

REMEDIAL ACTION MEMORANDUM

TO: United States Environmental Protection Agency Region 2

FROM: City of Rochester

DATE: August 28, 2024

RE: 42 York Street, City of Rochester, Monroe County, New York 14614

Introduction

The City of Rochester (“City”) and LaBella Associates, D.P.C. (“LaBella”) have prepared this remedial action memorandum for the property located at 42 York Street, in the City of Rochester, Monroe County, New York (the “Site”). New York State Department of Environmental Conservation (NYSDEC) Spill No. 2206496 is assigned to the Site. LaBella completed an Analysis of Brownfields Cleanup Alternatives (ABCA) on behalf of the City for the Site. The ABCA was generated to evaluate alternatives for cleanup of petroleum-related compounds that have impacted soil at the Site.

This memorandum includes the following:

1. Description of the Site location, layout, and history;
2. Summary of all previous environmental site investigations performed;
3. Summary of nature and extent of contamination at the Site;
4. Summary of the cleanup alternatives evaluated;
5. Recommended cleanup alternative, explanation, and rationale;
6. General project schedule and reporting; and,
7. Signature of authorized City representative.

1. Site Description and History

The Site is comprised of one approximate 0.48-acre parcel (SBL #120.42-2-72.001) located at 42 York Street, in the City of Rochester, Monroe County, New York. Refer to Figure 1 for the approximate Site location (map) and Figure 2 for a local site plan. The Site is within the Bull’s Head redevelopment area and is currently an unused paved parking lot. The Site is located in an urban setting.

The Site appears to have been first developed with several residential dwellings and sheds/barns on portions of the parcel from 1892 to at least 1935.

On aerial photographs dated 1988, 1993, and 2003, approximately 15 vehicles are parked on the Site. In addition, apparent dark staining and miscellaneous items (which may be indicative of debris) appear to be located throughout the Site. The staining and debris on the Site may be indicative of former industrial/manufacturing use of the property or effects from surrounding properties.



2. Summary of Previous Environmental Investigation

A previous environmental investigation was completed for the Site and surrounding properties by Day Environmental in 2018. The previous investigation identified the presence of semi-volatile organic compounds (SVOCs) and metals in soil/fill material on the Site. The prior investigation identified select areas where heavy metals and SVOCs were present at concentrations above Restricted Residential Use Soil Cleanup Objectives (SCOs). More specifically, these impacts were identified in samples collected from test pits TP-13 (sample depth 1-2-ft bgs) and TP-14 (sample depth 3.5-ft bgs).

LaBella completed a Phase II ESA for the Site in 2023 that included ten (10) test pits, the installation of one (1) groundwater monitoring well, the collection of six (6) soil samples and two (2) groundwater samples. The findings of the 2023 Phase II ESA are summarized in the in Section 3 below. The complete Phase II ESA is available under separate cover.

3. Summary of Nature and Extent of Contamination

Shallow soil at the Site consists of a layer of material typical of urban soil and fill. The fill layer is generally present across the Site, with varying thickness. The fill is generally thickest (approximately seven (7) feet) on the southern portion of the Site and thinner (approximately two (2) feet) on the northern portion of the Site. The fill contains one or more of the following constituents (depending on location):

- Ash;
- cinders;
- slag;
- brick;
- wood;
- metal;
- glass; and/or,
- stone/concrete fragments.

The finding of urban soil/fill containing ash and cinders is consistent with historic investigation of the Site and surrounding area performed in 2018 (by others).

The concentration of lead at TP-04 (0.5 – 2.0 ft bgs), arsenic at TP-13 (1.0 – 2.0 ft bgs), and benzo (a)pyrene at TP14 (3.5 ft bgs) exceed their respective NYSDEC Part 375 Restricted Residential Use Soil Cleanup Objectives (SCOs) and NYSDEC Part 375 Commercial Use SCOs.

One or more metals and/or SVOCs exceed their respective NYSDEC Part 375 Unrestricted Use SCOs at TP-03, TP-04, TP-05, TP-06, TP-07, TP-13, and TP-14. For a complete summary refer to the attached Figure 5 from the Phase II ESA.

Urban soil/fill material present at the Site includes (but is not limited to) ash and cinders. These fill materials are considered a solid waste by the NYSDEC that cannot be treated as construction and demolition (C&D) solid waste, due to the nature of its origin as a solid waste derived from an industrial source.

Based on available data and mapping generated during the completion of the LaBella Phase II ESA, (including inferred depth of fill Site-wide), the estimated quantity of impacted fill material at the Site is approximately 2,689 cubic yards (CY), as shown on the attached Figure 6 from the Phase II ESA.



4. Summary of the Cleanup Alternatives Evaluated

Based on the nature of the Site and present conditions, three (3) cleanup alternatives were evaluated:

Alternative #1) No Action

Alternative #2) Excavation and Removal of Soil/Fill Material Exceeding SCOs/SCLs

Alternative #3) Cover and Cap

Alternative #1 (No Action)

The no action alternative is included as a procedural requirement and as a baseline to evaluate other alternatives. Under this alternative, no cleanup would occur and soil/fill material would remain as-is.

Opinion of Probable Cost: \$0

Alternative #2 (Excavation and Removal of Soil/Fill Material Exceeding SCOs/SCLs)

This alternative would entail the removal and disposal of all soil/fill material with impacts above Restricted Residential Use and Commercial Use SCOs, as well as all fill material containing ash and cinders (i.e., material considered a solid waste by the NYSDEC). Excavated soil/fill would be disposed off-site in a NYSDEC Part 360 permitted landfill. The excavation would be backfilled with clean imported material.

This alternative would include the excavation of approximately 2,689 cubic yards (CY) of fill material, equal to approximately 4,302 tons (when using a 1.6 multiplier).

Opinion of Probable Cost: \$600,000

Alternative #3 (Cover and Cap)

This alternative involves installing a 1-ft cover and/or a cap in areas of impacted soil and fill (i.e., Site-wide) as an engineering control. The cover/cap provides a direct barrier to contact with soil remaining at levels above Site SCGs. This alternative would also include the implementation of an environmental easement and development of an Environmental Management Plan (EMP) for the Site. This alternative includes maintaining documentation to ensure that the location of contamination is known and that any disturbance of such material would be done in accordance with the EMP. Such on-site management would control future Site use. The EMP would include inspections of the cover/cap on a regularly determined basis.

Opinion of Probable Cost: \$150,000

A comprehensive analysis of all considered alternatives can be found in the ABCA (under separate cover).

5. Recommended Cleanup Alternative, Explanation, and Rationale

The recommended cleanup alternative is **Alternative #2** - Excavation and Removal of Soil/Fill Material Exceeding Site SCGs.

Alternative #1 (No Action) cannot be recommended since it does not address site risks, prevents future use/development of the Site, and is not in compliance with the Stipulation Agreement made between the NYSDEC and City of Rochester.



Alternative #3 (Cover/Cap) is less expensive than excavating the contaminated soil/fill material and disposing it off-site. However, Alternative #3 would require ongoing monitoring and maintenance of the cap and the implementation of land use restrictions that are counter to the planned use/development of the Site. Alternative #3 is also not in compliance with the Stipulation Agreement made between the NYSDEC and City of Rochester.

The NYSDEC is the agency responsible for the cleanup and removal of discharges of petroleum pursuant to Article 12 of the Navigation Law and Article 17 of the Environmental Conservation Law. In accordance with the Stipulation Agreement made between the NYSDEC and the City of Rochester, the City has agreed to clean up and remove a discharge of petroleum at the Site which was reported to the NYSDEC on October 28, 2022 (NYSDEC Spill No. 2206496).

In accordance with 6 NYCRR Part 360.13, fill materials containing ash and cinders may be managed and placed into similar filled areas within the same site under appropriate cover. Alternatively, these materials can be disposed off-site in a New York State Part 360 permitted landfill.

All cleanup activities shall be in accordance with local, state, and federal regulations and the NYSDEC-reviewed Remedial Work Plan (RWP). The RWP is pending the review and approval of the NYSDEC.

6. Schedule and Reporting

Cleanup activities are anticipated to occur in late 2024, upon receipt of the NYSDEC-approved RWP. A summary report will be provided within sixty (60) days of the completion of cleanup activities.

7. Signature of City of Rochester Representative

The following individual is an authorized representative of the City of Rochester:

Signature: 
Signed by:
BFE02CB65759412...

Printed Name: Rick Rynski

Title: Manager of Special Projects

Date: 9/10/2024

Attached:

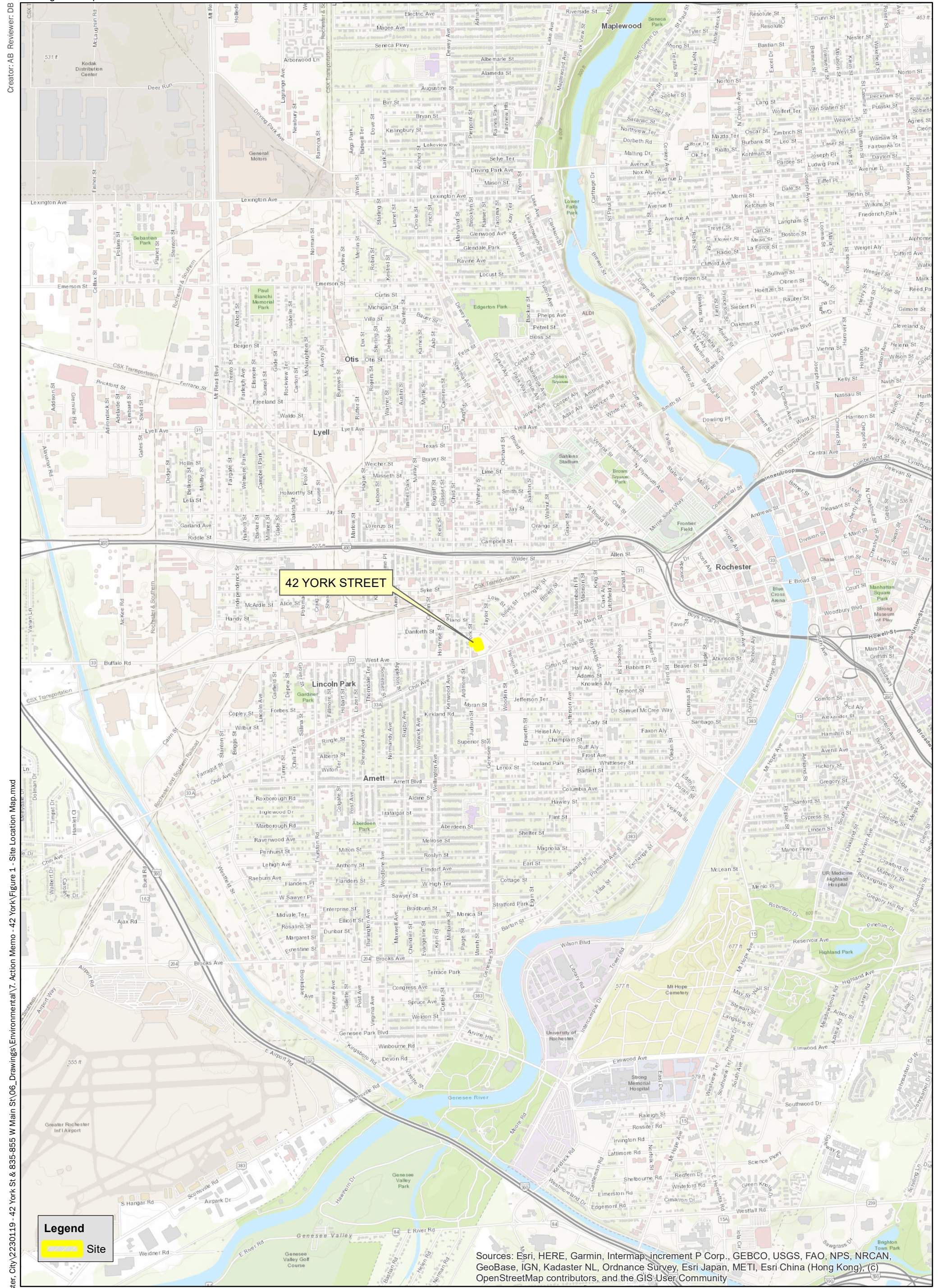
- Figure 1 – Site Location Map
- Figure 2 – Site Plan Map
- Figure 3 – Summary of Soil Conditions
- Figure 4 – Fill Location and Depths

\\Projects2\ProjectsNZ-2\Rochester, City\2230119 - 42 York St & 835-855 W Main St\11_Reports\42 York - EPA Action Memo\42 York Street USEPA Remedial Action Memo - 2024.08.28.doc



FIGURES





Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (C) OpenStreetMap contributors, and the GIS User Community

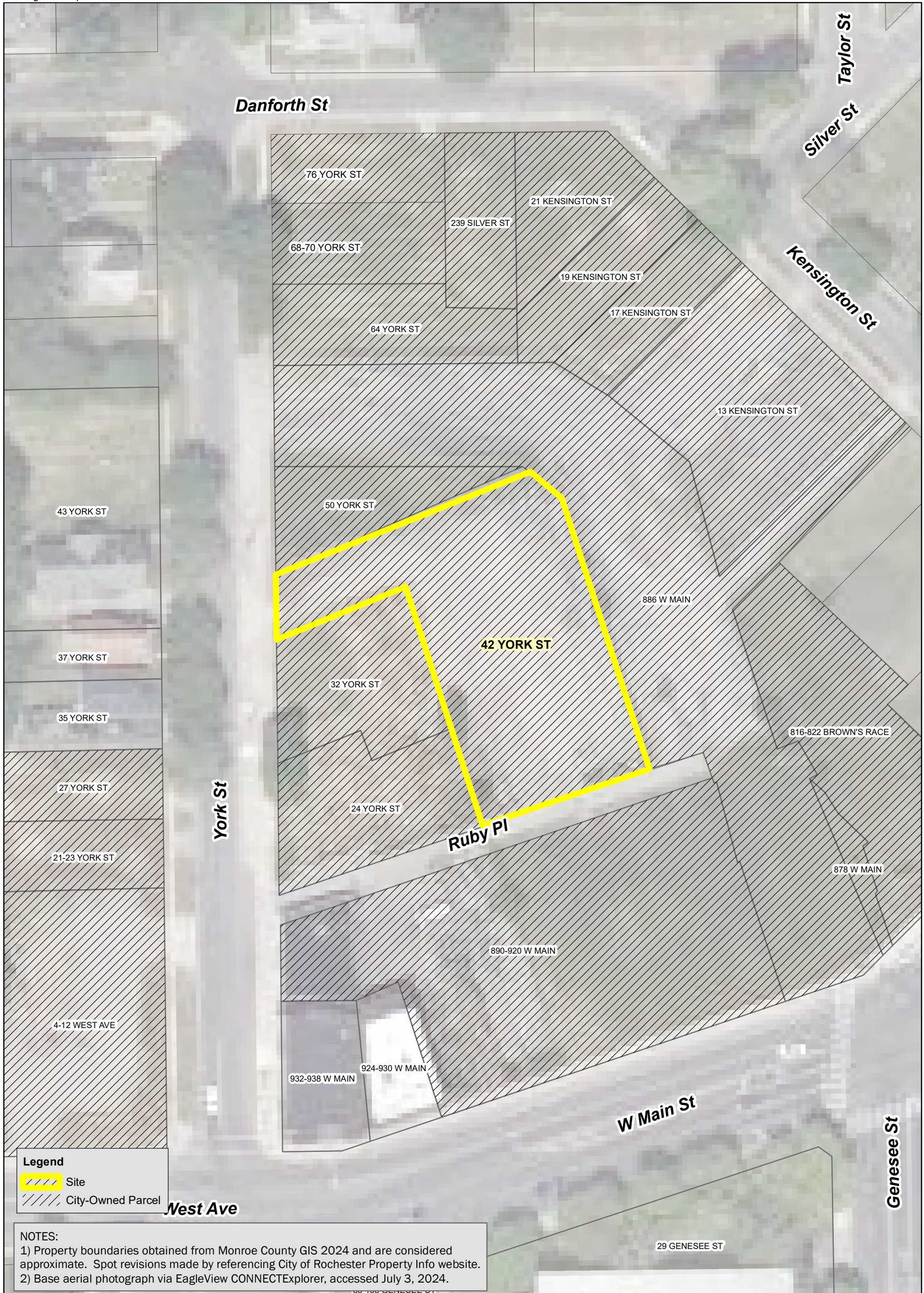
PROJECT/DRAWING NUMBER:
 [2230119]
 [FIGURE 1]

PROJECT:
REMEDIAL ACTION MEMO
42 YORK STREET
ROCHESTER, NEW YORK
 DRAWING NAME:
SITE LOCATION
MAP

CLIENT:
CITY OF ROCHESTER

0 1,000 2,000 Feet
 1 inch = 2,000 feet
 INTENDED TO PRINT AS: 11" X 17"

LaBella
 Powered by partnership.



Legend
 [Yellow outline] Site
 [Hatched area] City-Owned Parcel

NOTES:
 1) Property boundaries obtained from Monroe County GIS 2024 and are considered approximate. Spot revisions made by referencing City of Rochester Property Info website.
 2) Base aerial photograph via EagleView CONNECTExplorer, accessed July 3, 2024.

PROJECT/DRAWING NUMBER:
 [2230119]
 [FIGURE 2]

PROJECT:
**REMEDIAL ACTION MEMO
 42 YORK STREET
 ROCHESTER, NEW YORK**
 DRAWING NAME:
SITE PLAN MAP

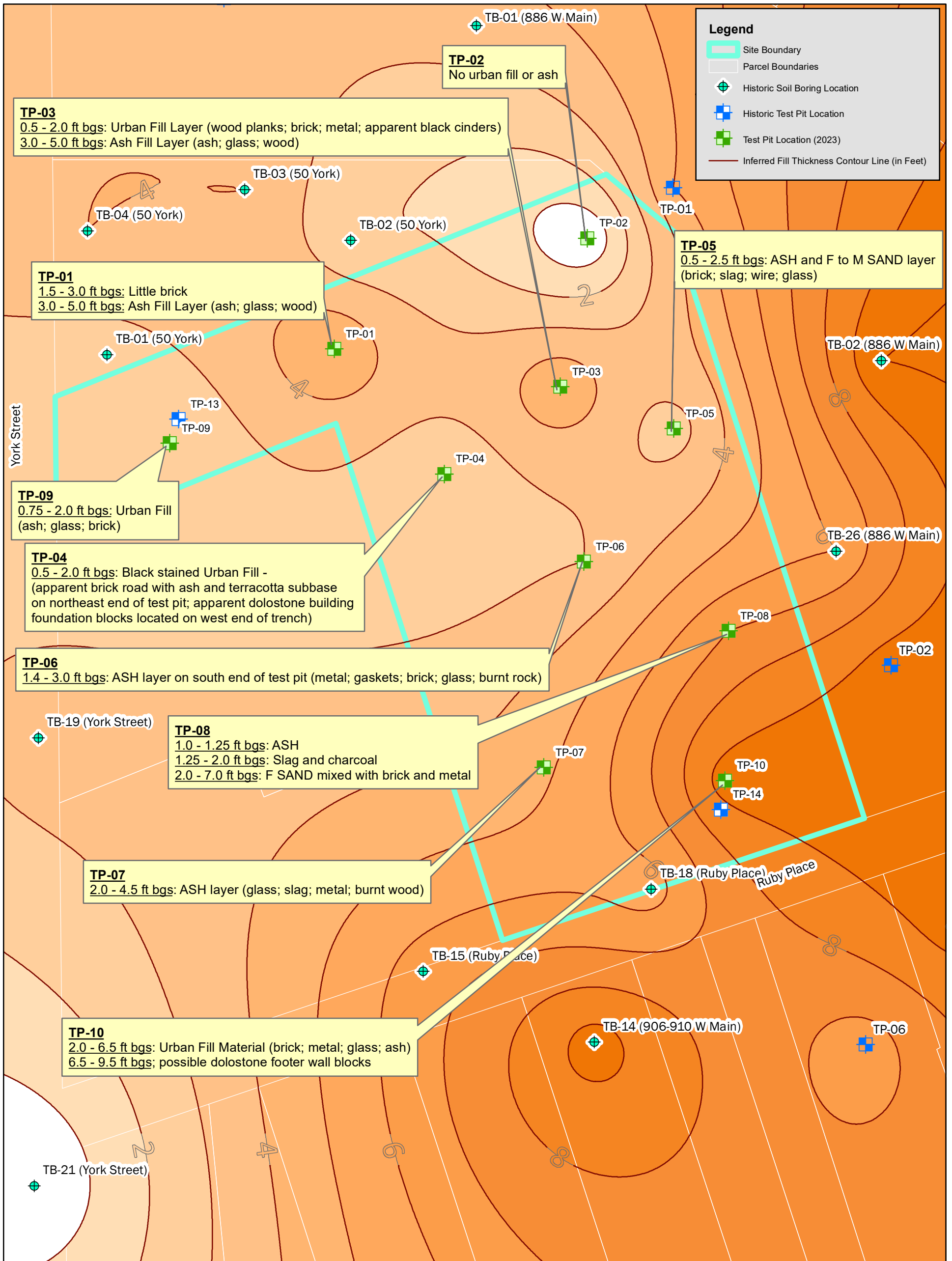
CLIENT:
CITY OF ROCHESTER

0
 1 inch = 50 feet
 INTENDED TO PRINT AS: 11" X 17"



Creator: AB, Reviewer: DB

Path: \\Projects2\Projects\NZ-2\Rochester, City\2230119 - 42 York St & 835-855 W Main St\06_Drawings\Environmental\7. Action Memo - 42 York\Figure 4 - Fill Location and Depths_V2.mxd



TP-03
 0.5 - 2.0 ft bgs: Urban Fill Layer (wood planks; brick; metal; apparent black cinders)
 3.0 - 5.0 ft bgs: Ash Fill Layer (ash; glass; wood)

TP-02
 No urban fill or ash

TP-01
 1.5 - 3.0 ft bgs: Little brick
 3.0 - 5.0 ft bgs: Ash Fill Layer (ash; glass; wood)

TP-05
 0.5 - 2.5 ft bgs: ASH and F to M SAND layer
 (brick; slag; wire; glass)

TP-09
 0.75 - 2.0 ft bgs: Urban Fill
 (ash; glass; brick)

TP-04
 0.5 - 2.0 ft bgs: Black stained Urban Fill -
 (apparent brick road with ash and terracotta subbase
 on northeast end of test pit; apparent dolostone building
 foundation blocks located on west end of trench)

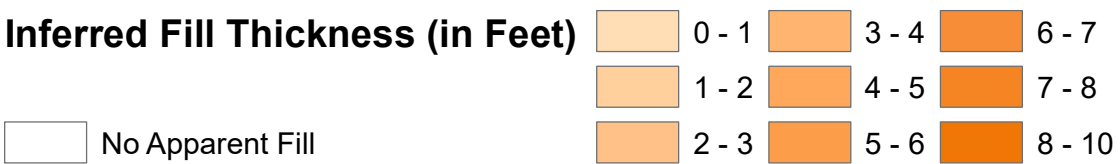
TP-06
 1.4 - 3.0 ft bgs: ASH layer on south end of test pit (metal; gaskets; brick; glass; burnt rock)

TP-08
 1.0 - 1.25 ft bgs: ASH
 1.25 - 2.0 ft bgs: Slag and charcoal
 2.0 - 7.0 ft bgs: F SAND mixed with brick and metal

TP-07
 2.0 - 4.5 ft bgs: ASH layer (glass; slag; metal; burnt wood)

TP-10
 2.0 - 6.5 ft bgs: Urban Fill Material (brick; metal; glass; ash)
 6.5 - 9.5 ft bgs; possible dolostone footer wall blocks

NOTES:
 1) Property boundaries obtained from Monroe County GIS 2019 and considered approximate.
 2) Fill depth contours were created in Surfer 23.2.176 via the Kriging method from depths recorded at the bottom of the urban fill layer measured in the test pits and surrounding borings. These contours are shown to illustrate general urban fill depth patterns in the context of this report. The contour lines are approximate and actual contours may vary from the locations shown. This data should be considered accurate to the degree implied by the method used.
 3) Refer to soil boring logs for additional information.



PROJECT/DRAWING NUMBER:
 [2230119]
 [FIGURE 4]

PROJECT:
RMEDIAL ACTION MEMO
42 YORK STREET
ROCHESTER, NEW YORK
 DRAWING NAME:
FILL LOCATION
AND DEPTHS

CLIENT:
CITY OF ROCHESTER

