



July 10, 2013

Mr. Frank Sowers
New York State Department of Environmental Conservation
Region 8
6274 East Avon-Lima Road
Avon, NY 14414

Subject: CSX Transportation, Inc. (CSXT)- River Street Derailment Project
480 River Street
Rochester, New York
NYS DEC V00524
CSXT Project Number: 0200358
AMEC Project Number: 64300-8511

Dear Mr. Sowers:

AMEC Environment & Infrastructure, Inc. (AMEC) has prepared this Periodic Review Report (PRR) and the required associated certification forms (Attachment A), on behalf of CSX Transportation, Inc. (CSXT), for the CSXT-River Street Derailment Site located in Rochester, NY.

BACKGROUND

On December 23, 2001, at 3:40 PM EST, a CSXT train derailed 27 of its cars (24 hoppers loaded with coal, 2 tank cars loaded with acetone, and 1 tank car loaded with methylene chloride). As a result of the derailment coal, 3,000 gallons of diesel, 14,000 gallons of acetone, and 16,000 gallons of methylene chloride were released to the environment, including the Genesee River. CSXT entered the Voluntary Cleanup Program and was assigned site number V00528-8.

Immediately following the derailment, emergency response activities commenced including fire suppression; diesel, coal, and plastic pellet cleanup; spill delineation and containment; continuous community air monitoring; and river water quality monitoring.

Following the emergency response, interim remedial measures were initiated to address the landside and Genesee River impacts. These activities included the excavation (using traditional methods and sheet piling cells) and disposal of 1,700 tons of petroleum impacted soil, 28,000 tons of methylene chloride and/or acetone impacted soil, and collection and disposal of 1.4 million gallons of impacted groundwater. CSXT also completed the installation of temporary drinking water lines and the replacement of over 300 feet of sanitary sewer. In order to address the sediment impacts in the Genesee River, CSXT installed a sheet pile wall and dredged 3,000 tons of impacted sediment.

Subsequent subsurface investigation events included a soil gas survey, DNAPL soil sampling, installation of monitoring wells and soil borings. Based on the results of the subsurface investigation events and interim remedial measures, residual impacts were known to exist in the

landside soils and Genesee River sediment. Supplemental treatment via EHC-O™ injections were used to fully remedy the landside site soils to below calculated recommended soil cleanup objectives. A Site Management Plan was prepared to address the limited riverside residuals.

CSXT received a release and covenant not to sue from the New York State Department of Environmental Conservation (NYSDEC) in December 2010.

SITE MANAGEMENT PLAN

As mentioned previously, a Site Management Plan (SMP) was drafted to address the residual impacts in the remaining sediment hot spots within the Genesee River from the December 23, 2001 derailment. The document summarizes the site background; describes the historical field activities, the interim remedial measures, and subsequent monitoring events; and details the institutional controls to address the residual impacts in the remaining sediment hot spots.

The SMP intent is to provide guidance in the management of sediment containing methylene chloride and acetone above the site-specific cleanup levels of 773 ug/kg for acetone and 1,133 ug/kg for methylene chloride that may be disturbed in the unlikely circumstance that the United States Army Corp of Engineers (USACE) dredging limits are revised or if future development activities by the City of Rochester disturb river sediments within the interim remedial measure dredging limits.

An updated SMP was supplied with the 2012 PRR.

VERIFICATION OF POTENTIAL SEDIMENT DISTURBANCES

The property contained in the SMP area is wholly within the Genesee River as shown in Figure 2 of the SMP in Attachment B. The first approximately 20-feet of the riverbed immediately adjacent to the western bank of the River is owned and maintained by the City of Rochester. The additional area between the City owned land and the navigational channel would most likely be disturbed by the City during the maintenance of their boat slips. The USACE maintains the navigational channel that makes up the remainder of the SMP area.

AMEC, on behalf of CSXT, contacted both the City of Rochester, Mr. Mark Gregor, and the USACE, Mr. Joshua Frost, to determine if either entity had plans to implement dredging or other activities that may disturb the sediments within the SMP area.

The City and the USACE indicated they had no current plans to conduct any maintenance dredging or other activities to the boat slips or navigational channel that would disturb the sediment being controlled by the SMP. The USACE did permit the dredging the navigational channel in 2012 but the depths of the dredging are consistent with past practices and are above the elevations of the SMP sediments. The City has no current plans to conduct maintenance dredging or dredging to deepen the boat slip area.

Both entities are aware of the presence of the SMP and understand the protocol described in the SMP. Additionally, the City is aware that CSXT utilized a stone backfill to cap the SMP area up to the limit of the navigational channel and that if they happened to encounter this material during maintenance dredging of the accumulated sediments or during the deepening of the boat slips that that would indicate they were approaching the SMP sediments and to immediately contact CSXT to implement the SMP protocol.

Should you have any questions regarding the enclosed information, please do not hesitate to contact me or Mr. William Parry. Our contact information is as follows:

Marie Dowd, P.E.
Project Manager
AMEC Environment & Infrastructure, Inc.
453 Route 146, Suite 201
Clifton Park, NY 12065
Phone: 518-372-0905
Fax: 518-372-1042
marie.dowd@amec.com

William Parry, PG, CGWP
Manager Environmental Remediation
CSX Transportation, Inc.
One Bell Crossings
Selkirk, NY 12158
Phone: 518-767-6049
Fax: 904-245-2727
William_Parry@csx.com

Lastly, CSXT would like the NYSDEC to consider changing the PRR requirement to once every five years.

Sincerely,
AMEC Environment & Infrastructure, Inc.



Marie Dowd, P.E.
Project Manager

Attachments: A	Certification Forms
B	Figure 2 from Site Management Plan- June 2012

ATTACHMENT A

Certification Forms



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



Site Details		Box 1
Site No.	V00524	
Site Name CSXT - Rochester NY		
Site Address: 480 River Street Zip Code: 14612-		
City/Town: Rochester		
County: Monroe		
Site Acreage: 1.7		0.5-acres for Sediment Management Plan Area
Reporting Period: May 31, 2012 to May 31, 2013		
		YES NO
1. Is the information above correct?		<input type="checkbox"/> <input checked="" type="checkbox"/>
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?		<input type="checkbox"/> <input checked="" type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		<input type="checkbox"/> <input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?		<input checked="" type="checkbox"/> <input type="checkbox"/>
If you that do USACE issued a permit for the maintenance dredging of the navigation channel. See attached Public Notice and confirmation from the USACE that it did start on July 18, 2012.		
5. Is the site currently undergoing development?		<input type="checkbox"/> <input checked="" type="checkbox"/>

Box 2		
		YES NO
6. Is the current site use consistent with the use(s) listed below? Unrestricted, Residential, Restricted-Residential, Commercial, and Industrial		<input checked="" type="checkbox"/> <input type="checkbox"/>
7. Are all ICs/ECs in place and functioning as designed?		<input checked="" type="checkbox"/> <input type="checkbox"/>
IF THE ANSWER TO EITHER QUESTION 6 OR 7 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

SITE NO. V00524

Box 3

Description of Institutional Controls

Parcel

Owner

Institutional Control

47.70-2-63.1

City of Rochester

Site Management Plan

Any disturbance of the City's underwater lands within the controlled property must be completed in accordance with a Sediment Management Plan.

Box 4

Description of Engineering Controls

Parcel

Engineering Control

47.70-2-63.1

Cover System

Clean sediment cap over impacted sediments

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

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 complete.

YES NO

☒ ☐

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

(a) the Institutional Control and/or 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. V00524

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.

I William Parry, PG, CGWP at 1 Bell Crossings, Selkirk, NY 12158
print name print business address

am certifying as the CSX Transportation, Inc. PM (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

William Parry

Digitally signed by William Parry
DN: cn=William Parry, o=CSX Transportation, Inc.,
ou=PS and E Remediation,
email=william_parry@csx.com, c=US
Date: 2013.07.10 11:07:38 -04'00'

Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

Date

IC/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.

AMEC Environment & Infrastructure, Inc.
453 Rte 146, Suite 201
Marie T. Dowd, PE at Clifton Park, NY 12065
print name print business address

am certifying as a Qualified Environmental Professional for the CSXT Rochester NY River Street Site
(Owner or Remedial Party)

Marie T. Dowd

Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering Certification



Stamp
(Required for PE)

7/10/13
Date



U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Public Notice

Applicant:
Essroc Italcementi Group

Published: March 1, 2012
Expires: March 30, 2012

Application No: 2012-00183
Section: NY

All written comments should reference the above Application No. and be addressed to:
Buffalo District U.S. Army Corps of Engineers
Regulatory Branch (**Attn: Joshua Frost**)
1776 Niagara Street
Buffalo, New York 14207-3199

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

**Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Essroc Italcementi Group, 3162 Bath Pike, Nazareth, Pennsylvania, 18604 proposes to mechanically or hydraulically dredge 300,000 cubic yards of accumulated sediments from the Rochester Harbor Federal navigation channel. The proposed project will be within the Federal navigation channel (21,200 linear feet) of the Genesee River, in the City of Rochester, Monroe County, New York. Essroc Italcementi Group proposes to place the dredged material by hopper aboard a ship or scow in the authorized Rochester Harbor open-lake placement area, located 1.5 miles northeast of the East Pier Light at Rochester Harbor. The Federal navigation channels would be dredged to their authorized depths for commercial and recreational vessels. Up to an additional one foot of material may be removed to ensure the minimum authorized depth and allow for inaccuracies in the dredging process. The dredging depths will be -22 and -21 feet Low Water Datum (LWD) lakeward and landward of the Federal West Pier.

Essroc Italcementi Group proposes that the dredging operations are performed during the period between May 1 and September 15 when work is performed by mechanical dredging. If hydraulic dredging is performed, the work shall occur between May 1 and August 15. These work windows are proposed to preclude adverse impacts on the spawning, nursery, and feeding activities of indigenous fish species.

The quality of Rochester Harbor Federal navigation channel material has been evaluated using 2005 data in accordance with the protocols and guidelines contained in the U.S. Environmental Protection Agency (USEPA)/USACE 1998 Great Lakes Dredged Material Testing and Evaluation Manual. This evaluation

specifically addresses the potential contaminant-related risks to aquatic life associated with placing the dredged material in open-lake waters. Based on this evaluation, all material dredged from Rochester Harbor Federal navigation channels were determined to meet Federal guidelines for open-lake placement.

To reaffirm this determination, sediment analysis has been performed in 2011 for the site in question. The Corps of Engineers is currently evaluating the results of the analyses in accordance with the U.S. Environmental Protection Agency (USEPA)/USACE 1998 Great Lakes Dredged Material Testing and Evaluation Manual. The Corps will not authorize open lake placement of material which does not meet the criteria stated in the manual. In the event that the Corps determines that some or all of the material is unsuitable for open lake placement, dredging depths and/or placement locations will be modified accordingly.

The applicant's stated purpose is to maintain sufficient depth for deep-draft commercial and recreational vessels. If a permit is issued, this office intends to authorize the dredging for a five year period.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should reference the Application Number and be directed to the attention of Joshua Frost, who can be contacted at the above address, by calling (716) 879-4325, or by e-mail at: joshua.w.frost@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The applicant has certified that the proposed activity complies with New York's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. General Concurrence was issued by the New York State Department of State for this work on March 27, 2006 (DOS reference number F-2005-1059). Any comments on the consistency of the proposed activity with New York State's Coastal Zone Management Program should be forwarded to:

New York Department of State
Division of Coastal Resources
Coastal Management Program
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231
Attn: Consistency Review
Telephone (518) 486-3200

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the USFWS to evaluate any potential impacts to the Bog Turtle (*Clemmys muhlenbergii*) and to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

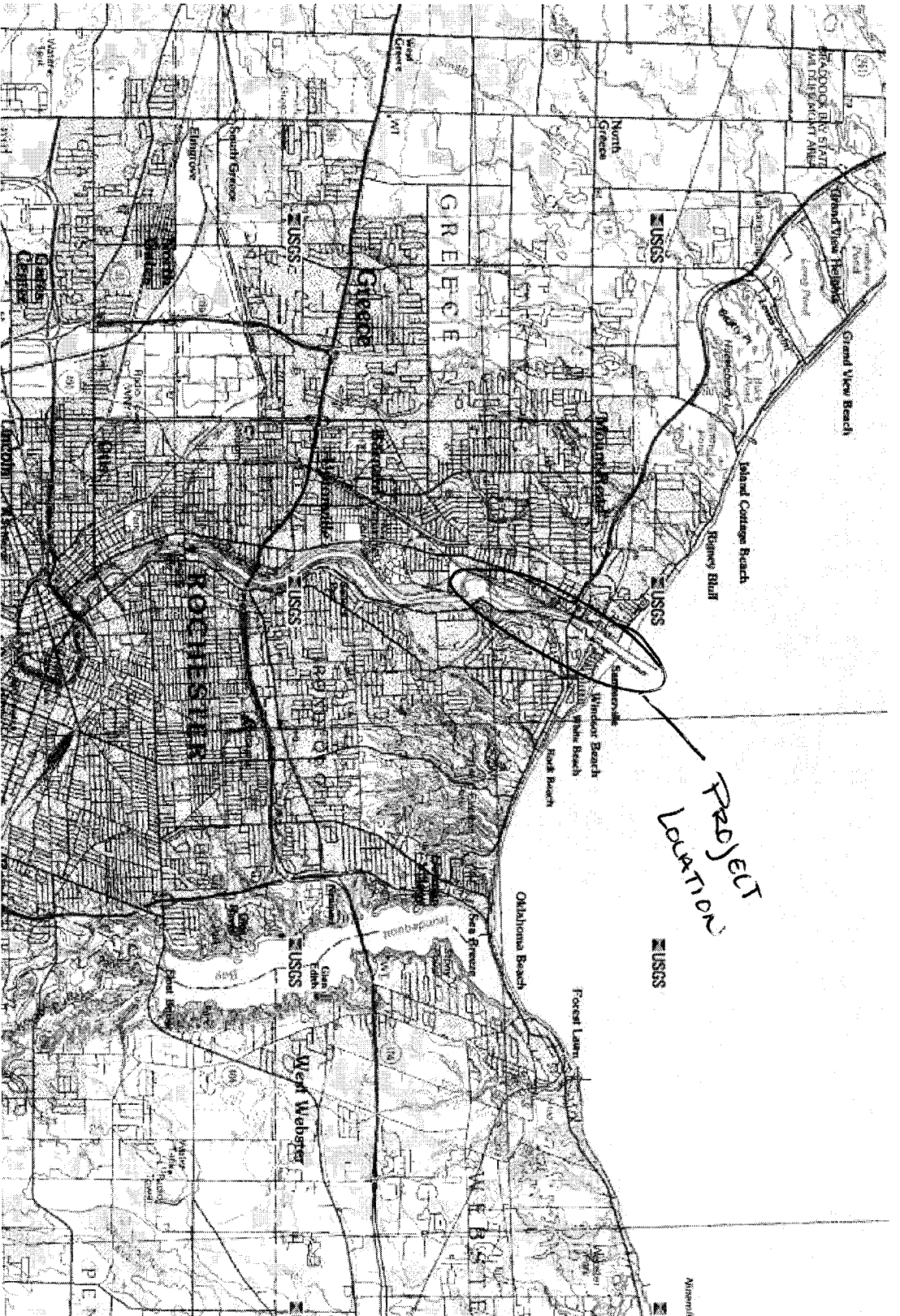
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SIGNED

Diane C. Kozlowski
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



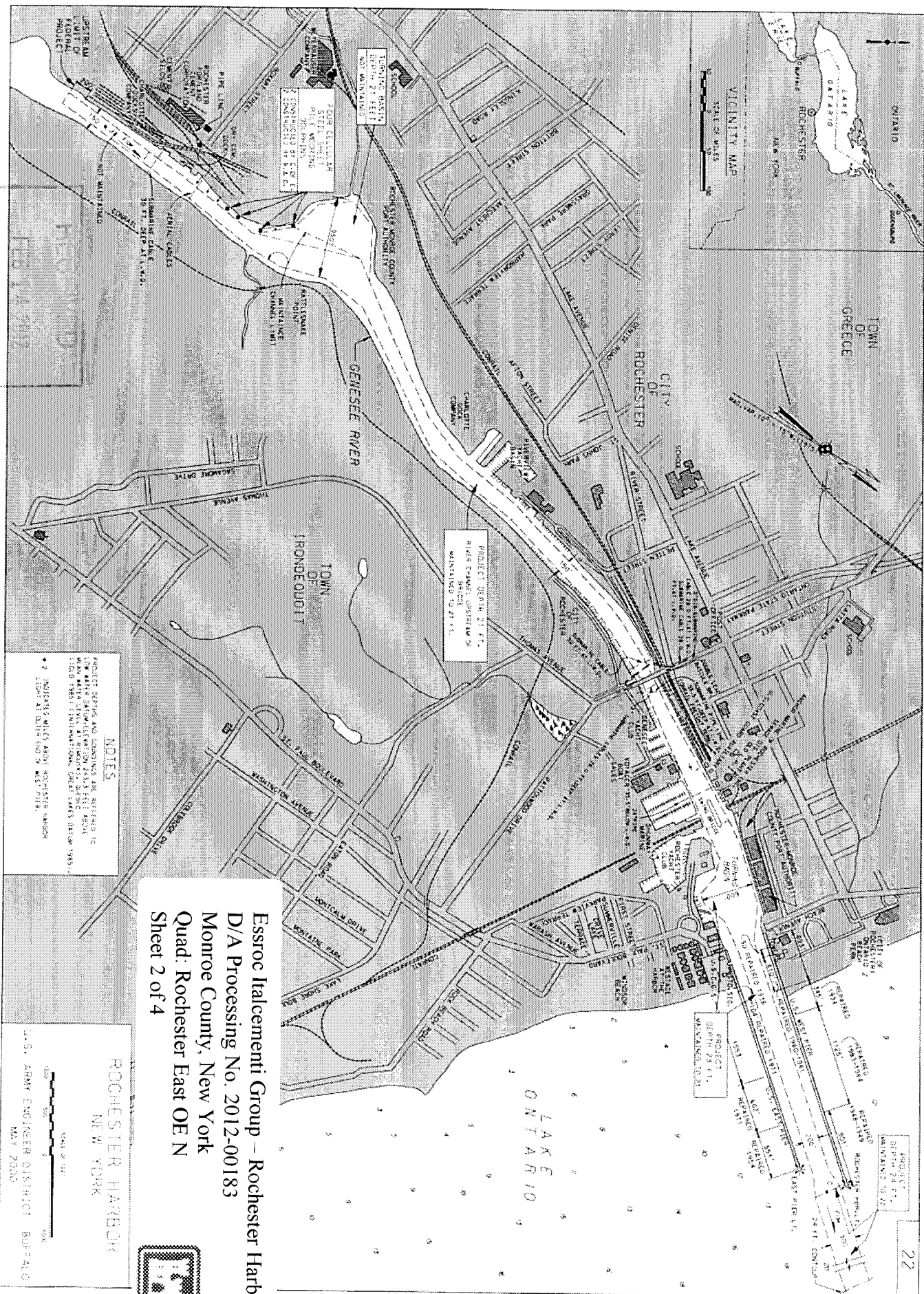
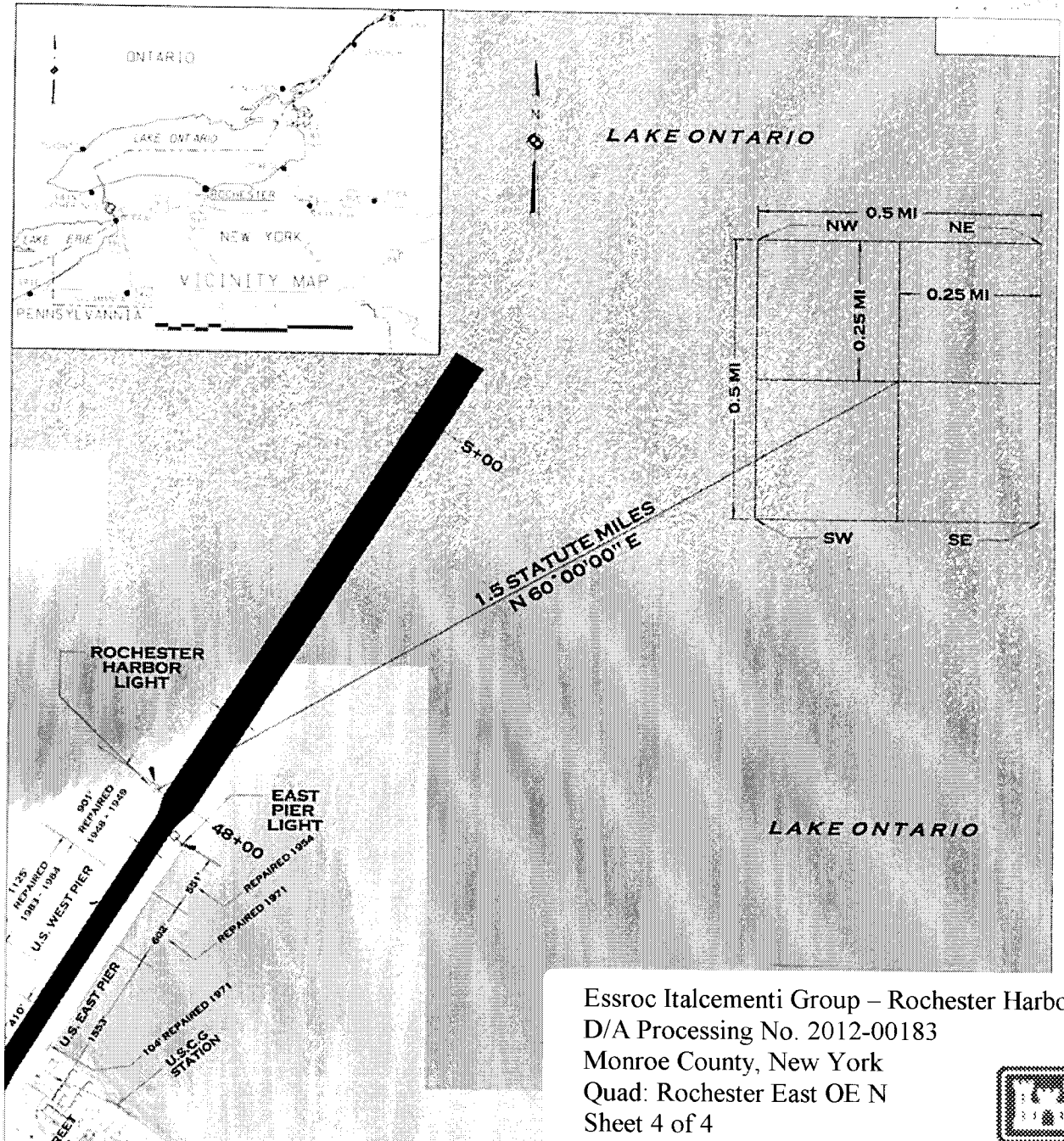


FIGURE 1 - ROCHESTER HARBOR FEDERAL PROJECT MAP



PROJECT DEPTHS AND SOUNDINGS ARE REFERRED TO LOW WATER DATUM ELEVATION 569.2 FEET ABOVE MEAN WATER LEVEL AT RIMOUSKI, QUEBEC (IGLD85) (INTERNATIONAL GREAT LAKES DATUM 1985)

- 12 INDICATES DEPTHS BELOW LOW WATER DATUM
- 1 MILES ABOVE SANDUSKY PIERHEAD
- 1 LIGHT AT OUTER END OF EAST JETTY
- 6 U.S. ROUTES
- 13 STATE ROUTES

BACKGROUND IMAGERY ARE 'SID' FILES (TILES) OBTAINED FROM THE OHIO GEOGRAPHICALLY REFERENCED INFORMATION PROGRAM:
 (HTTP://GIS4.OIT.OHIO.GOV/OSIPTILEDOWNLOADS/DEFAULT.ASPX)

OPEN LAKE PLACEMENT COORDINATES NAD83 (DD.DDDDDDDDD)

POINT	LATITUDE	LONGITUDE
NW	43.278583333	77.577733333
NE	43.278566666	77.567983333
SE	43.271366666	77.568016666
SW	43.271366666	77.577783333

ROCHESTER HARBOR



U.S. ARMY ENGINEER DISTRICT BUFFALO
 JANUARY 2012

FIGURE 3: ROCHESTER HARBOR OPEN-LAKE DISCHARGE AREA

From: [Frost, Joshua W LRB](#)
To: [Dowd, Marie T](#); [Metivier, Steven V LRB](#)
Subject: RE: Maintenance Dredging- Genesee River (UNCLASSIFIED)
Date: Thursday, July 26, 2012 1:29:32 PM

Classification: UNCLASSIFIED

Caveats: NONE

The maintenance dredging started on July 18, 2012.

Joshua W. Frost, PWS, Certified Ecologist
Biologist, Regulatory Branch
U.S. Army Corps of Engineers
1776 Niagara Street
Buffalo, New York 14207
716-879-4325 / 716-879-4310 (Fax)
Joshua.W.Frost@usace.army.mil

-----Original Message-----

From: Dowd, Marie T [<mailto:marie.dowd@amec.com>]
Sent: Thursday, July 26, 2012 12:59 PM
To: Metivier, Steven V LRB; Frost, Joshua W LRB
Subject: Maintenance Dredging- Genesee River

Hi Gentlemen-

I was just wondering if the maintenance dredging actually started and its progress? We are trying to keep tabs on it as we approach the Hojack Project. We are anticipating the NYSDEC permit any day now.

Thanks,

Marie

The information contained in this e-mail is intended only for the individual or entity to whom it is addressed.

Its contents (including any attachments) may contain confidential and/or privileged information.

If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents.

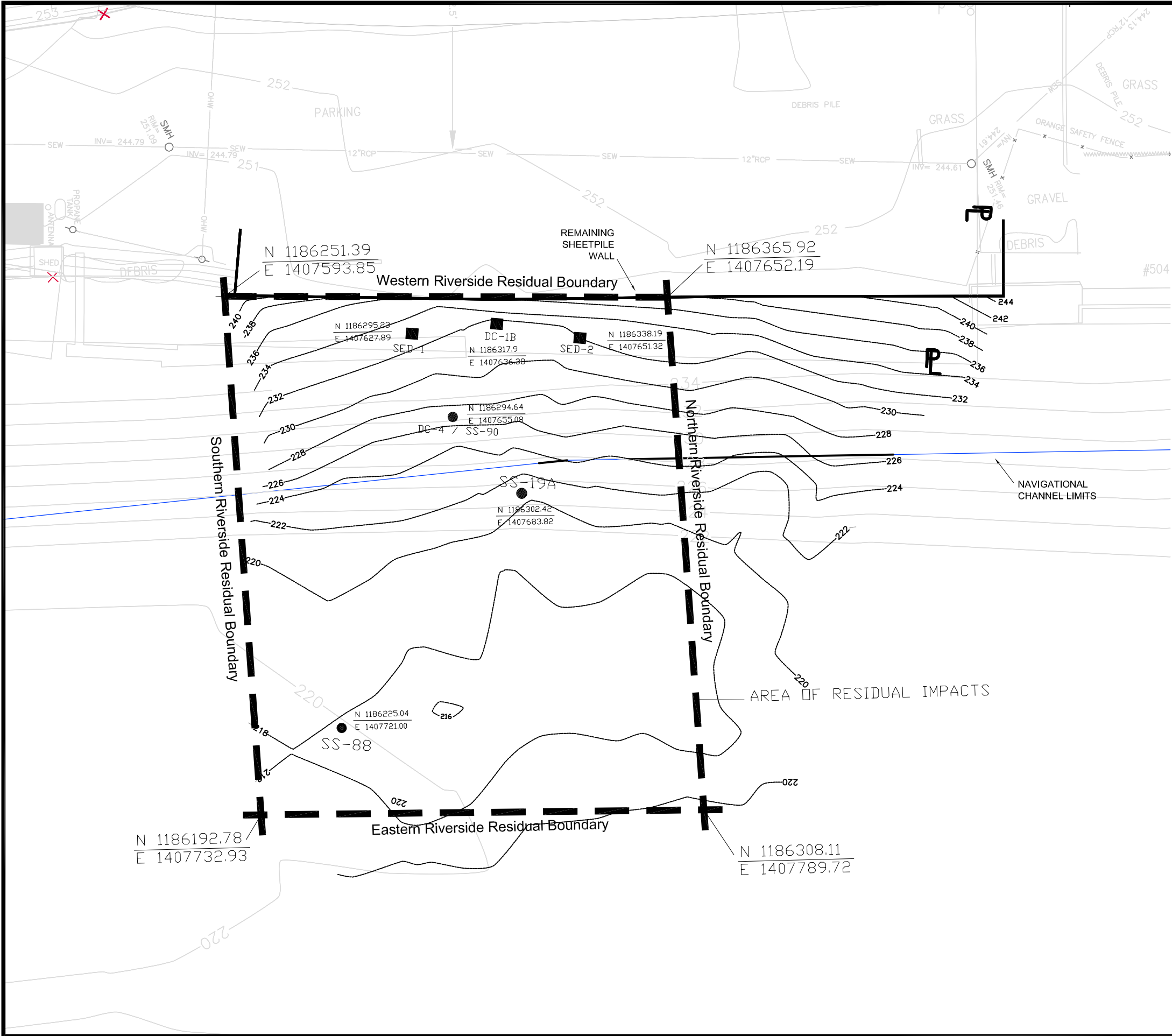
If you receive this e-mail in error, please notify the sender by reply e-mail and delete and destroy the message.

Classification: UNCLASSIFIED

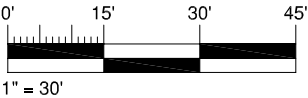
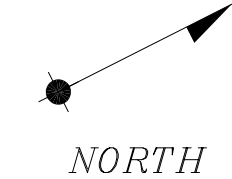
Caveats: NONE

ATTACHMENT B

Figure 2 from Site Management Plan-June 2012



- LEGEND:**
- POST-DREDGING RIVER BOTTOM CONTOUR
 - CSXT SEDIMENT SAMPLE LOCATION CONTAINING RESIDUAL METHYLENE CHLORIDE CONCENTRATIONS
 - CITY SEDIMENT SAMPLE LOCATION CONTAINING RESIDUAL METHYLENE CHLORIDE CONCENTRATIONS
 - BOUNDARY OF RESIDUAL IMPACTS
- NOTES:**
- BATHYMETRIC SURVEY SERVICES WERE PROVIDED BY THEW ASSOCIATES, CANTON, NY TO DOCUMENT AS-BUILT CONDITIONS.
 - THE EXISTING SHEET PILE WALL WAS LEFT IN PLACE AND CUT FLUSH WITH THE RIVER BED.
 - ORIGINAL BASE MAP PROVIDED BY LABELLA ASSOCIATES, PC, ROCHESTER, NY
 - RESIDUAL IS DEFINED IN THIS DRAWING AS: A SAMPLE LOCATION CONTAINING METHYLENE CHOLIDE CONCENTRATIONS GREATER THAN THE ESTABLISHED SCGs. SAMPLES WERE COLLECTED DURING THE POST DREDGING SAMPLING EVENT (APRIL 2005).



AMEC
Earth & Environmental, Inc.
2 Robbins Road
Westford, Massachusetts 01886
Telephone: (978) 692-9090
Fax: (978) 692-6633
Web: www.amec.com



CLIENT:
**CSX
TRANSPORTATION**



PROJECT:
**SITE MANAGEMENT PLAN,
CSXT - RIVER STREET
DETAILMENT SITE
ROCHESTER, NY**

REV	DATE	DESCRIPTION
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ISSUE / REVISION:	
DESIGNED BY: M. DOWD	DRAWN BY: M. YAU
CHECKED BY: M. DOWD	DATE: 2010-06-14
SCALE: AS SHOWN	ISSUE / REVISION: 0
DISCIPLINE LEAD: M. DOWD	PROJECT MANAGER: M. DOWD

PROJECT ENGINEER: M. DOWD
PROJECT NUMBER: DESIGNED BY:

TITLE: **FIGURE 2
RIVERSIDE SITE RESIDUAL BOUNDARY MAP**