## Periodic Review Report May 31, 2020- May 31, 2021

Environmental Restoration Program
Orchard Whitney Site #E828123
415 Orchard Street and 354 Whitney Street
Monroe County
Rochester, New York





339 East Avenue Suite 200 Rochester, New York 14604

June 2021

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#### **Executive Summary**

The Orchard Whitney Site #E828123 (hereinafter referred to as the "Site"), located at 415 Orchard Street and 354 Whitney Street in the City of Rochester, Monroe County, New York is a 4.073-acre parcel (Figure 1). Delco Appliance Division of General Motors occupied the Site from 1930 to 1967. Historical activities included the manufacture of electrical equipment, various metal finishing operations, coal storage, boiler operation, power generation, petroleum storage, as well as industrial wastewater treatment. The City of Rochester acquired ownership of the Orchard and Whitney parcels through tax foreclosure proceedings in 2000 and 2005, respectively.

In August 2020, the City entered into negotiations with a developer to purchase the Site. A Request for Building Permit – Environmental Easement Review (see Attachment A) was sent to the NYSDEC on August 11, 2020. Subsequently, the prospective purchaser abandoned the project. The City remains the Site owner as of this report date.

Previous environmental assessments and two (2) phases of a subsurface investigation conducted by Lu Engineers indicated the presence of impacted soil and groundwater at the Site. A comprehensive description of investigation findings is provided in the Site Investigation/Remedial Alternatives Report (Lu Engineers, January 2014). The Site Investigation (SI) identified the following contaminants of concern (COC): chromium, lead, petroleum products, trichloroethene (TCE), and cadmium.

The selected remedy included the following: 1) Interim Remedial Measure (IRM) removals; 2) Institutional Controls; 3) Engineering Controls; and 4) Groundwater monitoring.

A summary of completed IRM removals is provided in the Final Engineering Report (Lu Engineers, January 2014). The Supplemental Site Investigation (SSI) and subsequent IRMs conducted at the Site in July, August, and October 2015 are included in the Interim Remedial Measures Construction Completion Report (Lu Engineers, November 2015). The effectiveness of the remedial program, as outlined in the Site Management Plan (SMP), is monitored through annual groundwater sampling and Site-wide inspection. Post-remedial groundwater samples collected during this reporting period indicate low-level and stable detections of volatile organic compounds (VOCs) and Site-specific RCRA metals.

The implemented remedies to manage residual contamination are effective, protective and are progressing towards the remedial action objectives (RAOs). The Institutional Controls (ICs) and Engineering Controls (ECs) outlined in the Monitoring and Sampling Plan were fully in place and effective during this reporting period. These ICs/ECs are required in the form of an environmental easement dated September 26, 2016, which includes a) limiting the use and development of the Site to commercial or industrial use; b) compliance with the approved SMP; c) restriction on the use of groundwater as a source of potable water; and d) completion and submittal of an annual certification of IC/EC Controls (Attachment B).

Low-level concentrations of VOCs and RCRA metals (near or below applicable groundwater quality standards) were detected in groundwater samples from the Site during the 2020-2021 monitoring and reporting period. Individual constituent concentrations were generally stable during the reporting period and continue to represent decreased concentration of contaminants in comparison with samples collected as part of the SSI/IRM in July 2015. The Site-specific ICs and ECs continue to meet the remedial objectives while maintaining protection of public health and the environment. Based upon past

groundwater quality data, the May 2020 PRR recommended a reduction in sampling frequency to annual versus biannual groundwater sampling and that future laboratory analysis for metals limited to total chromium and selenium, as well as chlorinated VOCs (cVOCs).

The NYSDEC's PRR Approval Letter dated August 24, 2020 (included as Attachment C) approved these reductions in sampling frequency and analyses.

#### **1.0 Periodic Review Report**

This Periodic Review Report (PRR) was prepared by Lu Engineers, on behalf of the City of Rochester, in accordance with the requirements set forth in the NYSDEC Division of Environmental Remediation (DER)-10 Technical Guidance for Site Investigation and Remediation, dated May 2010, and the guidelines provided by the NYSDEC. The reporting period for this PRR is from May 31, 2020 to May 31, 2021. The following items are included in this PRR:

- Identification, assessment, and certification of all ICs/ECs required by the remedy for the Site;
- Results of the Site inspection and sampling events including applicable inspection forms and other records generated for the Site during the reporting period;
- A summary of any discharge monitoring data and/or information generated during the reporting period with comments and conclusions;
- Data summary tables of groundwater contaminants of concern by media;
- Laboratory analysis results and the required laboratory data deliverables for each sample collected during the reporting period have been and will continue to be submitted electronically in a NYSDEC-approved EQuIS format; and
- A Site evaluation, which includes the following:
  - I. The compliance of the remedy with the requirements of the Site-specific Record of Decision (ROD) including ICs/ECs;
  - II. The operation and the effectiveness of each treatment unit, including identification of any needed repairs or modifications;
  - III. Any new conclusions or observations regarding Site contamination based on inspection or lab data generated during the monitoring events;
  - IV. Recommendations regarding any necessary changes to the remedy and/or SMP; and
  - V. The overall performance and effectiveness of the remedy to date.

#### 2.0 Site Overview

The Site is located in the City of Rochester, Monroe County, New York, and consists of two (2) parcels identified as Sections 105.66-3-24 (354 Whitney Street) and 105.66-3-23 (415 Orchard Street) on the City of Rochester Tax Map. The Site is an approximate 4.073-acre area bounded by mixed residential and commercial/industrial use properties (refer to Figure 2 – Site Plan), and is currently a vacant lot with concrete slabs, crushed masonry, and recycled concrete covering the ground surface. A wall remains along the southern portion of the property line of 415 Orchard Street and is covered with a sloped berm consisting of crushed masonry and recycled concrete. Remnant surface and subsurface features are present throughout the property as a result of past industrial Site development.

The North East Electric Company occupied the Site from 1915 to 1922 which was subsequently used as a plant for the Delco Appliance Division of General Motors (1930-1967). The plant closed in 1967 and the Site became a location for metal finishing, synthetic foam production, printing, plastics, electronics manufacturing, and warehousing until 1990. Electronics manufacturing included Sykes Datatronics, Inc.



between 1968 through the late 1980s at 415 Orchard Street. Commercial use of the Site ceased in 1990. After a series of fires and vandalism incidents, the City of Rochester acquired ownership of the Orchard and Whitney parcels via tax foreclosure in 2000 and 2005, respectively.

The SI and IRMs were completed in a phased process which prioritized the investigation of probable contaminant source areas to facilitate the development of effective IRMs as the RI process progressed. The contaminants of concern (COC) identified at the Site include cadmium, chromium, lead, petroleum products, and trichloroethene (TCE). IRMs included the following:

- 354 Whitney Street Demolition (October 2010)
- Underground Storage Tank (UST) and Soil Removal (June 2011)
- Soil Removal and In-situ Groundwater Treatment (March 2012)
- 415 Orchard Street "High Rise" Building Demolition (March 2015)
- Soil Removal and Asbestos Abatement (October 2015)

IRM activities are summarized in the Final Engineering Report (FER) (Lu Engineers, January 2014) and Interim Remedial Measures Construction Completion Report (Lu Engineers, November 2015). Selected Site Soil Cleanup Objectives (SCOs) are Commercial Use, therefore, IRM confirmatory results were compared to 6 NYCRR Part 375-6.8(a) Unrestricted Use and Part 375-6.8(b) Commercial Use. Cleanup objectives for groundwater are 6 NYCRR Part 703.5 Class GA Ambient Groundwater Quality Standards. These regulatory criteria are considered to be Site-specific for cleanup goals/objectives for this project.

The factors considered during the selection of the remedy are those listed in 6 NYCRR Part 375-1.8. No Further Action (NFA) with IC/ECs was selected as the remedy for the Site as stated in the Record of Decision (March 2016). ICs/ECs include an environmental easement, cover system (cap), groundwater monitoring, and SMP.

ICs are required in the form of an environmental easement that entails a) limiting the use and development of the Site to commercial or industrial use; b) compliance with the approved SMP; c) restriction on the use of groundwater as a source of potable water, without necessary water quality treatment as determined by the New York State Department of Health (NYSDOH); and d) the Site owner or remedial party to complete and submit an annual certification of Institutional and Engineering Controls (ICs/ECs).

Long-term management of the residual impacts, as required by the ROD, includes the following plans for ECs:

- Monitoring;
- Operation and Maintenance; and
- Reporting.

The specific ECs implemented at the Site include:

- Annual groundwater sampling of monitoring wells MW-16, MW-17, and MW-27 for VOCs by EPA Method 8260, as well as total chromium and selenium by EPA Method 6010; and
- Management and inspection of the existing soil cover system. No changes to the remedy have occurred since remedy selection.



#### 3.0 Remedy Performance, Effectiveness, and Protectiveness

Post-remedial groundwater sampling indicates that low-level residual groundwater contamination persists at the Site since completion of the IRM. One (1) post-remedial annual sampling event was conducted during this reporting period in March 2021, in accordance with and as outlined in the SMP Tables 1 and 2 illustrate concentrations of VOCs and RCRA metals since initiation of the groundwater monitoring program.

Figure 3 shows analytical exceedances and groundwater elevations for the annual sampling event in this reporting period. Analyte concentrations in groundwater samples were compared to the applicable 6 NYCRR Part 703.5 Class GA Ambient Groundwater Quality Standards. Analytical reports are provided in Attachment D.

VOCs and metals were detected at low (generally below applicable groundwater standards) and stable concentrations. The following summarizes the analytical findings:

#### **VOCs**

- No VOCs were detected in exceedance of groundwater standards or guidance values during this reporting period.
- Benzene concentrations at MW-16 have declined since initiation of PRR sampling in October 2017. The concentration of benzene was below the groundwater standard of 1.0 μg/L in November 2019 and below detectable concentrations during both the May 2020 and March 2021 sampling events. Acetone was also detected in MW-16 below the groundwater standard of 50 μg/L in November 2019 and below detectable concentrations during the March 2021 sampling event.
- $\blacksquare$  TCE continued to be detected at MW-17 below the applicable groundwater standard of 5.0 μg/L during the March 2021 sampling event.

#### **RCRA Metals**

- Analyses for metals include total chromium and selenium for the March 2021 sampling event.
- Analytical results for chromium and selenium at MW-16 and MW-27 and selenium at MW-17 were below detectable concentrations during the March 2021 sampling event.
- Chromium was detected during the March 2021 sampling event at MW-17 at a concentration of 1.56 mg/L, which exceeds the applicable NYS standard of 0.05 mg/l. It is noted that this concentration represents a decrease from 1.75 mg/l of hexavalent chromium observed in the 2020 monitoring event.

Based on the compiled data, the remedy is effective in achieving the Site RAOs. Though low-levels of the noted contaminants remain in soil and groundwater, the ICs and ECs reduce the potential for human exposure. The ICs and ECs established for the Site are in compliance with the SMP.

#### 4.0 Institutional Controls/Engineering Control Plan Compliance

Since remaining impacted soil and groundwater exists beneath the Site, ICs/ECs are required to protect human health and the environment.

#### <u>Institutional Controls (ICs)</u>

A series of ICs is required by the Record of Decision (ROD) to: (1) implement, maintain and monitor Engineering Control systems; (2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and, (3) limit the use and development of the Site to



commercial and industrial uses only. Adherence to Institutional Controls as required by the Environmental Easement (through deed restrictions) is implemented under the SMP.

#### These Institutional Controls are:

- The property may be used for: commercial or light industrial use;
- While the property is owned by the City of Rochester, the property may be used for snow storage from streets and municipal lots during snow emergencies as approved under a previously approved NYSDEC COU notification;
- City permit restriction flag in accordance with Building Information System (BIS);
- All ECs must be operated and maintained as specified in the SMP;
- All ECs must be inspected at a frequency and in a manner defined in the SMP;
- The use of groundwater underlying the property is prohibited in the City of Rochester Ordnance without necessary water quality treatment as determined by the New York State Department of Health (NYSDOH) or the Monroe County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;
- Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;
- Data and information pertinent to the Site management must be reported at the frequency and in a manner as defined in the SMP;
- All future activities that will disturb remaining contaminated material must be conducted in accordance with the SMP;
- Monitoring to assess the performance and effectiveness of the remedy must be performed as defined the SMP;
- Operation, maintenance, monitoring, inspections, and reporting of any mechanical or physical component of the remedy shall be performed as defined in the SMP;
- Access to the Site must be provided to agents, employees or other representatives of the State
  of New York with reasonable prior notice to the property owner to assure compliance with the
  restrictions identified by the Environment Easement;
- The potential for vapor intrusion must be evaluated for any buildings developed in the area within the IC boundaries and any potential impacts that are identified must be monitoring or mitigated; and
- Vegetable gardens and farming on the Site are prohibited.

Institutional Controls identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement.

The performance of the ICs is measured through changes to the Site that occur during the reporting period. No permits or unauthorized uses were issued to the Site during this reporting period.



#### Engineering Controls (ECs)

<u>Cover (Cap)</u> – Exposure to remaining contamination in subsurface soil/fill at the Site is prevented by a site cover system placed over the Site (the "cap"). This cover system is comprised of a minimum of one (1) foot recycled brick and concrete. One (1) area of an exposed tunnel void space has been covered with a steel plate bolted to the concrete pad and subsequently covered with a one (1) foot layer of recycled brick and concrete.

The Site cover system is inspected annually as a requirement to the SMP. The cover system is a permanent control and the quality and integrity of this system (performance measure) is inspected at defined intervals pursuant to the SMP.

The cap was observed to be in good condition as indicated on the Site Inspection Form during this reporting period (Attachment E).

Appendix B of the SMP outlines procedures required to be implemented in the event that the cover system is breached, penetrated or temporarily removed and underlying remaining impacts are disturbed. Procedures for the inspection of this cover are provided in the Monitoring and Sampling Plan included in Section 4.0 of the SMP. Work must also be conducted in accordance with the procedures defined in the Site-specific Health and Safety Plan (HASP) and associated Community Air Monitoring Plan (CAMP), included as Appendices H and I of the SMP, respectively.

The performance of Site controls was evaluated during the annual sampling round and documented on the Site inspection Form dated March 2021. The Site inspection assesses the following performance measures:

- Compliance with all ICs, including Site usage;
- An evaluation of the condition and continued effectiveness of ECs;
- General Site conditions at the time of the inspection;
- Site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection; and
- Confirm that Site records are up to date.

ECs/ICs were fully in-place and effective. No deficiencies were observed at the time of the Site inspection and therefore, no corrective measures are recommended. The Cap was in good condition as indicated on the Site Inspection Form during this reporting period (Attachment E).

The required IC/EC certification has been completed as a component of this report and a copy is included as Attachment B.

#### **5.0 Monitoring Plan Compliance Report**

The Monitoring Plan describes the measures for evaluating the performance and effectiveness of the remedy to reduce or mitigate contamination at the Site; the soil cover system; and all affected Site media identified in the table below.



#### **Monitoring/Inspection Schedule**

Monitoring Program	Frequency*	Matrix	Analysis
Groundwater Monitoring	Annual	Groundwater	VOCs by EPA Method 8260; total chromium and selenium by EPA Method 6010
Site-Wide Inspection	Annual	Cover System	Visual Inspection; determine if maintenance is required

<sup>\*</sup> The frequency of events will be conducted as specified until otherwise approved by NYSDEC

Monitoring activities completed during this reporting period included the following:

- In accordance with the SMP, annual groundwater sampling of the following Site wells: MW-16, MW-17, and MW-27. Refer to Tables 1 and 2 and Attachments D, and F.
- Site-wide inspection, including annual inspection of the Cover System (Cap). Refer to Attachment E, Site Inspection Form.

#### **Groundwater Sampling**

The following table summarizes the details of the groundwater sampling program to be completed during each annual sampling event.

#### **Media Sampling and Analysis Summary**

Sample Type	Sample Location	Analytical Parameters	Frequency	QA/QC	Total
Groundwater	MW-16, MW-17, and MW-27	VOCs by EPA Method 8260; total chromium and selenium by EPA Method 6010	Annual	MS/MSD Field Duplicate	3

<sup>\*</sup>The frequency of events will be conducted as specified until otherwise approved by NYSDEC

Site wells were sampled March 2021 by low-flow sampling methods per procedures outlined in the SMP. Wells were initially developed and sampled as a part of the Supplemental Site Investigation (SSI) in July 2015.

Groundwater quality measurements, including temperature, turbidity, pH, conductivity, dissolved oxygen (DO), and oxidation reduction potential (ORP), were collected during the purging process at each well. At each well, samples were collected for VOCs for analysis by EPA Method 8260, as well as total chromium and selenium for analysis by EPA Method 6010. Groundwater sampling logs are included as Attachment F of this report.

Samples were analyzed by Paradigm Environmental Services, Inc., a New York State Department of Health Environmental Laboratory Approval Program- certified laboratory (ELAP) located in Rochester, New York. Sampling methods and QA/QC measures were adhered to as outlined in the approved SMP.



Analytical results indicate that constituent concentrations in groundwater are stable and/or declining since initiation of the SMP groundwater monitoring program. VOCs were not detected in exceedance of applicable criteria during this reporting period; an exceedance of chromium exist at MW-17. Results of groundwater sampling conducted during this period are summarized in Tables 1 and 2 and in Figure 3. Tables 1 and 2 present analytical results of VOCs and RCRA Metals detected in groundwater during this period through 2017 and are compared to applicable 6 NYCRR Part 703.5 standards. Figure 3 illustrates detected analytical exceedances from the sampling event during this reporting period. Figure 3 also presents groundwater elevations based on water level measurements collected at each monitoring well. As in previous reporting, MW-27 was omitted from the data used for groundwater contour map development due to its low elevation representative of deeper flow conditions; bedrock at MW-27, located at the south end of the former petroleum storage/plating area(s), is substantially deeper than other areas of the Site.

As consistently indicated during past sampling events and supported by current data (See Figure 3), groundwater elevations are highest on the southwestern portion of the property and lowest along the northeastern portion, indicating a general northeastward groundwater flow direction.

Groundwater monitoring performed during this reporting period complied with the monitoring plan.

#### 6.0 Operation and Maintenance Plan Compliance Report

The Site remedy does not rely on any mechanical systems; therefore, this section is not applicable.

#### 7.0 Conclusions and Recommendations

#### IC/EC Compliance

The requirements and regulations set forth in the SMP for ICs were adhered to during this reporting period. This includes the following:

<u>Land Use Restriction</u> – The Site is currently vacant and has met the requirements of this restriction in this reporting period.

<u>Groundwater Use Restriction</u> – The Site is currently vacant and Site groundwater is not used in any capacity, therefore meeting the requirements of this restriction in this reporting period.

<u>Site Management Plan (SMP)</u> – The Site is currently in compliance with all components of the Site-specific SMP and all requirements have been met during this reporting period.

The requirements set forth in the SMP for all ECs were met during this reporting period. No change in Site ownership occurred during this PRR period.

Low level concentrations of VOCs and RCRA metals (near or below applicable groundwater quality standards) were detected in groundwater samples from the Site. Individual constituent concentrations were generally stable during the reporting period and have decreased in comparison with samples collected as part of the SSI/IRM in July 2015. The Site-specific ICs and ECs continue to meet the remedial objectives while maintaining protection of public health and the environment.



Table 1: Groundwater TCL VOCs Results

Table 1: Groundwater IC												
Analyzed Parameters <sup>1</sup>	NYS Groundwater						MW-16					
Analyzed Falameters	Standard Class GA <sup>2</sup>	10/2/17	11/29/17	3/21/18	5/4/18	8/15/18	11/19/18	2/14/19	5/16/19	11/21/19	5/4/20	3/9/21
EPA 8260 - Volatile Orga	EPA 8260 - Volatile Organics											
1,1,1-Trichloroethane	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,4-Dioxane	-	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
2-Butanone	50*	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Acetone	50*	28.3	11.2	8.57 J	11.3	9.22 J	ND	8.47 J	ND	6.32 J	ND	ND
Benzene	1	1.28	1.06	0.847 J	0.991 J	0.756 J	0.772 J	0.545 J	0.708 J	0.600 J	ND	ND
Chloroform	7	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Cyclohexane	-	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Methyl tert-butyl Ether	-	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Tetrachloroethene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Toluene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Trichloroethene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Xylenes (total)	-	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Vinyl Chloride	2	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

1 - All values presented in micrograms per liter (µg/L).

2 - NYS Ambient Groundwater Standard (6 NYCRR Part 703.5)

Value Exceeds NYS Ambient Groundwater Standards
ND - not detected above method detection limit

NA - not analyzed

\* - NYSDEC Guidance Value (TOGS 1.1.1)

J - Result estimated between the quantitation limit and half the quantitation limit.



Table 1: Groundwater TCL VOCs Results

1	NYS Groundwater						MW-17					
Analyzed Parameters <sup>1</sup>	Standard Class GA <sup>2</sup>	10/2/17	11/29/17	3/21/18	5/4/18	8/15/18	11/19/18	2/14/19	5/16/19	11/21/19	5/4/20	3/9/21
EPA 8260 - Volatile Orga	nics											
1,1,1-Trichloroethane	5	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	5	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
1,4-Dioxane	-	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
2-Butanone	50*	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
Acetone	50*	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
Benzene	1	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
Chloroform	7	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	5	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
Cyclohexane	-	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
Methyl tert-butyl Ether	-	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
Tetrachloroethene	5	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
Toluene	5	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	5	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
Trichloroethene	5	NA	NA	NA	NA	NA	4.01	1.88 J	3.49	3.86	3.04	3.17
Xylenes (total)	-	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND
Vinyl Chloride	2	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND

- 1 All values presented in micrograms per liter (µg/L). 2 NYS Ambient Groundwater Standard (6 NYCRR Part 703.5) Value Exceeds NYS Ambient Groundwater Standards

ND - not detected above method detection limit

- \* NYSDEC Guidance Value (TOGS 1.1.1)
- J Result estimated between the quantitation limit and half the quantitation limit.



Table 1: Groundwater TCL VOCs Results

1	NYS Groundwater						MW-27					
Analyzed Parameters <sup>1</sup>	Standard Class GA <sup>2</sup>	10/2/17	11/29/17	3/21/18	5/4/18	8/15/18	11/19/18	2/14/19	5/16/19	11/21/19	5/4/20	3/9/21
EPA 8260 - Volatile Orga	nics											
1,1,1-Trichloroethane	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,1-Dichloroethane	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,4-Dioxane	-	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
2-Butanone	50*	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Acetone	50*	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Benzene	1	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Chloroform	7	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
cis-1,2-Dichloroethene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Cyclohexane	-	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Methyl tert-butyl Ether	-	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Tetrachloroethene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Toluene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
trans-1,2-Dichloroethene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Trichloroethene	5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Xylenes (total)	-	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Vinyl Chloride	2	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

1 - All values presented in micrograms per liter (µg/L). 2 - NYS Ambient Groundwater Standard (6 NYCRR Part 703.5)

Value Exceeds NYS Ambient Groundwater Standards ND - not detected above method detection limit

NA - not analyzed

\* - NYSDEC Guidance Value (TOGS 1.1.1)

J - Result estimated between the quantitation limit and half the quantitation limit.



Table 2: Groundwater RCRA Metals Results

Table 2: Groundwater RC	AA WIELAIS NESUILS											
A L d D 1	NYS Groundwater	MW-16										
Analyzed Parameters	Standard Class GA <sup>2</sup>	10/2/17	11/29/17	3/21/18	5/4/18	8/15/18	11/19/18	2/14/19	5/16/19	11/21/19	5/4/20	3/9/21
EPA 6010- RCRA Metals												
Arsenic	0.025	0.0113	0.014	0.0074 J	0.0106	0.0131	0.0144	ND	0.0137	0.0093 J	0.0148 D	NA
Barium	1	ND	ND	0.0566 J	ND	ND	0.0626 J	ND	ND	ND	ND	NA
Cadmium	0.005	0.00488 J	0.00359 J	0.00672	ND	ND	ND	ND	ND	ND	ND	NA
Chromium	0.05	0.00564 J	0.00576 J	0.0115	0.00654 J	0.0148	0.00562 J	0.00664 J	ND	0.00514 J	0.0165 J	ND
Lead	0.025	ND	ND	0.00872 J	ND	ND	ND	ND	ND	ND	ND	NA
Mercury	0.0007	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA
Selenium	0.01	0.0165 J	ND	ND	ND	0.0204	ND	0.014 J	ND	ND	0.0153	ND
Silver	0.05	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA

- ${\bf 1}$  All values presented in milligrams per liter (mg/L).
- 2 NYS Ambient Groundwater Standard (6 NYCRR Part 703.5)

Value Exceeds NYS Ambient Groundwater Standards ND - not detected above method detection limit

- \* NYSDEC Guidance Value (TOGS 1.1.1)
- J Result estimated between the quantitation limit and half the quantitation limit.
- D- Sample, Laboratory Control Sample, or Matrix Spike Duplicate results above Relative PercentDifference limit



Table 2: Groundwater RCRA Metals Results

Table 2: Groundwater RC	CITA IVIETAIS ITESUITS											
A	NYS Groundwater	MW-17										
Analyzed Parameters <sup>1</sup>	Standard Class GA <sup>2</sup>	10/2/17	11/29/17	3/21/18	5/4/18	8/15/18	11/19/18	2/14/19	5/16/19	11/21/19	5/4/20	3/9/21
EPA 6010- RCRA Metals												
Arsenic	0.025	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	NA
Barium	1	NA	NA	NA	NA	NA	0.157	0.0774 J	0.0642 J	0.129	0.0517 J	NA
Cadmium	0.005	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	NA
Chromium	0.05	NA	NA	NA	NA	NA	0.888	0.706	1.47	1.05	1.75	1.56
Lead	0.025	NA	NA	NA	NA	NA	0.016	ND	ND	0.0218	ND	NA
Mercury	0.0007	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	NA
Selenium	0.01	NA	NA	NA	NA	NA	ND	0.0104 J	ND	ND	ND	ND
Silver	0.05	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	NA

- ${\bf 1}$  All values presented in milligrams per liter (mg/L).
- 2 NYS Ambient Groundwater Standard (6 NYCRR Part 703.5)

  Value Exceeds NYS Ambient Groundwater Standards

ND - not detected above method detection limit

- \* NYSDEC Guidance Value (TOGS 1.1.1)
- J Result estimated between the quantitation limit and half the quantitation limit.
- $\hbox{D- Sample, Laboratory Control Sample, or Matrix Spike Duplicate results above Relative Percent Difference limit}\\$



Table 2: Groundwater RCRA Metals Results

Table 2: Groundwater RC	CIA Metals Results											
A   D	NYS Groundwater	MW-27										
Analyzed Parameters <sup>1</sup>	Standard Class GA <sup>2</sup>	10/2/17	11/29/17	3/21/18	5/4/18	8/15/18	11/19/18	2/14/19	5/16/19	11/21/19	5/4/20	3/9/21
EPA 6010- RCRA Metals												
Arsenic	0.025	0.00513 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA
Barium	1	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA
Cadmium	0.005	0.0038 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA
Chromium	0.05	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Lead	0.025	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA
Mercury	0.0007	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA
Selenium	0.01	0.02013	ND	ND	0.0137 J	0.0113 J	ND	ND	ND	ND	ND	ND
Silver	0.05	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA

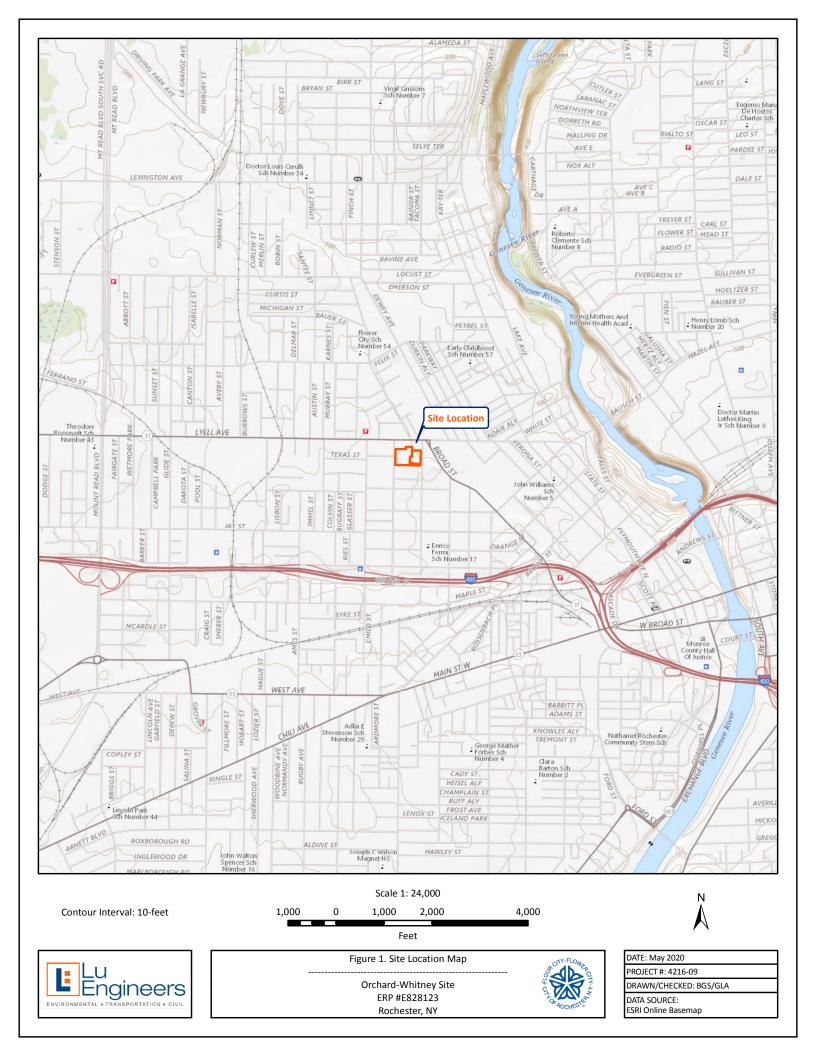
- ${\bf 1}$  All values presented in milligrams per liter (mg/L).
- 2 NYS Ambient Groundwater Standard (6 NYCRR Part 703.5)

Value Exceeds NYS Ambient Groundwater Standards

ND - not detected above method detection limit

- \* NYSDEC Guidance Value (TOGS 1.1.1)
- J Result estimated between the quantitation limit and half the quantitation limit.
- $\hbox{D- Sample, Laboratory Control Sample, or Matrix Spike Duplicate results above Relative Percent Difference limit}\\$











### Figure 2: Site Plan

#### Project:

Orchard-Whitney ERP Site #E828123 Periodic Review Report 2020-2021

#### Location:

415 Orchard, 354 Whitney Street City of Rochester, Monroe County, NY



#### Legend

Site Boundary



Monitoring Well

— - — Street Center Line



Drawn/Checked By: BGS/GLA Lu Project Number: 4216-09

Date: March 2021

#### General:

- Coordinate System: NAD 1983 State Plane NY West FIPS 3103 Feet
   Orthoimagery (October 2020) downloaded from Pictometry
   Scale: 1:600 (original document size 11"x17")

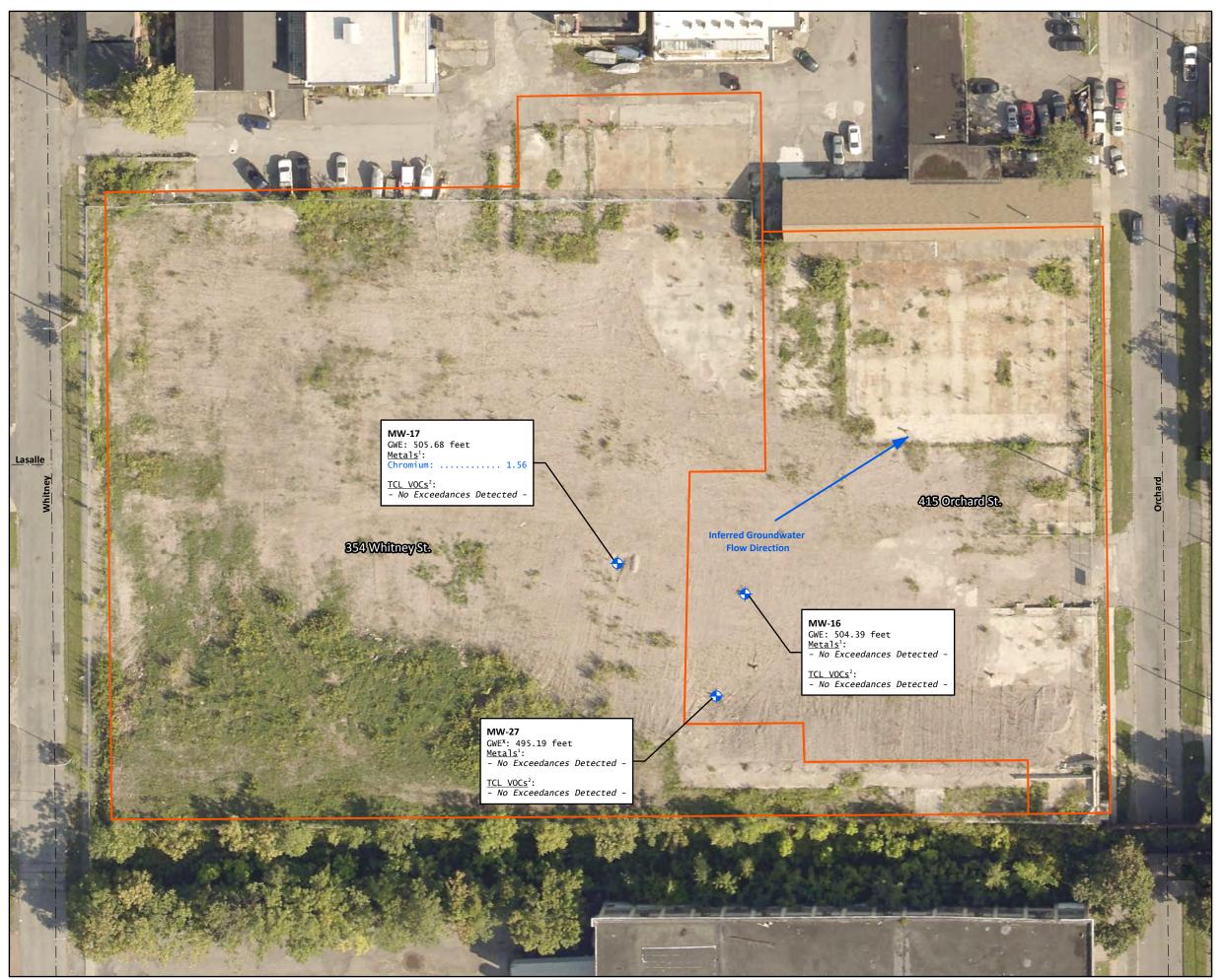






Figure 3: March 2021 Groundwater Analytical Results

Orchard-Whitney ERP Site #E828123 Periodic Review Report 2020-2021



415 Orchard, 354 Whitney Street City of Rochester, Monroe County, NY



#### Legend

Site Boundary

— - — Street Center Line



Monitoring Well

x: Groundwater elevation omitted due to its low elevation representitive of deeper flow conditions

1: Results Indicated in mg/L

2: Results indicated in ug/L

BLUE TEXT: Result exceeds Part 703.5 Class GA Ambient Groundwater Quality Standards



Drawn/Checked By: BGS/GLA Lu Project Number: 4216-09

Date: June 2021

#### General:

- Coordinate System: NAD 1983 State Plane NY West FIPS 3103 Feet
   Orthoimagery (October 2020) downloaded from Pictometry
   Scale: 1:600 (original document size 11"x17")





# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



# Request for Building Permit-Environmental Easement Review ECL ARTICLE 71 / TITLE 36

Section I. Contact Information	1			
LOCAL GOVERNMENT		CONTACT PERSO	N	
ADDRESS				
CITY/TOWN		COUNTY		ZIP CODE
PHONE	FAX		E-MAIL	
BUILDING PERMIT APPLICANT		CONTACT PERSO	V	
ADDRESS				
CITY/TOWN		COUNTY	2	ZIP CODE
PHONE	FAX		E-MAIL	
Section II. Property Information	on Summary			
DEC SITE NAME			DEC SITE ID No.	
ADDRESS				
CITY/TOWN		COUNTY	-	ZIP CODE
Cartina III Danas and Danis at D	\ <del>-</del>			

#### Section III. Proposed Project Description

Please describe the work proposed under the building permit (provide attachments as necessary) including:

- the purpose and scope of the project (narrative description including and drawings as needed to fully describe project)
- explanation of how the proposed activities are consistent with or may impact the Environmental Easement (provided by building permit applicant).

#### **Submittal Information**

**One** (1) copy of this request form and all attachments (must be submitted as an electronic copy in Portable Document Format (PDF) via email (if less than 25 MB) or on CD/DVD diskette) to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020
518-402-9553

derweb@gw.dec.state.ny.us

#### **Instructions for Building Permit and Environmental Easement Review Form**

In accordance with ECL §71-3607(2), this form shall be used to notify the Department of Environmental Conservation (Department) whenever an Affected Local Government (ALG) receives a building permit or any other application affecting land use or development of land that is subject to an Environmental Easement and that may relate to or impact such easement. The requestor should provide as much complete and accurate information as possible to facilitate the review. The Department strongly encourages the requestor to schedule a pre-review meeting with the Department prior to submitting this request.

SECTION I	REQUESTOR INFORMATION
Affected Local	While there may be more than one ALG (ECL §71- 3603), this shall be the municipality
Government	having jurisdiction over building/land use permitting activities in which the land subject
(ALG)	to an environmental easement is located. Accordingly, this ALG should have been
	notified of the existence of the environmental easement pursuant to ECL §27-1419.2(e)
	and have been provided a copy of the easement pursuant to §71-3607.1. The requestor
	should verify compliance with these laws.
Address/City-	Provide the ALG's contact person and mailing address, and telephone number; include
Town/Zip and	a fax number and e-mail address if available. The Department will only correspond and
Phone	send notice of the results of the evaluation to this person.
Permit Applicants	Provide the name, mailing address, and telephone number of the party applying for the
Name	permit to the ALG; include a fax number and e-mail address if available.

SECTION II	PROPERTY INFORMATION SUMMARY SHEET
Property Name	Provide a name for the property. If a site name has been assigned by the Department
	to the property with the easement, use that name and associated DEC site identification
	number.
Property Address	Provide a street address, city/town, county, and zip code.
All Affected Local	List all ALGs associated with the site (e.g., village, city, town, county, etc.)
Government(s)	
Property Size	Provide the approximate acreage of the property.
GIS Information	Provide the latitude and longitude of the approximate center of the property. Show the
	latitude and longitude in degrees, minutes, and seconds. Indicate method used to
	acquire the location (horizontal collection method); the Horizontal Reference Datum
	(NAD27 or NAD83) used in determining latitude and longitude coordinates; and the
	reference point. If more than one property is involved, list separate latitude and
	longitudes.
Tax Map	Provide the tax parcel/section/block/lot information and map. Tax map information
Information	may be obtained from the tax assessor's office. Failure to include the map could result
	in a delayed review. Attach a county tax map with identifier numbers, along with any
	figures needed to show the location and boundaries of the property. Include a USGS
	7.5 minute quad map on which the property appears.
Tax Map	State whether the boundaries of the property correspond to the tax map boundaries.
Relationship	
Map	Provide a property base map(s) of sufficient detail, clarity and accuracy to show the
	following: 1) a distance of at least 1,000 feet around the proposed property at a scale
	no smaller than one inch equal to 200 feet; 2) map scale, north arrow orientation, date,
	and location of the property with respect to adjacent streets and roadways; 3) proposed
	permit activity boundary lines, 4) surrounding land uses; and 5) existing easements or
	rights-of-way currently in effect for the property(ies) comprising the property.

SECTION III	PROPOSED PROJECT DESCRIPTION
and extent of any and all above of permit. This description should of	describe the basic scope of the proposed building activity including the nature or below ground disturbances that are planned under the requested building conclude with a recommending statement regarding whether or not the proposed y impact the Environmental Easement .

## Environmental Easement Review City of Rochester – Orchard Whitney Site

Section I	Requestor Information	
Affected Local Government (ALG)	City of Rochester	
Address	City Hall, 30 Church Street, Room 121B, Rochester, NY 14614	
Permit Applicant's Name	Joe O'Donnel, Greater Living Architecture	
Section II	Property Information Summary Sheet	
Property Name	Orchard-Whitney Site (Site #E828123)	
Property Address	415 Orchard St & 354 Whitney St	
All Affected Local Governments	City of Rochester, County of Monroe	
Property Size	4.07 acres (two properties)	
GIS Information		
Tax Map Information	105.66-3-24;	
Tax Map Relationship	The two properties will be combined, therefor the exterior lot	
	lines will correspond between the tax map and the site plan	
Мар	See attached map, and Site Plan drawings	

#### Section III

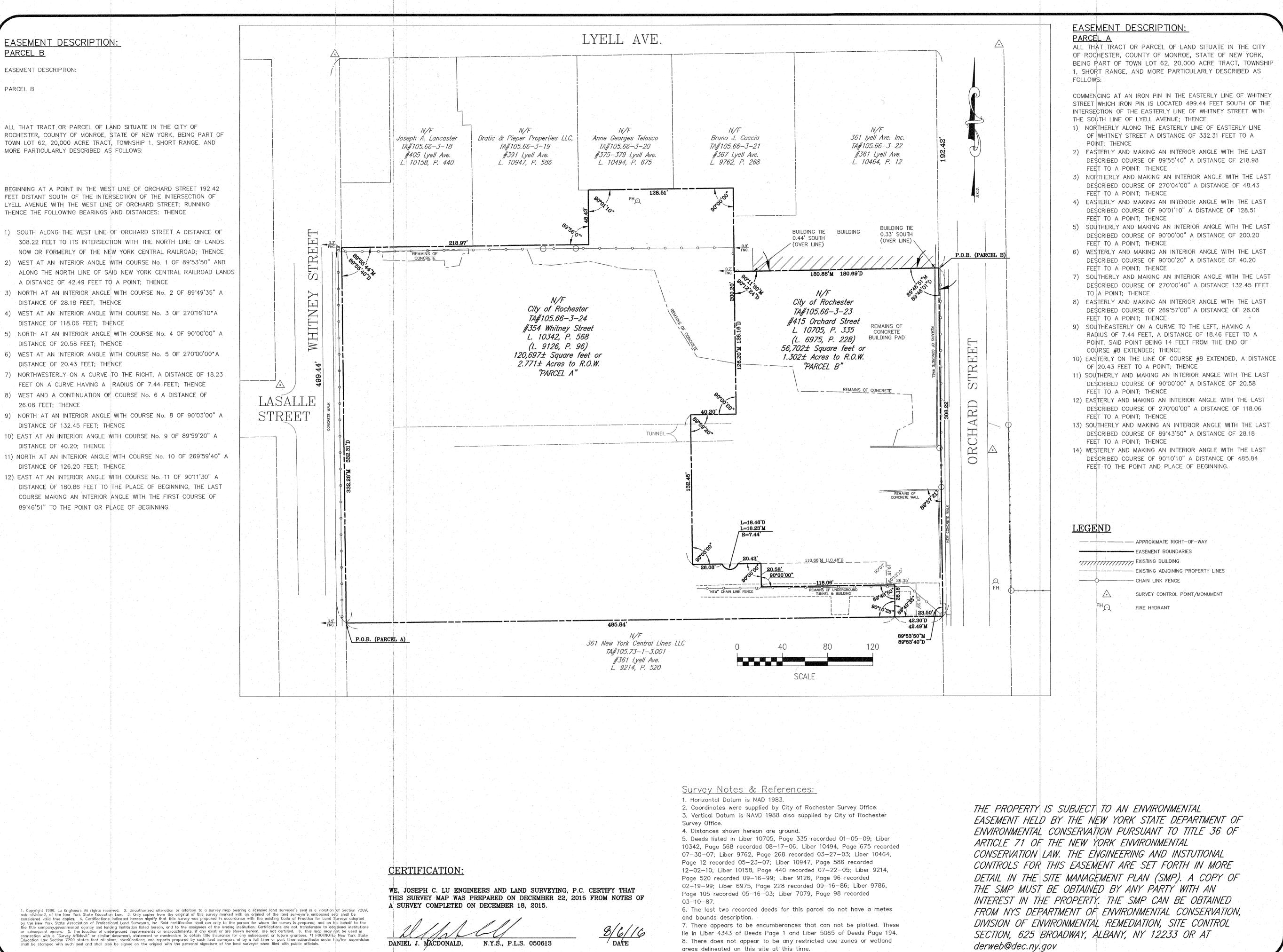
#### Project Description:

Construct a two story, 30,000sf manufacturing, warehouse, and wholesale distribution facility for seafood (JD & Sons), a 61 space parking lot, two loading docks, two curb cuts onto Whitney Street and one curb cut onto Orchard Street, and resubdivision of 354 Whitney St and 415 Orchard St. (See Drawings Attached)

The owner agrees to only use the site for commercial use (non-residential); groundwater will
not be used for drinking water; the governing agency representatives will be granted to the site
when requested; periodic sampling, and reporting will be done in accordance with the approved
SMP, all construction will follow the guidelines set forth in the SMP. The SMP defines any
required engineering controls (actual systems, infrastructure or required mitigation systems) in
new construction.

The subsurface activity will be as follows:

- Above ground disturbances will include the construction of the building itself as well as parking lots sidewalks etc.
- Excavation of the building foundation to a depth of approximately 48" below existing grade. The excavation at the loading docks will be 8'-0" below existing grade.
- There will be floor drainage system that will that will be concentrated to the center of the
  processing area and the freezer cooler area as well as the dry storage and recycling and garbage
  room. This drainage system will be a network of sub slab drainage piping into a grease trap on
  the exterior of the building and connected to the sanitary storm system on site utilizing
  manholes as required. This will then be connected to the municipal sanitary storm system.
- There will also be a sub slab depressurization system
- There will also be the sanitary sewage system for toilets and lavatories etc.



Coin Park

Share I was to spice to the state of the state

DATE	REVISIONS	BY
8/2/16	REVISED PARCEL "B" DESCRIPTION	
		.,.

DRAWING ALTERATION

Note: It is a violation of law for any person, unless

they are acting under the direction of a licensed professional engineer, architect, landscape architect or land surveyor to alter an item in any way. If an item bearing the stamp of a licensed professional is altered, the altering engineer, architect, landscape architect or land surveyor shall stamp the document and include the notation "altered by" followed by their signature, the date of such alteration, and a specific description of the alteration.



DATE

# I Lu Engineers

ENVIRONMENTAL . TRANSPORTATION . CIVI

339 East Ave., Suite 200 Rochester, New York 14604 (585) 385-7417 Fax: (585) 546-1634 Juengineers.com

PROJEC

415 ORCHARD STREET &

354 WHITNEY STREET ERP SITE #E828123 CITY OF ROCHESTER, COUNTY OF MONROE STATE OF NEW YORK

STATE OF

CITY OF ROCHESTER ROCHESTER, NEW YORK

DRAWING TITL

SHOWING EASEMENT TO N.Y.S.D.E.C. PARCELS A & B

	DESIGNED BY: GA	SCALE: 1"=40'
	DRAWN BY: DJM	DATE: 12-22-15
-	CHECKED BY: AC	PROJECT No. 4216
PROMEEND	CHEFT	DRAWING No.

SHEET OF 1

DRAWING No







# Enclosure 2 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION Site Management Periodic Review Report Notice Institutional and Engineering Controls Certification Form



Sit	te No.	E828123	Site Details		E	Вох 1		
Sit	te Name Or	chard-Whitney Site						
Cit	e Address: cy/Town: Ro ounty: Monro e Acreage:	е	354 Whitney Street	Zip Code: 14606				
Re	porting Perio	od: May 31, 2020 to N	May 31, 2021					
					,	YES	NO	
1.	Is the inform	mation above correct?				X		
	If NO, inclu	ide handwritten above	or on a separate shee	et.				
2.	Has some tax map an	or all of the site prope nendment during this l	rty been sold, subdivid Reporting Period?	ed, merged, or undergo	ne a		×	
3.	Has there to (see 6NYC	peen any change of us RR 375-1.11(d))?	se at the site during thi	s Reporting Period		7	X	
4.	Have any for or at the	ederal, state, and/or lo e property during this f	ocal permits (e.g., build Reporting Period?	ling, discharge) been iss	ued		×	
	If you answ that docum	wered YES to question mentation has been p	ons 2 thru 4, include oreviously submitted	documentation or evid with this certification	ence form.			
5.	Is the site of	currently undergoing d	evelopment?			and the second	X	
				менева в до на принципа на	hedhigheoleisean aseann ach	enterent de la compression della compression del	од образования при	eriorgan
					i , I	Box 2		
					,	YES	NO	
6.		ent site use consistent al and Industrial	with the use(s) listed b	pelow?	,	X	W MA	
7.	Are all ICs	in place and functioning	ng as designed?		X	***		
	IF TH	HE ANSWER TO EITH DO NOT COMPLETE	ER QUESTION 6 OR 7 THE REST OF THIS F	IS NO, sign and date be ORM. Otherwise contin	∍low an iue.	nd		
AC	Corrective M	easures Work Plan m	ust be submitted alon	g with this form to addr	ess the	ese iss	ues.	
Sig	nature of Ow	ner, Remedial Party or	Designated Represent	ative D	ate	Manufilmon parrajoques		

SITE NO. E828123

**Description of Institutional Controls** 

<u>Parcel</u>

Owner

105.6-3-24

City of Rochester

**Institutional Control** 

Ground Water Use Restriction

Landuse Restriction Site Management Plan

Environmental Easement;

Site use is restricted to commercial or industrial uses; Restrict the use of groundwater as a potable source; and Site Management Plan which includes an excavation plan.

105.66-3-23

City of Rochester

Ground Water Use Restriction Site Management Plan

Landuse Restriction

Environmental Easement;

Site use is restricted to commercial or industrial uses; Restrict the use of groundwater as a potable source; and Site Management Plan which includes an excavation plan.

Box 4

#### **Description of Engineering Controls**

<u>Parcel</u>

**Engineering Control** 

105.6-3-24

Cover System Vapor Mitigation

A one foot soil cover that meets the restricted commercial SCOs or paved surfaces or buildings. SVI evaluation for any future occupied structures.

105.66-3-23

Cover System Vapor Mitigation

A one foot soil cover that meets the restricted commercial SCOs or paved surfaces or buildings. SVI evaluation for any future occupied structures.

	Periodic Review Report (PRR) Certification Statements
1.	I certify by checking "YES" below that:
	<ul> <li>a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;</li> </ul>
	<ul> <li>b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and compete.</li> </ul> YES NO
2.	For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:
	(a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
	(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
	(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;
	(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
	(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.
	YES NO
	IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.
	A Corrective Measures Work Plan must be submitted along with this form to address these issues.
	Signature of Owner, Remedial Party or Designated Representative Date

#### IC CERTIFICATIONS SITE NO. E828123

Box 6

## SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

Joseph Biondolillo at 30 Church Street	t, Ram 300B, Rachester, NY 14614
am certifying as Owner Representative	(Owner or Remedial Party)
for the Site named in the Site Details Section of this form.	
Signature of Owner, Remedial Party, or Designated Representative Rendering Certification	6-28-2021 ve Date

#### **EC CERTIFICATIONS**

Box 7

## Qualified Environmental Professional Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

Gregory L. Andres P.G. at 339 East Average print hame print business	ness address
am certifying as a Qualified Environmental Professional for the	
	(Owner or Remedial Party)
Alle	6/25/21
	Stamp Date (Required for PE)

## **Attachment C**

NYSDEC Acceptance Letter

#### NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 8 6274 East Avon-Lima Road, Avon, NY 14414-9516 P: (585) 226-5353 I F: (585) 226-8139 www.dec.ny.gov

August 24, 2020

Ms. Jane Forbes City of Rochester Department of Environmental Services 30 Church Street - Room 300B Rochester, New York 14614-1278

RE: Orchard-Whitney Site (Site#E828123) Periodic Review Report June 2020 Monroe(C), Rochester(C)

Dear Ms. Forbes:

The Department has reviewed your Periodic Review Report (PRR) and IC/EC Certification for the May 31, 2019 through May 31, 2020 period.

The Department hereby accepts the PRR and associated Certification. The frequency of Periodic Reviews for this site is annually, and your next PRR is due on, June 30, 2021. As a courtesy, you may receive a reminder letter and updated certification form 45-days prior to the due date. If you do not receive a letter, the PRR and certification must be submitted to this office by the due date.

The Department approves the new groundwater monitoring frequency from semi-annual to annual. Also, the analytical parameters need to be slightly revised to include chlorinated volatile organic compounds, selenium, and total chromium (not hexavalent chromium).

If you have any questions, please contact me at the e-mail address below. Thank you for your continued cooperation.

Sincerely,

Todd M. Caffoe, P.E.

Division of Environmental Remediation

**New York State Department of Environmental Conservation** 6274 East Avon-Lima Road, Avon, NY 14414 P: (585) 226-5350 |Todd.Caffoe@dec.ny.gov

www.dec.ny.gov | III |



ec: D. Pratt

G. Andrus



## **Attachment D**

Laboratory Analytical Data



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

**Sample Identifier:** MW-16

Lab Sample ID:210899-01Date Sampled:3/9/2021Matrix:GroundwaterDate Received:3/9/2021

**Metals** 

AnalyteResultUnitsQualifierDate AnalyzedChromium< 0.0100mg/L3/12/202118:05Selenium< 0.0200mg/L3/12/202118:05

Method Reference(s): EPA 6010C

EPA 3005A

Preparation Date: 3/11/2021 Data File: 210312B



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

**Sample Identifier:** MW-16

Lab Sample ID:210899-01Date Sampled:3/9/2021Matrix:GroundwaterDate Received:3/9/2021

### **Volatile Organics**

<u>Analyte</u>	Result	<u>Units</u>	<u>Qualifier</u>	<b>Date Analyzed</b>
1,1,1,2-Tetrachloroethane	< 2.00	ug/L		3/11/2021 12:51
1,1,1-Trichloroethane	< 2.00	ug/L		3/11/2021 12:51
1,1,2,2-Tetrachloroethane	< 2.00	ug/L		3/11/2021 12:51
1,1,2-Trichloroethane	< 2.00	ug/L		3/11/2021 12:51
1,1-Dichloroethane	< 2.00	ug/L		3/11/2021 12:51
1,1-Dichloroethene	< 2.00	ug/L		3/11/2021 12:51
1,1-Dichloropropene	< 2.00	ug/L		3/11/2021 12:51
1,2,3-Trichlorobenzene	< 5.00	ug/L		3/11/2021 12:51
1,2,3-Trichloropropane	< 2.00	ug/L		3/11/2021 12:51
1,2,4-Trichlorobenzene	< 5.00	ug/L		3/11/2021 12:51
1,2-Dibromo-3-Chloropropane	< 10.0	ug/L		3/11/2021 12:51
1,2-Dichlorobenzene	< 2.00	ug/L		3/11/2021 12:51
1,2-Dichloroethane	< 2.00	ug/L		3/11/2021 12:51
1,2-Dichloropropane	< 2.00	ug/L		3/11/2021 12:51
1,3-Dichlorobenzene	< 2.00	ug/L		3/11/2021 12:51
1,3-Dichloropropane	< 2.00	ug/L		3/11/2021 12:51
1,4-Dichlorobenzene	< 2.00	ug/L		3/11/2021 12:51
2,2-Dichloropropane	< 2.00	ug/L		3/11/2021 12:51
Bromochloromethane	< 5.00	ug/L		3/11/2021 12:51
Bromodichloromethane	< 2.00	ug/L		3/11/2021 12:51
Bromomethane	< 2.00	ug/L		3/11/2021 12:51
Carbon Tetrachloride	< 2.00	ug/L		3/11/2021 12:51
Chlorobenzene	< 2.00	ug/L		3/11/2021 12:51



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

Sample Identifier:	MW-16						
Lab Sample ID:	210899-01			Da	ate Sampled:	3/9/2021	
Matrix:	Groundwater	•		Da	ate Received:	3/9/2021	
Chloroethane		< 2.00	ug/L			3/11/2021	12:51
Chloroform		< 2.00	ug/L			3/11/2021	12:51
Chloromethane		< 2.00	ug/L			3/11/2021	12:51
cis-1,2-Dichloroethene		< 2.00	ug/L			3/11/2021	12:51
cis-1,3-Dichloropropene	9	< 2.00	ug/L			3/11/2021	12:51
Dibromochloromethane		< 2.00	ug/L			3/11/2021	12:51
Dichlorodifluoromethan	ie	< 2.00	ug/L			3/11/2021	12:51
Methylene chloride		< 5.00	ug/L			3/11/2021	12:51
Tetrachloroethene		< 2.00	ug/L			3/11/2021	12:51
trans-1,2-Dichloroethen	e	< 2.00	ug/L			3/11/2021	12:51
trans-1,3-Dichloroprope	ene	< 2.00	ug/L			3/11/2021	12:51
Trichloroethene		< 2.00	ug/L			3/11/2021	12:51
Trichlorofluoromethane	)	< 2.00	ug/L			3/11/2021	12:51
Vinyl chloride		< 2.00	ug/L			3/11/2021	12:51
<b>Surrogate</b>		Pe	ercent Recovery	<b>Limits</b>	<b>Outliers</b>	<b>Date Analy</b>	zed
1,2-Dichloroethane-d4			107	64 - 142		3/11/2021	12:51
4-Bromofluorobenzene			95.8	37.2 - 146		3/11/2021	12:51
Pentafluorobenzene			98.6	91.4 - 114		3/11/2021	12:51
Toluene-D8			105	73.1 - 120		3/11/2021	12:51
Mathod Reference	(c). FPA 926	nc					

**Method Reference(s):** EPA 8260C

EPA 5030C **Data File:** z00124.D



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

**Sample Identifier:** MW-17

Lab Sample ID:210899-02Date Sampled:3/9/2021Matrix:GroundwaterDate Received:3/9/2021

### **Metals**

<u>Analyte</u>	<u>Result</u>	<u>Units</u>	<u>Qualifier</u>	<b>Date Analyzed</b>
Chromium	1.56	mg/L		3/12/2021 18:09
Selenium	< 0.0200	mg/L		3/12/2021 18:09

**Method Reference(s):** EPA 6010C

EPA 3005A

Preparation Date: 3/11/2021 Data File: 210312B



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

**Sample Identifier:** MW-17

Lab Sample ID:210899-02Date Sampled:3/9/2021Matrix:GroundwaterDate Received:3/9/2021

## **Volatile Organics**

<u>Analyte</u>	<u>Result</u>	<u>Units</u>	Qualifier	<b>Date Analyzed</b>
1,1,1,2-Tetrachloroethane	< 2.00	ug/L		3/10/2021 17:18
1,1,1-Trichloroethane	< 2.00	ug/L		3/10/2021 17:18
1,1,2,2-Tetrachloroethane	< 2.00	ug/L		3/10/2021 17:18
1,1,2-Trichloroethane	< 2.00	ug/L		3/10/2021 17:18
1,1-Dichloroethane	< 2.00	ug/L		3/10/2021 17:18
1,1-Dichloroethene	< 2.00	ug/L		3/10/2021 17:18
1,1-Dichloropropene	< 2.00	ug/L		3/10/2021 17:18
1,2,3-Trichlorobenzene	< 5.00	ug/L		3/10/2021 17:18
1,2,3-Trichloropropane	< 2.00	ug/L		3/10/2021 17:18
1,2,4-Trichlorobenzene	< 5.00	ug/L		3/10/2021 17:18
1,2-Dibromo-3-Chloropropane	< 10.0	ug/L		3/10/2021 17:18
1,2-Dichlorobenzene	< 2.00	ug/L		3/10/2021 17:18
1,2-Dichloroethane	< 2.00	ug/L		3/10/2021 17:18
1,2-Dichloropropane	< 2.00	ug/L		3/10/2021 17:18
1,3-Dichlorobenzene	< 2.00	ug/L		3/10/2021 17:18
1,3-Dichloropropane	< 2.00	ug/L		3/10/2021 17:18
1,4-Dichlorobenzene	< 2.00	ug/L		3/10/2021 17:18
2,2-Dichloropropane	< 2.00	ug/L		3/10/2021 17:18
Bromochloromethane	< 5.00	ug/L		3/10/2021 17:18
Bromodichloromethane	< 2.00	ug/L		3/10/2021 17:18
Carbon Tetrachloride	< 2.00	ug/L		3/10/2021 17:18
Chlorobenzene	< 2.00	ug/L		3/10/2021 17:18
Chloroethane	< 2.00	ug/L		3/10/2021 17:18



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

Sample Identifier:	MW-17						
Lab Sample ID:	210899-02			Da	te Sampled:	3/9/2021	
Matrix:	Groundwater			Da	te Received:	3/9/2021	
Chloromethane		< 2.00	ug/L			3/10/2021	17:18
cis-1,2-Dichloroethene		< 2.00	ug/L			3/10/2021	17:18
cis-1,3-Dichloropropene		< 2.00	ug/L			3/10/2021	17:18
Dibromochloromethane		< 2.00	ug/L			3/10/2021	17:18
Dichlorodifluoromethan	ie	< 2.00	ug/L			3/10/2021	17:18
Methylene chloride		< 5.00	ug/L			3/10/2021	17:18
Tetrachloroethene		< 2.00	ug/L			3/10/2021	17:18
trans-1,2-Dichloroethen	e	< 2.00	ug/L			3/10/2021	17:18
trans-1,3-Dichloroprope	ene	< 2.00	ug/L			3/10/2021	17:18
Trichloroethene		3.17	ug/L			3/10/2021	17:18
Trichlorofluoromethane	<b>!</b>	< 2.00	ug/L			3/10/2021	17:18
Vinyl chloride		< 2.00	ug/L			3/10/2021	17:18
<u>Surrogate</u>		Percent Recovery		<u>Limits</u>	<u>Outliers</u>	<b>Date Analy</b>	zed
1,2-Dichloroethane-d4		10	2	64 - 142		3/10/2021	17:18
4-Bromofluorobenzene		10	6	37.2 - 146		3/10/2021	17:18

98.9

110

91.4 - 114

73.1 - 120

Method Reference(s): EPA 8260C

Pentafluorobenzene

Toluene-D8

EPA 5030C

Data File: z00103.D

This report is part of a multipage document and should only be evaluated in its entirety. The Chain of Custody provides additional sample information, including compliance with the sample condition requirements upon receipt.

3/10/2021

3/10/2021

17:18

17:18



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

**Sample Identifier:** MW-27

Lab Sample ID:210899-03Date Sampled:3/9/2021Matrix:GroundwaterDate Received:3/9/2021

### **Metals**

<u>Analyte</u>	<u>Result</u>	<u>Units</u>	<u>Qualifier</u>	<b>Date Analyzed</b>
Chromium	< 0.0100	mg/L		3/12/2021 18:14
Selenium	< 0.0200	mg/L		3/12/2021 18:14

**Method Reference(s):** EPA 6010C

EPA 3005A

Preparation Date: 3/11/2021 Data File: 210312B



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

**Sample Identifier:** MW-27

Lab Sample ID:210899-03Date Sampled:3/9/2021Matrix:GroundwaterDate Received:3/9/2021

## **Volatile Organics**

<u>Analyte</u>	Result	<u>Units</u>	Qualifier	<b>Date Analyzed</b>
1,1,1,2-Tetrachloroethane	< 2.00	ug/L		3/10/2021 16:57
1,1,1-Trichloroethane	< 2.00	ug/L		3/10/2021 16:57
1,1,2,2-Tetrachloroethane	< 2.00	ug/L		3/10/2021 16:57
1,1,2-Trichloroethane	< 2.00	ug/L		3/10/2021 16:57
1,1-Dichloroethane	< 2.00	ug/L		3/10/2021 16:57
1,1-Dichloroethene	< 2.00	ug/L		3/10/2021 16:57
1,1-Dichloropropene	< 2.00	ug/L		3/10/2021 16:57
1,2,3-Trichlorobenzene	< 5.00	ug/L		3/10/2021 16:57
1,2,3-Trichloropropane	< 2.00	ug/L		3/10/2021 16:57
1,2,4-Trichlorobenzene	< 5.00	ug/L		3/10/2021 16:57
1,2-Dibromo-3-Chloropropane	< 10.0	ug/L		3/10/2021 16:57
1,2-Dichlorobenzene	< 2.00	ug/L		3/10/2021 16:57
1,2-Dichloroethane	< 2.00	ug/L		3/10/2021 16:57
1,2-Dichloropropane	< 2.00	ug/L		3/10/2021 16:57
1,3-Dichlorobenzene	< 2.00	ug/L		3/10/2021 16:57
1,3-Dichloropropane	< 2.00	ug/L		3/10/2021 16:57
1,4-Dichlorobenzene	< 2.00	ug/L		3/10/2021 16:57
2,2-Dichloropropane	< 2.00	ug/L		3/10/2021 16:57
Bromochloromethane	< 5.00	ug/L		3/10/2021 16:57
Bromodichloromethane	< 2.00	ug/L		3/10/2021 16:57
Carbon Tetrachloride	< 2.00	ug/L		3/10/2021 16:57
Chlorobenzene	< 2.00	ug/L		3/10/2021 16:57
Chloroethane	< 2.00	ug/L		3/10/2021 16:57



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

Sample Identifier:	MW-27					
Lab Sample ID:	210899-03		Date	Sampled:	3/9/2021	
Matrix:	Groundwater		Date	Received:	3/9/2021	
Chloroform	< 2.00	ug/L			3/10/2021	16:57
Chloromethane	< 2.00	ug/L			3/10/2021	16:57
cis-1,2-Dichloroethene	< 2.00	ug/L			3/10/2021	16:57
cis-1,3-Dichloropropene	< 2.00	ug/L			3/10/2021	16:57
Dibromochloromethane	< 2.00	ug/L			3/10/2021	16:57
Dichlorodifluoromethan	e < 2.00	ug/L			3/10/2021	16:57
Methylene chloride	< 5.00	ug/L			3/10/2021	16:57
Tetrachloroethene	< 2.00	ug/L			3/10/2021	16:57
trans-1,2-Dichloroethen	e < 2.00	ug/L			3/10/2021	16:57
trans-1,3-Dichloroprope	ene < 2.00	ug/L			3/10/2021	16:57
Trichloroethene	< 2.00	ug/L			3/10/2021	16:57
Trichlorofluoromethane	< 2.00	ug/L			3/10/2021	16:57
Vinyl chloride	< 2.00	ug/L			3/10/2021	16:57
<u>Surrogate</u>	P	ercent Recovery	<b>Limits</b>	<u>Outliers</u>	Date Analy	zed
1,2-Dichloroethane-d4		100	64 - 142		3/10/2021	16:57
4-Bromofluorobenzene		99.3	37.2 - 146		3/10/2021	16:57
Pentafluorobenzene		98.0	91.4 - 114		3/10/2021	16:57

108

73.1 - 120

Method Reference(s): EPA 8260C

Toluene-D8

EPA 5030C

Data File: z00102.D

This report is part of a multipage document and should only be evaluated in its entirety. The Chain of Custody provides additional sample information, including compliance with the sample condition requirements upon receipt.

3/10/2021

16:57



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

**Sample Identifier:** Trip Blank T1033

Lab Sample ID:210899-04Date Sampled:3/5/2021Matrix:WaterDate Received:3/9/2021

## **Volatile Organics**

<u>Analyte</u>	Result	<u>Units</u>	Qualifier Date Analyzed
1,1,1,2-Tetrachloroethane	< 2.00	ug/L	3/10/2021 16:36
1,1,1-Trichloroethane	< 2.00	ug/L	3/10/2021 16:36
1,1,2,2-Tetrachloroethane	< 2.00	ug/L	3/10/2021 16:36
1,1,2-Trichloroethane	< 2.00	ug/L	3/10/2021 16:36
1,1-Dichloroethane	< 2.00	ug/L	3/10/2021 16:36
1,1-Dichloroethene	< 2.00	ug/L	3/10/2021 16:36
1,1-Dichloropropene	< 2.00	ug/L	3/10/2021 16:36
1,2,3-Trichlorobenzene	< 5.00	ug/L	3/10/2021 16:36
1,2,3-Trichloropropane	< 2.00	ug/L	3/10/2021 16:36
1,2,4-Trichlorobenzene	< 5.00	ug/L	3/10/2021 16:36
1,2-Dibromo-3-Chloropropane	< 10.0	ug/L	3/10/2021 16:36
1,2-Dichlorobenzene	< 2.00	ug/L	3/10/2021 16:36
1,2-Dichloroethane	< 2.00	ug/L	3/10/2021 16:36
1,2-Dichloropropane	< 2.00	ug/L	3/10/2021 16:36
1,3-Dichlorobenzene	< 2.00	ug/L	3/10/2021 16:36
1,3-Dichloropropane	< 2.00	ug/L	3/10/2021 16:36
1,4-Dichlorobenzene	< 2.00	ug/L	3/10/2021 16:36
2,2-Dichloropropane	< 2.00	ug/L	3/10/2021 16:36
Bromochloromethane	< 5.00	ug/L	3/10/2021 16:36
Bromodichloromethane	< 2.00	ug/L	3/10/2021 16:36
Carbon Tetrachloride	< 2.00	ug/L	3/10/2021 16:36
Chlorobenzene	< 2.00	ug/L	3/10/2021 16:36
Chloroethane	< 2.00	ug/L	3/10/2021 16:36



Client: <u>Lu Engineers, Inc.</u>

**Project Reference:** N/A

Sample Identifier:	Trip Blank T	1033					
Lab Sample ID:	210899-04			Da	te Sampled:	3/5/2021	
Matrix:	Water			Da	te Received:	3/9/2021	
Chloroform		< 2.00	ug/L			3/10/2021	16:36
Chloromethane		< 2.00	ug/L			3/10/2021	16:36
cis-1,2-Dichloroethene		< 2.00	ug/L			3/10/2021	16:36
cis-1,3-Dichloropropene	2	< 2.00	ug/L			3/10/2021	16:36
Dibromochloromethane	< 2.00	ug/L			3/10/2021	16:36	
Dichlorodifluoromethan	ne	< 2.00	ug/L			3/10/2021	16:36
Methylene chloride		< 5.00	ug/L			3/10/2021	16:36
Tetrachloroethene		< 2.00	ug/L			3/10/2021	16:36
trans-1,2-Dichloroethen	ie	< 2.00	ug/L			3/10/2021	16:36
trans-1,3-Dichloroprope	ene	< 2.00	ug/L			3/10/2021	16:36
Trichlorofluoromethane		< 2.00	ug/L			3/10/2021	16:36
Vinyl chloride	Vinyl chloride					3/10/2021	16:36
<u>Surrogate</u>		Percent Recovery		<u>Limits</u>	<u>Outliers</u>	Date Analy	zed
1,2-Dichloroethane-d4			101	64 - 142		3/10/2021	16:36
4-Bromofluorobenzene			104	372 - 146		3/10/2021	16:36

<u>Surrogate</u>	Percent Recovery	<u>Limits</u>	<u>Outliers</u>	Date Analyzed		
1,2-Dichloroethane-d4	101	64 - 142		3/10/2021	16:36	
4-Bromofluorobenzene	104	37.2 - 146		3/10/2021	16:36	
Pentafluorobenzene	98.4	91.4 - 114		3/10/2021	16:36	
Toluene-D8	109	73.1 - 120		3/10/2021	16:36	

Method Reference(s): EPA 8260C

EPA 5030C **Data File:** z00101.D



# **Analytical Report Appendix**

The reported results relate only to the samples as they have been received by the laboratory.

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All soil/sludge samples have been reported on a dry weight basis, unless qualified "reported as received". Other solids are reported as received.

Low level Volatiles blank reports for soil/solid matrix are based on a nominal 5 gram weight. Sample results and reporting limits are based on actual weight, which may be more or less than 5 grams.

The Chain of Custody provides additional information, including compliance with sample condition requirements upon receipt. Sample condition requirements are defined under the 2003 NELAC Standard, sections 5.5.8.3.1 and 5.5.8.3.2.

NYSDOH ELAP does not certify for all parameters. Paradigm Environmental Services or the indicated subcontracted laboratory does hold certification for all analytes where certification is offered by ELAP unless otherwise specified. Aliquots separated for certain tests, such as TCLP, are indicated on the Chain of Custody and final reports with an "A" suffix.

Data qualifiers are used, when necessary, to provide additional information about the data. This information may be communicated as a flag or as text at the bottom of the report. Please refer to the following list of analyte-specific, frequently used data flags and their meaning:

- "<" = Analyzed for but not detected at or above the quantitation limit.
- "E" = Result has been estimated, calibration limit exceeded.
- "Z" = See case narrative.
- "D" = Sample, Laboratory Control Sample, or Matrix Spike Duplicate results above Relative Percent Difference limit.
- "M" = Matrix spike recoveries outside QC limits. Matrix bias indicated.
- "B" = Method blank contained trace levels of analyte. Refer to included method blank report.
- "J" = Result estimated between the quantitation limit and half the quantitation limit.
- "L" = Laboratory Control Sample recovery outside accepted QC limits.
- "P" = Concentration differs by more than 40% between the primary and secondary analytical columns.
- "NC" = Not calculable. Applicable to RPD if sample or duplicate result is non-detect or estimated (see primary report for data flags). Applicable to MS if sample is greater or equal to ten times the spike added. Applicable to sample surrogates or MS if sample dilution is 10x or higher.
- "\*" = Indicates any recoveries outside associated acceptance windows. Surrogate outliers in samples are presumed matrix effects. LCS demonstrates method compliance unless otherwise noted.
- "(1)" = Indicates data from primary column used for QC calculation.
- "A" = denotes a parameter for which ELAP does not offer approval as part of their laboratory certification program.
- "F" = denotes a parameter for which Paradigm does not carry certification, the results for which should therefore only be used where ELAP certification is not required, such as personal exposure assessment.

## GENERAL TERMS AND CONDITIONS LABORATORY SERVICES

These Terms and Conditions embody the whole agreement of the parties in the absence of a signed and executed contract between the Laboratory (LAB) and Client. They shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties. The LAB specifically rejects all additional, inconsistent, or conflicting terms, whether printed or otherwise set forth in any purchase order or other communication from the Client to the LAB. The invalidity or unenforceability in whole or in part of any provision, tern or condition hereof shall not affect in any way the validity or enforceability of the remainder of the Terms and Conditions. No waiver by LAB of any provision, term, or condition hereof or of any breach by or obligation of the Client hereunder shall constitute a waiver of such provision, term, or condition on any other occasion or a waiver of any other breach by or obligation of the Client. This agreement shall be administered and interpreted under the laws of the state which services are procured.

Warranty.

Recognizing that the nature of many samples is unknown and that some may contain potentially hazardous components, LAB warrants only that it will perform testing services, obtain findings, and prepare reports in accordance with generally accepted analytical laboratory principles and practices at the time of performance of services. LAB makes no other warranty, express or implied.

Scope and Compensation. LAB agrees to perform the services described in the chain of custody to which these terms and conditions are attached. Unless the parties agree in writing to the contrary, the duties of LAB shall not be construed to exceed the services specifically described. LAB wi use LAB default method for all tests unless specified otherwise on the Work Order.

Payment terms are net 30 days from the date of invoice. All overdue payments are subject to an interest charge of one and one-half percent (1-1/2%) per month or a portion thereof. Client shall also be responsible for costs of collection, including payment of reasonable attorney fees if such expense is incurred. The prices, unless stated, do not include any sale, use or other taxes. Such taxes will be added to invoice prices when required.

Prices.

Compensation for services performed will be based on the current Lab Analytical Fee Schedule or on quotations agreed to in writing by the parties. Turnaround time based charges are determined from the time of resolution of all work order questions. Testimony, court appearances or data compilation for legal action will be charged separately. Evaluation and reporting of initial screening runs may incur additional fees.

Limitations of Liability.

In the event of any error, omission, or other professional negligence, the sole and exclusive responsibility of LAB shall be to reperform the deficient work at its own expense and LAB shall have no other liability whatsoever. All claims shall be deemed waived unless made in writing and received by LAB within ninety (90) days following completion of services.

LAB shall have no liability, obligation, or responsibility of any kind for losses, costs, expenses, or other damages (including but not limited to any special, direct, incidental or consequential damages) with respect to LAB's services or results.

All results provided by LAB are strictly for the use of its clients and LAB is in no way responsible for the use of such results by clients or third parties. All reports should be considered in their entirety, and LAB is not responsible for the separation, detachment, or other use of any portion of these reports. Client may not assign the lab report without the written consent of the LAB.

Client covenants and agrees, at its/his/her sole expense, to indemnify, protect, defend, and save harmless the LAB from and against any and all damages, losses, liabilities, obligations, penalties, claims, litigation, demands, defenses, judgments, suits, actions, proceedings, costs, disbursements and/or expenses (including, without limitation attorneys' and experts' fees and disbursements) of any kind whatsoever which may at any time be imposed upon, incurred by or asserted or awarded against client relating to, resulting from or arising out of (a) the breach of this agreement by this client, (b) the negligence of the client in handling, delivering or disclosing any hazardous substance, (c) the violation of the Client of any applicable law, (d) non-compliance by the Client with any

environmental permit or (e) a material misrepresentation in disclosing the materials to be tested.

Hazard Disclosure.

Client represents and warrants that any sample delivered to LAB will be preceded or accompanied by complete written disclosure of the presence of any hazardous substances known or suspected by Client. Client further warrants that any sample containing any hazardous substance that is to be delivered to LAB will be packaged, labeled, transported, and delivered properly and in accordance with applicable laws.

Sample Handling.

Prior to LAB's acceptance of any sample (or after any revocation of acceptance), the entire risk of loss or of damage to such sample remains with Client. Samples are accepted when receipt is acknowledged on chain of custody documentation. In no event will LAB have any responsibility for the action or inaction of any carrier shipping or delivering any sample to or from LAB premises. Client authorizes LAB to proceed with the analysis of samples as received by the laboratory, recognizing that any samples not in compliance with all current DOH-ELAP-NELAP requirements for containers, preservation or holding time will be noted as such on the final report.

Disposal of hazardous waste samples is the responsibility of the Client. If the Client does not wish such samples returned, LAB may add storage and disposal fees to the final invoice. Maximum storage time for samples is 30 days after completion of analysis unless modified by applicable state or federal laws. Client will be required to give the LAB written instructions concerning disposal of these samples.

LAB reserves the absolute right, exercisable at any time, to refuse to receive delivery of, refuse to accept, or revoke acceptance of any sample, which, in the sole judgment of LAB (a) is of unsuitable volume, (b) may be or become unsuitable for or may pose a risk in handling, transport, or processing for any health, safety, environmental or other reason whether or not due to the presence in the sample of any hazardous substance, and whether or not such presence has been disclosed to LAB by Client or (c) if the condition or sample date make the sample unsuitable for analysis.

Legal Responsibility. LAB is solely responsible for performance of this contract, and no affiliated company, director, officer, employee, or agent shall have any legal responsibility hereunder, whether in contract or tort including negligence.

Assignment.

LAB may assign its performance obligations under this contract to other parties, as it deems necessary. LAB shall disclose to Client any assignee (subcontractor) by ELAP ID # on the submitted final report.

Force Majeure.

LAB shall have no responsibility or liability to the Client for any failure or delay in performance by LAB, which results in whole or in part from any cause or circumstance beyond the reasonable control of LAB. Such causes and circumstances shall include, but not limited to, acts of God, acts or orders of any government authority, strikes or other labor disputes, natural disasters, accidents, wars, civil disturbances, difficulties or delays in transportation, mail or delivery services, inability to obtain sufficient services or supplies from LAB's usual suppliers, or any other cause beyond LAB's reasonable control.

Law.

This contract shall be continued under the laws of the State of New York without regard to its conflicts of laws provision.

This report is part of a multipage document and should only be evaluated in its entirety. The Chain of Custody provides additional sample information, including compliance with the sample condition requirements upon receipt.

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# CHAIN OF CUSTODY

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															i + 14		3/9/21 1	246
Turnaroun	d Time			Report Sup	plements		101	.1-			1		2	12/21	way.	seals N/A	t client o	319/21
Availabi	ility continger	nt upon l	ab appr	oval; additiona	I fees may apply.	~	Sample	agoli	М	CCC	11		3,	/ 9 / 2   e/Time			Tatal Cast	
Standard 5 day	X	None R	equired		None Required	×	K		Ma	110	er G			9/21		12:45	Total Cost:	
I0 day		Batch C	C		Basic EDD	ũ l	Relinqu			wi.			Dat	e/Time			L	
Rush 3 day		Categor	у А		NYSDEC EDD		1	9					3/9	1202	1	241-		
Rush 2 day		Categor	y B	×			Receive	d By	11	. 1		-/	Dat	e/Time		n	P.I.F.	
Rush 1 day							Receive	d @ L#6	By	U		12.	9 /o	e/Time	1251			
Date Needed	ed:	Other please indi	icate packa	ge needed:	Other EDD please indicate EDD n	eeded :	By sign	ning th	is forr	n, cli	ent ag	grees to	o Parad	igm Tern	ns and Co	nditions (re	verse).	aga 14 af 15

Page 14 of 15 See additional page for sample conditions.

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# Chain of Custody Supplement

Client:	LuEng	Completed by:	molpail
Lab Project ID:	210899	Date:	3/9/21
	Sample Cond Per NELAC/ELA	<b>dition Requirements</b> AP 210/241/242/243/244	
Condition	NELAC compliance with the sam Yes	nple condition requirements upo No	on receipt N/A
Container Type  Comme:	nts		
Transferred to method- compliant container			
Headspace (<1 mL) Comme	nts		met
Preservation Comme	nts		
Chlorine Absent (<0.10 ppm per test strip) Commer			
<b>Holding Time</b> Commen	its		
<b>Femperature</b> Commen	ts 2°cicul		Cynest
Compliant Sample Quantii			
Commen	ts No bottle certs on me	tals, talon in unc	ert, buttles

## **Attachment E**

Site Inspection Form

# SITE-WIDE INSPECTION FORM

Orchard-Whitney #E828123 City of Rochester, Monroe County

NAME OF INSPECTOR:Klajdi Macolli	
COMPANY OF INSPECTOR:Lu Engineers	
DATE OF INSPECTION:03/09/2021	
CURRENT USE OF SITE:Vacant	<del></del>
HAS A CHANGE OF USE OCCURRED SINCE THE LAST CERTIFICATION? YESX NO IF YES, THEN EXPLAIN:	
GENERAL DESCRIPTION OF SITE CONTROLS:	
HAS THE SITE COVER (CAP) BEEN COMPROMISED?YES> IF YES, THEN EXPLAIN:	(NO
HAVE ANY STRUCTURES BEEN CONSTRUCTED ON THE SITE SINCE THE LAYESXNO IF YES, THEN EXPLAIN:	AST INSPECTION?
HAVE COVER CONDITIONS CHANGED SINCE THE LAST INSPECTION?YESXNO IF YES, THEN EXPLAIN:	

IS ANY MAINTENANCE OF THE SITE CONTROLS REQUIRED? YESXNO  IF YES, THEN EXPLAIN:	
ADDITIONAL OBSERVATIONS, CONCLUSIONS OR RECCOMMENDATIONS:	
ANY CHANGES TO THE SITE OR REQUIRED MAINTENANCE SHOULD BE	

MARKED IN THE CORRESPONDING LOCATION ON THE ATTACHED MAP

## **Attachment F**

**Groundwater Sampling Logs** 



# Groundwater Sampling Field Record

Project Name Orchard-Whitney Site							Job	Job # 4216-09		
Location IDMW-16				Field	Field Sample ID				Sampling Event #	
Activity Time 9:25 am			Samı	Sample Time 9:50am			Date 3/9/2020			
SAMPL	ING NOTE	<u>ES</u>								
Initial Depth to Water 7.40feet				Meas	surement Po			Well Diameter <u>2"</u>		
Initial Depth to Water7.40feetMeasurement PointTOFinal Depth to Water7.93feetWell Depth9.5Screen LengthfeetPump Intake Depth						9.50	) feet	We	ell Integrity:	
Screen I	ength		fee	<u> </u>	p Intake De	epth Cap				
Total Volume Purged gallons PI					PID Well Head				Casing _\	
		-			0.00026 gal/m			Locked X		
		ng – 2" diamet	er = 0.163  gal	ons per foot	of depth, 4" dia	ameter = 0.65	3 gallons per fo	ot of depth	Collar	
<u>PURGE</u>	<u>DATA</u>									
	Depth to	Purge Rate	Temp.	pН	Dissolved	Turbidity	Cond.	ORP	_	
Time	Water (ft)	(ml/min)	(deg. C)	(units)	O2 (mg/L)	(NTU)	(mS/cm)	(mV)	Comments	
9:30	7.80		8.1	11.68	0.52	10.25	1.038	131.8		
9:35	7.82		8.1	11.67	0.47	7.3	1.023	122.8		
9:40	7.92		8.1	11.68	0.43	2.72	1.025	113.4		
9:45	7.93		8.1	11.69	0.47	1.28	1.014	103.6		
9:50	7.93		8.1	11.69	0.50	1.38	1.012	95.1		
	01									
	_									
ŀ	rurge Wate	er Containe	rized:							
FOLIDA	AFNT DOG	CUMENTA	TION							
LOCH	ILNI DO	CONIENTA	ITION							
YSI Mu	ltinaramete	er, Peristati	c Pumn							
	erface Prol		c i ump			Cali	ibrated:y	ies		
	criace i io					Can		703	<del></del> ,	
ANALY	TICAL PA	RAMETE	RS			LO	CATION NO	TES		
Paramet			Sample Co	ollected		20	0111101111	<u> </u>		
TCL VC		*******		Yes						
	n, Chromii	ım		Yes					<del></del>	
MS/MSD Yes										
-										
Cianatas	·a•									
Charles	Signature:Checked By:									
CHECKEC	ı Dy									



# Groundwater Sampling Field Record

Project Name Orchard-Whitney Site							Job # <u>4216-09</u>				
Activity Time 10:55 am			Samp	Field Sample ID			Da	te <u>3/9/2020</u>			
SAMPL	ING NOTI	<u>ES</u>	<b>-</b>		_		_				
Initial Depth to Water 7.30 feet Measurement Point Final Depth to Water 9.20 feet Well Depth Screen Length feet Pump Intake Depth Pump Intake Depth Intake Depth gallons PID Well Head Purge volume (milliliters per minute) x time duration (minutes) x 0.00026 gal/milliliter Volume of Water in casing – 2" diameter = 0.163 gallons per foot of depth, 4" diameter								Well Diameter <u>2"</u> Well Integrity:			
					Well Depth 14.70 feet						
					o intake De	ptn		-	Cap		
								-	Casing _/		
									$\begin{array}{ccc} & & Locked \checkmark \underline{\hspace{1cm}} \\ \text{ot of depth} & & Collar \_ \checkmark \underline{\hspace{1cm}} \end{array}$		
PURGE		ng – 2 diameu	er = 0.165 gand	ons per 100t (	or deptil, 4 dia	ameter = 0.63	5 ganons per 10	oot of depth	Conai _√		
	Depth to	Purge Rate	Temp.	pН	Dissolved	Turbidity	Cond.	ORP	~		
Time	Water (ft)	(ml/min)	(deg. C)	(units)	O2 (mg/L)	(NTU)	(mS/cm)	(mV)	Comments		
11:00	8.25		8.5	7.10	3.18	22.7	1.088	103.9			
11:05	8.50		8.2	6.99	3.06	19.3	1.094	109.0			
11:10	9.20		8.3	6.95	2.72	14.2	1.111	112.7			
11:15	9.23		8.3	6.92	2.48	11.19	1.124	116.3			
11:20	9.23		8.3	6.91	2.46	7.72	1.123	118.6			
11:25	9.20		8.4	6.90	2.41	7.62	1.123	120.5			
I	Purge Obse	ervations:	l								
I	Purge Wate	er Containe	rized:								
		CUMENTA									
	ltiparamete erface Pro	er, Peristati be	c Pump			Cali	ibrated:	yes			
		RAMETE				LO	CATION N	<u>OTES</u>			
Paramet		umes	Sample Co								
TCL VC				Zes							
Seleniur	n, Chromi	um		<i>l</i> es							
					<u> </u>						
Signatur Checked	re: d By:										



# Groundwater Sampling Field Record

Project Name Orchard-Whitney Site							Job # <u>4216-09</u>				
Location IDMW-27 Field Sample ID						Sampling Event #					
Activity Time 10:10 am			Samp	Sample Time10:40am			Da	Date 3/9/2020			
	ING NOTE		16.60 s	Mass	D.	: TO	D	W	all Diameter 2"		
Initial Depth to Water 16.62 feet Measurement Poin Final Depth to Water 17.80 feet Well Depth								Well Integritus			
			feet	Pumi	Vell Depth 33.65 feet Pump Intake Depth PID Well Head				Well Integrity: Cap√		
Total Vo	olume Purc	red	gall	ns PID				-	Casing $\sqrt{}$		
[purge volume (milliliters per minute) x time duration (minutes) x 0								-	Locked ✓		
			er = 0.163 gallo				3 gallons per fo	oot of depth	Collar/		
<b>PURGE</b>		6			,		<i>3</i> 1				
TT:	Depth to	Purge Rate	Temp.	рН	Dissolved	Turbidity	Cond.	ORP	G		
Time 10:15	Water (ft) 17.00	(ml/min)	(deg. C) 11.0	(units) 160.6	O2 (mg/L) 6.60	(NTU) 14.8	(mS/cm) 1.230	(mV) 148.5	Comments		
10:13	17.00		11.5	108.5	2.97	16.2	1.267	110.0			
10:25	17.13		11.6	7.90	0.55	6.31	1.308	4.0			
10:30	17.36		11.6	7.62	0.37	2.77	1.307	-13.6			
10:35	17.44		11.7	7.49	0.37	2.17	1.307	-21.7			
10:40	17.80		11.7	7.38	0.32	1.24	1.308	-27.2			
10.10	17.00		11.,	7.50	0.27	1.2	1.500	27.2			
I	Purge Wate	er Containe	rized:								
		CUMENTA									
LOUIT	MENT DO	COMENTA	11011								
YSI Mu	ltiparamete	er, Peristati	c Pump								
	erface Pro		1			Cali	ibrated:	yes			
		RAMETE				LO	CATION N	<u>OTES</u>			
<u>Paramet</u>		umes	Sample Co								
TCL VC	n, Chromi			Zes							
Scieniur	n, Chronill	uill		<i>l</i> es							
Signatur	·e:										
Checked	l By:										