



New York State Department of Environmental Conservation

Brownfield Cleanup Program

Citizen Participation Plan for Town and Country Cleaners

2308 and 2310 Monroe Avenue
Town of Brighton
Monroe County, New York

May 2010

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

Applicant: **Town and Country Redevelopment, LLC (“Applicant”)**
Site Name: **Town and Country Cleaners (“Site”)**
Site Address: **2308 and 2310 Monroe Avenue**
Site County: **Monroe**
Site Number: **C828149**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) is designed to encourage the private sector to investigate, remediate (clean up) and redevelop brownfields. A brownfield is any real property where redevelopment or reuse may be complicated by the presence or potential presence of a contaminant. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal and financial burdens on a community. If the brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC), which oversees Applicants that conduct brownfield site remedial activities.¹ An Applicant is a person whose request to participate in the BCP has been accepted by NYSDEC. The BCP contains investigation and remediation (cleanup) requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: www.dec.state.ny.us/website/der/bcp .

2. Citizen Participation Plan Overview

This Citizen Participation (CP) Plan provides members of the affected and interested public with information about how NYSDEC will inform and involve them during the investigation and remediation of the Site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Appendix A contains a map identifying the location of the Site.

¹ “Remedial activities”, “remedial action”, and “remediation” are defined as all activities or actions undertaken to eliminate, remove, treat, abate, control, manage, or monitor contaminants at or coming from a brownfield site.

Project Contacts

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

Document Repositories

The locations of the Site's document repositories also are identified in Appendix B. The document repositories provide convenient access to important project documents for public review and comment.

Site Contact List

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

The brownfield site contact list includes, at a minimum:

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

Where the Site or adjacent real property contains multiple dwelling units, the Applicant will work with NYSDEC to develop an alternative method for providing such notice in lieu of mailing to each individual. For example, the owner of such a property that contains multiple dwellings may be requested to prominently display fact sheets and notices required to be developed during the site's remedial process. This procedure would substitute for the mailing of such notices and fact sheets, especially at locations where renters, tenants and other residents may number in the hundreds or thousands, making the mailing of such notices impractical.

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

CP Activities

Appendix D identifies the CP activities, at a minimum, that have been and will be conducted during the Site's remedial program. The flowchart in Appendix E shows how these CP activities integrate with the Site remedial process. The public is informed about these CP activities through fact sheets and notices developed at significant points in the site's remedial process.

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

The public is encouraged to contact project staff at any time during the Site's remedial process with questions, comments, or requests for information about the remedial program.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 6. or in the nature and scope of remedial activities. Modifications may include additions to the brownfield site contact list and changes in planned citizen participation activities.

3. Site Information

Site Description

The Site is located at 2308 and 2310 Monroe Avenue in the Town of Brighton, Monroe County, New York. The Site consists of approximately 0.39 acres, of which approximately 0.28 acres has been improved with a single story, 2,200 square foot block structure with partial basement, and associated asphalt paved parking lot. The remaining 0.11 acres is undeveloped land and covered by trees and other vegetation.

The Site is located within a commercial corridor along Monroe Avenue. The Site is bound to the northwest by commercial properties, to the southeast by commercial and residential properties, to the northeast by residential properties, and to the southwest by Monroe Avenue. Commercial

properties are located on the opposite side of Monroe Avenue to the southwest. There are no industrial or agricultural properties within 0.25-miles of the Site.

Site History

The Site is zoned for commercial use and a dry cleaner/laundromat currently operates at the Site. A drycleaner/laundromat has operated on the Site since at least 1969. The use of the Site prior to that time is unclear.

During studies completed to date, select samples of soil and groundwater collected from the Site were found to contain concentrations of the Volatile Organic Compound (VOC) tetrachloroethene (PCE), which is a constituent associated with solvents used in the dry cleaning process, and other VOCs that are attributable to the natural breakdown process that often occurs when PCE degrades.

Environmental History

To date, a Site Characterization study undertaken on behalf of the NYSDEC has been conducted at, and in proximity to, the Site by Camp Dresser & McKee of Latham, N. Y. In addition, Day Environmental, Inc. conducted limited studies within the parking lot northeast of the building at the Site. The studies completed included the installation of test borings (shafts drilled into the ground to obtain water, soil or gas samples), and groundwater monitoring wells in select test borings, and the collection/testing of samples of soil, groundwater and soil gas.

Elevated concentrations of PCE and associated breakdown products were detected in soil samples collected near a parking lot storm water catch basin located northeast of the on-site building. VOCs, at lower concentrations, were also detected in soil samples collected in test borings elsewhere on the site. Groundwater samples collected also contained concentrations of VOCs. The available data suggest that the storm water catch basin in the parking lot may be a source area of the VOCs. However, the studies completed to date have not defined the nature and extent of impact at the Site, nor has it been determined that a significant threat to public health and/or the environment exists due to the apparent discharge of PCE at the Site.

4. Remedial Process

Note: See Appendix E for a flowchart of the brownfield site remedial process.

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a Volunteer. This means that the Volunteer was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the Site took place after the discharge or disposal of contaminants. The Volunteer must fully characterize the nature and extent of

contamination onsite, and must conduct a “qualitative exposure assessment,” a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the Site and to contamination that has migrated from the Site.

The Applicant in its Application proposes that the Site will be used for restricted purposes. To achieve this goal, the Applicant will conduct remedial activities at the Site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting a remedial program at the Site.

Investigation

If the Applicant conducts a remedial investigation (RI) of the Site, it will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation work plan, which is subject to public comment as noted in Appendix D. The goals of the investigation are as follows:

- 1) Define the nature and extent of contamination in soil, surface water, groundwater and any other impacted media;
- 2) Identify the source(s) of the contamination;
- 3) Assess the impact of the contamination on public health and/or the environment; and
- 4) Provide information to support the development of a Remedial Work Plan to address the contamination, or to support a conclusion that the contamination does not need to be addressed.

The Applicant will prepare an RI Report after it completes the RI. This report will summarize the results of the RI and will include the Applicant’s recommendation of whether remediation is needed to address Site-related contamination. The RI Report is subject to review and approval by NYSDEC. Before the RI Report is approved, a fact sheet that describes the RI Report will be sent to the Site’s contact list.

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

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

For more information about the TAG Program and the availability of TAGs, go online at: www.dec.state.ny.us/website/der/guidance/tag/ .

Remedy Selection

After NYSDEC approves the RI Report, the Applicant will be able to develop a Remedial Work Plan if remediation is required. The Remedial Work Plan describes how the Applicant would address the contamination related to the Site.

The public will have the opportunity to review and comment on the draft Remedial Work Plan. The Site contact list will be sent a fact sheet that describes the draft Remedial Work Plan and announces a 45-day public comment period. NYSDEC will factor this input into its decision to approve, reject or modify the draft Remedial Work Plan.

A public meeting may be held by NYSDEC about the proposed Remedial Work Plan if requested by the affected community and if significant substantive issues are raised about the draft Remedial Work Plan. Please note that, in order to request a public meeting, the health, economic well-being or enjoyment of the environment of those requesting the public meeting must be threatened or potentially threatened by the Site. In addition, the request for the public meeting should be made within the first 30 days of the 45-day public comment period for the draft Remedial Work Plan. A public meeting also may be held at the discretion of the NYSDEC project manager in consultation with other NYSDEC staff as appropriate.

Construction

Approval of the Remedial Work Plan by NYSDEC will allow the Applicant to design and construct the alternative selected to remediate the Site. The Site contact list will receive notification before the start of remediation. When the Applicant completes remedial activities, it will prepare a final engineering report that certifies that remediation requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the remediation is protective of public health and the environment for the intended use of the Site. The Site contact list will receive a fact sheet that announces the completion of remedial activities and the review of the final engineering report.

Certificate of Completion and Site Management

Once NYSDEC approves the final engineering report, it will issue the Applicant a Certificate of Completion. This Certificate states that remediation goals have been achieved, and relieves the Applicant from future remedial liability, subject to statutory conditions. The Certificate also includes a description of any institutional and engineering controls or monitoring required by the approved remedial work plan. If the Applicant uses institutional controls or engineering controls to achieve remedial objectives, the Site contact list will receive a fact sheet that discusses such controls.

An institutional control is a non-physical restriction on use of the brownfield site, such as a deed restriction that would prevent or restrict certain uses of the remediated property. An institutional control may be used when the remedial action leaves some contamination that makes the Site suitable for some, but not all uses.

An engineering control is a physical barrier or method to manage contamination, such as a cap or vapor barrier.

Site management activities will be conducted by the Applicant as required. NYSDEC will provide appropriate oversight. Site management involves the institutional and engineering controls required for the brownfield site. Examples include: operation of a water treatment plant, maintenance of a cap or cover, and monitoring of groundwater quality.

5. Citizen Participation Activities

CP activities that have already occurred and are planned during the investigation and remediation of the Site under the BCP are identified in Appendix D: Identification of Citizen Participation Activities. These activities also are identified in the flowchart of the BCP process in Appendix E. NYSDEC will ensure that these CP activities are conducted, with appropriate assistance from the Applicant.

All CP activities are conducted to provide the public with significant information about Site findings and planned remedial activities, and some activities announce comment periods and request public input about important draft documents such as the Remedial Work Plan.

All written materials developed for the public will be reviewed and approved by NYSDEC for clarity and accuracy before they are distributed. Notices and fact sheets can be combined at the discretion, and with the approval of, NYSDEC.

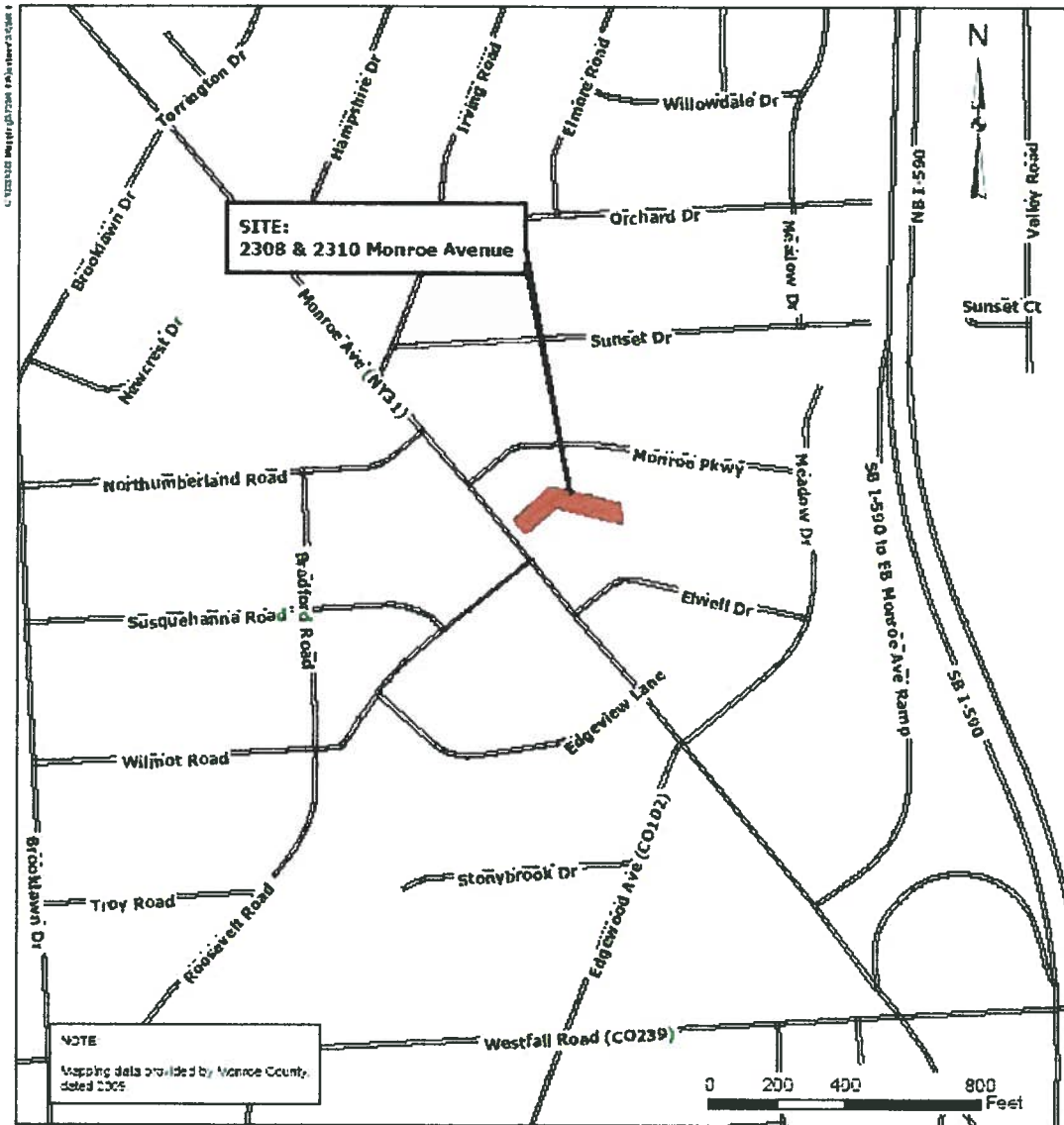
6. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern, if any, that relate to the site. Additional major issues of public concern may be identified during the remedial process.

At present, it is assumed that the major issue of public concern is the migration of the identified contaminants away from the Site. The stakeholders who may be affected include the adjacent property owners/occupants, and the operators and service providers of buried utilities that are located on or adjacent to the Site.

In order to reduce the potential for the identified contaminants to migrate offsite, the Volunteer proposes to complete an interim remedial measure (quick cleanup measure) that will include the excavation and removal of soil and or groundwater in proximity of the storm water catch basin located in the parking lot northeast of the building at the Site, which appears to be a source area. The Volunteer proposes to complete this action concurrent with the Remedial Investigation outlined in Appendix E.

Appendix A – Site Location Map



Date	02-10-2010
Drawn By	CPS
Scale	AS NOTED

day
DAY ENVIRONMENTAL, INC.
 Environmental Consultants
 Rochester, New York 14614-1008
 New York, New York 10016-0701

Project Title	2308 AND 2310 MONROE AVENUE BRIGHTON, NEW YORK
Project Title	BROWNFIELD CLEANUP PROGRAM REVEDAL INVESTIGATION WORK PLAN
Project Title	Location Plan

Project No.	4214S-09
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Appendix B – Project Contacts and Document Repositories

Project Contacts

For information about the Site's remedial program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Gary E. Bonarski, P. E.
Project Manager
NYSDEC Region 8
Division of Environmental Remediation
6274 East Avon - Lima Road
Avon, NY 14414
Telephone: (585) 226-5328

Ms. Lisa Lo Maestro Silvestri
Citizen Participation Specialist
NYSDEC Region 8
6274 East-Avon Lima Road
Avon, NY 14414
Telephone: (585) 226-5326

New York State Department of Health (NYSDOH):

Ms. Melissa A. Menetti, MPH
Public Health Specialist
Bureau of Environmental Exposure Investigation
New York State Department of Health
547 River Street
Troy, NY 12180
Telephone: 1-800-458-1158 ext. 27860

Document Repositories

The document repositories identified below have been established to provide the public with convenient access to important project documents:

Brighton Memorial Library
2300 Elmwood Avenue
Rochester, New York 14618

Saturday	10am – 4 pm
Sunday	1pm – 4 pm

Phone: (585) 784-5300
Hours: Monday-Thursday 10 am – 9 pm
Friday 10 am – 6 pm

NYSDEC Region 8 Office
6274 East Avon - Lima Road
Avon, New York 14414

Attn: Gary E. Bonarski, P. E.
Environmental Engineer I

Phone: (585) 226-5328
Hours: Monday-Friday 8:30am – 4:45 pm
(call for appointment)

Appendix C – Brownfield Site Contact List

Chief Executive Officers and Planning Board Chairs

Monroe County:

Maggie Brooks

County Executive
110 County Office Building
39 W. Main St.
Rochester, NY 14614
Tel: 585 753-1000
countyexecutive@monroecounty.gov

Judy A. Seil

Planning and Development Director
8100 City Place
50 W. Main St.
Rochester, NY 14614
Tel: 585 753-2000
mcplanning@monroecounty.gov

Town of Brighton

Sandra Frankel

Town Supervisor
2300 Elmwood Avenue
Rochester, NY 14618
Tel: 585-784-5251
sandra.frankel@townofbrighton.org

Steve Aronson

Planning Board Chair
2300 Elmwood Avenue
Rochester, NY 14618
Tel: 585-784-5250

The public water supplier which services the are in which the site is located

Monroe County Pure Waters
7100 City Place
50 W. Main St.
Rochester, NY 14614
Tel: 585-753-7600

Any person who has requested to be placed on the Site contact list.

Media

NEWS DIRECTOR
WROC-TV 8
201 HUMBOLDT ST
ROCHESTER NY 14610

NEWS DIRECTOR
WUHF FOX 31
201 HUMBOLDT ST.
ROCHESTER, NEW YORK 14610

ASSIGNMENT DESK
YNN NEWS CHANNEL 9
71 MT HOPE AVE
ROCHESTER NY 14620

NEWS DIRECTOR
WHAM-AM
1700 HSBC PLAZA
100 CHESTNUT STREET
ROCHESTER, NY 14604

ASSIGNMENT EDITOR
WHEC-TV 10
191 EAST AVE
ROCHESTER NY 14604

NEWS DIRECTOR
WXXI-AM
280 STATE ST
ROCHESTER NY 14614

ASSIGNMENT EDITOR
WHAM TV-13
4225 West Henrietta Road
Rochester, NY 14623

SUBURBAN EDITOR
DEMOCRAT & CHRONICLE
55 EXCHANGE BLVD
ROCHESTER NY 14614-2001

NEWS DIRECTOR WXXI-TV 21
280 STATE ST
ROCHESTER NY 14614

BRIGHTON-PITTSFORD POST
73 BUFFALO STREET
CANANDAIGUA, NY 14424

Elected Officials

THE HONORABLE LOUISE M. SLAUGHTER
UNITED STATES HOUSE OF REPRESENTATIVES
3120 FEDERAL BLDG
100 STATE ST
ROCHESTER NY 14614

THE HONORABLE CHARLES SCHUMER
3040 FEDERAL BLDG
100 STATE ST
ROCHESTER NY 14614

THE HONORABLE JOSEPH D. MORELLE
NYS ASSEMBLY
1945 E RIDGE RD
ROCHESTER NY 14622

JEFFREY R. ADAIR (PRESIDENT)
MONROE COUNTY LEGISLATURE
RM 407 COUNTY OFFICE BUILDING
39 W MAIN ST
ROCHESTER NY 14614-1476

THE HONORABLE William Reilich
NYS ASSEMBLY
2465 WEST RIDGE RD.
ROCHESTER, NY 14626

CHERYL DINOLFO
MONROE COUNTY CLERK
101 COUNTY OFFICE BUILDING
39 W MAIN ST
ROCHESTER NY 14614-1476

THE HONORABLE JOSEPH ROBACH
NYS SENATE
2300 W. RIDGE RD
ROCHESTER, NY 14626

THE HONORABLE KRISTEN GILLIBRAND
KENNETH B. KEATING FEDERAL OFFICE BLDG
100 STATE STREET
ROOM 4195
ROCHESTER, NY 14614

Other Interested Parties

LOUISE HARTSHORN
TECHNICAL COORDINATOR
MONROE COUNTY EMC
111 Westfall Rd. PO Box 92832
ROCHESTER NY 14692

CHARLIE KNAUF
WATER QUALITY COORDINATING COMMITTEE
111 WEST FALL RD, RM. 976
ROCHESTER, NY 14620

JOE ALBERT
MONROE COUNTY HEALTH DEPARTMENT
PO BOX 92832
111 WESTFALL RD
ROCHESTER NY 14692-8932

JEFF KOSMALA, P.E.
MONROE COUNTY HEALTH DEPARTMENT
111 WESTFALL ROAD
ROCHESTER, NY 14692-8932

CAPT MIKE VAN DURME
NYSDEC
6274 E AVON-LIMA RD
AVON NY 14414-9519

CENTER FOR ENVIRONMENTAL INFO
55 ST PAUL ST
ROCHESTER NY 14604

THOMAS VOELKL (POLICE CHIEF)
POLICE DEPARTMENT
2300 ELMWOOD AVENUE
ROCHESTER, NY 14618
PHONE: (585) 784-5150

TIM KEEF (COMMISSIONER)
PUBLIC WORKS DEPARTMENT
2300 ELMWOOD AVENUE
ROCHESTER, NY 14618
PHONE: (585) 784-5250

MUFFY MEISENZ AHL (ADMINISTRATOR)
MONROE COUNTY OFFICE OF EMERGENCY
PREPAREDNESS
1190 SCOTTSVILLE ROAD, Suite 200
ROCHESTER NY 14624

CHRISTOPHER ROTH (FIRE MARSHAL)
2300 ELMWOOD AVENUE
ROCHESTER, NY 14618
PHONE: (585) 784-5220

The administrator of any school or day care facility located near the site

NANCY HACKETT (PRINCIPAL)
Brighton High School
1150 Winton Road South
Rochester, NY 14618-2299
(585) 242-5000

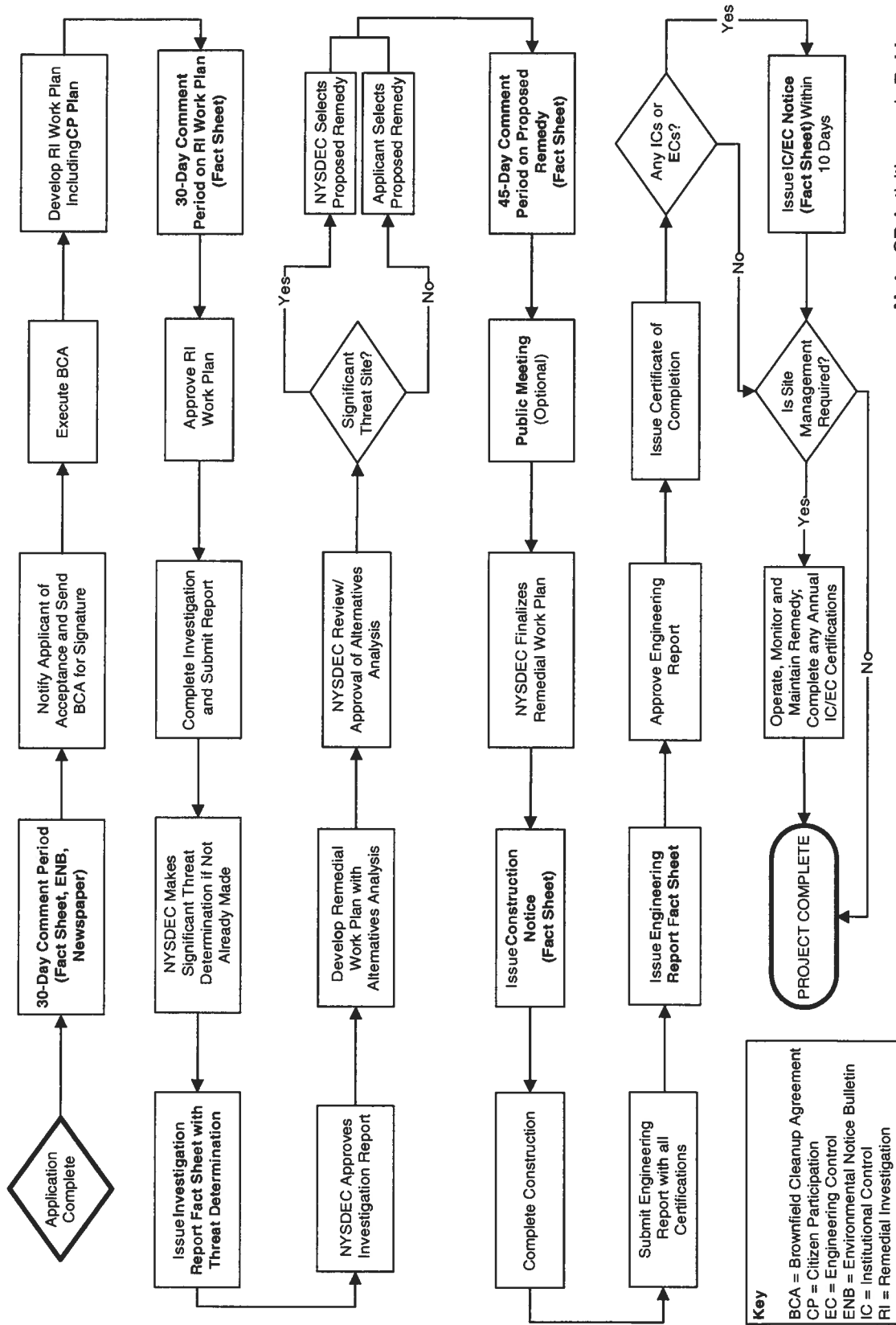
ROB THOMAS (PRINCIPAL)
Twelve Corners Middle School
2643 Elmwood Avenue,
Rochester, NY 14618
(585) 242-5100

TIMOTHY COTTRELL
(Head Of School)
1981 Clover Street
Rochester, NY 14618-3299
(585) 442-1770

Appendix D – Identification of Citizen Participation Activities

Required Citizen Participation (CP) Activities	CP Activities) Occur at this Point
Application Process:	
<ul style="list-style-type: none"> • Prepare brownfield site contact list (BSCL) 	At time of preparation of application to participate in BCP.
<ul style="list-style-type: none"> • Establish document repositories • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day comment period 	When NYSDEC determines that BCP application is complete. The 30-day comment period begins on date of publication of notice in ENB. End date of comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice and notice to the BSCL should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement:	
<ul style="list-style-type: none"> • Prepare citizen participation (CP) plan 	Draft CP Plan must be submitted within 20 days of entering Brownfield Site Cleanup Agreement. CP Plan must be approved by NYSDEC before distribution.
After Remedial Investigation (RI) Work Plan Received:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL about proposed RI activities and announcing 30-day public comment period on draft RI Work Plan 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, comment periods will be combined and public notice will include fact sheet. 30-day comment period begins/ends as per dates identified in fact sheet.
After RI Completion:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL describing results of RI 	Before NYSDEC approves RI Report.
After Remedial Work Plan (RWP) Received:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL about proposed RWP and announcing 45-day comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager in consultation with other NYSDEC staff as appropriate) 	Before NYSDEC approves RWP. 45-day comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day comment period.
After Approval of RWP:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL summarizing upcoming remedial construction 	Before the start of remedial construction.
After Remedial Action Completed:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL announcing that remedial construction has been completed • Mail fact sheet to BSCL announcing issuance of Certificate of Completion (COC) 	At the time NYSDEC approves Final Engineering Report. These two fact sheets should be combined when possible if there is not a delay in issuance of the COC.

Appendix E – Brownfield Cleanup Program Process



Note: CP Activities are in Bold

Key
 BCA = Brownfield Cleanup Agreement
 CP = Citizen Participation
 EC = Engineering Control
 ENB = Environmental Notice Bulletin
 IC = Institutional Control
 RI = Remedial Investigation