

FACT SHEET

Brownfield Cleanup Program

8-28 Ward Street Site
Site Number C828136
Rochester, NY

January 2009

NYSDEC Approves Final Engineering Report and Certifies Remediation Requirements Achieved

Brownfield Cleanup Program: New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses include recreation, housing and business.

A **brownfield** is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit:
www.dec.ny.gov/chemical/brownfields.html

Remedial action has been completed to address contamination related to the "8-28 Ward Street site" (Site) located at 8-28 Ward Street in the City of Rochester, Monroe County under New York's Brownfield Cleanup Program (BCP). Please refer to the map on page 5 for the location of the Site. Germanow-Simon Corporation has completed the remedial action and has submitted to the New York State Department of Environmental Conservation (NYSDEC) a Final Engineering Report (FER – also known as a Remedial Action Report, or RAR) on December 15, 2008. The Final Engineering Report identifies the remedial measures that have been, and will be, implemented to address site contamination to fully protect public health and the environment for the proposed site use. The Final Engineering Report is

available at the document repository identified in this fact sheet.

On December 31, 2008, the NYSDEC approved the FER and determined that Germanow-Simon Corporation will achieve remediation requirements to address contamination at the Site. NYSDEC has issued a Certificate of Completion to Germanow-Simon Corporation, and the Site is now eligible for redevelopment. A copy of the Certificate of Completion is available at the document repository identified in this fact sheet.

NYSDEC previously accepted an application submitted by Germanow-Simon Corporation to participate in the BCP. The application proposes that the site will be used for commercial/industrial purposes.

Highlights of Final Engineering Reports

Final engineering reports have several goals:

- 1) to describe remedial activities completed ("Remedial activities" and "remediation" refer to all necessary actions to address any known or suspected contamination associated with a site);
- 2) to certify that remediation requirements have been achieved or will be achieved;
- 3) to define site boundaries;
- 4) to describe institutional/engineering controls. (An *institutional control* is a non-physical

restriction on use of the site, such as a deed restriction, when the remedial action leaves residual contamination that makes the site suitable for some, but not all uses. An *engineering control* is a physical barrier or method to manage contamination such as a cap or vapor barrier); and

- 5) to certify that an operation, monitoring and maintenance plan for any engineering controls used at the site has been approved by NYSDEC.

The completed and on-going remedial actions that have been performed at the 8-28 Ward site and will be maintained as engineering controls include:

- 1) A multi-phase vacuum extraction system is operating on-site and is connected to extraction wells MW-23 and MW-23R; and
- 2) Impervious surfaces have been constructed over the affected areas.

The following institutional controls will also be maintained at the site:

- 1) NYSDEC and NYSDOH approval will be required prior to implementing any activity which breaches the installed impervious surfaces, or disturbs the soils beneath the affected areas;
- 2) Any new buildings will require installation of a sub-slab vapor mitigation system; and
- 3) Use of groundwater beneath the site is prohibited.

The MPVE system applies a vacuum to the subsurface through extraction wells screened across the contaminated zone(s), and thereby, induces a flow of air, soil vapor, groundwater and dissolved-phase volatile organic compounds (VOCs) through the impacted area of the subsurface and out the extraction well. Subsurface airflow volatilizes and extracts VOCs from the soil and groundwater, while dissolved-phase VOCs are removed in groundwater extracted by the system. The extracted air and groundwater is then treated on the surface prior to discharge. The MPVE system is monitored on a regular basis to assess the effectiveness of the remediation system. The MPVE is anticipated to operate for 2-3 years.

Certificate of Completion

The Certificate of Completion issued by NYSDEC contains:

- 1) a certification that remediation requirements have been or will be achieved;
- 2) the boundaries of the site;
- 3) a description of any institutional/engineering controls to be used. An *institutional control* is a non-physical restriction on the use of the site, such as a deed restriction, when the remedial action leaves residual contamination that makes the site suitable for some, but not all uses. An *engineering control* is a physical barrier or method to manage contamination such as a cap or vapor barrier; and
- 4) a certification that an operation, monitoring and maintenance plan for any engineering controls used at the site has been approved by NYSDEC.

Next Steps

NYSDEC issued the Certificate of Completion based on review and approval of a Final Engineering Report (FER) submitted by Germanow-Simon Corporation. The FER described the remedial activities completed and certified that remediation requirements will be achieved for the site.

With its receipt of a Certificate of Completion, Germanow-Simon Corporation is eligible to redevelop the site. In addition, Germanow-Simon Corporation:

- has no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- is eligible for tax credits to offset the costs of performing remedial activities and for redevelopment of the site.

A Certificate of Completion may be modified or revoked if, for example, the applicant does not comply with the terms of its Brownfield Cleanup Agreement with NYSDEC, or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

Background

The Site is a 1.2 acre parcel located in a mixed residential commercial/industrial area. Historically the Site was occupied by a dry cleaner and a mill supply and machinery company. Currently, the Site is vacant and used as a parking lot. The Site is immediately adjacent to the Ward Street Site (BCP Site #C828117) to the north and west, and residential areas to the south and east. Indoor air sampling at the residential tower located south of the Site did not reveal any Site-related contaminants.

The documented historic uses of the 8-28 Ward Street property suggest that a source of volatile organic compounds (VOCs) might be present on the Site. A limited site investigation of the Site was subsequently performed by its former owner. However, these investigations did not identify a source of the VOCs found in front of the Site or define the extent of the VOC contamination. Therefore, after acquiring the Site, Germanow-Simon entered the property into the Brownfield Cleanup Program (BCP) and submitted a work plan to the NYSDEC for a full Remedial Investigation with the objective of determining the nature and extent of contamination on, at or migrating from the Site. The Brownfield Cleanup Agreement (BCA) for the Site was executed by the NYSDEC on October 4, 2006, designating the Site as BCP Site #C828136.

Pursuant to the BCA, a remedial investigation of the Site was performed and completed in February 2008 in accordance with a NYSDEC-approved Work Plan dated May 2006. Findings from this remedial investigation identified low levels of chlorinated VOCs present in soil vapor and groundwater at the Site. The contamination affects the western and southern portions of the Site. The remedial investigation also confirmed the off-Site presence of VOC contamination of soil vapor, soil, and groundwater in the area of monitoring wells MW-23 and MW-23R, a monitoring well pair located off-Site in the Ward Street right-of-way. Soil vapor impacts were identified at the MW-23 location, and low-level soil vapor impacts were identified at five nearby locations. The remedial investigation findings suggest that the off-Site source of the

contamination is probably located at or in the immediate vicinity of MW-23 and MW-23R. Low level groundwater impacts were also identified on-site.

A complete summary of environmental investigations conducted at and adjacent to the Site is presented in the NYSDEC-approved Remedial Investigation Report, dated February 15, 2008. Multi Phase Vacuum Extraction (MPVE) was the selected remedy for the Site in the “Remedial Action Work Plan” (RAWP) dated August 7, 2008 and the RAWP was subsequently approved by NYSDEC. Construction of the selected remedy and the start of system operation occurred in October 2008. The MPVE system is monitored on a regular basis to assess the effectiveness of the remediation system.

FOR MORE INFORMATION

Document Repository

A local document repository has been established at the following location to help the public to review important project documents. These documents include the Certificate of Completion and the application to participate in the BCP accepted by NYSDEC:

City of Rochester Public Library	Hours: Monday and Wednesday – 10:00 am to 7:00 pm
Lincoln Branch Library	Tuesday, Thursday, and Friday – 12:00 pm to 6:00 pm
851 Joseph Avenue	Saturday – 12:00 pm to 4:00 pm
Rochester, New York 14621-4750	Sunday – closed
Contact: Joan Lee, Branch Manager (585) 428-8210	

Whom to Contact

Comments and questions are always welcome and should be directed as follows:

Project Related Questions

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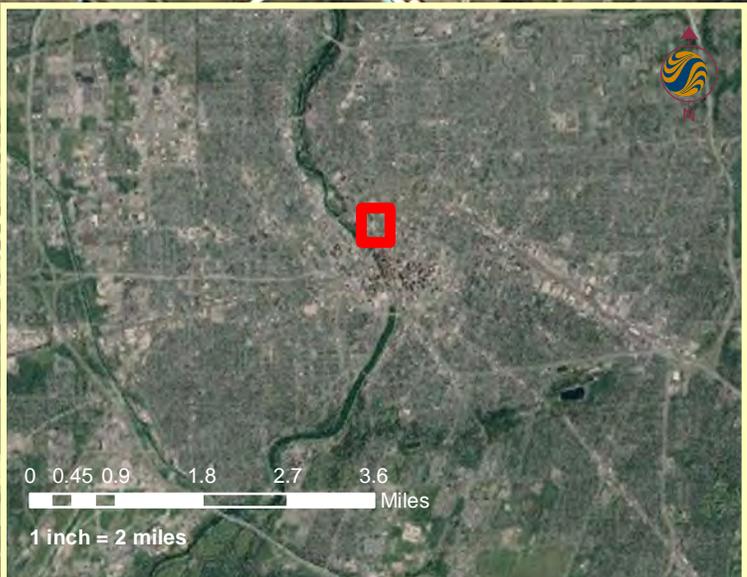
New York State
Department of Environmental Conservation
Region 8 Headquarters
6274 East Avon-Lima Road
Avon, New York 14414-9516

Health Related Questions

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If you know someone who would like to be added to the project mailing list, have them contact the NYSDEC project manager above. We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.



Geographic Information Systems

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Figure FER-1 - Site Location Map

8-28 Ward Street Site
Rochester, NY



Stantec