2020 PERIODIC REVIEW REPORT

Former Albany Laboratories Site
67 Howard Street/140 State Street
City of Albany, New York

New York State
Department of Environmental Conservation
Site Number: 401061

CHA Project Number: 021645.000

Prepared for:

Columbia Eagle LLC
302 Washington Avenue Extension
Albany, New York 12203

Prepared by:

III Winners Circle
Albany, New York 12205
Phone: (518) 453-4500

February 3, 2021

V:\Projects\ANY\K2\21645\Reports\PRR - 2020 Reporting Period\Final\2020 PRR_Former Albany Labs_Final_2021-02-03.doc

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF APPENDICES

EXECUTIVE SUMMARY

The Former Albany Laboratories Site (Site) is located in Albany County, New York and is identified as Tax Map Parcel (TMP) Nos. 76.33-1-13 and 76.33-1-15 on the City of Albany Tax Map. The address for the Site is 67 Howard Street and 140 State Street, Albany, New York.

Based on the results of subsurface investigations and interim remedial measures completed at the Site, and sub-slab vapor/indoor air sampling completed at the adjacent 144 State Street building, the New York State Department of Conservation (NYSDEC) issued a Record of Decision (ROD) for the Site in March 2014. The ROD summarized previous investigations and activities associated with the Site, and documented the selected remedy for the Site, which was identified as "site cover with on-site institutional and engineering controls," consisting of the placement of a site cover over on-site soils, imposition of an environmental easement, development and implementation of a Site Management Plan, and installation/operation of a sub-slab depressurization system (SSDS) at the adjacent 144 State Street building. The remedy was implemented beginning in June 2014 upon issuance of the Site Management Plan (SMP), which included the environmental easement.

Although not specifically required by the ROD, a passive sub-slab ventilation system (SSVS) was installed in the 140 State Street building during construction activities in 2015 as a proactive measure. Results of initial sub-slab soil vapor and basement indoor air sampling in January 2016, following completion of construction activities, indicated the presence of trans-1,2-dichloroethene (1,2-DCE) in both sub-slab soil vapor and indoor air. Although not included in the list of compounds regulated under the New York State Department of Health (NYSDOH) guidance for soil vapor intrusion, conversion of the passive SSVS to an active system was offered voluntarily by the Owner as a precaution. The system was converted during the summer of 2016, following discussion with and concurrence by the NYSDEC and the New York State Department of Health (NYSDOH).

At the time of the annual SSDS inspection at the 144 State Street building on December 3, 2020, the seven sub-systems comprising the SSDS were observed to be operating and functioning properly. The low-pressure alarm was tested and found to be functional, as noted by the response of the integrated electronic Building Management System (BMS). Based on post-installation communication testing conducted by Aztech Technologies, Inc. during the fall of 2015, the sub-system pressure readings observed during the December 3, 2020 inspection are indicative of sufficient vacuum to produce the required negative sub-slab pressure at monitoring points throughout the basement. On the same date, CHA also inspected the SSDS at the 140 State Street building and the system was found to be operating and functioning properly, based on the observed

system manometer reading. Though no integrated electronic BMS is present at the 140 State Street building, operational status of the SSDS during the reporting period was confirmed via monthly system checks performed by the building management company, BBL Management Group, and documented via photographs of the system manometer which were transmitted to CHA following each system check.

At the time of the annual site-wide inspection conducted on December 3, 2020, the Site was observed to be in good condition. In areas not covered by buildings/structures, CHA observed no cracks or other evidence of damage to the concrete and asphalt pavement cover. No changes in the use of the Site or the adjacent 144 State Street property were observed during the site-wide inspection, and no new development was observed.

In accordance with the monitoring schedule presented in the NYSDEC-approved SMP, neither sub-slab nor indoor air monitoring was performed during the 2020 reporting period. The next monitoring event is scheduled to occur during the 2021-2022 heating season.

It is recommended that the current institutional and engineering controls for the Site and the adjacent 144 State Street property remain in place, and the engineering controls continue to be inspected and monitored as required by the SMP. Provided these controls remain in place and are maintained, it is expected that the remedy will continue to be effective in the protection of human health and the environment.

No changes to the remedy, and/or monitoring or operation & maintenance plans are recommended at this time.

1.0 PROJECT/SITE OVERVIEW

This Periodic Review Report (PRR) is a required element of the remedial program at the Former Albany Laboratories Site located at 67 Howard Street and 140 State Street, Albany, New York (hereinafter referred to as the "Site") under the New York State (NYS) Inactive Hazardous Waste Disposal Site Remedial Program administered by New York State Department of Environmental Conservation (NYSDEC). The Site was remediated in accordance with Order on Consent Index #DER-401061-02-25-11, Site # 401061, which was executed on April 12, 2011.

Columbia Eagle LLC (Columbia Eagle) entered into an Order on Consent with the NYSDEC requiring the Remedial Party, Columbia Eagle, to investigate and remediate contaminated media at the Site. Two figures showing the Site location and boundaries of the 0.226-acre Site are provided in Figures 1 and 2, respectively.

At the time of the Order on Consent, the Site consisted of properties identified as 67 Howard Street and 140 State Street only. In 2014, Columbia Eagle subdivided previously purchased parcels on the same city block including 132, 134, 136, and 138 State Street, as well as 59 Howard Street. As indicated in Table 1 below, Columbia Eagle subdivided these parcels such that 59 Howard Street and the western approximately three quarters of the 132, 134, 136, 138, and 140 State Street properties were incorporated into 67 Howard Street, while the remaining approximately one quarter of each site retained its original address, with the exception of 134 State Street which was combined with 136 State Street. In addition, please note that 144 State Street was historically referred to as 142 State Street. A comparison of historical and current parcels is identified below.

Table 1. Comparison of Historical and Current Parcels

Historical Parcel	Current Parcel
59 Howard Street	67 Howard Street
67 Howard Street	67 Howard Street
132 State Street	67 Howard Street 132 State Street
134 State Street	67 Howard Street 136 State Street
136 State Street	67 Howard Street 136 State Street
138 State Street	67 Howard Street 138 State Street
140 State Street	67 Howard Street 140 State Street
142 State Street	144 State Street

While the subdivision of the parcels has resulted in address changes to the property, it is noted that only the original 67 Howard Street and 140 State Street were included in the Consent Order with the NYSDEC. While remedial action at 144 State Street (formerly referred to as 142 State Street) is discussed in this PRR, it should be noted that this parcel was not part of the property included under the Consent Order.

Subsequent to completion of the remedial work, some contamination was left at the Site, which is hereafter referred to as "remaining contamination". Institutional and Engineering Controls (ICs and ECs) have been incorporated into the Site remedy, as outlined in the NYSDEC's March 2014 Record of Decision (ROD), to control exposure to remaining contamination to ensure protection of public health and the environment. An Environmental Easement, issued by the NYSDEC, and recorded with the Albany County Clerk, requires compliance with the Site Management Plan (SMP) developed for the Site, and all ECs and ICs placed on the Site and affected portions of off-site properties.

The Site is identified as Tax Map Parcel (TMP) Nos. 76.33-1-13 and 76.33-1-15 on the City of Albany Tax Map. The Site is an approximately 0.226-acre parcel, extending from Howard Street northeastward to State Street, to the east of Eagle Street, within the City of Albany's downtown area. The current owner of record of the Site is Columbia Eagle LLC, 302 Washington Avenue Extension, Albany, New York 12203.

This PRR was prepared by CHA Consulting, Inc. (CHA), on behalf of Columbia Eagle LLC (the Remedial Party) as a required element of the NYSDEC-approved SMP developed for the Site, and summarizes the sub-slab vapor and indoor air monitoring, and Site-related inspections conducted during 2018.

1.1 SITE BACKGROUND

Sometime prior to 1934, the property associated with 67 Howard Street was originally a dairy farm. On a 1934 Sanborn map, 67 Howard Street was shown to have a chemical laboratory and the courtyard behind the building was shown to be used as a "Thinner storage yard in metal drums". According to city directories, the 67 Howard Street property was operated as Albany Laboratories from 1935 to 1985. The property has been vacant since 1985.

The earliest records indicate that the 140 State Street property was originally a private dwelling. Circa 1914 documents reported that the property was used as doctor's offices and apartments. At

some time prior to 1934 and until at least 1979, the building was used as the Berkshire Hotel. The building was vacant thereafter until it was demolished in 2008.

Prior to the Site being listed on the New York State Registry of Inactive Waste Disposal Sites in February 2011, the Site was overseen by the NYSDEC as Spill No. 0704683. In July 2007, a 2,000-gallon fuel oil underground storage tank (UST) was identified on the 140 State Street property and in September 2008, the UST was removed and impacted soil around the tank was excavated and disposed of off Site.

Contamination was primarily observed in the location of a courtyard formerly located within the northern portion of the 67 Howard Street parcel and the southern end of the 140 State Street parcel. Contamination had also migrated east to the 138 State Street parcel.

In September and October 2008, the top three feet of soil, approximately 251.5 tons, was removed from the former courtyard area. Post-excavation samples indicated the presence of remaining soil contamination above the SCGs. Additional excavation of contaminated soil was conducted in January and February 2011. Soil was excavated along the foundation wall of the building located at 144 State Street. The excavation spanned the two lots that make up the Site and the adjacent lot located at 138 State Street. Approximately 895 tons of petroleum-contaminated soil was excavated. Of this total, 34.14 tons of soil was disposed of off-site as hazardous waste while the remaining soil was disposed of off-site as non-hazardous waste. Excavations were backfilled with clean, imported fill material brought to the Site which met the requirements for the identified Site use as set forth in 6 NYCRR Part 375-6.7(d).

Excavation to the west was limited by the foundation of the 144 State Street building and as a result sub-slab vapor, indoor air and outdoor air samples were collected in February and November 2012 within and outside the building to evaluate whether actions were necessary to address exposures related to soil vapor intrusion. This investigation indicated mitigation was recommended in accordance with the Guidance for Evaluating Soil Vapor Intrusion in the State of New York (New York State Department of Health (NYSDOH), October 2006).

Based on the results of subsurface investigations and interim remedial measures completed at the Site, and sub-slab vapor/indoor air sampling completed at the adjacent 144 State Street building, the NYSDEC issued a ROD for the Site in March 2014, which summarized previous investigations and activities associated with the Site and documented the selected remedy for the Site. The components of the selected remedy are described in the following section.

1.2 SUMMARY OF SITE REMEDY

The NYSDEC selected a remedy of "site cover with on-site institutional and engineering controls". As presented in the March 2014 ROD, the remedy included the following major components:

- A Site cover was required to allow for commercial use of the 67 Howard Street Parcel and restricted residential use of the 140 State Street parcel.

  For 67 Howard Street, the Site cover was required to consist either of the structures such as buildings, pavement and sidewalks comprising the Site development, or a soil cover in areas where the upper one foot of exposed surface soil would exceed the applicable soil cleanup objectives (SCOs). Where the soil cover was required, it was required to be a minimum of one--foot thick layer of soil meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for commercial use. The soil cover was placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetative layer. Any fill material brought to the Site was required to meet the requirements for the identified Site uses as set forth in 6 NYCRR Part 375-6.7(d).

  For 140 State Street, the Site cover was required to consist either of the structures such as buildings, pavement and sidewalks comprising the Site development, or a soil cover in areas where the upper two feet of exposed surface soil would exceed the applicable soil cleanup objectives (SCOs). Where the soil cover was required, it was required to be a minimum of two feet thick consisting of soil meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for commercial use. The soil cover was required to be placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetative layer. Any fill material brought to the Site was required to meet the requirements for the identified Site uses as set forth in 6 NYCRR Part 375-6.7(d).

- Installation and continued operation, maintenance and monitoring of a sub-slab depressurization system (SSDS) within the building at the off-site, adjacent 144 State Street property.

- Imposition of an institutional control (in the form of environmental easements) for the controlled properties that:

  1. Requires the remedial party or Site owner to complete and submit to the NYSDEC a periodic certification of institutional and engineering controls in accordance with Part 375-1.8(h)(3);

  2. Allows the use and development of the 67 Howard Street property for commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;

  3. Allows the use and development of the 140 State Street property for restricted residential, commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws; and

4. Requires compliance with the NYSDEC-approved Site Management Plan (SMP).

- Development and implementation of a Site Management Plan, which includes the following:

1. Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the Site and details the steps and media-specific requirements necessary to ensure that the following institutional and engineering controls remain in place and effective: environmental easements, cover system and the off-site SSDS (144 State Street). This plan includes the following:

    - Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
    - Descriptions of the provisions of the environmental easements including any land use restrictions;
    - A provision for evaluation of the potential for soil vapor intrusion for any buildings developed on the Site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
    - A provision for evaluation of the potential for soil vapor intrusion for any buildings developed on the Site;
    - Provisions for the management and inspection of the identified engineering controls;
    - Provisions for maintaining Site access controls and NYSDEC notification;
    - Provision of the steps necessary for the periodic reviews and certification of the institutional and engineering controls.

2. Monitoring Plan to assess the performance and effectiveness of the remedy. This plan includes provisions for monitoring for vapor intrusion for any buildings developed on the Site, as may be required by the Institutional and Engineering Control Plan.

2.0 INSTITUTIONAL/ENGINEERING CONTROLS (IC/EC) PLAN COMPLIANCE REPORT

2.1 IC/EC PLAN REQUIREMENTS AND COMPLIANCE STATUS

Institutional controls implemented at the Site in the form of environmental easements for the 67 Howard Street and 140 State Street parcels, and more specifically the Site Management Plan, require periodic inspection of the above-referenced engineering controls and evaluation of Site use to ensure that exposure to remaining contamination is prevented and the use and development of the Site is consistent with the restrictions set forth in the environmental easements.

Engineering controls implemented at the Site that are subject to periodic inspection consist of the Site cover and the SSDS at the Site (in the building at 140 State Street) as well as the SSDS operating off-site in the adjacent building at 144 State Street (Marriott Renaissance Hotel), designed to maintain negative pressure beneath the entire building footprint.

2.1.1 Inspection of Site Cover

At the time of the annual site-wide inspection conducted by CHA on December 3, 2020, the Site cover was observed to be unchanged since completion of Site redevelopment activities in 2015, consisting largely of the building at 140 State Street and the multi-level parking garage structure on the 67 Howard Street property. Areas of the Site not covered by these structures were covered with either concrete or asphalt pavement, observed to be in good condition. No evidence of cracking or damaged concrete or asphalt was observed. The Site Inspection Form is included in Appendix A and photographs are included in Appendix B.

2.1.2 Sub-Slab Depressurization Systems

144 State Street

During the 2020 reporting period, the annual inspection of the SSDS at the 144 State Street building (Renaissance Hotel) was completed by CHA on December 3, 2020. At the time of the inspection, the SSDS was observed to be operating and functioning properly, as indicated by the magnehelic manometer for each sub-system (#1 through #7). The manometer readings were consistent with the readings observed in September 2015 (soon after the system was activated) and also during Site visits by CHA in April and December 2016, and subsequent annual Site inspection visits in December 2017, December 2018 and November 2019. Based on post-installation communication testing conducted by Aztech Technologies, Inc. during the fall of 2015, these readings are indicative

of sufficient vacuum to produce the required negative sub-slab pressure at monitoring points throughout the basement. The following table summarizes the readings for each sub-system.

Date	Individual Sub-System Vacuums (Inches of Water Column)						
	Sub-System 1	Sub-System 2	Sub-System 3	Sub-System 4	Sub-System 5	Sub-System 6	Sub-System 7
09/14/15	2	5.4	1.8	1	1.8	3.5	9
04/05/16	2	5.6	1.8	1	1.9	3.5	9
12/13/16	2.1	5.6	1.9	1	1.8	3.5	9.5
12/06/17	2	5.7	2	1	1.8	3.5	9
12/05/18	2	5.8	1.9	1	2.1	3.7	9
11/21/19	2	5.9	1.9	1	2.2	4.1	8.6
12/03/20	2	5.9	2.1	1.8	1.1	4.2	9

System operation was confirmed via inspection of the seven in-line fans mounted on the roof of the building. Each fan was observed to be operating and air flow was noted from each of the discharge pipes. No cracks or other evidence of damage to the piping or fans was observed. As part of the inspection, the main system switch for the fans was tested and the system was temporarily switched off. The switch functioned properly, as all seven fans shut down.

While the fans were off, CHA personnel and the Director of Engineering for the Renaissance Hotel, Mr. William Vanamburgh, checked the Building Management System (BMS) to verify activation of an alarm within the BMS, which is triggered by a decrease in pressure to less than -0.25 inches of water in any of the sub-systems. Activation of the BMS alarm was verified via notification on the system's main computer screen in Mr. Vanamburgh's office. The SSDS was then switched back on and all seven fans were observed to be operating properly upon conclusion of CHA's inspection visit. The Site Inspection Forms are included in Appendix A and photographs are included in Appendix B.

140 State Street

The annual inspection of the SSDS at the 140 State Street building was also completed by CHA on December 3, 2020. It should be noted that initially, a passive sub-slab ventilation system was installed in the 140 State Street building during its construction in 2015. However, the system was converted to an active SSDS during the summer of 2016, with activation occurring in late August. System operation was confirmed during a Site visit on August 23, 2016. Conversion of the system was based on results of initial sub-slab vapor and indoor air sampling conducted during January 2016, specifically the detection of elevated levels of trans-1,2-dichloroethene (1,2-DCE) in sub-slab vapor as well as indoor air samples, and subsequent discussion with the NYSDEC and NYSDOH. The findings of the January 2016 sampling event were presented in CHA's report dated March 7,

2016, which was previously submitted to the NYSDEC. Details of the conversion of the system, including the *Vapor Mitigation System Activation Report* (prepared by Alpine Environmental Services, Inc.) are included in Appendix B of the March 7, 2016 report. The SMP was revised to reflect the conversion of the system, and a revised version has been submitted to the NYSDEC.

At the time of the December 3, 2020 inspection, the SSDS at the 140 State Street building was observed to be operating properly, as indicated by the manometer in the vertical riser pipe (accessed via a wall-mounted hatch in the basement) and then confirmed upon inspection of the fan and discharge piping on the roof of the building.

Given the absence of a low-pressure alarm integrated with an electronic building management system (as is installed in the 144 State Street building), following the 2019 annual inspection CHA arranged for BBL Management Group to conduct monthly system checks to confirm and document system operation by observing the manometer on the vertical riser pipe in the basement of the building. Following each system check, BBL contacted CHA to report the operational status and provide a photograph of the manometer. Based on the monthly system checks conducted by BBL, the system was operational throughout the 2020 reporting period, and the manometer readings indicated negative pressure beneath the floor slab.

2.1.3 Site Use

At the time of the December 3, 2020 site-wide inspection, CHA observed no changes in the use of the Site (mixed commercial/residential building and multi-level parking garage) or the adjacent 144 State Street property (Renaissance Hotel) since completion of redevelopment activities in 2015, and no new development was observed at the Site or the adjacent 144 State Street property. No changes were noted in commercial tenant occupancy of the basement, first, second and third floors of the 140 State Street building since the last PRR was issued (the basement is unoccupied; the first and second floors are occupied by an engineering consulting firm; and the third floor is occupied by a law firm). The fourth and fifth floors continue to be occupied by residential tenants.

2.2 IC/EC CERTIFICATION

The engineering controls including the cover for the Site, the SSDS for the 140 State Street building and the SSDS for the 144 State Street building were in place and functioning properly during the reporting period.

The SMP is being implemented and based on this review, the remedy continues to be protective of public health and the environment, and compliant with the ROD. At this time, it is recommended that all controls for the Site and the adjacent 144 State Street property remain in place. The Institutional and Engineering Controls Certification Forms are included in Appendix C.

3.0 MONITORING PLAN COMPLIANCE REPORT

3.1 COMPONENTS OF THE MONITORING PLAN

Components of the Monitoring Plan include:

- Collection of sub-slab vapor and indoor air samples from both the 140 State Street and 144 State Street buildings, at least one year following system installation and during the heating season, for laboratory analysis for volatile organic compounds, and then every five years thereafter, during the heating season.
- Preparation of sub-slab vapor and indoor air sampling reports for both the 140 State Street and 144 State Street buildings following each monitoring event, and submittal of the reports to the NYSDEC.

3.2 MONITORING COMPLETED DURING REPORTING PERIOD

3.2.1 Sub-Slab Vapor and Indoor Air Monitoring Activities

Sub-slab and indoor air monitoring were last conducted in December 2016. The findings from that event were presented in CHA's previous reports, which were reviewed and approved by the NYSDEC. In accordance with the monitoring schedule noted above, the next sub-slab and indoor air monitoring event will occur during the 2021-2022 heating season.

3.3 COMPLIANCE WITH PERFORMANCE STANDARDS

This section is not applicable, as no sub-slab or indoor air monitoring was performed during this reporting period.

4.0 OPERATION & MAINTENANCE PLAN COMPLIANCE REPORT

4.1 COMPONENTS OF THE O&M PLAN

Components of the O&M Plan include:

- Annual inspection of the SSDS in the 140 State Street building and in the adjacent, off-site 144 State Street building;
- Monitoring of the systems to confirm that they are operating and producing the vacuum required to maintain the minimum negative pressure beneath the floor slabs in the above-referenced buildings.

4.2 O&M TASKS COMPLETED DURING REPORTING PERIOD

Operations and maintenance tasks associated with the sub-slab depressurization systems were verified by CHA at the time of the annual site-wide inspection and are described in section 2.1.2 of this report.

5.0 CONCLUSIONS, EVALUATION & RECOMMENDATIONS

5.1 CONCLUSIONS

Based on the site-wide inspection conducted on December 3, 2020 the Site cover appeared to be in good condition; no cracks or other evidence of damage to the asphalt pavement or concrete were observed.

The SSDS within the 144 State Street building was operational and functioned properly throughout the reporting period and continues to be effective in mitigating potential exposure of the public to remaining contaminants in soil at the Site.

The SSDS within the 140 State Street building was operational and functioned properly throughout the reporting period and continues to be effective in mitigating potential exposure of the public to remaining contaminants in soil at the Site.

During the reporting period, no changes in the use or additional development were observed at the Site or the adjacent 144 State Street property.

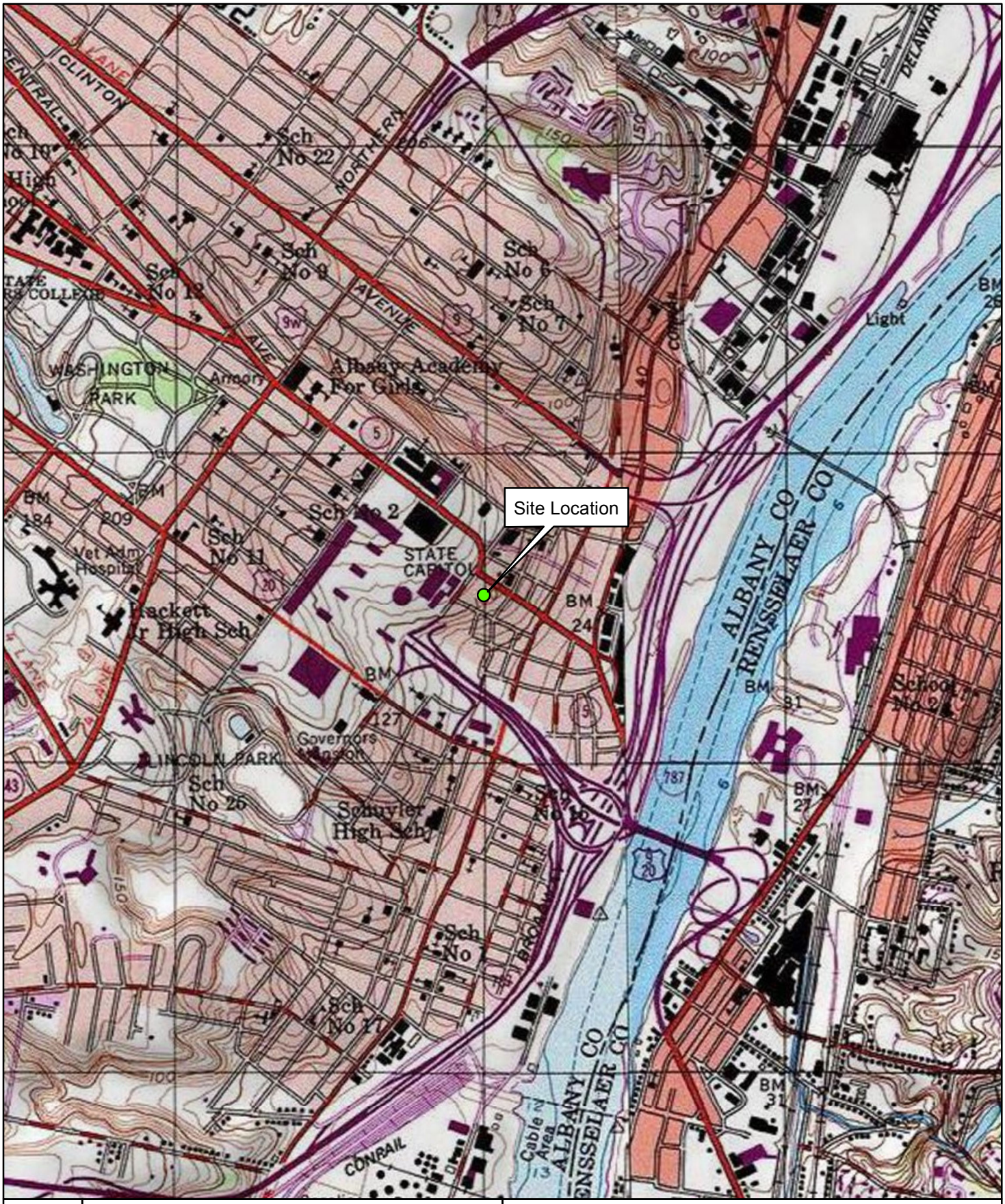
5.2 EVALUATION OF REMEDY PERFORMANCE, EFFECTIVENESS & PROTECTIVENESS

Provided the Institutional Controls and Engineering Controls established for the Site and the adjacent 144 State Street property remain in place and are maintained, it is expected that the remedy will continue to be effective in the protection of human health and the environment.

5.3 RECOMMENDATIONS

It is recommended that the current institutional and engineering controls in place at the Site and the adjacent 144 State Street property remain in place, and the engineering controls continue to be inspected and monitored. No changes to the remedy, and/or monitoring or operation & maintenance plans are recommended at this time.

FIGURES



N

CHA

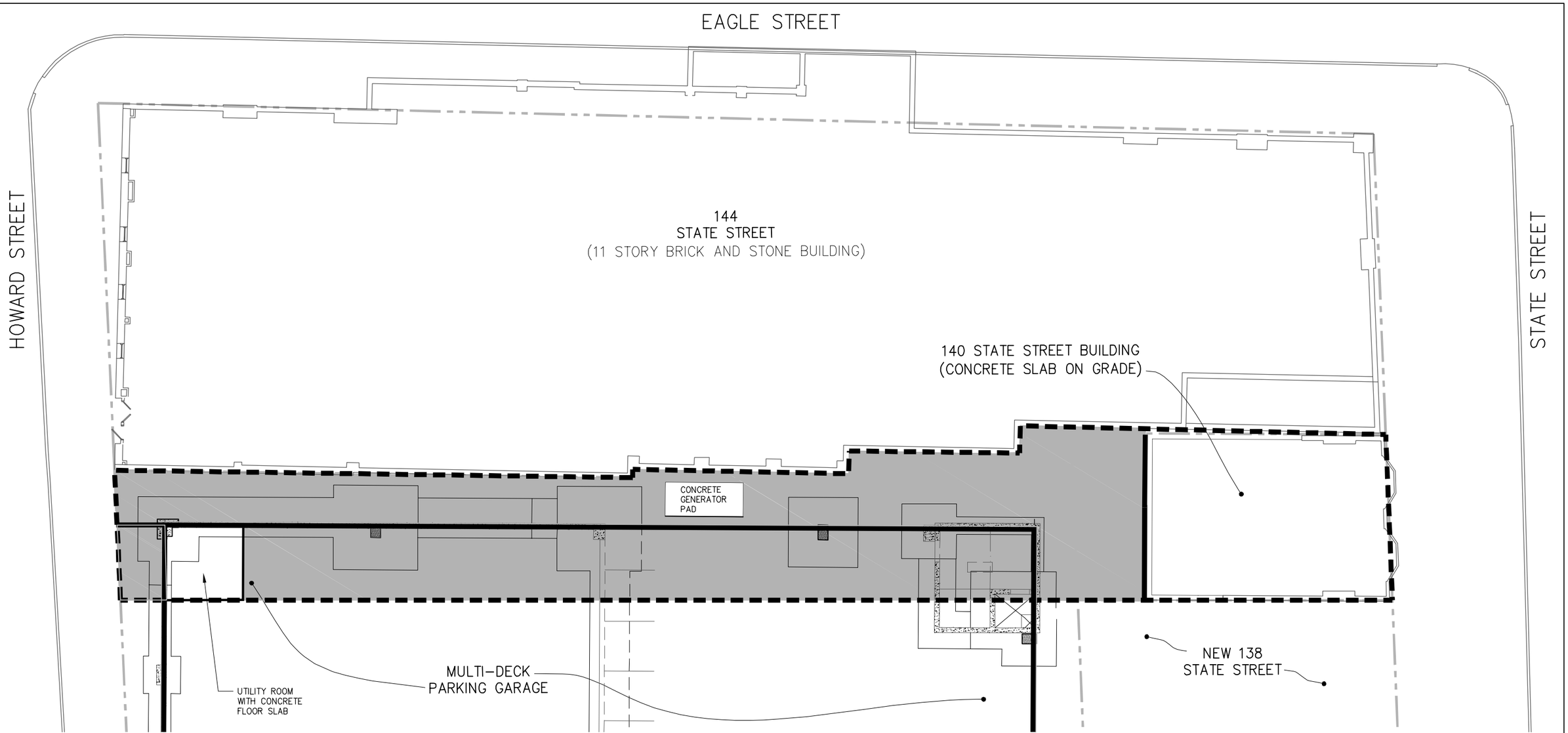
Site Location Map

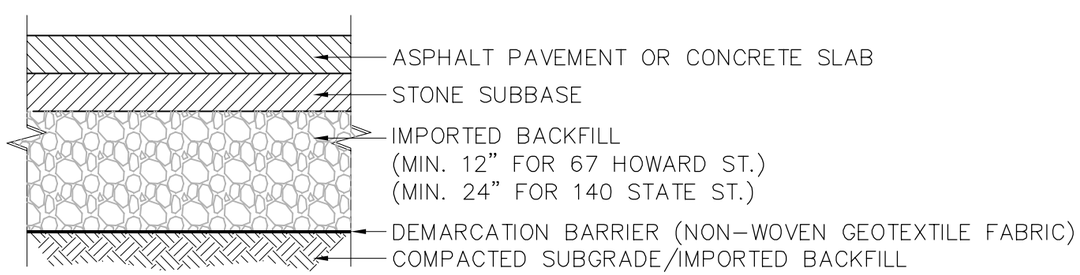
67 Howard Street / 140 State Street
Albany, New York

Scale 1" = 2000'	CHA No. 21645	3/19/19

Service Layer Credits:
Copyright: © 2013 National Geographic Society, I-cubed
Albany & South Troy USGS Quadrangles, Date: 1994 & 1980

File: V:\PROJECTS\ANY\K2\21645\CADD\ACAD\FIGURES\OVEREXCAVATION\REVISED.DWG Saved: 3/20/2019 2:56:52 PM Plotted: 2/17/2020 3:36:24 PM User: Evans, Josh





SOIL COVER SYSTEM DETAIL
NOT TO SCALE

0 20 40
Scale in feet
(APPROXIMATE)

LEGEND:
- SUBJECT SITE
- ASPHALT PAVED AREA

CHA
111 Winners Circle, PO Box 5269
Albany, NY 12205-0269
518.453.4500 · www.chacompanies.com

SITE PLAN

FORMER ALBANY LABORATORIES SITE
67 HOWARD STREET / 140 STATE STREET
ALBANY, NEW YORK

PROJECT NO. 21645
DATE: 03/19/19
FIGURE 2

APPENDIX A

Site Inspection Forms

SITE-WIDE /SOIL COVER ANNUAL INSPECTION CHECKLIST

Report No. —
Page 1 of 3
Date: 12/3/20 Time: 12:30pm - 1:00pm

Site Name: Former Albany Laboratories	Project No. 21645
Address: 140 State and 67 Howard Streets, Albany, NY	Weather: Sunny/cool/clear 5 wind 10mph 30.11 "Hg
Inspector(s): Jamie Herrick	Temp.: Hi 41°F Low
Type of Inspection: ☒ Routine ☐ Post Severe Condition	

SITE ACCESSIBILITY INSPECTION

ITEM/CONDITION	YES	NO	N/A	COMMENTS
Site accessible and passable.	☒	☐	☐	

SITE RECORDS INSPECTION

ITEM/CONDITION	YES	NO	N/A	COMMENTS
Site Records are up to date with latest revisions or changes to SMP	☐	☐	☒	

INSTITUTIONAL CONTROL INSPECTION

ITEM/CONDITION	YES	NO	N/A	COMMENTS
The Site continues to be utilized for commercial, industrial or restricted residential (140 State Street) uses only.	☒	☐	☐	

SIGNAGE AND GATE INSPECTION

ITEM/CONDITION	YES	NO	NA	COMMENTS
Is a sign posted at entrance?	☐	☐	☒	
Is a gate present at the entrance?	☐	☐	☒	
Is the gate locked and secured?	☐	☐	☒	

SOIL COVER SYSTEM INSPECTION

ITEM/CONDITION	YES	NO	NA	COMMENTS
Evidence of erosion of cover soils?	☐	☐	☒	
Evidence of cracks or depressions in cover soils?	☐	☐	☒	
Evidence of exposed or damaged subgrade soils?	☐	☐	☒	

ASHPALT/CONCRETE COVER SYSTEM INSPECTION

ITEM/CONDITION	YES	NO	NA	COMMENTS
Evidence of damaged asphalt or concrete?	☐	☒	☐	
Evidence of pitting, rutting, cracks or depressions in asphalt or concrete cover?	☐	☒	☐	

DRAINAGE SYSTEM INSPECTION

ITEM/CONDITION	YES	NO	NA	COMMENTS
Evidence of erosion in drainage structures?	☐	☒	☐	
Presence of siltation in drainage structures?	☐	☒	☐	
Evidence of settlement in drainage structures?	☐	☒	☐	

Evidence of restrictions of water flow in drainage ditches and structures?	☐	☒	☐	

VECTOR INSPECTION

ITEM/CONDITION	YES	NO	NA	COMMENTS
Were any vectors observed?	☐	☒	☐	
Evidence of vector activity (tracks, droppings, dens, etc.)	☐	☒	☐	
Evidence of damage due to vector activity?	☐	☒	☐	

VEGETATIVE INSPECTION (if appliciable)

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
Vegetation is well established over greenspace areas.	☐	☐	☒	
There is no evidence of stressed vegetation.	☐	☐	☒	
There is no evidence of bare or thin vegetative cover.	☐	☐	☒	
There is no evidence of overgrowth or areas that need to be mowed.	☐	☐	☒	
There is no evidence of recent areas of excavation or disturbed areas.	☐	☐	☒	

ADDITIONAL NOTES & OBSERVATIONS

- No Deficiencies Noted

Signature:	Time Charged:	Mileage Charged:
12/3/20		

SUB-SLAB DEPRESSURIZATION SYSTEM CHECKLIST - ACTIVE

Site Name: 140 State Street
Date: 12/3/20 | Time: 12:30pm - 1:00pm

Inspector(s): Jamie Herrick
Project No. 21645
Weather: Sunny/cool/clear (South wind 10 mph) (30.1 "Hg)
Type of Inspection: ☒ Routine ☐ Post Severe Condition
Temp.: Hi 41°F Low

FAN/BLOWER SYSTEM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
The blower unit is operational.	☒	☐	☐	
There is no excessive noise emanating from the blower.	☒	☐	☐	
There is no excessive vibration emanating from the blower.	☒	☐	☐	
The blower unit is not excessively hot to the touch.	☒	☐	☐	
The blower unit housing is clean and in good condition.	☒	☐	☐	

SYSTEM PRESSURE INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
Vacuum gauge on inlet piping in good condition and shows negative pressure is being applied to sub-slab.	☒	☐	☐	
Pressure gauge on discharge piping is in good condition and shows positive pressure being exhausted from blower.	☐	☐	☒	No pressure gauge on discharge piping.
Pressures are within acceptable normal range for system.	☒	☐	☐	Pressure Reading: 0.7 inches H_2O
When required, pressure field extension testing demonstrates continued sub-slab communication.	☐	☐	☒	Pressure Field Extension Testing not Performed.

ELECTRICAL/ALARM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
No observable electrical component damage.	☒	☐	☐	
All electrical disconnects/switches tested and functional.	☒	☐	☐	
Alarm sounds when blower power disconnected and pressure falls below alarm set point.	☐	☐	☒	

PIPING SYSTEM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
All above-grade piping in good condition and free of cracks or other damage.	☒	☐	☐	
All pipe supports undamaged and functional.	☒	☐	☐	
In-line mufflers/silencers installed and functioning properly.	☐	☐	☒	
Discharge piping above roof undamaged and free of obstructions.	☒	☐	☐	
All labels are present and legible.	☒	☐	☐	

SUB-SLAB DEPRESSURIZATION SYSTEM CHECKLIST - ACTIVE

Site Name: 140 State Street

Date: 12/3/20 | Time: 12:30 pm - 1:00 pm

CONCRETE SLAB/PIPING SYSTEM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
All visible pipe penetrations appear properly sealed (e.g. no air leak noise).	☒	☐	☐	
There are no new significant, observable floor cracks or penetrations that may breach the floor tightness and effectiveness of the system.	☒	☐	☐	

ADDITIONAL NOTES & OBSERVATIONS

- No Deficiencies Noted

Signature: [signature] 12/3/20 | Total Inspection Time: 1/2 hr.

SUB-SLAB DEPRESSURIZATION SYSTEM CHECKLIST - ACTIVE

Site Name: 144 State St./Renaissance Hotel
Date: 12/3/20 | Time: 11:00am - 12:30pm

Inspector(s): Jamie Herrick
Project No. 21645
Weather: Sunny/cool/clear (South wind 10 mph)
Type of Inspection: ☒ Routine ☐ Post Severe Condition
Temp.: Hi 41°F Low (30.11 "Hg)

FAN/BLOWER SYSTEM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
The blower unit is operational.	☒	☐	☐	All 7 Fans operating
There is no excessive noise emanating from the blower.	☒	☐	☐	
There is no excessive vibration emanating from the blower.	☒	☐	☐	
The blower unit is not excessively hot to the touch.	☒	☐	☐	
The blower unit housing is clean and in good condition.	☒	☐	☐	

SYSTEM PRESSURE INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
Vacuum gauge on inlet piping in good condition and shows negative pressure is being applied to sub-slab.	☒	☐	☐	
Pressure gauge on discharge piping is in good condition and shows positive pressure being exhausted from blower.	☐	☐	☒	No pressure gauges on discharge piping.
Pressures are within acceptable normal range for system.	☐	☐	☐	Pressure Reading: ____ inches H_2O (Refer to page #2)
When required, pressure field extension testing demonstrates continued sub-slab communication.	☐	☐	☒	Pressure Field Extension Testing not performed

ELECTRICAL/ALARM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
No observable electrical component damage.	☒	☐	☐	
All electrical disconnects/switches tested and functional.	☒	☐	☐	
Alarm sounds when blower power disconnected and pressure falls below alarm set point.	☒	☐	☐	No audible alarm, but alarm integrated w/ BMS tested and was functional.

PIPING SYSTEM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
All above-grade piping in good condition and free of cracks or other damage.	☒	☐	☐	
All pipe supports undamaged and functional.	☒	☐	☐	
In-line mufflers/silencers installed and functioning properly.	☐	☐	☒	
Discharge piping above roof undamaged and free of obstructions.	☒	☐	☐	
All labels are present and legible.	☒	☐	☐	Fan Labels are worn Need to be Replaced.

SUB-SLAB DEPRESSURIZATION SYSTEM CHECKLIST - ACTIVE

Site Name: 144 State St./Renaissance Hotel

Date: 12/3/20 | Time: 11:00 am - 12:30 pm

CONCRETE SLAB/PIPING SYSTEM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
All visible pipe penetrations appear properly sealed (e.g. no air leak noise).	☒	☐	☐	
There are no new significant, observable floor cracks or penetrations that may breach the floor tightness and effectiveness of the system.	☒	☐	☐	

ADDITIONAL NOTES & OBSERVATIONS

Vacuum Gauge(s) Readings:

Vapor Mitigation System #	Gauge Reading
1	2" H_2O
2	5.9" H_2O
3	2.1" H_2O
4	1.8" H_2O
5	>1" H_2O
6	4.2" H_2O
7	9.0" H_2O

Signature: [signature]

Total Inspection Time: 1 1/2 h.

APPENDIX B

Photographic Log

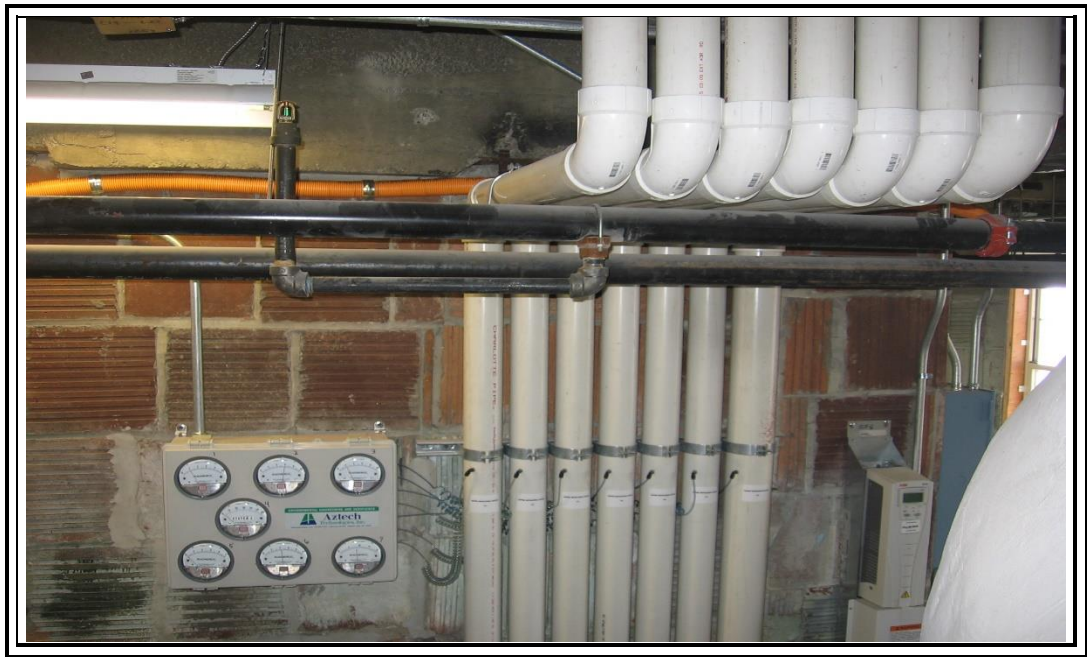


Photo 1: Magnehelic manometer panel and riser piping for the seven individual subsystems comprising the sub-slab depressurization system at 144 State Street (12/3/20).

Photo 2: Close-up view of riser piping for individual subsystems and tubing associated with the magnehelic manometers (12/3/20).

Photo 3: Riser piping for individual subsystems (12/3/20).

Photo 4: Riser piping for individual subsystems extending to/through the building roof (12/3/20).

Photo 5: Riser piping for individual subsystems (12/3/20).

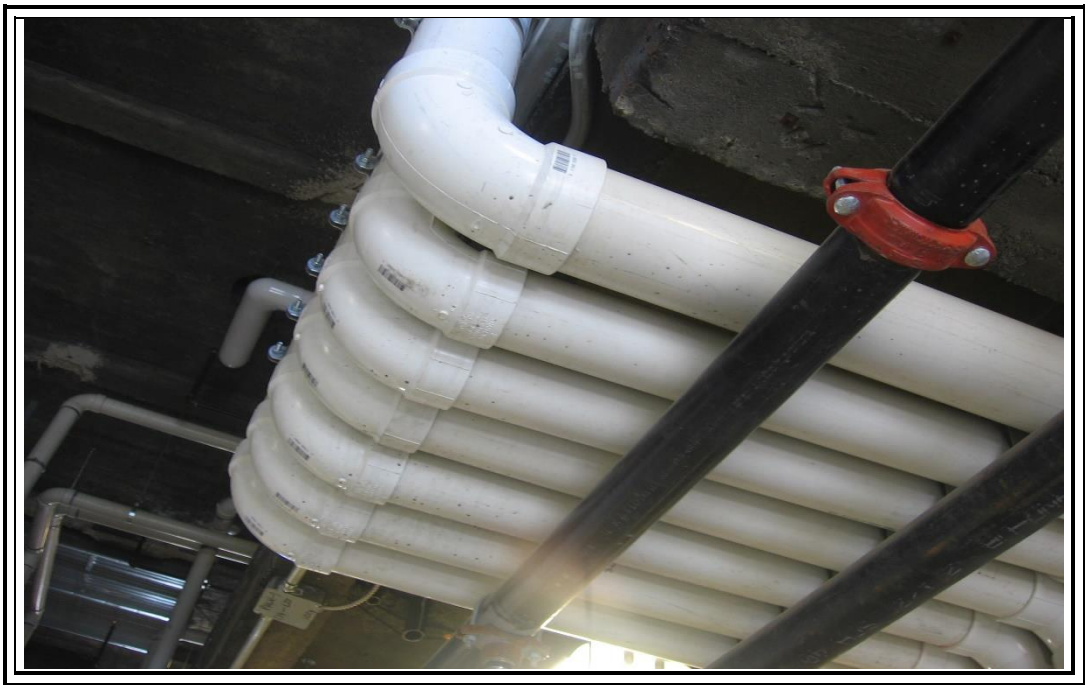


Photo 6: Riser piping for individual subsystems (12/3/20).

Photo 7: Roof-mounted fan units for individual subsystems at 144 State Street (12/3/20).

Photo 8: Fan units for subsystems 2, 5, 7 and 3 (left to right); labels worn, require replacement (12/3/20).

Photo 9: Riser pipes extending through roof and into fan units (12/3/20).

Photo 10: Riser pipes extending through roof and into fan units 12/3/20).

Photo 11: Seals around riser pipes at roof penetrations (12/3/20).

Photo 12: Inside laundry chute room in basement of 144 State Street; horizontal piping for individual subsystems connected to vertical riser pipes (12/3/20).

Photo 13: Looking northeast (from Howard Street); paved surface cover in alley between 144 State Street (to the left) and parking garage (to the right) (12/3/20).

Photo 14: Looking northeast; paved surface cover adjacent to rear side of 140 State Street building (12/3/20).

Photo 15: Looking southeast; paved surface cover in area adjacent to rear side of 140 State Street building; north side of parking garage visible at right in photo (12/3/20).

Photo 16: Looking southwest; paved surface cover in alley between 144 State Street (to the right) and the parking garage (to the left); emergency generator visible in upper center of photo (12/3/20).

Photo 17: Looking southwest; paved surface cover in alley between 144 State Street and the parking garage (12/3/20).

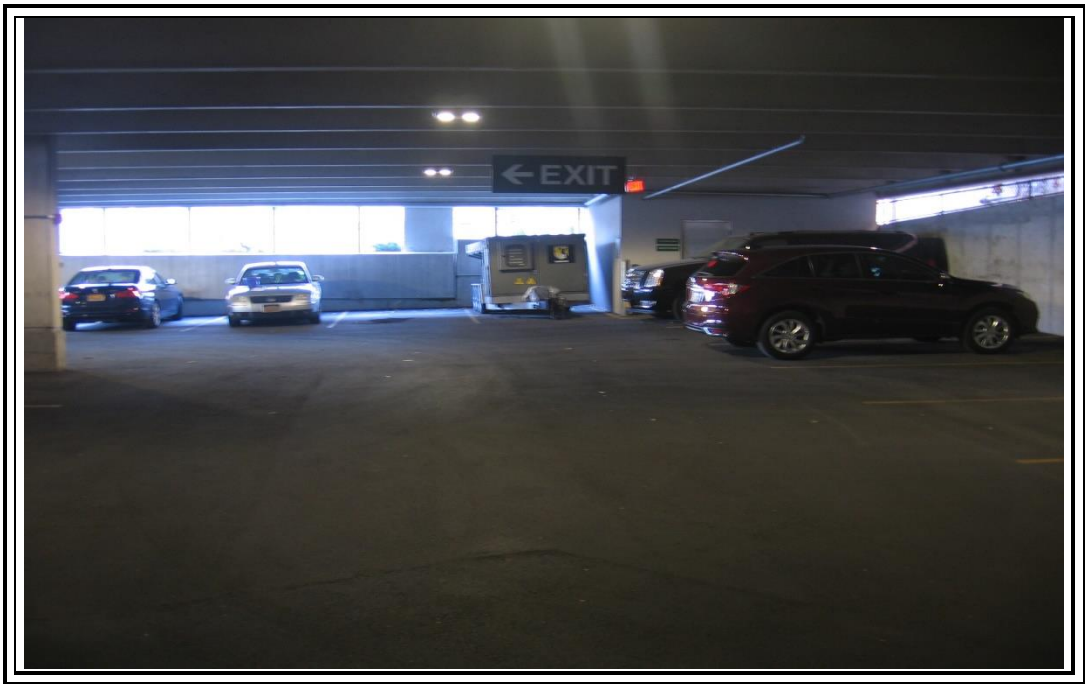


Photo 18: Looking west toward Howard Street; paved surface cover within lowest level of parking garage (12/3/20).

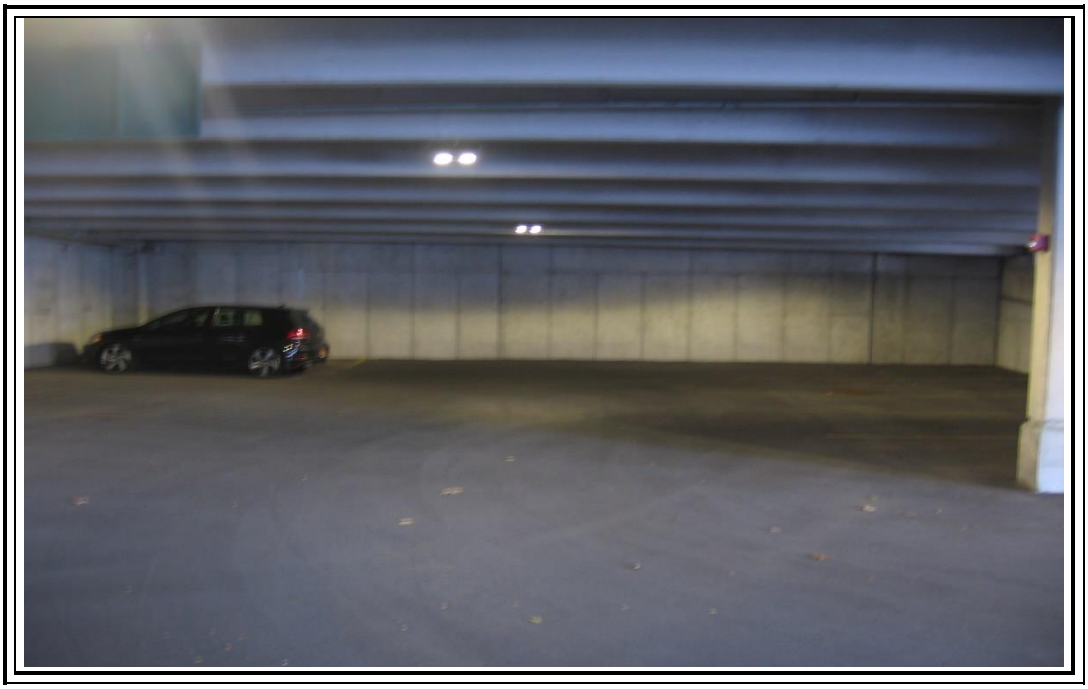


Photo 19: Looking northeast; paved surface cover within lowest level of parking garage (12/3/20).

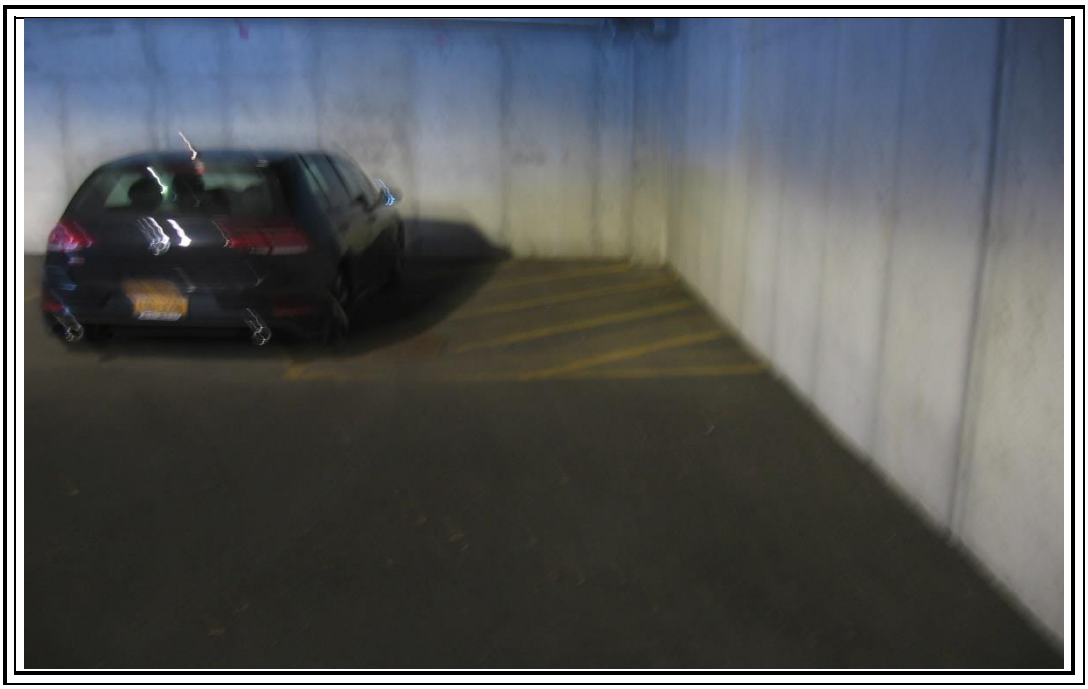


Photo 20: Looking northwest; paved surface cover and storm drain within the northwest corner of the lowest level of the parking garage (12/3/20).

Photo 21: Roof of 140 State Street building; exhaust stack, fan and switch for SSDS (12/3/20).

Photo 22: Close-up view of roof penetration/seal for SSDS exhaust stack at 140 State Street (12/3/20).

Photo 23: Close-up view of connection between SSDS exhaust stack and fan at 140 State Street (12/3/20).

Photo 24: View of manometer and vertical riser pipe for SSDS at 140 State Street (access via basement level) (12/3/20).

APPENDIX C

Institutional & Engineering Controls Certification Forms

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

Site Details **Box 1**

Site No. 401061

Site Name Former Albany Laboratories

Site Address: 67 Howard Street/140 State Street Zip Code: 12207
City/Town: Albany
County: Albany
Site Acreage: 0.226

Reporting Period: January 1, 2020 to December 31, 2020

	YES	NO
1. Is the information above correct?	☒	☐
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	☐	☒
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	☐	☒
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	☐	☒
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?	☐	☒

Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below?	☒	☐
7. Are all ICs/ECs in place and functioning as designed?	☒	☐

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

_____ _____
Signature of Owner, Remedial Party or Designated Representative Date

SITE NO. 401061 **Box 3**

Description of Institutional Controls

Parcel: 76.33-1-13 Owner: 67 Howard Street LLC
76.33-1-15 Owner: 140 State Street Properties

Imposition of an institutional control (in the form of environmental easements) for the controlled properties that:

Requires the remedial party or site owner to complete and submit to the NYSDEC a periodic certification of institutional and engineering controls in accordance with Part 375-1.8(h)(3).

Allows the use and development of the 67 Howard Street property for commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws.

Allows the use and development of the 140 State Street property for restricted residential, commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws.

Requires compliance with the NYSDEC-approved Site Management Plan (SMP).

Development and implementation of a Site Management Plan which includes the following:

Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the Site, and details the steps and media-specific requirements necessary to ensure that the following controls remain in place & effective: environmental easements; cover system; sub-slab depressurization systems. This plan includes the following:

-Excavation Plan which details the provisions for management of future excavations on the Site;

-Descriptions of the provisions of the environmental easements, including any land restrictions;

-A provision for the evaluation of the potential for soil vapor intrusion for any buildings developed on the Site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;

-Provisions for the management and inspection of the identified engineering controls;

-Provisions for maintaining site access controls and NYSDEC notification; and

-Provisions of the steps necessary for the periodic reviews and certification of the institutional and engineering controls

Monitoring Plan to assess the performance and effectiveness of the remedy. This plan includes provisions for monitoring for vapor intrusion in any buildings developed on the Site, as may be required by the Institutional and Engineering Control Plan.

Box 4

Description of Engineering Controls

Parcel: 76.33-1-13 Owner: 67 Howard Street LLC
76.33-1-15 Owner: 140 State Street Properties

Engineering Controls in place at the Site consist of a site cover system and a sub-slab depressurization system which is operating in the building at 140 State Street. In addition, there is a sub-slab depressurization system operating in the adjacent building at 144 State Street.

Box 5

Periodic Review Report (PRR) Certification Statements

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

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

   b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and compete.

YES	NO
☒	☐

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

   (a) the Institutional Control and/or Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

   (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

   (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

   (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

   (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES	NO
☒	☐

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

_____ _____

Signature of Owner, Remedial Party or Designated Representative Date

IC CERTIFICATIONS
SITE NO.

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

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

I Brandon Stabler (print name) at 302 Washington Ave Extension, Albany, NY 12203 (print business address),

am certifying as Owner (Owner or Remedial Party)

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

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

1/20/2021
Date

IC/EC CERTIFICATIONS

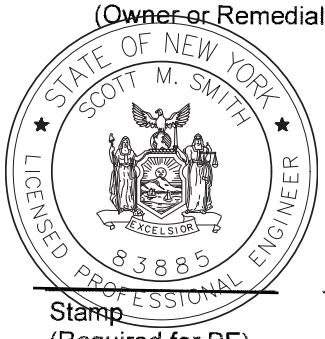
Box 7

Qualified Environmental Professional Signature

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

I Scott M. Smith (print name) at 300 South Street, Syracuse, New York 13202 (print business address),

am certifying as a Qualified Environmental Professional for the Owner (Owner or Remedial Party)



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

Stamp (Required for PE)

01/29/2021

Date