

April 29, 2025

Honorable Kathy Hochul
Governor of New York
The State Capitol
Albany, NY 12224

Re: AGWAY FERTILIZER PLANT HAMMOND STREET, BIG FLATS, NY Facility ID 808010

Greetings:

We, the undersigned, write respectfully to reiterate a 4/1/25 request that you immediately require all documented toxic threats to public health and the environment at the above-referenced site to be comprehensively investigated and remediated in strict compliance with the New York regulatory mandate to restore toxic-contaminated properties to "Pre-disposal conditions, to the extent feasible..." (6 NYCRR (New York Codes, Rules and Regulations) PART 375-2.8 (a).

See: [Coalition Letter Requests That Governor Hochul Comprehensively Investigate and Clean Up a Legacy Toxic Site at 83 Hammond Street, Big Flats, NY](#)

Our request is bolstered by new photographic evidence of dumping activities that reportedly occurred "over the bank" and in the vicinity of a "lagoon" at the site. The area is unmistakably strewn with the rusted metal remnants of industrial artifacts, crushed drums with distinctive ridges and rimmed lids, coal cinders and ash and a wide array of other wastes that were likely improperly disposed of decades ago according to State and Federal authorities.

See: [4/25: Photo Documentation of Reported "Over-the-Bank" and "Lagoon" Disposal Activities at a Former Fertilizer Site in Big Flats, NY](#)

It is irresponsible and inexcusable that the site's pollution concerns have neither been comprehensively investigated nor remediated more than 40 years after being reported by environmental authorities. We request that you immediately require the site to be restored to "Pre-disposal conditions to the extent feasible..." as mandated by State regulatory requirements.

We also request that site investigation and remediation be completed prior to any local, state or federal approvals being granted for a housing project proposed at the factory location. It would be unthinkable to permit residential housing to be built on this site without a comprehensive cleanup.

With this goal in mind, we write respectfully to correct your Department of Environmental Conservation's (DEC) misleading characterization reported in the Star-Gazette that its "Division of Environmental Remediation originally investigated the Agway Facility site in the 1980s, and did not find evidence of hazardous waste at the property which warranted listing the property on the Registry of Inactive Hazardous Waste Sites."

This self-serving statement is factually incorrect based on DEC's own data that we presented in our letter. It is beyond dispute that the above-referenced site was included in the State Registry of Inactive Hazardous Waste Disposal Sites as well as the Hazardous Substance Registry with ID # 808010. This is

due to widespread evidence of legacy dumping documented at the site and Section 703 groundwater exceedances associated with nitrates and Dieldrin, a highly toxic banned chlorinated pesticide.

Hazardous waste was not identified at the former factory site only because testing was limited to nitrates and a mere three chlorinated pesticides.

See Table 4, page 22 at: [Phase II Former Agway](#)

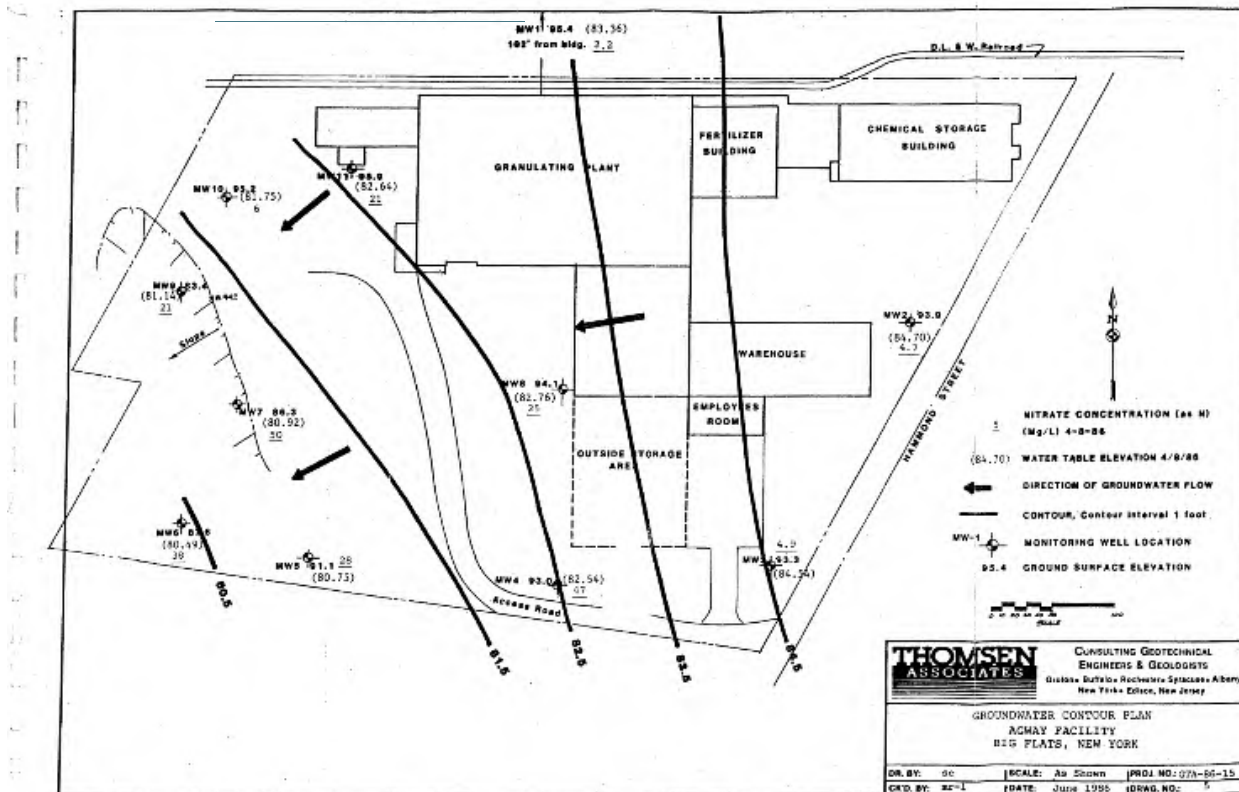
This is why the Potential Responsible Parties must be immediately required to analyze the site for a full spectrum of potential hazardous wastes, including Polychlorinated Biphenyls, heavy metals, toxic solvents, Toxic Characteristic Leaching Potential parameters and polynuclear aromatic hydrocarbons. Petroleum pollution also must be investigated.

DEC also stated, "In 2020, DEC's Spill Response Program, with consultation from the Chemung County and New York State health departments, sampled groundwater wells at the facility, and off-site drinking water wells, to confirm the determinations made in the 1980s," the agency said in a statement. "Based on these results, no additional investigation was necessary at that time, as there was a lack of potential public health exposure pathways."

This misleading statement also warrants correction. First, only three out of the 11 monitoring wells at the above-referenced site were sampled, analyzed and had detections circa 2020.

Detection Summary									
Client: New York State D.E.C.							Job ID: 480-173123-1		
Project/Site: Former Agway #1910934 PIN H7198									
Client Sample ID: MW4					Lab Sample ID: 480-173123-1				
Analyte	Result	Qualifier	RL	MDL	Unit	Det Fac	D	Method	Prep Type
Pyridine	0.44	J	26	0.43	ug/L	1		8270D	Total/NA
Dieldrin	0.020	J	0.054	0.011	ug/L	1		8081B	Total/NA
Heptachlor epoxide	0.0090	J	0.054	0.0080	ug/L	1		8081B	Total/NA
Nitrate as N	1.6	H	0.26	0.13	mg/L	5		300.0	Total/NA
Client Sample ID: MW5					Lab Sample ID: 480-173123-2				
Analyte	Result	Qualifier	RL	MDL	Unit	Det Fac	D	Method	Prep Type
Methylcyclohexane	0.66	J	2.0	0.32	ug/L	2		8260C	Total/NA
Dieldrin	0.59		0.052	0.010	ug/L	1		8081B	Total/NA
Endosulfan I	0.041	J	0.052	0.011	ug/L	1		8081B	Total/NA
Endrin	0.50		0.052	0.014	ug/L	1		8081B	Total/NA
Endrin ketone	0.25		0.052	0.013	ug/L	1		8081B	Total/NA
Heptachlor epoxide	0.065		0.052	0.0077	ug/L	1		8081B	Total/NA
Methoxychlor	0.042	J	0.052	0.015	ug/L	1		8081B	Total/NA
Nitrate as N	2.0	H	0.26	0.13	mg/L	5		300.0	Total/NA
Client Sample ID: MW7					Lab Sample ID: 480-173123-3				
Analyte	Result	Qualifier	RL	MDL	Unit	Det Fac	D	Method	Prep Type
Phenanthrene	0.46	J/D	5.2	0.46	ug/L	1		8270D	Total/NA
4,4' DDD	0.22		0.050	0.0092	ug/L	1		8081B	Total/NA
4,4' DDE	0.17		0.050	0.012	ug/L	1		8081B	Total/NA
4,4' DDT	0.16		0.050	0.011	ug/L	1		8081B	Total/NA
Dieldrin	0.79		0.050	0.0098	ug/L	1		8081B	Total/NA
Endrin ketone	0.083		0.050	0.012	ug/L	1		8081B	Total/NA
gamma-BHC (Lindane)	0.014	J	0.050	0.0080	ug/L	1		8081B	Total/NA
Nitrate as N	2.9	H	0.10	0.050	mg/L	2		300.0	Total/NA

Second, Monitoring Wells 4, 5 and 7 are all located **upgradient or sidegradient** of "over the bank" and "lagoon" dumping areas documented in the westernmost area of the above-referenced site. This limited subsurface investigation is fatally flawed because a 1986 Phase II subsurface investigation determined: "**Groundwater flow within the sand and gravel aquifer is toward the west and southwest** (emphasis added)." As a result, pollution was not detected simply because it was likely migrating away from the three monitoring points instead of toward them.



In order to rectify this problem, soil and groundwater monitoring must be conducted specifically in the areas SW, W and NW of MW7 in order to document the "fate and transport" of contamination migrating away from the "over the bank" and the "lagoon" areas. These **downgradient** areas have never been monitored.

In addition, a wide range of other pollution concerns must be investigated across the site as a whole, notably under the factory buildings and where earth moving activities covered parts of the site with large berms.

For example, a major xylene fire was reported at the factory in the late 1950s. This incident almost certainly caused extensive xylene contamination via floor drains and other uncontrolled releases that might have been migrating underground for decades.

Given the uncertainties of past dumping practices at the site as a whole, the Potential Responsible Parties for the site must be required to disclose all waste disposal activities at the facility pursuant to New York's Community Right to Know Program and Section 103(c) of the Comprehensive Environmental Response Compensation and Liability Act. Those disclosures were mandated more than 35 years ago.

Conclusion

It is inconceivable that State and Local authorities determined circa 2020 that "no additional investigation was necessary at that time, as there was a lack of potential public health exposure pathways." DEC undertook no investigations of toxic exposures potentially caused by Soil Vapor Intrusion, direct contact with contaminated soils, fugitive dust emissions, air pollution and flooding hazards. The limited drinking water testing cannot possibly be deemed adequate and representative of all local public health exposure pathways.

Each and every pollution route of exposure must be investigated because residents live on three sides of the site. The public can easily access the factory property because it is unfenced and there are no warning signs. Workers at a business on the site also could be exposed to residual contamination.

One family has lived downgradient of the factory for decades and reportedly experienced grave health problems that could be associated with environmental exposures. For example, a family member was diagnosed with Lewy Body Dementia that could be associated with Dieldrin exposure according to available medical literature. Dieldrin is similarly associated with Parkinson's disease, a public concern that has been repeatedly brought to your attention.

Finally, a number of other reported spills documented near the above-referenced site have similarly never been investigated or remediated on a comprehensive basis. We request that you require this to be achieved without any further delay. See below.

In conclusion, DEC's failure to enforce public health and environmental safeguards in Big Flats is indicative of a problem that you will be held strictly accountable for resolving in our community and all over New York.

We look forward to discussing our concerns with you at your earliest availability.

Thank you for your consideration.

Very truly yours,

Walter Hang
218 Wait Avenue
Ithaca, NY 14850

Deborah Hastings
540 Maple Street
Big Flats, NY 14814

Shannon Keach
35 Landau Drive
Horseheads, NY 14845

Scott and Sheila French
30 Hammond Street
Big Flats, NY 14814

John Little
20 Vixen Circle
Elmira, NY 14903

Sara Cline
25 Hammond Street
Big Flats, NY 14814

Matt Clancy
19 Olcott Road South
Big Flats, NY 14814

Sienna Emery
211 Glenwood Ave
Elmira, NY 14903

Gregory and Teresa Goldthwait
532 Maple Street
Big Flats, NY 14814

Stan and Marge Barber
48 Church Street
Big Flats, NY 14814

Jennifer Piazza
536 Maple Street
Big Flats, NY 14814

Lori Cornell
34 Hammond Street
Big Flats, NY 14814

Roger TenEyck
69 Goss Road
Elmira, NY 14903

Jenny Dean
8 Church Street
Big Flats, NY 14814

Heman And Carol Fowler
21 Hammond Street
Big Flats, NY 14814

Jerry Leganegro
8 Church Street
Big Flats, NY 14814

See unredacted DEC spill profiles below:

An abandoned spill site with reported "odors of gas and diesel" on Hammond Street was neither investigated nor remediated for nine years:

Map Identification Number 7 **KEELER CONSTRUCTION STORAGE YARD** Spill Number: 1602524 Close Date:
 26 HAMMOND ST BIG FLATS, NY TT-Id: 520A-0319-104

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (4)
 Approximate distance from property: 1013 feet to the S

ADDRESS CHANGE INFORMATION
 Revised street: NO CHANGE
 Revised zip code: 14814

Source of Spill: COMMERCIAL/INDUSTRIAL
 DEC Investigator: CMKEHOE

Spiller:
 Contact for more spill info:

Spiller Phone:
 Contact Person Phone:

Category: Known or probable release, where, without action, there is a potential for a fire/explosion hazard (indoors or outdoors), contamination of drinking water supplies, or significant release to surface waters.
 Class: Willing RP - DEC Field Response - Corrective Action Initiated, Taken Over, or Completed by RP or Other Agency

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
06/05/2016		UNKNOWN	NO	NO

NO MATERIAL INFORMATION GIVEN FOR THIS SPILL

Caller Remarks:

Caller reports odors of gas and diesel around former construction company. Tanks still in ground.

DEC Investigator Remarks:

06/07/16 KEHOE DRIVEBY OF SITE TO CHECK REPORT. NO ODORS. NO ONE WORKING BUT SOMEONE IS WORKING TO CLEAR THE OVERGROWN SITE.
 06/11/16 KEHOE CHECK OF SITE. NO ONE WORKING AND NO ODORS NOTICED. TWO FILL PORT COVERS OBSERVED BETWEEN THE SMALL BUILDING AND THE STREET.
 06/13/16 KEHOE CHECK OF SITE FOUND NO ODOR OR CHANGE.
 06/14/16 1200 KEHOE CALL TO STEVEN KEELER TO DISCUSS ISSUE, LEFT MESSAGE.

06/21/16 1330 KEHOE DRIVE BY, NO ODOR NO ONE ON SITE.

06/28/16 1000 KEHOE CALL TO KEELER, LEFT MESSAGE.

06/29/16 1635 KEHOE CALL TO KEELER, LEFT MESSAGE.

06/30/16 0950 KEHOE CALL TO KEELER, LEFT MESSAGE.

07/12/16 1235 KEHOE CALL TO KEELER, LEFT MESSAGE.

07/14/16 1045 KEHOE DRIVE BY OF SITE, NO ODOR OR ACTIVITY.

08/24/16 1520 KEHOE CALL TO STEVE KEELER, HE REPORTS HE IS THE SON AND HIS FATHER IS NO LONGER INVOLVED DUE TO HEALTH ISSUES. ADDITIONAL INFORMATION AND PROPERTY ISSUES CAN BE WORKED THROUGH THEIR ATTORNEY RICK ROSETTIE.

08/30/16 1315 KEHOE TELECON WITH RICK ROSETTIE, HE IS NOT CURRENTLY INVOLVED WITH THE PROPERTY BUT DOES NOT BELIEVE THE OWNER ERFORD KEELER IS IN A CONDITION TO MAKE DECISIONS. UNKNOWN WHO IS LISTING THE PROPERTY FOR SALE OR RENT.

09/13/16 KEHOE ON SITE TO CHECK FILL PORTS, TWO PORTS 72' APART, TOTAL DEPTH 93', MAYBE 36' TO TANK TOP, 15.25' OF LIQUID WITH ODOR OF KEROSENE. BALER DROPPED IN PORT FOUND MOSTLY WATER WITH SOME PRODUCT GLOBS.

09/20/16 KEHOE CALL TO LISTING AGENT KEVIN HOOEY OF CALLAHAN AND HOOEY. LISTING WAS FROM YEARS AGO, NO CURRENT INVOLVEMENT. OWNER IS ERFORD KEELER. SUGGESTED SPEAKING WITH HIS SON STEVEN KEELER.

08/30/17 KEHOE DRIVEBY OF SITE, STRIPPING CONTRACTOR GONE, SITE SIT'S IDLE.

05/09/19 KEHOE DRIVEBY OF SITE, NO ACTIVITY, SITE IDLE.



HAZARDOUS MATERIAL SPILLS INFORMATION REQUEST

COLD STORAGE BUILDING
 MAPLE STREET

BIG FLATS, NY NO ZIP PROVIDED

Spill Number: 0170168

Close Date: 11/27/2001

ADDRESS CHANGE INFORMATION

Revised street: NO CHANGE
 Revised zip code: 14814

Source of Spill: INSTITUTIONAL, EDUC, GOV, OTHER
 DEC Investigator: SARODABA

Spiller:
 Contact for more spill info: CARL CARSON

Spiller Phone:
 Contact Person Phone:

The following caller and notifier data has been withheld by the NYSDEC since 2006.

Caller Name: CARL CARSON
 Notifier Name:

Caller Agency: TOWN OF BIG FLATS
 Notifier Type: Responsible Party

Caller Phone: (607) 562-8796
 Notifier Phone:

Category: Known petroleum or hazardous material release with minimal potential for fire/explosion (indoors or outdoors), drinking water contamination, or releases to surface waters.
 Class: Willing RP – DEC Field Response – Corrective Action Initiated, Taken Over, or Completed by RP or Other Agency

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
05/17/2001		UNKNOWN	NO	NO

Material Spilled	Material Class	Quantity Spilled		Quantity Recovered		Resource(s) Affected
		Units		Units		
GASOLINE	PETROLEUM	0.00	GALLONS	0.00	GALLONS	SOIL

Caller Remarks:

AN ENVIRONMENTAL ASSESSMENT PERFORMED BY CME ASSOCIATES FOR TOWN OF BIG FLATS, INVESTIGATED WHETHER COLD STORAGE BUILDING HAD BEEN IMPACTED BY HISTORICAL USEAGE OF FACILITY FOR VEHICLE MAINTENANCE. SOIL ANALYTICAL RESULTS INDICATE GASOLINE IMPACTS IN 2 AREAS AT DEPTHS UP TO 4.5 FEET. TOWN PLANS ON POURING CONCRETE FLOOR IN THE BUILDING AND WILL BE REMOVING 18 INCHES OF SOIL THROUGHOUT THE FACILITY. IT WILL ALSO REMOVE IMPACTED AREAS TO THE DEPTH NECESSARY. SR FOLLOWING UP.

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was SR 09/01 SR INSPECTED FACILITY IN SEPTEMBER AFTER REMOVAL OF 18 INCHES OF SOIL, THERE WAS NO EVIDENCE OF CONTAMINATION REMAINING BASED ON VISUAL AND OLFACTORY OBSERVATIONS, AND PERMISSION WAS GIVEN TO BACKFILL AND COMPLETE CONSTRUCTION WORK. GRAVELLY SOIL WHICH WAS REMOVED WAS TAKEN IN BACK OF FACILITY, PUT ON PLASTIC AND SPREAD LESS THAN A FOOT THICK. ADDITIONAL WORK RELATED TO SOIL PILE NOT NEEDED, AMOUNT OF IMPACTED SOIL WAS MINIMAL, NO NEARBY RECEPTORS AND LACK OF ANY APPRECIABLE THREAT TO ENVIRONMENT.

MAP LOCATION INFORMATION

Site location mapped by: MANUAL MAPPING (3)
Approximate distance from property: 752 feet to the NW

ADDRESS CHANGE INFORMATION

Revised street: NO CHANGE
Revised zip code: NO CHANGE

Source of Spill: INSTITUTIONAL, EDUC. GOV. OTHER
DEC Investigator: cmkehoe

Spiller:
Contact for more spill info: LARRY WAGNER

Spiller Phone:
Contact Person Phone: (607) 562-8443

Category:	Known or probable release, where, without action, there is a potential for a fire/explosion hazard (indoors or outdoors), contamination of drinking water supplies, or significant release to surface waters.					
Class:	Willing RP - DEC Field Response - Corrective Action Initiated, Taken Over, or Completed by RP or Other Agency					
Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards		Penalty Recommended	
01/21/2008	04/22/2008	EQUIPMENT FAILURE	NO		NO	
Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
WASTE OIL/USED OIL	PETROLEUM	0	GALLONS	0	GALLONS	SOIL

Caller Remarks:

CALLER STATES WHILE EXCAVATING FOR A NEW TOWN HALL, A 300 GALLON WASTE OIL TANK WAS FOUND, MINOR IMPACTS FOUND. ALSO, IMPACTED SOIL FOUND IN CENTER OF EXCAVATION MAY BE FROM OLD FLOOR DRAINS. FAXED TO CK FOR FOLLOW UP.

DEC Investigator Remarks:

04/22/08 0800 KEHOF ON SITE WITH LARRY WAGNER, WASTE OIL TANK UNCOVERED, SEVERAL INCHES OF LIQUID REMAIN. SOIL IS GRAVEL AND LIGHTLY STAINED AROUND TANK. SAFETY KLEEN WILL PUMP TANK AROUND NOON THEN TOWN WILL REMOVE TANK, CLEAN IT AND DISPOSE IN METAL WASTE DUMPSTER. ALSO OBSERVED AREA SUSPECTED OF BEING CONTAMINATED BY OLD FLOOR DRAINS. SOIL IS IN MIDDLE OF EXCAVATION AND HAS GRAY/BLACK APPEARANCE WITH SHEEN AND ODOR OF OLD DIESEL. RECOMMENDED THEY TRY AND DIG OUT OF CONTAMINATION. SOIL NEEDS TO BE STAGED ON PLASTIC FOR DISPOSAL.

04/22/08 1300 KEHOF ON SITE FOR UPDATE, ABOUT EIGHT LOADS OF SOIL REMOVED. SOIL NOW APPEARS TO BE CINDERS AND NOT PETROLEUM IMPACTED. CHECKED WITH PID AND GOT NO READINGS, NO ODORS NOTICED. IMPACTS THOUGHT TO BE LOCALIZED DUE TO CRACKS IN TRENCH DRAIN. WAGNER DESCRIBES ALL TRENCHES FLOWED TO A DRAGON EVAPORATOR USED TO EVAPORATE FLOOR DRAIN LIQUID RATHER THAN DISCHARGE IT. DUG TEST PIT CLOSER TO OLD TOWN HALL TO EAST AND FOUND STAINED SOIL BUT NO PID READINGS OR ODOR. GAVE OK TO STOP DIGGING, SOIL WILL BE SENT TO LANDFILL FOR DISPOSAL PER WAGNER.

06/23/08 1345 KEHOF TELECON WITH LARRY WAGNER, WORKING TO GET SOIL INTO CHEMUNG COUNTY BUT NO RESPONSE FROM LANDFILL.

09/17/08 0930 KEHOF TELECON WITH LARRY WAGNER, SOIL REMAINS, WILL CALL JOE BOYLES AGAIN TODAY.

12/18/08 DISPOSAL RECEIPTS RECEIVED FROM BIG FLATS, 120.17 TONS OF SOIL SENT TO THE CHEMUNG COUNTY LANDFILL FOR DISPOSAL. CLOSURE LETTER PREPARED. NFA - CLOSED

11/27/2024 PAPER FILE SCANNED AND DISPOSED OF. CK

Diesel pollution reportedly was not remediated in strict compliance with all applicable State cleanup requirements for more than 25 years.

Map Identification Number 10 **WOLCOTT (EZRA) PROPERTY** Spill Number: 9610046 Close Date: 06/30/1998
 CORNER WINTERS @ ROUTE 64 BIG FLATS, NY TT Id: 520A-0403-877

MAP LOCATION INFORMATION
 Site location mapped by: MANUAL MAPPING (3)
 Approximate distance from property: 1818 feet to the SSE

ADDRESS CHANGE INFORMATION
 Revised street: CORNER WINTERS / ROUTE 64
 Revised zip code: 14814

Source of Spill: UNKNOWN Spiller: Spiller Phone:
 DEC Investigator: SARODABA Contact for more spill info: ERZA WOLCOTT Contact Person Phone: () 562-8852

The following caller and notifier data has been withheld by the NYSDEC since 2006.
 Caller Name: STEVE DEGERDON Caller Agency: FAGAN ENGINEERS Caller Phone: (607) 734-2165
 Notifier Name: Notifier Type: Other Notifier Phone:

Category: Known petroleum or hazardous material release with minimal potential for fire/explosion (indoors or outdoors), drinking water contamination, or releases to surface waters.
 Class: Willing RP DEC Field Response Corrective Action Initiated, Taken Over, or Completed by RP or Other Agency

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards	Penalty Recommended
11/07/1996		UNKNOWN	NO	NO

Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
DIESEL	PETROLEUM	0	GALLONS	0	GALLONS	SOIL

Caller Remarks:

fagan engineers performing phase II investigation at wolcott property (former scrap yard construction storage area) encountered contaminated soil in area approx 20 ft x 10 ft, extending from just below ground surface to approx 3 ft where soil appears clean. groundwater at 3-4 ft bgs sr following up spill taxed from region 8 on 11/12/96

DEC Investigator Remarks:

Prior to Sept. 2004 data translation this spill Lead_DEC Field was SR 11/12/96 SR MET STEVE DEGERDON OF FAGAN ENG AT SITE.

STEVE SHOWED ME AREA WHERE PETROLEUM CONTAMINATION WAS ENCOUNTERED WHILE TEST PITTING - HAD BACKHOE OPERATOR RE-DIG IN AREA. AT JUST BENATH SURFACE ENCOUNTERED FAIRLY STRON SMELLING DIESEL CONTAMINATION. POSSIBLE SOURCES - DOZENS OF DRUMS CARCASSES PILED NEAR CONTAMINATION, AS WELL AS SEVERAL LARGE AST's. ALSON CONTAMINATED SOIL IS VERY WELL GRADED SAND, DOES NOT APPEAR NATIVE, MAY HAVE BEEN DUMPED THERE.

12/19/96 FAGAN ENGINEERING OVERSAW EXCAVATION OF APPROX 30-40 TONS OF SOIL: POST-EXCAVATION SAMPLES OF SOIL AND GROUNDWATER WERE NON-DETECT. SOIL STAGED ON SITE FOR BIOREMEDIATION.

08/06/97 SR INSPECTED SOIL PILE. CHECKED FOUR AREAS. ALL AREAS HAD NO ODOR EXCEPT ONE WITH DISTINCT DIESEL ODOR. WOLCOTT TO BE ADVISED TO WORK SOIL.

06/29/98 SR INSPECTED. SCREENED SOILS WITH HNu, ALL READINGS AT BACKGROUND LEVELS. NO FURTHER ACTION TO BE REQUIRED. CLOSURE LETTER TO BE SENT.

12/21/10: PAPER FILE REMOVED PER FILE RETENTION POLICY.

TABLE 4
GROUNDWATER SAMPLE RESULTS
AGWAY
BIG FLATS, NEW YORK

<u>Well Number</u>	<u>Nitrates as N (mg/L)</u>	<u>DDT ug/L</u>	<u>Malathion ug/L</u>	<u>Dieldrin ug/L</u>
+NYSDEC Regulatory Criteria	10.0	N.D.	7.0	N.D.
MW-1	2.2	N.D.	N.D.	N.D.
MW-2	4.7	N.D.	N.D.	N.D.
MW-3	4.9	N.D.	N.D.	N.D.
MW-4	47	N.D.	N.D.	N.D.
*MW-5S (Average 2 Samples)	28	N.D.	N.D.	N.D.
MW-6	37	N.D.	N.D.	N.D.
MW-7	50	N.D.	N.D.	N.D.
MW-8	25	N.D.	N.D.	0.61
MW-9	21	N.D.	N.D.	0.11
MW-10	6.0	N.D.	N.D.	N.D.
MW-11	21	N.D.	N.D.	N.D.

*MW-5S - A Duplicate samples was analyzed. One of the samples contained 0.01 ug/L Dieldrin.

N.D. - Not Detectable

+NYSDEC Title 6, Official Compilation of Codes, Rules & Regulations, Part 703 Groundwater Classification, Quality Standards and Effluent Standards and/or Limitations (Statutory Authority: Environmental Conservation Law, SS 17-0301, 17-0809)

Detection Summary

Client: New York State D.E.C.
Project/Site: Former Agway #1910934 PIN H7198

Job ID: 480-173123-1

Client Sample ID: MW4

Lab Sample ID: 480-173123-1

Analyte	Result	Qualifier	RL	MDL	Unit	Dil Fac	D	Method	Prep Type
Pyridine	0.44	J	26	0.43	ug/L	1		8270D	Total/NA
Dieldrin	0.020	J	0.054	0.011	ug/L	1		8081B	Total/NA
Heptachlor epoxide	0.0090	J	0.054	0.0080	ug/L	1		8081B	Total/NA
Nitrate as N	1.8	H	0.25	0.13	mg/L	5		300.0	Total/NA

Client Sample ID: MW5

Lab Sample ID: 480-173123-2

Analyte	Result	Qualifier	RL	MDL	Unit	Dil Fac	D	Method	Prep Type
Methylcyclohexane	0.66	J	2.0	0.32	ug/L	2		8260C	Total/NA
Dieldrin	0.59		0.052	0.010	ug/L	1		8081B	Total/NA
Endosulfan I	0.041	J	0.052	0.011	ug/L	1		8081B	Total/NA
Endrin	0.50		0.052	0.014	ug/L	1		8081B	Total/NA
Endrin ketone	0.25		0.052	0.013	ug/L	1		8081B	Total/NA
Heptachlor epoxide	0.065		0.052	0.0077	ug/L	1		8081B	Total/NA
Methoxychlor	0.042	J	0.052	0.015	ug/L	1		8081B	Total/NA
Nitrate as N	2.0	H	0.25	0.13	mg/L	5		300.0	Total/NA

Client Sample ID: MW7

Lab Sample ID: 480-173123-3

Analyte	Result	Qualifier	RL	MDL	Unit	Dil Fac	D	Method	Prep Type
Phenanthrene	0.48	J B	5.2	0.46	ug/L	1		8270D	Total/NA
4,4' DDD	0.22		0.050	0.0092	ug/L	1		8081B	Total/NA
4,4' DDE	0.17		0.050	0.012	ug/L	1		8081B	Total/NA
4,4' DDT	0.16		0.050	0.011	ug/L	1		8081B	Total/NA
Dieldrin	0.79		0.050	0.0098	ug/L	1		8081B	Total/NA
Endrin ketone	0.063		0.050	0.012	ug/L	1		8081B	Total/NA
gamma-BHC (Lindane)	0.014	J	0.050	0.0080	ug/L	1		8081B	Total/NA
Nitrate as N	2.9	H	0.10	0.050	mg/L	2		300.0	Total/NA

Detection Summary

Client: New York State D.E.C.
Project/Site: Former Agway #1910934 PIN H7198

Job ID: 480-173123-1

Client Sample ID: MW4

Lab Sample ID: 480-173123-1

Analyte	Result	Qualifier	RL	MDL	Unit	Dil Fac	D	Method	Prep Type
Pyridine	0.44	J	26	0.43	ug/L	1		8270D	Total/NA
Dieldrin	0.020	J	0.054	0.011	ug/L	1		8081B	Total/NA
Heptachlor epoxide	0.0090	J	0.054	0.0080	ug/L	1		8081B	Total/NA
Nitrate as N	1.8	H	0.25	0.13	mg/L	5		300.0	Total/NA

Client Sample ID: MW5

Lab Sample ID: 480-173123-2

Analyte	Result	Qualifier	RL	MDL	Unit	Dil Fac	D	Method	Prep Type
Methylcyclohexane	0.66	J	2.0	0.32	ug/L	2		8260C	Total/NA
Dieldrin	0.59		0.052	0.010	ug/L	1		8081B	Total/NA
Endosulfan I	0.041	J	0.052	0.011	ug/L	1		8081B	Total/NA
Endrin	0.50		0.052	0.014	ug/L	1		8081B	Total/NA
Endrin ketone	0.25		0.052	0.013	ug/L	1		8081B	Total/NA
Heptachlor epoxide	0.065		0.052	0.0077	ug/L	1		8081B	Total/NA
Methoxychlor	0.042	J	0.052	0.015	ug/L	1		8081B	Total/NA
Nitrate as N	2.0	H	0.25	0.13	mg/L	5		300.0	Total/NA

Client Sample ID: MW7

Lab Sample ID: 480-173123-3

Analyte	Result	Qualifier	RL	MDL	Unit	Dil Fac	D	Method	Prep Type
Phenanthrene	0.48	J B	5.2	0.46	ug/L	1		8270D	Total/NA
4,4'-DDD	0.22		0.050	0.0092	ug/L	1		8081B	Total/NA
4,4'-DDE	0.17		0.050	0.012	ug/L	1		8081B	Total/NA
4,4'-DDT	0.16		0.050	0.011	ug/L	1		8081B	Total/NA
Dieldrin	0.79		0.050	0.0098	ug/L	1		8081B	Total/NA
Endrin ketone	0.063		0.050	0.012	ug/L	1		8081B	Total/NA
gamma-BHC (Lindane)	0.014	J	0.050	0.0080	ug/L	1		8081B	Total/NA
Nitrate as N	2.9	H	0.10	0.050	mg/L	2		300.0	Total/NA

See: Full Report for Former Agway #1910934 PIN H7198

This Detection Summary does not include radiochemical test results.

Eurofins TestAmerica, Buffalo

3.3 Ground Water Quality

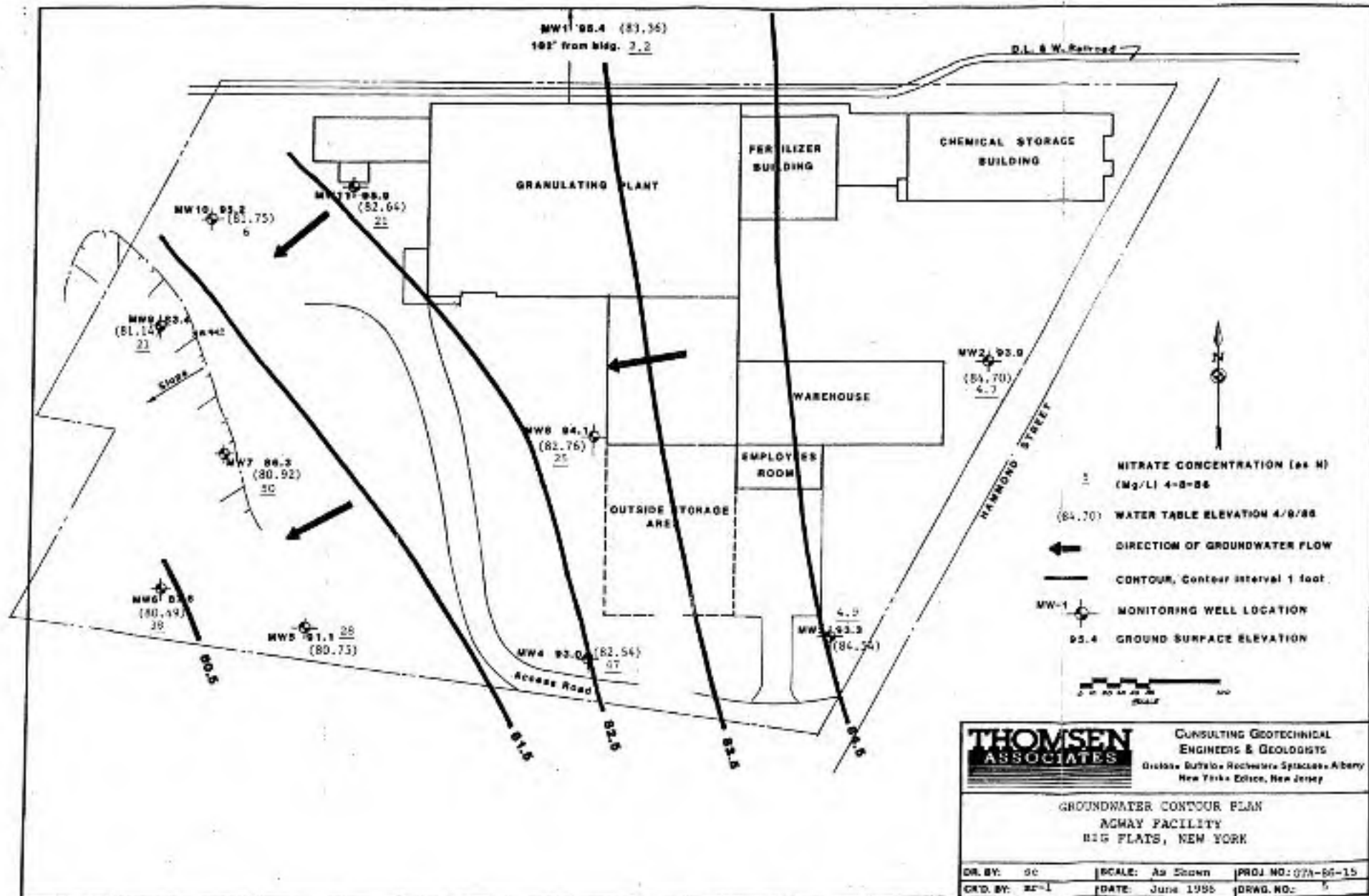
The results of the ground water quality analyses are summarized on Table 4 and presented in Appendix D. (Note: the analytical laboratory reported Nitrates as NO₃, on Table 4 they are presented as N). A conversion factor of 0.2259 was used to convert from NO₃ to N. (Hem, 1970). The New York State Department of Environmental Conservation (NYSDEC) ambient groundwater regulatory criteria (1978) for nitrates as N is 10.0 mg/l. Concentrations of nitrates in wells MW4, MW5, MW6, MW7, MW8, MW9 and MW11 were between 21 and 50 mg/l. The distribution of nitrate concentrations are shown on Drawing 5.

Of the three pesticides analyzed for (DDT, Malathion and Dieldrin) only Dieldrin was detected. The sample from well MW8 had a concentration of 0.61 ug/l and the sample from MW9 had a concentration of 0.11 ug/l.

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 Conclusions

- o Only one sand and gravel aquifer was encountered at the site. A compact silt was encountered below the sand and gravel unit, at a depth of 12.5 to 29.0 feet below ground surface.
- o Groundwater flow within the sand and gravel aquifer is toward the west and southwest. The average linear velocity of groundwater flow is between 0.03 feet/day and 1.7 feet/day beneath the site.
- o Nitrate-nitrogen concentrations were found in all wells, including the upgradient wells. Seven of the on-site wells had concentrations of Nitrate-nitrogen between 21 and 50 mg/l.



Estimate GLF Fire Loss at \$100,000

A fire which started when an explosive solvent flowed into the base of an oil-burning furnace destroyed a one-story storage building at the Grange League Federation (GLF) building plant on Hammond Street at Big Flats.

There were a number of explosions during the height of the fire, but no one was injured. Workmen were transferring Xylene, a highly explosive solvent used to mix paint and insecticide, from a railroad tank car into the center tank of a row of three upright storage tanks close to the building which burned.

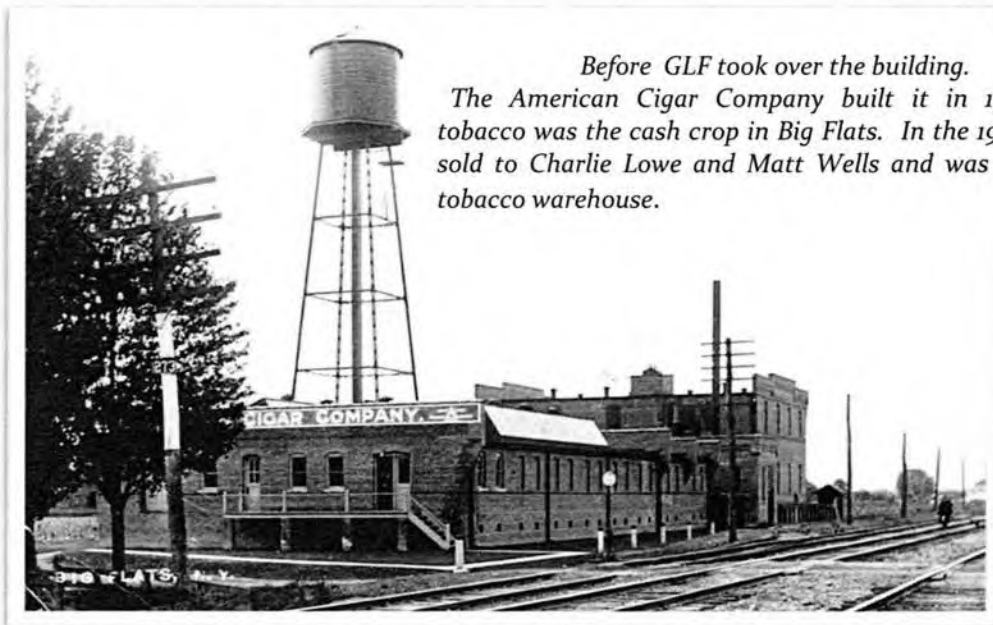
The tank overflowed and the chemical spilled to the ground, flowing down a stairway into the basement of the building. Firemen were called as a precautionary measure when the chemical entered the basement. When the firemen arrived the chemical was 2 inches deep on the basement floor and had run into the base of an oil burner. Firemen stood in the stairway and had just put sand on the floor to soak up the solvent when fire flashed throughout the basement which was filled with fumes. Firemen tried to confine the blaze, small explosions were heard as barrels and cans became overheated. The containers were hurled as high as 60 feet into the air and more than 100 feet into nearby fields.

Realizing the fire was out of control firemen confined their efforts to cooling down 3 vertical and 1 horizontal tanks. All were filled with explosive chemicals. If they ever exploded a lot of people would have been hurt.

Two companies of Horseheads firemen and one company from the Town & Country Department helped battle the blaze. The Chemung Country Airport Department also responded to a call for Foamite, to assist in fighting the fire.



Smoke Rising from Big Flats GLF Fire Was Visible in Horseheads and Corning.



Before GLF took over the building. The American Cigar Company built it in 1906 when tobacco was the cash crop in Big Flats. In the 1920s it was sold to Charlie Lowe and Matt Wells and was used as a tobacco warehouse.