



March 28, 2022

Mr. Gary Priscott
New York State Department of Environmental Conservation, Region 7 – Sub office
1679 Route 11
Kirkwood, New York 13795-1602

Reference: 2022 Periodic Review Report
Ash Road Properties
(portion of Lowe's Home Center)
221 Sycamore Road, Vestal, New York 13850
Site No. C704032

Dear Mr. Priscott:

This Periodic Review Report (PRR) provides the basis for review and certification of the institutional controls (ICs) implemented at Site No. C704032. The signed Institutional and Engineering Controls Certification Form is included in Appendix A. The reporting period addressed in this report is March 2, 2021 to March 2, 2022.

Ash Road Properties (Site), a portion of the Lowe's Home Center, is located at the above referenced address and the following ICs have been implemented at the Site:

- Ground Water Use Restrictions;
- Land Use Restrictions;
- Site Management Plan (SMP);
- Monitoring Plan.

The Site can be used for commercial or industrial purposes. There is a prohibition on the use of groundwater at the Site. Newly developed buildings on the Site will require an evaluation for the potential for soil vapor intrusion, and any site activities are to be in compliance with the SMP. No engineering controls (ECs) are in-place at the Site.

Introduction

A Brownfield Cleanup Agreement (BCA) between West Covina Royale, LLP, the Volunteer, and the New York State Department of Environmental Conservation (NYSDEC) was implemented on July 6, 2010 for the southern portion of the Lowe's Home Center, identified as Ash Road Properties (Site).

The contaminants of concern that were identified at the Site were tetrachloroethene and its transformation products, trichloroethene, dichloroethene and vinyl chloride.

The project management team is as follows:

Site Owner:	Vestal Retail Center, LLC.
Tenant:	Lowe's Home Center, Inc.
Consultant:	GeoLogic NY, P.C.

Site Overview

The Ash Road Properties is located on the corner of Sycamore Road and Ash Road in the Town of Vestal, Broome County, New York. The location of the Site is depicted on Drawing No. 1, Appendix B. The Brownfield Cleanup Program (BCP) Site encompasses 1.557 acres of the 14.47-acre parcel occupied by Lowe's Home Center. The BCP parcel is occupied by parking areas and access drives.

Commercial properties border the Site on the north, west and south with a residential mobile home park to the east. The Site and surrounding properties are connected to the municipal water supply and sanitary sewer system.

Site Management Plan Compliance

The Certificate of Completion (COC) was issued by the NYSDEC to the Volunteer (West Covina Royale, LLP) on December 1, 2015. The COC requires the implementation of the NYSDEC-approved SMP.

Current Site Conditions

GeoLogic visited the Site on March 23, 2022 and observed the current Site conditions. No changes in conditions at the Site have occurred since the COC was issued in December 2015. The Site remains paved parking and paved access drives for the greater Lowe's Home Center.

Site Management Plan Monitoring Requirements

The SMP was approved by the NYSDEC on October 28, 2015. Monitoring requirements completed after the submittal of the Final Engineering Report (FER), dated November 2015, included the collection of groundwater samples from monitoring wells MW-01, MW-02S, MW-09S and MW-10S in March 2016 and September 2016. Six additional groundwater sampling events beyond the requirements set in the SMP have been completed (February 2017, September 2017, February 2018, February 2019, February 2020 and April 2021).

With the concurrence of the NYSDEC, the groundwater monitoring requirement was terminated. No groundwater samples were collected in 2022.

Conclusions and Recommendations

Deed restrictions, including restriction of groundwater use, are in place. No changes in the BCP site have occurred since the COC was issued in December 2015.

GeoLogic recommends the following:

- It is recommended that the PRR frequency be reduced from annually to every other year.
- It is recommended that all groundwater monitoring well not needed by the NYSDEC be properly abandoned.

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- It is recommended that the SMP be updated to reflect elimination of the groundwater monitoring requirement and modification to the PRR frequency, if approved by the NYSDEC.

If you have any questions, please contact the undersigned.

Sincerely,

GeoLogic NY, P.C.



Christopher Gabriel
Environmental Scientist/Project Manager



Forrest C. Earl, P.G.
President/Principal Hydrogeologist

Enc: Appendix A Institutional and Engineering Controls Certification Form
Appendix B Drawings

cc: Warren Breslow, General Partner, West Covina Royale, L.P.
File: P:\PROJECTS\2009\209183-Ash Road Vestal\Report\2022 PRR\PPR March 2022.docx

APPENDIX A

INSTITUTIONAL & ENGINEERING CONTROLS CERTIFICATION 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. **C704032**

Site Name Ash Road Properties (portion of Lowe's Home Ctr.)

Site Address: 221 Sycamore Road Zip Code: 13850
City/Town: Vestal
County: Broome
Site Acreage: 1.557

Reporting Period: March 02, 2021 to March 02, 2022

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 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

Box 2A

YES NO

8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?

☐☒

If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.

9. Are the assumptions in the Qualitative Exposure Assessment still valid?
(The Qualitative Exposure Assessment must be certified every five years)

☒☐

If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.

SITE NO. C704032**Box 3****Description of Institutional Controls**ParcelOwnerInstitutional Control**158.10-2-13**

Vestal Retail Center, LLC

Ground Water Use Restriction
Soil Management Plan
Landuse Restriction
Monitoring Plan
Site Management Plan
IC/EC Plan

- The Controlled Property may be used for Commercial and Industrial.
- Prohibition on the use of groundwater.
- Site activities (i.e., monitoring and soil management) in compliance with the SMP.
- Evaluation of vapor intrusion for newly developed buildings.

Box 4**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 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.

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS

SITE NO. C704032

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 Forrest C. Eawl, P.C. at Geologic NY, P.C.
PO Box 350, Homer, NY 13077
 print name print business address

am certifying as Designated Representative (Owner or Remedial Party)

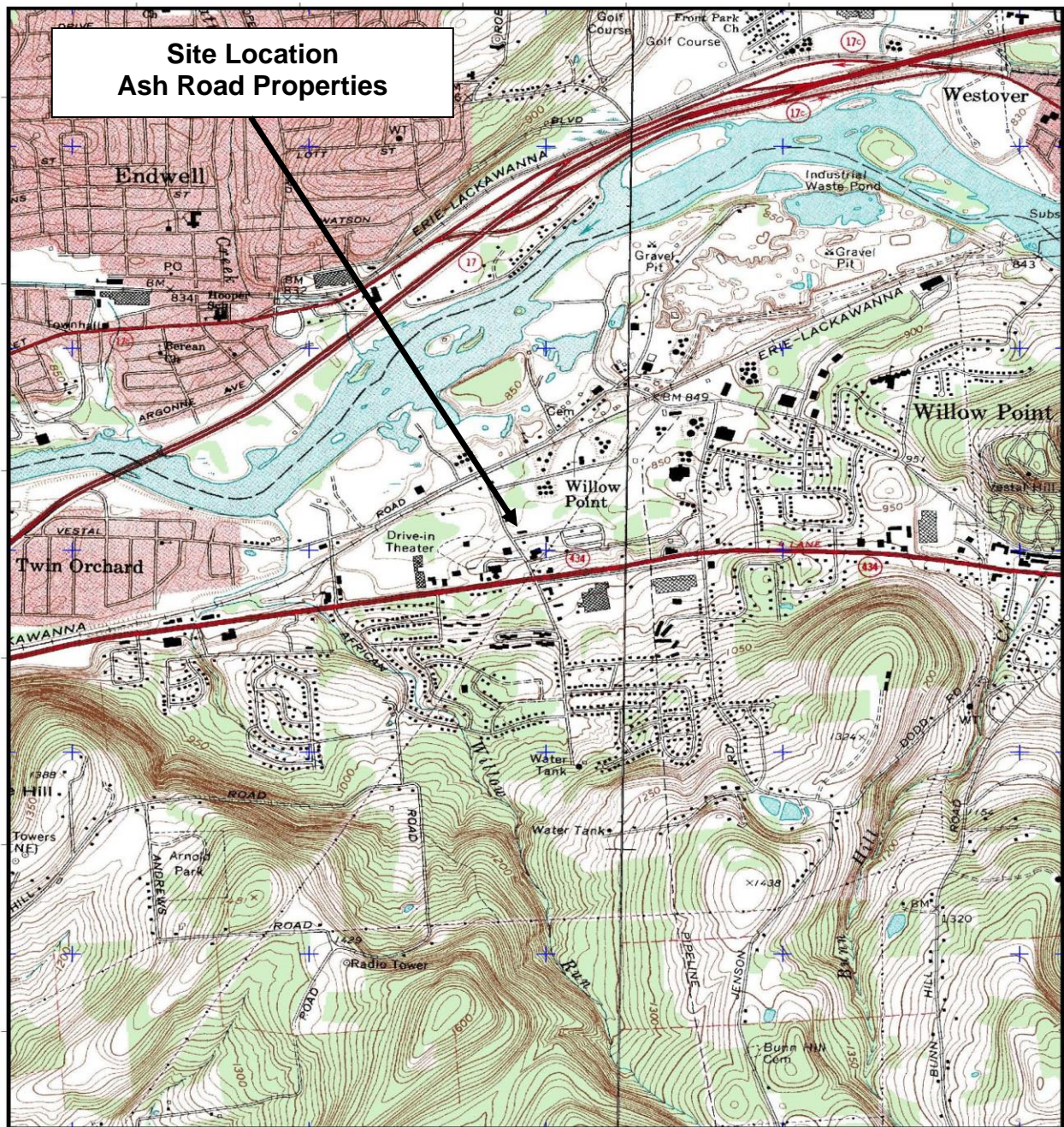
for the Site named in the Site Details Section of this form.


 Signature of Owner, Remedial Party, or Designated Representative
 Rendering Certification

3-28-22
 Date

APPENDIX B

DRAWING



Reference: Base Map USGS 7.5 MIN. Quad. Endicott, NY, 1976
 Approximate Scale: 1" = 2000'



GeoLogic

GeoLogic NY, PC, Homer, New York

**SITE LOCATION PLAN
 ASH ROAD PROPERTIES
 TOWN OF VESTAL, NEW YORK
 BCP Site No.: C704032**

DRAWN BY:	SCALE:	PROJECT NO:
CTG	Approx. As Noted	209183
REVIEWED BY:	DATE:	DRAWING NO:
FCE	MARCH 2022	1