

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 If there is a control that is no longer applicable the Owner / Remedial Party should petition the Department separately to request approval to remove the control.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. B00136

Site Name Jonas Automotive Site

Site Address: 86 Wisner Avenue Zip Code: 12550-

City/Town: Newburgh (C)

County: Orange

Site Acreage: 1.5

Reporting Period: July 16, 2015 to August 02, 2016

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 - Unoccupied

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

SITE NO. B00136

Box 3

Description of Institutional Controls

| <u>Parcel</u> | <u>Owner</u> | <u>Institutional Control</u> |
|--|---------------------------------------|--|
| 26-1-59.1 | Newburgh Commercial Development Corp. | Ground Water Use Restriction Soil Management Plan Landuse Restriction Site Management Plan IC/EC Plan Monitoring Plan |
| <ul style="list-style-type: none">- The use of groundwater underlying the property is prohibited without treatment rendering it safe for intended use | | |
| <ul style="list-style-type: none">- Land use is limited to commercial or industrial use | | |
| <ul style="list-style-type: none">- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP | | |
| <ul style="list-style-type: none">- Monitoring of the site cover system | | |
| <ul style="list-style-type: none">- Monitoring of groundwater prior to decommissioning monitoring wells | | |

Box 4

Description of Engineering Controls

| <u>Parcel</u> | <u>Engineering Control</u> |
|--|----------------------------|
| 26-1-59.1 | Cover System |
| <ul style="list-style-type: none">- A one foot thick site cover consisting of 3/4"; crushed stone and soil | |

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 compete.

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. B00136

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 Christine Cappelletti at Newburgh Commercial Development
print name 610 Broadway
print business address Newburgh NY
am certifying as Office Manager (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

8/3/17

Date

IC/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 Bernard T. Delaney, Ph.D., P.E. at First Environment, Inc.
91 Fulton Street, Boonton, NJ 07005
print name print business address

am certifying as a Professional Engineer for the Newburgh Commercial Development
(Owner or Remedial Party)

Bernard T. Delaney

Signature of Professional Engineer, for the Owner/Remedial Party, Rendering Certification

The seal is circular with a double-line border. The outer ring contains the text "STATE OF NEW YORK" at the top and "LICENSED PROFESSIONAL ENGINEER" at the bottom. The inner circle features a central emblem with a shield, a sword, and a laurel wreath, surrounded by stars. The name "BERNARD T. DELANEY" is written across the center of the inner circle.

08/03/2017

Date