Speedy's Cleaners

3130 Monroe Avenue

Town of Pittsford

MONROE COUNTY, NEW YORK

Site Management Plan

NYSDEC Site Number: C828109

Prepared for:

3130 Monroe Avenue Associates, LLC

P.O. Box 499 Pittsford, New York 14534

Prepared by:

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1.0 INTRODUCTION AND DESCRIPTION OF REMEDIAL PROGRAM

1.1 INTRODUCTION

This document is required as an element of the remedial program at the former Speedy's Cleaners site located at 3130 Monroe Avenue in the Town of Pittsford, New York (hereinafter referred to as the "Site") under the New York State (NYS) Brownfield Cleanup Program (BCP) administered by New York State Department of Environmental Conservation (NYSDEC). The site was remediated by 3130 Monroe Avenue Associates, LLC, the Volunteer, in accordance with Brownfield Cleanup Agreement (BCA) Index #B8-0601-01-11 Site #C828109, which was executed by the NYSDEC on October 14, 2004.

1.1.1 General

3130 Monroe Avenue Associates, LLC entered into a BCA with the NYSDEC to remediate an approximately 0.293-acre property located in the Town of Pittsford, New York. This BCA required the Remedial Party, 3130 Monroe Avenue Associates, LLC, to investigate and remediate contaminated media at the site. A figure showing the site location and boundaries of this 0.293-acre Site is provided in Figure 1. The boundaries of the site are more fully described in the metes and bounds site description that is part of the Environmental Easement.

After completion of the remedial work described in the Remedial Action Work Plan, some contamination remained in the subsurface at the Site, which is hereafter referred to as 'remaining contamination." This Site Management Plan (SMP) was prepared to manage remaining contamination at the site until the Environmental Easement is extinguished in accordance with ECL Article 71, Title 36. All reports

associated with the site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State.

This SMP was prepared by Ravi Engineering & Land Surveying, P.C., on behalf of 3130 Monroe Avenue Associates, LLC, in accordance with the requirements in NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation, dated May 3, 2010, and the guidelines provided by NYSDEC. This SMP addresses the means for implementing the Institutional Controls (ICs) and Engineering Controls (ECs) that are required by the Environmental Easement for the site.

1.1.2 Purpose

The Site contains contamination remaining after completion of the remedial action. Engineering Controls have been incorporated into the site remedy to control exposure to remaining contamination at the Site to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Monroe County Clerk, will require compliance with this SMP and all ECs and ICs placed on the site. The ICs place restrictions on site use, and mandate operation, maintenance, monitoring and reporting measures for all ECs and ICs. This SMP specifies the methods necessary ensure compliance with all ECs and ICs required by the Environmental Easement for contamination that remains at the Site. This plan has been approved by the NYSDEC, and compliance with this plan is required by the grantor of the Environmental Easement and the grantor's successors and assigns. This SMP may only be revised with the approval of the NYSDEC.

This SMP provides a detailed description of all procedures required to manage remaining contamination at the Site after completion of the Remedial Action, including: (1) implementation and management of all Engineering and Institutional Controls; (2) media monitoring; (3) operation and maintenance of all treatment, collection, containment, or recovery systems; (4) performance of periodic inspections, certification of results, and submittal of Periodic Review Reports; and (5) defining criteria for termination of treatment system operations.

To address these needs, this SMP includes three plans: (1) an Engineering and Institutional Control Plan for implementation and management of EC/ICs; (2) a Monitoring Plan for implementation of Site Monitoring; and (3) an Operation and Maintenance Plan for implementation of remedial collection, containment, treatment, and recovery systems (including, where appropriate, preparation of an Operation and Maintenance Manual for complex systems).

This plan also includes a description of Periodic Review Reports for the periodic submittal of data, information, recommendations, and certifications to NYSDEC. It is important to note that:

- This SMP details the site-specific implementation procedures that are required by the Environmental Easement; failure to properly implement the SMP is a violation of the environmental easement, which is grounds for revocation of the Certificate of Completion (COC); and
- Failure to comply with this SMP is also a violation of Environmental Conservation Law, 6NYCRR Part 375 and the BCA Index #B8-0601-01-11 Site #C828109 for the Site, and thereby subject to applicable penalties.

1.1.3 Revisions

Revisions to this plan will be proposed in writing to the NYSDEC's project manager. In accordance with the Environmental Easement for the Site, the NYSDEC will provide a notice of any approved changes to the SMP, and append these notices to the SMP that is retained in its files.

1.2 SITE BACKGROUND

1.2.1 Site Location & Description

The Speedy's Cleaners site is located at 3130 Monroe Avenue in the Town of Pittsford, County of Monroe, New York (Figure 1) and is identified as Town of Pittsford Tax Map Number 150.120-0001-006. To the north side of the Site is the Rochester Gas & Electric (RG&E) right-of-way; the Oak Hill Country Club golf course is north of the RG&E parcel. There are commercial properties to the east and west of the Site, and Monroe Avenue to the south.

1.2.2 Site History

The Site is improved with one building: the west side of the building was operated as Speedy's Cleaners dating back to the 1950s. Speedy's Cleaners operated a dry cleaning operation, and subsequently a drop-off/pick-up location from 1993 until 2005. The building is currently occupied by a nail salon and an optometrist. The adjacent property at the north side of the Site is the Rochester Gas & Electric (RG&E) right-of-way.

1.2.2.1 Passero Associates Phase I ESA and Phase II ESA

In February 1999, Passero Associates (Passero) conducted a Phase I Environmental Site Assessment (ESA) of the subject property. In Passero's ESA, they indicated two potential recognized environmental conditions regarding:

1) An out-of-service underground fuel oil tank at the southwest corner of the building, and
2) Potential site contamination with the dry-cleaning solvent tetrachloroetene (PCE).

In March 1999, Passero supervised the removal of one 1000-gallon UST that had historically been used to store #2 fuel oil to heat the building. During the UST removal, petroleum-contaminated soil was encountered, and free product (fuel oil) was found seeping into the excavation. The NYSDEC assigned spill number 9870611. To remediate petroleum-contaminated soil, Passero excavated soil on the southwest side of the building in the vicinity of the former UST. On February 15, 2002 the NYSDEC Spills Department closed Spill # 9870611 with no further action required regarding the petroleum contamination, and referred the chlorinated solvent contamination that was first discovered during the UST removal project to the Hazardous Waste Remediation Program.

To address potential PCE contamination, Passero drilled and sampled 14 soil borings in March and May 1999 to determine the extent of contamination from the fuel oil spill, as well as potential chlorinated solvent contamination. The highest concentrations of chlorinated solvents were detected at a depth of 3-4 feet in soil samples collected from Bore Hole #1 (BH-1), located outside of the boundary of this BCP in the RG&E right-of-way north of the northern corner of the building. Passero reported 748 parts per million (ppm) of PCE and 5.4 ppm of trichloroethene (TCE) in this location.

1.2.2.2 Harding Lawson Associates Phase II ESA

Harding Lawson Associates (HLA) investigated the Speedy's site and the adjacent RG&E right-of-way to determine whether chlorinated solvent contamination had originated from the Site and migrated off-site in groundwater, and to collect sufficient information to allow the NYSDEC to reclassify the site as an Inactive Hazardous Waste Site.HLA determined the following:

1. Evidence of hazardous waste use and disposal at the Site was documented.

2. PCE was detected in soil 5 feet northeast of the Speedy's Cleaners back door outside of the boundary of this BCP and 3 feet beneath ground surface (BGS), at a concentration of 110 ppm;

3. Chlorinated solvents were detected in groundwater samples collected from the Site at concentrations exceeding the NYS Class GA groundwater standards;

4. Fuel-related volatile organic compounds (VOCs) were detected in groundwater samples at concentrations up to 250 micrograms per liter (µg/L) (equivalent to parts per billion); the NYS Class GA groundwater standard for each of the fuel-related VOCs is 5 µg/L;

The majority of the contamination detected by HLA was in the RG&E right-of-way, north of the Site. The only chlorinated compounds they detected on the Site were 28 micrograms per liter (µg/L) of PCE, and associated breakdown products in groundwater by Speedy's back door at the subject site border with the RG&E right-of-way.

1.2.3 Geologic Conditions

- Lithology:
  Soils encountered in soil borings during the Remedial Investigation (RI) are fine to medium to course sands over a clay till layer at a depth of approximately 12 to 14 feet below ground surface.
- Hydrogeology:
  Harding Lawson investigated the Speedy's site in March 2003 and determined that the groundwater flow direction is towards the Oak Hill Country Club to the northeast; this northeasterly flow direction was confirmed during this BCP RI (Figure 6).

1.3 SUMMARY OF REMEDIAL INVESTIGATION FINDINGS

A Remedial Investigation (RI) was performed to characterize the nature and extent of contamination at the Site. The results of the RI are described in detail in the RI Report (RIR) dated November 12, 2012. Generally, the RI determined that the Site is in compliance with a Track 4 BCP cleanup.

The following tables summarize the soil data in concentrations greater than the Unrestricted Use SCOs and groundwater data at concentrations greater than the applicable TOGS 1.1.1 Groundwater Standards generated during the RI:

Soil

Table 1. Remedial Investigation Soil Contamination Summary

Sample ID Sample Depth Sampling Date units	BH-1	BH-4	Sub Slab-1 8'-9' 10/26/2005 ppm	Sub Slab-3 6'-8' 10/26/2005 ppm	Part 375-6.8(a): Unrestricted Use SCO	* Part 375-6.8(b) Restricted Commercial Use SCO
Vinyl chloride			**0.190 J**	0.270 J	0.02	13
TCE			ND	**0.650 J**	0.47	200
cis-1,2-DCE			**4.6**	**16**	0.25	500
trans-1,2-DCE			**0.320 J**	**0.640 J**	0.19	500
Acetone	**0.310 E****	**0.058**			0.05	500

The VOCs acetone; vinyl chloride; TCE; cis-1,2-DCE; and trans-1,2-DCE were detected in concentrations greater than the Soil Cleanup Objectives (SCO) for Unrestricted Use around and beneath the former Speedy's Cleaners building. The concentrations for all parameters are at least one order of magnitude less than the SCOs for Restricted Commercial Use for each of these compounds. Of these five compounds, only tricholoroethene was also detected in site groundwater. The concentration of TCE in soil sample location Sub Slab-3 exceeds the Restricted Use SCO for Protection of Groundwater.

Mineral spirits were detected in soil sample BH-4 at a concentration of 7.4 ppm. In soil samples BH-1 and Sub Slab-1, mineral spirits were reported as "non detect" (ND) at elevated detection limits of 120 ppm and 230 ppm respectively (vs. 11 and 12 ppm for other sample locations) and "other" petroleum products were detected at concentrations of 1,500 ppm and 1,900 ppm respectively. These data indicate that there could be impacts from stoddard solvent and/or other petroleum products at these locations.

Groundwater

Table 2. Remedial Investigation Groundwater Contamination Summary

Sample ID	MW-2	
Sampling Date	08/31/06	Groundwater Standard
units	ug/L	ug/L
Iron	**10,600**	300
Magnesium	**47,200**	35,000
Manganese	**564**	300
Sodium	**310,000**	20,000

Sample ID	MW-1	MW-3	MW-4	
Sampling Date	9/9/05	9/9/05	9/9/05	Groundwater Standard
units	ug/L	ug/L	ug/L	ug/L
1,1-DCE	**33**	**52**	ND	5
TCE	**30**	**46**	ND	5
Benzene	**29**	**45**	ND	2
PCE	**64 B**	**94 B**	ND	5
Toluene	**29**	**45**	ND	5
Chlorobenzene	**28**	**44**	ND	5
Ethylbenzene	ND	ND	**130**	5
Total Xylenes	ND	ND	**1,000**	50
Isopropylbenzene	ND	ND	**680**	5
Total TICs	0	0	4,450	NS
Total TCL	213	326	6,260	NS

Three of the four on-site monitoring wells indicate groundwater contamination at concentrations greater than the applicable TOGS 1.1.1 Groundwater Standards. However, the immediately down gradient groundwater beneath the RG&E right-of-way is contaminated at concentrations orders of magnitude greater than the groundwater contamination detected on Site. The area is serviced by a public water supply and there are no known users of groundwater in the vicinity of the Site.

Site-Related Soil Vapor Intrusion

A soil vapor intrusion evaluation was conducted at the on-site building in September 2005. PCE and TCE were detected in a sub-slab soil vapor sample at concentrations of 18,000 ug/$m^3$and 860 ug/m^3, respectively, and in indoor air at concentrations up to 1,100 ug/m3 and 17.5 ug/m3 (above the NYSDOH guidelines values of 100 ug/m^3 for PCE and 5 ug/m^3 for TCE). As a result, a sub-slab depressurization system was installed at the on-site building as an interim remedial measure (IRM) in 2006. Details of the sub-slab depressurization system are in Appendix 5 of the RIR. Several rounds of testing and modifications have been implemented to optimize system performance. Indoor air concentrations in the on-site building have been below the NYSDOH guideline values of 100 ug/m^3 for PCE and 5 ug/m^3 for TCE since 2008.

Soil vapor impacts were also detected on-site at concentrations up to 139,000 ug/m^3 for PCE and 4,720 ug/m^3 for TCE adjacent to the on-site building in exterior soil vapor samples. The maximum PCE and TCE concentrations detected in soil vapor samples collected at portions of the property perimeter closest to adjacent buildings were 3.31 ug/m^3 and 2.18 ug/m^3, respectively.

1.4 SUMMARY OF REMEDIAL ACTIONS

The remedy selected for the site in the Proposed Decision Document is No Further Action with Institutional and Engineering Controls. An active sub-slab depressurization system (ASDS) was installed at the site building in 2006 as an interim remedial measure (IRM) during the RI.

Based on the results of the soil vapor intrusion testing discussed in Section 1.3, an ASDS was installed in accordance with a January 25, 2006 IRM Work Plan and January 31, 2006 supplemental letter, as modified and approved by a NYSDEC letter dated February 24, 2006. Details of the ASDS, including the work plan documents and an as-

built drawing, are provided in Appendix 5 of the RIR. The as-built drawing is also included at Appendix K.

The former Speedy's Cleaners lease space was vacated in late 2005, and renovated for use as Star Nails in early 2006. During renovations of this portion of the building, trenches were cut in the floor slab to install a new plumbing system. These trenches were utilized by the mitigation contractor to help facilitate sub-slab vapor movement. Two-inch diameter slotted PVC piping was installed in the trenches, which were backfilled with permeable gravel prior to re-installation of the slab. The purpose of these pipes is to draw vapors from beneath the building for discharge outside the building. Additional vertical vacuum points were installed in both sides of the building. Pressure differentials were measured with a digital monometer beneath the floor slab and in system piping and ducting to assure that the system was operating as designed. The ASDS system was fully operational in May 2006.

Several modifications were made to the system since its initial installation. The confirmatory indoor air samples (see RIR, Section 2.1.2) following initial system operation, indicated elevated levels of PCE and TCE. This may have been related to the ventilation system used by Star Nails. Up to 25 ventilating hoods are utilized by Star Nails to ventilate acetone to the exterior of the building; no source of makeup air is provided. The operation of these ventilation hoods may have created negative pressure in the building that could counteract the ASDS, and draw PCE vapors into the building. The air flow of the ASDS was increased in an attempt to further minimize the potential for vapor intrusion.

Additional vacuum points were subsequently added in March 2008 to increase the ASDS efficiency. Adjustments to valves on the system piping have been made at various times to optimize system performance. A higher power fan was also installed in March 2008 to increase the vacuum pressure. In March 2009, the fan was repaired and a 3-inch diameter pipe was installed to increase the sub-slab air flow.

1.4.1 Removal of Contaminated Materials from the Site

The only contaminated materials removed from the Site were two 55-gallon drums of drill cutting soils. Per the November 25, 2009 NYSDEC letter to Passero Associates, "concentrations detected for individual VOCs were all significantly less than the current 'contained-in' soil action levels and Land Disposal Restriction concentrations. No hazardous constituents exhibited a hazardous waste characteristic by exceeding their TCLP regulatory level. Concentrations for trichloroethene (TCE) and tetrachloroethene (PCE) from the Speedy's Cleaners site were below the 'contained-in' action level and the Land Disposal Restriction concentration. Two 55-gallon drums containing soil cuttings collected during the subsurface investigation at the Site do not have to be managed as hazardous waste and can be transported off-site to High Acres Landfill (Waste Management), located in Perinton, New York, or to a permitted Part 360 solid waste landfill with a double liner and a leachate collection system" (Appendix D).

On January 25, 2010 Waste Management accepted the soils for use as alternate daily cover at High Acres Landfill (Appendix D). On June 18, 2010, the two drums of soil were transported and disposed of at High Acres by Piedmont Equipment, Inc.

1.4.2 Site-Related Treatment Systems

Aside from the ASDS discussed above, no long-term treatment systems were installed at the Site.

1.4.3 Remaining Contamination

The VOCs acetone; vinyl chloride; TCE; cis-1,2-DCE; and trans-1,2-DCE were detected in concentrations greater than the Soil Cleanup Objectives (SCO) for Unrestricted Use around and beneath the historic Speedy's Cleaners building; the concentrations for all parameters are at least one order of magnitude less than the SCOs for Restricted Commercial Use for each of these compounds. Of these five compounds, only TCE was also detected in site groundwater. The concentration of TCE in soil sample location Sub

Slab-3 exceeds the Restricted Use SCO for Protection of Groundwater. All of the site soils are underneath the subject building, the surrounding asphalt parking lot, or concrete walkways. Table 1 and Figures 4 and 5 summarize the results of all soil samples remaining at the site that exceed the Track 1 (unrestricted) SCOs..

2.0 ENGINEERING AND INSTITUTIONAL CONTROL PLAN

2.1 INTRODUCTION

2.1.1 General

Since remaining contaminated soil, groundwater, and soil vapor exists beneath the Site, Engineering Controls and Institutional Controls (EC/ICs) are required to protect human health and the environment. This Engineering and Institutional Control Plan describes the procedures for the implementation and management of all EC/ICs at the Site. The EC/IC Plan is one component of the SMP and is subject to revision by NYSDEC.

2.1.2 Purpose

This plan provides:

- A description of all EC/ICs on the Site;
- The basic implementation and intended role of each EC/IC;
- A description of the key components of the ICs set forth in the Environmental Easement;
- A description of the features to be evaluated during each required inspection and periodic review;
- A description of plans and procedures to be followed for implementation of EC/ICs, such as the implementation of the Excavation Work Plan for the

proper handling of remaining contamination that may be disturbed during maintenance or redevelopment work on the Site; and

- Any other provisions necessary to identify or establish methods for implementing the EC/ICs required by the site remedy, as determined by the NYSDEC.

2.2 ENGINEERING CONTROLS

2.2.1 Engineering Control Systems

2.2.1.1 Soil Cover

Exposure to remaining contamination in soil/fill at the Site is prevented by a soil cover system placed over the Site. This cover system is comprised of the existing asphalt pavement, concrete-covered sidewalks, and concrete building slabs. The Excavation Work Plan that appears in Appendix 1 outlines the procedures required should the cover system be breached, penetrated or temporarily removed, and any underlying remaining contamination is disturbed. Procedures for the inspection and maintenance of this cover are provided in the Monitoring Plan included in Section 4 of this SMP.

2.2.1.2 Active Sub-Slab Depressurization (ASDS)

Procedures for operating and maintaining the ASDS (described in Section 1.4) are documented in the Operation and Maintenance Plan (Section 4 of this SMP). Procedures for monitoring the system are included in the Monitoring Plan (Section 3 of this SMP). The Monitoring Plan also addresses severe condition inspections in the event that a severe condition, which may affect controls at the site, occurs.

2.2.2 Criteria for Completion of Remediation/Termination of Remedial Systems

Generally, remedial processes are considered completed when monitoring indicates that the remedy has achieved the remedial action objectives identified by the Decision Document. The framework for determining when remedial processes are complete is provided in Section 6.6 of NYSDEC DER-10.

2.2.2.1 Composite Cover System

The composite cover system is a permanent control and the quality and integrity of this system will be inspected at defined, regular intervals in perpetuity.

2.2.2.2 Active Sub-Slab Depressurization System (ASDS)

The active ASDS will not be discontinued unless prior written approval is granted by the NYSDEC. In the event that monitoring data indicates that the ASDS is no longer required, a proposal to discontinue the ASDS will be submitted by the property owner to the NYSDEC and NYSDOH.

2.3 INSTITUTIONAL CONTROLS

A series of Institutional Controls is required by the Decision Document to: (1) implement, maintain and monitor Engineering Control systems; (2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and, (3) limit the use and development of the Site to restricted commercial uses only. Adherence to these Institutional Controls on the Site is required by the Environmental Easement and will be implemented under this Site Management Plan. The Institutional Controls are:

1. The Site shall not be used for Restricted Residential purposes as described in 6 NYCRR 375-1.8(g)(2)(ii) or Residential purposes as described in 6 NYCRR 375-1.8(g)(2)(i), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement;

2. All Engineering Controls must be operated and maintained as specified in the SMP;

3. All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

4. Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

5. Data and information pertinent to Site Management of the Site must be reported at the frequency and in a manner defined in the SMP;

6. The use of the groundwater underlying the property is prohibited without treatment rendering it safe for intended use;

7. All future activities on the Site that will disturb remaining contaminated material must be conducted in accordance with the SMP;

8. Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

9. Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

10. Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this SMP;

11. Institutional Controls identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement;

12. The property may not be used for a higher level of use, such as unrestricted use or restricted residential use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;

13. The potential for vapor intrusion must be evaluated for any buildings proposed for construction on the Site and any potential impacts that are identified must be monitored or mitigated;

14. Vegetable gardens and farming on the property are prohibited; and

15. The Site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Site are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP; NYSDEC retains the right to access such Site at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

2.3.1 Excavation Work Plan

The site has been approved for restricted commercial use. Any future intrusive work that will penetrate the existing cover system or cap, or encounter or disturb the remaining contamination, including any modifications or repairs to the existing cover

system will be performed in compliance with the Excavation Work Plan (EWP) that is attached as Appendix A to this SMP. Any work conducted pursuant to the EWP must also be conducted in accordance with the procedures defined in a Health and Safety Plan (HASP) and Community Air Monitoring Plan (CAMP) prepared for the Site. A sample HASP is attached as Appendix F to this SMP that is in current compliance with DER-10, and 29 CFR 1910, 29 CFR 1926, and all other applicable Federal, State and local regulations and the CAMP is attached as Appendix G. If there are future changes to State and federal health and safety requirements, and specific methods employed by future contractors, the HASP and CAMP will be updated as necessary and re-submitted with the notification provided in Section A-1 of the EWP. Any intrusive construction work will be performed in compliance with the EWP, HASP and CAMP, and will be included in the periodic inspection and certification reports submitted under the Site Management Reporting Plan (See Section 5).

The Site owner and associated parties preparing the remedial documents submitted to the State, and parties performing this work, are completely responsible for the safe performance of all intrusive work, the structural integrity of excavations, proper disposal of excavation de-water, control of runoff from open excavations into remaining contamination, and for structures that may be affected by excavations (such as building foundations and bridge footings). The Site owner will ensure that Site development activities will not interfere with, or otherwise impair or compromise the engineering controls described in this SMP.

2.3.2 Soil Vapor Intrusion Evaluation

If any future buildings are proposed for construction on site, an SVI mitigation system will be installed as an element of the building foundation unless further soil vapor evaluation and/or other sample results indicate that SVI mitigation is not required. If necessary, such mitigation systems will include a vapor barrier and active sub-slab depressurization system.

Prior to conducting an SVI investigation or installing a mitigation system, a work plan will be developed and submitted to the NYSDEC and NYSDOH for approval. This work plan will be developed in accordance with the most recent NYSDOH "Guidance for Evaluating Vapor Intrusion in the State of New York". Measures to be employed to mitigate potential vapor intrusion will be evaluated, selected, designed, installed, and maintained based on the SVI evaluation, the NYSDOH guidance and construction details of the proposed structure.

Preliminary (unvalidated) SVI sampling data will be forwarded to the NYSDEC and NYSDOH for initial review and interpretation. Upon validation, the final data will be transmitted to the agencies, along with a recommendation for follow-up action, such as mitigation. Validated SVI data will be transmitted to the property owner within 30 days of validation. If any indoor air test results exceed NYSDOH guidelines, relevant NYSDOH fact sheets will be provided to all tenants and occupants of the property within 15 days of receipt of validated data.

SVI sampling results, evaluations, and follow-up actions will also be summarized in the next Periodic Review Report.

2.4 INSPECTIONS AND NOTIFICATIONS

2.4.1 Inspections

Inspections of all remedial components installed at the Site will be conducted at the frequency specified in the SMP Monitoring Plan schedule. A comprehensive site-wide inspection will be conducted annually, regardless of the frequency of the Periodic Review Report. The inspections will determine and document the following:

- Whether Engineering Controls continue to perform as designed;
- If these controls continue to be protective of human health and the environment;
- Compliance with requirements of this SMP and the Environmental Easement;
- Achievement of remedial performance criteria;
- Sampling and analysis of appropriate media during monitoring events;

- If site records are complete and up to date; and
- Changes, or needed changes, to the remedial or monitoring system;

Inspections will be conducted in accordance with the procedures set forth in the Monitoring Plan of this SMP (Section 3). The reporting requirements are outlined in the Periodic Review Reporting section of this plan (Section 5).

If an emergency, such as a natural disaster or an unforeseen failure of any of the ECs occurs, an inspection of the Site will be conducted within 5 days of the event to verify the effectiveness of the EC/ICs implemented at the Site by a qualified environmental professional as determined by NYSDEC.

2.4.2 Notifications

Notifications will be submitted by the property owner to the NYSDEC as needed for the following reasons:

- 60-day advance notice of any proposed changes in site use that are required under the terms of the Brownfield Cleanup Agreement (BCA) 6NYCRR Part 375, and/or Environmental Conservation Law;
- 7-day advance notice of any proposed ground-intrusive activities pursuant to the Excavation Work Plan;
- Notice within 48-hours of any damage or defect to the foundations structures that reduces or has the potential to reduce the effectiveness of other Engineering Controls and likewise any action to be taken to mitigate the damage or defect;
- Verbal notice by noon of the following day of any emergency such as a fire, flood, or earthquake that reduces or has the potential to reduce the effectiveness of Engineering Controls in place at the site, with written confirmation within 7 days that includes a summary of actions taken, or to be taken, and the potential impact to the environment and the public;
- Follow-up status reports on actions taken to respond to any emergency event requiring ongoing responsive action shall be submitted to the NYSDEC within 45

days and shall describe and document actions taken to restore the effectiveness of the ECs.

Any change in the ownership of the Site or the responsibility for implementing this SMP will include the following notifications:

- At least 60 days prior to the change, the NYSDEC will be notified in writing of the proposed change, this will include a certification that the prospective purchaser has been provided with a copy of the BCA and all approved work plans and reports, including this SMP; and
- Within 15 days after the transfer of all or part of the Site, the new owner's name, contact representative, and contact information will be confirmed in writing.

2.5 CONTINGENCY PLAN

Emergencies may include injury to personnel, fire or explosion, environmental release, or serious weather conditions.

2.5.1 Emergency Telephone Numbers

In the event of any environmentally related situation or unplanned occurrence requiring assistance the Owner or Owner's representative(s) should contact the appropriate party from the contact list below. For emergencies, appropriate emergency response personnel should be contacted. Prompt contact should also be made to Peter S. Morton. These emergency contact lists must be maintained in an easily accessible location at the Site.

Table [9]: Emergency Contact Numbers

Medical, Fire, and Police:	911
One Call Center:	(800) 272-4480 (3 day notice required for utility markout)
Poison Control Center:	(800) 222-1222

Pollution Toxic Chemical Oil Spills:	(800) 424-8802
NYSDEC Spills Hotline	(800) 457-7362

Table [10]: Contact Numbers

Christopher Williams – President, 3130 Monroe Avenue Associates, LLC	(585) 586-3060
William Millard - Partner, 3130 Monroe Avenue Associates, LLC	(585) 586-3060
David Fitzpatrick - Partner, 3130 Monroe Avenue Associates, LLC	(585) 586-3060

* Note: Contact numbers subject to change and should be updated as necessary

2.5.2 Map and Directions to Nearest Health Facility

Site Location: 3130 Monroe Avenue, Pittsford, NY

Nearest Hospital Name: Strong Memorial Hospital

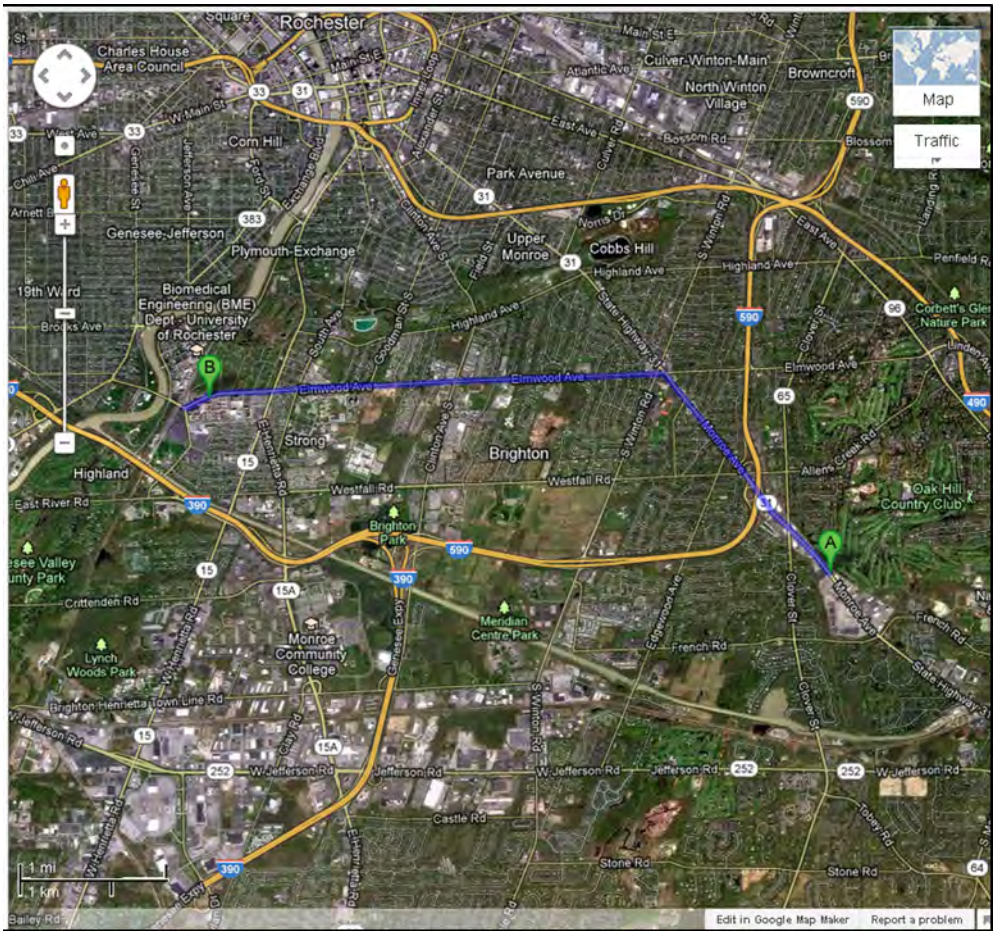
Hospital Location: 601 Elmwood Avenue, Rochester, NY

Hospital Telephone: (585) 275-2100

Directions to the Hospital:

- **Head northwest on Monroe Avenue towards Clover Street**
- **Turn left onto Elmwood Avenue**
- **Arrive at Strong Memorial Hospital on the left**

Route to Hospital:



2.5.3 Response Procedures

As appropriate, the fire department and other emergency response group will be notified immediately by telephone of the emergency. The emergency telephone number list is found at the beginning of this Contingency Plan (Table 9). The list will also be posted prominently at the site and made readily available to all personnel at all times.

3.0 SITE MONITORING PLAN

3.1 INTRODUCTION

3.1.1 General

The Monitoring Plan describes the measures for evaluating the performance and effectiveness of the remedy to reduce or mitigate contamination at the Site, the soil cover system, and all affected site media identified below. Monitoring of other Engineering Controls is described in Chapter 4, Operation, Monitoring and Maintenance Plan. This Monitoring Plan may only be revised with the approval of NYSDEC.

3.1.2 Purpose and Schedule

This Monitoring Plan describes the methods to be used for:

- Sampling and analysis of all appropriate media (e.g., groundwater, indoor air, soil vapor, soils);
- Assessing compliance with applicable NYSDEC standards, criteria and guidance, particularly ambient groundwater standards and Part 375 SCOs for soil;
- Assessing achievement of the remedial performance criteria;
- Evaluating Site information periodically to confirm that the remedy continues to be effective in protecting public health and the environment; and
- Preparing the necessary reports for the various monitoring activities.

To adequately address these issues, this Monitoring Plan provides information on:

- Sampling locations, protocol, and frequency;
- Information on all designed monitoring systems (e.g., well logs);
- Analytical sampling program requirements;
- Reporting requirements;
- Quality Assurance/Quality Control (QA/QC) requirements;
- Inspection and maintenance requirements for monitoring wells;
- Monitoring well decommissioning procedures; and

- Annual inspection and periodic certification.

Annual monitoring of the performance of the remedy and overall reduction in contamination on-site will be conducted for at least the first five years following issuance of the Certificate of Completion. The frequency thereafter will be determined by NYSDEC. Trends in contaminant levels in air, soil, and/or groundwater in the affected areas, will be evaluated to determine if the remedy continues to be effective in achieving remedial goals. Monitoring programs are summarized in Table [11] and outlined in detail in Sections 3.2 and 3.3 below.

Table [11]: Monitoring/Inspection Schedule

Monitoring Program	**Frequency***	**Matrix**	**Analysis**
Indoor Air	Annual	Air	VOC by TO-15
Groundwater	Annual	Water	VOC by 8260b

* The frequency of events will be conducted as specified until otherwise approved by NYSDEC and NYSDOH

3.2 SOIL COVER SYSTEM MONITORING

All of the site soils are underneath the subject building, the surrounding asphalt parking lot, or concrete walkways.

Observation of the cover system will be conducted annually. The following observation components are required during each event:

Check asphalt pavement and concrete slabs and walkways for sloughing, cracks, or settlement. If compromised, repair as necessary.

The observations made will be recorded on the Site-Wide Inspection Form included in Appendix F.

3.3 MEDIA MONITORING PROGRAM

3.3.1 Groundwater Monitoring

Groundwater monitoring will be performed on a periodic basis to assess the performance of the remedy.

The network of monitoring wells has been installed to monitor both up-gradient and down-gradient groundwater conditions at the site. As indicated on Figure 6, monitoring well 1 (MW-1) and MW-4 are upgradient wells, and MW-2 and MW-3 are downgradient wells. As indicated in Appendix B and Appendix I, the wells are fifteen (15) feet deep and screened across the top of the water table and into the glacial till layer beneath the Site. Well construction details are provided in Appendix I. The potentiometric surface is approximately 8 feet beneath ground surface (BGS) with a northeasterly gradient towards Oak Hill Country Club.

Groundwater monitoring will be completed annually for a minimum period of five years following issuance of the Certificate of Completion or until groundwater quality meets applicable standards. The sampling frequency may be modified with the approval NYSDEC. The SMP will be modified to reflect changes in sampling plans approved by NYSDEC.

3.3.1.1 Sampling Protocol

All monitoring well sampling activities will be recorded in a field book and a groundwater-sampling log presented in Appendix J. Other observations (e.g., well integrity, etc.) will be noted on the well sampling log. The well sampling log will serve as the inspection form for the groundwater monitoring well network.

The wells will be sampled with procedures in conformance with DER-10. Low-flow purging and sampling procedures to be utilized are outlined below:

Prior to purging and sampling, static water measurements will be taken from each well using an electronic water level meter.

New disposable polyethylene tubing connected to a peristaltic pump will be lowered into the groundwater.

An in-line flow-through cell attached to a Horiba U-22 water quality meter (or similar equipment) will be connected to the effluent tubing from the pump to measure water quality data.

The pump will be started at a pumping rate of 100 milliliter per minute (ml/min.) or less. The water level in the well will be measured and the pump rate will be adjusted until the drawdown is stabilized.

While purging the well at the stabilized water level, water quality indicator parameters will be monitored on a 3- to 5-minute basis and considered stabilized after three consecutive readings for each of the following parameters are achieved:

- pH, +/- 0.1 unit
- Specific conductance, +/- 3%
- Dissolved oxygen, +/- 10%
- Oxidation-reduction potential, +/- 10 mv
- Temperature, +/- 10%, and
- Turbidity, +/- 10% and less than 50 NTU if achievable

Once the above water quality parameters have stabilized, one groundwater sample will be collected from each monitoring well at the same pumping rate used to purge the well. Groundwater samples will be submitted to Paradigm Environmental Services, Inc. for analysis for VOCs by USEPA Method 8260 by Analytical Services Protocols (ASP) with Category B deliverables.

3.3.1.2 Monitoring Well Repairs, Replacement and Decommissioning

If biofouling or silt accumulation occurs in the on-site and/or off-site monitoring wells, the wells will be physically agitated/surged and redeveloped. Additionally, monitoring wells will be properly decommissioned and replaced (as per the Monitoring Plan), if an event renders the wells unusable.

Repairs and/or replacement of wells in the monitoring well network will be performed based on assessments of structural integrity and overall performance. The NYSDEC will be notified prior to any repair or decommissioning of monitoring wells for the purpose of replacement, and the repair or decommissioning and replacement process will be documented in the subsequent periodic report. Well decommissioning without replacement will be done only with the prior approval of NYSDEC. Well abandonment will be performed in accordance with NYSDEC's "Groundwater Monitoring Well Decommissioning Procedures." Monitoring wells that are decommissioned because they have been rendered unusable will be reinstalled in the nearest available location, unless otherwise approved by the NYSDEC.

3.3.2 Indoor Air Monitoring

Indoor air monitoring will be performed in conformance with NYSDOH Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York **(**October 2006) on an annual basis to assess the performance of the remedy.

3.3.2.1 Sampling Protocol

Air samples will be collected with Summa canisters set up by the laboratory for a two-hour sample duration. After the two hours have elapsed, the canister valve will be closed before the canister is sent to a laboratory for analysis for VOCs by Method TO-15.

In conformance with NYSDOH protocols, weather conditions, building inventory, and observations such as spills, floor stains, odors, and PID readings will be documented.

3.4 SITE-WIDE INSPECTION

Site-wide inspections will be performed on a regular schedule at a minimum of once a year. Site-wide inspections will also be performed after all severe weather conditions that may affect Engineering Controls or monitoring devices. During these inspections, an inspection form will be completed (Appendix F). The form will compile sufficient information to assess the following:

- Compliance with all ICs, including site usage;
- An evaluation of the condition and continued effectiveness of ECs;
- General site conditions at the time of the inspection;
- The site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection;
- Compliance with permits and schedules included in the Operation and Maintenance Plan; and
- Confirm that site records are up to date.

3.5 MONITORING QUALITY ASSURANCE/QUALITY CONTROL

All sampling and analyses will be performed in accordance with the following requirements:

- Sampling Program:
    - Sample containers will be properly washed, decontaminated, and appropriate preservative will be added (if applicable) prior to their use by the analytical laboratory. Containers with preservative will be tagged as such.
    - Sample holding times will be in accordance with the NYSDEC ASP requirements.
    - Field QC samples (e.g., trip blanks, coded field duplicates, and matrix spike/matrix spike duplicates) will be collected as necessary.

- Sample Tracking and Chain-of-Custody control will be maintained during each sampling event;
- Calibration Procedures:
    - All field analytical equipment will be calibrated immediately prior to each day's use. Calibration procedures will conform to manufacturer's standard instructions.
    - The laboratory will follow all calibration procedures and schedules as specified in USEPA SW-846 and subsequent updates that apply to the instruments used for the analytical methods.
- Preparation of a Data Usability Summary Report (DUSR), which will present the results of data validation, including a summary assessment of laboratory data packages, sample preservation and chain of custody procedures, and a summary assessment of precision, accuracy, representativeness, comparability, and completeness for each analytical method.

3.6 MONITORING REPORTING REQUIREMENTS

Forms and any other information generated during regular monitoring events and inspections will be kept on file on-site. All forms, and other relevant reporting formats used during the monitoring/inspection events, will be (1) subject to approval by NYSDEC and (2) submitted at the time of the Periodic Review Report, as specified in the Reporting Plan of this SMP.

All monitoring results will be reported to NYSDEC on a periodic basis in the Periodic Review Report. The report will include, at a minimum:

- Date of event;
- Personnel conducting sampling;
- Description of the activities performed;
- Type of samples collected (e.g., sub-slab vapor, indoor air, outdoor air, etc);
- Copies of all field forms completed (e.g., well sampling logs, chain-of-custody documentation, etc.);

- Sampling results in comparison to appropriate standards/criteria;
- A figure illustrating sample type and sampling locations;
- Copies of all laboratory data sheets and the required laboratory data deliverables required for all points sampled (o be submitted electronically in the NYSDEC-identified format);
- Any observations, conclusions, or recommendations; and
- A determination as to whether groundwater conditions have changed since the last reporting event.

Data will be reported in hard copy or digital format as determined by NYSDEC. A summary of the monitoring program deliverables are summarized in Table 12 below.

Table [12]: Schedule of Monitoring/Inspection Reports

Task	**Reporting Frequency***
Indoor Air Sampling	Annual
Groundwater Sampling	Annual
Site-Wide Inspection	Annual

* The frequency of events will be conducted as specified until otherwise approved by NYSDEC

4.0 OPERATION AND MAINTENANCE PLAN

4.1 INTRODUCTION

A separate operation and maintenance plan for the ASDS located in the site building is included in the Operation, Maintenance, and Monitoring Plan that is attached as Appendix E. This Operation and Maintenance Plan describes the measures necessary to operate, monitor and maintain the mechanical components of the remedy selected for the Site. This Operation and Maintenance Plan:

- Includes the steps necessary to allow individuals unfamiliar with the site to operate and maintain the ASDS;
- Includes an operation and maintenance contingency plan; and,
- Will be updated periodically to reflect changes in site conditions or the manner in which the ASDS are operated and maintained.

Information on non-mechanical Engineering Controls (i.e. soil cover system) is provided in Section 3 - Engineering and Institutional Control Plan. A copy of this Operation and Maintenance Plan, along with the complete SMP, will be kept at the site. This Operation and Maintenance Plan is not to be used as a stand-alone document, but as a component document of the SMP.

4.2 ENGINEERING CONTROL SYSTEM OPERATION AND MAINTENANCE

The ASDS was most recently inspected in April 2011 prior to the May 4, 2011 air sampling event.

Routine ASDS maintenance will continue at 12 to 18-month intervals including, at a minimum:

- A visual inspection of the complete system (e.g. vent fan, piping, warning device or indicator, labeling, etc.);
- Identification and repair of leaks; and
- Inspection of the exhaust or discharge points to verify that no air intakes have been located nearby.

Preventive maintenance (e.g. replacing vent fans), repairs and/or adjustments will be made as appropriate to the system to ensure its continued effectiveness.

If significant changes are made to the system or if the system's performance is unacceptable, the system will be repaired and restarted.

4.3 ENGINEERING CONTROL SYSTEM PERFORMANCE MONITORING

- Sub-slab Depressurization Monitoring
  As discussed above, an ASDS has been installed to mitigate possible soil vapor intrusion into the subject building.

4.3.1 Monitoring Schedule

Annual indoor air sampling will be conducted in conformance with the New York State Department of Health (NYSDOH) Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006) to determine if the air inside of the subject building is in compliance with Guideline Levels.

Inspection frequency is subject to change with the approval of the NYSDEC. Unscheduled inspections and/or sampling may take place when a suspected failure of the ASDS has been reported or an emergency occurs that is deemed likely to affect the operation of the system. Monitoring deliverables for the ASDS are specified later in this Plan.

4.3.2 General Equipment Monitoring

In conformance with the Operation, Maintenance & Monitoring (OM&M) Plan, the ASDS will be inspected at least once every 12 to 18 months by a qualified contractor including, at a minimum:

- A visual inspection of the complete system (e.g. vent fan, piping, warning device or indicator, labeling, etc.);
- Identification and repair of leaks; and
- Inspection of the exhaust or discharge points to verify that no air intakes have been located nearby.

A copy of the ASDS OM&M Plan is included in (Appendix E).

4.3.3 System Monitoring Devices and Alarms

To alleviate future concerns relative to soil vapor intrusion, the ASDS is equipped with a low-pressure warning device set to activate an alarm light and audible local alarm to alert the tenants that the ASDS is not functioning properly and requires maintenance.

4.3.4 Sampling Event Protocol

- Groundwater sampling protocols are described in Section 3.3.1.1 of this SMP.
- Air sampling protocols are described in Section 3.3.2.1 of this SMP.

4.4 MAINTENANCE AND PERFORMANCE MONITORING REPORTING REQUIREMENTS

Maintenance reports and any other information generated during regular operations at the Site will be kept on-file on-site. All reports, forms, and other relevant information generated will be available upon request to the NYSDEC and submitted as part of the Periodic Review Report, as specified in the Section 5 of this SMP.

4.4.1 Routine Maintenance Reports

Checklists or forms (see Appendices E, F) will be completed during each routine maintenance event. Checklists/forms will include, but not be limited to the following information:

- Date;
- Name, company, and position of person(s) conducting maintenance activities;
- Maintenance activities conducted;
- Any modifications to the system;

- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents noted (included either on the checklist/form or on an attached sheet); and,
- Other documentation such as copies of invoices for maintenance work, receipts for replacement equipment, etc., (attached to the checklist/form).

4.4.2 Non-Routine Maintenance Reports

During each non-routine maintenance event, a form will be completed which will include, but not be limited to, the following information:

- Date;
- Name, company, and position of person(s) conducting non-routine maintenance/repair activities;
- Presence of leaks;
- Date of leak repair;
- Other repairs or adjustments made to the system;
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents (included either on the form or on an attached sheet); and,
- Other documentation such as copies of invoices for repair work, receipts for replacement equipment, etc. (attached to the checklist/form).

5. INSPECTIONS, REPORTING AND CERTIFICATIONS

5.1 SITE INSPECTIONS

5.1.1 Inspection Frequency

All inspections will be conducted at the frequency specified in the schedules provided in Section 3 Monitoring Plan and Section 4 Operation and Maintenance Plan of this SMP. At a minimum, a site-wide inspection will be conducted annually. Inspections of remedial components will also be conducted when a breakdown of any treatment system component has occurred or whenever a severe condition has taken place, such as an erosion or flooding event that may affect the ECs.

5.1.2 Inspection Forms, Sampling Data, and Maintenance Reports

All inspections and monitoring events will be recorded on the appropriate forms for the respective system which are contained in Appendices E (ASDS) and F (Site Cover). Additionally, a general site-wide inspection form will be completed during the site-wide inspection (see Appendix E). These forms are subject to NYSDEC revision.

All applicable inspection forms and other records, including all media sampling data and system maintenance reports, generated for the Site during the reporting period will be provided in electronic format in the Periodic Review Report.

5.1.3 Evaluation of Records and Reporting

The results of the inspection and Site monitoring data will be evaluated as part of the EC/IC certification to confirm that the:

- EC/ICs are in place, are performing properly, and remain effective;
- The Monitoring Plan is being implemented;

- Operation and maintenance activities are being conducted properly; and, based on the above items,
- The Site remedy continues to be protective of public health and the environment and is performing as designed in the RAWP and FER.

5.2 CERTIFICATION OF ENGINEERING AND INSTITUTIONAL CONTROLS

After the last inspection of the reporting period, a qualified environmental professional will prepare the following certification:

For each institutional or engineering control identified for the site, I certify that all of the following statements are true:

- *The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;*
- *The institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by the Department;*
- *Nothing has occurred that would impair the ability of the control to protect the public health and environment;*
- *Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;*
- *Access to the Site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control;*
- *Use of the site is compliant with the environmental easement;*
- *The engineering control systems are performing as designed and are effective;*
- *To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of*

the site remedial program and generally accepted engineering practices; and

- *The information presented in this report is accurate and complete.*

"I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law." I, [name], of [business address], am certifying as [Owner's Designated Site Representative] for the Site.

The signed certification will be included in the Periodic Review Report described below.

5.3 PERIODIC REVIEW REPORT

A Periodic Review Report will be submitted to the Department every year, beginning eighteen months after the Certificate of Completion is issued. In the event that the Site is subdivided into separate parcels with different ownership, a single Periodic Review Report will be prepared that addresses the Site described in Appendix B (Metes and Bounds). The report will be prepared in accordance with NYSDEC DER-10 and submitted within 45 days of the end of each certification period. Media sampling results will also incorporated into the Periodic Review Report. The report will include:

- Identification, assessment and certification of all ECs/ICs required by the remedy for the Site;
- Results of the required annual Site inspections and severe condition inspections, if applicable;
- All applicable inspection forms and other records generated for the Site during the reporting period in electronic format;
- A summary of any discharge monitoring data and/or information generated during the reporting period with comments and conclusions;
- Data summary tables and graphical representations of contaminants of concern by media (groundwater, soil vapor), which include a listing of all compounds analyzed, along with the applicable standards, with all exceedances highlighted.

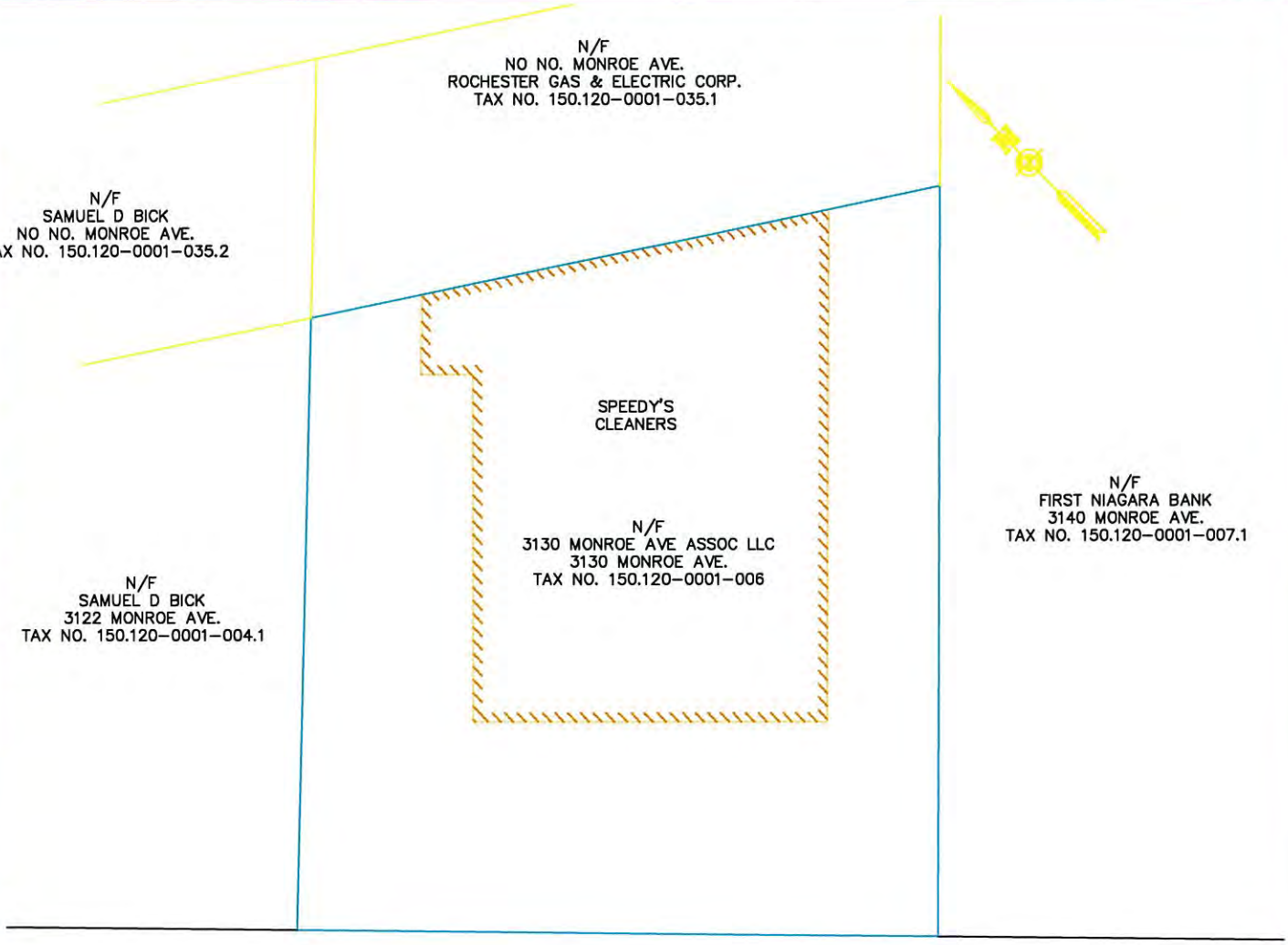
These will include a presentation of past data as part of an evaluation of contaminant concentration trends;

- Results of all analyses, copies of all laboratory data sheets, and the required laboratory data deliverables for all samples collected during the reporting period will be submitted electronically in a NYSDEC-approved format;
- A Site evaluation, which includes the following:
    - The compliance of the remedy with the requirements of the site-specific Decision Document;
    - The operation and the effectiveness of all treatment units, etc., including identification of any needed repairs or modifications;
    - Any new conclusions or observations regarding site contamination based on inspections or data generated by the Monitoring Plan for the media being monitored;
    - Recommendations regarding any necessary changes to the remedy and/or Monitoring Plan; and
    - The overall performance and effectiveness of the remedy.

The Periodic Review Report will be submitted, in hard-copy format, to the NYSDEC Central Office and Regional 8 Office, and in electronic format to NYSDEC Central Office, Regional 8 Office and the NYSDOH Bureau of Environmental Exposure Investigation.

5.4 CORRECTIVE MEASURES PLAN

If any component of the remedy is found to have failed, or if the periodic certification cannot be provided due to the failure of an institutional or engineering control, a corrective measures plan will be submitted to the NYSDEC for approval. This plan will explain the failure and provide the details and schedule for performing work necessary to correct the failure. Unless an emergency condition exists, no work will be performed pursuant to the corrective measures plan until it is approved by the NYSDEC.



S:\ENVRO ESA TECH\45-12-043\CHRISTOPHER WILLIAMS AGENCY\99018.15\DRAWINGS\RAVI FIANL MONROE AVE NO 3130 FIGURE 2.DWG 11/12/2012 10:53 AM Ryan Burke

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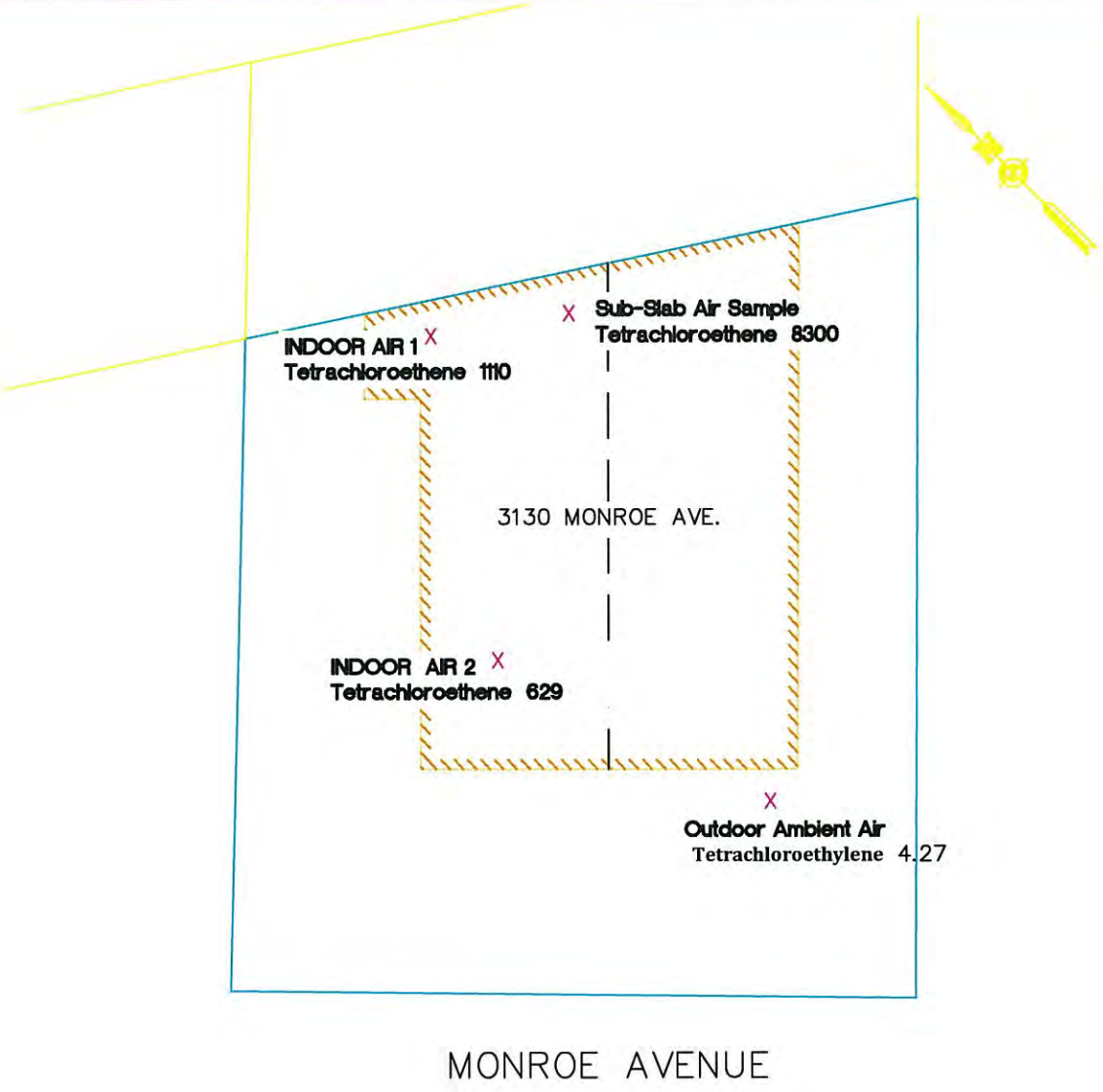
Project:	SPEEDY'S CLEANERS BCP FIGURE 1 SITE LOCATION MAP / TAX MAP	Scale: 1" 30' Date: 03-28-2012 PIC: John Caruso, P.E. PM: Ed Freeman, P.L.S.
Client:	SPEEDY'S CLEANERS SITE PITTSFORD, NEW YORK SITE NO. 8-28-109	Designer: R.D.C. Project No. 99000018.0015



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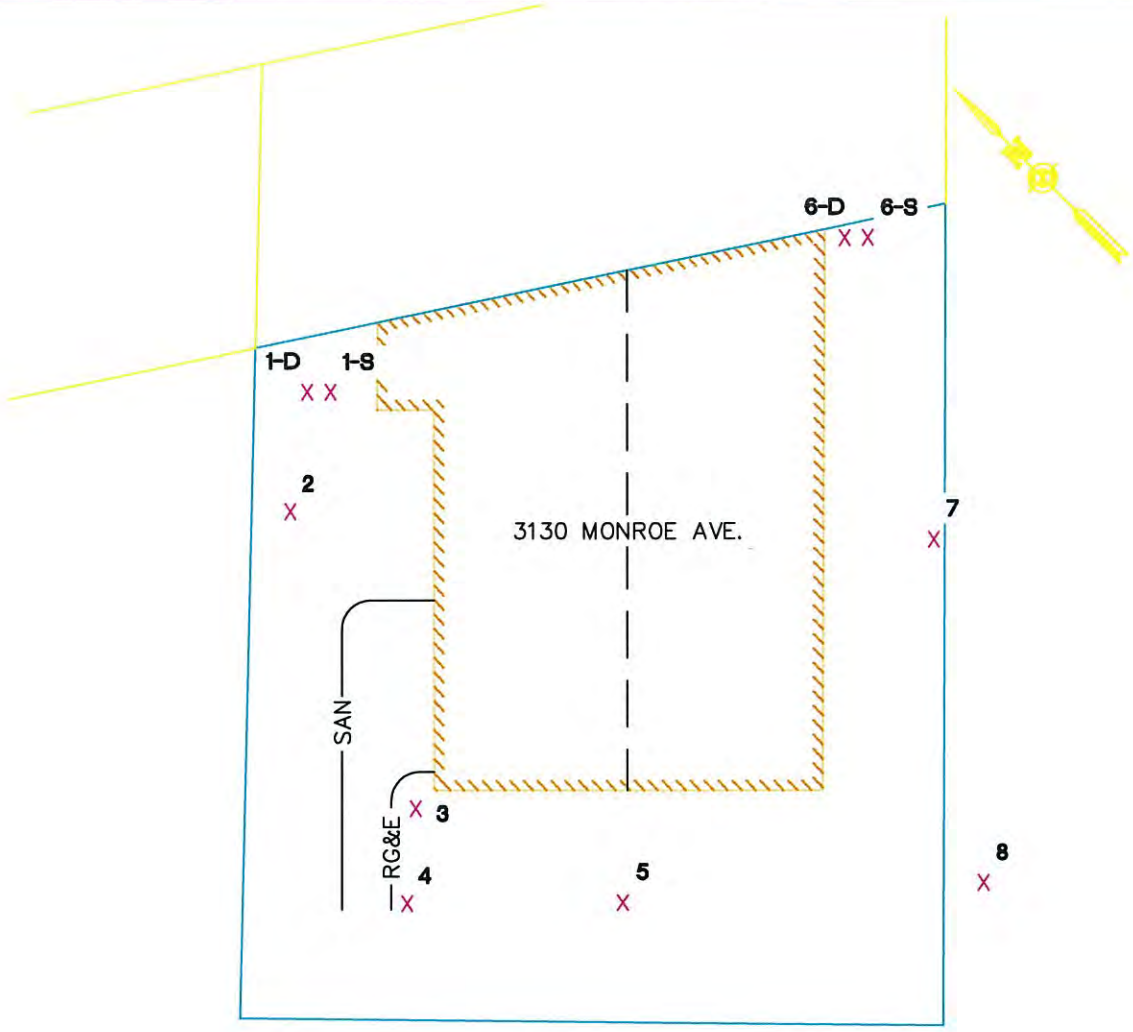
Project:	SPEEDY'S CLEANERS BCP FIGURE 2 SOIL VAPOR INTRUSION SAMPLES SEPTEMBER 2005	Scale: 1" 30' Date: 03-28-2012 PIC: John Caruso, P.E. PM: Ed Freeman, P.L.S.
Client:	SPEEDY'S CLEANERS SITE PITTSFORD, NEW YORK SITE NO. 8-28-109	Designer: R.D.C. Project No. 99000018.0015



MONROE AVENUE

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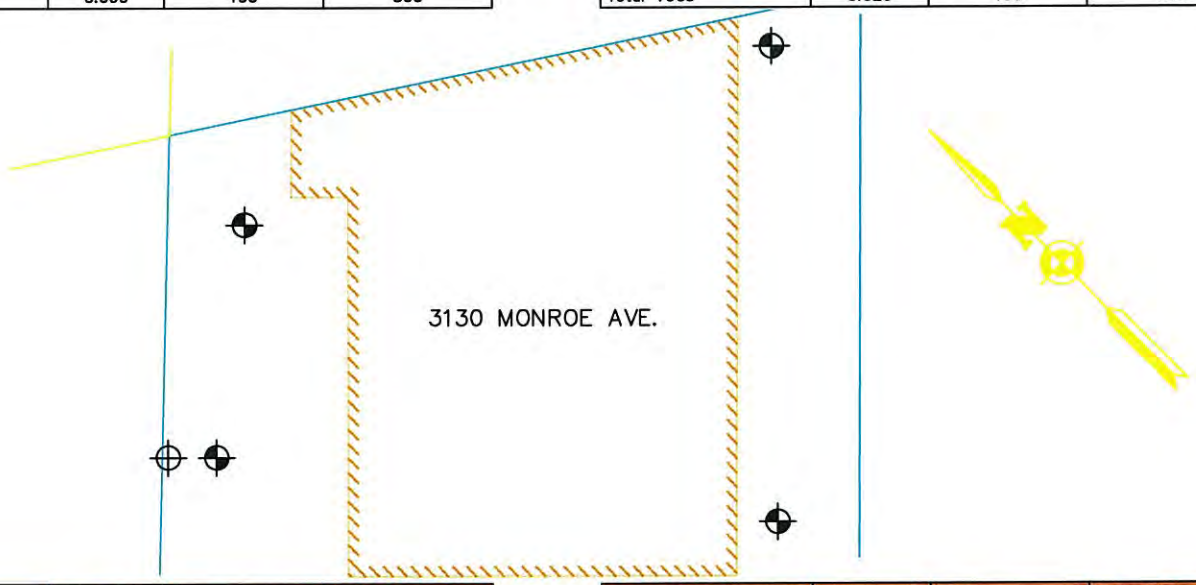
Engineering Surveying
Architecture Planning

Project:	SPEEDY'S CLEANERS BCP FIGURE 3 BOUNDARY SOIL GAS SAMPLES 11/28/06	Scale: 1" 30' Date: 03-28-2012 PIC: John Caruso, P.E. PM: Ed Freeman, P.L.S.
Client:	SPEEDY'S CLEANERS SITE PITTSFORD, NEW YORK SITE NO. 8-28-109	Designer: R.D.C. Project No. 99000018.0015

Sample ID Sample Depth Sampling Date units	BH-2 2'-6' 7/13/05 ppm	Part 375-6.8(a): Unrestricted Use SCO	* Part 375-6.8(b) Restricted Commercial Use SCO and CP-51 Soil Cleanup Guidance
Methylene chloride	0.016	0.05	500
Acetone	0.007 J	0.05	500
Carbon Disulfide	ND	NS	NS
2-Butanone	ND	NS	NS
Ethylbenzene	ND	1	1
Total Xylenes	ND	0.26	1.6
Cyclohexane	ND	NS	NS
Methylcyclohexane	ND	NS	NS
Isopropylbenzene	ND	NS	2.3
Trichloroethene	0.003 J	0.47	0.47
Tetrachloroethene	0.670 D	1.3	1.3
cis-1,2-Dichloroethene	0.003 J	0.25	500
Total TICs	0	NS	NS
Total VOCs	0.699	100	500

Sample ID Sample Depth Sampling Date units	BH-3 2'-6' 7/13/05 ppm	Part 375-6.8(a): Unrestricted Use SCO	* Part 375-6.8(b) Restricted Commercial Use SCO and CP-51 Soil Cleanup Guidance
Methylene chloride	0.021	0.05	500
Acetone	ND	0.05	500
Carbon Disulfide	ND	NS	NS
2-Butanone	ND	NS	NS
Ethylbenzene	ND	1	1
Total Xylenes	ND	0.26	1.6
Cyclohexane	ND	NS	NS
Methylcyclohexane	ND	NS	NS
Isopropylbenzene	ND	NS	2.3
Trichloroethene	ND	0.47	0.47
Tetrachloroethene	0.005	1.3	1.3
cis-1,2-Dichloroethene	ND	0.25	500
Total TICs	0	NS	NS
Total VOCs	0.026	100	500



Sample ID Sample Depth Sampling Date units	BH-1 6'-8' 7/14/05 ppm	Part 375-6.8(a): Unrestricted Use SCO	* Part 375-6.8(b) Restricted Commercial Use SCO and CP-51 Soil Cleanup Guidance
Methylene chloride	0.045	0.05	500
Acetone	0.310 E**	0.05	500
Carbon Disulfide	0.005 J	NS	NS
2-Butanone	0.120	NS	NS
Ethylbenzene	0.006	1	1
Total Xylenes	0.017	0.26	1.6
Cyclohexane	0.042 J	NS	NS
Methylcyclohexane	0.200	NS	NS
Isopropylbenzene	0.120	NS	2.3
Trichloroethene	ND	0.47	0.47
Tetrachloroethene	ND	1.3	1.3
cis-1,2-Dichloroethene	ND	0.25	500
Total TICs	6.480	NS	NS
Total VOCs	7.355	100	500

Sample ID Sample Depth Sampling Date units	BH-4 8'-10' 7/13/05 ppm	Part 375-6.8(a): Unrestricted Use SCO	* Part 375-6.8(b) Restricted Commercial Use SCO and CP-51 Soil Cleanup Guidance
Methylene chloride	0.025	0.05	500
Acetone	0.058	0.05	500
Carbon Disulfide	0.002 J	NS	NS
2-Butanone	0.010	NS	NS
Ethylbenzene	ND	1	1
Total Xylenes	ND	0.26	1.6
Cyclohexane	ND	NS	NS
Methylcyclohexane	ND	NS	NS
Isopropylbenzene	ND	NS	2.3
Trichloroethene	ND	0.47	0.47
Tetrachloroethene	0.004	1.3	1.3
cis-1,2-Dichloroethene	ND	0.25	500
Total TICs	0	NS	NS
Total VOCs	0.099	100	500

S:\ENVIRO ESA TECH\45-12-043\CHRISTOPHER WILLIAMS AGENCY\99018.15\DRAWINGS\RAW FINAL MONROE AVE NO 3130 FIGURE 2.DWG 11/12/2012 10:56 AM Ryan Burke

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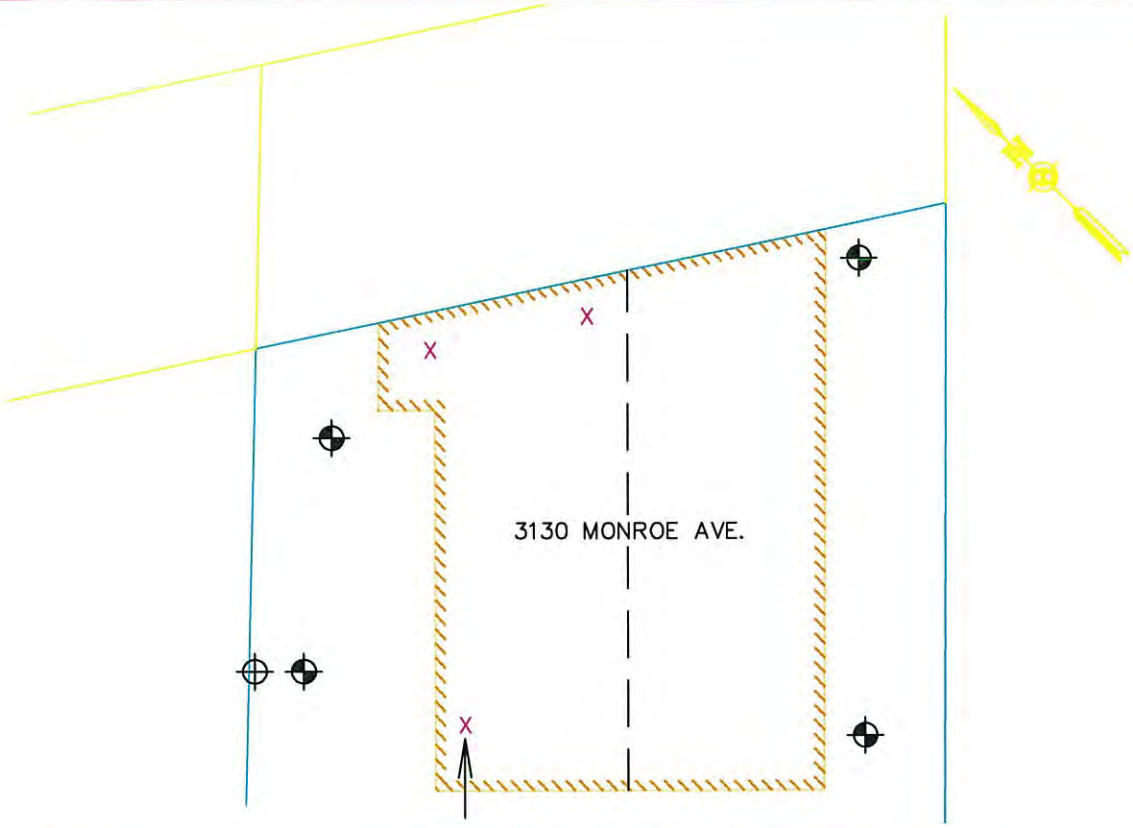
Project:	SPEEDY'S CLEANERS BCP FIGURE 4 SOIL SAMPLES - LOCATION & RESULT JULY 13 & 14, 2005	Scale: 1" 30' Date: 03-28-2012 PIC: John Caruso, P.E. PM: Ed Freeman, P.L.S.
Client:	SPEEDY'S CLEANERS SITE PITTSFORD, NEW YORK SITE NO. 8-28-109	Designer: R.D.C. Project No. 99000018.0015

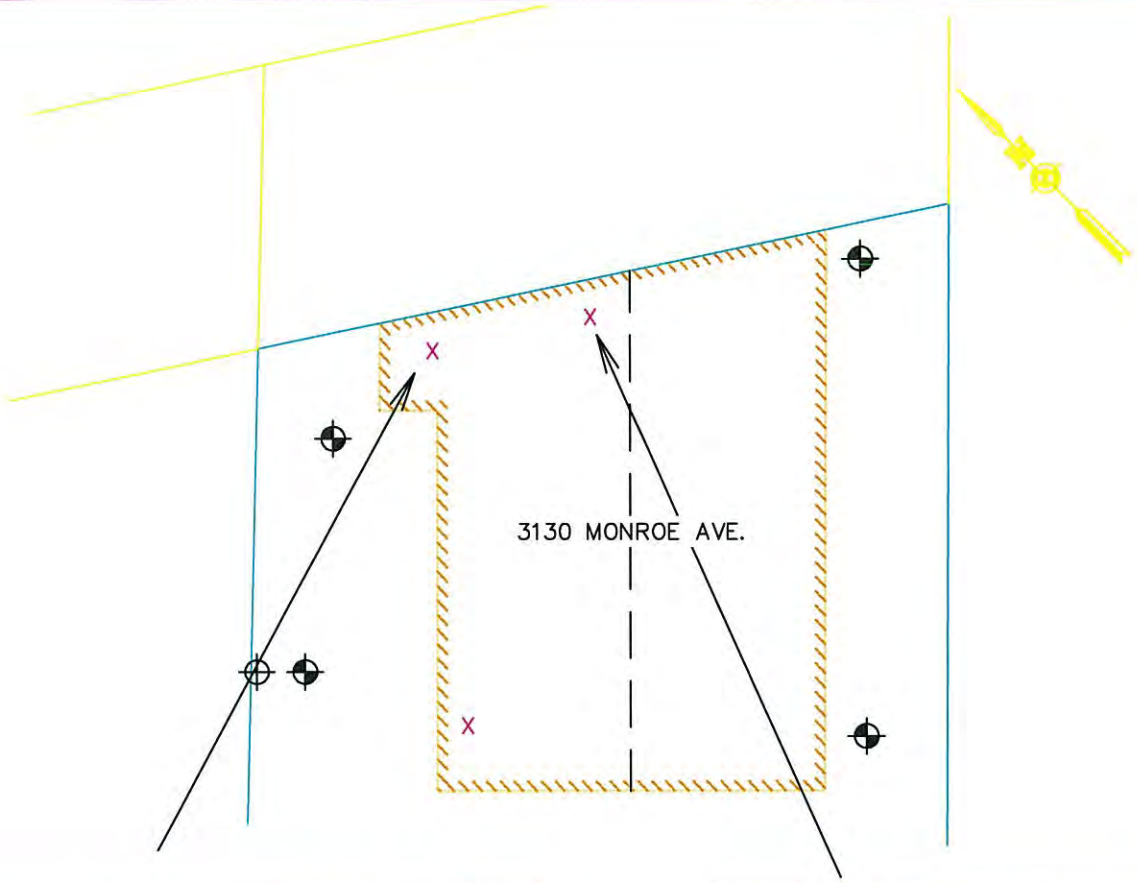


Analyte	Sub Slab 1 8-9 (ppm)	RSCO (ppm)
Vinyl chloride	0.19 J	0.02
Acetone	ND	500
2-Butanone	ND	NS
Trichloroethene	ND	0.47
Tetrachloroethylene	ND	1.3
Total Xylenes	ND	0.26
cis-1,2-Dichloroethene	4.6	500
trans-1,2-Dichloroethene	ND	0.19
Cyclohexane	ND	NS
Methylcyclohexane	ND	NS
Isopropylbenzene	ND	2.3

Sub Slab SVOC		
Analyte	Sub Slab 1 8-9 (ppm)	RSCO (ppm)
Naphtalene	1.1 DJ	100
2-Methylnaphthalene	5.6 D	NS
Acenaphthene	0.320 DJ	100
Fluorene	0.870 DJ	100
Phenanthrene	19 D	100
Anthacene	0.220 DJ	100
Fluoranthene	0.190 DJ	100
Pyrene	0.3 DJ	100
Benzo(a)anthracene	69 DJ	1
Chrysene	0.084 DJ	3.9
Bis(2-ethylhexyl) phthalate	0.073 BDJ	NS
Benzo(b)fluoranthene	0.073 DJ	1

Passero Associates
100 Liberty Pole Way, Rochester, NY 14604
585-325-1000 FAX: 585-325-1691
www.passero.com
Engineering Surveying
Architecture Planning

Project:	SPEEDY'S CLEANERS BCP FIGURE 5 SUB-SLAB SOIL SAMPLES OCTOBER, 2005	Scale: 1" 30' Date: 03-28-2012 PIC: John Caruso, P.E. PM: Ed Freeman, P.L.S.
Client:	SPEEDY'S CLEANERS SITE PITTSFORD, NEW YORK SITE NO. 8-28-109	Designer: R.D.C. Project No. 99000018.0015



Analyte	Sub Slab 2 6-8 (ppm)	RSCO (ppm)
Vinyl chloride	ND	0.02
Acetone	0.25	500
2-Butanone	0.006 J	NS
Trichloroethene	ND	0.47
Tetrachloroethylene	ND	1.3
Total Xylenes	0.087	0.26
cis-1,2-Dichloroethene	ND	500
trans-1,2-Dichloroethene	ND	0.19
Cyclohexane	0.022	NS
Methylcyclohexane	0.150	NS
Isopropylbenzene	0.110	2.3

Analyte	Sub Slab 2 6-8 (ppm)	RSCO (ppm)
Vinyl chloride	0.270 J	0.02
Acetone	ND	500
2-Butanone	ND	NS
Trichloroethene	0.650 J	0.47
Tetrachloroethylene	0.250 J	1.3
Total Xylenes	ND	.026
cis-1,2-Dichloroethene	16	500
trans-1,2-Dichloroethene	0.640 J	0.19
Cyclohexane	ND	NS
Methylcyclohexane	ND	NS
Isopropylbenzene	ND	2.3

S:\ENVRO ESA TECH\45-12-043\CHRISTOPHER WILLIAMS AGENCY\99018.15\DRAWINGS\RAW FIANL MONROE AVE NO 3130 FIGURE 2.DWG — Ryan Burke

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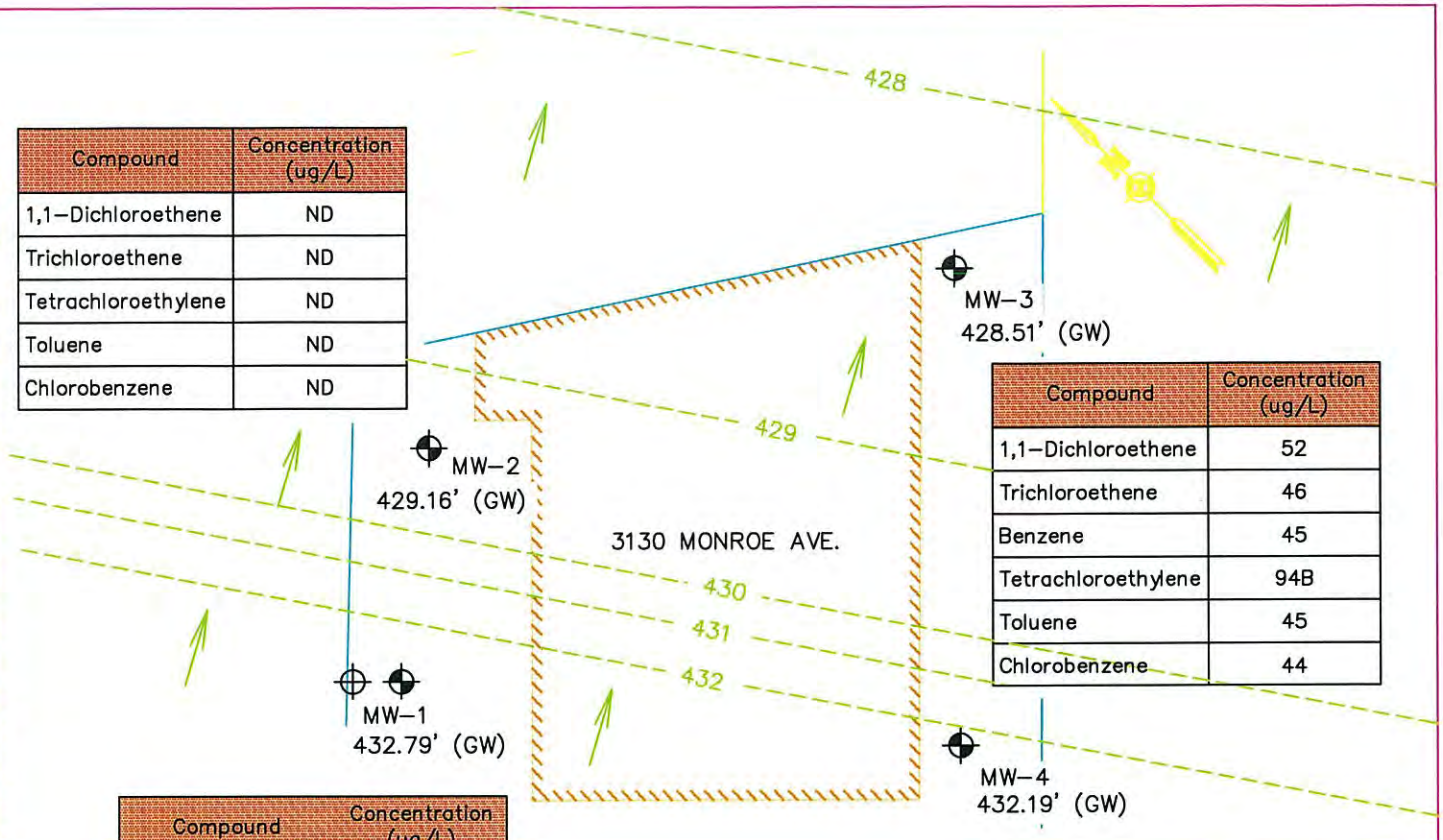
Architecture Planning

Project:	SPEEDY'S CLEANERS BCP FIGURE 5a SUB-SLAB SOIL SAMPLES OCTOBER, 2005	Scale: 1" 30' Date: 03-28-2012 PIC: John Caruso, P.E. PM: Ed Freeman, P.L.S.
Client:	SPEEDY'S CLEANERS SITE PITTSFORD, NEW YORK SITE NO. 8-28-109	Designer: R.D.C. Project No. 99000018.0015



Compound	Concentration (ug/L)
1,1-Dichloroethene	ND
Trichloroethene	ND
Tetrachloroethylene	ND
Toluene	ND
Chlorobenzene	ND

Compound	Concentration (ug/L)
1,1-Dichloroethene	52
Trichloroethene	46
Benzene	45
Tetrachloroethylene	94B
Toluene	45
Chlorobenzene	44

Compound	Concentration (ug/L)
1,1-Dichloroethene	33
Trichloroethene	30
Tetrachloroethylene	64B
Toluene	29
Chlorobenzene	28
Benzene	29

Compound	Concentration (ug/L)
Ethylbenzene	130
Total Xylenes	1,000
Isopropylbenzene	680

(GW) = GROUND WATER ELEVATION MEASURED

Compound	SCGs (ug/L)
1,1-Dichloroethene	5
Trichloroethene	5
Tetrachloroethylene	5
Toluene	5
Chlorobenzene	5
Benzene	2
Ethylbenzene	5
Isopropylbenzene	5

S:\ENVRO ESA TECH\45-12-043\CHRISTOPHER WILLIAMS AGENCY\99018.15\DRAWINGS\RAW FIANL MONROE AVE NO 3130 FIGURE 2.DWG 11/12/2012 10:59 AM Ryan Burke

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Project:	SPEEDY'S CLEANERS BCP FIGURE 6 GROUNDWATER ELEVATION CONTOURS AND VOC RESULTS SEPTEMBER 9, 2005	Scale: 1" 30' Date: 03-28-2012 PIC: John Caruso, P.E. PM: Ed Freeman, P.L.S.
Client:	SPEEDY'S CLEANERS SITE PITTSFORD, NEW YORK SITE NO. 8-28-109	Designer: R.D.C. Project No. 99000018.0015

APPENDIX A

EXCAVATION WORK PLAN

A-1 NOTIFICATION

At least 15 days prior to the start of any activity that is anticipated to encounter remaining contamination, the Site owner or their representative will notify the Department. Currently, this notification will be made to:

Batholomew H. Putzig
Regional Hazardous Waste Remediation Engineer
NYSDEC Region 8
6274 East Avon Lima Road, Avon, New York 14414

This notification will include:

- A detailed description of the work to be performed, including the location and areal extent, plans for site re-grading, intrusive elements or utilities to be installed below the soil cover, estimated volumes of contaminated soil to be excavated and any work that may impact an engineering control;
- A summary of environmental conditions anticipated in the work areas, including the nature and concentration levels of contaminants of concern, potential presence of grossly contaminated media, and plans for any pre-construction sampling;
- A schedule for the work, detailing the start and completion of all intrusive work;
- A summary of the applicable components of this EWP;
- A statement that the work will be performed in compliance with this EWP and 29 CFR 1910.120;
- A copy of the contractor's health and safety plan, in electronic format, if it differs from the HASP provided in Appendix [4] of this document;
- Identification of disposal facilities for potential waste streams; and
- Identification of sources of any anticipated backfill, along with all required chemical testing results.

A-2 SOIL SCREENING METHODS

During future excavations, soil samples will be screened for organic vapors with a photoionization detector (PID).Visual, olfactory and instrument-based soil screening will be performed by a qualified environmental professional during all remedial and development excavations into known or potentially contaminated material (remaining contamination). Soil screening will be performed regardless of when the invasive work is done and will include all excavation and invasive work performed during development, such as excavations for foundations and utility work, after issuance of the COC.

Soils will be segregated based on previous environmental data and screening results into material that requires off-site disposal, material that requires testing, material that can be returned to the subsurface, and material that can be used as cover soil.

A-3 STOCKPILE METHODS

Soil stockpiles will be continuously encircled with a berm and/or silt fence. Hay bales will be used as needed near catch basins, surface waters and other discharge points.

Stockpiles will be kept covered at all times with appropriately anchored tarps. Stockpiles will be routinely inspected and damaged tarp covers will be promptly replaced.

Stockpiles will be inspected at a minimum once each week and after every storm event. Results of inspections will be recorded in a logbook and maintained at the Site and available for inspection by NYSDEC.

A-4 MATERIALS EXCAVATION AND LOAD OUT

A qualified environmental professional or person under their supervision will oversee all invasive work and the excavation and load-out of all excavated material.

The owner of the property and its contractors are solely responsible for safe execution of all invasive and other work performed under this Plan.

The presence of utilities and easements on the Site will be investigated by the qualified environmental professional. It will be determined whether a risk or impediment to the planned work under this SMP is posed by utilities or easements on the Site.

Loaded vehicles leaving the Site will be appropriately lined, tarped, securely covered, manifested, and placarded in accordance with appropriate Federal, State, local, and NYSDOT requirements (and all other applicable transportation requirements).

A truck wash will be operated on-site. The qualified environmental professional will be responsible for ensuring that all outbound trucks will be washed at the truck wash before leaving the Site until the activities performed under this section are complete.

Locations where vehicles enter or exit the Site shall be inspected daily for evidence of off-site soil tracking.

The qualified environmental professional will be responsible for ensuring that all egress points for truck and equipment transport from the Site are clean of dirt and other materials derived from the Site during intrusive excavation activities. Cleaning of the adjacent streets will be performed as needed to maintain a clean condition with respect to site-derived materials.

A-5 MATERIALS TRANSPORT OFF-SITE

All transport of materials will be performed by licensed haulers in accordance with appropriate local, State, and Federal regulations, including 6 NYCRR Part 364. Haulers will be appropriately licensed and trucks properly placarded.

Material transported by trucks exiting the Site will be secured with tight-fitting covers. Loose-fitting canvas-type truck covers will be prohibited. If loads contain wet material capable of producing free liquid, truck liners will be used.

All trucks will be washed prior to leaving the Site. Truck wash waters will be collected and disposed of off-site in an appropriate manner.

Trucks will be prohibited from stopping and idling in the neighborhood outside the Site.

Egress points for truck and equipment transport from the Site will be kept clean of dirt and other materials during site remediation and development.

Queuing of trucks will be performed on-site in order to minimize off-site disturbance. Off-site queuing will be prohibited.

A-6 MATERIALS DISPOSAL OFF-SITE

All soil/fill/solid waste excavated and removed from the Site will be treated as contaminated and regulated material and will be transported and disposed in accordance with all local, State (including 6NYCRR Part 360) and Federal regulations. If disposal of soil/fill from the Site is proposed for unregulated off-site disposal (i.e. clean soil removed for development purposes), a formal request with an associated plan will be made to the NYSDEC. Unregulated off-site management of materials from the Site will not occur without formal NYSDEC approval.

Off-site disposal locations and truck routes for excavated soils will be identified in the pre-excavation notification. This will include estimated quantities and a breakdown by class of disposal facility if appropriate, i.e. hazardous waste disposal facility, solid waste landfill, petroleum treatment facility, C/D recycling facility, etc. Actual disposal quantities and associated documentation will be reported to the NYSDEC in the Periodic Review Report. This documentation will include: waste profiles, test results, facility acceptance letters, manifests, bills of lading and facility receipts.

Non-hazardous historic fill and contaminated soils taken off-site will be handled, at minimum, as a Municipal Solid Waste per 6NYCRR Part 360-1.2. Material that does not meet Track 1 unrestricted SCOs is prohibited from being taken to a New York State recycling facility (6NYCRR Part 360-16 Registration Facility).

A-7 MATERIALS REUSE ON-SITE

Potentially contaminated materials may be re-used on-site in accordance with guidelines as set forth below in this SMP. Chemical criteria for on-site re-use have been approved by NYSDEC and are presented within below. The qualified environmental professional will ensure that procedures defined for materials reuse in this SMP are followed, and that unacceptable material does not remain on-site. Since this Site utilizes a cover system as an engineering control, contaminated on-site material (including historic fill and contaminated soil that is acceptable for re-use on-site) does not require analytical testing, will be placed below the demarcation layer or impervious surface, and will not be reused within a cover soil layer,

within landscaping berms, or as backfill for subsurface utility lines.

In order to qualify for on-site re-use as cover or off-site re-use, the material must:

- Comply with the remedial action objectives identified in the Decision Document.
- Be free of extraneous debris or solid waste
- Consist of soil or other unregulated material as set for in 6NYCRR Part 360
- Be tested at the rate outlined in table A-7 below:

Table A-7
Required number of Soil Samples to determine re-use suitability of excavated on-site soils.

Contaminant	**VOCs**	**SVOCs, Inorganics & PCBs/Pesticides**	
Soil Quantity ($yd^{3)}$	**Discrete Samples**	**Composite**	**Discrete Samples/Composite**
0-50	1	1	3-5 discrete samples from different locations in the fill or soil to be re-used will comprise a composite sample for analysis
50-100	2	1	
100-200	3	1	
200-300	4	1	
300-400	4	2	
400-500	5	2	
500-800	6	2	
800-1000	7	2	
> 1000	Add an additional 2 VOC and 1 composite for each additional 1,000 cubic yards, or consult with NYSDEC DER Project Manager		

Based on the testing outcome, soil may be re-used on-site as cover or off-site in the following manner:

- Soil that complies with unrestricted soil SCOs set forth in 6 NYCRR Part 375 Table 375-6.8(a) may be re-used without restriction on-site (backfill, cover, etc.) or off-site
- Soil that exceed unrestricted soil SCOs set forth in 6 NYCRR Part 375 Table 375-6.8(a) may not be re-used off-site, unless first approved by the NYSDEC for reuse at a property with Institutional Control subject to a 6 NYCRR Part 360 Beneficial Use Determination.
- Soil that complies with the more stringent of the Restricted Commercial SCOs or the Protection of Groundwater SCOs [set forth in 6 NYCRR Part 375 Table 375-6.8(b)] may be re-used on-site as cover material or backfill

.

In the event that building demolition material is proposed for reuse on-site, it will be sampled for asbestos and the results will be reported to the NYSDEC for acceptance. Concrete crushing or processing on-site will not be performed without prior NYSDEC approval. Organic matter (wood, roots, stumps, etc.) or other solid waste derived from clearing and grubbing of the Site will not be reused on-site.

A-8 FLUIDS MANAGEMENT

All liquids to be removed from the Site, including excavation dewatering and groundwater monitoring well purge and development waters, will be handled, transported and disposed in accordance with applicable local, State, and Federal regulations. Dewatering, purge and development fluids will not be recharged back to the land surface or subsurface of the Site, but will be managed off-site.

Discharge of water generated during large-scale construction activities to surface waters (i.e. a local pond, stream or river) will be performed under a SPDES permit.

A-9 COVER SYSTEM RESTORATION

After the completion of soil removal and any other invasive activities the cover system will be restored in a manner that complies with the Decision Document. A demarcation layer, consisting of orange snow fencing material or equivalent material will be replaced to provide a visual reference to the top of the 'Remaining Contamination Zone', the zone that requires adherence to special conditions for disturbance of remaining contaminated soils defined in this Site Management Plan. If the type of cover system changes from that which exists prior to the excavation (i.e., a soil cover is replaced by asphalt), this will constitute a modification of the cover element of the remedy and the upper surface of the 'Remaining Contamination. A figure showing the modified surface will be included in the subsequent Periodic Review Report and in any updates to the Site Management Plan.

A-10 BACKFILL FROM OFF-SITE SOURCES

All materials proposed for import onto the Site will be approved by the qualified environmental professional and will be in compliance with provisions in this SMP prior to receipt at the Site.

All imported soils will meet the backfill and cover soil quality standards established in 6NYCRR 375-6.7(d). Soils that meet 'exempt' fill requirements under 6 NYCRR Part 360, but do not meet backfill or cover soil objectives for this site, will not be imported onto the site without prior approval by NYSDEC. Solid waste will not be imported onto the site.

Trucks entering the Site with imported soils will be securely covered with tight fitting covers. Imported soils will be stockpiled separately from excavated materials and covered to prevent dust releases.

A-11 STORMWATER POLLUTION PREVENTION

Barriers and hay bale checks will be installed around the staged soils and inspected once a week and after every storm event. Results of inspections will be recorded in a logbook and maintained at the site and available for inspection by NYSDEC. All necessary repairs shall be made immediately.

Accumulated sediments will be removed as required to keep the barrier and hay bale check functional.

All undercutting or erosion of the silt fence toe anchor shall be repaired immediately with appropriate backfill materials.

Manufacturer's recommendations will be followed for replacing silt fencing damaged due to weathering.

Erosion and sediment control measures identified in the SMP shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters

Silt fencing or hay bales will be installed around the entire perimeter of the construction area.

A-12 CONTINGENCY PLAN

If underground tanks or other previously unidentified contaminant sources are discovered during post-remedial subsurface excavations or development related construction, excavation activities will be suspended until sufficient equipment is mobilized to address the condition.

Sampling will be performed on product, sediment and surrounding soils, etc. as necessary to determine the nature of the material and proper disposal method. Chemical analysis will be performed for full a full list of analytes (TAL metals; TCL volatiles and semi-volatiles, TCL pesticides and PCBs), unless the Site history and previous sampling results provide a sufficient justification to limit the list of analytes. In this case, a reduced list of analytes will be proposed to the NYSDEC for approval prior to sampling.

Identification of unknown or unexpected contaminated media identified by screening during invasive site work will be promptly communicated by phone to NYSDEC's Project Manager. Reportable quantities of petroleum product will also be reported to the NYSDEC spills hotline. These findings will be also included in the periodic reports prepared pursuant to Section 5 of the SMP.

A-13 COMMUNITY AIR MONITORING PLAN

The CAMP is included in the HASP that has been developed for the Site (refer to Appendix H). The CAMP will be implemented during excavation at the Site beneath the cover system.. The schematic location of air monitoring stations to be deplozed during any future intrusive activities is included in Appendix H. These air monitoring stations will be adjusted on a daily or more frequent basis based on actual wind directions to provide an upwind and at least two downwind monitoring stations. Exceedances of action levels listed in the CAMP will be reported to NYSDEC and NYSDOH Project Managers.

A-14 ODOR CONTROL PLAN

This odor control plan is capable of controlling emissions of nuisance odors off-site and on-site. If nuisance odors are identified at the site boundary, or if odor complaints are received, work will be halted and the source of odors will be identified and corrected. Work will not resume until all nuisance odors have been abated. NYSDEC and NYSDOH will be notified of all odor events and of any other complaints about the project. Implementation of all odor controls, including the halt of work, is the responsibility of the property owner's Remediation Engineer, and any measures that are implemented will be discussed in the Periodic Review Report.

All necessary means will be employed to prevent on- and off-site nuisances. At a minimum, these measures will include: (a) limiting the area of open excavations and size of soil stockpiles; (b) shrouding open excavations with tarps and other covers; and (c) using foams to cover exposed odorous soils. If odors develop and cannot otherwise be controlled, additional means to eliminate odor nuisances will include: (d) direct load-out of soils to trucks for off-site disposal; (e) use of chemical odorants in spray or misting systems; and, (f) use of staff to monitor odors in surrounding neighborhoods.

If nuisance odors develop during intrusive work that cannot be corrected, or where the control of nuisance odors cannot otherwise be achieved due to on-site conditions or close proximity to sensitive receptors, odor control will be achieved by sheltering the excavation and handling areas in a temporary containment structure equipped with appropriate air venting/filtering systems.

A-15 DUST CONTROL PLAN

A dust suppression plan that addresses dust management during invasive on-site work will include, at a minimum, the items listed below:

- Dust suppression will be achieved through the use of a dedicated on-site water truck for road wetting. The truck will be equipped with a water cannon capable of spraying water directly onto off-road areas including excavations and stockpiles.
- Clearing and grubbing of larger sites will be done in stages to limit the area of exposed, unvegetated soils vulnerable to dust production.
- Gravel will be used on roadways to provide a clean and dust-free road surface.

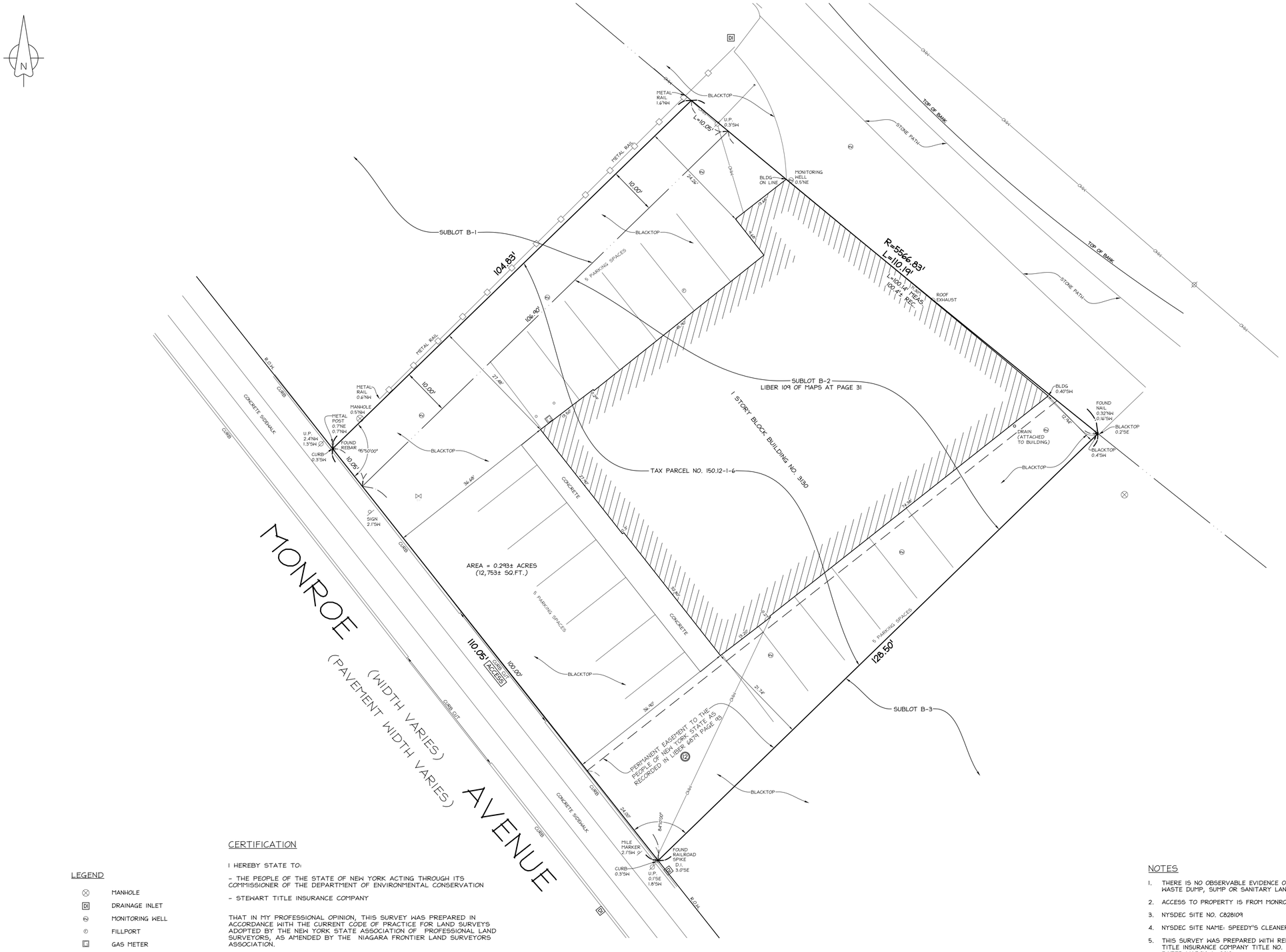
A-16 OTHER NUISANCES

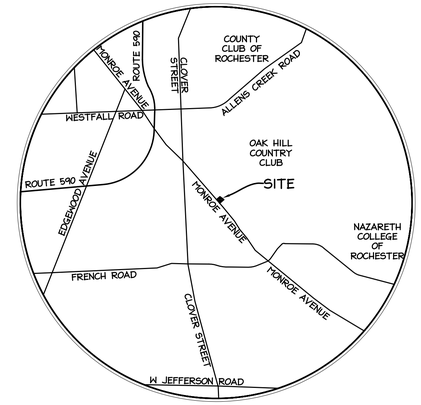
If necessary, a plan for rodent control will be developed and utilized by the contractor prior to and during site clearing and site grubbing, and during all remedial work.

If necessary, a plan will be developed and utilized by the contractor for all remedial work to ensure compliance with local noise control ordinances.

APPENDIX B

INSTRUMENT SURVEY AND CROSS SECTION





VICINITY MAP
(NOT TO SCALE)

SCHEDULE 'A'

STEWART TITLE INSURANCE COMPANY
TITLE NO. 109254
DATED: MARCH 6, 2012

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF PITTSFORD, COUNTY OF MONROE AND STATE OF NEW YORK, LYING BETWEEN MONROE AVENUE AND THE RIGHT OF WAY OF THE AUBURN BRANCH OF THE NEW YORK CENTRAL RAILROAD, MORE PARTICULARLY DESCRIBED AS LOT B-2 AS SHOWN ON A MAP FILED IN THE MONROE COUNTY CLERK'S OFFICE IN LIBER 109 OF MAPS, PAGE 31.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE TOWN OF PITTSFORD, COUNTY OF MONROE AND STATE OF NEW YORK, LYING BETWEEN MONROE AVENUE AND THE RIGHT OF WAY OF THE AUBURN BRANCH OF THE NEW YORK CENTRAL RAILROAD AND MORE PARTICULARLY DESCRIBED AS THE SOUTHERLY 10 FEET OF LOT B-1, AS SHOWN ON SAID MAP, WHICH SOUTHERLY 10 FEET ADJOIN THE NORTH LOT LINE OF SAID LOT B-2.

SCHEDULE 'B-SECTION II'

STEWART TITLE INSURANCE COMPANY
TITLE NO. 109254
DATED: MARCH 6, 2012

10 EASEMENT GRATED BY ARTHUR J. FALLON AND GERTRUDE B. FALLON TO LOUIS J. SUMMERHAYS, RALPH J. DALBEY, ALBERT L. HAGGAS, AS THE BOARD COMMISSIONERS OF SEWER DISTRICT #1 IN THE TOWN OF PITTSFORD DATED OCTOBER 17, 1955 AND RECORDED MAY 1, 1956 IN LIBER 3030 OF DEEDS PAGE 475. **##NEED SUPPORTING DOCUMENTS FROM TITLE COMPANY##**

11 EASEMENT GRATED BY ARTHUR J. FALLON TO LOUIS J. SUMMERHAYS, RALPH J. DALBEY, ALBERT L. HAGGAS, AS THE BOARD OF COMMISSIONERS OF SEWER DISTRICT #1 IN THE TOWN OF PITTSFORD DATED OCTOBER 17, 1955 AND RECORDED MAY 1, 1956 IN LIBER 3030 OF DEEDS, PAGE 479. **##NEED SUPPORTING DOCUMENTS FROM TITLE COMPANY##**

12 PERMANENT EASEMENT FOR A DRAINAGE PIPELINE TO THE PEOPLE OF THE STATE OF NEW YORK RECORDED APRIL 2, 1986 IN LIBER 6879 OF DEEDS PAGE 93 AFFECTS PROPERTY AND IS PLOTTED HEREON.

CERTIFICATION

I HEREBY STATE TO:

- THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH ITS COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- STEWART TITLE INSURANCE COMPANY

THAT IN MY PROFESSIONAL OPINION, THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, AS AMENDED BY THE NIAGARA FRONTIER LAND SURVEYORS ASSOCIATION.

THIS CERTIFICATION DOES NOT EXTEND TO SUBSEQUENT OWNERS, MORTGAGES, OR TITLE INSURERS, UNLESS THIS SURVEY HAS BEEN RESURVEYED FOR THIS PURPOSE BY THE SURVEYOR.

DATE:

MICHAEL J. ENNIS, PLS NEW YORK STATE LICENSE NO. 50415

LEGEND

- MANHOLE
- DRAINAGE INLET
- MONITORING WELL
- FILLPORT
- GAS METER
- GAS VALVE
- BOLLARD
- SIGN
- UTILITY POLE
- GUY WIRE
- OHW — OVERHEAD WIRES
- METAL RAIL

NIAGARA FRONTIER LAND SURVEYORS Association Inc. 1960 MEMBER

NOTES

1. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL OR CEMETERY.
2. ACCESS TO PROPERTY IS FROM MONROE AVENUE.
3. NYSDEC SITE NO. C828109
4. NYSDEC SITE NAME: SPEEDY'S CLEANERS
5. THIS SURVEY HAS PREPARED WITH REFERENCE TO STEWART TITLE INSURANCE COMPANY TITLE NO. 109254 (1ST AMENDED) DATED MARCH 6, 2012.

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.

NOTE: UNAUTHORIZED ALTERATIONS OR ADDITIONS TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN, OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

SURVEY
OF
3130 MONROE STREET

PART OF LOT(S) 66
TOWNSHIP 12 RANGE 5

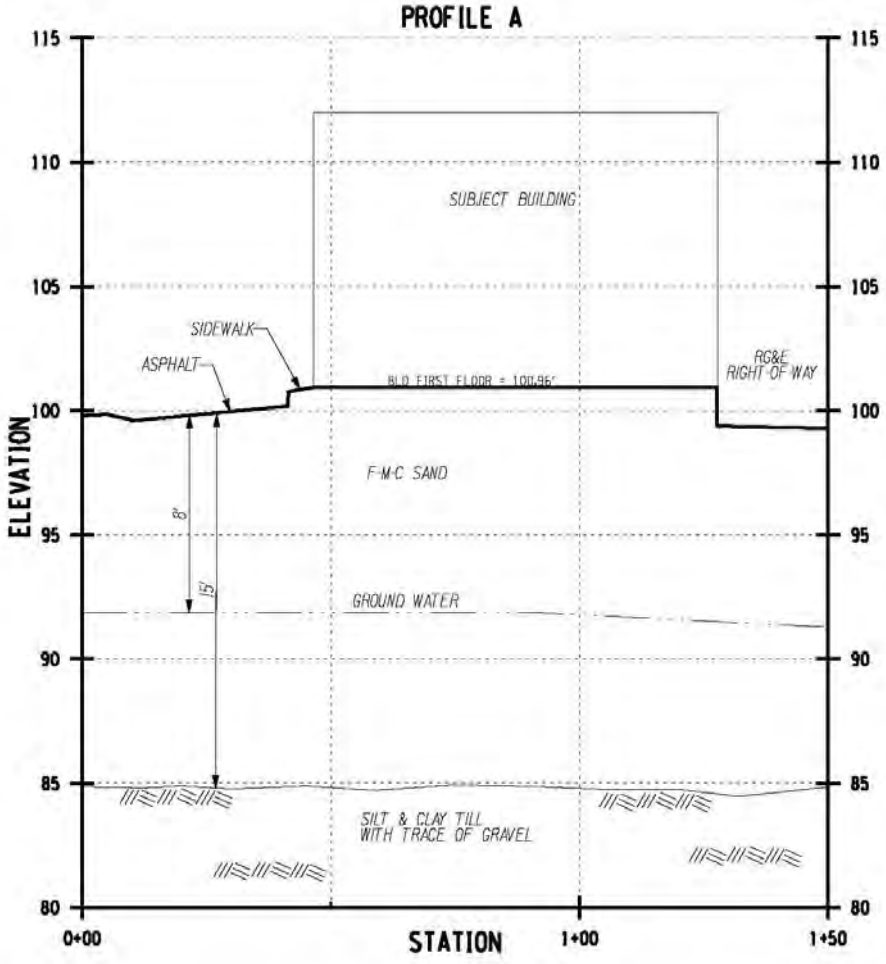
TOWN OF PITTSFORD
COUNTY OF MONROE STATE OF NEW YORK

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW

Nussbaumer & Clarke, Inc. Engineers and Surveyors
3556 Lake Shore Road
Buffalo, New York 14219-1494
(716) 827-8000
www.nussclarke.com

DRAWN BY: MKB	REV.	SHEET NO. 1 OF
DATE: 03/15/2012	JOB NO. 12J2-0186	
SCALE: 1"=10'	DWG. NO. SC-3646	

Successors to the records of Graf Land Surveyors
Successors to the records of James L. Shisler, Land Surveyor


PROFILE A
ELEVATION
STATION
115
110
105
100
95
90
85
80
0+00
1+00
1+50
SUBJECT BUILDING
SIDEWALK
ASPHALT
BLD FIRST FLOOR = 100.96'
RG&E
RIGHT OF WAY
F-M-C SAND
8'
15'
GROUND WATER
SILT & CLAY TILL
WITH TRACE OF GRAVEL

APPENDIX C
ENVIRONMENTAL EASEMENT

MONROE COUNTY CLERK'S OFFICE

ROCHESTER, NY

THIS IS NOT A BILL. THIS IS YOUR RECEIPT

Receipt # 811824

Index DEEDS

Book 11198 Page 561

No. Pages : 9

Instrument EASEMENT AGREEMENT

Date : 12/11/2012

Time : 04:13:22PM

Control # 201212110997

TT # TT0000006609

Ref 1 #

Employee : JoanM

Return To:
BOX 80

3130 MONROE AVE ASSOCIATES LLC

NEW YORK STATE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

COUNTY FEE TP584	$	5.00
COUNTY FEE NUMBER PAGES	$	40.00
RECORDING FEE	$	45.00
STATE FEE TRANSFER TAX	$	0.00

Total	$	90.00

State of New York

MONROE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERKS ENDORSEMENT, REQUIRED BY SECTION 317-a(5) & SECTION 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

TRANSFER AMT

TRANSFER AMT	$1.00

CHERYL DINOLFO

MONROE COUNTY CLERK

PI182-201212110997-9

5

RECORD & RETURN
BOX 80 - PEBERNDT / DRM

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made this 7th day of December, 2012, between Owner(s) 3130 Monroe Ave. Associates LLC, having an office at 26 S. Main Street, Town of Pittsford, County of Monroe, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee"), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 3130 Monroe Avenue in the Town of Pittsford, County of Monroe and State of New York, known and designated on the tax map of the County Clerk of Monroe County as tax map parcel numbers: Section 150.120 Block 0001 Lot 006.0, being the same as that property conveyed to Grantor by deeds recorded May 26, 1999 in Liber 9163 of Deeds, page 460; July 2, 2012 in Liber 11138 of Deeds, page 264 and November 7, 2012 in Liber 11187 of Deeds, page 133, in the Monroe County Clerk's Office, comprising approximately 0.293 ± acres, and hereinafter more fully described in the Land Title Survey dated March 15, 2012, and revised on August 22, November 13, 21, and 27, 2012, and prepared by Michael J. Ennis, PLS, which will be attached to the Site Management Plan. The property description (the "Controlled Property") is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of human health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

2012 DEC 11 PM 4:15
COUNTY CLERK MONROE

RECORDED

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Number: B8-0601-01-11, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement")

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

Commercial purposes as described in 6 NYCRR 375-1.8(g)(2)(iii);

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Monroe County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP; and

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP.

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP.

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Restricted Residential purposes as described in 6 NYCRR 375-1.8(g)(2)(ii) or Residential purposes as described in 6 NYCRR 375-1.8(g)(2)(i), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be

incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall annually, or such time as NYSDEC may allow, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved b the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be

defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to:

Site Number: C828109
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

3130 Monroe Ave. Associates LLC:

By: Christopher T. Will

Print Name: Christopher T. Williams

Title: Managing Member Date: 12/4/2012

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF Monroe)

On the 4th day of December, in the year 20 12, before me, the undersigned, personally appeared Christopher T. Williams personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public - State of New York

MICHAEL D. MISENGARD
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 31st, 2016

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____

Robert W. Schick, P.E., Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 7th day of August in the year 2012 before me, the undersigned, personally appeared Robert W. Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public - State of New York

MICHAEL S. CARUSO
NOTARY PUBLIC
NO. 02CA6005245
QUALIFIED IN
SARATOGA COUNTY
COMM. EXP.
04/06/2014
STATE OF NEW YORK

SCHEDULE "A" PROPERTY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Pittsford, County of Monroe and State of New York, lying between Monroe Avenue and the right of way of the Auburn Branch of the New York Central Railroad, more particularly described as Lot B – 2 as shown on a map filed in the Monroe County Clerks Office in Liber 109 of Maps, page 31.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Pittsford, County of Monroe and State of New York, lying between Monroe Avenue and the right of way of the Auburn Branch of the New York Central Railroad and more particularly described as the southerly 10 feet of Lot B – 1, as shown on said map, which southerly 10 feet adjoin the north line of said Lot B-2.

The above two parcels also described as follows:

Beginning at the southwesterly corner of Sublot B-2, said point being on the northeasterly line of Monroe Avenue (width varies);

Thence N 38°19'08" W along the said northeasterly line of Monroe Avenue, 110.05 feet to a point 10.00 feet northwesterly from the northwesterly line of Sublot B-2, as measured at right angles;

Thence N 45°50'52" E and parallel to the northwesterly line of Sublot B-2, 104.83 feet to a point in the southwesterly line of the N.Y.C. Railroad-Auburn branch, said line also being the northeasterly line of Sublot B-1;

Thence southeasterly along the said southwesterly line of the N.Y.C. Railroad-Auburn branch, along a curve to the right having a radius of 5566.83 feet an arc length of 110.19 feet to the southeasterly corner of Sublot B-2;

Thence S 45°50'52" W along the southeasterly line of Sublot B-2 128.50 feet to the point of beginning, containing 0.293 acres (12,753 square feet) of land, more or less.

Intending and being the same property as that described in deed dated May 25, 1999 from D & L Realty, Inc., to 3130 Monroe Ave. Associates LLC, recorded in book 9163 at page 460 at the Monroe County Clerk's Office on May 26, 1999 and correction warranty deed dated June 21, 2012 recorded in book 11138 at page 264 in the Monroe County Clerk's Office on July 2, 2012 and correction warranty deed dated November 7, 2012 recorded in book 11187 at page 133 in the Monroe County Clerk's Office on November 7, 2012.

Attachment: OMM Schedule & Sign Off

By signing below the contractor acknowledges that they are 1) a licensed vapor mitigation system installation specialist, and 2) that they have performed the OM&M inspection in conformance with NYSDOH "Guidance for Evaluating Soil Vapor Intrusion in the State of New York" (October 2006):

Date:	**Name and Title:**	**Company Name:**
_____	_____	_____

Maintenance activities conducted;

Any modifications to the system;

Where appropriate, include color photographs or sketches showing the approximate location of any problems or incidents noted (included either on the checklist/form or on an attached sheet); and,

Other documentation such as copies of invoices for maintenance work, receipts for replacement equipment, etc., (attached to the checklist/form).

APPENDIX D

NYSDEC “Contained-In” Letter & Waste Management Approval

New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials
Bureau of Hazardous Waste and Radiation Management, 9th Floor
625 Broadway, Albany, NY 12233-7258
Phone: (518) 402-8594 • **Fax:** (518) 402-9024
Website: www.dec.ny.gov

Alexander B. Grannis
Commissioner

NOV 25 2009

Mr. Peter S. Morton, CPG
Project Manager
Passero Associates
100 Liberty Pole Way
Rochester, New York 14064

Dear Mr. Morton:

Re: Request for Contained-In Demonstration
Speedy's Cleaners
3130 Monroe Avenue, Town of Pittsford, Rochester, NY 11418
NYSDEC Site # C828109

We have completed our review of the data submitted with your November 11, 2009 e-mail request for a "contained-in" determination at the referenced project site.

Concentrations detected for individual VOCs were all significantly less than their current "contained-in" soil action levels and Land Disposal Restriction concentrations. No hazardous constituents exhibited a hazardous waste characteristic by exceeding their TCLP regulatory level. Concentrations for trichloroethene (TCE) and tetrachloroethene (PCE) from the Speedy's Cleaners site were below the soil "contained-in" action level and the Land Disposal Restriction concentration. Two 55-gallon drums containing soil cuttings collected during the subsurface investigation at the referenced project site do not have to be managed as hazardous waste and can be transported off-site to High Acres Landfill (Waste Management), located in Perinton, New York, or to a permitted Part 360 solid waste landfill with a double liner and a leachate collection system.

Should you have any questions regarding the content of this letter, please do not hesitate to contact me at (518) 402-8594, or via e-mail,at hjwilkie@gw.dec.state.ny.us.

Sincerely,

Henry Wilkie
Environmental Engineer 1
Hazardous Waste Engineering Eastern Section
Bureau of Hazardous Waste & Radiation Management
Division of Solid & Hazardous Materials

ecc: G. Maclean, Region 8

approved

WASTE MANAGEMENT

EXHIBIT A

SITE: High Acres Landfill

PROFILE 104690NY

Billing Customer Information	Job Site Contact Information	Service Location (Generator)
Passero Associates	Passero Associates	Christopher Williams Agency
100 Liberty Pole Way	100 Liberty Pole Way	3130 Monroe Avenue
Rochester NY 14604	Rochester NY 14604	Rochester NY 14618
Pete Morton	Pete Morton	Peter Morton
Phone (585) 760-8523	Phone (585) 760-8523	Phone (585) 760-8523
Fax (585) 760-8539	Fax (585) 760-8538	Fax (585) 760-8539
pmorton@passero.com	pmorton@passero.com	pmorton@passero.com

PO Required	yes	PO Number	99018.14

Sales Contacts

WM Contact:	Lynn Fitzsimmons	WM Customer Service Phone:	(716) 286-0455	WM Contact Fax:	(866) 835-3341
WM Sales Rep:	Sue Rossi	Sales Rep ID	242		

SERVICE INFORMATION

Material / Volume:	VOC contaminated soil	2	Ton	Cover	Non Haz
Disposal Rate	$25.00 per Ton with	1	Ton Minimum Per Load		
Disposal Surcharge	varies weekly	Current rate at time of quote is		4.25%	
Environmental Fee	6.00%	Applied to Invoice Total			
Service Agreement Expiration	10.01.11				
PROFILE EXPIRATION DATE					
	Pricing is subject to an annual CPI				

Additional Information:

Waste will be disposed of at High Acres Landfill
TECHNICAL SERVICE CENTER 800-843-3604
All profiled wastes must be called into the receiving facility's Scalehouse 24 hours prior to shipping.
All loads must have 4 part bill of lading or manifest with approved profile number clearly marked on the paperwork.
High Acres Landfill 585 223 6132 x 236
Mill Seat Landfill 585 494 3000 x 230

THE WORK CONTEMPLATED BY THIS EXHIBIT A IS TO BE DONE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE INDUSTRIAL WASTE & DISPOSAL SERVICES AGREEMENT BETWEEN THE PARTIES DATED: 10.01.08

COMPANY:

By: L Fitzsimmons
Name: Lynn Fitzsimmons
Title: Technical Service Representative
01.26.10 Date

COMPANY: Passero Associates

By: Peter Morton
Name: Pete Morton
Title: CPG
01.26.10 Date

Generator's Non-hazardous Waste Profile Sheet

Requested Disposal Facility: High Acres Landfill Profile Number: 104690NY

☐ Renewal for Profile Number Waste Approval Expiration Date: 7-1-10

A. Waste Generator Facility Information (must reflect location of waste generation/origin)

1. Generator Name: Christopher Williams Agency
2. Site Address: 3130 Monroe Avenue
3. City/ZIP: Rochester, 14618
4. State: NY
5. County: Monroe
6. Contact Name/Title: Christopher williams
7. Email Address: williamsagency@msn.com
8. Phone: (585) 586-3060 9. FAX: (585) 586-3060
10. NAICS Code: 236220
11. Generator USEPA ID #: N/A
12. State ID# (if applicable): N/A

B. Customer Information ☐ same as above

P. O. Number: 99018.14

1. Customer Name: Passero Associates
2. Billing Address: 100 Liberty Pole Way
3. City, State and ZIP: Rochester, NY, 14604
4. Contact Name: Pete Morton
5. Contact Email: pmorton@passero.com
6. Phone: (585) 760-8523 FAX: (585) 760-8580
7. Transporter Name: Piedmont Equipment
8. Transporter ID # (if appl.): 8A846
9. Transporter Address: 695 Atlantic Ave.
10. City, State and ZIP: Rochester, NY, 14609

C. Waste Stream Information

1. DESCRIPTION

a. Common Waste Name: VOC contaminated soil
State Waste Code(s): N/A

b. Describe Process Generating Waste or Source of Contamination:

Dry Cleaning

NYSDEC SITE C828109

c. Typical Color(s): Brown

d. Strong Odor? ☐ Yes ☑ No Describe:

e. Physical State at 70°F: ☑ Solid ☐ Liquid ☐ Powder ☐ Semi-Solid or Sludge ☐ Other:

f. Layers? ☐ Single layer ☐ Multi layer ☑ NA

g. Water Reactive? ☐ Yes ☑ No If Yes, Describe:

h. Free Liquid Range (%): _____ to _____ ☑ NA(solid)

i. pH Range: ☐ <2 ☐ 2.1-12.4 ☐ >12.5 ☑ NA(solid) ☐ Actual:

j. Liquid Flash Point: ☐ < 140°F ☐ > 140°F ☑ NA(solid) ☐ Actual:

k. Flammable Solid: ☐ Yes ☑ No

l. Physical Constituents: List all constituents of waste stream - (e.g. Soil 0-80%, Wood 0-20%): ☑ (See Attached)

Constituents (Total composition Must be = 100%)	Lower Range	Unit of Measure	Upper Range	Unit of Measure
1. soil	100			
2.				
3.				
4.				
5.				
6.				

2. ESTIMATED QUANTITY OF WASTE AND SHIPPING INFORMATION

a. ☑ One Time Event ☐ Base ☐ Repeat Event

b. Estimated Annual Quantity: ≤ 1 ADA ☑ Tons ☐ Cubic Yards ☐ Drums ☐ Gallons ☐ Other (specify):

c. Shipping Frequency: one time Units per ☐ Month ☐ Quarter ☐ Year ☑ One Time ☐ Other

d. Is this a U.S. Department of Transportation (USDOT) Hazardous Material? (If yes, answer e.) ☐ Yes ☑ No

e. USDOT Shipping Description (if applicable):

3. SAFETY REQUIREMENTS (Handling, PPE, etc.): none

Generator's Non-hazardous Waste Profile Sheet

104690NY

D. Regulatory Status (Please check appropriate responses)

1. Is this a USEPA (40 CFR Part 261)/State hazardous waste? If yes, contact your sales representative. ☐ Yes ☑ No
2. Is this waste included in one or more of categories below (Check all that apply)? If yes, attach supporting documentation. ☐ Yes ☑ No
   - ☐ Delisted Hazardous Waste
   - ☐ Excluded Wastes Under 40 CFR 261.4
   - ☐ Treated Hazardous Waste Debris
   - ☐ Treated Characteristic Hazardous Waste
3. Is the waste from a Federal (40 CFR 300, Appendix B) or state mandated clean-up? If yes, see instructions. ☐ Yes ☑ No
4. Does the waste represented by this waste profile sheet contain radioactive material? ☐ Yes ☑ No
   a. If yes, is disposal regulated by the Nuclear Regulatory Commission? ☐ Yes ☐ No
   b. If yes, is disposal regulated by a State Agency for radioactive waste/NORM? ☐ Yes ☐ No
5. Does the waste represented by this waste profile sheet contain concentrations of regulated Polychlorinated Biphenyls (PCBs)? ☐ Yes ☑ No
   a. If yes, is disposal regulated under TSCA? ☐ Yes ☐ No
6. Does the waste contain untreated, regulated, medical or infectious waste? ☐ Yes ☑ No
7. Does the waste contain asbestos? ☐ Yes ☑ No If Yes, ☐ Friable ☐ Non Friable
8. Is this profile for remediation waste from a facility that is a major source of Hazardous Air Pollutants (Site Remediation NESHAP, 40 CFR 63 subpart GGGGG)? ☐ Yes ☑ No
   If yes, does the waste contain <500 ppmw VOHAPs at the point of determination? ☐ Yes ☐ No

E. Generator Certification (Please read and certify by signature below)

By signing this Generator's Waste Profile Sheet, I hereby certify that all:

1. Information submitted in this profile and all attached documents contain true and accurate descriptions of the waste material;
2. Relevant information within the possession of the Generator regarding known or suspected hazards pertaining to this waste has been disclosed to WM/the Contractor;
3. Analytical data attached pertaining to the profiled waste was derived from testing a representative sample in accordance with 40 CFR 261.20(c) or equivalent rules; and
4. Changes that occur in the character of the waste (i.e. changes in the process or new analytical) will be identified by the Generator and disclosed to WM (and the Contractor if applicable) prior to providing the waste to WM (and the Contractor if applicable).
5. Check all that apply:
   - ☑ Attached analytical pertains to the waste. Identify laboratory & sample ID #'s and parameters tested: VOCs, SVOCs, Petro products # Pages: 9
   - ☐ Only the analyses identified on the attachment pertain to the waste (identify by laboratory & sample ID #'s and parameters tested). Attachment #:
   - ☐ Additional information necessary to characterize the profiled waste has been attached (other than analytical). Indicate the number of attached pages:
   - ☑ I am an agent signing on behalf of the Generator, and the delegation of authority to me from the Generator for this signature is available upon request.
   - ☐ By Generator process knowledge, the following waste is not a ~~listed waste~~ and is below all TCLP regulatory limits.

Certification Signature: [signature] Title: CPG

Company Name: Passero Associates Name (Print): Pete Morton

Date: 1/22/10

FOR WM USE ONLY

Management Method: ☑ Landfill ☐ Bioremediation ☐ Non-hazardous solidification ☐ Other: Hydrovac

Approval Decision: ☑ Approved ☐ Not Approved

Waste Approval Expiration Date: 7-1-10

Management Facility Precautions, Special Handling Procedures or Limitation on approval: May Be Used As Cover Approved For soil represented by DEC "Contained in" determination 11-25-09

- ☑ Shall not contain free liquid
- ☑ Shipment must be scheduled into disposal facility
- ☑ Approval Number must accompany each shipment
- ☑ Waste Manifest must accompany load

WM Authorization Name / Title: Andrea Argona Date: 1-25-10

State Authorization (if Required): Date:

NON-HAZARDOUS WAM APPROVAL FORM

Requested Disposal Facility High Acres Landfill

Profile Number 104690NY Waste Approval Expiration Date 07/01/2010

APPROVAL DETAILS

Approval Decision: ☑ Approved ☐ Not Approved Profile Renewal: ☐ Yes ☑ No

Management Method: Alternate Daily Cover (ADC)

Management Facility Precautions, Special Handling Procedures or Limitation on approval:

- Shall not contain free liquid
- Shipment must be scheduled into disposal facility
- Approval Number must accompany each shipment
- Waste Manifest must accompany load
- Shall not pose a dust nuisance
- Shall not pose a odor nuisance
- Analysis provided shall be representative of all material shipped under this non-hazardous waste profile
- Shall comply with applicable DOT and OSHA labeling, packaging and manifesting requirements
- Shall notify WM disposal location of changes associated with original waste generating process prior to shipment

Additional Conditions:

WM Authorization Name: Andrew Argona Title: Waste Approval Manager

WM Authorization Signature: Andrew D Argona Date: 01/25/2010

Agency Authorization (if Required): _____ Date: _____

WASTE MANAGEMENT

High Acres LF
425 Perinton Pkwy
Fairport, NY, 14450
Ph: (585) 223-6132

Original
Ticket# 790423

Customer Name PASSEROASSOC-104690NY PASSERO
Ticket Date 06/18/2010
Payment Type Credit Account
Manual Ticket#
Hauling Ticket#
Route
State Waste Code
Manifest **
Destination
PO
Profile 104690NY (VOC CONTAMINATED SOIL)
Generator 190-CHRISTOPHERWILLIAMSAGENCY CHRISTOPHER WILLIAMS AGENCY

Carrier PIED PIEDMONT EQUIPMENT
Vehicle# 17
Container
Driver
Check#
Billing # 0005531
Gen EPA ID NOT REQUIRED
Grid CELL 10

Volume

	Time	Scale	Operator	Inbound		
In	06/18/2010 11:16:29	A_Scale_1	smarvin		Gross	32840 lb
Out	06/18/2010 11:30:47	B_Scale_2	smarvin		Tare	28940 lb
					Net	3900 lb
					Tons	1.95

Comments

	Product	LD%	Qty	UOM	Rate	Fee	Amount	Origin
1	ContSoilPet-RGC-To	100	1.95	Tons				MON
2	FUEL-Fuel Surcharg	100		%				MON
3	EVF-P-Standard Env	100		%				MON

Driver's Signature Mitchell

Total Fees
Total Ticket

404WM

APPENDIX E

Operation, Maintenance & Monitoring (OMM) Plan of ASDS

Active Sub-slab Depressurization System

Operation, Maintenance & Monitoring Plan

3130 Monroe Avenue
Town of Pittsford, New York 14618

Prepared for:

3130 Monroe Avenue Associates, LLC
P.O. Box 499
Pittsford, NY 14534

Prepared by:

Passero Associates
100 Liberty Pole Way
Rochester, NY 14604

Introduction

As part of the BCP that 3130 Monroe Avenue Associates, LLC has completed for the Site, an active sub-slab depressurization system (ASDS) was installed to mitigate potential concerns relative to vapor intrusion into the building. This Operation, Maintenance, and Monitoring Plan (OMMP) has been prepared as a guide for system operation.

Background

The 3130 Monroe Avenue property in Pittsford, New York is owned by 3130 Monroe Avenue Associates LLC. As part of their environmental due diligence acquiring the 3130 Monroe Avenue, they reported and remediated New York State Department of Environmental Conservation (NYSDEC) petroleum Spill # 9870611 on the 3130 Monroe Avenue property.

NYSDEC and the New York State Health Department (NYSDOH) requested that the ASDS be installed to mitigate concerns relative to vapor intrusion.

On June April 2006, Mitigation Technology, a licensed vapor mitigation system installation specialist, completed the installation of the ASDS.

Operation, Maintenance & Monitoring (OM&M) of ASDS

Mitigation Technology inspected the ASDS in April 2011 prior to the May 4, 2011 air sampling event. Routine ASDS maintenance will commence within 18 months after the system became operational in May 2006. In December 2013, and every 12 to 18 months thereafter, 3130 Monroe Avenue Associates LLC will have Mitigation Technology (or another ASDS-qualified contractor) perform a routine inspection including, at a minimum:

- A visual inspection of the complete system (e.g. vent fan, piping, warning device or indicator, labeling, etc.),
- Identification and repair of leaks, and
- Inspection of the exhaust or discharge points to verify that no air intakes have been located nearby.

Preventive maintenance (e.g. replacing vent fans), repairs and/or adjustments will be made as appropriate to the system to ensure its continued effectiveness. If significant changes are made to the system or if the system's performance is unacceptable, the system will be repaired and restarted.

- Include the steps necessary to allow individuals unfamiliar with the site to operate and maintain the ASDS;
- Include an operation and maintenance contingency plan (e.g., what to do in the event of power failure or if the system stops operating, etc.); and,
- Address monitoring requirements

Building tenants should be made aware of the ASDS, and should not occupy their lease space if the system is not operating. The ASDS has been connected to an alarm that will notify the tenants if the ASDS stops functioning. In the event of a power failure, the tenant will ensure that the ASDS is operational when the power is restored. If the system is not operational, owner's representative Christopher Williams should be contacted immediately at 585-586-3060.

Monitoring

Annual air monitoring will be conducted during the heating season (between November 15 and April 15). Air samples will be collected from both tenant spaces along with an outdoor ambient air sample for volatile organic compound (VOC) analysis by USEPA method TO-15 in conformance with the NYSDOH Final Guidance for Evaluating Soil Vapor Intrusion in the state of New York (October 2006).

This OMMP may be updated periodically to reflect changes in site conditions or the manner in which the ASDS are operated and maintained.

Attachment: OMMP Schedule & Sign Off

By signing below the contractor acknowledges that they are 1) a licensed vapor mitigation system installation specialist, and 2) that they have performed the OM&M inspection in conformance with NYSDOH "Guidance for Evaluating Soil Vapor Intrusion in the State of New York" (October 2006):

Date:	**Name and Title:**	**Company Name:**
_____	_____	_____

Maintenance activities conducted;

Any modifications to the system;

Where appropriate, include color photographs or sketches showing the approximate location of any problems or incidents noted (included either on the checklist/form or on an attached sheet); and,

Other documentation such as copies of invoices for maintenance work, receipts for replacement equipment, etc., (attached to the checklist/form).

APPENDIX F
SITE INSPECTION CHECKLIST

RAVI ENGINEERING
& LAND SURVEYING, P.C.

Site-Wide Inspection Form

Date: _____

Site Address: _____

Inspector: _____

Is the Site in compliance with all Industiral Controls, including Site usage?

Evaluation of the condition and effectiveness of all Engineering Controls (EC):

Description of the general Site conditions:

Description of the Site management activities being conducted, where appropriate, confirmatory sampling and health and safety meassures:

Is the Site in compliance with permits and schedules included in the Operations and Maintenance Plan (O&MP)?

RAVI ENGINEERING
& LAND SURVEYING, P.C.

Site Plan/Sketch

Signiture of Inspector: _____ Date: _____

Print Name: _____

APPENDIX G
HASP

Health & Safety Plan for Intrusive Activities

ECL Article 27/Title 14

3130 Monroe Avenue
Town of Pittsford, New York 14618

NYSDEC Site # C828109

Prepared for:

3130 Monroe Avenue Associates, LLC
P.O. Box 499
Pittsford, NY 14534

Prepared by:

Passero Associates, P.C.
100Liberty Pole Way
Rochester, NY 14604

Table of Contents

1 INTRODUCTION

1.1 General

This Health and Safety Plan (HASP) was prepared to address the specific health and safety practices and procedures associated with any intrusive activities that are proposed to be conducted on site. The Site is involved in a Brownfield Cleanup Program (BCP) at the direction of the New York State Department of Environmental Conservation (NYSDEC) and New York State Department of Health (NYSDOH). The HASP presents information and procedures, including the assignment of responsibilities, personnel protection requirements, work practices and emergency response procedures for conducting field activities. This document is based on an assessment of potential health hazards at the site, using available historical information.

This HASP will be followed in conformance with OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations found in 29 CFR 1910.120 and 29 CFR 1926. Contractors will be responsible for wearing hard hats, protective foot wear, and hearing protection in conformance with these OSHA regulations.

All personnel and subcontractors who enter the site during field operations and are involved with remedial activities will be required to comply with this HASP.

Project Manager:

Name:	Peter Morton
Telephone:	Office: (585) 223-3660 x339

Site Health & Safety Coordinator:

Name:	Christine Cregan
Telephone:	Office: (585) 223-3660 x330

This HASP addresses the requirements set forth in the OSHA regulations contained in 29 CFR Parts 1910 and 1926. Emergency Contacts has been included in Section 7.0 of this HASP, and can be readily detached for use in the event of an emergency requiring site evacuation, medical treatment, etc.

1.2 Hazard Evaluation

1.2.1 Chemical Hazards

The contaminants that were detected during the Remedial Investigation are summarized below:

The following tables summarize the soil data in concentrations greater than the Unrestricted Use SCOs and groundwater data at concentrations greater than the applicable TOGS 1.1.1 Groundwater Standards generated during the RI:

Table 1. Remedial Investigation Soil Contamination Summary

Sample ID **Sample Depth** **Sampling Date** **units**	**BH-1**	**BH-4**	**Sub Slab-1** **8'-9'** **10/26/2005** **ppm**	**Sub Slab-3** **6'-8'** **10/26/2005** **ppm**	**Part 375-6.8(a): Unrestricted Use SCO**	*** Part 375-6.8(b) Restricted Commercial Use SCO**
Vinyl chloride			**0.190 J**	0.270 J	0.02	13
TCE			ND	**0.650 J**	0.47	200
cis-1,2-DCE			**4.6**	**16**	0.25	500
trans-1,2-DCE			**0.320 J**	**0.640 J**	0.19	500
Acetone	**0.310 E****	**0.058**			0.05	500

Table 2. Remedial Investigation Groundwater Contamination Summary

Sample ID	MW-2	
Sampling Date	08/31/06	Groundwater Standard
units	ug/L	ug/L
Iron	**10,600**	300
Magnesium	**47,200**	35,000
Manganese	**564**	300
Sodium	**310,000**	20,000

Sample ID	MW-1	MW-3	MW-4	Groundwater
Sampling Date	9/9/05	9/9/05	9/9/05	Standard
units	ug/L	ug/L	ug/L	ug/L
1,1-DCE	**33**	**52**	ND	5
TCE	**30**	**46**	ND	5
Benzene	**29**	**45**	ND	2
PCE	**64 B**	**94 B**	ND	5
Toluene	**29**	**45**	ND	5
Chlorobenzene	**28**	**44**	ND	5
Ethylbenzene	ND	ND	**130**	5
Total Xylenes	ND	ND	**1,000**	50
Isopropylbenzene	ND	ND	**680**	5
Total TICs	0	0	4,450	NS
Total TCL	213	326	6,260	NS

Contaminants in site soil that were detected in concentrations greater than the Unrestricted Use SCOs include acetone; vinyl chloride; TCE; cis-1,2-DCE; and trans-1,2-DCE. The concentrations of these compounds are at least one order of magnitude less than the Restricted Use SCO for Protection of Public Health for Commercial Use. Of these five compounds, only TCE was also detected in site

groundwater. The concentration of TCE in soil sample location Sub Slab-3 exceeds the Restricted Use SCO for Protection of Groundwater.

Mineral spirits were detected in soil sample BH-4 at a concentration of 7.4 ppm. In soil samples BH-1 and Sub Slab-1, mineral spirits were reported as “non detect” (ND) at elevated detection limits of 120 ppm and 230 ppm respectively (vs. 11 and 12 ppm for other sample locations) and "other" petroleum products were detected at concentrations of 1,500 ppm and 1,900 ppm respectively. These data indicate that there could be impacts from stoddard solvent and/or other petroleum products at these locations.

Three of the four on-site monitoring wells have contamination at concentrations greater than the applicable TOGS 1.1.1 Groundwater Standards. However, the immediately down gradient groundwater beneath the RG&E right-of-way is contaminated at concentrations orders of magnitude greater than the groundwater contamination detected on site.

1.3 Responsibilities of Safety Personnel

Project Manager - The Project Manager has full responsibility for implementing and executing an effective program of employee protection and accident prevention. He is responsible for ensuring that Passero field personnel and subcontractors are properly trained.

Site Health and Safety Coordinator/Field Manager - The Site Health and Safety Coordinator or his/her designee will be responsible for enforcement of this HASP for personnel at the site. Ambient air levels will be monitored with an organic meter (OVM) during all drilling activities.

If unsafe work conditions are identified, the Site Health and Safety Coordinator is authorized to order site personnel to stop work; resolution of all on-site health and safety problems will be coordinated through the Project Manager.

1.4 Safe Work Practices

1.4.1 General Safety Practices

Site work will be carried out in conformance with OSHA HAZWOPER regulations.

The recommended general safety practices for working around the drilling subcontractor's equipment (i.e., drill rigs) are as follows:

- The contractors will wear hard hats, protective footwear, and earplugs in conformance with OSHA 1926.

- The contractor's equipment will be inspected prior to use to check for obvious structural damage, loose nuts and bolts, loose or missing guards, cable guides or protective covers, fluid leaks, damaged hoses, cables, pressure gauges or pressure relief valves, and damaged drilling tools and equipment.

- Heavy equipment will not be operated within 20 feet of overhead wires. The site will be clear to ensure the project staff can move around the equipment safely.

- Hard hats and safety boots will be worn in the vicinity of the heavy equipment.

- The contractor will keep the BCP and Borrow Pit area tidy. This will prevent personnel from tripping and will allow the safe and expeditious exit from the site.

1.4.2 Respiratory Protection

Based on our previous Phase II data, level D respiratory protection will be utilized, and will be upgraded as described below.

- During all drilling and sampling activities, ambient air will be screened with an Organic Vapor Meter (OVM). If reading greater than 25 ppm above background level is registered consistently for a five (5) minute period, Level C respiratory protection will be required.

- If readings greater than 50 ppm above background, work will be halted and Health and Safety issues will be re-evaluated.

1.4.3 Air Monitoring

Continuous air monitoring will be performed with the PID during all intrusive activities. Temporary upwind and downwind points will be monitored. Wind direction will be monitored throughout the work day; the locations of the monitoring points will be changed according to the wind direction. Refer to Appendix H for Community Air Monitoring Plan (CAMP).

1.5 Personal Protection Equipment

1.5.1 Protection Levels

Field work will be performed utilizing Level D protective gear (i.e. field clothes). Surgical gloves will be worn while collecting environmental samples. Contractors will wear hard hats and steel-toed boots, and ear plugs in conformance with OSHA 1926.

1.6 Decontamination

A decontamination pad constructed of timber (2 x 4's) and lined with polyethylene sheeting will be constructed prior to construction activities. Equipment will be decontaminated with a mixture of alconox (or similar detergent) and water prior to leaving the site. All equipment will be pressure-washed between sample locations to prevent cross contamination. Rinse water will be collected and drummed to prevent runoff. The decontamination water generated within the decontamination pad will be containerized and characterized for disposal purposes.

1.7 Emergency Procedure and Contacts

The following standard emergency procedures will be used by on-site personnel. The Site Safety Officer shall be notified of any on-site emergencies and be responsible for ensuring that the appropriate procedures are followed.

A list of emergency contacts and phone #'s is provided on the following page:

- 911 - emergency situations requiring immediate response from police, fire department, or ambulance.

- (800) 457-7362 - NYSDEC Spill hotline
- (585) 226-226-5356 - NYSDEC Project Manager Greg Maclean
- (518) 402-7860 – NYSDOH
- (585) 274-6904 – MCDOH
- (800) 424-9300 - Chemtrec (chemical emergencies)
- (404) 633-5313 - Centers for Disease Control (biological agents)
- (800) 424-8802 - National Response Center
- (202) 426-0656 - USDOT Office of Hazardous Operations
- (202) 426-8802 - USDOT Regulatory Matters
- (800) 424-9346 - USEPA RCRA-Superfund Hotline

1.7.1 Regulatory Contacts

NYSDEC Region 8 Project Manager
Greg Maclean, P.E.
585-226-5356

NYSDOH Project Manager
Melissa A. Doroski, MPH
Public Health Specialist
Bureau of Environmental Exposure Investigation
New York State Department of Health
Empire State Plaza - Corning Tower Room #1787

Albany, NY 12237
Phone: 518.402.7860 Fax: 518.402.7859

MCDOH Project Manager
Jeffrey M. Kosmala, PE
Monroe County Department of Health
111 Westfall Rd., Room 938
Rochester, NY 14620
585-753-5470

1.7.2 Personal Injury in the Work Zone

If an injury occurs in the Work Zone, the affected person will be decontaminated to the extent possible prior to movement. Contact will be made for an ambulance to transport the injured worker to the designed medical facility. No persons shall re-enter the work area until the cause of the injury or symptoms is determined.

If the cause of the injury or loss of the injured person does not affect the performance of site personnel, operations may continue. If the injury increases the risk to others, all site personnel shall move to the designated area determined prior to the start of the project. On-site activities will stop until the risk is removed or minimized.

1.7.3 Fire/Explosion

If an on-site fire or explosion occurs, the fire department shall be alerted and all personnel moved to a safe distance from the involved area.

In all situations, when on-site emergency results in the evaluation of the work area, personnel shall not re-enter until:

1. The conditions resulting in the emergency have been corrected.

2. The hazards have been re-assessed.

3. The HASP been reviewed.

4. Site personnel have been briefed on any changed in the HASP.

1.7.4 Route to Hospital

In the event of a medical emergency, the nearest hospital is Strong Memorial Hospital (SMH). Directions to SMH:

- Turn right heading northwest on Monroe Avenue towards Clover Street
- Turn left onto Elmwood Avenue
- Make U-Turn at Kendrick Road
- Arrive at SMH on the right-hand side (map attached)

APPENDIX H

CAMP

Appendix 1A
New York State Department of Health
Generic Community Air Monitoring Plan

Overview

A Community Air Monitoring Plan (CAMP) requires real-time monitoring for volatile organic compounds (VOCs) and particulates (i.e., dust) at the downwind perimeter of each designated work area when certain activities are in progress at contaminated sites. The CAMP is not intended for use in establishing action levels for worker respiratory protection. Rather, its intent is to provide a measure of protection for the downwind community (i.e., off-site receptors including residences and businesses and on-site workers not directly involved with the subject work activities) from potential airborne contaminant releases as a direct result of investigative and remedial work activities. The action levels specified herein require increased monitoring, corrective actions to abate emissions, and/or work shutdown. Additionally, the CAMP helps to confirm that work activities did not spread contamination off-site through the air.

The generic CAMP presented below will be sufficient to cover many, if not most, sites. Specific requirements should be reviewed for each situation in consultation with NYSDOH to ensure proper applicability. In some cases, a separate site-specific CAMP or supplement may be required. Depending upon the nature of contamination, chemical- specific monitoring with appropriately-sensitive methods may be required. Depending upon the proximity of potentially exposed individuals, more stringent monitoring or response levels than those presented below may be required. Special requirements will be necessary for work within 20 feet of potentially exposed individuals or structures and for indoor work with co-located residences or facilities. These requirements should be determined in consultation with NYSDOH.

Reliance on the CAMP should not preclude simple, common-sense measures to keep VOCs, dust, and odors at a minimum around the work areas.

Community Air Monitoring Plan

Depending upon the nature of known or potential contaminants at each site, real-time air monitoring for VOCs and/or particulate levels at the perimeter of the exclusion zone or work area will be necessary. Most sites will involve VOC and particulate monitoring; sites known to be contaminated with heavy metals alone may only require particulate monitoring. If radiological contamination is a concern, additional monitoring requirements may be necessary per consultation with appropriate DEC/NYSDOH staff.

Continuous monitoring will be required for all ground intrusive activities and during the demolition of contaminated or potentially contaminated structures. Ground intrusive activities include, but are not limited to, soil/waste excavation and handling, test pitting or trenching, and the installation of soil borings or monitoring wells.

Periodic monitoring for VOCs will be required during non-intrusive activities such as the collection of soil and sediment samples or the collection of groundwater samples from existing monitoring wells. “Periodic” monitoring during sample collection might reasonably consist of taking a reading upon arrival at a sample location, monitoring while opening a well cap or

overturning soil, monitoring during well baling/purging, and taking a reading prior to leaving a sample location. In some instances, depending upon the proximity of potentially exposed individuals, continuous monitoring may be required during sampling activities. Examples of such situations include groundwater sampling at wells on the curb of a busy urban street, in the midst of a public park, or adjacent to a school or residence.

VOC Monitoring, Response Levels, and Actions

Volatile organic compounds (VOCs) must be monitored at the downwind perimeter of the immediate work area (i.e., the exclusion zone) on a continuous basis or as otherwise specified. Upwind concentrations should be measured at the start of each workday and periodically thereafter to establish background conditions, particularly if wind direction changes. The monitoring work should be performed using equipment appropriate to measure the types of contaminants known or suspected to be present. The equipment should be calibrated at least daily for the contaminant(s) of concern or for an appropriate surrogate. The equipment should be capable of calculating 15-minute running average concentrations, which will be compared to the levels specified below.

1. If the ambient air concentration of total organic vapors at the downwind perimeter of the work area or exclusion zone exceeds 5 parts per million (ppm) above background for the 15-minute average, work activities must be temporarily halted and monitoring continued. If the total organic vapor level readily decreases (per instantaneous readings) below 5 ppm over background, work activities can resume with continued monitoring.

2. If total organic vapor levels at the downwind perimeter of the work area or exclusion zone persist at levels in excess of 5 ppm over background but less than 25 ppm, work activities must be halted, the source of vapors identified, corrective actions taken to abate emissions, and monitoring continued. After these steps, work activities can resume provided that the total organic vapor level 200 feet downwind of the exclusion zone or half the distance to the nearest potential receptor or residential/commercial structure, whichever is less - but in no case less than 20 feet, is below 5 ppm over background for the 15-minute average.

3. If the organic vapor level is above 25 ppm at the perimeter of the work area, activities must be shutdown.

4. All 15-minute readings must be recorded and be available for State (DEC and NYSDOH) personnel to review. Instantaneous readings, if any, used for decision purposes should also be recorded.

Particulate Monitoring, Response Levels, and Actions

Particulate concentrations should be monitored continuously at the upwind and downwind perimeters of the exclusion zone at temporary particulate monitoring stations. The particulate monitoring should be performed using real-time monitoring equipment capable of measuring particulate matter less than 10 micrometers in size (PM-10) and capable of integrating over a period of 15 minutes (or less) for comparison to the airborne particulate action level. The equipment must be equipped with an audible alarm to indicate exceedance of the action level. In addition, fugitive dust migration should be visually assessed during all work activities.

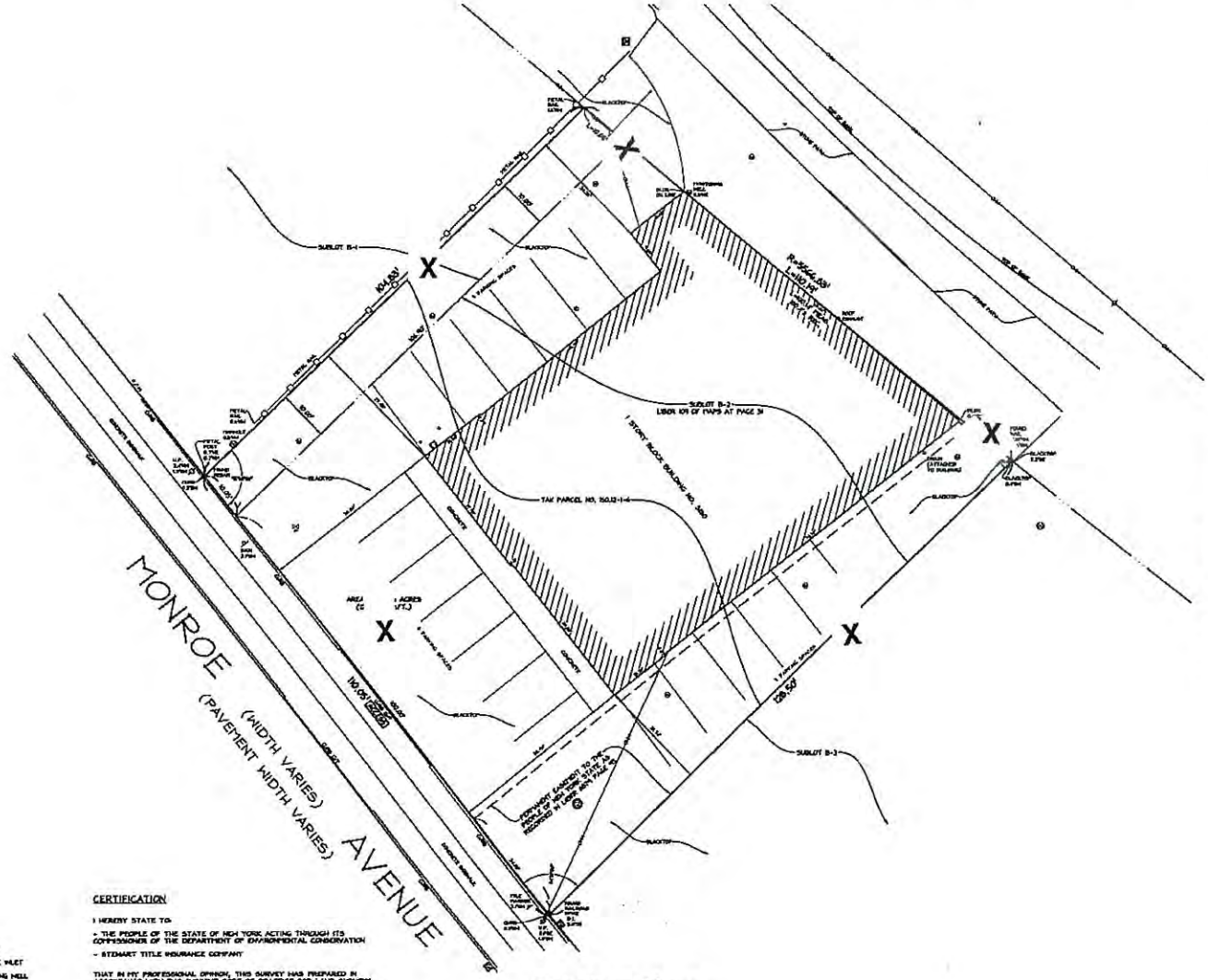
1. If the downwind PM-10 particulate level is 100 micrograms per cubic meter (mcg/m^3) greater than background (upwind perimeter) for the 15-minute period or if airborne dust is observed leaving the work area, then dust suppression techniques must be employed. Work may continue with dust suppression techniques provided that downwind PM-10 particulate levels do not exceed 150 mcg/m^3 above the upwind level and provided that no visible dust is migrating from the work area.

2. If, after implementation of dust suppression techniques, downwind PM-10 particulate levels are greater than 150 mcg/m^3 above the upwind level, work must be stopped and a re-evaluation of activities initiated. Work can resume provided that dust suppression measures and other controls are successful in reducing the downwind PM-10 particulate concentration to within 150 mcg/m^3 of the upwind level and in preventing visible dust migration.

3. All readings must be recorded and be available for State (DEC and NYSDOH) and County Health personnel to review.

December 2009

Fugitive Dust Monitoring



VICINITY MAP
(NOT TO SCALE)

SCHEDULE 'A'

STEWART TITLE INSURANCE COMPANY
TITLE NO. 80924
DATED: MARCH 6, 2012

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF PITTSFORD, COUNTY OF MONROE AND STATE OF NEW YORK, LYING BETWEEN MONROE AVENUE AND THE RIGHT OF WAY OF THE AUBURN BRANCH OF THE NEW YORK CENTRAL RAILROAD, MORE PARTICULARLY DESCRIBED AS LOT B-2 AS SHOWN ON A MAP FILED IN THE MONROE COUNTY CLERK'S OFFICE IN LIBER 109 OF MAPS, PAGE 31.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE TOWN OF PITTSFORD, COUNTY OF MONROE AND STATE OF NEW YORK, LYING BETWEEN MONROE AVENUE AND THE RIGHT OF WAY OF THE AUBURN BRANCH OF THE NEW YORK CENTRAL RAILROAD AND MORE PARTICULARLY DESCRIBED AS THE SOUTHERLY 10 FEET OF LOT B-1, AS SHOWN ON SAID MAP, WHICH SOUTHERLY 10 FEET ADJOIN THE NORTH LOT LINE OF SAID LOT B-2.

SCHEDULE "B-SECTION II"

STEWART TITLE INSURANCE COMPANY
TITLE NO. 80924
DATED: MARCH 6, 2012

- EASEMENT GRATED BY ARTHUR J. FALLON AND GERTRUDE B. FALLON TO LOUIS J. SUPERNAVIS, RALPH J. DALBEY, ALBERT L. HAGGAS, AS THE BOARD COMMISSIONERS OF SEWER DISTRICT #1 IN THE TOWN OF PITTSFORD DATED OCTOBER 17, 1958 AND RECORDED MAY 1, 1964 IN LIBER 3059 OF DEEDS PAGE 475. MIXED SURVEYING DOCUMENTS FROM TITLE COMPANY#
- EASEMENT GRATED BY ARTHUR J. FALLON TO LOUIS J. SUPERNAVIS, RALPH J. DALBEY, ALBERT L. HAGGAS, AS THE BOARD OF COMMISSIONERS OF SEWER DISTRICT #1 IN THE TOWN OF PITTSFORD DATED OCTOBER 17, 1958 AND RECORDED MAY 1, 1964 IN LIBER 3059 OF DEEDS, PAGE 474. MIXED SURVEYING DOCUMENTS FROM TITLE COMPANY#
- PERMANENT EASEMENT FOR A DRAINAGE PIPELINE TO THE PEOPLE OF THE STATE OF NEW YORK RECORDED APRIL 2, 1964 IN LIBER 6071 OF DEEDS PAGE 89 AFFECTS PROPERTY AND IS PLOTTED HEREON.

LEGEND

- MANHOLE
- DRAINAGE INLET
- MONITORING WELL
- FILLPORT
- GAS METER
- GAS VALVE
- BOLLARD
- SIGN
- UTILITY POLE
- GUY WIRE
- OVERHEAD WIRES
- METAL RAIL

CERTIFICATION

I HEREBY STATE TO:

- THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH ITS COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
- STEWART TITLE INSURANCE COMPANY

THAT IN MY PROFESSIONAL OPINION, THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE CURRENT CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, AS AMENDED BY THE NIAGARA FRONTIER LAND SURVEYORS ASSOCIATION.

THIS CERTIFICATION DOES NOT EXTEND TO SUBSEQUENT OWNERS, MORTGAGEE, OR TITLE INSURERS, UNLESS THIS SURVEY HAS BEEN RECERTIFIED FOR THIS PURPOSE BY THE SURVEYOR.

DATED:

THOMAS J. EVANS, PLS — NEW YORK STATE LICENSE NO. 50449

Explanation

X – indicates air sample location points, to be adjusted during excavation to accommodate for prevailing wind direction

Successors to the records of Carol Land Surveyors
Successors to the records of James L. Straub, Land Surveyor

APPENDIX I
Monitoring Well Boring and Construction Logs

Boring Log

Project No. 99018.14 Page 1 of 1 Test No. BH1 (SW corner near fuel oil tank pit)
Project Name Speedy's Cleaners BCP
Client Passero Associates
Inspector Morton
Date Started 7-14-05 Completed 7-14-05

Depth Below Surface	Blows Per Six inches: 0 to 6	6 to 12	12 to 18	18 to 24	PID	Soil and Rock Classifications / Remarks
	4	9			0	asphalt, m-c fill SAND w/ tr gravel
2.0 ft.			5	4		
	2	2			10 ppm	wet well-sorted m SAND
4.0 ft.			1	3		sat f-m-c SAND w/ tr silt, gravel
	2	2			10 ppm	
6.0 ft.			9	6		
	1	2			15 ppm	sat f-m-c SAND w/ tr silt, gravel, black staining w/ faint petroleum odor
8.0 ft.			13	9		
	3	13			0	same as above, color native tan @ 9' BGS
10.0 ft.			8	9		
	8	23			0	sat m tan SAND w/ tr gravel
12.0 ft.			13	6		
14.0 ft.						
16.0 ft.						

Boring Log

Project No. 99018.14 Page 1 of 1 Test No. BH2 (NW corner)
Project Name Speedy's Cleaners BCP
Client
Inspector Morton
Date Started 7-13-05 Completed 7-13-05

Depth Below Surface	Blows Per Six inches 0 to 6	6 to 12	12 to 18	18 to 24	PID	Soil and Rock Classifications / Remarks
	9	9			150	dry tan m SAND
2.0 ft.			6	7		
	7	8			150	dry tan m SAND
4.0 ft.			50/5"			
	9	11			130	same
6.0 ft.			13	11		
	11	5			30	grey moist m SAND w/ tr gravel
8.0 ft.			11	12		
	2	2			70	same
10.0 ft.			2	2		
	4	7			<10	same
12.0 ft.			5	6		
	2	3			<10	same
14.0 ft.			4	5		
16.0 ft.						

Boring Log

Project No. 99018.14 Page 1 of 1 Test No. BH 3 (NE Corner)
Project Name Speedy's Cleaners BCP
Client Passero Associates
Inspector Morton
Date Started 7/13/05 Completed 7/13/05

Depth Below Surface	Blows Per 0 to 6	6 to 12	Six inches 12 to 18	18 to 24	PID	Soil and Rock Classifications / Remarks
		5			220	Asphalt, broken stone sub-base, tan dry f SAND w/ tr silt
2.0 ft.			3	2		
	8	6			80	tan dry f SAND w/ tr silt
4.0 ft.			6	9		
	2	2				No recovery
6.0 ft.			2	2		
					5	tan dry f SAND w/ tr silt
8.0 ft.	7	5				
			6	11		moist tan f SAND, black staining w/ wood chips
10.0 ft.	15	15			4	
			15	15		moist f SAND w/ tr gravel
12.0 ft.	11	46				
			47	47		Same, over dry hill @ ± 15'
14.0 ft.						
16.0 ft.						

Boring Log

Project No. 99018.14 Page 1 of 1 Test No. BH4 (SE corner)
Project Name Speedy's Cleaners BCP
Client
Inspector Morton
Date Started 7/13/05 Completed 7/13/05

Depth Below Surface	Blows Per inches 0 to 6	6 to 12	Six 12 to 18	18 to 24	PID	Soil and Rock Classifications / Remarks
		6			0	asphalt, broken stone, f dry brn SAND
2.0 ft.			7	7		
	9	10			15-20 ppm	f brn SILT w/ tr f SAND
4.0 ft.			8	8		
	5	6			<5 ppm	same
6.0 ft.			5	5		
	7	18			20 ppm	wet grey SILT w/ tr f sand & gravel
8.0 ft.			17	8		
	3	2			0	same
10.0 ft.			2	2		
	6	6			20 ppm	saturated f SAND w/ tr silt & gravel
12.0 ft.			10	7		
	15	14				same, over dry till (silt/clay w/ tr gravel)
14.0 ft.			15	30		
16.0 ft.						

Boring Log

Project No. 99018.14 Page 1 of 1 Test No. Sub Slab - 1
Project Name Speedy's Cleaners BCP
Client Passero Associates
Inspector Morton
Date Started 10-26-05 Completed 10-26-05

Depth Below Surface	Blows Per Six inches: 0 to 6	6 to 12	12 to 18	18 to 24	PID	Soil and Rock Classifications / Remarks
						Driving 4 foot sleeves
2.0 ft.					0	f-m-c SAND w/ tr gravel
4.0 ft.					0	
6.0 ft.					0	
8.0 ft.					0	
					180	
9.8' 10.0 ft.						
12.0 ft.						
14.0 ft.						
16.0 ft.						

Boring Log

Project No. 99018.14 Page 1 of 1 Test No. Sub Slab - 2
Project Name Speedy's Cleaners BCP
Client Passero Associates
Inspector Morton
Date Started 10-26-05 Completed 10-26-05

Depth Below Surface	Blows Per Six inches 0 to 6	6 to 12	12 to 18	18 to 24	PID	Soil and Rock Classifications / Remarks
						f-m-c SAND
2.0 ft.					15	
4.0 ft.						
6.0 ft.					60	
8.0 ft.						
10.0 ft.						
12.0 ft.						
14.0 ft.						
16.0 ft.						

Boring Log

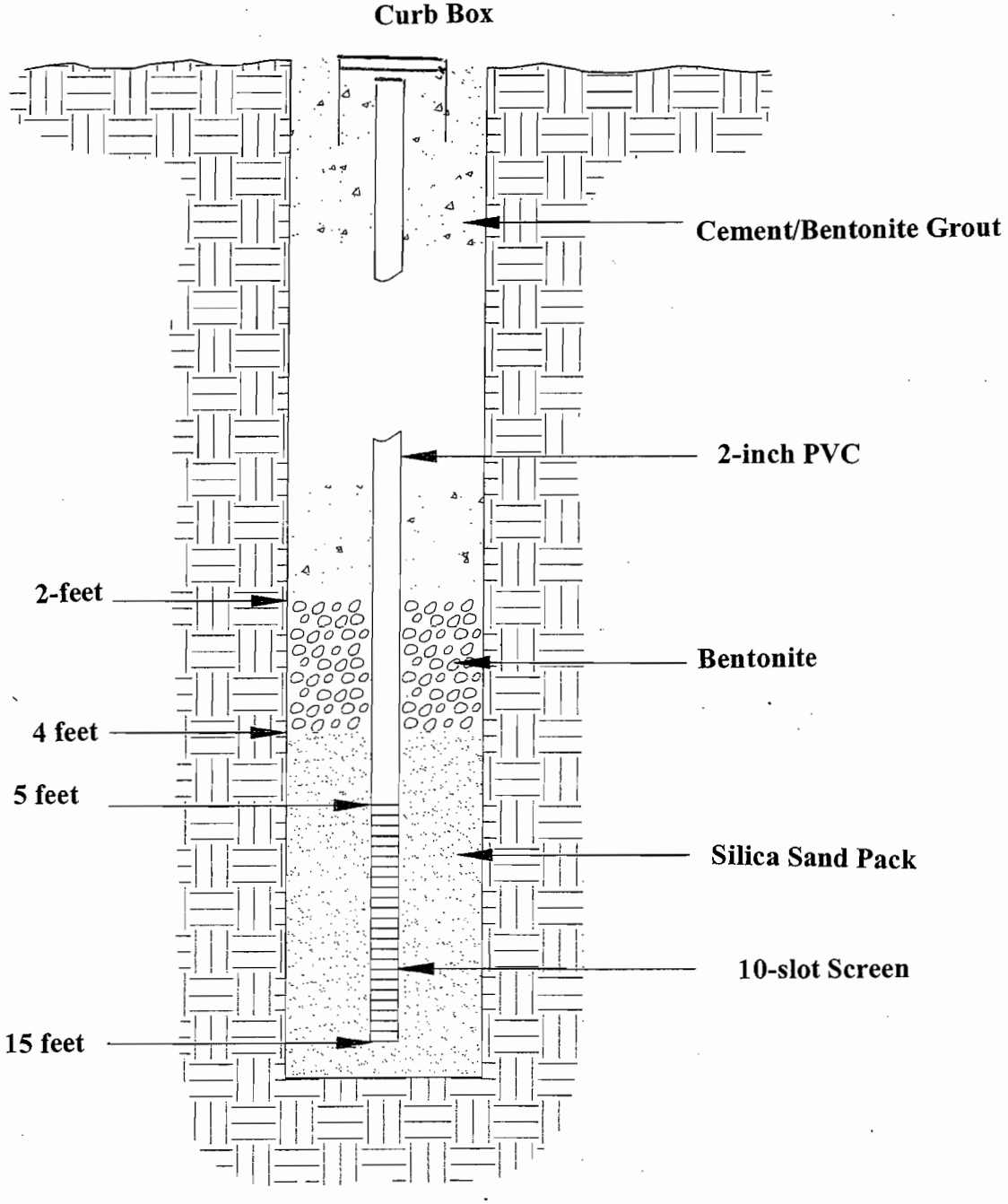
Project No. 99018.14 Page 1 of 1 Test No. Sub Slab - 3
Project Name Speedy's Cleaners BCP
Client Passero Associates
Inspector Morton
Date Started 10-26-05 Completed 10-26-05

Depth Below Surface	Blows Per Six inches 0 to 6	6 to 12	12 to 18	18 to 24	PID	Soil and Rock Classifications / Remarks
						f-m-c SAND
2.0 ft.					15	
4.0 ft.						
6.0 ft.					120	
8.0 ft.						
10.0 ft.						
12.0 ft.						
14.0 ft.						
16.0 ft.						

PASSERO ASSOCIATES, P.C.
ARCHITECTS—ENGINEERS—SURVEYORS
100 LIBERTY POLE WAY ROCHESTER,N.Y.
716-325-1000 14604

Speedy's Cleaners BCP
NYSDEC Site #C828109

Schematic Monitoring Well Diagram



APPENDIX J
Groundwater Monitoring Well Sampling Log Form

LOW-FLOW SAMPLING FIELD FORM

Monitoring Well I.D.: MW-1	Date: 9/9/05	Time Started: 820	File Number:
Weather Conditions: foggy 61		Time Ended: 932	Field Personnel: RCB
Comments:			

Initial Readings

Measured Well Bottom (TOR-ft)	10.01	Riser Pipe Diameter (in)	4
Measured Water Level (TOR-ft)	8.37 7.83	One Well Volume (gal.)	0.37
Notes:			

Well Condition

Well Riser Type (place an X in one box)			Stainless Steel		Carbon Steel	X	PVC
Casing Condition:	OK		Repair Required:				
Cap Condition:	OK		Repair Required:				
Paint Condition:	OK		Repair Required:	N/A			
Lock Condition:	OK		Repair Required:	N/A			
Inner Casing Condition:	OK		Repair Required:				
Surface Seal Condition:	OK		Repair Required:				
Other:	OK		Repair Required:				

Purge Information

Purging Method: (place an X in one box)		Stainless Steel Bailer		Peristaltic Pump		Grundfos Pump	Teflon Bailer
	X	Polyethylene Bailer		Bladder Pump		Other:	

Amount Purged: ~2 gal — Flow Rate (mL per minute): ~45 ml/min

Water Level After Purging (TOR ft.) 8.04

Comments:

Sampling Information

Date: 9/9/05 — Time Sampled: 932 — Field Personnel: RC Barker

Measured Water Level (TOR ft): 8.04

Sampling Method: (place X in box)		Stainless Steel Bailer		Peristaltic Pump		Grundfos Pump	Teflon Bailer
	X	Polyethylene Bailer		Bladder Pump		Other:	

Time Elapsed (min)	Temperature	pH	Conductivity	Specific Conductivity	Dissolved Oxygen	Redox	Water Level	Turbidity	Flow Rate
5	19.34	8.75	2.29 ms/cm		0.0	-178	7.9	7.82	~200 ml/min
10	19.34	8.61	2.29		0.0	-174	7.96	5.26	~165 ml/min
15	19.36	8.48	2.29		0.0	-166	8.0	3.49	~100 ml/min
20	19.39	8.31	2.29		0.0	-155	8.01	5.73	~90 ml/min
25	19.39	8.17	2.29		0.0	-154	8.02	4.49	~90 ml/min
30	19.43	8.18	2.29		0.0	-148	8.04	5.26	~45 ml/min

QA/QC Samples Taken: none

Comments:

Signature

Sampler (Print) Richard C Barker — Sampler (signature): Richard C Barker — Date: 9/9/05

LOW-FLOW SAMPLING FIELD FORM

Monitoring Well I.D.: MW-2	Date: 9/9/05	Time Started: 930	File Number:
Weather Conditions: overcast 63°		Time Ended: 1125	Field Personnel: RCB
Comments:			

Initial Readings

Measured Well Bottom (TOR-ft) 14.5	Riser Pipe Diameter (in) 2
Measured Water Level (TOR-ft) 10.97	One Well Volume (gal.) 0.6
Notes:	

Well Condition

Well Riser Type (place an X in one box)		Stainless Steel		Carbon Steel	✓	PVC
Casing Condition:	OK		Repair Required:			
Cap Condition:	OK		Repair Required:			
Paint Condition:	OK		Repair Required: NA			
Lock Condition:	OK		Repair Required: NA			
Inner Casing Condition:	OK		Repair Required:			
Surface Seal Condition:	OK		Repair Required:			
Other:	OK		Repair Required:			

Purge Information

Purging Method: (place an X in one box)		Stainless Steel Bailer		Peristaltic Pump		Grundfos Pump		Teflon Bailer
		Polyethylene Bailer	✓	Bladder Pump		Other:		

Amount Purged: ~75 gal	Flow Rate (mL per minute):
Water Level After Purging (TOR ft.) 11.42	
Comments:	

Sampling Information

Date: 9/9/05	Time Sampled: 1045	Field Personnel: RC Becker
Measured Water Level (TOR ft): 11.42		

Sampling Method: (place X in box)		Stainless Steel Bailer		Peristaltic Pump		Grundfos Pump		Teflon Bailer
		Polyethylene Bailer	✓	Bladder Pump		Other:		

Time Elapsed (min)	Temperature	pH	Conductivity	Specific Conductivity	Dissolved Oxygen	Redox	Water Level	Turbidity	Flow Rate
5	19.97	7.98	3.33 mS/cm		0.0	-98	11.14	222	~30 ml/m
10	20.17	7.64	2.84		0.0	-91	11.2	194	~12 ml/m
20	20.46	7.55	2.84		0.0	-81	11.23	162	~12 ml/m
30	20.74	7.56	2.85		0.0	-83	11.28	180	"
40	20.86	7.39	2.85		0.0	-79	11.3	172	"
50	20.87	7.45	2.85		0.0	-81	11.39	174	"
60	20.67	7.48	2.85		0.0	-89	11.42	169	"

QA/QC Samples Taken:

Comments:

Signature

Sampler (Print) Richard C Becker	Sampler (signature) Richard C Becker	Date: 9/9/05

LOW-FLOW SAMPLING FIELD FORM

Monitoring Well I.D.: MW-3	Date: 9/9/05	Time Started: 1130	File Number:
Weather Conditions: cloudy 77°		Time Ended: 1330	Field Personnel: RCB
Comments:			

Initial Readings

Measured Well Bottom (TOR-ft) 14.95	Riser Pipe Diameter (in) 2
Measured Water Level (TOR-ft) 11.31	One Well Volume (gal.) ~~0.82~~ 0.62 gal
Notes:	

Well Condition

Well Riser Type (place an X in one box)		Stainless Steel		Carbon Steel		PVC	✓
Casing Condition:	OK	Repair Required:					
Cap Condition:	OK	Repair Required:					
Paint Condition:	OK	Repair Required:	NA				
Lock Condition:	OK	Repair Required:					
Inner Casing Condition:	OK	Repair Required:					
Surface Seal Condition:	OK	Repair Required:					
Other:	OK	Repair Required:					

Purge Information

Purging Method: (place an X in one box)		Stainless Steel Bailer		Peristaltic Pump		Grundfos Pump	Teflon Bailer
		Polyethylene Bailer	X	Bladder Pump		Other:	

Amount Purged: ~1 gal	Flow Rate (mL per minute): ~ 50 ml/min
Water Level After Purging (TOR ft.) 11.61	
Comments:	

Sampling Information

Date: 9/9/05	Time Sampled: 1315	Field Personnel: RC Backen
Measured Water Level (TOR ft): 11.61		

Sampling Method: (place X in box)		Stainless Steel Bailer		Peristaltic Pump		Grundfos Pump	Teflon Bailer
		Polyethylene Bailer	✓	Bladder Pump		Other:	

Time Elapsed (min)	Temperature	pH	Conductivity	Specific Conductivity	Dissolved Oxygen	Redox	Water Level	Turbidity	Flow Rate
10	19.77	6.74	1.57		0.00	-15	11.51	66	~20 ml/m
20	19.20	7.15	1.57		0.00	-40	11.60	42.10	"
30	19.72	7.49	1.58		0.00	-69	11.59	19.24	"
40	19.40	7.56	1.56		0.00	-80	11.60	14.09	50 ml/m
60	19.91	7.54	1.55		0.00	-78	11.60	13.50	"
80	21.20	7.55	1.55		0.00	-77	11.60	11.97	"
100	20.42	7.54	1.55		0.00	-77	11.61	7.62	"

QA/QC Samples Taken:

Comments:

Signature

Sampler (Print) Richard C Backen	Sampler (signature) Richard C Backen	Date: 9/9/05

LOW-FLOW SAMPLING FIELD FORM

Monitoring Well I.D.: MW-4	Date: 9/9/05	Time Started: 1335	File Number:
Weather Conditions: Cloudy 88°		Time Ended:	Field Personnel: RCB
Comments:			

Initial Readings

Measured Well Bottom (TOR-ft)	14.65	Riser Pipe Diameter (in)	2
Measured Water Level (TOR-ft)	8.78	One Well Volume (gal.)	0.997
Notes:			

Well Condition

Well Riser Type (place an X in one box)		Stainless Steel	Carbon Steel / ✓PVC
Casing Condition:	OK	Repair Required:	
Cap Condition:	OK	Repair Required:	
Paint Condition:	OK	Repair Required: NA	
Lock Condition:	OK	Repair Required:	
Inner Casing Condition:	OK	Repair Required:	
Surface Seal Condition:	OK	Repair Required:	
Other:	OK	Repair Required:	

Purge Information

Purging Method: (place an X in one box)		Stainless Steel Bailer	Peristaltic Pump	Grundfos Pump	Teflon Bailer
		Polyethylene Bailer	✓ Bladder Pump	Other:	
Amount Purged: ~2 gal			Flow Rate (mL per minute):		
Water Level After Purging (TOR ft.) 9.83					
Comments:					

Sampling Information

Date: 9/9/05	Time Sampled: 1450			Field Personnel: RC Bucker	
Measured Water Level (TOR ft): 9.83					
Sampling Method: (place X in box)		Stainless Steel Bailer	Peristaltic Pump	Grundfos Pump	Teflon Bailer
		Polyethylene Bailer	✓ Bladder Pump	Other:	

Time Elapsed (min)	Temperature	pH	Conductivity	Specific Conductivity	Dissolved Oxygen	Redox	Water Level	Turbidity	Flow Rate
10	21.27	7.89	3.36		0.6	-102	9.51	39.13	~80 mL/min
20	22.43	7.72	3.36		0.0	-97	9.61	69	"
30	22.61	7.65	3.37		0.0	-94	9.8	36.32	"
40	22.18	7.52	3.93		0.0	-90	9.8	23.12	~75 mL/min
50	22.24	7.44	3.39		0.0	-86	9.82	20.14	"
60	22.40	7.40	3.40		0.0	-83	9.82	16.07	"
70	22.25	7.19	3.40		0.0	-79	9.83	9.68	"

QA/QC Samples Taken:

Comments:

Signature

Sampler (Print) Richard C Bucker	Sampler (signature): Richard C Bucker	Date: 9/9/05

APPENDIX K
ASDS As-Built Drawings

mitigation tech *radon correction specialists*

January 24, 2006

Mr. Peter Morton
Passero Associates
100 Liberty Pole Way
Rochester, NY 14604
Via fax: 585-325-1691

Re: Sub-slab ventilation -- Speedy's Cleaners, 3130 Monroe Ave., Rochester NY 14618

Sub-slab air communication test report
Proposed Work Plan r3

Dear Peter:

Based on our discussions and site survey, following is our proposed work plan to provide mitigation of potential soil vapor intrusion by active sub-slab depressurization. This follows typical design parameters common in radon mitigation applications and in comparable successful environmental applications. System configuration is based on acquired data and is subject to modification based on further field observations and measurements. All work will comply with EPA Radon mitigation standard 402-R93-078 and with Section 4 of the NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York, dated February, 2005.

Background

On December 28, 2006, as part of a directed site study, we performed a series of sub-slab air communication tests in the western portion of this location to determine the general appropriateness of the technique known as sub-slab ventilation (and sub-slab depressurization) to the mitigation of certain environmental contaminants, and to predict appropriate suction point configuration and the performance requirements of vacuum fans. These tests were done under the general supervision of Mr. Peter Morton of Passero Associates.

We drilled a series of holes into the slab at potential typical system suction point locations. We drilled enough holes to gain a working understanding of the sub-slab characteristics of each particular section. We applied a known vacuum to each point and made differential pressure measurements at various neighboring points to estimate, by interpolation or extrapolation, the expected radius of influence for each point. The specific objective of this procedure is to specify a design that will provide a minimum air pressure differential of .002 water column inches to all designated areas of the sub-slab by installing a series of efficient independent sub-slab vapor extraction systems of the type commonly used in the radon mitigation industry. We have repaired all test holes with urethane caulk (MSDS available) applied over a closed cell backer rod.

Test results (see attachment for point locations)

Vacuum pt	Test point	Reading in wci
1	2	.002
1	3	.004
1	5	.000
2	4	.003
2	5	.000
3	4	.000
3	5	.000
5	6	.011
5	9	.001
6	7	.011
6	9	.003
7	8	.003
7	9	.003
8	9	.011
9	10	.001

General Findings

Our general finding is that the above referenced technique is viable. Different slab sections show material differences in sub-slab air communication, so area alone is not a sufficient predictor of suction point requirements. Slab seams and other potential vapor entry routes will require sealing. Air communication is restricted in the rear northwest section. Air communication is sufficient to allow flexibility in suction point location so that the impact on current use of occupied space can be minimized with cooperative field design decisions.

Recommendations

As a comprehensive approach to provide soil vapor influence to substantially all areas of the sub-slab, we recommend the installation of a high performance radon-type soil vapor extract fan, strategically placed at the exterior rear of the building. The fan will connect to a longitudinal trunk line, manifolded to several suction points, some of which may constitute minor obstacles to the full use of the interior space. Suction points and supporting pipe runs will be installed to the extent possible to accommodate building interior design and function.

Proposed Work Plan

This work plan shall comply with Section 4 of the NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York, dated February, 2005.

Furnish and Install:

- Professional design and supervision
- Installation per system description detailed below
- Installation highlights as follows:
- (1) RADONAWAY GP-501 high performance centrifugal in-line fan (150w continuous duty) to provide sub-slab ventilation via ceiling located horizontal trunk line (3" schedule 40 pvc pipe) to sidewall exhaust at rear, corresponding to specified suction points
- Suction points as follows: connection via 2" pvc to excavated cavities in sub-slab, with urethane seal, (6) total, manifolded and with inline adjustment valves as required; all locations approximately per attached drawing and pending field approval by client and client's consultants and as follows: 2) trenches excavated for plumbing modifications (customer to install layer of washed stone in trenches) (1) central east/west partition wall, (1) rear utility area, (2) west exterior wall to interior of footing
- Vacuum indicator on vertical pipe run
- Customer to provide appropriate power in vicinity of each fan
- Urethane sealant at slab joints and penetrations
- Vacuum testing to measure effective pressure field
- At completion, measure pressure differentials and document; label components and provide system description and operational instructions
- Furnish maintenance and periodic inspection plan
- Two year warranty; labor and installed components; although system design is based on achieving a sufficient pressure differential, no specific warranty of effectiveness --effectiveness shall be determined by continuing field measurement provided by others; additional or modified suction points or fans may be required by others at other's expense

System Description

The purpose of the system is to maintain a depressurized zone below the designated portion of the sub-slab compared to the ambient air pressure above the slab. The system shall be of the type typically used in radon mitigation, shall be designed and constructed in accordance with the standards detailed in the following documents: US Environmental Protection Agency (EPA) 402-R-93-078, Radon Mitigation Standards; NYS DEC document, Guidance for Evaluating Soil Vapor Intrusion in the State of New York. Actual configurations of the suction holes and pipe runs will be determined by the Contractor in the field.

System Design

1.1 The sub slab depressurization system shall be designed and installed as permanent, integral addition to the buildings.

1.2 The sub slab depressurization unit shall be designed to avoid the creation of other health, safety, or environmental hazards to building occupants, such as back drafting of natural draft combustion appliances.

1.3 The sub slab depressurization unit shall be designed to maximize soil vapor reduction above the basement slab and in consideration of the need to minimize excess energy usage, to avoid compromising moisture and temperature controls and other comfort features, and to minimize noise.

1.4 The sub slab depressurization unit and its components shall be designed to comply with the laws, ordinances, codes, and regulations of relevant jurisdictional authorities, including applicable mechanical, electrical, building, plumbing, energy, and fire prevention codes.

System Installation

General Requirements

2.1.1 All components of the sub slab depressurization unit shall be installed in compliance with the applicable mechanical, electrical, building, plumbing, energy and fire prevention codes, standards, and regulations of the local jurisdiction.

2.1.2 The Supervision Engineering Firm shall obtain all required local licenses and permits, and display them in the work areas as required by local ordinances.

2.1.3 Where portions of structural framing material must be removed to accommodate vent pipes, material removed shall be no greater than that permitted for plumbing installations by applicable building or plumbing codes.

2.1.4 Where installation of the sub slab depressurization unit requires pipes or ducts to penetrate a firewall or other fire resistance rated wall or floor, penetrations shall be protected in accordance with applicable building, mechanical, fire, and electrical codes.

Vent Pipe Installation Requirements

2.2.1 All joints and connections in sub slab depressurization unit using plastic vent pipes shall be permanently sealed with adhesives as specified by the manufacturer of the pipe material used. Joints or connections in other vent pipe materials shall be made airtight.

2.2.2 Vent pipes shall be fastened to the structure of the building with hangers, strapping, or other supports that will adequately secure the vent material. Existing plumbing pipes, ducts, or mechanical equipment shall not be used to support or secure a vent pipe.

2.2.3 Supports for vent pipes shall be installed at least every 6 feet on horizontal runs. Vertical runs shall be secured either above or below the points of penetration through floors, ceilings, and roofs, or at least every 8 feet on runs that do not penetrate floors, ceilings, or roofs.

2.2.4 To prevent the blockage of air flow into the bottom of vent pipes, these pipes shall be supported or secured in a permanent manner that prevents their downward movement to the bottom of suction pits or sump pits, or into the soil beneath an aggregate layer under a slab.

2.2.5 Vent pipes shall be installed in a configuration that ensures that any rain water or condensation within the pipes drains downward into the ground beneath the slab.

2.2.6 Vent pipes shall not block access to any areas requiring maintenance or inspection. Vents shall not be installed in front of or interfere with any light, opening, door, window or equipment access area required by code. If vent pipes are installed in sump pits, the system shall be designed with removable or flexible couplings to facilitate removal of the sump pit cover for sump pump maintenance.

2.2.7 To prevent re-entrainment of vapors, the point of discharge from vents of fan-powered soil depressurization and block wall depressurization systems shall meet all of the following requirements: (1) be above the eave of the roof, (2) be ten feet or more above ground level, (3) be ten feet or more from any window, door, or other opening into conditioned spaces of the structure that is less than two feet below the exhaust point, and (4) be ten feet or more from any opening into an adjacent building. The total required distance (ten feet) from the point of discharge to openings in the structure may be measured either directly between the two points or be the sum of measurements made around intervening obstacles. Whenever possible, the exhaust point should be positioned above the highest eave of the building and as close to the roof ridge line.

Vent Fan Installation Requirements

2.3.1 Vent fans used in the subslab depressurization unit shall be designed or otherwise sealed to reduce the potential for leakage of soil gas from the fan housing.

2.3.2 The vent fan system shall be equipped with a vacuum indicator mounted in an easily visible location.

2.3.3 Vent fans shall be installed on the exterior of the building or in the interior above the conditioned air space.

2.3.5 Vent fans shall be installed in a configuration that avoids a condensation buildup in the fan housing. Fans should be installed in vertical runs of the vent pipe.

2.3.6 Vent fans mounted on the exterior of buildings shall be rated for outdoor use or installed in a water tight protective housing.

2.3.7 Vent fans shall be mounted and secured in a manner that minimizes transfer of vibration to the structural framing of the building.

2.3.8 To facilitate maintenance and future replacement, vent fans shall be installed in the vent pipe using removable couplings or flexible connections that can be tightly secured to both the fan and the vent pipe.

Suction Pit Requirement for Subslab Depressurization Systems

2.4.1 To provide optimum pressure field extension of the sub slab communication zone, adequate material shall be excavated from the area immediately below the slab penetration point of system vent pipes. The Contractor will make a determination on the adequate amount of material to be removed based on field conditions and experience.

2.5.1 Sump pits that permit entry of soil-gas or that would allow conditioned air to be drawn into a sub-slab depressurization system shall be covered and sealed. The covers on sumps that previously provided protection or relief from surface water collection shall be fitted with a water or mechanically trapped drain. Water traps should be fitted with an automatic supply of priming water.

2.5.2 Openings around vent pipe penetrations of the slab and the foundation walls, shall be cleaned, prepared, and sealed in a permanent, airtight manner using compatible caulks or other sealant materials. (See paragraph 3.5.) Openings around other utility penetrations of the slab, walls, or soil-gas retarder shall also be sealed.

2.5.3 Openings, perimeter channel drains, or cracks that exist where the slab meets the foundation wall (floor-wall joint), shall be sealed with urethane caulk or equivalent material. When the opening or channel is greater than 0.50 inches in width, a foam backer rod or other comparable filler material shall be inserted in the channel before application of the sealant. This sealing technique shall be done in a manner that retains the channel feature as a water control system. Other openings or cracks in slabs or at expansion or control joints should also be sealed. Openings or cracks that are determined to be inaccessible or beyond the ability of the Contractor to seal shall be disclosed to the client and included in the documentation.

Electrical Requirements

2.6.1 Wiring for the subslab depressurization unit shall conform to provisions of the National Electric Code and any additional local regulations.

2.6.2 Wiring may not be located in or chased through the mitigation installation ducting or any other heating or cooling duct work.

2.6.3 Mitigation fans installed on the exterior of buildings shall be hardwired into an electrical circuit. Plugged fans shall not be used outdoors.

2.6.4 If the rated electricity requirement of a sub slab depressurization unit fan exceeds 50 percent of the circuit capacity into which it will be connected, or if the total connected load on the circuit (including the vent fan) exceeds 80 percent of the circuit's rated capacity, a separate, dedicated circuit shall be installed to power the fan.

2.6.5 An electrical disconnect switch or a circuit breaker shall be installed in sub slab depressurization unit fan circuits to permit deactivation of the fan for maintenance or repair by the building owner or servicing Contractor (Disconnect switches are not required with plugged fans).

Materials

3.1 All mitigation system electrical components shall be U.L. listed or of equivalent specifications.

3.2 All plastic vent pipes in mitigation systems shall be made of Schedule 40 PVC.

3.3 Vent pipe fittings in a mitigation system shall be of the same material as the vent pipes. (See paragraph 2.3.7 for exception when installing vent fans, and paragraph 2.2.7 for exception when installing vent pipes in sump pit covers.)

3.4 Cleaning solvents and adhesives used to join plastic pipes and fittings shall be as recommended by manufacturers for use with the type of pipe material used in the mitigation system.

3.5 When sealing cracks in slabs and other small openings around penetrations of the slab and foundation walls, caulks and sealants designed for such application shall be used.

3.6 When sealing holes for plumbing rough-in or other large openings in slabs and foundation walls that are below the ground surface, non-shrink mortar, grouts, expanding foam, or similar materials designed for such application shall be used.

3.7 Sump pit covers shall be made of durable plastic or other rigid material and designed to permit airtight sealing. To permit easy removal for sump pump servicing, the cover shall be sealed using silicone or other nonpermanent type caulking materials or an airtight gasket.

3.8 Penetrations of sump covers to accommodate electrical wiring, water ejection pipes, or vent pipes shall be designed to permit airtight sealing around penetrations, using caulk or grommets. Sump covers that permit observation of conditions in the sump pit are recommended.

3.9 A sub membrane depressurization system made be installed in crawlspaces and on soil exposed basements and shall be a minimum of 6 mils (3 mils cross-laminated) polyethylene or equivalent flexible material. Heavier gauge sheeting should be used when areas are used for storage, or frequent entry is required for maintenance of utilities.

Post-Mitigation Testing

4.1 After installation, the Contractor shall reexamine and verify the integrity of the fan mounting seals and all joints in the interior vent piping.

4.2 After installation, the Contractor shall measure suctions or flows in system piping or ducting to assure that the system is operating as designed. A test of pressure field extension shall be performed using established test points. The Contractor shall test the vacuum achieved at each test hole by using a digital manometer, document the findings and prepare a report for the client.

Worker Health and Safety

5.1 Contractors shall comply with all OSHA, state and local standards or regulations relating to worker safety and occupational vapor exposure.

5.2.1 In addition to the OSHA and NIOSH standards, the following requirements that are specific or uniquely applicable for the safety and protection of vapor mitigation workers shall be met:

5.2.2 The Contractor shall have a worker protection plan on file that is available to all employees and is approved by any state or local regulating agencies that require such a plan.

5.2.3 The Contractor shall ensure that appropriate safety equipment such as hard hats, face shields, ear plugs, steel-toe boots and protective gloves are available on the job site during cutting, drilling, grinding, polishing, demolishing or other activity associated with vapor mitigation projects.

5.2.4 All electrical equipment used during mitigation projects shall be properly grounded. Circuits used as a power source should be protected by Ground-fault Circuit Interrupters (GFCI).

5.2.5 When work is required at elevations above the ground or floor, the Contractor shall ensure that ladders or scaffolding are safely installed and operated.

5.2.6 The Contractor shall ensure that respiratory protection conforms with the requirements in the

NIOSH Guide to Industrial Respiratory Protection.

5.2.7 Where combustible materials exist in the specific area of the building where vapor mitigation work is to be conducted, and the Contractor is creating temperatures high enough to induce a flame, the Contractor shall ensure that fire extinguishers suitable for type A, B, and C fires are available in the immediate work area.

5.2.8 In any planned work area where the Contractor or Consultant believes friable asbestos may exist and be disturbed, vapor mitigation work shall not be conducted until a determination is made by a properly trained or accredited person that such work will be undertaken in a manner which complies with applicable asbestos regulations.

5.2.10 When mitigation work requires the use of sealants, adhesives, paints, or other substances that may be hazardous to health, Contractors shall provide employees with the applicable Material Safety Data Sheets (MSDS) and explain the required safety procedures.

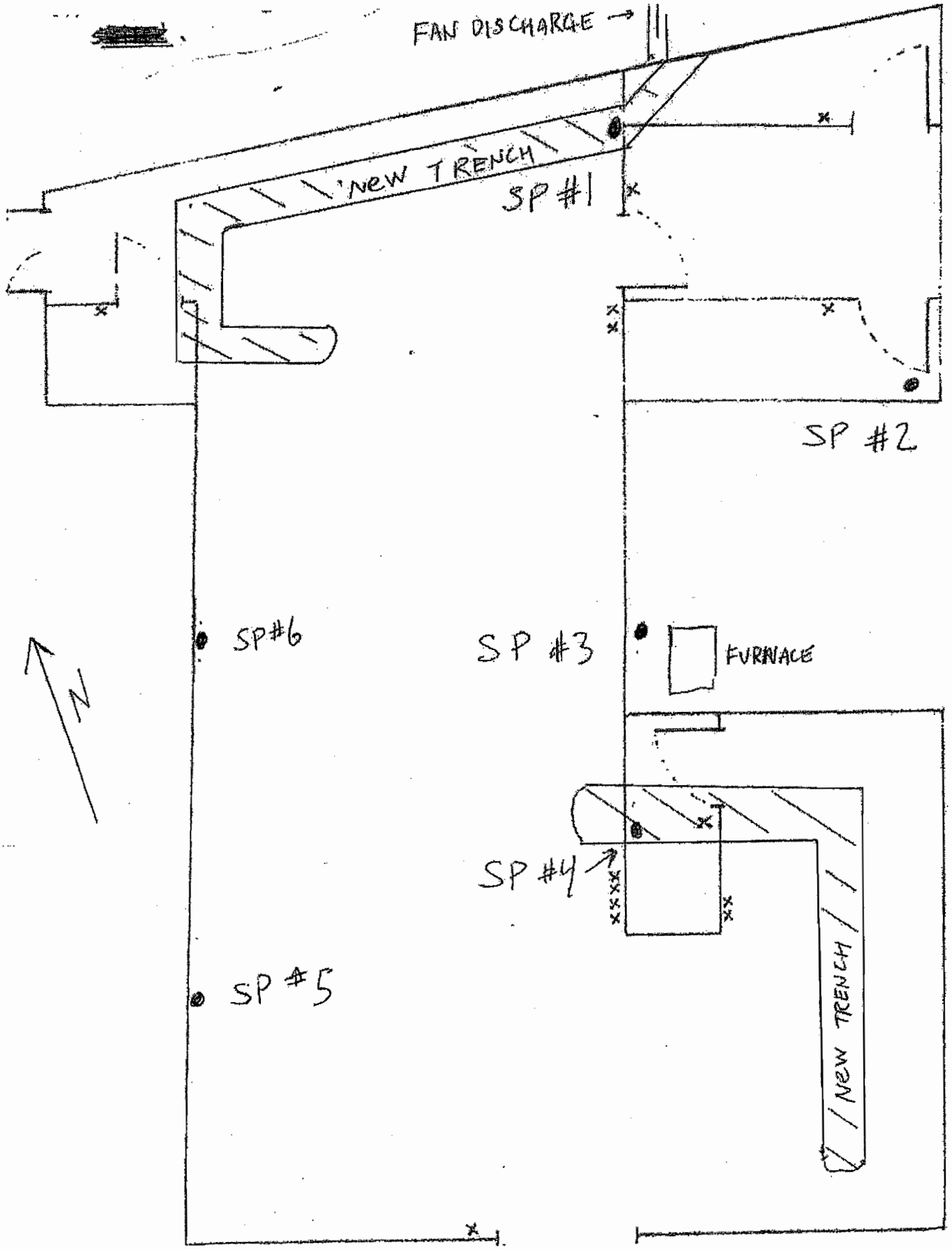
End of proposed work plan

If you have any questions, please contact me.

Thank you.

MITIGATION TECH

Nicholas E. Mouganis EPA listing # 15415-I ; NEHA ID# 100722


FAN DISCHARGE
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SP #1
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SP #3
FURNACE
SP #4
SP #5
SP #6
N
NEW TRENCH

mitigation tech *radon correction specialists*

January 31, 2006

Mr. Greg MacLean
NYS DEC
6274 East-Avon Lima Rd
Avon, NY 14414

Re: Sub-slab ventilation -- Speedy's Cleaners, 3130 Monroe Ave., Rochester NY 14618

Sub-slab air communication test report – point locations
Supplement to Proposed Work Plan

Dear Greg:

Attached please find the sketch showing the original test point locations and proposed suction point locations for this site. The air communication test was done before the creation of the trenches. The trenches include a 4" layer of highly permeable washed stone and will enhance system performance.

The intent of the design here is to provide coverage for the entire building. Coverage for the western section of the building (currently being remodeled) is verified by test data. At the request of the owners to avoid possibly unnecessary disruption of the tenant space in the eastern section, we have extrapolated from the data for this design proposal. An assumption in this design is a consistent radius of influence from suction points adjacent to the eastern section. Our plan is to verify full coverage by vacuum testing after the completion of the proposed system installation.

In the event that post-installation full coverage cannot be verified, the owners have agreed to install the additional suction points in the eastern section then determined to be necessary. We have included provisions in the base design to facilitate this.

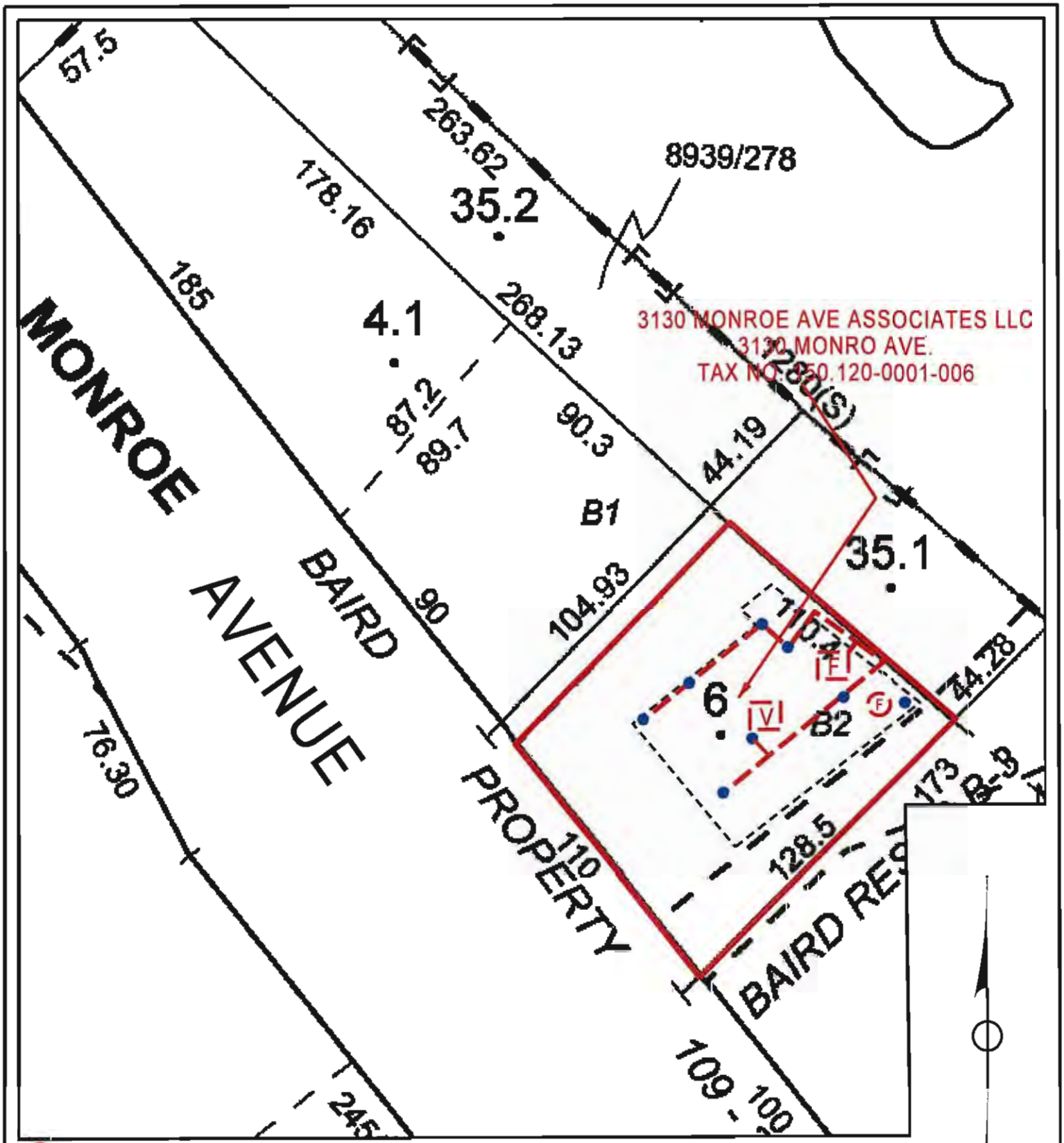
If you have any questions, please contact me.

Thank you.

Nicholas E. Mouganis EPA listing # 15415-I ; NEHA ID# 100722

C: Peter Morton, Passero Associates

55 SHUMWAY ROAD, BROCKPORT, NEW YORK, 14420 * OFFICE/FAX 585-637-7430



F = SIDEWALL FAN

V = HEAT RECOVERY VENTILATOR

F = ROOF FAN

● = SUCTION CAVITY

TITLE:

VAPOR MITIGATON AS BUILT DIAGRAM

3130 MONROE AVENUE
TOWN OF PITTSFORD, COUNTY OF MONROE
STATE OF NEW YORK

MITIGATION TECH
Radon Correction Specialists
55 SHUMWAY ROAD, BROCKPORT
NEW YORK 14420
TL: (585) 637-7430

DATE
3/13/2008

SCALE
NTS

New York State Department of Environmental Conservation
Division of Environmental Remediation, Region 8
6274 East Avon-Lima Road, Avon, New York 14414-9519
Phone: (585) 226-5353 • **FAX:** (585) 226-8696
Website: www.dec.state.ny.us

Denise M. Sheehan
Commissioner

February 24, 2006

Ms. Angela Demerle, Esq.
Harter, Secrest & Emery, LLP
Twelve Fountain Plaza
Buffalo, New York 14202

Re: Brownfield Cleanup Program - Time Critical IRM Work Plan
Speedy's Cleaners (C828109)
3130 Monroe Avenue
Pittsford (T), Monroe (C)

Dear Ms. Demerle:

The New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH) and Monroe County Health Department (MCHD), has reviewed the January 25, 2006 Time Critical Interim Remedial Measure (IRM) Work Plan and January 31, 2006 supplemental letter for the subject site. Based on our review, the Department hereby approves the IRM work plan with the following conditions:

1. Depressurization of the entire slab (including the eastern portion of the building) needs to be demonstrated and documented following installation of the system. In the event this can not be demonstrated, appropriate system modifications need to be implemented promptly to achieve depressurization of the entire slab.

2. Post-mitigation indoor air sampling is required in both sides of the building once the system is operating. This sampling should be conducted during this heating season, but no sooner than 30 days after the system is in operation. Sampling is to be performed in accordance with the NYSDOH *Indoor Air Sampling & Analysis Guidance (February 1, 2005)*, including collection of an outdoor ambient sample.

3. An Operation Maintenance and Monitoring (OM&M) Plan needs to be submitted for review and approval within 30 days following system startup. The OM&M plan should be prepared in accordance with Section 4.4 of the NYSDOH *Guidance for Evaluation of Soil Vapor Intrusion in the State of New York*.

4. Subsequent to system installation, the extent of the soil gas plume at the site needs to be characterized to determine if there are potential threats to adjacent buildings. Please provide

a supplement to the RI Work Plan to perform this work within 60 days following system installation. Soil gas sampling is to be performed in accordance with Section 2.7.1 of the NYSDOH *Guidance for Evaluation of Soil Vapor Intrusion in the State of New York*

5. Please ensure that all existing and future tenants of the building are aware of all indoor air data and plans for mitigation as well as routine OM&M of the system..

This conditional approval letter is to be attached to, and become part of, the final approved IRM Work Plan. Copies of the final approved IRM work plan, including the January 31, 2006 supplemental letter and this conditional approval letter, need to be made available at the project document repository prior to implementation of the fieldwork. Please notify this office a minimum of one week prior to the start of fieldwork.

If you should have any questions regarding this letter or I can be of further assistance, please contact me at (585) 226-5356.

Sincerely,

Gregory B. MacLean, P.E.
Environmental Engineer 2
Division of Environmental Remediation

ec: Bart Putzig, P.E., NYSDEC
Ed Belmore, P.E., NYSDEC
James Charles, NYSDEC

cc: Tamara Girard, NYSDOH
Mark VanValkenburg. NYSDOH
Joseph Albert, MCHD
Chris Williams, 3130 Monroe Avenue Associates, LLC

BROWNFIELD CLEANUP PROGRAM (BCP)

TIME CRITICAL
INTERIM REMEDIAL MEASURE (IRM)
WORK PLAN

ECL Article 27/Title 14

SPEEDY'S CLEANERS
3130 Monroe Avenue
Town of Pittsford
Rochester, New York 14618

NYSDEC Site # C828109

Prepared for:
3130 Monroe Avenue Associates, LLC
P.O. Box 499
Pittsford, NY 14534

Prepared by:
Passero Associates
100 Liberty Pole Way
Rochester, NY 14604

January 25, 2006 P.N. 99018.14

DRAFT

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FIGURES

APPENDICES

1.0 INTRODUCTION

This Time Critical Interim Remedial Measure (IRM) is proposed pursuant to the Brownfield Cleanup Program (BCP) Remedial Investigation (RI) at the Speedy's Cleaners facility at 3130 Monroe Avenue in the Town of Pittsford, New York.

1.1 Site Location and Description

The Speedy's Cleaners site is located at 3130 Monroe Avenue in the Town of Pittsford, New York (Figure 1). The Site is an approximately 0.27-acre parcel improved with one building: the west side of the building was operated as Speedy's Cleaners dating back to the 1950s. Speedy's Cleaners operated a dry cleaning operation, and subsequently a drop-off/pick-up location. The adjacent property at the north side of the Site is the Rochester Gas & Electric (RG&E) right-of-way.

1.2 Air Samples

As part of the RI, one sub-slab air sample; two interior air samples (Ambient 1 & 2); and one exterior air sample were collected by Summa canisters for VOC analysis (Figure 2). The samples were collected in 1-liter Summa Canisters for 2 hours with a flow rate calibrated by Centek Laboratories to be < 0.2 liter per minute. The air samples were analyzed by Environmental Protection Agency (EPA) Method TO-15. The results are on the following pages:

TABLE 1 - AIR DATA

Sub-Slab Air Sample

Compound	Result ug/m^3
1,2,4-Trimethylbenzene	14
4-ethyltoluene	6.4
Benzene	33
cis-1,2-Dichloroethene	130
Cyclohexane	42
Ethylbenzene	15
Heptane	26
Hexane	110
m-Xylene	41
o-Xylene	21
p-Xylene	20
Tetrachloroethene	***8300***
Toluene	330
Trans-1,2-Dichloroethene	16
Trichloroethene	460

TABLE 1 (Cont'd)

Ambient 1

Compound	Result ug/m^3
1,3,5-Trimethylbenzene	7.25
2,2,4-trimethylpentane	2.90
4-ethyltoluene	3.50
Benzene	3.54
Carbon tetrachloride	0.640
Chloroform	0.943
cis-1,2-Dichloroethene	13.7
Cyclohexane	4.13
Ethylbenzene	60.9
Freon 11	1.60
Freon 113	1.01

Ambient 1 (Cont'd)

Compound	Result ug/m^3
Freon 12	2.87
Heptane	3.17
Hexane	5.37
m-Xylene	201
Methyl Ethyl Ketone	5.79
o-Xylene	166
p-Xylene	122
Tetrachloroethene	***1110***
Toluene	41.4
Trichloroethene	17.5
Vinyl Chloride	0.753

TABLE 1 (Cont'd)

Ambient 2

Compound	Result ug/m^3
1,3,5-Trimethylbenzene	6.05
2,2,4-trimethylpentane	2.75
4-ethyltoluene	3.30
Benzene	3.86
Carbon tetrachloride	0.640
Chloroform	1.04
cis-1,2-Dichloroethene	12.1
Cyclohexane	3.78
Ethylbenzene	63.6
Freon 11	1.60
Freon 113	1.09

Ambient 2 (Cont'd)

Compound	Result ug/m^3
Freon 12	3.07
Heptane	3.21
Hexane	5.12
m-Xylene	122
Methyl Ethyl Ketone	5.94
Methylene Chloride	0.636
o-Xylene	177
p-Xylene	109
Tetrachloroethene	***629***
Toluene	42.1
Trichloroethene	16.4
Vinyl Chloride	0.779

TABLE 1 (Cont'd)

Exterior

Compound	Result ug/m^3
1,2,4-Trimethylbenzene	7.14
1,3,5-Trimethylbenzene	2.35
2,2,4-trimethylpentane	4.94
2,2,4-trimethylpentane	4.94
4-ethyltoluene	2.55
Benzene	5.29
Cyclohexane	3.29
Ethylbenzene	4.99
Freon 11	1.60
Freon 113	1.09

Exterior (Cont'd)

Compound	Result ug/m^3
Freon 12	2.92
Heptane	2.96
Hexane	7.63
m-Xylene	8.39
Methylene Chloride	0.918
o-Xylene	6.44
p-Xylene	5.03
Tetrachloroethene	4.27
Toluene	22.2
Trichloroethene	0.492

Discussion

These air data were generated in September 2005 while Speedy's Cleaners was still a tenant in the building; Speedy's lease expired and they moved out at the end of December 2005. When Passero Associates visited the building on January 12, 2006 to meet with the owners to discuss the installment and placement of a sub-slab depressurization system, an approximately ½-inch diameter hole was noted in the concrete slab in an area that had previously been obscured by Speedy's clothing racks. This hole which acted as a migration pathway for sub-slab vapors to enter the building will be plugged as the west side of the building is being renovated for a future tenant.

As indicated above, an active sub-slab depressurization system (ASD) will be installed as a Time Critical IRM to address the vapor intrusion issue.

1.3 Rational for Time Critical IRM

The PCE detected in the interior air samples indicates potential exposure to building occupants. The May 2004 Draft Brownfield Cleanup Program Guide states that a Time Critical IRM should be performed where conditions resulting in an immediate threat to life, health, property or natural resources exists. The vapor intrusion into the building warrants that a Time Critical IRM be implemented.

2.0 ACTIVE SUB-SLAB DEPRESSURIZATION SYSTEM (ASD)

2.1 Pilot Test

On December 28, 2006, Mitigation Tech performed a series of sub-slab air communication tests in the western portion of the building to predict appropriate suction point configuration and the performance requirements of vacuum fans.

Mitigation Tech drilled a series of holes into the slab to gain a working understanding of the sub-slab characteristics of each particular section. Mitigation Tech's Pilot Test data and Proposed Work Plan are attached.

The pilot test data indicate that an ASD is viable. Slab seams and other potential vapor entry routes will require sealing.

2.2 Proposed ASD System

The east side of the building is occupied and a new tenant is renovating the western space for occupancy in February 2006. A trench has been cut in the slab in the west side of the building for installation of a new plumbing system. Mitigation Tech has requested that the plumbing trenches be backfilled with permeable gravel to facilitate sub-slab vapor movement. They will install horizontal 2-inch diameter PVC well screens in the trenches prior to re-installation of the slab; these pipes will draw vapors from beneath the building for exterior discharge.

2.3 Post Mitigation Testing

After ASD installation, Mitigation Tech will inspect and verify the integrity of the fan mounting seals and all joints in the interior vent piping. They will measure suctions or flows in system piping or ducting to assure that the system is operating as designed. A test of pressure field extension will be performed using established test points. Mitigation Tech will test the vacuum achieved at each test hole by using a digital monometer, document the findings, and report the results. Mitigation Tech's proposed ASD is presented in Appendix 1.

2.4 Worker Health and Safety

In addition to the Speedy's Cleaners BCP Health & Safety Plan, Mitigation Tech will comply with the following H&S parameters:

- Comply with all OSHA, state and local standards or regulations relating to worker safety and occupational vapor exposure;
- Have a worker protection plan on file that is available to all employees and is approved by any state or local regulating agencies that require such a plan;
- Ensure that appropriate safety equipment such as hard hats, face shields, ear plugs, steel-toe boots and protective gloves are available on the job site during cutting, drilling, grinding, polishing, demolishing or other activity associated with vapor mitigation projects;
- All electrical equipment used during mitigation projects shall be properly grounded. Circuits used as a power source should be protected by Ground-fault Circuit Interrupters (GFCI);

- When work is required at elevations above the ground or floor, Mitigation Tech will ensure that ladders or scaffolding are safely installed and operated;

- Mitigation Tech will ensure that respiratory protection conforms with the requirements in the NIOSH Guide to Industrial Respiratory Protection;

- If combustible materials exist in the specific area of the building where vapor mitigation work is to be conducted, and Mitigation Tech is creating temperatures high enough to induce a flame, they will ensure that fire extinguishers suitable for type A, B, and C fires are available in the immediate work area; and

- When using sealants, adhesives, paints, or other substances that may be hazardous to health, Mitigation Tech will provide employees with the applicable Material Safety Data Sheets (MSDS) and explain the required safety procedures.

Gary W. Passero, P.E.
Chairman and CEO

Peter S. Morton, C.P.G.
Certified Professional Geologist