



September 29, 2011

Brian Sadowski
Division of Environmental Remediation
New York State Department of Environmental Conservation
270 Michigan Avenue
Buffalo, NY 14203-2999

**Subject: 2011 August Site Inspection Report
Site Management Periodic Review Report
Booth Oil Site
76 Robinson Street
North Tonawanda, New York
NYSDEC Site No. 9-32-100**

Dear Mr. Sadowski:

On behalf of the Booth Oil Site Administrative Group (BOSAG), AMEC Earth and Environmental, Inc. (AMEC) presents this *Annual Site Inspection Report* for the above referenced site (**Figure 1**). The Site Inspection was performed on August 2, 2011. The following sections of this report discuss the observations and activities completed during the inspection event.

SITE SURFACE CONDITIONS

AMEC personnel conducted a visual inspection of the site, including surface conditions and its surroundings, on August 2, 2011. No significant signs of soil erosion were noted, and the vegetative cover appears to be growing well across the Site.

The drainage ditch that runs along the perimeter of the site has been cleaned and remains free of debris. There were no encroachments from neighboring properties noted at the time of the site inspection. There consistently have been no signs of significant soil erosion during recent site inspections, and further soil erosion control measures are not required. A photographic log of the site conditions is included as **Attachment 1**.

SUMMARY

In general, the Site appeared well maintained. The vegetative cover and soil cap appears to be in good shape with no erosion noticeable. The only current site activities are continued lawn

maintenance during the growing season. AMEC will continue to inspect the property to ensure the drainage ditches are clear of debris and there is no evidence of disturbance to the soil cap.

This latest site inspection fulfills the requirements established by the Periodic Review Report (PPR) as required by Regulation 6NYCRR 375-1.8(3) established by the NYSDEC.

Should you have any questions or comments concerning this report, please contact Jeff LaRock or myself at (518) 372-0905 or by e-mail at jeffrey.larock@amec.com or ryan.jorrey@amec.com.

Sincerely,
AMEC Earth and Environmental Inc.



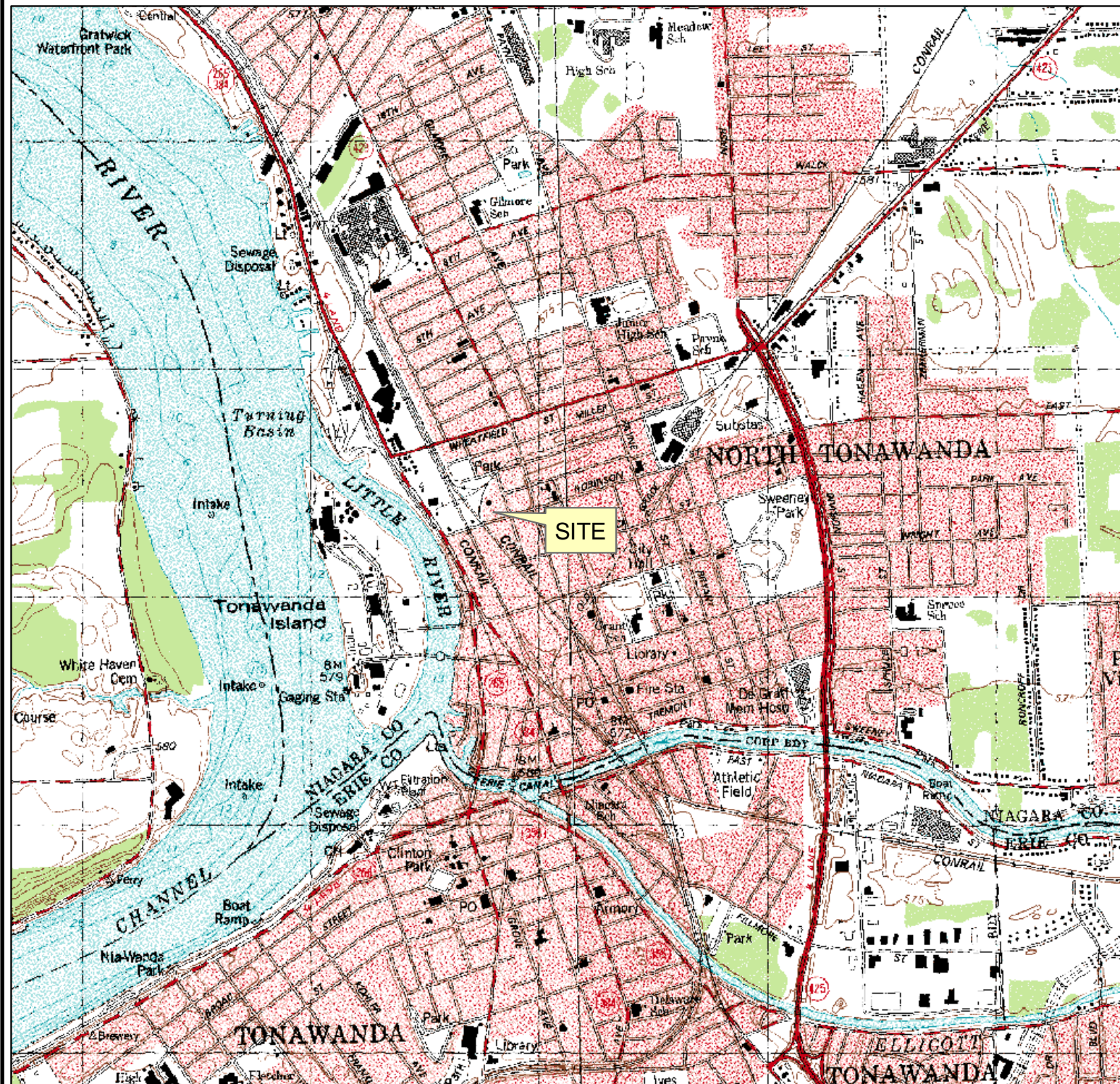
Ryan S. Jorrey
Geologist



Jeffrey W. LaRock
Project Manager

Cc:
William Parry, CSXT
Michael Hinton, NYSDEC

FIGURES



**Public Safety
& Environment**

Booth Oil Site
76 Robinson Street
North Tonawanda, NY
Site Location Map

Niagara County New York

LOCATOR



NOTES & SOURCES

Quadrangle Name: Tonawanda East NY
 Map Source Date: 1 July 1995
 Source: USGS
 Projection: NAD 83 UTM Zone 17N
 Map Created: 4 May 2005



AMEC Earth & Environmental, Inc.
 Westford, Massachusetts

FIGURE

1

ATTACHMENTS



Photo 1

Facing northeast looking across the site.



Photo 2

Looking west along Robinson Street.



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Photo 3

View of the drainage ditch looking east along the tracks.



Photo 4

View of the drainage ditch facing southwest following the tracks.



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Photo 5

Facing southeast
looking across the
site.



Photo 6

Facing east looking
across the site.



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Enclosure 1
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.	932100		
Site Name Booth Oil Co.			
Site Address: 76 Robinson Street		Zip Code: 14210	
City/Town: North Tonawanda			
County: Niagara			
Site Acreage: 2.5			
Reporting Period: August 31, 2010 to August 31, 2011			
		YES	NO
1. Is the information above correct?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Box 2	
		YES	NO
6. Is the current site use consistent with the use(s) listed below? Industrial		<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Are all ICs/ECs in place and functioning as designed?		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

 _____ Signature of Owner, Remedial Party or Designated Representative	<u>9/29/2011</u> _____ Date
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Description of Institutional Controls

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
182.17-34.1	CSX Transportation Inc. Attn: NY Central	Ground Water Use Restriction Landuse Restriction Soil Management Plan
182.17-1-5	George T. Booth & Sons, Inc.	Soil Management Plan

Description of Engineering Controls

None Required

Control Description for Site No. 932100**Parcel: 182.17-1-5**

Deed restrictions and a long-term monitoring program to address any residual contamination were required in accordance with the Amended Record of Decision (ROD) dated September 9, 2002. An Operation and Maintenance plan has been developed and implemented by CSX Transportation, however, the current property owner is uncooperative and did not take part in the remedial work performed at the site. Consequently, the required Deed Restriction has not been filed by the site owner. Efforts to have the Deed Restriction prepared and filed are ongoing with the Office of General Council and the owners representative.

Parcel: 182.17-34.1

The controls identified in the Declaration of Covenants and Restrictions, recorded with Niagara County on August 5, 2003, include: no construction, use or occupancy of the Property that results in the disturbance or excavation of the property without the Department's prior written approval; maintenance of the grass cover on the property; the property cannot be used for purposes other than for manufacturing industrial, light industrial or commercial use; the use of groundwater underlying the property is prohibited without treatment to render it safe for use. These restrictive covenants are binding and shall run with the land.

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 complete.

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.**

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


Signature of Owner, Remedial Party or Designated Representative

9/29/2017
Date

IC CERTIFICATIONS

SITE NO. 932100

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 2 and/or 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 William Perry at CSX Transportation
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]
Signature of Owner or Remedial Party Rendering Certification

9/29/2011
Date