

New York State Department of Environmental Conservation

Brownfield Cleanup Program

Citizen Participation Plan For Former Crescent Puritan Laundry

SITE # C828163 1630 DEWEY AVENUE, 149 AND 161 PALM STREET CITY OF ROCHESTER MONROE COUNTY, NEW YORK

SEPTEMBER 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 site investigation and cleanup process.

Applicant: 1630 Dewey Avenue, LLC (.Applicant.) Site Name: Former Crescent Purity Laundry (.Site.) Site Address: 1630 Dewey Avenue, 149 and 161 Palm Street Site County: Monroe County Site Number: C828163

1. What is New Yorks Brownfield Cleanup Program?

New York's Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and developed. 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. 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 a 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 investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and 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: http://www.dec.ny.gov/chemical/8450.html.

2. Citizen Participation Activities Why NYSDEC

Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interest in site investigation and cleanup programs is important for many reasons. These include:

• Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment

- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

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

Project Contacts

Appendix A identifies NYSDEC project contact(s) to which the public should address questions or request information about the site investigation and cleanup 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.

Locations of Reports and Information

The locations of the reports and information related to the sites investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

Site Contact List

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the sites investigation and cleanup process. The 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 activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods. The site contact list includes, at a minimum:

• chief executive officer and planning board chairperson 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;
- Location (s) of reports and information.

The 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 A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a 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 sites investigation and cleanup. The site developer has established a website (www.eastmancommons.org/resources/links.php) that describes the planned development activities at the site.

The public is encouraged to contact project staff at any time during the sites investigation and cleanup process with questions, comments, or requests for information.

This CP Plan maybe revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities.

Technical Assistance Grant

NYSDEC must determine if the site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the site, as described in Section 5.

If the site is determined to be 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 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 site.

For more information about TAGs, go online at http://www.dec.ny.gov/regulations/2590.html

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page:

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Citizen Participation Requirements (Activities)	Timing of CP Activity(ies)	
Application Process:		
 Prepare site contact list Establish document repositories	At time of preparation of application to participate in the BCP.	
 Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30- day public comment period Publish above ENB content in local newspaper Mail above ENB content to site contact list Conduct 30-day public comment period 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.	
After Execution of Brownfield Site Cleanup Agreement:		
Prepare Citizen Participation (CP) Plan Before start of Remedial Investigation		
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:		
 Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan Conduct 30-day public comment period 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.	
After Applicant Completes	Remedial Investigation:	
• Distribute fact sheet to site contact list that describes RI results	Before NYSDEC approves RI Report	
Before NYSDEC Approves	Remedial Work Plan (RWP):	
 Distribute fact sheet to site contact list about proposed RWP and announcing 45-day public comment period Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.	
Conduct 45-day public comment period		
Before Applicant Starts Cleanup Action:		
• Distribute fact sheet to site contact list that describes upcoming cleanup action	Before the start of cleanup action.	
After Applicant Completes	Cleanup Action:	
• Distribute fact sheet to site contact list that announces that cleanup action has been completed and that summarizes the Final Engineering Report	At the time NYSDEC approves Final Engineering Report. These two fact sheets are combined if possible if there is not a delay in issuing the COC.	
• Distribute fact sheet to site contact list announcing issuance of Certificate of Completion (COC)		

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern as they relate to the site Additional major issues of public concern may be identified during the site=s remedial process.

At this juncture the public has not identified major concerns with the project. In the event major concerns are expressed, future communication addressing those concerns will be issued to stakeholders.

4. Site Information

Site Description

The site contains three adjacent parcels located in the City of Rochester at the southeast corner of Dewey Avenue and Palm Street, encompassing approximately 1.34 acres (refer to Figure 1). The area is historically mixed residential/commercial. The 1630 Dewey Avenue property contains a vacant approximate 52,000 square foot 2 -story brick building (Former Crescent Purity Laundry). The 149 and 161 Palm Street properties currently form an asphalt covered parking area behind the former laundry facility.

Contemplated Use of the Site

The proposed new development will provide for demolition/removal of the existing building and construction of a three story 80- unit affordable residential housing complex. The new 25,000 square foot Dewey Avenue complex will be sustainably designed to provide mixed use functionality and make available permanent rental units where residents will execute standard lease agreements. The first floor space on Dewey Avenue will include office space and meeting rooms to preserve the street's commercial character and address market needs. The residential units will be located behind the office space creating a "U" shaped building with a courtyard entrance from Palm Street. The Dewey Avenue project, called Eastman Commons, will include an on-site professional property manager will 24/7 attended reception and a security system for the entire complex.

History of Site Use

This existing vacant facility operated as a commercial laundry (Crescent Puritan Laundry) since the late 1920's to the mid 1970's or early 1980's. After the laundry closed, the property was occupied by a number of tenants for various functions including plastic fabrication, printing, tool machining, bathroom and kitchen cabinet sales, and other commercial/retail uses through the early 1980's and 1990's. Some of the tenants included DJ Printing, Monroe Micro film, Samson's Gym (second floor) and Vella Bath & Kitchen. The 149 and 161 Palm Street properties currently form an asphalt covered parking area behind the former laundry facility. These properties most likely supported the laundry facility operation and contained a vehicle garage and petroleum storage operation.

The adjacent property to the east is an automobile service and repair operation which has operated in this capacity since the 1950's. Further east and north is residential and beyond that is Kodak Park, a division of Eastman Kodak. North of the parcels along Palm Street is residential. The adjacent properties north along Dewey Avenue at Palm are commercial/retail including a Sunoco gasoline station. West of the site across Dewey Avenue are an industrial facility (Steko) and other commercial/retail establishments, including a motor cycle shop, auto service center, and a carpet center. The Steko property has a long history as the Clark Steko Corporation which was a large commercial building that may have been associated with paper manufacturing and supply as early as the 1920's. South of the site, across an alleyway (Industrial Alley – former railroad line) is mixed residential and retail/commercial including an insulation, roofing and gutter repair store and Advent Automotive.

Given the age of construction, asbestos containing building materials are present in the building. Also, universal wastes may be present on site including drums/containers, electrical/process equipment, fluorescent light fixtures, etc.

Relative to historical operations, the use of chemicals such as dry cleaning solvents and petroleum products (heating oil) would have been common. Records and field investigations indicate solvents and petroleum products were stored at the site in underground storage tanks which may have leaked over time. Soils and groundwater have been impacted due to this leakage.

Environmental History

A series of investigations and site assessments have been completed at the property including:

- Phase I and Phase II Environmental Site Assessment completed by Galson Corporation for the City of Rochester Department of Environmental Services in 1999.
- Addendum to The Phase I Environmental Site Assessment: Final Report FOIA Response from NYSDEC completed by Galson in April 1999.
- Modified Phase I Environmental Site Assessment for 149 and 161 Palm Street, Rochester, New York. Completed by Day Environmental, Inc. for the City of Rochester, April 19, 2000.
- Phase I/II Environmental Site Assessment for 1630 Dewey Avenue and 149/161 Palm Street. Completed by PEI for Norstar Development USA, L.P. in September 2006.
- Supplemental Site Characterization 1630 Dewey Avenue Rochester, New York. Completed by ATC Associates for Norstar in July 2010.

Based these investigations, petroleum-like contamination was found in site soils in certain areas of the property and dry cleaning solvents were found in groundwater along the northern border of the property. Four separate petroleum source areas (see Figure 2-Investigation/Remediation Plan Appendix C) were identified as follows:

- Area A the area along and adjacent to the south-southeast side of the Dewey Avenue structure which is the location of an estimated 15,000-20,000-gallon fuel oil underground storage tank. Assessment results in this area suggest limited soil impacts.
- Area B the area along and adjacent to the northeast side of the Dewey Avenue structure which is the location of an estimated 500-1,000-gallon gasoline underground storage tank. Assessment results in this area indicate impacted soil towards Palm Street.
- Area C the area of the former underground storage tank identified in a previous investigation. This area appears to have limited soil impacts isolated to the general area
- Area D the grass covered area east of the boiler room in the Dewey Avenue Structure. This area indicated limited petroleum-like soils impacts to that area

No source area for low levels of dry cleaning solvents found in groundwater has been identified and may have been associated with releases years ago.

To address the four identified source areas of apparent petroleum release and the low levels of dry cleaning solvents in wells, interim remedial measures (IRM's) are being proposed. These measures include the excavation, removal and disposal of the two underground storage tanks in addition to the impacted soils from the four "source" areas. Residual groundwater contamination can then be treated with accelerated bioremediation by the addition of a hydrogen release type mixture to the soil/water interface in the northern excavations prior to clean fill replacement. This will reduce any residual levels of petroleum/solvents in the down gradient wells which can be monitored. In addition, the existing structure will be demolished. A new mixed use office/residential complex will be constructed at the property. This new structure will include vapor barrier and passive vapor intrusion system which can be activated to an active system, if necessary.

Asbestos Containing Materials

The following pre-demolition asbestos surveys have been conducted at the existing vacant Crescent Puritan building:

- Asbestos Survey complete by Galson Corporation for the City of Rochester, Department of Environmental Services, dated February 1999.
- Limited Asbestos Containing Materials Survey completed by Bergmann Associates for Norstar Development USA, L.P., dated December 1999.

The Bergmann survey was limited to an assessment of building materials that that may not have been included in the earlier Galson survey. Both surveys indicated the presence of asbestos containing materials throughout the building. Any universal wastes within the building will be identified and inventoried by the demolition contractor and the owner's representative prior to demolition. Items may include drums/containers, electrical/process equipment, fluorescent light fixtures, etc. Samples of unidentified wastes will be collected for analysis to determine proper disposal.

5. Remedial Cleanup Process

Application

The Applicant has applied for and been accepted into New Yorks Brownfield Cleanup Program as a Volunteer. This means that the Applicant 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 investigation and/or cleanup 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 these activities at the site.

Investigation

The Applicant has completed a full site investigation before it entered into the BCP. The Applicant has submitted an investigation report for the full site investigation. NYSDEC will determine if the investigation goals and requirements of the BCP have been met or if additional work is needed before a remedy can be selected.

NYSDEC will use the information in the investigation report to determine if the site poses a significant threat to public health or the environment. If the site is a significant threat, it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Remedy Selection

The Applicant has recommended in its investigation reports and application that action needs to be taken to address site contamination. Pending approval of the investigation report by the NYSDEC, the Applicant has proposed a "Work Plan for Interim Remedial Measures (IRM) for Site Remediation" of the Former Crescent Purity Laundry Site. The Work Plan describes the Applicants anticipated proposed remedy for addressing contamination related to the site.

When the Applicant submits the proposed Remedial (IRMs) Work Plans for approval, NYSDEC will announce the availability of the proposed plans for public review during a 45-day public comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft Remedial (IRMs) Work Plans if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy.

The Applicant may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH will oversee the activities. When the Applicant completes cleanup activities, it will prepare a final engineering report that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the final engineering report. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved, and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the site after it receives a COC.

Site Management

Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management may be conducted by the Applicant under NYSDEC oversight, if contamination will remain in place. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An institutional control is a non-physical restriction on use of the site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup 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. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy,

such as a system that is pumping and treating groundwater. Site management continues until NYSDEC determines that it is no longer needed.

Appendix A Project Contacts and Locations of Reports and Information

Project Contacts

For information about the site investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Gary E. Bonarski, P. E. Environmental Engineer I Division of Environmental Remediation New York State Department of Environmental Conservation Region 8

6274 East Avon - Lima Road Avon, NY 14414 (585) 226-5328 Lisa L. Silvestri Citizen Participation Specialist Division of Public Affairs New York State Department of Environmental Conservation Region 8 6274 East Avon - Lima Road Avon, NY 14414 (585)-226-5326

New York State Department of Health (NYSDOH):

Justin Deming NYSDOH Bureau of Environmental Exposure Investigation Flanigan Square, Room 300 547 River Street Troy, NY 12180-2216 (518) 402-7860 1-800-458-1158 x27860

Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

Maplewood Public Library 1111 Dewey Avenue, Rochester, NY (585) 428-8220 Hours: Monday-Thursday 11:30AM-7:00PM Friday 11:30AM-5:30PM Saturday 1 0:00AM-2:00PM NYSDEC Region 8 Division of Environmental Remediation 6274 East Avon - Lima Road Avon, NY 14414 (585) 226-5328 (call for appointment) Hours: Monday-Friday 8:30 AM-4:30 PM

Appendix B .Site Contact List

1. The chief executive officer and planning board/dept. chair of each county, city, town and village in which the property is located.

Monroe County

County Executive – Ms. Maggie Brooks

Monroe County Executive 110 County Office Building 39 W. Main St. Rochester, NY 14614 Phone: 585 753-1000 Fax: 585 753-1014

Department of Environmental Services **Department of Environmental Services Director – Mr. Michael J. Garland, P.E.** 7100 City Place 50 W. Main St. Rochester, NY 14614 Phone: 585-753-7600

Planning and Development Department

Department of Planning and Development Director – Ms. Judy A. Seil 8100 City Place 50 W. Main St. Rochester, NY 14614 Phone: 585-753-2000 Fax: 585-753-2028

City of Rochester

Mayor - Mr. Robert J. Duffy

City Hall, Room 307A 30 Church St. Rochester NY 14614 585 -428-7045 Department of Environmental Services **Department of Environmental Services Commissioner – Mr. Paul Holahan** City Hall, Room 300B 30 Church St. Rochester, NY 14614

585-428-6855

Commissioner's Office, Environmental Quality Brownfield Remediation and Redevelopment Port of Rochester Redevelopment – Mr. Mark Gregor 585- 428-6855

Neighborhood and Business Development Commissioner - Mr. R. Carlos Carballada City Hall, Room 223B 30 Church St. Rochester, NY 14614 585-428-8801 Planning and Zoning Director – Mr. Arthur Ientelucci

585-428-7091

2. Residents, owners, and occupants of the property and properties adjacent to the property. Provided separately to NYSDEC for confidentiality

3. Local news media from which the community typically obtains information.

1) News Paper Rochester Democrat and Chronicle 55 Exchange Boulevard Rochester, NY 14614 (585) 232-7100

2)TV9 R News YNN Rochester

71 Mt. Hope Ave Rochester, NY 14620 585-756-2424

3) TV 8 News 201 Humboldt St.

Rochester, NY 14610 585-287-8000

4) TV 10News 191 East Ave. Rochester, NY 14604 585-546-5670

5) TV 13 News 4225 West Henrietta Rochester, NY 14623 585-321-8787

TV 21 WXXI News 280 State Street Rochester, NY 14603 585-258-0200

4. The public water supplier which services the area in which the property is located.

City of Rochester Robert Morrison, Director Bureau of Water 10 Felix Street Rochester, NY 14608 585-428-7500 585 428-5990

Monroe County Water Authority 475 Norris Drive

Rochester, New York 14610- 0999 (585) 442-2000

5. The administrator of any school or day care facility located on or near the property.

School 41- Kodak Park 279 Ridge Road West, Rochester, NY - (585) 254-4472

John Marshall High School 180 Ridgeway Avenue, Rochester, NY - (585) 458-2110

6. Government Officials

Honorable Kristin Gillibrand United States Senate Federeal Building Room 4195 100 State Street Rochester, NY 14614

Cheryl Dinolfo, Monroe County Clerk 110 County Office Building 39 West Main St. Rochester, NY 14614

Jeff Adair, President Monroe County Legislature, Rm 407 County Office Building 39 West Main St. Rochester, NY 14614-1476

7. Agency Contacts

Louise Hartshorn Monroe County EMC 111Westfall Road, PO Box 92832 Rochester, NY 14692

Bartholomew Putzig NYSDEC 6274 East Avon-Lima Rd. Avon, NY 14414

Capt. Mike Van Durme NYSDEC 6274 East Avon-Lima Rd. Avon, NY 14414-9519

Linda Vera NYSDEC 6274 East Avon-Lima Rd. Avon, NY 14414-9519 Jeff Kosmala Monroe County Health Department PO Box 92832 111 Westfall Road Rochester, NY 14692-8932

Joseph Albert Monroe County Health Department PO Box 92832 111 Westfall Road Rochester, NY 14692-8932

8. Interested Parties

Center for Environmental Info. 55 St. Paul St. Rochester, NY 14604-1314

Citizens' Environmental Coalition Western New York Office 33 Central Avenue, 3rd Floor Albany, NY 12210

Bob Holmes Hydro Qual Inc. 1200 Scottsville Road Building C, Suite 120 Rochester, NY 14624

Appendix C

Figure 1 – Project Areas Location

Figure 2– Investigation and Remediation Plan

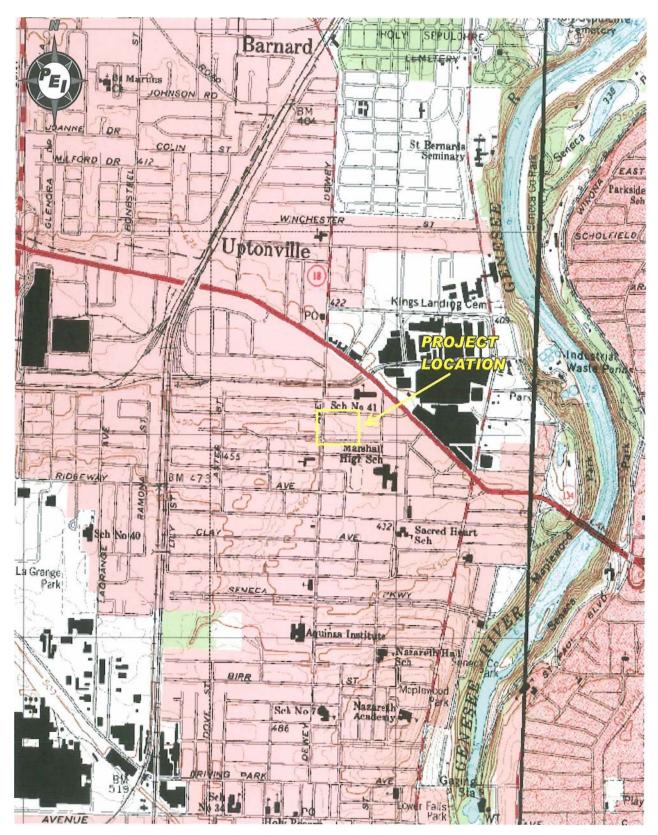
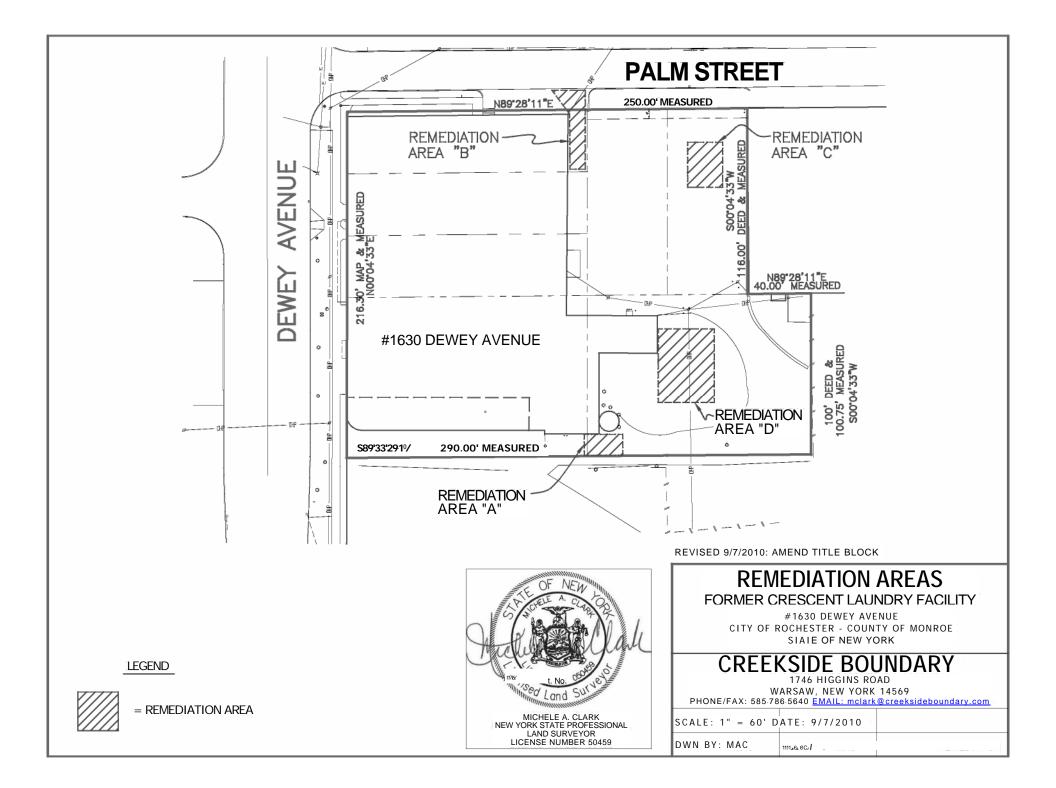


Figure 1. Project areas ocation in the City of Rochester, Monroe County, New York (USGS 7.5' Quadrangle, Rochester West, NY).



Appendix D– Brownfield Cleanup Program Process

