

Modock Springs Update (9/28/07)

The following is an update on the Modock Springs investigation being conducted by the NYS Department of Environmental Conservation (NYSDEC) and the NYS Department of Health (NYSDOH) with participation by representatives from the Town of Victor.

This summary of completed and planned actions was presented to Victor's Town Board on September 24, 2007.

1. NYSDOH Letters to Homeowners

There was much discussion on this topic during the recent meeting in Albany. The NYSDOH has and will continue to provide letters to homeowners explaining the sampling methods used in testing homes as well as an interpretation of the specific results that were obtained in every home investigated.

More work between the Town, the NYSDOH, and the NYSDEC is needed on this issue. Additional information on this topic and a description of the process to be followed will be included in the next update on the website. The Town will clarify what the NYSDOH and the NYSDEC are prepared to do when homeowners request letters that go beyond the description of home sampling methods and an interpretation of results.

2. NYSDEC Environmental Investigation and Remediation Program

NYSDEC Division of Remediation (out of Albany) is conducting this investigation at Modock Springs and at the DLS Sand and Gravel Site. This investigation is an attempt to identify the precise location of the original contamination. The formal term for the stage of the project that they are currently completing is called a, "Remedial Investigation and Feasibility Study."

They have completed three series of soil tests that measured organic gases in the soil. After these soil tests, they then completed an investigation using a Membrane Interface Probe (MIP) at 29 locations. This device was used to evaluate soil quality in areas where the soil gas tests suggested there was contamination. The MIP method was able to determine the vertical depth and horizontal extent of soil contamination.

After completion of this work, the NYSDEC (and their remediation contractor Malcom Pirnie, Inc.) is prepared to propose the second stage of work in their process called, "Interim Remedial Measures (IRM)." This is the stage of the process that could involve soil sampling and soil excavations. The NYSDEC will be prepared in early November 2007, to present an update on their work and the proposed actions that will take place under the IRM.

3. Potential Responsibility Party (PRP) Investigation

The PRP (a legal term) is the person or entity that is determined to be responsible for initially causing the environmental contamination. They are also the ones that would be held accountable for all cleanup and remediation costs.

The PRP investigation is being managed by John Burke. He is an Environmental Conservation Investigator based in the Region 8, NYSDEC office in Avon. This investigation is being conducted separately from the Modock Springs environmental investigation and remediation program. The PRP investigation is being conducted by the

NYS's Environmental Conservation Investigations. Investigator Burke cannot share any of the information he is collecting as it could impact the successful identification and prosecution of the PRP that caused the Modock Springs contamination. Town of Victor officials were assured at the recent meeting in Albany that the investigation is moving forward even though no information is being shared.

Any person having knowledge that could benefit Investigator Burke's investigation is encouraged to call him at 1-877-457-5680 or E-Mail him at: jwburke@gw.dec.state.ny.us.

4. Cancer Study by NYSDOH

The NYSDOH's Cancer Surveillance Program will initiate a cancer study on the homes that are located above the suspected plume. This study is being conducted at the request of Senator Nozzolio. The Town of Victor fully supports all elements of the study. Senator Nozzolio and Supervisor Bamann are expecting a letter from the NYSDOH program manager that will describe when the study will be conducted and how it will be completed. This letter will be placed on this website as soon as it is received. The study will begin by collecting and reviewing the incidents of cancer from the NYS/National Cancer Registry that occurred in homes above the suspected plume.

Attached to this update is a form entitled, "[Comment Form: Proposed Cancer Study](#)." Citizens with information or comments that would benefit this study are encouraged to complete the form and return it to the address on the form.

5. November Public Availability Session in Victor by NYSDEC and NYSDOH

NYSDEC and NYSDOH have proposed to have a joint update on the Modock Springs overall investigation in November, 2007, in Victor. The tentative date will be sometime during the week of November 12th through 16th.

NEXT UPDATE TO THIS WEBSITE:

Updated information on the Modock Springs investigation will be provided on October 12, 2007.