



SYRACUSE UNIVERSITY

May 9, 2012

ENVIRONMENTAL HEALTH OFFICE

Chris Mannes, III, P.E.
NYS Department of Environmental Conservation
Region 7
Division of Environmental Remediation
615 Erie Boulevard, West
Syracuse, NY 13204

Re: Site Management Periodic Review Report
Site #: B00003
Site Name: Midtown Plaza
Site Address: 700 East Washington St., Syracuse, NY 13202

Dear Chris Mannes:

The following information, attachments and certifications are provided to satisfy the requirements of Periodic Review Report (PRR) requested by NYS Department of Environmental Conservation (DEC) in lieu of all other previously required certifications, reports, etc., associated with the redevelopment of the property referenced herein. This PRR is for the former Midtown Plaza Site ("City Parcel") that was redeveloped by Syracuse University for the Syracuse Center of Excellence (CoE) in Environmental and Energy Systems Headquarters ("CoE Campus Development Project") (2005 - 2011).

This PRR covers activities at the site from September 12, 2006 to March 1, 2012. For the majority of this reporting period (September 12, 2006 through November 2010), the site was undergoing redevelopment for construction of the Syracuse Center of Excellence Headquarters Building.

I. Executive Summary

The former Midtown Plaza site ("City Parcel") at 700 East Washington Street in Syracuse, NY, was purchased by Syracuse University in 2004 and redeveloped as the Syracuse Center of Excellence in Environmental and Energy Systems Headquarters (current building address is 727 East Washington St.). Prior to purchase by Syracuse University, a Record of Decision (ROD) was issued for the site in March 1998 and the activities to implement the ROD, including demolition for the Midtown Plaza building at the site, were completed in June 1999.

Additional limited subsurface investigations were conducted by Syracuse University in cooperation with the NYSDEC Region 7 Division of Environmental Remediation during the CoE Campus Development Project. Contaminants, including asbestos debris, semi-volatile polycyclic hydrocarbons, heavy metals and Hexavalent chromium, were identified to be present in the site's soils and groundwater at varying degrees. Remediation of the site as part of the CoE Campus Development Project began in the summer of 2006 under the NYSDEC approved Site Management Plan for Construction of the TIEQ Laboratory and CoE Headquarters (July 2005)(referred to herein as the "Construction SMP"). The bulk of source removal efforts occurred from August 2006 through the summer of 2007 and additional source removal continued sporadically through the completion of the COE development project in fall of 2010.

As mandated by the Construction SMP, a “Cover” consisting of no less than a 12” depth of NYSDEC approved impervious products was placed on all portions of the City Parcel redeveloped as part of the CoE Campus Development Project. A Construction SMP Compliance report and certification and a Cover Placement Certification were submitted to NYSDEC in March 2011 for the redeveloped portions of the City Parcel. The Southeast quadrant of the City Parcel still remains undeveloped and without the required “Cover” pending redevelopment as an Intermodal Parking and transportation facility (ITF). Construction of the ITF is scheduled to begin this summer.

A NYSDEC approved Post Construction Site Management Plan (SMP) is in force and being followed for the developed portions of the City Parcel (i.e. the CoE Campus). The University believes that compliance with the Post Construction SMP and the site “Cover” has been achieved since completion of the CoE redevelopment (Fall 2010) with the exception of the discovery (May 2011) of a small area in the southwest corner of the site where the required “Cover” was not in place. NYSDEC (Chris Mannes, Region 7) was promptly notified of this discovery and the required “Cover” was subsequently installed in this area. No other deviations from the Post Construction SMP have been identified.

No changes to the Post Construction or Construction Site Management Plans are recommended at this time by Syracuse University. It is acceptable to the University to continue to submit a Periodic Review Report and certification for this site annually in lieu of all other previously agreed to reports, certifications, etc. associated with redevelopment of this property (including the Deed Restriction that was recorded in the Onondaga County Clerk’s Office by the City of Syracuse on March 25, 2004) until all redevelopment activities on the City Parcel have been completed and the required “Cover” is in place throughout the City Parcel. A less frequent reporting timeframe will be requested by the University once redevelopment of the site is complete.

II. Site Overview

The former Midtown Plaza site at 700 East Washington Street in Syracuse, NY, is located in the City of Syracuse and is bordered by East Washington St. and East Water St. between Forman Ave and Almond St. (Attachment A). The site was purchased by Syracuse University in 2004 and redeveloped as part of the Syracuse Center of Excellence in Environmental and Energy Systems Headquarters development project (also known as the “CoE Campus Development Project”). The CoE Campus Development Project involved redevelopment of the following two (2) adjacent parcels (“CoE Site”) (Attachment B):

- a 0.6 acre parcel formally owned by the City of Syracuse Industrial Development Agency (SIDA Parcel) and
- a 2.4 acre parcel formally owned by the City of Syracuse that was the site of the former Midtown Plaza building (“City Parcel”).

The City Parcel portion of the CoE site was initially remediated by the City of Syracuse under the NYSDEC Environmental Restoration Program (ERP). A Record of Decision (ROD) was issued for the site by the NYSDEC in March 1998 and activities to implement the ROD, including demolition of the former Midtown Plaza building, were completed in June 1999. The site then was chosen by the NYS Governor’s office, Syracuse University, and several private companies and academic institutions to be the location of the future NYS Center of Excellence for Environmental and Energy Systems (CoE). Syracuse University acquired the property in 2004 and performed additional sub-surface investigations during redevelopment of the CoE site and construction of the CoE Headquarters building (spring 2006 – fall 2011).

The nature and extent of contamination at the City Parcel were defined through (a) the investigation conducted by the City of Syracuse under the ERP project, (b) the University’s environmental assessment

review conducted by O'Brien and Gere Engineers Inc., (c) NYSDEC investigations performed in the fall of 2004, and (d) University sub-surface investigations performed by during site redevelopment and construction.

Contaminants identified during the site investigations and/or encountered during site redevelopment include:

- Debris containing residual asbestos from demolition of the former Midtown Plaza building
- Soil and debris containing semi-volatile polycyclic hydrocarbons
- Soil containing heavy metals
- Soil with visible staining from petroleum products from previous spills on-site and/or migrating on to the site from adjacent sites
- Hexavalent chromium in the groundwater (identified in one on-site monitoring well, T2)

Redevelopment activities on the City Parcel were governed by the Construction SMP, which specified requirements for soil handling, re-use and disposal, community air monitoring, and other associated redevelopment activities, as well as a requirement to place a "Cover" on the City Parcel as part of the redevelopment work.

During the fall of 2010, redevelopment activities associated with the CoE Campus Development Project were essentially completed except for a space awaiting construction of an intermodal parking and transportation facility. The required "Cover" was put in place on the redeveloped areas of the City Parcel.

A Construction Compliance Report and compliance certifications confirming installation of the required City Parcel Cover and adherence to the Construction SMP for the re-development activities were submitted to the Department with the University's correspondence to you of March 28, 2011.

The current building address for the CoE Headquarters Building is 727 East Washington St..

III. Remediation Performance and Effectiveness

The redevelopment activities associated with the CoE Campus Development Project are completed. The required "Cover" is in place and being maintained in accordance with the Post Construction SMP on all of the City Parcel with the exception of the southeast quadrant of the site (Attachment C). Most of the southeast quadrant of the City Parcel remains undeveloped without "Cover" in place because this area is proposed to be part of the area for construction of an intermodal parking and transportation facility (ITF) funded by a federal Department of Transportation (DOT) grant with matching funds from Syracuse University (the "ITF Project"). The ITF Project has been delayed due to the lack of progress in the funding bill that was approved by Congress and NYS DOT's request for additional traffic and parking studies of the surrounding area.

The 100% Design Development report for the ITF Project has been reviewed and approved by the Federal and NYS DOT. Construction Documents are currently 75% complete and have been submitted for Federal and NYS DOT review. The University anticipates that the ITF Project will go to bid in the spring of 2012 and take approximately 12 to 18 months to complete.

A fence is currently in place around the undeveloped area of the City Parcel to prevent access to the area from adjoining public sidewalks. Access to this area is limited to individuals who have been authorized and made aware of the existing site conditions by the University's Office of Campus Planning, Design and Construction. Development activities associated with the ITF will be completed following the Construction SMP for development activities on the City Parcel, including the installation of the required "Cover."

Following completion of the ITF Project, a construction compliance report specific to the ITF Project will be prepared and submitted to the Department accompanied by the required certification from the University. The University will also submit an amended City Parcel Cover Certification confirming that the “Cover” has been extended over the entire City Parcel with the completion of this project.

IV. IC/EC Plan Compliance Report

- **Landuse Restriction**

The current use of the redeveloped site conforms to the requirements of the land restriction.

- **Site Management Plan – Post Construction**

The Post-Construction Site Management Plan (SMP) is in effect for the redeveloped areas of the City Parcel. All future development and maintenance activities in this area are required to follow the guidelines set forth in the Post-Construction SMP. In accordance with Section 6 of the Post-Construction SMP, the CoE Site representatives and a Qualified Environmental Professional (James Blum, P.E., Syracuse University CPDC) performed the required annual site inspection of the City Parcel in March 2012. The inspection was performed for the entire CoE Campus site with the exception of the undeveloped, fenced in area in the southeast quadrant of the site (that is, the future ITF development area). The inspection included a visual evaluation of the CoE Site to identify any weathering or impairments in the “Cover” materials and a review of any activities that could have disturbed the “Cover.”

As indicated on the enclosed copy of the completed (March 21, 2012) CoE Campus Site Inspection Form (Attachment D), no activities occurred on the CoE Site over the last year that breached the “Cover.” A small area of minor rutting (tire tracks) was observed on the north side of the site immediately adjacent to the CoE Headquarters building but the rutting did not impact the depth of “Cover”. No mirafi was visible at the location of these depressions. The depressions were caused by a piece of heavy equipment that remained in this location for a period of time and the depressions will be filled by the University this spring. No other areas of impairment or concern were observed in the “Cover” during the annual site inspection.

- **Site Management Plan– Construction (includes soil management requirements)**

The Construction SMP will be followed during redevelopment activities associated with the Intermodal Parking and Transportation Facility on the southeast quadrant of the City Parcel. The Construction SMP specifies requirements for soil handling, re-use and disposal, community air monitoring, and other associated redevelopment activities, as well as a requirement to place a 12 inch “Cover” on the City Parcel as part of the re-development work. Following completion of the ITF Project, a construction compliance report specific to the ITF Project will be prepared and submitted to the NYSDEC accompanied by the required certification from the University. The University will also submit an amended City Parcel Cover Certification confirming that the “Cover” has been extended over the entire City Parcel with the completion of this project.

- **Cover System:**

A “Cover” consisting of NYSDEC approved impervious products including concrete, asphalt, and/or clean soil or stone was installed and remains in place at a depth of not less than twelve inches on the portions of the City Parcel redeveloped as part of the CoE Campus Development Project. A demarcation layer consisting of orange colored landscape fabric (mirafi) was placed, as described in the Construction Manager’s Compliance Management Report and Certification for the project, below the “Cover” to distinguish the boundary between the “Cover” and pre-existing fill.

In the Cover Certification submitted to NYSDEC (Chris Mannes) in March 2011, the University certified that, to the best of its knowledge, a Cover consisting of NYSDEC approved impervious products and/or clean soil or stone of a substantially uniform depth of not less than twelve inches and an demarcation layer of orange mirafi had been installed and remains in place on all portions of the City Parcel redeveloped as part of the CoE Campus Development Project, with the exception of the undeveloped, fenced in area in the southeast quadrant of the site (the future ITF development area). Subsequent to the submittal of March 2011 Cover Certification, the University identified (May 2011) a section of exposed orange mirafi in the far southwest corner of the City Parcel. Following investigation, it was determined that the exposed mirafi was actually a piece of mirafi that was laid over an old manhole (~ 4" below grade) that was encountered during site excavation, to identify its location. The University's Office of Campus Planning, Design and Construction Project Manager for the site believes that excavation in this area was stopped when the manhole was encountered and inadvertently never resumed. After further investigation, Op-Tech Environmental determined that an approximately 6' x 6' area immediately around this manhole to the western sidewalk (Attachment E) did not have the required "Cover" (mirafi and 12" of clean soil/stone) installed. In June 2011, Op-Tech excavated this area down to a depth of 12", placed orange mirafi over the newly excavated area (including the manhole) and covered the area with 12" of clean stone.

V. Monitoring Plan Compliance Report – Not Applicable

VI. Operations and Maintenance Plan Compliance Report – Not Applicable

VII. Overall PRR Conclusions and Recommendations

Compliance with the Institution and Engineering Controls in place for the City Parcel portion of the CoE Site, including the Post Construction SMP, Land Use Restriction and site "Cover" has been achieved since completion of the CoE Campus Development Project (Fall 2011) with the exception of the small un-covered area discovered in the southwest corner of the site last May (2011). The University promptly notified NYSDEC (Chris Mannes, Region 7) of this identified deviation from the "Cover" requirements and the required "Cover" was subsequently installed (see details in Section IV above). No other deviations in compliance with the IC/EC requirements for the City Parcel were identified for this reporting period (September 12, 2006 –March 1, 2012).

As indicated in Section III above, redevelopment activities in the undeveloped and un-covered southeast quadrant of the City Parcel are scheduled to commence this summer (2012) as part of the construction of the intermodal parking and transportation facility (ITF). Development activities associated with the ITF will be completed following the Construction SMP for development activities on the City Parcel, including the installation of the required "Cover." An SMP construction report and certification and a certification of "Cover" placement will be submitted to the NYSDEC once redevelopment of this area of the City Parcel is completed.

No changes to the Post Construction or Construction SMPs are recommended at this time by Syracuse University. It is acceptable to the University to continue to submit the Periodic Review Report for this site annually until all redevelopment activities on the City Parcel have been completed and the required "Cover"

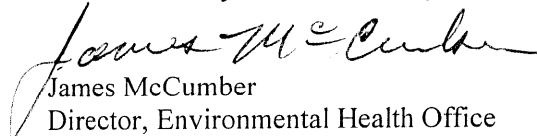
Syracuse University – Center of Excellence Site (Former Midtown Plaza)
Periodic Review Report
May 9, 2012

is in place throughout the City Parcel. A less frequent reporting timeframe will be requested by the University once redevelopment of the site is complete.

If you have any questions or require any additional information, please do not hesitate to contact me at your convenience.

Sincerely,

On Behalf of Syracuse University:


James McCumber
Director, Environmental Health Office

Attachment A –CoE Site Location
Attachment B –CoE Site Plan
Attachment C – CoE Site Cover
Attachment D – CoE Annual Site Inspection
Attachment E – “Cover” deviation location
Attachment F – NYSDEC PRR IC/EC Certification Form

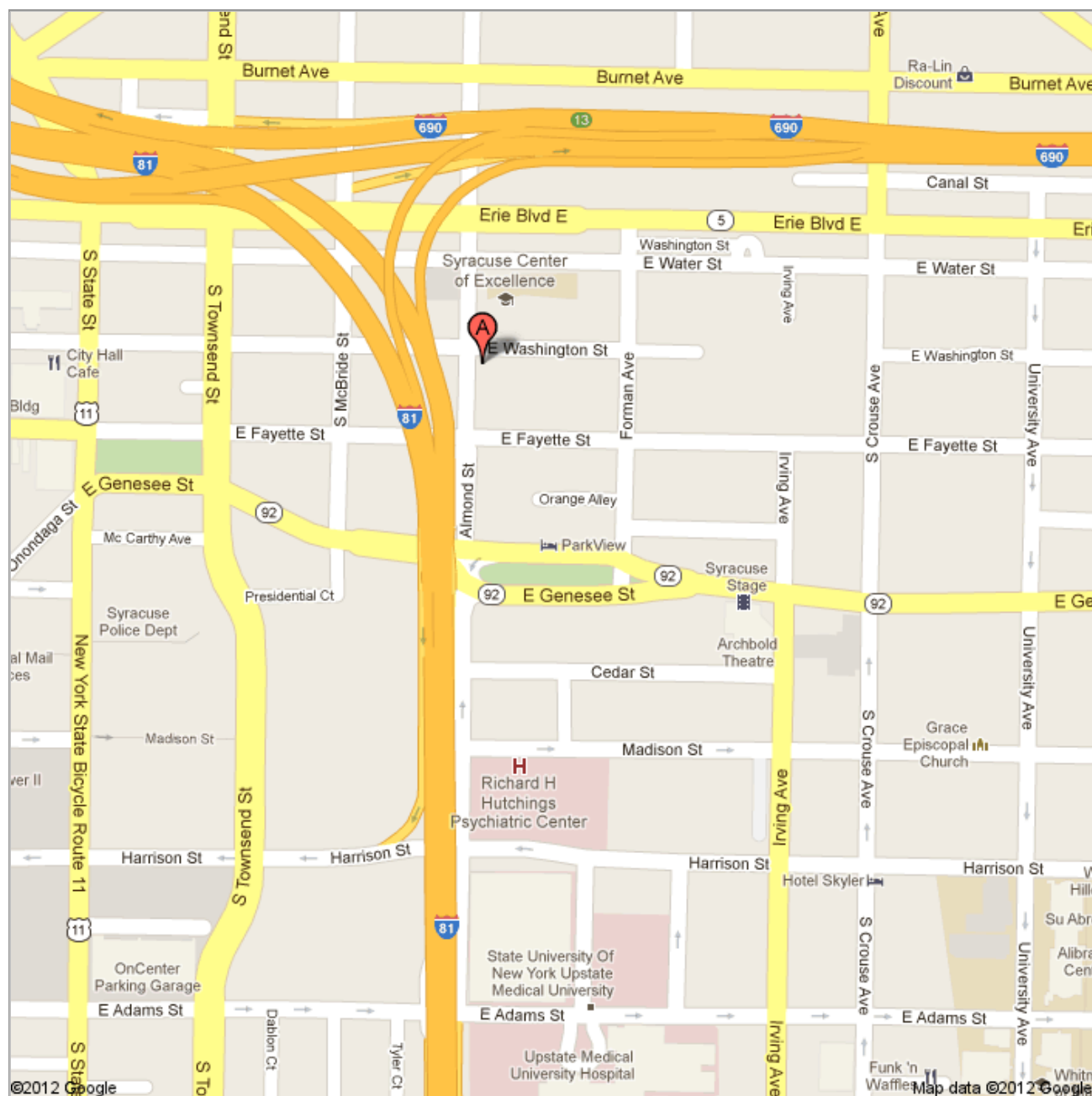
Cc: E. Beattie – Syracuse University CPDC
J. Blum - Syracuse University CPDC
B. Ponza - Syracuse University EHSS
E. Bogucz - Syracuse University CoE
Barry Kogut – Bond, Schoeneck and King

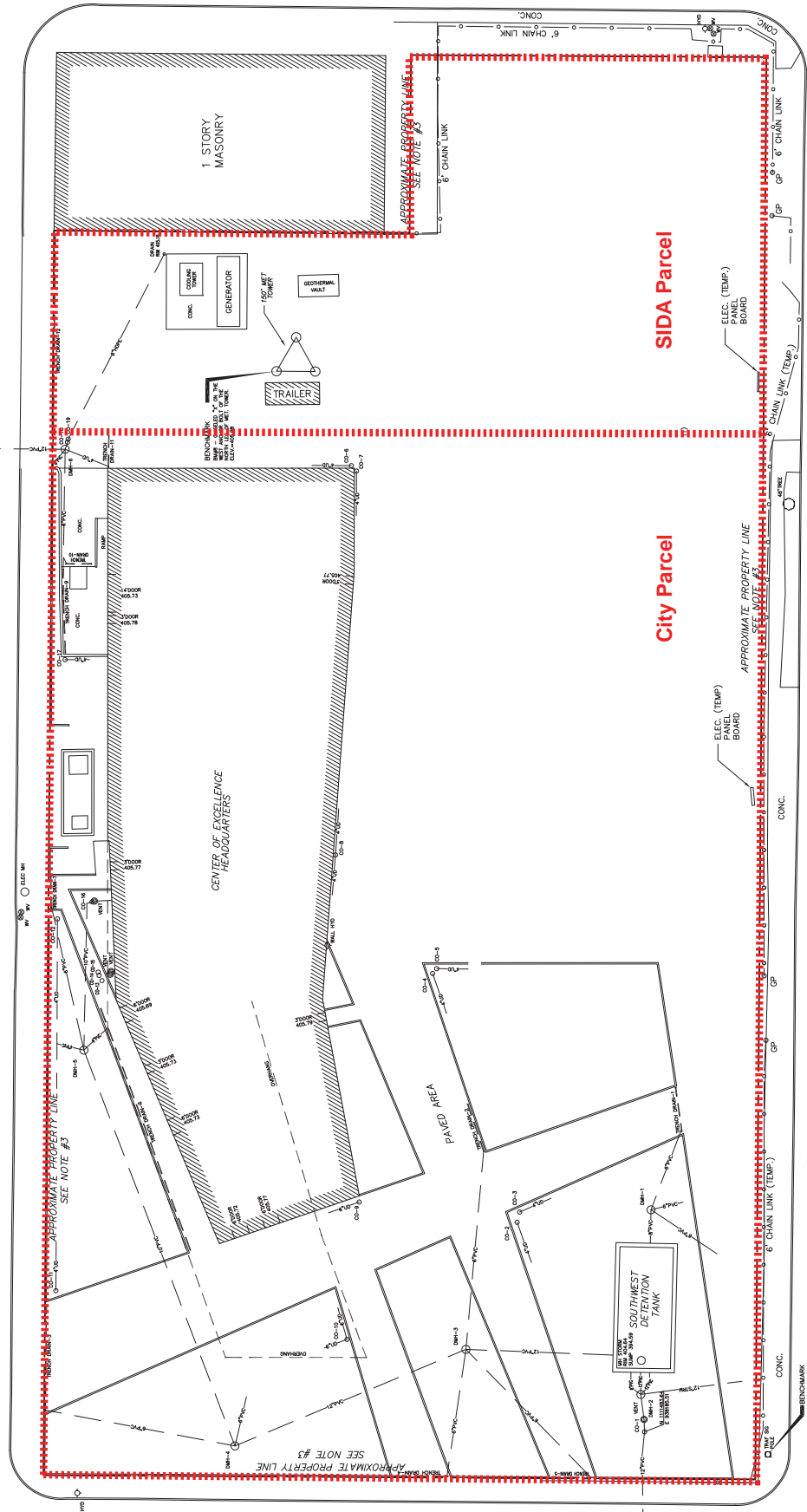


Address **700 E Washington St**
Syracuse, NY 13210

Get Google Maps on your phone

Text the word "GMAPS" to 466453





ALMOND STREET

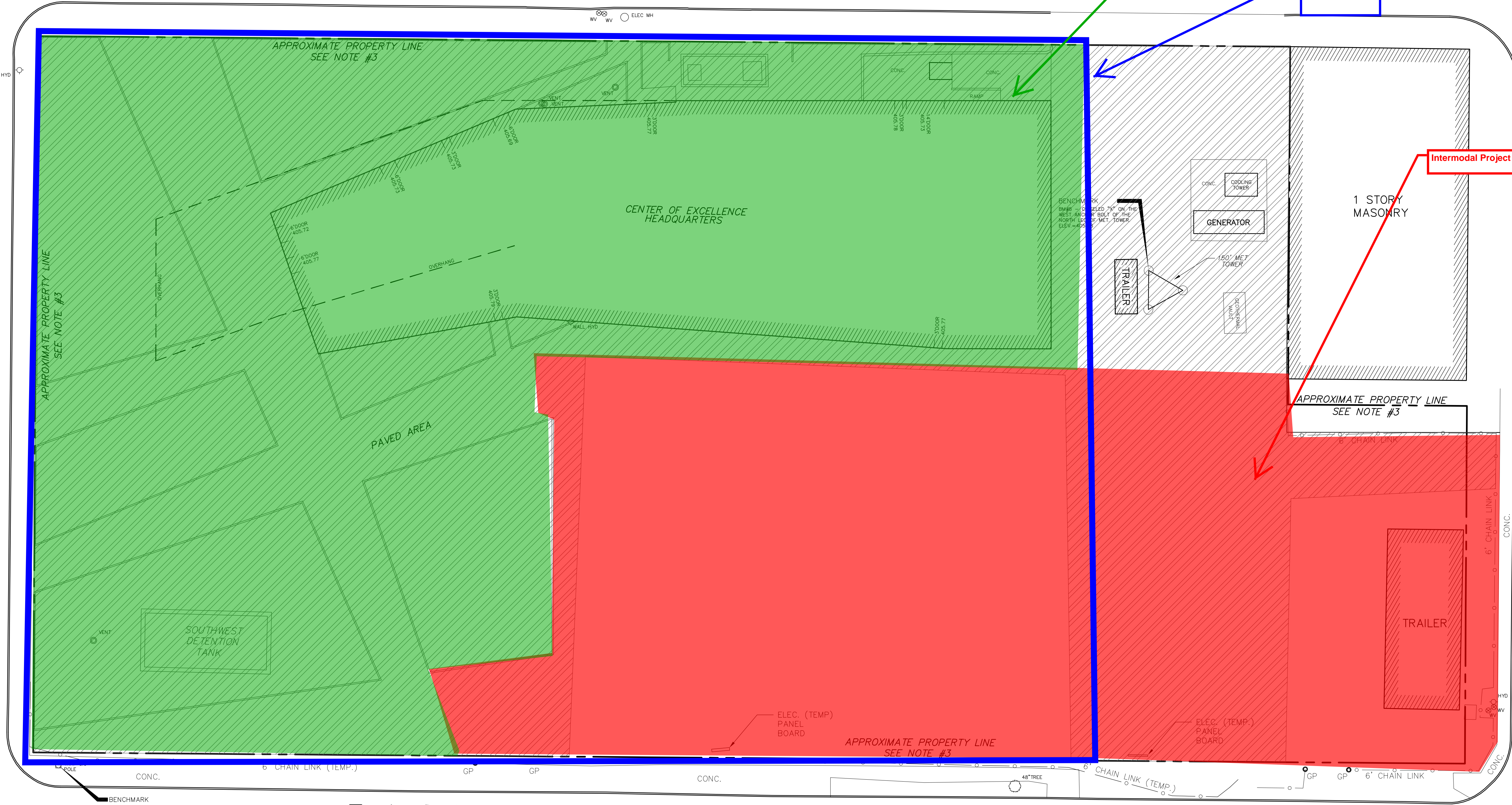
EAST WATER STREET

CoE Campus
Development Area -
Approved Cover
Installed

City Parcel
Property Line

Intermodal Project Area

FORMAN AVENUE



NOTES:

1. BASE MAPPING PREPARED BY CLOUGH HARBOUR & ASSOCIATES LLP FROM A FIELD SURVEY. REFERENCE 'ROCH. FB.116, PG.65' & 'ROCH. FB.140, PG.50'
2. BENCHMARK, CONTOURS AND NORTH ORIENTATION ARE BASED ON CONTROL INFORMATION SUPPLIED BY THE CLIENT.
3. NO BOUNDARY TASKS WERE PERFORMED IN THE DEVELOPMENT OF THIS SURVEY PLAN. ANY LINES AND LABELS REFERENCED INFORMATION RECEIVED FROM CLIENT.
4. UNDERGROUND UTILITIES ARE SHOWN FROM FIELD LOCATION IF POSSIBLE. OTHERS ARE SHOWN FROM RECORD DATA. THEIR EXACT LOCATION MAY DIFFER FROM THAT AS SHOWN AND OTHERS MAY EXIST.
5. CURB LINE AND BUILDING PLANNIMETRICS ARE SHOWN FOR REFERENCE ONLY.

X-REF'S:

V-SV-16035-TOPO-11-17-2006 (XREF)
V-SV-16035-TOPO-3.20.09 (XREF)
V-SV-16035-TOPO-8-8-07 (XREF)
V-SV-16035-TOPO 9-2009 (XREF)
V-SV-16035-TOPO 12-8-09 (XREF)
V-SV-21368-1001 (XREF)



ENCAPSULATION AREA
(LIMITS SHOWN PER OPTECH)

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



Revisions:	Drawn By:	App'd. By:	Date:
1. REVISIONS PER CLIENT REQUEST	MLM	DLS	10/14/10
0. MAP ISSUED	MLM	DLS	8/27/10
Dwg:t:\16035\SURVEY\SU-LECHASE\ACAD\V-SV-21368-record 2010.DWG Xref:SEE X-REF'S Dview:NONE			

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE VALID COPIES. CERTIFICATES INDICATED OR IMPLIED HEREON SHALL RUN ONLY TO THE PARTY FOR WHOM THE SURVEY IS PREPARED, AND ON THEIR BEHALF TO THE ADDITIONAL PARTIES LISTED HEREON. CERTIFICATES ARE NOT TRANSFERABLE TO ADDITIONAL PARTIES, OR SUBSEQUENT OWNERS, NOT LISTED HEREON.

David L. Standing NYSPLS 050107

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CHA
CLOUGH HARBOUR & ASSOCIATES LLP
Powers Building, 16 West Main Street, Suite 830
Rochester, NY 14614-1607
Main: (585) 282-2940 • www.cloughharbour.com

CHA Project Number: 21368



ENCAPSULATION RECORD PLAN
prepared for
OPTECH ENVIRONMENTAL SERVICES, INC.
City of Syracuse State of New York County of Onondaga

Scale: 1" = 20'

Date: 8/26/2010

Sheet 2 of 2



EXHIBIT B
CENTER OF EXCELLENCE
CAMPUS SITE INSPECTION FORM

Inspection Date: March 21, 2012
Property Name: Syracuse University Center of Excellence
Property Address: 727 East Washington Street
City: Syracuse State: NY Zip Code: 13210

Property ID: (Tax Assessment Map)
City Parcel Number: 030 – 15 – 01.0
SIDA Parcel Number: 030 – 15 – 02.0
Total Acreage of Center of Excellence: 2.4 Acres__

Weather (during inspection): Temperature: 70-degrees: Conditions: Clear-Sunny

SIGNATURE: James P. Blum

The findings of this inspection were discussed with appropriate personnel, corrective actions were identified; and implementation was mutually agreed upon:

Inspector: James P. Blum

Date: March 21, 2012

Next Scheduled Inspection Date: To Be Determined.

IMPERVIOUS SURFACES

	Yes	No
1. List types and locations of cover inspected. Paving and pavers throughout the site.		
2. Is there evidence of sloughing, erosion, ponding or settlement?	—	<u>X</u>
Is there evidence of unintended traffic or rutting?	—	<u>X</u>
Are there visible cracks?	—	<u>X</u>

If answer to any of the above questions in YES, then provide a description below and indicate the location on attached map.



SOIL COVER
AND
VEGETATION

	Yes	No
3. Is soil and vegetation in acceptable condition?	<u>X</u>	—
A. Is there evidence of sloughing, erosion, ponding or settlement?	—	<u>X</u>
B. Is there evidence of unintended traffic or rutting?	<u>X</u>	—
C. Is there evidence of distressed vegetation or turf?	—	<u>X</u>
D. Are there locations where the marker layer is visible?	<u>X</u>	—

ACTIVITY ON
SITE

	Yes	No
4. Any activity on this site that mechanically disturbed the cover.	—	<u>X</u>

Provide a map indicating location of any modifications to property cover. – No modifications.

COMMENTS:

General: Surfaces and soil cover appears to be in appropriate condition.

3B: Minor rutting (two tracks 3-inches max) on north side of building from equipment does not impact depth of cover. Noted and ruts are being brought back with topsoil and seed.

3D: Mirafi marker layer is visible at edge turn-up along the south-eastern limit of boundary layer. This is the turn-up material (future edge overlap) and does not represent the depth of the boundary layer. Material will be used in overlap of the intermodal transportation facility (ITF) project area.

ATTACHMENTS: Note those that are attached:

Property Map: N.A.

Sketch: N.A.

Photographs: 1 – Rutting on north side



Area of exposed
Mirafy



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. **B00003**

Site Name Midtown Plaza

Site Address: 700 East Washington Street Zip Code: 13202-
City/Town: Syracuse (C)
County: Onondaga
Site Acreage: 2.4

Reporting Period: September 12, 2006 to March 01, 2012

See Attachment No. 1

YES NO

- | | | |
|---|-------------------------------------|-------------------------------------|
| 1. Is the information above correct?
Current address: 727 East Washington Street
If NO, include handwritten above or on a separate sheet. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?
See Attachment No. 2 | <input checked="" type="checkbox"/> | <input 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?
However, construction of the intermodal parking and transportation facility (ITF) is scheduled to start this summer (2012) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|-------------------------------------|

Box 2

YES NO

- | | | |
|--|-------------------------------------|--------------------------|
| 6. Is the current site use consistent with the use(s) listed below?
Commercial and 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. Otherwise continue.**

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

Not Applicable

Signature of Owner, Remedial Party or Designated Representative

Date

SITE NO. B00003

Box 3

Description of Institutional Controls

Parcel

Owner

Institutional Control

030-15-1.0

Syracuse University

Landuse Restriction

Site Management Plan

Soil Management Plan (Included as part of the Site

Management Plan)

Box 4

Description of Engineering Controls

Parcel

Engineering Control

030-15-1.0

Cover System

Engineering Control Details for Site No. B00003

Parcel: 030-15-1.0

Maintain Cover System, typical cover system are comprised of a building foot-print/concrete slab, side-walks, asphalt/gravel paking areas and in landscaped areas: maintain a minimum thickness of 18 12* inches of soil/mulch/grass cover. If damages occur repair areas of concern and notify the Department along a with a follow up report outlining actions taken to address damages.

*The reference to 18 inches was a typographical error as confirmed by NYSDEC's Region 7 DER engineer Chris Mannes.

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.

With respect to the University's understanding as to the nature of the certification being requested here, see Attachment No. 1.

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.

Not Applicable

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. B00003

Box 6

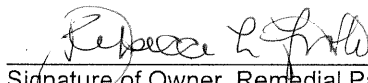
SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

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 Rebecca L. Foote at Comptroller's Office, Syracuse University, Skytop Office Bldg.
print name print business address Syracuse, NY 13244

am certifying as Comptroller of Syracuse University (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

5/14/2012
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.

Office of Campus Planning Design and Construction

I James Blum, P.E. at Syracuse University, Skytop Office Bldg., Syracuse, NY 13244
print name print business address

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

James P. Blum
Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering Certification

Stamp
(Required for PE)

5/9/12
Date

Attachment No. 1

Site Management Periodic Review Report

Site No.: B00003

Site Name: Midtown Plaza
700 East Washington St.
Syracuse, NY

OVERVIEW

The referenced site was remediated by the City of Syracuse under the NYSDEC Environmental Restoration Program. This resulted in the issuance of a Record of Decision in March 1998 and the recording of a Deed Restriction in the Onondaga County Clerk's Office by the City of Syracuse on March 25, 2004 (copy attached). It is the University's understanding that the annual certification being required by NYSDEC requires that the University certify as to the University's continued adherence to the terms of (a) the Deed Restriction and (b) the applicable Site Management Plans that were approved as part of NYSDEC's approval of the University's requested Change of Use (see attached copies of the University's letter of July 7, 2005 and the NYSDEC response of July 18, 2005). References to the Site remedial program are a reference to the terms of these documents.

REPORTING PERIOD

The reporting period for this report, as indicated on the IC/EC certification form, is September 12, 2006 to March 1, 2012. For the majority of this reporting period, the site was undergoing redevelopment for construction of the Syracuse Center of Excellence Headquarters Building. During this redevelopment period, the site's engineering control (Cover System) was being installed but was not fully in place until completion of the redevelopment in November 2010.

Construction and redevelopment activities on the site were performed in accordance with the Site's NYSDEC approved Construction Site Management Plan (July 2005). Required building permits for the site were obtained. Upon completion of the redevelopment activities associated with the CoE headquarters, a Construction Site Management Plan compliance report and compliance certification were submitted to NYSDEC (March 2011). A certification on the installation of the Cover System was also submitted to NYS DEC in March of 2011. See the attached copy of the University's letter of March 28, 2011 to Chris Mannes of NYSDEC Region 7.

SEP 22 2011

My Code: 100755 Scanned: ALK File Code: 1.4



OFFICE OF ZONING ADMINISTRATION

Stephanie A. Miner, Mayor

TO: Steven E. Schroeder
Campus Planning, Design, and Construction, Syracuse University
640 Skytop Road
Syracuse, NY 13244-5300

FROM: Heather A. Lamendola
City of Syracuse Office of Zoning Administration

DATE: September 14, 2011

RE: Z-2732 727 East Washington Street
Syracuse University
Center of Excellence – PID Development Plan

Please be advised that on September 12, 2011, the City Planning Commission approved the above noted request to install a parking area together with a commuter pavilion and accessories for the Center of Excellence. The proposal is considered part of the original Planned Institutional District Development Plan (Z-2629) approved on November 8, 2004.

The project is limited to a parking area with 99 public spaces, bicycle parking, and a Centro bus stop with a pavilion. All other aspects of the previously approved PID Development Plan shall remain in effect.

The project plan is to be modified in accordance with the following plans:

- Site Plan, Site Section & Details (Sheets A1.00 and A1.01), Intermodal Transportation Center, SU Project Number 100755, dated 03.25.11, at a scale as noted;
- Pavilion Plans and Elevations (Sheets A2.01 and A3.01), Intermodal Transportation Center, SU Project Number 100755, dated 03.25.11, at a scale as noted;
- Basin Planter / PV Armature (Sheet A3.02), Intermodal Transportation Center, SU Project Number 100755, dated 03.25.11, at a scale as noted;
- Layout / Material Plan (Sheet L1.01), Intermodal Transportation Center, SU Project Number 100755, dated Mar 24, 2011, at a scale as noted;
- Grading Plan (Sheet L1.02), Intermodal Transportation Center, SU Project Number 100755, dated Mar 24, 2011, at a scale as noted;
- Planting Plan (Sheet L1.03), Intermodal Transportation Center, SU Project Number 100755, dated Mar 24, 2011, at a scale as noted;
- ITC Pavilion Section (Sheet SKA-03), Intermodal Transportation Center, dated 08/25/11, at a scale as noted.

Prior to construction, all applicable permits must first be issued from the Division of Code Enforcement and the City Fire Department located at 201 East Washington Street.

cc: Nick Altieri, Director of Permits
cc: Tom Dartnell, Division of Code Enforcement

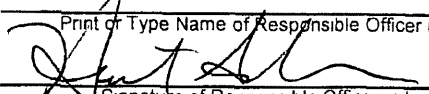
Z-2732

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
B WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
C COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING (Answers may be handwritten, if legible)	
C1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly	
No	
C2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly	
No	
C3 Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly	
No	
C4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly	
No	
C5 Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly	
No	
C6 Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly	
No	
C7 Other impacts (including changes in use of either quantity or type of energy)? Explain briefly	
No	
D WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No If Yes, explain briefly
E IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No If Yes, explain briefly

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural), (b) probability of occurring, (c) duration, (d) irreversibility, (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.	
City of Syracuse Planning Commission	<u>September 12, 2011</u>
Name of Lead Agency	Date
Heather A. Lamendola	Zoning Administrator
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)

Reset

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number Z-2732Date: 9/12/11

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law

The City of Syracuse Planning Commission as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: Project Plan Review

SEQR Status: Type 1 ☐
Unlisted ☒

Conditioned Negative Declaration: ☐ Yes
☒ No

Description of Action: Construct CoE Intermodal Transportation Center consisting of 99-space parking lot, bicycle parking, and a Center bus stop w/ pavilion

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

727 East Washington St, Syracuse NY

Reasons Supporting This Determination:

(See 617 7(a)-(c) for requirements of this determination , see 617 7(d) for Conditioned Negative Declaration)

Based upon the information submitted by the applicant and the supporting documentation from applicable agencies or departments, the City Planning Commission finds that no significant environmental impact will occur as a result of this proposal

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person Heather A. Lamendola, City of Syracuse Zoning Administrator

Address 201 East Washington Street, Room 211, Syracuse, NY 13202

Telephone Number 315-448-8640

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

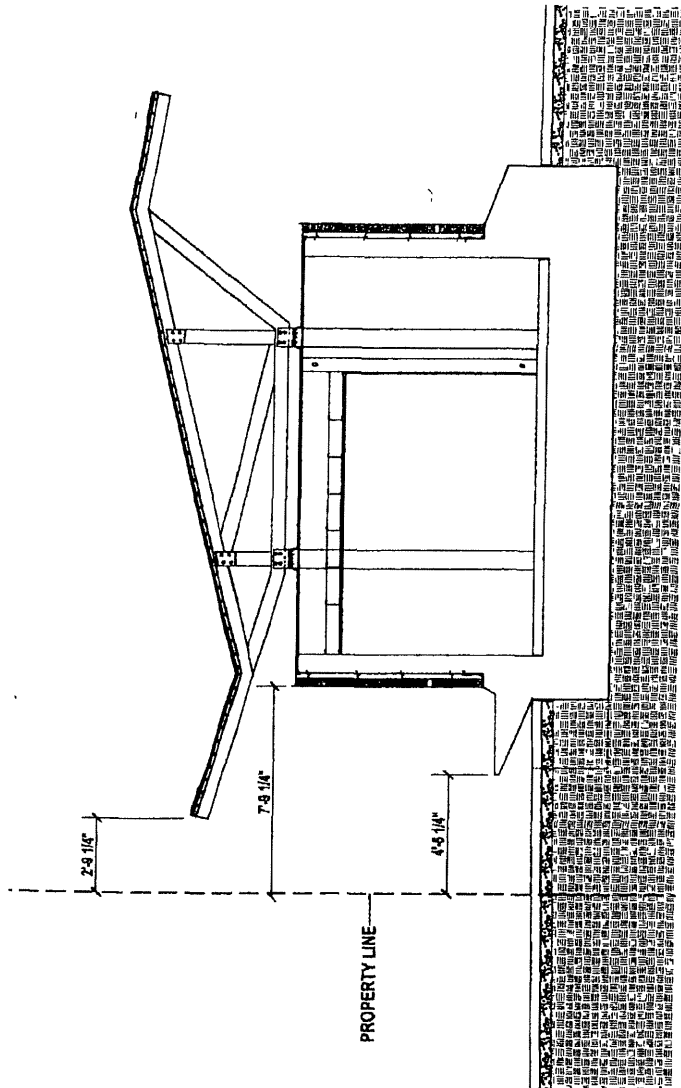
Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

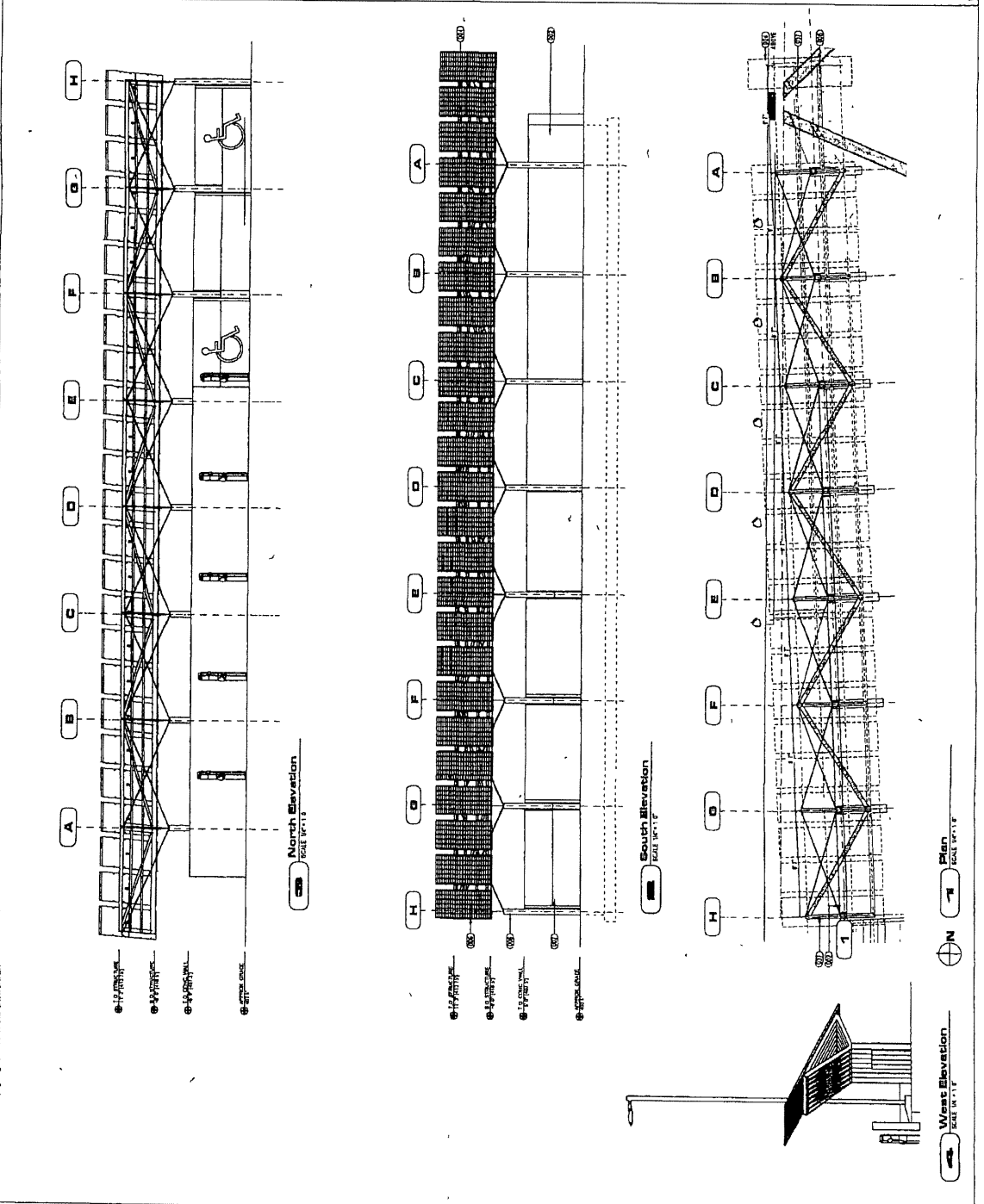
Environmental Notice Bulletin, 625 Broadway Albany NY 12233-1750 (Type One Actions only)

815 North Chama Street Philadelphia, Pennsylvania 19123 ph. 215 825 7000 fax. 215 825 1880 web: http://www.ent-arc.com	Erdy McHenry Architecture, LLC BUILDING SECTION THROUGH PAVILION AS NOTED 815 North Chama Street Philadelphia, Pennsylvania 19123 ph. 215 825 7000 fax. 215 825 1880 web: http://www.ent-arc.com	Project Name: BUILDING SECTION THROUGH PAVILION Project No.: 1121 Date: 08/25/11 Drawn by: [blank] Checked by: [blank] Scale: 1/4" = 1'-0" Title: 815 North Chama Street Philadelphia, Pennsylvania 19123 ph. 215 825 7000 fax. 215 825 1880 web: http://www.ent-arc.com
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1/4" = 1'-0"





Landscapes Architects

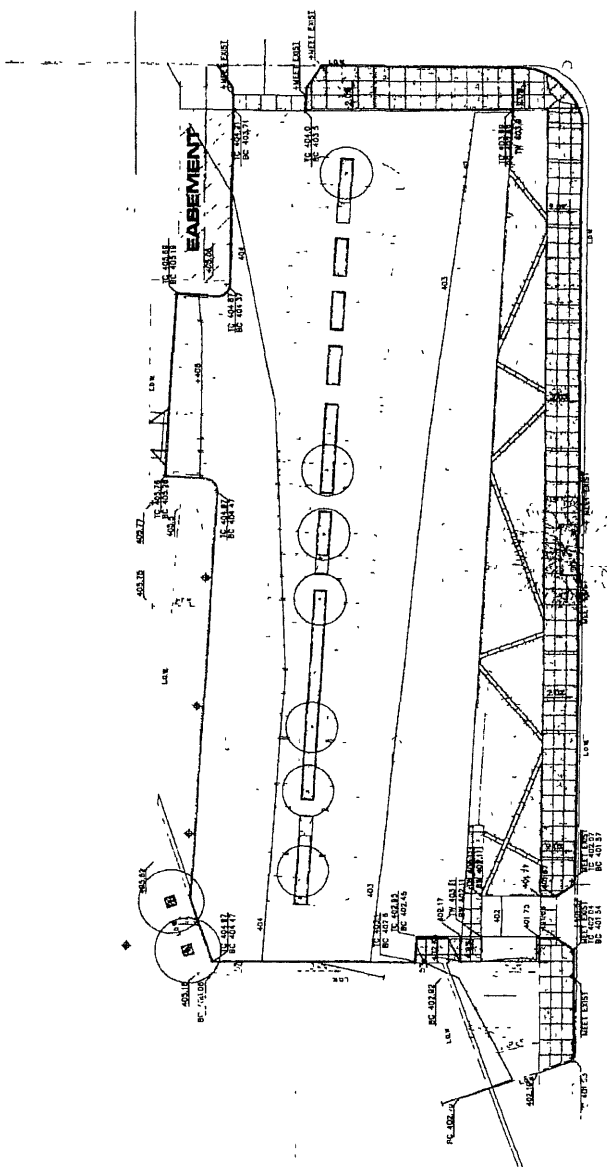
AND B. MCKENRY, JR., 441 LEE AVENUE
SOUTHERN ACADEMY, STATE OF MISSISSIPPI

Architect
Senior Architecture
Scott A. Galt
David S. Moore
Andy McHenry Architecture, LLC
1115 North Orlando Street
Philadelphia, Pennsylvania 19122
Tel 215 925 7000 Fax 215 925 1111
http://www.andy-mchenry.com

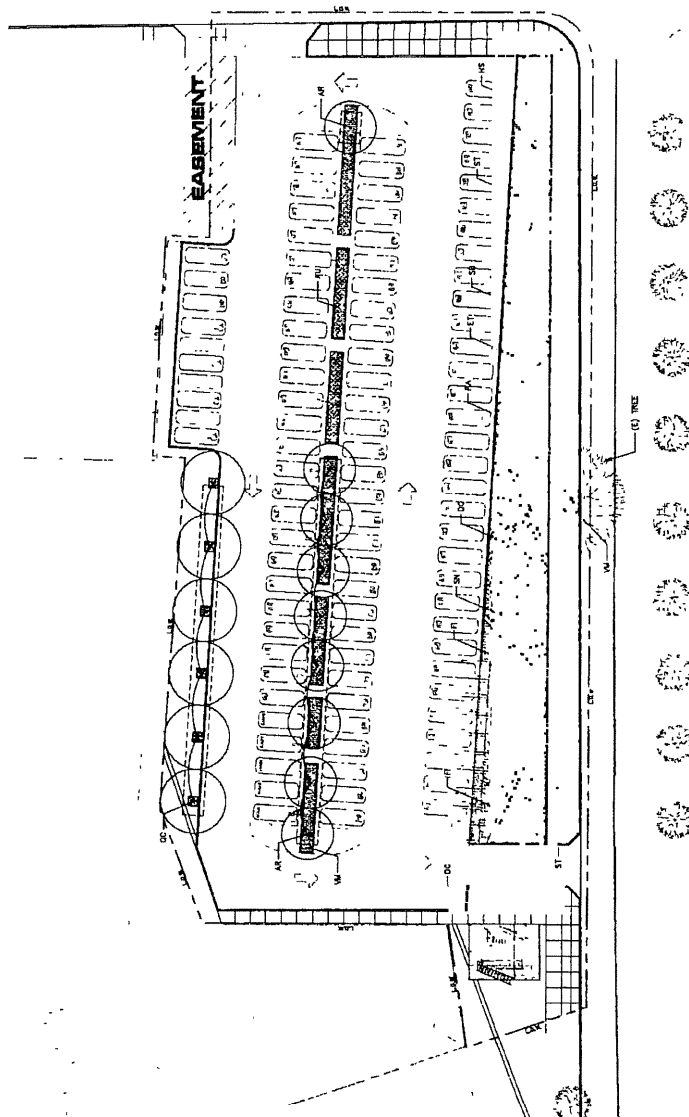
GRADING PLAN

AS NOTED
HCC
1121 00
THUR MAR 26 2011
FACILITY ADDRESS

NOT FOR CONSTRUCTION
L1.02
© 2011, Ken Johnson Architecture, LLC



GRADING PLAN

[illegible]

PLANTING PLAN
DATE: 1/1/2025

Project:
Intermodal Transportation Center
8U Project Number
100755

Owner:
Syracuse University
Syracuse, New York 13244

**Structural, MEP and
Civil Engineer:**
O'Brien & Gere Engineers
6000 Birdstonfield Parkway
Syracuse, NY 13221

Landscape Architects:
 0120-22222222
 0120-22222222

GENERAL NOTES

GENERAL NOTES

PLANTING NOTES

PLANTING NOTES

ALL PLANT MATERIAL SHALL CONFORM TO THE STANDARDS ESTABLISHED BY THE NATIONAL STANDARD FOR MARLBORO CIGARETTES PUBLISHED BY THE AMERICAN ASSOCIATION OF MARLBOROS, LATEST EDITION.

ALL PLANTS SHALL BE BATTED AND BATTAL UNLESS OTHERWISE NOTED ON LAST LIST.

[illegible]

1. CONTINUOUSLY TO COORDINATE PLANT LAYOUT WITH RESPECT TO COMPASSION
WITHOUT PLANT LAYOUT TAKES PRECEDENCE OVER REMEDIATION (COMPASSION LATER)

THESE RESULTS WERE USED TO DEVELOP A NEW METHOD OF IDENTIFYING AND LOCATING THE SOURCE OF A NOISE PROBLEM.

NOT FOR CONSTRUCTION

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Architect
smArchitecture
Erly McHany Architecture, LLC
915 North Orleans Street
Philadelphia, Pennsylvania 19123
ph 215 926 7000 fax 215 925 1
web <http://www.sm-arc.com>

PLANTING PLAN

FILE
 AS NOTED
 DATE 10/1/80
 TIME 11:00
 BY 1121 00
 HK
 1121 00

NOT FOR CONSTRUCTION
L1.03
Dell Savoy Architects, LLC

BOOK 4824 PAGE 503

CITY OF SYRACUSE
3115

AMENDED AND RESTATED DECLARATION OF COVENANTS AND
RESTRICTIONS IN FAVOR OF THE STATE OF NEW YORK AND NEW
YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

700 East Water Street, Syracuse, New York

THIS AMENDED AND RESTATED DECLARATION OF COVENANTS AND
RESTRICTIONS (the "*Amended Covenants*"), made as of the March 1, 2004, by the
CITY OF SYRACUSE, a municipal corporation organized and existing pursuant to the
laws of the State of New York, whose address is City Hall, 233 East Washington Street,
Syracuse, New York 13202 ("*Grantor*").

WHEREAS, the Grantor is the owner of the real property located at 700 East Water
Street, Syracuse, New York (the "*Property*"), as further described on the attached
Schedule "A"; and

WHEREAS, the Property has been investigated and remediated in accordance with the
terms and conditions of the "*Environmental Restoration Program*" established under the
1996 Clean Water/Clean Air Bond Act, as set forth in Title 5 of Article 56 of the New
York State Environmental Conservation Law (the "*Act*") and its accompanying
regulations, and is subject to the terms and conditions set forth in such laws and
regulations; and

WHEREAS, to implement the clean-up of the Property under the Act, the Grantor
entered into the following contracts with the New York State Department of
Environmental Conservation (the "*DEC*"); (i) an investigation contract, State Assistance
Contract No. C300442, filed in the Onondaga County Clerk's Office on October 24, 1997
(ref. 1085497 at Deed Book 4193, Page 120); together with any amendments thereto; (ii)
a remediation contract, State Assistance Contract No. C300666 filed in the Onondaga
County Clerk's Office on August 14, 1998 (ref. 0864498 at Deed Book 4260, Page 287);
together with any amendments thereto; and (iii) that certain Record of Decision dated
March 1998 (the "*Record*"), which related to the investigation and approved remediation
of the Property, prepared by the DEC and filed in their offices; and

WHEREAS, the Grantor caused the recording with the Onondaga County Clerk, on May
24, 2001, in Deed Book 4554 at Page 273, of that certain Declaration of Covenants and
Restrictions (the "*Covenants*") dated May 21, 2001, in favor of the State of New York
and the DEC, as a requirement of the Grantor's participation in the investigation and
remediation of the Property pursuant to the Act; and

WHEREAS, the DEC has requested that the City amend and restate the Covenants in
their entirety, with the following;

NOW THEREFORE, in consideration of the investigation and remediation of the
Property pursuant to the Act, State Assistance Contract No. C300442, State Assistance
Contract No. C300666, the Record, the covenants and promises made therein and herein,

REST BK 4554 Pg 273

R4P: Dean Skowrood
Room 300, City Hall
Syracuse NY 13202
(1525)

and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Grantor does hereby amend and restate the Covenants in their entirety and does covenant for itself, its successors and assigns, that:

1. the Property shall be used for industrial, commercial and business uses and that the commercial use of the Property will exclude activities such as day care centers;
2. the Grantor and successors in title shall implement and maintain the following engineering controls over the Property:
 - (a) any soil on the Property must be covered by an impervious product approved by the DEC, such as concrete, asphalt or structures, or must be covered with a layer of clean soil of uniform depth of not less than twelve inches, and this impervious surface or soil layer must be maintained at all times; and
 - (b) any soil that is excavated and is intended to be removed from the Property must be managed, characterized, and properly disposed of in accordance with DEC regulations and directives, however soil excavated at the site may be reused as backfill material provided it contains no visual or olfactory evidence of contamination, and it is placed beneath a minimum twelve inches of clean soil cover or impervious product such as asphalt or concrete; and
 - (c) there shall be no gardening for human consumption; and
 - (d) The Grantor or its successor or assigns shall annually certify to DEC that the remedy continues to be maintained in accordance with the Record; and
3. the use, change of use or occupancy of the Property shall be governed in all respects by the applicable provisions of the Act and its accompanying regulations, unless this requirement shall have been waived for the Property by an amendment of the Act, regulations promulgated pursuant to the Act, or at the permitted direction of the DEC; and
4. the Property shall be held or conveyed subject to the terms and conditions of the Act and its accompanying lawfully promulgated rules and regulations.

The Grantor further declares that:

1. the Property shall be held, sold and conveyed subject to each and every term, covenant, condition and restriction set forth in the afore-mentioned law,

regulations and contracts. All such terms, covenants, conditions and restrictions shall constitute covenants that shall run with the land and shall be binding on all parties including heirs, successors, and assigns having any right, title or interest in the Property or any part thereof; and

2. any use or occupancy of the Property is limited to the uses identified above and that any "change in use" which includes, but is not limited to, construction on the Property, is subject to the requirements set forth in section 56-0511 of the Act, which requirements minimally include the prior notice and approval of DEC or its successor. Every deed subsequent to this deed shall contain this restrictive covenant and all subsequent owners shall be deemed to covenant by acceptance of a deed to the Property, be bound by this restrictive covenant. The State of New York and/or DEC, as well as their successors or assigns, shall be entitled to enforce the terms of this restrictive covenant.

BEING, covenants touching and concerning the same premises conveyed to the Grantor herein by that certain Tax Deed dated April 24, 1997, duly recorded on April 28, 1997 in the Office of the Onondaga County Clerk in Deed Book 4153 at Page 26.

IN WITNESS WHEREOF, the Grantor has duly executed these Amended Covenants, amending and restating the Covenants in their entirety, as of the date first above written.

CITY OF SYRACUSE

By: Matthew J. Driscoll
Matthew J. Driscoll, Mayor

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:

On this 22nd day of March, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Matthew J. Driscoll, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Diana Skewood
Notary Public
DIAN SKWOOD
Notary Public in the State of New York
Qualified in Onondaga County, N.Y. 5072659
My Commission Expires February 3, 2007