



Department of
Environmental
Conservation

State Superfund Program

Citizen Participation Plan

for

Former Silver Cleaners

July 2022

Site No. 828186
245 Andrews Street, 151 and 159-169 Pleasant Street
City of Rochester
Monroe County, New York

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Note: The information presented in this Citizen Participation plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation plan may be revised during the site’s investigation and cleanup process.

Site Name: **Former Silver Cleaners (“Site”)**
Site Address: **245 Andrews Street, 151 and 159-169 Pleasant Street, Rochester, New York, 14604**
Site County: **Monroe**
Site Number: **828186**

1. What is New York’s State Superfund Program?

New York’s State Superfund (SSF) program identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that pose a significant threat to public health or the environment, such as the site identified above, undergo a process of investigation, evaluation, cleanup, and monitoring.

The New York State Department of Environmental Conservation (NYSDEC) administers the SSF program with assistance and input from the New York State Department of Health (NYSDOH). When the parties responsible for the contamination of the site are known (“responsible parties”), they often pay for or perform the investigation and evaluation of cleanup options under an enforceable consent order. At sites where responsible parties cannot be found or are unable or unwilling to fund an investigation, the State pays for the investigation and may try to recover costs from a responsible party after the investigation and cleanup are complete.

The SSF program contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. For more information about the SSF program, go online at: <http://www.dec.ny.gov/chemical/8439.html> .

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interested in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment;

- Improving public access to, and understanding of, issues and information related to a particular site and that site's remedial process;
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process;
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community;
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP plan for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information that relate to the site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

Site Contact List

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and cleanup process. The site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The site contact list includes, at a minimum:

- chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;
- residents, owners, and occupants of the site and properties adjacent to the site;
- the public water supplier which services the area in which the site is located;
- any person who has requested to be placed on the site contact list;
- the administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

Note: The first site fact sheet (usually related to the Remedial Investigation) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See <http://www.dec.ny.gov/chemical/61092.html> .

Subsequent fact sheets about the site will be distributed exclusively through the listserv except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if this is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

The site poses a significant threat to public health or the environment, so that a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its members' health, economic well-being, or enjoyment of the environment may be affected by a release or threatened release of contamination at the site.

For more information about TAGs, go online at:
<http://www.dec.ny.gov/regulations/2590.html> .

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page:

| Citizen Participation Activities | Timing of CP Activity(ies) |
|---|---|
| Before Start of Remedial Investigation (RI): | |
| <ul style="list-style-type: none"> • Prepare site contact list • Establish document repository • Prepare Citizen Participation (CP) Plan • Place approved RI Work Plan in document repository • Distribute fact sheet to site contact list that announces availability of RI Work Plan and describes RI field work | <p>Before start of RI. Note: Draft CP Plan must be submitted to NYSDEC within 20 days of effective date of Consent Order. CP Plan must be approved by NYSDEC before distribution.</p> |
| When NYSDEC Approves Remedial Investigation Report: | |
| <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results • Place approved RI Report in document repository | <p>When NYSDEC approves RI Report</p> |
| When NYSDEC Releases Proposed Remedial Action Plan (PRAP) | |
| <ul style="list-style-type: none"> • Place PRAP in document repository • Distribute fact sheet to site contact list that describes PRAP and announces 30-day comment period and public meeting • Conduct 30-day public comment period • Hold public meeting about PRAP | <p>When NYSDEC releases PRAP. Comment period begins/ends as per dates identified in fact sheet. Public meeting is held during the comment period.</p> |
| When NYSDEC Issues Record of Decision (ROD): | |
| <ul style="list-style-type: none"> • Place ROD in document repository • Distribute notice to site contact list that announces availability of ROD. ROD includes responsiveness summary of significant comments about PRAP | <p>When NYSDEC issues ROD</p> |
| Before Start of Remedial Action: | |
| <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming remedial action | <p>Before start of remedial action at the site</p> |
| When NYSDEC Certifies Cleanup Requirements Achieved: | |
| <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces cleanup requirements achieved • If Certificate of Completion (COC) is issued, announce in fact sheet • If COC is issued, place copy in document repository | <p>When NYSDEC certifies cleanup requirements achieved, or within 10 days after NYSDEC issues COC or other similar site closure document</p> |
| If NYSDEC Reclassifies the Site | |
| <ul style="list-style-type: none"> • If reclassifying site, may announce in fact sheet announcing achievement of cleanup requirements | <p>At time NYSDEC proposes to reclassify the site</p> |
| If NYSDEC Proposes to Delist the Site from the Registry of Contaminated Sites | |
| <ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin about proposal and 30-day public comment period • Distribute notice to site contact list. May announce proposal in fact sheet announcing achievement of cleanup requirements • Conduct 30-day public comment period about proposed delist • Distribute notice to site contact list when site is delisted | <p>At time NYSDEC proposes to delist the site</p> |

3. Environmental Justice and Population

This section of the CP plan identifies demographics in the area surrounding the site and describes the site's location relative to nearby Potential Environmental Justice Areas (PEJAs).

Data from the United States Census Bureau was reviewed to obtain demographic information for the City of Rochester, Monroe County, New York (<https://www.census.gov/quickfacts/rochestercitynewyork>). Based on the April 1, 2020, decennial census data (estimated), the population of the City of Rochester is 211,328 with an approximate density of 5,900 people per square mile. The estimated population data is comprised of 45.4% White (alone), 35.8% White (alone, not Hispanic or Latino), 19.4% Hispanic or Latino, 39.4% Black or African American, 6.2% two or more races, 3.3% Asian (alone), 0.7% American Indian and Alaska Native (alone) and 0.2% Native Hawaiian and other Pacific Islander (alone).

Of the estimated 211,328 people residing in the City of Rochester, there are 22.5% under the age of 18 years old, 11.6% age 65 years and older, and 6.4% under the age of 5 years old. The estimated population is comprised of 48.4% male and 51.6% female. There are an estimated 88,006 households (2016-2020) with 2.24% persons per household (2016-2020). The owner-occupied housing unit rate is 36.2% (2016-2020) and the median value per home is approximately \$88,100 (2016-2020). The estimated median household income (2016-2020) based on 2020 inflation rate is listed as \$37,395 and the per capita income in the past 12 months (2016-2020) again based on 2020 inflation rate is listed as \$24,916.

Based on PEJA databases, much of the City of Rochester is a Potential Environmental Justice Area, as shown at the following web site:
<https://www.arcgis.com/apps/mapviewer/index.html?webmap=ecaf2a18490e41b6972dfa206528e3be>

The site is included within the following Census Block Group:

Census Block Group: 15000US360550094004, Block Group 4, Census Tract 94

- Total Population: 1,730
- Percentage Below Poverty Level: 37.01
- Percentage Minority Population: 40.39
- PEJA: Yes
- Area includes the Site: Yes

4. Major Issues of Public Concern

This section of the CP plan identifies major issues of public concern that relate to the site. Additional major issues of public concern may be identified during the site's investigation and cleanup process.

There are no major issues of public concern that relate to the site. The NYSDEC received comments during the public comment period for the 2020 Proposed Remedial Action Plan (PRAP) that focused on the treatment of both on and off-site contamination and the redevelopment of the site. Issues of public concern include noise, odor, dust, traffic, and other nuisance issues related to building demolition and remedial construction activities; however, these issues will be addressed with administrative and engineering controls.

People are not expected to come into direct contact with site related contaminants in the soil because a building and pavement cover most of the site. People may come into direct contact with site-related contaminants if they dig below the surface. People are not drinking contaminated groundwater associated with the site because the area is served by a public water supply that obtains its water from a different source not affected by this contamination. Volatile organic compounds in soil vapor (air spaces within the soil) may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Because the site is currently vacant, inhalation of site contaminants in indoor air due to soil vapor intrusion does not represent a concern. However, the potential exists for the inhalation of site contaminants due to soil vapor intrusion for any future onsite development. Actions have been implemented offsite where necessary to address the potential for inhalation of site related contaminants via soil vapor intrusion.

5. Site Information

Appendix C contains a map identifying the location of the site.

Site Description

The Former Silver Cleaners site is located in urban downtown Rochester, Monroe County. The site is comprised of three contiguous parcels totaling 0.30 acres located at the corner of Andrews Street and North Clinton Avenue. The addresses for the three contiguous parcels are 245 Andrews Street, 151 and 159-169 Pleasant Street. The main site feature is the one-story vacant on-site building (planned to be demolished) with a paved parking area on the east side of the property. The site is currently being used as a parking lot and is zoned Center City District (CCD). The CCD is intended to foster a vibrant, safe, twenty-four-hour Center City by encouraging residential

development while retaining and further developing a broad range of commercial, office, institutional, public, cultural and entertainment uses and activities.

The site is bounded by Andrews Street to the north, North Clinton Avenue to the east and commercial properties to the west and south. Properties near the site have a mix of commercial and residential uses. The buildings immediately adjacent to the site to the south and west have commercial businesses on the first floor and residential space on the upper floors. A building to the south of the site is an early childhood education center operated by the Rochester City School district.

The site is generally flat and the ground surface over the majority of the site is composed largely of an asphalt cap. The shallow subsurface materials generally composed of urban fill overlying sand and silt which overlies a dense glacial till (densely packed sand, silt, and gravel), followed by a thin layer of silty sand, and then bedrock (dolomite). The top of bedrock ranged from 27 to 34.3 ft bgs in borings advanced on and near the site.

Groundwater flow is to the north and (presumably) groundwater eventually flows westward toward the Genesee River located approximately 1000 feet west of the site. Groundwater is present in three zones: the shallow water bearing zone on top of a dense till (ranging from approximately 9 to 16 feet bgs), the deep overburden water bearing zone, below the dense till (starting between 26 feet to 34 feet bgs), in a deep silty sand formation, and the bedrock water bearing zone. The dense till appears to be a semi-confining layer in that there is very little water in this unit.

History of Site Use, Investigation, and Cleanup

The 245 Andrews Street parcel was used as a dry cleaner from 1949 to 2011. The 151 and 159-169 Pleasant Street parcels were used as a gas station from 1935 to 1955. The site is on the registry of New York State inactive hazardous waste sites and the NYSDEC has classified the site as a Class 2 site, indicating there is a significant threat to public health and/or the environment.

In 2013, a Phase II Environmental Site Assessment was completed and identified the recognized environmental conditions related to former operations at the site (underground storage tanks, a potential petroleum product spill, dry cleaner solvent/chemical use, and a potential dry cleaner solvent/chemical spill. A potential dry cleaner solvent/chemical spill source area was identified during a Phase II Environmental Site Assessment completed in 2013. An underground storage tank (UST), presumably associated with the former gas station and located during test pitting

activities, was excavated, and transported offsite in 2015 as an interim remedial measure by an environmental consultant hired by the NYSDEC.

A Remedial Investigation was conducted between 2015 and 2020, which identified location and concentration of contaminants in soil, groundwater, and air at and near the site. Soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), and pesticides. Groundwater samples were also analyzed for the emerging contaminants per- and polyfluorinated alkyl substances (PFAS) and 1,4-dioxane. Based upon investigations conducted to date, the primary contaminants of concern are chemical solvents used for dry cleaning [VOCs, primarily tetrachloroethene (PCE) and its associated degradation products (including trichloroethene and cis-1,2-dichloroethene)].

Chemical solvents used for dry cleaning are found in shallow and deeper soil, predominantly under and to the south of the on-site building, at levels exceeding the soil cleanup objectives for the protection of groundwater and for restricted residential use.

Chemical solvents used for dry cleaning are found in groundwater on and off-site, at concentrations exceeding the groundwater standard. Two PFAS compounds were reported in groundwater at concentrations slightly exceeding their respective screening levels. The highest contaminant concentrations are found on-site under the southern portion of the building.

To determine whether actions are needed to address exposure related to soil vapor intrusion, sub-slab vapor, indoor air, and outdoor air samples were collected from several nearby buildings. Based on these results, sub-slab depressurization systems (similar to radon mitigation systems) were installed to address these VOCs in two buildings immediately adjacent to the site.

The NYSDEC issued a Record of Decision in 2020 to present the selected remedy for the site. The selected remedy included demolition of the on-site building, excavation and off-site disposal of contaminant source area soil, the injection of a chemical oxidant into the subsurface to destroy site-related contaminants, a site cover, sub-slab depressurization in future on-site buildings, institutional controls, and implementation of a Site Management Plan.

6. Investigation and Cleanup Process

Investigation

As stated above, a detailed study of the site was performed by an environmental consultant hired by NYSDEC. This detailed study is called a “Remedial Investigation”. The investigation work plan is called a “Remedial Investigation Work Plan” and is available for public review at the “Locations of Reports and Information” identified in Appendix A.

The site investigation had several goals:

- 1) define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) identify the source(s) of the contamination;
- 3) assess the impact of the contamination on public health and the environment; and
- 4) provide information to support the development of a proposed remedy to address the contamination.

NYSDOH reviewed and recommended activities that will be performed during the investigation to ensure that a complete picture of potential health impacts is understood. Such activities included identifying the ways contamination can reach people, such as through direct contact, eating, drinking, or breathing.

The information collected during the site investigation was summarized in a Remedial Investigation Report, dated January 17, 2020 and prepared by Arcadis of New York, Inc. (Arcadis).

Feasibility Study

After the site investigation began, Arcadis conducted a “Feasibility Study.” This study used information developed during the site investigation to develop and evaluate potential ways to clean up contamination related to the site. At some sites, but not this one, the information collected during the site investigation may support the conclusion that no action, or no further action, is needed to address site-related contamination.

Proposed Remedy

The evaluation of possible remedies ended with a recommended proposal to eliminate the threat posed by contaminants at the site. NYSDEC prepared this proposal, called a “Proposed Remedial Action Plan” (PRAP). The PRAP described the remedy preferred by NYSDEC and summarized the decision that led to the recommendation of the preferred remedy by discussing each alternative and the reasons for choosing or

rejecting it. The goal of any cleanup plan is to protect public health and the environment. NYSDEC presented the PRAP to the public for its review and comment during a 30-day comment period.

Selected Remedy

NYSDEC considers public comments as it selects the remedy to address contamination related to the site. The selected remedy was described in a document called a “Record of Decision” (ROD). The ROD explains why the remedy was selected and responds to public comments. This document was placed in the location of reports and information.

Cleanup Action

The Record of Decision for the site calls for cleanup action, so the project moved to designing and performing the actions to address the site contamination. When cleanup actions have been completed, NYSDEC will approve or prepare a Final Engineering Report that describes the cleanup actions undertaken and certifies that cleanup requirements have been achieved or will be achieved.

Certificate of Completion

Upon approval of the Final Engineering Report, NYSDEC may issue a Certificate of Completion (COC). The COC would recognize the findings of the Final Engineering Report and note that the cleanup program achieved a cleanup level consistent with specific categories of use for the site. The recipient of the COC would be entitled to limited liability as long as it complied with the terms of the COC, and other conditions.

A COC may be modified or revoked if, for example, the recipient does not comply with the terms of the COC, or if the recipient commits fraud regarding its certification that it has met cleanup levels.

Site Management

Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management may be conducted by NYSDEC, or by the responsible party under NYSDEC oversight, if contamination will remain in place. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional

control may be used when the cleanup action leaves some contamination that makes the site suitable for some, but not all uses.

An *engineering control* is a physical barrier or method to manage contamination. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed. During the site management phase, NYSDEC may also take steps to reclassify the site or delist the site from the Registry.

Appendix A -- Project Contacts and Locations of Reports and Information

Project Contacts

For information about the site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Matthew Dunham
Project Manager
NYSDEC
Division of Environmental Remediation
625 Broadway
Albany, New York 12233-7017
(518) 402-9643
matthew.dunham@dec.ny.gov

Andrea Pedrick
Public Participation Specialist
NYSDEC
Office Of Communication Services
Region 8 Office
6274 East Avon-Lima Road
Avon, New York 14414-9516
(585) 226-5363
andrea.pedrick@dec.ny.gov

New York State Department of Health (NYSDOH):

Angela Martin
Project Manager
NYSDOH
Empire State Plaza
Corning Tower Room 1787
Albany, New York 12237
(518) 402-7860
beei@health.ny.gov

Locations of Reports and Information

The websites identified below are being used to provide the public with convenient access to important project documents as well as promote sustainability by reducing the energy and raw materials used in paper production, distribution, use and disposal.

Project documents are made available through the DECinfo Locator at
<https://www.dec.ny.gov/data/DecDocs/828186/>

Environmental Site Remediation Database (enter the site code – **828186** – in the search field near the top):

<https://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3>

Stay Informed with DEC Delivers and sign up to receive site updates by email:
www.dec.ny.gov/chemical/61092.html

For more information about New York's State Superfund Program, visit:
www.dec.ny.gov/chemical/8439.html

An in-person document repository is unavailable due to COVID-19 precautions. If you cannot access the online repository, please contact the NYSDEC project manager listed above for assistance.

Appendix B -- Site Contact List

City, County, and State Officials:

City of Rochester Mayor

- Malik D. Evans
City Hall
30 Church Street
Rochester, NY 14614
(585) 428-5990
info@cityofrochester.gov

City of Rochester Planning Commission Chairperson

- David Watson, Chair
City Hall
30 Church Street
Rochester, NY 14614
(585) 428-5990
info@cityofrochester.gov

Monroe County Executive

- Adam J. Bello
County Office Building
39 W. Main St.
Rochester, NY 14614
countyexecutive@monroecounty.gov

Monroe County Division of Planning

- Rochelle Bell, Senior Associate Planner
County Office Building
50 W. Main St.
Rochester, NY 14614
mcplanning@monroecounty.gov

Public Water Supplier

- City of Rochester
Bureau of Water

Geoffrey W. Gugel, Director
10 Felix Street
Rochester, NY 14608
geoffrey.gugel@cityofrochester.gov

New York State Senator

- Jeremy A. Cooney
280 East Broad Street, Suite 110
Rochester, NY 14604
Phone: (585) 225-3650
cooney@nysenate.gov

New York State Assembly Member

- Demond Meeks
107 Liberty Pole Way
Rochester, NY 14604
585-454-3670
meeksd@nyassembly.gov

Site Owner:

- Paul Manuse
PJ Man Holdings, Incorporated
330 Goodman Street, Unit 2
Rochester, New York 14607

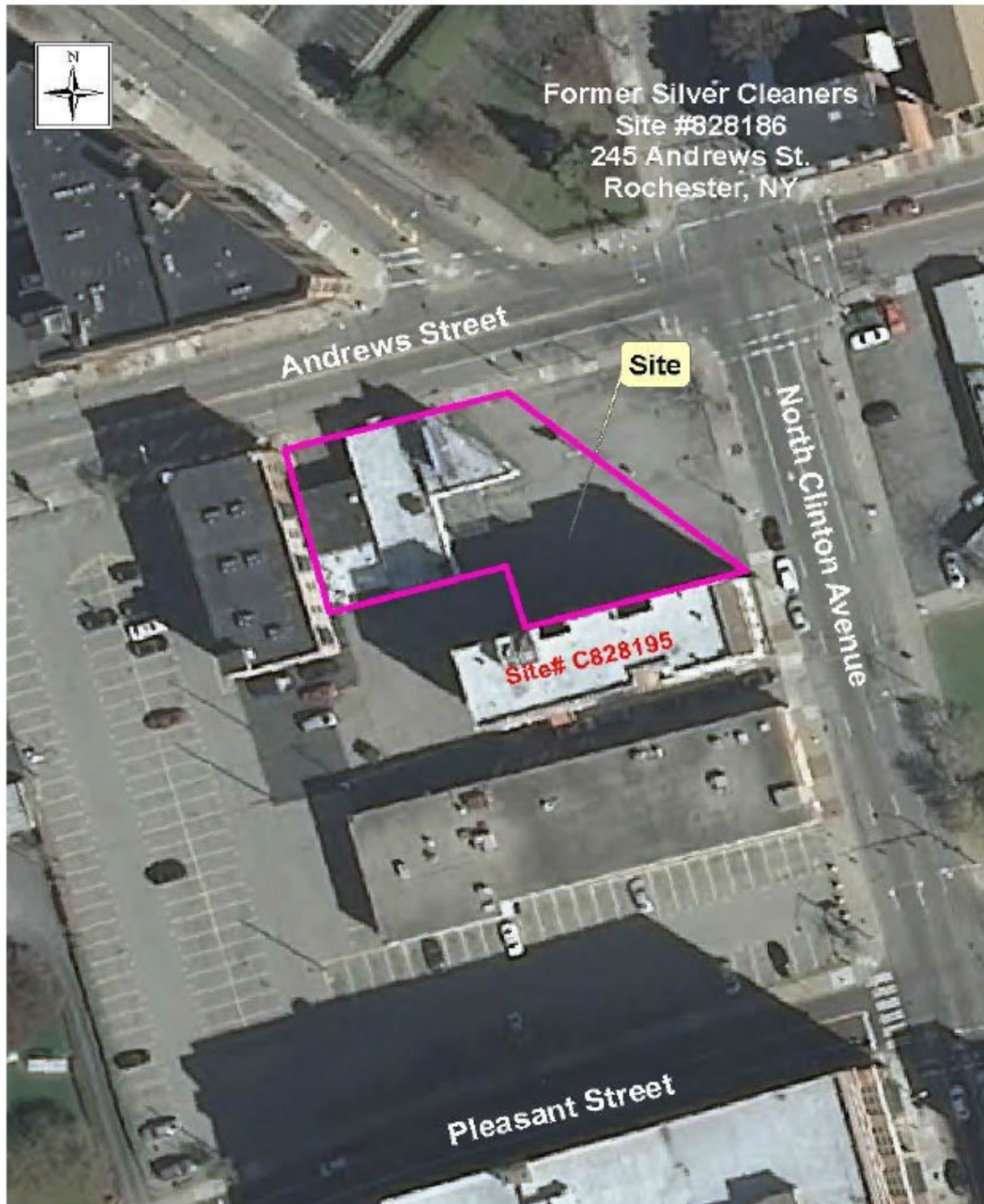
Abutting/Adjacent Property Owners:

Nearby Public School

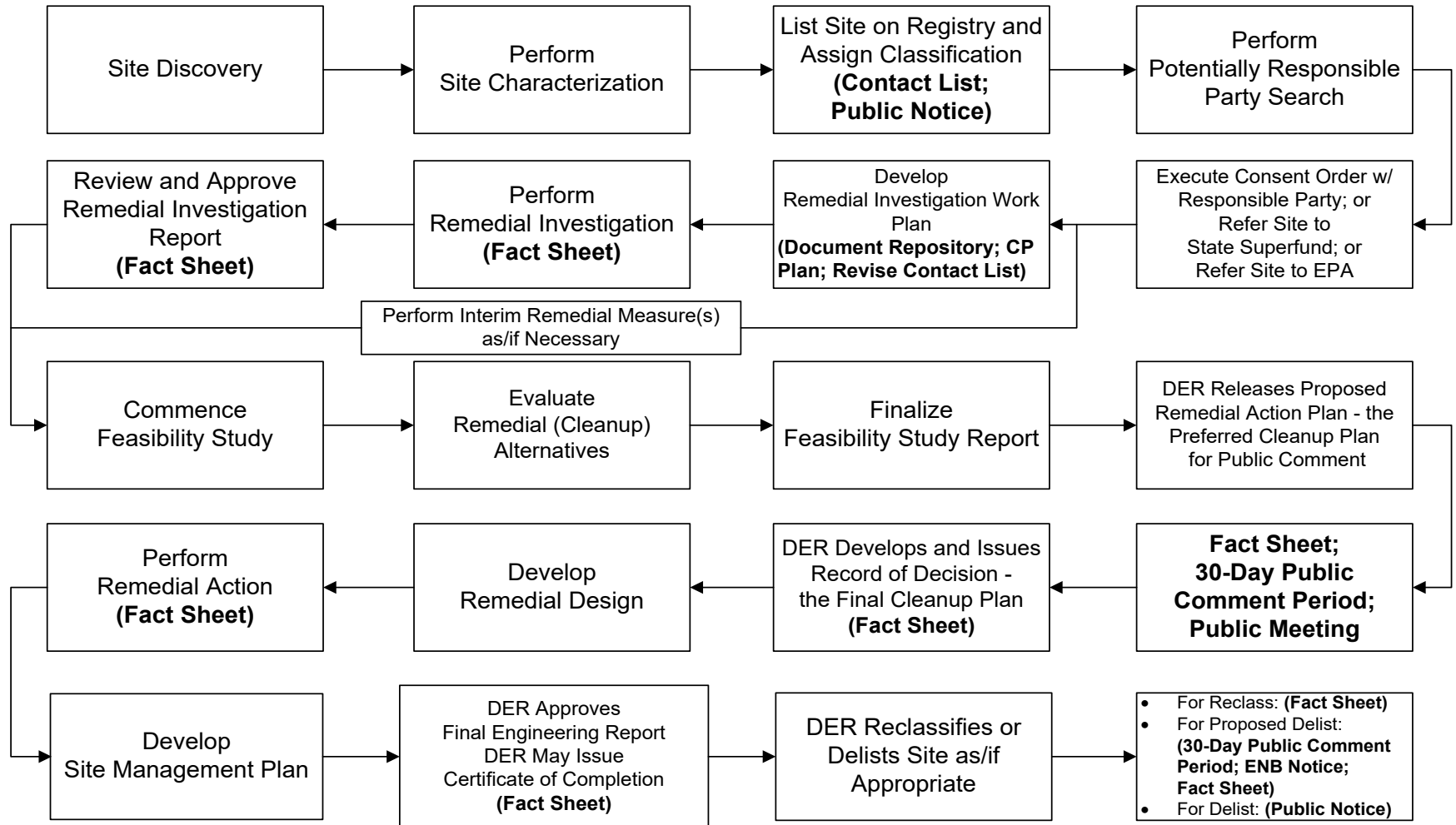
- Rochester Early Childhood Education Center NE
Ms. Lisa Traficante-Loncao, Principal
107 N. Clinton Avenue
Rochester, NY 14604
585-324-3100
- Property Address: 113-117 N Clinton Avenue
Mr. Justin Tallo
Clinton North Development Corporation
113 North Clinton Avenue
Rochester, New York 14604

- Property Address: 237-241 Andrews St
Mr. Salvatore Cilino
Stoll Andrews LLC
241 Andrews Street
Rochester, New York 14604

Appendix C -- Site Location Map



Appendix D - State Superfund Program Remedial Process



Note: CP Activities are in **Bold**.

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