

2022/23 PERIODIC REVIEW REPORT

**Capital Center
Broadway and Spencer Street
City of Albany, New York**

NYSDEC BCP Site Number: C401070

CHA Project Number: 081639.000

Prepared for:

***FC 705 Broadway, LLC
c/o Pioneer Companies
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Prepared by:



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June 1, 2023

TABLE OF CONTENTS

1.0	SITE OVERVIEW	1
1.1	Brief Site Background.....	1
1.2	Nature and Extent of Contamination	2
1.2.1	Soil.....	2
1.2.2	Groundwater.....	2
1.2.3	Soil Vapor	3
1.3	Remedial Action Objectives for the Site.....	3
1.4	Summary of Site Remedy.....	4
2.0	INSTITUTIONAL/ENGINEERING CONTROLS (IC/EC) PLAN COMPLIANCE REPORT.....	6
2.1	IC/EC Plan Requirements and Compliance Status	6
2.2	IC/EC Certification	6
3.0	MONITORING PLAN COMPLIANCE REPORT	7
3.1	Components of the Monitoring Plan.....	7
3.2	Site-Wide Inspection.....	7
3.4	Compliance with Performance Standards	7
4.0	OVERALL PRR CONCLUSIONS AND RECOMMENDATIONS	8

LIST OF FIGURES

Figure 1	Site Location Map
Figure 2	Track 1 and Track 4 Areas
Figure 3	Subdivision Map with New Tax Map Parcels

LIST OF APPENDICES

Appendix A	Institutional & Engineering Controls Certification Forms
Appendix B	Site-wide Inspection Checklist
Appendix C	Site Photographs

LIST OF ACRONYMS & ABBREVIATIONS

BCA	Brownfield Cleanup Agreement
BCP	Brownfield Cleanup Program
bgs	Below the Ground Surface
CAMP	Community Air Monitoring Program
CHA	CHA Consulting, Inc.
CoC	Certificate of Completion
EC	Engineering Controls
ESA	Environmental Site Assessment
FER	Final Engineering Report
IC	Institutional Controls
ISCO	In-Situ Chemical Oxidation
MNA	Monitored Natural Attenuation
NYSDEC	New York State Department of Environmental Conservation
PCB	Polychlorinated Biphenyls
PID	Photoionization Detector
Pioneer	Pioneer Companies
PRR	Periodic Review Report
RAO	Remedial Action Objectives
RI	Remedial Investigation
RWP	Remedial Work Plan
SCO	Soil Cleanup Objective
SMP	Site Management Plan
SVOC	Semivolatile Organic Compound
SWPPP	Stormwater Pollution Prevention Plan
TMP	Tax Map Parcel
TOGS	Technical & Operational Guidance Series
UST	Underground Storage Tank
VOC	Volatile Organic Compound

EXECUTIVE SUMMARY

The Capital Center Property (Site) is located in the City of Albany, Albany County, New York, and is identified as Tax Map Parcel (TMP) Nos. 76.27-1-18.1 and 76.27-1-18.2 on the City of Albany Tax Map. The Site was recently subdivided into the two referenced parcels, comprising a total area of approximately 1.67 acres. The Site is bounded by Spencer Street to the north, restaurants and commercial businesses to the south, Montgomery Street to the east, and Broadway to the west. The Site has a long history of former industrial use based on the review of available Sanborn Fire Insurance Mapping and other historical documents; including a meat-packing and processing industry, a box factory, coal storage operations, produce storage, railroad rights of way, roofing supply facility, a tin shop, whole meat suppliers, an insecticide factory, gasoline filling, and auto repair activities.

The following types of contaminants were identified on the Site during the remedial investigations and the remedial action: volatile organic compounds (VOCs); semivolatile organic compounds (SVOCs); metals; trace concentrations of polychlorinated biphenyls (PCBs); and pesticides. The remedial action for the Site was completed in 2017 in accordance with the Remedial Work Plan (RWP) approved by the New York State Department of Environmental Conservation (NYSDEC) on August 26, 2016. This Periodic Review Report (PRR) is required as an element of the NYSDEC-approved Site Management Plan (SMP) developed for the Site.

The Remedial Action Objectives (RAOs) established for the Site were achieved through implementation/completion of the following general remedial components: removal of grossly-contaminated soils and other contaminated media encountered during construction activities; placement of an asphalt cover system across a portion of the Site cleaned up to Track 4 (restricted residential use) in accordance with the NYSDEC's Brownfield Cleanup Program (BCP); and installation of a post-remediation groundwater monitoring well network to facilitate periodic groundwater sampling. In addition, the Site remedy required that an Environmental Easement be placed on the property to 1) implement, maintain, and monitor the Engineering Controls; 2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and 3) limit the use and development of the Site to restricted residential, commercial, and industrial uses only.

The Site was observed to be in overall good condition at the time of the most recent Site-wide inspection, conducted on April 12, 2023. During the 2022/23 reporting period, Stormwater Pollution Prevention Plan (SWPPP) inspections were conducted by Terracon on a monthly/weekly basis.

No additional development of the Track 4 area has occurred since the completion of on-Site remedial activities. It is recommended that the current institutional and engineering controls in place at the Site remain in place, and the engineering controls continue to be inspected. Construction activities on the Track 1 portion of the Site, including the new site building, were suspended indefinitely during the spring of 2020 but resumed by the time of the 2023 inspection. Based on groundwater analytical results in 2021 demonstrating a continued downward trend of contamination concentrations, the NYSDEC approved the termination of the groundwater monitoring program in January 2022.

CHA recommends that the current institutional and engineering controls in place at the Site remain in place, and the engineering controls continue to be inspected. No additional changes to the remedy, and/or monitoring or operation & maintenance plans are recommended at this time. However, updates to the SMP were submitted to the NYSDEC in 2022 and changes to the environmental easement are currently pending to reflect the termination of the groundwater monitoring program per NYSDEC's approval and to change the cleanup level for the Site from a "Conditional Track 1 Area" to a simple "Track 1 Area."

1.0 SITE OVERVIEW

First Columbia, LLC (First Columbia) entered into a Brownfield Cleanup Agreement (BCA) as a volunteer on December 19, 2013, for the Capital Center Site (Site) located at the intersection of Broadway and Spencer Street in Albany, New York. The BCA was amended on January 8, 2014, to reflect FC 705 Broadway, LLC as a second Volunteer applicant and Site owner. The Site was remediated under the New York State Brownfield Cleanup Program (BCP) as Site No. C401070. The New York State Department of Environmental Conservation (NYSDEC) issued the Site Certificate of Completion (CoC) on December 29, 2017. This Periodic Review Report (PRR) is required as an element of the NYSDEC-approved Site Management Plan (SMP) developed for the Site and documents the groundwater monitoring events and the annual Site-wide inspection. CHA Consulting, Inc. (CHA) was retained by Pioneer Companies (Pioneer) to complete this work.

The Site is located in the City of Albany, Albany County, New York. A vicinity location map of the Site is included in Figure 1. The Site comprises a total area of approximately 1.67 acres and was recently subdivided into two tax parcels, identified as Tax Map Parcel (TMP) Nos. 76.27-1-18.1 (1.24 acres) and 76.27-1-18.2 (0.43 acre). The Site is **currently being redeveloped as a hotel and underground parking garage**. The Site and the boundaries of the Site are more fully described in Figure 2; a map depicting the new parcels as a result of the subdivision is included in Figure 3. The surrounding properties consist of commercial uses and the Site is bounded as follows:

North:	Spencer Street, office building, and parking lots
East:	Montgomery Street, parking lots, and ramps associated with I-787
South:	Restaurants, museum, and Clinton Avenue
West:	Broadway and office buildings

The remedial action achieved a Track 1 cleanup on most of the Site, allowing unrestricted use of that portion of the property. A limited narrow area of the property along the southern border was remediated to Track 4 cleanup requirements, and therefore, is restricted to restricted residential use.

1.1 BRIEF SITE BACKGROUND

The Site has a long history of former industrial use based on a review of the Phase I Environmental Site Assessment (ESA) prepared by SPECTRA in 2005. Historical uses of the Site have included multiple meat-packing and processing companies, a box factory, coal storage operations, produce

storage, railroad rights of way, roofing suppliers, a tin shop, whole meat suppliers, an insecticide factory, gasoline filling, and auto repair activities. Based on historical use and conditions observed during the Phase I ESA, recognized environmental concerns were identified and subsequent investigation activities were completed, including:

- Initial Subsurface Investigation in October 2005
- Limited Phase II Investigation in June-July 2006
- Remedial Investigation in 2008-2009
- Remedial Investigation (RI) Report in 2011 (prepared by SPECTRA)

1.2 NATURE AND EXTENT OF CONTAMINATION

The following types of contaminants were identified in soil, groundwater, and/or soil vapor on the Site during the previous Site investigations and prior to remediation:

- Volatile organic compounds (VOCs)
- Semivolatile organic compounds (SVOCs)
- Polychlorinated biphenyls (PCBs)
- Metals
- Pesticides

1.2.1 Soil

As indicated by the 2011 SPECTRA RI Report, nearly all soil samples collected from the Site contained one or more parameters at concentrations above the Unrestricted Use Soil Cleanup Objective (SCO) concentrations as specified in 6 NYCRR Part 375-6.8(a). The data indicated that soil at the Site was historically impacted by VOCs, SVOCs, metals, trace concentrations of PCBs, and pesticides, typically to a maximum depth of approximately 10 to 12 feet below the ground surface (bgs). The identified PCB and pesticide contamination was confined to a depth of a few inches below the surface and at only a few select locations on the Site.

1.2.2 Groundwater

As reflected in the 2011 SPECTRA RI Report, nearly all groundwater samples collected from the Site contained one or more parameters at concentrations above the groundwater standards and guidance values included in the NYSDEC's Technical and Operational Guidance Series (TOGS)

1.1.1. The data indicated that groundwater at the Site was historically impacted by low-level concentrations of VOCs and metals.

1.2.3 Soil Vapor

As presented in the 2011 SPECTRA RI Report, all seven of the soil vapor samples collected across the Site contained VOC constituents. Five of the seven samples were collected from the original BCP site while the remaining two were collected from the former Spencer Street parcels.

1.3 REMEDIAL ACTION OBJECTIVES FOR THE SITE

The Remedial Action Objectives (RAOs) for the Site, as listed in the Decision Document dated August 2016 were as follows:

Soil:

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

Groundwater:

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

RAOs for Environmental Protection

- Remove the source of ground or surface water contamination.

Soil Vapor:

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a Site.

1.4 SUMMARY OF SITE REMEDY

The following are the components of the selected remedy as identified in the August 2016 Decision Document:

- Demolition of the remnants of on-Site buildings and proper off-Site disposal of demolition debris;
- Site monitoring of airborne VOCs and particulates following an NYSDEC-approved Community Air Monitoring Plan (CAMP) during all ground intrusive and soil handling activities;
- Collection and analysis of soil samples during a waste characterization sampling program for preapproval by disposal facilities to facilitate live loading of soils;
- Implementation of dust and odor suppression techniques during all ground intrusive and soil handling activities;
- Excavation to an average depth of 12 feet in the Track 1 area and off-Site disposal of impacted soil exceeding Unrestricted Use SCO across the Track 1 areas (49,980.86 tons of non-PCB impacted soil and 5,024.34 tons of PCB-impacted soil were removed as part of the remedy implementation);
- Appropriate off-site disposal of all material removed from the Site in accordance with Federal, State, and local rules and regulations for handling, transport, and disposal;
- Implementation of erosion and sediment controls;
- Screening for indications of contamination (by visual and olfactory means, and monitoring with a photoionization detector (PID)) in all excavated soil during all ground intrusive Site work;
- Removal of underground storage tanks (USTs) and closure of the NYSDEC spill report after the Final Engineering Report (FER) was submitted to NYSDEC (twelve tanks in total were removed and closed as part of the remedial construction);
- Placement of asphalt cover in Track 4 area;
- Groundwater remediation during construction activities via pump and treat methods with an on-Site carbon filtration system before discharge to the City of Albany stormwater conveyance system;
- Execution and recording of an Environmental Easement to restrict land use to restricted residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws, and prevent future exposure to any contamination remaining at the Site;
- Development and implementation of a Site Management Plan for long-term management of remaining contamination in the Track 4 area as required by the Environmental Easement, which includes plans for: (1) Institutional and Engineering Controls, (2) monitoring, (3) operation and maintenance and (4) reporting; and
- As part of the redevelopment, construction of a ventilated parking garage with high-volume air exchange. While the garage and ventilation system are not part of the Track 1 remedy

for the Site, they may be considerations in the overall soil vapor intrusion evaluation.

The remedial action for the Site was completed in 2017 following the Remedial Work Plan (RWP) approved by the NYSDEC on August 26, 2016. Remedial activities were described in detail in CHA's Final Engineering Report, dated December 22, 2017. Additionally, groundwater remediation was conducted during the completion of the remedial activities. Based on groundwater samples collected using temporary wells in the source areas, H8 and G6, in-situ chemical oxidation (ISCO), utilizing RegenOx® as provided by REGENESIS®, was applied directly to the groundwater in these areas during the remedial activities.

The Site remedy required that an environmental easement be placed on the property to: (1) implement, maintain and monitor the Engineering Controls per the SMP; (2) prevent future exposure to remaining contamination by controlling disturbances of the remaining subsurface contamination and prohibiting the use of underlying groundwater without necessary treatment; and, (3) limit the use and development of the Site to restricted residential, commercial, or industrial use, only. The environmental easement for the Site was executed by the NYSDEC on July 19, 2017 and is included in the Site Management Plan.

2.0 INSTITUTIONAL/ENGINEERING CONTROLS (IC/EC) PLAN COMPLIANCE REPORT

2.1 IC/EC PLAN REQUIREMENTS AND COMPLIANCE STATUS

Institutional controls (ICs) implemented at the Site in the form of an environmental easement and the SMP require periodic inspection of the engineering controls and an evaluation of Site use to ensure that exposure to remaining contamination is prevented. Additionally, the use and development of the Site are limited to restricted residential, commercial, or industrial uses, only.

Engineering controls (ECs) at the Site that are subject to periodic inspection include the cover system over the southern portion of the Site (Track 4 cleanup area). Previously, the ECs included a groundwater monitoring well network which was been utilized for evaluating the effectiveness of monitored natural attenuation (MNA) of the remaining Site contaminants following the implementation of the remedy. However, all monitoring wells have been decommissioned and the groundwater monitoring program was terminated in 2022 following approval by the NYSDEC.

Additionally, SWPPP inspections have been conducted by Terracon monthly or weekly basis since September 13, 2019, depending on the level of site activities. Copies of the SWPPP inspection reports completed during the 2022/2023 reporting are available upon request. However, since Terracon protects these documents, they cannot be added to this reporting submission electronically.

2.2 IC/EC CERTIFICATION

The completed Institutional and Engineering Controls Certification Forms are included in Appendix A. The final Engineering control, consisting of an asphalt cover system on the southern end of the Site (Track 4 cleanup area) was in place and functioning properly during the reporting period. This cover system has been and continues to be effective in preventing exposure of the public to remaining contaminants in soil and groundwater at the Site. The SMP is being implemented and based on this review, the remedy continues to be protective of public health and/or the environment and compliant with the Decision Document. At this time, CHA recommends that all controls for the Site remain in place.

3.0 MONITORING PLAN COMPLIANCE REPORT

3.1 COMPONENTS OF THE MONITORING PLAN

Components of the Monitoring Plan include an annual Site-wide inspection and periodic certification. No other monitoring activities (e.g. groundwater monitoring) are currently required for the Site.

3.2 SITE-WIDE INSPECTION

CHA completed the latest site-wide inspection on April 12, 2023, and the Site-wide Inspection Checklist documenting CHA's observations is included in Appendix B. Photographs documenting the Site cover condition during the April 2023 Site-wide inspection are included in Appendix C. Some small weeds and tree saplings were observed in the joint between the Track 4 area asphalt cap and the adjacent building to the south. However, the Owner agreed to cut/remove the vegetation immediately following CHA's visit and the cap is still functioning as intended. Additionally, site perimeter fencing was still in-place and functional.

The next inspection of these controls is scheduled to occur in the spring of 2024 unless earlier inspections are necessitated following an extreme weather event.

3.4 COMPLIANCE WITH PERFORMANCE STANDARDS

In the January 11, 2022, monitoring report, CHA requested approval from the NYSDEC for the termination of the semiannual groundwater monitoring program and decommissioning of the remaining on-site monitoring well based on the positive trends in the groundwater quality via e-mail correspondence on January 6, 2022. Consequently, the NYSDEC stated its intent to change the cleanup level of the 1.596-acre area of the Site as referenced in the December 29, 2017, CoC from a "Conditional Track 1 Area" to a simple "Track 1 Area".

4.0 OVERALL PRR CONCLUSIONS AND RECOMMENDATIONS

CHA did not identify changes in Site use or new development at the Site since the last PRR was completed. The Site was recently subdivided into two tax parcels (76.27-1-18.1 and 76.27-1-18.2) in anticipation of a financial transaction.

The Site was observed to be in overall good condition at the time of the most recent Site-wide inspection, conducted on April 8, 2022. No additional development of the Track 4 area has occurred since the completion of remedial Site activities. Specific observations are noted below:

- The Site cover system and perimeter fencing appeared in good condition.
- While the redevelopment construction is ongoing at the Site (though suspended throughout 2021 into early 2022), the Track 4 area has been stabilized with asphalt pavement, and the Track 1 area is either occupied by the new building construction or stabilized with run of crush (crusher run) material. During 2022 and early 2023, Terracon completed SWPPP inspections at the Site monthly/weekly and no significant issues were documented.

Evaluation of Remedy Performance, Effectiveness & Protectiveness

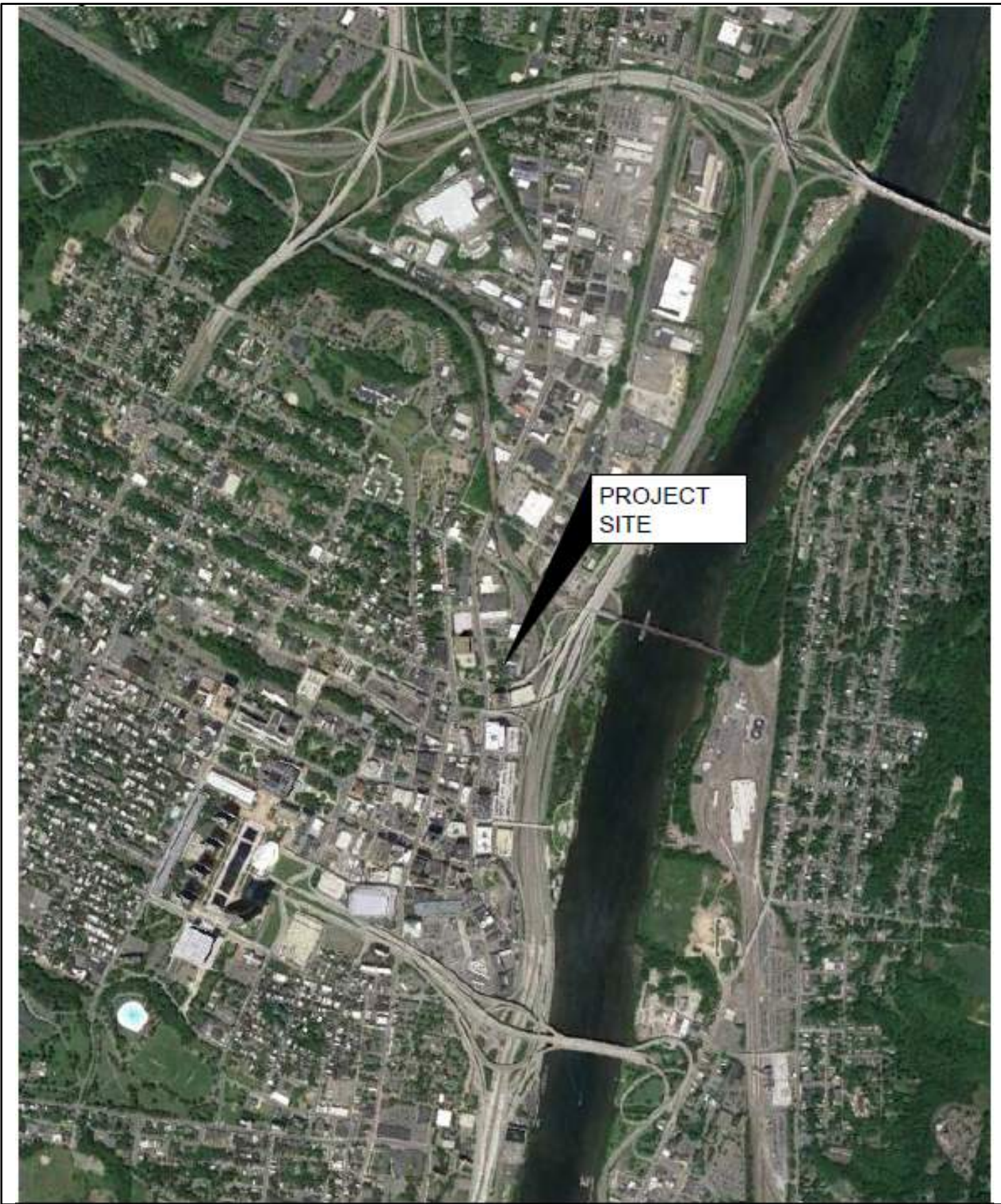
Based on the removal of contaminated soil and other contaminant sources, and post-remediation groundwater sampling, as described in the Final Engineering Report for the Site, the remedy has achieved the RAOs for decreasing groundwater contamination concentrations. Provided the institutional and engineering controls established for the Site remain in place and are maintained, it is expected that the remedy will continue to be effective in the protection of human health and the environment.



Recommendations

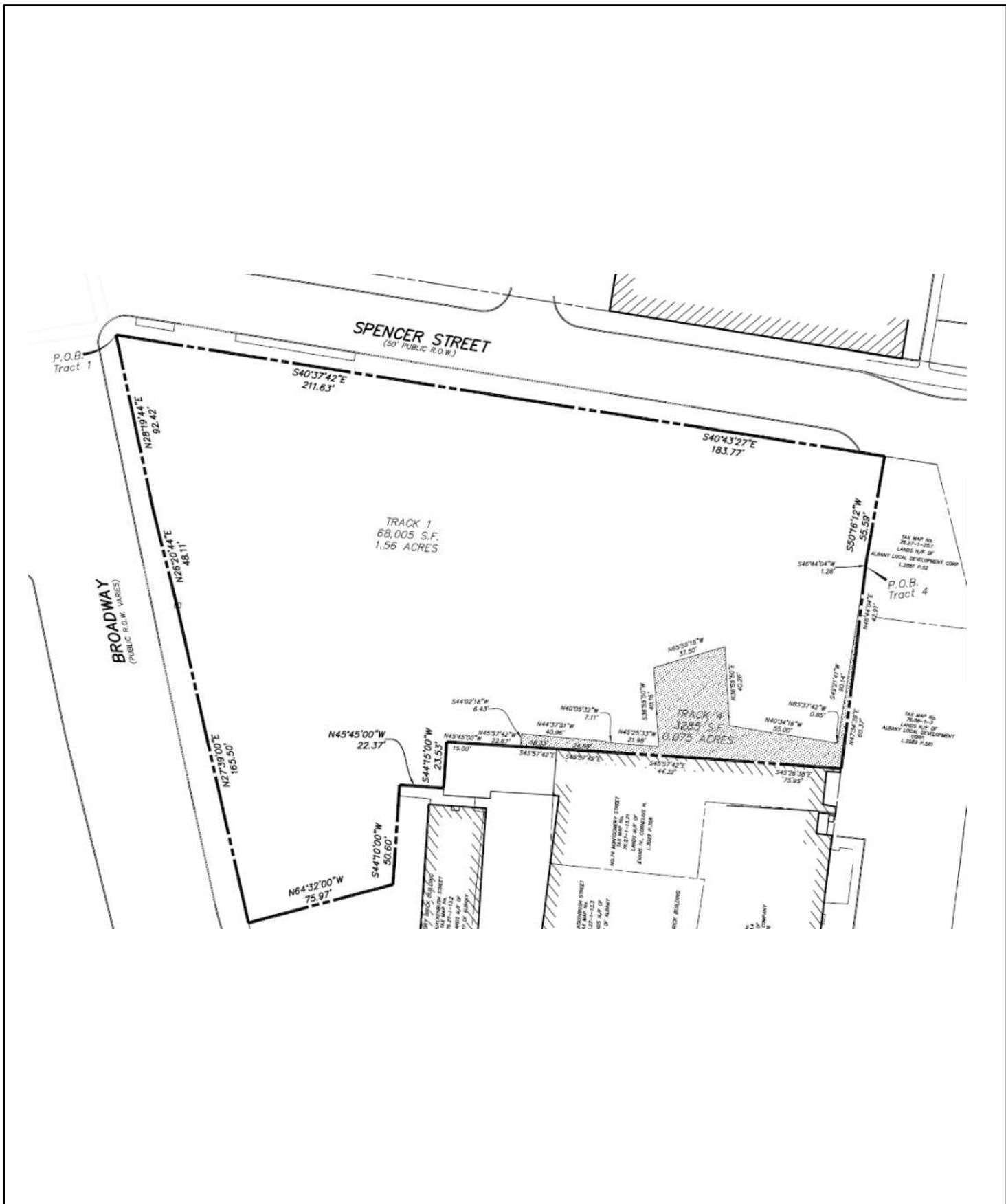
It is recommended that the current institutional and engineering controls in place at the Site remain in place, and the engineering controls continue to be inspected.


No additional changes to the remedy, and/or monitoring or operation & maintenance plans are recommended at this time. However, updates to the SMP were submitted to the NYSDEC in 2022 and changes to the environmental easement are currently pending to reflect the termination of the groundwater monitoring program per NYSDEC's approval and to change the cleanup level for the Site from a "Conditional Track 1 Area" to a simple "Track 1 Area."

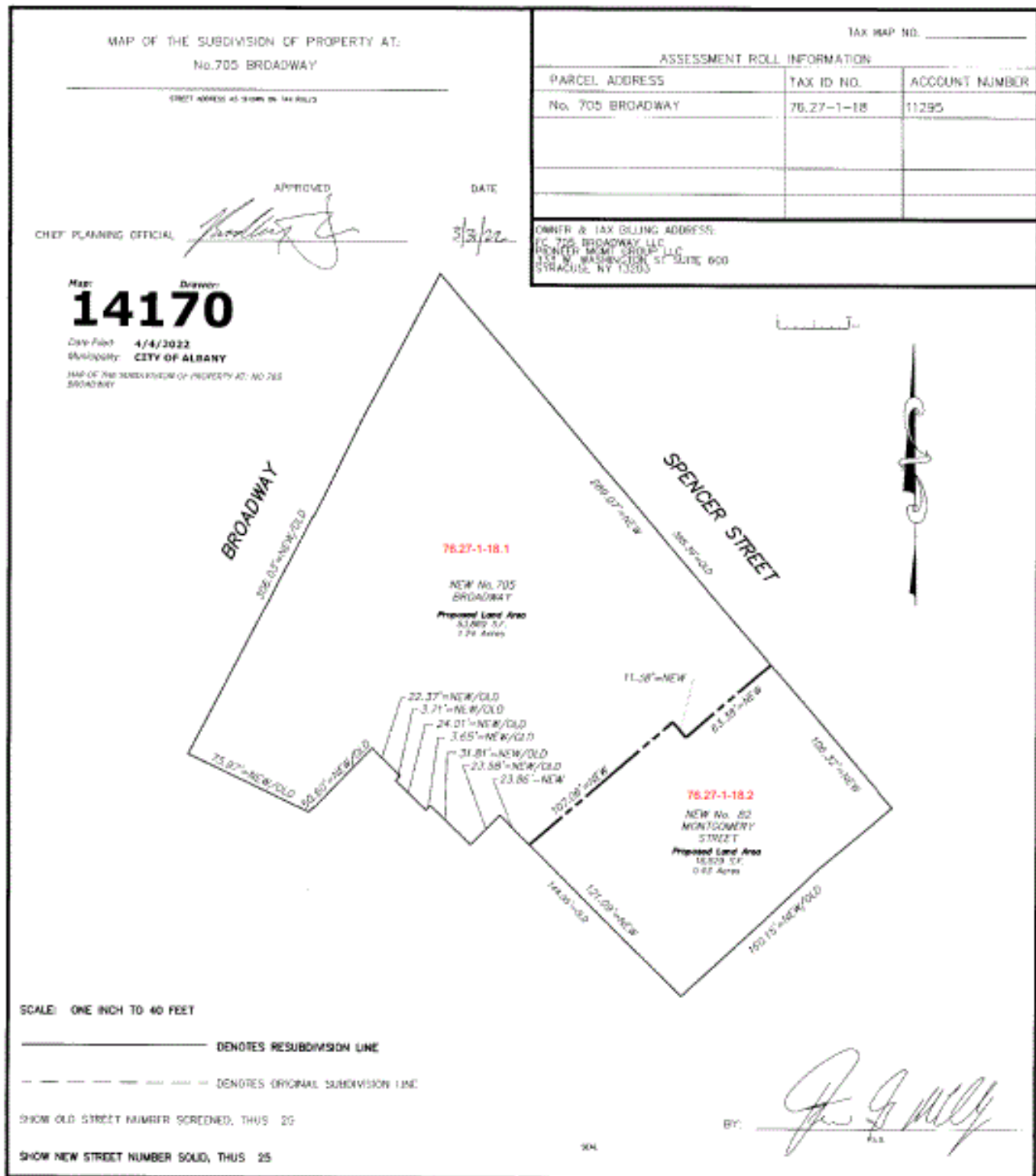
FIGURES



			Figure 1 - Site Location Map Capital City Center Site Quackenbush Square City of Albany, Albany County, New York
	Date: May 2023	CHA Project No. 081639.000	<i>Service Layer Credits: Aerial imagery courtesy of Esri, DigitalGlobe, GeoEye, Earthstar</i> <i>Image Date: 6/7/2015</i>



	<div data-bbox="316 1816 625 1921" data-label="Image"> </div> <div data-bbox="259 1984 422 2026" data-label="Text"> <p>Scale 1" = 60'</p> </div> <div data-bbox="511 1974 714 2047" data-label="Text"> <p>CHA Project No. 081639.000</p> </div>	<div data-bbox="787 1795 1469 1858" data-label="Caption"> <p>Figure 2 - Track 1 and Track 4 Areas</p> </div> <div data-bbox="917 1858 1372 1963" data-label="Text"> <p>Capital City Center Site Quackenbush Square City of Albany, Albany County, New York</p> </div> <div data-bbox="795 1984 1502 2037" data-label="Text"> <p>Survey Mapping provided from Hershberg & Hershberg Consulting Engineers and Land Surveyors dated May 9, 2019 and last revised May 16, 2019</p> </div>
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Note: Subdivision map provided to CHA by Pioneer Companies.

Drawing Copyright © 2023



3 Winners Circle, Albany, New York 12205
Main: (518) 453-4500 • www.chacompanies.com

Subdivision Map with New Tax Map Parcels

Capital Center Site
705 Broadway
Albany, New York

PROJECT NO.
081639.000

DATE: 05/2023

FIGURE 3

APPENDIX A

Institutional & Engineering Controls Certification Forms



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. 401070

Site Name: Capital Center

Site Address: 705 Broadway

City/Town: Albany, New York

County: Albany

Site Acreage: 1.67

Zip Code: 12204

Reporting Period: April 30, 2022 to April 28, 2023

1. Is the information above correct?

YES NO

☒ ☐

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?

☒ ☐

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 Controls

A series of ICs are required to implement, maintain and monitor the ECs. The Environmental Easement (EE) requires compliance with the ICs. The EE for this site was recorded on July 19, 2017 in Albany County as instrument #C401070-10-13.

The EE ensures that:

- * All ECs must be operated and maintained as specified in the SMP
- * All ECs on the Site must be inspected and certified at a frequency and in a manner defined in the SMP
- * Environmental monitoring must be performed as defined in the SMP
- * Data and information pertinent to SM for the Controlled Property must be reported at the frequency and in a manner defined in the SMP
- * On-site environmental monitoring devices, including but not limited to groundwater monitoring wells, must be protected and replaced as necessary to ensure continued functioning in the manner specified in the SMP.

In addition, the Environmental Easement places the following restrictions on the property:

- * Required compliance with the approved SMP. Restrict the use of groundwater as a source of potable water, without necessary water quality treatment as determined by the New York State Department of Health (NYSDOH) and/or the NYSDEC
- * the owner of the Property shall provide information to the NYSDEC to assist in carrying out its obligation to provide a periodic certification, prepared and submitted by a professional engineer or environmental professional acceptable to the NYSDEC or Relevant Agency, which will certify that the IC/ECs put in place are unchanged from the previous certification, comply with the SMP, and have not been impaired
- * The owner of the Property shall continue in full force and effect any IC/ECs required for the Remedy and shall not, through any act or omission, interfere with the NYSDEC's maintenance and monitoring of such controls, unless the owner first obtains permission to discontinue such controls from the NYSDEC or Relevant Agency, in compliance with the approved SMP subject to modifications as approved by the NYSDEC or Relevant Agency
- * Vegetable gardens and farming on the site are prohibited in the Track 4 area only.

Description of Engineering Controls**Box 4**

Because remaining contamination is present at the Site, ECs and ICs have been implemented to protect public health and the environment for the applicable future use. The controlled Property has the following ECs:

- * A cover system placed over the Track 4 area
- * Site Access Controls

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

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. C401070

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 MELISSA F. ZELL at 333 W. WASHINGTON ST., SYRACUSE, NY
print name print business address 13202

am certifying as OWNER (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

5/31/2023
Date

IC/EC CERTIFICATIONS

Box 7

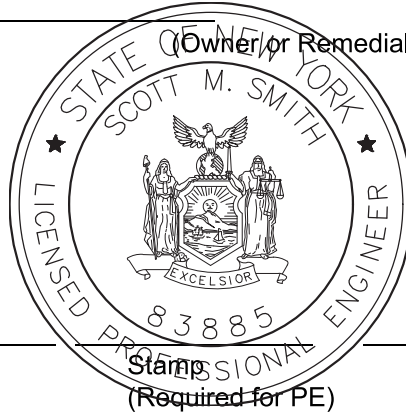
Signature

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 Scott M. Smith at 300 South Street, Syracuse, NY 13202,
print name print business address

am certifying as a for the Owner

(Owner or Remedial Party)



05/25/2023



Signature of , for the Owner or Remedial Party,
Rendering Certification

Stamp
(Required for PE)

Date

APPENDIX B

Site-wide Inspection Checklist



INSPECTION CHECKLIST

Report No. 01

Date: April 12, 2023

Time: 2:00 PM

Site Name: Capital Center Site

NYSDEC Site No. C401070

Address: Broadway and Spencer Streets, Albany, NY

Project No. 081639.000

Inspector(s): John Favreau

Weather: Sunny

Type of Inspection: ☒ Routine ☐ Post-Severe Condition

Temp.: Hi 70° F Low

Time Low Tide: N/A

SOIL COVER SYSTEM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
There is no evidence of erosion of cover soils/materials from Site surface.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
There is no evidence of depressions in cover materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
There is no evidence of significant cracks in cover materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Some vegetation adjacent to building.
There is no evidence of exposed or damaged demarcation barrier.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
There is no evidence of vapors or odors emanating from the Site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

VEGETATIVE INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
Vegetation is well established over greenspace areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
There is no evidence of stressed vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
There is no evidence of bare or thin vegetative cover.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
There is no evidence of overgrowth or areas that need to be mowed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
There is no evidence of recent areas of excavation or disturbed areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

VECTOR INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
No vectors or vector activity (e.g. tracks, droppings, dens, etc.) were observed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
There was no evidence of damage to the soil cover system due to vector activity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

DRAINAGE SYSTEM INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
There is no evidence of erosion around drainage structures.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
There is no evidence of settlement of drainage structures.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Manhole covers present & in good condition.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
There is no evidence of siltation, debris, or other restrictions in the manholes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



INSPECTION CHECKLIST

Report No. 01

Date: April 12, 2023

Time: 2:00 PM

MONITORING WELL INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
The monitoring wells are in generally good condition.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Well caps are installed on the wells.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Locks present and secured.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

SITE ACCESSIBILITY INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
Site accessible and passable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

INSTITUTIONAL CONTROL INSPECTION

ITEM/CONDITION	TRUE	FALSE	N/A	COMMENTS
The Site continues to be utilized for commercial and passive recreational uses only.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
There is no evidence of groundwater extraction and/or use on Site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

ADDITIONAL NOTES & OBSERVATIONS

Site is under construction.

Signature: JLF

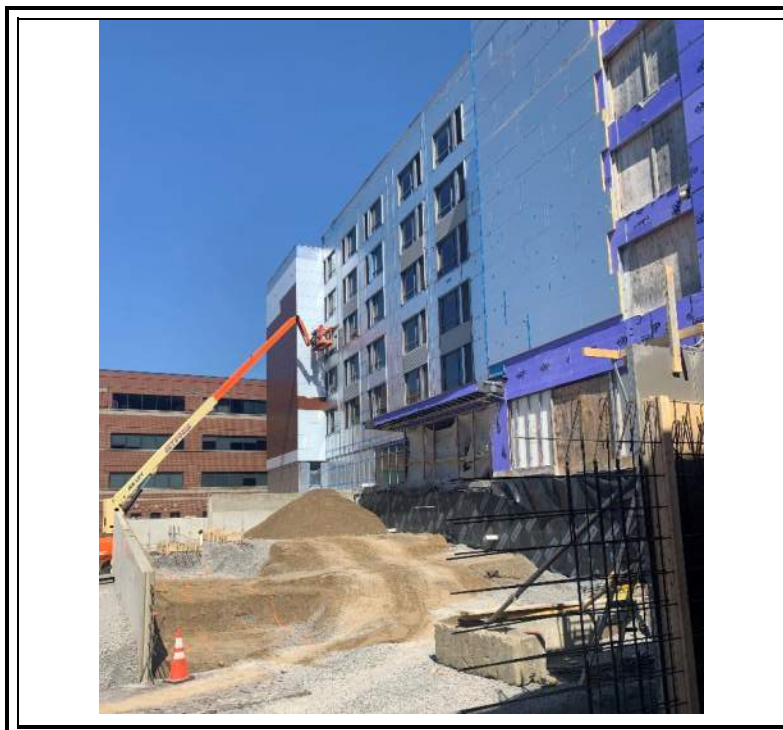
Total Inspection Time: 60 min

APPENDIX C

Site Photographs



**Photograph 1 – Looking east at the hotel construction on the Track 1 portion of the site.
(04/12/23)**



**Photograph 2 – Looking northeast at the hotel construction on the Track 1 portion of the site.
(04/12/23)**



SITE PHOTOGRAPHS

**Capital Center Site
705 Broadway
Albany, New York**



**Photograph 3 – Looking east at the western portion of the asphalt cap on the Track 4 area.
(04/12/23)**



**Photograph 4 – Looking west at the western portion of the asphalt cap on the Track 4 area.
(04/12/23)**



SITE PHOTOGRAPHS

Capital Center Site
705 Broadway
Albany, New York



**Photograph 5 – Looking east at the eastern portion of the asphalt cap on the Track 4 area.
(04/12/23)**



**Photograph 6 – Looking west at the eastern portion of the asphalt cap on the Track 4 area.
(04/12/23)**



SITE PHOTOGRAPHS

**Capital Center Site
705 Broadway
Albany, New York**

