

# Engineering Department



LOCKPORT MUNICIPAL BUILDING  
 ONE LOCKS PLAZA  
 LOCKPORT, N.Y. 14094  
 Phone (716) 439-6758  
 Fax (716) 439-6605

To:

Brian Sadowski
New York State Department of Environmental Conservation
Division of Environmental Remediation] Region 9 Michigan Ave Buffalo, NY 14203-2999

Date: September 23, 2013
Job No.
Re: Site No, B00154
From: Norman Allen

*N. Allen*

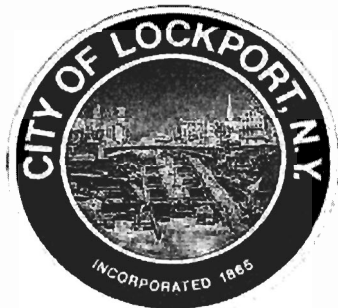
RECEIVED  
 NYSDEC REGION 9  
 SEP 25 2013

Enclosed Are:

Number of Copies	Drawing Number	Description	FOI REL UNREL
1		Site Management Annual report	

Please take action as indicated below:

- |   |   |
|---|---|
| <p><input type="checkbox"/> Note and File</p> <p><input type="checkbox"/> Note and Return to Me</p> <p><input type="checkbox"/> Return with more Details</p> <p><input type="checkbox"/> For your Approval</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Investigate</p> | <p><input checked="" type="checkbox"/> Please Reply Promptly</p> <p><input type="checkbox"/> Take Appropriate Action</p> <p><input type="checkbox"/> Per your Request</p> <p><input type="checkbox"/> For your Signature</p> <p><input type="checkbox"/> For your Information</p> <p><input type="checkbox"/> Other _____</p> |
|---|---|



# Engineering Department

LOCKPORT MUNICIPAL BUILDING  
ONE LOCKS PLAZA  
LOCKPORT, N.Y. 14094  
Ph. (716) 439-6750  
Fax (716) 439-6605

September 23, 2013

Mr. Brian Sadowski  
Division of Environmental Remediation  
270 Michigan Avenue  
Buffalo, New York 14203-2999

SUBJECT: Richmond Avenue Project (Canal Street) Annual Report  
Site No. B00154

Dear Mr. Sadowski:

As per the requirements of the Institutional and Environmental Controls for the above referenced Project I hereby offer this report for your review.

All Institutional / Environmental Controls are in place pursuant to the NYSDEC Record of Decision with no known violations.

Lake Effect Canal Street, LLC added on to their building located on Parcel 109.54-2-14. A full basement was excavated for the new addition. I inspected the soil and found no evidence of petroleum staining or odors of any sort. Clean select fill was brought in to backfill the foundation. A copy of the building permit is attached.

In closing, I certify that the institutional controls put in place are unchanged and nothing has occurred that would impair the ability of the control to protect public health or the environment or constitute a violation or failure to comply with any operation and maintenance or soil management plan.

Sincerely,

Norman D. Allen  
Director of Engineering / PW

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NYSDEC - REGION 3  
SEP 25 2013  
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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.	B00154		
<b>Site Name Richmond Avenue Project</b>			
Site Address: Canal, Church, and Niagara Streets		Zip Code: 14094	
City/Town: Lockport			
County: Niagara			
Site Acreage: 2.0			
Reporting Period: May 02, 2012 to May 02, 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 checked="" type="checkbox"/>	<input type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>
		<b>Box 2</b>	
		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/ECs in place and functioning as designed?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>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.</b>			
<b>A Corrective Measures Work Plan must be submitted along with this form to address these issues.</b>			
_____ Signature of Owner, Remedial Party or Designated Representative		_____ Date	

**Description of Institutional Controls**

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
<b>109.54-2-14</b>	Lake Effect Canal Street, LLC	Soil Management Plan Landuse Restriction
<p>This property is one of nine adjacent properties that made up the Richmond Avenue ERP project. In accordance with the 2004 ROD, an environmental easement was recorded with Niagara County on May 12, 2009. Additional controls identified include compliance with the approved Soils Management Plan, and periodic certification of remedy effectiveness. The land use restriction in the easement specifies that the property may be used for commercial and industrial uses. The easement also specifies that the existing site surfaces (soils, asphalt, concrete, buildings, etc) be maintained and function as a cover system on the property.</p>		
<b>109.54-2-15</b>	City of Lockport	Soil Management Plan Landuse Restriction
<p>This property is one of nine adjacent properties that made up the Richmond Avenue ERP project. In accordance with the 2004 ROD, an environmental easement was recorded with Niagara County on May 12, 2009. Additional controls identified include compliance with the approved Soils Management Plan, and periodic certification of remedy effectiveness. The land use restriction in the easement specifies that the property may be used for commercial and industrial uses. The easement also specifies that the existing site surfaces (soils, asphalt, concrete, buildings, etc) be maintained and function as a cover system on the property.</p>		
<b>109.54-2-16</b>	City of Lockport	Soil Management Plan Landuse Restriction
<p>This property is one of nine adjacent properties that made up the Richmond Avenue ERP project. In accordance with the 2004 ROD, an environmental easement was recorded with Niagara County on May 12, 2009. Additional controls identified include compliance with the approved Soils Management Plan, and periodic certification of remedy effectiveness. The land use restriction in the easement specifies that the property may be used for commercial and industrial uses. The easement also specifies that the existing site surfaces (soils, asphalt, concrete, buildings, etc) be maintained and function as a cover system on the property.</p>		
<b>109.54-2-17</b>	City of Lockport	Soil Management Plan Landuse Restriction
<p>This property is one of nine adjacent properties that made up the Richmond Avenue ERP project. In accordance with the 2004 ROD, an environmental easement was recorded with Niagara County on May 12, 2009. Additional controls identified include compliance with the approved Soils Management Plan, and periodic certification of remedy effectiveness. The land use restriction in the easement specifies that the property may be used for commercial and industrial uses. The easement also specifies that the existing site surfaces (soils, asphalt, concrete, buildings, etc) be maintained and function as a cover system on the property.</p>		
<b>109.54-2-18</b>	Garvin Safety Service, LLC	Soil Management Plan Landuse Restriction
<p>This property is one of nine adjacent properties that made up the Richmond Avenue ERP project. In accordance with the 2004 ROD, an environmental easement was recorded with Niagara County on May 12, 2009. Additional controls identified include compliance with the approved Soils Management Plan, and periodic certification of remedy effectiveness. The land use restriction in the easement specifies that the property may be used for commercial and industrial uses. The easement also specifies that the existing site surfaces (soils, asphalt, concrete, buildings, etc) be maintained and function as a cover system on the property.</p>		
<b>109.54-2-19</b>	City of Lockport	Soil Management Plan Landuse Restriction
<p>This property is one of nine adjacent properties that made up the Richmond Avenue ERP project. In accordance with the 2004 ROD, an environmental easement was recorded with Niagara County on May 12, 2009. Additional controls identified include compliance with the approved Soils Management Plan, and periodic certification of remedy effectiveness. The land use restriction in the easement specifies that the property may be used for commercial and industrial uses. The easement also specifies that the existing site surfaces (soils, asphalt, concrete, buildings, etc) be maintained and function as a cover system on the property.</p>		

**109.54-2-21**

City of Lockport

Soil Management Plan  
Landuse Restriction

This property is one of nine adjacent properties that made up the Richmond Avenue ERP project. In accordance with the 2004 ROD, an environmental easement was recorded with Niagara County on May 12, 2009. Additional controls identified include compliance with the approved Soils Management Plan, and periodic certification of remedy effectiveness. The land use restriction in the easement specifies that the property may be used for commercial and industrial uses. The easement also specifies that the existing site surfaces (soils, asphalt, concrete, buildings, etc) be maintained and function as a cover system on the property.

**109.54-2-24**

Zimmie's Service, LLC

Soil Management Plan  
Landuse Restriction

This property is one of nine adjacent properties that made up the Richmond Avenue ERP project. In accordance with the 2004 ROD, an environmental easement was recorded with Niagara County on May 12, 2009. Additional controls identified include compliance with the approved Soils Management Plan, and periodic certification of remedy effectiveness. The land use restriction in the easement specifies that the property may be used for commercial and industrial uses. The easement also specifies that the existing site surfaces (soils, asphalt, concrete, buildings, etc) be maintained and function as a cover system on the property.

**109.54-2-30**

Zimmie's Service, Inc.

Soil Management Plan  
Landuse Restriction

This property is one of nine adjacent properties that made up the Richmond Avenue ERP project. In accordance with the 2004 ROD, an environmental easement was recorded with Niagara County on May 12, 2009. Additional controls identified include compliance with the approved Soils Management Plan, and periodic certification of remedy effectiveness. The land use restriction in the easement specifies that the property may be used for commercial and industrial uses. The easement also specifies that the existing site surfaces (soils, asphalt, concrete, buildings, etc) be maintained and function as a cover system on the property.

**Description of Engineering Controls**

None Required

Not Applicable/No EC's

**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. B00154

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 Norman D. Allen at 1 Locks Plaza Lockport, NY 14094  
print name print business address

am certifying as Owner (Owner or Remedial Party)

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

N. D. Allen  
Signature of Owner, Remedial Party, or Designated Representative  
Rendering Certification

9-23-13  
Date

CITY OF LOCKPORT, NEW YORK
DEPARTMENT OF BUILDING INSPECTION

BUILDING PERMIT

FEE: 428.00

PERMIT NO. 2013-0076

DATE: 03/01/2013

LOCATION: 79 Canal St, Lockport, NY 14094

WARD: 1

ZONE: B2

Permission is hereby granted to Mullen's Home Improvement, to perform the following work, at the above location:

ERECT A 450 S.F. ADDITION TO REAR OF THE BUILDING PER PLANNING BOARD APPROVAL. INTERIOR REMODEL, FLOORING, ELECTRICAL, BATHROOMS, FRAMING. (ALL PLUMBING WORK MUST BE DONE BY A CITY LICENSED MASTER PLUMBER) ALL CONTRACTORS MUST BE LICENSED WITH THE CITY OF LOCKPORT.

Table with 3 columns: Contact type, Full name, Phone number. Rows include Owner (City of Lockport), Contractor (HILDRETH ELECTRIC INC), and Contractor (Mullen's Home Improvement).

THE FOLLOWING INSPECTION(S) ARE REQUIRED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE OR CERTIFICATE OF OCCUPANCY. TO SCHEDULE AN INSPECTION CONTACT THE BUILDING INSPECTOR'S OFFICE AT (716) 439 - 6754.

Table with 3 columns: Inspection type, Date, Result. Rows include Final, Electrical Before Enclosing, Footing Before Pour, Foundation Before Backfill, Framing Before Enclosing, Hardwired Smoke/C.O. Detector(s), Insulation Inspection, Plumbing Before Enclosing.

I, the undersigned have been advised as to the requirements of the Workman's Compensation law, and declare that. (check the following) A. I have filed the required proof, as affirmed by my Insurance carrier. B. I have no people working directly for me, therefore I require no Workman's Compensation. Should there be any change in my status during the exercise of this permit, I will so advise the Building Dept. and immediately comply with all requirements.

The undersigned has submitted plans, specifications and a plot plan in duplicate which are hereto attached, incorporated into and made part of this permit.

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such permit is granted he will comply with the terms thereof, the laws of the State of New York, the Ordinances of the City of Lockport, and the Regulations of the various departments of the County of Niagara and the State of New York, that he will preserve the established building line; request all necessary inspections & authorize & provide the means of entry to the premises & building to the Building Inspector, and that he will not use or permit to be used the structure or structures covered by the permit until sanitary facilities are completely furnished and a Certificate of Completion issued.

The undersigned hereby certifies that all of the information in this petition is correct and true.

I do certify that I have examined the forgoing petition and building plans and plot plan and that they conform to Ordinances of the City of Lockport, NY

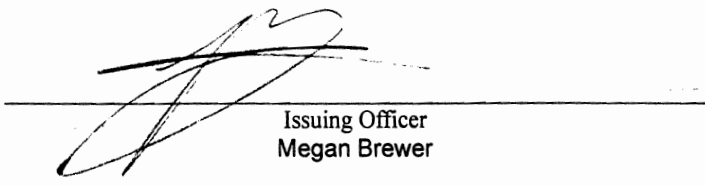
SIGNED:



  
OWNER OR AGENT

OWNER OF RECORD: City of Lockport

ADDRESS: 1 Locks Plaza  
Lockport, NY 14094

  
Issuing Officer  
Megan Brewer

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