

Transmitted Via Facsimile/U.S. Mail

February 20, 2002

Mr. Ronald S. Brink
Broome County Health Department
One Wall Street
Binghamton, New York 13901

Re: Floor Drain Closure Report Addendum No. 1
Progress Parkway Enterprises, Inc.
13 and 17½ Broad Street Facilities
Binghamton, New York
BBL Project #: 1673.07360 #2

Dear Mr. Brink:

Pursuant to our February 13, 2002 telephone conversation, this letter serves as an addendum to the December 21, 2001 *Floor Drain Closure Report* for the above-referenced facilities that was prepared by Blasland, Bouck & Lee, Inc. (BBL) on behalf of the current property owner, Progress Parkway Enterprises, Inc. (PPEI) (formerly known as Systems Manufacturing Corporation). The New York State Department of Environmental Conservation (NYSDEC) provided the *Floor Drain Closure Report* to the Broome County Health Department (BCHD) for review and approval based on the NYSDEC's conversations with Mr. John Struble of the United States Environmental Protection Agency (USEPA). As you are aware, the USEPA's approval of the floor drain closure activities is the only outstanding item before the NYSDEC will establish closure of the Voluntary Cleanup Agreement (VCA) (Index #A7-0410-0002), and BCHD's approval of the floor drain closure activities is required for USEPA's approval.

This letter provides information discussed during our telephone conversation regarding the Chemlawn business that previously occupied the 17½ Broad Street property and the pesticide (pendimethalin) used by the Chemlawn business. Pendimethalin is classified by the USEPA as a General Use Pesticide, meaning that it can be used by anyone and is commercially available for purchase/use by the public. As discussed during our telephone conversation, there is enough information available to effectively support that pendimethalin analytical results are not necessary to conclude that no further investigation or remediation is necessary at this property and that the former floor drain system has been properly closed.

Provided below is a summary of available information regarding the former floor drain system at the 17½ Broad Street facility, along with additional USEPA information regarding pendimethalin and a summary of the analytical results and BBL's visual observations during the investigation activities of the former floor drain system. With the exception of the information regarding pendimethalin, the information

summarized below has been previously provided in the *Floor Drain Closure Report* and NYSDEC-approved reports.

- The previous owner of this facility was Western Properties Company, and the previous usage was a commercial warehouse. According to the *Phase I Environmental Property Site Assessment Report* prepared by A&A Consulting and Inspection Services, Inc. (A&A) dated November 23, 1992, this property was used for approximately four years (1987 to 1991) to house a Chemlawn business.
- A floor drain system and holding tanks were installed by Chemlawn in the floor of the warehouse building where trucks and equipment were washed. The operator of the Chemlawn business (Mr. Richard Spencer) indicated that the floor drain system was used in conjunction with holding tanks for the collection and disposal of water generated during the washing of trucks and equipment. Mr. Spencer indicated that the floor drain and holding tanks were scheduled to be removed and filled in after his Chemlawn business moved out of the building. This information was presented in the *Phase I Environmental Property Site Assessment Report*.
- The use of pendimethalin during the Chemlawn operations was documented in the *Phase I Environmental Property Site Assessment Report*. This General Use Pesticide is used to control broadleaf weeds and grassy weed species in a number of crop areas (e.g., field corn, potatoes, peanuts and soybeans), as well as residential lawns and ornamentals. Pendimethalin was first registered in 1972, and the USEPA recently evaluated this pesticide for reregistration. The USEPA concluded that all uses of currently registered products containing pendimethalin were eligible for reregistration (*Reregistration Eligibility Decision Facts*, USEPA, June 1997, EPA-738-F-97-007). In that USEPA reregistration facts document, the USEPA identified that pendimethalin is practically non-toxic by dermal and inhalation routes, that it dissipates in the environment, and that it is essentially immobile in soil.
- A Phase II Investigation was conducted at the facility by DPRA Environmental (DPRA) during June/July 1998, on behalf of the purchaser of the operating assets of SMC, other than the Broad Street facilities. On behalf of PPEI (formerly known as SMC), representatives from BBL were on-site to observe the Phase II Investigation activities. A description of the Phase II Investigation activities and the associated results were provided to and commented on by the NYSDEC, as documented in number of letters and the NYSDEC-approved *Site Investigation Work Plan* (BBL, July 2000). A summary of the Phase II Investigation activities and the results for 17½ Broad Street property is provided below.
 - There was no evidence of the former holding tanks at the facility and the floor of the warehouse was observed to contain patched concrete in the area of the former floor drain system.
 - Three soil borings (SP-1, SP-2, and SP-3) were installed through the 4-inch thick patched concrete, and three additional soil borings (MW-1, MW-2, and MW-3) were installed and subsequently converted to monitoring wells. The approximate locations of these soil borings/monitoring wells, and the approximate limits of the patched concrete are shown on the attached Figure 1. During the installation of the soil borings, continuous split-spoon samples were collected and soil samples were collected for laboratory analyses. The sampling intervals selected for laboratory analysis were those observed to be potentially impacted [i.e., stained or exhibited relatively higher photoionization (PID) measurements]. The following table

summarizes the visual characterization and PID readings of the soil samples collected from each of the soil borings and monitoring wells.

Soil Borings and Monitoring Wells ¹	Total Depth ²	Sampling Interval	PID Reading (ppm)	Soil Characteristics/Observations
MW-1	37'	35-37'	NA	Brown fine-coarse sand and fine gravel, loose, saturated. No staining or odors.
MW-2	42'	25-27'	8.0	Brown very fine-fine sand, loose, moist. No staining or odors.
MW-3	42'	25-27'	0.0	Brown very fine-fine sand, loose, moist. No staining or odors.
SP-1	3.4'	2.0-3.4'	1.0	Brown fine-coarse sand and gravel, some silt, loose, moist. Black staining was observed in the top two to three inches of the sample (approximately 2.0-2.25'). No odors and no other staining observed in the soil samples collected from this boring.
SP-2	7.9'	0-2'	0.0	Brown silt and fine-coarse sand, concrete, fragments. Dark brown staining from 0-3". No odors and no other staining observed in the soil samples collected from this boring.
SP-3	6.0'	0-2'	2.0	Brown fine-coarse sand, some gravel, loose, moist. Dark brown staining from 0- 0.5'. No odors and no other staining observed in the soil samples collected from this boring.
		4'-6'	1.0	Brown fine-coarse sand, some gravel, loose, moist. No staining or odors.
Notes:				
¹ = Monitoring wells were installed into the groundwater table, which was encountered at depths ranging from 37 to 42 feet below ground surface.				
² = Total depth and sampling intervals are provided in feet below ground surface for the monitoring wells (MW-1, MW-2 and MW-3); and depth below the 4-inch layer of concrete for soil borings (SP-1, SP-2, and SP-3).				

- Samples were collected from each boring from the sampling intervals identified in the table above, and analyzed by a New York State Department of Health- (NYSDOH-) certified laboratory for the following parameters: volatile organic compounds, semi-volatile organic compounds, metals, total petroleum hydrocarbons, and polychlorinated biphenyls (SP-1 and SP-2 only). Groundwater samples were also collected from each monitoring well and analyzed for these parameters and pesticides. Pendimethalin was not analyzed as part of the Phase II Investigation activities conducted by DPR. The results of the Phase II Investigation were most recently summarized in the *Floor Drain Closure Report*. Using these results and some additional groundwater inorganic data obtained by BBL at the request of the NYSDEC, the NYSDEC and the NYSDOH determined in August 2000 that no further investigation or remediation was required.
- A Phase I Environmental Site Assessment for both the 13 and 17½ Broad Street properties was performed during June/July 2001 by C&S Engineers, Inc. for the City of Binghamton. The results of the assessment were presented in the July 2001 *Phase I Environmental Site Assessment Report, Proposed Department of Public Works Garage Facility, Binghamton, New York*. The City of Binghamton then held a public hearing to gather input from the public regarding the proposed

acquisition of these properties for the City's public works garage. The City of Binghamton has also concluded that no further investigation/environmental activities are necessary at this property.

According to USEPA regulations for Class V wells, "prior to abandoning a Class V well, the well owner or operator shall close the well in a manner that prevents the movement of fluid containing any contaminant into an underground source of drinking water, if the presence of that contaminant may cause a violation of any primary drinking water regulation under 40 CFR Part 141 or may adversely or otherwise affect the health of persons" [40 CFR 146.10(c)(1)]. The available historical information, the soil and groundwater analytical results, the USEPA's information regarding pendimethalin, along with BBL's visual observations during the investigation activities of the former floor drain system at the 17½ Broad Street facility fully support that the system has been properly closed, mitigating future use of these drains and future discharge of fluids. Additionally, the available information also fully supports that no further investigation or remediation is necessary at this property, as concluded by the NYSDEC, the NYSDOH, and the City of Binghamton.

As previously discussed and identified in my February 7, 2002 facsimile to you, please provide BCHD's letter approving the floor drain closure activities for PPEI's 13 and 17½ Broad Street facilities as soon as possible to:

Mr. John Struble
United States Environmental Protection Agency
Region 2
290 Broadway, 20th Floor
New York, NY 10007-1866

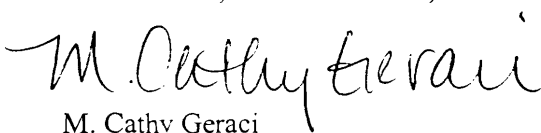
Phone: (212) 637-3975
Fax: (212) 637-4211

Additionally, please provide a copy of BCHD's letter to me and Mr. Thomas Suozzo, P.E. of the NYSDEC.

If you have any questions, please do not hesitate to call me at (315)446-2570, ext. 290.

Sincerely,

BLASLAND, BOUCK & LEE, INC.



M. Cathy Geraci
Associate

MCG/kah

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cc: Mr. Thomas Suozzo, P.E., New York State Department of Environmental Conservation
Mr. John Struble, United States Environmental Protection Agency
Mr. Edward F. Magenheimer, Progress Parkway Enterprises, Inc.