

Act Now to Continue Receiving Information About This Site!

DEC's Division of Environmental Remediation (DER) now distributes information about contaminated sites *electronically by email*.

If you would like to continue to receive information about the contaminated site featured in this fact sheet:

You must sign up for the DER email listserv:

www.dec.ny.gov/chemical/61092.html

DER cannot register your email address - only the email address owner can do so. If you already have signed up for the listserv for the county in which the site is located, you need do nothing.



Why You Should Go “Paperless”:

- ☒ Get site information faster and share it easily;
- ☒ Receive information about all sites in a chosen county - read what you want, delete the rest;
- ☒ It helps the environment and stretches your tax dollars.

If “paperless” is not an option for you, call or write to the DER project manager identified in this fact sheet. Indicate that you need to receive paper copies of fact sheets through the Postal Service. Include the site name in your correspondence. The option to receive paper is available to individuals only. Groups, organizations, businesses, and government entities are assumed to have email access.



Department of
Environmental
Conservation

FACT SHEET

Brownfield Cleanup Program

Ex-Eaton Site

22-40 Clinton Street
Batavia, Genesee County

SITE No. C819022

NYSDEC REGION 8

April 2023

Where to Find Information

Access project documents through the
DECinfo Locator

<https://www.dec.ny.gov/data/DecDocs/C819022/>
and at this location:

Richmond Memorial Library

19 Ross Street,
Batavia, NY 14020
(585) 343-9550

Who to Contact

Comments and questions are always
welcome and should be directed as follows:

Project-Related Questions

Tasha Mumbrue, Project Manager
NYSDEC
6274 E Avon Lima Rd,
Avon, NY 14414
(585) 226-5459
tasha.mumbrue@dec.ny.gov

Project-Related Health Questions

Julia Kenney
NYSDOH
Bureau of Environmental Exposure
Investigation
Corning Tower, Room 1787
Albany, NY 12237
(518) 402-7873
beci@health.ny.gov

For more information about New York's
Brownfield Cleanup Program, visit:
www.dec.ny.gov/chemical/8450.html

Environmental Cleanup to Begin at Brownfield Site

Action is about to begin that will address contamination related to the Ex-Eaton Site ("Site") located at 22-40 Clinton Street, Batavia, Genesee County. Please see the map for the site location. The cleanup activities will be performed by CNH Industrial Baumaschinen GmbH (CNH) ("applicant") with oversight provided by the New York State Department of Environmental Conservation (NYSDEC). NYSDEC has determined that the Remedial Action Work Plan (RAWP) submitted by GHD Consulting Services, Inc. on behalf of CNH, protects public health and the environment and has approved the plan.

- Access the approved RAWP and other project documents online through the DECinfo Locator: <https://www.dec.ny.gov/data/DecDocs/C819022/>.
- The documents also are available at the location(s) identified at left under "Where to Find Information."

Remedial activities are expected to begin in May 2023 and last about 5 months.

Highlights of the Upcoming Cleanup Activities: The goal of the cleanup action for the site is to achieve cleanup levels that protect public health and the environment. The key components of the remedy are:

- Excavation and off-site disposal of contaminated surface soil across the Site.
- Treating contaminated soil and groundwater through soil mixing with injection of In-Situ (i.e., in place) Chemical Reduction.
- Bioremediation injection into the groundwater as a barrier to treat and prevent further off-site migration of groundwater contamination.
- Collecting and analyzing post-remedial soil and groundwater samples to evaluate the effectiveness of the remedy.
- Importing or reuse of clean material that meets the established Soil Cleanup Objectives for use as cover system.
- Placement of a cover system, including a demarcation layer over areas of spot excavations to address contamination remaining above commercial use soil cleanup objectives.
- Restoring the site cover where it is compromised, or placement of a 1-foot clean soil cover.

BROWNFIELD CLEANUP PROGRAM

A site-specific health and safety plan (HASP) and a Community Air Monitoring Plan (CAMP) will be implemented during remediation activities. The HASP and CAMP establish procedures to protect on-site workers and residents and includes required air monitoring as well as dust and odor suppression measures.

Next Steps: After the applicant completes the cleanup activities, they will prepare a Final Engineering Report (FER) and submit it to NYSDEC. The FER will describe the cleanup activities completed and certify that cleanup requirements have been achieved or will be achieved.

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the Final Engineering Report. NYSDEC will then issue a Certificate of Completion to the applicant. The applicant would be able to redevelop the site in conjunction with receiving a Certificate of Completion. In addition, the applicant would be eligible for tax credits to offset the costs of performing cleanup activities and for redevelopment of the site.

NYSDEC will issue a fact sheet that describes the content of the Final Engineering Report. The fact sheet will identify any institutional controls (for example, environmental easements) or engineering controls (for example, a site cover) necessary at the site in relation to the issuance of the Certificate of Completion.

Site Description: The Site is 22.9-acres and is bordered to the north by Clinton Street (Route 33), to the south by the Erie Railroad, and to the east and west by residences. Properties south of the Erie Railroad are commercial/light industrial in nature with some residences intermixed. The Site was used to manufacture agricultural and highway equipment from the mid-1920s until the early 1990s. The current owner operates a warehousing facility for baskets and novelty items.

Beginning in the late 1980s and continuing into the mid-1990s, the United States Environmental Protection Agency (USEPA) and the NYSDEC evaluated the site. In the late 1990s, the previous site owner, O&K Orenstein & Koppel, Inc., conducted additional investigations after the site was sold to Basket Place, LLC. The on-site and off-site Remedial Investigations began in 2003, when CNH entered into a

Voluntary Cleanup Agreement (VCA), however, the Voluntary Cleanup Program was terminated by the NYSDEC in 2018. In 2019, Remedial Investigations continued under the BCP.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the site ID, C819022) at:

<https://www.dec.ny.gov/cfm/externalapps/derexternal/index.cfm?pageid=3>

Brownfield Cleanup Program: New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses include recreation, housing, business or other uses. A brownfield site is any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.

For more information about the BCP, visit:

<https://www.dec.ny.gov/chemical/8450.html>

We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

Stay Informed With DEC Delivers

Sign up to receive site updates by email:

www.dec.ny.gov/chemical/61092.html

Note: Please disregard if you already have signed up and received this fact sheet electronically.

DECinfo Locator

Interactive map to access DEC documents and public data about the environmental quality of specific sites: <https://www.dec.ny.gov/pubs/109457.html>

BROWNFIELD CLEANUP PROGRAM

Site Location





Translation Available. Don't see your language? Ask!

English	To have this document translated into a language you can understand, contact the person below. There is no charge for the translation.
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Języki Polski Polish	Aby uzyskać tłumaczenie tego dokumentu na język, który jest dla Ciebie zrozumiały, skontaktuj się z poniższą osobą. Za tłumaczenie nie jest pobierana żadna opłata.

Contact: <Insert name, phone number, and email>