



July 14, 2023

Mr. Patrick Pagano  
Project Manager  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233

Re: Periodic Review Report  
East Rome Business Park (Old General Cable Site)  
600 Railroad Avenue  
Rome, NY 13440  
NYSDEC Site #V00077

File: 245.005.022

Dear Mr. Pagano:

This periodic review report (PRR) was prepared by Barton & Loguidice (B&L) to document the basis for certification of Site institutional and engineering controls (IC/ECs) at the East Rome Business Park, or "Site" (**Figure 1**), located at 600 Railroad Avenue, Rome, New York. This PRR provides a background of the Site, Site inspection details, conclusions, and confirmation that Site IC/ECs are performing in accordance with the New York State Department of Environmental Conservation (NYSDEC) approved Site Management Plan (SMP).

This PRR encompasses a total acreage less than the 14.3 acres that is listed in Box 1 of the NYSDEC Institutional and Engineering Controls Certification Form, due to the sale of a portion of the Site to Hamilton College. A copy of the deed including parcels sold to Hamilton College is provided as **Attachment A**. Due to the sale and development of portions of the Site, this PRR encompasses a reduced total of approximately 6.194 acres. Details regarding the sale and previous development of the Site are described below.

### Site Background

The East Rome Business Park (aka Old General Cable Site) is located along the New York State Barge Canal in the City of Rome, NY. The Site is bounded to the north by Railroad Street, to the south by the NYS Barge Canal, to the west by Harbor Way, and to the east by International Wire Group, Inc., a manufacturer of copper-alloy wire products.

The East Rome Business Park was historically used for the manufacturing of wire and cable by the General Cable Corporation, which occupied the Site from the early 1900s until the early 1970s. In 1975, Mr. Charles A Gaetano purchased the property from the General Cable Corporation with the intent of





redeveloping the site for commercial and industrial use. However, no development occurred at the site and in the mid-1990s the City of Rome purchased the property from Mr. Gaetano. In 1997, the City of Rome subdivided the former General Cable site into seven separate parcels in an effort to spur redevelopment. Parcel Nos. 1 through 4 are referred to as the Northern Redevelopment Area. Parcel No. 5 is referred to as the Rod Mill Parcel, Parcel No. 6 is referred to as the Canterbury Parcel, and Parcel No. 7, is referred to as the Roadway Right-of-Way parcel (**Figure 2**).

In January 2013, A PRR was prepared by Synapse Risk Management, LLC (Synapse) for the East Rome Business Park. The PRR states the City of Rome Industrial Development Agency arranged for the performance of a Phase I Environmental Site Assessment (ESA) in 1995, and a subsequent Phase II Site Investigation in 1997, at the former General Cable site. Based on the findings of the Phase I ESA and Phase II ESA, Mr. Gaetano entered into a Voluntary Remedial Agreement (Index No. D6-0001-97-07) with the NYSDEC on March 8, 1999 to conduct remedial activities at the Site. Remedial activities and supplemental remedial investigations were performed in each of the aforementioned areas during the period of July 2000 through August 2005. In lieu of providing a summary of previously-completed remedial activities in this PRR, the reader is referred to the Synapse January 2013 PRR (**Attachment B**).

On May 14, 2018, the City of Rome and Barton & Loguidice, D.P.C. (B&L) were informed by Mr. Peter Taylor, P.E. of the New York State Department of Environmental Conservation (NYSDEC) Region 6 Office that the Roadway Right-of-Way parcel (Parcel No. 7) and the Northern Redevelopment Area (Parcel Nos. 1 through 4) should not be included in this Periodic Review Report (PRR). Mr. Taylor explained that the Roadway Right-of-Way parcel was successfully remediated under the provisions of the Environmental Restoration Program (ERP) and, therefore, is not subject to a PRR. As such, the Northern Redevelopment Area (approximately 7.6 acres) is considered by the NYSDEC to be a separate site for the purposes of the NYSDEC-required PRR.

In April 2021, Parcel #5, formerly known as the Rod Mill Parcel (Tax ID# 242.020-1-18.1) was subdivided, and Hamilton College was granted 0.51 acres for the construction of the Boathouse and a permanent easement that consists of 0.26 acres. As such, this PRR encompasses a total acreage of 6.194 acres. A copy of the deed including the legal description of parcels sold from the City of Rome to Hamilton College is included as Attachment A.

### **Annual Site Inspection Details**

On May 2, 2023, Mr. Stephen Le Fevre, PG and Mr. Stefan R. Truex, PG of B&L conducted an inspection of the Site to verify the effectiveness of Site ICs/ECs. In addition, B&L completed the enclosed Institutional and Engineering Controls Certification Form provided by the NYSDEC (**Attachment C**).

The purpose of the site inspection was to evaluate the condition and continued effectiveness of the Site ICs/ECs that have been implemented at the site. As previously noted, a minimum 6-inch thick concrete or soil cover system is in place to protect the public from incidental contact. The observed condition of each Tax Map ID parcel is presented below:



Rod Mill Parcel (Parcel No. 5)

In April 2021, Parcel #5, formerly known as the Rod Mill Parcel (Tax ID# 242.020-1-18.1) was subdivided, and Hamilton College was granted 0.51 acres for the construction of the Boathouse and a permanent easement that consists of 0.26 acres. As such, this PRR only provides a Site inspection summary of property owned by the City of Rome (6.194 acres). A NYSDEC-issued approval letter for the construction of the boathouse is included as Attachment D.

The site is currently covered with 6 inches of soil cover, asphalt driveways, and a building. The northern 2.2 acres of Parcel No. 5 was used as a spoils area for the construction of the Navigation Center and boat launch that is located on the southern half of the site, completed in 2017. This area of the site is to be developed with the construction of a skate park, parking lot, and drive, with areas outside the development footprint to be capped with clean soil and seed, as appropriate. If development does not occur, the City will place clean fill and seed over the entire northwestern portion of the Site, as appropriate. A NYSDEC-issued change of use form for the above development was submitted to the department in July 2023, and is included as Attachment E.

The remaining portion of this tax map parcel, which is located on the north side of Harbor Way, does not appear to have been altered in any way as a result of the aforementioned site development activities (i.e. Hamilton College Boathouse). Specifically, this area of the site is characterized by the presence of exposed slabs of concrete, some of which contain small voids and depressions. However, the concrete slabs were observed to be serving as an adequate cover in accordance with the provisions of the Department-approved Synapse Soils Management Plan (Attachment B).

Canterbury Parcel (Parcel No. 6)

The majority of this approximately 0.9 acre parcel is covered with concrete, with the remaining portion consisting of a grass covered area that is landscaped and well maintained. Therefore, the presence of a concrete and soil cover system on this parcel is serving its intended purpose in accordance with the requirements of the Soils Management Plan.

**Site Management Periodic Review Report Notice**

The Institutional and Engineering Controls Certification Form for the East Rome Business Park has been completed by B&L and is included as an attachment herein. Should development of the skate park not occur on the northwestern portion of Parcel 5, B&L will prepare a Corrective Measures Work Plan, in accordance with NYSDEC PRR requirements, and the City of Rome will place clean fill and seed over the northwestern portion of the site, as appropriate.

**Conclusions**

- This PRR encompasses a total acreage of approximately 6.194 acres. A copy of the deed, including parcels sold to Hamilton College, is included as Attachment A.



- Tax Map ID 242.020-0001-018.001 has been partially developed with the construction of the Navigation Center and boat launch area in the southern portion of the site.
- Several areas of exposed soils were identified during the Site inspection on the northwest portion of Parcel #5. As such, six inches of soil cover will be placed on the western portion of Parcel #5 by the City of Rome before the end of the 2024 construction season, should development not occur.
- The concrete and soil cover system at the Site is serving its intended purposes in accordance with the requirements of the Soils Management Plan, except for the northwestern portion of Parcel #5, as noted above.

Should you have any questions regarding this report, please contact the undersigned at 518-218-1801

BARTON & LOGUIDICE, D.P.C.

A handwritten signature in blue ink, appearing to read 'Stefan R. Truex'.

Stefan R. Truex  
Managing Hydrogeologist

A handwritten signature in blue ink, appearing to read 'Bryce D. Dingman'.

Bryce D. Dingman, P.G.  
Associate

SRT/BDD

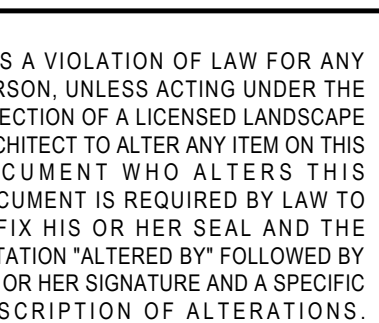
Attachments: Figure 1 – Site Plan  
Figure 2 – Former Site Plan  
Attachment A – Property Deed  
Attachment B – Synapse 2013 PRR  
Attachment C – IC/EC Certification Form  
Attachment D – Future Use Acceptance  
Attachment E – Change of Use Form



**Figure 1**

**Site Plan**





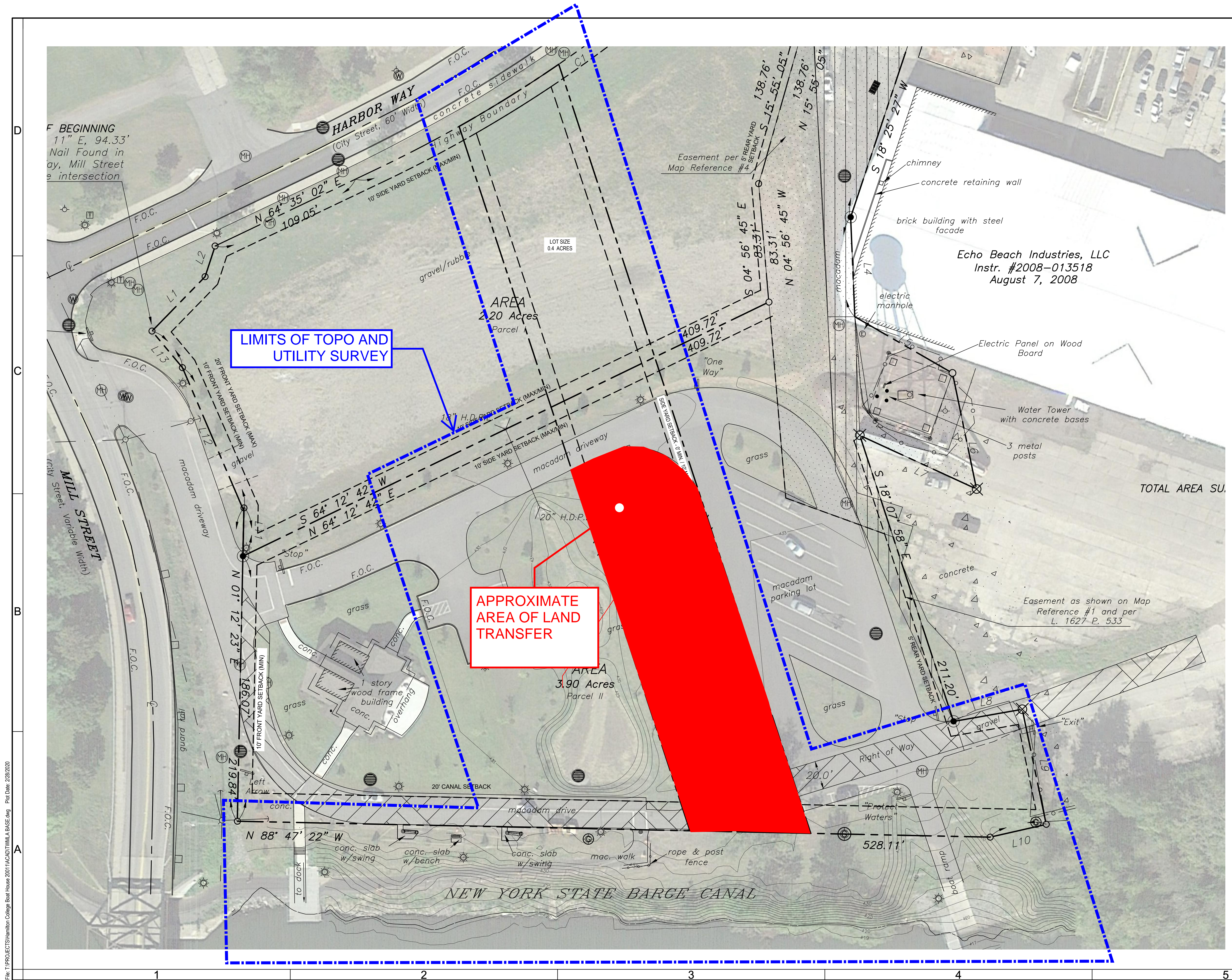
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HAMILTON COLLEGE  
**ROWING BOAT HOUSE**  
ROME, NEW YORK

DATE:	02/27/2020
PROJECT:	20011
DRAWN BY:	WJE
CHECKED:	JLF

SUBDIVISION PLAN

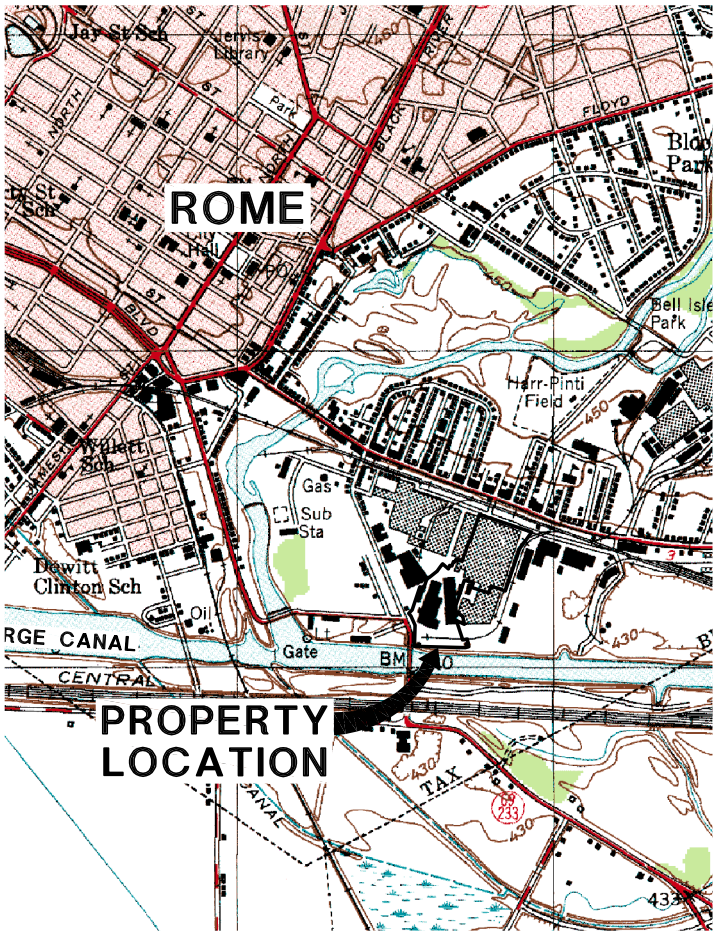
# L001





**Figure 2**

**Former Site Plan**



LOCATION MAP  
1" = 2000'



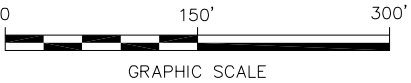
NOTES:

1. BASE MAP MODIFIED FROM ELECTRONIC COPY OF SURVEYS BY LAFAVE, WHITE, & MCGIVERN, L.S., P.C. ENTITLED "SUBDIVISION MAP PROPERTY OF EAST ROME BUSINESS PARK CHARLES A. GAETANO - OWNER", DATED 12/20/96.
2. AERIAL PHOTOGRAPH FROM NYS GIS DATA CLEARINGHOUSE, 2003.

LEGEND

- PROPERTY LINE
- - - APPROXIMATE ADJACENT PROPERTY LINE

PARCEL NO. 3 PARCEL IDENTIFICATION



GRAPHIC SCALE

P: BL  
7/29/05  
SYNAPSE/WP/GAET 01-04/GAETB23.DWG

**synapse**  
SYNAPSE RISK MANAGEMENT, LLC  
HISTORIC BENNETT WAREHOUSE  
325 EAST WATER STREET  
SYRACUSE, NEW YORK 13202

OLD GENERAL CABLE SITE  
ROME, NEW YORK

**AERIAL PROPERTY PLAN**

PROJECT NO.:  
ROME 04.09  
DATE:  
JANUARY 2010  
FIGURE NO.:

**1**

**Attachment A**

**Property Deed**



ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO COUNTY CLERK  
800 PARK AVENUE, UTICA, NEW YORK 13501

COUNTY CLERK'S RECORDING PAGE  
\*\*\*THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH\*\*\*



INSTRUMENT #: 2021-008342

Receipt#: 20211034889

Clerk: LG

Rec Date: 05/19/2021 03:01:36 PM

Doc Grp: RP

Descrip: DEED

Num Pgs: 5

Party1: ROME INDUSTRIAL DEVELOPMENT CORP

Party2: HAMILTON COLLEGE

Town: ROME

Recording:

Cover Page	20.00
Number of Pages	25.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Notice of Transfer of Sal	0.00
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00

Sub Total: 320.00

Transfer Tax 72.00

Sub Total: 72.00

Total: 392.00

\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*

Transfer Tax #: 5647

Transfer Tax

Consideration: 18000.00

Transfer Tax 72.00

Total: 72.00

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

WARNING\*\*\*

I hereby certify that the within and foregoing was recorded in the Oneida County Clerk's Office, State of New York. This sheet constitutes the Clerk's endorsement required by Section 316 of the Real Property Law of the State of New York.

Sandra J. DePerno  
Oneida County Clerk

2021-008342 05/19/2021 DEED Image: 2 of 5

**BARGAIN AND SALE DEED**

THIS INDENTURE, made the 26<sup>th</sup> day of April, 2021, between,

**ROME INDUSTRIAL DEVELOPMENT CORPORATION**, a New York development corporation, having a principal business address located at 584 Phoenix Drive, Rome, New York 13441,

as Grantor,

and

**HAMILTON COLLEGE**, a New York not-for-profit education corporation, having a principal business address located at 198 College Hill Road, Clinton, New York 13323,

as Grantee,

*Witnesseth, that the Grantor, in consideration of-----  
--ONE-----Dollars (\$1.00----) and other good and valuable consideration, lawful money of the United States, paid by the Grantee, does hereby grant and release unto the Grantee, its heirs or successors and assigns of the Grantee, forever,*

See Schedules "A", attached hereto

**TOGETHER WITH** the all right, title and interest, if any, of the Grantor in and to any streets and roads abutting the above-referenced to the center lines thereof;

**TOGETHER WITH** the appurtenances and all the estate and rights of Grantor in and to said premises.

**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, the heirs or successors and assigns of the Grantee part forever.

**AND** the party of the Grantor covenants as follows:

**FIRST**, that the Grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatsoever, except as aforesaid;

**SECOND**, the Grantor, in Compliance with Section 13 of the Lien Law, covenants that the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvements and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

20211034889 Clerk: LG

2021-008342  
05/19/2021 03:01:36 PM  
DEED  
5 Pages  
Sandra J. DePerna, Onondaga County Clerk

In Witness Whereof, the party of the first party has duly executed this deed the day the year first above written,

In Presence of

  
RONALD EDWARDS, President


STATE OF NEW YORK )

)SS.:

COUNTY OF ONEIDA )

On this 28 day of April, Two Thousand and Twenty-One before me, the undersigned, personally appeared **RONALD EDWARDS**, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he is the President of the Board of Directors of the **ROME INDUSTRIAL DEVELOPMENT CORPORATION**, a party described in this instrument and that executed the same in his capacity, and that by his signature on the instrument the individual(s), or the person or entity upon behalf of whom the individual(s) acted, executed the instrument.

Notary Public, State of New York  
Registration No. 0116802382  
Qualified in Oneida County  
Commission Expires 12/31/2023

  
Notary Public

RECORD AND RETURN TO:

Rond Schnenack & King, PLLC  
Attn: Kevin M. Poje, Esq.  
110 West Fayette Street  
Syracuse NY 13202

RECEIVED

2021 APR 30 AM 9:13

NOTARY PUBLIC  
STATE OF NY

RECEIVED

APR 30 2021

Rome Association Office



**SCHEDULE "A"**

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF ROME, COUNTY OF ONEIDA AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

**Beginning** at an iron rod on the northerly blue line of the New York Barge Canal, said iron rod standing therein distant **S88°47'22"E 317.05 feet**, as measured along the Northerly Blue Line of the New York State Barge Canal from a point standing at the intersection of the Northerly Blue Line of the New York State Barge Canal with the Easterly highway boundary of Mill Street; thence, **N18°08'40"W 266.48 feet**, to an iron rod; thence, **N66°19'29"E 27.87 feet**, to an iron rod standing on a curve to the right; thence Southeasterly **79.47 feet** along aforementioned curve to the right having a radius of **47.67 feet**, a delta angle of **95°31'18"** and a chord bearing and distance of **S65°54'15"E 70.58 feet**, to an iron rod; thence **S18°08'40" E 249.83 feet** to an iron rod standing on the Northerly Blue Line of the New York State Barge Canal; then **N88°47'22"W 84.79 feet** along the Northerly Blue Line of the New York State Barge Canal to the point and place of beginning.

The above described parcel containing **0.51 +/- (22,143.8 +/- sq. ft)** of land.

**Subject to** a 20 ft. wide right-of-way shown on a map entitled "Final Subdivision Map Property of East Rome Business Park Charles A. Gaetano – Owner"- By LaFave, White and McGivern, L.S.P.C., dated February 7, 1997 and recorded in the Oneida County Clerk's Office on April 17, 1997 in Map Roll 1688.

**Also, subject to** any other easements, covenants or restrictions of record.

Said parcel being conveyed together with and subject to a permanent easement for ingress and egress from the street known as Harbor Way to the parcel conveyed hereby and which is more specifically described hereinabove, which said easement shall run with the land and is more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF ROME, COUNTY OF ONEIDA AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

**Beginning** at an iron rod on the southeasterly highway boundary of Harbor Way, said iron rod standing therein distant **N44°19'43" E 53.36 feet**, **N18°04'43"E 22.68 feet**, **N64°35'02"E 109.05 feet** and Northeasterly **262.61 feet** along a curve to the left having a radius of **1030.00 feet**, a delta angle of **08°32'32"** and a chord bearing and distance of **N60°19'07"E 153.42 feet**, as measured respectively along the Southeasterly highway boundary of Harbor Way from an iron rod standing at the intersection of the Southeasterly highway boundary of Harbor Way with the Easterly highway boundary of Mill Street;

thence Northeasterly 36.57 feet along a curve to the left having a radius 1030.00 feet, a delta angle of 02°02'03" and chord bearing and distance of N55°01'29" E 36.57 feet to an iron rod; thence S18°08'40"E 335.00 feet to a metal survey marker; thence S71°51'20"W 25.24 feet to an iron rod; thence N18°08'40"W 8.19 feet to an iron rod standing on a curve to the left; thence, Northwesterly 31.05 feet along aforementioned curve to the left having a radius of 47.67 feet a delta angle of 37°19'18" and a chord bearing and distance of N36°48'36"W 30.50 feet to a metal survey marker; thence N18°08'40"W 287.33 feet to the point and place of beginning.

The above described easement containing 0.26 +/- acre (11,263.5 +/- sq. ft) of land.

**Subject** to any easements, covenants and restrictions of record.

Being the same premises conveyed to Grantor by City of Rome, New York, by Bargain and Sale Deed, dated the 8<sup>th</sup> day of April, 2021, and recorded in the Oneida County Clerk's Office on the \_\_\_\_\_ of \_\_\_\_\_ 2021, as Oneida County Clerk's Office Instrument No.: \_\_\_\_\_.

**Attachment B**

**Synapse 2013 PRR**

**Periodic Review Report  
Site No: V00077**

**East Rome Business Park  
Former General Cable Site  
Rome, New York**



**2013 Report Prepared By:**

**City of Rome  
Rome City Hall  
198 N. Washington Street  
Rome, New York 13440**

**Amendment to 2009 PRR Prepared By:**

**Synapse Risk Management, LLC  
Historic Bennett Warehouse  
325 East Water Street  
Syracuse, New York 13202**



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**January 2013**

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Figure 2 – American Alloy Steel Site Plan (2012)

Figure 3 – Rod Mill Reuse Strategy Conceptual Site Plan (2012)

Figure 4 – Rossi Site/MSP Site Plan (2012)

Figure 5 – DEC Letter Dated 12/09/10

## APPENDICES

Appendix A – Institutional and Engineering Controls Certification Form

## **1.0 INTRODUCTION**

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The former General Cable property is located along the City of Rome's waterfront within a 500-acre Brownfield Opportunity Area, formerly referred to as the East Rome Business Park. The East Rome Business Park's industrial history dates back to the early 1900's, and included the tenure of General Cable Corporation, a leading wire and cable manufacturer. General Cable ceased its Rome operations in the early 1970's, and the property has been primarily vacant since that time.

The previous owner of the Property, Charles A. Gaetano ("Gaetano"), acquired the 17-acre site from General Cable Corporation in 1975. Gaetano's efforts to redevelop the site for commercial/industrial use never materialized, and in the mid-1990's the City of Rome expressed interest in the Property to facilitate new redevelopment opportunities.

In 1997, the City of Rome Planning Board approved a subdivision of the 17-acre former General Cable site into seven separate parcels to facilitate redevelopment. Areas of the seven parcels are set forth below and are shown on Figure 1 – *Aerial Property Plan*, attached hereto.

- |             |                             |               |
|-------------|-----------------------------|---------------|
| ▪ Parcel 1: | Northern Redevelopment Area | (1.5 acres)   |
| ▪ Parcel 2: | Northern Redevelopment Area | (2.019 acres) |
| ▪ Parcel 3: | Northern Redevelopment Area | (1.458 acres) |
| ▪ Parcel 4: | Northern Redevelopment Area | (2.758 acres) |
| ▪ Parcel 5: | Rod Mill Parcel             | (6.098 acres) |
| ▪ Parcel 6: | Canterbury Parcel           | (0.866 acres) |
| ▪ Parcel 7: | Roadway Right-of-Way Parcel | (2.566 acres) |

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## **2.0 SITE OVERVIEW**

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The East Rome Business Park is located along the City of Rome's waterfront and bounded by the Barge Canal to the south, Railroad Street to the north, Harbor Way to the west and industrial development to the east.

Multiple environmental site assessments and site investigations were conducted on the seven parcels. Initially a Phase I Environmental Site Assessment ("Phase I ESA"), was prepared by ReTec (ReTec, 1995) on behalf of the City of Rome Industrial Redevelopment Agency and included a broad assessment of the East Rome Business Park. The Phase I ESA identified certain environmental concerns at the former General Cable Property, as follows:

- Historic industrial use, with operations consisting of a wide range of metalworking activities (i.e. machining, plating, pickling, and coating with rubber, asbestos, and paints);
- Potential presence of underground storage tanks (“USTs”) on site;
- Presence of demolition debris piles and 55-gallon drums on portions of the site.
- Presence of a 150,000 gallon aboveground storage tank (“AST”) on the southeast corner of the property (removed in 1996);
- Storm sewer system that discharges into the New York State Barge Canal located to the south of the Rod Mill Parcel;
- Presence of chlorinated volatile organic compounds in groundwater at concentrations exceeding New York groundwater standards; and
- Presence of underground utility tunnels across the property.

Based on the findings of the Phase I ESA, a Phase II Investigation of the 17-acre former General Cable site (aka the East Rome Business Park Core Area) was conducted to characterize the extent of impact at the site (“Phase II Investigation”) (ReTec, 1997). The Phase II Investigation included surface soil samples, soil borings, soil gas samples, installation of new monitoring wells, indoor ambient air sampling, and a subsurface structure and utility survey.

## **2.1 NYSDEC Voluntary Cleanup Program**

In order to address environmental conditions identified in the Phase I ESA and Phase II Investigation, Gaetano entered into a Voluntary Remedial Agreement, Index No. D6-0001-97-07 (“NYSDEC Order”) with NYSDEC on March 8, 1999.

The NYSDEC Order outlined the investigation and remediation objectives of the former General Cable Property pursuant to a NYSDEC-approved Remedial Action Work Plan (Jack Eisenbach Engineering, P.C.). The seven parcels were treated individually throughout the regulatory process and the remedial objectives for the former General Cable Property, included the following for each of the parcels:

### **Northern Redevelopment Area (NRA) – Parcels 1 – 4**

- Prevention of migration of polychlorinated biphenyls (“PCBs”) and copper to the Barge Canal and Mohawk River;
- Prevention of off-site migration of impacted groundwater via man-made conduits;
- Prevention of migration of contaminants onto the City-owned Roadway Parcel to the south.

**Former Rod Mill Parcel**

- Cleanout of an oil sump located in Building 11, followed by remediation of petroleum impacted soil;
- Clean out of certain storm drain lines; and
- Investigation and remediation of petroleum impacted soil associated with the former 150,000 gallon fuel oil AST and pump house.

**Former Canterbury Parcel**

- Clean out and closure of storm drains associated with Building 9 and 38;
- Asbestos abatement associated with Buildings 11, 13 and 38;
- Removal of an Underground Storage Tank (UST) and petroleum impacted soil adjacent to Building 11; and
- Demolition of Buildings 11, 13 and 38.

**3.0 REMEDIAL ACTIVITIES**

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**3.1 *Northern Redevelopment Area***

Pursuant to the NYSDEC Remedial Agreement, the NYSDEC-approved NRA Work Plan set forth the following proposed remedial actions that were completed from May 1999 through July 2000:

- Cleaning of storm sewer and utility lines on the NRA, and abandonment of unused lines;
- Cleaning of concrete sump located to the west of Building 37, and disposal of generated wastewater;
- Removal of water and debris from the three test bath structures located in Building 50;
- Asbestos abatement activities, including the removal of approximately 740 tons of construction and debris piles containing asbestos materials;
- Inspection, cleaning, and abandonment of underground tunnels on the NRA; and
- Registration and removal of a 2,000 gallon heating oil UST discovered during cleanout of the storm sewer, and removal of associated contaminated soil in the vicinity of the UST.

The City of Rome entered into a State Assistance Contract with NYSDEC under the Clean Water/Clean Air Bond Act of 1996 and conducted an investigation and remediation of the adjacent Roadway Parcel, including certain remedial activities that overlapped with the remediation of the NRA. These activities are documented in JEE's



Northern Redevelopment Area Closure Report ("NRA Closure Report") (July 18, 2000), and include the following:

- Cleanout and abandonment of storm sewer utility lines upgradient of the property line;
- Removal of tunnel structures; and
- Cleanout of the storm sewer line beneath building 39.

### **3.2 Rod Mill Parcel**

Pursuant to the NYSDEC Remedial Agreement, the NYSDEC-approved Rod Mill Parcel Work Plan set forth the following proposed remedial actions:

- Cleanout of an oil sump located in Building 11, followed by remediation of petroleum impacted soil;
- Clean out of certain storm drain lines; and
- Investigation and remediation of petroleum impacted soil associated with the former 150,000 gallon fuel oil AST and pump house.

The above activities, with the exception of the petroleum impacted soil remediation associated with the former AST (discussed below), were completed in 2000.

In addition to the remedial activities undertaken by Mr. Gaetano, additional remediation activities were conducted by the City of Rome relative to the adjacent City-owned Roadway Parcel. The City entered into a State Assistance Contract with NYSDEC under the Clean Water/Clean Air Bond Act of 1996 and conducted an investigation and remediation of the Roadway Parcel, including certain remedial activities that overlapped with the remediation of the Rod Mill Parcel:

- Asbestos abatement in Buildings 11 and 13;
- Sump cleanout in Building 13; and
- Storm drain cleanout and abandonment of lines that drained to the Roadway Parcel.

### **Former 150,000 Gallon AST Remediation**

The 1998 Rod Mill Remedial Action Workplan prepared by JEE recommended for further remediation of petroleum impacts in the vicinity of the former 150,000 gallon fuel oil AST that was removed from the property in 1996.

The former AST remedial action was subsequently completed in 2003, and summarized in the Rod Mill Parcel Remedial Action Closure Report - Amendment (May 30, 2003) prepared by JEE.

The former AST remedial action consisted of the following:

- Excavation and off-site disposal of approximately 2,155 tons of petroleum-impacted soil in the vicinity of the former AST to a maximum depth of twenty (20) feet below ground surface; and
- Removal and off-site disposal of approximately 7,000 gallons of petroleum-impacted wastewater from the former AST excavation.

Subsequent to the former AST remedial action, an oily sheen was observed at a storm drain outlet to the Barge Canal, south of the Rod Mill Parcel. As a result NYSDEC, assigned a spill file to the property (Spill No. 0212777). At that time, a second spill file (Spill No. 0212778) was assigned to the property associated with the 2003 remedial action of the AST.

In 2005, Synapse Risk Management conducted investigative and remedial activities to address remaining issues associated with the two open spill files at the property. Satisfying the individual closure requirements for each spill concurrently satisfied the remaining closure requirements for the NYSDEC Remedial Agreement.

Closure of these two open petroleum spill files was described in a Voluntary Cleanup Agreement Closure Report for the Rod Mill Parcel dated August 2005 ("VCA Closure Report"), prepared by Synapse Risk Management, LLC ("Synapse"). Additional remedial activities relative to cleanout of the storm sewer line and confirmation sampling in the vicinity of the former AST excavation were described in the VCA Closure Report.

### **3.3 *Canterbury Parcel***

Pursuant to the NYSDEC Remedial Agreement, the NYSDEC-approved Canterbury Parcel Remedial Workplan set forth the following proposed remedial actions that were subsequently completed and described in a July 2000 Canterbury Parcel Closure Report that included following:

- Clean out and closure of storm drains associated with Building 9 and 38;
- Asbestos abatement associated with Buildings 11, 13 and 38;
- Removal of an UST and petroleum impacted soil adjacent to Building 11; and
- Demolition of Buildings 11, 13 and 38.

## **4.0 INSTITUTIONAL AND ENGINEERING CONTROLS**

---

### **4.1 Northern Redevelopment Area**

On January 5, 2001, NYSDEC approved the NRA Closure Report and issued an Assignable Release and Covenant Not to Sue (the "Release") for the NRA, which was subsequently recorded in the Oneida County Clerk's Office.

The Release required the recording of an appropriate notice and deed restriction for the NRA parcels. Declaration of Restrictive Covenants ("NRA Deed Restriction"), was filed and recorded on January 26, 2001.

The NRA Deed Restriction describes the regulatory status of the NRA and sets forth certain use restrictions that are intended to run with the land:

- The NRA parcels are prohibited from being developed for purposes other than commercial or industrial use without the express written waiver of NYSDEC; and
- A prohibition on the use of groundwater underlying the NRA parcels without permission from NYSDEC.

### **4.2 Rod Mill Parcel**

On November 7, 2005, NYSDEC approved the VCA Closure Report for the Rod Mill Parcel and issued a spill closure letter for Spill Nos. 0212777 and 0212778 associated with the former AST.

NYSDEC subsequently issued an Assignable Release and Covenant Not to Sue (the "Release") for the Rod Mill Parcel, which was recorded in the Oneida County Clerk's Office on January 23, 2006.

#### Institutional Controls

The Release required an appropriate notice and deed restriction for the Rod Mill Parcel. A Declaration of Restrictive Covenants ("Rod Mill Deed Restriction") was recorded on December 2, 2005.

The Rod Mill Deed Restriction describes the regulatory status of the Rod Mill Parcel and sets forth certain use restrictions that are intended to run with the land:

- The Rod Mill Parcel is prohibited from being developed for purposes other than commercial or industrial use without the express written waiver of NYSDEC;
- A prohibition on the use of groundwater underlying the Rod Mill Parcel without permission from NYSDEC;

- Future development must be conducted in accordance with the Soil Management Plan (SMP). A 2005 SMP was prepared by Synapse and recorded with the deed restriction; and
- The fee owner of the Rod Mill Parcel must submit an annual certification as to ongoing compliance with the deed restriction and SMP requirements.

#### Engineering Controls – Cover System

The Rod Mill Parcel currently has a cover system that provides a physical barrier to soil, thereby minimizing potential exposure pathways. The cover system consists of concrete and asphalt with a thickness of 6 inches or greater encompassing approximately 95% of the Property. An unpaved cover system is located in the southeast corner of the Property in the vicinity of the former AST remediation area. This area currently maintains a clean soil cover greater than 6 inches that is predominantly vegetated. The management plan for soils and the maintenance of the cover system will be set forth in a SMP.

#### **4.3 Canterbury Parcel**

On July 28, 2000, NYSDEC approved the Canterbury Parcel Closure Report prepared by JEE.

NYSDEC subsequently issued an Assignable Release and Covenant Not to Sue (the “Release”) for the Canterbury Parcel on October 3, 2000. The deed restriction was recorded in the Oneida County Clerk’s Office on January 23, 2006.

#### Institutional Controls

The Release required an appropriate notice and deed restriction for the Canterbury Parcel. A Declaration of Restrictive Covenants (“Canterbury Deed Restriction”) was recorded on January 23, 2006.

The Canterbury Deed Restriction describes the regulatory status of the Canterbury Parcel and sets forth certain use restrictions that are intended to run with the land as follows:

- The Canterbury Parcel is prohibited from being developed for purposes other than commercial or industrial use without the express written waiver of NYSDEC;
- A prohibition on the use of groundwater underlying the Canterbury Parcel without permission from NYSDEC;
- Future development must be conducted in accordance with the SMP. A 2005 SMP was prepared by Synapse and recorded with the deed restriction; and
- The fee owner of the Canterbury Parcel must submit an annual certification as to ongoing compliance with the deed restriction and SMP requirements.

#### Engineering Controls – Cover System

The Canterbury Parcel currently has a cover system that provides a physical barrier to soil, thereby minimizing potential exposure pathways. The cover system consists of concrete with a thickness of 6 inches or greater encompassing approximately 95% of the Property. A soil cover system is located in the northeast corner of the Property adjacent to Harbor Way. This area currently maintains a clean soil cover greater than six inches that is predominantly vegetated. This area currently maintains a clean soil cover greater than 6 inches that is predominantly vegetated. The management plan for soils and the maintenance of the cover system will be set forth in a SMP.

### **5.0 CONCLUSIONS AND RECOMMENDATIONS**

---

#### Northern Redevelopment Area (NRA)

In contemplation of future redevelopment, the NRA parcels were investigated and remediated under the oversight of NYSDEC. In 2001, NYSDEC issued the Release for the NRA and a Deed Restriction was filed that sets forth two use restrictions that run with the land.

During June through August 2008, the concrete overlying the NRA parcels was rubblized under a Restore New York grant thereby facilitating redevelopment of the parcels and the retention of a core City of Rome business (American Alloy). On September 10, 2008 the City of Rome adopted the Ordinance 8385A that authorized the conveyance of the NRA to the Rome Industrial Development Agency (RIDA). In October 2008, the RIDA conveyed the NRA parcels to Chickadee Properties, L.P., a Texas Limited Partnership qualified to do business in New York State as American Alloy Steel, with a place of business at 6230 N. Houston Rosslyn Road, Houston, Texas. In the fall of 2008 American Alloy began construction of a new steel manufacturing facility that was completed in summer of 2009 and relocated its operations to the NRA parcels.

During spring/summer 2012, work was completed on an 18,000 square foot addition to the south end of the structure. Attached is the site plan for the addition.

#### Rod Mill Parcel

Multiple environmental site investigation and remedial actions were completed at the Rod Mill Parcel in contemplation of future redevelopment. These investigations and remedial actions were conducted under the oversight of NYSDEC through New York's Voluntary Cleanup Program.

The former General Cable buildings (Building 11 and Building 13) located on the Rod Mill Parcel have been demolished to grade. Approximately ninety-five percent (95%) of the property is currently covered with either concrete or asphalt.

Future development of the Rod Mill Parcel shall be conducted in accordance with requirements of the SMP and environmental deed restriction. The institutional and engineering controls in place allow for commercial or industrial redevelopment of the Property.

Throughout the Rod Mill Parcel surface voids are present in the concrete overlying tunnels and basements. While these voids have no bearing on the integrity of the cover system, they do represent a potential safety hazard and liability to the City as egress to the Rod Mill Parcel is not restricted. It is recommended that access the Rod Mill Parcel be restricted by placement of security fencing and appropriate signage and/or the voids should be filled to grade.

Upon completion of the Voluntary Cleanup Program, the Rod Mill Parcel was transferred to the City of Rome to facilitate redevelopment. In 2010, the City of Rome completed the "Rod Mill Reuse Strategy" in cooperation with the Department of State and the NYS DEC as an Implementation Strategy of the Downtown Rome Brownfield Opportunity Area (BOA). The reuse strategy outlines a series of capital projects that include rubblization of the concrete slab/foundations, public parking, greenspace, tree planting, and future commercial development opportunity.

In 2010, the Rod Mill Reuse Strategy was reviewed by the NYS DEC and it was determined that the proposed redevelopment was in accordance with the Site Management Plan. Attached is the current site plan for the Rod Mill Site as well as the letter from Patrick Cleary, dated December 9, 2010.

In 2012, work began on the parcel to transform the Rod Mill Site into a mixed use waterfront development area. DEC representatives continue to periodically visit the site to ensure project compliance. Work will continue through 2013 to grade, pave, and landscape the area; with construction of the pavilion to commence in fall of 2013 and continue through 2014.

#### Canterbury Parcel

Future development of the Canterbury Parcel shall be conducted in accordance with requirements of the SMP and environmental deed restriction. The institutional controls and engineering in place allow for commercial or industrial redevelopment of the Property.

It should be noted that the "Rossi Site" immediately adjacent to this parcel was recently purchased and redeveloped by MSP, Inc. Currently, a 22,000 square foot clean manufacturing facility is being constructed in accordance with the SMP.

## **6.0 REFERENCES**

---

- Jack Eisenbach Engineering, P.C. (July 18, 2000). *Northern Redevelopment Area Closure Report*.
- Jack Eisenbach Engineering, P.C. (April 26, 2001). *Rod Mill Parcel Environmental Remediation Closure Report*.
- Jack Eisenbach Engineering, P.C. (May 30, 2003). *Rod Mill Parcel, Remedial Action Closure Report (Amendment to Environmental Remediation Closure Report April 26, 2001)*.
- Jack Eisenbach Engineering, P.C. (October 29, 2003). *General Cable Site, Rod Mill Parcel, Supplemental Spill Investigation Work Plan, Revision #1*.
- New York State Department of Environmental Conservation (January 24, 1994). *Division Technical and Administrative Guidance Memorandum: Determination of Soil Cleanup Objectives and Cleanup Levels, HWR-94-4046*.
- New York State Department of Environmental Conservation (March 8, 1999). *Consent Order, Index Number D6-0001-97-07*.
- New York State Department of Environmental Conservation (January 21, 1998). *Old General Cable Site Road Right-Of-Way, City of Rome, Oneida County New York, Record of Decision*.
- New York State Department of Environmental Conservation (December, 2002). Division of Environmental Remediation, *Draft DER-10, Technical Guidance for Site Investigation and Remediation*.
- New York State Department of Environmental Conservation (April 12, 2004). Letter to Jack Eisenbach Engineering, P.C.
- Remediation Technologies, Inc. (July, 1997). *Phase II Investigation of the East Rome Business Park Core Area, Rome, New York*.
- Synapse Risk Management, LLC. (January 2005). *Voluntary Cleanup Agreement Closure Workplan – Rod Mill Parcel, Old General Cable Site, Rome, New York*.
- Synapse Risk Management, LLC. (August 2005). *Voluntary Cleanup Agreement Closure Report – Rod Mill Parcel, Old General Cable Site, Rome, New York*.
- Synapse Risk Management, LLC. (November 2005). *Soils Management Plan – Rod Mill Parcel, Old General Cable Site, Rome, New York*.
- City of Rome, Bergmann Associates, NYS Department of State. (September 2010). *Rod Mill Reuse Strategy, Downtown Rome BOA, Rome, New York*

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## FIGURES

Periodic Review Report  
East Rome Business Park  
Former General Cable Site  
Rome, New York  
Site No. V00077

January 2013

Figure 1 – Aerial Property Plan

Figure 2 – American Alloy Steel Site Plan (2012)

Figure 3 – Rod Mill Reuse Strategy Conceptual Site Plan (2012)

Figure 4 – Rossi Site/MSP Site Plan (2012)

Figure 5 – DEC Letter Dated 12/09/10

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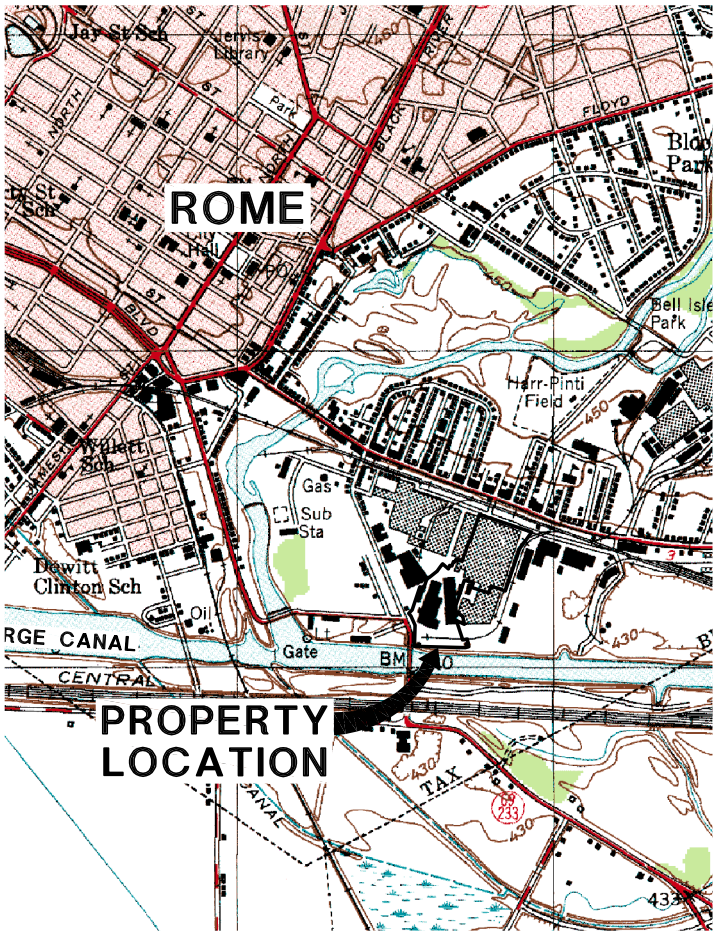
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**APPENDIX A**  
**INSTITUTIONAL AND ENGINEERING CONTROLS CERTIFICATION FORM**

Periodic Review Report  
East Rome Business Park  
Former General Cable Site  
Rome, New York  
Site No. V00077

January 2010

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LOCATION MAP  
1" = 2000'



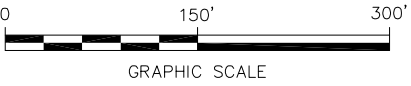
NOTES:

1. BASE MAP MODIFIED FROM ELECTRONIC COPY OF SURVEYS BY LAFAYE, WHITE, & MCGIVERN, L.S., P.C. ENTITLED "SUBDIVISION MAP PROPERTY OF EAST ROME BUSINESS PARK CHARLES A. GAETANO - OWNER", DATED 12/20/96.
2. AERIAL PHOTOGRAPH FROM NYS GIS DATA CLEARINGHOUSE, 2003.

LEGEND

- PROPERTY LINE
- - - APPROXIMATE ADJACENT PROPERTY LINE

PARCEL NO. 3 PARCEL IDENTIFICATION



GRAPHIC SCALE

P: BL  
7/29/05  
SYNAPSE/WP/GAET 01-04/GAETB23.DWG

**synapse**  
SYNAPSE RISK MANAGEMENT, LLC  
HISTORIC BENNETT WAREHOUSE  
325 EAST WATER STREET  
SYRACUSE, NEW YORK 13202

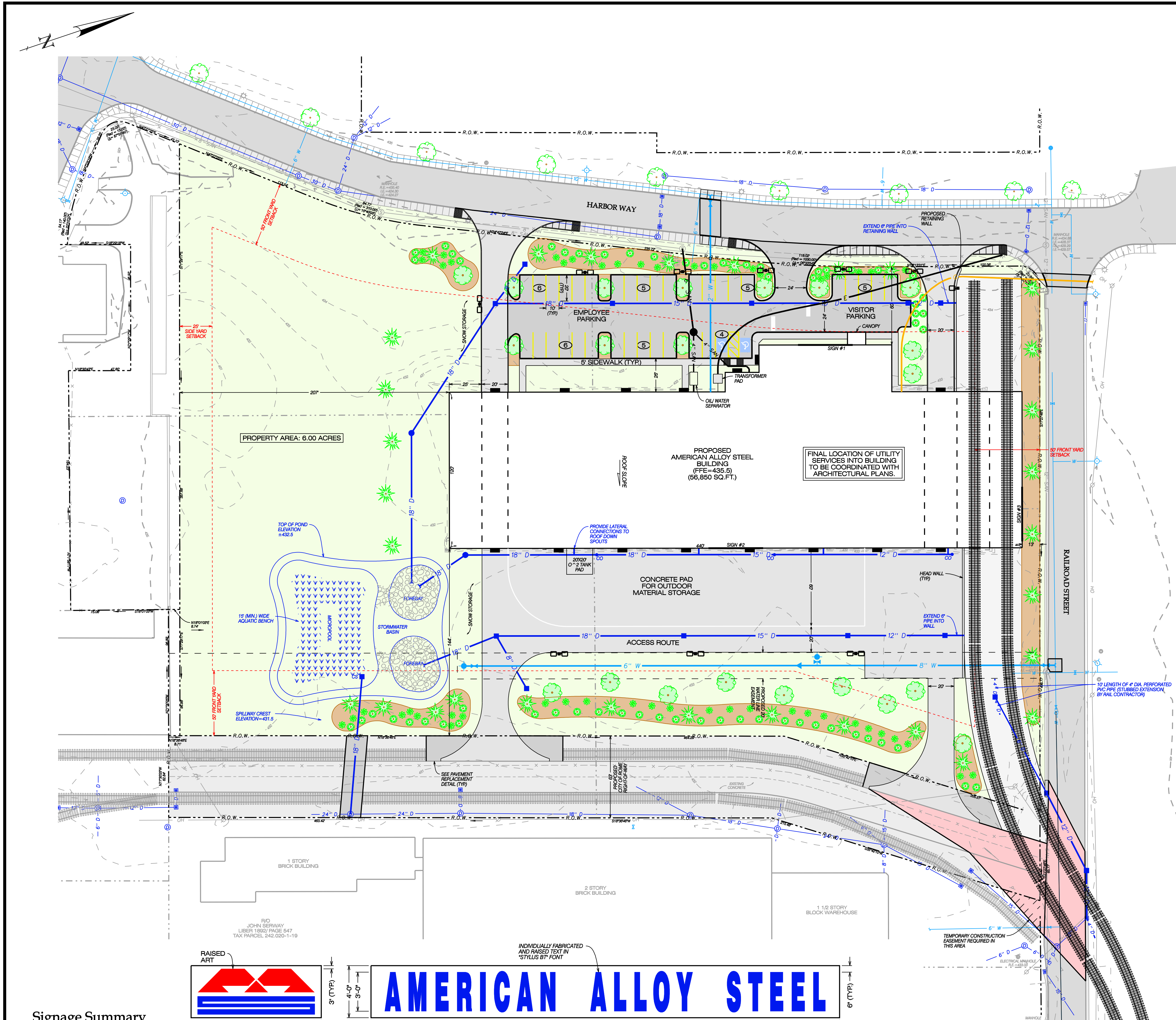
OLD GENERAL CABLE SITE  
ROME, NEW YORK

**AERIAL PROPERTY PLAN**

PROJECT NO.:  
ROME 04.09  
DATE:  
JANUARY 2010  
FIGURE NO.:

**1**



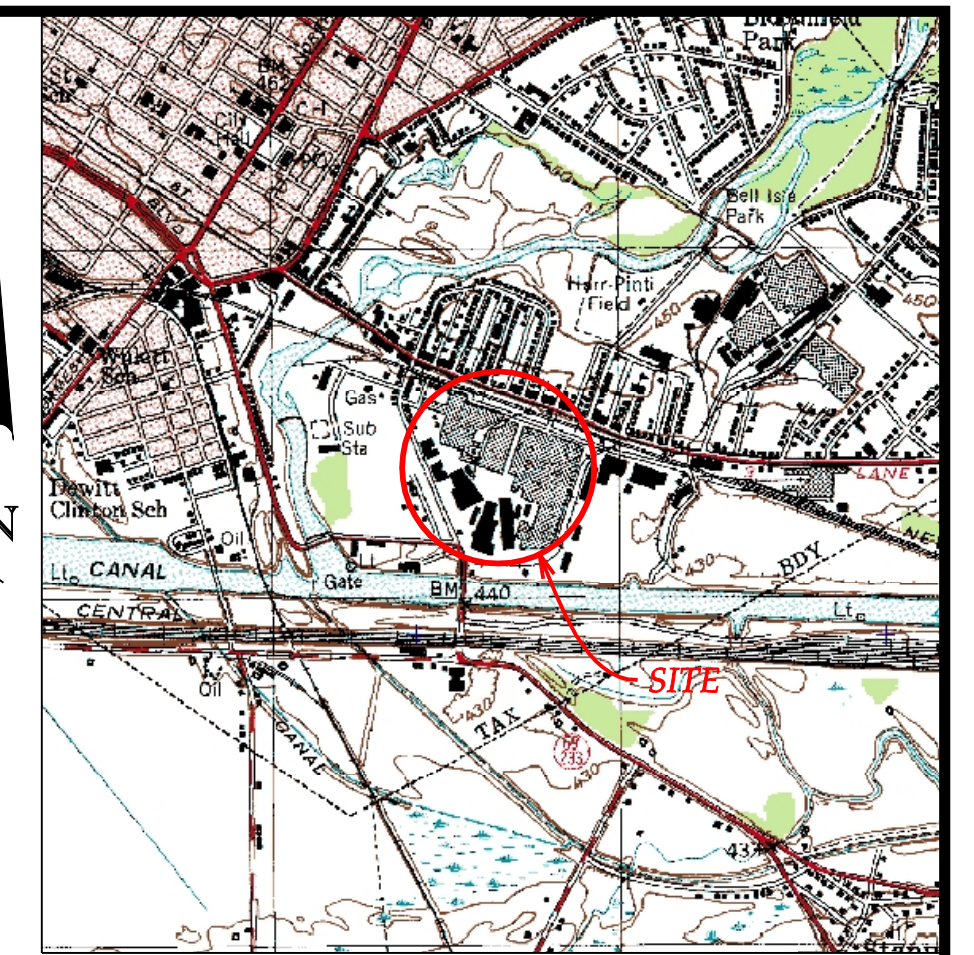


### Parking Summary

	Required	Provided
Automobile Parking:	19	36
Handicapped Parking:	2	2

#### Notes:

- Number of automobile parking spaces required based on City Code: one (1) space for every 2 employees on largest shift for manufacturing and 3.5 spaces per 1,000 S.F. of floor area for office.
- Number of Handicapped spaces required equals two (2), based upon ADA Design Guidelines.



### LOCATION MAP

REF: U.S.G.S. ROME QUAD, 1955, 7.5 MIN., 1" = 2000' +/-

### Key

#### Existing

---	Property Line
8" D	Drainage Pipe w/ Size
■	Catch Basin
⊕	Junction Box
8" SAN	Sanitary Sewer Main w/ Size
⊙	Manhole
8" W	Water Main w/ Size
⊕	Hydrant
- - -	Topographic Contour

#### Proposed

ⓑ	Number of Parking Spaces
♿	Handicapped Parking
E	Electric Service
□	Light Pole (Single Fixture)
□	Light Pole (Double Fixture)
■	Wall Pack
TEL	Telephone Line
G	Gas Service
12" D	Drainage Pipe w/ Size
■	Catch Basin
⊕	Junction Box
CS	Control Structure

#### Proposed

∞	Clean Out
6" SAN	Sanitary Sewer Main w/ Size
●	Manhole
6" W	Water Main w/ Size
⊕	Hydrant w/ Valve
	Railroad (By Others)
🌳	Trees
🌱	Shrubs
■	Concrete
■	Pavement
■	Pavement (By Others)
	Sidewalk

### CITY OF ROME ZONING ORDINANCE REVIEW ZONED: GENERAL INDUSTRIAL DISTRICT, E-3

#### Required

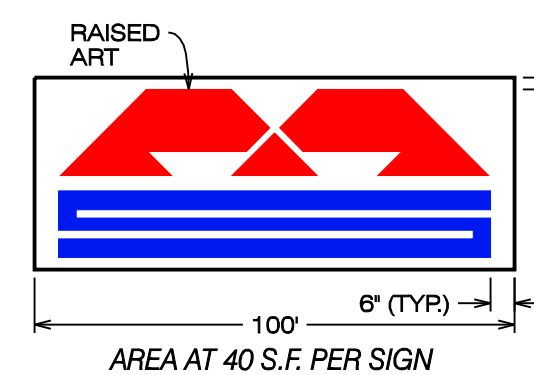
- Lot Size: None.
- Building Setbacks:
  - A. Front Yard: 50'
  - B. Rear Yard: 40'
  - C. Side Yard: 25' min. each side
  - D. Max. Height of Structures: 50' / 3 Stories
- Min. Lot Width: NA (85% for Building & Parking)
- Lot Coverage: 30%
- Landscape Coverage: 15% min.

#### Provided

- Lot Size: 6.00 Acres
  - Building Setbacks:
    - A. Front Yard: Harbor Way 60'; Railroad Street 10' Assumed Road 14'
    - B. Rear Yard: N/A
    - C. Side Yard: 208'
    - D. Max. Height of Structures: 50' / 3 Stories
  - Min. Lot Width: 373'
  - Lot Coverage: 30%
- Principle Building: 56,850 Sq.Ft. = 42.0%  
Asphalt Pavement & Concrete: 56,963 Sq.Ft. = 21.0%  
Green Space: 137,566 Sq.Ft. = 58.0%

### Signage Summary

	Allowable	Summary
Quantity	3	3
Size (Gross)	1,760	552 S.F.



**AMERICAN ALLOY STEEL**

### Sign Detail

Scale: 1/4" = 1'-0"

REVISIONS:	DATE:	BY:
△ CANOPY ADDITION	10/07/08	DLF

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PROJECT: **AMERICAN ALLOY STEEL FACILITY**  
CLIENT: **AMERICAN ALLOY SOURCING SPECIALISTS, L.P.**  
LOCATION: **CITY OF ROME, ONEIDA COUNTY, NEW YORK**

DWG. TITLE:

**SITE PLAN**

Note: No alteration permitted hereon except as provided under Section 7209 Subdivision 2 of the New York State Education Law.

PROJECT No.: 2008127  
FILE NAME.: SP01P  
SCALE: AS NOTED  
DATE: NOV. 2008  
ENGD BY: DLF  
DRAWN BY: JMD  
CHECKED BY: DLF

SHEET NO.:  
**SP**  
**1 OF 1**  
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**New York State Department of Environmental Conservation**

**Division of Environmental Permits, Region 6**

**Utica State Office Building**

207 Genesee Street, Room 1404, Utica, NY 13501-2885

Phone: (315) 793-2554 • Fax: (315) 793-2748

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Peter M. Iwanowicz  
Acting Commissioner

December 9, 2010

Department of Community and Economic Development  
Rome City Hall  
198 North Washington Street  
Rome, NY 13440-5815

RE: Rod Mill Reuse Strategy  
City of Rome, Oneida County

New York State Department of Environmental Conservation (DEC) has reviewed the Rod Mill Reuse Plan. A regulated resource map from DEC's Master Habitat database is attached for your convenience.

As you know, the site in question was a voluntary cleanup site; and there are deed restrictions that restrict use of groundwater and development of the site. Use of the site as a park with a maintained soil cover would not be an issues. Please be aware that the site management plan requires that any excavated soil be handled appropriately.

In addition, any work below mean high water may require an Article 15, Excavation and Fill of Navigable Waters Permit.

Sincerely,

Patrick M. Clearey  
Deputy Regional Permit Administrator  
Region 6, Utica

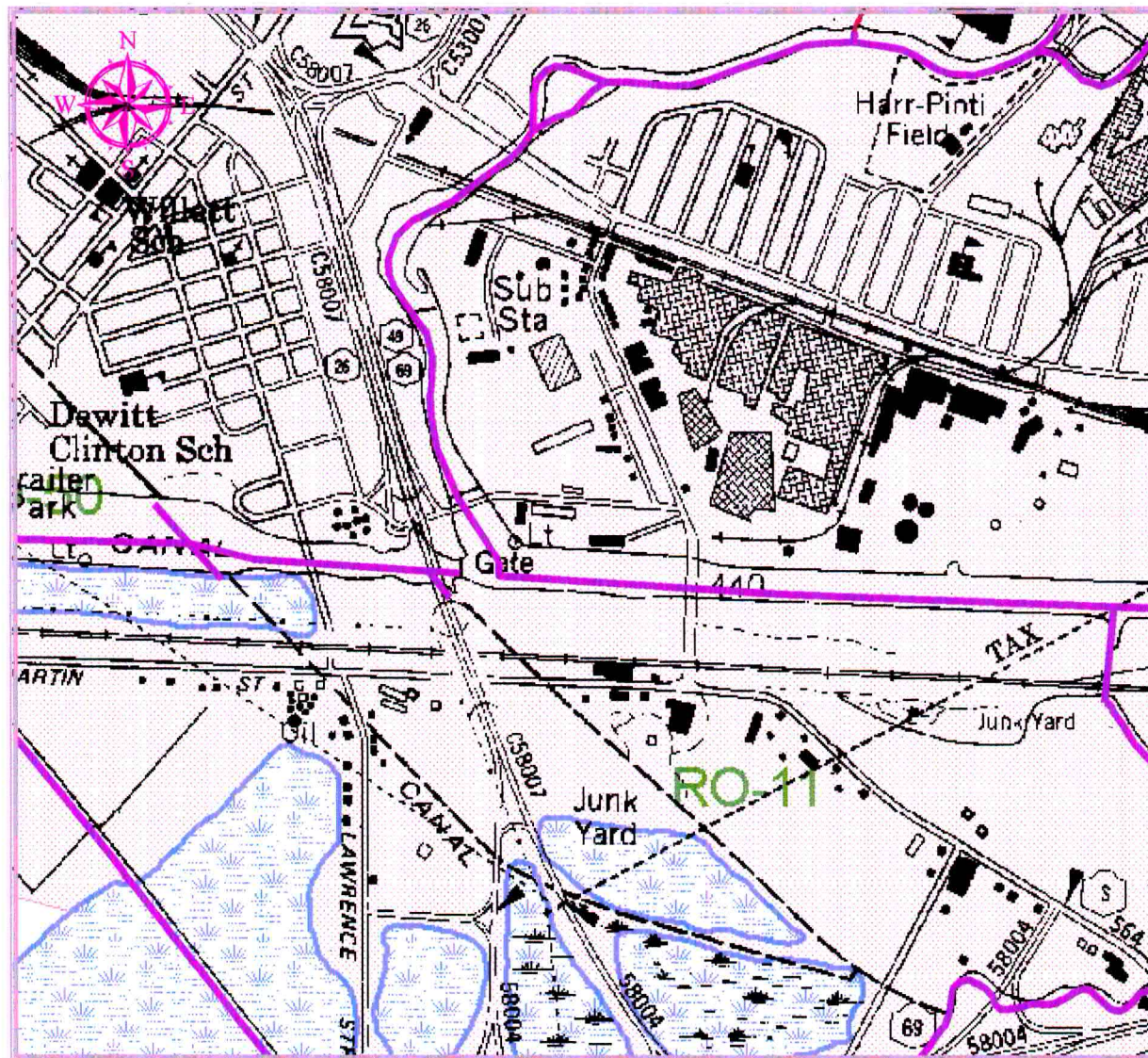
kt

Attachment

File: General Project Review – Rod Mill Reuse Plan



# Rod Mill Reuse City of Rome, Oneida County



## Legend

- Unprotected
- Protected

## Freshwater Wetland

- <all other values>

## CLASS

- 1
- 2
- 3
- 4
- State Historic Site
- National/State Register Site
- Archeological Sites
- Animal Assemblage
- Community
- Invertebrate Animal
- Nonvascular Plant
- Vascular Plant
- Vertebrate Animal
- In Process
- Animal Assemblage
- Community
- Invertebrate Animal
- Nonvascular Plant
- Vascular Plant
- Vertebrate Animal
- In Process





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



**Site Details**

**Box 1**

**Site No.** V00077

**Site Name** East Rome Business Park (aka Old General Cable)

**Site Address:** 600 Railroad Avenue      **Zip Code:** 13440

**City/Town:** Rome

**County:** Oneida

**Site Acreage:** 17.5

**Reporting Period:** August 16, 2010 to January 01, 2013

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

Francisco P. Tallarico  
Signature of Owner, Remedial Party or Designated Representative

3/1/13  
Date

**Description of Institutional Controls**

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
242.020-0001-014	City of Rome	Ground Water Use Restriction Landuse Restriction Site Management Plan Soil Management Plan
242.020-0001-018.001	City of Rome	Ground Water Use Restriction Landuse Restriction Soil Management Plan
242.020-0001-018.002	City of Rome	Ground Water Use Restriction Landuse Restriction Site Management Plan

**Description of Engineering Controls**

<u>Parcel</u>	<u>Engineering Control</u>
242.020-0001-018.001	Cover System

**Engineering Control Details for Site No. V00077****Parcel: 242.020-0001-014**

The use of site groundwater is restricted without written authorization from the NYSDEC. The site shall be used for commercial/industrial. The owner will verify that the deed restriction is still in effect and filed with the Oneida County Clerk's Office. The owner will certify compliance with the site management plan and with the deed restriction. Any change in ownership and/or use will be documented in the annual certification.

**Parcel: 242.020-0001-018.001**

The use of site groundwater is restricted without written authorization from the NYSDEC. The site shall be used for commercial/industrial. The owner will verify that the deed restriction is still in effect and filed with the Oneida County Clerk's Office. The owner will certify compliance with the site management plan and with the deed restriction. Any change in ownership and/or use will be documented in the annual certification.

**Parcel: 242.020-0001-018.002**

The use of site groundwater is restricted without written authorization from the NYSDEC. The site shall be used for commercial/industrial. The owner will verify that the deed restriction is still in effect and filed with the Oneida County Clerk's Office. The owner will certify compliance with the site management plan and with the deed restriction. Any change in ownership and/or use will be documented in the annual certification.



**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.**

Francisco D. Tallano Jr.  
Signature of Owner, Remedial Party or Designated Representative

3/1/13  
Date

IC CERTIFICATIONS  
SITE NO. V00077

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 Francisco D. Tallarino Jr. at 198 N. Washington Street Rome, N.Y. 13440  
print name print business address

am certifying as Remedial Party (Owner or Remedial Party)

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

Francisco D. Tallarino Jr.  
Signature of Owner, Remedial Party, or Designated Representative  
Rendering Certification

3/1/13  
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 Francisco D. Tallarino Jr. at 198 N. Washington St. Rome, N.Y. 13440,  
print name print business address

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

Francisco D. Tallarino Jr.

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



Stamp  
(Required for PE)

3/1/13  
Date

**Attachment C**

**IC/EC Certification Form**

## Enclosure 1

### Certification Instructions

#### I. Verification of Site Details (Box 1 and Box 2):

Answer the three questions in the Verification of Site Details Section. The Owner and/or Qualified Environmental Professional (QEP) may include handwritten changes and/or other supporting documentation, as necessary.

#### II. Certification of Institutional Controls/ Engineering Controls (IC/ECs)(Boxes 3, 4, and 5)

1.1.1. Review the listed IC/ECs, confirming that all existing controls are listed, and that all existing controls are still applicable. If there is a control that is no longer applicable the Owner / Remedial Party should petition the Department separately to request approval to remove the control.

2. In Box 5, complete certifications for all Plan components, as applicable, by checking the corresponding checkbox.

3. If you cannot certify "YES" for each Control listed in Box 3 & Box 4, sign and date the form in Box 5. Attach supporting documentation that explains why the **Certification** cannot be rendered, as well as a plan of proposed corrective measures, and an associated schedule for completing the corrective measures. Note that this **Certification** form must be submitted even if an IC or EC cannot be certified; however, the certification process will not be considered complete until corrective action is completed.

If the Department concurs with the explanation, the proposed corrective measures, and the proposed schedule, a letter authorizing the implementation of those corrective measures will be issued by the Department's Project Manager. Once the corrective measures are complete, a new Periodic Review Report (with IC/EC Certification) must be submitted within 45 days to the Department. If the Department has any questions or concerns regarding the PRR and/or completion of the IC/EC Certification, the Project Manager will contact you.

#### III. IC/EC Certification by Signature (Box 6 and Box 7):

If you certified "YES" for each Control, please complete and sign the IC/EC Certifications page as follows:

- For the Institutional Controls on the use of the property, the certification statement in Box 6 shall be completed and may be made by the property owner or designated representative.
- For the Engineering Controls, the certification statement in Box 7 must be completed by a Professional Engineer or Qualified Environmental Professional, as noted on the form.



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



**Site No.** V00077 **Site Details** **Box 1**

**Site Name** East Rome Business Park (aka Old General Cable)

**Site Address:** 600 Railroad Avenue **Zip Code:** 13440

**City/Town:** Rome

**County:** Oneida

**Site Acreage:** ~~44.345~~ 6.1941

**Reporting Period:** January 01, 2018 to January 01, 2023

	YES	NO
1. Is the information above correct?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If NO, include handwritten above or on a separate sheet. *SEE ABOVE*

2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
---	-------------------------------------	--------------------------

**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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	-------------------------------------

**Box 2**

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Commercial and Industrial	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. Are all ICs 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

**Description of Institutional Controls**ParcelOwnerInstitutional Control~~242.020-0001-014~~

City of Rome

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

The use of site groundwater is restricted without written authorization from the NYSDEC. The site shall be used for commercial/industrial. The owner will verify that the deed restriction is still in effect and filed with the Oneida County Clerk's Office. The owner will certify compliance with the site management plan and with the deed restriction. Any change in ownership and/or use will be documented in the annual certification.

~~242.020-0001-018.001~~

City of Rome

Landuse Restriction  
 Ground Water Use Restriction  
 Soil Management Plan

The use of site groundwater is restricted without written authorization from the NYSDEC. The site shall be used for commercial/industrial. The owner will verify that the deed restriction is still in effect and filed with the Oneida County Clerk's Office. The owner will certify compliance with the site management plan and with the deed restriction. Any change in ownership and/or use will be documented in the annual certification.

~~242.020-0001-018.002~~

City of Rome

Site Management Plan  
 Landuse Restriction  
 Ground Water Use Restriction

The use of site groundwater is restricted without written authorization from the NYSDEC. The site shall be used for commercial/industrial. The owner will verify that the deed restriction is still in effect and filed with the Oneida County Clerk's Office. The owner will certify compliance with the site management plan and with the deed restriction. Any change in ownership and/or use will be documented in the annual certification.

**Description of Engineering Controls**ParcelEngineering Control

242.020-0001-018.001

Cover System

**Periodic Review Report (PRR) Certification Statements**

1. I certify by checking "YES" below that:

- a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;
- b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO



2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

- (a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
- (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
- (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;
- (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
- (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO



**IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and  
DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

**A Corrective Measures Work Plan must be submitted along with this form to address these issues.**

\_\_\_\_\_  
Signature of Owner, Remedial Party or Designated Representative

\_\_\_\_\_  
Date



**IC CERTIFICATIONS**  
**SITE NO. V00077**

**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 Jacqueline M. Izzo, Mayor at City of Rome -198 N. Washington Street, Rome, NY 13440  
print name 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

7/13/2023  
Date

## 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 Bryce D. Dingman at 10 Airline Drive, Suite 200, Albany, NY 12205,  
print name print business address

am certifying as a Qualified Environmental Professional for the City of Rome  
(Owner or Remedial Party)



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

Stamp  
(Required for PE)

7/13/2023  
Date

**Enclosure 3**  
**Periodic Review Report (PRR) General Guidance**

- I. Executive Summary: (1/2-page or less)
  - A. Provide a brief summary of site, nature and extent of contamination, and remedial history.
  - B. Effectiveness of the Remedial Program - Provide overall conclusions regarding;
    1. progress made during the reporting period toward meeting the remedial objectives for the site
    2. the ultimate ability of the remedial program to achieve the remedial objectives for the site.
  - C. Compliance
    1. Identify any areas of non-compliance regarding the major elements of the Site Management Plan (SMP, i.e., the Institutional/Engineering Control (IC/EC) Plan, the Monitoring Plan, and the Operation & Maintenance (O&M) Plan).
    2. Propose steps to be taken and a schedule to correct any areas of non-compliance.
  - D. Recommendations
    1. recommend whether any changes to the SMP are needed
    2. recommend any changes to the frequency for submittal of PRRs (increase, decrease)
    3. recommend whether the requirements for discontinuing site management have been met.
- II. Site Overview (one page or less)
  - A. Describe the site location, boundaries (figure), significant features, surrounding area, and the nature and extent of contamination prior to site remediation.
  - B. Describe the chronology of the main features of the remedial program for the site, the components of the selected remedy, cleanup goals, site closure criteria, and any significant changes to the selected remedy that have been made since remedy selection.
- III. Evaluate Remedy Performance, Effectiveness, and Protectiveness  
Using tables, graphs, charts and bulleted text to the extent practicable, describe the effectiveness of the remedy in achieving the remedial goals for the site. Base findings, recommendations, and conclusions on objective data. Evaluations and should be presented simply and concisely.
- IV. IC/EC Plan Compliance Report (if applicable)
  - A. IC/EC Requirements and Compliance
    1. Describe each control, its objective, and how performance of the control is evaluated.
    2. Summarize the status of each goal (whether it is fully in place and its effectiveness).
    3. Corrective Measures: describe steps proposed to address any deficiencies in ICECs.
    4. Conclusions and recommendations for changes.
  - B. IC/EC Certification
    1. The certification must be complete (even if there are IC/EC deficiencies), and certified by the appropriate party as set forth in a Department-approved certification form(s).
- V. Monitoring Plan Compliance Report (if applicable)
  - A. Components of the Monitoring Plan (tabular presentations preferred) - Describe the requirements of the monitoring plan by media (i.e., soil, groundwater, sediment, etc.) and by any remedial technologies being used at the site.
  - B. Summary of Monitoring Completed During Reporting Period - Describe the monitoring tasks actually completed during this PRR reporting period. Tables and/or figures should be used to show all data.
  - C. Comparisons with Remedial Objectives - Compare the results of all monitoring with the remedial objectives for the site. Include trend analyses where possible.
  - D. Monitoring Deficiencies - Describe any ways in which monitoring did not fully comply with the monitoring plan.
  - E. Conclusions and Recommendations for Changes - Provide overall conclusions regarding the monitoring completed and the resulting evaluations regarding remedial effectiveness.
- VI. Operation & Maintenance (O&M) Plan Compliance Report (if applicable)
  - A. Components of O&M Plan - Describe the requirements of the O&M plan including required activities, frequencies, recordkeeping, etc.
  - B. Summary of O&M Completed During Reporting Period - Describe the O&M tasks actually completed during this PRR reporting period.
  - C. Evaluation of Remedial Systems - Based upon the results of the O&M activities completed, evaluated

the ability of each component of the remedy subject to O&M requirements to perform as designed/expected.

- D. O&M Deficiencies - Identify any deficiencies in complying with the O&M plan during this PRR reporting period.
- E. Conclusions and Recommendations for Improvements - Provide an overall conclusion regarding O&M for the site and identify any suggested improvements requiring changes in the O&M Plan.

#### VII. Overall PRR Conclusions and Recommendations

- A. Compliance with SMP - For each component of the SMP (i.e., IC/EC, monitoring, O&M), summarize;
  - 1. whether all requirements of each plan were met during the reporting period
  - 2. any requirements not met
  - 3. proposed plans and a schedule for coming into full compliance.
- B. Performance and Effectiveness of the Remedy - Based upon your evaluation of the components of the SMP, form conclusions about the performance of each component and the ability of the remedy to achieve the remedial objectives for the site.
- C. Future PRR Submittals
  - 1. Recommend, with supporting justification, whether the frequency of the submittal of PRRs should be changed (either increased or decreased).
  - 2. If the requirements for site closure have been achieved, contact the Departments Project Manager for the site to determine what, if any, additional documentation is needed to support a decision to discontinue site management.

#### VIII. Additional Guidance

Additional guidance regarding the preparation and submittal of an acceptable PRR can be obtained from the Departments Project Manager for the site.

## **Attachment D**

### **Future Use Acceptance**

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

### Division of Environmental Remediation, Region 6

Dulles State Office Building, 317 Washington Street, Watertown, NY 13601-3787

P: (315) 785-2513 | F: (315) 785-2422

[www.dec.ny.gov](http://www.dec.ny.gov)

March 9, 2021

Sent Via Email ONLY: [cmercurio@mvedge.org](mailto:cmercurio@mvedge.org)

Christian J. Mercurio  
Mohawk Valley EDGE  
Planning and Development  
584 Phoenix Drive  
Rome, NY 13441

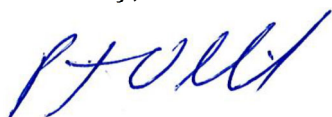
RE: V00077, East Rome Business Park, Rome (C), Oneida County

Dear Christian J. Mercurio:

The Department and the New York State Department of Health have reviewed the information provided in your February 24, 2021, email to me regarding the construction of a boathouse on the East Rome Business Park site. Based on our review we have determined that construction of the boathouse and the associated activities conforms to the site's use restrictions. Once the construction is complete, we would appreciate it if you would notify us for our records.

If you have any questions regarding the above, please let me know.

Sincerely,



Peter S. Ouderkirk, P.E.  
Project Manager

PSO:ebf

ec: Peter Taylor, [peter.taylor@dec.ny.gov](mailto:peter.taylor@dec.ny.gov)  
Harolyn Hood, [harolyn.hood@health.ny.gov](mailto:harolyn.hood@health.ny.gov)



Department of  
Environmental  
Conservation

**Attachment E**

**Change of Use Forms**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



**60-Day Advance Notification of Site Change of Use, Transfer of  
Certificate of Completion, and/or Ownership**  
Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation, 625 Broadway  
Albany NY 12233-7020

**I. Site Name:** East Rome Business Park aka General Cable **DEC Site ID No.** V00077

**II. Contact Information of Person Submitting Notification:**

Name: Diana Samuels  
Address1: 198 N. Washington Street, Rome, NY 13440  
Address2: \_\_\_\_\_  
Phone: 315-339-7646 E-mail: dsamuels@romecitygov.com

**III. Type of Change and Date:** Indicate the Type of Change(s) (check all that apply):

- ☐ Change in Ownership or Change in Remedial Party(ies)  
☐ Transfer of Certificate of Completion (CoC)  
☒ Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy): 04/01/2024

**IV. Description:** Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

Turn the remediated brownfield site into a 30,000 square foot concrete skatepark with parking

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

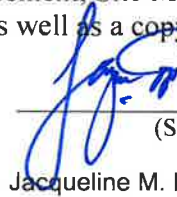
Please see attached



- V. **Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name: \_\_\_\_\_



(Signature)

6/23/2023

(Date)

Jacqueline M. Izzo

(Print Name)

Address1: 198 N. Washington Street, Rome, NY 13440

Address2: \_\_\_\_\_

Phone: 315-339-7676

E-mail: mayor@romecitygov.com

- VI. **Contact Information for New Owner, Remedial Party, or CoC Holder:** If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

☐ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: \_\_\_\_\_

Address1: \_\_\_\_\_

Address2: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Certifying Party Name: \_\_\_\_\_

Address1: \_\_\_\_\_

Address2: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_