

This Chapter discusses the potential impacts that the proposed action and the alternatives may have on hazardous materials.

A. ALTERNATIVE 1: PROPOSED ACTION

Under this alternative, which involves placing the Nation's properties into trust, no changes are proposed. As discussed in Section 3.4, "Hazardous Materials," Recognized Environmental Conditions were identified including:

- Past and current use of two parcels (36-1-49 at 2552 Route 89 in Seneca Falls and 134.17-1-1.121 at 299 Cayuga Street in Union Springs) as a gasoline filling station and the past use of parcel 36-1-49 as a auto dealership could potentially have caused a release of petroleum contamination to soil or groundwater at the sites and/or the surrounding properties. Registration for the current USTs at the two gasoline filling stations was not up to date with NYSDEC. Soil sampling conducted as part of Phase II investigations was performed for each of the parcels and the results of which did not indicate that any areas have been adversely affected by current or former on-site operations. Due to soil conditions at each boring location, refusal was encountered before groundwater was reached. Therefore, the status of groundwater remains unknown. Other than the possibility of a release from continuing operations at each retail gasoline filling station, no significant adverse impacts related to hazardous materials would result from proposed activities on the land trust parcels.
- The maintenance, storage areas, and public restrooms contained general cleaning chemicals for parcels 134.17-1-1.121, 134.17-1-1.21, and 36-1-49. No odors or observation of releases were noted during the site inspection.
- Former use of the building on parcel 36-1-48.2 as a boat repair shop may have resulted in releases to the soil or groundwater at the site. There were no areas of staining observed during the site visit.
- Possible PCB-containing fluids in the pole-mounted transformers on parcels 36-1-48.2 and 85.00-1-28.1. There were no areas of stained soil or stressed vegetation beneath the transformers.
- An unpaved right-of-way vehicular access road and natural gas well was located on the northern portion of parcel 141.05-1-3. There was no evidence of contamination observed during the inspection, but possible future activities including gas well development or re-drilling to improve production may present a situation where on-site soil or groundwater could be contaminated near the natural gas well.
- Average radon levels in Cayuga County, 4.37 picocuries/liter, exceed the USEPA recommended action level of 4.0 picocuries/liter affecting parcels 85.00-1-28.1, 150.00-1-29.1, 141.05-1-3, 134.17-1-1.21, and 134.17-1-1.121.
- Suspect ACMs for parcels 36-1-49, 36-1-48.1, 36-1-48.2, 141.05-1-3, 134.17-1-1.21, and 134.17-1-1.121.

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- A railroad is located west-adjacent to parcel 134.17-1-1.51. Historically, chemicals such as creosote were applied to railroad ties, which have minor potential to affect conditions at the site.
- Based on the age of the structure on parcel 36-1-48.2, lead-based paint may be present, including under more recently painted surfaces. Lead based paint may have also been used if boats were repainted. The existing painted surfaces were observed to be in good to damaged condition.
- Interviews with knowledgeable site personnel indicated that herbicides and pesticides are applied to the mowed portions of parcels 36-1-48.1, 36-1-48.2, 150.00-1-29.1, 134.17-1-1.51 on an as-needed basis, which may have affected shallow soil and/or surface waters at the site.

If the property uses change, the above conditions may need to be addressed; however, under this alternative, the properties would continue to be used as they are now. Therefore, other than the possibility of a release from continuing operations at each retail gasoline station, no significant impacts associated with hazardous materials would result from the Proposed Action.

B. ALTERNATIVE 2: NO ACTION

Under this alternative, no changes are proposed. As such, the potential impacts associated with the future without the proposed project would be consistent with the conditions described for Alternative 1: Proposed Action.

Under this alternative, the properties would continue to be used as they are now. Therefore, other than the possibility of a release from continuing operations at each retail gasoline station, no significant impacts associated with hazardous materials would result from the No Action Alternative.

C. ALTERNATIVE 3: ENTERPRISE PROPERTIES INTO TRUST

Under this alternative, which involves placing the Nation's two Enterprise properties (Seneca Falls and Union Springs) into trust, no changes are proposed. As such, the potential impacts associated with the future without the proposed project would be consistent with the conditions described in Alternative A: Proposed Action for parcels 36-1-49 at 2552 Route 89 in Seneca Falls and 134.17-1-1.121 at 299 Cayuga Street in Union Springs.

Under this alternative, the property would continue to be used as it is now. Therefore, other than the possibility of a release from continuing operations at each retail gasoline station, no significant impacts associated with hazardous materials would result from the Enterprise Properties into Trust Alternative.

D. CUMULATIVE IMPACTS

No cumulative impacts associated with hazardous materials are anticipated for the proposed action under any of the analyzed alternatives. No other currently active proposals are similar to the proposal in either county. Tribal fee-to-trust applications in other New York counties are also not anticipated to produce statewide cumulative impacts, since any impacts associated with hazardous materials from other proposals, if any, would be localized. Implementation of the Nation's proposal would return both Counties' conditions to those of the environmental baseline date of the Nation's application, which included the gaming operation. With no impacts

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associated with hazardous materials resulting from the proposal, and no other proposals with impacts associated with hazardous materials, no cumulative impacts are anticipated.