#### Russ Reeves, PE City Engineer



#### Louis A. Rosamilia Mayor

05 December 2012

New York State Department of Environmental Conservation Attn: Ian Beilby, PE Division of Environmental Remediation 625 Broadway Albany, New York 12233-7016

Re: Scolite (#C303736), Construction Closeout Report Certification

Dear Mr. Beilby:



As referenced in the March 29, 2012 letter to you from Andrew Kreshik, Assistant Planner for the City of Troy (attached), the final phase of asbestos contaminated material (ACM) removal from the Scolite site occurred between October 5, 2011 and October 11, 2011.

Pursuant to the reporting requirements of the Scolite ERP, please accept this letter as certification that the project work plan as outlined in the enclosed documentation, specifically the guidance provided by the New York State Department of Labor, was completed in substantial conformance with said framework. Therefore:

I, Russ Reeves, PE, City Engineer for the City of Troy, certify that I am currently a New York State registered Professional Engineer, and having had primary direct responsibility for the implementation of the subject construction program, do certify that all construction activities were completed in substantial conformance with the Remedial Work Plan for removal and disposal of asbestos contaminated material at the former Scolite site. 1 Madison Street, Troy, New York.

Russ Reeves, PE, City Engineer

Thank you for your continued assistance toward this site. Should any information necessary to meet the requirements of the Scolite ERP be outstanding, please let us know and we shall provide them to your office immediately.

### BILL DUNNE COMMISSIONER Office of Planning and Community Development



#### LOUIS A. ROSAMILIA MAYOR

March 29, 2012

New York State Department of Environmental Conservation Attn: Ian Bielby, P.E. 625 Broadway

Albany, New York 12233-7016

Re: Scolite SAC Amendment (#C303736)

Dear Mr. Bielby:

Pursuant to the referenced contract amendment, an interim remedial measure (IRM) was conducted at the former Scolite Environmental Restoration Project site in 2011. The objective of the IRM was to remove onsite piles of asbestos-containing material resulting from the emergency demolition of a large, industrial building situated on the Scolite parcel that substantially burned as a result of arson in May, 2008. Field activities to complete the IRM were carried out between October 5th and 11th, 2011.

Actions taken to complete the objective of the IRM included the following:

- characterization of the waste to be removed;
- selection of a contractor (Atlantic Testing) to oversee the removal and perform on-site monitoring;
- selection of a contractor (Penns Contracting) to remove and dispose of the ACM at a permitted facility;
- air monitoring at the site during ACM consolidation and loading;
- excavation of 1564.14 tons of ACM from the site, loaded, transported, and disposed of at an approved facility.

The above actions constitute satisfactory completion of the IRM objective.

Thank you for your continued assistance on this matter. Should you require any additional information, please contact me directly.

Regards,

Andrew P. Kreshik Assistant Planner

Assistant Flanner

#### STATE OF NEW YORK DEPARTMENT OF LABOR STATE OFFICE BUILDING CAMPUS ALBANY, NEW YORK 12240-0100

Variance Petition

of

Atlantic Testing Laboratories, Inc. Petitioner's Agent

On Behalf Of

City of Troy Petitioner

in re

Premises: Former Scolite Property

Madison Street Troy, New York

Exterior Demolition Debris Asbestos Cleanup

and Removal Project

File No. 11-0810

DECISION

Cases 1-5

**ICR 56** 

The Petitioner, pursuant to Section 30 of the Labor Law, having filed Petition No. 11-0810 on July 19, 2011 with the Commissioner of Labor for a variance from the provisions of Industrial Code Rule 56 as hereinafter cited on the grounds that there are practical difficulties or unnecessary hardship in carrying out the provisions of said Rule; and the Commissioner of Labor having reviewed the submission of the petitioner dated July 13, 2011; and

Upon considering the merits of the alleged practical difficulties or unnecessary hardship and upon the record herein, the Commissioner of Labor does hereby take the following actions:

Case No. 1	ICR 56-6.2
Case No. 2	ICR 56-9.1(f)
Case No. 3	ICR 56-9.2(d)
Case No. 4	ICR 56-11,2
Case No. 5	ICR 56-11.5

VARIANCE GRANTED. The Petitioner's proposal for cleanup and removal of asbestos demolition debris from an approximate 7,200 sq. ft. exterior area at the subject premises in accordance with the attached 4-page stamped copy of the Petitioner's submittal, is accepted; subject to the Conditions noted below:

#### THE CONDITIONS

- A full time independent project monitor shall be on-site to observe the abatement contractor's work practices and to ensure that no visible emissions are generated during the removal and cleanup activities. If visible emissions are observed, work practices shall be altered according to the project monitor's recommendations.
- During Phase IIC, in addition to the requirements of Subpart 56-4.9(c), air monitoring within the work area shall be conducted daily for the entire workshift. The number of required inside work area air samples shall be consistent with the size of the work area (i.e. 1-minor, 3-small, 5-large). The inside work area sample locations shall be distributed throughout the work area.
- 3. In lieu of post-abatement clearance air monitoring in compliance with ICR-56-9.2(d), the most recent daily abatement air samples collected during cleaning operations in the regulated work area, shall be used for comparison with ICR 56-4.11 clearance criteria. All other applicable provisions of ICR 56-4 shall be followed for the duration of the abatement project.
- 4. After removal and cleanings are complete and a minimum drying period has elapsed, an authorized and qualified Project Monitor shall determine if the area is dry, the scope of work complete, and the work area free of visible asbestos debris/residue. If the area is determined to be acceptable and the most recent daily abatement air sample results meet 56-4.11 clearance criteria, the final dismantling of the site may begin.
- Usage of this variance is limited to those asbestos removals identified in this variance or as outlined in the Petitioner's proposal.

In addition to the conditions required by the above specific variances, the Petitioner shall also comply with the following general conditions:

#### GENERAL CONDITIONS

- A copy of this DECISION and the Petitioner's proposals shall be conspicuously displayed at the entrance to the personal decontamination enclosure.
- 2. This DECISION shall apply only to the removal of asbestos-containing materials from the aforementioned areas of the subject premises.
- The Petitioner shall comply with all other applicable provisions of Industrial Code Rule 56-1 through 56-12.
- 4. The NYS Department of Labor Engineering Service Unit retains full authority to interpret this variance for compliance herewith and for compliance with Labor Law Article 30. Any deviation to the conditions leading to this variance shall render this variance Null and Void pursuant to 12NYCRR 56-12.2. Any questions regarding the conditions supporting the need for this variance and/or regarding compliance hereto must be directed to the Engineering Services Unit for clarification.
- 5. This DECISION shall terminate on July 31, 2012.

Date: July 19, 2011

COLLEEN C. GARDNER COMMISSIONER OF LABOR

Ву

Christopher Alonge, P.E. Associate Safety and Health Engineer

PREPARED BY: Christopher G. Alonge, P.E. Associate Safety and Health Engineer

REVIEWED BY: Ed Smith, P.E. Senior Safety and Health Engineer



#### ATLANTIC TESTING LABORATORIES

22 Corporate Drive Clifton Park, NY 12065 518-383-9144 (T) 518-383-9166 (F)

July 13, 2011

New York State Department of Labor Division of Safety and Health Engineering Services Unit Albany, New York 12240

Attn:

Mr. Christopher Alonge, P.E.

Senior Safety and Health Engineer

Re:

Site-Specific Variance Request Demolished Building Waste Piles

Former Scolite Property

Troy, Rensselaer County, New York ATL Report No. AT5089AV-02-07-11

#### Ladies/Gentlemen:

We respectfully request relief via variation from specific sections of Industrial Code Rule 56 (12 NYCRR Part 56), as described in Section 30 of the Labor Law, for the referenced project. The project consists of cleaning up of piles of building material debris co-mingled with friable asbestos-containing material (ACM). The debris piles are located on the former Scolite property in Troy, Rensselaer County, New York. The property has been abandoned for several years after a fire destroyed the former Scolite building, which is now a pile of rubble. A clean-up project was initiated on the property to remove the ACM waste, but this was never completed. There are some tarps covering the piles of ACM co-mingled with construction debris. The approximate size of the contaminated surface area to be cleaned up is 80 by 90 feet, or approximately 7,200 square feet.

A visual assessment of the former Scolite facility debris piles was performed by Zachary W. Remington (Certification No. 06-09550) of ATL, on July 1, 2011. Photographs and a site sketch depicting the debris pile locations/orientations are attached.

The debris piles contain soil, concrete, metal, brick, and miscellaneous construction debris. We request that the construction debris piles in total and top 2 inches of soil below any visible debris be disposed of as ACM.

We request that the incidental disturbances be cleaned up in accordance with NYCRR Part 56-11.2, although the abatement is considered a large project. The work will be performed utilizing provisions of NYCRR Part 56-11.5 with modifications. The work area will be cleared with a final visual inspection per NYCRR Part 56-9.1, and with the most recent daily air samples acting as ATL No. AT5089AV-02-07-11 New York State Department of Labor

July 13, 2011

the final clearances, subsequent to removal of the identified ACM debris piles and underlying 2 inches of soil.

This variance request is to facilitate completion of the referenced project in a safe and cost effective manner, while remaining consistent with the intent of Industrial Code Rule 56. A description of the work area, and summaries of the Industrial Code Rule 56 relief requested and proposed abatement methods, are provided in Attachment #1. Photographs, site sketch of the work area, and a completed SH752 (0208) form, "Petition for Asbestos Variance", are also attached.

Thank you for your assistance in this matter. Please contact our office should you have any questions, or require additional information.

Sincerely,

ATLANTIC TESTING LABORATORIES, Limited

Joseph D. Grabowski Senior Project Manager

NYSDOL Certified Designer #01-08166

JDG/MBR/jdg

Attachments

11-810

ATL No. AT5089AV-02-07-11
New York State Department of Labor

July 13, 2011

#### ATTACHMENT #1

#### Section 8

#### Work Area Description Table:

Abatement work will consist of the cleanup of debris piles resultant of an historical incidental disturbance of ACM and co-mingled with building material. The debris piles are situated on the former Scolite property, located in Troy, Rensselaer County, New York. The total area to be cleaned is approximately 7,200 square feet of ACM debris mixed with construction debris, along with the top 2 inches of soil below the visible debris. The removal will follow NYCRR Part 56 Subpart 11.5 provisions.

#### Section 9

#### ICR 56 Relief Sought:

The scope of work consists of the cleanup of asbestos-containing ACM debris mixed with construction debris and removal of approximately the top 2 inches of soil below the visible debris. The project will consist of following the provisions set forth in Sections 11.2 and 11.5 of the Code Rule 56 (12NYCRR) regulations, with the additional requirements specified below. This petition requests relief from the following sections of 12NYCRR Section 30 of the Labor Law, and the items for relief will be applicable only for the cleanup of the asbestos-contaminated construction debris piles, as specified.

56-11.2 Emergency Projects (Minor Incidental Disturbance) 56-11.5 Controlled Demolition with Asbestos in Place

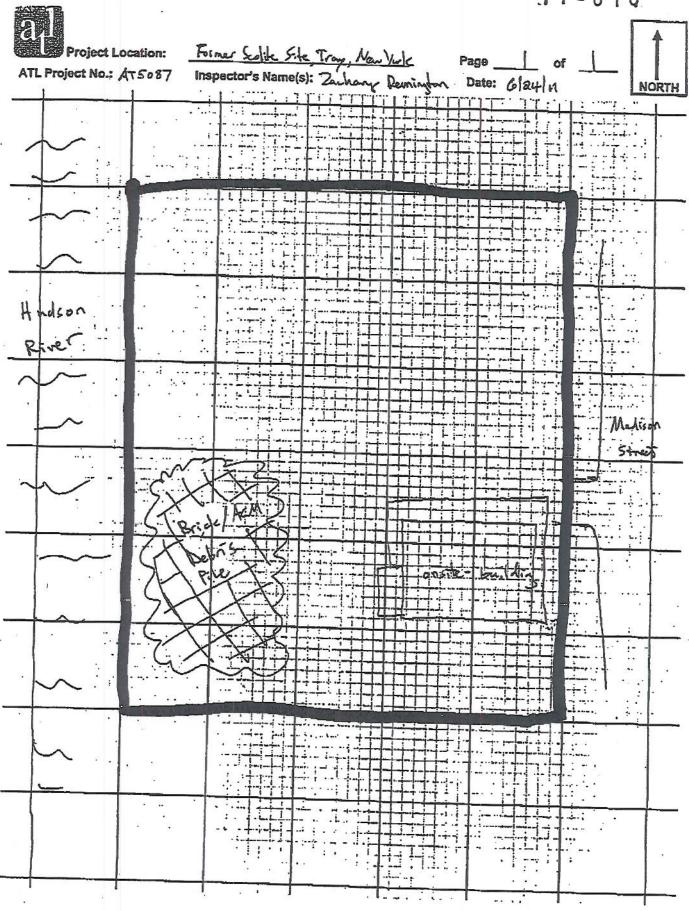
#### Section 11

#### Proposed Abatement Method Description for Each Work Area or Method Used:

This clean-up is intended to follow the provisions of Industrial Code Rule 56 with the following modifications:

- A large size remote personal decontamination unit will be utilized for the project.
- The work area set up and removal of the debris and soil will be in accordance with NYCRR Part 56-11.5 since the buildings are piles of debris at the site.
   The debris pile consists of spile consists of spile consists.
- The debris pile consists of soil, concrete, brick, and miscellaneous construction debris. All of the construction materials located in the debris piles will be disposed of as ACM.
- In addition to the requirements of NYCRR 56-4, two additional air samples will be collected within the work area daily during abatement activities.
- After abatement activities are complete, a minimum 2-hour drying period is complete, and the area is dry and free of all visible pools of water, a Project Monitor will perform a visual clearance inspection of the work area per NYCRR 56-9.1.
- In lieu of post-abatement clearance air monitoring, and in compliance with NYCRR Part 56-9.2(d), the most recent daily abatement air samples collected during removal and cleaning operations in the regulated work area shall be used for comparison with NYCRR Part 56-4.11 clearance criteria.

11-810





#### ATLANTIC TESTING LABORATORIES

Albany 22 Corporate Drive Clifton Park, NY 12065 518-383-9144 (T) 518-383-9166 (F)

January 19, 2012

City of Troy One Monument Square Troy, New York 12180

Attn: Ms. Andrea Briggs

Re: Asbestos Project Monitoring Services

Scolite Site

Troy, Rensselaer County, New York ATL Report No. AT5089AP-02-01-12

#### Ladies/Gentlemen:

In accordance with the scope of work outlined in our contract (ATL No. AT5998-54-12-08), dated December 2, 2008, and authorized by Mr. Harry J. Tutunjian on January 23, 2009, Atlantic Testing Laboratories, Limited (ATL) performed asbestos project monitoring and air monitoring services at the above referenced site from October 5 through 11, 2012. This project consisted of the removal of asbestos-containing demolition debris associated with the former Scolite Facility, located on Madison Street, Troy, Rensselaer County, New York.

The asbestos abatement services were provided by Penns Contracting, Inc. Asbestos abatement and air sampling activities were conducted in accordance with 12 NYCRR 56-4 regulations and New York State Department of Labor Site-Specific Variance No. 11-0810. Air samples were collected and submitted to a New York State Department of Health approved laboratory (ELAP No. 11480) and analyzed by phase contrast microscopy (PCM). The laboratory reports and associated sample custody documentation are enclosed. Copies of the hard cards for the Contractor were not received for inclusion into this report. ATL has made multiple attempts to obtain copies of these from Penns Contracting, Inc. Applicable hard cards for the Contractor's personnel on the project site were reviewed and are listed in the Project Logbook.

Please contact our office should you have any questions, or if we may be of further assistance.

Sincerely,

ATLANTIC TESTING LABORATORIES, Limited

James W. Mikula

Assistant Project Manager

JWM/ZWR/jwm

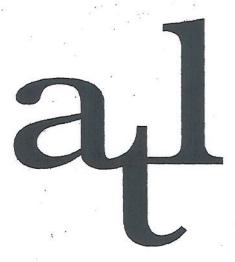
**Enclosures** 

cc: Mr. Andrew Kreshik, City of Troy

Canton + Binghamton + Elmira + Plattsburgh + Poughkeepsie + Rochester + Syracuse + Utica + Watertown

#### ASBESTOS PROJECT MONITORING SERVICES

CITY OF TROY SCOLITE SITE TROY, NEW YORK



#### PREPARED FOR:

City of Troy
One Monument Square
Troy, New York 12180

#### PREPARED BY:

Atlantic Testing Laboratories, Limited 22 Corporate Drive Clifton Park, New York 12065

ATL REPORT No. AT5189AP-02-01-12

January 19, 2012

#### Appendix A

**Laboratory Reports and Sample Custody Documentation** 

Page 1 of 1

AmeriSci Job #: 211101650

Client Name: Attantic Testing Laboratories, Limited

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Page 1 of 1

AmeriSci Job#: 211101837

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Page 1 of 1

AmeriSci Job#: 211102120

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Distribution: White with Samples
Yellow to Laboratory
Pint to ATL Files

ENV.001 pdt/vecforms\Environmenta\FisidFerms\Asbestos Air Sample Chain-of-Custody Record rev 3: 07/09

Page 1 of 1

AmeriSci Job#: 211102415

Client Name: Atlantic Testing Laboratories, Limited

Phase Contrast Microscopy (PCM) Fiber Results AT5089; C.O.T. Scouls Site; Mapson St, Troy, NY; Abstement

			20					57		
AmeriSci	Part of the state	Dethe	Flow Rate	Duration	Air Filtered			Fiber Density	Fibers Conc.	
Sample #	Client Sample #	Collected	(Mere/min.)	(min.)	(Mers)	Fleids	Fibers	(Fibera/mm2')	(Fibers/cc)	TWA
60	A75088AP28	10/10/11	24	496	986	160	4	5.10	< 0.003	
Location: IWA N End Daths Pile	End Debris Pile									
02	AT5088AP28	10/10/11	e	498	986	100	80	10.19	0.004	
Location: IMAE	Location: IWA E Side Excavation Site									
ಜ	AT5088AP30	10/10/11	æ	488	986	100	4	5.10	< 0.003	
Location: IWA Ta	Location: IWA Truck Loading Area 1									
2	AT5089AP31	10/10/11	8	468	988	100	9	7.64	0.003	
Location: IWA Tr	Location: IWA Truck Loading Area 2				9					
90	AT5088AP32	10110111	24	498	888	100	- 10	6.37	< 0.003	
Location: IWA Tr	Location: IWA Truck Leading Area 3									
8	AT5089AP33	10/10/11	8	498	988	9	~	8.92	0.003	
Location: OWA Decon Ent	Jecon Ent						10		٠	
20	AT5089AP34	10/10/11	~	488	988	9	60	7.84	0.003	
Location: OWA Decon Ext	Jecon Ext									
88	AT5089AP35	10/10/11	0	0	0	100	0	QX		
Location: Blank!				-					Footnotes:	
80	AT5088AP36	10/10/11		0	c	901		121		
Location: Blank II									Footnotes:	

Reporting Notes:

(1) Fibera/cc cannot be calculated for samples (or blanks) with no air volume.

By NIOSH 7404(A) Method, lates 62, 2/15/94; Using an Organya, Model CHS FCM mirroscope, Scald #OA60776; Analyzed by: Dorin M. Abyes (to)
Liant of Direction- 5.5 filters 700 finds or 7 filtershood: Shark mallynes are reported when realishing, browver are not used to adjust reache of associated associated associated associated associated associated associated for remainder of Str period soil sampled. Upper: Text)-Coloubsted as a one sided UCL to determine 95% complessee with the 0.01 fibroles remained RSD: harsh 35-0.405, turerto 21-0.43; (NY ELAP Lab 11490, All AL das 10204)

END OF REPORT

Reviewed By.

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Page 1 of 1

AmeriSci Job #: 211102414

Cflent Name: Atlantic Testing Laboratories, Limited

Phase Contrast Microscopy (PCM) Fiber Results AT5089; C.O.T. Scolite Site; Madison St., Troy, NY; Abstement

Amerisa		Dete	Flow Rate	Duration	Air Filtered			Fiber Density	-	
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5	AT5089AP37	10/11/11	24	427	854.	100	4	5.10	< 0.003	
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22	AT5089AP38	1011/11	N	427	864	100	≈	2.55	< 0.003	
Location: IWA	Location: IWA, E. Side Excavation Site 1			¥16			225			
8	A75089AP39	10/11//11	8	427	854	100	•	10.19	0.005	
Location: IWA	Location: IWA, E. Side Excavation She 2							÷		
2	AT5089AP40	10/1/1/1	N	420	854	100	9	7.64	0.003	
Location: IWA	Location: IWA, E. Side Truck Loading Area 1									
92	A75089AP41	10/11//11	N	427	824	100	4	5.10	< 0.003	
Location: IWA	Location: IWA, E. Side Truck Loading Area 2	*			2					
90	AT5089AP42	10/11//11	R	427	884	100	9	6.37	< 0.003	
Lecation: OW	Location; OWA, Decon Ent.									
6	AT5059AP43	10/11/11	~	427	854	100	8	7.64	0.003	
Location: IWA, Decon Ext.	, Decon Ext.									,
80	A75089AP44	10/11/11	0	0	0	100	0	Q		
Location: Blank I	-		2						Footnotes:	,
	AT5089AP45	10/11/11	0	0	0	100	~	1.27		
Location: Blank II	27								Footnotes:	_

Reporting Notes:

(1) Fiberates cannot be calculated for samples (or blanks) with no air volume.

mes with the 0.01 fibrates standard: Estimated RSD: Introdub Sr-0.405, Interleb Sr-0.45, (NN)

END OF REPORT

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Appendix B

Certifications and Submittals



Albany, New York 12201-0509 : Wadsworth Center The Governor Nelson A. Rockefeller Empire State Plaza P.O. BOX 509

LAB ID: 11480

April 01, 2011

MR. PAUL MUCHA AMERICA SCIENCE TEAM NEW YORK INC 117 BAST 30TH ST NEW YORK, NY 10016

Certificate Expiration Date: April 01, 2012

Dear Mr. Mucha.

Enclosed are Certificate(s) of Approval issued to your environmental laboratory for the current permit year. The Cortificate(a) supersede(a) any previously issued one(s) and is(are) in effect through the expiration date listed. Please carefully examine the Cartificate(s) to insure that the categories, subcategories, analytes, and methods for which your laboratory is approved are correct. In addition, verify that your laboratory's name, address, lead technical director, and identification number are accurate.

Pursuant to NYCRR Subpart 55-2.2, original cortificates must be posted conspicuously in the laboratory and copies shall be made available to any client of the laboratory upon request.

Pursuant to NYCRR Subpart 55-2.6, any misrepresentation of the Fields of Accreditation (Matrix - Method -Analyte) for which your laboratory is approved may result in denial, suspension, or revocation of your certification. Any use of the Environmental Laboratory Approval Program (ELAP) or National Environmental Laboratory Accreditation Program (NELAP) name, reference to the laboratory's approval status, and/or using the NELAP logo in any catalogs, advertising, business solicitations, proposals, quotations, laboratory analytical reports, or other materials must include the laboratory's ELAP identification number and distinguish between testing for which the laboratory is approved and testing for which the laboratory is not approved.

Please notify the ELAP office of any changes you feel need to be made to your Certificate(s). We may be reached by email - elap@health.state.ny.us - or by calling (518) 485-5570.

Sincerely,

STEPHANIE OSTROWSKI, PH.D.

Program Director

Environmental Laboratory Approval Program

rephonie E. astroniki

#### NEW YORK STATE DEPARTMENT OF HEALTH WADSWORTH CENTER



Expires 12:01 AM April 01, 2012 Issued April 01, 2011

#### CERTIFICATE OF APPROVAL FOR LABORATORY SERVICE Issued in accordance with and pursuant to section 602 Public Health Law of New York State

MR. PAUL MUCHA AMERICA SCIENCE TEAM NEW YORK INC 117 EAST 30TH ST. NEW YORK, NY. 10016

NY Lab Id No: 11480 EPA Lab Code: NY01378

is hereby APPROVED as an Environmental Laboratory for the category ENVIRONMENTAL ANALYSES AIR AND EMISSIONS
All approved subcategories and/or analytes are listed below:

· Miscellaneous Air

Asheshe

40 CFR 763 APX A No. III

MOSH 7402

YAMATE, AGARWAL GIBB

Fibers

NIOSH 7400 A RULES

Serial No.: 44323

Property of the New York State Department of Health. Cartificates are valid only at the address shown, must be conspicuously posted, and are printed on secure paper. Continued accreditation depends on successful origing participation in the Program. Consumers are unsed to call (618) 485-5570 to verify the laboratory's accreditation status.

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NEW YORK STATE DEPARTMENT OF FABOR
DIVISION OF SAFETY AND FEATING
FICENSE AND GERUHGATE UNITS
STATE CAMPUS BUILDING 12 F
ALPANY NY 1220

#### SBESTOS HANDLING LICENSE

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270 Spata Avenue

Sparte: NJ. 0787

FILE NUMBER 10:51270 LICENSE NUMBER 1512 70 LICENSE CLASS 170 20 DATE OF ISSUE: 02/23/20 EXPIRATION DATE: 03/34/2

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A STANK

Mairen A. Cox, Differing FOR THE COMMISSIONER OF LABOR.

## STATE OF NEW YORK DEPARTMENT OF LABOR STATE OFFICE BUILDING CAMPUS ALBANY, NEW YORK 12240-0100

Variance Petition

of

Atlantic Testing Laboratories, Inc.
Petitioner's Agent

On Behalf Of

City of Troy Petitioner

in re

Premises: Former Scolite Property
Madison Street
Troy, New York

Exterior Demolition Debris Asbestos Cleanup and Removal Project

File No. 11-0810

DECISION

Cases 1-5

ICR 56

The Petitioner, pursuant to Section 30 of the Labor Law, having filed Petition No. 11-0810 on July 19, 2011 with the Commissioner of Labor for a variance from the provisions of Industrial Code Rule 56 as hereinafter cited on the grounds that there are practical difficulties or unnecessary hardship in carrying out the provisions of said Rule; and the Commissioner of Labor having reviewed the submission of the petitioner dated July 13, 2011; and

Upon considering the merits of the alleged practical difficulties or unnecessary hardship and upon the record herein, the Commissioner of Labor does hereby take the following actions:

Case No. 1	ICR 56-6.2
Case No. 2	ICR 56-9.1(f)
Case No. 3	ICR 56-9.2(d)
Case No. 4	ICR 56-11.2
Case No. 5	ICR 56-11.5

VARIANCE GRANTED. The Petitioner's proposal for cleanup and removal of astrastos demolition debris from an approximate 7,200 sq. ft. exterior area at the subject premises in accordance with the attached 4-page stamped copy of the Petitioner's submittal, is accepted; subject to the Conditions noted below:

#### THE CONDITIONS

- 1. A full time independent project monitor shall be on-site to observe the abatement contractor's work practices and to ensure that no visible emissions are generated during the removal and cleanup activities. If visible emissions are observed, work practices shall be altered according to the project monitor's recommendations.
- 2. During Phase IIC, in addition to the requirements of Subpart 56-4.9(c), air monitoring within the work area shall be conducted daily for the entire workshift. The number of required inside work area air samples shall be consistent with the size of the work area (i.e. 1-minor, 3-small, 5-large). The inside work area sample locations shall be distributed throughout the work area.
- In lieu of post-abatement clearance air monitoring in compliance with ICR-56-9.2(d), the most recent daily abatement air samples collected during cleaning operations in the regulated work area, shall be used for comparison with ICR 56-4.11 clearance criteria. All other applicable provisions of ICR 56-4 shall be followed for the duration of the abatement project.
- 4. After removal and cleanings are complete and a minimum drying period has elapsed, an authorized and qualified Project Monitor shall determine if the area is dry, the scope of work complete, and the work area free of visible asbestos debris/residue. If the area is determined to be acceptable and the most recent daily abatement air sample results meet 56-4.11 clearance criteria, the final dismantling of the site may begin.
- 5. Usage of this variance is limited to those asbestos removals identified in this variance or as outlined in the Petitioner's proposal.

in addition to the conditions required by the above specific variances, the Petitioner shall also comply with the following general conditions:

#### LE LERAN ROPINS INTERNAS

- 1. A copy of this DECISION and the Petitioner's proposals shall be conspicuously displayed at the entrance to the personal decontamination enclosure.
- 2. This DECISION shall apply only to the removal of asbestos-containing materials from the algrementioned areas of the subject premises.
- 3. The Petitioner shall comply with all other applicable provisions of Industrial Gode Rule 56-1 through 56-12.
- The MYS Department of Labor Engineering Service Unit retains full authority to interpret this variance for compliance herewith and for compliance with Labor Law Article 30. Any deviation to the conditions leading to this variance shall render his variance Yull and Yold pursuant to 12/1/30 RR 56-12.2. Any questions regarding the conditions supporting the need for this variance and/or regarding compliance hereto must be directed to the Engineering Services Unit for playlication.
- 5. This DECISION shall terminate on July 31, 2012.

Date: July 19, 2011

By

COLLECTIC GARDNER COMMISSIONER OF LABOR

Christopher Alonge, P.E. Associate Safety and Health Brigineer

BREPARED BY: Christopher G. Alonge, P.E. Associate Safety and Fealth Englaser

BEVIEWED BY: Ed Smith, P.E. Senior Salety and Health Engineer



#### ATLANTIC TESTING LABORATORIES

Albany
22 Corporate Drive
Clifton Paris, NY 12065
518-383-9144 (T)
518-383-9166 (P)

July 13, 2011

New York State Department of Labor Division of Safety and Health Engineering Services Unit Albany, New York 12240

Attn: Mr. Christopher Alonge, P.E.

Senior Safety and Health Engineer

Da

Site-Specific Variance Request
Demolished Building Waste Piles
Former Scolite Property
Troy, Rensselaer County, New York
ATL Report No. AT5089AV-02-07-11

#### Ladies/Gentlemen:

We respectfully request relief via variation from specific sections of Industrial Code Rule 56 (12-NYCRR Part 56), as described in Section 30 of the Labor Law, for the referenced project. The project consists of cleaning up of piles of building material debris co-mingled with friable asbestos-containing material (ACM). The debris piles are located on the former Scolite property in Troy, Rensselaer County, New York. The property has been abandoned for saveral years after a fire destroyed the former Scolite building, which is now a pile of rubble. A clean-up project was initiated on the property to remove the ACM waste, but this was never completed. There are some tarps covering the piles of ACM co-mingled with construction debris. The approximate size of the contaminated surface area to be cleaned up is 80 by 90 feet, or approximately 7,200 square feet.

A visual assessment of the former Scolite facility debris piles was performed by Zachary W. Remington (Certification No. 06-09550) of ATL, on July 1, 2011. Photographs and a site sketch depicting the debris pile locations/orientations are attached.

The debris piles contain soil, concrete, metal, brick, and miscellaneous construction debris. We request that the construction debris piles in total and top 2 inches of soil below any visible debris be disposed of as ACM.

We request that the incidental disturbances be cleaned up in accordance with NYCRR Part 55-11.2, although the abatement is considered a large project. The work will be performed utilizing provisions of NYCRR Part 56-11.5 with modifications. The work area will be cleared with a final visual inspection per NYCRR Part 56-9.1, and with the most recent daily air samples acting as

ATL No. AT5089AV-02-07-11 New York State Claparithent of Labor

July 13, 2011

the final degrances, subsequent to removal of the Identified ACM debris piles and underlying 2 indies of soil.

The calcurage represents to ignificate completion of the referenced project in a sale and cost effective maturer. Will recognize consistent with the latest of indicated gase likes as description of the work area and summanies of the indicated Code Suis as relief requested and proposes distancement maturest are provided in Attachingments. Propagations, are section of the work area and a completed S1762 (0208) term. Pentition for Assesses variance are also

Thesik you for your essistance in this matter. Please contact our effice should you have sky questions, or regular additional information.

ATLANNIC TESTING LABORATORIES, LIMITED

Jüseph D. Grabowski Senior Project Manager NYSDOL Gertified Designer #91-08166

JDGA/BR/do

**Attachments** 

-810

ATLINO AT5089AV-02-07-11 New York State Department of Labor

July 18, 2014

#### ATTACEMENT #

Section 8 Word Ameri Desidifetion values

Abstalment work will consist of the eleanup of debris offes resultant of an historical incommat disburbance of ACM and co-mingled with building material. The debris offes tre-situated on the former Scolite property, located in Troy, Rensselser County, New York. The total stee to be deaned is approximately 7,200 square feet of ACM debris mixed with construction debris, along with the top 2 inches of soil below the visible debris. The removal will follow NY CRR Pari 60 Subbalté é E crovisions

Section 9 (e) Relief Soverie

The scope of work consists of the deanup of asbestos containing ACM debits mixed with construction debits and removal of approximately the top 2 inches of soll below the visible debris. The project will econsist of following the provisions sel forth in Sections 11.2 and 11.5 of the Bode Rule 66 (12NYCRR) regulations, with the additional regulirements specified below. This petition requests relief from the following sections of 12NYCRR Section 30 of the Labor zaw and the Items for velicit will be applicable only for the deanup of the aspesios-applicables constitution déans alles es sessification

56-41,2 Emergency Projects (Minor Incidental Disturbance) 56-41,5 Controlled Demolition with Asbestos in Place

STEEL STEEL Proposed Availament Method Description for Each Work Area or Method Useds

This dearnip is intended to follow the provisions of Industrial Code Role of with the following modifications: 

A large size remote personal describiningum unit will be utilized for the project. 2

The work area setup and removal of the depristand soil will be in accordance with. NYCRR Part 56-11.5 since the buildings are plies of debits at the site.

3. The debris pile consists of spil, concrete, brick, and missellaneous construction debris. All of the construction materials located in the debris olles will be disposed of as ACM.

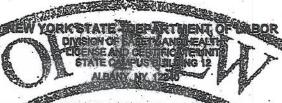
in addition to the requirements of NYCER 56-4 Los additional air samples will be collected within the work area daily during abatelyent activities 4.

Affice abatement activities are admirlete, a minimum 2-hour drying period is complete. 5. and the erea is dry and free of all visible pools of water, a Project Monitor will perform a visual dearance inspection of the work area per NYCRR-56-9.1.

in tieu of post-abatement deatapos air monitoring, and in compliance with NYGPR Pan 56.0.2(d), the most recent dally abatement air samples collected during removal 6. and deaning operations in the regulated work area shall be used for companison with NYCRR Part 68-4,11 dearance citiena.

71-810.

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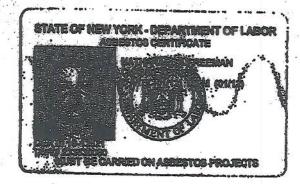
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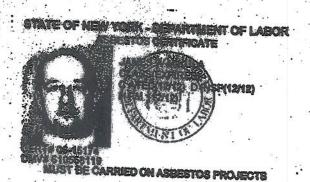
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Maureen A. Cox, Director FOR THE COMMISSIONER OF LABOR

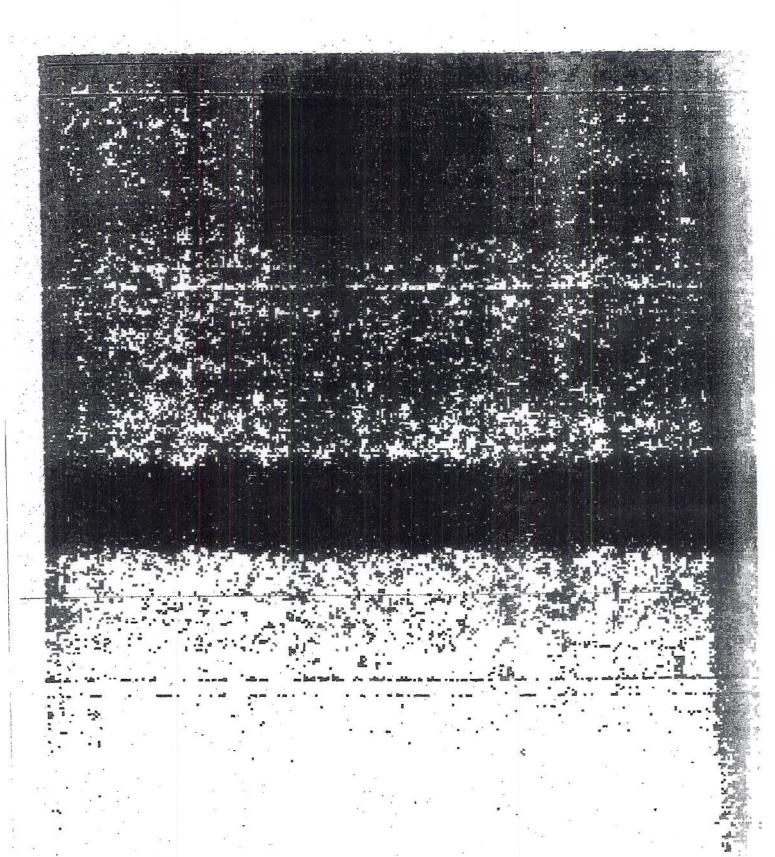


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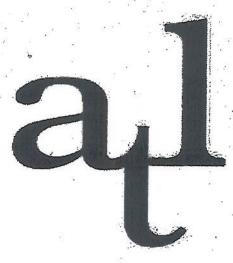
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Appendix C

Project Logbook

### **ASBESTOS PROJECT LOG BOOK**



PROJECT NAME: City of Troy - Scalife Site (Phose IT)

LOCATION: Tray , NY

ATL PROJECT NUMBER: Albany

ATL OFFICE: AT 5089

BOOK \_ OF \_



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Daily Asbestos Project Notes Date: lo la 11 Weather: UFAQ. Project Monitor(s): A Granda ( Certification Numbers: 1012(02) Daily Sample Numbers: 19-77 Calibration Date: 9 Backup Rotometer Number: @As Sample Type: Material Type: MAN CALAMMETED DEBOIS Calibration Date: Q Contractor Worker Log Book Nos.: 02.03.04.05 Time **Field Notes** 



Daily Asbestos Project Notes

Date: 10 10 11	Weather: CLEAR, SULLY
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Certification Numbers: 1012021	Rotometer Number:
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Daily Sample Numbers: 37-45 Calibration Date: 98041
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Albany orporate Dri

22 Corporate Drive Clifton Park, NY 12065 518-383-9144 (T) 518-383-9166 (F)

April 24, 2009

City of Troy One Monument Square Troy, New York 12180

Attn: Ms. Andrea Briggs

Re: Asbestos Project Monitoring Services

Scolite Site

Troy, Rensselaer County, New York ATL Report No. AT5089A-01-04-09

#### Ladies/Gentlemen:

In accordance with the scope of work outlined in our contract (ATL No. AT5998-54-12-08), dated December 2, 2008, and authorized by Mr. Harry J. Tutunjian on January 23, 2009, Atlantic Testing Laboratories, Limited (ATL) performed asbestos project monitoring and air monitoring services at the above referenced site from February 11 through 24, 2009. This project consisted of the removal of asbestos-containing demolition debris associated with the former Scolite Facility, located on Madison Street, Troy, Rensselaer County, New York.

The asbestos abatement services were provided by Midlantic Environmental Incorporated. Asbestos abatement and air sampling activities were conducted in accordance with 12 NYCRR 56-4 regulations. The project has not been completed due to contract related issues between the City of Troy and the abatement contractor at this time. A final project monitor visual examination and air sampling will be completed once the project resumes. Air samples were collected and submitted to a New York State Department of Health approved laboratory (ELAP No. 11375) and analyzed by phase contrast microscopy (PCM). The laboratory reports and associated sample custody documentation and submittals are enclosed.

Please contact our office should you have any questions, or if we may be of further assistance.

Sincerely,

ATLANTIC TESTING LABORATORIES, Limited

Zachary W. Remington Environmental Scientist

ZWR/JDG/zwr

**Enclosures** 

cc: Mr. Richard Craig, City of Troy

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### Project Air Sample Log

Project Name: Scalife factory - Tray NY Project Number: AT5089

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Sample Types:

8=Background A=Abatement F=Final Clearance

labs:

=AmeriSci NY E=ELS (write out if other lab)

	Estimated Quantity	Modification No. 1	Modification No. 2
PCM			
TEM			



Albany

22 Corporate Drive Clifton Park, NY 12065 518-383-9144 (T) 518-383-9166 (F)

April 24, 2009

City of Troy One Monument Square Troy, New York 12180

Attn: Ms. Andrea Briggs

Re: Asbestos Project Monitoring Services

Scolite Site

Troy, Rensselaer County, New York ATL Report No. AT5089A-01-04-09

#### Ladies/Gentlemen:

In accordance with the scope of work outlined in our contract (ATL No. AT5998-54-12-08), dated December 2, 2008, and authorized by Mr. Harry J. Tutunjian on January 23, 2009, Atlantic Testing Laboratories, Limited (ATL) performed asbestos project monitoring and air monitoring services at the above referenced site from February 11 through 24, 2009. This project consisted of the removal of asbestos-containing demolition debris associated with the former Scolite Facility, located on Madison Street, Troy, Rensselaer County, New York.

The asbestos abatement services were provided by Midlantic Environmental Incorporated. Asbestos abatement and air sampling activities were conducted in accordance with 12 NYCRR 56-4 regulations. The project has not been completed due to contract related issues between the City of Troy and the abatement contractor at this time. A final project monitor visual examination and air sampling will be completed once the project resumes. Air samples were collected and submitted to a New York State Department of Health approved laboratory (ELAP No. 11375) and analyzed by phase contrast microscopy (PCM). The laboratory reports and associated sample custody documentation and submittals are enclosed.

Please contact our office should you have any questions, or if we may be of further assistance.

Sincerely,

ATLANTIC TESTING LABORATORIES, Limited

Zachary W. Remington Environmental Scientist

ZWR/JDG/zwr

**Enclosures** 

cc: Mr. Richard Craig, City of Troy