DECISION DOCUMENT

113-117 Clinton North
Brownfield Cleanup Program
Rochester, Monroe County
Site No. C828195
April 2020

Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - DECISION DOCUMENT

113-117 Clinton North
Brownfield Cleanup Program
Rochester, Monroe County
Site No. C828195
April 2020

Statement of Purpose and Basis

This document presents the remedy for the 113-117 Clinton North site, a brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the 113-117 Clinton North site and the public's input to the proposed remedy presented by the Department.

Description of Selected Remedy

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the above referenced site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) or alternatives analysis (AA). The IRM(s) undertaken at this site are discussed in Section 6.2.

Based on the implementation of the IRM(s), the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment; therefore, No Further Action is the selected remedy. The remedy may include continued operation of a remedial system if one was installed during the IRM and the implementation of any prescribed institutional controls/engineering controls (ICs/ECs) that have been identified as being part of the proposed remedy for the site.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

04/13/2020 — Michael Cruden

Date

Michael Cruden, Director
Remedial Bureau E

DECISION DOCUMENT

113-117 Clinton North
Rochester, Monroe County
Site No. C828195
April 2020

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site resulted in threats to public health and the environment that were addressed by actions known as an interim remedial measure (IRM), which was undertaken at the site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) or alternative analysis (AA). The IRM undertaken at this site is discussed in Section 6.2.

Based on the implementation of the IRM, the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment. The IRM conducted at the site attained the remediation objectives identified for this site, which are presented in Section 6.5, for the protection of public health and the environment. No Further Action is the selected remedy. A No Further Action remedy may include continued operation of any remedial system installed during the IRM and the implementation of any prescribed controls that have been identified as being part of the remedy for the site. This DD identifies the IRM conducted and discusses the basis for No Further Action.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

Central Library of Rochester and Monroe County
115 South Avenue
Rochester, NY 14604
Phone: 585-428-7300

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The 0.11-acre site is located at 113-117 Clinton Avenue North in the downtown area of the City of Rochester. It is adjacent to the Former Silver Cleaners Superfund Site (#828186) to the north and a school to the south.

Site Features: Nearly the entire site is occupied by a 5-story structure with a full basement. The entire site is either paved or covered by the building.

Current Zoning and Land Use: The property is zoned Center City District, which allows for a broad range of commercial and residential uses. The on-site building has commercial businesses on the ground floor and residential use as a boarding house on the upper floors.

Past Use of the Site: Historical mapping indicates that the property was developed with an apparent residential dwelling and a separate commercial structure from at least 1875 until the 1910s or 1920s. The current site building appears to have been first constructed in the mid-1920s. The building appears to have been utilized as a boarding house with first floor commercial businesses since the 1920s.

Site Geology and Hydrogeology: Based upon data from the adjacent Silver Cleaners site, the area soils consist of miscellaneous fill material that is underlain with fine sand with trace silt and gravel. The miscellaneous fill material consists of soil, concrete, and brick. The Genesee River is located approximately 0.2 miles west of the site. The local groundwater flow direction is to the north. The depth to groundwater in the area is approximately 6 to 9 feet below ground surface.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives that restrict the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in Part 375-1.8(g) were evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the investigation to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the Remedial Investigation (RI) Report.

SECTION 5: ENFORCEMENT STATUS

The Applicant under the Brownfield Cleanup Agreement is a Volunteer. The Applicant does not have an obligation to address off-site contamination. However, the Department has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor
- indoor air

- sub-slab vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant of concern identified at this site is:

Tetrachloroethene (PCE)

Based on the investigation results, comparison to the SCGs, and the potential public health and environmental exposure routes, a certain medium and area of the site required remediation. This medium was addressed by the IRM described in Section 6.2. More complete information can be found in the RI Report and the IRM Construction Completion Report.

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

The following IRM was completed at this site based on conditions observed during the RI.

Sub-Slab Depressurization System

A sub-slab depressurization system was installed to mitigate exposures associated with soil vapor intrusion from the adjacent Former Silver Cleaners Superfund site. There are no on-site sources of volatile organic compound (VOC) contamination which would impact indoor air. The system was activated in December 2018 and the confirmation indoor air samples indicated that levels of contaminants in indoor air within the basement are below the NYSDOH Air guideline values for PCE. The construction completion report was approved in October 2019.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Nature and Extent of Contamination:

The RI did not indicate any on-site sources of contamination. This site is being impacted by contamination from the adjacent Silver Cleaners site (#828186). Please refer to Figure 4 for a summary of the off-site contamination source. Soil and groundwater on the site have been analyzed for VOCs, semi-volatile organic compounds (SVOCs), metals, pesticides/herbicides and polychlorinated biphenyls (PCBs).

Groundwater:
The primary contaminants of concern migrating from the Silver Cleaners site are PCE and petroleum related-compounds impacting the site via soil vapor transport. Neither PCE nor petroleum-related VOCs were detected in the on-site wells installed through the basement slab. Please refer to Figure 2 for on-site soil and groundwater data from the RI.

A basement sump was sampled for VOCs as part of a preliminary investigation conducted by the Department in 2015. The sump water sample was collected from the sump labeled as NC-SUMP-01 in Figure 3. No VOCs were detected.

Soil:
The footprint of the building occupies the entire site. Two soil borings were advanced through the basement slab of the building. No native soils were encountered, and fill materials consisting of silt, sand, pea gravel, and brick fragments were present from immediately beneath the floor slab to refusal (between 3.6-ft and 4.6-ft. below the floor). Soils were sampled and analyzed for the analytes listed above, and no contamination was detected above the restricted-residential soil cleanup objectives (SCOs).

Soil Vapor:
Two sub-slab and two indoor air samples were collected concurrently in the on-site building. PCE was detected in the indoor air at concentrations of 170 micrograms per cubic meter (mcg/m3) for both indoor samples. The levels of PCE found in the indoor air were above NYSDOH Air Guidance value of 30 micrograms per cubic meter (mcg/m3). Please refer to Figure 3. A sub-slab depressurization system was installed to mitigate exposures. After the sub-slab depressurization was installed, the confirmation indoor air samples indicated that levels of contaminants in indoor air within the basement are below the NYSDOH Air guideline value for PCE. Continued operation of the SSDS is required. No additional actions are necessary.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure.*

Volatile organic compounds in the groundwater may move into the soil vapor (air between soil particles), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Actions have been implemented where necessary to address the potential for inhalation of site related contaminants via soil vapor intrusion in on and offsite buildings.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

Based on the results of the investigations at the site, the IRM that has been performed, and the evaluation presented here, the Department has selected No Further Action as the remedy for the site. This No Further Action remedy includes continued operation of the sub-slab depressurization system and the implementation of an environmental easement and site management plan as the selected remedy for the site. The Department believes that this remedy is protective of human health and the environment and satisfies the remediation objectives described in Section 6.5.

The elements of the IRM already completed and the required institutional and engineering controls} are listed below:

Engineering and Institutional Controls

Imposition of an institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will achieve a Track 2

restricted residential cleanup at a minimum and will include an environmental easement, and site management plan as described below.

Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential, commercial, or industrial use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and
- require compliance with the Department approved Site Management Plan.

Site Management Plan

A Site Management Plan is required, which includes the following:

An Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in above.

Engineering Controls: The sub-slab depressurization system described in section 6.2

This plan includes, but may not be limited to:

- descriptions of the provisions of the environmental easement including any land use, and groundwater use restrictions;
- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

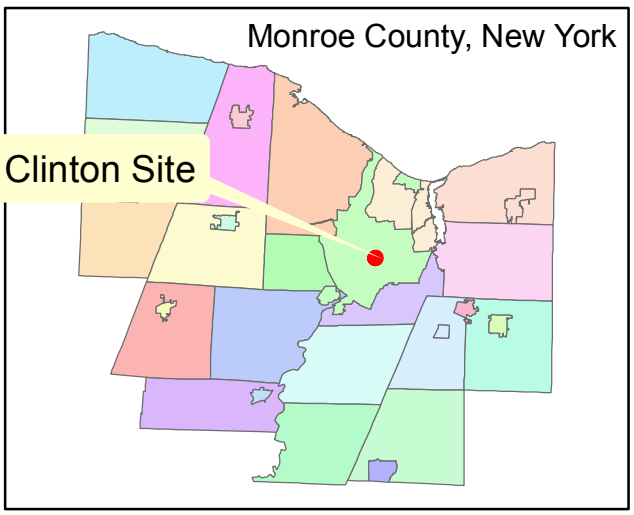
An Operation and Maintenance (O&M) Plan to ensure continued operation, maintenance, inspection, and reporting of any mechanical or physical components of the active vapor mitigation system. The plan includes, but is not limited to:

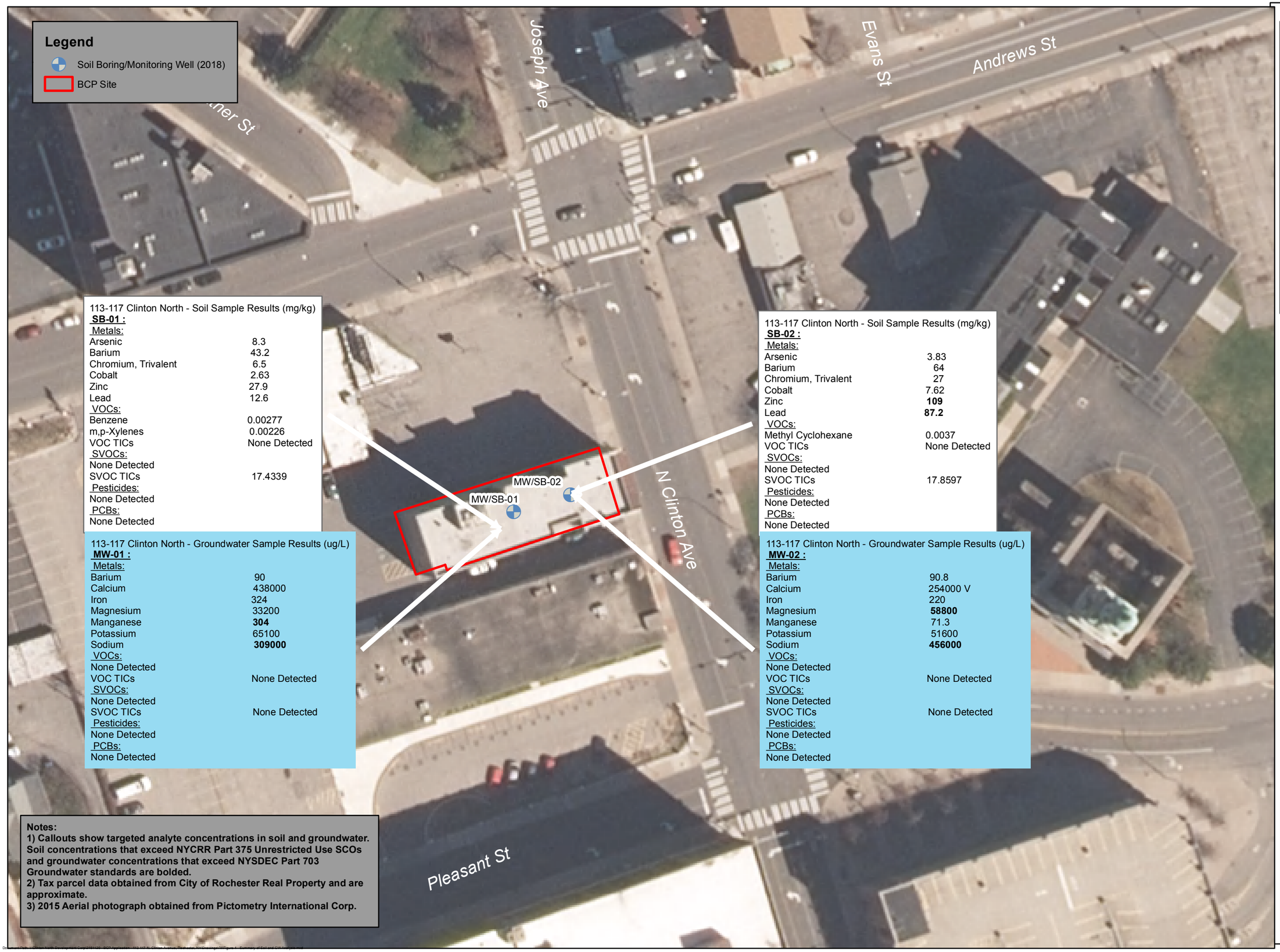
- procedures for operating and maintaining the system; and
- compliance inspection of the system to ensure proper O&M as well as providing the data for any necessary reporting.

113-117 North Clinton Site
Rochester, New York

Figure 1

NYSDEC - November 2016





113-117 Clinton North - Soil Sample Results (mg/kg)

SB-01 :

Metals:	
Arsenic	8.3
Barium	43.2
Chromium, Trivalent	6.5
Cobalt	2.63
Zinc	27.9
Lead	12.6
VOCs:	
Benzene	0.00277
m,p-Xylenes	0.00226
VOC TICs	None Detected
SVOCs:	
None Detected	
SVOC TICs	17.4339
Pesticides:	
None Detected	
PCBs:	
None Detected	

113-117 Clinton North - Soil Sample Results (mg/kg)

SB-02 :

Metals:	
Arsenic	3.83
Barium	64
Chromium, Trivalent	27
Cobalt	7.62
Zinc	**109**
Lead	**87.2**
VOCs:	
Methyl Cyclohexane	0.0037
VOC TICs	None Detected
SVOCs:	
None Detected	
SVOC TICs	17.8597
Pesticides:	
None Detected	
PCBs:	
None Detected	

113-117 Clinton North - Groundwater Sample Results (ug/L)

MW-01 :

Metals:	
Barium	90
Calcium	438000
Iron	324
Magnesium	33200
Manganese	**304**
Potassium	65100
Sodium	**309000**
VOCs:	
None Detected	
VOC TICs	None Detected
SVOCs:	
None Detected	
SVOC TICs	None Detected
Pesticides:	
None Detected	
PCBs:	
None Detected	

113-117 Clinton North - Groundwater Sample Results (ug/L)

MW-02 :

Metals:	
Barium	90.8
Calcium	254000 V
Iron	220
Magnesium	**58800**
Manganese	71.3
Potassium	51600
Sodium	**456000**
VOCs:	
None Detected	
VOC TICs	None Detected
SVOCs:	
None Detected	
SVOC TICs	None Detected
Pesticides:	
None Detected	
PCBs:	
None Detected	

Notes:
1) Callouts show targeted analyte concentrations in soil and groundwater. Soil concentrations that exceed NYCRR Part 375 Unrestricted Use SCOs and groundwater concentrations that exceed NYSDEC Part 703 Groundwater standards are bolded.
2) Tax parcel data obtained from City of Rochester Real Property and are approximate.
3) 2015 Aerial photograph obtained from Pictometry International Corp.

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BROWNFIELD CLEANUP PROGRAM
REMEDIAL INVESTIGATiON
REPORT SITE #C828158

113-117 NORTH CLINTON AVENUE
ROCHESTER, NEW YORK

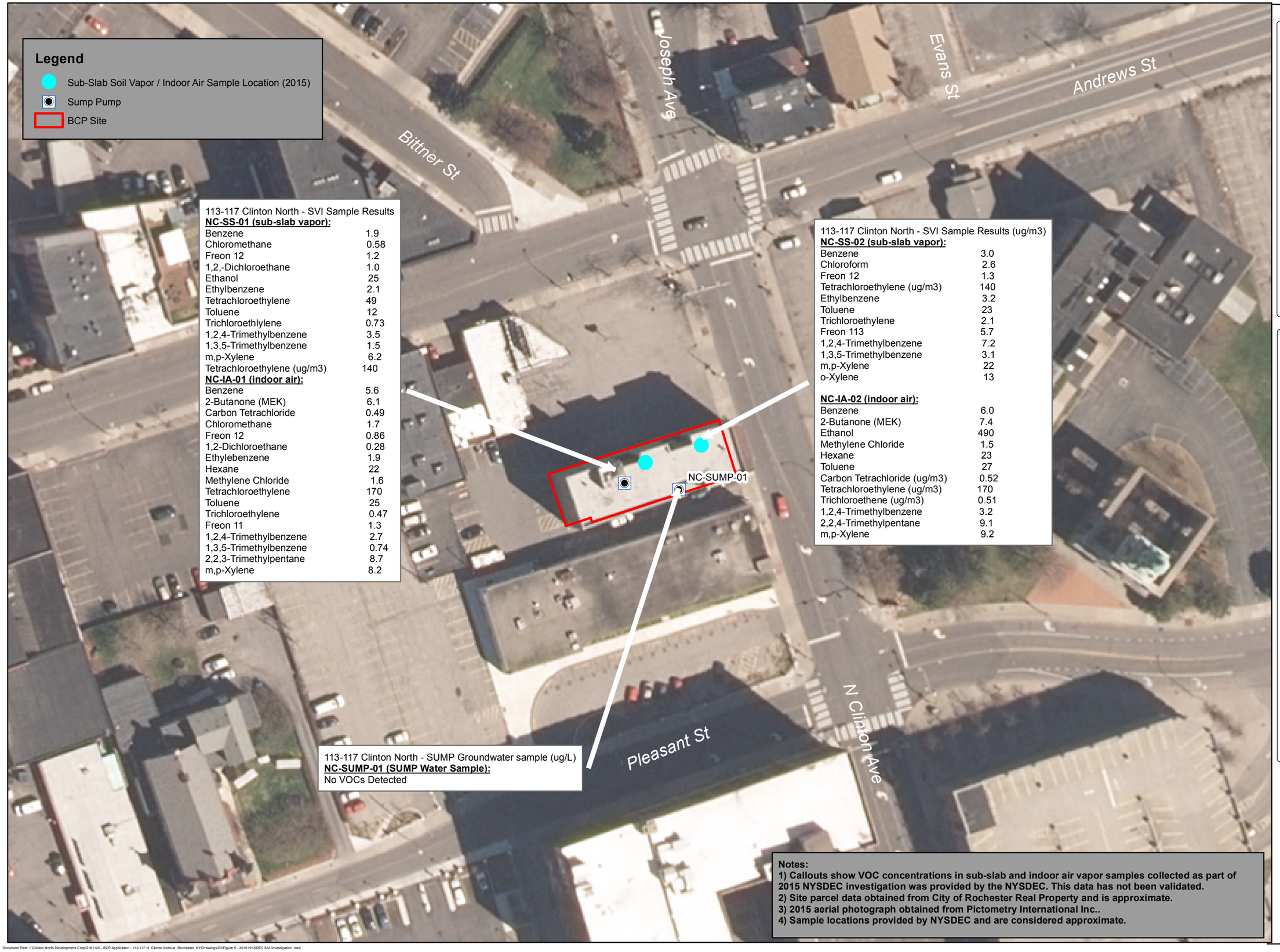
VOLUNTEER: CLINTON NORTH DEVELOPMENT CO.

DRAWING NAME:

Summary of Soil and Groundwater Sampling Analysis

2161120

FIGURE 2



113-117 Clinton North - SVI Sample Results

NC-SS-01 (sub-slab vapor):

Benzene	1.9
Chloromethane	0.58
Freon 12	1.2
1,2,-Dichloroethane	1.0
Ethanol	25
Ethylbenzene	2.1
Tetrachloroethylene	49
Toluene	12
Trichloroethlylene	0.73
1,2,4-Trimethylbenzene	3.5
1,3,5-Trimethylbenzene	1.5
m,p-Xylene	6.2
Tetrachloroethylene (ug/m3)	140

NC-IA-01 (indoor air):

Benzene	5.6
2-Butanone (MEK)	6.1
Carbon Tetrachloride	0.49
Chloromethane	1.7
Freon 12	0.86
1,2-Dichloroethane	0.28
Ethylebenzene	1.9
Hexane	22
Methylene Chloride	1.6
Tetrachloroethylene	170
Toluene	25
Trichloroethylene	0.47
Freon 11	1.3
1,2,4-Trimethylbenzene	2.7
1,3,5-Trimethylbenzene	0.74
2,2,3-Trimethylpentane	8.7
m,p-Xylene	8.2

113-117 Clinton North - SVI Sample Results (ug/m3)

NC-SS-02 (sub-slab vapor):

Benzene	3.0
Chloroform	2.6
Freon 12	1.3
Tetrachloroethylene (ug/m3)	140
Ethylbenzene	3.2
Toluene	23
Trichloroethylene	2.1
Freon 113	5.7
1,2,4-Trimethylbenzene	7.2
1,3,5-Trimethylbenzene	3.1
m,p-Xylene	22
o-Xylene	13

NC-IA-02 (indoor air):

Benzene	6.0
2-Butanone (MEK)	7.4
Ethanol	490
Methylene Chloride	1.5
Hexane	23
Toluene	27
Carbon Tetrachloride (ug/m3)	0.52
Tetrachloroethylene (ug/m3)	170
Trichloroethene (ug/m3)	0.51
1,2,4-Trimethylbenzene	3.2
2,2,4-Trimethylpentane	9.1
m,p-Xylene	9.2

113-117 Clinton North - SUMP Groundwater sample (ug/L)

NC-SUMP-01 (SUMP Water Sample):

No VOCs Detected

Notes:
1) Callouts show VOC concentrations in sub-slab and indoor air vapor samples collected as part of 2015 NYSDEC investigation was provided by the NYSDEC. This data has not been validated.
2) Site parcel data obtained from City of Rochester Real Property and is approximate.
3) 2015 aerial photograph obtained from Pictometry International Inc..
4) Sample locations provided by NYSDEC and are considered approximate.

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BROWNFIELD CLEANUP PROGRAM
REMEDIAL INVESTIGATION
REPORT SITE #C828195

113-117 NORTH CLINTON AVENUE
ROCHESTER, NEW YORK

VOLUNTEER: CLINTON NORTH DEVELOPMENT CO.

DRAWING NAME:

Summary of 2015
NYSDEC On-Site Investigation

2161120

FIGURE 3

Document Path: I:\Clinton North Development Corp\2161120 - BCP Application - 113-117 N. Clinton Avenue, Rochester, NY\Drawings\R\Figure 5 - 2015 NYSDEC SVI Investigation .mxd

Legend

- BCP Site
- Former Silver Cleaners Site (245 Andrews Street)

Sample Locations

- ARCADIS 2015 Piezometer
- ARCADIS 2015 Soil Sample
- ARCADIS 2015 Sump Sample
- Ravi 2013 Sample Location

PZ-2 - Groundwater Results

Acetone (ppb)	110 J
Ethylbenzene (ppb)	470
Isopropylbenzene (ppb)	38
Toluene (ppb)	309
Napthalene (ppb)	210
O-xylene (ppb)	660
M,p-xylene (ppb)	1,600

SB5 - Soil Results

8-ft BGS:	
Ethylbenzene (ppb)	1.3
o-Xylene (ppb)	2.6
m,p-Xylene (ppb)	5.9

SB-3 - Soil Results

10-12-ft BGS:	
Tetrachloroethylene (ppb)	12

GW-1 - Groundwater Results

Tetrachloroethene (ppb)	7,890

PZ-1 - Groundwater VOC Results

Tetrachloroethylene (ppb)	5,300
Trichloroethylene (ppb)	46 J

PZ-1 - Soil Results

6-8-ft BGS:	
Tetrachloroethylene (ppb)	1.9

SB-2 - Soil Results

6-8-ft BGS:	
Tetrachloroethylene (ppb)	3.4

GW-4 - Groundwater VOC Results

Tetrachloroethene (ppb)	88,500

PZ-4 - Groundwater Results
No Exceedances

SB-6 - Soil Results

2-4-ft BGS:	
Tetrachloroethylene (ppb)	28
6-8-ft BGS:	
Tetrachloroethylene (ppb)	2.1
8-9.5-ft BGS:	
Tetrachloroethylene (ppb)	36

Andrews St.-Sump 1 - Groundwater Results

cis-1,2-Dichloroethylene (ppb)	40
Tetrachloroethylene (ppb)	630
Trichloroethylene (ppb)	21

Andrews St.-Sump 1 Dup-1-8272015 - Groundwater Results

cis-1,2-Dichloroethylene (ppb)	35
Tetrachloroethylene (ppb)	510
Trichloroethylene (ppb)	18

PZ-3 Groundwater Results
No Exceedances

111 NC-North Sump - Groundwater Results

Acetone (ppb)	840
2-Butanone (ppb)	77

111 NC-South Sump - Groundwater Results

Acetone (ppb)	90 J

Notes:
1) Callouts show VOC concentrations in soil, groundwater and soil vapor intrusion samples. Only concentrations which exceed the NYSDEC Soil Cleanup Objectives, Groundwater Standardsl, respectively, are shown.
2) 2015 Aerial photograph obtained from Pictometry International, Inc.
3) J - Estimated below laboratory reporting limit.
4) BGS - below ground surface
5) Tax Parcel data obtained from City of Rochester Real

PZ-6 PZ-2 GW-5/SB5 GW-1 SB-3 SB-2 PZ-1 SB-6 GW-4 PZ-4 Andrews St.-Sump-1 PZ-3 111 NC-North Sump 111 NC-South Sump

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BROWNFIELD CLEANUP PROGRAM
REMEDIAL INVESTIGATION
REPORT SITE #C828195

113-117 NORTH CLINTON AVENUE
ROCHESTER, NEW YORK

VOLUNTEER: CLINTON NORTH DEVELOPMENT CO.

DRAWING NAME:

Summary of Historical Sampling Conducted at Adjacent Properties

2161120

FIGURE 4

Document Path: I:\Clinton North Development Corp\2161120 - BCP Application - 113-117 N. Clinton Avenue, Rochester, NY\Drawings\RI\Figure 6 Soil and GW surrounding Properties.mxd