DECLARATION STATEMENT - RECORD OF DECISION

Former Wilcox Press Site  
Environmental Restoration Project  
Dansville, Livingston County  
Site No. E826020  
March 2012

Statement of Purpose and Basis

This document presents the remedy for the Former Wilcox Press 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 Former Wilcox Press 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 31, 2012

Robert W. Schick, P.E., Acting Director
Division of Environmental Remediation
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 (IRM), 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 remediating, 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:

DANSVILLE PUBLIC LIBRARY
200 MAIN STREET
DANSVILLE, NY  14437
Phone: (585) 335-6720

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 Wilcox Press site is located at 7 Bank Street in a residential neighborhood in the Village of Dansville (tax I.D. #203.11-5-19.1).

Site Features: The 3.7-acre parcel is currently undeveloped but previously contained a 200,000-square foot abandoned printing factory/warehouse which was demolished in the summer of 2009. The site is generally flat to gently sloping and currently covered in maintained lawn with several mature trees.

Current Use/Zoning: The site is vacant and zoned Commercial. Adjacent property uses are largely residential with some open recreational space (Owen Park and a Little League baseball field).
Past Uses: Records indicate that the site was occupied by a commercial printing operation beginning about 1900. According to Sanborn fire insurance maps, F.A. Owens Publishing Company operated until at least 1950 and processes included type-setting, electroplating, printing, and book binding. Coal was also stored on the Site. The facility was subsequently occupied by Wilcox Press until the early 1990s. A number of hazardous materials were used for printing operations and after closing, Wilcox abandoned several containers of hazardous wastes including acids and ink solvents. The building was then leased for storage but was unoccupied since approximately 1998 and in very poor condition (fire damaged and partially collapsed). Livingston County acquired this property through foreclosure in 2007.

Geology/Hydrogeology: The site is located in the Canaseraga Creek Valley, of relatively flat topography at approximately 740-ft above mean sea level. Groundwater occurs at a depth of about 8 feet and flows generally northward. Soils are generally fine-grained sands with some gravel lenses.

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 residential use (which allows for restricted-residential use, commercial use and 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. Livingston County will assist the state in its efforts by providing all information to the state which identifies PRPs. Livingston County 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.

The analytical data collected on this site includes data for:

- groundwater
- soil

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 Results

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:

Arsenic  
Petroleum Products  
(semi-volatile organic compounds)

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 Final Engineering 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.

**IRM - Building Demolition, Underground Storage Tank and Contaminated Soil Removal**

The IRM consisted of:

- Asbestos abatement, containerized waste removal, building demolition, and site restoration;
- Removal of a 15,000 gallon underground storage tank (minimal contamination associated with a broken line during removal); and
- Excavation and disposal of 95 tons of SVOC and arsenic-contaminated soil at four locations (arsenic was detected at 25 ppm in surface soils in one location and various SVOCs were detected at up to 9 ppm at two surface soil and two subsurface locations to a depth of 4 feet).

All confirmatory soil sample results were below the Unrestricted SCOs, indicating that the contaminated areas were successfully remediated.

Recycling of structural steel, timbers, and tanks during building demolition reduced waste disposal and extended the project budget.

6.3: **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.

Nature and Extent of Contamination:

The remedial investigation showed no impacts to groundwater and minor impacts to site soils by metals and petroleum products. Residential Use soil cleanup objectives were exceeded at four isolated locations:

- arsenic was detected at 25 ppm in surface soils in one location; and
- semi-volatile organic compounds (SVOCs) were detected at up to 9 ppm at two surface soil locations and two subsurface locations to depths of 4 feet.

Soils from these areas were removed and properly disposed as an interim remedial measure (IRM) in March 2011. All confirmatory soil sample results were below the Unrestricted Use SCOs, indicating that the contaminated areas were successfully remediated.

Two rounds of groundwater sampling showed no site-related impacts.

6.4: 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.

There are no concerns for human exposures because the site has been successfully cleaned up.

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:

Soil

**RAOs for Public Health Protection**

- Prevent ingestion/direct contact with contaminated soil.
RAOs for Environmental Protection

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

Investigation and IRM data show that the remedial action objectives were met allowing for residential, commercial, or industrial future use of the site. "Residential use" is the most restrictive, reasonably anticipated, future use for the site given its village setting, associated zoning restrictions, and surrounding land uses.

SECTION 7: SUMMARY OF SELECTED REMEDY

Based on the results of the investigations at the site, the IRMs that have been performed, and the evaluation presented here, the Department is selecting No Further Action as the remedy for the site. The IRMs completed at the site were as follows:

- Asbestos pre-demolition building survey;
- Abandoned hazardous material survey, sampling, and waste disposal;
- Asbestos abatement;
- Controlled building demolition, concrete slab removal, and site restoration;
- Removal of one 10,000 gallon underground storage tank including excavation and disposal of three drums of petroleum-impacted soil; and
- Excavation and disposal of 95 tons of semi-volatile organic compound (SVOC) and arsenic contaminated soil

Soil levels remaining at the site have achieved residential use levels and there were no impacts to groundwater, therefore, the Department has determined that this remedy satisfies the remediation objectives and is protective of human health and the environment.
Exhibit A

Nature and Extent of Contamination
Nature and Extent of Contamination

This section describes the findings of the Remedial Investigation for all environmental media that were evaluated. As described in Section 6.1, samples were collected from various environmental media to characterize the nature and extent of contamination.

For each medium, a table summarizes the findings of the investigation. The tables present the range of contamination found at the site in the media and compares the data with the applicable Standards, Criteria and Guidance (SCGs) for the site. The contaminants are arranged into semi-volatile organic compounds (SVOCs; petroleum products) and inorganics (metals). For comparison purposes, the SCGs are provided for each medium that allows for unrestricted use. For soil, if applicable, the Restricted Use SCGs identified in Section 6.1.1 are also presented.

The remedial investigation revealed soil contamination above Residential SCGs at four locations; arsenic at \((25 \text{ parts per million; ppm})\) at one location and semi-volatile organic compounds (SVOCs) at up to 9 ppm at three locations (up to 4 feet deep). Soils from these areas were excavated and properly disposed as an interim remedial measure (IRM) in March 2011. All confirmatory soil sample results were below Unrestricted SCGs indicating that the contaminated areas were successfully remediated.

Two rounds of groundwater sampling showed no site-related impacts. Iron, magnesium and sodium were the only metals detected in the groundwater above SCGs during the first round of sampling at the site. These exceedances are most likely related to particulates and natural conditions; no metals were detected above SCGs during the second round of groundwater sampling. No volatile organic compounds (VOCs) or SVOCs were detected in groundwater above SCGs. Therefore, no remedial alternatives need to be evaluated for groundwater.

Soil

The brief discussion above noted soil contamination above residential SCGs which was addressed by the IRM described in Section 6.2. The following table and figure 2 show the post-IRM soil data.

Table #1 - Soil

<table>
<thead>
<tr>
<th>Detected Constituents</th>
<th>Concentration Range Detected (ppm) (^a)</th>
<th>Unrestricted SCG (^b) (ppm)</th>
<th>Frequency Exceeding Unrestricted SCG</th>
<th>Restricted Residential Use SCG (^c) (ppm)</th>
<th>Frequency Exceeding Restricted SCG</th>
</tr>
</thead>
<tbody>
<tr>
<td>VOCs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^a\) ppm

\(^b\) ppm

\(^c\) ppm
<table>
<thead>
<tr>
<th>Detected Constituents</th>
<th>Concentration Range Detected (ppm)&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Unrestricted SCG&lt;sup&gt;b&lt;/sup&gt; (ppm)</th>
<th>Frequency Exceeding Unrestricted SCG</th>
<th>Restricted Residential Use SCG&lt;sup&gt;c&lt;/sup&gt; (ppm)</th>
<th>Frequency Exceeding Restricted SCG</th>
</tr>
</thead>
<tbody>
<tr>
<td>none</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SVOCs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Various PAHs</td>
<td>0.004 - 0.062</td>
<td>0.330</td>
<td>none</td>
<td>0.330</td>
<td>none</td>
</tr>
<tr>
<td><strong>Inorganics</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lead</td>
<td>4 – 344</td>
<td>63</td>
<td>6 of 38</td>
<td>400</td>
<td>none</td>
</tr>
<tr>
<td>Copper</td>
<td>10 – 189</td>
<td>50</td>
<td>4 of 38</td>
<td>270</td>
<td>none</td>
</tr>
<tr>
<td>Mercury</td>
<td>ND – 0.316</td>
<td>0.18</td>
<td>2 of 38</td>
<td>0.81</td>
<td>none</td>
</tr>
<tr>
<td>Zinc</td>
<td>30 – 162</td>
<td>109</td>
<td>3 of 38</td>
<td>2200</td>
<td>none</td>
</tr>
<tr>
<td>Arsenic</td>
<td>2 – 14</td>
<td>13</td>
<td>1 of 38</td>
<td>16</td>
<td>none</td>
</tr>
<tr>
<td><strong>Pesticides/PCBs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>none</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<sup>a</sup> - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

<sup>b</sup> - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives (SCOs).

<sup>c</sup> - SCG: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Public Health for Residential Use, unless otherwise noted.

Note that some metals (e.g., lead, copper, zinc, mercury) were detected above Unrestricted SCOs (but below Residential SCOs) in surface soils and outside of the former building footprint. Such a distribution and relatively low concentrations are suggestive of atmospheric deposition and urbanized background levels. Given the scattered distribution of these metals, cleanup to Unrestricted SCGs would require excavation and backfilling of the upper two feet of soil over much of the site, adding significantly to cleanup costs. Furthermore, unrestricted use differs...
from residential use by allowing livestock raising/grazing and the production of animal products for human consumption. Such use would be incompatible with the village setting, surrounding land uses, and current zoning of the site. Hence, residential use is the most restrictive, reasonably anticipated, future use for the site. The IRMs conducted at the site achieved Residential SCGs allowing for residential, commercial, or industrial future use of the site.
FIGURES 1 & 2
APPENDIX A

Responsiveness Summary
RESPONSIVENESS SUMMARY

Former Wilcox Press
Environmental Restoration Project
Village of Dansville, Livingston County, New York
Site No. E826020

The Proposed Remedial Action Plan (PRAP) for the Former Wilcox Press 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 14, 2012. The PRAP outlined the remedial measure proposed for the contaminated soil at the Former Wilcox Press 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 14, 2012 which included a presentation of the remedial investigation and alternative analysis (RI/AA) for the Former Wilcox Press 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 30, 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 the future use of the property?

**RESPONSE 1:** Based the results of the site investigation and interim remedial measures the property is suitable for residential, commercial, or industrial use. The property owner, Livingston County, has indicated a preference for residential future use.

**COMMENT 2:** When do you expect everything to be finalized? When will the certificate of completion (COC) be issued?

**RESPONSE 2:** It is anticipated that a Record of Decision can be issued by the end of March 2012 which can then be followed by the approval process for the Final Engineering Report and the Certificate of Completion. The Certificate of Completion should be issued within two months.

**COMMENT 3:** In general, the demolition contractors did a good job running the project and keeping us (neighbors) informed. However, they typically started at 6 am which was disturbing to a residential neighborhood. Also, the building demolition was performed during a very dry summer and sometimes dust was a problem. More spray/dust control would have been good. And site work seemed to have driven bugs and field mice to the adjacent residential...
properties. Lastly, standing water and mosquitoes were problems until the site was re-graded with more fill.

RESPONSE 3: Comment noted.

COMMENT 4: So the project cost $400,000 and $390,000 was received in grant funding?

RESPONSE 4: The original cost estimate for the project was $700,000 of which $600,000 was designated for asbestos abatement and demolition and $100,000 for investigation. Since the Environmental Restoration Program only reimburses 50% for asbestos and demolition, and 90% for other onsite costs, the eligible costs were $390,000. Accordingly, the County bore a significant share of the project costs and proactively decided to conduct the soil removal IRM which allowed for selection of a No Further Action remedy.

COMMENT 5: To get a good idea of the timeline, what sort of remediation went on before, during and after demolition?

RESPONSE 5: In order of completion, the interim remedial measures completed at the site were:

- Asbestos pre-demolition building survey;
- Abandoned hazardous material survey, sampling, and waste disposal;
- Asbestos abatement;
- Controlled building demolition, concrete slab removal, and site restoration;
- Removal of one 10,000 gallon underground storage tank including excavation and disposal of three drums of petroleum-impacted soil; and
- Excavation and disposal of 95 tons of semi-volatile organic compound (SVOC) and arsenic contaminated soil

The ROD has been modified to reflect these in the selected remedy.
APPENDIX B

Administrative Record
Administrative Record

Former Wilcox Press
Environmental Restoration Project
Village of Dansville, Livingston County, New York
Site No. E826020


1. The Department and the County of Livingston entered into a State Assistance Contract, Contract No. C303767 on April 20, 2008.


5. “Final Engineering Report – Former Wilcox Press Site (#E826020)”, October 2011, prepared by Lu Engineers