



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, 2022 to February 14, 2023			
			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? 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>
181.12-1-14.111	Armstrong Pumps Inc.	Ground Water Use Restriction Soil Management Plan Landuse Restriction 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 (updated March 2007). 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 (Updated March 2007). 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	Site Management Plan Ground Water Use Restriction Soil Management Plan Landuse Restriction
-----------------	-----------	---

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 (Updated March 2007). 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 (Update March 2007). 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.

181.12-1-14.113

IDEK, LLC

Ground Water Use Restriction
Soil Management Plan
Landuse Restriction

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 (Updated March 2007). 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 (Updated March 2007). 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.

181.12-1-25

City of North Tonawanda

Ground Water Use Restriction
Soil Management Plan
Landuse Restriction
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 (Updated March 2007). 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 (Updated March 2007). 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.

Portion of 181.12-1-24

Taylor Devices, Inc.

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

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 (Updated March 2007). 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 (Updated March 2007). 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.

Box 4

Description of Engineering Controls

<u>Parcel</u>	<u>Engineering Control</u>
---------------	----------------------------

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

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

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.

181.12-1-25

Cover System

Portion of 181.12-1-24

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

Parcel Engineering Control
concrete fill to provide a vegetative supporting soil cover.

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 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.

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

3/15/23
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.

Chelsea L. Spahr
Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

3/15/23
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 14120
print name print business address

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



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

Stamp
(Required for PE)

3/15/23
Date