

New York State Department of Environmental Conservation

Division of Environmental Remediation

Remedial Bureau E, 12th Floor

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Alexander B. Grannis
Commissioner

JAN 25 2008

Ms. Leslie Bamann
Supervisor
Town of Victor
1290 Blossom Drive
Victor, New York 14564

RE: Site No. 8-35-013
Modock Road Springs/DLS Sand and Gravel, Inc., Site Update

Dear Supervisor Bamann:

The following is a chronologic summary of activities related to the Remedial Investigation and Feasibility Study (RI/FS) currently being completed at the Modock Road Springs/DLS Sand and Gravel, Inc., site. This summary includes activities occurring since the last update provided to the Town of Victor on January 11, 2008.

SUMMARY OF ACTIVITIES

January 11, 2008 - January 25, 2008

January 11, 2008 - January 18, 2008 - The New York State Department of Environmental Conservation (NYSDEC) staff contacted 18 homeowners included in the initial vapor intrusion sampling program and that received a letter from the New York State Department of Health (NYSDOH) indicating that either follow-up monitoring (eight (8) homeowners) or resampling (ten (10) homeowners) is necessary. The homeowners were contacted to either schedule the follow-up sampling if a mitigation system was not installed using the Senator's funding or to offer physical testing of the mitigation system if the homeowner agreed to have a mitigation system installed using the Senator's funding. Based on these telephone calls:

- Physical testing of the mitigation systems has been scheduled at six (6) locations;
- Follow-up monitoring or resampling is scheduled or has been completed at four (4) locations;
- Two (2) homeowners did not volunteer to have follow-up testing; and
- Specific arrangements need to be coordinated with six (6) of the homeowners.

January 17, 2008 - NYSDEC staff received a draft Modock Road Springs/DLS Sand and Gravel, Inc., investigation summary document prepared by the Town of Victor. NYSDEC staff are reviewing and commenting on the draft document and expect to provide comments during the week of January 28, 2008. Based on discussions with Town of Victor staff, the summary document will be available for homeowners and prospective home buyers.

Ongoing - The NYSDEC is receiving final laboratory analytical results from the vapor intrusion sampling completed at 18 locations between December 11, 2007 and January 7, 2008. Upon receipt, the laboratory results are being sent to a third party data validator for review.

Ongoing - Malcolm Pirnie, Inc., staff continue to revise the Focused Feasibility Study for Groundwater Interim Remedial Measure (IRM) summary report. The final IRM report is expected to be received by the end of January 2008.

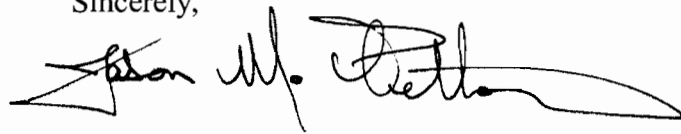
Ongoing - The NYSDEC Project Manager continues to prepare a Decision Document based on the IRM evaluation. The Decision Document will outline the proposed IRM action and it is expected to be available for public review early in 2008.

Ongoing - NYSDEC staff continue to respond to periodic telephone calls and requests for information.

Ongoing - NYSDEC staff continue to prepare updates to the Town of Victor prior to Town Board meetings on the second and fourth Monday of each month.

Please do not hesitate to call Mr. Joseph White or myself at 1-888-459-8667 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason M. Pelton", with a long horizontal flourish extending to the right.

Jason M. Pelton
Project Manager
Remedial Section C, Remedial Bureau E
Division of Environmental Remediation

cc: P. Lytle, Town of Victor Environmental Scientist