



**Department of
Environmental
Conservation**

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

July 20, 2026

Jane Forbes
Division of Environmental Quality
City Hall
30 Church Street, Room 300B
Rochester, New York 14614

Re: Soil Sampling and Analysis Work Plan
110-210 Colfax Street
Portion of Vacuum Oil Refinery Site
Site No.: C828190
City of Rochester, Monroe (C)

Dear Ms. Forbes:

The New York State Department of Environmental Conservation (Department) has completed a review of the July 2026 Soil Sampling and Analysis Work Plan (Work Plan) for the proposed soil sampling event at 110-210 Colfax Street located in the City of Rochester. The soil/fill material analytical results are to be used for the Beneficial Use Determination (BUD) petition. The Work Plan is approved with the following clarifications and modifications.

1. The Department understands that the analytical laboratory will have the appropriate ELAP certifications for the analytical methods to be completed.
2. The Department understands that the soil samples collected will be analyzed for TCL VOCs plus TICs and TCL SVOCs plus TICs.
3. The Department understands that the reporting limits for PFOA and PFOS as presented in the Department's April 2023 guidance.
4. The Department understands that the analytical results will be compared to 6 NYCRR Part 375-6.8 Soil Cleanup Objective Tables, Table 375-6.8(b) [December 31, 2025] – use the overall lowest value soil cleanup objective (SCO) between the restricted use and the protection of groundwater for comparison in the data summary table. Also use the Department's April 2023 PFOA and PFOS guidance document SCOs for the PFAS comparison.
5. Once the soil sampling event has been completed, no additional soil/fill material can be added to/placed in the existing stockpile. If additional material is added after the scheduled sampling event, then the analytical results of the sampling event will be discarded, and the sampling of the soil/fill material stockpile will need to be repeated with appropriate number of samples based on the volume of the material stockpiled.

Within fifteen (15) days of the date of this letter and prior to any fieldwork activities, the Applicant must elect in writing (electronic notification is acceptable) one of the following options:

- Option A: Accept the modified work plan;
- Option B: Invoke dispute resolution as set forth in 6 NYCRR Part 35-1.5(b)(2); or
- Option C: Terminate the Brownfield Cleanup Agreement in accordance with 6 NYCRR Part 375-3.5.

If the Applicant chooses to accept Option A then this letter becomes part of the approved Soil Sampling and Analysis Work Plan dated July 2026 for 110-210 Colfax Street. Also, if Option A is chosen then a copy of the approved Soil Sampling and Analysis Work Plan for 110-210 Colfax Street along with this letter attached must be placed in the document repository within 1 week of accepting Option A and prior to any fieldwork activities. Please provide notification to the Department that the Soil Sampling and Analysis Work Plan for 110-210 Colfax Street and a copy of this letter have been placed in the document repository (electronic notification is acceptable).

NYSDEC seeks to resolve outstanding differences in a mutually agreeable manner which addresses the requirements of the Brownfield Cleanup Agreement, Part 375, and all applicable laws, regulations, and guidance. If you or your technical team have any questions or concerns regarding this request, please contact me via email at charlotte.theobald@dec.ny.gov or at 585-226-5354. If your legal team have any questions or concerns regarding this request, please feel free to contact Deborah Gorman via e-mail at Deborah.Gorman@dec.ny.gov or at 518-402-9525 and Kyle Pero at kyle.pero@dec.ny.gov.

Sincerely,



Charlotte B. Theobald
Assistant Engineer

ec:

Scott Thompson (City of Rochester)
Greg Andrus (Lu Engineering)
Kayla Harris (Lu Engineering)
Jeff Danzinger (Day Environmental)
Justin Deming (NYSDOH)
Julia Kenney (NYSDOH)
Christopher Budd (NYSDOH)
Starr O'Neil (MCHD)
Dr. Velez De Brown (MCHD)
Kyle Pero (NYSDEC)
Deborah Gorman (NYSDEC)
Greg MacLean (NYSDEC)
Michael Ormanoski (NYSDEC)

Soil Sampling and Analysis Plan

Site #5

110-210 Colfax Street

City of Rochester

Monroe County, New York



Prepared for:

City of Rochester
Division of Environmental Quality
30 Church Street, Room 300B
Rochester, New York 14614

Prepared by:



280 East Broad Street, Suite 170
Rochester, New York 14604

and



1563 Lyell Avenue
Rochester, New York 14606

July 2026

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List of Acronyms

ALS	ALS Environmental
ASP	Analytical Services Protocol
BCP	Brownfield Cleanup Program
BGS	Below Ground Surface
BUD	Beneficial Use Determination
City	City of Rochester
CY	Cubic Yard
DAY	Day Engineering and Geology, D.P.C.
DUSR	Data Usability Summary Report
ELAP	Environmental Laboratory Approval Program
GIS	Geographic Information System
GPS	Global Positioning System
Lu	Lu Engineers
Marques	Marques and Associates, P.C.
MS/MSD	Matrix Spike/Matrix Spike Duplicate
NYCRR	New York Codes, Rules and Regulations
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
PCB	Polychlorinated Biphenyl
PFAS	Per- and polyfluoroalkyl substances
PID	Photoionization Detector
QA/QC	Quality Assurance/Quality Control
RRSCO(s)	Restricted Residential Use Soil Cleanup Objective(s)
SCO(s)	Soil Cleanup Objective(s)
SVOC	Semi-Volatile Organic Compound
TAL	Target Analyte List
TCL	Target Compound List
TREC	TREC Environmental, Inc.
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compound

1.0 Introduction

The City of Rochester (City) is proposing to complete sampling and analysis of a source of soil at the City of Rochester Division of Forestry, 110-210 Colfax Street, Rochester, New York, subsequently referred to as “Site #5” (Figure 5-1). The viability of using this soil as a source of imported material at the City-owned former Vacuum Oil Brownfield Cleanup Program (BCP) Site (NYSDEC BCP Site #C828190) is being considered.

On May 1, 2026, Marques and Associates, P.C. (Marques) surveyed the location and elevation of a single, large, irregular soil pile at Site #5, which consists of screened topsoil that was generated as a result of various City projects. The horizontal and vertical survey data collected by Marques was entered into a geographic information system (GIS) for volumetric analysis by Lu Engineers. A lower raster to represent a bottom cut elevation surface beneath the soil pile was prepared based on the “toe” survey points around the perimeter of the pile considered to be representative of the ambient elevation of the subject soil pile location. GIS Spatial Analyst was used to calculate the volume of the soil pile above the lower raster, and the available volume above the lower raster was initially calculated to be 19,652 cubic yards (CY).

After review by the NYSDEC and the project team, it was concluded that re-shaping of the staged materials would be necessary to verify the quantity of staged soils and to facilitate generation of representative laboratory data. At the direction of the City, TREC Environmental, Inc. (TREC) used a bulldozer to reshape the pile on July 9 and 10, 2026. On July 16, 2026, (Marques) surveyed the location and elevation of the pile again at Site #5. Using GIS Spatial and 3D Analysts, the volume of the pile was re-calculated to be 12,944 CY.

As required by the New York State Department of Environmental Conservation (NYSDEC), the soil pile at Site #5 needs to be chemically characterized to determine possible uses at the NYSDEC BCP Site #C828190.

2.0 Sampling and Analysis Plan

NYSDEC Part 360.13(e) and Section 5.4(e) of NYSDEC DER-10 provide guidance on number of samples based on volume, and test parameters to characterize a proposed source. Since NYSDEC BCP Site #C828190 is in the BCP, guidance from Section 5.4(e) of NYSDEC DER-10 takes precedence and is used along with input from the NYSDEC Project Manager given the various sources of the materials staged at Site #5. Based on a volume of 12,944 CY, collection of 31 discrete soil samples and 14 composite soil samples is planned from soil boring locations. The 31 planned soil boring locations are shown on Figure 5-3.

A qualified subcontractor will be retained to install 31 soil boring locations to the desired depths utilizing a Geoprobe® drill-rig using direct-push methods. Macro-core samplers will be used to collect soil samples from the ground surface to the bottom of each soil boring location. Drilling equipment will be decontaminated using an Alconox and water wash/water rinse prior to use at each location. Wash water will be discharged to the ground surface.

A representative of the Lu or Day Engineering and Geology, D.P.C. (DAY) team will observe, document and screen the soil samples and associated headspace soil samples in the field for total volatile organic compounds (VOCs) using a photoionization detector (PID). In addition, the representative will observe the samples for visual and olfactory evidence of apparent environmental impairment (e.g. odors, staining and free product). The representative will collect portions of samples for analytical laboratory testing. The samples submitted for testing will be biased towards the portions of the specific depth interval yielding the highest field evidence of apparent impairment. For test locations with no field evidence of apparent impairment, a portion of samples for analytical laboratory testing will be collected from random depths within the selected depth interval to be tested at the specific soil boring locations. Soil boring logs will be prepared that describe pertinent information (e.g., PID measurements, evidence of contamination, lithology, sample moisture, sample depth intervals, depths, etc.).

The soil boring locations installed during this task will be located via tape measure by reference to existing site features and/or using a global positioning system (GPS) unit. Upon completion of the work, soil boring locations will be backfilled with soil that was removed.

Discrete soil samples are anticipated to be collected from each soil boring from the targeted depth intervals indicated in parentheses provided below:

GP5-01 (4-8 ft below the ground surface [bgs])

GP5-02 (8-12 ft bgs)

GP5-03 (0-4 ft bgs)

GP5-04 (8-12 ft bgs)

GP5-05 (4-8 ft bgs)

GP5-06 (0-4 ft bgs)

GP5-07 (8-12 ft bgs)

GP5-08 (0-4 ft bgs)

GP5-09 (4-8 ft bgs)

GP5-10 (0-4 ft bgs)

GP5-11 (4-8 ft bgs)

GP5-12 (8-12 ft bgs)

GP5-13 (0-4 ft bgs)

GP5-14 (4-8 ft bgs)
GP5-15 (8-12 ft bgs)
GP5-16 (0-4 ft bgs)
GP5-17 (4-8 ft bgs)
GP5-18 (0-4 ft bgs)
GP5-19 (8-12 ft bgs)
GP5-20 (4-8 ft bgs)
GP5-21 (0-4 ft bgs)
GP5-22(8-12 ft bgs)
GP5-23 (4-8 ft bgs)
GP5-24 (8-12 ft bgs)
GP5-25 (0-4 ft bgs)
GP5-26 (4-8 ft bgs)
GP5-27 (4-8 ft bgs)
GP5-28 (8-12 ft bgs)
GP5-29 (0-4 ft bgs)
GP5-30 (4-8 ft bgs)
GP5-31 (0-4 ft bgs)

A separate aliquot for compositing will be collected at each test location's planned sample depth interval, which will be composited into the following composite laboratory samples:

1. Composite aliquots from locations GP5-01 and GP5-02
2. Composite aliquots from locations GP5-03 and GP5-04
3. Composite aliquots from locations GP5-05 and GP5-06
4. Composite aliquots from locations GP5-07 and GP5-10
5. Composite aliquots from locations GP5-08 and GP5-09
6. Composite aliquots from locations GP5-22 and GP5-23
7. Composite aliquots from locations GP5-11 and GP5-12
8. Composite aliquots from locations GP5-13 and GP5-14
9. Composite aliquots from locations GP5-18 and GP5-19
10. Composite aliquots from locations GP5-20 and GP5-21
11. Composite aliquots from locations GP5-30 and GP5-31
12. Composite aliquots from locations GP5-27, GP5-28 and GP5-29
13. Composite aliquots from locations GP5-24, GP5-25 and GP5-26
14. Composite aliquots from locations GP5-15, GP5-16 and GP5-17

Pace Analytical (Pace) is a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP)-certified analytical laboratory (ELAP #10478). Pace or another ELAP-approved laboratory will complete the analytical laboratory testing of all samples. Samples will be submitted under chain-of-custody control and testing program, including those for associated quality assurance/quality control samples (QA/QC), as indicated below.

Field Samples

The 31 discrete soil field samples will be tested for:

- Target Compound List (TCL) VOCs via United States Environmental Protection Agency (USEPA) Method 8260.

The 14 composite soil field samples will be tested for:

- TCL semi-volatile organic compounds (SVOCs) via USEPA Method 8270.
- Target Analyte List (TAL) Metals via USEPA Method 6010/7470/7471.
- Polychlorinated biphenyls (PCBs) via USEPA 8082.
- Pesticides via USEPA Method 8081.
- Herbicides via USEPA Method 8151.
- Cyanide via USEPA Method 9012.
- Per- and polyfluoroalkyl substances (PFAS) via USEPA Method 1633 [submit samples on a separate chain of custody].
- 1,4-Dioxane via USEPA Method 8270 SIM [submit samples under a separate chain of custody].

Quality Assurance/Quality Control (QA/QC) Samples

- a. Matrix spike/matrix spike duplicate (MS/MSD) on two (2) discrete samples will be tested for:
 - TCL VOCs via USEPA Method 8260.
- b. MS/MSD on one (1) composite sample will be tested for:
 - TCL SVOCs via USEPA Method 8270.
 - TAL Metals via USEPA Method 6010/7470/7471.
 - PCBs via USEPA Method 8082.
 - Pesticides via USEPA Method 8081.
 - Herbicides via USEPA Method 8151.
 - Cyanide via USEPA Method 9012.
 - PFAS via USEPA Method 1633 [submit sample under a separate chain of custody].
 - 1,4-Dioxane via USEPA Method 8270 SIM [submit sample under a separate chain of custody].
- c. Blind field duplicate on two (2) discrete samples will be tested for:
 - TCL VOCs via USEPA Method 8260.
- d. Blind field duplicate on one (1) composite sample will be tested for:
 - TCL SVOCs via USEPA Method 8270.
 - TAL Metals via USEPA Method 6010/7470/7471.
 - PCBs via USEPA Method 8082.
 - Pesticides via USEPA Method 8081.
 - Herbicides via USEPA Method 8151.
 - Cyanide via USEPA Method 9012.
 - PFAS via USEPA Method 1633 [submit sample under a separate chain of custody].
 - 1,4-Dioxane via USEPA Method 8270 SIM [submit sample under a separate chain of custody].
- e. One (1) equipment blank will be tested for PFAS via USEPA Method 1633 [submit sample under a separate chain of custody].

The laboratory will report findings in analytical services protocol (ASP) Category B deliverables and NYSDEC Equis EXCEL EDD in approximately 10 to 15 business days after receipt of the samples.

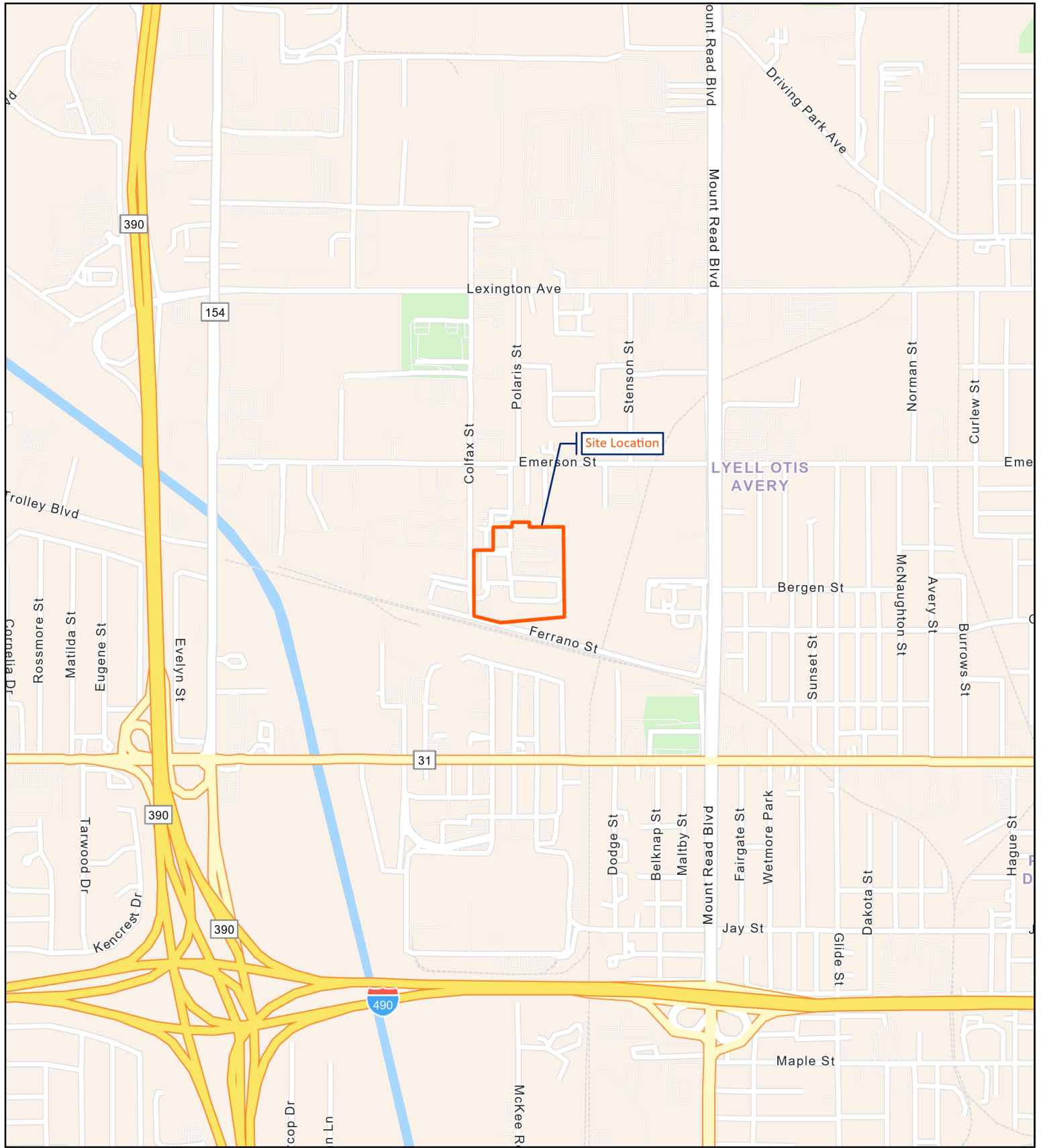
Initially, a Data Usability Summary Report (DUSR) will not be completed on the Category B deliverables for the analytical laboratory test results. If subsequent to review of the test results the City decides to pursue a Beneficial Use Determination (BUD) to propose use of the soil from this Site at BCP Site #C828190, the NYSDEC project manager for BCP Site #C828190 will be contacted to determine if NYSDEC requires a DUSR be performed on the test results. If required by the NYSDEC, a DUSR will be completed and components of the Data Package outlined in Section 3.0 will be updated accordingly.

3.0 Data Package

Subsequent to receipt of the analytical laboratory results, a data package will be prepared that includes a project location map, a figure depicting test locations in relation to pile topography, the analytical laboratory report, field logs for each test location that include a description of soil lithology, sample intervals, peak PID readings on sample intervals screened, observations concerning environmental impairment (if present), and one or more data table that include comparison of field sample test results to NYSDEC Restricted Residential Use soil cleanup objectives (RRSCOs) as set forth in Table 375-6.8(b) of 6 New York Codes, Rules and Regulations (NYCRR) Part 375. These SCOs are the criteria that need to be met for imported materials at BCP Site #C828190.

The resulting sampling and analysis information and data in the data package may subsequently be used in a BUD petition for NYSDEC BCP Site #C828190.

FIGURES



Scale 1:24,000



Contour Interval: 10 Feet



Figure 1. Site Location Map
City of Rochester Forestry Division
110-210 Colfax Street (Site #5)
Rochester, New York 14606

DATE: May 2026
PROJECT #: 4295
DRAWN/CHECKED: MGW/GLA
DATA SOURCE: ESRI Online Basemap

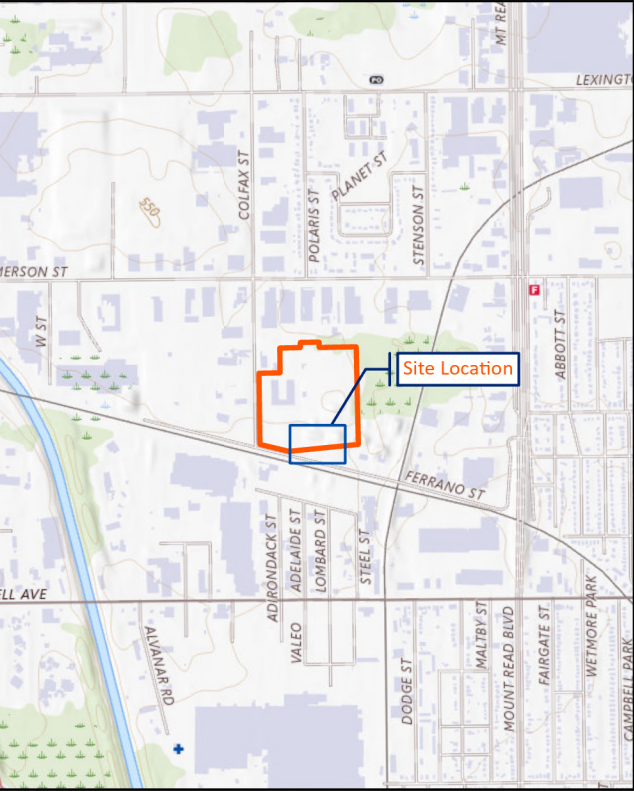
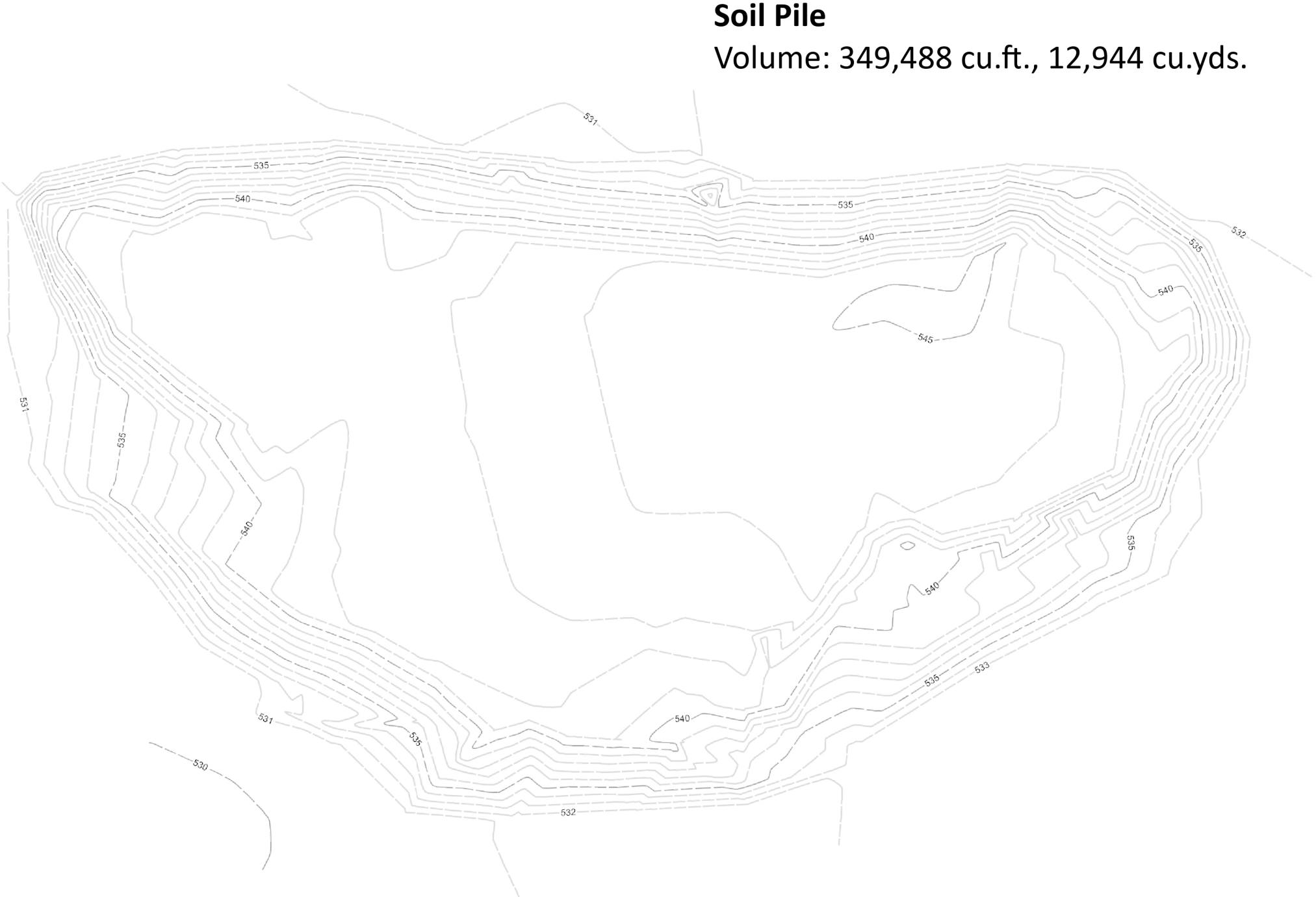


Figure 2:
Site Plan

Project:
Site #5 - Colfax BUD
110-210 Colfax Street

Location:
City of Rochester Department of Forestry
110-210 Colfax Street
Rochester, NY 14606

Legend

Site Location

Notes:

- April 2018 aerial image obtained from EagleView CONNECTExplorer
- Soil pile contour overlay obtained from Marques and Associates, P.C.
- Contour interval equals one (1) ft



Drawn/Checked By: MGA/GLA
Lu Project Number: 4295
Date: July 2026
Notes: 1. Coordinate System: NAD 1983 (2011) State Plane NY Central FIPS 3102 Feet 2. ESRI Basemap from ArcGIS Online 3. Scale: 1:360 (original document size 11"x17")

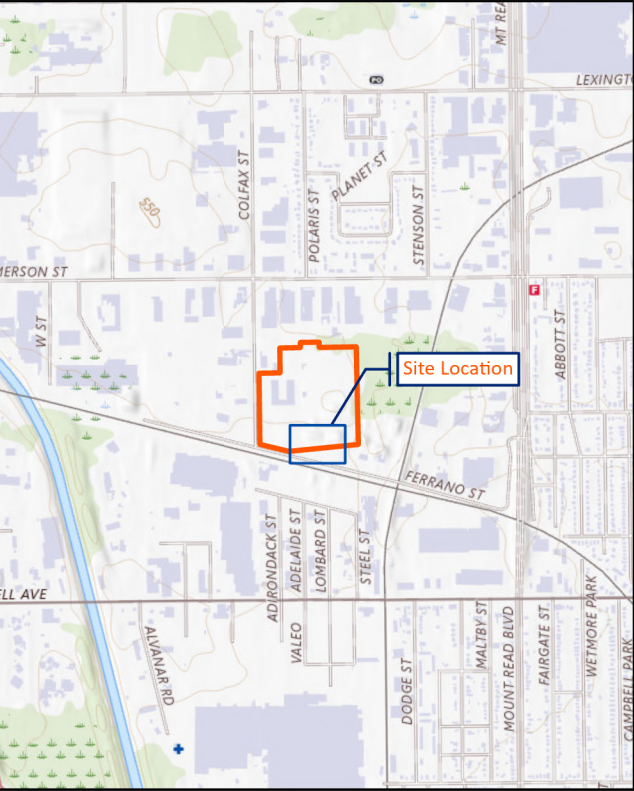


Figure 3:
Proposed Soil Sample Locations

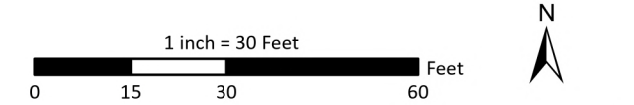
Project:
Site #5 - Colfax BUD
110-210 Colfax Street

Location:
City of Rochester Department of Forestry
110-210 Colfax Street
Rochester, NY 14606

- Legend**
- Site Location
 - Proposed Geoprobe Locations

Notes:

- April 2018 aerial image obtained from EagleView CONNECTExplorer
- Soil pile contour overlay obtained from Marques and Associates, P.C.
- Contour interval equals one (1) ft
- bgs - below ground surface



Drawn/Checked By: MGA/GLA
Lu Project Number: 4295
Date: July 2026
Notes: 1. Coordinate System: NAD 1983 (2011) State Plane NY Central FIPS 3102 Feet 2. ESRI Basemap from ArcGIS Online 3. Scale: 1:360 (original document size 11"x17")

Soil Pile

Volume: 349,488 cu.ft., 12,944 cu.yds.

