

2024 PERIODIC REVIEW REPORT

Port of Albany
700 Smith Boulevard
Albany, New York

NYSDEC Site # 401080
CHA Project Number: 028952.000

July 2024

Prepared for:
Albany Port District Commission
106 Smith Boulevard
Albany, New York 12202

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LIST OF ACRONYMS & ABBREVIATIONS

APDC	Albany Port District Commission
BGS	Below the Ground Surface
CCR	Construction Completion Report
CHA	CHA Consulting, Inc.
CICS	Corbett Industrial Cleaning Services
EC	Engineering Control
EPA	Environmental Protection Agency
IC	Institutional Control
NYCRR	New York Code, Rules and Regulations
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
PCB	Polychlorinated Biphenyl
PPM	Parts Per Million
PRR	Periodic Review Report
RAP	Reclaimed Asphalt Pavement
SCO	Soil Cleanup Objective
SMP	Site Management Plan
µg/L	Micrograms per Liter
VOC	Volatile Organic Compounds

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Executive Summary

The 700 Smith Boulevard Site (Site) is owned by the Albany Port District Commission (APDC) and is a portion of the greater APDC property that makes up the Port of Albany and is currently zoned for industrial use. A Site location map is provided in Figure 1, and the boundaries of this Site are provided in Figure 2.

The Site contains polychlorinated biphenyl (PCB) contamination which remains following the remedial activities completed in 2021 and detailed in a Construction Completion Report (CCR) dated Revised April 21, 2022. As part of the approval remedial actions, Institutional and Engineering Controls (ICs and ECs) were established. The ICs place restrictions on Site use, and mandate monitoring and reporting measures for all ECs. The ECs were incorporated into the Site remedy to control exposure to remaining contamination during the use of the Site for the protection of public health and the environment. An Environmental Easement, currently pending approval by the NYSDEC requires compliance with the Site Management Plan (SMP) (currently in draft form) and all ECs and ICs placed on the Site.

At the time of the annual Site inspection conducted on June 12, 2024, the Site was observed to be in good condition. The two existing buildings on the Site remain with no observable change. The Site protective capping system and perimeter fence surrounding the Site are in good condition. A small area of disturbance to the reclaimed asphalt pavement (RAP) Site cap was observed on the east edge of the Site but managed appropriately by placing replacing the eroded area with excess RAP from the Site. The adjacent tenant will be placing stone along the fence line on the adjacent property to stabilize the area. Additionally, no changes in the use of the Site were observed during the inspection, nor was any new development observed.

It is recommended that the current institutional and engineering controls for the Site remain in place, and the engineering controls continue to be inspected as required by the draft 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 Site remedy are recommended at this time.

1.0 PROJECT/SITE OVERVIEW

The Site is located at 700 Smith Boulevard in the Port of Albany, City of Albany, Albany County, New York, and is identified as Tax Map Parcel No. 87.10-4-1 on the City of Albany Tax Map. The Site is classified as a potential New York State Superfund Site (Site No. 401080). An Order on Consent (Order) was executed between the Albany Port District Commission (APDC) and the New York State Department of Environmental Conservation (NYSDEC) on May 5, 2020, for 700 Smith Boulevard (CO 4-20200424-56). The requirements of the Environmental Protection Agency (EPA) Polychlorinated Biphenyl (PCB) Risk-Based Cleanup and Disposal Application are integrated into the Order by reference.

This Periodic Review Report (PRR) is a required element of the ongoing management of the Site following remedial action and in accordance with the Site Management Plan (currently in draft form) for the reporting period of July 1, 2023, through June 30, 2024.

The property totals approximately 14.5 acres of industrial land. However, only approximately 12.12-acres of this parcel were part of the PCB Risk-Based Cleanup and are subject to the Site capping system requirements. The Environmental Easement and compliance with the SMP (exclusive of Site capping requirements), pertains to the entire 14.5-acre parcel. See Figure 2 for Site boundaries.

PCB contamination less than 25 parts per million (ppm) remains at the Site following remedial activities completed in 2021. The remedial activities are detailed in a Construction Completion Report (CCR) prepared by Sterling Environmental Engineering, P.C., dated Revised April 21, 2022. As part of the approved remedial actions, Institutional and Engineering Controls (ICs and ECs) were established. The ICs place restrictions on Site use and mandate monitoring and reporting measures for all ECs. The ECs were incorporated into the Site remedy to control exposure to remaining contamination during the use of the Site for the protection of public health and the environment. An Environmental Easement, currently pending approval by the NYSDEC, requires compliance with the SMP (currently in draft form) and all ICs and ECs placed on the Site.

This PRR was prepared by CHA Consulting, Inc. (CHA), on behalf of APDC (the Owner) as a required element of the SMP and summarizes the annual inspection of the Site capping system, fencing, and Site-wide conditions.

1.1 Site Background

1.1.1 History

The Site has been owned by the APDC since approximately 1925 with no prior industrial usage. Prior to ownership by APDC, the area surrounding the subject Site was mostly agricultural with commercial development to the north and south of the Site. Sometime after 1937, the Site was used by Atlantic Steel Corporation and as a rail yard until 1951. Subsequently, the Site was used for metal recycling operations since at least 1964. Two existing one-story structures located on the east side of the Site were built in the early 1950s. During this period, the Port of Albany to the north and south of the Site continued to transition from agricultural land to industrial/commercial properties. On or about 2013, metal recycling operations ceased and the most recent tenant of the property, Sims Metal Management, vacated the leased property.

1.1.2 Nature and Extent of Contamination

Site investigation activities were performed to characterize the nature and extent of contamination. Contamination at the Site prior to remedial action included PCBs at concentrations of 1.0 parts per million (ppm) or greater throughout the majority of surficial soil (i.e., 0-1 feet below the ground surface [bgs]) and subsurface soils to a maximum depth of five (5) feet bgs. The majority of concentrations greater than 1 ppm are situated at three (3) feet bgs or less. PCB detections in soils ranged from 0.07 ppm to 2,170 ppm, although most concentrations were less than 25 ppm. A total of eleven localized hot spot areas having total PCBs > 25 ppm were identified near soil borings SS-11, GP-15, GP-26, GP-32, GP-45, GP-46, GP-79, GP-81, GP-90, GP-91, and GP-100. These hot spots were targeted for remedial action.

Secondary contaminants of concern in soil included the metals arsenic, lead, and mercury which extended to depths of five (5) feet bgs as well as polyaromatic hydrocarbons (PAHs) which extended to a depth of four (4) feet bgs but are primarily located in the soil at a depth of 0-1 feet bgs. Volatile organic compounds (VOCs) were not detected above Title 6 of the New York Codes, Rules and Regulations (NYCRR), Part 375 Soil Cleanup Objectives (SCOs) for Industrial Use in soil.

1.1.3 Remedial History

Remediation activities were undertaken in Q1 through Q3 of 2021 and were implemented pursuant to the following governing documents:

- CHA, PCB Risk-Based Cleanup and Disposal Application, Port of Albany, 700 Smith Boulevard, Albany, New York, NYSDEC Site No. 401080, May 15, 2020.
- Sterling Environmental Engineering, P.C., Petition for Beneficial Use Determination, Reuse of Asphalt Pavement Millings at 700 Smith Boulevard, Port of Albany, New York, January 21, 2020.
- Sterling Environmental Engineering, P.C., Stormwater Pollution Prevention Plan, 700 Smith Boulevard, Port of Albany, Albany, New York, NYSDEC Site No. 401080(P), December 16, 2020.

The following were undertaken as part of the approved remediation activities:

1. Site preparation, including installation of temporary erosion and sediment controls and clearing and grubbing of vegetation.
2. Completion of test pits in refusal areas identified during prior direct-push investigations.
3. Excavation, transport, and offsite disposal of predefined areas of PCB-impacted soils.
4. Verification sampling followed by backfilling of excavated areas.
5. Excavation and removal of inactive stormwater catch basins and cleaning of catch basins to remain in service.
6. Decontamination of construction equipment.
7. Site grading and placement of a demarcation layer above the remaining soil surface.
8. Analytical and physical testing of reclaimed asphalt pavement (RAP) followed by placement and compaction of RAP to construct a Site cap with a minimum thickness of 12 inches.

The following were undertaken as additional approved remediation activities:

1. Removal and disposal of oversized trees along the Site boundary.
2. Excavation, transport, and offsite disposal of areas with lead-impacted soils identified during remedial action.
3. Excavation, transport, and disposal of unmapped buried stormwater structures followed by verification sampling and backfilling.

1.1.4 Remaining Contamination

The following constituents remain below the Site cap at concentrations exceeding applicable criteria at the indicated concentration ranges and depths:

Compound	Applicable Criteria (ppm)	Site Concentration Range Exceeding Criteria (ppm)	Depth Range (ft bgs)
Total PCBs	1 ¹	1 - 25	0 - 5
Benzo(a)pyrene	1.1 ²	1.1 - 3.87	0 - 4
Dibenzo(a,h)anthracene	1.1 ²	1.1 - 1.77	0 - 1
Arsenic	16 ²	16 - 65.2	0 - 5
Lead	3,900 ²	3,900 - 4,800	0 - 3
Mercury	5.7 ²	5.7 - 42	0 - 3

ft = feet

¹ TSCA High-Occupancy Cleanup Level

² NYCRR Industrial SCO

In addition, the following constituents are known to be present in groundwater at concentrations exceeding applicable criteria at the indicated concentration ranges (highest historic concentration shown):

Compound*	NYSDEC TOGS Standard (µg/L)	Site Concentration Range (µg/L)
1,1-Dichloroethene	5	ND – 15
cis-1,2-Dichloroethene	5	ND – 15.3
Methyl Tert Butyl Ether	10	ND – 52.5
Vinyl Chloride	2	ND – 31
Iron (Dissolved)	300	ND – 2,600
Magnesium (Dissolved)	35,000	2,100 – 107,000
Manganese (Dissolved)	300	16 – 4,900
Nickel (Dissolved)	100	ND - 760
Sodium (Dissolved)	20,000	7,700 – 289,000

ND = Non-detect

*For non-VOC compounds, only dissolved concentrations of constituents are shown.

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

2.1 IC/EC Plan Requirements

Site Identification:

Site ID No. 401080

700 Smith, 700 Smith Boulevard, Albany, NY 12202

Institutional Controls:	1. The property may only be used for industrial use.
	2. Low-occupancy areas (if applicable) shall maintain appropriate ECs (i.e., fencing) and ICs. Individuals are not permitted to occupy these areas for greater than 6.7 hours per week unless appropriate dermal and respiratory protection are worn.
	3. High-occupancy areas (i.e., areas of the Site occupied by an individual greater than 6.7 hours per week) shall maintain appropriate ECs (i.e., Site protective capping) and ICs.
	4. All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP, including any excavation on Site.
	5. The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the New York State Department of Health (NYSDOH) or the Albany County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from EPA and NYSDEC.
	6. Compliance with the Environmental Easement and the SMP by the Grantor and the Grantor's successors and assigns.
	7. All ECs must be operated and maintained as specified in the SMP.
	8. Soil and other environmental or public health monitoring must be performed as defined in the SMP.
	9. Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;
	10. Access to the Site must be provided to agents, employees, or other representatives of the EPA and NYSDEC with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement.
	11. All ECs must be inspected at a frequency and in a manner defined in the SMP.

Engineering Controls:	1. Site Capping System (High Occupancy Areas)
	2. Fencing (Low Occupancy Areas)
Inspections:	Frequency
1. Site Protective Capping, Fencing and Site-wide Inspection	Annually
Reporting:	
1. Periodic Review Report	Annually

2.2 IC/EC Compliance Status

Institutional controls implemented at the Site and more specifically detailed in the Site Management Plan require periodic inspection of the engineering controls and evaluation of Site use to ensure that exposure to remaining contamination is prevented and the use and development of the Site are consistent with the restrictions set forth in the Environmental Easement.

Engineering controls implemented at the Site that are subject to annual inspection consist of the Site protective capping and fencing. The inspections and compliance status of each are discussed below. The Site Inspection Form is included in Appendix A and photographs of the Site are included in Appendix B.

2.2.1 Inspection of Site Protective Capping System

At the time of the annual Site-wide inspection conducted by CHA on June 12, 2024, the Site cap was observed to be unchanged since the completion of remedial activities in early to mid-2021. The two buildings on the Site remain in place and all asphalt pavement is intact and stable. The RAP Site cap that covers the majority of the Site is intact and stable, except for the area further described below.

One area of concern with the site cap is along the eastern side of the site, north of the two buildings, and adjacent large process tanks that are on the adjacent parcel to the east. See Figure 2 for the precise location. The blown down pipe was rerouted in 2022 and is less impactful to the RAP cap. However, it still appears to be dispersing material on the other side of the fence line and impacting the edge of the RAP cap in that location. This disturbance was observed to have displaced just a small amount of the RAP cap, although the demarcation barrier was visible at the edge of the property. Since this area of RAP erosion is minimal, at the very perimeter of the site, and largely due to erosion on the adjacent parcel, a corrective action plan is not warranted. The tenant on the adjacent lease parcel has placed crushed stone along their side of the perimeter fence which will stabilize this area and prevent additional or future erosion at the perimeter of the site and the APDC has repaired the eroded RAP cap with excess RAP material located on the Site. Photographs are included in Appendix B.

A second item of concern is small areas of grass/weeds observed to be growing within the RAP cap areas of the Site. This does not appear to be impacting the integrity of the cap, however if left to grow could create an issue in the future. APDC personnel have been informed of this vegetative growth and began trimming and removal of vegetation at the end of June 2024.

2.2.2 Inspection of Fencing

Consistent with the Risk-Based Cleanup and previous PRRs, there are no Low Occupancy Areas on the Site. Therefore, there is no fencing to delineate Low Occupancy Areas. The Site perimeter fencing is discussed below in Section 2.2.3.

2.2.3 Site-Wide Inspection

The Site-wide inspection conducted by CHA on June 12, 2024, largely involved the inspection of the Site protective capping system, as detailed above, and the perimeter fencing on the Site. The perimeter fencing was observed to be intact. Some areas of fencing on the west side of the Site are damaged, but no breaches were noted. During proposed Site redevelopment, the fence will

be replaced; therefore, repairing the fence at this time is not deemed necessary.

The two existing buildings on the Site remained in place with no observable change.

The following items were also noted as they relate to the ICs for the Site:

- The property has not changed in use.
- The Site is limited to industrial use and there is no less restrictive use at this time. All required areas have Site protective capping in place and are compliant with the ICs. Therefore, a future tenant may utilize the Site with high-occupancy usage for industrial use purposes.
- No activities or signs of activities that have disturbed any ECs were observed, aside from that noted in Section 2.2.1 above.
- There continues to be no groundwater use at the Site.

2.3 Activities Conducted During the Reporting Period

Pursuant to the requests outlined in Section 3 of the EPA Approval for Risk-Based Cleanup, CHA developed the Off-Site Catch Basin Investigation Work Plan dated November 1, 2021, detailing the investigation of potential off-site impacts associated with catch basins on the Site. Response from the EPA regarding the work plan required additional work and CHA proposed cleaning of two catch basins, CB-07 and MH-10, in a letter dated May 3, 2023. The cleaning effort took place on August 21, 2023, and is fully detailed in the Summary of Catch Basin Cleaning Activities prepared by CHA dated March 29, 2024.

In summary, Corbett Industrial Cleaning Services, Inc. (CICS) mobilized personnel and equipment to remove accumulated sediment within the structures. Inlets and outlets of the catch basins were plugged prior to cleaning activities. All material removed was containerized in 55-gallon drums and a total of 12 drums were removed from the Site on August 30, 2023, for disposal at Veolia ES Technical Solutions, LLC's facility in Flanders, New Jersey.

Based on EPA's May 16, 2023, letter, CHA understands no further action is required pertaining to the investigation of off-site impacts from the catch basins now that the cleaning of CB-07 and MH-10 is complete.

2.4 IC/EC Certification

The engineering control, including the Site capping system, is in place and functioned properly during the reporting period.

The remedy continues to be protective of public health and the environment, and compliant with the Draft SMP. At this time, it is recommended that the EC remain in place. The Institutional and Engineering Controls Certification Forms are included in Appendix C.

3.0 CONCLUSIONS, EVALUATION & RECOMMENDATION

3.1 Conclusions

Based on the Site-wide inspection conducted on June 12, 2024, the Site protective capping system is intact and stable, and the Site perimeter fencing is intact and stable with no evidence of severe damage requiring immediate action. During the reporting period, no changes in the use or additional development were observed at the Site.

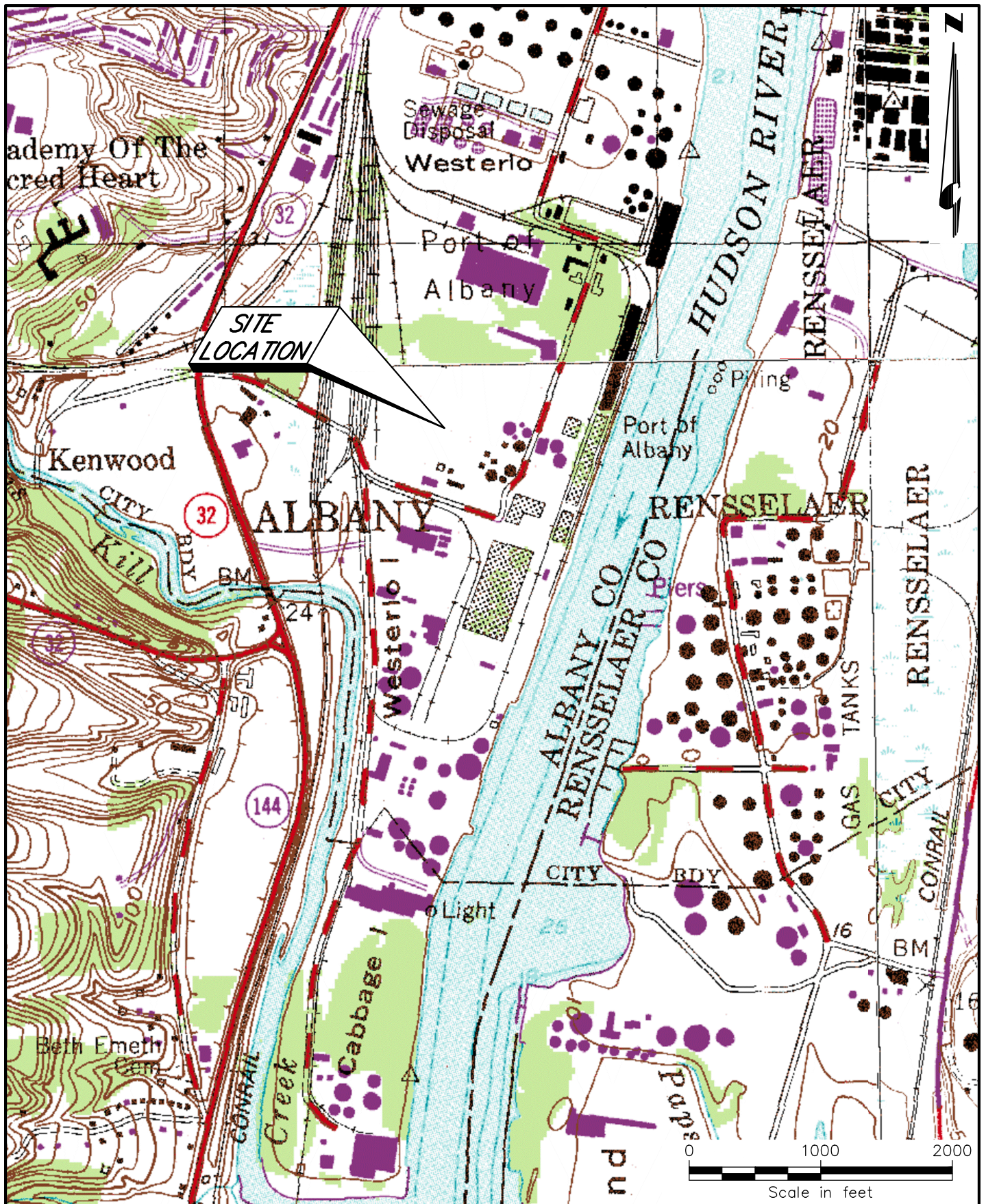
3.2 Evaluation of Remedy Performance, Effectiveness & Protectiveness

Provided the Institutional Controls and Engineering Controls established for the Site 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.

3.3 Recommendations

It is recommended that the current institutional and engineering controls in place at the Site remain in place, and the engineering controls continue to be inspected and monitored. No changes to the remedy are recommended at this time.

FIGURES



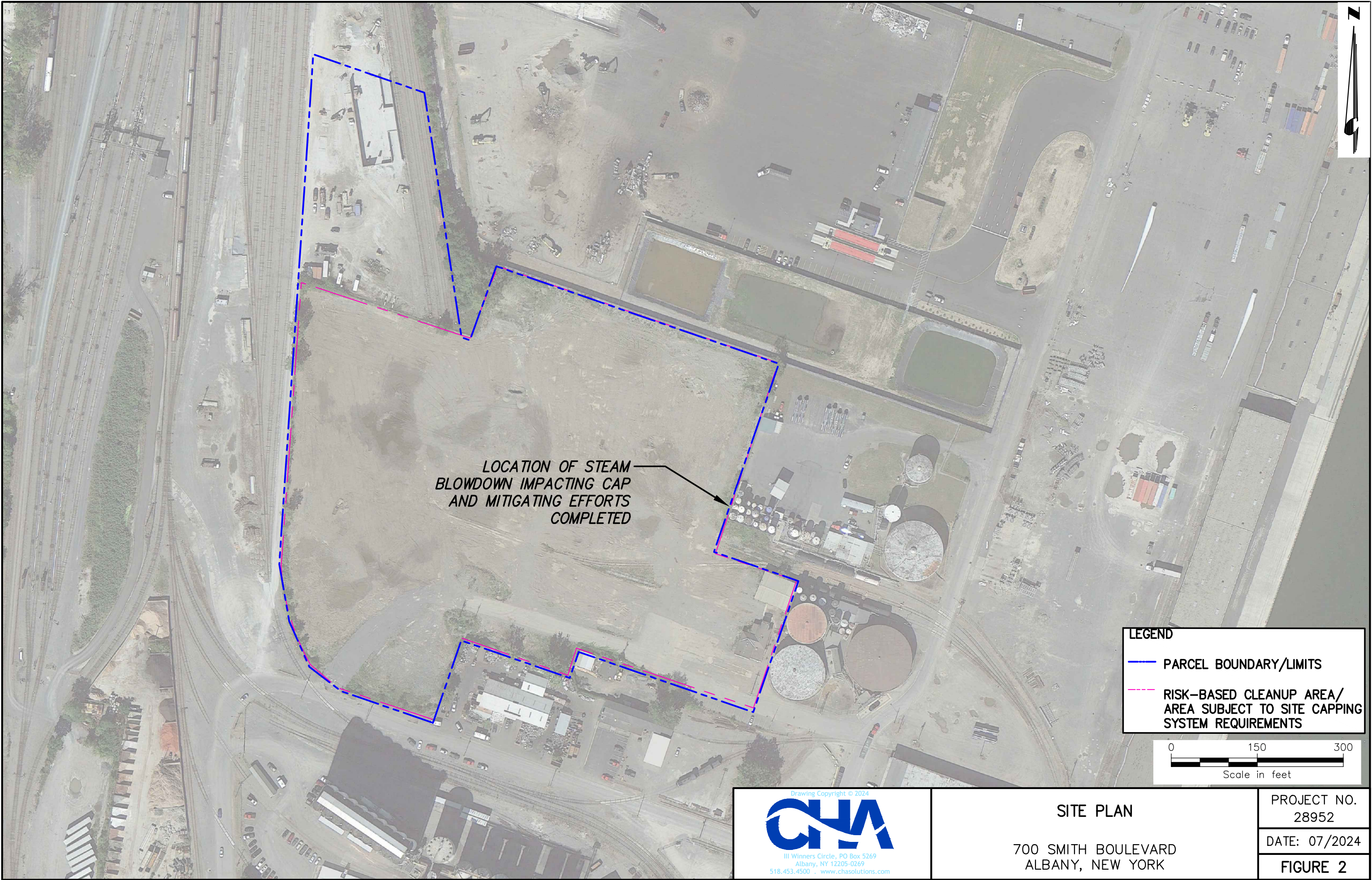
SITE LOCATION MAP

700 SMITH BOULEVARD
ALBANY NEW YORK

PROJECT NO.
28952

DATE: 07/2024

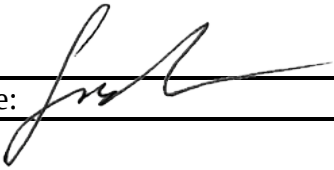
FIGURE 1



APPENDIX A

Site Inspection Form

	SITE-WIDE / CAPPING / FENCING ANNUAL INSPECTION CHECKLIST					
	Report No. 3 Page 1 of 2 Date: 06-12-2024 Time: 9:00am					
	Site Name: Port of Albany – 700 Smith Blvd.		Project No. 028952			
	Address: 700 Smith Blvd, Albany, NY		Weather: Overcast			
Inspector(s): Seth Fowler		Temp.: Hi 70 Low 58		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		☒	☐	☐	SMP still in draft, final awaiting EE approval.	
INSTITUTIONAL CONTROL INSPECTION						
ITEM/CONDITION		YES	NO	N/A	COMMENTS	
The Site continues to be utilized for industrial uses only.		☒	☐	☐		
Low-occupancy areas (if applicable) continue to be occupied by individuals < 6.7 hours per week OR appropriate dermal and respiratory protection is worn.		☐	☐	☒		
FENCE INSPECTION						
ITEM/CONDITION		YES	NO	NA	COMMENTS	
Is a gate present at the entrance?		☒	☐	☐		
Is the gate locked and secured?		☒	☐	☐		
Evidence of damaged fencing?		☐	☒	☐	a few areas on the west side of the fence have slight damage. No breaches to fence, in these locations.	
RAP/SOIL CAP 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 CAP 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 applicable)				
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				
Small area of RAP degradation along eastern edge of site, this is where steam blow-down pipe is eroding soils on the adjacent (to the east) parcel. This is similar to what was observed on the last annual inspection, but to a lesser degree. Material should be added from the adjacent parcel side of the fence to control/prevent further erosion and the displaced RAP on the site side should be pushed back into the area it was displaced from. No impacts noted below demarcation barrier. Additionally, small areas of grass/weeds are growing within the RAP cap at select locations. To prevent this developing into woody growth that could impact the cap in the future, these areas should be weed wacked/mowed and similar action taken along the perimeter fence, especially along the northern fence line.				
Signature: 		Time Charged:		Mileage Charged:

APPENDIX B

Photographic Log



Photograph 1. General overview of the Site, looking southeast.



Photograph 2. General overview of the Site, looking west.



Photograph 3. Fencing along the northern perimeter of the Site with some vegetation growing along the fenceline.



Photograph 4. Example of grass growing on the recycled asphalt pavement cap.



Photograph 5. RAP erosion from steam blowdown. See photograph 6 for condition post repair.



Photograph 6. RAP erosion from steam blowdown subsequently repaired by the APDC.



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SITE PHOTOGRAPHS
700 Smith Boulevard
City of Albany, New York

PROJECT NO.
028952.000



Photograph 7. Fence in place and preventing access. Fence will be replaced during the proposed redevelopment.



Photograph 8. Garage building remains intact on the Site.



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111 Winners Circle
Albany, New York 12205
www.chasolutions.com

SITE PHOTOGRAPHS

700 Smith Boulevard
City of Albany, New York

PROJECT NO.
028952.000

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. 401080

Site Name 700 Smith Boulevard

Site Address: 700 Smith Boulevard Zip Code: 12202

City/Town: Albany

County: Albany

Site Acreage: 14.5

Reporting Period: July 1, 2023 to June 30, 2024

YES NO

1. Is the information above correct?

X

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?

X

3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?

X

4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?

X

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?

X

Box 2

YES NO

6. Is the current site use consistent with the use(s) listed below?

X

7. Are all ICs/ECs in place and functioning as designed?

X

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

Description of Institutional Controls

1. The property may only be used for industrial use.
2. Low-occupancy areas (if applicable) shall maintain appropriate ECs (i.e., fencing) and ICs. Individuals are not permitted to occupy these areas for greater than 6.7 hours per week unless appropriate dermal and respiratory protection are worn.
3. High-occupancy areas (i.e., areas of the Site occupied by an individual greater than 6.7 hours per week) shall maintain appropriate ECs (i.e., site protective capping) and ICs.
4. All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP, including any excavation on Site.
5. The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Albany County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from EPA and NYSDEC.
6. Compliance with the Environmental Easement and the SMP by the Grantor and the Grantor's successors and assigns.
7. All ECs must be operated and maintained as specified in the SMP.
8. Soil and other environmental or public health monitoring must be performed as defined in the SMP.
9. Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP.
10. Access to the Site must be provided to agents, employees, or other representatives of the EPA and NYSDEC with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement.
11. All ECs must be inspected at a frequency and in a manner defined in the SMP.

Description of Engineering Controls

1. Site Capping System (High Occupancy Areas)
2. Fencing (Low Occupancy Areas)

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
- YES NO
X

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
X

**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 Rich Hendrick at 106 Smith Boulevard, Albany, NY 12202,
(print name) (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

7-29-24
Date

EC CERTIFICATIONS

Box 7

Qualified Environmental Professional Signature

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

I Seth Fowler at 3 Winners Circle, Albany, NY 12205,
print name 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)

7/24/24
Date

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