

CITIZEN PARTICIPATION PLAN

**Brownfield Cleanup Program
Former Vogt Manufacturing Facility
100 & 142 Fernwood Ave.,
31, 35 & 41 Rosemary Dr., and
25, 29, 33, 39, 43, 49, & 55 Ilex Pl.
Rochester, New York
NYSDEC BCP Project #C828119**

Prepared by: Conifer Realty LLC
183 East Main Street
Rochester, New York 14604

Date: November 2004

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1. Introduction and Overview of the Citizen Participation Plan

A. What is a brownfield?

Brownfields are abandoned, idled, or under-used properties where expansion or redevelopment is complicated by real or perceived environmental contamination. They are typically former industrial or commercial properties where improper operations may have resulted in soil and/or groundwater contamination. They often pose not only environmental, but legal and financial burdens on communities.

On October 7, 2003, Governor Pataki signed into law comprehensive legislation creating the Brownfield Cleanup Program ("BCP"). The law establishes in statute a new Title 14 of Article 27 of the ECL that sets forth the requirements for participation, agreements and work plans in the BCP. The BCP is intended to encourage private investment through liability reform, tax incentives, and a predictable process for cleaning up and redeveloping brownfields.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC), with assistance from the New York State Department of Health (NYSDOH). More information on the Brownfield Cleanup Program is included in Section 8 of this Citizen Participation Plan.

B. What is a Citizen Participation Plan?

To enable citizens to participate more fully in decisions that may affect their neighborhood, the NYSDEC requires several opportunities for citizen involvement during the investigation and cleanup of brownfield sites. A Citizen Participation Plan, or CP Plan, provides interested citizens with an overview of public involvement activities that will happen during the investigation and possible cleanup of a brownfield site. The plan also provides:

- information about the site's history, planned site investigations and/or cleanup activities;
- a description of planned CP activities and a tentative schedule of when they will occur;
- a glossary of terms and acronyms you may encounter while learning about the site; and
- a list of project contacts knowledgeable about the project.

The Citizen Participation Plan is also designed to help track public involvement activities conducted and ensure they meet the NYSDEC's requirements for citizen involvement. The CP plan is put together by the BCP Applicant conducting the investigation or remediation, in consultation with the NYSDEC. At some sites, consultants for the BCP Applicant may put together the CP plan.

The plan is periodically updated to include new fact sheets, additions to the public mailing list, and any changes in planned citizen involvement activities.

2. Background Information About the Former Vogt Manufacturing Site

The “Site” that is the subject of this application includes eleven contiguous parcels of property at the following addresses: 100 and 142 Fernwood Avenue; 31, 35 and 41 Rosemary Drive; and 25, 29, 33, 39, 43, 49 and 55 Ilex Place (refer to the Figures 1 and 2 included as Attachment A). The Site totals approximately 8.14 acres. The main parcel that comprises the Site (i.e. 100 and 142 Fernwood Avenue) is approximately 8.09 acres in size. The northern approximate 2.5 acres of this parcel is vegetated green space (i.e., lawn). The remaining parcels are undeveloped (i.e., lawn area) or improved as paved parking lot.

a. Historic Use of the Site and Adjoining Parcels:

The 100 and 142 Fernwood Avenue parcel is improved with two buildings:

- A currently vacant approximate one-story 120,000 sq. ft. concrete block and brick building with a partial basement (main building) constructed between 1926 and 1930; and the main building was originally constructed as Vogt Manufacturing Corporation, which manufactured auto trimmings such as seat coverings. Vogt Manufacturing Corporation later became known as Voplex Corporation. The main building was later converted for multi-tenant light industrial/commercial use. Former uses of the main building by tenants include: plastic products manufacturer, tool and die makers, machine shops, painters, printers, graphics companies, and sheet metal contractors.
- An approximately 3,000 sq. ft. brick building with a basement constructed between 1910 and 1932 that is currently occupied by a church congregation. This building was originally constructed as a church. The smaller building has also been occupied in the past by light industrial/commercial tenants. Former industrial/commercial tenants of the small building include Empire Engraving Company (metal cutting services) and Phoenix Equipment Co.

The Site is zoned industrial, and is located in a mixed-use urban area. The Site is bounded to the north and west by commercial, industrial and residential properties and to the south and east by residential properties.

b. Previous Investigations

A Phase I Environmental Site Assessment (Phase I ESA) report dated November 15, 2000 was prepared by Day Environmental, Inc. The Phase I ESA identified the following recognized environmental conditions that will be addressed under the BCP:

1. Abandoned Underground Storage Tanks: Storage tanks were installed at this site. Specifically, it was reported that three abandoned underground storage tanks formerly used to store fuel oil are located to the north of the main building on the site.

One 15,000-gallon fuel oil underground storage tank (UST) was removed from the Site in December of 2003. During this removal, contaminated soils were encountered and it was reported that approximately 500 tons of contaminated soils were removed from the tank excavation. These soils are currently staged on-site on plastic sheeting next to the open excavation. During the soil removal work, an approximate 8000-gallon UST with unknown contents was encountered. This UST remains in the open excavation at the Site.

2. Confirmed Local Waste Site/Active NYSDEC Spill Site on Nearby Property: A local waste site located at Preferred Electric Motors (42 Fernwood Avenue), approximately 0.1 miles west of the Site. This waste site is listed as containing industrial waste and solvents and it is also listed as an active NYSDEC spill site (#0070090). It is unknown whether contamination at this nearby property has impacted environmental conditions at the former Vogt Site.
3. Active NYSDEC Spill on Adjoining Property: An active NYSDEC spill incident (#9870600) is located at JML Optical (690 Portland Ave.), an adjoining property to the west of the Site. This spill incident involved the soil and groundwater becoming contaminated with fuel oil during a tank removal. It is unknown whether contamination at this adjoining property has impacted environmental conditions at the Site.
4. NYSDEC Spill on Site: A NYSDEC spill incident (#8904699) occurred at the Roland Manufacturing (former tenant) on the Site. NYSDEC records indicate this spill incident occurred on 8/10/89 and involved the release of 20 gallons of chloroethylene when a car ran into a drum in the parking lot. The NYSDEC records indicate that the spill was cleaned up on 8/10/89 and the project file was closed (i.e., Roland Manufacturing shoveled the spilled material into a drum and used absorbent materials to clean up the spill). [Note: Monroe County Department of Health records indicate the material spilled was perchloroethylene, and that the spill occurred in a driveway of the facility]
5. Transformers/PCB Suspected Equipment: Three privately-owned pad-mounted transformers are located east of the main building on the Site. It was reported that the transformers are liquid-filled and may contain polychlorinated biphenyls (PCBs).
6. Historic Use of the Site: The Site has been used historically for various industrial and manufacturing purposes that have the potential to cause environmental impacts. For example some of the occupants of the Site have included: auto trim manufactures, plastic product manufacturer, tool and die makers, machine shops, painters, graphics companies, and sheet metal contractors.

3. Upcoming Investigation and Remediation Activities

Conifer Realty LLC. submitted an application to NYSDEC for conducting environmental studies and remediation (clean up) activities at the Site under the New York State Brownfield Cleanup Program. The application was approved by the NYSDEC (designated as BCP #C828119) on June 23, 2004.

The objectives of this project are to perform investigative and remedial work at the Site that will identify areas of concern, describe environmental conditions, identify potential routes of exposure and receptors (i.e., potential population that could be exposed), identify remediation objectives, and identify and perform a detailed analysis of selected remedial alternatives.

Specific investigative work to be performed includes:

- Tank Closure and Associated Contaminated Soil

The existing 8,000 UST and its contents located north of the main building will be removed and disposed off-site in accordance with applicable regulations. The nature and extent of contamination in proximity to this 8,000-gallon UST and the previously removed 15,000-gallon UST will be further defined.

The approximate 500 tons of soil that is currently staged on, and covered with, plastic sheeting on the paved parking lot north of the main building will be segregated on-site into two piles (i.e., one pile believed to be “clean”, and one pile believed to be contaminated). Samples from each pile will be tested to determine if the soil can be reused as backfill in the tank excavation or requires remediation, such as on-site aboveground bioremediation or off-site disposal at a landfill.

- Passive Soil Gas Survey

A passive soil gas survey, which is an investigative technique used to evaluate volatile vapors in soil, will be conducted over the southern portion of the Site, including within the main building

- Surface Soil Evaluation

Surface soil samples collected at the Site will be tested for the presence of contamination. These soil samples will be collected from four locations on the undeveloped northern portion of the Site. The purpose of the surface soil samples is to evaluate whether surficial contamination is present that could pose potential human health exposures.

- Transformer Evaluation

An electrician will be retained to temporarily shut off power to the three privately owned liquid-filled transformers located along the east exterior wall of the main building. Subsequently, a liquid sample and wipe sample will be collected from each transformer, and two concrete samples will be collected from the concrete pad near the base of the transformers.

- Magnetic Locator Survey and Test Pits

A magnetic locator survey, which is an investigative technique where a magnetic locator is used above the ground surface, will be performed in selected Site locations to evaluate the presence of buried metallic anomalies that could be indicative of possible locations of USTs and/or associated

piping. Subsequent to performing the magnetic locator survey, it is anticipated that up to ten test pits will be excavated in the following areas, some of which may be in proximity to each other:

- Areas of magnetic anomaly that are identified as potential locations of USTs.
- Along the exterior of the northern foundation of the main building where USTs are suspected.
- In proximity to the approximately 6'X6' raised concrete pad with three pipes extending from the sub-grade located north of the main building

In the event that soils removed exhibit evidence of free product or significant contamination, they will be staged on, and covered with, plastic sheeting and subsequently disposed off-site at an approved landfill in accordance with applicable regulations.

▪ Subsurface Soil and Groundwater Evaluation

Test borings will be advanced and be used to evaluate subsurface conditions in the following areas:

- in proximity to current of or former locations of UST systems;
- in proximity to each loading dock;
- on the northern undeveloped portion of the Site; and
- at other locations based on the passive soil gas survey test results;
- for general coverage across the Site, along property boundaries in the direction of adjoining or nearby waste sites or spill sites, or at locations selected in the field with concurrence from the NYSDEC Site representative or Project Manager.

Select soil samples from the test borings will be analyzed to evaluate if contamination is present.

Some of the test borings previously described will be converted into groundwater monitoring wells. It is anticipated that these wells will be installed at the following locations:

- in proximity to current or former locations of UST systems;
- on the northern undeveloped portion of the Site; and
- at other locations based on the passive soil gas survey or test borings results; and
- for general coverage across the Site, at a presumed up gradient positions.

Select groundwater samples from the wells will be analyzed to evaluate if contamination is present. The wells will also be used to obtain other groundwater quality data and evaluate groundwater flow conditions at the Site.

▪ Sub-Slab Air Evaluation

If the findings of the soil gas survey or subsurface studies indicate soil or groundwater contaminated with volatile organic compounds (VOCs) is present beneath or in proximity to

building(s), then sub-slab soil gas samples will be collected and subsequently tested for the presence of VOC vapors. VOCs are carbon-containing chemicals such as gasoline and solvents that readily evaporate. Many common industrial chemicals are VOCs.

After completing the investigation activities, a Remedial Investigation and Remedial Alternatives Analysis report will be developed for the project. The findings of this study, as well as information pertaining to options for future reuse of the Site, will be presented in this report. A detailed analysis of the data collected and the alternatives for the clean up of the Site will also be presented in this report.

It is anticipated that environmental studies will take approximately three months to complete and that the draft Remedial Investigation report will be developed within approximately two months following receipt of the analytical laboratory data.

If the study does not show significant contamination, cleanup may not be necessary, and the Site may be developed. If cleanup is necessary, Conifer Realty LLC, will prepare a Remedial Alternatives Analysis Report for the Site. This report will include a comparison of different cleanup options that could be taken at the Site. The NYSDEC will select a preferred cleanup option based on a series of criteria, such as short and long term permanence of the remedy, cost, community acceptance and ease of implementation. In cases where contamination requiring remediation is determined to exist prior to completion of the Remedial Investigation Report; the BCP Applicant may choose to incorporate the remedial alternatives analysis into the same report; thus, producing just one report called a Remedial Investigation/Remedial Alternatives Analysis Report.

If remediation construction activities are required to address contamination at the Site, they will be documented at the completion of the work in a Remedial Action Report (RAR).

4. Citizen Participation Activities

A. Required Citizen Participation Activities

Conifer Realty LLC and the NYSDEC will work together to keep the public informed about progress at the former Vogt Manufacturing Site. To enable citizens to participate more fully in BCP projects, the BCP Applicant, in conjunction with the NYSDEC, will offer several opportunities for citizen involvement during the investigation and possible clean up of this Site.

For example, upon receiving acceptance of the BCP application from the NYSDEC, the BCP Applicant is required to publish a public notice in a local newspaper, the NYSDEC publishes the application in the Environmental Notice Bulletin (ENB), and public review periods are provided at various milestones of the project (e.g., acceptance of BCP application, work plans, etc.).

The following table describes activities planned at this site. The adjacent timeline indicates when each activity was completed or is scheduled to be completed.

CITIZEN PARTICIPATION ACTIVITIES:

<u>Conifer Realty LLC will:</u>	At this Point in the Investigation:	The Activity is Scheduled to be Completed:	The Activity was Completed:
Publish notice in local newspaper regarding BCP application	Before the start of the investigation.		5/04
Create a list of people ("Mailing List") interested in the site, including residents, government representatives, media, and any interested civic, environmental or business groups.	Before the start of the investigation.		5/04
Set up Document Repositories, where citizens can review site-related documents, at a public location near the site.	Before the start of the investigation.		8/04
Issue a Fact Sheet to people on the "Mailing List" describing investigation activities proposed for the site	Before the start of the investigation.		9/04
Create a Citizen Participation Plan and place it in the Document Repositories.	Before the start of the investigation.		11/04
Issue a Fact Sheet to people on the "mailing list" that includes the NYSDEC's determination of whether the Site poses a significant threat to human health or the environment	After the investigation has been completed	To be determined	
Issue a construction notice in the form of a Fact Sheet to people on the "Mailing List", if construction activities are required to remedy the Site.		To be determined	
Issue an institutional control/engineering control (IC/EC) notice in the form of a Fact Sheet to people on the "Mailing List", if IC/EC activates are required to remedy the Site.		To be determined	

<u>The State will:</u>	At this point in the Process:	The Activity is Scheduled to be Completed:	The Activity was Completed:
Provide a 30-day public comment period regarding the BCP Application	Before the start of the investigation.		5/04 to 6/04
Provide a 30-day public comment period to the investigation work plan [If the work plan is submitted with the BCP application, one 30 day comment period is used to cover the BCP application and work plan.]	Before the start of the investigation.		9/04 to 10/04
Provide a 45-day comment period regarding the investigation findings and any proposed remedies for the Site	After the investigation has been completed.	To be determined	

B. Additional Citizen Participation Activities

1. Technical Assistance for Community Members

If requested, Conifer Realty LLC and the NYSDEC can provide additional technical assistance to community members. This assistance could include: meetings between technical staff and interested community members to discuss technical information about the project, a public availability session in which project staff would answer questions on a one-on-one basis, or other appropriate activities. If you wish to request such assistance, please contact Greg MacLean, NYSDEC Project Manager.

2. Other Citizen Participation Activities

Conifer Realty LLC and the NYSDEC may also conduct more citizen participation activities, such as holding public meetings or mailing additional fact sheets to interested citizens. Conifer Realty LLC and the NYSDEC will base additional activities on the amount of citizen interest shown at the Site. Community involvement is important to ensure that Conifer Realty LLC and the NYSDEC satisfy the needs of those living and working near the Site.

If a public meeting is held, Conifer Realty LLC will make every effort to place any reports or other information that may be discussed at the meeting in the document repositories at least 15 days before the meeting. Meetings will be announced through a mailing to the mailing list. Currently, no additional activities are planned for the Site.

5. Site Issues and Communication Needs

This section of the Citizen Participation Plan is designed to help Conifer Realty LLC to identify and document site-related issues important to the community near the brownfield site, as well as to identify the information needs of the community, Conifer Realty LLC and the NYSDEC, and the NYSDEC.

This information will help Conifer Realty LLC and the NYSDEC to effectively implement the citizen participation requirements and identify any additional citizen participation activities that should be conducted.

- a. Conifer Realty LLC and the NYSDEC have attempted to identify major issues that are of interest to the community surrounding the Site. Currently, Conifer Realty LLC and the NYSDEC is anticipating the following community concerns:
 - Is contamination present that is impacting soil and groundwater at, or beyond the limits of the Site?
 - Is there any potential for the community to be exposed to contamination attributable to this Site?
 - Does the contamination have the potential to impact foundation structures or other site improvements?
 - How will investigation and remediation of this Site benefit the community?
 - Who will pay for the investigation and cleanup of the contamination?
- b. Below is a list of information Conifer Realty LLC and the NYSDEC needs from the community to assist with the Site investigation and, if necessary, determination of an appropriate cleanup:
 - Does the community have any additional knowledge or information regarding this Site that may be useful in characterizing/investigating this Site?
- c. Below is a list of information Conifer Realty LLC and the NYSDEC wants to communicate to the community through the citizen participation program:
 - This BCP project is intended to revitalize use of the Site in an effort to enhance the surrounding community.

6. Document Repositories and List of Available Documents for the former Vogt Manufacturing Site.

Copies of important documents related to Site studies are available at these locations for the public to review:

NYS Department of Environmental Conservation, Region 8 Offices 6274 East Avon-Lima Road Avon NY 14414 (585) 226-5326 Hours: Mon-Fri 8:30 - 4:45	Central Library of Rochester and Monroe County 115 South Avenue Rochester, New York 14604 (585) 428-8000 Hours: Mon & Thurs (9AM-9PM); Tues, Wed., Fri (9AM-6PM); Sat. (9AM-5PM, closed 6/21 - 9/4); Sun (1PM-5PM October to April)
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The following documents are available for review at the repositories:

<u>Document</u>	<u>Date</u>
Brownfield Cleanup Program Application Conifer Development, Inc. Proposed Fernwood Avenue Development Project 100 Fernwood Avenue Rochester, New York	April 20, 2004
Remedial Investigation Work Plan (includes Health and Safety Plan) NYSDEC Site #C828119 100 & 142 Fernwood Avenue; 31, 35 & 41 Rosemary Drive; and 25, 29, 33, 39, 43 & 55 Ilex Place Rochester, New York	July 2004

Additional documents will be placed in the repositories as they are developed. The documents are meant to remain at the repository so that anyone who is interested in the Site can have access to them.

7. List of Project Contacts For the former Vogt Manufacturing Site

If you have questions or concerns, please do not hesitate to contact any of the following people:

New York State Department of Environmental Conservation:

Greg MacLean, Project Manager (585) 226-5356

or

Lisa A. LoMaestro Silvestri (585) 226-5326

Citizen Participation Specialist

NYS Department of Environmental Conservation

6274 East Avon-Lima Road

Avon, NY 14414-9519

Conifer Realty LLC (585) 324-0559

Nick Crossed

183 East Main Street

Rochester, New York 14604

New York State Department of Health:

Ms. Debby McNaughton

New York State Department of Health

335 East Main St.

Rochester, NY 14604

(585) 423-8069

8. Facts About the BCP Program

New York State established the BCP to address the environmental, legal, and financial barriers that often hinder the redevelopment and reuse of contaminated properties. The BCP is set forth in Title 14 of Article 27 of the New York State Environmental Conservation Law. The program is intended to “encourage persons to voluntarily remediate brownfield sites for reuse and redevelopment.”

Given the nature of many real estate transactions, timing is important. In order to provide greater certainty relative to timing, the law provides for the NYSDEC to use its best efforts to meet certain time frames for reviews and approvals. The NYSDEC, in concert with other regulatory agencies, will make every effort to meet these time frames.

The goal under the BCP is to remediate the site to a level that is protective of public health and the environment; taking into account the current, intended, and reasonably anticipated future use of the site. A remedial program that achieves a permanent cleanup of a contaminated site is to be preferred over a remedial program that does not do so. Technical guidance and requirements for completing investigation and the remediation of contaminated sites in all of the NYSDEC Division of Environmental Remediation (DER) programs, including the BCP, are described in the guidance document “*DER Technical Guidance Document for Site Investigation and Remediation*,” also referred to as DER-10. This document is presently available on the DER website as a draft, but is expected to be issued as a final guidance in the future.

Administrative procedures and requirements specific to the BCP, that are not otherwise covered in the DER-10 are currently addressed in a document titled “*Draft Brownfield Cleanup Program Guide*” dated May 2004. Notable among these procedures is the issuance of a Certificate of Completion. This Certificate entitles the BCP Applicant to significant tax credits and an environmental liability limitation, subject to re-openers. The liability limitation is binding upon the State for any liability including future liability or claim for further remediation of hazardous waste and/or petroleum at or emanating from the brownfield site that was subject to the brownfield site cleanup agreement.

9. Mailing List

The NYSDEC and the Conifer Realty LLC maintain this list of agency officials, local elected officials, media, in the vicinity of the site, and other parties interested in the former Vogt Manufacturing Site. Property owners and residents near to this site are kept on a confidential list. If you have any corrections, or want your name added or removed, please contact Mr. Nick Crossed, Conifer Realty LLC, 183 East Main Street, Rochester, New York 14604, Phone: (585) 324-0559.

MAILING LIST FOR CITIZEN PARTICIPATION LIST

MEDIA

DEMOCRAT & CHRONICLE
55 EXCHANGE BLVD.
ROCHESTER, NEW YORK

ASSIGNMENT DESK

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

R NEWS CHANNEL 9
71 MT HOPE AVE
ROCHESTER NY 14620

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

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

BRAN SMITH NEWS DIRECTOR
WHAM-AM
207 MIDTOWN PLAZA
PO BOX 40400
ROCHESTER NY 144604

CITY NEWS
250 NORTH GOODMAN
ROCHESTER NY 14607

LOCAL & ELECTED OFFICIALS

ROCHESTER MAYOR WILLIAM JOHNSON
CITY HALL, ROOM 307A
30 CHURCH STREET
ROCHESTER, NEW YORK 14614

CONGRESSWOMAN LOUISE M. SLAUGHTER
KENNETH B. KEATING FEDERAL OFFICE BUILDING
100 STATE STREET, ROOM 3120
ROCHESTER, NEW YORK 14614

SENATOR CHARLES E. SCHUMER
KENNETH B. KEATING FEDERAL OFFICE BUILDING
100 STATE STREET, ROOM 3040
ROCHESTER, NEW YORK 14614

REGIONAL AND STATE AGENCY OFFICIALS

BART PUTZIG
GREG MACLEAN
HAZARDOUS WASTE REMEDIATION ENGINEER
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
6274 EAST AVON-LIMA ROAD
AVON, NY 14414-9519

DEBBY MCNAUGHTON
NEW YORK STATE DEPARTMENT OF HEALTH
335 EAST MAIN ST.
ROCHESTER, NY 14604

LINDA VERA
LISA SILVESTRI
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION, REGION 8
DEPARTMENT OF CITIZEN PARTICIPATION
62734 EAST AVON-LIMA ROAD
AVON, NEW YORK 14414

SHAWN MCNAMARA
WOKR-TV 13
PO BOX 20555
ROCHESTER NY 14602-0555

ASSIGNMENT EDITOR
WUHF FOX 31
360 EAST AVE
ROCHESTER NY 14604

BUD LOWELL NEWS DIRECTOR
WXXI-AM
280 STATE ST
ROCHESTER NY 14614

CORYDON IRELAND
DEMOCRAT & CHRONICLE
55 EXCHANGE BLVD
ROCHESTER NY 14614-2001

ROCHESTER BUSINESS JOURNAL
55 ST PAUL ST
ROCHESTER NY 14604

SENATOR JOSEPH E. ROBACH
2300 WEST RIDGE ROAD
ROCHESTER, NEW YORK 14626

SENATOR HILLARY RODHAM CLINTON
KENNETH B. KEATING FEDERAL OFFICE BUILDING
100 STATE STREET, ROOM 3280
ROCHESTER, NEW YORK 14614

ASSEMBLYMAN DAVID GANTT
74 UNIVERSITY AVENUE
ROCHESTER, NEW YORK 14605

MARK VAN VALKENBURGH
NYS DEPARTMENT OF HEALTH
FLANIGAN SQUARE
547 RIVER ST.
TROY, NY 12180

LARRY ENNIST
NEW YORK DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
DEPARTMENT OF ENVIRONMENTAL REMEDIATION
625 BROADWAY
ALBANY, NEW YORK 12233

HAROLD EVANS
NEW YORK DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
DEPARTMENT OF ENVIRONMENTAL REMEDIATION
625 BROADWAY
ALBANY, NEW YORK 12233

MONROE COUNTY SHERIFF
PUBLIC SAFETY BUILDING
130 SOUTH PLYMOUTH AVENUE
ROCHESTER, NEW YORK 14614

MARK GREGOR
DES OFFICE
CITY HALL
30 CHURCH STREET
ROCHESTER, NEW YORK 14614-1265

ROCHESTER HSG AUTHORITY
675 W. MAIN STREET
ROCHESTER, NEW YORK 14611
(OWNER OF 46 ROSEMARY DRIVE)

ROCHESTER FIRE CHIEF
PUBLIC SAFETY BUILDING
185 EXCHANGE BLVD
ROCHESTER, NEW YORK 14614

ARTHUS LENTILUCCI
DIRECTOR OF ZONING
CITY HALL, ROOM 25B
30 CHURCH STREET
ROCHESTER, NEW YORK 14614

DOCUMENT REPOSITORIES

CENTRAL LIBRARY OF ROCHESTER AND MONROE COUNTY
115 SOUTH AVENUE
ROCHESTER, NEW YORK 14604 CLOSER ONE????

ENVIRONMENTAL GROUPS

JEFF DANZINGER
DAY ENVIRONMENTAL, INC.
40 COMMERCIAL STREET
ROCHESTER, NY 14614

CITIZENS' ENVIRONMENTAL COALITION OF WESTERN NY
425 ELMWOOD AVENUE, SUITE 200
BUFFALO, NY 14222

INTERESTED PARTIES

Other interested parties, including adjoining or nearby occupants or owners, are kept on a separate confidential list.

MIKE FRASER
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
DEPARTMENT OF PUBLIC AFFAIRS
625 BROADWAY
ALBANY, NEW YORK 12233

STEVE GEROULD
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
REGION 8
LAW ENFORCEMENT
6274 EAST AVON-LIMA ROAD
AVON, NEW YORK 14414

RICK ELLIOTT
JOSEPH ALBERT
MONROE COUNTY DEPARTMENT OF HEALTH
111 WESTFALL ROAD
PO BOX 92832
ROCHESTER, NEW YORK 14692-6098

DONALD NAVOR, DIRECTOR OF WATER
CITY OF ROCHESTER WATER BUREAU
10 FELIX STREET
ROCHESTER, NEW YORK 14608

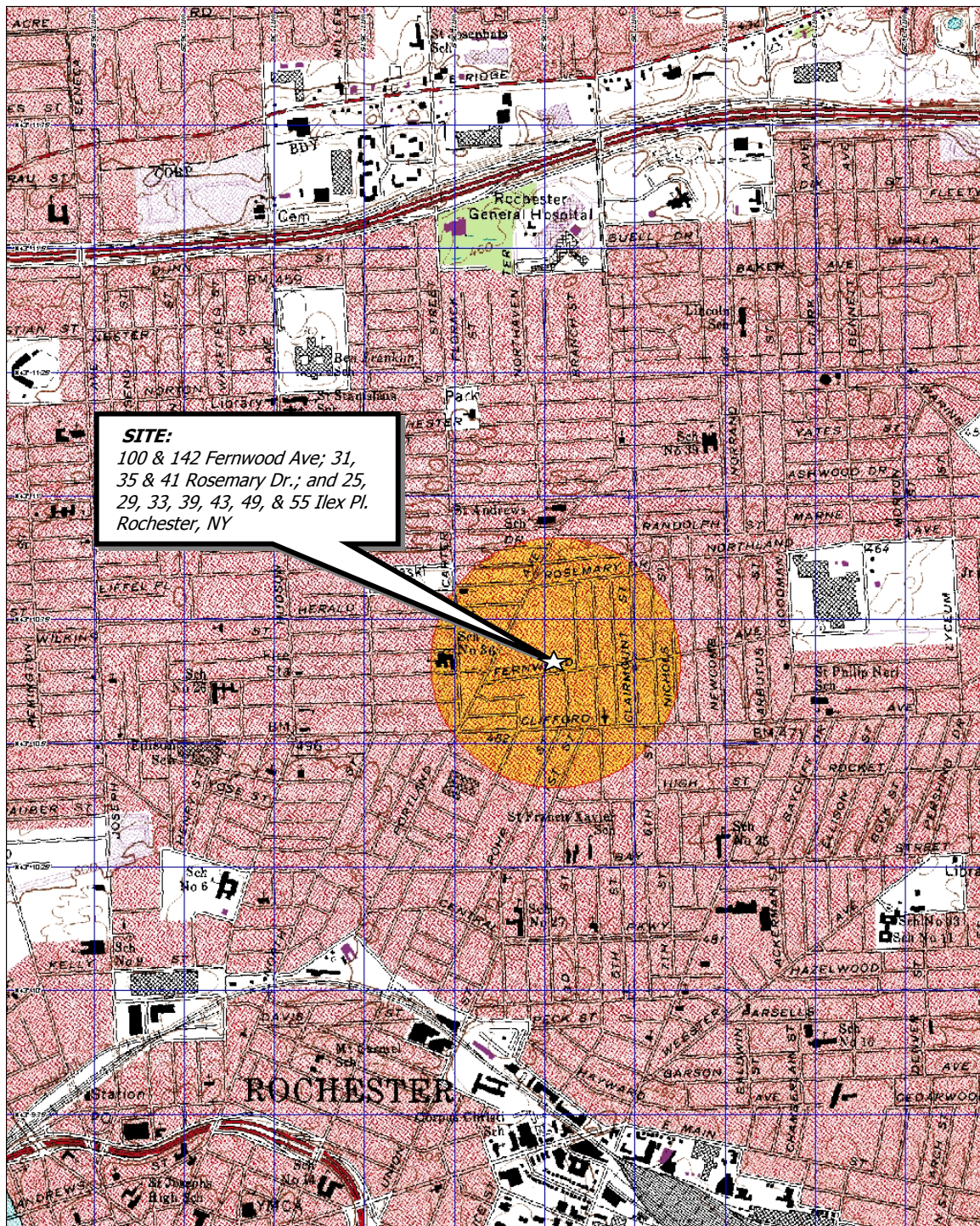
ROCHESTER POLICE CHIEF
PUBLIC SAFETY BUILDING
185 EXCHANGE BLVD.
ROCHESTER, NEW YORK 14614

NYSDEC, REGION 8
6274 EAST AVON-LIMA ROAD
AVON NY 14414

CENTER FOR ENVIRONMENTAL INFORMATION
55 ST. PAUL STREET
ROCHESTER, NY 14604

ATTACHMENT A

Figures 1 and 2



3-D TopoQuads Copyright © 1999 DeLorme Yarmouth, ME 04096 Source Data: USGS

544 ft Scale: 1 : 19,200 Detail: 14-0 Datum: NAD27

Drawing Produced From: 3-D TopoQuads, DeLorme Map Co., referencing USGS quad map Rochester East (NY) 1995. Site Lat/Long: N43d-10.66' – W77d-35.22'

DATE
05-20-2004

DRAWN BY
LRP

SCALE
1" = 2000'



DAY ENVIRONMENTAL, INC.
 ENVIRONMENTAL CONSULTANTS
 ROCHESTER, NEW YORK 14623-2700

PROJECT TITLE

100 & 142 FERNWOOD AVE.; 31, 35 & 41
 ROSEMARY DR.; AND 25, 29, 33, 39, 43, 49
 & 55 ILEX PL.
 ROCHESTER, NEW YORK

DRAWING TITLE

PROJECT LOCUS MAP

PROJECT NO.

3458S-04

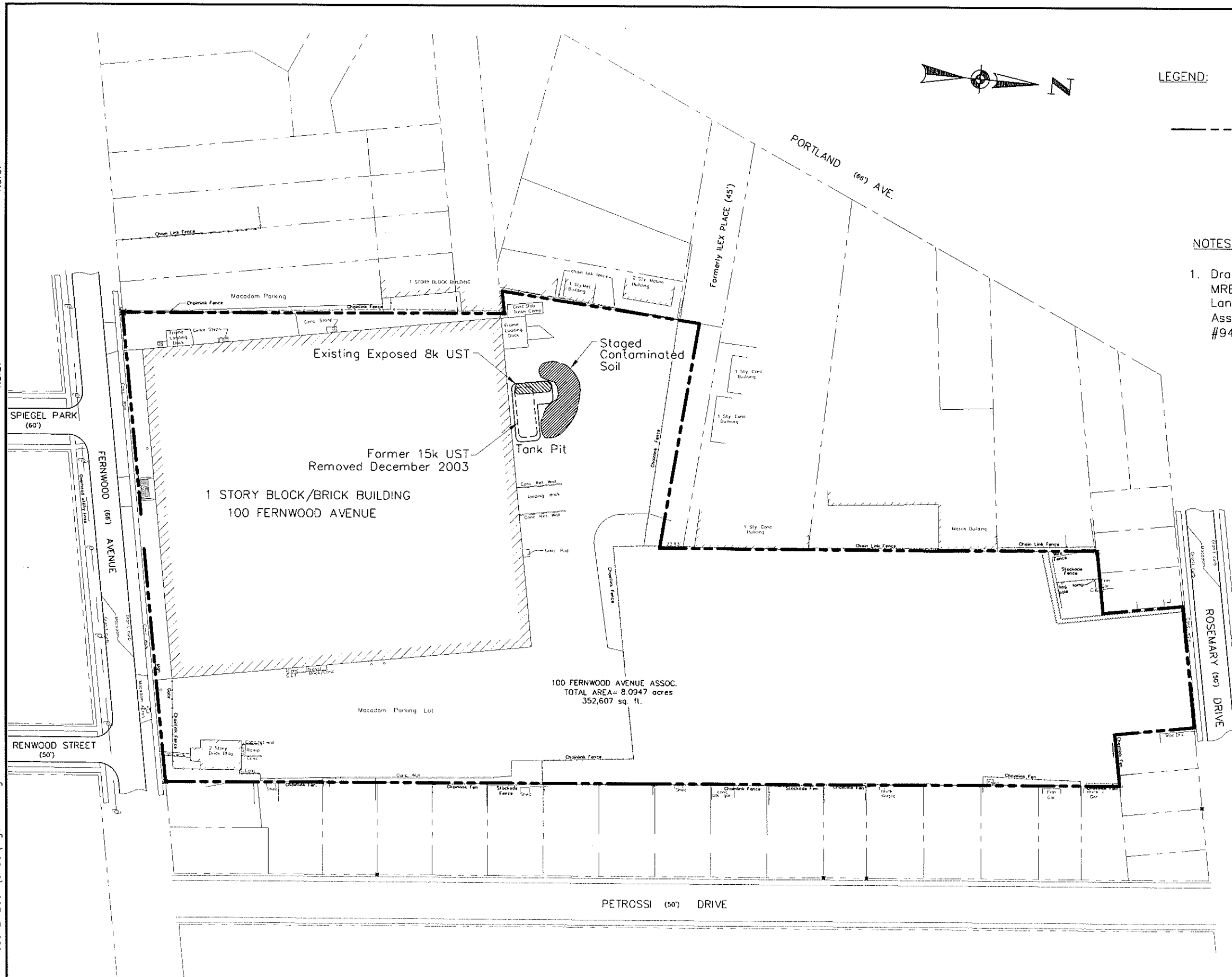
FIGURE 1

Ref4:
Ref5:
Ref6:

Ref1: Base-1.dwg
Ref2:
Ref3:

Xerox432AnsIB-2; 11 x 17

Time Plotted: Mon Nov 8 13:43 2004
File Name: Phase 2-2004\3458\Figure 2.dwg



LEGEND:

- Site Property Line
- Tentative Soil Gas Survey Location

NOTES:

- Drawing produced from a CAD file from MRB Group, P.C. titled "Map of Survey of Lands of 100 Fernwood Avenue Associates" dated 12-15-00, MRB project #942-343.

Design/Tag	DATE
JAD	05-27-2004
Drawn By	DATE DRAWN
LRP	11-08-2004
Scale	DATE ISSUED
As Noted	

day
DAY ENVIRONMENTAL, INC.
ENVIRONMENTAL CONSULTANTS
ROCHESTER, NEW YORK 14614-1008

PROJECT TITLE
100 & 142 FERNWOOD AVENUE; 31, 35 & 41 ROSEMARY DRIVE;
AND 25, 29, 33, 39, 43, 49 & 51 ILEX PLACE
ROCHESTER, NEW YORK
BROWNFIELD CLEANUP PROGRAM
DRAWING TITLE
Site Plan

PROJECT NO.
3458S-04
FIGURE 2

SITE PLAN
1" = 100'

ATTACHMENT B

Citizens Glossary of Environmental Terms and Acronyms

Citizens Glossary of Environmental Terms and Acronyms

A. Glossary

This glossary defines some terms associated with New York State's Brownfield Cleanup Program. Words in **bold** in the definitions are defined elsewhere in the glossary. A list of acronyms often used in the program follows the glossary.

Availability Session	A scheduled gathering of program staff and members of the public in a casual setting, without a formal presentation or agenda but usually focusing on a specific aspect of a site's investigation or remedial process.
BCP	Brownfield Cleanup Program established to address the environmental, legal, and financial barriers that often hinder the redevelopment and reuse of contaminated properties. The BCP is set forth in Title 14 of Article 27 of the New York State Environmental Conservation Law. The program is intended to "encourage persons to voluntarily remediate brownfield sites for reuse and redevelopment."
Brownfield	An abandoned, idled, or under-used property where expansion or redevelopment is complicated by real or perceived environmental contamination. Brownfields are typically former industrial or commercial properties where improper operations may have resulted in soil and/or groundwater contamination.
Citizen Participation	A program of planning and activities to encourage communication among people affected by or interested in brownfield sites and the government and municipal agencies responsible for investigating and remediating them.
Citizen Participation Plan	A document which must be developed at a site's investigation stage. A CP Plan describes the citizen participation activities that will be conducted during a site's investigation and remedial process.
Citizen Participation Specialist	A staff member from a NYSDEC central office or regional office who has specialized training and experience to assist with a site-specific citizen participation program.

Cleanup	Action taken to respond to a hazardous material release or threat of a release that could affect humans and/or the environment. Also called remedial action, removal action, response action, or corrective action.
Comment Period	A time period for the public to review and comment about various documents and actions.
Contaminant	Any physical, chemical, biological, or radiological substance or matter that has an adverse effect on air, water, or soil.
Contaminant Plume	See Plume .
Division of Environmental Remediation	Formerly the Division of Hazardous Waste Remediation, a major program unit within the New York State Department of Environmental Conservation that conducts the brownfield program. Staff include: engineers, geologists, chemists, attorneys, citizen participation specialists, environmental program specialists and support staff.
Document Repository	A file of documents pertaining to a site's investigation, remedial and citizen participation programs which is made available for public review. The file generally is maintained in a public building near the brownfield site to provide access at times and a location convenient to the public.
Groundwater	Water found beneath the earth's surface that fills pores between soil particles or that fills cracks in bedrock. "Well water" is groundwater.
Inorganic	Substances that do not contain carbon. Metals such as zinc and lead are inorganic substances.
Interim Remedial Measure (IRM)	A discrete action which can be conducted at a site relatively quickly to reduce the risk to people's health and the environment from a well-defined contamination problem. An IRM can involve removing contaminated soil and drums, providing alternative water supplies or securing a site to prevent access.

Mailing List	Names, addresses and/or telephone numbers of individuals, groups, organizations, government officials and media affected by or interested in a particular brownfield site. The size of a mailing list and the categories included are influenced by population density, degree of interest in a site, the stage of the investigation or remedial process and other factors.
Micrograms per kilogram (ug/kg)	A unit of measure: micrograms (ug) of a substance contained in a kilogram (kg) of soil. (A microgram is one millionth of a gram.)
Micrograms per liter (ug/l)	A unit of measure: the number of micrograms of one substance in a liter of liquid. One microgram per liter means one microgram of chemical per liter of water, and is essentially equivalent to one part per billion (ppb) at very low concentrations.
Milligrams per kilogram (mg/kg)	A unit of measure: milligrams (mg) of a substance per kilogram (kg) of soil. (A milligram is one thousandth of a gram.)
Milligrams per liter (mg/l)	A unit of measure: the number of milligrams of one substance in a liter of liquid. One milligram per liter means one milligram of chemical per liter of water, and is essentially equivalent to one part per million (ppm) at very low concentrations.
Monitoring Well	A hole drilled into the soil or bedrock which enables officials to collect samples of groundwater at a specific horizontal and vertical location. The samples can then be tested to look for contaminants.
New York State Department of Health	New York State government agency which: performs health-related inspections at suspected hazardous waste sites; conducts health assessments to determine potential risk from environmental exposure; reviews Risk Assessments prepared during site investigations; conducts health-related community outreach around sites; and reviews remedial actions to assure that public health concerns are adequately addressed.
Permeability	The extent to which a liquid or gas can move through a substance. For example, water moves easily through sandy soil (a high permeability soil) and slowly through clay (a low permeability soil).

Plume	An area of chemicals moving away from its source in a feather-like (hence the name, plume) shape. For example, a plume can be a column of smoke drifting away from a chimney or an area of dissolved chemicals moving with groundwater.
ppb/ppm	The concentration of a substance in air, water, or soil. The abbreviations stand for part per billion (ppb) and part per million (ppm). One ppb means there is one part of a substance for every billion parts of the air, water or soil in which it is measured. One ppb is 1,000 times less than 1 ppm.
Project Manager	A DEC staff member within the Division of Environmental Remediation (usually an engineer, geologist or hydro geologist) responsible for oversight of brownfield projects. The Project Manager works with legal, health, citizen participation and other staff to accomplish site-related goals and objectives.
Public Meeting	A scheduled gathering of agency staff and the public to give and receive information, ask questions and discuss concerns about a site's investigation or remedial program. A public meeting, unlike an availability session , generally features a formal presentation and a detailed agenda.
Remedial/Remediate/Remediation	Refers to any procedures or strategies used to address contamination at a brownfield or hazardous waste site. For example, a proposed remedial work plan describes <u>remedial</u> actions (cleanup methods) that have been recommended for a specific site; <u>remediation</u> of a site could include removing contaminated soil or installing a groundwater treatment system.
Remedial Construction	The physical development, assembly and implementation of the remedial alternative selected to remediate a site. Construction follows the Remedial Design stage of a site's remedial program.
Remedial Design	The process following finalization of the Remedial Work Plan in which plans and specifications are developed for the Remedial Construction of the alternative selected to remediate a site.
Responsiveness Summary	A written summary of major oral and written comments received during the comment period for a Proposed Remedial Work Plan , and responses to those comments.

Remedial Alternatives Analysis Report

The Remedial Alternatives Analysis Report uses information developed during the Site Investigation to examine alternative remedial actions to eliminate or reduce the threat of contamination to public health and the environment. This report is sometimes combined with the Remedial Investigation Report.

Remedial Investigation Report

The Remedial Investigation Report defines and characterizes the type and extent of contamination at the site. This report is sometimes combined with the **Remedial Alternatives Analysis Report**.

Semi-Volatile Organic Compounds (SVOCs)

A group of chemicals similar to **Volatile Organic Compounds** that do not evaporate as easily.

Soil Boring

A circular hole made in the ground by a drill to collect soil samples deep in the ground. Samples are collected for testing to see if the subsoil has been contaminated. Sometimes these borings are converted into groundwater **monitoring wells**.

Soil Gas Survey

A method for investigating the underground distribution of **volatile organic compounds** by looking for their vapors in the soil gas (air trapped between soil particles). In a soil gas survey, a small amount of soil gas is collected from various locations and tested for the presence of contaminants.

Volatile Organic Compounds (VOCs)

A group of chemicals that contain carbon and evaporate easily. These chemicals include substances such as industrial cleaning solvents and gasoline.

B. Acronyms

AG	--	New York State Attorney General's Office
AST	--	Above-Ground Storage Tank
C & D	--	Construction and Demolition Debris
CERCLA	--	Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Federal "Superfund" Law)
CO	--	Consent Order
CP	--	Citizen Participation
CPS	--	Citizen Participation Specialist
DEC	--	Department of Environmental Conservation (New York State)
DER	--	Division of Environmental Remediation (DEC)
DNAPL	--	Dense Non-Aqueous Phase Liquid
DOH	--	Department of Health (New York State)
DOL	--	Department of Law (New York State)
ENB	--	Environmental Notice Bulletin
EQBA	--	1986 Environmental Quality Bond Act (New York State "Superfund")
EPA	--	United States Environmental Protection Agency
FOIL	--	Freedom of Information Law
GPM	--	Gallons Per Minute
IRM	--	Interim Remedial Measure
LNAPL	--	Light Non-Aqueous Phase Liquid
mg/kg	--	milligrams per kilogram
mg/l	--	micrograms per liter
MW	--	Monitoring Well
NAPL	--	Non-Aqueous Phase Liquid
ND	--	Not Detected
NPL	--	National Priorities List
NYCRR	--	New York Codes, Rules and Regulations
NYSDEC	--	New York State Department of Environmental Conservation
NYSDOH	--	New York State Department of Health
O & M	--	Operation and Maintenance
OSHA	--	United States Occupational Safety and Health Administration
OU	--	Operable Unit
PAHs	--	Poly-Aromatic Hydrocarbons
PCBs	--	Poly-Chlorinated Biphenyls
PCE	--	Perchloroethene (Tetrachloroethene)
PID	--	Photoionization Detector
POTW	--	Publicly Owned Treatment Works (sewage treatment plant)
ppb	--	parts per billion
ppm	--	parts per million
ppt	--	parts per trillion

PRAP	--	Proposed Remedial Action Plan
PRP	--	Potentially Responsible Party
QA/QC	--	Quality Assurance/Quality Control
RA	--	Remedial Action
RAR	--	Remedial Alternatives Report
RCRA	--	Resource Conservation and Recovery Act (Federal Law)
RD	--	Remedial Design
ROD	--	Record of Decision (DEC document)
SAC	--	State Assistance Contract
SCGs	--	Standards, Criteria and Guidance Values
SEQR	--	State Environmental Quality Review Act
SI	--	Site Investigation
SI/RAR	--	Site Investigation/Remedial Alternatives Report
SPDES	--	State Pollution Discharge Elimination System
STARS	--	Spill Technology and Remediation Series
SVOCs	--	Semi-Volatile Organic Compounds (chemicals)
TAGM	--	Technical and Administrative Guidance Memorandum (DEC documents)
TCA	--	Trichloroethane
TCE	--	Trichloroethylene (trichloroethene)
TCLP	--	Toxicity Characteristic Leaching Procedure
TOGS	--	Technical and Operational Guidance Series
TSDf	--	Treatment, Storage and Disposal Facility
TWA	--	Time-weighted Average
ug/kg	--	micrograms per kilogram
ug/l	--	micrograms per liter
USGS	--	U.S. Geological Service
UST	--	Underground Storage Tank
VOCs	--	Volatile Organic Compounds (chemicals)