



September 29, 2021

Brian Sadowski
New York State Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Avenue
Buffalo, New York 14203-2915

Subject: **2021 Periodic Review Report**
 Booth Oil Site
 76 Robinson Street
 North Tonawanda, New York
 NYSDEC Site No.: 932100

Dear Mr. Sadowski:

On behalf of the Booth Oil Site Administrative Group (BOSAG), Wood Environment & Infrastructure Solutions, Inc. (wood.) presents this Periodic Review Report (PRR) summarizing the annual site inspections conducted in 2019, 2020, and 2021, at the Booth Oil Site located at 76 Robinson Street, North Tonawanda, New York 14120 (Site) (Figure 1). Inspections of the Site are performed to examine the condition of the cover system, an engineering control for the Site, and to meet the requirements of Regulation 6 NYCRR Part 375-1.8 established by the New York State Department of Environmental Conservation (NYSDEC). The following sections of this report discuss the observations and activities completed during the inspection events.

ANNUAL SITE SURFACE CONDITIONS FOR 2019, 2020, AND 2021

Wood personnel conducted visual inspections of the Site, including observations of surface conditions and surroundings, on September 4, 2019, November 4, 2020, and July 21, 2021. No significant signs of soil erosion were noted during any of the three inspections. The vegetative cover also appeared to be in satisfactory condition with sufficient growth across the Site.

2019

On September 4, 2019, the site inspection concluded that the drainage ditch area, which is located along the perimeter of the site, was observed to be free of debris, and no evidence of petroleum (i.e., sheen, film, etc.) was noted. There were also no encroachments from neighboring properties observed at the time of the site inspection. Attachment 1 contains the Annual Remediation Site Inspection Form and Annual Site Inspection Photographic Log completed as part of the visit.

2020

During the annual site inspection conducted on November 4, 2020, the drainage ditch area was observed to be dry and did not contain any debris or evidence of petroleum. The Annual Remediation Site Inspection Form and Annual Site Inspection Photographic Log completed for the 2020 visit are included in Attachment 2. Encroachments from neighboring properties were not noted during this site inspection.

2021

In the beginning months of site maintenance in 2021, rutting was identified along the eastern portion of the cover system heading north and would require repair. The rutting most likely was caused by a vehicle during wet surface conditions at the site. To restore the cover system to its previous condition, on July 1, 2021, the ruts were rolled and regraded by use of standard tilling equipment. Following these tasks, areas were seeded and fertilized, as necessary. Grading activities were completed without compromising the integrity of the cover system.

The annual site inspection was performed on July 21, 2021 and did not identify any debris in the drainage ditch area or any encroachments from neighboring properties. An Annual Remediation Site Inspection Form and an Annual Site Inspection Photographic Log for the 2021 visit are provided in Attachment 3.

There consistently have been no signs of significant soil erosion during the 2019, 2020, and 2021 annual site inspections, therefore additional soil erosion control measures are not required.

SUMMARY

In general, the Site appeared well maintained over the three-year period. The cover system, including vegetative cover and soil cap, have consistently appeared to be in satisfactory condition with no noticeable

September 2021

erosion. The only current site activities include continued lawn maintenance during the growing season. Wood will continue to inspect the property on an annual basis to ensure the drainage ditches are clear of debris and that there is no evidence of disturbance to the soil cap.

This latest site inspection fulfills the requirements of 6NYCRR 375-1.8 established by the NYSDEC. The next PRR submission will occur in September of 2024; the report will also be a compilation of the three years leading up to that date as per NYSDEC PRR reduction letter dated November 1, 2012.

Please feel free to contact me at howard.miller@woodplc.com if you have any questions.

Respectfully Submitted,

Wood Environment & Infrastructure Solutions, Inc.

Written/Submitted by:



Howard Miller
Project Manager



Katie Amann
Senior Geologist

Cc: William Parry, CSXT

Enclosures:

- Figure 1 Site Location Map
- Attachment 1 2019 Annual Remediation Site Inspection Form and Annual Site Inspection Photographic Log
- Attachment 2 2020 Annual Remediation Site Inspection Form and Annual Site Inspection Photographic Log
- Attachment 3 2021 Annual Remediation Site Inspection Form and Annual Site Inspection Photographic Log

FIGURES



Location of Site



SITE MAP

Booth Oil Site

76 Robinson Street,
North Tonawanda, New York

Notes & Sources

0 200
Feet



FIGURE

1

wood.

Wood Environment &
Infrastructure Solutions, Inc.
300 Great Oaks Boulevard
Suite 300-014
Albany, NY 12203

ATTACHMENT 1

2019 Annual Remediation Site Inspection Form and Annual Site Inspection Photographic Log

Annual Remediation Site Inspection Form


| City/State: Tonawanda/New York Project #: Booth Oil 9734605 CSXT Project Manager: Bill Parry | | Photos Attached <input type="checkbox"/> Site Map Attached <input type="checkbox"/> | |  | |
|---|--|--|---------------------------------|---|--|
| Person Making Observations: H. Miller (Wood) | | | | | Date: 9.4.19 |
| Describe site & today's activities: Site Visual Inspections | | | Condition(s) Acceptable? | | Use space below for notes regarding observations and/or corrective actions taken. (Adjust these columns to fit remaining page width) |
| List contractor companies on-site: None | | | | | |
| Category | Observation | Y | N | N/A | |
| Safety | Was a safety briefing conducted? | X | | | |
| | Is there a HaSP on-site, if applicable? | | | X | |
| | Emergency number(s) posted & accurate, if applicable? | | | X | |
| | Fire extinguishers on-site and in good condition, if applicable? | | | X | |
| | First aid kit on-site and in good condition, if applicable? | | | X | |
| | Are walkways adequately cleared? | | | X | |
| | Holes and/or tripping hazards adequately eliminated? | | | X | |
| | Workers wearing appropriate PPE? | X | | | |
| | Are adequate work equipment red zones being maintained? | | | X | |
| | Is track protection/clearances acceptable? | | | X | |
| Housekeeping | Is site adequately free of debris and/or trash? | X | | | |
| | Are equipment buildings on-site? | | X | | |
| | Are equipment buildings: Secure? Orderly? Pest-free? | | | X | |
| | Is vegetation adequately controlled? | X | | | |
| | Security features (fence/gate) adequately maintained? | | | X | |
| Monitoring Wells | Area around wells adequately maintained for access? | | | X | |
| | Are monitoring wells damaged or in need of repair? | | | X | |
| | Are monitoring wells adequately secured/locked? | | | X | |
| | Are wells adequately painted for safety and bollards maintained? | | | X | |
| | Are CSXT well tags applied? | | | X | |
| Waste | Are drums or containers on-site? | | X | | |
| | Are drums and/or containers in good condition? | | | X | |
| | Are drums adequately labeled? | | | X | |
| | Accumulation start date within acceptable limits? | | | X | |
| | Are drum lids and/or bungs adequately secured? | | | X | |
| | Other waste receptacles adequate and secure? | | | X | |
| Waterways | Are waterways/ditches near or adjacent to Site? | X | | | |
| | Is sheen or film present on surface water body? | | X | | |
| | Is sheen/film present in storm drains near remediation site? | | X | | |
| | If sheen/film present, has CSXT PM or PSCC been notified? | | | X | |
| | Has sheen been verified* as petroleum-based? | | | X | |
| | * (sampling or on-site verification) | | | X | |
| | Has this sheen previously been reported to applicable agencies? | | | X | |
| | Are adequate control measures in-place (booms, dams, etc.)? | | | X | |



Photo 1

Facing south east across the site.



Photo 2

View of site looking north west.

wood.

7 Southside Drive, Suite 201
Clifton Park, NY 12065

W.O. 6-4300-8765
PROCESSED: HGM
DATE: 2019
PAGE 1

CSX Transportation, Inc.
Booth Oil Site
North Tonawanda, NY
Annual Site Inspection



Photo 3

Looking across the site toward Robinson street.



Photo 4

Photo showing north culvert pipe free of debris.

wood.

7 Southside Drive, Suite 201
Clifton Park, NY 12065

W.O. 6-4300-8765
PROCESSED: HGM
DATE: 2019
PAGE 2

CSX Transportation, Inc.
Booth Oil Site
North Tonawanda, NY
Annual Site Inspection

ATTACHMENT 2

2020 Annual Remediation Site Inspection Form and Annual Site Inspection Photographic Log


| City/State: Tonawanda/New York Project #: Booth Oil 9734605 CSXT Project Manager: Bill Parry | | Photos Attached <input type="checkbox"/> Site Map Attached <input type="checkbox"/> | |  | |
|---|--|--|---------------------------------|---|--|
| Person Making Observations: H.Miller (Wood) | | | | | Date: 11.4.2020 |
| Describe site & today's activities: Site Visual Inspections | | | Condition(s) Acceptable? | | Use space below for notes regarding observations and/or corrective actions taken. (Adjust these columns to fit remaining page width) |
| List contractor companies on-site: None | | | | | |
| Category | Observation | Y | N | N/A | |
| Safety | Was a safety briefing conducted? | X | | | |
| | Is there a HaSP on-site, if applicable? | | | X | |
| | Emergency number(s) posted & accurate, if applicable? | | | X | |
| | Fire extinguishers on-site and in good condition, if applicable? | | | X | |
| | First aid kit on-site and in good condition, if applicable? | | | X | |
| | Are walkways adequately cleared? | | | X | |
| | Holes and/or tripping hazards adequately eliminated? | | | X | |
| | Workers wearing appropriate PPE? | X | | | |
| | Are adequate work equipment red zones being maintained? | | | X | |
| | Is track protection/clearances acceptable? | | | X | |
| Housekeeping | Is site adequately free of debris and/or trash? | X | | | |
| | Are equipment buildings on-site? | | X | | |
| | Are equipment buildings: Secure? Orderly? Pest-free? | | | X | |
| | Is vegetation adequately controlled? | X | | | |
| | Security features (fence/gate) adequately maintained? | | | X | |
| Monitoring Wells | Area around wells adequately maintained for access? | | | X | |
| | Are monitoring wells damaged or in need of repair? | | | X | |
| | Are monitoring wells adequately secured/locked? | | | X | |
| | Are wells adequately painted for safety and bollards maintained? | | | X | |
| | Are CSXT well tags applied? | | | X | |
| Waste | Are drums or containers on-site? | | X | | |
| | Are drums and/or containers in good condition? | | | X | |
| | Are drums adequately labeled? | | | X | |
| | Accumulation start date within acceptable limits? | | | X | |
| | Are drum lids and/or bungs adequately secured? | | | X | |
| | Other waste receptacles adequate and secure? | | | X | |
| Waterways | Are waterways/ditches near or adjacent to Site? | X | | | |
| | Is sheen or film present on surface water body? | | X | | |
| | Is sheen/film present in storm drains near remediation site? | | X | | |
| | If sheen/film present, has CSXT PM or PSCC been notified? | | | X | |
| | Has sheen been verified* as petroleum-based? | | | X | |
| | * (sampling or on-site verification) | | | X | |
| | Has this sheen previously been reported to applicable agencies? | | | X | |
| | Are adequate control measures in-place (booms, dams, etc.)? | | | X | |



Photo 1

Facing south west across middle of site.



Photo 2

View of site facing north east.



7 Southside Drive, Suite 201
Clifton Park, NY 12065

W.O. 6-4300-8765
PROCESSED: HGM
DATE: 2020
PAGE 1

CSX Transportation, Inc.
Booth Oil Site
North Tonawanda, NY
Annual Site Inspection



Photo 3

Photo showing clean area around the south western culvert pipe.



Photo 4

Facing west along Robinson Street.

wood.

7 Southside Drive, Suite 201
Clifton Park, NY 12065

W.O. 6-4300-8765
PROCESSED: HGM
DATE: 2020
PAGE 2

CSX Transportation, Inc.
Booth Oil Site
North Tonawanda, NY
Annual Site Inspection

ATTACHMENT 3

2021 Annual Remediation Site Inspection Form and Annual Site Inspection Photographic Log

Annual Remediation Site Inspection Form


| City/State: Tonawanda/New York Project #: Booth Oil 9734605 CSXT Project Manager: Bill Parry | | Photos Attached <input type="checkbox"/> Site Map Attached <input type="checkbox"/> | |  | |
|---|--|--|---------------------------------|---|--|
| Person Making Observations: H.Miller (Wood) | | | | | Date: 7.21.21 |
| Describe site & today's activities: Site Visual Inspections | | | Condition(s) Acceptable? | | Use space below for notes regarding observations and/or corrective actions taken. (Adjust these columns to fit remaining page width) |
| List contractor companies on-site: None | | | | | |
| Category | Observation | Y | N | N/A | |
| Safety | Was a safety briefing conducted? | X | | | |
| | Is there a HaSP on-site, if applicable? | | | X | |
| | Emergency number(s) posted & accurate, if applicable? | | | X | |
| | Fire extinguishers on-site and in good condition, if applicable? | | | X | |
| | First aid kit on-site and in good condition, if applicable? | | | X | |
| | Are walkways adequately cleared? | | | X | |
| | Holes and/or tripping hazards adequately eliminated? | | | X | |
| | Workers wearing appropriate PPE? | X | | | |
| | Are adequate work equipment red zones being maintained? | | | X | |
| | Is track protection/clearances acceptable? | | | X | |
| Housekeeping | Is site adequately free of debris and/or trash? | X | | | |
| | Are equipment buildings on-site? | | X | | |
| | Are equipment buildings: Secure? Orderly? Pest-free? | | | X | |
| | Is vegetation adequately controlled? | X | | | |
| | Security features (fence/gate) adequately maintained? | | | X | |
| Monitoring Wells | Area around wells adequately maintained for access? | | | X | |
| | Are monitoring wells damaged or in need of repair? | | | X | |
| | Are monitoring wells adequately secured/locked? | | | X | |
| | Are wells adequately painted for safety and bollards maintained? | | | X | |
| | Are CSXT well tags applied? | | | X | |
| Waste | Are drums or containers on-site? | | X | | |
| | Are drums and/or containers in good condition? | | | X | |
| | Are drums adequately labeled? | | | X | |
| | Accumulation start date within acceptable limits? | | | X | |
| | Are drum lids and/or bungs adequately secured? | | | X | |
| | Other waste receptacles adequate and secure? | | | X | |
| Waterways | Are waterways/ditches near or adjacent to Site? | X | | | |
| | Is sheen or film present on surface water body? | | X | | |
| | Is sheen/film present in storm drains near remediation site? | | X | | |
| | If sheen/film present, has CSXT PM or PSCC been notified? | | | X | |
| | Has sheen been verified* as petroleum-based? | | | X | |
| | * (sampling or on-site verification) | | | X | |
| | Has this sheen previously been reported to applicable agencies? | | | X | |
| | Are adequate control measures in-place (booms, dams, etc.)? | | | X | |



Photo 1

Facing north west across middle of site.



Photo 2

View of site facing south east.

wood.

300 Great Oaks Boulevard, Suite 300-014
Albany, New York 12203

W.O. 6-4300-8765
PROCESSED: HGM
DATE: 2021
PAGE 1

CSX Transportation, Inc.
Booth Oil Site
North Tonawanda, NY
Annual Site Inspection



Photo 3

View of the north east site culvert pipe, free of debris.



Photo 4

Facing west along Robinson Street.

wood.

300 Great Oaks Boulevard, Suite 300-014
Albany, New York 12203

W.O. 6-4300-8765
PROCESSED: HGM
DATE: 2021
PAGE 2

CSX Transportation, Inc.
Booth Oil Site
North Tonawanda, NY
Annual Site Inspection



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: 2.500

Reporting Period: August 31, 2018 to August 31, 2021

YES NO

1. Is the information above correct?

☒ ☐

1

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?
Industrial

☒ ☐

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

☒ ☐

5

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 ControlsParcelOwnerInstitutional Control**182.17-1-5**

333,LLC-Mike Wachowicz

Building Use Restriction
Monitoring Plan
O&M Plan
Ground Water Use Restriction
Landuse Restriction
Soil Management Plan

Ground Water Use Restriction
Landuse Restriction
O&M Plan

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 for the entire site which includes 76 Robinson. The required Deed Restriction has been filed with the Niagara County Clerk by the site owner or his representative on September 30, 2010 as Instr. #2010-16349

182.17-34.1

CSX Transportation Inc.

O&M Plan

Ground Water Use Restriction
Landuse Restriction
O&M Plan

Building Use Restriction
Soil Management Plan
Ground Water Use Restriction
Landuse Restriction
Building Use Restriction

The Con Rail property is part of the Booth Oil site and is currently listed on the Registry of Inactive Hazardous Waste Sites in New York as site #932100. A Declaration of Covenants and Restrictions was filed with the Niagara County Clerk's Office (L3245, P720) on August 5, 2003.

The property is an active railroad corridor. The owner of the property shall prohibit the Property from ever being used for purposes other than for Manufacturing, Industrial, Light Industrial or Commercial Purposes. Any other use may be allowed only upon demonstration to the satisfaction of the Relevant Agency that any such proposed use will not pose a danger to public health, safety or the environment.

An Operation and Maintenance Plan has been developed and is implemented by CSX Transportation. The O&M Plan is in section 11.2 of the Remedial Action Completion Report; February 2004; rev. August 2004.

Description of Engineering ControlsParcelEngineering Control**182.17-1-5**

Cover System
Cover System

Contaminated areas were removed by excavating down to surveyed final excavation limits that were verified by confirmation soil samples that achieved the remedial cleanup goals.

Imported common fill was placed and compacted from the bottom of the excavated area to approximately 6 inches below the final surface grade. In addition, on-site excavated soil that was determined suitable for reuse as backfill was placed and compacted from the bottom of the excavated area to approximately 2 feet below the final surface grade.

Approximately 6 inches of imported topsoil were placed and graded at the surface to match the existing perimeter grades and to promote positive drainage.

Parcel

Engineering Control

The surface of the topsoil was hydroseeded with an approved seed/fertilizer/mulch mixture to promote vegetative growth.

182.17-34.1

Cover System

Cover System

Contaminated areas were removed by excavating down to surveyed final excavation limits that were verified by confirmation soil samples that achieved the remedial cleanup goals.

Imported common fill was placed and compacted from the bottom of the excavated area to approximately 6 inches below the final surface grade. In addition, on-site excavated soil that was determined suitable for reuse as backfill was placed and compacted from the bottom of the excavated area to approximately 2 feet below the final surface grade.

Approximately 6 inches of imported topsoil were placed and graded at the surface to match the existing perimeter grades and to promote positive drainage.

The surface of the topsoil was hydro-seeded with an approved seed/fertilizer/mulch mixture to promote vegetative growth.

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 Engineering Control 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. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

- (a) The 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. 932100

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 WILLIAM PARRY at ONE BELL CROSSING RD, SELKIRK NY 12158,
print name print business address

am certifying as REMEDIAL PARTY (Owner or Remedial Party)

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

William Parry

Digitally signed by William Parry
Date: 2021.09.15 10:12:46 -04'00'

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

Date