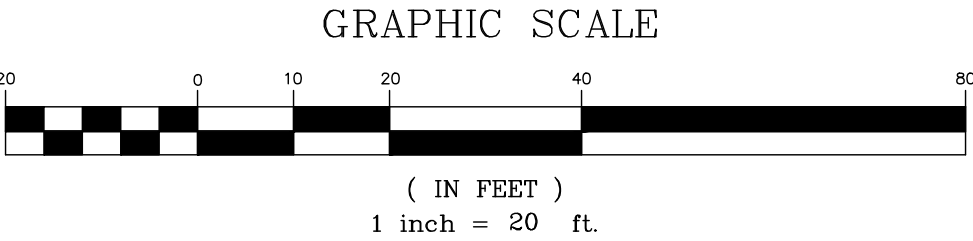
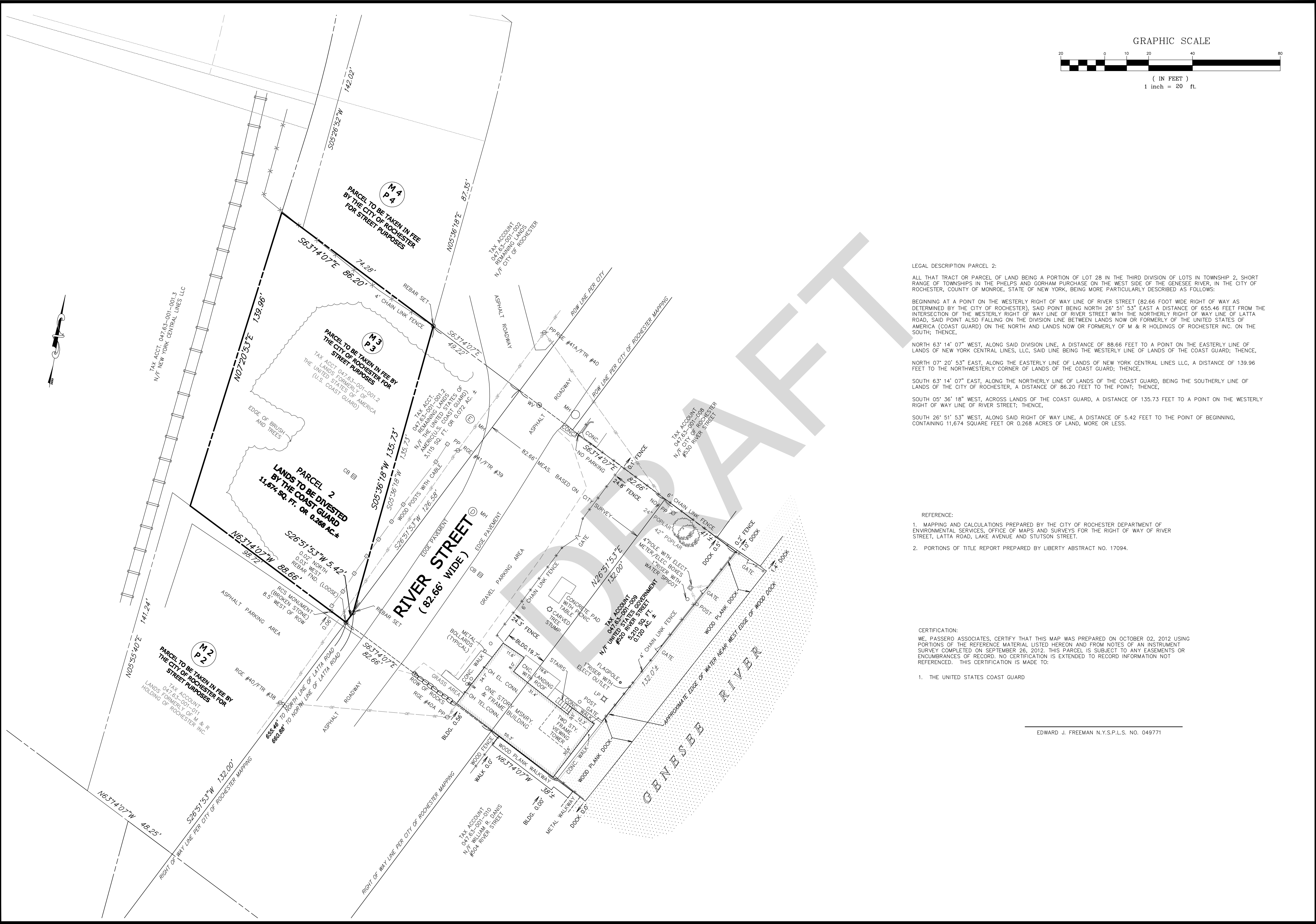


DRAFT

Appendix A

Site Survey Map



LEGAL DESCRIPTION PARCEL 2:

ALL THAT TRACT OR PARCEL OF LAND BEING A PORTION OF LOT 28 IN THE THIRD DIVISION OF LOTS IN TOWNSHIP 2, SHORT RANGE OF TOWNSHIPS IN THE PHELPS AND GORHAM PURCHASE ON THE WEST SIDE OF THE GENESEE RIVER, IN THE CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF RIVER STREET (82.66 FOOT WIDE RIGHT OF WAY AS DETERMINED BY THE CITY OF ROCHESTER), SAID POINT BEING NORTH 26° 51' 53" EAST A DISTANCE OF 655.46 FEET FROM THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF RIVER STREET WITH THE NORTHERLY RIGHT OF WAY LINE OF LATTA ROAD, SAID POINT ALSO FALLING ON THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF THE UNITED STATES OF AMERICA (COAST GUARD) ON THE NORTH AND LANDS NOW OR FORMERLY OF M & R HOLDINGS OF ROCHESTER INC. ON THE SOUTH; THENCE,

NORTH 63° 14' 07" WEST, ALONG SAID DIVISION LINE, A DISTANCE OF 88.66 FEET TO A POINT ON THE EASTERLY LINE OF LANDS OF NEW YORK CENTRAL LINES, LLC, SAID LINE BEING THE WESTERLY LINE OF LANDS OF THE COAST GUARD; THENCE,

NORTH 07° 20' 53" EAST, ALONG THE EASTERLY LINE OF LANDS OF NEW YORK CENTRAL LINES LLC, A DISTANCE OF 139.96 FEET TO THE NORTHWESTERLY CORNER OF LANDS OF THE COAST GUARD; THENCE,

SOUTH 63° 14' 07" EAST, ALONG THE NORTHERLY LINE OF LANDS OF THE COAST GUARD, BEING THE SOUTHERLY LINE OF LANDS OF THE CITY OF ROCHESTER, A DISTANCE OF 86.20 FEET TO THE POINT; THENCE,

SOUTH 05° 36' 18" WEST, ACROSS LANDS OF THE COAST GUARD, A DISTANCE OF 135.73 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF RIVER STREET; THENCE,

SOUTH 26° 51' 53" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 5.42 FEET TO THE POINT OF BEGINNING, CONTAINING 11,674 SQUARE FEET OR 0.268 ACRES OF LAND, MORE OR LESS.

- REFERENCE:
1. MAPPING AND CALCULATIONS PREPARED BY THE CITY OF ROCHESTER DEPARTMENT OF ENVIRONMENTAL SERVICES, OFFICE OF MAPS AND SURVEYS FOR THE RIGHT OF WAY OF RIVER STREET, LATTA ROAD, LAKE AVENUE AND STUTSON STREET.
 2. PORTIONS OF TITLE REPORT PREPARED BY LIBERTY ABSTRACT NO. 17094.

CERTIFICATION:

WE, PASSERO ASSOCIATES, CERTIFY THAT THIS MAP WAS PREPARED ON OCTOBER 02, 2012 USING PORTIONS OF THE REFERENCE MATERIAL LISTED HEREON AND FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON SEPTEMBER 26, 2012. THIS PARCEL IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD. NO CERTIFICATION IS EXTENDED TO RECORD INFORMATION NOT REFERENCED. THIS CERTIFICATION IS MADE TO:

1. THE UNITED STATES COAST GUARD

EDWARD J. FREEMAN N.Y.S.P.L.S. NO. 049771

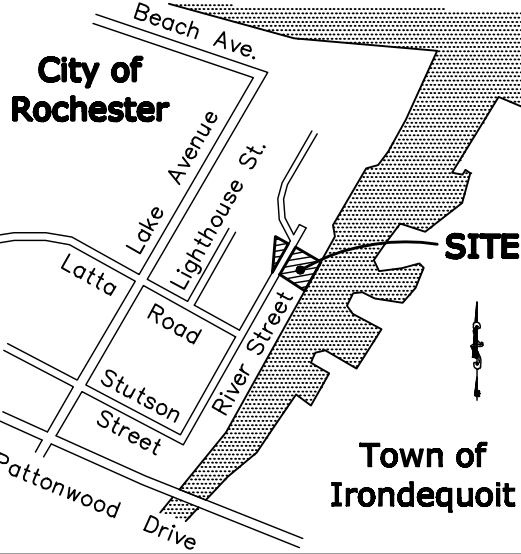
Passero Associates
Rochester, NY Fernandina Beach, FL
www.passero.com

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL NKED OR EMBOSSED SEAL AND INKED SIGNATURE SHALL BE CONSIDERED A TRUE AND VALID COPY.
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LEGEND	
CB	Catchbasin
c/s	Cleanout
GV	Gas Valve
HYD	Hydrant
LP	Lightpole
MH	Manhole (Unknown Type)
MH	Manhole Electric
MH	Manhole Inlet Storm Drainage
MH	Manhole Storm Drainage
MH	Manhole Sanitary Sewer
SP	Sign Post (Single)
PP	Utility Pole
PA	Utility Pole Anchor Wire
PL	Utility Pole with Light
WC	Water Service
WV	Water Valve
OW	Overhead Utility Wires
UC	Underground Utility Conduit

Revisions		
No.	Date	Description
1.	9.28.12	DS Add Ingress-egress ease, L1264 D26

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Passero Associates
100 Liberty Pole Way,
Rochester, NY 14604
(585) 325-1000
Fax: (585) 325-1091
Principal-in-Charge: John F. Caruso, P.E.
Project Manager: Ed Freeman, P.L.S.
Designed by: D. Sauve

United States Coast Guard
USCG Finance Center
1430A Kristina Way
Chesapeake, VA 23326

Instrument Survey
Parcel 2
Lands to be Divested
by The United States
U.S. Coast Guard Station
530 River Street
Tax Acd. No. 047.63-001-000
City of Rochester
County of Monroe, State of New York

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Drawing No.	Sheet No.
IS-2	1 of 1
Scale:	
1" = 20'	
Date:	
10.02.12	

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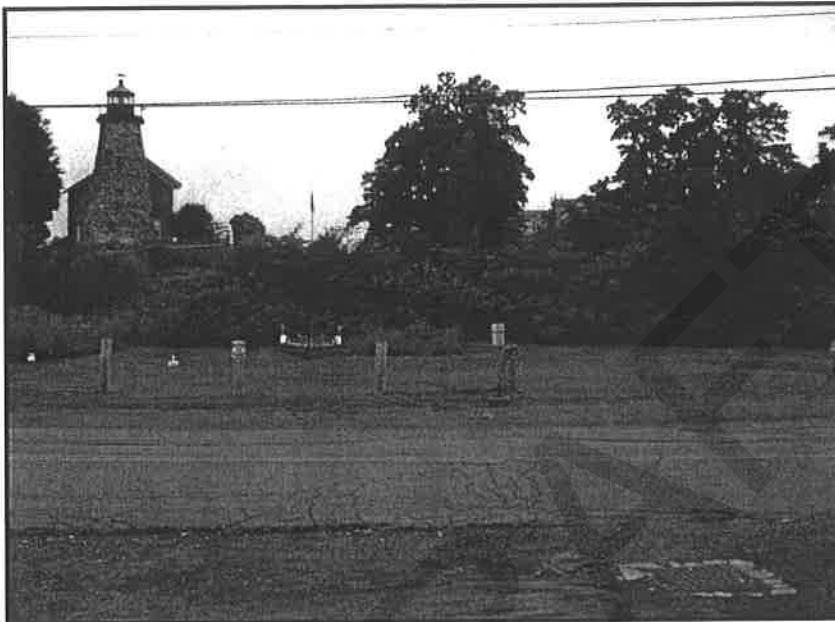
Appendix B

Phase I Environmental Site
Assessment

Phase I Environmental Site Assessment

**Coast Guard Auxiliary Operations Detachment
Rochester Land, New York**

527 River Street, Rochester, New York 14612



Prepared For:

Commanding Officer
United States Coast Guard
Civil Engineering Unit
1240 East Ninth Street, Room 2179
Cleveland, Ohio 44199-2060
Attn: Contracting Officer (Pam Komer)

Prepared By:

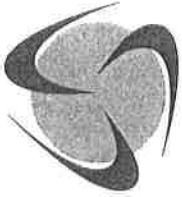


TriTech

Environmental Health and Safety, Inc.

COPY

October 2009



TriTech

Environmental Health and Safety, Inc.

September 16, 2009

Commanding Officer
United States Coast Guard
Civil Engineering Unit
1240 East Ninth Street, Room 2179
Cleveland, Ohio 44199-2060
Attn: Contracting Officer (Pam Komer)

**Re: DRAFT Phase I Environmental Site Assessment
Coast Guard Auxiliary Operations Detachment Rochester Land, New York
527 River Street, Rochester, New York 14612 (ie, "Site")**

Dear Ms. Komer:

Attached is the draft Phase I Environmental Site Assessment (ie, "Phase I ESA") report for the above-referenced location. This Phase I ESA has been completed at your request and represents the findings, conclusions and recommendations of TriTech Environmental Health and Safety, Inc. (ie, "TriTech"). It has been completed in conformance with the American Society for Testing and Materials (ie, "ASTM") Practice E1527-05 and the United States Environmental Protection Agency's (ie, "USEPA") Standard at 40 CFR 312.

A copy of all information collected during this Phase I ESA, including historical records, photographs, maps, notes and other material will be kept on file at the offices of TriTech.

We appreciate the opportunity to provide you with this service. If you have any questions, please do not hesitate to contact our office.

Sincerely,
TRITECH ENVIRONMENTAL HEALTH AND SAFETY, INC.

Mary Joy (MJ) DelConte, MS, CEA, REM
President

PHASE I ENVIRONMENTAL SITE ASSESSMENT

527 RIVER STREET

CITY OF ROCHESTER

MONROE COUNTY, NEW YORK 14612

Prepared For:

Commanding Officer
United States Coast Guard
Civil Engineering Unit
1240 East Ninth Street, Room 2179
Cleveland, Ohio 44199-2060
Attn: Contracting Officer (Pam Komer)

Prepared By:

TriTech Environmental Health and Safety, Inc.
A Woman Owned Business (WBE)
1100 University Avenue
Rochester, New York 14607

September 16, 2009

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1. STATEMENT OF QUALIFICATIONS

This Phase I ESA was performed and the report was prepared with the supervision and the responsible charge of an Environmental Professional employed by TriTech Environmental Health and Safety, Inc. (ie, "TriTech"), as defined in the American Society for Testing and Materials (ie, "ASTM") Practice E1527-05 and the United States Environmental Protection Agency's (ie, "USEPA's") Innocent Landowners Standards for Conducting All Appropriate Inquiries at 40 CFR 312.


We declare that to the best of our professional knowledge and belief that our firm maintains an individual who possesses the education, training and experience that meets the definition of an Environmental Professional as defined in ASTM Practice-1527-05, Section 3.2.29 and Appendix X2, as well as in the USEPA's Innocent Landowners Standards For Conducting All Appropriate Inquiries, Section 312.10(b) of 40 CFR 312.

Furthermore, we have the specific qualifications based on education, training and experience to assess a property of the nature, history and setting of the Site. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in ASTM Practice E1527-05 and 40 CFR Part 312. Statements of credentials are attached in Appendix A.

Phase I ESA Site Visit, Historical
Research and Report Prepared by:


Amy T. Thornton, REPA
Environmental Project Manager

Phase I ESA Oversight and Report
Reviewed by:


Mary Joy DeLoonte, MS, CEA, REM
Environmental Professional
President

Date: September 16, 2009

2. INTRODUCTION AND PURPOSE

TriTech was contracted by the United States Coast Guard (ie, "Coast Guard") to perform a Phase I Environmental Site Assessment (ie, "Phase I ESA") of property known as Coast Guard Auxiliary Operations Detachment Rochester Land, New York, located at 527 River Street, consisting of 1 tax parcel in the City of Rochester, County of Monroe, New York 14612 (ie, "Property or Site," see Figures 1 through 3 and Photographs 1 through 13 in Appendix B). The Site is currently owned by the Coast Guard (ie, "Site Owner"). The Site is currently vacant, undeveloped land and encompasses approximately 0.342 acres.

This Phase I ESA is being required by the Site Owner as part of the sale of the Site. The Scope of Services being provided as part of this Phase I ESA is described in this Section and Section 3 below. It is anticipated that the Site Owner will rely on the contents of this Phase I ESA.

The purpose of this Scope of Work was to complete an environmental site assessment of a parcel of commercial real estate (ie, the Site) with respect to a range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (ie, "CERCLA") and petroleum products as defined by ASTM Practice E1527-05 and the USEPA Standard within 40 CFR 312. Performance of an environmental site assessment according to these standards constitutes good commercial and customary practice in the United States of America relative to making all appropriate inquiry into the previous ownership and uses of the Site in order to seek Landowner Liability Protections (ie, "LLPs") under CERCLA.

Additionally, the purpose of this Scope of Work was to identify *recognized environmental conditions* at the Site. The term *recognized environmental condition* is defined by ASTM as the presence or likely presence of any hazardous substances or petroleum products at the Site under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures at the Site or into the ground, groundwater or surface water of the Site.

Recognized environmental conditions that may be identified may impose *activity and use limitations* relative to the Site. The term *activity and use limitations* is defined by ASTM as legal or physical restrictions or limitations on the use of or access to the Site or facility: (1) to reduce or eliminate potential exposure to hazardous substances in the soil or groundwater at the Site, or (2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. These legal or physical restrictions, which may include institutional and/or engineering controls, are intended to prevent adverse impacts to individuals or populations that may be exposed to hazardous substances in the soil or groundwater at the Site. The existence of such *activity and use limitations* was researched as part of this Scope of Work.

The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment, and that generally would not be the subject of an enforcement action if brought to the attention of the appropriate regulatory agencies.

Additionally, an evaluation of *business environmental risks* associated with the Site may necessitate an investigation beyond that identified under the ASTM and USEPA Standards. The term *business environmental risk* is defined by ASTM as a risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated. Consideration of *business environmental risk* issues may involve addressing one or more non-scope considerations, including:

- ☐ Asbestos-Containing Building Materials;
- ☐ Biological Agents;
- ☐ Controlled Substances;
- ☐ Cultural and Historic Resources;
- ☐ Ecological Resources;
- ☐ Endangered Species;
- ☐ Health and Safety;
- ☐ Indoor Air Quality;
- ☐ Industrial Hygiene;
- ☐ Lead in Drinking Water;
- ☐ Lead-Based Paint;
- ☐ Mold;
- ☐ Radon;
- ☐ Regulatory Compliance; and
- ☐ Wetlands.

The performance of ASTM Practice E1527-05 is intended to reduce, but not eliminate, uncertainty regarding the potential for *recognized environmental conditions* and *business environmental risks* in connection with the Site, recognizing reasonable limits of time and cost.

TriTech has prepared this Phase I ESA report to:

1. Provide a general description of the Site;
2. Discuss the current and historical usage of the Site; and

3. Identify the presence or absence of *recognized environmental conditions*, including *associated activity and use limitations*, and *business environmental risks* (ie, asbestos-containing building materials, cultural and historical resources, ecological resources, endangered species, ionizing and non-ionizing radiation, lead-based paint, radon, regulatory compliance regarding underground storage tanks, ie, "UST" and above ground storage tanks, ie, "AST," and solid and hazardous waste and wetlands) in connection with the Site based upon the results of a records review, Site reconnaissance or Site inspection, and interviews.

3. SCOPE OF WORK AND LIMITATIONS

The following sections detail the Scope of Work and limitations for this Phase I ESA.

3.1 General

The major components of this Phase I ESA included: filing of Freedom of Information Act (ie, "FOIA") requests with government agency representatives, a records review; a Site reconnaissance or Site inspection; interviews with the Site Representative, previous Site Owners and Operators (ie, where possible), Site occupants and government agency representatives; and the generation of a report, including copies of available records and information relied upon. This Phase I ESA also included a review of the potential for the following non-scope considerations or *business environmental risks*:

- ☐ Asbestos-Containing Building Materials;
- ☐ Cultural and Historical Resource;
- ☐ Ecological Resources;
- ☐ Endangered Species;
- ☐ Ionizing and Non-Ionizing Radiation;
- ☐ Lead-Based Paint;
- ☐ Radon;
- ☐ Regulatory Compliance (UST/AST and Solid and Hazardous Waste); and
- ☐ Wetlands.

Data gaps as defined in ASTM E1527-05 and USEPA Standard 40 CFR 312 are addressed in Section 4 (ie, Findings) and Section 5 (ie, Conclusions and Recommendations) of this Report.

This Phase I ESA did not include an investigation to identify conditions indicative of releases or threatened releases of controlled substances as defined in 21 U.S.C. 802, required under USEPA Standard 40 CFR 312. Furthermore, this Phase I ESA did not include sampling or analysis of environmental media such as soil, sediment, surface water, groundwater or air, or verifying other consultant comparisons of analytical data to applicable regulatory limits.

All findings, conclusions and recommendations reflect observable conditions and information obtained from interviews conducted at the time of the Site inspection. This Phase I ESA included researching sources of information that were reasonably ascertainable, publicly available and reasonably reviewable as defined by ASTM.

The findings and conclusions presented in this report are based on information gathered and limitations set forth in this report.

An Abstract of Title was not available at the time of this Phase I ESA. According to the Site Owner Representative, there is no Abstract of Title for the Site.

As the north and west edges of the Site were overgrown with small trees and other vegetation (see Figure 3), some of the ground surfaces in these areas could not be observed. However, these conditions did not affect our ability to identify *recognized environmental conditions*, including *activity and use limitations* and *business environmental risks* included in the Scope of Work.

The accuracy of the findings, conclusions and recommendations drawn from this Phase I ESA is dependent upon the accuracy of information provided by individuals interviewed and outside sources. A change in any fact or circumstance upon which this report is based may substantially affect the findings, conclusions and recommendations presented in this report.

3.2 Historical Research

TriTech reviewed the following standard information sources and filed requests for information according to the Freedom of Information Act (ie, 5 U.S.C. §552, "FOIA") with the following entities (see Appendix D) to establish the history of the previous uses and/or occupancies of the Site and surrounding area, indicating those that are likely to have lead to *recognized environmental conditions*, including *activity and use limitations*, and *business environmental risks*, if any.

- Aerial Map Search (Google Earth 2009);
- City of Rochester Records Access;
- EDR-City Directory Abstract Search (Site address not found; surrounding property information provided for various years between 1939 and 2009);
- United States Environmental Protection Agency, Region II;
- Environmental Report Data Resources (August 12, 2009) (ie, "EDR Report");
- Monroe County Department of Health;
- Monroe County Pure Waters;
- Monroe County Water Authority;
- New York State Department of Environmental Conservation, Region 8 (ie, "NYSDEC");
- NYSDEC Spill Incidents Database Search (<http://www.dec.state.ny.us/apps/derfoil/index.cfm>);

- Radon Data (Monroe County Data and EDR Report);
- Rochester Fire Department (ie, included in City of Rochester FOIA);
- Rochester Property Lookup Site (<http://geo.cityofrochester.gov/defmenu.asp>);
- Sanborn Fire Insurance Maps (1892, 1912, 1924, 1950 and 1967);
- Site Owner;
- Superfund Information Systems Homepage (<http://www.epa.gov/superfund/site>);
- Tax Map (Tax Identification Number: 047.630-0001-001.002);
- U.S. Coast Guard (<http://www.nrc.uscg.mil>);
- USGS 7.5 Minute Topographic Map (Rochester, New York, East Quadrangle, Photorevised 1978);
- CSXT River Street Derailment Quarterly Effectiveness Monitoring Report (March 2009) prepared by AMEC Earth and Environmental, Inc.;
- City of Rochester Letter to NYSDEC, RE: CSXT River Street Derailment Voluntary Cleanup Agreement, Dated May 8, 2009; and
- CSXT Response Letter to the City of Rochester, RE: CSXT River Street Derailment, Dated July 16, 2009.

Relevant documents obtained as a result of FOIA requests filed with government agencies or obtained are discussed in this report and included in Appendix D. Documents included in agency files that were not deemed relevant by TriTech, or were part of privileged (ie, within the NYSDEC legal files) or otherwise unavailable information were not reviewed or included in this report.

3.3 Environmental Record Review

A review of Federal and State environmental databases and records (see Table 1) was performed to identify conditions at or related to the Site and adjoining properties that are issues of environmental concern. EDR performed searches of computerized databases on August 12, 2009. A copy of the EDR report is attached as Appendix C.

No attempt was made to locate sites generated from searching standard Federal and State computerized environmental databases that were indicated as *unmapped sites*, unless these sites were listed on the following: the NPL; the CERCLIS list; the State and/or Tribal list of Inactive Hazardous Waste Sites and Spills; or the State and/or Tribal Leaking Underground Storage Tank List.

Table 1. Standard Environmental Record Source Search Criteria

Information Source	Search Distance From Site (Miles/Kilometers)
Federal NPL Site List	1.0 mi. (1.6 km)
Federal Delisted NPL Site	0.5 mi. (0.8 km)
Federal CERCLIS List	0.5 mi. (0.8 km)
Federal CERCLIS NFRAP Site List	0.5 mi. (0.8 km)
Federal RCRA CORRACTS Facilities List	1.0 mi. (1.6 km)
Federal RCRA Non-CORRACTS TSD Facilities List	0.5 mi. (0.8 km)
Federal RCRA Generators List	Property and Adjoining Properties
Federal Institutional Control/Engineering Control Registries	Property Only
Registries or Publicly Available Lists of Engineering Controls (USEPA Standard at 40 CFR 312.26(2)(ii))	0.5 mi. (0.8 km)
Federal ERNS list	Property Only
State and Tribal Lists of Hazardous Waste Sites Identified for Investigation or Remediation:	
State and Tribal-Equivalent NPL	1.0 mi. (1.6km)
State and Tribal-Equivalent CERCLIS Lists	0.5 mi. (0.8 km)
State and Tribal Landfill and/or Solid Waste Disposal Site Lists	0.5 mi. (0.8 km)
State and Tribal Leaking Storage Tank Lists	0.5 mi. (0.8 km)
State and Tribal Registered Storage Tank Lists	Property and Adjoining Properties
State and Tribal Institutional Control/Engineering Control Registries	Property Only
State and Tribal Voluntary Cleanup Sites	0.5 mi. (0.8 km)
State and Tribal Brownfield Sites	0.5 mi. (0.8 km)

3.4 Review of Title and Judicial Records for Environmental Liens and Activity and Use Limitations

TriTech filed FOIA requests with appropriate government agencies to determine: if environmental liens were recorded against the Site Owner, the Coast Guard or the Site; if there are past or pending violations of environmental laws or enforcement action, or past or pending administrative or legal action against the Site Owner, the Coast Guard or the Site; and if there are recorded *activity and use limitations* associated with the Site. Interviews were conducted with government agencies and the Site Owner to address these potential issues.

In order to ensure that all appropriate inquiry was made, the User Questionnaire contained in ASTM Standard E1527-05 and USEPA Standard 40 CFR 312 was forwarded to and completed by the Site Owner (see Appendix D).

This questionnaire addresses issues, including the following:

- ☐ Environmental cleanup liens filed or recorded against the Site;
- ☐ *Activity and land use limitations* that are in place on the Site or that have been filed or recorded in a registry;
- ☐ Specialized knowledge or experience of the person seeking to qualify for landowner liability protections or LLPs;
- ☐ Relationship of the purchase price to the fair market value of the property or Site if it were not contaminated;
- ☐ Commonly known or reasonably ascertainable information about the property or Site;
- ☐ The degree of obviousness of the presence or likely presence of contamination at the property or Site, and the ability to detect the contamination by appropriate investigation;
- ☐ Reason why the Phase I ESA is required;
- ☐ The type of property and type of property transaction (eg, sale, purchase or lease);
- ☐ Correct address for the Site, including a map;
- ☐ Scope of services desired;
- ☐ Identification of parties who will rely on the Phase I ESA report;
- ☐ Identification of the Site contact and how the contact can be reached; and
- ☐ Any other knowledge or experience with the property or Site that may be pertinent (eg, prior environmental site assessment reports, documents, correspondence, etc.) concerning the Site and its environmental condition.

Answers to these questions have been incorporated into Section 4.4, below. A copy of the completed questionnaire is included in Appendix D.

TriTech did not engage a title company or title professional to research environmental liens, past or pending violations of environmental laws, enforcement action or past or pending administrative or legal action against the Site Owner, the Coast Guard or the Site. Further, an Abstract of Title for the Site was not available during the time of this Phase I ESA.

We recommend that a title company or title professional be engaged to further evaluate these potential issues, including researching judicial records.

3.5 Physical/Geologic Setting

TriTech reviewed current USGS 7.5 Minute Topographic Maps (Rochester, New York, East Quadrangle, Photorevised 1978) to provide general hydrologic, topographic and demographic information regarding the Site and surrounding area, including nearby waterways, water bodies and streams.

In addition, TriTech reviewed United States Department of Agriculture Soil Survey for Monroe County ("ie, Soil survey") including soil, groundwater, and bedrock maps and the EDR Report GeoCheck Physical Setting Source Summary (see Appendix C).

Limited information was reported in these sources for the Site area. However, according to the EDR Report, the Site's soil component name is Udorthents. The soil surface texture is a silt loam. The hydrologic group is Class D (ie, very slow infiltration rates. Soils are clayey, have a high water table, or are shallow to an impervious layer. The soil drainage class at the Site is moderately well drained.

Further, the upper layer of soil (ie, 1" to 5" below ground surface) are silt loam; which are materials more than 35% passing N. 200, clayey soils. Deeper levels of soils (ie, 5" to 24" below ground surface) are gravelly silt loam; which are materials more than 35% passing No. 200, Clayey Soils (see Page A-6 of the EDR Report in Appendix C). According to the EDR Report, it is assumed that groundwater is at minimum >137" below ground surface.

3.6 Site Inspection

A visual inspection was conducted to identify *recognized environmental conditions*, including *activity and use limitations*, and *business environmental risks* (ie, asbestos-containing building materials, cultural and historical resources, ecological resources, endangered species, ionizing and non-ionizing radiation, lead-based paint, radon, regulatory compliance regarding UST/AST and solid and hazardous waste and wetlands) that have resulted from current and/or past uses of the Site. The Site inspection included an investigation of the following, if present (see Appendix D):

- Drains and sumps;
- Drums, containers, and/or tanks;
- Engineering controls related to remediation of hazardous substances or petroleum products at the Site;
- Evidence of hazardous and/or petroleum product waste generation, storage, treatment and/or disposal;
- Evidence of PCB's;
- Improper disposal of solid, hazardous or petroleum waste;
- Institutional controls related to remediation of hazardous substances or petroleum products at the Site;
- On-site septic systems, dry wells and/or sewage disposal systems;
- On-site abandoned or other wells;
- Pits, ponds or lagoons;
- Pools of liquid and/or discolored water;
- Potential for asbestos-containing materials;
- Potential for environmental conditions and/or activities impacting wetland areas;

- Potential for lead-based paint;
- Potential for mercury-containing waste;
- Presence/extent of stains or corrosion (eg, stained soils and/or surfaces);
- Site conditions contributing to potential for radon at or above the USEPA Action Level (ie, 4 picocuries/liter);
- Site conditions contributing to the potential for vapor intrusion into Site structure(s)/presence of mitigation system;
- Stressed vegetation;
- Strong or noxious odors;
- The physical setting of the Site, including observations of structures and improvements, inclusive of the interior and exterior of Site buildings;
- Use and storage of hazardous substances and/or petroleum products; and
- Wastewater and storm water discharges.

TriTech made visual observations of adjoining properties from Site boundary lines and reviewed aerial photography. Based upon these observations, historical and/or current storage and use of hazardous substances and/or petroleum products and their potential release were not suspected at the Site. However, TriTech made a visual observation of 2 gas pumps behind the Pelican Marina, located on the northeast side of River Street, across the street from the Site. TriTech did not make visual inspections of areas at adjoining properties where such substances or products may be or have been stored, treated, handled or disposed.

3.7 Interviews and FOIA Requests

Interviews were conducted with the Site Representative for the purpose of obtaining information indicating *recognized environmental conditions*, including *activity and use limitations* and *business environmental risks* (ie, asbestos-containing building materials, cultural and historical resources, ecological resources, endangered species, ionizing and non-ionizing radiation, lead-based paint, radon, regulatory compliance regarding UST/AST and solid and hazardous waste and wetlands) at the Site. In addition, Freedom of Information Act (ie, "FOIA") requests were filed and telephone interviews were conducted with the following regulatory agencies and individuals, including obtaining helpful documents as defined in ASTM Standard 1527-05 (see Appendix D):

- City of Rochester Records Access Officer, Gary G. Walker, (585) 428-6066;
- City of Rochester FOIA Officer, Joe Fratta, (585) 428-7406;
- Monroe County Department of Health, Noah Lebowitz, (585) 753-7600;
- The Landmark Society of Western New York, Inc.,
Advocacy Coordinator, Katie Eggers Comeau; (585) 546-7029 Ext: 35;
- Monroe County Pure Waters, Tim Levandoski, (585) 753-7651;

- Monroe County Water Authority, Kathleen A. Eisenmann, (585) 442-2000;
- New York State Department of Environmental Conservation Legal Division for Freedom of Information Office, Region 8, Jill Bishop, (585) 226-5363;
- New York State Department of Environmental Conservation Spills Division, Region 8, Bart Putzig, (585) 226-2466;
- New York State Department of Environmental Conservation Spills Division, Region 8, David Pratt, (585) 226-2466;
- New York State Department of Environmental Conservation New York Natural Heritage Program, Jean Pietrusiak, (518) 402-8935;
- Site Owner Representative, Michelle Miller Frieden, (216) 902-6267;
- Site Owner Walk-Through Representative, Frank Morales, (585) 690-7497;
- Site Owner, United States Coast Guard, (216) 902-6266; and
- United States Environmental Protection Agency, Region II Wanda Calderon, (716) 851-7201.

Past Owners and respective contact information (eg, telephone numbers) were not ascertainable during this Phase I ESA, as there was no Abstract of Title available at the time of this Phase I ESA. Therefore, interviews with Past Owners were not conducted as part of this Phase I ESA. This did not affect our ability to identify *recognized environmental conditions*, including *activity and use limitations* and *business environmental risks* included in this Scope of Work.

4. FINDINGS

On August 12, 2009, TriTech conducted an inspection of 1 tax parcel located at 527 River Street in the City of Rochester, County of Monroe, New York 14612. The outdoor temperature on the date of the Site visit was approximately 70 °F, and the weather was cloudy with no precipitation. During the Site inspection, photographs of the Site were taken (see Appendix B). During this Phase I ESA, FOIA requests were filed with agency representatives and telephone interviews were conducted with Site contacts and agency representatives as indicated in Section 3.7. Standard historical, physical/geological setting and environmental record sources outlined in Section 3.2 were also reviewed. The following sections detail the results of this Phase I ESA.

4.1 Location and Legal Description

The Site is located at 527 River Street in the City of Rochester, Monroe County, New York (see Figures 1 through 3 and Photographs 1 through 13 in Appendix B). According to the City of Rochester, the Site is zoned as Harbor-Village (H-V). The Site does not include any buildings. Based upon information obtained from the Site Owner and our review of the Tax Map, the Site parcel, tax identification number, size and shape is as indicated in Table 2.

Table 2. Estimated Tax Parcel Summary

Tax Parcel Number	Address/Shape	Size (Acres)
047.630-0001-001.002	527 River Street/Irregular	0.342
Total Acres		0.342

4.2 Site and Vicinity Characteristics

The Site is located at 527 River Street, a minor thoroughfare running north/south in the City of Rochester, County of Monroe, New York 14612. According to the EDR Report, the Site elevation is approximately 518 feet above sea level. The local area is generally sloped to the north-northeast, with elevation increasing within 1 mile of the Site to the south by 104 feet and to the west by 37 feet, as well as decreasing within 1 mile of the Site to the north by 8 feet and to the east by 7 feet. Based upon the Site visit and our review of the EDR Report and topographical maps, groundwater is presumed to be generally flowing to the north-northeast (see Page A-2 and A-3 of the EDR Report in Appendix C).

The Genesee River is located approximately 170 feet east of the Site.

The local area is a mix of residential and commercial properties.

Based upon information obtained from the EDR Report (ie, Overview Map, see Appendix C), the Site is not located on or near Federal and/or State regulated wetlands and is not located in a Flood Zone. However, the Site is located within 1/16 mile of a 100-year flood zone, as defined by the Federal Emergency Management Agency (ie, "FEMA").

4.3 Descriptions of Structures, Roads and Other Improvements at the Site

There are currently no structures on-Site. A Rochester Gas & Electric (ie, "RG&E") manhole was observed on the northeastern edge of the Site (see Photograph 12).

No drains were observed on-Site.

4.4 Review of Title and Judicial Records for Environmental Liens and Activity and Use Limitations

Based upon our interviews with the Site Owner Representative and completed User Questionnaire from the ASTM Standard 1527-05 and USEPA Standard 40 CFR 312 (see Appendix D), there have been no environmental liens recorded against the Site Owner, the Coast Guard or the Site; there are no past or pending violations of environmental laws or enforcement action, or past or pending administrative or legal action against the Site Owner, the Coast Guard or the Site.

According to the User Questionnaire, the Site Owner Representative possesses no knowledge of past Site operations (ie, Site has always been vacant land). Additionally, the Site Owner Representative is not aware of any known *activity and use limitations* in place on the Site or that have been filed or recorded in a registry. The Site Owner Representative does not possess specialized knowledge regarding current or historical processes and associated chemicals utilized on-Site or at adjoining property. According

to the Site Owner Representative, the Site was owned by Mehatibel Hinchler prior to their ownership. The Site Owner Representative is not aware of any reduction in the purchase price compared to the fair market value of the Site due to Site contamination (eg, soil and/or groundwater contamination). However, the answer given on the User Questionnaire states "The property will be reported to the U.S. General Services Administration for their disposal determination."

The Site Owner Representative is not aware of Site conditions indicative of releases or threatened releases of hazardous substances or petroleum products, particularly releases that resulted in Site environmental cleanups at the Site or in surrounding areas that may have or could impact the Site with the exception of a train derailment that occurred on December 23, 2001 that could have impacted the Coast Guard property. The Site Owner Representative is not aware of any obvious indicators that point to the presence or likely presence of contamination on-Site.

To the best of Site Owner Representative's knowledge, they, the US Coast Guard and the Site are not currently named by the government as a responsible party or entity for any on-Site or off-Site petroleum or hazardous waste site cleanup.

4.5 Historical Review

The following sections detail the historical review of the Site.

4.5.1 Environmental Records Review

The attached EDR Report, completed on August 12, 2009 (see Appendix C), provides results of searches of computerized Federal and State environmental records. The EDR Report generated 0 records regarding the Site.

4.5.2 Other Sites Within Specified ASTM Search Distances

Based upon our review of the EDR Report, 64 sites are located within specified ASTM search distances (see Pages 4 through 6 in the EDR Report in Appendix C), including: 2 RCRA Small Quantity Generators <1/8 mile from the Site; 2 Conditionally Exempt sites within 1/8 to 1/4 mile of the Site; 1 SHWS site within 1/2 to 1 mile of the Site; 1 Leaking Tank site located <1/8 mile from the Site and 7 within 1/8 to 1/2 mile of the Site; 1 Historical Leaking Tank site located <1/8 mile from the Site and 5 within 1/8 to 1/2 mile of the Site; 1 Underground Storage Tank site located <1/8 mile from the Site and 3 within 1/8 to 1/4 mile of the Site; 1 Voluntary Cleanup site located <1/8 mile from the Site; 1 Delisted SHWS site within 1/2 to 1 mile of the Site; 1 Historical UST site located <1/8 mile from the Site and 3 within 1/8 to 1/4 mile of the Site; 6 NY Spills located <1/8 mile from the Site; 4 NY Historical Spills located <1/8 mile from the Site; 1 RCRA Non-Generator located <1/8 mile from the Site and 10 within 1/8 to 1/4 of the Site; 3 Manifest sites located <1/8 mile from the Site and 11 within 1/8 to 1/4 mile of the Site.

The majority of these sites are a sufficient distance away and/or down gradient from the Site (ie, northwest) and do not represent an environmental concern at the Site.

A more detailed summary of noteworthy records for surrounding areas is located in Section 4.7.

4.6 Past Uses at the Site and Surrounding Area

TriTech requested an Abstract of Title from the Coast Guard to identify non-individual and/or non-private former owners/users of the Site (eg, businesses, public agencies, municipalities and utility company easements) to assess past operations, based upon information known about a particular business or which can be derived from the entity's name.

An Abstract of Title was not available during this Phase I ESA.

According to our Site visit, FOIA requests and our interview with the Site Owner Representative, the Site was purchased by the current Site Owner on November 17, 1821. Prior to this time, the Site was owned by Mehatibel Hincer. There are no records indicating that the Site was ever developed.

TriTech reviewed the EDR-City Directory Abstract, which includes search dates from 2009, 2004, 1999, 1996, 1992, 1986, 1981, 1976, 1971, 1966, 1962, 1956, 1950, 1945 and 1939. However, the directory search did not uncover any records for the Site.

Based upon our Site visit, review of the EDR Report and interview with the Site Owner Representative, surrounding areas were previously used for commercial, residential and/or agricultural purposes.

4.7 Past Storage and Use of Hazardous Substances/Petroleum Products and Disposal Practices at the Site and Surrounding Area

Based upon our interview with the Site Owner Representative, the EDR Report and records available as a result of our FOIA requests, significant amounts of petroleum products (eg, above or below ground storage tanks) and hazardous substances have not been utilized historically at the Site and no releases of hazardous substances or petroleum products have occurred on-Site.

However, there is concern of an off-Site spill in the surrounding area that may have impacted the Site (see Section 4.7.1).

4.7.1 NYSDEC Spill Record Summary

The following sections detail NYSDEC spill records and related documents in regard to the surrounding area of the Site.

4.7.1.1 CSXT Train Derailment

The NYSDEC Spill Records 0109394 and 0550604, detailed in the following sections, pertain to the CSX Transportation, Inc. (ie, "CSXT") train derailment that occurred on December 23, 2001.

On September 8 and 11, 2009, TriTech conducted an NYSDEC document review of records pertaining to the CSXT train derailment. An aerial photo from LaBella Associates, P.C.'s CSXT Derailment IRM (ie, "LaBella's IRM," see Appendix D) indicates the area of the train derailment. During TriTech's document review, no records were identified that indicated investigation of potential contamination from the CSXT train derailment on the Site.

The following sections detail NYSDEC spill records and other relevant documents obtained from the NYSDEC file review completed by TriTech regarding the CSXT train derailment, and other spills in the surrounding area.

4.7.1.1.1 NYSDEC Spill Record 0109394

According to NYSDEC spill record 0109394 dated December 23, 2001 (record last updated September 25, 2008; see Appendix D), a CSX Transportation, Inc. (ie, "CSXT") train derailed at River Street at Latta Road, approximately 563 feet south-southwest of the Site at a higher elevation. The spill record indicates that 16 gallons of dichloromethane (ie, a synonym for methylene chloride) and 16 gallons of 2-propanone (ie, a synonym for acetone) were spilled affecting soil. This record is indicated as closed on June 25, 2004, with "cleanup meets standards" indicated as "false." Based upon the following information contained in a NYSDEC memo in the spill record, TriTech believes that the quantities stated in the spill record (ie, 16 gallons each of acetone and methylene chloride) were recorded in error.

The NYSDEC memo in the spill record indicates that the derailment resulted in the spill of approximately 4,000 gallons of diesel fuel roughly ¼ mile north of the main crash site and 21,000 to 22,000 gallons of acetone and 16,000 to 17,000 gallons of methylene chloride at the main crash site. According to the NYSDEC memo, a considerable portion of the spilled acetone and some of the spilled methylene chloride was "undoubtedly consumed in the severe fire." Additionally, 1,000 to 2,000 gallons of the spilled acetone and "at least a moderate amount" of the spilled methylene chloride entered the Genesee River directly and through a storm sewer. The remainder of spilled acetone and methylene chloride was contained in spilled coal and the surrounding soil.

Soil and groundwater down gradient of the spill site was sampled on December 24, 2001. The memo details debris cleanup, local air monitoring and further investigation in the area between the spill sites and the Genesee River. An interception trench was installed to protect the Genesee River, and additional interception trenches were installed east and west of the sewer line.

EP&S Buffalo excavated approximately 2,000 tons of diesel contaminated soil, as well as approximately 1,600 gallons of diesel that was pumped from the crash site and the water surface within the excavation. Also, approximately 4,000 gallons of acetone was pumped from the crash site and surrounding soil.

NYSDEC notes from December 29, 2001, indicate that petroleum contamination that was not associated with the crash was encountered just south of the Coast Guard Auxiliary. Further, all diesel contamination from the crash had been excavated and that water in the diesel excavation was clean.

The NYSDEC memo states on June 25, 2004, that "review of active spill files shows this spill should have been closed in 2002 when it was referred to haz waste remediation for follow up of the solvent investigation and clean up."

newly-installed soil borings (see AMEC Figure 3 in Appendix D) and analyzed for acetone, methylene chloride and total organic carbon (ie, "TOC").

Groundwater analytical results of this monitoring event indicated concentrations well below NYSDEC Technical and Operational Guidance Series (ie, "TOGS") 1.1.1 guidance values. Three (3) semi-volatile compounds were detected above NYSDEC TOGS 1.1.1 guidance values in 1 groundwater well. However, these constituents have not been previously detected in groundwater samples, and AMEC attributed these detections to surface impacts from an adjacent parking lot.

This monitoring effectiveness event indicated 3 detections for acetone in soil present up to 1 order of magnitude above NYSDEC Technical and Administrative Guidance Memorandum 4046 Recommended Soil Clean-up Objectives (ie, "TAGM RSCOs") adjusted for proximity to groundwater. However, based on TOC values and pursuant to the directions given in Part 375-6.9(e)(2) and NYSDEC TAGM 4046, location-specific Soil Clean-up Objectives (ie, "SCOs") were calculated. All soil samples were below these calculated SCOs.

Current and historical soil and groundwater quality data are attached AMEC Tables 1 through 5 in Appendix D.

Based on the results of this monitoring event, AMEC stated "the EHC-O™ injection effectively remediated the residual soil and groundwater impacts that remained following the Interim Remedial Measures (IRM) from the December 2001 derailment," that quarterly groundwater analytical has demonstrated compliance for over 4 ½ years, and that soil effectiveness monitoring has resulted in "three consecutive quarters of analytical results that are compliant," with a minor exception during the third effectiveness monitoring event. Based on this information, CSXT requested the discontinuation of groundwater and soil monitoring as well as the closure of the landside portion of the River Street Derailment Project site.

4.7.1.1.4 City of Rochester Letter – May 8, 2009

The City of Rochester sent a letter to the NYSDEC on May 8, 2009 (see Appendix D), in response to CSXT's request for monitoring discontinuation and closure in the March 2009 Quarterly Effectiveness Monitoring Report. The City of Rochester indicated that although the IRM and in-situ treatment have significantly remediated the site and that effectiveness monitoring has continued to show reduction of contaminants in soil and groundwater, some "residual contamination attributable to CSXT still exists in some areas." The letter indicates a Figure created by LaBella Associates, P.C., that illustrates several areas of "documented acetone and methylene chloride contamination that were not addressed by the IRM and have not received any in-situ EHC-O treatment, effectiveness monitoring or other post-IRM monitoring." The City of Rochester requested that in order to address any residual contamination that may be encountered in the future, CSXT be required to develop an Environmental Management Plan (ie, "EMP") outlining procedures and responsibilities "for CSXT, as the responsible party, to properly manage, handle, characterize, and dispose of media contaminated attributed to the 2001 CSXT derailment." Additionally, the City of Rochester requested that if CSXT is not

As the Site is a sufficient distance away and is not directly down gradient from this spill area, this adjacent property does not represent an environmental concern at the Site.

4.7.2 Summary of Hazardous Substance and Petroleum Product Use at Marina at 560 River Street (Adjacent Site)

According to the EDR report, 3 in-service unleaded gasoline USTs (ie, each 4,000-gallons) are located at the Pelican Marina (a/k/a Harbor Front Marina) at 560 River Street, which is approximately 283 feet north-northeast of the Site at a lower elevation (see site B5 on the EDR Detail Map in Appendix C). Additionally, the EDR report indicates a 5,000-gallon gasoline tank had been removed and closed April 1, 1995.

This adjacent property is a sufficient distance down gradient of the Site that it does not represent an environmental concern at the Site.

4.8 Current Uses at the Site and Surrounding Area

Based upon our Site visit and interview with the Site Owner Representative, the Site is currently a vacant, undeveloped grass-covered lot.

The Site is bounded on the north by River Street, parking lots, Pelican's Nest Restaurant and Bar and Pelican Marina (see Photograph 6); on the south by a parking lot, River Street and commercial property (see Photograph 9); on the west by a railroad track and a lighthouse (see Photographs 10 and 13); and on the east by a small River Street access road, the Coast Guard Auxiliary Building, and the Genesee River (see Photographs 7 and 8).

4.9 Current Hazardous Substances/Petroleum Product Storage Use and Disposal Practices

Based upon observations made during our Site visit and interview with the Site Owner, there are no current operations involving the use and/or storage of hazardous substances or petroleum products at the Site.

Based upon our Site visit, no transformers were observed at or along the Site. There is one located south of the Site in a parking lot (see Photograph 9) but not on-Site.

Based upon our Site visit and the EDR report, there is no information and or documentation of recent releases of hazardous substances or petroleum products that occurred on-Site, in structures on-Site, or in surrounding areas that have or could impact the Site.

There is no general refuse disposed company for the Site as it is vacant.

Based upon observations made at the time of the Site visit, potential mercury-containing devices are not present on-Site.

No **business environmental risks**, including *recognized environmental conditions and activity and use limitations*, exist at the Site relative to current uses or operations at the Site or in surrounding areas.

4.10 Asbestos-Containing Materials

There is no structure currently and no records that indicate the Site has ever been developed historically.

No **business environmental risk** exists at the Site relative to asbestos.

4.11 Cultural and Historic Resources

According to Advocacy Coordinator at The Landmark Society of Western New York, Inc., the Site is not listed in the State and National Registers of Historic Places and is not a locally designated landmark or in a locally designated preservation district.

According to the Advocacy Coordinator, the Site is not listed on the local City of Rochester Preservation Registry because it has never been developed.

No **business environmental risks** exist at the Site relative to Cultural and Historic Resources.

4.12 Ecological Resources and Endangered Species

According to the NYSDEC Natural Heritage Program, there are no records of known occurrences of significant natural communities or other significant habitats on or in the immediate vicinity of the Site.

However, the project location is near a designated Significant Coastal Fish and Wildlife Habitat (ie, the Genesee River), which is part of New York State's Coastal Management Program (see Appendix D). Further, there are no records of known occurrences of rare or state-listed animals or plants on or in the immediate vicinity of the Site.

No **business environmental risks** exist at the Site relative to ecological resources.

4.13 Ionizing and Non-Ionizing Radiation

The Site has never been developed, therefore ionizing and non-ionizing sources such as radiological materials and equipment, including related use and storage, are not suspected at the Site.

No **business environmental risk** exists at the Site relative to ionizing and non-ionizing radiation.

4.14 Radon

The Site Owner indicated that to the best of his knowledge, no radon tests have ever been performed at the Site.

According to the February 2005 New York State Department of Health Short Term Basement Radon Measurements by Town, the results of radon in basements of homes tested (ie, 388 homes) in the City of Rochester were on average 1.9 picocuries/liter. The maximum reading recorded was 17.4 picocuries/liter (see Appendix D).

According to the EDR Report, the results of radon testing in the basements of homes tested (ie, 582 homes) in Monroe were on average 1.440 picocuries/liter. Living areas were on average 0.930 picocuries/liter. The average reading (%) in 56 homes tested in

the 14612 zip code was 1.59 picocuries/liter. The maximum reading recorded was 5.3 picocuries/liter (see page A-16 in the EDR Report in Appendix C).

With the exception of the maximum readings, these values are below the USEPA Action level of 4 picocuries/liter. In addition, there are no buildings or structures present on-Site.

No **business environmental risk** exists at the Site relative to radon.

4.15 Regulatory Compliance (UST/AST and Solid and Hazardous Waste)

Based upon this Phase I ESA, no information or documentation was generated indicating the presence and/or removal of AST/USTs containing petroleum products or hazardous substances, or solid and hazardous wastes generated or disposed of at the Site.

No **business environmental risk** exists at the Site relative to regulatory compliance (ie, UST/AST and solid and hazardous waste).

4.16 Lead-Based Paint

There is no structure currently and no records that indicate the Site has ever been developed historically.

No **business environmental risk** exists at the Site relative to lead-based paint.

4.17 Wetlands

Based upon our review of the USGS 7.5-Minute Topographic Map (ie, Rochester, New York, East Quadrangle, Photorevised 1978) and the EDR report Overview Map, there are Federal and State regulated wetlands from ½ to 1 mile south of the Site. Such wetlands are a significant distance away from the Site. Furthermore, there are no wetlands present on-Site.

No **business environmental risk** exists at the Site relative to regulated Federal or State wetlands.

5. CONCLUSIONS AND RECOMMENDATIONS

TriTech has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations set forth in ASTM Practice E1527-05 and USEPA Standard 40 CFR 312 of 527 River Street (ie, 1 tax parcel) in the City of Rochester, County of Monroe, New York 14612. Any exceptions to or deletions from this practice, as well as additional areas reviewed, are described in Section 3 of this report. This assessment has revealed evidence of *recognized environmental conditions* at the Site or in surrounding areas that have or may impact the Site outlined in the following sections.

5.1 Title and Judicial Records for Environmental Liens and Activity and Use Limitations

TriTech did not engage a title company or title professional to research environmental liens, past or pending violations of environmental laws, enforcement action or past or pending administrative or legal action against the Site Owner or the Site.

TriTech **recommends** that a title company or title professional be engaged to further evaluate the potential for this **business environmental risk**.

5.2 Potential Environmental Impacts at the Site

On December 23, 2001, a CSXT train derailed at River Street at Latta Road, approximately 322 feet south-southwest of the Site at a higher elevation. The derailment resulted in releases of approximately 21,000 to 22,000 gallons of acetone and 16,000 to 17,000 gallons of methylene chloride at the main crash site (ie, south-southwest and upgradient from the Site), and approximately 4,000 gallons of diesel fuel roughly ¼ mile north of the main crash site (ie, northwest from the Site).

The Site's property line is located immediately adjacent and north of a distinct investigation cutoff line. No records were identified that indicated an investigation of potential contamination from the CSXT train derailment on the Site.

After the initial chemical release response activities, an interim remedial measures ("IRM") work plan was implemented to address impacted soil and groundwater. A total of approximately 28,000 tons and 1.4 million gallons of impacted soil and groundwater was removed by November 2003. Given that source removal activities were not completed until November 2003, there is some potential that contaminated groundwater migrated on-Site, given the close proximity of chemical releases to soil and groundwater.

There were several areas of contamination that were not addressed by the IRM, nor did these areas receive in-situ treatment, effectiveness monitoring or other post-IRM monitoring. Those areas were generally referred to as the northern area, area along the River and the southern area.

Given that chemical releases resulting from this crash were upgradient and in close proximity to the Site, and that documentation reviewed as part of this Phase I ESA indicates uncertainty relative to the completeness of remedial activities, direct impacts to Site soil and/or groundwater from chemical releases cannot be completely ruled out.

The potential presence of hazardous substances and/or petroleum product impacts to Site soil and groundwater from chemical releases associated with the CSXT train derailment represents a **recognized environmental condition** at the Site.

TriTech **recommends** that Site soil and groundwater be investigated to confirm that no significant impacts have occurred.

5.3 Supplemental Information

Our FOIA requests filed with Monroe County Pure Waters was not received prior to completion of this Phase I ESA. Supplemental information will be provided as it becomes available to TriTech, should it contain significant information regarding *recognized environmental conditions, activity and use limitations or business risks* at the Site. We do not anticipate receiving significant supplemental information.

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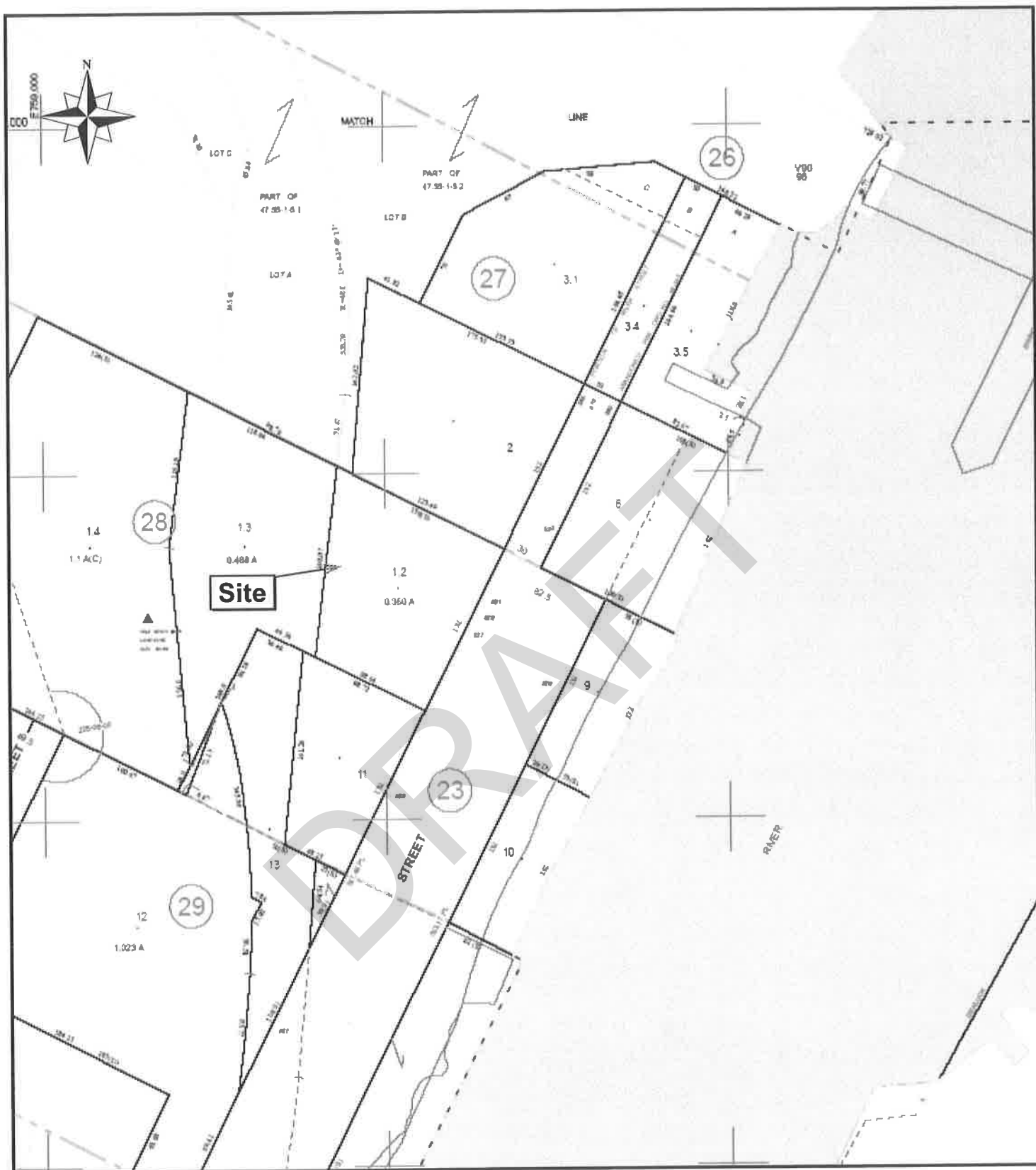


Figure 2

Tax Map
527 River Street
Rochester, New York 14612
Tax ID No. 047.630-0001-001.002



1100 University Ave.
Rochester, NY 14607
Tel: (585) 256-6211
Fax: (585) 256-6244

TriTech

Environmental Health and Safety, Inc.

Date: August 2009

Scale: None

Drawn by: ATT

Map Source: City of
Rochester Tax Assessor



Site

Pelican's Nest

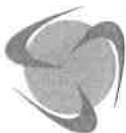
Genesee River

U.S. Coast Guard
Auxiliary

Rail Road Track

Figure 3

Aerial Photograph
527 River Street
Rochester, New York 14612
Monroe County



1100 University Ave.
Rochester, NY 14607
Tel: (585) 256-6211
Fax: (585) 256-6244

TriTech

Environmental Health and Safety, Inc.

Date: July 2009

Scale: None

Drawn by: ATT

Map Source: Google Earth
2009

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Registered Environmental Property Assessor Environmental Project Manager & Manager of Business Development

Amy joined the firm in July 2001 subsequent to employment in the telecom industry, and employment with a national network marketing company that focuses on utility deregulation.

During Amy's career, she has received education and training in sales and marketing, grant proposal writing, environmental compliance, asbestos inspecting (ie, OSHA, AHERA and NESHAPS), State and Federal regulations as it relates to environmental, health and safety, OSHA response, Phase I and II environmental site assessments. Amy has also been responsible for training and supervising sales and marketing managers, relative to account and contract procurement, and profit and loss analyses.



Phase I and II Environmental Site Assessments

Amy specializes in conducting ASTM Phase I and Phase II Environmental Site Assessments, and remediation projects for the firm's clients. Amy was certified as a Registered Environmental Property Assessor ("REPA") by the National Registry of Environmental Professionals ("NREP") in 2006. Amy also maintains her 40-Hour Hazardous Waste Operations and Maintenance ("HAZWOPER") Certification in order to work on and delineate Hazardous Waste Sites and/or work with hazardous materials.

Asbestos Surveying

Amy is a certified United States Environmental Protection Agency/New York State Department of Labor ("USEPA/NYSDEL") Asbestos Inspector and responsible for performing OSHA and AHERA asbestos inspections, management plan development and implementation, and awareness training program development and implementation.

Asbestos Management Planner

Amy is a certified USEPA/NYSDEL Asbestos Management Planner and responsible for reviewing the asbestos inspection and determining sampling gaps, ranking hazards and/or material removal priority, abatement cost estimation, developing of Operations and Maintenance Plan and assisting with periodic surveillance, re-inspections and updates.

EHS Compliance

Amy performs regulatory research, and safety-related compliance assessments (eg, emergency evacuation, fire protection, lockout/tagout, walking and working surfaces, etc.); assists clients with Emergency Planning and Community Right-to-Know analyses and reporting; and developed written EHS procedures and programs and training programs as part of completing risk and compliance assessments, as well as in response to Federal and State enforcement action.

Marketing and Sales

Amy heads various marketing efforts for TriTech including: researching business opportunities; grant proposal writing; networking with consultants and contractors; proposal management; development and procurement; planning and marketing of events; including client meeting; seminars and training; the development and management of marketing and sales databases and related information; and the development and maintenance of marketing materials and the Company website.

Client Experience

Amy's technical experience has resulted from working with the following client types: Charitable food organization, school districts; city and state municipalities; disposal and recycling facilities; lending institutions; aviation; real estate agencies; aviation maintenance; medical/dental; commercial and industrial processing; manufacturing operations and wastewater treatment plants.

Mary Joy (MJ) DelConte, MS, CEA, REM

Professional Experience

MJ DelConte has been the President of TriTech since March of 1999. In April 2000, TriTech was certified by the New York State Economic Development Corporation as a Woman-Owned Business Enterprise. Prior to ownership of the firm, she worked as an environmental scientist for 13 years in law firms, including Harter Secrest and Emery, LLP and Nixon Peabody, LLP, providing technical expertise on environmental, health and/or safety (EHS) matters. During her career, she has worked as an environmental scientist, auditor, project manager and trainer identifying and/or addressing:



- EHS compliance and ISO 14001 issues, including developing and implementing action plans for major US and/or International facilities
- EHS issues prior to, during and subsequent to EPA and OSHA enforcement action and litigation
- Training needs, including developing and administering training programs
- Site investigation and remedial action issues and plans, including analyzing and resolving technical issues on State and Federal (Voluntary Cleanup, CERCLA, NPL and Brownfield) cleanup sites

MJ has also worked for computer software and major US and International manufacturing facilities designing, developing and implementing EHS audit protocols and software, including providing audit training and assessments of EHS audit programs relative to meeting corporate, court ordered and ISO 14000-management system standards. She has commented on and assisted with the preparation of position papers relative to new and revised standards including ASTM and ISO 14000, and regulations proposed by government agencies on behalf of public, private and not for profit entities, and has presented and published relative literature.

MJ's Master Degree included a mercury pollution prevention audit of Strong Memorial Hospital and Eastman Dental Center in Rochester, New York. Subsequently, a mercury pollution prevention plan was developed and adopted by medical and dental facilities in most States in the US. This work has been nationally recognized, having been awarded the 1999 Environmental Quality Award from EPA, the 1999 New York State Governor's Award for Pollution Prevention, and the 1999 New York State Water Environment Association Award for Pollution Prevention. This the implementation of this plan is an ongoing effort, and is available as a State and National resource on the NYSDEC's and EPA's website.

<http://www.dec.state.ny.us/website/ppu/p2shlth.html>

<http://www.epa.gov/qrtlakes/bnsdocs/merchealth/>

Resulting regulations have included revisions and additions to the New York State Mercury-Added Consumer Products Law and the development of New York State's Standard for Elementary Mercury and Dental Amalgam Wastes at Dental Facilities.

<http://www.dec.state.ny.us/website/dshrm/redrecy/chap145.html>

<http://www.dec.state.ny.us/website/regs/subpart374.html>

TriTech

Environmental, Health, and Safety Inc.

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Photo No. 1. Site Overview North (Looking from South)



Photo No. 2. Site Overview East (Looking from West)



Photo No. 3. Site Overview East (Looking from Rail Road Track West)



Photo No. 4. Site Overview South (Looking from Pelicans Nest Parking Lot North)



Photo No. 5. Site Overview and Surrounding Area West
(Looking from Coast Guard Auxiliary East)



Photo No. 6. Surrounding Area North (Pelican's Nest and Parking)



Photo No. 7. Surrounding Area East
(Coast Guard Auxiliary Building and Genesee River)



Photo No. 8. Surrounding Area East
(Genesee River and Boating Dock)



Photo No. 9. Surrounding Area South (River Road and Commercial Business)



Photo No. 10. Surrounding Area West (Light House)



Photo No. 11. Gravel Area on Northwest portion of Site



Photo No. 12. RG&E Manhole on Northeast Corner of Site



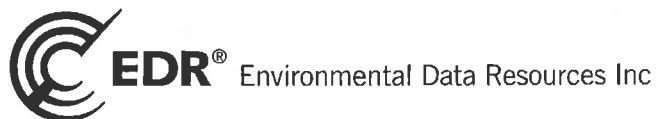
Photo No. 13. Rail Road Running North/South along the West Side of Site
(Site on Right)

DRAFT

US Coast Guard
527 River Street
Rochester, NY 14612

Inquiry Number: 2563063.2s
August 12, 2009

The EDR Radius Map™ Report with GeoCheck®



440 Wheelers Farms Road
Milford, CT 06461
Toll Free: 800.352.0050
www.edrnet.com

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Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-05) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

527 RIVER STREET
ROCHESTER, NY 14612

COORDINATES

Latitude (North): 43.252200 - 43° 15' 7.9"
Longitude (West): 77.610000 - 77° 36' 36.0"
Universal Transverse Mercator: Zone 18
UTM X (Meters): 288124.8
UTM Y (Meters): 4791914.5
Elevation: 252 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 43077-C5 ROCHESTER EAST OE N, NY
Most Recent Revision: Not reported

South Map: 43077-B5 ROCHESTER EAST, NY
Most Recent Revision: Not reported

Southwest Map: 43077-B6 ROCHESTER WEST, NY
Most Recent Revision: Not reported

West Map: 43077-C6 BRADDOCK HEIGHTS, NY
Most Recent Revision: Not reported

AERIAL PHOTOGRAPHY IN THIS REPORT

Photo Year: 2006
Source: USDA

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

EXECUTIVE SUMMARY

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL..... National Priority List
Proposed NPL..... Proposed National Priority List Sites
NPL LIENS..... Federal Superfund Liens

Federal Delisted NPL site list

Delisted NPL..... National Priority List Deletions

Federal CERCLIS list

CERCLIS..... Comprehensive Environmental Response, Compensation, and Liability Information System

Federal CERCLIS NFRAP site List

CERC-NFRAP..... CERCLIS No Further Remedial Action Planned

Federal RCRA CORRACTS facilities list

CORRACTS..... Corrective Action Report

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF..... RCRA - Transporters, Storage and Disposal

Federal RCRA generators list

RCRA-LQG..... RCRA - Large Quantity Generators

Federal institutional controls / engineering controls registries

US ENG CONTROLS..... Engineering Controls Sites List
US INST CONTROL..... Sites with Institutional Controls

Federal ERNS list

ERNS..... Emergency Response Notification System

State- and tribal - equivalent CERCLIS

VAPOR REOPENED..... Vapor Intrusion Legacy Site List

State and tribal landfill and/or solid waste disposal site lists

SWF/LF..... Facility Register

EXECUTIVE SUMMARY

State and tribal leaking storage tank lists

INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

State and tribal registered storage tank lists

CBS UST..... Chemical Bulk Storage Database
MOSF UST..... Major Oil Storage Facilities Database
AST..... Petroleum Bulk Storage
CBS AST..... Chemical Bulk Storage Database
MOSF AST..... Major Oil Storage Facilities Database
MOSF..... Major Oil Storage Facility Site Listing
CBS..... Chemical Bulk Storage Site Listing
INDIAN UST..... Underground Storage Tanks on Indian Land

State and tribal institutional control / engineering control registries

ENG CONTROLS..... Registry of Engineering Controls
INST CONTROL..... Registry of Institutional Controls
RES DECL..... Restrictive Declarations Listing

State and tribal voluntary cleanup sites

INDIAN VCP..... Voluntary Cleanup Priority Listing

State and tribal Brownfields sites

ERP..... Environmental Restoration Program Listing
BROWNFIELDS..... Brownfields Site List

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS..... A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations
ODI..... Open Dump Inventory
SWTIRE..... Registered Waste Tire Storage & Facility List
SWRCY..... Registered Recycling Facility List
INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands

Local Lists of Hazardous waste / Contaminated Sites

US CDL..... Clandestine Drug Labs

Local Lists of Registered Storage Tanks

HIST AST..... Historical Petroleum Bulk Storage Database

Local Land Records

LIENS 2..... CERCLA Lien Information

EXECUTIVE SUMMARY

LUCIS..... Land Use Control Information System

Records of Emergency Release Reports

HMIRS..... Hazardous Materials Information Reporting System

Other Ascertainable Records

DOT OPS..... Incident and Accident Data
DOD..... Department of Defense Sites
FUDS..... Formerly Used Defense Sites
CONSENT..... Superfund (CERCLA) Consent Decrees
ROD..... Records Of Decision
UMTRA..... Uranium Mill Tailings Sites
MINES..... Mines Master Index File
TRIS..... Toxic Chemical Release Inventory System
TSCA..... Toxic Substances Control Act
FTTS..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing
SSTS..... Section 7 Tracking Systems
ICIS..... Integrated Compliance Information System
PADS..... PCB Activity Database System
MLTS..... Material Licensing Tracking System
RADINFO..... Radiation Information Database
FINDS..... Facility Index System/Facility Registry System
RAATS..... RCRA Administrative Action Tracking System
HSWDS..... Hazardous Substance Waste Disposal Site Inventory
DRYCLEANERS..... Registered Drycleaners
NPDES..... State Pollutant Discharge Elimination System
AIRS..... Air Emissions Data
E DESIGNATION..... E DESIGNATION SITE LISTING
INDIAN RESERV..... Indian Reservations
SCRD DRYCLEANERS..... State Coalition for Remediation of Drycleaners Listing

EDR PROPRIETARY RECORDS

EDR Proprietary Records

Manufactured Gas Plants..... EDR Proprietary Manufactured Gas Plants

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property. Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

EXECUTIVE SUMMARY

STANDARD ENVIRONMENTAL RECORDS

Federal RCRA generators list

RCRA-SQG: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

A review of the RCRA-SQG list, as provided by EDR, and dated 11/12/2008 has revealed that there are 2 RCRA-SQG sites within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
CSX TRANSPORTATION INC	RIVER ST & LATTA RD	SSW 0 - 1/8 (0.107 mi.)	C10	40
TAPECON INC	465-475 RIVER ST	SW 0 - 1/8 (0.108 mi.)	C11	54

RCRA-CESQG: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

A review of the RCRA-CESQG list, as provided by EDR, and dated 11/12/2008 has revealed that there are 2 RCRA-CESQG sites within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
CHARLOTTE HARBORTOWN HOMES	4575 LAKE AVE	NW 1/8 - 1/4 (0.238 mi.)	21	119
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
SHUMWAY MARINE	70 PATTONWOOD DR	S 1/8 - 1/4 (0.245 mi.)	F24	166

State- and tribal - equivalent CERCLIS

SHWS: The State Hazardous Waste Sites records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. The data come from the Department of Environmental Conservation's Inactive Hazardous waste Disposal Sites in New York State.

A review of the SHWS list, as provided by EDR, and dated 06/09/2009 has revealed that there is 1 SHWS site within approximately 1 mile of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
GREEN LEAF MEADOW APARTMENTS	500 GREEN LEAF ROAD	W 1/2 - 1 (0.935 mi.)	32	236

EXECUTIVE SUMMARY

State and tribal leaking storage tank lists

LTANKS: Leaking Storage Tank Incident Reports. These records contain an inventory of reported leaking storage tank incidents reported from 4/1/86 through the most recent update. They can be either leaking underground storage tanks or leaking aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills

A review of the LTANKS list, as provided by EDR, and dated 06/09/2009 has revealed that there are 8 LTANKS sites within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
OLD RAILROAD DEPOT	490 RIVER STREET	SSW 0 - 1/8 (0.050 mi.)	A2	9
SALCONIO HOME Date Closed: 3/1/2005	75 LATTA ROAD	WSW 1/8 - 1/4 (0.149 mi.)	15	85
PENN CENTEAL	RR SWITCH STUTSON ST.	SW 1/8 - 1/4 (0.214 mi.)	E16	86
Date Closed: 4/4/1975				
NSI STATION	LAKE AVE / STUTSON ST	WSW 1/4 - 1/2 (0.252 mi.)	G28	219
Date Closed: 11/4/1987				
WELLER MOTOR GENESEE RIV	STUTSOND THOMAS AVENUESSE 1/4 - 1/2 (0.286 mi.)		29	222
Date Closed: 11/14/1974				
ST PAUL ABANDONED DRUM	5500 SAINT PAUL BLVD	ENE 1/4 - 1/2 (0.412 mi.)	30	225
Date Closed: 4/13/2005				
MICHELE HOME	30 CENTRE TERRACE	E 1/4 - 1/2 (0.442 mi.)	31	234
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
SHUMWAY MARINA	70 PATTONWOOD DRIVE	S 1/8 - 1/4 (0.245 mi.)	F25	193
Date Closed: 6/9/1995				

HIST LTANKS: A listing of leaking underground and aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills. In 2002, the Department of Environmental Conservation stopped providing updates to its original Spills Information Database. This database includes fields that are no longer available from the NYDEC as of January 1, 2002. Current information may be found in the NY LTANKS database.

A review of the HIST LTANKS list, as provided by EDR, and dated 01/01/2002 has revealed that there are 6 HIST LTANKS sites within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
OLD RAILROAD DEPOT	490 RIVER STREET	SSW 0 - 1/8 (0.050 mi.)	A2	9
Date Closed: / /				
PENN CENTEAL	RR SWITCH STUTSON ST.	SW 1/8 - 1/4 (0.214 mi.)	E16	86
Date Closed: 04/04/75				
NSI STATION	LAKE AVE / STUTSON ST	WSW 1/4 - 1/2 (0.252 mi.)	G28	219
Date Closed: 11/04/87				
WELLER MOTOR GENESEE RIV	STUTSOND THOMAS AVENUESSE 1/4 - 1/2 (0.286 mi.)		29	222
Date Closed: 11/14/74				
ST PAUL ABANDONED DRUM	5500 SAINT PAUL BLVD	ENE 1/4 - 1/2 (0.412 mi.)	30	225
Date Closed: / /				
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
SHUMWAY MARINA	70 PATTONWOOD DRIVE	S 1/8 - 1/4 (0.245 mi.)	F25	193
Date Closed: 06/09/95				

EXECUTIVE SUMMARY

State and tribal registered storage tank lists

UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environmental Conservation's Petroleum Bulk Storage (PBS) Database

A review of the UST list, as provided by EDR, and dated 07/21/2009 has revealed that there are 4 UST sites within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
NOCO EXPRESS 63	4370 LAKE AVE & STUTSON	WSW 1/8 - 1/4 (0.247 mi.)	G26	201
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
HARBOUR FRONT MARINA, INC	560 RIVER STREET	NNE 0 - 1/8 (0.054 mi.)	B5	19
MARINA DODGE INC	65 PATTONWOOD DR	S 1/8 - 1/4 (0.244 mi.)	F22	121
SHUMWAY MARINE	70 PATTONWOOD DR	S 1/8 - 1/4 (0.245 mi.)	F24	166

State and tribal voluntary cleanup sites

VCP: Voluntary Cleanup Agreements. The voluntary remedial program uses private monies to get contaminated sites remediated to levels allowing for the sites' productive use. The program covers virtually any kind of site and contamination.

A review of the VCP list, as provided by EDR, and dated 06/09/2009 has revealed that there is 1 VCP site within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
CSXT RIVER STREET DERAILMENT S	480 RIVER STREET	SSW 0 - 1/8 (0.061 mi.)	A6	25

ADDITIONAL ENVIRONMENTAL RECORDS

Local Lists of Hazardous waste / Contaminated Sites

DEL SHWS: A database listing of sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites.

A review of the DEL SHWS list, as provided by EDR, and dated 06/09/2009 has revealed that there is 1 DEL SHWS site within approximately 1 mile of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
GREEN LEAF MEADOW APARTMENTS	500 GREEN LEAF ROAD	W 1/2 - 1 (0.935 mi.)	32	236

EXECUTIVE SUMMARY

Local Lists of Registered Storage Tanks

HIST UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environmental Conservation's Petroleum Bulk Storage (PBS) Database

A review of the HIST UST list, as provided by EDR, and dated 01/01/2002 has revealed that there are 4 HIST UST sites within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
NOCO EXPRESS 63	4370 LAKE AVE & STUTSON	WSW 1/8 - 1/4 (0.247 mi.)	G26	201
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
HARBOUR FRONT MARINA, INC	560 RIVER STREET	NNE 0 - 1/8 (0.054 mi.)	B5	19
MARINA DODGE INC	65 PATTONWOOD DR	S 1/8 - 1/4 (0.244 mi.)	F22	121
SHUMWAY MARINE	70 PATTONWOOD DR	S 1/8 - 1/4 (0.245 mi.)	F24	166

Records of Emergency Release Reports

NY Spills: Data collected on spills reported to NYSDEC. is required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from PBS regs), or 6 NYCRR Section 595.2 (from CBS regs). It includes spills active as of April 1, 1986, as well as spills occurring since this date.

A review of the NY Spills list, as provided by EDR, and dated 06/09/2009 has revealed that there are 6 NY Spills sites within approximately 0.125 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
TAYLOR PROPERTY Date Closed: 6/1/1986	503 RIVER ST	SSW 0 - 1/8 (0.037 mi.)	A1	7
CSXT RIVER STREET DERAILEMENT S MARINE VOLUNTEER FD BOAT Date Closed: 5/4/1997	480 RIVER STREET RIVER STREET @ STUTSON	SSW 0 - 1/8 (0.061 mi.) SW 0 - 1/8 (0.069 mi.)	A6 8	25 29
CSX TRAIN DERAILEMENT Date Closed: 6/25/2004	RIVER STREET AT LATT A R	SSW 0 - 1/8 (0.107 mi.)	C9	32
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
PELICAN BAY MARINA Date Closed: 2/4/2005 Date Closed: 5/31/1988	560 RIVER STREET	NNE 0 - 1/8 (0.054 mi.)	B4	15
PELICANS MARINA RESTAURAN Date Closed: 6/3/2009	565 RIVER STREET	NNE 0 - 1/8 (0.061 mi.)	B7	27

EXECUTIVE SUMMARY

NY Hist Spills: This database contains records of chemical and petroleum spill incidents. Under State law, petroleum and hazardous chemical spills that can impact the waters of the state must be reported by the spiller (and, in some cases, by anyone who has knowledge of the spills). In 2002, the Department of Environmental Conservation stopped providing updates to its original Spills Information Database. This database includes fields that are no longer available from the NYDEC as of January 1, 2002. Current information may be found in the NY SPILLS database.

A review of the NY Hist Spills list, as provided by EDR, and dated 01/01/2002 has revealed that there are 4 NY Hist Spills sites within approximately 0.125 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
TAYLOR PROPERTY	503 RIVER ST	SSW 0 - 1/8 (0.037 mi.)	A1	7
MARINE VOLUNTEER FD BOAT	RIVER STREET @ STUTSON	SW 0 - 1/8 (0.069 mi.)	8	29
CSX TRAIN DERAILMENT	RIVER STREET AT LATT A R	SSW 0 - 1/8 (0.107 mi.)	C9	32
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
PELICAN BAY MARINA	560 RIVER STREET	NNE 0 - 1/8 (0.054 mi.)	B4	15

Other Ascertainable Records

RCRA-NonGen: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

A review of the RCRA-NonGen list, as provided by EDR, and dated 11/12/2008 has revealed that there are 11 RCRA-NonGen sites within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
LATTA COLLISION & BOAT REPAIR	45 LATTA RD	WSW 1/8 - 1/4 (0.127 mi.)	D12	74
ERDL E MANUFACTURING	46 LATTA RD	WSW 1/8 - 1/4 (0.128 mi.)	D13	80
CITY OF ROCHESTER	414 RIVER ST	SSW 1/8 - 1/4 (0.133 mi.)	14	82
BROTHERS COLLISION INC	141 LATTA RD	W 1/8 - 1/4 (0.216 mi.)	17	89
ROCHESTER HOLLOW GRINDER INC	34 STUTSON ST	SW 1/8 - 1/4 (0.220 mi.)	E18	100
BROTHERS COLLISION INCORPORATE	4401 LAKE AVENUE	WSW 1/8 - 1/4 (0.222 mi.)	19	102
ROCHESTER CITY OF	56 STUTSON ST	SW 1/8 - 1/4 (0.228 mi.)	20	117
CUMBERLAND FARMS #3209	4370 LAKE AVE	WSW 1/8 - 1/4 (0.247 mi.)	G27	214
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
PELICAN MARINA INC	560 RIVER ST	NNE 0 - 1/8 (0.054 mi.)	B3	13
MARINA DODGE INC	65 PATTONWOOD DR	S 1/8 - 1/4 (0.244 mi.)	F22	121
NEW YORK STATE DEPT OF TRANSP	ORORKE BRIDGE OVER GENES	1/8 - 1/4 (0.244 mi.)	F23	151

MANIFEST: Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

A review of the MANIFEST list, as provided by EDR, and dated 05/22/2009 has revealed that there are 14 MANIFEST sites within approximately 0.25 miles of the target property.

EXECUTIVE SUMMARY

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
CSX TRANSPORTATION INC	RIVER ST & LATTA RD	SSW 0 - 1/8 (0.107 mi.)	C10	40
TAPECON INC	465-475 RIVER ST	SW 0 - 1/8 (0.108 mi.)	C11	54
LATTA COLLISION & BOAT REPAIR	45 LATTA RD	WSW 1/8 - 1/4 (0.127 mi.)	D12	74
ERDLE MANUFACTURING	46 LATTA RD	WSW 1/8 - 1/4 (0.128 mi.)	D13	80
CITY OF ROCHESTER	414 RIVER ST	SSW 1/8 - 1/4 (0.133 mi.)	14	82
BROTHERS COLLISION INC	141 LATTA RD	W 1/8 - 1/4 (0.216 mi.)	17	89
BROTHERS COLLISION INCORPORATE	4401 LAKE AVENUE	WSW 1/8 - 1/4 (0.222 mi.)	19	102
ROCHESTER CITY OF	56 STUTSON ST	SW 1/8 - 1/4 (0.228 mi.)	20	117
CHARLOTTE HARBORTOWN HOMES	4575 LAKE AVE	NW 1/8 - 1/4 (0.238 mi.)	21	119
CUMBERLAND FARMS #3209	4370 LAKE AVE	WSW 1/8 - 1/4 (0.247 mi.)	G27	214
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
PELICAN MARINA INC	560 RIVER ST	NNE 0 - 1/8 (0.054 mi.)	B3	13
MARINA DODGE INC	65 PATTONWOOD DR	S 1/8 - 1/4 (0.244 mi.)	F22	121
NEW YORK STATE DEPT OF TRANSP	ORORKE BRIDGE OVER GENES	1/8 - 1/4 (0.244 mi.)	F23	151
SHUMWAY MARINE	70 PATTONWOOD DR	S 1/8 - 1/4 (0.245 mi.)	F24	166

EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped:

Site Name	Database(s)
NYSDOT BIN 1035999	FINDS, MANIFEST, RCRA-NonGen
PORT OF ROCHESTER	MANIFEST
PORT OF ROCHESTER ROCHESTER CITY	MANIFEST
ARG TRUCKING	LTANKS, HIST LTANKS
PELICAN BAY MARINA	LTANKS, HIST LTANKS
PORT OF ROCHESTER FERRY TERMINAL	UST
NYSDOT BIN 1049770	RCRA-LQG
BAYLOR (HOMER) MVA	NY Spills, NY Hist Spills
ROUTE 490 & ROUTE 390	NY Spills, NY Hist Spills
RT 490 MVA	NY Spills, NY Hist Spills
MVA	NY Spills, NY Hist Spills
RTE 490 W AT WINTON RD	NY Spills, NY Hist Spills
ROUTE 490	NY Spills, NY Hist Spills
ROUTE 490 EAST NEAR BROAD	NY Spills, NY Hist Spills
GOTTRY CORP MVA	NY Spills, NY Hist Spills
GOODMAN EXIT	NY Spills, NY Hist Spills
RT 490 MVA	NY Spills, NY Hist Spills
ROUTE 490 WESTBOUND	NY Spills
GREYHOUND BUS LINES	NY Spills, NY Hist Spills
RT 490 MVA	NY Spills, NY Hist Spills
ROCHESTER GAS & ELECTRIC	NY Spills, NY Hist Spills
UPSTATE MILK COOP	NY Spills, NY Hist Spills
ROUTE 590 SOUTH/BLOSSOM ROAD	NY Spills
GRIFFITH TRUCK	NY Spills
ROUTE 590 MVA	NY Spills, NY Hist Spills
TUSCARORA CONSTRUCTION CO	NY Spills, NY Hist Spills
DEWITT (LG) TRUCKING MVA	NY Spills, NY Hist Spills
STAPPENBECK INC.	NY Spills, NY Hist Spills
CORROSIVE	NY Spills, NY Hist Spills
COFFEY (DONALD) VESSEL	NY Spills, NY Hist Spills
GENESEE RIVER	NY Spills
GENESEE RIVER ABAND DRUM	NY Spills, NY Hist Spills
@ HWY GARAGE	NY Spills, NY Hist Spills
INNER LOOP & ROUTE 490	NY Spills, NY Hist Spills
UNITED PARCEL SERVICE MVA	NY Spills
CONRAIL	NY Spills, NY Hist Spills
GENESEE RIVER	NY Spills, NY Hist Spills
1.2 ML @ ROCK MT FARM GRA	NY Spills, NY Hist Spills
UNKNOWN	NY Spills, NY Hist Spills
RIVER STREET @ STUTSON ST	NY Spills, NY Hist Spills

OVERVIEW MAP - 2563063.2s



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- ▲ Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites

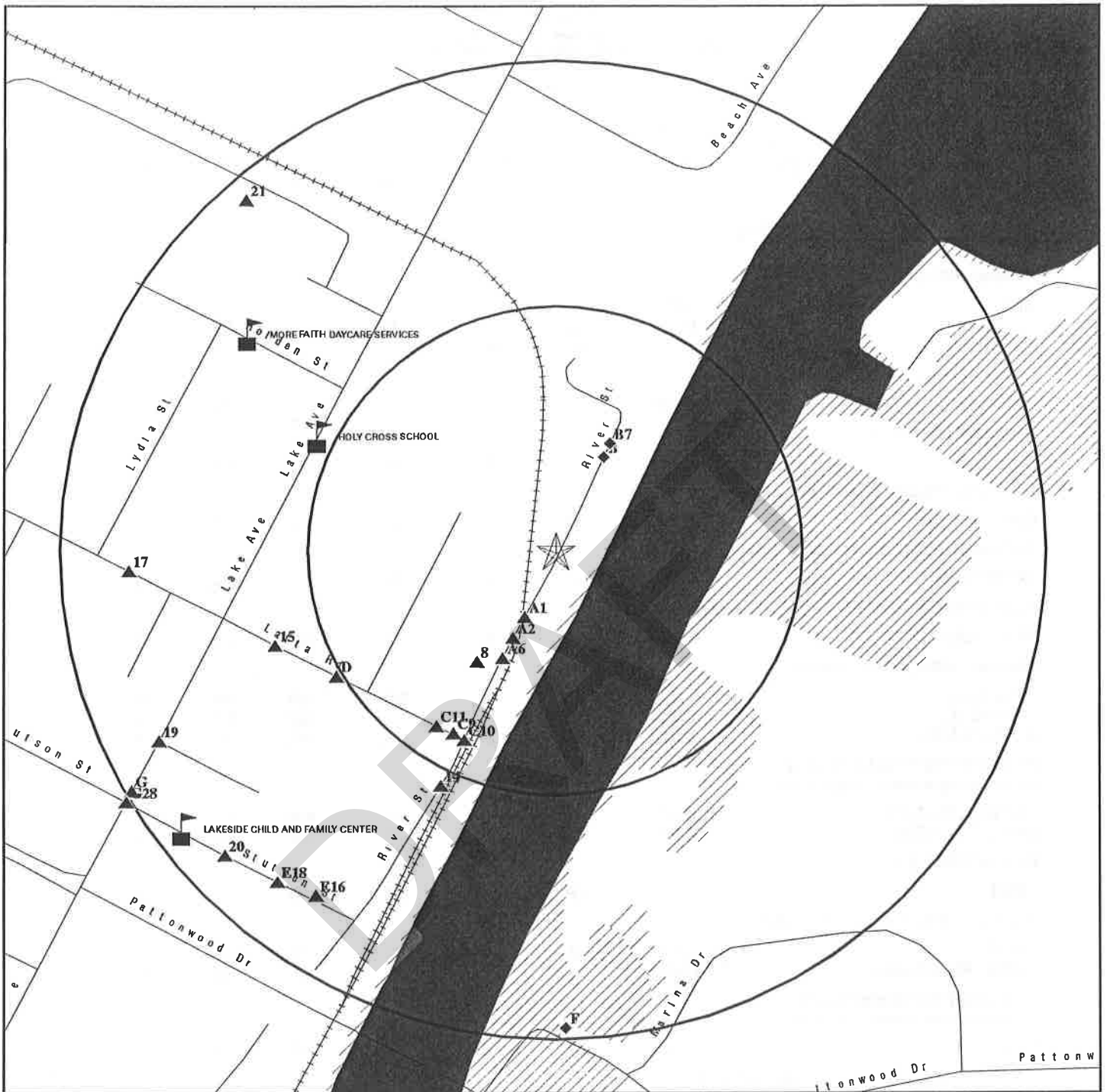
- Indian Reservations BIA
- Oil & Gas pipelines
- 100-year flood zone
- 500-year flood zone
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: US Coast Guard
 ADDRESS: 527 River Street
 Rochester NY 14612
 LAT/LONG: 43.2522 / 77.6100

CLIENT: Tritech Env. Health and Safety
 CONTACT: Amy Thornton
 INQUIRY #: 2563063.2s
 DATE: August 12, 2009 4:27 pm

DETAIL MAP - 2563063.2s



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- ▲ Manufactured Gas Plants
- ▲ Sensitive Receptors
- National Priority List Sites
- Dept. Defense Sites

- Indian Reservations BIA
- Oil & Gas pipelines
- 100-year flood zone
- 500-year flood zone
- National Wetland Inventory
- State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: US Coast Guard
 ADDRESS: 527 River Street
 Rochester NY 14612
 LAT/LONG: 43.2522 / 77.6100

CLIENT: Tritech Env. Health and Safety
 CONTACT: Amy Thornton
 INQUIRY #: 2563063.2s
 DATE: August 12, 2009 4:29 pm

MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Federal NPL site list								
NPL		1.000	0	0	0	0	NR	0
Proposed NPL		1.000	0	0	0	0	NR	0
NPL LIENS		TP	NR	NR	NR	NR	NR	0
Federal Delisted NPL site list								
Delisted NPL		1.000	0	0	0	0	NR	0
Federal CERCLIS list								
CERCLIS		0.500	0	0	0	NR	NR	0
Federal CERCLIS NFRAP site List								
CERC-NFRAP		0.500	0	0	0	NR	NR	0
Federal RCRA CORRACTS facilities list								
CORRACTS		1.000	0	0	0	0	NR	0
Federal RCRA non-CORRACTS TSD facilities list								
RCRA-TSDF		0.500	0	0	0	NR	NR	0
Federal RCRA generators list								
RCRA-LQG		0.250	0	0	NR	NR	NR	0
RCRA-SQG		0.250	2	0	NR	NR	NR	2
RCRA-CESQG		0.250	0	2	NR	NR	NR	2
Federal institutional controls / engineering controls registries								
US ENG CONTROLS		0.500	0	0	0	NR	NR	0
US INST CONTROL		0.500	0	0	0	NR	NR	0
Federal ERNS list								
ERNS		TP	NR	NR	NR	NR	NR	0
State- and tribal - equivalent CERCLIS								
SHWS		1.000	0	0	0	1	NR	1
VAPOR REOPENED		1.000	0	0	0	0	NR	0
State and tribal landfill and/or solid waste disposal site lists								
SWF/LF		0.500	0	0	0	NR	NR	0
State and tribal leaking storage tank lists								
LTANKS		0.500	1	3	4	NR	NR	8
HIST LTANKS		0.500	1	2	3	NR	NR	6
INDIAN LUST		0.500	0	0	0	NR	NR	0
State and tribal registered storage tank lists								
UST		0.250	1	3	NR	NR	NR	4

MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
CBS UST		0.250	0	0	NR	NR	NR	0
MOSF UST		0.500	0	0	0	NR	NR	0
AST		0.250	0	0	NR	NR	NR	0
CBS AST		0.250	0	0	NR	NR	NR	0
MOSF AST		0.500	0	0	0	NR	NR	0
MOSF		0.500	0	0	0	NR	NR	0
CBS		0.250	0	0	NR	NR	NR	0
INDIAN UST		0.250	0	0	NR	NR	NR	0
State and tribal institutional control / engineering control registries								
ENG CONTROLS		0.500	0	0	0	NR	NR	0
INST CONTROL		0.500	0	0	0	NR	NR	0
RES DECL		0.125	0	NR	NR	NR	NR	0
State and tribal voluntary cleanup sites								
VCP		0.500	1	0	0	NR	NR	1
INDIAN VCP		0.500	0	0	0	NR	NR	0
State and tribal Brownfields sites								
ERP		0.500	0	0	0	NR	NR	0
BROWNFIELDS		0.500	0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS		0.500	0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
DEBRIS REGION 9		0.500	0	0	0	NR	NR	0
ODI		0.500	0	0	0	NR	NR	0
SWTIRE		0.500	0	0	0	NR	NR	0
SWRCY		0.500	0	0	0	NR	NR	0
INDIAN ODI		0.500	0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US CDL		TP	NR	NR	NR	NR	NR	0
DEL SHWS		1.000	0	0	0	1	NR	1
Local Lists of Registered Storage Tanks								
HIST UST		0.250	1	3	NR	NR	NR	4
HIST AST		TP	NR	NR	NR	NR	NR	0
Local Land Records								
LIENS 2		TP	NR	NR	NR	NR	NR	0
LUCIS		0.500	0	0	0	NR	NR	0
Records of Emergency Release Reports								
HMIRS		TP	NR	NR	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
NY Spills		0.125	6	NR	NR	NR	NR	6
NY Hist Spills		0.125	4	NR	NR	NR	NR	4
Other Ascertainable Records								
RCRA-NonGen		0.250	1	10	NR	NR	NR	11
DOT OPS	TP		NR	NR	NR	NR	NR	0
DOD		1.000	0	0	0	0	NR	0
FUDS		1.000	0	0	0	0	NR	0
CONSENT		1.000	0	0	0	0	NR	0
ROD		1.000	0	0	0	0	NR	0
UMTRA		0.500	0	0	0	NR	NR	0
MINES		0.250	0	0	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
SSTS	TP		NR	NR	NR	NR	NR	0
ICIS	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
RADINFO	TP		NR	NR	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
HSWDS		0.500	0	0	0	NR	NR	0
MANIFEST		0.250	3	11	NR	NR	NR	14
DRYCLEANERS		0.250	0	0	NR	NR	NR	0
NPDES	TP		NR	NR	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
E DESIGNATION		0.125	0	NR	NR	NR	NR	0
INDIAN RESERV		1.000	0	0	0	0	NR	0
SCRD DRYCLEANERS		0.500	0	0	0	NR	NR	0

EDR PROPRIETARY RECORDS

EDR Proprietary Records

Manufactured Gas Plants	1.000	0	0	0	0	NR	0
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NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

A1
SSW
< 1/8
0.037 mi.
198 ft.
TAYLOR PROPERTY
503 RIVER ST
ROCHESTER, NY
Site 1 of 3 in cluster A

NY Spills **S102173039**
NY Hist Spills **N/A**

Relative:
Equal

Actual:
252 ft.

NY Spills:

Site ID: 209859
Facility Addr2: Not reported
Facility ID: 8403168
Spill Number: 8403168
Facility Type: ER
SWIS: 2814
Investigator: PCLINDEN
Referred To: Not reported
Spill Date: 4/24/1984
Reported to Dept: 4/24/1984
CID: 28
Spill Cause: Unknown
Water Affected: Not reported
Spill Source: Unknown
Spill Notifier: Other
Cleanup Ceased: 6/1/1986
Cleanup Meets Std: True
Last Inspection: Not reported
Recommended Penalty: Penalty Not Recommended
UST Trust: False
Spill Class: Known release that creates potential for fire or hazard. DEC Response.
Unknown Responsible Party. Corrective action taken. (ISR)
Spill Closed Dt: 6/1/1986
Remediation Phase: 0
Date Entered In Computer: 2/7/1990
Spill Record Last Update: 2/20/2001
Spiller Name: Not reported
Spiller Company: Not reported
Spiller Address: Not reported
Spiller City,St,Zip: ***Update***, ZZ
Spiller Company: 001
Contact Name: Not reported
Contact Phone: Not reported
DEC Region: 8
DER Facility ID: 173968

Material:

Site ID: Not reported
Operable Unit ID: Not reported
Operable Unit: Not reported
Material ID: Not reported
Material Code: Not reported
Material Name: Not reported
Case No.: Not reported
Material FA: Not reported
Quantity: Not reported
Units: Not reported
Recovered: Not reported
Resource Affected: Not reported
Oxygenate: Not reported

Tank Test:

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

TAYLOR PROPERTY (Continued)

S102173039

Site ID: Not reported
Spill Tank Test: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate: Not reported
Gross Fail: Not reported
Modified By: Not reported
Last Modified: Not reported
Test Method: Not reported

DEC Memo: Prior to Sept, 2004 data translation this spill Lead DEC Field was "PL" / / : CONTAINMENT ACTION: MCHD SAMPLED DRUMS AND IS ANALYZING; ATTEMPTING TO CONTACT OWNER OF VACANT BUILDING: DOUGLAS TAYLOR (865-0670; 647-3940; 258-1395). / / : CLEANUP ACTION: REFERRED TO DIVISION OF SOLID & HAZARDOUS WASTES. 09/28/95: This is additional information about material spilled from the translation of the old spill file: ABANDONED DRUMS DIA 02/20/01: PAPER FILE REMOVED PER PAPER RETENTION POLICY.

Remarks: 9 ABANDONED DRUMS; POSSIBLY DIACHLOR, KEROSENE, ACIDS, BASES AND SODIUM HYPOCHLOITE IN VACANT BUILDING

NY Hist Spills:

Region of Spill: 8
Spill Number: 8403168
Investigator: PL
Caller Name: Not reported
Caller Agency: Not reported
Caller Phone: Not reported
Notifier Name: Not reported
Notifier Agency: Not reported
Notifier Phone: Not reported
Spill Date/Time: 04/24/1984 09:11
Reported to Dept Date/Time: 04/24/84 09:11
SWIS: 26
Spiller Name: Not reported
Spiller Contact: Not reported
Spiller Phone: Not reported
Spiller Address: Not reported
Spiller City,St,Zip: Not reported
Spill Cause: Unknown
Reported to Dept: Air
Water Affected: Not reported
Spill Source: 12
Spill Notifier: Other
PBS Number: Not reported
Cleanup Ceased: 06/01/86
Cleanup Meets Std: True
Last Inspection: / /
Recommended Penalty: Penalty Not Recommended
Spiller Cleanup Dt: / /
Enforcement Date: / /
Invstgn Complete: / /
UST Involvement: False
Spill Class: Known release that creates potential for fire or hazard. DEC Response. Unknown Responsible Party. Corrective action taken. (ISR)
Spill Closed Dt: 06/01/86

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

TAYLOR PROPERTY (Continued)

S102173039

Corrective Action Plan Submitted: / /
Date Region Sent Summary to Central Office: / /
Date Spill Entered In Computer Data File: 02/07/90
Date Spill Entered In Computer Data File: Not reported
Update Date: 02/20/01
Is Updated: False

Tank:

PBS Number: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate Failed Tank: Not reported
Gross Leak Rate: Not reported

Material:

Material Class Type: Not reported
Quantity Spilled: Not reported
Unkonwn Quantity Spilled: Not reported
Units: Not reported
Quantity Recovered: Not reported
Unkonwn Quantity Recovered: Not reported
Material: Not reported
Class Type: Not reported
Times Material Entry In File: Not reported
CAS Number: Not reported
Last Date: Not reported

DEC Remarks: / / : CONTAINMENT ACTION: MCHD SAMPLED DRUMS AND IS ANALYZING; ATTEMPTING TO CONTACT OWNER OF VACANT BUILDING: DOUGLAS TAYLOR 865-0670; 647-3940; 258-1395). / / : CLEANUP ACTION: REFERRED TO DIVISION OF SOLID HAZARDOUS WASTES. 09/28/95: This is additional information about material spilled from the translation of the old spill file: ABANDONED DRUMS DIA 02/20/01: PAPER FILE REMOVED PER PAPER RETENTION POLICY.

Remark: 9 ABANDONED DRUMS; POSSIBLY DIACHLOR, KEROSENE, ACIDS, BASES AND SODIUM HYPOCHLOITE IN VACANT BUILDING

A2
SSW
< 1/8
0.050 mi.
262 ft.

**OLD RAILROAD DEPOT
490 RIVER STREET
ROCHESTER, NY**

Site 2 of 3 in cluster A

**LTANKS S105230347
HIST LTANKS N/A**

**Relative:
Higher**

LTANKS:

Site ID: 85005
Spill No: 0170400
Spill Date: 11/1/2001
Spill Cause: Tank Failure
Spill Source: Commercial/Industrial
Spill Class: Known release that creates potential for fire or hazard. DEC Response. Willing Responsible Party. Corrective action taken.
Spill Closed Dt: Not reported
Facility Addr2: Not reported
Cleanup Ceased: Not reported
Cleanup Meets Standard: False
SWIS: 2814
Investigator: MFZAMIA
Referred To: Not reported
Reported to Dept: 11/1/2001
CID: 28

**Actual:
253 ft.**

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)
EDR ID Number
EPA ID Number

OLD RAILROAD DEPOT (Continued)

S105230347

Water Affected: Not reported
Spill Notifier: Responsible Party
Last Inspection: Not reported
Recommended Penalty: Penalty Not Recommended
UST Involvement: True
Remediation Phase: 1
Date Entered In Computer: 11/1/2001
Spill Record Last Update: 5/1/2007
Spiller Name: ANNE SPAULDING
Spiller Company: CITY OF ROCHESTER
Spiller Address: 30 CHURCH STREET RM 300B
Spiller City,St,Zip: ROCHESTER, NY 14614-
Spiller County: 001
Spiller Contact: CALLER
Spiller Phone: Not reported
Spiller Extension: Not reported
DEC Region: 8
DER Facility ID: 78132

DEC Memo:

Prior to Sept, 2004 data translation this spill Lead DEC Field was "MZ" 1/4/02 TANK CLOSURE REPORT RECEIVED. APPROXIMATELY 4 CUBIC YARDS OF SOIL WAS REMOVED FROM EXCAVATION AND STAGED ON SITE. THE EXCAVATION WAS LIMITED DUE TO UNDERGROUND UTILITIES AND THE WEST BANK OF THE GENESEE RIVER. GROUNDWATER NOT VISIBLE IN EXCAVATION. FREE PHASE PRODUCT WAS IN BOTTOM OF EXCAVATION FOLLOWING REMOVAL OF TANK. HEADSPACE READINGS FROM SIDEWALLS WERE BELOW 10 PPM WHILE READINGS FROM BOTTOM RANGED FROM 870 TO OVER 2,000 PPM. SAMPLING RESULTS INDICATE THAT THE NORTH & EAST SIDEWALLS EXCEED TAGM FOR SEMI-VOL'S AND THE BOTTOM EXCEEDS TAGM FOR VOL'S. NO GROUNDWATER SAMPLES COLLECTED. 1/28/2002 MZ, PETE MILLER AND TIM WALSH MET WITH MARK GREGOR, JOE BIONDOLILLO AND JANE FORBES TO DISCUSS SITE. DEPT REQUIRED A GROUNDWATER SAMPLE BE COLLECTED BETWEEN THE UST EXCAVATION AND THE RIVER TO DETERMINE IF CONTAMINATION IS MIGRATING TOWARDS THE RIVER. CITY DISCUSSED THE USE OF PSSI. DEC RESPONDED THAT GROUNDWATER INFO IS NEEDED AND DEPENDING ON FUTURE USE OF SITE, PSSI MIGHT BE AN OPTION. THERE WAS A GEOPROBE WELL (GPMW#4/LBA BORING #26) INSTALLED ADJACENT TO THE NORTH SIDE OF THE TANK AS PART OF A SITEWIDE CHARACTERIZATION PERFORMED BY LABELLA FOR A DIFFERENT SPILL (SPILL # 9970601). GROUNDWATER RESULTS FROM THIS WELL WERE NON-DETECT FOR 8021 & 8270. 1/29/02 MZ LEFT VOICE MAIL FOR FORBES STATING THAT DEPT SHOULD BE NOTIFIED WHEN WELL WILL BE INSTALLED. ALSO STATED THAT IF PERFORMING PSSI, SHOULD CONSIDER COMMERCIAL WORKER FOR VOLATILIZATION FROM SOIL TO BOTH OUTDOOR AND INDOOR (BECAUSE ADJACENT TO BUILDING). WILL ALSO NEED TO INCLUDE VOLATILIZATION FROM WATER BASED ON SAMPLING RESULTS FROM NEW WELL. 4/17/2002 DEPT REC'D GEOPROBE WELL SAMPLING RESULTS. SEVERAL VOL'S EXCEEDED STANDARDS. 7/10/02 DEPT MET WITH C/O ROCH (JANE FORBES, MARK GREGOR, JOE BIONDOLILLO) TO DISCUSS SPILL SITES. SOIL PILE TILL THERE DUE TO NO ACCESS. ONCE THERE IS ACCESS, SOIL WILL BE REMOVED AND WELL WILL BE RESAMPLED. 1/24/2003 DEPT MET WITH JANE FORBES, JOE BIONDOLILLO AND MARK GREGOR (CITY OF ROCHESTER) TO GO OVER STATUS OF SPILL. THE SOIL PILE HAS BEEN DISPOSED OF. DISPOSAL DOCUMENTATION TO BE SUBMITTED. MORE SAMPLING DONE IN AREA AND RESULTS TO BE SUBMITTED. THERE MIGHT POSSIBLY BE A LARGE CONSTRUCTION PROJECT IN THE IMMEDIATE AREA. 3/15/04 DEPT MET WITH JANE FORBES, JOE

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number

EPA ID Number

OLD RAILROAD DEPOT (Continued)

S105230347

Remarks: BIONDOLILLO AND MARK GREGOR (CITY OF ROCHESTER) TO GO OVER STATUS OF SPILL. DEPT TO LOOK AT LATEST REPORT. AREA IMPROVEMENTS PLANNED AS PART OF PORT OF ROCHESTER REDEVELOPMENT. 01/31/05 DEPT MET WITH CITY OF ROCH TO GO OVER SPILL SITES. AREA TO BE DISTURBED AS PART OF AREA WIDE IMPROVEMENTS. A PLAN IS BEING DEVELOPED FOR THE DESIGN OF THAT AREA. CITY TO KEEP DEC UPDATED. 3/8/07DEPT MET WITH CITY OF ROCHESTER (GREGOR, FORBES, BIONDOLILLO) TO DISCUSS STATUS OF SPILL SITE. THE WELL HAS BEEN DESTROYED. THERE IS A NEW SIDEWALKED AND THE AREA LANDSCAPED. CITY TO CHECK TO SEE IF ANY DREDGING WAS DONE ALONG SHORE IN AREA WHERE THEY MIGHT HAVE COLLECTED SEDIMENT SAMPLES. WHILE REMOVING A THOUSAND GALLON GASOLINE TANK, THE CITY'S CONTRACTOR (MARCOR) ENCOUNTERED CONTAMINATION AROUND THE TANK. THE TANK USED TO BE USED FOR REFUELING BOATS. THE TANK EXCAVATION IS ABOUT 25 FEET FROM THE RIVER'S EDGE. THE CITY PLANS TO TRYAND DIG OUT OF CONTAMINATION AND DISPOSE OF THE SOILS AT A LANDFILL. FAXED TO MCHD ON 11/02/01 AT 0810 HRS.

Material:

Site ID: 85005
Operable Unit ID: 850324
Operable Unit: 01
Material ID: 524104
Material Code: 0009
Material Name: Gasoline
Case No.: Not reported
Material FA: Petroleum
Quantity: 0
Units: Gallons
Recovered: No
Resource Affected: Groundwater
Oxygenate: False

Tank Test:

Site ID: Not reported
Spill Tank Test: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate: Not reported
Gross Fail: Not reported
Modified By: Not reported
Last Modified: Not reported
Test Method: Not reported

HIST LTANKS:

Region of Spill: 8
Spill Number: 0170400
Spill Date: 11/01/2001
Spill Time: 13:58
Spill Cause: Tank Failure
Resource Affectd: Groundwater
Water Affected: Not reported
Spill Source: Other Commercial/Industrial
Spill Class: Known release that creates potential for fire or hazard. DEC Response. Willing Responsible Party. Corrective action taken.
Spill Closed Dt: / /

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s) EDR ID Number
EPA ID Number

OLD RAILROAD DEPOT (Continued)

S105230347

Cleanup Ceased: / /
Cleanup Meets Standard: False
Investigator: CH
Caller Name: Not reported
Caller Agency: Not reported
Caller Phone: Not reported
Caller Extension: Not reported
Notifier Name: Not reported
Notifier Agency: Not reported
Notifier Phone: Not reported
Notifier Extension: Not reported
Reported to Department Date: 11/01/01
Reported to Department Time: 13:58
SWIS: 26
Spiller Contact: CALLER
Spiller Phone: () -
Spiller Extension: Not reported
Spiller Name: CITY OF ROCHESTER
Spiller Address: 30 CHURCH STREET RM 300B
Spiller City,St,Zip: ROCHESTER, NY 14614-
Spiller Cleanup Date: / /
Facility Contact: ANNE SPAULDING
Facility Phone: (716) 428-7474
Facility Extension: Not reported
Spill Notifier: Responsible Party
PBS Number: Not reported
Last Inspection: / /
Recommended Penalty: Penalty Not Recommended
Enforcement Date: / /
Investigation Complete: / /
UST Involvement: True
Date Region Sent Summary to Central Office: / /
Corrective Action Plan Submitted: / /
Date Spill Entered In Computer Data File: 11/01/01
Time Spill Entered in Computer Data File: 14:04
Spill Record Last Update: 11/02/01
Is Updated: False

Tank:

PBS Number: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate Failed Tank: Not reported
Gross Leak Rate: Not reported

Material:

Material Class Type: Petroleum
Quantity Spilled: 0
Unkonwn Quantity Spilled: True
Units: Gallons
Quantity Recovered: 0
Unkonwn Quantity Recovered: True
Material: GASOLINE
Class Type: GASOLINE
Times Material Entry In File: 21329
CAS Number: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

OLD RAILROAD DEPOT (Continued)

S105230347

Last Date: 19940929
DEC Remarks: Not reported
Spill Cause: WHILE REMOVING A THOUSAND GALLON GASOLINE TANK, THE CITY S CONTRACTOR MARCOR) ENCOUNTERED CONTAMINATION AROUND THE TANK. THE TANK USED TO BE USED FOR REFUELING BOATS. THE TANK EXCAVATION IS ABOUT 25 FEET FROM THE RIVER S EDGE. THE CITY PLANS TO TRYAND DIG OUT OF CONTAMINATION AND DISPOSE OF THE SOILS AT A LANDFILL. FAXED TO MCHD ON 11/02/01 AT 0810 HRS.

B3
NNE
< 1/8
0.054 mi.
283 ft.

PELICAN MARINA INC
560 RIVER ST
ROCHESTER, NY 14612

MANIFEST 1001028444
RCRA-NonGen NYR000006767

Site 1 of 4 in cluster B

Relative:
Lower

Actual:
251 ft.

NY MANIFEST:

EPA ID: NYR000006767
Country: USA
Mailing Name: PELICAN MARINA
Mailing Contact: TERRENCE TESTA
Mailing Address: 560 RIVER ST
Mailing Address 2: Not reported
Mailing City: ROCHESTER
Mailing State: NY
Mailing Zip: 14612
Mailing Zip4: Not reported
Mailing Country: USA
Mailing Phone: 716-663-5910

Document ID: NYB1716804
Manifest Status: Completed copy
Trans1 State ID: NYJA4821
Trans2 State ID: Not reported
Generator Ship Date: 950627
Trans1 Recv Date: 950627
Trans2 Recv Date: Not reported
TSD Site Recv Date: 950630
Part A Recv Date: Not reported
Part B Recv Date: 950713
Generator EPA ID: NYR000006767
Trans1 EPA ID: NYD986941607
Trans2 EPA ID: Not reported
TSDF ID: NYD095577342
Waste Code: D001 - NON-LISTED IGNITABLE WASTES
Quantity: 00165
Units: G - Gallons (liquids only)* (8.3 pounds)
Number of Containers: 003
Container Type: DM - Metal drums, barrels
Handling Method: R Material recovery of more than 75 percent of the total material.
Specific Gravity: 100
Year: 95
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

PELICAN MARINA INC (Continued)

1001028444

Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

RCRA-NonGen:

Date form received by agency: 01/01/2007
Facility name: PELICAN MARINA INC
Facility address: 560 RIVER ST
ROCHESTER, NY 146124724
EPA ID: NYR000006767
Mailing address: RIVER ST
ROCHESTER, NY 14612
Contact: Not reported
Contact address: RIVER ST
ROCHESTER, NY 14612
Contact country: US
Contact telephone: Not reported
Contact email: Not reported
EPA Region: 02
Classification: Non-Generator
Description: Handler: Non-Generators do not presently generate hazardous waste

Owner/Operator Summary:

Owner/operator name: TERRY TESTA
Owner/operator address: 560 RIVER ST
ROCHESTER, NY 14612
Owner/operator country: US
Owner/operator telephone: (716) 663-5910
Legal status: Private
Owner/Operator Type: Operator
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Owner/operator name: TERRY TESTA
Owner/operator address: 560 RIVER ST
ROCHESTER, NY 14612
Owner/operator country: US
Owner/operator telephone: (716) 663-5910
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler accessibility indicator: Transferred to the program or state equivalent.

Handler Activities Summary:

U.S. importer of hazardous waste: Unknown
Mixed waste (haz. and radioactive): Unknown
Recycler of hazardous waste: No
Transporter of hazardous waste: Unknown
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: Unknown
Furnace exemption: Unknown
Used oil fuel burner: No

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

PELICAN MARINA INC (Continued)

1001028444

Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No
Off-site waste receiver: Commercial status unknown

Historical Generators:

Date form received by agency: 01/01/2006
Facility name: PELICAN MARINA INC
Classification: Not a generator, verified

Date form received by agency: 07/08/1999
Facility name: PELICAN MARINA INC
Classification: Not a generator, verified

Date form received by agency: 06/15/1995
Facility name: PELICAN MARINA INC
Classification: Small Quantity Generator

Violation Status: No violations found

B4
NNE
< 1/8
0.054 mi.
283 ft.

PELICAN BAY MARINA
560 RIVER STREET
ROCHESTER, NY

Site 2 of 4 in cluster B

NY Spills S102169946
NY Hist Spills N/A

Relative:
Lower

Actual:
251 ft.

NY Spills:
Site ID: 273797
Facility Addr2: Not reported
Facility ID: 8801875
Spill Number: 8801875
Facility Type: ER
SWIS: 2814
Investigator: JRMARCHI
Referred To: Not reported
Spill Date: 5/30/1988
Reported to Dept: 5/31/1988
CID: 28
Spill Cause: Equipment Failure
Water Affected: GENESEE RIVER
Spill Source: Vessel
Spill Notifier: Citizen
Cleanup Ceased: 5/31/1988
Cleanup Meets Std: True
Last Inspection: Not reported
Recommended Penalty: Penalty Not Recommended
UST Trust: False
Spill Class: Not reported
Spill Closed Dt: 5/31/1988
Remediation Phase: 0
Date Entered In Computer: 6/1/1988
Spill Record Last Update: 6/28/2002
Spiller Name: Not reported
Spiller Company: UNKNOWN
Spiller Address: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

PELICAN BAY MARINA (Continued)

S102169946

Spiller City,St,Zip: NY
Spiller Company: 999
Contact Name: Not reported
Contact Phone: Not reported
DEC Region: 8
DER Facility ID: 222715

Material:

Site ID: 273797
Operable Unit ID: 919028
Operable Unit: 01
Material ID: 461003
Material Code: 0009
Material Name: Gasoline
Case No.: Not reported
Material FA: Petroleum
Quantity: 300
Units: Gallons
Recovered: No
Resource Affected: Surface Water
Oxygenate: False

Tank Test:

Site ID: Not reported
Spill Tank Test: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate: Not reported
Gross Fail: Not reported
Modified By: Not reported
Last Modified: Not reported
Test Method: Not reported

DEC Memo: Prior to Sept, 2004 data translation this spill Lead DEC Field was "JM" 05/31/88: PRODUCT ON THE WATER HAS DISSIPATED. THE BOAT IS IN 7' OF WATER AND THEY ARE WORKING TO REMOVE THE BOAT AT THIS TIME.

Remarks: A 38' BOAT (MIAMI VICE TYPE) WAS DOCKED AT THE MAIN GAS DOCK AT PELICAN BAY MARINA. HOWEVER, IT SUNK TO THE BOTTOM OF THE RIVER, SPILLING AN ESTIMATED 300 GALLONS OF FUEL.

Site ID: 332749
Facility Addr2: Not reported
Facility ID: 0485044
Spill Number: 0485044
Facility Type: ER
SWIS: 2814
Investigator: TGHALL
Referred To: Not reported
Spill Date: 10/7/2004
Reported to Dept: 10/7/2004
CID: 28
Spill Cause: Abandoned Drums
Water Affected: Not reported
Spill Source: Commercial/Industrial
Spill Notifier: Local Agency

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

PELICAN BAY MARINA (Continued)

S102169946

Cleanup Ceased: 2/4/2005
Cleanup Meets Std: True
Last Inspection: Not reported
Recommended Penalty: Penalty Not Recommended
UST Trust: False
Spill Class: Known release that creates potential for fire or hazard. DEC Response.
Unknown Responsible Party. Corrective action taken. (ISR)
Spill Closed Dt: 2/4/2005
Remediation Phase: 0
Date Entered In Computer: 10/22/2004
Spill Record Last Update: 3/20/2008
Spiller Name: TERRENCE TESTA
Spiller Company: PELICAN MARINA
Spiller Address: 560 RIVER STREET
Spiller City,St,Zip: ROCHESTER, NY 14612
Spiller Company: 001
Contact Name: Not reported
Contact Phone: Not reported
DEC Region: 8
DER Facility ID: 47649

Material:

Site ID: 332749
Operable Unit ID: 1094961
Operable Unit: 01
Material ID: 575094
Material Code: 0066A
Material Name: UNKNOWN PETROLEUM
Case No.: Not reported
Material FA: Petroleum
Quantity: 330
Units: Gallons
Recovered: 330
Resource Affected: Soil
Oxygenate: False

Tank Test:

Site ID: Not reported
Spill Tank Test: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate: Not reported
Gross Fail: Not reported
Modified By: Not reported
Last Modified: Not reported
Test Method: Not reported

DEC Memo: 02/04/2005: HALL SPOKE TO TERRY TESTA. THE DRUMS CONTAIN FUEL FROM STORED BOATS AT MARINA. TESTA WILL PROPERLY DISPOSE OF WASTE ASAP. A MORE SECURE DRUM STORAGE AREA WILL BE LOCATED ON THE PROPERTY. 03/20/08 PAPER FILE REMOVED PER FILE RETENTION POLICY.

Remarks: ANN KUPFERSCHMIDT (MONROE COUNTY PURE WATERS) E-MAILED PETE HOFFMIRE REGARDING SIX (6) 55-GALLON DRUMS ABANDONED IN THE BUSHES NEXT TO THE PARKING LOT AT THE PELICAN RESTAURANT. THREE (3) DRUMS ARE LABELED, "NO LEAD DIRTY FUEL FROM TANK CLEANING 6/30/03". FAXED TO MCHD ON 10/26/04 AT 1412 HRS.

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s) EDR ID Number
EPA ID Number

PELICAN BAY MARINA (Continued)

S102169946

[Click this hyperlink](#) while viewing on your computer to access additional NY_SPILL: detail in the EDR Site Report.

NY Hist Spills:

Region of Spill: 8
Spill Number: 8801875
Investigator: JM
Caller Name: Not reported
Caller Agency: Not reported
Caller Phone: Not reported
Notifier Name: Not reported
Notifier Agency: Not reported
Notifier Phone: Not reported
Spill Date/Time: 05/30/1988 18:00
Reported to Dept Date/Time: 05/31/88 12:00
SWIS: 26
Spiller Name: UNKNOWN
Spiller Contact: Not reported
Spiller Phone: Not reported
Spiller Address: Not reported
Spiller City,St,Zip: Not reported
Spill Cause: Equipment Failure
Reported to Dept: Surface Water
Water Affected: GENESEE RIVER
Spill Source: 10
Spill Notifier: Citizen
PBS Number: Not reported
Cleanup Ceased: 05/31/88
Cleanup Meets Std: True
Last Inspection: / /
Recommended Penalty: Penalty Not Recommended
Spiller Cleanup Dt: / /
Enforcement Date: / /
Invstgn Complete: / /
UST Involvement: False
Spill Class: Not reported
Spill Closed Dt: 05/31/88
Corrective Action Plan Submitted: / /
Date Region Sent Summary to Central Office: / /
Date Spill Entered In Computer Data File: 06/01/88
Date Spill Entered In Computer Data File: Not reported
Update Date: / /
Is Updated: False

Tank:

PBS Number: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate Failed Tank: Not reported
Gross Leak Rate: Not reported

Material:

Material Class Type: Petroleum
Quantity Spilled: 300
Unkonwn Quantity Spilled: False
Units: Gallons

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

PELICAN BAY MARINA (Continued)

S102169946

Quantity Recovered: 0
Unkonwn Quantity Recovered: False
Material: GASOLINE
Class Type: GASOLINE
Times Material Entry In File: 21329
CAS Number: Not reported
Last Date: 19940929
DEC Remarks: 05/31/88: PRODUCT ON WATER DISSIPATED. BOAT IN 7 WATER AND THEY ARE WORKING TO REMOVE THE BOAT AT THIS TIME.
Remark: 38 BOAT MIAMI VICE TYPE) DOCKED AT MAIN GAS DOCK AT PELICAN BAY MARINA. SUNK TO BOTTOM OF THE RIVER. 300 GALLONS OF FUEL WAS ESTIMATED TO BE ON BOARD.

B5
NNE
< 1/8
0.054 mi.
283 ft.

HARBOUR FRONT MARINA, INC
560 RIVER STREET
ROCHESTER, NY 14612

Site 3 of 4 in cluster B

Relative:
Lower

UST:

Actual:
251 ft.

UST:

Facility Id: 8-102040
Region: STATE
DEC Region: 8
Site Status: Active
Program Type: PBS
Expiration Date: 2012/03/24
UTM X: 288142.87394000002
UTM Y: 4792126.9693499999
Site ID: 48369

Tank Number: 001
Tank Status: In Service
Tank Model: Not reported
Pipe Model: Not reported
Install Date: 2/1/1995
Capacity Gallons: 4000
Tightness Test Method: NN
Next Test Date: Not reported
Date Tank Closed: Not reported
Tank ID: 176076
Tank Location: 5
Tank Type: Steel/carbon steel
Date Test: Not reported
Register: True
Trade Sec: False
Modified By: MAPERSSO
Last Modified: 5/23/2008

Tank Number: 001-A
Tank Status: Closed - Removed
Tank Model: Not reported
Pipe Model: Not reported
Install Date: Not reported
Capacity Gallons: 5000
Tightness Test Method: 03
Next Test Date: Not reported

UST U001850015
HIST UST N/A

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

HARBOUR FRONT MARINA, INC (Continued)

U001850015

Date Tank Closed: 4/1/1995
Tank ID: 176077
Tank Location: 5
Tank Type: Steel/carbon steel
Date Test: 12/1/1992
Register: True
Trade Sec: False
Modified By: TRANSLAT
Last Modified: 3/4/2004

Tank Number: 002
Tank Status: In Service
Tank Model: Not reported
Pipe Model: Not reported
Install Date: 2/1/1995
Capacity Gallons: 4000
Tightness Test Method: NN
Next Test Date: Not reported
Date Tank Closed: Not reported
Tank ID: 155085
Tank Location: 5
Tank Type: Steel/carbon steel
Date Test: Not reported
Register: True
Trade Sec: False
Modified By: MAPERSSO
Last Modified: 5/23/2008

Tank Number: 003
Tank Status: In Service
Tank Model: Not reported
Pipe Model: Not reported
Install Date: 2/1/1995
Capacity Gallons: 4000
Tightness Test Method: NN
Next Test Date: Not reported
Date Tank Closed: Not reported
Tank ID: 155086
Tank Location: 5
Tank Type: Steel/carbon steel
Date Test: Not reported
Register: True
Trade Sec: False
Modified By: MAPERSSO
Last Modified: 5/23/2008

UST_PBS_BSAFFIL:
Site Id: 48369
Program Number: 8-102040
Facility Type: Mail Contact
Affiliation Type: 07
Affiliation Subtype: NNN
Company Name: HARBOUR FRONT MARINA, INC
Contact Type: Not reported
Contact Name: TERRANCE TESTA

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

HARBOUR FRONT MARINA, INC (Continued)

U001850015

Address1: 560 RIVER STREET
Address2: Not reported
City: ROCHESTER
State: NY
Zip Code: 14612
Country Code: 001
Phone: (716) 663-5910
Phone Ext: Not reported
Email: Not reported
Fax Number: Not reported
Modified By: TRANSLAT
Date Last Modified: 3/4/2004

Site Id: 48369
Program Number: 8-102040
Facility Type: Emergency Contact
Affiliation Type: 11
Affiliation Subtype: NNN
Company Name: TERRANCE TESTA
Contact Type: Not reported
Contact Name: TERRENCE TESTA
Address1: Not reported
Address2: Not reported
City: Not reported
State: NN
Zip Code: Not reported
Country Code: 999
Phone: (716) 663-5910
Phone Ext: Not reported
Email: Not reported
Fax Number: Not reported
Modified By: tfgrasek
Date Last Modified: 5/12/2008

Site Id: 48369
Program Number: 8-102040
Facility Type: Operator
Affiliation Type: 04
Affiliation Subtype: NNN
Company Name: HARBOUR FRONT MARINA, INC
Contact Type: Not reported
Contact Name: TERRENCE TESTA
Address1: Not reported
Address2: Not reported
City: Not reported
State: NY
Zip Code: Not reported
Country Code: 001
Phone: (716) 663-5910
Phone Ext: Not reported
Email: Not reported
Fax Number: Not reported
Modified By: tfgrasek
Date Last Modified: 5/12/2008

Site Id: 48369
Program Number: 8-102040

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

HARBOUR FRONT MARINA, INC (Continued)

U001850015

Facility Type: Owner
Affiliation Type: 01
Affiliation Subtype: E
Company Name: TERRANCE TESTA
Contact Type: PRESIDENT
Contact Name: TERRANCE TESTA
Address1: 560 RIVER STREET
Address2: Not reported
City: ROCHESTER
State: NY
Zip Code: 14612
Country Code: 001
Phone: (716) 663-5910
Phone Ext: Not reported
Email: Not reported
Fax Number: Not reported
Modified By: MAPERSSO
Date Last Modified: 5/23/2008

HIST UST:

PBS Number: 8-102040
SPDES Number: Not reported
Emergency Contact: TERRENCE TESTA
Emergency Telephone: (716) 663-5910
Operator: TERRENCE TESTA
Operator Telephone: (716) 663-5910
Owner Name: TERRANCE TESTA
Owner Address: 560 RIVER STREET
Owner City,St,Zip: ROCHESTER, NY 14612
Owner Telephone: (716) 663-5910
Owner Type: Corporate/Commercial
Owner Subtype: Not reported
Mailing Name: HARBOUR FRONT MARINA
Mailing Address: 560 RIVER STREET
Mailing Address 2: Not reported
Mailing City,St,Zip: ROCHESTER, NY 14612
Mailing Contact: TERRANCE TESTA
Mailing Telephone: (716) 663-5910
Owner Mark: First Owner
Facility Status: 1 - Active PBS facility, i.e. total capacity of the PBS tanks is greater than 1,100 gallons, regardless if Subpart 360-14 tanks exist or not at the facility.

Facility Addr2: Not reported
SWIS ID: 2614
Old PBS Number: Not reported
Facility Type: RETAIL GASOLINE SALES
Facility Type: OTHER RETAIL SALES
Inspected Date: Not reported
Inspector: Not reported
Inspection Result: Not reported
Federal ID: Not reported
Certification Flag: False
Certification Date: 04/17/1998
Expiration Date: 03/24/2002
Renew Flag: False
Renewal Date: 20011113
Total Capacity: 12000

Map ID
Direction
Distance
Elevation

Site

MAP FINDINGS

Database(s)

EDR ID Number
EPA ID Number

HARBOUR FRONT MARINA, INC (Continued)

U001850015

FAMT: True
Facility Screen: No Missing Data
Owner Screen: No Missing Data
Tank Screen: No Missing Data
Dead Letter: False
CBS Number: Not reported
Town or City: ROCHESTER (C)
County Code: 26
Town or City: 14
Region: 8

Tank Id: 001
Tank Location: UNDERGROUND
Tank Status: In Service
Install Date: 19950201
Capacity (gals): 4000
Product Stored: UNLEADED GASOLINE
Tank Type: Steel/carbon steel
Tank Internal: None
Tank External: 12
Pipe Location: Aboveground/Underground Combination
Pipe Type: STAINLESS STEEL ALLOY
Pipe Internal: Other
Pipe External: 49
Second Containment: Vault (w/access)
Leak Detection: 13
Overfill Prot: Float Vent Valve, Catch Basin
Dispenser: Submersible
Date Tested: Not reported
Next Test Date: Not reported
Missing Data for Tank: No Missing Data
Date Closed: Not reported
Test Method: Not reported
Deleted: False
Updated: True
Lat/long: Not reported

Tank Id: 001
Tank Location: UNDERGROUND
Tank Status: Closed-Removed
Install Date: Not reported
Capacity (gals): 5000
Product Stored: UNLEADED GASOLINE
Tank Type: Steel/carbon steel
Tank Internal: None
Tank External: 12
Pipe Location: Underground
Pipe Type: GALVANIZED STEEL
Pipe Internal: None
Pipe External: None
Second Containment: None
Leak Detection: Groundwater Well
Overfill Prot: None
Dispenser: Suction
Date Tested: 12/01/1992
Next Test Date: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

HARBOUR FRONT MARINA, INC (Continued)

U001850015

Missing Data for Tank: No Missing Data
Date Closed: 04/01/1995
Test Method: Horner EZ Check
Deleted: False
Updated: True
Lat/long: Not reported

Tank Id: 002
Tank Location: UNDERGROUND
Tank Status: In Service
Install Date: 19950201
Capacity (gals): 4000
Product Stored: UNLEADED GASOLINE
Tank Type: Steel/carbon steel
Tank Internal: None
Tank External: 12
Pipe Location: Aboveground/Underground Combination
Pipe Type: STAINLESS STEEL ALLOY
Pipe Internal: Other
Pipe External: 49
Second Containment: Vault (w/access)
Leak Detection: 13
Overfill Prot: Float Vent Valve, Catch Basin
Dispenser: Submersible
Date Tested: Not reported
Next Test Date: Not reported
Missing Data for Tank: No Missing Data
Date Closed: Not reported
Test Method: Not reported
Deleted: False
Updated: True
Lat/long: Not reported

Tank Id: 003
Tank Location: UNDERGROUND
Tank Status: In Service
Install Date: 19950201
Capacity (gals): 4000
Product Stored: UNLEADED GASOLINE
Tank Type: Steel/carbon steel
Tank Internal: None
Tank External: 12
Pipe Location: Aboveground/Underground Combination
Pipe Type: STAINLESS STEEL ALLOY
Pipe Internal: Other
Pipe External: 49
Second Containment: Vault (w/access)
Leak Detection: 13
Overfill Prot: Float Vent Valve, Catch Basin
Dispenser: Submersible
Date Tested: Not reported
Next Test Date: Not reported
Missing Data for Tank: No Missing Data
Date Closed: Not reported
Test Method: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

HARBOUR FRONT MARINA, INC (Continued)

U001850015

Deleted: False
Updated: True
Lat/long: Not reported

A6
SSW
< 1/8
0.061 mi.
322 ft.

CSXT RIVER STREET DERAILMENT SITE
480 RIVER STREET
ROCHESTER, NY 14612

VCP **S105464370**
NY Spills **N/A**

Site 3 of 3 in cluster A

Relative:
Higher

VCP:

Actual:
253 ft.

Program Type: VCP
Site Code: 58128
HW Code: V00524
Site Class: A
SWIS: 2814
Region: 8
Town: Rochester (c)
Acres: Not reported
Date Record Added: 2/21/2002 3:18:00 PM
Date Record Updated: 6/5/2008 11:27:00 AM
Updated By: BXPOTZIG
Assessment:

A series of interim remedial measures conducted shortly after the derailment removed all accessible contaminated materials. Residual contamination exists in areas where it is technically infeasible to conduct a removal. Exposures to contaminated soil are unlikely because contaminants are well below ground surface and are located in inaccessible areas. However, in-situ soil treatment is planned to eliminate this contamination. Exposures via drinking water are not expected because all area residents are connected to public water.

Env Problems:

Remaining environmental concerns center on residual contamination. Some contaminated soil remains at depth under the railroad tracks. Groundwater is not significantly impacted. Monitoring of groundwater and the residual levels remaining in the Genesee River sediments continues. In-situ enhanced bioremediation of the residual soil contamination is scheduled for 2008.

Site Desc:

On December 23, 2001, a CSXT freight train derailed in the Charlotte section of the City of Rochester, near the bank of the Genesee River. The derailment of forty-three cars and two engines resulted in the release of approximately 3,500 gallons of diesel fuel, 14,000 gallons of acetone and 16,000 gallons of methylene chloride. The chemical spill led to a fire, which damaged private residences and boats stored on the various properties. Initial emergency response actions addressed the wreckage, all of the diesel fuel, and some of the acetone and methylene chloride. After the initial emergency response activities, CSXT entered into the Voluntary Cleanup Program (VCP) with DEC. Under the VCP, CSXT implemented an Interim Remedial Measure (IRM) work plan to address impacted soil and groundwater resulting from the derailment. The initial IRM consisted of the removal of impacted soil and groundwater. Between April 5, 2003 and November 22, 2003 approximately 28,000 tons of impacted soil and 1.4 million gallons of impacted water were removed from the site and disposed off-site at approved facilities. Following the initial IRM to address the impacted soils, a second IRM was conducted to address impacted river sediments. CSXT began dredging on August 9, 2004 and completed dredging by October 29, 2004. All sediments were transported off-site to approved disposal facilities. A total of 2,856 cubic yards of sediment was removed. Post dredging sediment samples were collected to document the effectiveness of the sediment IRM. Subsequent to the IRM activities, CSXT investigated the extent of the residual impacts that could not be removed during the initial IRM. These investigations were conducted in 2004 and 2005. In 2005, CSXT submitted a draft RAWP which included studies to evaluate two forms of a bio-amendment. The

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSXT RIVER STREET DERAILMENT SITE (Continued)

S105464370

studies were conducted in 2005 and results indicated that a field pilot study for further evaluation of the bio-amendments was warranted. As a prelude to the pilot study, it was necessary to confirm the concentrations in the soil at the site. During this confirmation sampling event in October 2006, it was discovered that residual impacts had decreased in concentration across the site. Two additional sampling events (November 2006 and January 2007) confirmed this decrease. This additional information was incorporated into a revised RAWP which was approved March 28, 2008. The RAWP calls for addressing the residual impacts in the subsurface soil by using abio-amendment which would be injected into the ground at selected locations. The bio-amendment selected, ECH-O , contains a proprietary combination of nutrients and oxygen-releasing compounds. Following the injection, soil monitoring samples would be collected three times during the following twelve months. Groundwater samples would continue to be collected in accordance with the current quarterly monitoring plan being implemented at the site. Effectiveness monitoring reports would be prepared to document the soil and groundwater monitoring events. The RAWP is scheduled to be implemented during the 2008 construction season.

NY Spills:

Site ID: 348901
Facility Addr2: Not reported
Facility ID: 0550604
Spill Number: 0550604
Facility Type: ER
SWIS: 2814
Investigator: TPWALSH
Referred To: Not reported
Spill Date: 4/25/2005
Reported to Dept: 4/25/2005
CID: 28
Spill Cause: Traffic Accident
Water Affected: GENESEE RIVER
Spill Source: Railroad Car
Spill Notifier: DEC
Cleanup Ceased: Not reported
Cleanup Meets Std: False
Last Inspection: Not reported
Recommended Penalty: Penalty Not Recommended
UST Trust: False
Spill Class: Known release that creates a file or hazard. DEC Response. Willing Responsible Party. Corrective action taken.
Spill Closed Dt: Not Closed
Remediation Phase: 1
Date Entered In Computer: 7/8/2005
Spill Record Last Update: 6/1/2009
Spiller Name: Not reported
Spiller Company: Not reported
Spiller Address: Not reported
Spiller City,St,Zip: Not reported
Spiller Company: Not reported
Contact Name: Not reported
Contact Phone: Not reported
DEC Region: 8
DER Facility ID: 295359

Material:

Site ID: 348901

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSXT RIVER STREET DERAILMENT SITE (Continued)

S105464370

Operable Unit ID: 1106541
Operable Unit: 01
Material ID: 2095832
Material Code: 0066A
Material Name: UNKNOWN PETROLEUM
Case No.: Not reported
Material FA: Petroleum
Quantity: Not reported
Units: Not reported
Recovered: Not reported
Resource Affected: Not reported
Oxygenate: False

Tank Test:

Site ID: Not reported
Spill Tank Test: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate: Not reported
Gross Fail: Not reported
Modified By: Not reported
Last Modified: Not reported
Test Method: Not reported

DEC Memo:

Not reported

Remarks:

ON DECEMBER 23, 2001, A CSXT TRAIN DERAILED ALONG RIVER STREET IN THE CITY OF ROCHESTER. THE TRAIN CONTAINED A TOTAL OF 43 CARS, 27 OF WHICH WERE INVOLVED IN THE DERAILMENT. DURING THE DERAILMENT, A TANK CAR OF METHYLENE CHLORIDE AND A TANK CAR OF ACETONE RUPTURED AND WERE INVOLVED IN A LARGE FIRE. SOME PRODUCT WAS RECOVERED, SOME RAN OFF INTO THE ADJACENT GENESEE RIVER, AND SOME SOAKED INTO THE GROUND. CSXT ENTERED INTO A VOLUNTARY AGREEMENT WITH THE NYSDEC TO REMEDIATE THE AFFECTED PROPERTIES. IN 2002, CSXT EXCAVATED AND DISPOSED OF OFF-SITE APPROXIMATELY 19,000 TONS OF CONTAMINATED SOIL. IN 2004, CSXT DREDGED THE GENESEE RIVER AND REMOVED APPROXIMATELY 3,500 CUBIC YARDS OF CONTAMINATED SEDIMENTS. ALSO IN 2004, CSXT COMPLETED AN INVESTIGATION ON THE LAND SIDE PROPERTIES TO DETERMINE WHAT RESIDUAL CONTAMINATION MAY REMAIN. REFERRED TO HWR SECTION. ANY ADDITIONAL REMEDIATION TO BE HANDLED BY HAZARDOUS WASTE REMEDIATION. NO FURTHER ACTION NEEDED AT THIS TIME BY SPILLS UNIT AT THIS TIME.

B7
NNE
< 1/8
0.061 mi.
323 ft.

PELICANS MARINA RESTAURAN
565 RIVER STREET
ROCHESTER, NY

NY Spills S106126041
N/A

Site 4 of 4 in cluster B

Relative:
Lower

NY Spills:

Site ID: 235574
Facility Addr2: Not reported
Facility ID: 0370476
Spill Number: 0370476
Facility Type: ER
SWIS: 2814
Investigator: CAHETTEN
Referred To: Not reported
Spill Date: 12/23/2001
Reported to Dept: 10/20/2003

Actual:
251 ft.

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

MARINE VOLUNTEER FD BOAT (Continued)

S102667070

Spill Closed Dt: 5/4/1997
Remediation Phase: 0
Date Entered In Computer: 5/4/1997
Spill Record Last Update: 5/5/1997
Spiller Name: Not reported
Spiller Company: ROCHESTER FIRE DEPARTMENT
Spiller Address: Not reported
Spiller City,St,Zip: ZZ
Spiller Company: 001
Contact Name: CHIEF JIM CIMINO
Contact Phone: (716) 663-8550
DEC Region: 8
DER Facility ID: 114748

Material:

Site ID: 133529
Operable Unit ID: 1047534
Operable Unit: 01
Material ID: 338059
Material Code: 0008
Material Name: Diesel
Case No.: Not reported
Material FA: Petroleum
Quantity: 60
Units: Gallons
Recovered: No
Resource Affected: Surface Water
Oxygenate: False
Site ID: 133529
Operable Unit ID: 1047534
Operable Unit: 01
Material ID: 338060
Material Code: 0015
Material Name: Motor Oil
Case No.: Not reported
Material FA: Petroleum
Quantity: 8
Units: Gallons
Recovered: No
Resource Affected: Surface Water
Oxygenate: False

Tank Test:

Site ID: Not reported
Spill Tank Test: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate: Not reported
Gross Fail: Not reported
Modified By: Not reported
Last Modified: Not reported
Test Method: Not reported

DEC Memo: Prior to Sept, 2004 data translation this spill Lead DEC Field was "TW" 5/4/97: WALSH PHONE CONVERSATION WITH DIANE MADDACK OF MCHD. FD ON SITE, SURROUNDING AREA WITH BOOM AND PAD. NO

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

MARINE VOLUNTEER FD BOAT (Continued)

S102667070

Remarks:

RESPONSE FROM NYSDEC NEEDED AT THIS TIME, JUST A NOTIFY. 5/5/97
:WALSH ON SITE. NO CLEANUP POSSIBLE. PHONE CONVERSATION WITH
LTJG BRAD HOMIN, USCG MSO BUFFALO. BOAT WAS THIRTY FOOT LONG
VESSEL, AND IT SANK IN APPROXIMATELY 6 FT OF WATER. SALVAGE AND
RECOVERY OPERATIONS WILL CONTINUE. NO CAUSE YET DETERMINED FOR
SINKING OF SHIP. NO FURTHER ACTION NEEDED AT THIS TIME BY SPILLS.
BOAT SAND AT DOCK. BOAT IS OWNED BY ROCHESTER FIRE DEPT; LIMITED INFORMATION -
CALLER WAS ENROUTE TO LOCATION. CONTACT NOTIFIER FOR MORE INFORMATION - SO FAR
THERE IS NO LEAK BUT THE ABOVE CONTENTS ARE ONBOARD.

NY Hist Spills:

Region of Spill: 8
Spill Number: 9701509
Investigator: TW
Caller Name: Not reported
Caller Agency: Not reported
Caller Phone: Not reported
Notifier Name: Not reported
Notifier Agency: Not reported
Notifier Phone: Not reported
Spill Date/Time: 05/04/1997 21:00
Reported to Dept Date/Time: 05/04/97 23:26
SWIS: 26
Spiller Name: ROCHESTER FIRE DEPARTMENT
Spiller Contact: Not reported
Spiller Phone: Not reported
Spiller Contact: CHIEF JIM CIMINO
Spiller Phone: (716) 663-8550
Spiller Address: Not reported
Spiller City,St,Zip: Not reported
Spill Cause: Other
Reported to Dept: Surface Water
Water Affected: GENESSEE RIVER
Spill Source: 10
Spill Notifier: Federal Government
PBS Number: Not reported
Cleanup Ceased: / /
Cleanup Meets Std: True
Last Inspection: 05/05/97
Recommended Penalty: Penalty Not Recommended
Spiller Cleanup Dt: 05/04/97
Enforcement Date: / /
Invstgn Complete: / /
UST Involvement: False
Spill Class: Possible release with minimal potential for fire or hazard or Known
release with no damage. No DEC Response. No corrective action
required.
Spill Closed Dt: 05/04/97
Corrective Action Plan Submitted: / /
Date Region Sent Summary to Central Office: / /
Date Spill Entered In Computer Data File: 05/04/97
Date Spill Entered In Computer Data File: Not reported
Update Date: 05/05/97
Is Updated: False

Tank:

PBS Number: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

MARINE VOLUNTEER FD BOAT (Continued)

S102667070

Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate Failed Tank: Not reported
Gross Leak Rate: Not reported

Material:

Material Class Type: Petroleum
Quantity Spilled: 60
Unkonwn Quantity Spilled: False
Units: Gallons
Quantity Recovered: 0
Unkonwn Quantity Recovered: False
Material: DIESEL
Class Type: DIESEL
Times Material Entry In File: 10625
CAS Number: Not reported
Last Date: 19940728
Material Class Type: Petroleum
Quantity Spilled: 8
Unkonwn Quantity Spilled: False
Units: Gallons
Quantity Recovered: 0
Unkonwn Quantity Recovered: False
Material: MOTOR OIL
Class Type: MOTOR OIL
Times Material Entry In File: 508
CAS Number: Not reported
Last Date: 19940728

DEC Remarks: 5/4/97: WALSH PHONE CONVERSATION WITH DIANE MADDACK OF MCHD. FD ON SITE, SURROUNDING AREA WITH BOOM AND PAD. NO RESPONSE FROM NYSDEC NEEDED AT THIS TIME, JUST A NOTIFY. 5/5/97 :WALSH ON SITE. NO CLEANUP POSSIBLE. PHONE CONVERSATION WITH LTJG BRAD HOMIN, USCG MSO BUFFALO. BOAT WAS THIRTY FOOT LONG VESSEL, AND IT SANK IN APPROXIMATELY 6 FT OF WATER. SALVAGE AND RECOVERY OPERATIONS WILL CONTINUE. NO CAUSE YET DETERMINED FOR SINKING OF SHIP. NO FURTHER ACTION NEEDED AT THIS TIME BY SPILLS.

Remark: BOAT SAND AT DOCK. BOAT IS OWNED BY ROCHESTER FIRE DEPT; LIMITED INFORMATION - CALLER WAS ENROUTE TO LOCATION. CONTACT NOTIFIER FOR MORE INFORMATION - SO FAR THERE IS NO LEAK BUT THE ABOVE CONTENTS ARE ONBOARD.

C9
SSW
< 1/8
0.107 mi.
563 ft.

**CSX TRAIN DERAILMENT
RIVER STREET AT LATTA RD
ROCHESTER, NY**

Site 1 of 3 in cluster C

**NY Spills S105236764
NY Hist Spills N/A**

**Relative:
Higher**

NY Spills:
Site ID: 324908
Facility Addr2: Not reported
Facility ID: 0109394
Spill Number: 0109394
Facility Type: ER
SWIS: 2814
Investigator: CAHETTEN
Referred To: Not reported
Spill Date: 12/23/2001
Reported to Dept: 12/23/2001
CID: 322

**Actual:
253 ft.**

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRAIN DERAILMENT (Continued)

S105236764

Spill Cause: Traffic Accident
Water Affected: Not reported
Spill Source: Railroad Car
Spill Notifier: Responsible Party
Cleanup Ceased: 4/1/2001
Cleanup Meets Std: False
Last Inspection: 12/23/2001
Recommended Penalty: Penalty Not Recommended
UST Trust: False
Spill Class: Known release that creates a file or hazard. DEC Response. Willing
Responsible Party. Corrective action taken.
Spill Closed Dt: 6/25/2004
Remediation Phase: 0
Date Entered In Computer: 12/23/2001
Spill Record Last Update: 9/25/2008
Spiller Name: SCOTT GORTON
Spiller Company: CSX TRANSPORTATION
Spiller Address: 500 WATER STREET
Spiller City,St,Zip: JACKSONVILLE, FL 32202-
Spiller Company: 001
Contact Name: Not reported
Contact Phone: Not reported
DEC Region: 8
DER Facility ID: 261720

Material:

Site ID: 324908
Operable Unit ID: 846712
Operable Unit: 01
Material ID: 530600
Material Code: 0024B
Material Name: 2-PROPANONE
Case No.: 00067641
Material FA: Hazardous Material
Quantity: 16
Units: Gallons
Recovered: No
Resource Affected: Soil
Oxygenate: False
Site ID: 324908
Operable Unit ID: 846712
Operable Unit: 01
Material ID: 530602
Material Code: 0033B
Material Name: DICHLOROMETHANE
Case No.: 00075092
Material FA: Hazardous Material
Quantity: 16
Units: Gallons
Recovered: No
Resource Affected: Soil
Oxygenate: False

Tank Test:

Site ID: Not reported
Spill Tank Test: Not reported
Tank Number: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRAIN DERAILMENT (Continued)

S105236764

Tank Size: Not reported
Test Method: Not reported
Leak Rate: Not reported
Gross Fail: Not reported
Modified By: Not reported
Last Modified: Not reported
Test Method: Not reported

DEC Memo: Prior to Sept, 2004 data translation this spill Lead DEC Field was "CH" 12/23/01: JM, CH AND PM RESPONDED TO THE SCENE OF A SERIOUS CSX TRAIN DERAILMENT ALONG THE GENESEE RIVER IN THE CHARLOTTE SECTION OF THE CITY OF ROCHESTER. A TOTAL OF 27 RAIL CARS WERE INVOLVED IN THE DERAILMENT, INCLUDING TWO 20,000 GALLON TANK CARS OF ACETONE AND ONE TANK CAR OF METHYLENE CHLORIDE. APPROXIMATELY 4,000 GALLONS OF DIESEL FUEL FROM THE TWO LOCOMOTIVES INVOLVED IN THE TRAIN WRECK WERE ALSO SPILLED. THE DERAILMENT CAUSED AN INTENSE FIRE, AND DESTROYED TWO HOMES AND SEVERAL BOATS IN THE VICINITY OF THE WRECK. NO ONE WAS SERIOUSLY INJURED OR KILLED IN THE DERAILMENT. ONE OF THE ACETONE TANK CARS RUPTURED, SPILLING THE TOTAL CONTENTS OF THE 20,000 GALLON TANK CAR. IT IS ASSUMED THAT A CONSIDERABLE PORTION OF THE CONTENTS OF THIS TANK CAR WAS CONSUMED IN THE FIRE. IT SHOULD BE NOTED THAT AN UNDETERMINED AMOUNT OF ACETONE FROM THIS TANK CAR MOST CERTAINLY REACHED THE GENESEE RIVER. THE OTHER REMAINING TANK CAR OF ACETONE LOST APPROXIMATELY 1,000 TO 2,000 GALLONS OF ACETONE, ALL OF WHICH ENTERED THE GENESEE RIVER VIA A STORM SEWER CATCH BASIN ADJACENT TO WHERE THE TANK CAR ENDED UP. THE AMOUNT LOST FROM THE 20,000 GALLON METHYLENE CHLORIDE TANK CAR WAS APPROXIMATELY 16,000-17,000 GALLONS. METHYLENE CHLORIDE IS A COMBUSTIBLE LIQUID AND SOME OF THE SPILLED VOLUME WAS UNDOUBTEDLY CONSUMED IN THE SEVERE FIRE FROM THE NEARBY ACETONE TANK CAR. IT IS ALSO PRESUMED THAT AT LEAST A MODERATE AMOUNT OF THE METHYLENE CHLORIDE DID ENTER THE GENESEE RIVER. THE REMAINDER OF THE ACETONE AND METHYLENE CHLORIDE IS CONTAINED IN THE HUNDREDS OF TONS OF SPILLED COAL AND IN THE SURROUNDING SOIL. AN INTERCEPTION TRENCH WAS INSTALLED TO PREVENT SEEPAGE INTO THE GENESEE RIVER, AFTER A GEOPROBE INVESTIGATION WAS COMPLETED. IT CORPORATION HAS BEEN RETAINED BY CSX TO PERFORM ALL OF THE SHORT TERM AND LONG TERM INVESTIGATION AND REMEDIATION OF THIS SITE. IT IS ESTIMATED THAT APPROXIMATELY 4,000 GALLONS OF DIESEL FUEL SPILLED WHEN THE TRAIN LOCOMOTIVES DERAILED APPROXIMATELY 1/4 MILE NORTH OF THE MAIN CRASH SITE. NONE OF THIS OIL REACHED THE RIVER AND FREE PRODUCT IS BEING RECOVERED AT THIS PORTION OF THE SITE. CONTAMINATED SOIL IS BEING DISPOSED OF AT HIGH ACRES LANDFILL. CONSIDERABLE WORK REMAINS TO BE COMPLETED AT THE MAIN CRASH SITE. CHARACTERIZATION AND INVESTIGATION OF THE SITE IS BEING COMPLETED. GROUNDWATER AND SOIL SAMPLING WAS CONDUCTED IN TEST PITS DOWNGRADING FROM THE CRASH SITE ON 12/24/01. ADDITIONAL SAMPLING WAS CONDUCTED IN THE AREA OF A 24" SANITARY SEWER LOCATED BETWEEN THE CRASH SITE AND THE RIVER, TO DETERMINE IF THE INVOLVED CHEMICALS ARE TRAVELING ALONG THE SEWER BEDDING. IT CORPORATION HAS INITIATED A RIVER SAMPLING PROGRAM, AND IS COORDINATING THESE SAMPLING EFFORTS WITH THE REGIONAL FISHERIES MANAGER. AT THE REQUEST OF NYSDEC, CSX HAS ALSO FLOWN IN 3 INDUSTRIAL HYGIENISTS FROM THE CENTER FOR TOXICOLOGY, AN ENVIRONMENTAL HEALTH IN ARKANSAS TO CONTINUALLY MONITOR THE AMBIENT AIR AROUND THE CRASH SITE TO

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRAIN DERAILMENT (Continued)

S105236764

ASSESS SITE SAFETY FOR THE WORKERS AND POTENTIAL IMPACTS TO ADJACENT RESIDENTS AND BUSINESSES. INTERIM AIR MONITORING WAS DONE BY IT CORPORATION USING DRAEGER TUBES AND AN FID. IN ADDITION TO SPILLS, DEC'S INVOLVEMENT INCLUDES LAW ENFORCEMENT, THE BUREAU OF HAZARDOUS WASTE REMEDIATION AND BUREAU OF FISHERIES. OTHER AGENCIES INVOLVED IN THE RESPONSE INCLUDE USEPA, US COAST GUARD, NYSDOH, MCHD, AND THE CITY OF ROCHESTER POLICE, FIRE AND ENVIRONMENTAL SERVICES DEPARTMENTS. 12/24/2001 TH,TW,BF,PM ON SITE TO INSPECT WORK AND TO MONITOR PROGRESS. WORK CONTINUES TO SECURE AND STABILIZE SITE, INCLUDING FLUID RECOVERY FROM THE TANKERS AND REMOVING DEBRIS AND WRECKAGE FROM THE TRAIL DERAILMENT. TEST PITS PERFORMED BETWEEN THE LOCATION OF THE ACETONE TANKER CLOSEST TO THE RIVER AND THE RIVER. TEST PITS REVEAL THAT THAT PRODUCT/WATER MIXTURE IS LEACHING THROUGH THE SOIL AT 1-2 FT BGS 12/25/2001 TW ON SITE. ALL APPEARS SECURE. ROCHESTER GAS AND ELECTRIC CREW WORKING ON REPAIRING ELECTRIC SERVICE. ROCHESTER FIRE DEPARTMENT ALSO ON SITE. 12/26/01: CH MEETS TW ON SITE WITH AN EPA REPRESENTATIVE, JEFF BECHTEL. THE 3 TANK CARS HAVE BEEN MOVED NORTH OF TAPECON. THE ACETONE TANKER NOT INVOLVED IN THE FIRE, STILL HAS REMAINING PRODUCT IN IT. IT WILL BE PUMPED OFF AS SOON AS THE AREA IS CLEARED OF DEBRIS. IT AND TP&S ARE PERFORMING AIR MONITORING IN THE AREA OF THE SOLVENT SPILL. READINGS ON THE FID PEAK AT 100 PPM, BUT DO NOT SUSTAIN THIS LEVEL. EP&S BUFFALO IS ON SITE REMOVING DIESEL CONTAMINATED SOILS. THE DEPARTMENT SENT A VIRGIN MATERIAL LETTER TO HIGH ACRES LANDFILL TO ALLOW THE SOIL TO BE EXCAVATED AND HAULED DIRECTLY TO THE LANDFILL. CARL CROSSEN OF EP&S IS HAVING TROUBLE GETTING TRUCKS ONSCENE TO HAUL THE SOIL. REQUESTS IT TO EXCAVATE NEXT TO THE 24" SANITARY SEWER NEAR THE RIVER TO DETERMINE IF BEDDING HAS BEEN IMPACTED BY SOLVENTS. EXCAVATE NEAR THE MANHOLE JUST SOUTHWEST OF THE BURNT OUT HOUSE. IMPACTS TO THE SEWER BED SEEM MINIMAL AT THIS TIME. CTECH IS HIRED BY CSX TO DO ON-SITE AIR MONITORING, ARRIVES ON SITE AND BEGINS MONITORING. AT THE END OF THE DAY EP&S PUMPS OUT THE REMAINING ACETONE AND TRANSPORTS IT TO KODAK. THEY PUMP OUT APPROXIMATELY 4,000 GALLONS. 12/27/01: CH & PM MEET ON SITE WITH CSX, IT, CTECH, MC ENVIRONMENTAL SERVICES, EPA, EP&S AND CLEMETT. IT PERFORMS TEST PITS JUST WEST OF THE 24" SEWER MAIN TO SEE IF AN INTERCEPTION TRENCH WOULD BE PRACTICAL. THE INTERCEPTION TRENCH IS INSTALLED ON THE WEST AND EAST OF THE SEWER LINE. LIQUIDS ARE MOVING AT 2'-3' BELOW GROUND SURFACE. CLEMETT BEGINS GEOPROBING ON THE EAST SIDE OF THE TRACKS TO TRY AND DELINEATE CONTAMINATION. EP&S EXCAVATES ON THE NORTH SIDE OF THE DIESEL SPILL AND HAS A POCKET OF DIESEL COME RUSHING INTO THE EXCAVATION. THEY USE A VAC TRUCK TO PUMP THE DIESEL FROM THE WATER SURFACE. EP&S RECOVERED 19,250 GALLONS OF ACETONE FROM THE TANKER NOT INVOLVED IN THE FIRE AND 3,852 GALLONS FROM THE ACETONE TANKER INVOLVED IN THE FIRE, AS WELL AS 5,000 GALLONS OF METHYLENE CHLORIDE. EP&S RECOVERED 1,000 GALLONS OF DIESEL THE NIGHT OF THE DERAILMENT AND HMHTTC RECOVERED 600 GALLONS OF DIESEL THE SAME NIGHT. 12/27/2001 MZ ON SITE WITH PETE MILLER AND CARL HETTENBAUGH (DEC). CSX CONTINUE TO REPAIR TRACKS, EP&S CONTINUES TO EXCAVATE THE DIESEL CONTAMINATED SOIL AND IT CONTINUES TO GEOPROBE BETWEEN THE TRACKS AND THE RIVER. AN INTERCEPTION TRENCH IS ALSO BEING DUG APPROXIMATELY 30 FEET WEST OF THE RIVER (ON THE WEST SIDE OF THE SEWERLINE). 12/28/2001 MZ ON SITE WITH PAUL KURZANSKI (CSX) AND TOM ANTINOFF (IT). SAMPLES

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRAIN DERAILMENT (Continued)

S105236764

WERE TAKEN FROM THE COAL PILE TO BE ANALYZED. 3 SETS OF RIVER SAMPLES HAVE BEEN COLLECTED. 24 SOIL SAMPLES (3 PER GEOPROBE POINT) HAVE BEEN SUBMITTED FOR ANALYSIS ALONG WITH SEVERAL GROUNDWATER SAMPLES. A PORTABLE GAS CHROMATOGRAPH WILL BE DELIVERED TO THE SITE TODAY OR TOMORROW. THE INTERCEPTION TRENCH TO THE WEST OF THE SEWER HAS BEEN COMPLETED. THERE IS A 24 INCH DIAMETER SUMP LOCATED IN THE MIDDLE OF THE TRENCH TO COLLECT LIQUIDS. A SECOND TRENCH, LOCATED ON THE EAST SIDE OF THE SEWER (BETWEEN THE SEWER LINE AND THE RIVER) IS BEING DUG. 12/29/01: CH MEETS IT ON SITE. THEY HAVE COMPLETED THE GEOPROBE POINTS ON THE EAST SIDE OF THE TRACKS. 30 POINTS WERE INSTALLED EAST OF THE TRACKS. THEY PROPOSE 3 GEOPROBE POINTS ON THE WEST SIDE OF TRACKS AND 2 POINTS NEAR THE DIESEL SPILL. YESTERDAY, THEY WERE ENCOUNTERING PETROLEUM CONTAMINATION NOT ASSOCIATED WITH THIS DERAILMENT. MOST NOTED JUST SOUTH OF THE COAST GUARD AUXILIARY. PID READING IN THIS AREA IS 1,000 PPM WITH CONTAMINATION AT THE SAME DEPTH (2'-3'). ALL DIESEL CONTAMINATION HAS BEEN EXCAVATED AND SHOULD BE REMOVED BY TODAY. ESTIMATE TOTAL DIESEL SOIL REMOVED FROM SITE TO BE APPROXIMATELY 2,000 TONS. WATER IN THE DIESEL EXCAVATION IS CLEAN. 01/02/2002: PM ON SITE, MEETS WITH TIM AHRENS, ON SITE PROJECT MANAGER FOR IT. GEOPROBE INVESTIGATION SCHEDULED TO INVESTIGATE DEPTH OF CONTAMINATION. SOIL SAMPLE RESULTS FROM FIRST 8 GEOPROBE POINTS INDICATE SIGNIFICANT CONTAMINATION TO DEPTHS OF 8 FEET BELOW GROUND SURFACE IN AREA OF TANKER RUPTURES. GROUNDWATER RESULTS IN THIS AREA ALSO INDICATES IMPAIRMENT. AN ADDITIONAL 36 SOIL SAMPLES YET TO BE ANALYZED BY SEVERN TRENT MOBILE LAB FROM GEOPROBE INVESTIGATION CONDUCTED PREVIOUSLY. FID HEADSPACE SCREENING OF MANY OF THESE SAMPLES ALSO INDICATE SIGNIFICANT IMPAIRMENT. WHILE ON SITE CONDUCTED WALKTHROUGH WITH DAVE NAPIER OF THE NYSD AND MARK LESZCZYNSKI OF THE MCHD. 06/25/2004: REVIEW OF ACTIVE SPILL FILES SHOWS THIS SPILL SHOULD HAVE BEEN CLOSED IN 2002 WHEN IT WAS REFERRED TO HAZ WASTE REMEDIATION FOR FOLLOW UP OF THE SOLVENT INVESTIGATION AND CLEAN UP. THE DIESEL SPILLED FROM THE LOCOMOTIVES HAD BEEN CLEANED UP AND SOIL DISPOSED OF. NO FURTHER WORK WAS REQUIRED BY SPILLS. 09/25/08: PAPER FILE REMOVED PER FILE RETENTION POLICY.

Remarks:

There has been a rail car derailment at Lake Avenue. 1 car is reported on fire. There were 2 cars carrying acetone with each tank holding 20,000 gallons. It is unknown if these tanks are leaking. The local fire department is on scene already. Faxed to MCHD on 12/27/01.

NY Hist Spills:

Region of Spill: 8
Spill Number: 0109394
Investigator: CH
Caller Name: Not reported
Caller Agency: Not reported
Caller Phone: Not reported
Notifier Name: Not reported
Notifier Agency: Not reported
Notifier Phone: Not reported
Spill Date/Time: 12/23/2001 16:00
Reported to Dept Date/Time: 12/23/01 17:20
SWIS: 26
Spiller Name: CSX TRANSPORTATION
Spiller Contact: SCOTT GORTON

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRAIN DERAILMENT (Continued)

S105236764

Spiller Phone: (410) 525-8233
Spiller Address: 500 WATER STREET
Spiller City,St,Zip: JACKSONVILLE, FL 32202-
Spill Cause: Traffic Accident
Reported to Dept: On Land
Water Affected: Not reported
Spill Source: 11
Spill Notifier: Responsible Party
PBS Number: Not reported
Cleanup Ceased: / /
Cleanup Meets Std: False
Last Inspection: 12/23/01
Recommended Penalty: Penalty Not Recommended
Spiller Cleanup Dt: / /
Enforcement Date: / /
Invstgn Complete: / /
UST Involvement: False
Spill Class: Known release that creates a file or hazard. DEC Response. Willing
Responsible Party. Corrective action taken.
Spill Closed Dt: / /
Corrective Action Plan Submitted: / /
Date Region Sent Summary to Central Office: / /
Date Spill Entered In Computer Data File: 12/23/01
Date Spill Entered In Computer Data File: Not reported
Update Date: 01/02/02
Is Updated: True

Tank:

PBS Number: Not reported
Tank Number: Not reported
Tank Size: Not reported
Test Method: Not reported
Leak Rate Failed Tank: Not reported
Gross Leak Rate: Not reported

Material:

Material Class Type: Nonpetroleum/Nonhazardous
Quantity Spilled: 16
Unkonwn Quantity Spilled: False
Units: Gallons
Quantity Recovered: 0
Unkonwn Quantity Recovered: False
Material: ACETONE
Class Type: ACETONE
Times Material Entry In File: 71
CAS Number: 00067641
Last Date: 19940728
Material: 2-PROPANONE
Class Type: 2-PROPANONE
Times Material Entry In File: 0
CAS Number: 00067641
Last Date: Not reported
Material Class Type: Nonpetroleum/Nonhazardous
Quantity Spilled: 16
Unkonwn Quantity Spilled: False
Units: Gallons
Quantity Recovered: 0
Unkonwn Quantity Recovered: False

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)
EDR ID Number
EPA ID Number

CSX TRAIN DERAILMENT (Continued)

S105236764

Material: METHYLENE CHLORIDE
Class Type: METHYLENE CHLORIDE
Times Material Entry In File: 68
CAS Number: 00075092
Last Date: Not reported
Material: DICHLOROMETHANE
Class Type: DICHLOROMETHANE
Times Material Entry In File: 0
CAS Number: 00075092
Last Date: Not reported

DEC Remarks: 12/23/01: JM, CH AND PM RESPONDED TO THE SCENE OF A SERIOUS CSX TRAIN DERAILMENT ALONG THE GENESEE RIVER IN THE CHARLOTTE SECTION OF THE CITY OF ROCHESTER. A TOTAL OF 27 RAIL CARS WERE INVOLVED IN THE DERAILMENT, INCLUDING TWO 20,000 GALLON TANK CARS OF ACETONE AND ONE TANK CAR OF METHYLENE CHLORIDE. APPROXIMATELY 4,000 GALLONS OF DIESEL FUEL FROM THE TWO LOCOMOTIVES INVOLVED IN THE TRAIN WRECK WERE ALSO SPILLED. THE DERAILMENT CAUSED AN INTENSE FIRE, AND DESTROYED TWO HOMES AND SEVERAL BOATS IN THE VICINITY OF THE WRECK. NO ONE WAS SERIOUSLY INJURED OR KILLED IN THE DERAILMENT. ONE OF THE ACETONE TANK CARS RUPTURED, SPILLING THE TOTAL CONTENTS OF THE 20,000 GALLON TANK CAR. IT IS ASSUMED THAT A CONSIDERABLE PORTION OF THE CONTENTS OF THIS TANK CAR WAS CONSUMED IN THE FIRE. IT SHOULD BE NOTED THAT AN UNDETERMINED AMOUNT OF ACETONE FROM THIS TANK CAR MOST CERTAINLY REACHED THE GENESEE RIVER. THE OTHER REMAINING TANK CAR OF ACETONE LOST APPROXIMATELY 1,000 TO 2,000 GALLONS OF ACETONE, ALL OF WHICH ENTERED THE GENESEE RIVER VIA A STORM SEWER CATCH BASIN ADJACENT TO WHERE THE TANK CAR ENDED UP. THE AMOUNT LOST FROM THE 20,000 GALLON METHYLENE CHLORIDE TANK CAR WAS APPROXIMATELY 16,000-17,000 GALLONS. METHYLENE CHLORIDE IS A COMBUSTIBLE LIQUID AND SOME OF THE SPILLED VOLUME WAS UNDOUBTEDLY CONSUMED IN THE SEVERE FIRE FROM THE NEARBY ACETONE TANK CAR. IT IS ALSO PRESUMED THAT AT LEAST A MODERATE AMOUNT OF THE METHYLENE CHLORIDE DID ENTER THE GENESEE RIVER. THE REMAINDER OF THE ACETONE AND METHYLENE CHLORIDE IS CONTAINED IN THE HUNDREDS OF TONS OF SPILLED COAL AND IN THE SURROUNDING SOIL. AN INTERCEPTION TRENCH WAS INSTALLED TO PREVENT SEEPAGE INTO THE GENESEE RIVER, AFTER A GEOPROBE INVESTIGATION WAS COMPLETED. IT CORPORATION HAS BEEN RETAINED BY CSX TO PERFORM ALL OF THE SHORT TERM AND LONG TERM INVESTIGATION AND REMEDIATION OF THIS SITE. IT IS ESTIMATED THAT APPROXIMATELY 4,000 GALLONS OF DIESEL FUEL SPILLED WHEN THE TRAIN LOCOMOTIVES DERAILED APPROXIMATELY 1/4 MILE NORTH OF THE MAIN CRASH SITE. NONE OF THIS OIL REACHED THE RIVER AND FREE PRODUCT IS BEING RECOVERED AT THIS PORTION OF THE SITE. CONTAMINATED SOIL IS BEING DISPOSED OF AT HIGH ACRES LANDFILL. CONSIDERABLE WORK REMAINS TO BE COMPLETED AT THE MAIN CRASH SITE. CHARACTERIZATION AND INVESTIGATION OF THE SITE IS BEING COMPLETED. GROUNDWATER AND SOIL SAMPLING WAS CONDUCTED IN TEST PITS DOWNGRADING FROM THE CRASH SITE ON 12/24/01. ADDITIONAL SAMPLING WAS CONDUCTED IN THE AREA OF A 24" SANITARY SEWER LOCATED BETWEEN THE CRASH SITE AND THE RIVER, TO DETERMINE IF THE INVOLVED CHEMICALS ARE TRAVELING ALONG THE SEWER BEDDING. IT CORPORATION HAS INITIATED A RIVER SAMPLING PROGRAM, AND IS COORDINATING THESE SAMPLING EFFORTS WITH THE REGIONAL FISHERIES MANAGER. AT THE REQUEST OF NYSDEC, CSX HAS ALSO FLOWN IN 3 INDUSTRIAL HYGIENISTS FROM THE CENTER FOR TOXICOLOGY, AN ENVIRONMENTAL HEALTH IN ARKANSAS TO CONTINUALLY MONITOR THE AMBIENT AIR AROUND THE CRASH SITE TO ASSESS SITE SAFETY FOR THE WORKERS AND POTENTIAL IMPACTS TO ADJACENT RESIDENTS AND BUSINESSES. INTERIM AIR MONITORING WAS DONE BY IT CORPORATION USING DRAEGER TUBES AND AN FID. IN ADDITION TO SPILLS, DEC'S INVOLVEMENT INCLUDES LAW ENFORCEMENT, THE BUREAU OF HAZARDOUS WASTE REMEDIATION AND BUREAU OF FISHERIES. OTHER AGENCIES INVOLVED IN THE RESPONSE INCLUDE USEPA, US COAST GUARD, NYSDOH, MCHD, AND THE CITY OF ROCHESTER POLICE, FIRE AND ENVIRONMENTAL SERVICES DEPARTMENTS. 12/24/2001 TH, TW, BF ON SITE TO INSPECT WORK AND TO MONITOR PROGRESS. WORK CONTINUES TO SECURE AND STABILIZE SITE, INCLUDING FLUID RECOVERY FROM THE TANKERS AND

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRAIN DERAILMENT (Continued)

S105236764

REMOVING DEBRIS AND WRECKAGE FROM THE TRAIL DERAILMENT. 12/25/2001 TW ON SITE. ALL APPEARS SECURE. ROCHESTER GAS AND ELECTRIC CREW WORKING ON REPAIRING ELECTRIC SERVICE. ROCHESTER FIRE DEPARTMENT ALSO ON SITE. 12/26/01: CH MEETS TW ON SITE WITH AN EPA REPRESENTATIVE, JEFF BECHTEL. THE 3 TANK CARS HAVE BEEN MOVED NORTH OF TAPECON. THE ACETONE TANKER NOT INVOLVED IN THE FIRE, STILL HAS REMAINING PRODUCT IN IT. IT WILL BE PUMPED OFF AS SOON AS THE AREA IS CLEARED OF DEBRIS. IT AND TP S ARE PERFORMING AIR MONITORING IN THE AREA OF THE SOLVENT SPILL. READINGS ON THE FID PEAK AT 100 PPM, BUT DO NOT SUSTAIN THIS LEVEL. EP S BUFFALO IS ON SITE REMOVING DIESEL CONTAMINATED SOILS. THE DEPARTMENT SENT A VIRGIN MATERIAL LETTER TO HIGH ACRES LANDFILL TO ALLOW THE SOIL TO BE EXCAVATED AND HAULED DIRECTLY TO THE LANDFILL. CARL CROSSEN OF EP S IS HAVING TROUBLE GETTING TRUCKS ONSCENE TO HAUL THE SOIL. REQUESTS IT TO EXCAVATE NEXT TO THE 24 SANITARY SEWER NEAR THE RIVER TO DETERMINE IF BEDDING HAS BEEN IMPACTED BY SOLVENTS. EXCAVATE NEAR THE MANHOLE JUST SOUTHWEST OF THE BURNT OUT HOUSE. IMPACTS TO THE SEWER BED SEEM MINIMAL AT THIS TIME. CTECH IS HIRED BY CSX TO DO ON-SITE AIR MONITORING, ARRIVES ON SITE AND BEGINS MONITORING. AT THE END OF THE DAY EP S PUMPS OUT THE REMAINING ACETONE AND TRANSPORTS IT TO KODAK. THEY PUMP OUT APPROXIMATELY 4,000 GALLONS. 12/27/01: CH MEETS ON SITE WITH CSX, IT, CTECH, MC ENVIRONMENTAL SERVICES, EPA, EP S AND CLEMETT. IT PERFORMS TEST PITS JUST WEST OF THE 24 SEWER MAIN TO SEE IF AN INTERCEPTION TRENCH WOULD BE PRACTICAL. THE INTERCEPTION TRENCH IS INSTALLED ON THE WEST ANDEAST OF THE SEWER LINE. LIQUIDS ARE MOVING AT 2 -3 BELOW GROUND SURFACE. CLEMETT BEGINS GEOPROBING ON THE EAST SIDE OF THE TRACKS TO TRY AND DELINEATE CONTAMINATION. EP S EXCAVATES ON THE NORTH SIDE OF THE DIESEL SPILL AND HAS A POCKET OF DIESEL COME RUSHING INTO THE EXCAVATION. THEY USE A VAC TRUCK TO PUMP THE DIESEL FROM THE WATER SURFACE. EP S RECOVERED 19,250 GALLONS OF ACETONE FROM THE TANKER NOT INVOLVED IN THE FIRE AND 3,852 GALLONS FROM THE ACETONE TANKER INVOLVED IN THE FIRE, AS WELLAS 5,000 GALLONS OF METHYLENE CHLORIDE. EP S RECOVERED 1,000 GALLONS OF DIESEL THE NIGHT OF THE DERAILMENT AND HMHTTC RECOVERED 600 GALLONS OF DIESEL THE SAME NIGHT. 12/27/2001 MZ ON SITE WITH PETE MILLER AND CARL HETTENBAUGH DEC). CSX CONTINUES TO REPAIR TRACKS, EP S CONTINUES TO EXCAVATE THE DIESEL CONTAMINATED SOIL AND IT CONTINUES TO GEOPROBE BETWEEN THE TRACKS AND THE RIVER. AN INTERCEPTION TRENCH IS ALSO BEING DUG APPROXIMATELY 30 FEET WEST OF THE RIVER ON THE WEST SIDE OF THE SEWER LINE). 12/28/2001 MZ ON SITE WITH PAUL KURZANSKI CSX) AND TOM ANTINOFF IT). SAMPLES WERE TAKEN FROM THE COAL PILE TO BE ANALYZED. 3 SETS OF RIVER SAMPLES HAVE BEEN COLLECTED. 24 SOIL SAMPLES 3 PER GEOPROBE POINT) HAVE BEEN SUBMITTED FOR ANALYSIS ALONG WITH SEVERAL GROUNDWATER SAMPLES. A PORTABLE GAS CHROMATOGRAPH WILL BE DELIVERED TO THE SITE TODAY OF TOMORROW. THE INTERCEPTION TRENCH TO THE WEST OF THE SEWER HAS BEEN COMPLETED. THERE IS A 24 INCH DIAMETER SUMP LOCATED IN THEMIDDLE OF THE TRENCH TO COLLECT LIQUIDS. A SECOND TRENCH, LOCATED ON THE EAST SIDE OF THE SEWER BETWEEN THE SEWER LINE AND THE RIVER) IS BEING DUG. 12/29/01: CH MEETS IT ON SITE. THEY HAVE COMPLETED THE GEOPROBE POINTS ON THE EAST SIDE OF THE TRACKS. 30 POINTS WERE INSTALLED EAST OF THE TRACKS. THEY PROPOSE 3 GEOPROBE POINTS ON THE WEST SIDE OF TRACKS AND 2 POINTS NEAR THE DIESEL SPILL. YESTERDAY, THEY WERE ENCOUNTERING PETROLEUM CONTAMINATION NOT ASSOCIATED WITH THIS DERAILMENT. MOST NOTED JUST SOUTH OF THE COAST GUARD AUXILLARY. PID READING IN THIS AREA IS 1,000 PPM WITH CONTAMINATION AT THE SAME DEPTH 2 -3). ALL DIESEL CONTAMINATION HAS BEEN EXCAVATED AND SHOULD BE REMOVED BY TODAY. ESTIMATE TOTAL DIESEL SOIL REMOVED FROM SITETO BE APPROXIATELY 2,000 TONS. WATER IN THE DIESEL EXCAVATION IS CLEAN. There has been a rail car derailment at Lake Avenue. 1 car is reported on fire. There were 2 cars carrying acetone with each tank holding 20,000 gallons. It is unknown if these tanks are leaking. The local fire department is on scene already. Faxedto MCHD on 12/27/01.

Remark:

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

C10
SSW
< 1/8
0.107 mi.
566 ft.

CSX TRANSPORTATION INC
RIVER ST & LATTA RD
ROCHESTER, NY 14612

Site 2 of 3 in cluster C

RCRA-SQG 1005444225
FINDS NYR000105452
MANIFEST

Relative:
Higher

RCRA-SQG:

Date form received by agency: 01/01/2007

Facility name: CSX TRANSPORTATION INC

Facility address: RIVER ST & LATTA RD
ROCHESTER, NY 14612

EPA ID: NYR000105452

Mailing address: WATER ST J-275
JACKSONVILLE, FL 32202

Contact: CARL A GERHARDSTEIN

Contact address: WATER ST J-275
JACKSONVILLE, FL 32202

Contact country: US

Contact telephone: (904) 366-4303

Contact email: Not reported

EPA Region: 02

Land type: Private

Classification: Small Small Quantity Generator

Description: Handler: generates more than 100 and less than 1000 kg of hazardous waste during any calendar month and accumulates less than 6000 kg of hazardous waste at any time; or generates 100 kg or less of hazardous waste during any calendar month, and accumulates more than 1000 kg of hazardous waste at any time

Owner/Operator Summary:

Owner/operator name: CSX TRANSPORTATION INC
Owner/operator address: WATER ST J-275
JACKSONVILLE, FL 32202

Owner/operator country: US

Owner/operator telephone: Not reported

Legal status: Private

Owner/Operator Type: Operator

Owner/Op start date: 01/01/1900

Owner/Op end date: Not reported

Owner/operator name: CSX TRANSPORTATION INC
Owner/operator address: WATER ST J-275
JACKSONVILLE, FL 32202

Owner/operator country: US

Owner/operator telephone: Not reported

Legal status: Private

Owner/Operator Type: Owner

Owner/Op start date: 01/01/1900

Owner/Op end date: Not reported

Handler accessibility indicator: Transferred to the program or state equivalent.

Handler Activities Summary:

U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: Unknown
Treater, storer or disposer of HW: No
Underground injection activity: No

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRANSPORTATION INC (Continued)

1005444225

On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No
Off-site waste receiver: Commercial status unknown

Historical Generators:

Date form received by agency: 01/01/2006
Facility name: CSX TRANSPORTATION INC
Classification: Small Quantity Generator

Date form received by agency: 02/27/2004
Facility name: CSX TRANSPORTATION INC
Classification: Large Quantity Generator

Date form received by agency: 04/18/2002
Facility name: CSX TRANSPORTATION INC
Site name: C S X TRANSPORTATION INC
Classification: Large Quantity Generator

Violation Status: No violations found

Evaluation Action Summary:

Evaluation date: 09/29/2005
Evaluation: COMPLIANCE EVALUATION INSPECTION ON-SITE
Area of violation: Not reported
Date achieved compliance: Not reported
Evaluation lead agency: State

FINDS:

Registry ID: 110012201802

Environmental Interest/Information System

RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

NY MANIFEST:

EPA ID: NYR000105452
Country: USA
Mailing Name: CSX TRANSPORTATION
Mailing Contact: P KURZANSKI
Mailing Address: 500 WATER STREET - J-275
Mailing Address 2: Not reported
Mailing City: JACKSONVILLE
Mailing State: FL

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRANSPORTATION INC (Continued)

1005444225

Mailing Zip: 32202
Mailing Zip4: Not reported
Mailing Country: USA
Mailing Phone: 904-359-3101

Document ID: NYB9596727
Manifest Status: Not reported
Trans1 State ID: NYR000045724
Trans2 State ID: Not reported
Generator Ship Date: 06/24/2002
Trans1 Recv Date: 06/24/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 06/24/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD080336241
Trans2 EPA ID: Not reported
TSDF ID: AD15999NY
Waste Code: U002 - ACETONE
Quantity: 00025
Units: T - Tons
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9596736
Manifest Status: Not reported
Trans1 State ID: NYR000045724
Trans2 State ID: Not reported
Generator Ship Date: 06/24/2002
Trans1 Recv Date: 06/24/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 06/24/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD080336241
Trans2 EPA ID: Not reported
TSDF ID: AD15807NY
Waste Code: U002 - ACETONE

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRANSPORTATION INC (Continued)

1005444225

Quantity: 00025
Units: T - Tons
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9596745
Manifest Status: Not reported
Trans1 State ID: NYR000045724
Trans2 State ID: Not reported
Generator Ship Date: 06/25/2002
Trans1 Recv Date: 06/25/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 06/25/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD080336241
Trans2 EPA ID: Not reported
TSD ID: AD15854NY
Waste Code: U002 - ACETONE
Quantity: 00025
Units: T - Tons
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRANSPORTATION INC (Continued)

1005444225

Document ID: NYB9596754
Manifest Status: Not reported
Trans1 State ID: NYR000045724
Trans2 State ID: Not reported
Generator Ship Date: 06/24/2002
Trans1 Recv Date: 06/24/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 06/25/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD080336241
Trans2 EPA ID: Not reported
TSDF ID: AB31506
Waste Code: U002 - ACETONE
Quantity: 00025
Units: P - Pounds
Number of Containers: 001
Container Type: TT - Cargo tank, tank trucks
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9596763
Manifest Status: Not reported
Trans1 State ID: NYR000045724
Trans2 State ID: Not reported
Generator Ship Date: 06/24/2002
Trans1 Recv Date: 06/24/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 06/24/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD080336241
Trans2 EPA ID: Not reported
TSDF ID: AD16043
Waste Code: U002 - ACETONE
Quantity: 00025
Units: T - Tons
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 01.00

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

CSX TRANSPORTATION INC (Continued)

1005444225

Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9596853
Manifest Status: Not reported
Trans1 State ID: NYR000045724
Trans2 State ID: Not reported
Generator Ship Date: 05/20/2002
Trans1 Recv Date: 05/20/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 05/20/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD080336241
Trans2 EPA ID: Not reported
TSDF ID: AC45444NY
Waste Code: U002 - ACETONE
Quantity: 00023
Units: T - Tons
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9596862
Manifest Status: Not reported
Trans1 State ID: NYR000045724
Trans2 State ID: Not reported
Generator Ship Date: 05/20/2002
Trans1 Recv Date: 05/20/2002

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)
EDR ID Number
EPA ID Number

CSX TRANSPORTATION INC (Continued)

1005444225

Trans2 Recv Date: Not reported
TSD Site Recv Date: 05/20/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD080336241
Trans2 EPA ID: Not reported
TSDF ID: AD88964NY
Waste Code: U002 - ACETONE
Quantity: 00022
Units: T - Tons
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9631035
Manifest Status: Not reported
Trans1 State ID: PAD947347515
Trans2 State ID: Not reported
Generator Ship Date: 10/08/2002
Trans1 Recv Date: 10/08/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 10/09/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD049836679
Trans2 EPA ID: Not reported
TSDF ID: AD81073NY
Waste Code: U002 - ACETONE
Quantity: 70440
Units: P - Pounds
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: L Landfill.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported

Map ID
Direction
Distance
Elevation

Site

MAP FINDINGS

Database(s)

EDR ID Number
EPA ID Number

CSX TRANSPORTATION INC (Continued)

1005444225

Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9631044
Manifest Status: Not reported
Trans1 State ID: PAD987347515
Trans2 State ID: Not reported
Generator Ship Date: 10/08/2002
Trans1 Recv Date: 10/08/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 10/09/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD049836679
Trans2 EPA ID: Not reported
TSDF ID: AF16233NY
Waste Code: U002 - ACETONE
Quantity: 68580
Units: P - Pounds
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: L Landfill.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9631053
Manifest Status: Not reported
Trans1 State ID: PAD987347515
Trans2 State ID: Not reported
Generator Ship Date: 10/10/2002
Trans1 Recv Date: 10/10/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 10/11/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD049836679

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s) EDR ID Number
EPA ID Number

CSX TRANSPORTATION INC (Continued)

1005444225

Trans2 EPA ID: Not reported
TSDf ID: AF42132NY
Waste Code: U002 - ACETONE
Quantity: 59880
Units: P - Pounds
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: L Landfill.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9631089
Manifest Status: Not reported
Trans1 State ID: NYR000045724
Trans2 State ID: Not reported
Generator Ship Date: 10/18/2002
Trans1 Recv Date: 10/18/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 10/21/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD049836679
Trans2 EPA ID: Not reported
TSDf ID: AD15889NY
Waste Code: U002 - ACETONE
Quantity: 63460
Units: P - Pounds
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: L Landfill.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported

Map ID
Direction
Distance
Elevation

Site

MAP FINDINGS

Database(s)

EDR ID Number
EPA ID Number

CSX TRANSPORTATION INC (Continued)

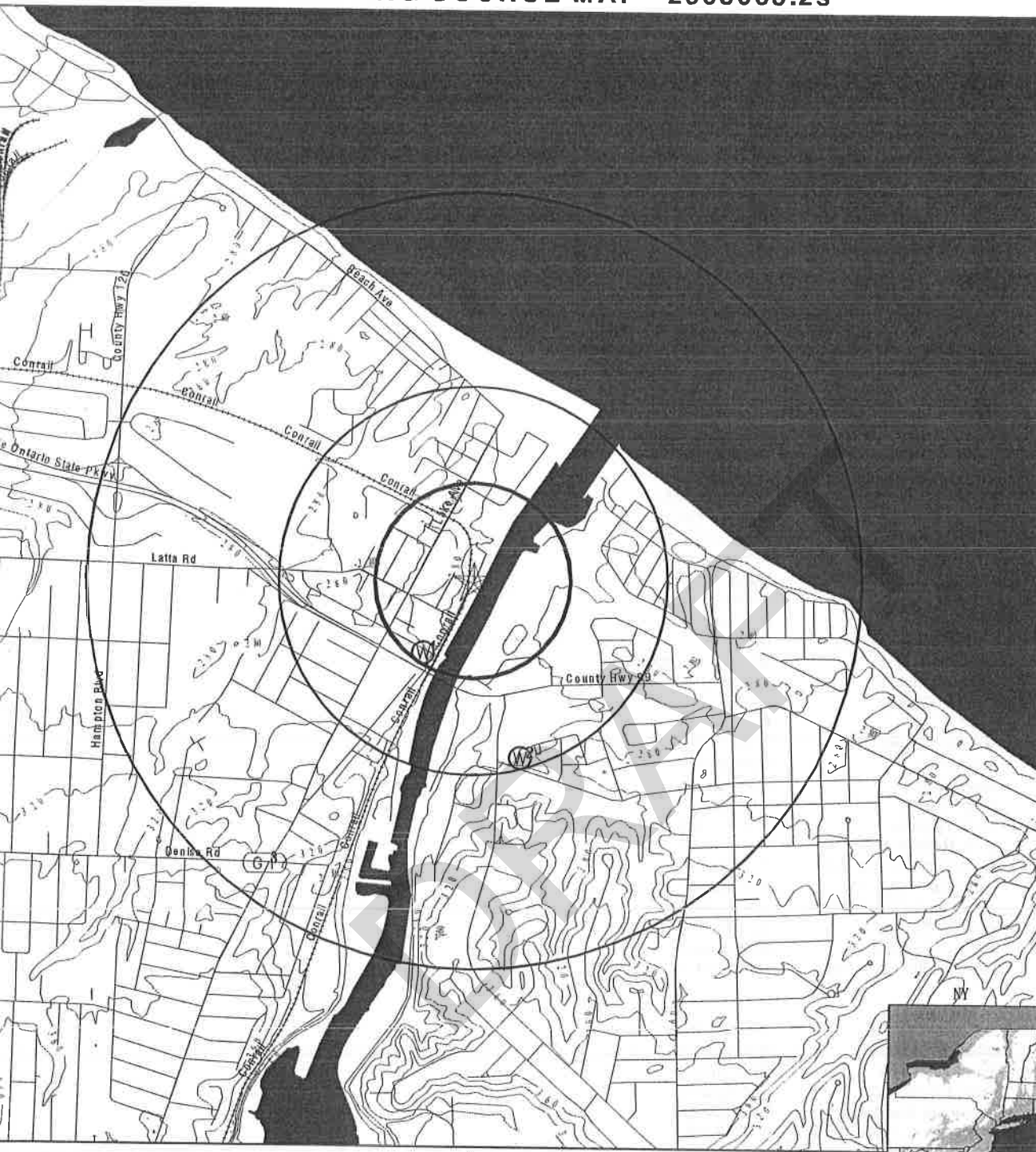
1005444225

Mgmt Method Type Code: Not reported

Document ID: NYB9631098
Manifest Status: Not reported
Trans1 State ID: PAD987347515
Trans2 State ID: Not reported
Generator Ship Date: 10/08/2002
Trans1 Recv Date: 10/08/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 10/08/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD049836679
Trans2 EPA ID: Not reported
TSDF ID: AD810BNY
Waste Code: U002 - ACETONE
Quantity: 68560
Units: P - Pounds
Number of Containers: 001
Container Type: DT - Dump trucks
Handling Method: L Landfill.
Specific Gravity: 01.00
Year: 02
Manifest Tracking Num: Not reported
Import Ind: Not reported
Export Ind: Not reported
Discr Quantity Ind: Not reported
Discr Type Ind: Not reported
Discr Residue Ind: Not reported
Discr Partial Reject Ind: Not reported
Discr Full Reject Ind: Not reported
Manifest Ref Num: Not reported
Alt Fac RCRA Id: Not reported
Alt Fac Sign Date: Not reported
Mgmt Method Type Code: Not reported

Document ID: NYB9631107
Manifest Status: Not reported
Trans1 State ID: PAD987347515
Trans2 State ID: Not reported
Generator Ship Date: 10/08/2002
Trans1 Recv Date: 10/08/2002
Trans2 Recv Date: Not reported
TSD Site Recv Date: 10/08/2002
Part A Recv Date: Not reported
Part B Recv Date: Not reported
Generator EPA ID: NYR000105452
Trans1 EPA ID: NYD049836679
Trans2 EPA ID: Not reported
TSDF ID: AF16233NY
Waste Code: U002 - ACETONE
Quantity: 68740
Units: P - Pounds
Number of Containers: 001

PHYSICAL SETTING SOURCE MAP - 2563063.2s



Boundary
Roads
Lines
Lake epicenter, Richter 5 or greater
Wells
Water Supply Wells
of Multiple Icons

- ↑ Groundwater Flow Direction
- (GI) Indeterminate Groundwater Flow at Location
- (GV) Groundwater Flow Varies at Location
- (HD) Closest Hydrogeological Data
- Oil, gas or related wells

E: US Coast Guard
527 River Street
Rochester NY 14612
43.2522 / 77.6100

CLIENT: Trittech Env. Health and Safety
CONTACT: Amy Thornton
INQUIRY #: 2563063.2s
DATE: August 12, 2009 4:29 pm

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database

EDR ID Number

1

SW
1/8 - 1/4 Mile
Higher

FED USGS

USGS2229586

Agency cd:	USGS	Site no:	431458077364601
Site name:	MO 2147		
Latitude:	431458		
Longitude:	0773646	Dec lat:	43.24950629
Dec lon:	-77.612502	Coor meth:	M
Coor accr:	T	Latlong datum:	NAD27
Dec latlong datum:	NAD83	District:	36
State:	36	County:	055
Country:	US	Land net:	Not Reported
Location map:	ROCHESTER E I-10-2	Map scale:	Not Reported
Altitude:	275.00		
Altitude method:	Interpolated from topographic map		
Altitude accuracy:	10		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	Lower Genesee. New York. Area = 1070 sq.mi.		
Topographic:	Not Reported		
Site type:	Ground-water other than Spring	Date construction:	19000101
Date inventoried:	Not Reported	Mean greenwich time offset:	EST
Local standard time flag:	N		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	QUEENSTON SHALE		
Well depth:	153	Hole depth:	Not Reported
Source of depth data:	Not Reported		
Project number:	Not Reported		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	1935-00-00	Ground water data end date:	1935-00-00
Ground water data count:	1		

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
1935	55	

2

SSE
1/4 - 1/2 Mile
Higher

FED USGS

USGS2229557

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Agency cd:	USGS	Site no:	431444077362801
Site name:	MO 2138		
Latitude:	431444		
Longitude:	0773628	Dec lat:	43.24561745
Dec lon:	-77.60750177	Coor meth:	M
Coor accr:	T	Latlong datum:	NAD27
Dec latlong datum:	NAD83	District:	36
State:	36	County:	055
Country:	US	Land net:	Not Reported
Location map:	ROCHESTER E I-10-2	Map scale:	Not Reported
Altitude:	260.00		
Altitude method:	Interpolated from topographic map		
Altitude accuracy:	10		
Altitude datum:	National Geodetic Vertical Datum of 1929		
Hydrologic:	Lower Genesee. New York. Area = 1070 sq.mi.		
Topographic:	Not Reported		
Site type:	Ground-water other than Spring	Date construction:	19000101
Date inventoried:	Not Reported	Mean greenwich time offset:	EST
Local standard time flag:	N		
Type of ground water site:	Single well, other than collector or Ranney type		
Aquifer Type:	Not Reported		
Aquifer:	QUEENSTON SHALE		
Well depth:	55.0	Hole depth:	Not Reported
Source of depth data:	Not Reported		
Project number:	Not Reported		
Real time data flag:	0	Daily flow data begin date:	0000-00-00
Daily flow data end date:	0000-00-00	Daily flow data count:	0
Peak flow data begin date:	0000-00-00	Peak flow data end date:	0000-00-00
Peak flow data count:	0	Water quality data begin date:	0000-00-00
Water quality data end date:	0000-00-00	Water quality data count:	0
Ground water data begin date:	1935-00-00	Ground water data end date:	1935-00-00
Ground water data count:	1		

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
1935	15	

3
SW
1/2 - 1 Mile
Higher

Site ID: 8911146
Groundwater Flow: N, NE, E, W
Shallowest Water Table Depth: 4.89
Deepest Water Table Depth: 19.40
Average Water Table Depth: Not Reported
Date: 04/30/1996

AQUIFLOW 45075

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS RADON

AREA RADON INFORMATION

State Database: NY Radon

Radon Test Results

Zip	Num Sites	< 4 Pci/L	>= 4 Pci/L	>= 20 Pci/L	Avg > 4 Pci/L	Max Pci/L
14612	56	54 (96.4%)	2 (3.6%)	0 (0%)	1.59	5.3

Federal EPA Radon Zone for MONROE County: 2

Note: Zone 1 indoor average level > 4 pCi/L.
: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.
: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for MONROE COUNTY, NY

Number of sites tested: 582

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area	0.930 pCi/L	94%	6%	1%
Basement	1.440 pCi/L	92%	7%	1%

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Scanned Digital USGS 7.5' Topographic Map (DRG)

Source: United States Geologic Survey

A digital raster graphic (DRG) is a scanned image of a U.S. Geological Survey topographic map. The map images are made by scanning published paper maps on high-resolution scanners. The raster image is georeferenced and fit to the Universal Transverse Mercator (UTM) projection.

HYDROLOGIC INFORMATION

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 1999 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 and 2005 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Freshwater Wetlands

Source: Department of Environmental Conservation

Telephone: 518-402-8961

HYDROGEOLOGIC INFORMATION

AQUIFLOW[®] Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Services, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

New York Public Water Wells

Source: New York Department of Health

Telephone: 518-458-6731

OTHER STATE DATABASE INFORMATION

Oil and Gas Well Database

Department of Environmental Conservation

Telephone: 518-402-8056

These files contain records, in the database, of wells that have been drilled.

RADON

State Database: NY Radon

Source: Department of Health

Telephone: 518-402-7556

Radon Test Results

Area Radon Information

Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones

Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRRA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

PHYSICAL SETTING SOURCE RECORDS SEARCHED

STREET AND ADDRESS INFORMATION

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DRAFT

Appendix D
Interview, FOIA Requests and Site Records

DRAFT

Facs Cover Sheet

**TO:** Ms. Amy Thorten**Date:** 10 September 2009**From:** Michelle Miller Frieden
U.S. Coast Guard
Civil Engineering Unit
1240 E. Ninth St.
Cleveland, OH 44199
mfrieden@ceucleveland.uscg.mil**Phone:** (216)902-6267**Facs#:** (216)902-6277**No. of****Pages:** 4**SUBJECT:** Phase I Questionnaire for Rochester Property
located at 527 River Street, Rochester, NY**REMARKS:** ☐ Urgent ☐ For your review ☐ Reply ASAP ☐ Please Comment

Good Afternoon Amy,

Attached is the Questionnaire you requested. Also, the United States acquired the property on November 17, 1821 (recorded March 22, 1822) from Mehatibel Hincer at a purchase price of \$400.00.

Thanks,

Michelle

Phase I Environmental Site Assessment
User Questionnaire
527 River Street, Rochester, New York 14612

1. Are you aware of environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law?
(E1527-05 X3(1); 40 CFR 312.25)

No.

2. Are you aware of any activity and land use limitations such as engineering controls, land use restrictions or institutional controls that are in place at the property and/or have been filed or recorded in a registry under federal, tribal, state or local law? (E1527-05 X3(2); 40 CFR 312.26)

No.

3. Do you have any specialized knowledge or experience (eg, not common knowledge that would be reasonably ascertainable from government records) related to the property or adjoining properties that would identify conditions indicative of releases or threatened releases of hazardous substances or petroleum products? (E1527-05 X3(3); 40 CFR 312.28)

No. A train derailment on December 23, 2001 could have impacted U. S. Coast Guard property.

4. Does the purchase price being paid for the property reasonably reflect the fair market value of the property? (E1527-05 X3(4); 40 CFR 312.29)

The property will be reported to the U. S. General Services Administration for their disposal determination.

If not, is the differential in the purchase price and fair market value due to the presence of releases or threatened releases of hazardous substances or petroleum products? (E1527-05 X3(4); 40 CFR 312.29)

Phase I Environmental Site Assessment
User Questionnaire
527 River Street, Rochester, New York 14612

5. Are you aware of commonly known or reasonably ascertainable information about the property that would identify conditions indicative of releases or threatened releases of hazardous substances or petroleum products at the property or adjoining properties? (E1527-05 X3(5); 40 CFR 312.30)

Commonly known or reasonably ascertainable information would include from:

- Current owners or occupants of neighboring or adjacent properties
- Local and state government officials who may have knowledge of or information related to the property
- Others with knowledge of the property; and
- Other sources (eg, environmental reports, documents, correspondence, newspapers, web sites, community organizations, local libraries and historical societies)

Yes. A train derailment on December 23, 2001 could have impacted U. S. Coast Guard property.

- a) Do you know the past uses of the property?

No.

- b) Do you know of specific chemicals that are present or once were present at the property?

No.

- c) Do you know of spills or other chemicals releases that have taken place at the property?

No.

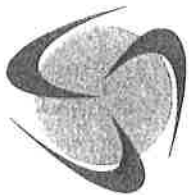
Phase I Site Assessment Worksheet

Site Name 527 River Street, Rochester, New York 14612

Date 8/4/2009

Checklist of Indicators Observed During Site Visit Yes or No

- No Evidence of hazardous waste and/or petroleum products waste generation, storage, treatment and/or disposal
- No Strong or noxious odors
- No Pools of liquid and/or discolored water
- No Drums, containers and/or tanks
- No Potential for asbestos-containing building materials (No Building On-Site)
- No Potential for lead in paint (No Building On-Site)
- No Presence/extent of stains or corrosion
- No Drains and sumps
- No Use of hazardous substances and petroleum products
- No Pits, ponds or lagoons
- No Stressed vegetation
- No Improper disposal of solid waste
- No Permitted wastewater and storm-water discharges to the ground
- No On-site, abandoned or other wells (Groundwater Monitoring Wells)
- No On-site septic systems/dry wells and/or sewage disposal systems
- No Potential for radon at or above the USEPA Action Level
- No Potential for environmental conditions and/or activities impacting wetland areas
- No Engineering controls related to remediation of hazardous substances or petroleum products at the Site
- No Institutional controls related to remediation of hazardous substances or petroleum products at the Site
- No Potential for PCB - containing items



TriTech

Environmental Health and Safety, Inc.

July 30, 2009

Gary G. Walker
City of Rochester Records Access Officer
City Hall
30 Church Street
Rochester, New York 14614

Re: 527 River Street, Rochester, New York 14612
Site Owner: United States Coast Guard Tax ID: 047.630-0001-001.002

Dear Mr. Walker:

We are writing to request certain records pursuant to the Freedom of Information Act relative to the above-referenced Site.

Is the Site listed on any of the following government Lists:

List Description	Yes	No
Local Brownfields List		
Local Landfill/Solid Waste Disposal Sites		
Local Hazardous Waste/Contaminated Sites		
Local Petroleum/Contaminated Sites		
Local Registered Storage Tank (eg, Chemical or Petroleum Bulk Storage)		

We would also be interested in obtaining Site records indicative of the following:

- Storage of hazardous substances and/or petroleum products (eg, tank registrations, tightness testing, inspections, etc.);
- Releases of hazardous substances and/or petroleum products at the Site (eg, leaking underground storage tanks, tank removal and associated analytical testing, etc.);
- Subsurface investigations (eg, soil and/or groundwater testing) at the Site;
- Site contamination and remedial action (eg, reports);

1100 University Ave.
Rochester, NY 14607
Tel 585.256.6211
Fax 585.256.6244
www.tritechhs.com

- Contaminated wells (eg, public or private) on-Site;
- Federal/State regulated wetlands on-Site;
- Land records indicating activity and/or use limitations; and
- Environmental action or other legal action, including liens, notices violation, citations and/or penalties;

If you should have any questions, please do not hesitate to contact our office.

Sincerely,

TriTech Environmental Health and Safety, Inc.



Amy T. Thornton, REPA
Environmental Project Manager

DRAFT



City of Rochester Records Access Response

Communications Bureau, 30 Church St. RM 202A, Rochester, NY 14614

TO: Amy Thornton
TriTech Environmental
1100 University Ave.
Rochester, NY 14607

08/27/2009

RE: Your Records Access Request,
Claimant: United States Coast Guard
Received by the City on 08/03/2009
Requesting information about:

REFERENCE #: 37320

*527 River St.: tanks, permits, spills, HAZMAT, incidents, fires,
environmental*

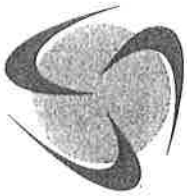
STATUS:

No records of any kind were found for this address except for the Property Summary Page, which you advised you do not need.

The government lists cited in your request are New York State Dept. of Environmental Conservation and/or Monroe County lists; therefore, the City is not able to answer your questions as to whether the site is on any of these lists. Please contact those agencies for assistance with this portion of your request. You may address any questions to Mr. Ray Littlefield of Environmental Services at 428-6523.

Yours truly,

Gary G. Walker
Records Access Officer



TriTech

Environmental Health and Safety, Inc.

July 30, 2009

Wanda Calderon
FOIA Specialist
United States Environmental Protection Agency, Region 2
290 Broadway, 26th Floor
New York, New York 10007

Re: 527 River Street, Rochester, New York 14612
Site Owner: United States Coast Guard Tax ID: 047.630-0001-001.002

Dear Ms. Calderon:

We are writing to request certain records pursuant to the Freedom of Information Act relative to the above-referenced Site.

Is the Site listed on any of the following government Lists:

List Description	Yes	No
Federal Hazardous Waste/Contaminated Site List Identified for Investigation or Remediation (eg, NPL, CERCLIS or CERCLIS/NFRAP)		
Federal Petroleum Waste/Contaminated Site List Identified for Investigation or Remediation (eg, NPL, CERCLIS or CERCLIS/NFRAP)		
Federal RCRA CORRACTS Facilities		
Federal RCRA non-CORRACTS TSD Facilities		
Federal RCRA Generators List		
Federal Institutional Control/Engineering Control Registries		
Federal Hazardous and/or Petroleum Product Release/Spills Lists		

We would also be interested in obtaining Site records indicative of the following:

- Storage of hazardous substances and/or petroleum products (eg, tank registrations, tightness testing, inspections, etc.);
- Releases of hazardous substances and/or petroleum products at the Site (eg, leaking underground storage tanks, tank removal and associated analytical testing, etc.);

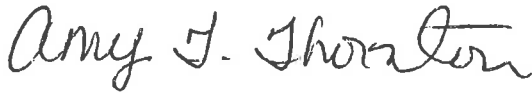
1100 University Ave.
Rochester, NY 14607
Tel 585.256.6211
Fax 585.256.6244
www.tritechhs.com

- Subsurface investigations (eg, soil and/or groundwater testing) at the Site;
- Site contamination and remedial action (eg, reports);
- Contaminated wells (eg, public or private) on-Site;
- Federal/State regulated wetlands on-Site;
- Land records indicating activity and/or use limitations; and
- Environmental action or other legal action, including liens, notices violation, citations and/or penalties;

If you should have any questions, please do not hesitate to contact our office.

Sincerely,

TriTech Environmental Health and Safety, Inc.

A handwritten signature in cursive script that reads "Amy T. Thornton".

Amy T. Thornton, REPA
Environmental Project Manger



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2, 290 Broadway, 26th Floor
New York, NY 10007
212-637-3668
212-637-5046 (fax)
Calderon.Wanda@epa.gov

August 12, 2009

Ms. Amy Thornton
Env. Project Manager
TriTech
1100 University Avenue
Rochester, NY , 14607
United States

RE: Request No: 02-RIN-01599-09

Dear Ms. Thornton,

This is to acknowledge receipt of your Freedom of Information Act (FOIA), 5 U.S.C. 552, request dated July 30, 2009 and received in this office on August 06, 2009, for records related to:

527 River Street in Rochester, NY

The program(s) office(s) that have been assigned this request will be responding to you directly. The Agency has twenty (20) working days to respond to your request, except when you have agreed to an alternate due date or unusual circumstances exist that would require an extension of time under 5 U.S.C. 552 (a) (6) (B):

Include your FOIA request number in all subsequent communications with respect to this assignment. Additionally, for faster processing you may provide your email address.

Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "Wanda Calderon", is written over a horizontal line.

Wanda Calderon
FOIA Specialist



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2 290 Broadway
New York, NY 10007

August 26, 2009

Ms. Amy Thornton
TriTech
1100 University Avenue
Rochester, NY , 14607
United States

Re: Freedom of Information Request No. **02-RIN-01599-09**
Dated: July 30, 2009
Subject: 527 River Street in Rochester, NY

Dear Ms. Thornton:

Your request for information has been referred to this branch for response. We have searched our databases as appropriate to your request. However, our research did not reveal any information that was responsive to your request. In addition, you may also receive more information from other program areas within this Regional Office.

Please be advised that now you can retrieve the environmental profile of a facility including information regarding toxic chemical releases, water permits, hazardous waste handling processes, "Superfund" status and air emissions from the EPA's web page. The address is www.epa.gov/enviro.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW.

If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the RIN listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please include the above referenced request number(s) in any subsequent communication relating to this response.

Sincerely yours,

Patrick J. Harvey, Chief
Compliance Assistance and Program Support Branch



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2
290 Broadway
New York, NY 10007

August 28, 2009

Ms. Amy Thornton
Env. Project Manager
TriTech
1100 University Avenue
Rochester, NY , 14607

RE: Freedom of Information Act Request Number 02-RIN-01599-09
527 River Street in Rochester, NY

Dear Ms. Thornton:

The subject location is not listed on the CERCLIS or NFRAP lists at the present time.

CERCLIS is the national database EPA uses as the official inventory of hazardous waste sites considered for cleanup under the CERCLA (Comprehensive Environmental Response, Compensation and Liability Act), also known as Superfund.

As of February 15, 1995, CERCLIS no longer includes sites which EPA has assessed and designated "No Further Remedial Action Planned" (NFRAP). A NFRAP designation means, to the best of EPA's knowledge, Superfund has completed its assessment at a site and determined no further steps would be taken to list these sites on the National Priorities List (NPL) unless information is received at a later time indicating this decision was not appropriate. A NFRAP decision does not necessarily mean that there is no hazard associated with a given site; it means only that based upon available information, the location is not judged to be a potential NPL site.

Also, the absence of a facility from the CERCLIS list should not be construed as a determination by the EPA that the facility has not been affected by the presence of any hazardous waste. The absence of a facility from this list means that EPA has not received information indicating that there has been a release or threat of hazardous substances at or from the facility. Therefore, EPA has not performed an assessment at this location to date. As with any parcel of real property, EPA may be called upon to assess the property for a release of hazardous substances should conditions warrant.

In the interest of saving time and paper, I suggest that in the future you identify the specific properties you have an interest in by accessing the following web sites. The information available through these web sites should address any future inquiries you may have. This is the address for the Superfund Information Systems homepage <http://www.epa.gov/superfund/sites>. From this site you may obtain a list of all sites which are currently on the CERCLIS database and sites archived from CERCLIS. Additionally you can access the RODS database from here as well as download reports or order a variety of site information products on line. This is the site for the National Response Center maintained by the U.S. Coast Guard - www.nrc.uscg.mil/foia.

We do not consider this a denial, but if you do, you have the right to appeal to the Office of Environmental Information, Records, FOIA, and Privacy Branch (2822T), 1200 Pennsylvania Avenue, NW, Washington DC 20460. The appeal must be received at this address no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30-day limit. The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed (including the assigned FOIA number). For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

This determination applies to Superfund program records; your request has also been assigned to other programs within the Agency for separate replies. Please contact Wanda Calderon, at (212) 637-3668, on any questions concerning your pending request.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie H. Peterson". The signature is written in a cursive style with a large, stylized "L" and "P".

Leslie H. Peterson, Chief
Resource Management/Cost Recovery Section
Emergency and Remedial Response Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2, 290 Broadway
New York, NY 10007

SEP 25 2009

Ms. Amy T. Thornton
Environmental Project Manager
TriTech Environmental Health and Safety, Inc.
1100 University Avenue
Rochester, NY 14607

Re: Freedom of Information Request No. 02-RIN-01599-09
Dated: July 30, 2009

Dear Ms. Thornton:

Your request for information has been referred to this branch for response. We have searched the Resource Conservation and Recovery Act (RCRA) files and/or computer database as appropriate to respond to your request. In addition, you may also receive more information from other program areas within this Regional Office.

We were unable to find any RCRA hazardous waste information concerning the property at 527 River Street in Rochester, New York, and owned by the United States Coast Guard.

If you consider this response to be a denial, you may submit a written appeal to the National Freedom of Information Officer, U.S. Environmental Protection Agency, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW, (2822T), Washington, DC 20460. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal should be marked "Freedom of Information Act Appeal", and should reference the Freedom of Information Request Number of this response.

Also, RCRA information is available on the World Wide Web as described on the enclosed sheet.

Please include the above referenced request number in any subsequent communication relating to this response.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Adolph S. Everett", is located below the "Sincerely yours," text.

Adolph S. Everett, P.E.
Chief, RCRA Programs Branch

Enclosure

Environmental Protection Agency Internet Information

EPA Region 2

While Freedom of Information Act (FOIA) requests will be honored by directly writing to Region 2, EPA provides an increasing amount of environmental media information, and other Regional activities via Internet at <http://www.epa.gov>.

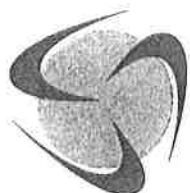
Region 2 has provided a FOIA Web site <http://www.epa.gov/region02/foia/> with several online databases from which the environmental information can be retrieved.

- **"Frequently FOIAed Files" Web site**
<http://www.epa.gov/region2/foia/fff.htm> covers RCRA and many other media Programs. Through this Web site, you can learn about each media Program, associated databases, and special points of interest. In particular, the ability to "directly download" all of the most commonly requested Region 2 Export Files (.xls) and Reports (.pdf) - all compressed for quicker downloading.

EPA Region 2 has established a list of contaminated facilities that are a high priority for cleanup in New York, New Jersey, Puerto Rico and the U.S. Virgin Islands. You can view each facility fact sheet at <http://www.epa.gov/region2/waste/cleanup/sites/>

EPA- Headquarters

- **Envirofacts Data Warehouse Web site**
<http://www.epa.gov/enviro/index.java.html> is a one-stop source to the environmental information. This Web site provides access to several EPA databases with information about environmental activities that may affect air, water and land anywhere in the United States.
- **"Window to My Environment" Web site** <http://www.epa.gov/enviro/wme> is a powerful tool that provides a wide range of federal, state and local information about environmental conditions and futures in an area of your choice.
- **The Enforcement and Compliance History Online (ECHO) Web site**
<http://www.epa.gov/echo/> provides a list of all inspections and enforcement under most of the environmental statutes.
- **Right-To-Know Network (RTK Net), a non-EPA Web site**
<http://www.rtk.net.org/> on-line query engine provides free access to numerous databases and resources on environment.
- **National Biennial RCRA Hazardous Waste Report Web site**
<http://www.epa.gov/epaoswer/hazwaste/data/biennialreport/index.htm> provides documents and data on hazardous waste reports.
- **Conditionally Exempt Small Quantity Generators Web site**
<http://www.epa.gov/osw/hazard/generation/cesgg.htm> provides information on Conditionally Exempt Small Quantity Generators.



TriTech

Environmental Health and Safety, Inc.

July 30, 2009

Jill Bishop
FOIL Coordinator
NYSDEC, Region 8
6274 E. Avon-Lima Road
Avon, New York 14414

Re: 527 River Street, Rochester, New York 14612
Site Owner: United States Coast Guard Tax ID: 047.630-0001-001.002

Dear Ms. Bishop:

We are writing to request certain records pursuant to the Freedom of Information Act relative to the above-referenced Site.

Is the Site listed on any of the following government Lists:

List Description	Yes	No
State and/or Tribal Hazardous Waste/Contaminated Site List Identified for Investigation or Remediation (eg, NPL or CERCLIS)		
State and/or Tribal Petroleum Waste/Contaminated Site List Identified for Investigation or Remediation (eg, State Equivalent NPL or CERCLIS)		
State and/or Tribal Landfill and/or Solid Waste Disposal Site List		
State and/or Tribal Leaking Storage Tank List		
State and/or Tribal Registered Storage Tank List (eg, Petroleum or Chemical Bulk Storage)		
State and/or Tribal Institutional Control/Engineering Control Registries		
State and/or Tribal Voluntary Cleanup Site List		
State and/or Tribal Brownfield Site		
State and/or Tribal Hazardous and/or Petroleum Product Release/Spill Lists		

We would also be interested in obtaining Site records indicative of the following:

- Storage of hazardous substances and/or petroleum products (eg, tank registrations, tightness testing, inspections, etc.);

1100 University Ave.
Rochester, NY 14607
Tel 585.256.6211
Fax 585.256.6244
www.tritechhs.com

NYS Department of Environmental Conservation

Region 8 Freedom of Information Law

6274 East Avon-Lima Road

Avon, New York 14414-9519

Website: www.dec.state.ny.gov



Alexander B. Grannis
Commissioner

8/24/2009

Amy Thornton
TriTech Environmental Health and Safety, Inc.
1100 University Avenue
Rochester, NY 14607

FOIL ID: 09-0645

Subject: 527 River Street, Rochester, NY 14612

Dear Ms. Thornton:

Your request has been reviewed for the above referenced records under the New York State's Freedom of Information Law (FOIL). Please note that most of our records are filed by names of individuals or corporations. We have no way of locating or retrieving records if they are filed under names or addresses other than those you have provided. If no records have been located, this does not necessarily mean, and should not be interpreted to mean that there have never been any violations, complaints, claims, investigations, or inquiries involving those names or addresses. We cannot make any representations as to whether there are or have been any such violations, complaints, claims, investigations, or inquiries.

Please Note: Unless you gave us a spill number, we did not do a search of the spills files. We did not inquire whether the Albany office or other regional offices of our Department have records of the type you requested. We did not check for the existence or proximity to a State regulated wetland.

☐

After a diligent search, no records could be located for the names and/or addresses you provided.

☒

Records have been found by the following units and are available for review and/or copying. The size of the file(s) are listed to the right of the unit(s).

HWR - 48 inches

Total:

48 inches

Please contact Teri Cotter at (585) 226-5353 to schedule an appointment to review the records.

There is no charge to review records or for copies of seven or fewer pages. By law, copy charges will not exceed 25 cents per page or the actual cost of copying. Photographs, maps, oversized documents, videotapes, or audio tapes generally cost more than 25 cents per page to copy. You may be required to pay a deposit prior to copies being made and/or to pay all copy charges prior to copies being sent.

Depending on the volume of copies requested, they may be sent to an outside copy service. If you desire to review the records, please be aware that due to limited office space, only two people can be accommodated in the document review area.

Please inform us within 14 days from the date of this letter how you wish to proceed. After that time you will need to resubmit your request.



NYSDEC SPILL REPORT FORM



DEC REGION: 8 SPILL NUMBER: 0109394
SPILL NAME: CSX TRAIN DERAILMENT DEC LEAD: CAHETTEN
SPILL DATE: 12/23/2001 SPILL TIME: 4:00 pm
CALL RECEIVED DATE: 12/23/2001 RECEIVED TIME: 5:20 pm

SPILL LOCATION

PLACE: CSX TRAIN DERAILMENT COUNTY: Monroe
STREET: RIVER STREET AT LATTA RD TOWN/CITY: Rochester (c)
COMMUNITY: ROCHESTER
CONTACT: CONTACT PHONE:

CONT. FACTOR: Traffic Accident SPILL REPORTED BY: Responsible Party
FACILITY TYPE: Railroad Car WATERBODY:

CALLER REMARKS:

There has been a rail car derailment at Lake Avenue. 1 car is reported on fire. There were 2 cars carrying acetone with each tank holding 20,000 gallons. It is unknown if these tanks are leaking. The local fire department is on scene already. Faxed to MCHD on 12/27/01.

MATERIAL	CLASS	SPILLED	RECOVERED	RESOURCES AFFECTED
2-PROPANONE	Hazardous Material	16 G	0 G	Soil,
1-CHLOROMETHANE	Hazardous Material	16 G	0 G	Soil,

POTENTIAL SPILLERS

COMPANY	ADDRESS	CONTACT
CSX TRANSPORTATION	500 WATER STREET JACKSONVILLE FL 32202-	SCOTT GORTON (410) 525-8233

Tank No.	Tank Size	Material	Cause	Source	Test Method	Leak Rate	Gross Failure
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DEC REMARKS:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "CH"
12/23/01: JM, CH AND PM RESPONDED TO THE SCENE OF A SERIOUS CSX TRAIN DERAILMENT ALONG THE GENESEE RIVER IN THE CHARLOTTE SECTION OF THE CITY OF ROCHESTER. A TOTAL OF 27 RAIL CARS WERE INVOLVED IN THE DERAILMENT, INCLUDING TWO 20,000 GALLON TANK CARS OF ACETONE AND ONE TANK CAR OF METHYLENE CHLORIDE. APPROXIMATELY 4,000 GALLONS OF DIESEL FUEL FROM THE TWO LOCOMOTIVES INVOLVED IN THE TRAIN WRECK WERE ALSO SPILLED. THE DERAILMENT CAUSED AN INTENSE FIRE, AND DESTROYED TWO HOMES AND SEVERAL BOATS IN THE VICINITY OF THE WRECK. NO ONE WAS SERIOUSLY INJURED OR KILLED IN THE DERAILMENT. ONE OF THE ACETONE TANK CARS RUPTURED, SPILLING THE TOTAL CONTENTS OF THE 20,000 GALLON TANK CAR. IT IS ASSUMED THAT A CONSIDERABLE PORTION OF THE CONTENTS OF THIS TANK CAR WAS CONSUMED IN THE FIRE. IT SHOULD BE NOTED THAT AN UNDETERMINED AMOUNT OF ACETONE FROM THIS TANK CAR MOST CERTAINLY REACHED THE GENESEE RIVER. THE OTHER REMAINING TANK CAR OF ACETONE LOST APPROXIMATELY 1,000 TO 2,000 GALLONS OF ACETONE, ALL OF WHICH ENTERED THE GENESEE RIVER VIA A STORM SEWER CATCH BASIN ADJACENT TO WHERE THE TANK CAR ENDED UP. THE AMOUNT LOST FROM THE 20,000 GALLON METHYLENE CHLORIDE TANK CAR WAS APPROXIMATELY 16,000-17,000 GALLONS. METHYLENE CHLORIDE IS A COMBUSTIBLE LIQUID AND SOME OF THE SPILLED VOLUME WAS UNDOUBTEDLY CONSUMED IN THE SEVERE FIRE FROM THE NEARBY ACETONE TANK CAR. IT IS ALSO PRESUMED THAT AT

Treated On: 12/23/2001

Date Printed: 9/11/2009

Last Updated: 09/25/2008



NYSDEC SPILL REPORT FORM



DEC REGION: 8

SPILL NUMBER: 0109394

SPILL NAME: CSX TRAIN DERAILMENT

DEC LEAD: CAHETTEN

LEAST A MODERATE AMOUNT OF THE METHYLENE CHLORIDE DID ENTER THE GENESEE RIVER. THE REMAINDER OF THE ACETONE AND METHYLENE CHLORIDE IS CONTAINED IN THE HUNDREDS OF TONS OF SPILLED COAL AND IN THE SURROUNDING SOIL. AN INTERCEPTION TRENCH WAS INSTALLED TO PREVENT SEEPAGE INTO THE GENESEE RIVER, AFTER A GEOPROBE INVESTIGATION WAS COMPLETED. IT CORPORATION HAS BEEN RETAINED BY CSX TO PERFORM ALL OF THE SHORT TERM AND LONG TERM INVESTIGATION AND REMEDIATION OF THIS SITE.

IT IS ESTIMATED THAT APPROXIMATELY 4,000 GALLONS OF DIESEL FUEL SPILLED WHEN THE TRAIN LOCOMOTIVES DERAILED APPROXIMATELY 1/4 MILE NORTH OF THE MAIN CRASH SITE. NONE OF THIS OIL REACHED THE RIVER AND FREE PRODUCT IS BEING RECOVERED AT THIS PORTION OF THE SITE. CONTAMINATED SOIL IS BEING DISPOSED OF AT HIGH ACRES LANDFILL.

CONSIDERABLE WORK REMAINS TO BE COMPLETED AT THE MAIN CRASH SITE. CHARACTERIZATION AND INVESTIGATION OF THE SITE IS BEING COMPLETED. GROUNDWATER AND SOIL SAMPLING WAS CONDUCTED IN TEST PITS DOWNGRADING FROM THE CRASH SITE ON 12/24/01. ADDITIONAL SAMPLING WAS CONDUCTED IN THE AREA OF A 24" SANITARY SEWER LOCATED BETWEEN THE CRASH SITE AND THE RIVER, TO DETERMINE IF THE INVOLVED CHEMICALS ARE TRAVELING ALONG THE SEWER BEDDING. IT CORPORATION HAS INITIATED A RIVER SAMPLING PROGRAM, AND IS COORDINATING THESE SAMPLING EFFORTS WITH THE REGIONAL FISHERIES MANAGER. AT THE REQUEST OF NYSDEC, CSX HAS ALSO FLOWN IN 3 INDUSTRIAL HYGIENISTS FROM THE CENTER FOR TOXICOLOGY, AN ENVIRONMENTAL HEALTH IN ARKANSAS TO CONTINUALLY MONITOR THE AMBIENT AIR AROUND THE CRASH SITE TO ASSESS SITE SAFETY FOR THE WORKERS AND POTENTIAL IMPACTS TO ADJACENT RESIDENTS AND BUSINESSES. INTERIM AIR MONITORING WAS DONE BY IT CORPORATION USING DRAEGER TUBES AND AN FID. IN ADDITION TO SPILLS, DEC'S INVOLVEMENT INCLUDES LAW ENFORCEMENT, THE BUREAU OF HAZARDOUS WASTE REMEDIATION AND BUREAU OF FISHERIES. OTHER AGENCIES INVOLVED IN THE RESPONSE INCLUDE USEPA, US COAST GUARD, NYSDOH, MCHD, AND THE CITY OF ROCHESTER POLICE, FIRE AND ENVIRONMENTAL SERVICES DEPARTMENTS.

12/24/2001 TH,TW,BF,PM ON SITE TO INSPECT WORK AND TO MONITOR PROGRESS. WORK CONTINUES TO SECURE AND STABILIZE SITE, INCLUDING FLUID RECOVERY FROM THE TANKERS AND REMOVING DEBRIS AND WRECKAGE FROM THE TRAIL DERAILMENT. TEST PITS PERFORMED BETWEEN THE LOCATION OF THE ACETONE TANKER CLOSEST TO THE RIVER AND THE RIVER. TEST PITS REVEAL THAT THAT PRODUCT/WATER MIXTURE IS LEACHING THROUGH THE SOIL AT 1-2 FT BGS

12/25/2001 TW ON SITE. ALL APPEARS SECURE. ROCHESTER GAS AND ELECTRIC CREW WORKING ON REPAIRING ELECTRIC SERVICE. ROCHESTER FIRE DEPARTMENT ALSO ON SITE.

12/26/01: CH MEETS TW ON SITE WITH AN EPA REPRESENTATIVE, JEFF BECHTEL. THE 3 TANK CARS HAVE BEEN MOVED NORTH OF TAPECON. THE ACETONE TANKER NOT INVOLVED IN THE FIRE, STILL HAS REMAINING PRODUCT IN IT. IT WILL BE PUMPED OFF AS SOON AS THE AREA IS CLEARED OF DEBRIS. IT AND TP&S ARE PERFORMING AIR MONITORING IN THE AREA OF THE SOLVENT SPILL. READINGS ON THE FID PEAK AT 100 PPM, BUT DO NOT SUSTAIN THIS LEVEL. EP&S BUFFALO IS ON SITE REMOVING DIESEL CONTAMINATED SOILS. THE DEPARTMENT SENT A VIRGIN MATERIAL LETTER TO HIGH ACRES LANDFILL TO ALLOW THE SOIL TO BE EXCAVATED AND HAULED DIRECTLY TO THE LANDFILL. CARL CROSSEN OF EP&S IS HAVING TROUBLE GETTING TRUCKS ON SCENE TO HAUL THE SOIL. REQUESTS IT TO EXCAVATE NEXT TO THE 24" SANITARY SEWER NEAR THE RIVER TO DETERMINE IF BEDDING HAS BEEN IMPACTED BY SOLVENTS. EXCAVATE NEAR THE MANHOLE JUST SOUTHWEST OF THE BURNT OUT HOUSE. IMPACTS TO THE SEWER BED SEEM MINIMAL AT THIS TIME. CTECH IS HIRED BY CSX TO DO ON-SITE AIR MONITORING, ARRIVES ON SITE AND BEGINS MONITORING. AT THE END OF THE DAY EP&S PUMPS OUT THE REMAINING ACETONE AND TRANSPORTS IT TO KODAK. THEY PUMP OUT APPROXIMATELY 4,000 GALLONS.

12/27/01: CH & PM MEET ON SITE WITH CSX, IT, CTECH, MC ENVIRONMENTAL SERVICES, EPA, EP&S AND CLEMETT. IT PERFORMS TEST PITS JUST WEST OF THE 24" SEWER MAIN TO SEE IF AN INTERCEPTION TRENCH WOULD BE PRACTICAL. THE INTERCEPTION TRENCH IS INSTALLED ON THE WEST AND EAST OF THE SEWER LINE. LIQUIDS ARE MOVING AT 2'-3' BELOW GROUND SURFACE. CLEMETT BEGINS



NYSDEC SPILL REPORT FORM



DEC REGION: 8 SPILL NUMBER: 0109394
SPILL NAME: CSX TRAIN DERAILMENT DEC LEAD: CAHETTEN

GEOPROBING ON THE EAST SIDE OF THE TRACKS TO TRY AND DELINEATE CONTAMINATION. EP&S EXCAVATES ON THE NORTH SIDE OF THE DIESEL SPILL AND HAS A POCKET OF DIESEL COME RUSHING INTO THE EXCAVATION. THEY USE A VAC TRUCK TO PUMP THE DIESEL FROM THE WATER SURFACE. EP&S RECOVERED 19,250 GALLONS OF ACETONE FROM THE TANKER NOT INVOLVED IN THE FIRE AND 3,852 GALLONS FROM THE ACETONE TANKER INVOLVED IN THE FIRE, AS WELL AS 5,000 GALLONS OF METHYLENE CHLORIDE. EP&S RECOVERED 1,000 GALLONS OF DIESEL THE NIGHT OF THE DERAILMENT AND HMHTTC RECOVERED 600 GALLONS OF DIESEL THE SAME NIGHT.

12/27/2001 MZ ON SITE WITH PETE MILLER AND CARL HETTENBAUGH (DEC). CSX CONTINUES TO REPAIR TRACKS, EP&S CONTINUES TO EXCAVATE THE DIESEL CONTAMINATED SOIL AND IT CONTINUES TO GEOPROBE BETWEEN THE TRACKS AND THE RIVER. AN INTERCEPTION TRENCH IS ALSO BEING DUG APPROXIMATELY 30 FEET WEST OF THE RIVER (ON THE WEST SIDE OF THE SEWER LINE).

12/28/2001 MZ ON SITE WITH PAUL KURZANSKI (CSX) AND TOM ANTINOFF (IT). SAMPLES WERE TAKEN FROM THE COAL PILE TO BE ANALYZED. 3 SETS OF RIVER SAMPLES HAVE BEEN COLLECTED. 24 SOIL SAMPLES (3 PER GEOPROBE POINT) HAVE BEEN SUBMITTED FOR ANALYSIS ALONG WITH SEVERAL GROUNDWATER SAMPLES. A PORTABLE GAS CHROMATOGRAPH WILL BE DELIVERED TO THE SITE TODAY OF TOMORROW. THE INTERCEPTION TRENCH TO THE WEST OF THE SEWER HAS BEEN COMPLETED. THERE IS A 24 INCH DIAMETER SUMP LOCATED IN THE MIDDLE OF THE TRENCH TO COLLECT LIQUIDS. A SECOND TRENCH, LOCATED ON THE EAST SIDE OF THE SEWER (BETWEEN THE SEWER LINE AND THE RIVER) IS BEING DUG.

12/29/01: CH MEETS IT ON SITE. THEY HAVE COMPLETED THE GEOPROBE POINTS ON THE EAST SIDE OF THE TRACKS. 30 POINTS WERE INSTALLED EAST OF THE TRACKS. THEY PROPOSE 3 GEOPROBE POINTS ON THE WEST SIDE OF TRACKS AND 2 POINTS NEAR THE DIESEL SPILL. YESTERDAY, THEY WERE ENCOUNTERING PETROLEUM CONTAMINATION NOT ASSOCIATED WITH THIS DERAILMENT. MOST NOTED JUST SOUTH OF THE COAST GUARD AUXILIARY. PID READING IN THIS AREA IS 1,000 PPM WITH CONTAMINATION AT THE SAME DEPTH (2'-3'). ALL DIESEL CONTAMINATION HAS BEEN EXCAVATED AND SHOULD BE REMOVED BY TODAY. ESTIMATE TOTAL DIESEL SOIL REMOVED FROM SITE TO BE APPROXIMATELY 2,000 TONS. WATER IN THE DIESEL EXCAVATION IS CLEAN.

01/02/2002: PM ON SITE, MEETS WITH TIM AHRENS, ON SITE PROJECT MANAGER FOR IT. GEOPROBE INVESTIGATION SCHEDULED TO INVESTIGATE DEPTH OF CONTAMINATION. SOIL SAMPLE RESULTS FROM FIRST 8 GEOPROBE POINTS INDICATE SIGNIFICANT CONTAMINATION TO DEPTHS OF 8 FEET BELOW GROUND SURFACE IN AREA OF TANKER RUPTURES. GROUNDWATER RESULTS IN THIS AREA ALSO INDICATES IMPAIRMENT. AN ADDITIONAL 36 SOIL SAMPLES YET TO BE ANALYZED BY SEVERN TRENT MOBILE LAB FROM GEOPROBE INVESTIGATION CONDUCTED PREVIOUSLY. FID HEADSPACE SCREENING OF MANY OF THESE SAMPLES ALSO INDICATE SIGNIFICANT IMPAIRMENT. WHILE ON SITE CONDUCTED WALKTHROUGH WITH DAVE NAPIER OF THE NYSHD AND MARK LESZCZYNSKI OF THE MCHD.

06/25/2004: REVIEW OF ACTIVE SPILL FILES SHOWS THIS SPILL SHOULD HAVE BEEN CLOSED IN 2002 WHEN IT WAS REFERRED TO HAZ WASTE REMEDIATION FOR FOLLOW UP OF THE SOLVENT INVESTIGATION AND CLEAN UP. THE DIESEL SPILLED FROM THE LOCOMOTIVES HAD BEEN CLEANED UP AND SOIL DISPOSED OF. NO FURTHER WORK WAS REQUIRED BY SPILLS.

09/25/08: PAPER FILE REMOVED PER FILE RETENTION POLICY.

PIN

T & A

COST CENTER

LASS: A3

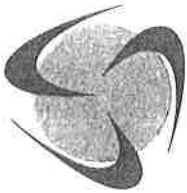
CLOSE DATE: 06/25/2004

MEETS STANDARDS: False

Created On: 12/23/2001

Date Printed: 9/11/2009

Last Updated: 09/25/2008



TriTech

Environmental Health and Safety, Inc.

July 30, 2009

Kathleen Eisenmann
Monroe County Water Authority
475 Norris Drive
P.O. Box 10999
Rochester, NY 14610

Re: 527 River Street, Rochester, New York 14612
Site Owner: United States Coast Guard Tax ID: 047.630-0001-001.002

Dear Ms. Eisenmann:

We are writing to request certain records pursuant to the Freedom of Information Act relative to the above-referenced Site.

We would be interested in obtaining Site records indicative of the following:

- Sewer or Well Installation Information
- Subsurface investigations (eg, soil and/or groundwater testing) at the Site;
- Site contamination and remedial action (eg, reports);
- Contaminated wells (eg, public or private) on-Site;
- Federal/State regulated wetlands on-Site; and
- Land records indicating activity and/or use limitations.

If you should have any questions, please do not hesitate to contact our office.

Sincerely,
TriTech Environmental Health and Safety, Inc.

Amy T. Thornton, REPA
Environmental Project Manager

1100 University Ave
Rochester, NY 14607
Tel 585.256.6211
Fax 585.256.6244
www.tritechhs.com



MONROE COUNTY WATER AUTHORITY

P.O. Box 10999 • 475 Norris Drive • Rochester, New York 14610-0999

Phone: (585) 442-2000 Fax: (585) 442-0220

July 31, 2009

Amy T. Thornton, REPA
Environmental Project Manager
TriTech Environmental Health and Safety, Inc.
1100 University Ave.
Rochester NY 14607

Re: 527 River Street, Rochester, New York 14612
Site Owner: United States Coast Guard Tax ID: 047.630-0001-001.002

Dear Ms. Thornton:

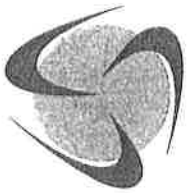
This letter is in response to your Freedom of Information Law request received July 31, 2009 pursuant to the provisions of Public Officers Law §89(3).

The Water Authority has never owned nor had any real property interest in the referenced property and, furthermore, does not have any records of any type on said property.

Yours truly,

Kathleen A. Eisenmann
Secretary to the Authority

cc: S. Savage, P.E.
T. Ferguson, P.E.



TriTech

Environmental Health and Safety, Inc.

July 30, 2009

Tim Levandoski
Monroe County Pure Waters
City Place
50 West Main Street, Suite 7100
Rochester, NY 14614

Re: 527 River Street, Rochester, New York 14612
Site Owner: United States Coast Guard Tax ID: 047.630-0001-001.002

Dear Mr. Levandoski:

We are writing to request certain records pursuant to the Freedom of Information Act relative to the above-referenced Site.

We would be interested in obtaining Site records indicative of the following:

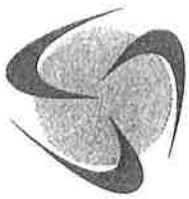
- Sewer or Well Installation Information
- Subsurface investigations (eg, soil and/or groundwater testing) at the Site;
- Site contamination and remedial action (eg, reports);
- Contaminated wells (eg, public or private) on-Site;
- Federal/State regulated wetlands on-Site; and
- Land records indicating activity and/or use limitations.

If you should have any questions, please do not hesitate to contact our office.

Sincerely,
TriTech Environmental Health and Safety, Inc.

Amy T. Thornton, REPA
Environmental Project Manager

1100 University Ave.
Rochester, NY 14607
Tel 585.256.6211
Fax 585.256.6244
www.tritechhs.com



TriTech

Environmental Health and Safety, Inc.

July 30, 2009

Monroe County Department of Health
Noah Lebowitz
Records Access Officer
50 W. Main Street - Suite 7100
Rochester, NY 14614

Re: 527 River Street, Rochester, New York 14612
Site Owner: United States Coast Guard Tax ID: 047.630-0001-001.002

Dear Mr. Lebowitz:

We are writing to request certain records pursuant to the Freedom of Information Act relative to the above-referenced Site.

Is the Site listed on any of the following government Lists:

List Description	Yes	No
Local Brownfields List		
Local Landfill/Solid Waste Disposal Sites		
Local Hazardous Waste/Contaminated Sites		
Local Petroleum/Contaminated Sites		
Local Registered Storage Tank (eg, Chemical or Petroleum Bulk Storage)		

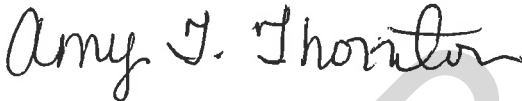
We would also be interested in obtaining Site records indicative of the following:

- Storage of hazardous substances and/or petroleum products (eg, tank registrations, tightness testing, inspections, etc.);
- Releases of hazardous substances and/or petroleum products at the Site (eg, leaking underground storage tanks, tank removal and associated analytical testing, etc.);

- Subsurface investigations (eg, soil and/or groundwater testing) at the Site;
- Site contamination and remedial action (eg, reports);
- Site contamination that has affected or has the potential to affect indoor air quality inside Site buildings;
- Radon and mold testing;
- Contaminated wells (eg, public or private) on-Site;
- Federal/State regulated wetlands on-Site;
- Land records indicating activity and/or use limitations; and
- Environmental action or other legal action, including liens, notices violation, citations and/or penalties;

If you should have any questions, please do not hesitate to contact our office.

Sincerely,
TriTech Environmental Health and Safety, Inc.



Amy T. Thornton, REPA
Environmental Project Manger



Freedom of Information Reply

Your request for documents under the Freedom of Information Law (§87) has been received by the Monroe County Department of Communications.

Your request is currently being processed and will either be approved or denied in approximately 45 business days. Should additional time be needed, we will notify you in writing.

When inquiring about your request, please refer to Freedom of Information Request # 09-158. If you have additional questions, call the Monroe County Department of Communications at 585/753-1080.

Thank you.

Noah Lebowitz, Records Access Officer, COB 204, 39 W. Main St., Rochester, NY 14614



Department of Communications

Monroe County, New York

Maggie Brooks
County Executive

Noah M. Lebowitz
Director

September 17, 2009

Amy Thornton
TriTech
1100 University Avenue
Rochester, New York 14607

RE: Freedom of Information Request 09-1578

Dear Ms. Thornton:

Your request for information under the Freedom of Information Law (F.O.I.L.) has been denied as Monroe County was unable to locate documents in our files responsive to your request.

Monroe County Department of Communications now considers the above referenced request closed.

You may appeal this decision, in writing, within 30 days. The Appeals Officer for Monroe County is Daniel DeLaus, 39 W. Main Street, Suite 110, Rochester, New York, 14614.

Sincerely,

A handwritten signature in dark ink, appearing to read "Noah M. Lebowitz", is written over a large, light gray "DRAFT" watermark.

Noah M. Lebowitz
Records Access Officer

NML/ap

From: "Amy Thornton" <athornton@tritechhs.com>
To: <fwinfo@gw.dec.state.ny.us>
CC: <athornton@tritechhs.com>, <jboscia@tritechhs.com>
Date: 9/10/2009 9:34 AM
Subject: Phase I ESA at 527 River Street, Rochester, NY 14612

RE: 527 River Street, Rochester, NY 14612 (US Coast Guard Vacant Site (a/k/a
Rochester Auxiliary Operated Station land, New York)

Hello.

We are currently in the finishing stages of finalizing our Phase I ESA for the Site referenced above which is located less than 1/16th of a mile from the Genesee River and Lake Ontario. I am looking to speak with someone or get a response back that this property. (ie, vacant, never developed) is not in an area where endangered specie regulations may effect the Site. I assume not, but have to check as the US Coast Guard currently owns the Site and it has been their request that this be looked into.

Thank you in advance for your help.

Amy T. Thornton, REPA
Environmental Project Manager
TriTech Environmental Health and Safety, Inc.
1100 University Avenue, Suite 202
Rochester, New York 14607
(585) 256-6211 Office
(585) 256-6244 Fax
(585) 305-9681 Cell
www.tritechhs.com

Certified Women-Owned Business Enterprise ("WBE")

"Never doubt that a small group of thoughtful people could change the world. Indeed, it's the only thing that ever has." - Margaret Mead

this Email forwarded to me -
Enclosed you will find guidelines
as to "how to request info" -
Please send (Mail) to me following
these guidelines -
Thanks -
Jean Pietrusiak

HOW TO REQUEST DATA FOR A PROJECT SITE from the New York Natural Heritage Program

Requests should be submitted in writing. Please send a request letter which provides all of the following information. We will provide a report on the rare species of plants and animals, and on the significant ecological communities, which are or may be in the vicinity of the project site.

Requests for data from the New York Natural Heritage Program are handled in the order in which they are received. Faxed requests are discouraged due to the poor quality of faxed maps. Since our office receives many requests each day, we strongly encourage you to contact us during the early stages of a project. You will receive the official response in writing.

NECESSARY INFORMATION. In order for us to determine what data you are requesting and respond to your request more quickly, the following information should be included. If your request lacks this information, our response will be delayed.

1. Write a brief description of the proposed project or activity (e.g., residential development, landfill siting, bridge repair, cellular communication tower). Include the current use of the project site.
2. Tell us why you need the data (e.g., environmental assessment under SEQR, wetland permit, management plan, town planning). Include any documents which are expected to include the data (e.g., EAF, DEIS, Phase I Assessment), and, if applicable, the Lead Agency for SEQR review.
3. Include the name of all counties and towns where the proposed project is located.
4. Include the name of all 7 ½ minute U.S.G.S. topographical maps where the proposed project is located.
5. Include a photocopy of the appropriate 7 ½ minute (1:24,000 or 1:25,000 scale) U.S.G.S. topographical map(s), at a scale that includes identifiable geographic features. The preferred map size is 8 ½" x 11". Tax maps, architectural drawings or road maps are generally not useful.
6. Clearly mark the boundary of the proposed project with a colored pen or highlighter.

EXAMPLE OF A COMPLETE DATA REQUEST:

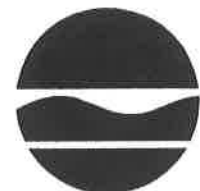
"A 250 unit housing development is proposed for 400 acres in the Town of Red Hook, Dutchess County. The site is currently undeveloped, and mostly wooded with some former agricultural fields. We have been contracted to review the environmental impacts of the project and prepare the Environmental Assessment Form under SEQR, to be reviewed by the Town of Red Hook acting as Lead Agency. In order to complete the EAF, we will need to know whether the proposed project would likely impact any ecologically significant areas or rare species of plants or animals. Enclosed is a photocopy of the Saugerties USGS quadrangle showing the location of the proposed development in red."

WHERE TO SEND YOUR DATA REQUEST:

Information Services
New York Natural Heritage Program
New York State Department of Environmental Conservation
625 Broadway, 5th Floor
Albany, New York 12233 -4757
phone: (518) 402-8935 fax: (518) 402-8925

att: Jeanne Rebrusnik

New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, Albany, New York 12233-4757
Phone: (518) 402-8935 • **FAX:** (518) 402-8925
Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

September 15, 2009

Amy T. Thornton
Tri Tech Environmental Health and Safety, Inc
1100 University Avenue
Rochester, NY 14607

Dear Ms. Thornton:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to an Environmental Assessment for the proposed Property Sale of a vacant parcel, by the U.S. Coast Guard to City of Rochester, site as indicated on the map you provided, located at 527 River Street, Rochester, Monroe County.

We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.

This project location is near a designated Significant Coastal Fish and Wildlife Habitat. This habitat is part of New York State's Coastal Management Program (CMP), which is administered by the NYS Department of State (DOS). Projects which may impact the habitat are reviewed by DOS for consistency with the CMP. For more information regarding this designated habitat and applicable consistency review requirements, please contact:

Jeff Zappieri - (518) 474-6000
NYS Department of State
Office Coastal, Local Government and Community Sustainability
1 Commerce Plaza, 99 Washington Avenue
Albany, NY 12231

The absence of data does not mean, however, that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site, but rather that our files currently do not contain any information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of rare or state-listed species, or of significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage Databases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

Sincerely,

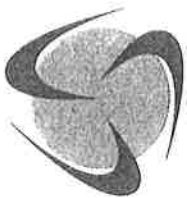
Tara Salerno jp

Tara Salerno

Information Services

NY Natural Heritage Program

Encs.



TriTech

Environmental Health and Safety, Inc.

September 14, 2009

Informational Services
New York Natural Heritage Program
New York State Department of Environmental Conservation
625 Broadway, 5th Floor
Albany, New York 12233-4757
Attention: Jean Pietrusiak

Re: 527 River Street, Rochester, Monroe County, New York 14612
Site Owner: United States Coast Guard Tax ID: 047.630-0001-001.002

Dear Ms. Pietrusiak:

I am currently conducting a Phase I Environmental Site Assessment (ie, "Phase I ESA") at the Site referenced above. The Site is currently vacant land (ie, grass, some gravel and trees and vegetation surrounding the north and west edges of the Site) and has never been developed. The Site is currently owned by the United States Coast Guard (ie, Coast Guard). The Phase I ESA is being conducted prior to the sale of the Site to the City of Rochester to widen the road (ie, "project").

In order to complete our Phase I ESA we will need to know whether the proposed project would likely impact ecological significant areas or rare species of plants or animals.

Enclosed is a photocopy of the USGS quadrangle showing the Site and an aerial photograph in which the Site is highlighted in red.

If you should have any questions, please do not hesitate to contact our office.

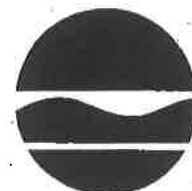
Sincerely,
TriTech Environmental Health and Safety, Inc.

Amy J. Thornton

Amy T. Thornton, REPA
Environmental Project Manager

1100 University Ave.
Rochester, NY 14607
Tel 585.256.6211
Fax 585.256.6244
www.tritechhs.com

New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, Albany, New York 12233-4757
Phone: (518) 402-8935 • **FAX:** (518) 402-8925
Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

September 15, 2009

Amy T. Thornton
Tri Tech Environmental Health and Safety, Inc
1100 University Avenue
Rochester, NY 14607

Dear Ms. Thornton:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to an Environmental Assessment for the proposed Property Sale of a vacant parcel, by the U.S. Coast Guard to City of Rochester, site as indicated on the map you provided, located at 527 River Street, Rochester, Monroe County.

We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.

This project location is near a designated Significant Coastal Fish and Wildlife Habitat. This habitat is part of New York State's Coastal Management Program (CMP), which is administered by the NYS Department of State (DOS). Projects which may impact the habitat are reviewed by DOS for consistency with the CMP. For more information regarding this designated habitat and applicable consistency review requirements, please contact:

Jeff Zappieri - (518) 474-6000
NYS Department of State
Office Coastal, Local Government and Community Sustainability
1 Commerce Plaza, 99 Washington Avenue
Albany, NY 12231

The absence of data does not mean, however, that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site, but rather that our files currently do not contain any information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of rare or state-listed species, or of significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

US Coast Guard

527 River Street
Rochester, NY 14612

Inquiry Number: 2563063.4
August 17, 2009

The EDR-City Directory Abstract

TABLE OF CONTENTS

SECTION

Executive Summary

Findings

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

Disclaimer - Copyright and Trademark Notice

This Report contains certain information obtained from a variety of public and other sources reasonably available to Environmental Data Resources, Inc. It cannot be concluded from this Report that coverage information for the target and surrounding properties does not exist from other sources. **NO WARRANTY EXPRESSED OR IMPLIED, IS MADE WHATSOEVER IN CONNECTION WITH THIS REPORT. ENVIRONMENTAL DATA RESOURCES, INC. SPECIFICALLY DISCLAIMS THE MAKING OF ANY SUCH WARRANTIES, INCLUDING WITHOUT LIMITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE. ALL RISK IS ASSUMED BY THE USER. IN NO EVENT SHALL ENVIRONMENTAL DATA RESOURCES, INC. BE LIABLE TO ANYONE, WHETHER ARISING OUT OF ERRORS OR OMISSIONS, NEGLIGENCE, ACCIDENT OR ANY OTHER CAUSE, FOR ANY LOSS OR DAMAGE, INCLUDING, WITHOUT LIMITATION, SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES. ANY LIABILITY ON THE PART OF ENVIRONMENTAL DATA RESOURCES, INC. IS STRICTLY LIMITED TO A REFUND OF THE AMOUNT PAID FOR THIS REPORT.** Purchaser accepts this Report "AS IS". Any analyses, estimates, ratings, environmental risk levels or risk codes provided in this Report are provided for illustrative purposes only, and are not intended to provide, nor should they be interpreted as providing any facts regarding, or prediction or forecast of, any environmental risk for any property. Only a Phase I Environmental Site Assessment performed by an environmental professional can provide information regarding the environmental risk for any property. Additionally, the information provided in this Report is not to be construed as legal advice.

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2009 Enhancements to EDR City Directory Abstract

New for 2009, the EDR City Directory Abstract has been enhanced with additional information and features. These enhancements will make your city directory research process more efficient, flexible, and insightful than ever before. The enhancements will improve the options for selecting adjoining properties, and will speed up your review of the report.

City Directory Report. Three important enhancements have been made to the EDR City Directory Abstract:

1. *Executive Summary.* The report begins with an Executive Summary that lists the sources consulted in the preparation of the report. Where available, a parcel map is also provided within the report, showing the locations of properties researched.
2. *Page Images.* Where available, the actual page source images will be included in the Appendix, so that you can review them for information that may provide additional insight. EDR has copyright permission to include these images.
3. *Findings Listed by Location.* Another useful enhancement is that findings are now grouped by address. This will significantly reduce the time you need to review your abstracts. Findings are provided under each property address, listed in reverse chronological order and referencing the source for each entry.

Options for Selecting Adjoining Properties. Ensuring that the right adjoining property addresses are searched is one of the biggest challenges that environmental professionals face when conducting city directory historical research. EDR's new enhancements make it easier for you to meet this challenge. Now, when you place an order for the EDR City Directory Abstract, you have the following choices for determining which addresses should be researched.

1. *You Select Addresses and EDR Selects Addresses.* Use the "Add Another Address" feature to specify the addresses you want researched. Your selections will be supplemented by addresses selected by EDR researchers using our established research methods. Where available, a digital map will be shown, indicating property lines overlaid on a color aerial photo and their corresponding addresses. Simply use the address list below the map to check off which properties shown on the map you want to include. You may also select other addresses using the "Add Another Address" feature at the bottom of the list.
2. *EDR Selects Addresses.* Choose this method if you want EDR's researchers to select the addresses to be researched for you, using our established research methods.
3. *You Select Addresses.* Use this method for research based solely on the addresses you select or enter into the system.
4. *Hold City Directory Research Option.* If you choose to select your own adjoining addresses, you may pause production of your EDR City Directory Abstract report until you have had a chance to look at your other EDR reports and sources. Sources for property addresses include: your Certified Sanborn Map Report may show you the location of property addresses; the new EDR Property Tax Map Report may show the location of property addresses; and your field research can supplement these sources with additional address information. To use this capability, simply click "Hold City Directory research" box under "Other Options" at the bottom of the page. Once you have determined what addresses you want researched, go to your EDR Order Status page, select the EDR City Directory Abstract, and enter the addresses and submit for production.

Questions? Contact your EDR representative at 800-352-0050. For more information about all of EDR's 2009 report and service enhancements, visit www.edrnet.com/2009enhancements

EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Abstract is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Abstract includes a search and abstract of available city directory data. For each address, the directory lists the name of the corresponding occupant at five year intervals.

RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. An "X" indicates where information was identified in the source and provided in this report.

<u>Year</u>	<u>Source</u>	<u>TP</u>	<u>Adjoining</u>	<u>Text Abstract</u>	<u>Source Image</u>
2009	Polk's City Directory	-	X	X	-
2004	Polk's City Directory	-	X	X	-
1999	Polk's City Directory	-	X	X	-
1996	Polk's City Directory	-	X	X	-
1992	Polk's City Directory	-	X	X	-
1986	Polk's City Directory	-	X	X	-
1981	Polk's City Directory	-	X	X	-
1976	Polk's City Directory	-	X	X	-
1971	Polk's City Directory	-	X	X	-
1966	Polk's City Directory	-	X	X	-
1962	Polk's City Directory	-	X	X	-
1956	Polk's City Directory	-	X	X	-
1950	Polk's City Directory	-	X	X	-
1945	Polk's City Directory	-	X	X	-
1939	Polk's City Directory	-	X	X	-

FINDINGS

TARGET PROPERTY INFORMATION

ADDRESS

527 River Street
Rochester, NY 14612

FINDINGS DETAIL

Target Property research detail.

No Addresses Found

DRAFT

FINDINGS

ADJOINING PROPERTY DETAIL

The following Adjoining Property addresses were researched for this report. Detailed findings are provided for each address.

River Street

River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
2009	No address listings beyond 566 River St	Polk's City Directory
2004	No address listings beyond 560 River St	Polk's City Directory
1999	No address listings beyond 560 River St	Polk's City Directory
1996	No address listings beyond 560 River St	Polk's City Directory

431 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
2009	Scuttlebutt's Restaurant	Polk's City Directory
2004	Scuttlebutt's Restaurant	Polk's City Directory
1999	Scuttlebutt's Restaurant	Polk's City Directory
1996	Scuttlebutt's Restaurant	Polk's City Directory
1992	Scuttlebutt's Restaurant	Polk's City Directory
1986	Sammy's Bar & Restaurant	Polk's City Directory
1981	Sammy's Bar & Restaurant	Polk's City Directory
1976	Sammy's Bar & Restaurant	Polk's City Directory
1971	Sammy's Bar & Restaurant	Polk's City Directory
1966	Sammy's Bar & Restaurant	Polk's City Directory
1962	Sammy's Bar & Restaurant	Polk's City Directory
1956	Geo Bonacci Restaurant	Polk's City Directory
1950	Geo Bonacci Restaurant	Polk's City Directory
1945	Geo Bonacci Restaurant	Polk's City Directory
1939	Geo Bonacci Restaurant	Polk's City Directory

436 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1992	Vacant	Polk's City Directory

441 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1981	Tapecon Inc	Polk's City Directory
1976	Tapecon Inc	Polk's City Directory
1971	Saco Industrial	Polk's City Directory

FINDINGS

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1966	Valley Marine Co Boat Equipment	Polk's City Directory
1962	Valley Marine Co Boat Equipment	Polk's City Directory
1956	Valley Marine Co	Polk's City Directory
1950	Valley Marine Co	Polk's City Directory
1945	Vacant	Polk's City Directory
1939	Residential	Polk's City Directory

465 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1999	Not Verified	Polk's City Directory
1992	Tapecon Inc	Polk's City Directory
1986	Tapecon Inc	Polk's City Directory
1981	Tapecon Inc	Polk's City Directory
1976	Tapecon Inc	Polk's City Directory
1971	F D Tape Printing	Polk's City Directory
1966	F D Tape Printing Inc	Polk's City Directory
1962	Gateway Mfg Co	Polk's City Directory
1956	Garrett Machine Corp	Polk's City Directory
1950	Garrett Machine Corp	Polk's City Directory

467 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1992	Tapecon Inc	Polk's City Directory
1986	Tapecon Inc	Polk's City Directory
1981	Tapecon Inc	Polk's City Directory
1976	Tapecon Inc	Polk's City Directory

475 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1971	Tapecon Inc	Polk's City Directory

478 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
2004	Marine Fire Dept	Polk's City Directory
1996	Marine Fire Dept	Polk's City Directory
1992	Marine Fire Dept	Polk's City Directory

500 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1956	Used By Coast Guard Auxilliary	Polk's City Directory

FINDINGS

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1950	Residential	Polk's City Directory
1945	Larry Gussen Lumber	Polk's City Directory

501 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1966	Vacant	Polk's City Directory
1962	Charloette Tree Removal Co	Polk's City Directory
1956	Charloette Tree Removal Co	Polk's City Directory

503 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
2009	No current listing	Polk's City Directory
2004	No current listing	Polk's City Directory
1999	Residential	Polk's City Directory
1996	Residential	Polk's City Directory
1992	Pelican Marine	Polk's City Directory
1986	Pelican Bay Marina	Polk's City Directory
1981	Anchor Marine	Polk's City Directory
1976	Anchor Marine	Polk's City Directory
1971	Anchor Marine	Polk's City Directory
1966	J Karl & Son (Brush Mfrs)	Polk's City Directory
1962	Karl Nicholas Brush Co	Polk's City Directory
1956	Karl Nicholas & Sons Brush Co	Polk's City Directory
1950	Karl Nicholas & Sons Brush Co	Polk's City Directory
1945	Karl Nicholas & Sons Brush Co	Polk's City Directory
1939	Karl Nicholas (brush mfrs)	Polk's City Directory

504 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1999	Charlotte Marine Co	Polk's City Directory
1996	Residential	Polk's City Directory
1992	Charlotte Marine Co	Polk's City Directory
1986	Charlotte Marine Co	Polk's City Directory
1981	Charlotte Marine Co	Polk's City Directory
1976	Charlotte Marine Co	Polk's City Directory
1971	Charlotte Marine Co	Polk's City Directory
1966	Charlotte Marine Co	Polk's City Directory
1962	Charlotte Marine Co	Polk's City Directory
1956	Charlotte Marine Co	Polk's City Directory

FINDINGS

520 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
2009	U S Coast Guard Auxiliary	Polk's City Directory
2004	U S Coast Guard Auxiliary	Polk's City Directory
1999	Residential	Polk's City Directory
1996	U S Coast Guard Auxiliary	Polk's City Directory
1992	U S Coast Guard Auxiliary	Polk's City Directory
1986	U S Coast Guard Auxiliary	Polk's City Directory
1981	U S Coast Guard Auxiliary	Polk's City Directory
1976	U S Coast Guard Auxiliary	Polk's City Directory
1971	U S Coast Guard Auxiliary	Polk's City Directory
1966	U S Coast Guard Auxiliary	Polk's City Directory
1962	U S Coast Guard Auxiliary	Polk's City Directory

555 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1956	Charlotte Sewage Disposal	Polk's City Directory
1950	Charlotte Sewage Disposal	Polk's City Directory
1945	Charlotte Sewage Disposal	Polk's City Directory
1939	Charlotte Sewage Disposal	Polk's City Directory

558 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1992	Monroe County Pure Waters	Polk's City Directory
1986	City Sewage Pump Station	Polk's City Directory
1981	City Sewage Pump Station	Polk's City Directory
1976	City Sewage Pump Station	Polk's City Directory
1971	City Sewage Pump Station	Polk's City Directory

560 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
2009	Pelican Marina Inc	Polk's City Directory
2004	Pelican Marina Inc	Polk's City Directory
1999	Pelican Marina Inc	Polk's City Directory
	Pelicans Nest	Polk's City Directory
1996	Pelican Marina Inc	Polk's City Directory
1992	Pelican Marina Inc	Polk's City Directory
1986	Pelican Bay Marina Inc	Polk's City Directory
1981	Anchor Marine of Rochester Inc	Polk's City Directory
1976	Anchor Marine of Rochester Inc	Polk's City Directory

FINDINGS

<u>Year</u>	<u>Uses</u>	<u>Source</u>
1971	Anchor Marine of Rochester Inc	Polk's City Directory
1966	City Sewage Pump Station	Polk's City Directory
1962	City Sewage Pump Station	Polk's City Directory
1945	Marine Service	Polk's City Directory
1939	Jos Miller Boat Builder	Polk's City Directory

566 River Street

<u>Year</u>	<u>Uses</u>	<u>Source</u>
2009	Pelican's Nest Restaurant	Polk's City Directory

FINDINGS

TARGET PROPERTY: ADDRESS NOT LISTED IN RESEARCH SOURCE

The following Target Property addresses were researched for this report, and the addresses were not listed in the research source.

Address Researched

527 River Street

Address Not Listed in Research Source

2009, 2004, 1999, 1996, 1992, 1986, 1981, 1976, 1971, 1966, 1962, 1956, 1950, 1945, 1939

ADJOINING PROPERTY: ADDRESSES NOT LISTED IN RESEARCH SOURCE

The following Adjoining Property addresses were researched for this report, and the addresses were not listed in research source.

Address Researched

436 River Street

465 River Street

467 River Street

475 River Street

478 River Street

500 River Street

501 River Street

504 River Street

520 River Street

558 River Street

560 River Street

566 River Street

Address Not Listed in Research Source

1986, 1981, 1976, 1971, 1966, 1962, 1956, 1950, 1945, 1939

1996, 1945, 1939

1971, 1966, 1962, 1956, 1950, 1945, 1939

1966, 1962, 1956, 1950, 1945, 1939

1999, 1986, 1981, 1976, 1971, 1966, 1962, 1956, 1950, 1945, 1939

1939

1950, 1945, 1939

1950, 1945, 1939

1956, 1950, 1945, 1939

1966, 1962, 1956, 1950, 1945, 1939

1956, 1950

2004, 1999, 1996, 1992, 1986, 1981, 1976, 1971, 1966, 1962, 1956, 1950, 1945, 1939

US Coast Guard

527 River Street

Rochester, NY 14612

Inquiry Number: 2563063.3

August 13, 2009

Certified Sanborn® Map Report

Certified Sanborn® Map Report

8/13/09

Site Name:

US Coast Guard
527 River Street
Rochester, NY 14612

Client Name:

Tritech Env. Health and Safety
1100 University Avenue
Rochester, NY 14607



Environmental Data Resources Inc

EDR Inquiry # 2563063.3

Contact: Amy Thornton

The complete Sanborn Library collection has been searched by EDR, and fire insurance maps covering the target property location provided by Tritech Env. Health and Safety were identified for the years listed below. The certified Sanborn Library search results in this report can be authenticated by visiting www.edrnet.com/sanborn and entering the certification number. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by Sanborn Library LLC, the copyright holder for the collection.

Certified Sanborn Results:

Site Name: US Coast Guard
Address: 527 River Street
City, State, Zip: Rochester, NY 14612
Cross Street:
P.O. # NA
Project: Phase I ESA
Certification # 4887-4D4D-A805



Sanborn® Library search results
Certification # 4887-4D4D-A805

Maps Provided:

1967
1950
1924
1912
1892

The Sanborn Library includes more than 1.2 million Sanborn fire insurance maps, which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- ☒ Library of Congress
- ☒ University Publications of America
- ☒ EDR Private Collection

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Certified Sanborn® Map Report Enhancements for 2009

The accompanying Certified Sanborn Map Report reflects a number of enhancements that make it easier for you to review these historical maps. EDR has digitally joined together the more than one million fire insurance maps from the Sanborn Library collection so that your target property is centered, making it easier for you to review adjoining properties. Here is a list of the new features:

- Your target property is centered on each map. You can quickly locate your target property and view adjoining properties. Plus, adjoining properties are included more often, reducing your need to refer to additional maps.
- All maps are now displayed at a uniform scale. This makes it easier for you to view changes to the property over time.
- We've increased coverage by adding thousands of new maps from 40 cities for years 1994-2007.
- A new Map Key and Sheet Thumbnails let you reference sheet numbers, year and volume of original Sanborn Map panels used for this report.

For more information about the new enhancements to the Certified Sanborn Map Report, contact your EDR representative at 800-352-0050.

Sanborn Sheet Thumbnails

This Certified Sanborn Map Report is based upon the following Sanborn Fire Insurance map sheets.



1967 Source Sheets



Volume 6, Sheet 636



Volume 6, Sheet 634



Volume 6, Sheet 632

1950 Source Sheets



Volume 6_7, Sheet 632



Volume 6_7, Sheet 634



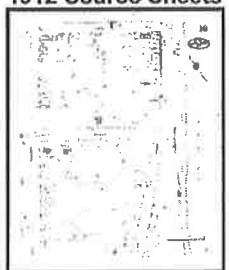
Volume 6_7, Sheet 636

1924 Source Sheets



Volume 6_7, Sheet 634

1912 Source Sheets



Volume 1, Sheet 10



Volume 1, Sheet 8

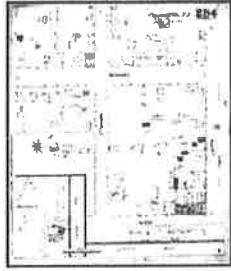


Volume 1, Sheet 7

1892 Source Sheets



Volume 3, Sheet 287



Volume 3, Sheet 284

DRAFT

1892 Certified Sanborn Map

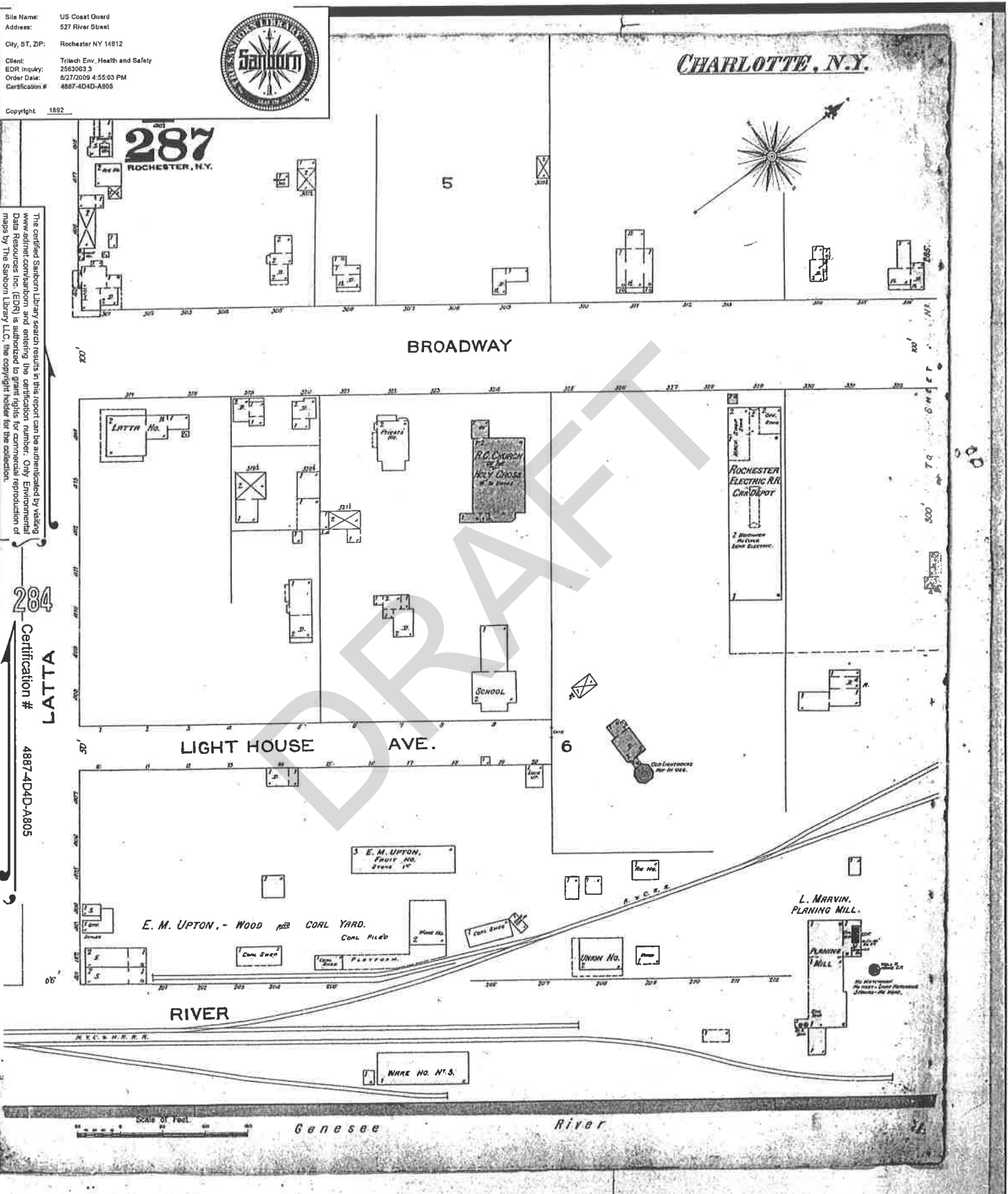
Site Name: US Coast Guard
Address: 527 River Street
City, ST, ZIP: Rochester NY 14612
Client: Tritech Env. Health and Safety
EDR inquiry: 2563063.3
Order Date: 8/27/2009 4:55:03 PM
Certification #: 4887-4D4D-A805



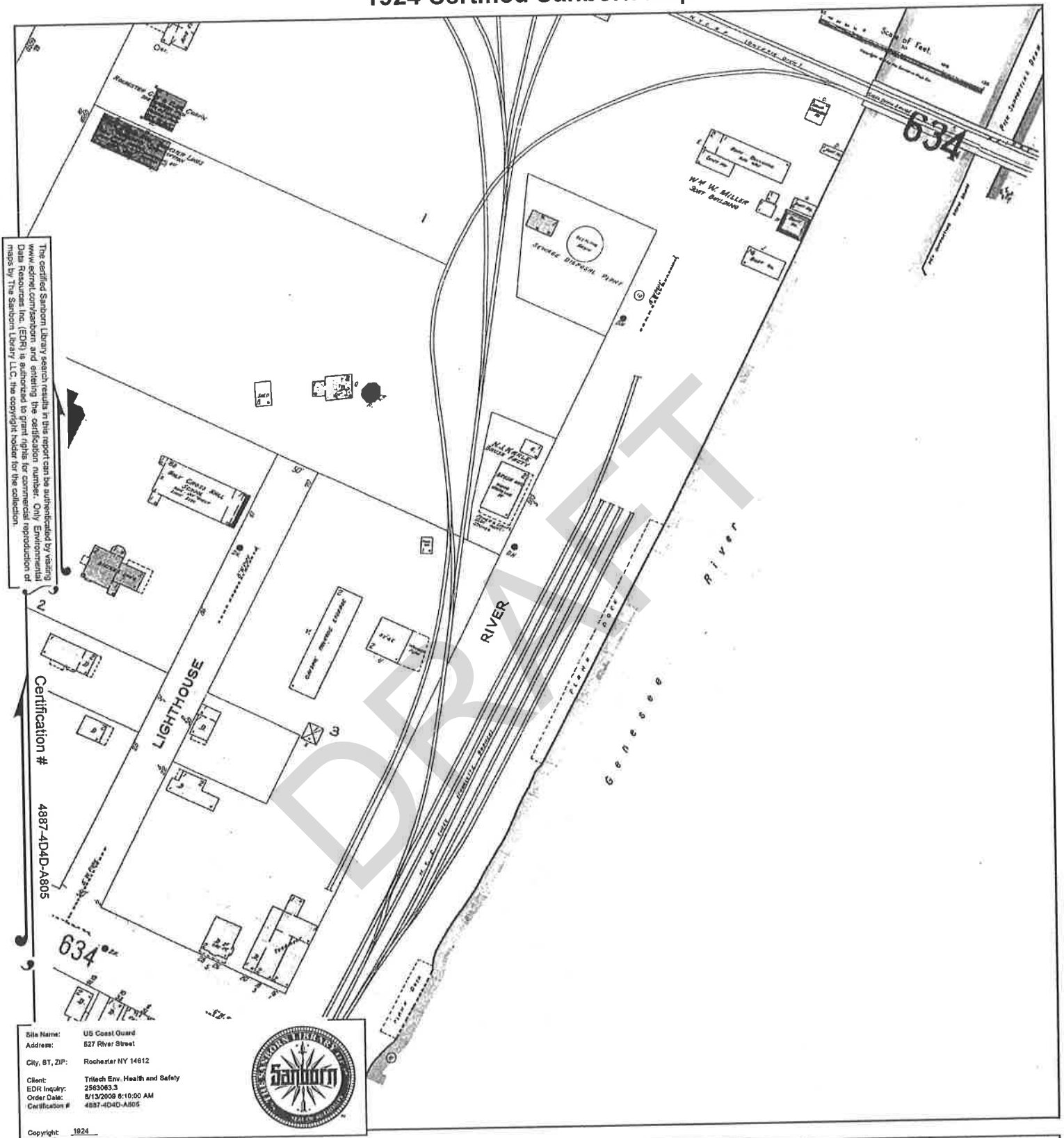
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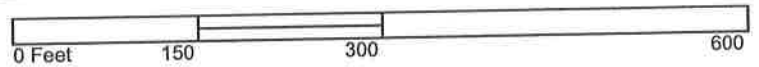
284
Certification #
4887-4D4D-A805



1924 Certified Sanborn Map



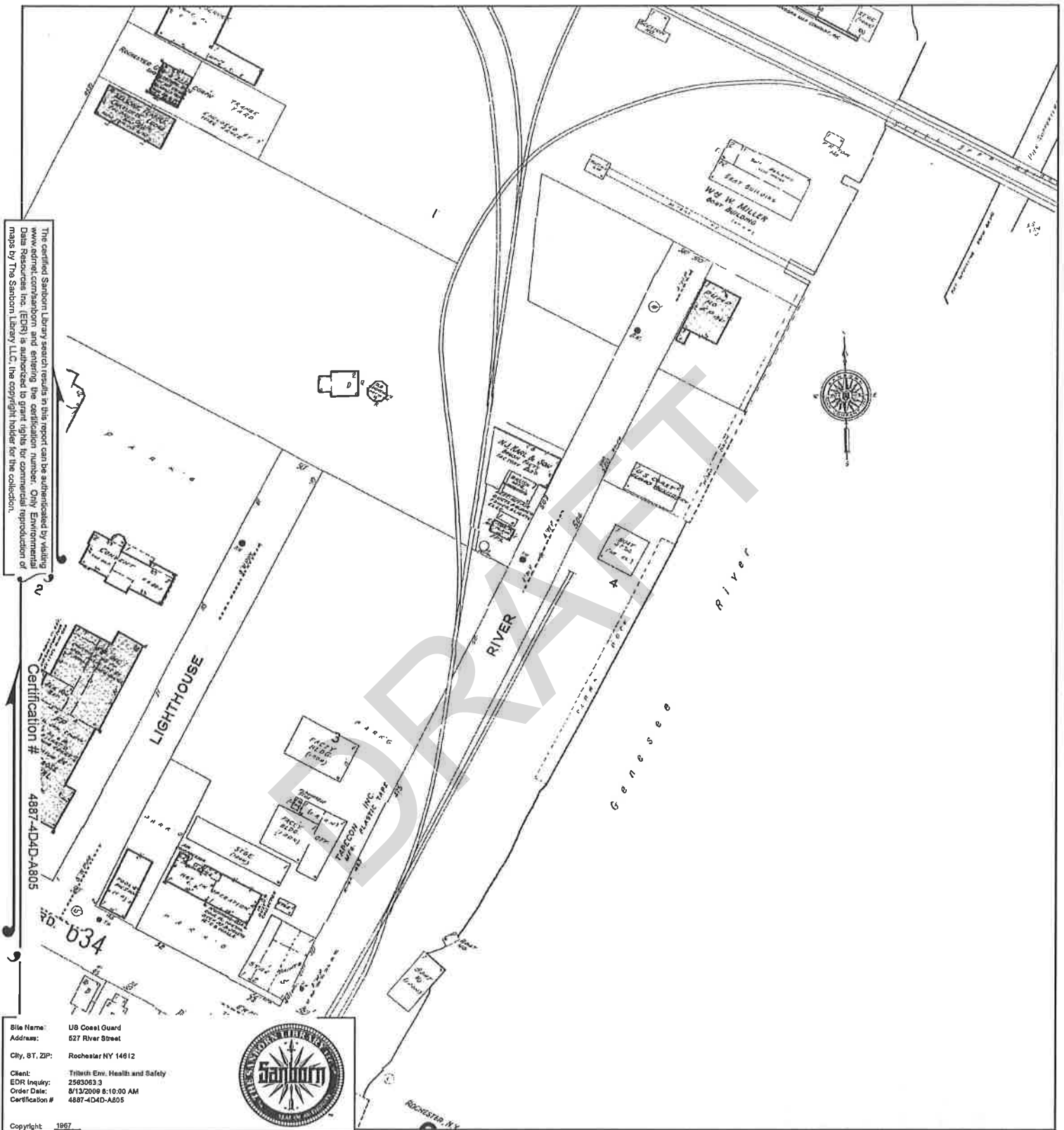
This Certified Sanborn Map combines the following sheets
(thumbnails on page 3).



Volume 6_7, Sheet 634

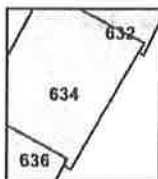


1967 Certified Sanborn Map



This Certified Sanborn Map combines the following sheets (thumbnails on page 3).

0 Feet 150 300 600



Volume 6, Sheet 636
 Volume 6, Sheet 634
 Volume 6, Sheet 632



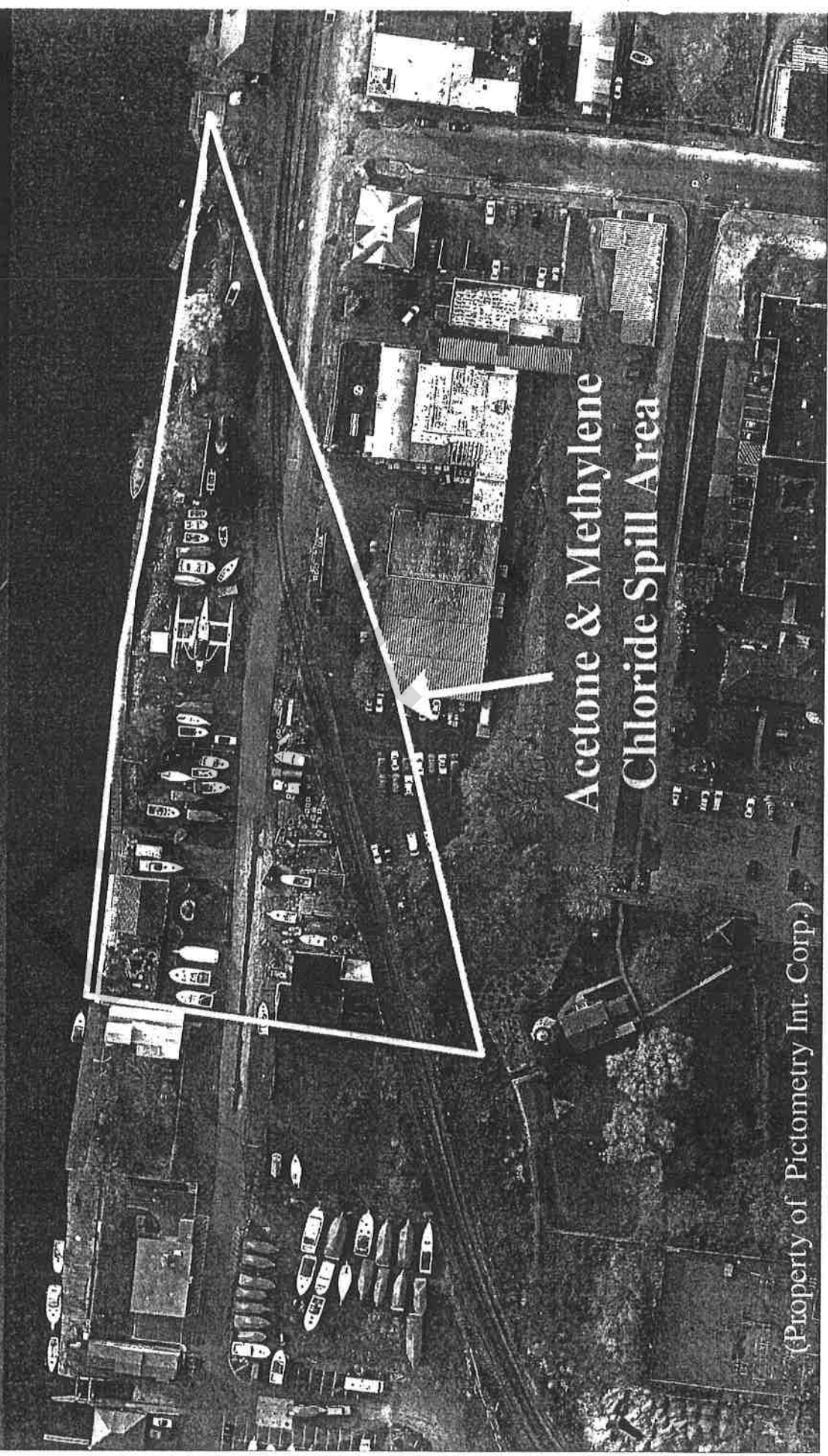
Tested Avg

MAX

MADISON	CAZENOVIA	169	5.3	3.2	2.5	107.8	38.5%	2.4%
MADISON	DERUYTER	19	6.4	3.7	3.0	23.4	42.1%	5.3%
MADISON	EATON	42	9.8	4.8	3.4	81.8	42.9%	11.9%
MADISON	FENNER	11	3.8	3.4	1.7	6.7	36.4%	0.0%
MADISON	GEORGETOWN	15	6.6	4.5	2.7	18.3	66.7%	0.0%
MADISON	HAMILTON	127	9.0	5.8	2.5	47.8	52.8%	13.4%
MADISON	LEBANON	11	3.4	2.4	2.5	9.2	36.4%	0.0%
MADISON	LENOX	132	4.1	2.5	2.8	41.5	29.5%	3.0%
MADISON	LINCOLN	5	6.2	4.1	3.1	15.7	60.0%	0.0%
MADISON	MADISON	19	3.5	2.8	2.2	10.4	36.8%	0.0%
MADISON	NELSON	19	5.9	3.6	2.7	26.4	36.8%	5.3%
MADISON	ONEIDA	110	4.2	2.4	2.9	38.6	26.4%	3.6%
MADISON	SMITHFIELD	6	6.3	5.0	2.0	16.0	50.0%	0.0%
MADISON	STOCKBRIDGE	8	3.9	2.2	4.0	9.5	37.5%	0.0%
MADISON	SULLIVAN	119	6.5	3.1	3.2	74.9	27.7%	7.6%
MONROE	BRIGHTON	82	2.2	1.6	2.2	14.3	15.9%	0.0%
MONROE	CHILI	41	2.4	1.3	2.9	20.3	9.8%	2.4%
MONROE	CLARKSON	9	2.2	1.7	2.2	6.0	11.1%	0.0%
MONROE	GATES	31	2.3	1.7	2.1	11.3	12.9%	0.0%
MONROE	GREECE	138	1.7	1.2	2.3	21.4	2.9%	0.7%
MONROE	HAMLIN	16	1.1	1.0	1.8	1.8	0.0%	0.0%
MONROE	HENRIETTA	50	2.1	1.5	2.2	12.1	10.0%	0.0%
MONROE	IRONDEQUOIT	72	1.9	1.4	2.4	8.3	8.3%	0.0%
MONROE	MENDON	181	14.8	3.8	4.3	405.6	24.9%	14.4%
MONROE	OGDEN	88	2.8	2.0	2.2	28.1	18.2%	1.1%
MONROE	PARMA	46	2.4	1.7	2.1	20.8	10.9%	2.2%
MONROE	PENFIELD	251	3.1	1.9	2.6	58.1	16.7%	1.2%
MONROE	PERINTON	145	3.4	1.7	3.0	30.0	15.2%	2.8%
MONROE	PITTSFORD	123	2.1	1.6	2.1	15.0	9.8%	0.0%
MONROE	RIGA	34	5.3	2.9	2.5	62.7	26.5%	2.9%
MONROE	ROCHESTER	388	1.9	1.3	2.3	17.4	8.2%	0.0%
MONROE	RUSH	53	6.8	3.3	2.8	58.4	22.6%	7.5%
MONROE	SWEDEN	12	2.9	1.9	2.4	13.5	16.7%	0.0%
MONROE	WEBSTER	88	1.7	1.3	2.2	7.7	6.8%	0.0%
MONROE	WHEATLAND	52	11.7	5.1	3.7	75.8	26.9%	23.1%
MONTGOMERY	AMSTERDAM	78	2.9	1.6	3.0	19	21.8%	0.0%
MONTGOMERY	CANAJOHARIE	29	3.2	2.5	2.3	7.4	37.9%	0.0%
MONTGOMERY	CHARLESTON	2	2.5	0.7	15.7	4.9	50.0%	0.0%
MONTGOMERY	FLORIDA	9	9.0	5.7	2.9	24.1	44.4%	11.1%
MONTGOMERY	GLEN	8	3.9	2.4	2.9	14.1	37.5%	0.0%
MONTGOMERY	MINDEN	5	8.9	3.7	6.3	20.9	40.0%	20.0%
MONTGOMERY	MOHAWK	14	3.4	2.1	2.8	13.0	28.6%	0.0%
MONTGOMERY	PALATINE	18	5.7	5.1	1.6	16.3	55.6%	0.0%
MONTGOMERY	ROOT	5	2.6	1.9	2.2	7.6	20.0%	0.0%

Aerial Photo Before Derailment

(November 11, 2001)



Acetone & Methylene
Chloride Spill Area

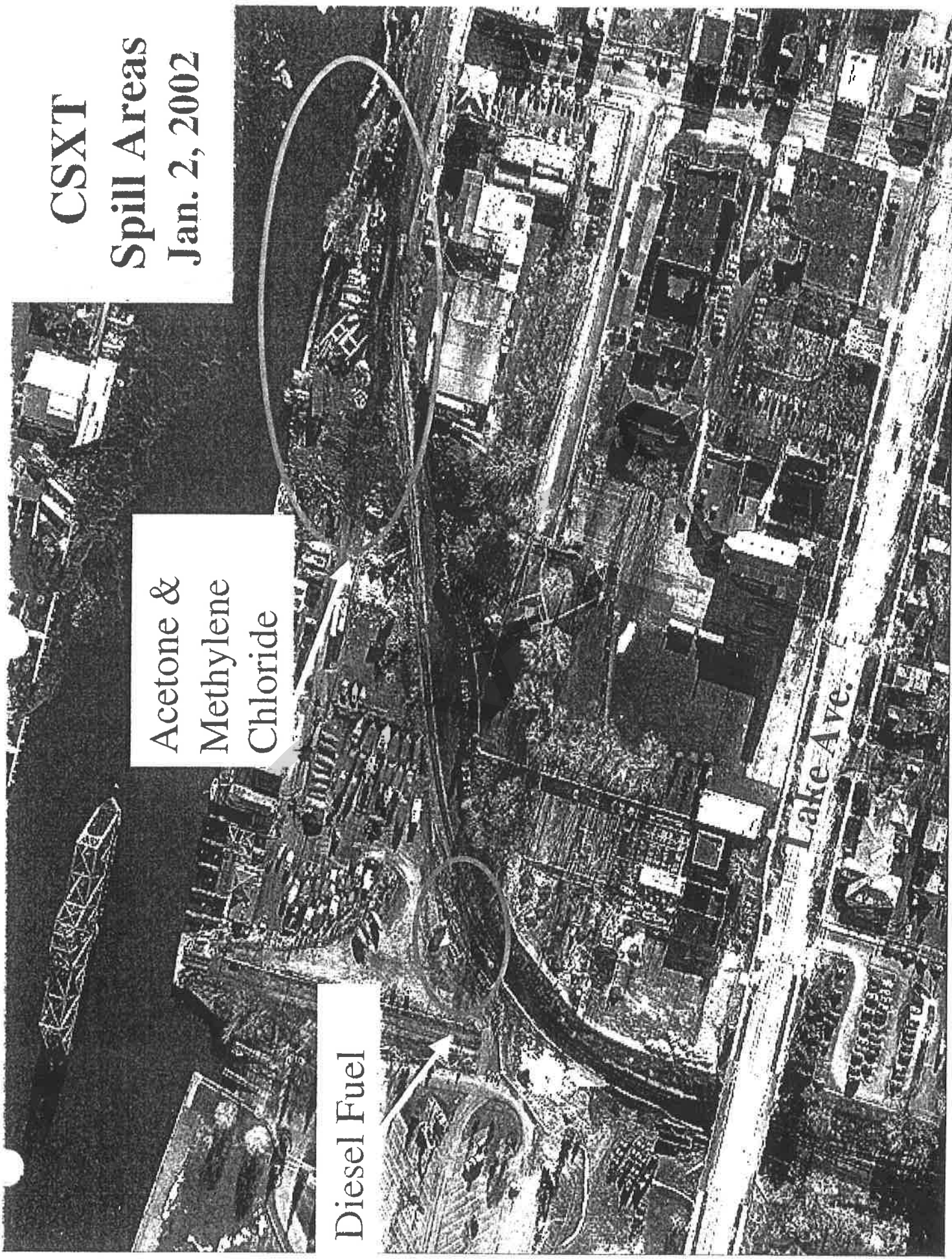
(Property of Pictometry Int. Corp.)

CSXT
Spill Areas
Jan. 2, 2002

Acetone &
Methylene
Chloride

Diesel Fuel

Lake Ave.





July 8, 2002



July 10, 2002



City of Rochester

Office of the Commissioner
Department of Environmental Services
City Hall Room 300B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov



Division of
Environmental Quality

May 8, 2009

Mr. David Pratt, P.E.
Division of Environmental Remediation, Region 8
New York State Department of Environmental Conservation
6274 East Avon-Lima Road
Avon, New York 14414

Re: CSXT River Street Derailment Voluntary Cleanup Agreement
Rochester, New York

Dear Mr. Pratt:

The City of Rochester (City) appreciates the opportunity to provide input to the NYSDEC and CSX Transportation (CSXT) regarding this phase of the project.

The City and LaBella Associates, P.C. (LaBella) have reviewed the March 2009 Quarterly Effectiveness Monitoring Report prepared by AMEC on behalf of CSXT. It is the City's understanding that CSXT has requested cessation of monitoring activities and issuance of certificate of completion for the landside portion of the Voluntary Cleanup Agreement (VCA), and the NYSDEC is also considering not requiring environmental easements or a Site Management Plan for the landside portion of the CSXT Derailment site.

The City concurs that the Interim Remedial Measure (IRM) and subsequent in-situ treatment utilizing EHC-O have significantly remediated the CSXT derailment site, and subsequent effectiveness monitoring has continued to show a reduction of CSXT contaminants in both soil and groundwater. However, given the large scale of the derailment and the complexity of the subsurface cleanup, it appears that some residual contamination attributable to CSXT still exists in some areas. Attached is a copy of the LaBella letter dated May 6, 2009 to the City in which LaBella has documented several areas of known or potential subsurface residual contamination attributable to the CSXT derailment. As LaBella Figure 1 illustrates, there are several areas of documented acetone and methylene contamination that were not addressed by the IRM, and have not received any in-situ EHC-O treatment, effectiveness monitoring, or other post-IRM monitoring. While concentrations of acetone and methylene chloride in these residual areas may have undergone some degree of natural attenuation, it is likely that some residual contamination still exists at the Site.

The City is responsible for the maintenance of certain existing underground utilities, such as street lighting and municipal public water supply in the area of the CSXT derailment. In addition, the City is in the process of designing the second phase of the River Street extension, a portion of the River Street, associated underground utilities and other right-of-way improvement will which will be constructed on the northern portion of the CSXT derailment and IRM excavation. A portion of the new River Street extension alignment is show on LaBella's Figure 1. During the first phase of the River Street extension which was completed after

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completion of the CSXT IRM, some acetone and methylene contaminated soil and groundwater was encountered by the City's contractor constructing the new street. These contaminated soils and groundwater were characterized and disposed of off-site by CSXT. As LaBella Figure 1 illustrates, the potential exists for the City to encounter and disturb additional acetone and methylene chloride contaminated soil during the construction of the second phase of the River Street extension. Given the relatively limited extent and sporadic distribution of residual contamination, additional active subsurface remediation or treatment may not be warranted; however, the City concurs with LaBella that an Environmental Management Plan (EMP) should be developed by CSXT to address any residual acetone and methylene chloride contaminated media disturbed in the future. The City believes that the development of an EMP is a critical part of a long-term management of the Site, and that the EMP should outline the procedures and responsibilities for CSXT, as the responsible party, to properly manage, handle, characterize and dispose of media contaminated attributed to the 2001 CSXT derailment and which may be disturbed by the City or others.

If CSXT is not required to develop a SMP, it is recommended that the NYSDEC provide the City with guidance regarding waste characterization should residual acetone or methylene chloride contamination attributable to the CSXT spill be encountered or disturbed in the future. For example, would the Department's consider the residual CSXT contaminated media exempt from solid and hazardous waste regulations, a non-hazardous regulated solid waste, or a hazardous waste? If considered hazardous waste, would the "Contained In" rule apply as it did during the CSXT IRM, and would the Department consider CSXT to be the generator of the waste?

Please contact me if you would like to meet and further discuss these remaining issues. If you have any questions, please contact me at (585) 428-6649. Thank you.

Sincerely,



Joseph Biondolillo
Senior Environmental Specialist

cc: Paul Kurzanski, CSXT
Joseph Albert, MCDOH
Igor Shukoff, City of Rochester
Mark Gregor, City of Rochester
Greg Senecal, LaBella



Paul J. Kurzanski, REM
Manager Environmental Remediation
Direct: (904) 359-3101
FAX: (904) 245-2826
E-mail: paul_kurzanski@csx.com

Public Safety & Environment Department
500 Water Street, J-275
Jacksonville, FL 32202

July 16, 2009

Mr. David Pratt, P.E.
NYSDEC Region 8
6274 East Avon – Lima Road
Avon, New York 14414

Re: CSXT River St. Derailment
Rochester, New York
Site #V00524-8
Response to City of Rochester Comments (May 8, 2009) on the March 2009 Effectiveness
Monitoring Report

Dear Mr. Pratt:

CSX Transportation, Inc. (CSXT) has prepared this letter in response to your communication of May 8, 2009 regarding comments received from the City of Rochester (and their consultant, Labella Associates) on CSXT's March 2009 Effectiveness Monitoring report.

The comments by the City referred to three residual areas of concern (AOC). These same concerns were raised by the City, and answered by CSXT, in the summer of 2006 prior to implementing the injection remedy for the land side of the site. Although CSXT does address each of these three residual AOCs below, we would like to point out that all of the samples referenced in the City's letter were collected prior to the summer of 2003 and from beyond the Department-approved remedial program for the site, while much of the data to which CSXT refers below was collected more recently, and all of it was collected as part of the Department-approved remedial program for the site.

It is significant to note that CSXT excavated and disposed off-site all but a fraction of the subsurface impacted by the acetone and methylene chloride released during the derailment. In so doing, CSXT excavated to a depth of 10' below ground surface (BGS) or more. Clean fill was put in place. CSXT also constructed a new sewer line as part of that excavation interim remedial action. The new sewer was placed wholly within the clean fill. CSXT then implemented an injection remedy that has successfully broken down the residual acetone and methylene chloride present within the impacted soils not previously excavated during the interim remedial measure. So, CSXT has a hard time envisioning any activity that would cause the disturbance of anything but clean fill or completely remediated soils.

Moreover, CSXT believes that the data actually supports the conclusion that the land side soils at the site no longer contain consequential amounts of acetone or methylene chloride. The groundwater has consistently met drinking water quality standards since 2004. CSXT would, therefore, like to see the Department modify the description of the site so that only the area of residually impacted sediment remains within its description.

With respect to the three potential residual AOCs targeted by the City, CSXT answers as follows:

Residual AOC 1 (Red)

Residual AOC 1 (Red) is comprised of eight sample locations. However, within residual AOC 1 (Red), the eight samples group in three general locations. We refer to these three general locations as the 'Northern Area,' the 'Area Along the River,' and the 'Southern Area.'

Northern Area

Five of the eight samples (SB-3, SS-88, SS-87, SS-81, and SS-96) are located in the Northern Area. Some of the Northern Area is within the site. However, the data collected by the City and CSXT in association with the excavations performed during the interim remedial measure show a distinct northern cutoff of impacts. See attached Figure 1. That cutoff is defined by City samples SS-82, 84, 85, 94, 95, 98, 99 ranging in depth from 3.8' to 11' BGS which are all below the TAGM recommended soil cleanup objectives (RSCOs) with many of these samples non-detect. That cutoff is also defined by CSXT samples C6 B4', D6/C6 B10', D6/C6 SW West 5', CD4 B10', D5 B12', SB1/MW-9, SB-9/MW-7, SB-6, with sample depths ranging from 4' to 20', also all below the TAGM RSCOs. This combined data defines the northern limit of the CSXT site. SB-3 and SS-88 are not related to the derailment.

Of the three samples related to the derailment site (SS-81, SS-87 and SS-96), SS-81 was only 7 ppb above the TAGM RSCO of 200 ppb for acetone and SS-87 was only 28 ppb above the RSCO for acetone. Although SS-96 was below the RSCO for acetone, it contained 1,420 ppb methylene chloride. All three of these three samples are from 2002. Since then, significant natural attenuation has occurred as evidenced by the sample collected at GP-39 in 2006, which was collected in the same location as SS-96. GP-39 did not detect any acetone and had a methylene chloride concentration of 22 ppb.

CSXT conducted a benchscale study in 2006 to evaluate the two forms of in-situ bio-amendments which might be used in the land side remedy. That benchscale study found that the acetone appeared to attenuate almost as rapidly in the control jars as it did in the amended jars. As a result, CSXT re-sampled on November 6 and 7, 2006 the locations on the site where residual acetone had been detected by CSXT or the City during the end point sampling for the excavation interim remedial measure. In total, AMEC sampled 36 locations and collected 121 samples, not including duplicates. Review of the analytical data showed significant reductions in acetone across the site with average percent reductions of 97.72%. See attached Table 1.

It is evident from that 2006 sampling event and corroborating groundwater monitoring data to date that natural attenuation, and/or accelerated biodegradation due to the disturbance of the site during the remediation, is occurring, and that the remaining residuals are much less than previously reported by the City in 2002/2003. The methylene chloride detected at SS-96 in 2002 had abated by 2006 when 22 ppb was detected at the same location in sample GP-39. Although not sampled since 2002, even a 14% reduction in acetone concentrations at the SS-81 and SS-87 locations over the past 7 years would place those areas in compliance with TAGM RSCOs.

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Area Along the River

Two of the eight residual AOC 1 (Red) sample locations, RB-1 and RB-9, are from along the river between two sheet pile walls. Their location is currently inaccessible due to the boardwalk.

Sample RB 0 +010 10' was near sample RB-1 (approximately 10 feet) and had results of 110 ppb acetone and 7 ppb methylene chloride. See attached Figure 2. Sample GP-38 was also near RB-1 and had results of 44 ppb acetone and 25 ppb methylene chloride. Both these sample results were below the respective TAGM RSCOs of 200 ppb for acetone and 100 ppb for methylene chloride.

Sample RB1+30 10' was near RB-9 (approximately 10 feet) and had results of 18 ppb acetone and 14 ppb methylene chloride which were again below RSCOs. The water quality of nearby groundwater monitoring wells MW-8 and MW-6 consistently meets drinking water quality standards. Soil quality at RB-1 and RB-9 is no longer of concern.

Southern Area

One of the eight residual AOC 1 (Red) sampling locations, SS-35, is south of the injection area treated with the in-situ bioremediation amendment. This sample contained 117 ppb methylene chloride compared to the RSCO of 100 ppb when it was collected in 2002. Sample K3.5SW3.5, however, was collected from exactly the same location and had results below the RSCO with acetone at 57.2 ppb and methylene chloride at least below the detection limit of 28.6 ppb. See attached Figure 2.

In addition Samples SB-15 and GP-36 were collected in this same area in 2004 and 2006 with no detectable acetone and a maximum detection of 19 ppb methylene chloride. Natural attenuation, and/or accelerated biodegradation due to the disturbance of the site during the remediation, appears to have occurred at SS-35.

Residual AOC 2 (Yellow)

The eighteen residual AOC 2 (Yellow) samples noted by the City are all located within the injection zone of the land side remedy. The groundwater and soil sampling of this area during the recent implementation of the in-situ bioremediation amendment has been extensive and has consistently shown analytical results below the TAGM RSCOs. The groundwater consistently meets drinking water quality standards. CSXT see no reason to continue to address these 2003 sample points.

Residual AOC 3 (Tan)

The four "groundwater" sample locations from the residual AOC 3 (Tan) were taken from temporary sample points in 2002. However, five years of groundwater sampling from Department-approved permanent monitoring wells taken throughout the site from 2004 through 2009 demonstrate that groundwater quality consistently meets drinking water quality standards. Therefore, residual AOC 3

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(Tan) no longer represents an area of concern, and there is no need for a land side soil management plan based upon concerns over the groundwater quality data.

Both the soil and groundwater data developed since the City took its samples in 2002-2003, and the depth of clean fill and bioremediated soils, support the conclusion that current site conditions are protective of utility and road workers. There no longer is a consequential amounts of acetone and methylene chloride remaining on the land side of the site such that there would be vapor mitigation requirements for buildings in this area. Moreover, should the Department agree to modify the site description to no longer include the land side, the City would not have to be concerned about technically generating soil from a hazardous waste spill site if one of the City's future construction projects ever excavated deeper than the clean fill which extends 10' BGS.

In conclusion, there has been a significant amount of sampling data collected which shows that the excavation interim remedial measure, natural attenuation and the injection of the in-situ bioremediation amendment have combined to adequately address the land side soil and groundwater impacts related to the derailment. After reviewing the results of all of these Department-approved sampling events which CSXT implemented since the City took its 2002-2003 samples, CSXT believes that there is not a technical basis to support the preparation of a soil management plan because there is not a continuing consequential impact to land side soils or groundwater.

Very truly yours,



Paul J. Kurzanski
Manager Environmental Remediation

cc: Marie T. Dowd, P.E., AMEC
Michael P. Sykes, P.E., AMEC
Janet Scagnelli, Esq., CSXT
Thomas Walsh, Esq., Hiscock & Barclay LLP
Jeff Kosmala, P.E., Monroe County Health Department
Katherine Comerford, NYSDOH
Joseph Biondolillo, City of Rochester
Alan Knauf, Esq., Knauf Shaw LLP
Paul Sylvestri, Esq., HS&E LLP
Charlotte Branch Library