

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

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October 18, 2018

Mr. William Wu
Assistant Engineer (Environmental)
NYSDEC Central Office
Division of Environmental Remediation
625 Broadway, Floor 11
Albany, New York 12233 - 7014

Re: *Periodic Review Report*
Former Jones & Laughlin Ore Processing (Site No. E645029)
NYS State Route 3 and County Route 60
Town of Clifton, St. Lawrence County, NY
Reporting Period: June 9, 2014 to June 29, 2018
C.T. Male Project No. 18.8546

Dear Mr. Wu:

C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology D.P.C. (C.T. Male) presents this Periodic Review Report (PRR) of the Former Jones & Laughlin Ore Processing Site located in the Town of Clifton, St. Lawrence County, New York. The PRR was completed in general accordance with the June 2014 NYSDEC approved Final Site Management Plan for the Former Jones & Laughlin 18-Acre Site (ERP Site No. E645029).

C.T. Male completed a Site-wide visit on September 21, 2018 to observe the integrity of the existing cover system and general land use. This report is the first report for the reporting period referenced above.

Site Overview

The Site boundaries subject to this PRR consists of three (3) separate parcels, which were formerly part of a larger 54-acre lot located on the south, west and east side of the intersection of Route 3 and County Route 60. The parcels are currently known as Area A (Tax Map ID 224.000-8-2), Area B (Tax Map ID 224.000-8-3) and Area C (Tax Map ID 224.000-8-4), herein referred to as the "Site". A Site Location Map is attached as Figure 1.

General descriptions of the Site layout for Area A, Area B and Area C are listed below:

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- “Area A” is approximately 4.69-acres in size and is located on the south side of Route 3 at the intersection with County Route 60. This area consists primarily of thick wooded area with a large tailings pile from previous mining operations occupying about one-third of the southern portion of this area. The portion of the Site where the large tailings are located slopes significantly upward from south to north, but the rest of the Site is relative flat with an access road leading into this area from Route 3.
- “Area B” is approximately 4.63-acres in size and located north of Route 3 and west of County Route 60 at the intersection of these two roadways. This area is relatively flat land with a mixture of wooded land (northern portion) and cleared area (southern portion). Access to the Site is off of Route 3, through a gate in a chain link fence that fronts the adjacent roadways.
- “Area C” is approximately 4.94-acres in size and is located north of Route 3 and east of County Route 60 at the intersection of these two roadways. The area fronting Route 3 is primarily flat and consists of an equal mix of asphalt paved driveways and grassy areas, and a temporary/seasonal NYSDEC operated free boat washing station. This area also has an active electrical substation owned and operated by National Grid (completely surrounded by a locked chain link fence), overhead power lines, a stretch of concrete road (which was formally old State Route 3), and a relatively small pond. The Little River also touches the extreme eastern corner of this area.

It should be noted that the existing Site Management Plan (SMP) for the Site (by CDM Smith of Latham, New York) references 18-acres of land across three areas of concern (AOCs) A, B and C, but these SMP designations do not match the current designations of Areas A, B and C. The cross reference of the SMP AOCs and Areas are listed below for clarity:

Current Reference	SMP Reference
Area A	AOC B
Area B	AOC A
Area C	AOC C

The COC for the Site references the subject Site size to be 14.3 acres, not 18 acres per the SMP as the 18 acres apparently referenced acreage including the adjoining roadways when the parcel was one lot. Given these minor discrepancies, consideration should be

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given to updating the SMP accordingly to reflect these current “Area” designations and sizes.

Selected Remedy

The selected remedy for the Site was completed in 2014 and the Certificate of Completion (COC) was issued by NYSDEC on June 9, 2014. The remedy consists of maintaining the existing Site cover, development of a Site Management Plan (SMP) and execution of an Environmental Easement.

To the best of our knowledge based on interviews with personnel familiar with the Site history, there has been no change to the selected remedy and there has been no significant changes to the existing Site cover (i.e., no excavation or disturbance). The SMP was prepared by CDM Smith and approved by NYSDEC in June 2014 and the Environmental Easement was prepared and recorded at the St. Lawrence County Clerk’s Office June 9, 2014.

Evaluate Remedy Performance, Effectiveness and Protectiveness

The implemented remedy is achieving the remedial goals for the Site. The surface cover which is existing surface cover, appears to be providing protection of human health and the environment. The existing surface cover consists of vegetated soil, asphalt or concrete with on small wood storage shed. All of these materials were in adequate condition with no excavated areas that would expose subsurface existing soils.

IC/EC Plan Compliance Report

The listed Institutional Controls (ICs)/Engineering Controls (ECs) listed in the Period Review Report (PRR) Notice Institutional and Engineering Controls Certification Form are still applicable and required for the Site. No action or changes are required for the IC/EC’s.

Monitoring Plan Compliance Report

Monitoring requirements consist of Site-wide inspections at a minimum of once per year and after severe weather conditions that may affect ECs. The Site owner (St. Lawrence County) did not perform any Site-wide inspections since the issuing of the COC in June 9, 2014.

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Although annual Site-wide inspections were not performed by the County, the September 21, 2018 Site wide inspection performed by C.T. Male did not identify evidence of Site disturbance that would indicate a breach of the Site's existing surface cover. On the basis of these recent observations, the lack of inspections is not considered a violation or failure to comply with the SMP to a degree that prevents C.T. Male from completing the attached certification form.

Also, in the event of severe weather conditions, the SMP requires additional Site inspections. There were no known severe weather conditions during the reporting period that could have affected ECs and therefore, there were no additional inspections performed.

Operation & Maintenance Plan Compliance Report

The existing surface cover system is mostly very established wooded land and grass/weeds with localized areas of asphalt pavement or concrete. All of these surface cover materials are in fair to good condition with no on-going erosion, deterioration or settling. There are other miscellaneous observations relative to the operation and maintenance of the Site, as follows:

Area A

- There were two 5-gallon buckets of broken glass observed in close proximity to the access gate, along the north side of the access road heading easterly out of the Site.
- There were cut brush piles in close proximity of the access gate.

Neither of these items affected the condition of the existing surface cover.

Area B

- There was an empty steel 55-gallon drum in the northern portion of the Site. The surrounding land did not have stressed vegetation to suggest environmental impairment.
- There was discarded chain link fence fabric in the northern portion of the Site.
- In the central portion of the Site, there is a piece of abandoned equipment that appeared to have a number of spray nozzles.

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- Close to the abandoned spray equipment, there was a piece of steel extending out of the ground surface that may be a former water well.
- There was a concrete slab on grade in the central portion of the Site that appeared to be associated with a former transformer with remnants of power lines.

None of these items affected the existing surface cover. The suspected water well is not protected from public access although general access to the Site is limited. Consideration should be given to capping the water well.

Area C

- No operation and maintenance issues identified.

Overall PRR Conclusions and Recommendations

The following conclusions and recommendations relative to compliance with the SMP are provided:

1. Groundwater Use Restriction: Requirements were met during the reporting period;
2. Landuse Restriction: Requirements were met during the reporting period;
3. Site Management Plan: Requirements were met during the reporting period. Recommended updates to correct Site sizes and designations;
4. Monitoring Plan: Requirements for annual inspection were met not during the reporting period. On the basis of these recent observations, the lack of inspections is not considered a violation or failure to comply with the SMP;
5. IC/EC Plan: Requirements were met during the reporting period;
6. Cover System/Subsurface Barriers: Requirements were met during the reporting period;
7. Based on C.T. Male's evaluation of the components of the SMP, the remedy is achieving the remedial objectives for the Site;

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8. The frequency of the annual submittal of the PRR should not be changed at this time; and
9. Site management shall be continued.

Certifications

For each institutional or engineering control identified for the Site, I certify that all of the following statements are true:

- The inspection of the Site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this Site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any SMP for this control;
- 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;
- Use of the Site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- 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 in this report is accurate and complete.
- I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A"

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misdemeanor, pursuant to Section 210.45 of the Penal Law. I, Jeffrey A. Marx, P.E., of C.T. Male Associates at 50 Century Hill Drive, Latham, New York, am certifying as 354 Broadway LLC and I have been authorized and designated by the Site owner to sign this certification for the Site.

If you have any questions, please contact me at (518) 786-7548 or via email at j.marx@ctmale.com.

Respectfully Submitted,

C.T. MALE ASSOCIATES

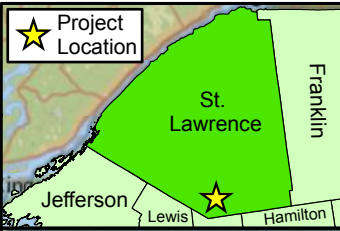


Jeffrey A. Marx, P.E.

Project Manager/Sr. Environmental Engineer

Att Figure 1 – Parcel Location Map
Periodic Review Report Certification Form
Site Inspection Checklist

ec: Steve Button, Esq., St. Lawrence County
Keith Zimmerman, Director of Planning, St. Lawrence County
Gary Bowitch, Esq., Bowitch & Coffey

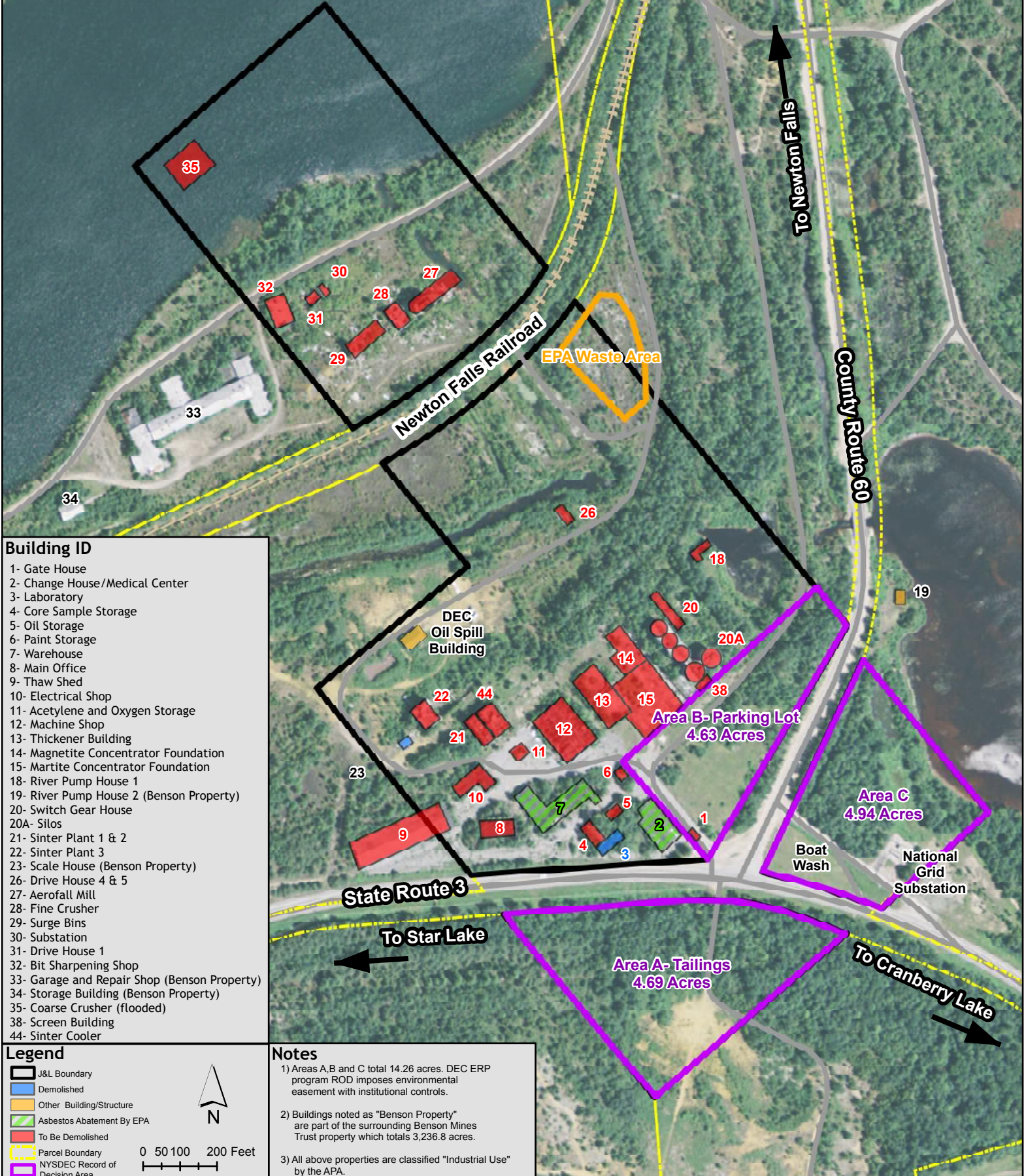


J&L Redevelopment Site

Map 2



November 23, 2015 CI/SC





Site Details

Site No. E645029

Box 1

Site Name Former Jones & Laughlin Ore Processing

Site Address: NYS Route 3 and County Route 60 Zip Code: 13690-
City/Town: Clifton
County: St Lawrence
Site Acreage: 14.3

Reporting Period: June 09, 2014 to June 29, 2018

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/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.

Not Applicable

Signature of Owner, Remedial Party or Designated Representative

Date _____

Description of Institutional ControlsParcelOwnerInstitutional Control**224.000-8-2**

St Lawrence County

Ground Water Use Restriction
Landuse Restriction
Site Management Plan

Soil Management Plan

Placement of an environmental easement on the property that:

- requires submittal of a periodic review report and certification of the institutional and engineering controls;
- restricts the allowable use to commercial use, as defined in Part 375-1.8(g);
- restricts the use of groundwater without necessary treatment;
- requires compliance with the approved Site Management Plan.

224.000-8-3

St Lawrence County

Ground Water Use Restriction
Soil Management Plan
Landuse Restriction
Site Management Plan

Placement of an environmental easement on the property that:

- requires submittal of a periodic review report and certification of the institutional and engineering controls;
- restricts the allowable use to commercial use, as defined in Part 375-1.8(g);
- restricts the use of groundwater without necessary treatment;
- requires compliance with the approved Site Management Plan.

224.000-8-4

St Lawrence County

Ground Water Use Restriction
Soil Management Plan
Landuse Restriction
Site Management Plan

Placement of an environmental easement on the property that:

- requires submittal of a periodic review report and certification of the institutional and engineering controls;
- restricts the allowable use to commercial use, as defined in Part 375-1.8(g);
- restricts the use of groundwater without necessary treatment;
- requires compliance with the approved Site Management Plan.

Description of Engineering ControlsParcelEngineering Control**224.000-8-2**

Cover System

A site cover currently exists and will be maintained to allow for commercial use of the site. Any site redevelopment will maintain a site cover, which may consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper one foot of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs).

224.000-8-3

Cover System

A site cover currently exists and will be maintained to allow for commercial use of the site. Any site redevelopment will maintain a site cover, which may consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper one foot of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs).

224.000-8-4

Cover System

A site cover currently exists and will be maintained to allow for commercial use of the site. Any site redevelopment will maintain a site cover, which may consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper one foot of exposed surface soil will exceed the applicable soil cleanup objectives

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.

** Although annual site-wide inspections were not performed, the September 2018 site wide inspection performed by C.T. Male did not identify evidence of site disturbance that would indicate a breach of the site's existing surface cover. As a result, the lack of inspections is not considered a violation or failure to comply with the SMP to a degree that prevents C.T. Male from completing the attached certification form.

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.

Not Applicable

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. E645029

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 RUTH A DOYLE at 48 Court Street, Canton, NY 13617 - 1169
print name print business address

am certifying as St. Lawrence County (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

10/23/2018
Date

IC/EC CERTIFICATIONS

Box 7

Qualified Environmental Professional 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 Jeffrey A. Marx, PE at C.T. Male Associates Engineering, Surveying,
Architecture, Landscape Architecture & Geology, D.P.C.,
50 Century Hill Dr., Latham, New York 12110
print name print business address

I am certifying as a Qualified Environmental Professional for the St. Lawrence County

(Owner or Remedial Party)



Jeffrey A. Marx

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

Stamp
(Required for PE)

Date

10/18/2018

COMPANY NAME

OPERATIONS/QUALITY CONTROL

SITE COVER INSPECTION REPORT**Former Jones & Laughlin Ore Processing Property**Weather: Rain/Cloudy TEMP 65 °FReport No. 01Date: Sept. 21, 2018 Time: 8:00 am

09/21/2018

ANNUAL INSPECTION ITEMS

Inspection Date:

SYSTEM TO INSPECT	CONDITIONS OBSERVED	PREVIOUS CONDITION
Site Cover Erosion, Vegetation Deterioration, Settling, Ponding, Uplift, Washouts	<u>Condition</u> <u>Comment</u> No erosion, settling, etc. observed.	<u>Condition</u> <u>Comment</u> Not Applicable

Comments: See C.T. Male prepared PRR dated October 30, 2018 for additional information.