

OCT 19 2007

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 October 5, 2007.

SUMMARY OF ACTIVITIES

October 5, 2007 - October 19, 2007

October 9, 2007 - Following sampling on October 4, 2007 at the Syracuse Sand and Gravel, Inc., property, the New York State Department of Environmental Conservation (NYSDEC) received analytical lab results on six of the sixteen samples submitted for laboratory analysis on October 4, 2007. Three samples were collected from stripped topsoil stockpiles, two samples were collected from processed sand and gravel piles, and one sample was collected from the Syracuse production well. No contaminants of concern associated with the site, including 1,1,1-TCA, TCE, and 1,1-DCE, were detected in any of these samples. The results were immediately sent to NYSDEC Region 8 Division of Mineral Resources and Division of Environmental Remediation staff.

October 15, 2007 - Malcolm Pirnie, Inc., staff started direct push/Geoprobe[®] soil sampling program to assess soil quality in specific areas identified during earlier investigation activities. A total of twenty shallow soil borings will be advanced as part of this direct push soil sampling program.

October 15, 2007 - NYSDEC and New York State Department of Health (NYSDOH) staff determined that availability sessions will be held on November 28, 2007 and November 29, 2007 at the Town of Victor Town Hall at 1290 Blossom Drive. Availability session details, including times, will be provided in the next update to the Town of Victor.

October 16, 2007 - Following sampling on October 4, 2007 at the Syracuse Sand and Gravel, Inc., property, the NYSDEC received analytical lab results on the remaining ten samples submitted for laboratory analysis on October 4, 2007. In total, six soil samples were collected from stripped topsoil stockpiles, five soil samples were collected from mine faces, two soil samples were collected from processed sand and gravel piles, one soil sample was collected from the mine floor, one groundwater sample was collected from the Syracuse production well and one water sample was collected from a small on-site pond. No contaminants of concern associated with the site, including 1,1,1-TCA, TCE, and 1,1-DCE, were detected in any of the soil samples and the groundwater sample. Trichloroethene was detected at a concentration of 2.1 ppb in the surface water sample collected from the small pond. This pond water is not used in processing sand and gravel at the mine. The low levels of TCE in this pond water should be expected since the pond represents the exposed water table. The results were immediately sent to NYSDEC Region 8 Division of Mineral Resources and Division of Environmental Remediation staff.

October 18, 2007 - Malcolm Pirnie, Inc., submitted draft version of the Focused Feasibility Study for Groundwater Interim Remedial Measure summary report. The Interim Remedial Measure (IRM) report was prepared to evaluate possible IRMs applicable to the site's groundwater contamination. The draft IRM report is currently under review by NYSDEC and NYSDOH staff.

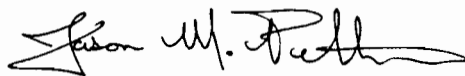
Ongoing - NYSDEC and NYSDOH staff are currently reviewing the draft version of the Immediate Investigation Work Assignment (IIWA) summary report submitted on October 5, 2007.

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

Ongoing - NYSDEC and NYSDOH preparing 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 888-459-8667 with any questions.

Sincerely,



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

cc: P. Lytle, Town of Victor Environmental Scientist