



CITY OF ONEIDA - DEPARTMENT OF ENGINEERING

Madison County, New York

109 North Main Street, Oneida NY 13421 T: 315.363.7222 E: eschuler@oneidacity.com

February 25, 2019

New York State Department of Environmental Protection
Division of Environmental Remediation
625 Broadway
Albany NY. 12233-7014

Re: Periodic Review Letter Report (PRR)
153 Cedar Street, Oneida NY 13421
Site No. B00076

Per NYS DEC requirements sites in active Site Management (SM) program require the submission of a Periodic Review Report. The purpose of the report is to document the implementation of, and compliance with, site specific SM requirements. The previous PPR for this site was submitted in 2011.

Executive Summary

No development or site disturbances have been performed on the above referenced property. The City of Oneida continues to be the property owner with no changes to institutional or engineering control measures.

Previously performed contaminant soil excavation and clean fill cap placement along with IC/EC controls continue to achieve site remediation goals as described below.

Part 1 - Introduction

A. Site Summary/History

The site is abutted by Cedar Street to the west, a small office building and a vacant lot to the north, Stoddard Street to the east, and a retail and lumber store to the south. The vacant lot to the north is known as 129 Cedar Street, the subject site of an earlier Brownfield investigation and subsequent Record of Decision signed in March, 2000. Abutting the site to the northwest is a former manufactured gas plant (MGP) that was apparently shut down and converted to other industrial uses in the late 1890s.

From 1941 through 1950, City Directories list the site as Line Material Sales of New York. According to the City of Oneida, the facility manufactured products utilized for electrical power distribution. A facility map dated 1941 shows the site with a four-story brick structure along Cedar Street and several wood and concrete block buildings located to the west (rear) of the brick structure. City Directories since 1960 list the site as vacant; however, the City of Oneida Tax Assessor's information revealed that previous owners of the property include the Stanton Paper Box Co. (1960 – 1969). The most recent former owner utilized the facilities for storage from 1976 through 1999, when the parcel was conveyed to the City of Oneida. The buildings on the site were vacant for approximately one year, when they were demolished by the City.



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B. Provide a brief summary of site, nature and extent of contamination, and remedial history.

- i. Site Summary: 1.4 acre now vacant parcel situated within an area of mixed residential and commercial development. Zoned for commercial or light industrial development.
- ii. Identified past uses: machine shop, paint shop, lumber storage, carriage manufacturing, and auto sales & service.
- iii. Contamination Characterization: volatile organic compounds [VOCs], semi-volatile organic compounds [SVOCs], and inorganics [metals].
- iv. Remedial History:
 - a. Asbestos Abatement/Building Demolition [June 1999 to May 2000]: City of Oneida undertook asbestos abatement in several buildings on the parcel, and then demolished all structures. Following demolition, the entire parcel was covered with 12" of clean soil cover. [Not part of Brownfields project.]
 - b. Interim Remedial Measure [December 2001]: approximately 12 cubic feet of SVOCs and inorganics removed from a sump pit & disposed of IAW NYSDC contaminated waste regulations.
 - c. Interim Remedial Measure [December 2001]: approximately 162 tons of arsenic contaminated soil removed from a former coal storage area. Coal was used to fire a boiler.
 - d. Interim Remedial Measure [December 2001]: 1,090 gallons of petroleum contaminated water pumped from a secondary concrete fuel oil containment structures. [Tanks that once held # 6 fuel oil previously removed by persons unknown.] Structure was demolished whereupon it was found to have leaked ----> removed 162 tons of petroleum contaminated soil & 109 tons of contaminated concrete.

C. Effectiveness of the Remedial Program - Provide overall conclusions regarding;

- i. ***Progress made during the reporting period toward meeting the remedial objectives for the site***
Not applicable. Remedial program completed in 2002.
- ii. ***The ultimate ability of the remedial program to achieve the remedial objectives for the site.***
Remedial program completed in 2002. Objectives achieved.

D. Compliance

- i. ***Identify any areas of non-compliance regarding the major elements of the Site Management Plan (SMP, i.e., the Institutional/Engineering***



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Control (IC/EC) Plan, the Monitoring Plan, and the Operation & Maintenance (O&M) Plan).

Only IC/EC Plan is applicable - all areas are in compliance.

- ii. ***Propose steps to be taken and a schedule to correct any areas of non-compliance.***

Not applicable.

E. Recommendations

- i. ***Recommend whether any changes to the SMP are needed.***
No recommendation.
- ii. ***Recommend any changes to the frequency for submittal of PRRs (increase, decrease)***
Decrease.
- iii. ***Recommend whether the requirements for discontinuing site management have been met.***
Not at this time.

Part 2 – Site Overview

A. Site Overview

- i. ***Describe the site location, boundaries (figure), significant features, surrounding area, and the nature and extent of contamination prior to site remediation.***

Parcel centroid 43°05'43"N - 75°38'57"W. Bounded by Cedar Street [west], former hardware store/lumber yard [south], Stoddard Street [east], 129 Cedar Street [north]. [129 Cedar Street is Site No. B00077. See Record of Decision March 2000.]

Nature and extent of contamination prior to remediation: See Section 1B Remedial History above.

- ii. ***Describe the chronology of the main features of the remedial program for the site, the components of the selected remedy, cleanup goals, site closure criteria, and any significant changes to the selected remedy and site that have been made since remedy selection.***

Main remedial program features: See Section 1B Remedial History above.

Components of selected remedy: Following IRM completion, selected remedy components were: [1] "No Further Action", [2] implement an Institutional Control & [3] implement Engineer Controls.



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Cleanup goals: see Section 1B Remedial History above.

Site Closure Criteria: None specified in Record of Decision.

Significant changes to the selected remedy and site that have been made since remedy selection: None. Site remains undeveloped.

Part 3 – Evaluate Remedy Performance, Effectiveness, and Protectiveness

A. *Using tables, graphs, charts and bulleted text to the extent practicable, describe the effectiveness of the remedy in achieving the remedial goals for the site. Base findings, recommendations, and conclusions on objective data. Evaluations should be presented simply and concisely.*

From Section 6 of the ROD, remediation goals for this site were:

- Reduce, control or eliminate to the extent practicable, the contamination present within the soils, and fill material on-site.
✓ Achieved by Interim Remedial Measures being completed.
- Eliminate the potential for direct human or animal contact with the contaminated soils and fill material on-site.
✓ Achieved by placement of 12" clean fill cover.
- Reduce, control or eliminate to the extent practicable, the release of contaminants from soil into groundwater that may create exceedances of groundwater quality standards.
✓ Achieved by Interim Remedial Measures being completed.

Part 4 - IC/EC Requirements and Compliance

A. *Describe each control, its objective, and how performance of the control is evaluated.*

Institutional Control [from Environmental Deed Restriction]:

"...The property shall not be used for any purpose other than an industrial, commercial and business use. The commercial use of the property will exclude activities such as day care centers..."

Objective: Eliminate potential for direct human or animal contact with the contaminated soils and fill material on-site

Performance: Site remains undeveloped. Only on-site activity is mowing the grass.

Engineering Controls [from Environmental Deed Restriction]:

"...Municipality and successors in title shall implement the following engineering controls over the property:



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- "1. Site soil that is excavated and is intended to be removed from the property must be managed, characterized, and properly disposed of in accordance with NYSDEC regulations and directives. Soil excavated at the site may be reused as backfill material provided it contains no visual or olfactory evidence of contamination, and it is placed beneath a minimum 12" clean soil cover or impervious product such as asphalt or concrete.
- "2. Any soil areas on the property that are not covered by an impervious product such as concrete or asphalt must be covered with a minimum of one foot of clean soil and seeded.
- "3. Property owners shall annually certify to the NYSDEC that the remedy continues to be maintained in accordance with the ROD..."

Objective: Eliminate potential for direct human or animal contact with the contaminated soils and fill material on-site

Performance: Site remains undeveloped—> no soil excavation. 12" soil cover visually inspected annually in conjunction with annual certification requirement. Certifications provided annually."

B. Summarize the status of each goal.

Each goal at IV.A.1 is in place and is effective.

C. Corrective Measures.

None required

D. Conclusions and recommendations for changes.

None

E. Certification must be complete and certified by the appropriate party as set forth in a Department approved certification form.

This PRR is accompanied by a Department Institutional and Engineering Controls Certification Form.

Part 5 – Monitoring Plan Compliance Report

Not applicable

Part 6 – Operation & Maintenance (O&M) Plan Compliance Report

Not applicable

Part 7 – Overall PRR Conclusions and Recommendations

A. For each component of the SMP (i.e., IC/EC, monitoring, O&M), summarize;

1. **Whether all requirements of each plan were met during the reporting period.**

IC/EC - Full Compliance



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- Monitoring Plan - Not Applicable
O&M Plan - Not Applicable
2. ***Any requirements not met such as new completed exposure pathways resulting in unacceptable risk.***
Not Applicable
 3. ***Proposed plans and a schedule for coming into full compliance.***
Not Applicable

B. Performance and Effectiveness of the Remedy - Based upon your evaluation of the components of the SMP,

1. ***Recommend, with supporting justification, whether the frequency of the submittal of PRRs should be changed (either increased or decreased).***
No recommendation.
2. ***If the requirements for site closure have been achieved, contact the Department's Project Manager for the site to determine what, if any, additional documentation is needed to support a decision to discontinue site management.***
Not Applicable

C. Future PRR Submittals.

No recommendations.

VIII. Additional Guidance

None sought.

Sincerely,

A handwritten signature in blue ink, appearing to read "EG Schuler", is written over a large, faint, stylized "X" or "M" shape.

Eric G. Schuler, P.E.
City Engineer

Enclosure 1

Certification Instructions

I. Verification of Site Details (Box 1 and Box 2):

Answer the three questions in the Verification of Site Details Section. The Owner and/or Qualified Environmental Professional (QEP) may include handwritten changes and/or other supporting documentation, as necessary.

II. Certification of Institutional Controls/ Engineering Controls (IC/ECs)(Boxes 3, 4, and 5)

1.1.1. Review the listed IC/ECs, confirming that all existing controls are listed, and that all existing controls are still applicable. If there is a control that is no longer applicable the Owner / Remedial Party should petition the Department separately to request approval to remove the control.

2. In Box 5, complete certifications for all Plan components, as applicable, by checking the corresponding checkbox.

3. If you cannot certify "YES" for each Control listed in Box 3 & Box 4, sign and date the form in Box 5. Attach supporting documentation that explains why the **Certification** cannot be rendered, as well as a plan of proposed corrective measures, and an associated schedule for completing the corrective measures. Note that this **Certification** form must be submitted even if an IC or EC cannot be certified; however, the certification process will not be considered complete until corrective action is completed.

If the Department concurs with the explanation, the proposed corrective measures, and the proposed schedule, a letter authorizing the implementation of those corrective measures will be issued by the Department's Project Manager. Once the corrective measures are complete, a new Periodic Review Report (with IC/EC Certification) must be submitted within 45 days to the Department. If the Department has any questions or concerns regarding the PRR and/or completion of the IC/EC Certification, the Project Manager will contact you.

III. IC/EC Certification by Signature (Box 6 and Box 7):

If you certified "YES" for each Control, please complete and sign the IC/EC Certifications page as follows:

- For the Institutional Controls on the use of the property, the certification statement in Box 6 shall be completed and may be made by the property owner or designated representative.
- For the Engineering Controls, the certification statement in Box 7 must be completed by a Professional Engineer or Qualified Environmental Professional, as noted on the form.



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. B00076

Site Name 153 Cedar Street

Site Address: 153 Cedar Street **Zip Code:** 13421

City/Town: Oneida (C)

County: Madison

Site Acreage: 1.430

Reporting Period: March 21, 2016 to March 21, 2019

YES NO

1. Is the information above correct?

☒ ☐

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?

☐ ☒

3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?

☐ ☒

4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?

☐ ☒

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?

☐ ☒

Box 2

YES NO

6. Is the current site use consistent with the use(s) listed below?
Commercial and Industrial

☒ ☐

7. Are all ICs/ECs in place and functioning as designed?

☒ ☐

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 ControlsParcelOwnerInstitutional Control

30.72-2-23

City of Oneida

Landuse Restriction

The Grantor agrees to the following conditions with respect to the use of the real property described herein:

(a) the property shall not be used for any purpose other than an industrial, commercial and business use. The commercial use of the property will exclude activities such as day care centers.

(b) the Municipality and successors in title shall implement the following engineering controls over the property:

1. Site soil that is excavated and is intended to be removed from the property must be managed, characterized, and properly disposed of in accordance with NYSDEC regulations and directives. Soil excavated at the site may be reused as backfill material provided it contains no visual or olfactory evidence of contamination, and it is placed beneath a minimum 12" clean soil cover or impervious product such as asphalt or concrete.

2. any soil areas on the property that are not covered by an impervious product such as concrete or asphalt must be covered with a minimum of one foot of clean soil and seeded.

3. property owners shall annually certify to the NYSDEC that the remedy continues to be maintained in accordance with the ROD.

The Grantor hereby declares that the real property described herein and being conveyed by this instrument shall be held, sold and conveyed subject to each and every term, covenant, condition and restriction set forth in the afore-mentioned law, regulations, contracts, and ROD. All such terms, covenants, conditions, and restrictions shall constitute covenants that shall run with the land and shall be binding on all parties including heirs, successors, and assigns having any right, title or interest in this real property, or any part thereof, and may not be released or modified without the prior written approval of the NYSDEC. The Grantor further declares that any use or occupancy of the real property conveyed herein by this deed is limited to the uses identified up above. Any "change in use" which includes, but is not limited to, construction on or conveyance of the real property, is defined in ECL 56-0511(3)(i), and is subject to the requirements set forth in section 56-0511 of the ECL, which requirements minimally include the prior notice and approval of NYSDEC or its successor. The Grantor additionally promises that every deed, subsequent to this deed, shall contain this restrictive covenant and all subsequent owners shall be deemed to covenant by acceptance of a deed to be bound by these restrictive covenants. The Grantor also declares that the State of New York, NYSDEC, as well as its successors or assigns, shall be entitled to enforce the terms of this restrictive covenant.

Description of Engineering ControlsParcelEngineering Control

30.72-2-23

Cover System

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



Date

IC CERTIFICATIONS
SITE NO. B00076

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 ERIC G SCHULER, P.E. at 109 N. MAIN ST ONEIDA NY 13721
print name print business address

am certifying as OWNER'S DESIGNATED REPRESENTATIVE (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

2/25/19
Date

IC/EC CERTIFICATIONS

Box 7

Qualified Environmental Professional Signature

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

I ERIC G. SCHULER at 1001 N MAIN ST ONEIDA NY 13821
print name print business address

am certifying as a Qualified Environmental Professional for the OWNER
(Owner or Remedial Party)

EGS

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



(Required for PE)

2/25/19
Date



CITY OF ONEIDA
ENGINEERING | PUBLIC WORKS

PROJECT: 153 CEDAR STREET PRR - SITE B00077		
DRAWING TITLE: SITE PLAN		
DATE: 2/25/19	SCALE: NTS	DRAWING #: N/A



CITY OF ONEIDA
ENGINEERING | PUBLIC WORKS

PROJECT: 129 CEDAR STREET PRR - SITE B00077		
DRAWING TITLE: SITE PHOTO		
DATE: 2/25/19	SCALE: NTS	DRAWING #: N/A