



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



Site No.            B00025

Site Details

Box 1

Site Name **Former Roblin Steel Site**

Site Address: 101 East Avenue      Zip Code: 14120  
City/Town: North Tonawanda  
County: Niagara  
Site Acreage: 23.700

Reporting Period: February 14, 2021 to February 14, 2022

- |  | 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"/> |
| <b>If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.</b> |                                     |                                     |
| 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?<br>Commercial and Industrial | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Are all ICs 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



Date

**Description of Institutional Controls**

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
<b>181.12-1-14.111</b>	Armstrong Pumps Inc.	Ground Water Use Restriction Soil Management Plan  Landuse Restriction Monitoring Plan Site Management Plan

The summary of the Environmental Easement is as follows:

The property may be used for commercial/industrial purposes (excluding uses for day care, child care, and medical care, unless such use is approved in writing by the DEC and NYSDOH) as long as the following long-term engineering controls are employed:

(i) Soils and fill materials encountered during any construction or development activity below the crushed concrete cover layer must be handled in accordance with provisions of the Roblin Steel Site Soils Management Plan, dated February, 2006. Excavated soil must be managed, characterized, and properly disposed of in accordance with NYSDEC regulations and directives.

(ii) Should subsequent construction or development activities require the decommissioning (removal) of existing groundwater monitoring wells, the wells will be decommissioned in accordance with DEC guidance. Replacement monitoring wells may be required by the DEC.

(iii) A long term ground water monitoring program is required per the approved Roblin Steel Operation, Maintenance, and Monitoring Plan, which is contained in the approved Roblin Steel Site Management Plan, dated February, 2006. The City of North Tonawanda is required to conduct the periodic sampling, analysis, and reporting for the groundwater monitoring program.

Groundwater sampling was discontinued as of March 5, 2018 because results were below groundwater standards.

(iv) Future uses of the site groundwater are prohibited unless authorized in writing by the DEC and NYSDOH.

The property may not be used for a higher level of use such as residential use and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of the Environmental Easement.

The City or any future owners will submit annual (or such intervals as NYSDEC may allow) certification that the controls employed at the property are unchanged from the previous certification, or that any changes to the controls employed at the Controlled Property were approved by the NYSDEC, and that nothing has occurred that would impair the ability of such controls to protect the public health and environment.

**181.12-1-14.112**

IDEK, LLC

Monitoring Plan  
Site Management Plan  
Ground Water Use Restriction  
Soil Management Plan  
Landuse Restriction

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**181.12-1-14.113**

IDEK, LLC

Ground Water Use Restriction  
Soil Management Plan  
Landuse Restriction

Monitoring Plan  
Site Management Plan

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**181.12-1-24**

Taylor Devices, Inc.

Monitoring Plan  
Site Management Plan  
Ground Water Use Restriction  
Soil Management Plan  
Landuse Restriction

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**Box 4**

**Description of Engineering Controls**

Parcel

Engineering Control

**181.12-1-14.111**

Cover System

Surface Cover System

The surface cover system was installed to eliminate the potential for human contact with fill material and eliminate the potential for contaminated runoff from the property. The cover system that was used to fill the excavated impacted soil areas was 12 inches of crushed concrete that was recycled from demolished site concrete foundations. An additional 4 inches of topsoil was spread over the crushed concrete fill to provide a vegetative supporting soil cover.

**181.12-1-14.112**

Cover System

Surface Cover System



Parcel

Engineering Control

The surface cover system was installed to eliminate the potential for human contact with fill material and eliminate the potential for contaminated runoff from the property. The cover system that was used to fill the excavated impacted soil areas was 12 inches of crushed concrete that was recycled from demolished site concrete foundations. An additional 4 inches of topsoil was spread over the crushed concrete fill to provide a vegetative supporting soil cover.

**181.12-1-14.113**

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Surface Cover System

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**181.12-1-24**

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Surface Cover System

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**Periodic Review Report (PRR) Certification Statements**

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

- a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;
- b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO



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

- (a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
- (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
- (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;
- (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
- (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO



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

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

Chelcia J. Spahn  
Signature of Owner, Remedial Party or Designated Representative

2/16/2022  
Date

IC CERTIFICATIONS  
SITE NO. B00025

Box 6

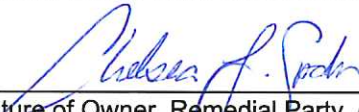
**SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE**

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 CHELSEA L. SPAHR at 216 PAYNE AVE., NORTH TONAWANDA, NY 14120  
print name print business address

am certifying as CITY ENGINEER (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

2/16/2022  
Date

## EC CERTIFICATIONS

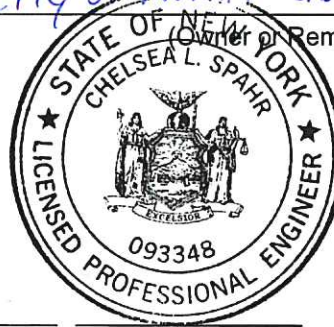
Box 7

### Professional Engineer 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 CHELSEA L. SPAHR at 216 PAYNE AVE., NORTH TONAWANDA, NY 1420  
print name print business address

am certifying as a Professional Engineer for the CITY OF NORTH TONAWANDA  
(Owner or Remedial Party)



Chelsea L. Spahr, P.E.  
Signature of Professional Engineer, for the Owner or  
Remedial Party, Rendering Certification

Stamp  
(Required for PE)

4/16/2022  
Date