

# Periodic Review Report

*Tecumseh Phase III Business Park  
Sites III-7 and III-8*

*NYSDEC Site Nos. C915199G & C915199H*

March 2017

0262-017-001

Prepared For:

*Welded Tube USA, Inc.*

Prepared By:



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# **PERIODIC REVIEW REPORT**

**TECUMSEH PHASE III BUSINESS PARK  
SITES III-7 & III-8  
(BCP SITE No.s C915199G & C915199H)**

**LACKAWANNA, NEW YORK**

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March 2017

0262-017-001

Prepared for:

**Welded Tube USA, Inc.**

Prepared By:



Benchmark Environmental Engineering & Science, PLLC  
2558 Hamburg Turnpike, Suite 300  
Buffalo, NY 14218  
(716)856-0599

**PERIODIC REVIEW REPORT**  
**Tecumseh Phase II Business Park**  
**Sites III-7 & III-8**  
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**PERIODIC REVIEW REPORT**  
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**Sites III-7 & III-8**  
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## 1.0 INTRODUCTION

Benchmark Environmental Engineering and Science, PLLC (Benchmark) has prepared this Periodic Review Report (PRR) to summarize the post-remedial status of New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Site No.s C915199G and C915199H, located at 2537 and 2539 Hamburg Turnpike, respectively, in the City of Lackawanna, Erie County, New York (see Figure 1).

This PRR has been prepared for the Subject BCP Sites in accordance with NYSDEC DER-10 *Technical Guidance for Site Investigation and Remediation* (May 2010). The NYSDEC's Institutional and Engineering Controls (IC/EC) Certification Forms have been completed for the Sites (see Appendix A).

Annual PRRs and associated certifications have been completed for the post-remedial activities at the Sites from the time of COC issuance. The post remedial periods covered by this PRR are:

- Site III-7 (C915199G): March 15, 2016 – March 15, 2017
- Site III-8 (C915199H): March 15, 2016 – March 15, 2017

## 1.1 Site Background

In March of 2007 Tecumseh Redevelopment Inc. (Tecumseh) entered into a Brownfield Cleanup Agreement (BCA) with the New York State Department of Environmental Conservation (NYSDEC) to investigate and remediate an approximate 150-acre property located in Lackawanna, New York. The property, deemed the “Phase III Business Park Site” is located in the County of Erie, New York and encompasses tax parcel numbers 141.15-1-1, 141.15-1-2, and part of tax parcel number 141.11-1-50 per Erie County Tax Map records. The Phase III Business Park Site is bounded by Gateway Metroport Ship Canal and property owned by Gateway Trade Center to the north; the South Buffalo Railroad Company to the south; Phase II Business Park Site and the South Return Water Trench (SRWT) to the east; and other Tecumseh property to the west (see Figures 1 and 2). The 150-acre Phase III Business Park was originally deemed Brownfield Cleanup Program (BCP) Site No. C915199, but was subsequently subdivided into ten smaller parcels to facilitate remediation and redevelopment (see Figure 2). On August 20, 2012, the original BCA for Site C915199 was amended to cover the smaller Site III-1, with separate BCAs

issued and executed for the remaining nine BCP Sites (i.e., Sites III-2 through III-10, having BCP Site Nos. C915199B through C915199J).

In October 2012, Welded Tube USA Realty, LLC<sup>1</sup> acquired from Tecumseh the 39.2-acre Site III-7 to construct a new manufacturing facility, and the adjacent 5.9-acre Site III-8 for future expansion (see Figure 3). Welded Tube USA was added to the Brownfield Cleanup Agreements (BCAs) for these Sites concurrent with transfer of the properties.

## 1.2 Remedial History

### 1.2.1 Phase III Business Park

The approximate 150-acre Phase III Business Park was formerly part of the Bethlehem Steel Corporation (BSC) Lackawanna Works and housed several facilities used in BSC's steel manufacturing processes. Specific processes and steel making facilities performed on or proximate to the subject BCP Sites included:

- Open Hearth Furnaces
- Basic Oxygen Furnace
- Mold Warming and Preparation
- Electrical Substations
- Wastewater Treatment

Remedial Investigation (RI) activities on the Phase III Business Park were initiated in August 2008, with additional activities undertaken in late 2009 through early 2010. Some supplemental investigation work was also completed in April 2012.

The RI identified several Constituents of Concern (COCs) that were generally present across widespread areas of the Phase III Business Park site, primarily in site soils and to a lesser extent in groundwater. These included polyaromatic hydrocarbons (PAHs), arsenic, lead, and mercury. Isolated areas of petroleum impact were also encountered. The

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<sup>1</sup> Welded Tube USA Realty, LLC (property owner) and Welded Tube USA, Inc. (manufacturing asset owner) are collectively referred to herein as Welded Tube USA

Remedial Investigation/Alternatives Analysis (RI/AA) Report recommended remediation of “hotspot” slag/fill (characterized by more pronounced levels of COCs) and isolated groundwater/saturated soil impacts (affecting only select sites in the Phase III Business Park), with cover placement recommended as the final remedial measure under a Track 4 Cleanup approach. Additional requirements included development and adherence to a Site Management Plan (SMP) and filing of an Environmental Easement to restrict use of the Phase III Business Park property to commercial and industrial applications and to place other limitations on post-redevelopment activities.

### ***1.2.2 Sites III-7 & III-8***

Prior to the sale of sites III-7 and III-8 to Welded Tube USA, Tecumseh committed to complete hotspot soil/fill cleanup work on those sites as an Interim Remedial Measure (IRM). The IRM work was substantially completed in late 2012. Decision Documents for Sites III-7 & III-8 were issued by the NYSDEC in May 2013 after completion of Tecumseh’s IRM hotspot soil/fill remedial work. The Decision Documents specified the final/remaining remedial measures including, among other requirements, placement of acceptable cover material in areas not otherwise covered by buildings, pavement, etc.

Cover placement on Site III-7 was completed in 2013. Due to the tight construction schedule and pending winter weather final remedial measures cover placement on Site III-8 was deferred until spring of 2014 and was completed at that time.

## **1.3 Compliance**

At the time of the Site inspection, the Site was fully compliant with the NYSDEC-approved SMP dated November 2013 (revised November 2014).

## **1.4 Recommendations**

Based on the results of the annual inspection and certification, no modifications are recommended at this time. However, Welded Tube USA would like to request a less frequent PRR reporting schedule based upon their history of conformance with SMP requirements and the absence of engineering controls on the property other than a vapor barrier and cover system.

## 2.0 SITE OVERVIEW

An overview of the remediation and redevelopment activities undertaken on the Sites covered by this PRR is presented below. All of the remediated properties within the Phase III Business Park are subject to a comprehensive, site-wide SMP which identifies requirements for monitoring and maintenance of engineering and institutional controls and procedures for post-remedial excavation and related activities. Specific requirements affecting individual Sites within Phase III Business Park are included as appendices to the comprehensive plan. The SMP is updated as additional Sites within the Phase III Business Park are remediated.

### 2.1 Site III-7

Site III-7 is presently addressed as 2537 Hamburg Turnpike, Lackawanna, New York 14218. Welded Tube USA redeveloped the Site under the BCP as a tubing manufacturing facility. The remedial activities performed on the Site are listed below:

- Excavation of approximately 210 cubic yards (CY) of arsenic-impacted hotspot slag/fill followed by off-site disposal of these materials at an approved offsite solid waste landfill facility (completed as an IRM by Tecumseh).
- Excavation of approximately 2,640 tons of petroleum-impacted slag/fill followed by onsite bioremediation of the impacted materials (completed as an IRM by Tecumseh).
- Excavation of approximately 795 tons of an odorless, blackish, non-soil material intermingled with slag and partly present within an approximate 10-foot by 10-foot by 10-foot deep sub-grade concrete chamber. Excavated materials were disposed at an approved offsite solid waste landfill facility.
- Installation of a vapor barrier beneath the newly constructed manufacturing building.
- Removal of subgrade coke oven gas piping and residual impacted slag/fill. Impacted materials were disposed at an offsite solid waste landfill facility, with cleaned piping sent offsite for scrap reclamation.
- Placement of a cover system comprised of building, pavement, vegetated soils and imported beneficial use determination (BUD)-approved slag over a demarcation



layer. Imported slag and clean vegetated cover were placed to a minimum thickness of 1 foot.

The remedial program was successful in achieving the remedial objectives for the Site. An Environmental Easement restricting end use of the Site and enforcing adherence to the SMP was filed in November 2013. The Final Engineering Report (FER) was approved in November 2013. A Certificate of Completion (COC) was issued for Site III-7 by the NYSDEC in December 2013.

## 2.2 Site III-8

Site III-8 is also owned by Welded Tube USA and is similarly addressed as 2537 Hamburg Turnpike, Lackawanna, New York 14218. Welded Tube USA redeveloped the Site under the BCP as an extension of the laydown yard for the tubing manufacturing facility on the adjacent Site III-7 and to facilitate potential future expansion of the manufacturing operation. The remedial activities performed on the Site are listed below:

- Excavation of approximately 30 cubic yards (CY) of arsenic-impacted hotspot slag/fill followed by off-site disposal of these materials at an approved offsite solid waste landfill facility (completed as an IRM by Tecumseh).
- Placement of a cover system comprised of beneficial use determination (BUD)-approved slag over a demarcation layer. Imported slag was placed to a minimum thickness of 1 foot.

The remedial program was successful in achieving the remedial objectives for the Site. An Environmental Easement restricting end use of the Site and enforcing adherence to the SMP was filed in November 2013. The Final Engineering Report (FER) was approved in June 2014. A Certificate of Completion (COC) was issued for Site III-8 by the NYSDEC in August 2014.

### 3.0 REMEDY PERFORMANCE

An inspection involving a walk-over of the Sites covered by this PRR was performed to visually observe and document the use of the Site for commercial/industrial use, confirm absence of site groundwater use, inspect the cover system integrity, and verify conformance with other requirements under the SMP. As further described in Section 4.3, the site inspection completed during this reporting period indicates that the controls are in-place and functioning as intended in accordance with the SMP.

The completed IC/EC Certification forms and site photographs are included in Appendices A and B, respectively.

## 4.0 SITE MANAGEMENT PLAN

A site-wide SMP was prepared for the Phase III Business Park and approved by the Department in November 2013. (An addendum to the SMP was prepared and approved in November 2014 to accommodate other Sites not covered by this PRR). Parcel-specific SMP requirements for Sites III-7 and III-8 are presented in Appendix H7/H8 of that report. Key components of the SMP are described below.

### 4.1 Engineering and Institutional Control (IC/EC) Plan

Since remaining contaminated soil/fill and groundwater exists beneath the Phase III Business Park, Engineering Controls and Institutional Controls (EC/ICs) are required to protect human health and the environment. The Engineering and Institutional Control Plan describes the procedures for the implementation and management of all EC/ICs on the Sites within the Phase III Business Park.

#### 4.1.1 *Institutional Controls*

The following institutional controls apply to all Sites within the Phase III Business Park:

- The use and development of the property is restricted to commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- Groundwater cannot be used as a source of potable or process water, without necessary water quality treatment as determined by the New York State Department of Health (NYSDOH) or County DOH;
- All Sites must comply with the Department approved Site Management Plan; and
- The remedial party or site owner must complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8(h)(3.)

#### 4.1.2 *Engineering Controls*

Engineering controls covering Sites within the Phase III Business Park include:

- Cover System – The cover system, including building foundations, concrete sidewalks, concrete or asphalt driveways, parking areas, and landscaped vegetated areas must be maintained in compliance with the SMP.
- Vapor Barrier (specific to Sites with buildings) - A poly vapor barrier must be installed and remain in-place beneath building concrete floor slab.

At the time of the site inspection, the Sites covered by this PRR were fully compliant with all engineering and institutional control requirements.

## 4.2 Excavation Work Plan

An Excavation Work Plan (EWP) was included in the approved-SMP for the Phase III Business Park. The Excavation Work Plan provides guidelines for the management of soil and fill material during any future intrusive activities. Any intrusive work that will penetrate the cover or cap, or encounter or disturb the remaining contamination, including any modifications or repairs to the existing cover system, must be performed in compliance with the EWP and must also be conducted in accordance with a site-specific Health and Safety Plan (HASP) and Community Air Monitoring Plan (CAMP) meeting the minimum requirements of the sample HASP and CAMP included with the SMP.

### *4.2.1 Activities Subject to EWP During Reporting Period*

No intrusive activities requiring management of on-Site soil or fill material; placement of backfill materials or disturbance of the cover system occurred on either Site during the reporting period covered by this PRR.

## 4.3 Annual Inspection and Certification Program

The Annual Inspection and Certification Program outlines requirements for certifying and attesting that the institutional controls and engineering controls employed on the Sites are unchanged from the original design and/or previous certification. The Annual Certification includes a Site Inspection and completion of the NYSDEC's IC/EC Certification Form. The Site inspection is intended to verify that the IC/ECs:

- Are in place and effective.
- Are performing as designed.
- That nothing has occurred that would impair the ability of the controls to protect the public health and environment.
- That nothing has occurred that would constitute a violation or failure to comply with any operation and maintenance plan for such controls.
- Access is available to the Site to evaluate continued maintenance of such controls.

Inspection of Sites III-7 and III-8 was conducted by Mr. Richard Dubisz of Benchmark/TurnKey on March 23, 2017. Mr. Dubisz meets the requirements of a Qualified Environmental Professional (QEP) per 6NYCRR Part 375.12. At the time of the inspection, the Sites were being used as a pipe manufacturing facility (Welded Tube USA, Inc.), with pipe lay down areas, surface parking, paved walkways and landscaped areas. No observable indication of intrusive activities was noted during the Site inspection. The manufacturing facility utilizes the local municipal water supply, and no observable use of groundwater was noted during the Site inspection.

The completed Site Management Periodic Review Report Notice – Institutional and Engineering Controls Certification Forms are included in Appendix A. A photolog of the Site inspection is included in Appendix B.

#### **4.4 Operation, Monitoring and Maintenance Plan**

The remedy for Sites III-7 and III-8 does not rely on any mechanical systems such as sub-slab depressurization or soil vapor extraction, to protect public health and the environment. Therefore, an Operation and Maintenance Plan is not required.

## 5.0 GROUNDWATER MONITORING

Per the approved SMP, No post-remedial Groundwater monitoring is required for Sites III-7 or III-8.

## 6.0 CONCLUSIONS AND RECOMMENDATIONS

Conclusions and recommendations are as follows:

- At the time of the Site inspection, Sites III-7 and III-8 were in compliance with the SMP.

The following modifications are recommended for the Site:

- No modifications are recommended at this time for the Site. Welded Tube wishes to request a reduction in reporting frequency based upon its history of compliance with SMP requirements and the straightforward nature of the engineering controls, which are limited to a vapor barrier beneath the building and a 1 foot cover system over demarcation layer. Specifically the company would like to request triennial reporting (once every three years).

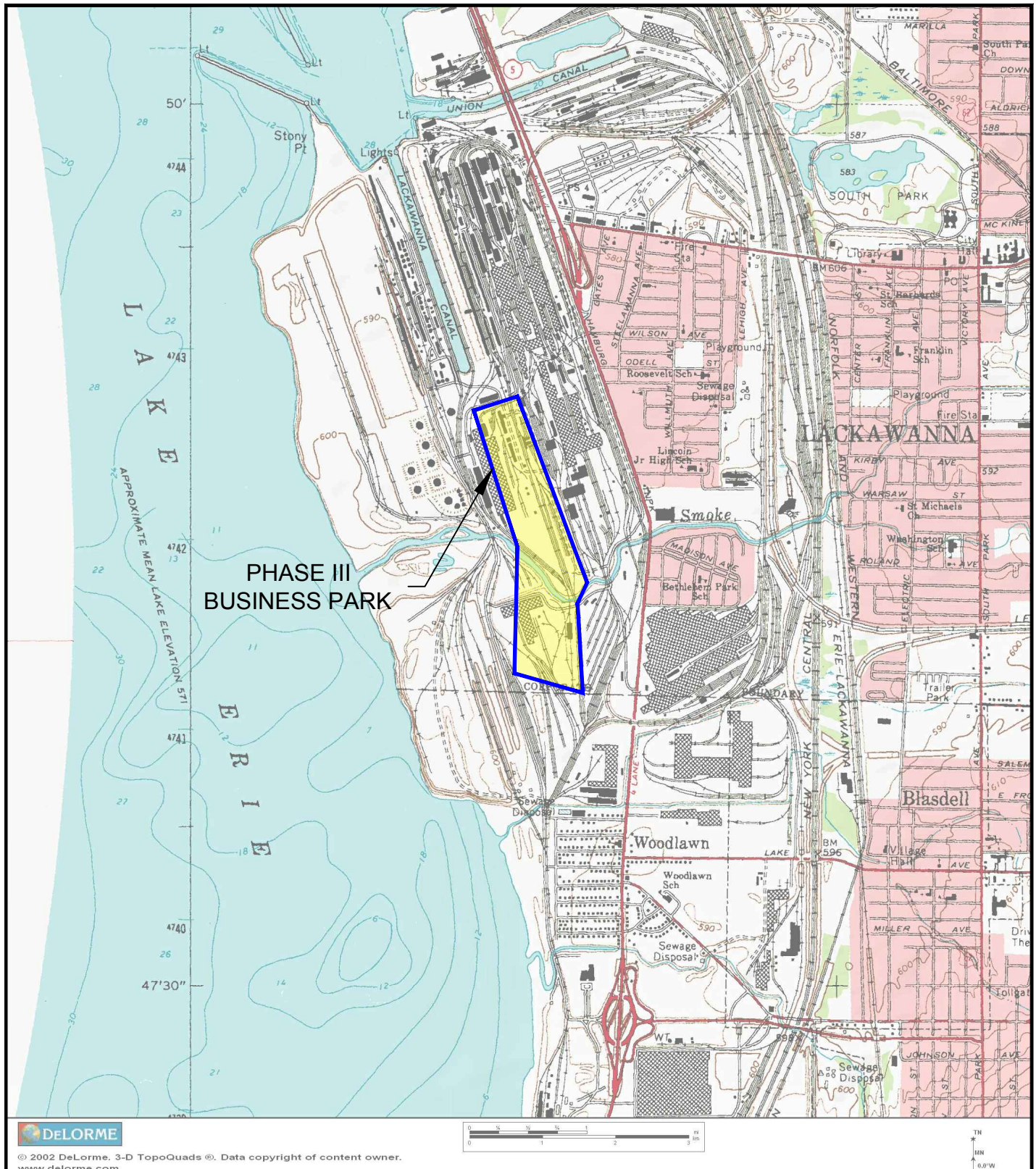
## 7.0 DECLARATION/LIMITATION

This report has been prepared for the exclusive use of Welded Tube USA, Inc. The contents of this report are limited to information available at the time of the site inspection. The findings herein may be relied upon only at the discretion of Welded Tube USA, Inc. Use of or reliance upon this report or its findings by any other person or entity is prohibited without written permission of Benchmark Environmental Engineering and Science, PLLC.



## FIGURES

**FIGURE 1**



2558 HAMBURG TURNPIKE  
SUITE 300  
BUFFALO, NY 14218  
(716) 856-0599

## SITE LOCATION & VICINITY MAP

2017 PERIODIC REVIEW REPORT

TECUMSEH PHASE III-8 BUSINESS PARK SITE

BCP SITE NO. C195199H  
LACKAWANNA, NEW YORK

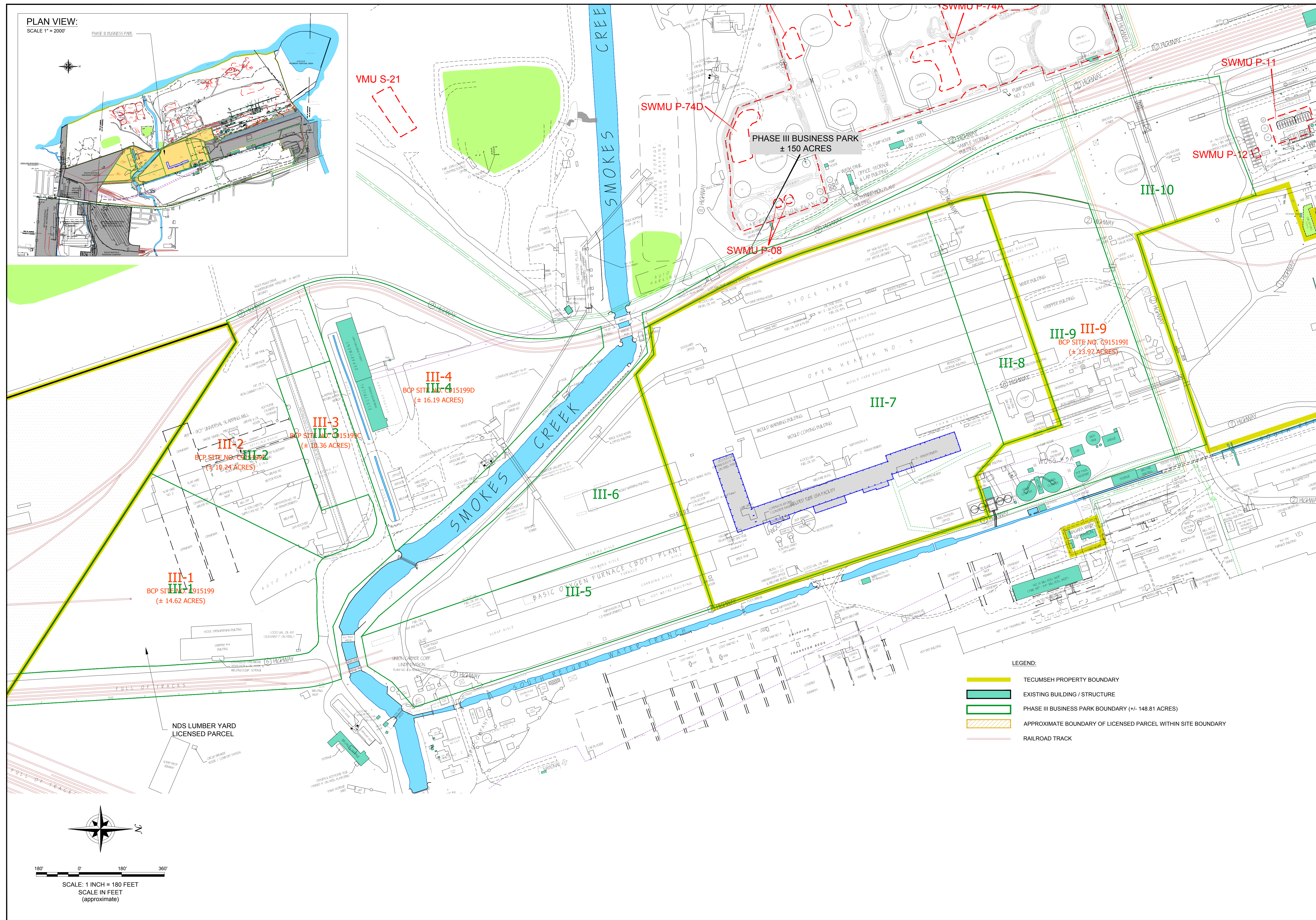
PREPARED FOR  
WELDED TUBE USA

PROJECT NO.: 0262-017-001

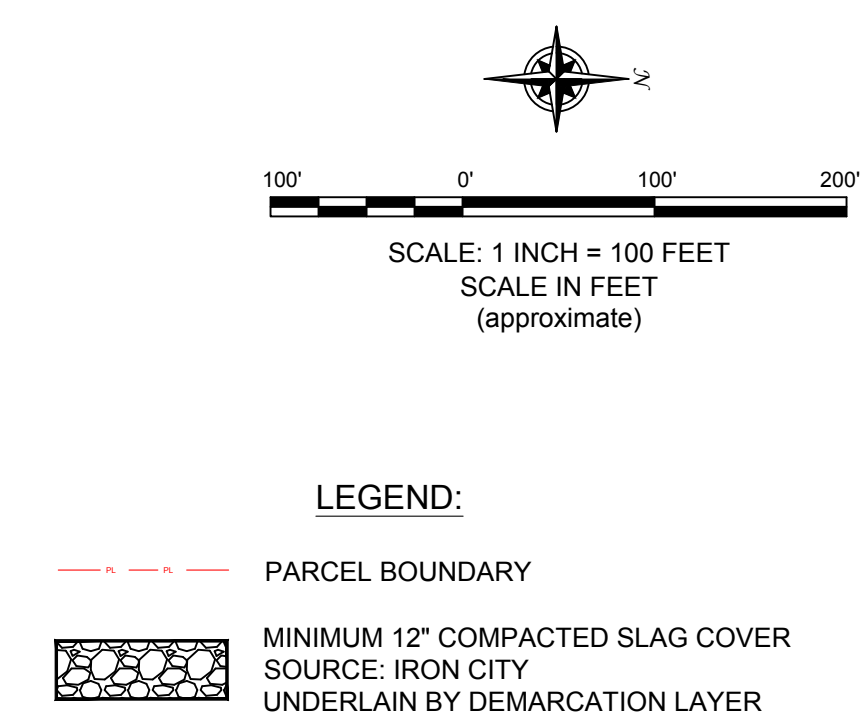
DATE: MARCH 2017

DRAFTED BY: KRR









**NOTES:**

- 1.) BUD-APPROVED SLAG COVER COMPACTED TO A MINIMUM DEPTH OF 12 INCHES.
- 2.) DEMARCATION LAYER IS PLACED BENEATH BUD-APPROVED SLAG.
- 3.) SLAG COVER THICKNESS FIELD VERIFIED BY ENGINEER AND CONFIRMED BY PRE AND POST SURVEY.

[illegible]

DRAWN BY:	KRR
DATE:	MARCH 2017
CHECKED BY:	
APPROVED BY:	

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2017 PERIODIC REVIEW REPORT  
TECUMSEH PHASE III-8 BUSINESS PARK SITE  
BCP SITE NO. C915189H  
LACKAWANNA, NEW YORK  
PREPARED FOR  
WELDED TUBE USA

### FIGURE 3

# APPENDIX A

## INSTITUTIONAL & ENGINEERING CONTROLS CERTIFICATION FORMS

## APPENDIX A1

### SITE III-7



**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. C915199G****Box 3****Description of Institutional Controls**ParcelOwnerInstitutional Control**141.15-1-1**

Welded Tube USA Realty, LLC.

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

Institutional Control Description:

Adherence to Site Management Plan (SMP)  
Restriction to commercial re-use  
Prohibition of groundwater use  
Allowance for Departmental access  
Requires a Periodic Review and Report

**Box 4****Description of Engineering Controls**ParcelEngineering Control**141.15-1-1**

Cover System

Engineering Control Description:

Soil cover over 5 acres



### 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. C915199G

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 Barry Sunshine at Welded Tube USA  
print name 2537 Hamburg Tpk, Lackawanna, NY 14218  
print business address

am certifying as Owner (Owner or Remedial Party)

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

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

June 23, 2017  
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 Thomas Forbes, P.E. at 2583 Hamburg Turnpike  
print name Buffalo, NY 14218  
print business address

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

Thomas Forbes

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



Stamp  
(Required for PE)

3-21-17  
Date

## APPENDIX A2

### SITE III-8



Enclosure 2  
**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Site Management Periodic Review Report Notice**  
**Institutional and Engineering Controls Certification Form**



**Site No.** C915199H

**Site Details**

**Box 1**

**Site Name** Site III-8 Tecumseh Phase III Business Park

Site Address: 2539 Hamburg Turnpike      Zip Code: 14218  
City/Town: Lackawanna  
County: Erie  
Site Acreage: 5.9

Reporting Period: March 15, 2016 to March 15, 2017

- |  | 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 type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?   | <input type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" 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"/> |

**Box 2**

- |  | YES                                 | NO                       |
|--|-------------------------------------|--------------------------|
| 6. Is the current site use consistent with the use(s) listed below?<br>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"/> |

**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

March 23, 2017

**Box 2A**

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

YES NO

☐☒

**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. C915199H****Box 3****Description of Institutional Controls**ParcelOwnerInstitutional Control**141.15-1-2**

Welded Tube USA, Inc.

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

Institutional Control Description:

Adherence to Site Management Plan (SMP)  
Restriction to commercial re-use  
Prohibition of groundwater use  
Allowance for Departmental access  
Requires a Periodic Review and Report

**Box 4****Description of Engineering Controls**ParcelEngineering Control**141.15-1-2**

Cover System

Engineering Control Description:

Soil cover over 5 acres

**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. C915199H

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 Barry Sunshine at Welded Tube USA  
print name 2537 Hamburg Tpk Lackawanna, NY 14218  
print business address

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

March 28, 2017  
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 Thomas Forbes, P.E. at 2558 Hamburg Turnpike  
print name BUFFALO, NY 14218  
print business address

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

Thomas Forbes

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




Stamp  
(Required for PE)

3-21-17  
Date

## APPENDIX B

### SITE PHOTO LOG


## PHOTOGRAPHIC LOG


<b>Client Name:</b> Welded Tube USA		<b>Site Location:</b> Welded Tube - Lackawanna NY Phase III-BP-7 & 8	<b>Project No.:</b> 0262-017-001
<b>Photo No.</b> 1	<b>Date</b> 03/23/17		
<b>Direction Photo Taken:</b> Northeast			
<b>Description:</b> Infiltration Basin on south side of building.			

<b>Photo No.</b> 2	<b>Date</b> 03/23/17	
<b>Direction Photo Taken:</b> Northwest		
<b>Description:</b> Infiltration Basin on south side of building.		

Prepared By: RLD


## PHOTOGRAPHIC LOG

<b>Client Name:</b> Welded Tube USA		<b>Site Location:</b> Welded Tube - Lackawanna NY Phase III-BP-7 & 8	<b>Project No.:</b> 0262-017-001
<b>Photo No.</b> 3	<b>Date</b> 03/23/17		
<b>Direction Photo Taken:</b> North			
<b>Description:</b> Laydown yard behind building			

<b>Photo No.</b> 4	<b>Date</b> 03/23/17	
<b>Direction Photo Taken:</b> West		
<b>Description:</b> Laydown yard behind building		

Prepared By: RLD


## PHOTOGRAPHIC LOG

<b>Client Name:</b> Welded Tube USA		<b>Site Location:</b> Welded Tube - Lackawanna NY Phase III-BP-7 & 8	<b>Project No.:</b> 0262-017-001
<b>Photo No.</b> 5	<b>Date</b> 03/23/17		
<b>Direction Photo Taken:</b> Northeast			
<b>Description:</b> Back west side of building.			

Prepared By: RLD




## PHOTOGRAPHIC LOG


<b>Client Name:</b> Welded Tube USA		<b>Site Location:</b> Welded Tube - Lackawanna NY Phase III-BP-7 & 8	<b>Project No.:</b> 0262-017-001
<b>Photo No.</b> 6	<b>Date</b> 03/23/17		
<b>Direction Photo Taken:</b> West			
<b>Description:</b> Expansion parcel			

<b>Photo No.</b> 7	<b>Date</b> 03/23/17	
<b>Direction Photo Taken:</b> North		
<b>Description:</b> Expansion parcel		

Prepared By: RLD

## PHOTOGRAPHIC LOG


<b>Client Name:</b> Welded Tube USA		<b>Site Location:</b> Welded Tube - Lackawanna NY Phase III-BP-7 & 8	<b>Project No.:</b> 0262-017-001
<b>Photo No.</b> 8	<b>Date</b> 03/23/17		
<b>Direction Photo Taken:</b> South			
<b>Description:</b> North side of Building			

<b>Photo No.</b> 9	<b>Date</b> 03/23/17	
<b>Direction Photo Taken:</b> South		
<b>Description:</b> North side of Building and laydown area.		

Prepared By: RLD

## PHOTOGRAPHIC LOG


<b>Client Name:</b> Welded Tube USA		<b>Site Location:</b> Welded Tube - Lackawanna NY Phase III-BP-7 & 8	<b>Project No.:</b> 0262-017-001
<b>Photo No.</b> 10	<b>Date</b> 03/23/17		
<b>Direction Photo Taken:</b> South			
<b>Description:</b> Front East of Building			


<b>Photo No.</b> 11	<b>Date</b> 03/23/17	
<b>Direction Photo Taken:</b> Southeast		
<b>Description:</b> Infiltration Basin east of building.		

Prepared By: RLD




## PHOTOGRAPHIC LOG

<b>Client Name:</b> Welded Tube USA		<b>Site Location:</b> Welded Tube - Lackawanna NY Phase III-BP-7 & 8	<b>Project No.:</b> 0262-017-001
<b>Photo No.</b> 12	<b>Date</b> 03/23/17		
<b>Direction Photo Taken:</b> East			
<b>Description:</b> Berm east of Building			

<b>Photo No.</b> 13	<b>Date</b> 03/23/17	
<b>Direction Photo Taken:</b> North		
<b>Description:</b> Parking lot east of building.		

Prepared By: RLD

## PHOTOGRAPHIC LOG

<b>Client Name:</b> Welded Tube USA		<b>Site Location:</b> Welded Tube - Lackawanna NY Phase III-BP-7 & 8	<b>Project No.:</b> 0262-017-001
<b>Photo No.</b> 14	<b>Date</b> 03/23/17		
<b>Direction Photo Taken:</b> South			
<b>Description:</b> Transformer Pad			

<b>Photo No.</b> 15	<b>Date</b> 03/23/17	
<b>Direction Photo Taken:</b> West		
<b>Description:</b> Office		

Prepared By: RLD