

**From:** [O'Neill, Christopher \(DEC\)](#)  
**To:** [Miller, Samantha](#); [Ormsbee, Daniel](#)  
**Cc:** [Shodder, Philip](#); [Keegan, Aaron \(HEALTH\)](#); [Murphy, Michael C \(DEC\)](#); [Deming, Justin H \(HEALTH\)](#); [Leighton, Ed](#)  
**Subject:** FW: Sterling Drug Site 1 Change of Use Request, HW#442009  
**Date:** Monday, January 27, 2025 11:40:00 AM  
**Attachments:** [2025-01-24\\_Change of Use\\_Pipe Rack Evaluation.pdf](#)

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NYSDEC hereby approves the Pipe Rack Evaluation excavation work plan (Change of Use and Detailed Workplan) as submitted on 1/24/2025 (below and attached for reference).

Please contact me if there are any questions, and to satisfy the 5 business days' notice before the work can begin.

Christopher O'Neill, P.E.  
NYSDEC – Schenectady  
518-357-2394

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**From:** O'Neill, Christopher (DEC)  
**Sent:** Friday, January 24, 2025 7:55 AM  
**To:** Miller, Samantha <[SMiller@chasolutions.com](mailto:SMiller@chasolutions.com)>; Ormsbee, Daniel <[Daniel.Ormsbee@curiaglobal.com](mailto:Daniel.Ormsbee@curiaglobal.com)>  
**Cc:** philip.shodder@curiaglobal.com; Keegan, Aaron (HEALTH) <[Aaron.Keegan@health.ny.gov](mailto:Aaron.Keegan@health.ny.gov)>; Hathaway, Jennifer L (DEC) <[jennifer.hathaway@dec.ny.gov](mailto:jennifer.hathaway@dec.ny.gov)>; Murphy, Michael C (DEC) <[michael.murphy1@dec.ny.gov](mailto:michael.murphy1@dec.ny.gov)>  
**Subject:** FW: Sterling Drug Site 1 Change of Use Request, HW#442009

NYSDEC Region 4 has received the attached Change of Use (COU) Notification regrading excavations along a pipe rack system at the Sterling Drug Site 1 (Curia) site in Rensselaer (site no. 442009). NYSDEC will provide an expedited review of this submittal and provide comments/approvals as soon as possible.

In the meantime, the COU documentation contains says that the pipe rack is already overloaded and the excavations to evaluate the integrity of the pipe rack system has an emergency nature to it. NYSDEC expects Curia to ensure safe operation of its chemical plant such that if the subject pipe rack system is currently overloaded then operational adjustments would seem to be immediately necessary to alleviate the "overload" condition of this pipe rack.

I can be reached at 518-357-2394 if there are any questions.

Christopher O'Neill, P.E.  
NYSDEC – Schenectady  
518-357-2394

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**From:** Miller, Samantha <[SMiller@chasolutions.com](mailto:SMiller@chasolutions.com)>

**Sent:** Friday, January 24, 2025 7:07 AM

**To:** dec.sm.DERSiteControl <[DERSiteControl@dec.ny.gov](mailto:DERSiteControl@dec.ny.gov)>

**Cc:** O'Neill, Christopher (DEC) <[christopher.oneill@dec.ny.gov](mailto:christopher.oneill@dec.ny.gov)>; Keegan, Aaron (HEALTH) <[Aaron.Keegan@health.ny.gov](mailto:Aaron.Keegan@health.ny.gov)>; Shodder, Philip <[Philip.Shodder@curiaglobal.com](mailto:Philip.Shodder@curiaglobal.com)>; Ormsbee, Daniel <[Daniel.Ormsbee@curiaglobal.com](mailto:Daniel.Ormsbee@curiaglobal.com)>; Leighton, Ed <[Ed.Leighton@curiaglobal.com](mailto:Ed.Leighton@curiaglobal.com)>

**Subject:** Sterling Drug Site 1 Change of Use Request

*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

Good morning –

Please see the attached Change of Use request for the Sterling Drug Site 1 (Site #442009) (Curia) site located at 33 Riverside Avenue in Rensselaer. This request is intended to provide the details for an emergency evaluation of the existing pipe rack network. Your quick attention to this matter is greatly appreciated. If you have any questions, please do not hesitate to contact me.

Thanks,

**Samantha Miller, PE\***

Section Manager I

**CHA**

Office: (315) 257-7154

Cell: (915) 329-9898

[smiller@chasolutions.com](mailto:smiller@chasolutions.com)

[www.chasolutions.com](http://www.chasolutions.com)

[Redacted]

\*FL, NY

[Redacted]

*Please note my email address has changed*

**Finding a better way.**



January 24, 2025

New York State Department of Environmental Conservation  
Chief, Site Control Section  
Division of Environmental Remediation  
625 Broadway  
Albany, New York 12233-7020

**RE: Change of Use Notification – 2025 Pipe Rack Structural Evaluation  
Curia New York, 33 Riverside Avenue, Rensselaer, New York  
Sterling Drug Site #1 NYSDEC Inactive Hazardous Waste Site Number 442009  
CHA Project Number: 075104.001**

Dear Chief, Site Control Section:

On behalf of Curia New York (Curia), please find an enclosed copy of the 60-Day Advance Notification of Site Change of Use as required by 6 NYCRR Part 375.

As you are aware, a thermal oxidizer unit (TOX1) was installed on the east side of Building 9 in 2022. Curia plans to connect a Knockout Pot to this unit and several of the nearby buildings to increase air emission efficiencies. However, during the design of the knockout pot, it was determined that the pipe racks were already overloaded where connections are anticipated. (Note: A separate COU will be submitted for the excavation of the knockout pot pad) In order to proceed with a targeted connection date of June, the pipe rack must be assessed quickly so that the pipe racks can be reinforced where necessary, and the design can be finalized.

The work for this initial assessment is anticipated to be completed as follows:

- At each red location identified in the attached drawing, the asphalt and soil will be excavated to the top of the existing foundation and extended laterally to expose the width and length of foundation dimensions.
  - It is anticipated that each excavation will be a maximum of 14-feet long by 10-feet wide by 6-feet deep. However final dimensions will be dictated by a structural engineer in the field.
  - In two locations next to each foundation the excavation will be advanced further to establish thickness measurements of the foundation.
- Excavated material will be continuously screened for volatile organic compounds (VOCs) with a photoionization detector (PID) by a qualified environmental scientist or engineer.
- Excavated soil will be placed on poly-sheeting immediately next to the excavation for temporary staging during each excavation while the structural engineer performs their analysis. If the analysis shows that the foundation will require repair, soil will be put back into the hole and tamped down with the excavator bucket until the design for the repair can be prepared. If the analysis indicates that no repair is needed, soil will be placed back into the hole in lifts and compacted. To reduce exposure to site soil, each excavation will be covered with cold patch asphalt after the investigation, regardless of which avenue is chosen.

- Although not anticipated, if the excavation is left open overnight the excavation will be secured with orange construction fencing (or similar) and soil stockpiles will be covered with poly and anchored.
- Although groundwater management is not anticipated within the excavations, should it become necessary, groundwater will be pumped into totes for management off-site at a permitted facility. Sampling of the groundwater will be performed in accordance with the requirements of the disposal facility and the New York State Department of Environmental Conservation (NYSDEC) Division of Materials Management.
- Upon completion of the structural evaluation, the excavated and stockpiled material will be placed back into each respective excavation. Any surplus soil will be containerized for waste characterization sampling and off-site disposal at a permitted facility.
  - As the areas identified in red are areas that have been evaluated during the Building 9 West Expansion Project and routine maintenance projects, no soil sampling for documentation purposes is anticipated as part of this work unless PID readings in excess of 10 parts per million (ppm) are observed on the PID during screening.
- Community air monitoring will be performed during all intrusive activities from one (1) upwind location and one (1) downwind location in accordance with the New York State Department of Health (NYSDOH) Generic Community Air Monitoring Plan (CAMP) identified in the NYSDEC Division of Environmental Remediation Program Policy 10 (DER-10).
  - Air monitoring data will submitted to NYSDEC and NYSDOH on a weekly basis, unless real time data indicates exceedances. If an exceedance is recognized, mitigative measures will take place immediately, and NYSDOH and NYSDEC will be notified.
- Upon completion of the initial measurements taken at the red locations identified in the attachment, the structural engineer will evaluate whether additional evaluation is necessary. The locations shown in blue on the attached drawing are intended to be potential “step-out” locations, should additional measurements be deemed necessary. Work in these locations will be performed in a manner similar to those of the red locations.
- In addition to the test pit excavations, up to two soil borings will be installed via split spoon auger to calculate the bearing capacity. It is anticipated that the borings will extend to a depth 4 to 5-feet below the bottom of the foundation, which will be determined via the excavations. It is anticipated that the test bore will be installed around the same date, however, will depend on driller availability and will be communicated to the Department. Soil will be screened and managed in a manner similar to the excavations.
- Intrusive work will be performed by a licensed contractor with site specific and HAZWOPER training.
- In addition to this notification, the NYSDEC and NYSDOH will be provided a minimum of five (5) days notice prior to starting any intrusive activities. It is anticipated that this project will begin in early February. The anticipated duration will be 2 days for the initial work. Additional work, if needed, in the step-out locations will be communicated on a case-by-case basis.



- It is anticipated that this information will be utilized as part of the overall structural assessment of the pipe rack infrastructure which will likely require reinforcement at a future date. Such reinforcement may include, but is not limited to, strengthening of existing footers or installation of additional structural supports. Should the reinforcement require intrusive activities, a subsequent Change of Use and letter work plan will be submitted to NYSDEC and NYSDOH for approval.

Given the timeline discussed above, and that the pipe racks are already overloaded, CHA on behalf of Curia, is requesting that the work be performed prior to 60-days. Your quick attention to this matter is greatly appreciated. If you have any questions or concerns, please feel free to contact me at (315) 257-7154.

Sincerely,



Samantha J. Miller, P.E.  
Senior Engineer V

Attachments:

1. 60 Day Notice Form
2. Project drawing details

cc: Daniel Ormsbee, Curia [Daniel.ormsbee@curiaglobal.com](mailto:Daniel.ormsbee@curiaglobal.com)  
Ed Leighton, Curia [Ed.leighton@curiaglobal.com](mailto:Ed.leighton@curiaglobal.com)  
Phil Sodder, Curia [phil.shodder@curiaglobal.com](mailto:phil.shodder@curiaglobal.com)  
Christopher O'Neill, PE, NYSDEC [Christopher.oneill@dec.ny.gov](mailto:Christopher.oneill@dec.ny.gov)  
Aaron Keegan, NYSDOH [Aaron.Keegan@health.ny.gov](mailto:Aaron.Keegan@health.ny.gov)

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## Attachment 1

**60-Day Advance Notification of Site Change of Use, Transfer of  
Certificate of Completion, and/or Ownership**

Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation, 625 Broadway  
Albany NY 12233-7020

**I. Site Name:** Sterling Drug Site #1 (Curia New York) **DEC Site ID No.** HW442009

**II. Contact Information of Person Submitting Notification:**

Name: Samantha Miller  
Address1: 300 South State Street  
Address2: Suite 600  
Phone: 315-257-7154 E-mail: smiller@chasolutions.com

**III. Type of Change and Date:** Indicate the Type of Change(s) (check all that apply):

- ☐ Change in Ownership or Change in Remedial Party(ies)  
☐ Transfer of Certificate of Completion (CoC)  
☒ Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy): 01/20/2025**IV. Description:** Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

During the structural evaluation of a future project at the Site, the existing pipe rack load was evaluated. ~~The evaluation revealed that the pipe rack is currently overloaded and the required support for the future project was insufficient.~~ This investigation is intended to evaluate the footers of the existing pipe rack running from just south of Building 7 to just north of the hydrogen tank to determine how the structure should be reinforced for the current and future load(s).

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

This work will require removal of the existing asphalt cap, thereby increasing the potential for exposure to site contaminants in soil and/or groundwater. This change is not anticipated to impact the existing groundwater treatment system. All exposed soil and groundwater will be managed as detailed in the attached work plan.

**V. Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name: \_\_\_\_\_  
(Signature)

(Date)

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(Print Name)

Address1:

Address2:

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**VI. Contact Information for New Owner, Remedial Party, or CoC Holder:** If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

☐ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: \_\_\_\_\_

Address1:

Address2:

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Certifying Party Name:

Address1:

Address2:

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_



## Attachment 2

