evergreen
TESTING & ENVIRONMENTAL SERVICES

Mr. Kevin Grinwis
Omni Development Company, Inc.
40 Beaver Street
Albany, New York 12207

June 23, 2010

Re: Revision 1, Site Specific Work Plan - Phase 2
Former Jared Holt Company
City of Albany, Albany County, New York
Evergreen Project No. ETE-07-44.1, r1

Dear Mr. Grinwis;

Submitted herewith is the report for a revised Site Specific Work Plan prepared for the above-referenced site. This Site Specific Work Plan was revised to reflect NYSDEC comments on section 3.10 G & H. This Site Specific Work Plan was completed in accordance with the agreement between the Omni and Evergreen. Evergreen will provide a reference copy to Ralph Keating at the NYSDEC.

Please incorporate this work plan into your construction documents and provide it to the site contractor. The work plan also contains a NYSDEC approved excavation plan for the property, which was required as part of the Site Management Plan. The NYSDEC will require the excavation plan with the 10-day notice of excavation activities.

The NYSDEC requires a 10-day notice before excavation work below the orange snow fence can proceed. The 10-day notice would require this excavation plan and other information from the contractor (see section 3.10 A).

Very truly yours,
Evergreen Testing & Environmental Services, Inc.

Curtis Cappellano, CPG
Senior Geologist

Distribution:
(1) email copy to Kevin Grinwis at kgrinwis@omnidevelopment.com
(1) email copy to Mary Binder at mbinder@dhcr.state.ny.us
(3) hard copies to Kevin Grinwis, Omni, 40 Beaver Street, Albany, New York 12207
(1) email copy to rxkeatin@gw.dec.state.ny.us

SITE SPECIFIC WORK PLAN, Revision 1
PHASE 2 AREA
Former Jared Holt Company
City of Albany, Albany County, New York
Project No. ETE-07-44.1, r1

Prepared For The

Omni Development Company, Inc.
40 Beaver Street
Albany, New York 12207

Prepared By:

Evergreen Testing & Environmental Services, Inc.
594 Broadway
Watervliet, New York 12189
(518) 266-0310

June 2010

SITE SPECIFIC WORK PLAN, REVISION 1
PHASE 2 AREA

for the

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City of Albany, Albany County, New York
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Curtis Cappellano, CPG
Sr. Environmental Geologist

June 2010

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TESTING & ENVIRONMENTAL SERVICES

SITE SPECIFIC WORK PLAN
Revision 1

PHASE 2 AREA
Former Jared Holt Company
City of Albany, Albany County, New York
ETE-07-44.1, R1

1.0 INTRODUCTION

In accordance with the agreement between the Omni Development Company, Inc. and Evergreen, Evergreen has prepared this site specific work plan for Phase 2 of the above-referenced property (hereinafter, the Site) for the Omni Development Company, Inc. and for NYSDEC review. This site specific work plan pertains to Phase 2 of the overall Jared Holt Site property. Phase 2 is currently 0.13 acres of vacant land located on 99 - 103 Broad Street in the city of Albany, Albany County, New York.

This site specific work plan summarizes the excavation and soil cover actions that are planned for the Site to implement the NYSDEC environmental restoration record of decision completed on the property in March 2001 and to implement a NYSDEC approved Amended Reuse and Development Plan for the property submitted in March 2010. This site specific work plan includes Maps and Drawings presented in Appendix A, Report Limitations and Objectives in Appendix B, and the NYSDEC Record of Decision (ROD) for the property in Appendix C.

This document is not intended to address contractor project health and safety. The contractor is expected to develop his own site specific health and safety plan for Omni's approval before work begins. An sample site specific health and safety plan can be provided to the contractor upon request.

1.1 Purpose

The purpose of this site specific work plan is to discuss what is planned to be

completed on the Site as a remedial action to satisfy the NYSDEC ROD in conjunction with the planned development of the site.

1.2 Background

Multiple environmental investigation reports were completed at the subject property. The Site has been previously investigated by others. A NYSDEC environmental restoration (brownfields) project with state assistance funds provided by the 1996 Clean Air / Clean Water Bond Act was satisfactorily completed on the Site from approximately July 1998 to October 2000. The NYSDEC reviewed the previous investigations in conjunction with the brownfield investigation, and based on such, the NYSDEC completed a Record of Decision (ROD) for the Site listing a selected remedy for the contaminants identified at the Site. The contaminants were identified in the ROD as Polycyclic Aromatic Hydrocarbon (PAH) compounds in the Site soils. Other contaminants at the Site were not considered to be significant and did not require a remedy. The remedy in the ROD includes a soil cover system with the importation of at least two feet of clean fill with a demarcation layer to address the potential for human exposure/contact to identifiable hazardous substances. The remedy also includes a property deed restriction forbidding the use of groundwater at the Site. Acceptable alternative protective cover possibilities are listed in the ROD as: sidewalks, parking lots, building footprints, or other protective barriers to limit contact with the impacted subsurface soils at the Site. A copy of the ROD is presented in Appendix C.

The property is planned to be developed in two phases as a residential housing complex with groupings of single-family and multiple-family dwellings. Phase I, which consists of a current residential housing complex, has already been completed.

Phase 2 has a soil cover system placed over it but has not been developed with any buildings. The soil cover system over Phase 2 consists of 24 inches of clean soil over an orange plastic snow fence demarcation layer, which is placed over the original ground surface. Per the NYSDEC approved modified reuse and redevelopment plan, Phase 2 is planned to be developed as three dwellings. A site plan depiction map of the proposed residential housing unit locations is provided as figure 2 in Appendix A.

1.3 Geologic Conditions

Overburden soils encountered during the Site investigation consisted of a surface mantle of historic fill material, including bricks, ash, cinders, sands, gravels, cobbles, wood and clay. Lake Albany fine sands, silts and clays underlay the surface mantle of fill material. Since the subsurface soils had been excavated previously for the construction of historic buildings, native soils and various fill materials created a mixture of various soil types.

Groundwater was found to be approximately 16 feet below the ground surface. Groundwater flow direction was determined from the monitoring wells installed across the Site (ROD Section 4.1.1). The groundwater flow direction is to the east-southeast. The groundwater flow direction on the overburden aquifer appears to follow the Site's surface topography. Groundwater movement is generally toward the Hudson River.

2.0 NATURE OF CONTAMINATION

A review of the previous environmental investigations and remediations indicate the contamination is likely attributable to historic activities at the site. In the previous environmental reports, test pits were excavated, monitoring wells were installed, and soil and groundwater samples were collected and analyzed to characterize the nature of contamination, which is described in the sections below. Generally, samples taken from the shallow fill soils on the site had concentrations of chemical compounds above NYSDEC TAGM guidelines for soil cleanup. Since the subject property is being converted to residential use, limited excavation / removal of the contaminants below building foundations, and a soil cap on the remaining property are being used as a remedial measure to prevent direct exposure to contaminants by future residents.

2.1 Nature of Contamination

Polycyclic Aromatic Hydrocarbons (PAHs)

Polycyclic aromatic hydrocarbons were detected in the shallow site fill soils on the subject property. Polycyclic aromatic hydrocarbons (PAHs) are a subset of semi-volatile organic compounds (SVOCs). The PAH compounds were detected at concentrations exceeding regulatory guidance values in the surface and shallow subsurface fill soils at specific spots on the site. These PAH compounds are associated primarily with coal tars in driveway sealers, heavy petroleum oils, asphalt in deteriorated blacktop materials, and products of incomplete combustion such as soot and ash that comprises some of the fill beneath the site. In this case it appears the source of PAH compounds are likely attributed to coal ash from historic activities typical in downtown urban areas over the past 150 years. These PAH compounds are relatively immobile in soil. A generalized summary of the concentration of PAH compounds can be found as listed in Table 1 of the ROD, located in Appendix C. Typical PAH compound concentrations taken from test pits on Phase I of the property are presented in Tables 1 - 5 below, for reference.

TABLE 1
Summary of Analytical Test Results
Detected PAH Compounds - *In Soil*
Concentrations ug/kg (parts per billion - ppb)

	SAMPLE NUMBER					
COMPOUND	PAH-1	PAH-2	PAH-3	PAH-4	PAH-5	ALLOWED
Naphthalene	ND	ND	ND	ND	ND	13,000
2-Methylnaphthalene	ND	ND	ND	ND	ND	36,400
Acenaphthylene	ND	ND	ND	ND	ND	41,000
Acenaphthene	ND	ND	ND	ND	ND	50,000
Fluorene	ND	ND	ND	ND	ND	50,000
Phenanthrene	ND	ND	ND	ND	ND	50,000
Anthracene	ND	ND	ND	ND	ND	50,000
Fluoranthene	ND	909	ND	ND	ND	50,000
Pyrene	ND	ND	ND	ND	ND	50,000
Chrysene	ND	ND	ND	ND	ND	400
Benzo(a)anthracene	ND	ND	ND	ND	ND	224
Benzo(b)fluoranthene	ND	ND	ND	ND	ND	1,100

Benzo(k)fluoranthene	ND	ND	ND	ND	ND	1,100
Benzo(a)pyrene	ND	ND	ND	ND	ND	61
Indeno(1,2,3-cd)pyrene	ND	ND	ND	ND	ND	3,200
Dibenz(a,h)anthracene	ND	ND	ND	ND	ND	14
Benzo(g,h,i)perylene	ND	ND	ND	ND	ND	50,000

ND=Not Detected

TABLE 2
Summary of Analytical Test Results
Detected PAH Compounds - *In Soil*
Concentrations ug/kg (parts per billion - ppb)

	SAMPLE NUMBER					
COMPOUND	PAH-6	PAH-7	PAH-8	PAH-9	PAH-10	ALLOWED
Naphthalene	ND	ND	ND	ND	2,410	13,000
2-Methylnaphthalene	ND	ND	ND	ND	ND	36,400
Acenaphthylene	ND	ND	ND	ND	4,050	41,000
Acenaphthene	ND	ND	ND	ND	ND	50,000
Fluorene	4,560	ND	ND	ND	4,460	50,000
Phenanthrene	**64,600**	ND	ND	ND	**81,000**	50,000
Anthracene	13,400	ND	ND	ND	11,000	50,000
Fluoranthene	**76,600**	1,130	ND	ND	**124,000**	50,000
Pyrene	43,600	ND	ND	ND	**82,900**	50,000
Chrysene	**21,300**	ND	ND	ND	**44,600**	400
Benzo(a)anthracene	**24,600**	ND	ND	ND	**50,500**	224
Benzo(b)fluoranthene	**17,700**	ND	ND	ND	**44,500**	1,100
Benzo(k)fluoranthene	**10,100**	ND	ND	ND	**11,000**	1,100
Benzo(a)pyrene	**17,800**	ND	ND	ND	**25,500**	61
Indeno(1,2,3-cd)pyrene	**8,330**	ND	ND	ND	**11,000**	3,200
Dibenz(a,h)anthracene	ND	ND	ND	ND	**3,900**	14
Benzo(g,h,i)perylene	7,310	ND	ND	ND	11,900	50,000

ND=Not Detected

TABLE 3
Summary of Analytical Test Results
Detected PAH Compounds - *In Soil*
Concentrations ug/kg (parts per billion - ppb)

	SAMPLE NUMBER					
COMPOUND	PAH-11	PAH-12	PAH-13	PAH-14	PAH-15	ALLOWED
Naphthalene	ND	ND	ND	ND	ND	13,000
2-Methylnaphthalene	ND	ND	ND	ND	ND	36,400
Acenaphthylene	ND	ND	ND	ND	1,090	41,000
Acenaphthene	ND	ND	ND	3,400	ND	50,000
Fluorene	ND	ND	ND	3,280	ND	50,000
Phenanthrene	4,070	3,830	8,820	20,100	1,180	50,000
Anthracene	1,200	1,130	3,100	8,910	1,120	50,000
Fluoranthene	7,150	5,970	9,460	25,900	10,700	50,000
Pyrene	4,940	4,180	9,150	**179,000**	6,890	50,000
Chrysene	**2,330**	**2,140**	**5,670**	**15,100**	**6,130**	400
Benzo(a)anthracene	**3,070**	**2,550**	**5,510**	**20,300**	**6,350**	224
Benzo(b)fluoranthene	**2,370**	**2,630**	**5,370**	**14,600**	**6,560**	1,100
Benzo(k)fluoranthene	**1,240**	**1,840**	ND	**7,160**	**2,160**	1,100
Benzo(a)pyrene	**2,200**	**1,840**	**5,090**	**8,240**	**4,560**	61

Indeno(1,2,3-cd)pyrene	1,320	1,170	**3,390**	**62,500**	2,960	3,200
Dibenz(a,h)anthracene	ND	ND	ND	**23,700**	**1,400**	14
Benzo(g,h,i)perylene	1,050	953	3,520	**74,000**	2,950	50,000

ND=Not Detected

TABLE 4
Summary of Analytical Test Results
Detected PAH Compounds - *In Soil*
Concentrations ug/kg (parts per billion - ppb)

	SAMPLE NUMBER					
COMPOUND	PAH-16	PAH-17	PAH-18	PAH-19	PAH-20	ALLOWED
Naphthalene	ND	1,430	ND	ND	ND	13,000
2-Methylnaphthalene	ND	ND	ND	ND	ND	36,400
Acenaphthylene	ND	ND	1,180	ND	ND	41,000
Acenaphthene	ND	ND	ND	6,050	ND	50,000
Fluorene	ND	1,360	ND	ND	ND	50,000
Phenanthrene	ND	17,700	8,690	**51,800**	ND	50,000
Anthracene	ND	3,540	2,870	12,900	ND	50,000
Fluoranthene	ND	21,900	21,800	48,800	ND	50,000
Pyrene	ND	13,000	13,900	38,600	ND	50,000
Chrysene	ND	**9,050**	**6,380**	**19,900**	ND	400
Benzo(a)anthracene	ND	**7,190**	**7,880**	**22,100**	ND	224
Benzo(b)fluoranthene	ND	**5,010**	**6,170**	**20,000**	ND	1,100
Benzo(k)fluoranthene	ND	**2,010**	**3,020**	**9,500**	ND	1,100
Benzo(a)pyrene	ND	**4,950**	**5,270**	**16,700**	ND	61
Indeno(1,2,3-cd)pyrene	ND	**3,970**	2,260	**9,450**	ND	3,200
Dibenz(a,h)anthracene	ND	ND	**865**	ND	ND	14
Benzo(g,h,i)perylene	ND	3,300	2,180	10,100	ND	50,000

ND=Not Detected

TABLE 5
Summary of Analytical Test Results
Detected PAH Compounds - *In Soil*
Concentrations ug/kg (parts per billion - ppb)

	SAMPLE NUMBER					
COMPOUND	PAH-21	PAH-22	PAH-23	PAH-24	PAH-25	ALLOWED
Naphthalene	ND	ND	ND	ND	ND	13,000
2-Methylnaphthalene	ND	ND	ND	ND	ND	36,400
Acenaphthylene	ND	ND	ND	ND	ND	41,000
Acenaphthene	ND	ND	ND	ND	ND	50,000
Fluorene	ND	ND	ND	ND	ND	50,000
Phenanthrene	978	ND	1,620	ND	ND	50,000
Anthracene	ND	ND	ND	ND	ND	50,000
Fluoranthene	1,640	ND	2,670	ND	ND	50,000
Pyrene	1,030	ND	2,000	ND	ND	50,000
Chrysene	ND	ND	**1,210**	ND	ND	400
Benzo(a)anthracene	ND	ND	**1,410**	ND	ND	224
Benzo(b)fluoranthene	897	ND	**1,720**	ND	ND	1,100
Benzo(k)fluoranthene	ND	ND	ND	ND	ND	1,100
Benzo(a)pyrene	ND	ND	**1,230**	ND	ND	61
Indeno(1,2,3-cd)pyrene	ND	ND	1,040	ND	ND	3,200
Dibenz(a,h)anthracene	ND	ND	ND	ND	ND	14
Benzo(g,h,i)perylene	ND	ND	ND	ND	ND	50,000

ND=Not Detected

The PAH analytical test results for the collected representative soil samples on Phase I indicated that some PAH compounds were detected in the test pits above the NYSDEC allowable soil cleanup objectives as depicted in bold ink in Tables 1, 2, 3, 4 & 5, and some test pits did not detect PAH compounds above allowable limits.

Other Contaminants

Other contaminants at the property were not considered to be significant and did not require a remedial action, with the exception of a deed restriction of groundwater use at the property. It was concluded in previous studies that no significant soil gas contamination exists over the Site.

2.2 Extent of Contamination

Phase I

In May of 2007, Evergreen completed a test pit investigation on Phase I of the subject property to attempt to delineate the PAH hot spot locations in the surficial fill across the property. Evergreen excavated 25 test pits in an approximate 25-foot spaced grid across Phase I of the property. A representative fill sample was collected from each test pit for analytical testing. The composition of the fill material was variable and included sand, gravel, concrete rubble, bricks, wood and ash. Fill material was colored brown, dark brown, black, and white. The fill was placed over a native silt and clay soil that is ubiquitous in the city of Albany.

Findings from the test pit investigation indicated that hot spot areas with PAH compounds above the NYSDEC regulatory limit were located in a cluster near the center of Phase I. Clean areas with little to no PAH compounds were located along the margins of Phase I.

Phase 2

A hot spot delineation program was not completed on Phase 2. However, all of the soil below the orange plastic snow fence in Phase 2 is considered to be potentially impacted with PAH compounds with similar concentrations to that found in Phase I. ALL soil below the orange plastic snow fence must be handled and treated as containing PAH compounds. The extent of contamination in Phase 2 includes all of the soil below the orange plastic snow fence demarcation layer.

3.0 DESCRIPTION OF THE WORK PLAN AND EXCAVATION PLAN

3.1 General

This work plan includes Phase 2 only. Phase 2 includes approximately 0.13 acres of land located at 99 - 103 Broad Street. The future use of Phase 2 is planned to be three residential single family units.

The general plan is to pierce the existing soil cover system in areas that will be below the future building foundations and utility trenches as needed, remove potentially PAH impacted soil as necessary from below the orange plastic snow fence demarcation layer to complete construction and development, and to repair the soil cover system with acceptable cover.

3.2 Limit of the Work Plan Area

This work plan includes Phase 2 only. Phase I of the property and the associated soil cover system is to be left undisturbed. Any potentially PAH impacted soil from Phase 2 cannot be tracked over onto the soil cover system on Phase 1 by equipment or dust generation. Any ancillary damage to the soil cover system in Phase I is required to be repaired. Evergreen recommends fencing off Phase I to prevent access, and subsequent damage, to the soil cover system in Phase 1.

A security fence will be required to prevent access to Phase 2 in order to prevent nearby residents from having access to potentially contaminated soils in an open construction site. If excavation can be completed in a single day, a fence will not be required.

3.3 Surveys of the Soil Removal, Snow Fence Locations, and Final Cover

Omni and Evergreen will coordinate a survey, using a licenced surveyor, of the depth of soil excavation, snow fence locations, depth of final soil cover, and final surface contours. The contractor will be required to allow Omni and the survey company time to complete surveys when the final excavation depth / extent is complete, when the final snow fence is installed (which may be concurrent with final excavations), and when the final soil cover is installed to document that a minimum of 24 inches of soil or other acceptable cover (building slabs, asphalt or concrete) are placed.

3.4 Soil Excavation/Removal/Disposal

The removed contaminated fill will be disposed of at an approved and permitted landfill. The current plan is to dispose of the contaminated fill at the Albany landfill. Contaminated fill from Phase I of the property has been sampled, characterized and accepted by the Albany Landfill for disposal. However, **some additional sampling and analytical testing for landfill acceptance and characterization for the soils from Phase 2 will be needed.**

The excavated contaminated fill soils will either be live-loaded into trucks or stockpiled on the land surface. Live-loading is preferred due to the small size of the site and the desire to not impact the existing soil cover system. Stockpiled soils on the land surface (if completed) will be placed on poly sheeting and cannot be commingled in any way with the clean soil cover system or else the soil cover system will have to be repaired/replaced. Appropriate safeguards or construction techniques will be needed to minimize damage to, and commingling of contaminated soils with, the existing soil cover system. As an alternative, the entire current soil cover system can be removed for development and then replaced.

3.5 Dust Suppression Techniques

The contractor shall conduct excavation and transfer activities in a manner that prevents dust generation or releases of materials to air or water. Dust suppression techniques for excavation will be mandatory and written into contract documents. Dust suppression techniques will limit the need for respiratory protection of workers and nuisance dust monitoring. The soils will be wetted, if necessary, to reduce the potential for dust generation during handling, loading and transportation activities. The contractor should avoid over-application of dust suppression water to avoid releases of runoff water. Dust suppression will also act to minimize construction worker exposure to the site soil.

All trucks leaving the site shall be covered and cleaned of debris that might fall from the trucks during transport. Soil loaded into transport vehicles for offsite disposal will be covered with continuous heavy duty plastic or other covering to minimize emissions to the atmosphere during transport. A water truck, or on-site hose, will be maintained on site during the excavation and loading operations for dust suppression. A street sweeper will be made available, as needed, to keep the loading area, haul roads, and streets clean of site soils.

3.6 Soil Cover and Demarcation Layer

Currently, Phase 2 contains twenty-four inches of clean fill placed over an orange plastic snow fence demarcation layer covering the original ground surface. Damage to the current soil cover system during development of the Site will have to be repaired. Undamaged areas will have to be maintained.

Any potentially PAH impacted soil from Phase 2 cannot be tracked over the soil cover system on Phase 1 by equipment or dust generation. Any ancillary damage to the soil cover system in Phase I is required to be repaired.

3.7 Contractor Health and Safety Plan

The contractor must prepare their own site specific health and safety plan (HASP) to protect their workers during the project. The health and safety plan should be based on typical construction hazards that may be encountered, and exposure to soil with PAH compounds in soil, as discussed in this and other documents. The contractor shall handle all material in a manner which protects site personnel, the public, and the environment, in accordance with applicable federal, state, and local laws and regulations. Based on the

soil characterization data collected during the previous investigations, and the soil cleanups that have been completed, it is not anticipated that the soil will contain contaminants at hazardous waste levels during future construction activities. However, soil containing contaminants that exceed regulatory levels for special handling, transportation, and disposal requirements may be encountered.

Evergreen will require the HASP to specify a hand wash station for the workers, use of gloves when handing the site soil to prevent exposure to skin, cleaning of worker clothing before leaving the site, providing of nuisance dust masks, and the use of dust suppression methods to prevent worker exposure to dust. A sample site specific health and safety plan can be provided to the contractor upon request.

3.8 Usage and Deed Restriction

A deed restriction has been implemented by Omni to require future owners to maintain the protective layer materials as agreed to in the ROD. The deed restriction includes preventing the use of groundwater at the site. Groundwater use is not permitted.

3.9 Completion Report

A completion report will be submitted to the property owner by Evergreen documenting and delineating: 1) the aerial and vertical extent of areas with excavation and removal of the site soil, and 2) the aerial and vertical extent of areas covered with the soil cover system. The completion report will include a survey maps and identify any deviations to the work plan. Soil disposal waste manifests and weigh tickets are required for the completion report.

3.10 EXCAVATION PLAN

According to the Site Management Plan for the Site, intrusive work that will penetrate, encounter or disturb potential contamination below the cover system, and any modifications or repairs to the existing cover system will be performed in compliance with this Excavation Plan (EP). Intrusive construction work must also be conducted in accordance with the procedures defined in a contractor's internal Health and Safety Plan (HASP) prepared for the Site. A copy of the HASP will be submitted with the NYSDEC 10-day notification as described in Section A below. Any intrusive construction work will be performed in compliance with the work plan, excavation plan, and HASP.

The Site owner and associated parties performing this work, are completely responsible for the safe performance of all invasive work, the structural integrity of excavations, and for structures that may be affected by excavations (such as building foundations and footings).

A) Notification

At least 10 days prior to the start of any activity that is reasonably anticipated to encounter potential contamination below the soil cover system, the Site owner or their representative will notify the NYSDEC. Currently, this notification will be made to:

Ralph Keating
NYSDEC - Brownfields Division
625 Broadway, Albany, NY
518-402-9774

The notification will include the following:

- A description of the work to be performed, including the location and aerial extent of excavations, plans for Site re-grading, intrusive elements or utilities to be installed below the soil cover,

- A summary of environmental conditions anticipated in the work areas, including the nature and concentration levels of contaminants of concern, potential presence of grossly contaminated media, and plans for any pre-construction sampling;

- A schedule for the work, detailing the start and completion of all intrusive work,

- A statement that the work will be performed in compliance with this work plan and 29 CFR 1910.120 (OSHA),

- A copy of the contractor's health and safety plan (HASP), in electronic format,

- Identification of disposal facilities for potential waste streams,

- Identification of sources of any anticipated backfill, along with all required chemical testing results.

The notification can include a cover letter with attachments (this work plan / excavation plan, re-grading specifications, utility trench locations, schedule, statement that contractor work will follow this work plan and HASP, HASP, sources of backfill and/or topsoil).

B) <u>Soil Screening Methods</u>

Visual, olfactory and instrument-based soil screening (if needed) will be performed by a qualified environmental professional (Evergreen) or Omni representative during all excavations or work below the orange safety fence demarcation layer. Because soil vapor or volatile organic compounds are not known to exist on the property from multiple previous studies, instrument-based screening will not be required and will be on standby for use, if needed. Soil screening (visual and olfactory) will be performed by Omni or Evergreen when excavation and invasive work performed during development, such as excavations for foundations and utility work.

Soils will be segregated based on previous environmental data and screening results into material that requires off-site disposal, material that requires testing, material that can be returned to the subsurface, and material that can be used as cover soil.

C) Stockpile Methods

Contaminated soil stockpiles that will be kept on-site more than a day or during rain will be continuously encircled with a berm and/or silt fence to prevent runoff. Hay bales will be used as needed near catch basins, surface waters and other discharge points.

Stockpiles that will be kept on site more than a day or during rain will be kept covered at all times with appropriately anchored tarps. Stockpiles will be routinely inspected and damaged tarp covers will be promptly replaced. Stockpiles will be inspected at a minimum once each week and after every storm event. Results of inspections will be recorded in a logbook and maintained at the Site and available for inspection by NYSDEC.

D) Materials Excavation and Load Out

A qualified environmental professional (Evergreen or Omni representative) or person under their supervision will oversee all invasive work and the excavation and load-out of all excavated contaminated material.

The owner of the property and its contractors are solely responsible for safe execution of all invasive and other work performed under this Plan.

The presence of utilities and easements on the Site will be investigated by the qualified environmental professional. It will be determined whether a risk or impediment to the planned work under this EP is posed by utilities or easements on the Site.

A truck cleaning area will be operated on-site to prevent potentially contaminated material from impacting the surrounding streets. The qualified environmental professional will be responsible for ensuring that all outbound trucks will be cleaned before leaving the Site until the activities performed under this section are complete. Loaded vehicles leaving the Site will be appropriately securely covered, manifested, and placarded in accordance with appropriate Federal, State, local, and NYSDOT requirements (and all other applicable transportation requirements).

Locations where vehicles enter or exit the Site shall be inspected daily for evidence of off-site soil tracking and cleaned up by the contractor as needed.

The qualified environmental professional will be responsible for ensuring that all egress points for truck and equipment transport from the Site are clean of dirt and other materials derived from the Site during intrusive excavation activities. Cleaning of the adjacent streets will be performed by the contractor as needed to maintain a clean condition with respect to site-derived materials.

E) Materials Transport Off-Site

All transport of materials will be performed by licensed haulers in accordance with appropriate local, State, and Federal regulations, including 6 NYCRR Part 364. Haulers will be appropriately licensed and trucks properly placarded.

Material transported by trucks exiting the Site will be secured with tight-fitting covers. Loose-fitting canvas-type truck covers will be prohibited. If loads contain wet material capable of producing free liquid, truck liners will be used.

All trucks will be cleaned prior to leaving the Site. If wash water is used, truck wash waters will be collected and disposed of off-site in an appropriate manner.

Truck transport routes will be identified that will: (a) limit transport through residential areas and past sensitive sites; (b) use city-mapped truck routes; (c) minimize off-site queuing of trucks entering the facility; (d) limit total distance to major highways; and (e) promote safety in access to highways.

Trucks will be prohibited from stopping and idling in the neighborhood outside the project Site. Egress points for truck and equipment transport from the Site will be kept clean of dirt and other materials during Site remediation and development.

Due to limited available space at the Site, some off-site queuing of trucks may be necessary. The number and duration of trucks lined up outside the Site entrance will be minimized through efficient scheduling and staging at a remote location.

F) Materials Disposal Off-Site

All soil/fill/solid waste excavated and removed from the Site from below the orange snow fence demarcation layer will be treated as contaminated and regulated material and will be transported and disposed in accordance with all local, State (including 6NYCRR Part 360) and Federal regulations. If disposal of soil/fill from this Site is proposed for unregulated off-site disposal (i.e. clean soil removed for development purposes), a formal request with an associated plan will be made to the NYSDEC. Unregulated off-site management of materials from this Site will not occur without formal NYSDEC approval.

Off-site disposal locations for excavated soils will be identified in the pre-excavation notification. This will include estimated quantities and a breakdown by class of disposal facility if appropriate, i.e. hazardous waste disposal facility, solid waste landfill, petroleum treatment facility, C/D recycling facility, etc. Actual disposal quantities and associated documentation (manifests, weigh tickets, bills of lading) will be provided to Omni or Evergreen. This documentation will include: waste profiles, test results, facility acceptance letters, disposal manifests, bills of lading and facility receipts.

Non-hazardous historic fill and contaminated soils taken off-site will be handled, at minimum, as a Municipal Solid Waste pursuant to 6NYCRR Part 360-1.2.

G) Materials Reuse On-Site

The qualified environmental professional will ensure that procedures defined for materials reuse in this EP are followed and that unacceptable material does not remain on-site. Contaminated on-site material, including historic fill and contaminated soil, that is acceptable for re-use on-site will be placed below the demarcation layer or impervious surface, and will not be reused within a cover soil layer, within landscaping berms, or as backfill for subsurface utility lines.

Demolition work is not planned for the project. Reuse of organic matter (wood, roots, stumps, etc.) or other solid waste is not planned for the project.

H) Fluids Management

Fluids are not planned to be encountered, handled or removed from the site during the project.

I) Cover System Restoration

After the completion of soil removal and any other invasive remedial activities the cover system will be restored in a manner that complies with the Record of Decision. The demarcation layer, consisting of orange plastic snow fence will be replaced to provide a visual reference to the top of the potential contamination zone, the zone that requires adherence to special conditions for disturbance. Orange plastic snow fence is required below the soil, asphalt and surface concrete, but is not required below the building slabs. If the type of cover system changes from that which exists prior to the excavation (i.e., a soil cover is replaced by asphalt), this will constitute a modification of the cover element of the remedy and the upper surface.

J) Backfill from Off-Site Sources

All materials proposed for import onto the Site will be approved by the qualified environmental professional and will be in compliance with provisions in this work plan, applicable regulations (6NYCRR 375-6.7(d)) and guidance (DER-10) prior to receipt at the Site. Presently, fill material from the Larned sand and gravel mine in Schodack has been tested and approved for use as fill. **Topsoil will require testing prior to placement.** Prior to topsoil placement, provide Evergreen name of the topsoil source so a test sample can be obtained.

Material from industrial sites, spill sites, or other environmental remediation sites or potentially contaminated sites will not be imported to the Site.

All imported soils will meet the backfill and cover soil quality standards established in 6NYCRR 375-6.7(d). Soils that meet `exempt' fill requirements under 6 NYCRR Part 360, but do not meet backfill or cover soil objectives for this Site, will not be imported onto the Site without prior approval by NYSDEC. Solid waste will not be imported onto the Site. Trucks entering the Site with imported soils will be securely covered with tight fitting covers. Imported soils will be stockpiled separately from excavated materials and covered to

prevent dust releases.

K) Stormwater Pollution Prevention

Stormwater pollution prevention activities will probably not be needed because the site is less than 1 acre. If the site work area size changes, prior to excavation activities, the NYSDEC will be notified of the approximate acreage to be disturbed. If greater than 1 acre is to be disturbed, a Stormwater Pollution Prevention Plan is required. If less than 1 acre is disturbed, the NYSDEC will determine of a Stormwater Pollution Prevention Plan is required for the Site based on the size of the soil disturbance.

When a Stormwater Pollution Prevention Plan is required, barriers and hay bale checks will be installed and inspected once a week and after every storm event. Results of inspections will be recorded in a logbook and maintained at the Site and available for inspection by NYSDEC. All necessary repairs shall be made immediately. Accumulated sediments will be removed as required to keep the barrier and hay bale check functional. All undercutting or erosion of the silt fence toe anchor shall be repaired immediately with appropriate backfill materials. Manufacturer's recommendations will be followed for replacing silt fencing damaged due to weathering. Erosion and sediment control measures identified shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Silt fencing or hay bales will be installed around the entire perimeter of the remedial construction area.

L) Contingency Plan

If underground tanks or other previously unidentified contaminant sources are found during post-remedial subsurface excavations or development related construction, excavation activities will be suspended until sufficient equipment is mobilized to address the condition. The contractor shall notify Omni and Evergreen immediately.

Sampling will be performed on product, sediment and surrounding soils, etc. as necessary to determine the nature of the material and proper disposal method. Chemical analysis will be performed for full a full list of analytes (TAL metals; TCL volatiles and semi-volatiles, TCL pesticides and PCBs), unless the Site history and previous sampling results provide a sufficient justification to limit the list of analytes. In this case, a reduced list of analytes will be proposed to the NYSDEC for approval prior to sampling.

Identification of unknown or unexpected contaminated media identified by screening during invasive site work will be promptly communicated by phone to NYSDEC's Project Manager. Reportable quantities of petroleum product will also be reported to the NYSDEC spills hotline.

M) Community Air Monitoring Plan

A community air monitoring plan probably will not be needed based on past work

practices at the Site in which dust suppression was adequate to control airborne dust. However, the NYSDEC will determine if a Community Air Monitoring Program is required to monitor potential dust emissions. In the event it is needed, prior to excavation activities, the NYSDEC will be notified of the approximate acreage to be disturbed. If dust suppression construction methods cannot eliminate dust generation from exiting the property during excavations due to a large aerial extent of open ground, the NYSDEC will determine if a Community Air Monitoring Program is required to monitor potential dust emissions.

The location of air sampling stations will be based on generally prevailing wind conditions. These locations will be adjusted on a daily or more frequent basis based on actual wind directions to provide an upwind and at least two downwind monitoring stations. If a sensitive receptor, such as a school, day care or residential area is adjacent to the Site, a fixed monitoring station should be located at that Site perimeter, regardless of wind direction.

Exceedances of action levels listed in the Community Air Monitoring Program will be reported to NYSDEC and NYSDOH Project Managers.

N) Odor Control Plan

Based on the type of residual remnant contamination present at the Site (PAH compounds), odors are not expected to be generated during remedial activities. Nevertheless, if nuisance odors are identified at the Site boundary, or if odor complaints are received, work will be halted and the source of odors will be identified and corrected. Work will not resume until all nuisance odors have been abated. NYSDEC and NYSDOH will be notified of all odor events and of any other complaints about the project. Implementation of all odor controls, including the halt of work, is the responsibility of the property owner's Remediation Engineer.

O) Dust Control Plan

A dust suppression plan that addresses dust management during invasive on-site work will include, at a minimum, the items listed below:

- Dust suppression will be achieved though the use of a dedicated on-site water truck or hose.

- Clearing and grubbing of larger sites will be done in stages to limit the area of exposed, unvegetated soils vulnerable to dust production.

- Gravel will be used on roadways to provide a clean and dust-free road surface.

- On-site roads will be limited in total area to minimize the area required for water truck sprinkling.

P) Other Nuisances

Other Site specific nuisances are not expected, based on the contaminants of concern.

APPENDIX A
(FIGURES)

FIGURE 1 - TAX MAP

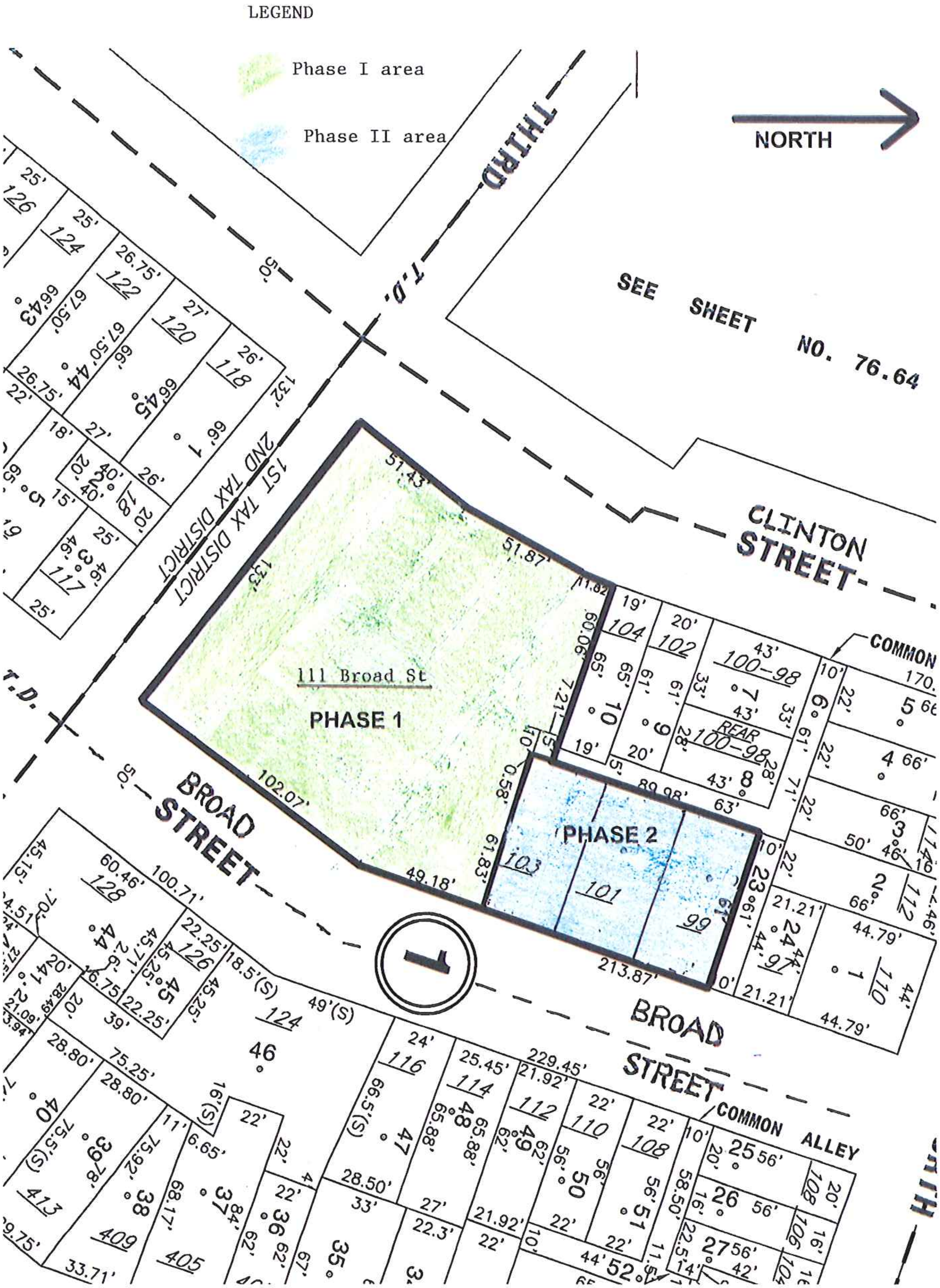
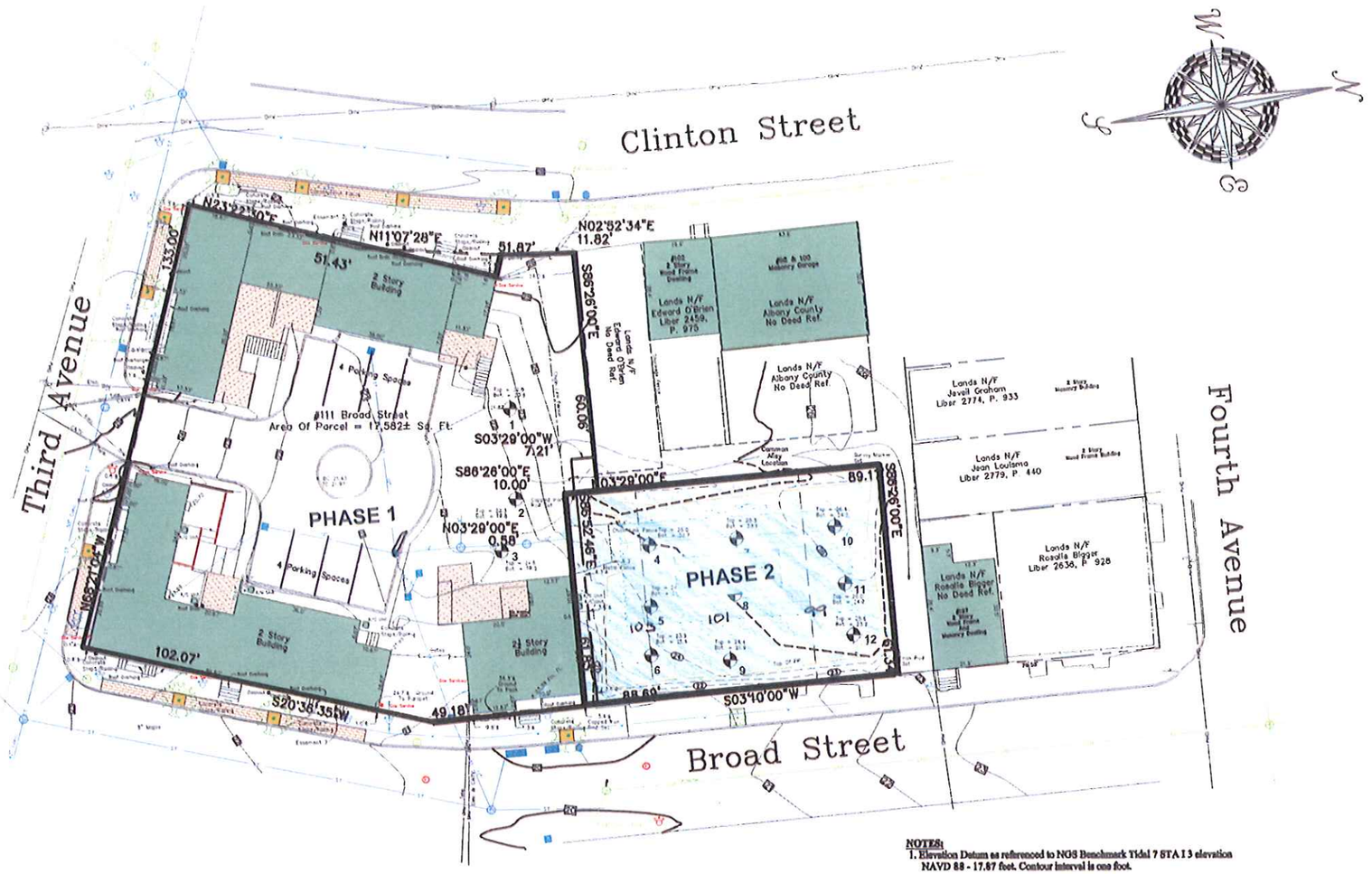

LEGEND
Phase I area
Phase II area
NORTH
THIRD
T.D.
SEE SHEET NO. 76.64
CLINTON STREET
COMMON
2ND TAX DISTRICT
1ST TAX DISTRICT
111 Broad St
PHASE 1
PHASE 2
BROAD STREET
BROAD STREET
COMMON ALLEY

FIGURE 2 - AS-BUILT OF CURRENT CONDITIONS



NOTES:
1. Elevation Datum as referenced to NGS Benchmark Tidal 7 STA I 3 elevation NAVD 88 - 17.87 feet. Contour interval is one foot.

MAP REFERENCES:
1. "ALTA/ACSM Land Title Survey Broad Street Project Phase I By Southend Associates, L.P.", dated Sept. 24, 2008, last revised 9/30/09, and prepared by RDM Surveying Consultants.
2. "ALTA/ACSM Topographical And Land Title Survey Lands To Be Conveyed To Southend 2, LLC., dated March 23, 2008, last revised 10/20/09 and prepared by RDM Surveying Consultants.

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

Map showing snow fence demarcation and imported clean fill locations (hatched area). Overlaid on RDM Survey map by Evergreen.

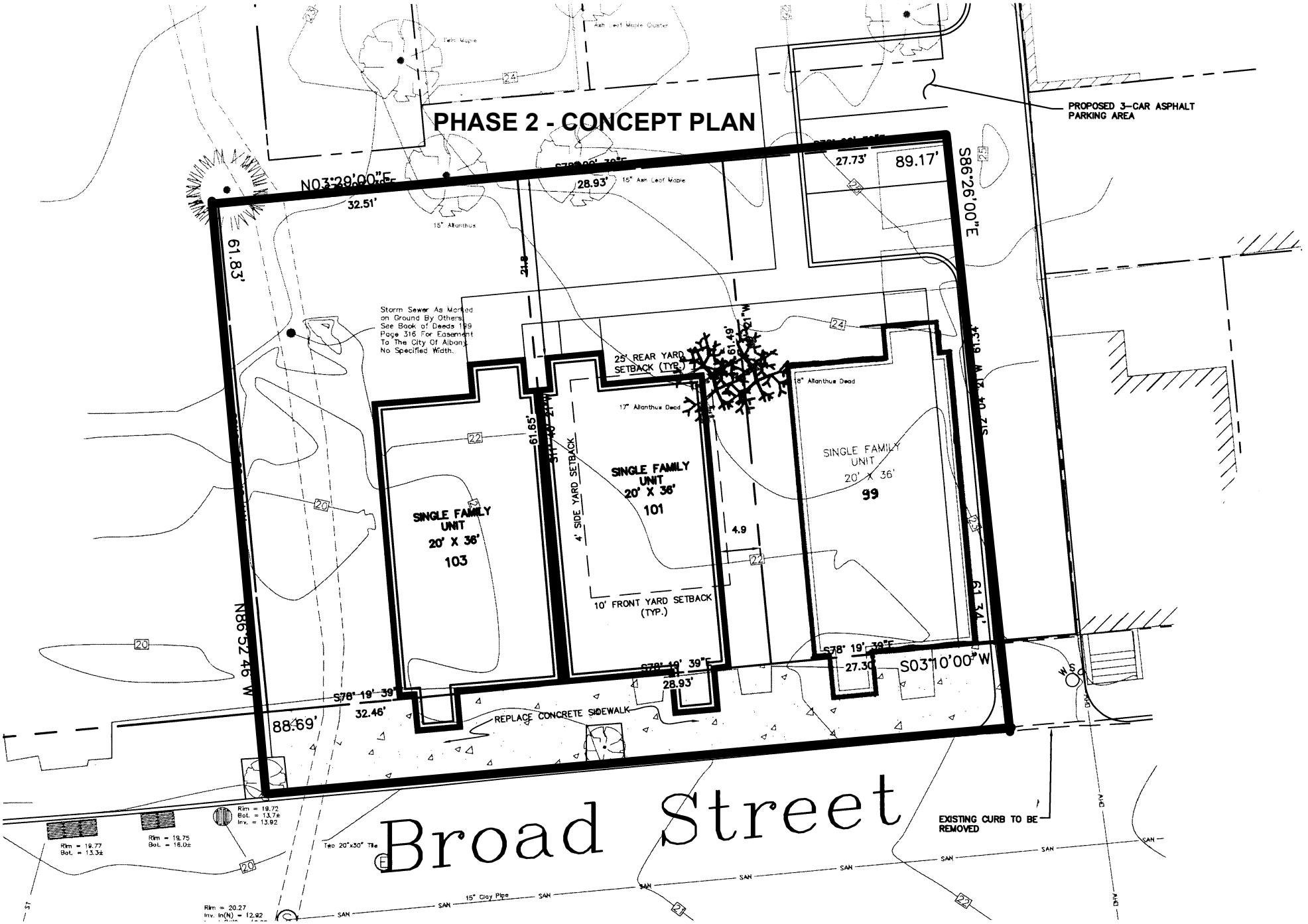
CITY: ALBANY	COUNTY: ALBANY
STATE: NEW YORK	SURVEY: NOV. 10, 2009
SCALE: 1" = 20'	MAP: NOV. 13, 2009
PROJECT NO. 960-840-2008-2819DEC	

EVERGREEN

William M. Glosser, Jr. Lic. No.49679

DATE	RECORD OF WORK	DRAWN	APPR.
11/13/09	Prepared For Omni Development	WMG,R	WMG,R

FIGURE 3 - CONCEPT PLAN FOR PHASE II


PHASE 2 - CONCEPT PLAN
PROPOSED 3-CAR ASPHALT PARKING AREA
N03°29'00"E
32.51'
61.83'
28.93'
15" Ash Leaf Maple
18" Allanthus
27.73'
89.17'
S86°26'00"E
Storm Sewer As Marked on Ground By Others See Book of Deeds 189 Page 316 For Easement To The City Of Albany No Specified Width.
25' REAR YARD SETBACK (TYP.)
17" Allanthus Dead
18" Allanthus Dead
61.65'
4' SIDE YARD SETBACK
SINGLE FAMILY UNIT 20' X 36' 101
SINGLE FAMILY UNIT 20' X 36' 103
SINGLE FAMILY UNIT 20' X 36' 99
4.9
10' FRONT YARD SETBACK (TYP.)
N89°52'46"W
88.69'
S78° 19' 39"E
32.46'
S78° 19' 39"E
28.93'
S78° 19' 39"E
27.30'
S03°10'00"W
REPLACE CONCRETE SIDEWALK
EXISTING CURB TO BE REMOVED
Broad Street
Two 20"x30" Tile
15" Clay Pipe
Rim = 19.77
Bot. = 13.3±
Rim = 19.75
Bot. = 16.0±
Rim = 19.72
Bot. = 13.7±
Inv. = 13.92
Rim = 20.27
Inv. In(N) = 12.92
SAN
STM
WAT

APPENDIX B

OBJECTIVES AND LIMITATIONS OF ASSESSMENT

Evergreen Testing & Environmental Services, Inc. (Evergreen) has endeavored to meet what it believes is the applicable standard of care for the services completed and, in doing so, is obliged to advise the client of the soil assessment limitations. Evergreen believes that providing information about limitations is essential to help clients identify and thereby manage risks. These risks can be mitigated, but not eliminated, through additional research. Evergreen will, upon request, advise the client of the additional research opportunities available and associated costs.

This soil assessment did not include any inquiry with respect to radon, methane, endangered species, flood plains, wetlands, construction issues, or other services or potential conditions or features not specifically identified and discussed herein. In those instances where additional services or service enhancements are included in the report as requested or authorized by the client, specific limitations attendant to those services are presented in the text of the report.

The findings and opinions conveyed via this soil assessment report are based upon information obtained at a particular date from a variety of sources enumerated herein, and which Evergreen believes are reliable. Nonetheless, Evergreen cannot and does not warrant the authenticity or reliability of the information sources or laboratories it has relied upon.

This report represents Evergreen's service to the client as of the report date. In that regard, the report constitutes Evergreen's final document, and the text of the report may not be altered in any manner after final issuance of the same. Opinions relative to environmental conditions given in this report are based upon information derived from the most recent property reconnaissance date and from other activities described herein. The client is herewith advised that the conditions observed by Evergreen are subject to change. Certain indicators of the presence of hazardous materials may have been latent or not present at the time of the most recent property reconnaissance and may have subsequently become observable. In similar manner, the research effort conducted for a soil assessment is limited. Accordingly, it is possible that Evergreen's research, while fully appropriate for a soil assessment and in compliance with the scope of service, may not include other important information sources. Assuming such sources exist, their information could not have been considered in the formulation of our findings and conclusions.

This report is not a regulatory compliance audit and should not be construed as such. The opinions presented in this report are based upon findings derived from a property reconnaissance, a review of specified records and sources and comments made by interviewees. Specifically, Evergreen does not and cannot represent that the property contains no hazardous or toxic materials, products, or other latent conditions beyond that observed by Evergreen during its site assessment. Further, the services herein shall in no way be construed, designed or intended to be relied upon as legal interpretation or advice.

APPENDIX C

Department of Environmental Conservation

Division of Environmental Remediation

Environmental Restoration
Record of Decision
FORMER JARED HOLT COMPANY
City of Albany Industrial Development Agency,
Albany County
Site Number B-00005-4

March 2001

New York State Department of Environmental Conservation
GEORGE E. PATAKI, *Governor* ERIN M. CROTTY, *Acting Commissioner*

DECLARATION STATEMENT
ENVIRONMENTAL RESTORATION RECORD OF DECISION

"Former Jared Holt Company" Environmental Restoration Site
City of Albany Industrial Development Agency, Albany County, New York
Site No. B00005-4

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedy for the Former Jared Holt Company environmental restoration site which was chosen in accordance with the New York State Environmental Conservation Law.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for the Former Jared Holt Company environmental restoration site and upon public input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Assessment of the Site

Actual or threatened release of a number of hazardous substances, including polycyclic aromatic hydrocarbons (PAHs) from this site, if not addressed by implementing the remedy selected in this ROD, presents a current or potential threat to public health and the environment.

Description of Selected Remedy

Based on the results of the Site Investigation/Remedial Alternatives Report (SI/RAR) for the Former Jared Holt Company and the criteria identified for evaluation of alternatives, the NYSDEC has selected the following remedy:

- Two feet of clean soil cover over the site to address the potential for human exposure to hazardous substances; and

- Usage and deed restrictions.

The components of the remedy are as follows:

- The site would be regraded and covered with a protective layer of 2 feet of clean soil over green space. Beneath the 2 foot soil layer, commercial grade filter fabric or orange plastic snow fencing will be installed to serve as a demarcation layer and to prevent inadvertent contact with contaminated soils.

- The soil cover material will be sloped from the sidewalk areas around the site to the required 2 foot elevation, if necessary, so as to allow for gradual elevation rise. Any excavated material not used for regrading purposes must be shipped off site to an approved and permitted landfill.

- Acceptable alternative protective cover possibilities could be: sidewalks, parking lots, building footprints, or other acceptable strategies that provide a barrier to contact with the contaminated subsurface soils.

- A deed restriction would be used to require future owners to maintain the protective layer materials as agreed to in this alternative and that if development or excavation occurs on site any subsurface soils below the protective layer that are excavated will have to be managed, characterized, and properly disposed of in accordance with NYSDEC regulations and directives. The deed restriction includes preventing the use of groundwater at the site.

New York State Department of Health Acceptance

The New York State Department of Health concurs with the remedy selected for this site as being protective of human health.

Declaration

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective.

3/27/2001
Date

Michael J. O'Toole, Jr., Director
Division of Environmental Remediation

TABLE OF CONTENTS

Environmental Restoration
RECORD OF DECISION

Former Jared Holt Company Site
City of Albany Industrial Development Agency, Albany County
Site No. B-0005-4
March 2001

SECTION 1: SUMMARY OF THE RECORD OF DECISION

The New York State Department of Environmental Conservation (NYSDEC) in consultation with the New York State Department of Health (NYSDOH) has selected this remedy to address the threat to human health and/or the environment created by the presence of hazardous substances at the Former Jared Holt Manufacturing Site.

The 1996 Clean Water/ Clean Air Bond Act provides funding to municipalities for the investigation and cleanup of Brownfields. Under the Environmental Restoration (Brownfields) Program, the State may provide a grant to the City of Albany Industrial Development Agency reimburse up to 75 percent of the eligible costs for site remediation activities. Once remediated the property can then be reused. (The City of Albany Industrial Development Agency is currently known as the Albany Department of Economic Development.)

As more fully described in Sections 3 and 4 of this document, improper drummed and other container storage practices have resulted in the disposal of a number of hazardous substances, including polycyclic aromatic hydrocarbons (PAHs). These disposal activities have resulted in direct contact threats to the public health and/or the environment from surface soils.

In order to eliminate or mitigate the threats to the public health and/or the environment that the hazardous substances disposed at the Former Jared Holt Manufacturing brownfield site have caused, the following remedy is proposed to allow for multi-family, medium density residential with possible variances for commercial usage:

- Two feet of clean soil cover over the site to address the potential for human exposure to hazardous substances; and

- Usage and deed restrictions.

The selected remedy, discussed in detail in Section 8 of this document, is intended to attain the remediation goals selected for this site in Section 6 of this Record of Decision (ROD) in conformity with applicable standards, criteria, and guidance (SCGs).

SECTION 2: SITE LOCATION AND DESCRIPTION

The City of Albany Industrial Development Agency (IDA) applied for a State assistance application for the Jared Holt Manufacturing Site. This Environmental Restoration Project was approved by the New York State Department of Environmental Conservation (NYSDEC) on May 13, 1997. This property consists of approximately 1 acre in the south end of the City of Albany at the intersection of Broad Street and Third Avenue, Albany County, New York. This property has a history of industrial use going back more than 100 years. This industrial history as well as the potential for soil and groundwater contamination are discussed in two reports prepared by Northeastern Environmental Technologies Corporation and a report prepared by the NYSDEC that are discussed in Section 4.

SECTION 3: SITE HISTORY

3.1: Operational/Disposal History

The manufacturing use of the Former Jared Holt Manufacturing site began on or about 1885 and continued until 1987. The principal operations were in the leather and shoe-making industry. Jared Holt Manufacturing Company made "stitching wax" which was a wax made from a mixture of plant gums, beeswax, tallow, and paraffin waxes. Stitching wax was used on shoes to lubricate the thread, protect it from moisture, and to help hold the threads in place.

The Jared Holt Manufacturing process involved a high temperature blending/emulsification process where large kettles were heated to various temperatures. Modernization of the equipment occurred in the 1940's and the products that Jared Holt Manufacturing produced expanded to include specialty cleaners, polishes and floor waxes. The facility also included a laboratory for research and development.

Drum and storage containers were kept in interior and exterior portions of the property - more specifically, the manufacturing space and its associated rear yard. With the exception of the exterior storage area, the majority of the drums were placed on concrete or similar improved floor surfaces. These drums contained various chemical products including dyes, reagents, acids, oxidizers, solvents, pigments, paints, cleaning products, and petroleum products.

The Jared Holt Manufacturing buildings have since been razed and removed from the site after a drum removal operation that took place from 1994-1995. The site is now a vacant urban parcel surrounded by residential homes.

3.2: Environmental Restoration History

From 1994-1995, the majority of the drummed wastes and chemical inventory was removed and properly disposed by Clean Harbors, Inc. In addition to the drums, three underground storage

tanks (UST) were removed from the site in February 2000. The hazardous waste manifest documents listed petroleum based compounds as the principal waste product of concern.

SECTION 4: SITE CONTAMINATION

To determine the nature and extent of any contamination by hazardous substances of this environmental restoration site, the Albany Industrial Development Authority has recently completed a Site Investigation (SI) report with addenda.

4.1: Summary of the Site Investigation

The purpose of the SI was to define the nature and extent of any contamination resulting from previous activities at the site. The SI was conducted between July 1998 and October 2000 by Northeastern Environmental Technologies Corporation. Two reports were generated from this investigation, entitled "Site Investigation - Former Jared Holt Co. Site - Broad and Clinton Streets, Albany, N.Y.," dated December 1998 with revisions dated July 20, 1999 and a closure report entitled, "Tank Closure Report - Former Jared Holt Manufacturing Facility, Albany, New York (Brownfields Site No. B00005-4)," dated November 2000. Another report prepared by the NYSDEC presents: 1) the remedial alternatives and 2) rationale for the selected remedy. This report is entitled, "Remedial Alternatives Report at the Former Jared Holt Manufacturing Site, City of Albany, New York," dated October 2000.

The SI included the following activities:

- Soil gas survey
- Soil borings and monitoring wells
- Monitoring well sampling
- Surface soil sampling
- Background soil sampling

To determine which media (soil, groundwater, etc.) contain contamination at levels of concern, the SI analytical data were compared to environmental Standards, Criteria, and Guidance (SCGs). Groundwater, drinking water and surface water SCGs identified for the Site were based on NYSDEC Ambient Water Quality Standards and Guidance Values and Part V of NYS Sanitary Code. NYSDEC TAGM 4046 soil cleanup guidelines for the protection of groundwater, background conditions and risk-based remediation criteria are all used as SCGs for soils.

Chemical concentrations are reported in parts per billion (ppb). For comparison purposes, SCGs are given for each medium (Table 1).

Based upon the results of the site investigation in comparison to the SCGs and potential public health and environmental exposure routes, contamination was identified in certain areas and media at the site. This type of exposure may be remedied by a technique that includes encapsulating the site to prevent contact with the contaminated media. The following sections highlight the remedy that was selected for this site and a more complete discussion of the investigation can be found in the SI and RAR reports.

4.1.1 Site Geology and Hydrogeology

Overburden soils encountered during the site investigation consisted of fine sands and silts. Since the subsurface soils had been excavated previously for the construction of buildings, native soils and various fill materials created a mixture of various soil types.

Groundwater was found to be approximately 16 feet below ground surface. Groundwater flow direction was determined from the monitoring wells installed across the site. The groundwater flow direction is to the east - southeast. The groundwater flow direction in the overburden aquifer appears to follow the site's surface topography. Groundwater movement is generally toward the Hudson River.

4.1.2 Nature of Contamination

As described in the SI report, many surface and subsurface soil tests and groundwater tests were conducted to characterize the nature and extent of the contaminants that may be present at this site. The soil tests indicate that contamination from the former industrial activities at this site may have resulted in the deposition of by-products of combustion. In addition, the former drum storage areas were investigated for possible industrial contamination. Finally, the underground storage tank areas were investigated, because of the suspicion that the tanks may be leaking and possibly causing groundwater contamination.

Several semi-volatile organic compounds (SVOCs) were detected in the soil during the course of the investigation. The groundwater beneath this site showed no evidence of widespread groundwater contamination. Groundwater samples were taken from both monitoring wells installed at the site and through the direct push soil borings when groundwater was reached (grab samples). Samples collected from monitoring wells, which are a better indicator of groundwater contamination than grab samples did not reveal any volatile organic compounds (VOC) or SVOC contamination. The groundwater samples retrieved below the soil boring holes revealed 1 of 21 samples with three different VOC compounds and 1 of 14 samples with five different SVOC compounds. Since there are no drinking water wells located on-site or downgradient of this site and no widespread contamination was found, exposure to contaminants in groundwater is not a concern at this site. Also, regarding water concerns, no surface waters were found on or near this site.

Very little information regarding the handling and storage of chemicals within the site boundary was available. Drums containing various chemical products were used on the site, but the specific type chemicals these drums contained are not completely known. The types of test performed were done to uncover various types of contaminants that could have been disposed of or spilled on the site.

4.1.3 Extent of Contamination

Table 1 summarizes the extent of contamination for the contaminants of concern in surface soils, subsurface soils, and groundwater and compares the data with the proposed remedial action levels (SCGs) for the Site. The following are the media which were investigated and a summary of the findings of the investigation.

Soil Gas Survey

The soil gas survey was conducted to better delineate the areas where soil borings and monitoring wells should be located. This procedure is performed by surveying the levels of volatile compounds found in pockets of gases in the soil and is used to identify areas that need further investigation. The main focus of this survey included the locations of USTs as well as the former drum storage area. Samples were analyzed for the VOCs benzene, toluene, ethylbenzene, xylenes, trichloroethene, and vinyl chloride. Only one sample from the soil gas survey contained any of the target compounds (toluene at 195 ppb) in the northwest corner of the manufacturing space adjacent to the former fuel oil UST. Follow-up sampling included samples collected from soil borings and groundwater. Since this was the only occurrence of a VOC in soil gas, it is concluded that no significant soil gas contamination exists over the site.

Surface Soil

Two background surface soil samples were collected in February 1999 and are identified as SB-1 and JHC-1 on Figure 2. Background samples are collected to help establish conditions in adjacent areas that likely have not been affected by contamination from the site. Four additional surface soil samples were collected based on a request by the NYS Department of Health in June 1999 and analysis for inorganic compounds (metals), SVOCs, and polychlorinated biphenyls (PCBs). No VOC or PCB contaminants exceeding TAGM 4046 guidelines were detected in the surface soils. In general, the inorganics detected were found at concentrations that are typical for urban soil levels and for eastern USA background levels as illustrated in TAGM 4046. Background soil levels for lead were found as high as 1,756 ppm and on-site soils as high as 951 ppm. The source of the lead in both on-site and off-site soils is unknown, but it could be from past use of lead paints, auto exhaust, or other products containing lead. It does not seem to be associated with waste disposal at the site.

SVOCs were found to exceed TAGM 4046 levels at several locations. Table 1 lists the following compounds which were found to exceed TAGM 4046 levels: chrysene, benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, and dibenzo(a,h)anthracene. These compounds are in a subgroup of SVOCs, known as polycyclic aromatic hydrocarbons (PAHs). All of the above compounds are carcinogenic substances. The highest level of a carcinogenic PAH found was benzo(k)fluoranthene at 7,900 ppb. The highest level of any PAH found was the noncarcinogenic PAH fluoranthene at 12,070 ppb. (The background (off-site) levels of carcinogenic SVOCs ranged from 880 ppb to 1953 ppb. Similarly, the on-site surface soil results ranged from 1730 ppb to 7900 ppb.) These levels pose a significant threat to the public health from direct contact with these surface soils, although they are not unusual for former urban-industrial areas.

Subsurface Soils

Based on the results of the field screening activities, soil boring locations were identified and a total of 21 soil borings advanced. The purpose of this work was to characterize subsurface soil conditions across the site. Soil boring locations can be found in the SI report and on Figure 2. Samples from the soil borings were analyzed for inorganic compounds and SVOCs. Two samples were also analyzed for VOCs.

None of the samples collected from soil borings contained concentrations of VOCs in excess of TAGM 4046 soil cleanup values. Benzene, toluene, ethylbenzene, and xylene, which are indicators for gasoline contamination or industrial solvents, were below detection levels, even though toluene showed up in the soil gas survey. The subsurface soil results for inorganics (metals) were typical for urban areas and representative of eastern USA background levels as shown in TAGM 4046. The inorganic results were similar to those found in the surface soils. Table 2 in the SI report lists the inorganic levels and their respective concentrations. Of the 21 samples taken, measurable concentrations of SVOCs were found in 7 borings with some exceedences of TAGM 4046 guidelines.

The soil boring program advanced more borings in the area around the USTs where toluene gas was detected during the soil gas survey. The samples taken from these locations showed low levels of SVOCs with one sample found to exceed TAGM 4046 guidelines for chrysene, benzo(a)anthracene, benzo(a)pyrene, and indeno(1,2,3-cd)pyrene.

Since it was suspected that the USTs may be leaking, additional subsurface soil samples were collected when the USTs were excavated. Samples were taken both beneath and sidewall to these underground tanks to determine if a release occurred. Six subsurface soil samples were collected during the removal in February 2000. There were no visual stained soils or observable cracks in the tanks during the excavation. Two of these soil samples contained levels of SVOCs exceeding TAGM 4046 guidelines for chrysene, benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, and dibenzo(g,h,i)perylene.

These were the same analytes that exceeded TAGM 4046 in the surface soils and the levels found were not significantly different.

Since the site subsurface soils contained no SVOC levels that were significantly different from the surface soils, it was determined that there was no release from the tanks. Similar to the surface soil results, this group of SVOC compounds are known as polycyclic aromatic hydrocarbons (PAHs). Although elevated, these levels are not unusual for a former urban, industrial site. Therefore, the soils containing SVOCs around these USTs were likely from surficial fill used during the tank installation.

Groundwater

Shallow overburden groundwater wells were installed at 5 locations with depths between 16 and 17 feet below ground surface. The locations were selected based on the head-space analysis from the soil borings. In addition to the monitoring well samples, 16 groundwater grab samples were collected from the boring locations using the direct push sampling equipment.

Groundwater samples from the monitoring wells were collected and analyzed for VOCs, SVOCs and inorganics. No exceedences were observed to the New York State Groundwater Standards (6 NYCRR Part 703) for VOC, SVOC, or PCB compounds. Monitoring well locations can be found in the SI report and on Figure 2.

Two of the five groundwater samples collected from the monitoring wells contained inorganic compounds and one well slightly exceeded the State groundwater standards for Barium and Selenium. These levels for Barium and Selenium were found in monitoring well number 17 at 1.1 parts per million (ppm) and 0.011 ppm, respectively. The groundwater standards for Barium and Selenium are 1.0 ppm and 0.010 ppm, respectively. These levels do not present a concern since there are no drinking water wells on the site. These inorganics are likely naturally occurring in soil particles and the results may be from highly turbid samples. They are not believed to be linked to any on-site contamination.

Four of the direct push groundwater samples were found to exceed the groundwater standard for Barium as well, but these were highly turbid samples and not true representation of groundwater quality. Highly turbid samples often give false elevated results for inorganics. Since no significant source of metals was found in the site soils, the levels of inorganics found are likely occurring from natural characteristics of site soils and not related to site contamination.

Grab groundwater samples were also collected from direct push sampling equipment and analysis was performed for VOCs, SVOCs, and inorganics. VOC contamination was observed in two samples collected from a former UST area. An analysis of groundwater samples from different areas of the site shows that this contamination has been found in only two of 21 samples, and these contaminants were not found in any of the monitoring wells on site. As mentioned previously, the

groundwater results from the monitoring wells are more representative of groundwater quality then the grab samples taken from the direct push sampling equipment. Therefore, groundwater contamination is not widespread.

In summary, the groundwater testing from the monitoring wells revealed no VOC or SVOC contamination. From the direct push sampling equipment, the groundwater samples revealed two locations where VOC contamination was present. These were locations next to an UST. Toluene and xylene were found to be above the groundwater standard immediately next to the UST at GP-14 and GP-15 locations. Samples collected down gradient of these location were found to be free of VOC contamination. The direct push samples are grab samples and not the most representative measures of true groundwater quality since soil particles are unusually present in the samples. Since these contaminants were localized and not present in the monitoring wells, there does not appear to be significant groundwater contamination from VOCs.

4.3 Summary of Human Exposure Pathways:

This section describes the types of human exposures that may present added health risks to persons at or around the site. A more detailed discussion of the health risks can be found in Sections 5.0 and 6.0 of the SI report and also in Section 3.4 of the RAR report.

An exposure pathway is how an individual may come into contact with a contaminant. The five elements of an exposure pathway are 1) the source of contamination; 2) the environmental media and transport mechanisms; 3) the point of exposure; 4) the route of exposure; and 5) the receptor population. These elements of an exposure pathway may be based on past, present, or future events.

PAHs were detected at levels of concern in surface and subsurface soils at the site. The source of the PAHs is unknown, but PAHs are typically introduced into the environment from combustion processes.

Industrial activities involving high temperature blending and emulsification processes from the past used a great deal of coal and other fuel sources to make products at this site. The by-products of combustion activities, such as ash, contained SVOCs, and in particular, PAHs. This ash and other by-products of combustion may have contributed to the elevated levels that are found today.

Since the site is presently uncovered, with no grass or pavement barrier to prevent contact with surface soils, and is not completely fenced to prevent trespassing across the site, people could potentially be exposed to contaminated surface soils at the site through ingestion, inhalation, and/or direct contact.
The main route of exposure is through direct human contact with site surface soils contaminated with PAHs.

In the soils, some inorganic compounds were detected above TAGM 4046 levels, but the concentrations were consistent with background levels. These inorganics may be related to urban activities or natural background, rather then attributed to waste disposal. There is no known source for these inorganic contaminants other than construction activities or deposition from atmospheric sources such as car exhaust. No PCB or VOC contamination was found in site soils.

The inorganic contamination found in the groundwater appears to be related to the levels detected in soil particles and is not representative of groundwater quality. No site related contaminants were found in monitoring wells on-site. Also, no drinking water supply wells exist in this area, therefore no threat to public or private water supplies is present.

VOC, PCBs and inorganic contamination do not pose a problem at the site to either the soils or the groundwater and the SVOCs in the soil have not contaminated the groundwater.

4.4 Summary of Environmental Exposure Pathways:

Since this site is in the middle of an urban area no wildlife impacts are considered to exist. The closest water body is the Hudson River, approximately one quarter mile from the site. With no significant site contaminants shown to be moving in the groundwater, no impacts to fish and wildlife resources are considered to exist.

SECTION 5: ENFORCEMENT STATUS

Potentially Responsible Parties (PRPs) are those who may be legally liable for contamination at a site. This may include past owners and operators, waste generators, and haulers.

Since no viable PRPs have been identified, there are currently no ongoing enforcement actions. However, legal action may be initiated at a future date by the State to recover State response costs should PRPs be identified. The City of Albany and the Albany Industrial Development Authority will assist the State in its efforts by providing all information to the State which identifies PRPs. The City of Albany and the Albany Industrial Development Authority will also not enter into any agreement regarding response costs without the approval of the NYSDEC.

SECTION 6: SUMMARY OF THE REMEDIATION GOALS AND FUTURE USE OF THE SITE

Goals for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375-1.10. The overall remedial goal is to meet all Standards, Criteria, and Guidance (SCGs) and be protective of human health and the environment. At a minimum, the remedy selected must eliminate or mitigate all significant threats to the public health and to the environment presented by the hazardous substance disposed at the site through the proper application of scientific and engineering principles.

The proposed future use for the Jared Holt site is for multi-family medium density residential with possible variances for commercial usage. The goals selected for this site are:

- Reduce, control, or eliminate to the extent practicable the contamination present within the soils on site.

- Eliminate the potential for direct human or animal contact with the contaminated soils on site.

SECTION 7: SUMMARY OF THE EVALUATION OF ALTERNATIVES

The selected remedy must be protective of human health and the environment, be cost effective and comply with other statutory requirements. Potential remedial alternatives for the Jared Holt site were identified, screened and evaluated based on presumptive remedies for this site.

Remedial alternatives were developed with consideration given to presumptive remedies. Presumptive remedies are preferred technologies for common categories of sites, based on the collective experience of the USEPA and the NYSDEC. The objective of the presumptive remedies initiative is to streamline site characterization and speed up the selection of cleanup actions. Over time, presumptive remedies are expected to ensure consistency in remedy selection and reduce the cost and time required to clean up similar types of sites.

A summary of the detailed analysis follows. As presented below, the time to implement reflects only the time required to implement the remedy, and does not include the time required to design the remedy or procure contracts for design and construction.

7.1: Description of Alternatives

The potential remedies are intended to address contaminated soil at the site.

1. No Action

Present Worth:	$ 0
Capital Cost:	$ 0
Annual O&M:	$ 0
Time to Implement:	n/a

The no action alternative is typically evaluated as a procedural requirement and as a basis for comparison. This alternative would leave the site in its present condition and would not provide any additional protection to human health or the environment.

Since this site has no protective cover and is not fenced, this approach offers no benefit to the protection of public health or the environment. The levels of SVOCs in surface soils are above the TAGM 4046 guidelines and pose a threat to public health. Unacceptable exposure would continue indefinitely from this alternative.

2. Full Depth Excavation / Landfill Disposal / Backfill with clean fill material

Present Worth:	$ 1,741,000
Capital Cost:	$ 1,741,000
Annual O&M:	$ 0
Time to Implement	1 year

Under this alternative, the entire site would be excavated to a depth of approximately 4 to 6 feet below the existing grade to remove PAH contaminated fill. Once the contaminated material has been removed, clean fill would be used to bring the excavation back to existing grade. Inorganic compounds in native (deep) soils would not be removed. No deed restriction would be needed for reuse after implementation of this remedy.

3. Shallow Depth Removal with PAH Hotspot Excavation / Landfill Disposal / Backfill with clean fill material / Deed Restrictions

Present Worth:	$ 604,648
Capital Cost:	$ 604,648
Annual O&M:	$ 0
Time to Implement	1 year

Under this alternative, surface soils would be removed to a depth of 2 feet across the whole site. In addition, selected contaminated hot-spot areas would be excavated to a depth of approximately 4 to 6 feet below existing grade to remove known PAH contaminated soil from around the UST locations. After the excavations are complete, 2 feet of clean fill and the necessary fill for the UST areas will be brought in to bring the site back to its preexisting grade. Since some PAH impacted areas at depth may remain, a deed restriction would require notification before any excavation is commenced.

The deed restriction would notify owners and site developers that the protective barrier layer (2 feet of clean soil) must be maintained and that the subsurface soils, if excavated, will have to be removed from the site to an approved and permitted landfill.

4. Protective Cover Over the Site / Deed Restriction / Operation and Maintenance

Present Worth:	$ 74,174
Capital Cost:	$ 58,802
Annual O&M:	$ 1,000
Time to Implement	1 month

The site will be regraded and covered with a protective layer of two feet of clean soil over green spaces, that is, areas not occupied by buildings, pavement or sidewalk. Beneath the two-foot soil layer, commercial grade filter fabric or orange plastic snow fencing will be placed as a demarcation of where the contaminated layer begins. This demarcation will serve as a visual reminder of where the contaminated soil layer begins and will help prevent future contact with these soils.

Where necessary, the site will be excavated to allow the soil cover material to be sloped to the required two-foot elevation, to allow for gradual elevation rise. Any excavated material not used for regrading purposes will be shipped off site to an approved and permitted landfill.

Acceptable alternative protective cover possibilities are sidewalks, parking lots, building footprints, or other approved strategies that provide a barrier to contact with the contaminated subsurface soils.

A deed restriction will be used to require owners to maintain the protective layer materials as provided to in this proposed plan and subsequent Record of Decision and prohibit the usage of groundwater. If development or excavation occurs on site, any subsurface soils below the protective layer that are excavated will have to be disposed off site at an approved and permitted landfill in accordance with NYSDEC regulations. A plan will be submitted and approval must be given before any development or excavation work proceeds.

The deed restriction will also require future owners to annually certify to the NYSDEC that the remedy and protective cover have been maintained and that the conditions at the site are fully protective of public health and the environment in accordance with the proposed plan and subsequent Record of Decision.

7.2 Evaluation of Remedial Alternatives

The criteria used to compare the potential remedial alternatives are defined in the regulation that directs the remediation of environmental restoration project sites in New York State (6 NYCCR Part 375). For each of the criteria, a brief description is provided followed by an evaluation of the alternatives against that criterion. A detailed discussion of the evaluation criteria and comparative analysis is included in the Remedial Alternatives Report.

1. Compliance with New York State Standards, Criteria, and Guidance (SCGs).

Compliance with SCGs addresses whether or not a remedy will meet applicable environmental laws, regulations, standards, and guidance.
The No Action alternative (alternative 1) would leave in place levels of PAH contaminated soils found to be above the SCG levels. The PAH levels found in the surface soils are above soil cleanup objectives according to TAGM 4046. These levels may be typical for an urban setting, however, many of the compounds found are categorized as carcinogenic PAHs and could pose a significant threat from direct contact with soils. Note, however, the metals detected in subsurface soils would not cause problems with groundwater contamination.

The 'Full Depth Excavation' alternative (alternative 2) would meet the SCG's for site contaminants by removing all known contaminants. The 'Shallow Depth Excavation' alternative (alternative 3) also would meet SCG's for previously identified UST areas on the site, but not guarantee that all PAHs are removed from the site. Inorganic compounds appear to be spread uniformly across the site. The elevated lead in surface soils would be removed from the site. The other inorganics that exist on site are representative of an urban background. The 'Protective Cover' (alternative 4) over the site alternative would meet the SCGs by providing a barrier to contact with soils. A deed restriction would be used to require future owners to maintain the protective layer materials as agreed to in this alternative and that if development or excavation occurs on site, the subsurface soils may have to be removed and disposed of as solid waste and placed in a secure landfill.

2. Protection of Human Health and the Environment.

This criterion is an overall evaluation of each alternative's ability to protect public health and the environment.

Only alternatives 2, 3, and 4 would be protective of human health and the environment. These alternatives would result in incomplete pathways for health and environmental exposures. Some alternatives would remove contaminants (excavation alternatives) while others would leave the contaminated soils in place while relying on the existing or new cover and deed restrictions for protection. Alternative 1 offers no protection to human health or the environment.

3. Short-term Effectiveness.

The potential short-term adverse impacts of the remedial action upon the community, the workers, and the environment during the construction and/or implementation are evaluated. The length of time needed to achieve the remedial objectives is also estimated and compared against the other alternatives.

The No Action alternative would not be effective in the short term since exposure to contaminated soils would still exist and contaminants would pose a threat to the public health and the environment.

Alternatives 2 and 3 involve excavation to varying depths and moving or managing soil in some way, thereby creating the possibility of short term exposures to noise, dust, or contaminants. Alternative 4 would not create much exposure to noise, dust, or contamination since it is the shortest to implement and requires little existing soil movement.

4. Long-term Effectiveness and Permanence.

This criterion evaluates the long-term effectiveness of the remedial alternatives after implementation. If wastes or treated residuals remain on site after the selected remedy has been implemented, the following items are evaluated: 1) the magnitude of the remaining risks, 2) the adequacy of the controls intended to limit the risk, and 3) the reliability of these controls.

Alternative 1 would leave soils with elevated PAH concentrations in place for the long term. There is a continued risk from exposure to contaminated surface soils. Alternative 2 would remove all the contaminants and therefore, removing all of the long term risks. Alternative 3, the Shallow Depth Excavation alternative, while removing some of the long term risks, would still need some form of institutional controls to prevent the possibility of exposure to contaminants in the soils below the fill.

Alternative 4 would provide long term effectiveness by providing a barrier to contact with soils. The associated deed restrictions to ensure safety to workers and the surrounding community would also be a long term solution to threats from future Full Depth Excavations.

5. Reduction of Toxicity, Mobility or Volume.

Preference is given to alternatives that permanently and significantly reduce the toxicity, mobility or volume of the substances at the site.

Alternative 1 would not change the toxicity, mobility, or volume of contaminants. Since current conditions do not show much mobility of contamination this alternative remains viable with appropriate deed restrictions. Similarly, alternative 4 would prevent future mobility with a cover and deed restrictions.

Alternative 2, full depth excavation, would reduce the mobility of on-site contaminants since the full volume of contamination and its corresponding toxicity of PAHs would be removed to a secure landfill. The actual volume and toxicity will remain unchanged in the secure landfill since there are no plans chemically or physically treat the waste.

Similarly, alternative 3, the shallow depth excavation alternative, would reduce the mobility of on-site contaminants since some of the volume of contamination and its corresponding toxicity of PAHs would be removed to a secure landfill. The volume removed from the site would be less then alternative 2. It should be noted that all alternatives would result in some risk of contaminant mobility as discussed in section 3 'Short Term Effectiveness'.

6. Implementability.

The technical and administrative feasibility of implementing each alternative are evaluated. Technical feasibility includes the difficulties associated with the construction and the ability to monitor the effectiveness of the remedy. For administrative feasibility, the availability of the necessary personnel and material is evaluated along with potential difficulties in obtaining specific operating approvals, access for construction, etc.

Alternative 1, no action, would continue to raise the issue of site exposure and pose a threat to public health and the environment.

Alternative 2, may present difficulties in excavation if thick-walled foundations are encountered. Also, an excavation to a six foot depth would require fencing around the hole during construction to keep people away from the site.

Similarly, alternative 3, like alternative 2, may present difficulties in excavation if thick-walled foundations are encountered. Excavation to a six foot depth would require fencing around these locations, but not as much fencing as is necessary for alternative 2. This alternative would require determining where the tanks were so some surveying may be required.

Alternative 4, the protective cover, is easily implemented as clean fill is readily available and no excavations are necessary.

7. Cost. Capital and operation and maintenance costs are estimated for each alternative and compared on a present worth basis. Although cost is the last balancing criterion evaluated, where two or more alternatives have met the requirements of the remaining criteria, cost effectiveness can be used as the basis for the final decision. The costs for each alternative are presented in Table 2.

8. Community Acceptance - Concerns of the community regarding the SI/RAR reports and the Proposed Remedial Action Plan have been evaluated. A "Responsiveness Summary" included as Appendix A presents the public comments received and how the Department will address the concerns raised. In general the public comments received were supportive of the selected remedy. Several comments had to do with exposure to lead, especially during construction if a building were to be constructed on this site in the future. With the deed restrictions to be added to the title of this property and future oversight requirements, these comments have been addressed.

SECTION 8: SUMMARY OF THE PROPOSED REMEDY

Based upon the results of the SI/RAR, and the evaluation presented in Section 7, the NYSDEC is selecting alternative 4 as the remedy for this site.

This selection is based upon the fact that alternative 4 would provide an adequate direct contact barrier with the proposed protective cover layer and will allow for the intended use of this site, "multi-family medium density residential and possible variances for commercial usage." SCG compliance would not be a problem since groundwater has not been impacted by current site conditions and surface conditions would be protective of human health and the environment. Alternative 4 provides protection from contaminated subsurface soils via the placement and maintenance of a 2 foot soil cover. Therefore, deed restrictions regarding future excavations must be put in place to ensure this 2 foot cover is maintained. This alternative would be easily implemented with no short or long term impacts, given the requirement for a deed restriction. The costs for this alternative are relatively low when compared with other protective alternatives.

Alternative 1 is not recommended, as it would not be protective of human health. Alternatives 2 and 3 are not recommended as they are relatively high cost, have some degree of implementability problems, result in short term impact issues, and would provide no incremental advantages to alternative 4 that would justify the increased cost.

The elements of the proposed remedy are as follows:

1. A remedial design program to verify the components of the conceptual design and provide the details necessary for the construction and operation and maintenance of the remedy.

2. The site will be regraded and covered with a protective layer of two feet of clean soil over green spaces, that is, areas not occupied by buildings, pavement or sidewalk. Beneath the two-foot soil layer, commercial grade filter fabric or orange plastic snow fencing will be placed as a demarcation of where the contaminated layer begins. This demarcation will help prevent future contact with contaminated soils.

Where necessary, the site will be excavated to allow the soil cover material to be sloped to the required two-foot elevation, to allow for gradual elevation rise. Any excavated material not used for regrading purposes will be shipped off site to an approved and permitted landfill.

Acceptable alternative protective cover possibilities are sidewalks, parking lots, building footprints, or other approved strategies that provide a barrier to contact with the contaminated subsurface soils.

A deed restriction will be used to require owners to maintain the protective layer materials as provided for in this proposed plan and subsequent Record of Decision and to also prohibit the usage of groundwater. If development or excavation occurs on site, any subsurface soils below the

protective layer that are excavated will have to be disposed off site at an approved and permitted landfill in accordance with NYSDEC regulations. A plan will be submitted and approval must be given before any development or excavation work proceeds.

The deed restriction will also require owners to annually certify to the NYSDEC that the remedy and protective cover have been maintained and that the conditions at the site are fully protective of public health and the environment in accordance with the proposed plan and subsequent Record of Decision.

SECTION 9: HIGHLIGHTS OF COMMUNITY PARTICIPATION

As part of the Former Jared Holt Company environmental restoration process, a number of Citizen Participation activities were undertaken in an effort to inform and educate the public about conditions at the site and the potential remedial alternatives. The following public participation activities were conducted for the site:

- A repository for documents pertaining to the site was established.
- A site mailing list was established which included nearby property owners, local political officials, local media and other interested parties.
- On February 20, 2001 a public meeting was held to present the findings from the site investigation, the alternative remedies considered, and the selected remedy along with the criteria used to select this remedy.
- In March, 2001 a Responsiveness Summary was prepared and made available to the public, to address the comments received during the public comment period for the PRAP.

Figure 1: Former Jared Holt Manufacturing Site

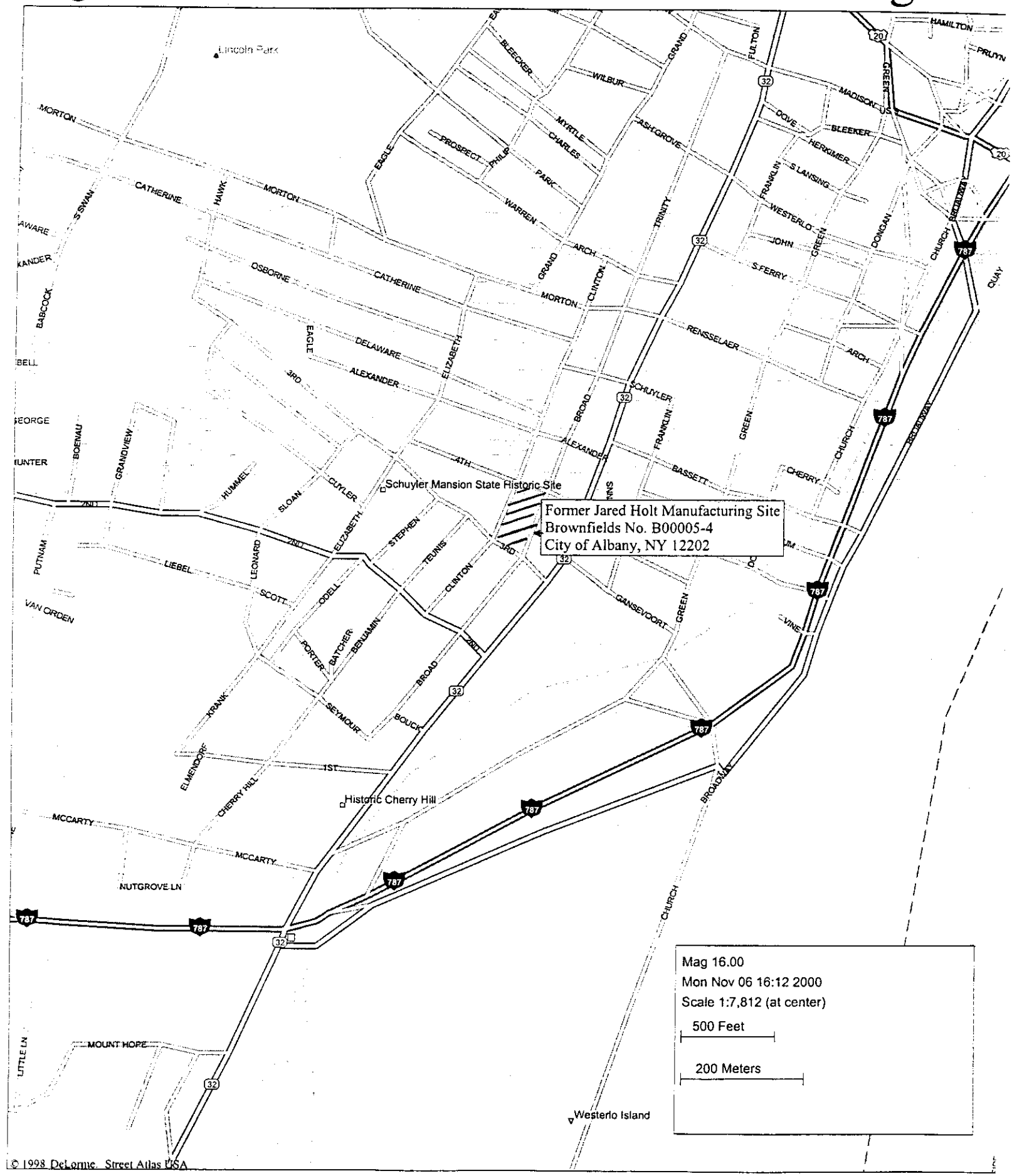


Figure 2: Former Jared Holt Manufacturing Site

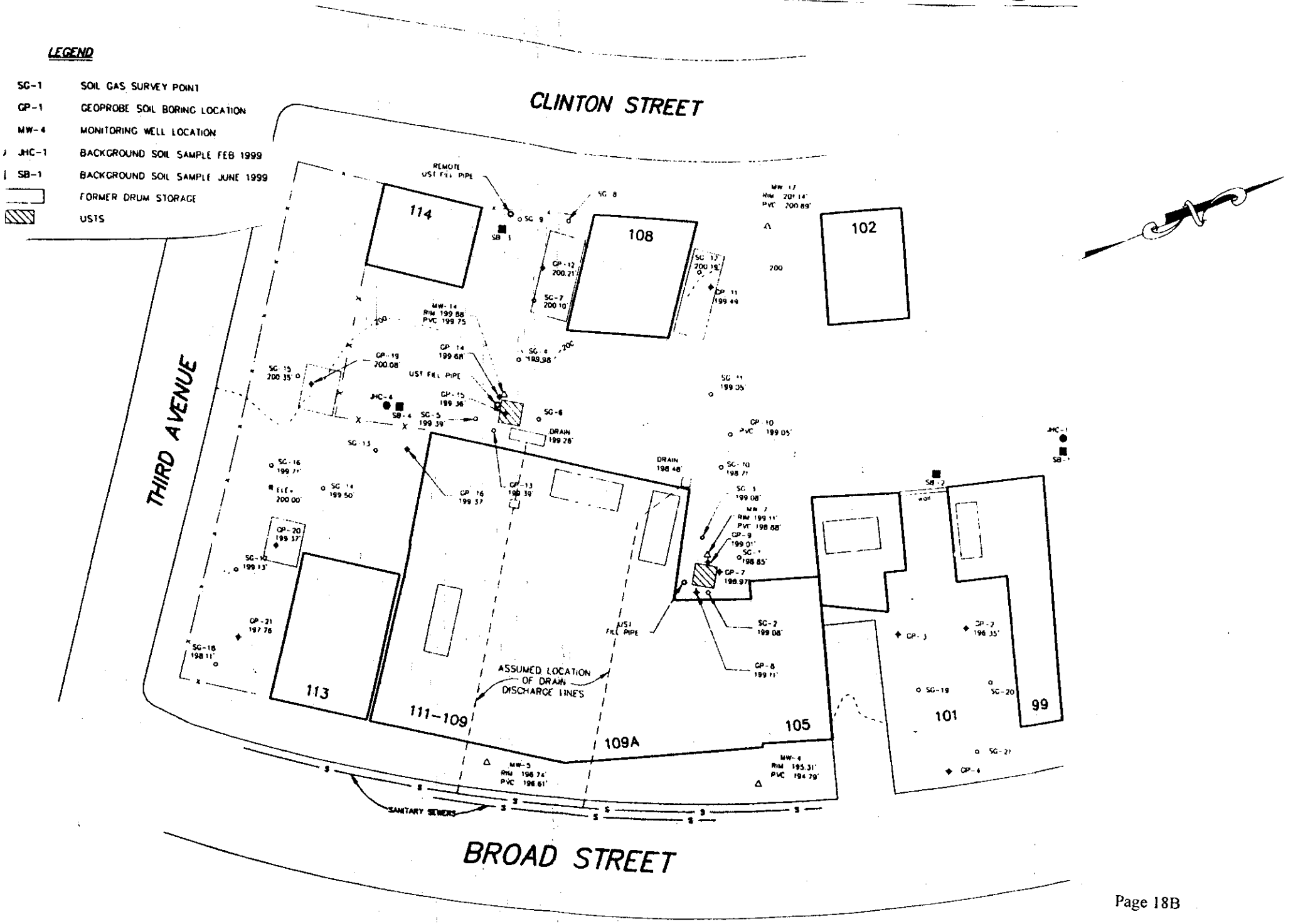


Table 1
Nature and Extent of Contamination

MEDIA	CLASS	CONTAMINANT OF CONCERN	CONCENTRATION RANGE (ppb)	FREQUENCY of EXCEEDING SCGs	SCG* (ppb)
Groundwater (from grab samples for direct push bore holes)	Volatile Organic Compounds (VOCs)	toluene	ND to 223	1 of 21	5
		m-xylene/p-xylene	ND to 6.8	1 of 21	5
		1,2,4-trimethylbenzene	ND to 5.1	1 of 21	5
Groundwater (grab samples for direct push bore holes)	Semivolatile Organic Compounds (SVOCs)	benzo(a)anthracene	ND to 363	1 of 14	0.002
		chrysene	ND to 380	1 of 14	0.002
		benzo(b)fluoranthene	ND to 449	1 of 14	0.002
		benzo(k)fluoranthene	ND to 177	1 of 14	0.002
		benzo (a) pyrene	ND to 360	1 of 14	ND
Soils	Semivolatile Organic Compounds (SVOCs)	benzo(a)anthracene	ND to 6,667	4 of 14	224
		chrysene	ND to 7,033	3 of 14	400
		benzo(b)fluoranthene	ND to 5,967	3 of 14	1,100
		benzo(k)fluoranthene	ND to 7,900	3 of 14	1,100
		benzo (a) pyrene	ND to 5,733	4 of 14	61
		indeno(1,2,3-cd) pyrene	ND to 5,467	1 of 14	3,200
		dibenzo (a,h) anthracene	ND to 1,730	1 of 14	14

- SCGs for Groundwater are from the: NYSDEC, Division of Water, Technical and Operational Guidance Series No. (1.1.1)
  SCGs for Soils are from the: NYSDEC, Division of Environmental Remediation, Technical and Administrative Guidance Memoranda No. 4046
  ND = non detectable
  Note: Groundwater sample results taken from the monitoring wells were all non-detectable.

Table 2
Remedial Alternative Costs

Remedial Alternative	Capital Cost	Annual O&M	Total Present Worth
1- No Action	$0	$0	$0
2 - Excavation / Landfill Disposal / Backfill with clean fill material	$1,741,643	$0	$1,741,648
3 - PAH Hotspot Excavation/Landfill Disposal / Backfill with clean fill material.	$604,648	$0	$604,648
4 - Protective Cover Over the Site	$58,802	$1,000 *	$74,174

* O& M costs are to maintain the protective cover over the site. The present worth calculation assumed a 5% interest rate and a 30 year life for the cover.

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

Former Jared Holt Company
Environmental Restoration Proposed Remedial Action Plan
City of Albany, Albany County
Site No. B-0005-4

The Proposed Remedial Action Plan (PRAP) for the Former Jared Holt Company, was prepared by the New York State Department of Environmental Conservation (NYSDEC) and issued to the local document repository on February 6, 2001. This Plan outlined the preferred remedial measure proposed for the remediation of the contaminated soil at the Former Jared Holt Company. The preferred remedy is soil cover, with the use of a demarcation layer to show where the contaminated layer begins, and deed restrictions. The deed restrictions will prevent the use of groundwater at the site and require appropriate action (excavation and proper disposal) should intrusive activities disturb contaminated soils.

The release of the PRAP was announced via a notice to the mailing list, informing the public of the PRAP's availability. A public meeting was held on February 20, 2001 which included a presentation of the Site Investigation (SI) and Remedial Alternatives Report (RAR) as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. Written comments were not received from the public during this comment period.

The public comment period for the PRAP ended on March 22, 2001. This Responsiveness Summary responds to all questions and comments raised at the February 20, 2001 public meeting.

The following are the comments received at the public meeting, with the NYSDEC's responses:

COMMENT 1: Is the lead from the site causing high lead levels in children in the neighborhood?

RESPONSE 1: The lead levels found in the site soils are typical of those found in urban areas. As was mentioned in this Record of Decision, this lead may be related to urban activities or natural background, rather then attributed to waste disposal at or near the site. There is no known source for these inorganic contaminants. If you have concerns about lead levels in children in the area, please contact the Albany County Health Department at (518) 447-4620.

COMMENT 2: Not everyone in the neighborhood was aware of the site and this meeting. Can another meeting be held?

RESPONSE 2: The known adjacent property owners were sent letters notifying them of the public meeting. Also, local newspapers, radio, and television stations, as well as local politicians were notified of the public meeting. Members of the community have until March 22, 2001 to raise any issues of concern regarding this proposed action, therefore, allowing concerned residents in this neighborhood the opportunity to comment. Holding an additional meeting does not appear warranted.

COMMENT 3: Family members live nearby and I'm concerned about them being exposed during construction. How can this be avoided?

RESPONSE 3: Implementation of the remedy requires two feet of cover material across the site which will cause little disruption during the placement of this material. A community air monitoring program would be required during construction to ensure that no unacceptable releases occur.

If buildings are to be built on this site as part of a planned development for this property, the public will have an opportunity to comment on the construction method at that time. The Record of Decision does provide an opportunity for the Department to approve future activities at this site as long as they provide adequate controls that are protective of public health during construction as well as providing the cover layer to prevent future contact with the existing surface soils.

COMMENT 4: There are homes with backyards adjacent to the site. Will their yards also have a protective layer of soil placed over them?

RESPONSE 4: This remedy is limited to the area of the former Jared Holt property based on the conditions contained in the Brownfields Grant. The contamination found at the Jared Holt property was not found to be migrating off this site. Therefore, adjacent properties are not addressed by this Brownfields Grant.

COMMENT 5: How do deed restrictions get enforced?

RESPONSE 5: The owner of the property is required to provide an annual certification that the deed restrictions are being met to the satisfaction of the Department. This will confirm to the NYSDEC and the NYSDOH that the remedy and protective cover will be maintained and that the conditions at the site are fully protective of public health and the environment in accordance with the site remedy.

COMMENT 6: Why not remove all of the contaminated soil and be done with it?

RESPONSE 6: The Department considered total contaminated media removal as one of the four alternatives. The costs of this alternative would be approximately 20 times greater than the selected remedy and would not provide any additional level of protection to the public health and the environment.

COMMENT 7: What if we don't want a commercial building in our residential neighborhood?

RESPONSE 7: The remedial program is intended to address the environmental problems at this site. Public comments related strictly to future site use or zoning are not within the purview of the site's remedial program. Zoning issues should be addressed to the site owner, the City of Albany.

No written comments were received during the comment period.

APPENDIX B

Administrative Record

Site No. B-0005-4

1. Record of Decision - Administrative Record - March 2001

2. Proposed Remedial Action Plan, Former Jared Holt Company - February 2001

3. Factsheet - Former Jared Holt Company - February 2001

4. Site Investigation (SI) by Northeastern Environmental Technologies Corporation
Site Investigation-Former Jared Holt Co. Site - Broad and Clinton Streets, Albany, N.Y. July 1998.

5. Tank Closure Report by Northeastern Environmental Technologies Corporation
Tank Closure Report - Former Jared Holt Manufacturing Facility, Albany, New York (Brownfields Site No. B00005-4) October 2000.

6. Remedial Alternative Report (RAR) by New York State Department of Environmental Conservation
Remedial Alternatives Report at the Former Jared Holt Manufacturing Site, City of Albany, New York (Brownfields Site No. B00005-4) October 2000.