

Former Jared Holt Manufacturing "Mfg." Site
CITY OF ALBANY, ALBANY COUNTY, NEW YORK

Periodic Review Report

NYSDEC Site Number: B-00005-4

Prepared for:

Southend Associates L.P. & Southend Associates II L.P.
c/o Albany Housing Authority
200 S Pearl Street
Albany, NY 12202

Prepared by:

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March 2013

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PERIODIC REVIEW REPORT

**Former Jared Holt Manufacturing "Mfg." Site
City of Albany, Albany County, New York**

**NYSDEC Site Number: B-00005-4
Evergreen Project Number ETE-09-44.6**

1.0 INTRODUCTION AND DESCRIPTION OF THE PROGRAM

1.1 INTRODUCTION

This Periodic Reivew Report (PRR) is required as an element of the Site Management Plan, which was included as a requirement of the original Record of Decision (ROD) at the Former Jared Holt Manufacturing "Mfg." Property under the New York State (NYS) Environmental Restoration Program (ERP), under the 1996 Clean Water / Clean Air Bond Act, administered by the New York State Department of Environmental Conservation (NYSDEC). The Site was investigated in accordance with the State Assistance Contract (SAC) #C300443, which was executed on May 4, 1998. The remedy was implemented on all of the property by South End Associates L.P. through its developer, Omni Housing Development, LLC (Omni). The remedy was implemented in accordance with the March 2001 Record of Decision (ROD) and Site Specific Reuse and Development Plan, dated September 2007 (amended in March 2010 to include Phase II of the project), prepared by Evergreen Testing and Environmental Services, Inc. (Evergreen).

This PRR report is the first review of the site since the completion of the Site Management Plan in October, 2011. Following this report PRR reports are required annually (i.e. the next report should be completed in March of 2014).

1.2 SITE LOCATION AND DESCRIPTION

The Site is located in the county of Albany, New York and is identified as 4 contiguous parcels known as Section, Block and Lot Numbers on the Albany tax map as 76.73-1-18 (111 Broad Street), 76.73-1-20 (103 Broad Street), 76.73-1-21 (101 Broad Street), and 76.73-1-22 (99 Broad Street). The Site is situated on an approximately 0.53 acre area bounded by residences to the north, Third Avenue to the south, Broad Street to the east, and Clinton Street to the west (Figure 1 in Appendix A).

The Site is divided into two internal phases or sections, known as Phase I and Phase II, to facilitate development. Phase I is located on the south side of the overall property and is located on tax parcel 76.73-1-18 (111 Broad Street) and is 0.40 acres in size. Phase II is located on the north side of the overall property and is located on tax parcels: 76.73-1-22, 76.73-1-21, and 76.73-

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1-20 (99, 101, and 103 Broad Street). Both Phase I and Phase II are developed with residential structures. The phases are depicted on the tax map in Appendix A.

1.3 SITE 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. The Jared Holt Manufacturing buildings have since been razed and removed from the site.

Prior to development of current buildings on the subject property, multiple environmental investigation reports and remediation events 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 the importation of 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.

The City of Albany IDA sold the property to Southend Associates L.P. in 2007, before the remedy in the ROD was completed. Southend Associates L.P., through Omni Housing Development LLC (the developer), completed a "change of use" notification and Site Specific Reuse and Development Plan, dated September 2007 and amended in March 2010 to include Phase II of the site, prepared by Evergreen, which was submitted to the NYSDEC. The Site Specific Reuse and Development Plan included planned construction of residential structures on the Site, a property deed restriction, and acceptable alternative protective cover possibilities as listed in the ROD, including: sidewalks, parking lots, building footprints, and the importation of two feet of clean fill with a demarcation layer to limit contact with remaining exposed soil at the Site. The NYSDEC determined that the Plan was consistent with the requirements of the Record of Decision issued by the Department for the Former Jared Holt site and so stated in a letter to South End Associates dated November 9, 2007. (The November 9, 2007 letter also acknowledged transfer of title of the Former Jared Holt Site to Southend Associates, L.P.).

In accordance with the ROD and Site Specific Reuse and Development Plan, a soil cap and cover system, including building foundations, asphalt paving, and concrete walks, was installed over the Site as the remedy. This Site Management Plan (SMP) was prepared to manage Site soils in perpetuity or until extinguishment of the Deed Restriction. Work on the Site began with a Site Investigation (SI) in July 1998, and was completed with the installation of the final topsoil cover

in July 2011. All reports associated with the Site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State.

1.4 SUMMARY OF REMEDIAL ACTIONS

The Site was developed in accordance with the NYSDEC-approved Site-Specific Reuse & Development Plan for an Environmental Record of Decision Report, dated September 2007 and amended in March 2010.

The following is a summary of the remedy performed at the Site:

1. Voluntary excavation of soil/fill exceeding restricted residential SCOs was completed on Phase I. The excavated soil consisted of the PAH hot spot as described in Appendix E of the Site Management Plan. The excavated hot spot soil was replaced with clean sand & gravel fill to grade, prior to the construction of the buildings.
2. Construction and maintenance of a soil cover system consisting of approximately 24" of clean fill, including 6" of topsoil cover, to prevent human exposure to contaminated soil/fill (if any) that may remain at the Site;
3. Execution and recording of a deed restriction to restrict groundwater use (as a planned amendment) and to include provisions for a SMP to prevent future exposure to soils below the soil cover system at the Site.
4. Other major remedial elements, including: covering of the Site soils (both Phase I and Phase II though site soils on Phase II were not excavated except for building foundations) with concrete/asphalt/building foundations, placement of an orange plastic snow or safety fence demarcation layer below at least 24" of clean fill, and documentation that replacement fill does not contain contaminants over the NYSDEC SCOs for clean fill.
5. Development and implementation of a Site Management Plan for long term management of soil below the cover as required by the deed restriction, which includes plans for: (1) Institutional and Engineering Controls, (2) periodic monitoring, and (3) reporting;

Work on the Site began in with a Site Investigation (SI) in July 1998, and the remedy was completed with the installation of the final soil cover in July 2011.

2.0 ENGINEERING AND INSTITUTIONAL CONTROL PLAN

2.1 INTRODUCTION

Since potential contamination may be present below the soil cover system at this Site, Engineering Controls and Institutional Controls have been implemented to protect public health and the environment for the applicable future use. The Controlled Property has the following Engineering Controls:

- Soil: A minimum of 24 inches of soil cover underlain by an orange plastic snow fence as a demarcation layer.
- Asphalt surfacing.
- Concrete surfacing or building slabs.

A deed restriction is required to maintain and monitor these Engineering Controls. The deed restriction requires that Engineering Controls must be maintained as specified in the SMP.

In addition, the deed restriction places the following restrictions on the property:

- Use of groundwater underlying the property is prohibited without treatment rendering it safe for the intended use.
- The property shall not be used for any purpose other than the following: multi-family, medium density residential development with possible vacancies for commercial usage.
- All future activities on the property that would disturb remaining contaminated material must be conducted in accordance with the Excavation Plan included in this SMP.

The purpose of the surface cover system is to eliminate the potential for human contact with fill material and eliminate the potential for contaminated runoff from the property, which will prevent ingestion/direct contact with contaminated soil.

2.2 ENGINEERING CONTROLS

Cover System

Exposure to potential contamination in soil/fill at the Site is prevented by a soil cover system placed over the Site. This cover system is comprised of a minimum of 24 inches of clean soil, asphalt pavement, concrete-covered sidewalks, and concrete building slabs. The Excavation Plan that appears in Section 2.4 of the Site Management Plan outlines the procedures required to be implemented in the event the cover system is breached, penetrated, or temporarily removed, and if any underlying remaining contamination is disturbed. Procedures for the inspection and maintenance of this cover are provided in the Monitoring Plan included in Section 3 of the SMP.

The cover system is a permanent control and the quality and integrity of this system will be inspected at defined, regular intervals in perpetuity.

2.3 INSTITUTIONAL CONTROLS

An Institutional Control is required by the ROD, by way of a deed restriction, to: (1) maintain and monitor Engineering Control systems; and (2) have this SMP in place to prevent future exposure to potential contamination by controlling disturbances of the subsurface contamination. Adherence to the Institutional Control on the Site is required by the deed restriction and will be implemented under this Site Management Plan. These Institutional Controls are:

- Compliance with the deed restriction by the Grantor and the Grantor's successors and assigns with all elements of this SMP;
- All Engineering Controls must be maintained as specified in the SMP;
- All Engineering Controls must be inspected and certified at a frequency and in a manner defined in the SMP.
- Data and information pertinent to Site Management for the Controlled Property must be reported at the frequency and in a manner defined by the NYSDEC in the SMP. Currently this frequency is annually (after this initial PRR);
- The Site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted at a frequency determined by the NYSDEC. Currently that frequency is annually.

The Site has an Institutional Control in the form of a deed restriction that may not be discontinued without approval from the NYSDEC.

3.0 SITE INSPECTION

3.1 GENERAL

A site inspection was completed on the property on March 5, 2013 by Evergreen representative Olivia Burns. The inspection was completed at 11:00 am. Ms. Burns was escorted by Darren Scott, a representative of the Albany Housing Authority. Mr. Michael DiBiase, the facilities manager for the property arrived on site at the end of the inspection. Ms. Burns observed the asphalt paved parking area and concrete sidewalks, along with the grassed lawn areas of the site. The use of the property (residential units) has not changed since the completion of the Site Management Plan. Photographs taken at the time of the site visit are presented in Appendix B.

The property appears to have remained relatively unchanged since the completion of the Site Management Plan in October of 2011. All pavement areas appeared to be intact with no visible cracking or breakage. All grassed and lawn areas appeared intact with the exception of one small area of minor surficial disturbance (appears to be animal scratching). This disturbance is insignificant and not considered a breach of the soil cap. Media monitoring or sampling are not required on this property as part of the routine inspections. As no mechanical equipment is incorporated into this remediation system, operations and maintenance are in this case not applicable.

3.2 CONCLUSIONS

In the opinion of Evergreen the IC/EC controls installed on this property, which were completed in July of 2011, are functioning as intended in preventing human contact with residual contamination. The IC/EC appear to be in general compliance with the requirements laid out in the Site Management Plan, including deed restrictions. Institutional and Engineering Controls Certification Forms are presented in Appendix C.

3.3 RECOMMENDATIONS

It is recommended that the cover system remain in place, as outlined in the Site Management Plan and Completion Report. Changes to the cover system are not warranted at this time.

APPENDIX A



SEE SHEET NO. 76.64

THIRD

T.D.

STREET

1ST TAX DISTRICT
2ND TAX DISTRICT

PHASE 1

PHASE 2

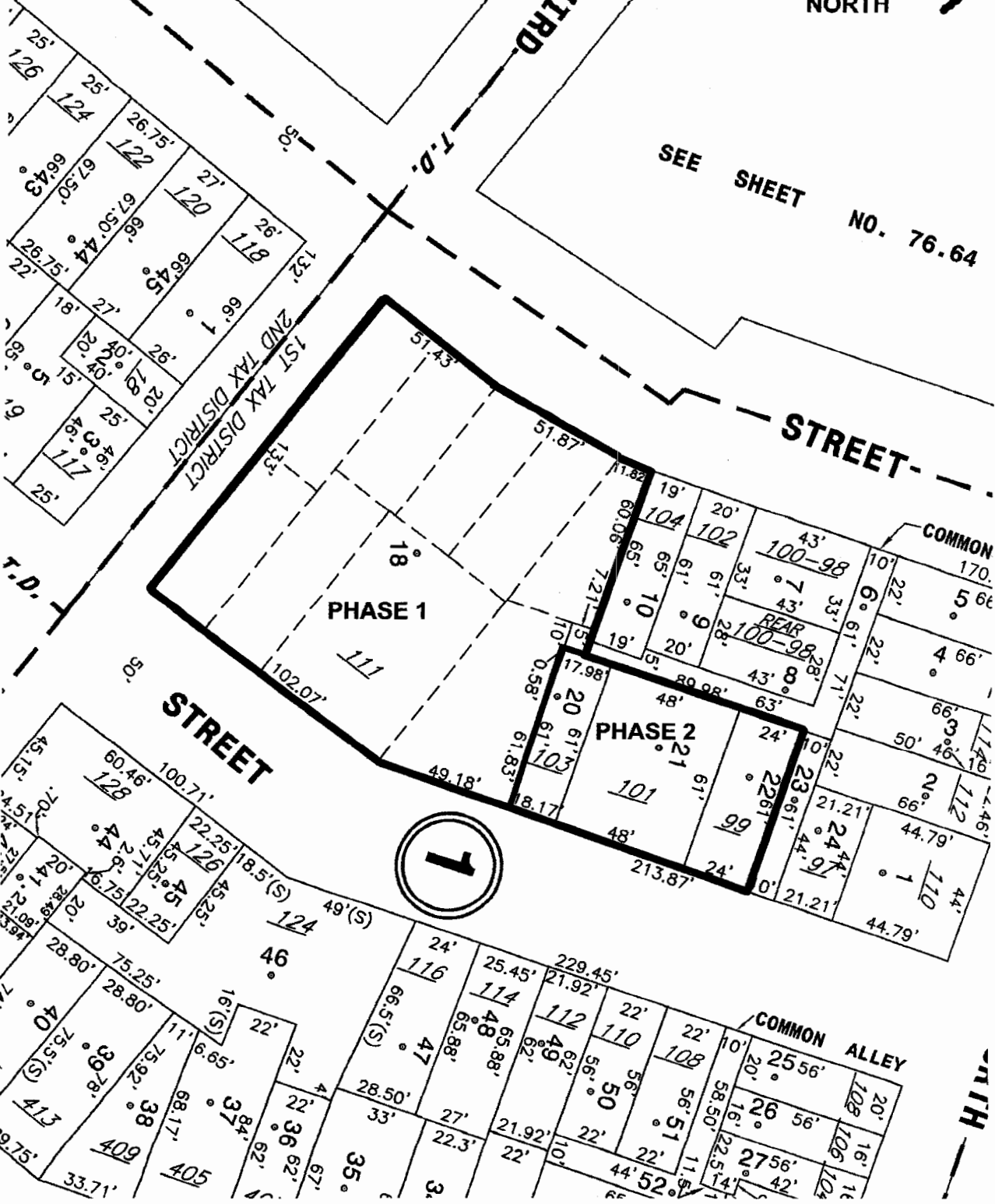
COMMON

STREET



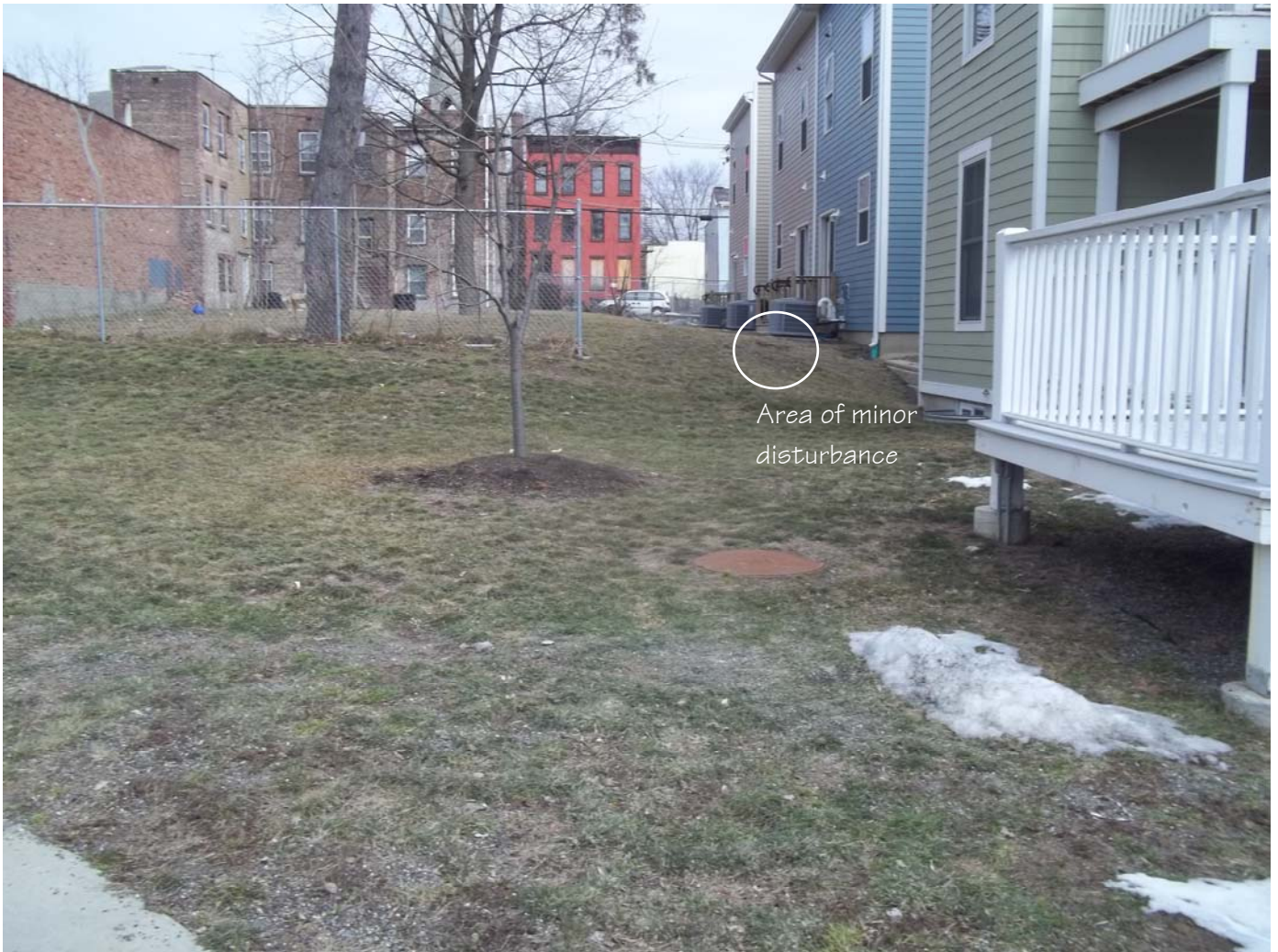
COMMON ALLEY

FIFTH



APPENDIX B






APPENDIX C



Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 Site Management Periodic Review Report Notice
 Institutional and Engineering Controls Certification Form



	Site Details	Box 1
Site No. B00005		
Site Name Former Jared Holt Mfg. Site		
Site Address: Broad & Clinton Streets Zip Code: 12202-		
City/Town: Albany (C)		
County: Albany		
Site Acreage: 0.5		
Reporting Period: October 11, 2011 to February 28, 2013		
		YES NO
1. Is the information above correct?		<input checked="" type="checkbox"/> <input type="checkbox"/>
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?		<input type="checkbox"/> <input checked="" type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		<input type="checkbox"/> <input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?		<input type="checkbox"/> <input checked="" type="checkbox"/>
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?		<input type="checkbox"/> <input checked="" type="checkbox"/>
		Box 2
		YES NO
6. Is the current site use consistent with the use(s) listed below? Industrial		<input checked="" type="checkbox"/> <input type="checkbox"/>
7. Are all ICs/ECs in place and functioning as designed?		<input checked="" type="checkbox"/> <input type="checkbox"/>
IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.		
A Corrective Measures Work Plan must be submitted along with this form to address these issues.		
 Signature of Owner, Remedial Party or Designated Representative		3/8/13 Date
FOR SOUTH END ASSOCIATES, LP AND SOUTH END ASSOCIATES II, LP		

SITE NO. B00005

Box 3

Description of Institutional Controls

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
76.73-1-18	Southend Associates, L.P.	Ground Water Use Restriction Site Management Plan Soil Management Plan
76.73-1-20	Southend Associates, L.P.	Ground Water Use Restriction Site Management Plan Soil Management Plan
76.73-1-21	Southend Associates, L.P.	Ground Water Use Restriction Site Management Plan Soil Management Plan
76.73-1-22	Southend Associates, L.P.	Ground Water Use Restriction Site Management Plan Soil Management Plan

Box 4

Description of Engineering Controls

<u>Parcel</u>	<u>Engineering Control</u>
76.73-1-18	Cover System

Engineering Control Details for Site No. B00005

Parcel: 76.73-1-18

The site was 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 sidewalks. The majority of the site was developed by constructing low income housing which included a mix of single family and multifamily residential properties along with the companion driveways, parking areas, and sidewalks. In areas where green spaces were created (such as yards), orange plastic snow fencing was placed beneath the two-foot soil layer, as a demarcation of where the contaminated layer begins. This demarcation will help prevent future contact with contaminated soils.

Parcel: 76.73-1-20

The site was 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 sidewalks. The majority of the site was developed by constructing low income housing which included a mix of single family and multifamily residential properties along with the companion driveways, parking areas, and sidewalks. In areas where green spaces were created (such as yards), orange plastic snow fencing was placed beneath the two-foot soil layer, as a demarcation of where the contaminated layer begins. This demarcation will help prevent future contact with contaminated soils.

Parcel: 76.73-1-21

The site was 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 sidewalks. The majority of the site was developed by constructing low income housing which included a mix of single family and multifamily residential properties along with the companion driveways, parking areas, and sidewalks. In areas where green spaces were created (such as yards), orange plastic snow fencing was placed beneath the two-foot soil layer, as a demarcation of where the contaminated layer begins. This demarcation will help prevent future contact with contaminated soils.

Engineering Control Details for Site No. B00005

Parcel: 76.73-1-22

The site was 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 sidewalks. The majority of the site was developed by constructing low income housing which included a mix of single family and multifamily residential properties along with the companion driveways, parking areas, and sidewalks. In areas where green spaces were created (such as yards), orange plastic snow fencing was placed beneath the two-foot soil layer, as a demarcation of where the contaminated layer begins. This demarcation will help prevent future contact with contaminated soils.

Box 5

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

(a) the Institutional Control and/or Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

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

Signature of Owner, Remedial Party or Designated Representative

[Handwritten Signature]
FOR SOUTHBEND ASSOCIATES, LP

Date

3/8/13

AND SOUTHBEND ASSOCIATES II, LP

IC CERTIFICATIONS
SITE NO. B00005

Box 6


SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1, 2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I DARREN SCOTT at 200 S. PEARL ST, ALBANY, NY
print name print business address 12202

am certifying as OWNER (Owner or Remedial Party)

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


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

3/8/13
Date

PER SOUTHBEND ASSOCIATES, CP
AND SOUTHBEND ASSOCIATES II, LP

IC/EC CERTIFICATIONS

Box 7

Qualified Environmental Professional Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Olivia Burns at 594 Broadway, Watervliet, NY 12189,
print name print business address

am certifying as a Qualified Environmental Professional for the Albany Housing Authority
(Owner or Remedial Party)



Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering Certification

Stamp
(Required for PE)

3/8/13
Date