

**New York State Department of Environmental Conservation**  
**Division of Environmental Remediation, Region 8**

**Bureau of Technical Support**

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Alexander B. Grannis  
Commissioner

July 26, 2010

Mr. John Billone, Jr.  
Flower City Development  
Medical Arts Building  
277 Alexander Street  
Suite 200  
Rochester, New York 14607

Dear Mr. Billone:

**Re: NYSDEC Spill #1000563**  
**420 South Avenue**  
**Rochester (c), Monroe County**

Let this letter serve as follow up to the July 22, 2010 site meeting attended by you, Dennis Peck (city of Rochester) and myself to discuss the above referenced spill. The site investigation and remedial work to date, and site generalities were discussed and included the following:

1. The City of Rochester owns the property but Flower City Development maintains care, custody and control over the property.
2. Three known underground storage tanks at the site have been removed.
3. Test pits and soil borings have identified two "hot spots" based on PID readings and visual and olfactory observations.
4. Contamination is in the 10 foot to 14 foot zone.
5. Analytical sampling results range from below Department guidelines to slightly above.
6. Groundwater was not encountered.
7. All site structures have been removed.
8. The future use of the site is unknown at this time.
9. The impacted soils do not appear to pose a threat to human health and safety or the environment in their current state and based on the current site usage.

Based on the above information, the Department outlined two options for the site to achieve a "no further action" status. The first option is to submit a remedial action plan (RAP) to remediate the impacted soils that exceed Department guidelines (both soil cleanup objectives and nuisance characteristics) and follow through with the RAP once approved. Option two includes preparing a Soil Management Plan, per the Department's guidelines (a copy is enclosed), which identifies how the impacted soils will be screened, monitored and handled in the future should it be uncovered or the site usage changes. Based on the future use of the

Mr. Billone

-2-

July 26, 2010

property and location of structures, engineering controls should be discussed in the plan.

Once an option is decided upon, the appropriate plan(s) must be submitted to this office for review.

If there are any questions or comments, feel free to contact me at either the above address or by telephone at 585-226-5438.

Sincerely,



Michael F. Zamiarski, P.E.  
Environmental Engineer II  
Division of Environmental Remediation

enclosure

cc: Dennis Peck, City of Rochester (w/encl)

## **Soil and Groundwater Management Plan Criteria NYSDEC Region 8 Spills Unit**

The following list contains the minimum information required to be included within a Soil and Groundwater Management Plan. The Department may require that such a plan be prepared prior to the issuance of a "no further action" letter.

1. A brief description/summary of what was at the site (tanks, pumps, etc) and what remedial work was already done at the site.
2. A data summary table which includes historic and current contaminant levels for both soil and groundwater must be included.
3. A site diagram which identifies soil boring/sample locations, monitoring well locations and the known limits of the contaminant plume.
4. A brief description of geology and groundwater flow direction.
5. What type of monitoring should be performed if in the future, site work will be taking place in the vicinity of the residual contamination.
6. Mentioning that DEC Spills Unit must be notified should the residual contamination be encountered.
7. Who will be responsible for that contamination should it be disturbed/encountered.
8. An outline of how the material should be handled if it is encountered in the future.
9. What follow up sampling should be performed.
10. Mention how contaminated materials must be properly handled and properly disposed of or treated.
11. An appropriate site health and safety plan should be developed for any excavation/dewatering activities conducted in the suspected areas of contamination to protect worker safety. The responsibility for the HASP exists with the party(ies) conducting the excavation/dewatering activities.

A copy must be sent to DEC, either NYSDOH and/or local Health Dept. the local code enforcement officer, NYSDOT (if adjacent to state road), the property owner, and any known impacted adjacent property owner. A list of who is getting a copy should be outlined in the text of the plan.

It is recommended that the plan be attached to the deed.