or SB
		copper	9.2 to 47.5	1 of 8	25 or SB
		iron	11,500 to 21,600	8 of 8	2,000
		lead	15.9 to 261	0 of 8	SB
		magnesium	2,740 to 14,700	0 of 8	SB
		manganese	314 to 539	0 of 8	SB
		mercury	ND > 0.1 to 0.09	0 of 8	0.1
		nickel	9.5 to 18.2	1 of 8	13 or SB
		potassium	730 to 1,400	0 of 8	SB
		selenium	0.3 to 2.8	1 of 8	2 or SB
		silver	ND > 1.0 to ND > 1.5	0 of 8	SB
		sodium	79 to 573	0 of 8	SB
		thallium	ND > 1.0 to ND > 4.0	0 of 8	SB
		vanadium	11.8 to 31.9	0 of 8	150 or
		zinc	54 to 450	8 of 8	20 or SB

Table 1 c
Nature and Extent of Contamination

MEDIUM	CATEGORY	CONTAMINANT OF CONCERN	CONCENTRATION RANGE (ppm)	FREQUENCY of Exceeding SCGs or Background	SCG/ Bkgd. (ppm)
Soil Maintenance Building Floor	Volatile Organic Compounds (VOCs)	acetone	ND > 0.012 to 0.27	1 of 6	0.2
		methylene chloride	ND > 0.006 to 0.009	0 of 6	0.1
	Semi Volatile Organic Compounds (SVOCs)	All SVOCs were non-detect below TAGM levels			

Table 1 d
Nature and Extent of Contamination

MEDIUM	CATEGORY	CONTAMINANT OF CONCERN	CONCENTRATION RANGE (ppm)	FREQUENCY of Exceeding SCGs or Background	SCG/ Bkgd. (ppm)
Soil Equipment Wash Area	Inorganics	aluminum	2,390 to 19,400	0 of 6	SB
		antimony	ND > 6 to 9.4	1 of 6	SB
		arsenic	ND > 1 to 9.1	1 of 6	7.5 or SB
		barium	17.9 to 117	0 of 6	300 / SB
		beryllium	ND > 5 to 1	1 of 6	0.16 / SB
		cadmium	ND > 5	0 of 6	1 or SB
		calcium	5,970 to 112,000	0 of 6	SB
		chromium	6.2 to 23.8	1 of 6	10 or SB
		cobalt	ND > 5 to 9.9	0 of 6	30 or SB
		copper	1.1 to 20.3	0 of 6	25 or SB
		iron	9,030 to 30,700	6 of 6	2,000 /SB
		lead	6.6 to 87.6	0 of 6	SB
		magnesium	7,560 to 30,000	0 of 6	SB
		manganese	247 to 388	0 of 6	SB
		mercury	ND > 0.1	0 of 6	0.1
		nickel	7.8 to 30.4	1 of 6	13 or SB
		potassium	641 to 3,090	0 of 6	SB
		selenium	ND >2	0 of 6	2 or SB
		silver	ND > 1	0 of 6	SB
		sodium	133 to 1,480	0 of 6	SB
		thallium	ND > 0.2	0 of 6	SB
		vanadium	9.8 to 33.6	0 of 6	150 or SB
		zinc	66.4 to 409	6 of 6	20 or SB

Table 1 e
Nature and Extent of Contamination

MEDIUM	CATEGORY	CONTAMINANT OF CONCERN	CONCENTRATION RANGE (ppm)	FREQUENCY of Exceeding SCGs or Background	SCG/ Bkgd. (ppm)
Soil Parcel A borings	Volatile Organic Compounds (VOCs)	benzene	ND > 0.006 to 0.74	1 of 4	0.06
		ethylbenzene	ND > 0.006 to 4.4	0 of 4	5.5
		toluene	ND > 0.006 to 5.9	1 of 4	1.5
		1,3,5-trimethylbenzene	ND > 0.006 to 6	na	na
		total xylenes	ND > 0.006 to 27	1 of 4	1.2
	Semi Volatile Organic Compounds (SVOCs)	fluoranthene	ND > 0.18 to 0.22	0 of 4	50
		pyrene	ND > 0.18 to 0.19	0 of 4	50

na - not applicable

Table 1 f
Nature and Extent of Contamination

MEDIUM	CATEGORY	CONTAMINANT OF CONCERN	CONCENTRATION RANGE (ppb)	FREQUENCY of Exceeding SCGs or Background	SCG/ Bkgd. (ppb)
Groundwater	Volatile Organic Compounds (VOCs)	benzene	ND (5.0) to 13,000 D	3 of 9	1
		2-butanone	ND (5.0) to 3,000 D	1 of 9	5
		ethylbenzene	ND (5.0) to 2,400	3 of 9	5
		toluene	ND (5.0) to 31,000	2 of 9	5
		1,2,4-trimethylbenzene	ND (5.0) to 2,500	3 of 9	5
		o-xylene	ND (5.0) to 4,700	2 of 9	5
		m,p-xylene	ND (5.0) to 9,700	3 of 9	5
		1,3,5-trimethylbenzene	ND (5.0) to 670	2 of 9	5
	Semivolatile Organic Compounds (SVOCs)	2,4-dimethylphenol	ND (5.0) to 240	3 of 9	1
		naphthalene	ND (5.0) to 280	3 of 9	10
		phenol	ND (5.0) to 72	2 of 9	1
		2,4-dichlorophenol	ND (25) to 45	1 of 9	5
		hexachloroethane	ND (5.0) to 15	1 of 9	5
		2-nitroaniline	ND (10) to 12	1 of 9	5
		nitrobenzene	ND (5.0) to 5	1 of 9	0.4
	Inorganics	cadmium	ND (5.0) to 152	2 of 9	5
		chromium	ND (5.0) to 79.2	2 of 9	50
		selenium	ND (5.0) to 12.8	2 of 9	10
		iron	2,690 to 120,000	9 of 9	300
		magnesium	18,800 to 190,000	8 of 9	35,000
		manganese	128 to 6,300	5 of 9	300
		sodium	3,610 to 99,300	7 of 9	20,000

ND - not detected
D - diluted

Table 2
Remedial Alternative Costs

Remedial Alternative	Capital Cost	Annual O&M	Total Present Worth
Parcel A Maintenance Building Soil			
Alt. 1 - No Action	$0	$0	$0
Alt. 2 - Excavation and Disposal	$64,000	$0	$64,000
Alt. 3 - Excavation, Ex-situ Bio.	$80,000	$0	$80,000
Parcel A Former UST area			
Alt. 1 - No Action	$0	$0	$0
Alt. 2 - Soil Mixing	$257,000	$18,000	$335,000
Alt. 3 - In-situ Bioremediation	$382,000	$18,000	$460,000
Alt. 4 - Excavation & Off-site Disp.	$459,000	$18,000	$537,000
Alt. 5 - Excavation & Ex-situ Bio.	$357,000	$18,000	$435,000

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

Gonsenhauser Farm
Environmental Restoration Proposed Remedial Action Plan
Brighton (T), Monroe (C)
Site No. B-00078-8

The Proposed Remedial Action Plan (PRAP) for the Gonsenhauser Farm site, was prepared by the New York State Department of Environmental Conservation (NYSDEC) and issued to the local document repository on December 5, 2001. This Plan outlined the preferred remedial measure proposed for the remediation of the contaminated soil and groundwater at the Gonsenhauser Farm. The preferred remedy is excavation and off-site disposal of contaminated soil.

The release of the PRAP was announced via a notice to the mailing list, informing the public of the PRAP's availability.

A public meeting was held on December 17, 2001 which included a presentation of the Site Investigation (SI) and Remedial Alternatives Report (RAR) 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. Written comments were received from the Town of Brighton.

The public comment period for the PRAP ended on January 19, 2002.

This Responsiveness Summary responds to all questions and comments raised at the December 17, 2001 public meeting and to the written comments received.

The following are the comments received at the public meeting, with the NYSDEC's responses:

COMMENT 1: What is the debris area?

RESPONSE 1: The "debris area" refers to the scrap metal and other miscellaneous debris located on Parcel B.

COMMENT 2: What was the depth of groundwater sampling? How deep can the average soil sampling probe go?

RESPONSE 2: The groundwater monitoring wells are set to a depth of approximately 15 feet below ground surface. Fifteen feet is also a typical depth for a direct push soil sampling probe

COMMENT 3: What does BBLMW mean in Figure 6?

RESPONSE 3: "BBL" refers to the consultant which installed the monitoring well (BBL Environmental Services, Inc.). MW stands for monitoring well.

COMMENT 4: On Parcel B, in the vicinity of the former radio transmitters, is there a chance that there were old transformers containing PCBs?

RESPONSE 4: Our site walkovers and reviews of aerial photos did not reveal any evidence of transformers at the property.

COMMENT 5: Are the radio transmitters visible in the aerial photos?

RESPONSE 5: Yes.

COMMENT 6: Who can we contact to view the aerial photos?

RESPONSE 6: The Monroe County Environmental Management Council maintains an archive of aerial photos.

COMMENT 7: What does annual O & M mean in Table 2?

RESPONSE 7: "O&M" stands for operation and maintenance. Annual O&M represents the yearly costs associated with the planned groundwater monitoring.

COMMENT 8: In Table 2, could you clarify Alternative 2 regarding the Maintenance Building soil–will the excavation & disposal be off-site?

RESPONSE 8: Excavated soils will be disposed of off-site at a permitted landfill.

COMMENT 9: What are the time-lines for all the remedial alternatives?

RESPONSE 9: The time to complete the remedies are listed in Section 7.1 of the PRAP [and ROD]. Prior to initiating the remedy, the municipality has to apply for a remediation brownfield grant. This process can take several months.

COMMENT 10: How was the contamination detected? Was it based on soil sampling or water sampling?

RESPONSE 10: Contamination was detected by both soil and groundwater sampling. The full investigation is outlined in the Site Investigation / Remedial Alternatives Report located at Brighton Library.

COMMENT 11: Is there a time-line we can use to predict how long w

RESPONSE 11: As per the Brownfield legislation, the property cannot be used until the remedy in the ROD is implemented. The time-line for the preferred alternative is approximately four months from the beginning of fieldwork. Prior to remedial fieldwork, however, the municipality must also apply for a Brownfield Remediation grant. This process may take several months. The NYSDEC is considering whether to allow the Town to begin construction toward the planned future recreational use prior to the completion of the remedy. [NOTE: Since this meeting, the NYSDEC has approved the Town's request to begin construction activities on areas of the site which are not contaminated. However, this approval is for construction activities only; no approval for recreational use has been issued.]

COMMENT 12: Do you have to wait until the groundwater monitoring is complete to start using the property?

RESPONSE 12: No. Groundwater monitoring will be implemented after the remedy is complete, and it will be part of the long-term operation and maintenance plan.

COMMENT 13: How much time, including contract bidding, on site removal, etc. will it take to implement Alternatives 2 & 4?

RESPONSE 13: Actual on-site work should take approximately 4 months. The bidding process would be a separate time-line and may take two or more months.

COMMENT 14: How long can we comment on the remedial alternatives? How long will it take to make a final decision?

RESPONSE 14: The comment period ends on January 19, 2002. The final decision will be made when the ROD is signed by the Department.

COMMENT 15: When are remediation costs eligible for reimbursement? If the town starts work the day after the ROD is approved, will these costs be eligible for reimbursement under the Bond Act?

RESPONSE 15: Costs are eligible as of the date of the Department's approval of the municipality's application for the remediation grant.

COMMENT 16: Since we can't use the land now, can we start with the cleanup?

RESPONSE 16: The Town may choose to implement the remedy without a Brownfield remediation grant; however, they will not receive funding and could jeopardize its indemnification from the State.

COMMENT 17: Can we subdivide the land now?

RESPONSE 17: The property could be subdivided prior to completion of the remedial project so long as the Town committed to addressing all known areas of contamination via a state assistance contract or other legal agreement with the State.

COMMENT 18: Will the cleanup be complete by next October or November?

RESPONSE 18: Completion is possible by October or November 2002, but the duration may be longer due to unforeseen delays.

COMMENT 19: Will all soils be removed?

RESPONSE 19: All soils contaminated above NYSDEC Technical and Administrative Guidance Memorandum (TAGM) 4046 will be excavated and disposed of at a permitted landfill.

COMMENT 20: Can we begin construction on parts of the uncontaminated portions of the property?

RESPONSE 20: The NYSDEC is considering whether to allow the Town to begin construction toward the planned future recreational use prior to the completion of the remedy. [NOTE: Since this meeting, the NYSDEC has approved the Town's request to begin construction activities on areas of the site which are not contaminated. However, this approval is for construction activities only; no approval for recreational use has been issued.]

COMMENT 21: Is it reasonable to assume that the remedy will be completed by the end of 2002?

RESPONSE 21: Completion is possible by the end of 2002, but the duration may be longer due to unforeseen delays.

COMMENT 22: If we subdivide the house and barns and contaminated areas, can we start work elsewhere on the property?

RESPONSE 22: As per the Brownfield legislation, the property cannot be used until the remedy in the ROD is implemented. The property could be subdivided prior to completion of the remedial project so long as the Town committed to addressing all known areas of contamination via a state assistance contract or other legal agreement with the State. The NYSDEC is considering whether to allow the Town to begin construction toward the planned future recreational use prior to the completion of the remedy. [NOTE: Since this meeting, the NYSDEC has approved the Town's request to begin construction activities on areas of the site which are not contaminated. However, this approval is for construction activities only; no approval for recreational use has been issued.]

COMMENT 23: Do the projected remedial costs include demolition?

RESPONSE 23: Yes.

COMMENT 24: Does the Town get reimbursed for 75% of all project costs?

RESPONSE 24: The town gets reimbursed 75% of eligible remediation costs, and 50% for building demolition and asbestos abatement.

COMMENT 25: Will the south end of the stables be removed?

RESPONSE 25: It should be possible to demolish only the northern half of that building, leaving the stables for future use. This can be discussed with the Town and outlined in the final construction plans.

COMMENT 26: Will the cinder block building be demolished?

RESPONSE 26: Due to the nature of this building [different building from the one in comment 25], the entire building will need to be demolished.

COMMENT 27: Will any archeological digging be allowed to take place behind the house before or during construction of the remedy? [NOTE: This question was posed by the town historian, with one possible scenario being students performing archeological digs.]

RESPONSE 27: Archeological digs at Brownfield sites are typically performed by archeologists or other personnel who are 40-hour OSHA safety trained. Since this is not a component of the investigation or proposed remedy, archeological investigations performed by other personnel (e.g. - students, etc.) will not be allowed prior to the completion of the remedy.

COMMENT 28: When was the land survey of this property conducted?

RESPONSE 28: The land survey was performed in 1999 as part of this investigation.

COMMENT 29: Where does the clean fill come from? Is the clean fill tested before application?

RESPONSE 29: The clean fill comes from an off-site source (such as a borrow pit). Certification that the fill is clean will be required as part of the contract bid specification.

COMMENT 30: The Town of Brighton supports your recommendations and appreciate your efforts and collaborative approach.

RESPONSE 30: Comment noted. Thank you.

COMMENT 31: Are the remedial costs estimated? What is the percentage of reimbursement and is it based on actual costs or estimated costs?

RESPONSE 31: The costs in the PRAP are estimated. The Town is eligible for 75% (50% for building demolition and asbestos abatement) of actual costs incurred.

COMMENT 32: Is the Department confident with the estimated costs? Are these costs close to the actual costs?

RESPONSE 32: The estimated costs appear reasonable. Barring unforeseen problems, the estimated costs should be close to actual costs.

A letter dated January 2, 2002 was received from the Town of Brighton which included the following comments:

COMMENT 1: The Town of Brighton supports your recommendation that the soils, from the vicinity of the former underground storage tanks, be remediated by excavating them and disposing of them off-site. This alternative minimizes the time required for construction and minimizes the risk of a failure to meet remediation standards and schedules. Thus, this alternative will allow us to move sooner to redevelop the lands for public recreation.

RESPONSE 1: Comment noted. Thank you.

COMMENT 2: The Town of Brighton supports your recommendation that the soils, from the interior of the maintenance building, be remediated by excavating them and disposing of them off-site. This alternative too will allow us to move sooner to redevelop the lands for public recreation.

RESPONSE 2: Comment noted. Thank you.

COMMENT 3: The Town is prepared, as a part of the recommended solution, to implement and maintain a groundwater monitoring program for a minimum of five years.

RESPONSE 3: Comment noted. Thank you.

COMMENT 4: The Town of Brighton desires to move ahead with the recreational development of parcel "B" and of the portion of parcel "A" that is not required for remedial activities. We would be prepared to offer reasonable guarantees that remediation would proceed. Should the plan reflect this, or is it more appropriately addressed in direct negotiations between the Town and your Department?

RESPONSE 4: On January 9, 2002, the NYSDEC approved the Town's request to begin construction activities on areas of the site which are not contaminated. However, no approval for recreational use has been issued.

APPENDIX B

Administrative Record

Citizen Participation, Contracts, and PRAP

June 1999	Fact Sheet Announcing Investigation at Gonsenhauser Farm Site to Begin
March 20, 2000	State Assistance Contract #C301310 for Brownfield Site #B00078-8
February 14, 2001	Amendment No. 1 to Contract #C301310 for Brownfield Site #B00078-8
December 2001	Proposed Remedial Action Plan
December 2001	Fact Sheet Announcing Public Meeting and Availability of PRAP

Work Plans and Reports

November 1997	Phase I and Limited Phase II Environmental Site Assessment (performed for the Town of Brighton by The Sear-Brown Group)
November 1998	Site Investigation Work Plan (prepared by IT Corporation)
January 2001	Site Investigation and Remedial Alternatives Report (Prepared by BBL Environmental Services)

Correspondence

March 12, 1998	Letter to: From: Re:	Sandra L. Frankel (Town of Brighton) John P. Cahill (NYSDEC) Approval of Brownfield Application
April 21, 1999	Letter to: From: Re:	David Pratt, P.E. (NYSDEC) Mark F. Weider (BBL Environmental Services, Inc.) SI/RAR Work Plan & Transition from IT Corporation to BBL
May 11, 1999	Letter to: From: Re:	Tom Low (Town of Brighton) David Pratt, P.E. (NYSDEC) Approval of November 1998 Work Plan as amended by BBL April 21, 1999 Letter
November 17, 1999	Letter to: From: Re:	Thomas Walsh, Esq. (Jaeckle Fleischman & Mugel LLP) Mary von Wergers (NYSDEC) Use of property prior to final remediation

June 26, 2000	Letter to:	Tom Low (Town of Brighton)
	From:	Mark F. Weider (BBL Environmental Services, Inc.)
	Re:	Amended scope of work
July 17, 2000	Letter to:	David Pratt, P.E. (NYSDEC)
	From:	Tom Low (Town of Brighton)
	Re:	Amended scope of work
July 25, 2000	Letter to:	Tom Low (Town of Brighton)
	From:	David Pratt, P.E. (NYSDEC)
	Re:	Amended scope of work approval
April 20, 2001	Letter to:	David Pratt, P.E. (NYSDEC)
	From:	Mark F. Weider (BBL Environmental Services, Inc.)
	Re:	SI/RAR Letter Addendum
May 29, 2001	Letter to:	Tom Low (Town of Brighton)
	From:	David Pratt, P.E. (NYSDEC)
	Re:	SI/RAR Approval
September 25, 2001	Fax to:	David Pratt, P.E. (NYSDEC)
	From:	Tom Low (Town of Brighton)
	Re:	Use of property prior to final remediation
January 9, 2002	Letter to:	Tom Low (Town of Brighton)
	From:	David Pratt, P.E. (NYSDEC)
	Re:	Use of property prior to final remediation