

DEP



Jack  
Garavanta/US/Americas/HEN  
KEL  
04/13/2010 04:01 PM

To MLDoster@gw.dec.state.ny.us  
cc Christopher Signorello/US/Americas/HENKEL@HENKEL  
bcc Patty\_Bryan@URSCorp.com  
Subject Henkel Corporation (formerly Sovereign Specialty  
Chemicals, Inc.)  
Site #V00215 - Buffalo, Erie County

Disclaimer /company footer used  
NA US & Canada

RECEIVED  
NYSDEC - REGION 9

APR 19 2010

Mr. Doster:

First of all let me thank you for your letter of March 10, 2010 in which you agreed to: \_\_\_\_\_<sup>FOIL</sup>REL \_\_\_\_\_UNREL

- Discontinuance of the groundwater remediation system. (Please be advised that Henkel Corporation is in the process of decommissioning the system but will not dismantle it.)
- Annual sampling
- Submission of an annual progress report (Periodic Review Report [PRR]) - due by January 1st of each year.

Please accept my apologies that the Annual Certification of Institutional/Engineering Controls (i.e. signed version) was not included as part of the *Annual Current Conditions Report - 2009*. Attached please find a copy of the signed certification that should have been included.



Annual Certification.pdf.zip

Also attached, please find a completed copy of the Institutional and Engineering Controls Certification Form that you requested be submitted before May 1, 2010.



I&EC Certification Form.pdf.zip

Under separate cover I will be mailing you the originals of these forms.

If there are any questions, please do not hesitate to contact me at (248) 589 - 4830.

Regards...

# Annual Certification of Institutional/Engineering Controls at Voluntary Clean-Up Program Site

Site Number: **V00215-9**

Site Name: **Sovereign Specialty Chemicals, Inc.**

Site Address: **710 Ohio Street, Buffalo, New York 14203**

County: **Erie**

City/Town: **Buffalo**

Property ID: (from Tax Assessment Map) **122.18-2-2**

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

I (name) **Jack Garavanta**, residing at (address) **710 Ohio Street, Buffalo, New York 14203**, as owner, or a duly authorized representative, of the property(ies) listed above which are located wholly or partially within the boundaries of the Voluntary Cleanup Site named above; do certify that the engineering and/or institutional controls, as specified in the Restrictive Covenant for the Voluntary Cleanup Site are in-place and functioning as designed within the property(ies) listed above.

Signature: *Jack Garavanta*  
February 26, 2010

(This area for notary public)

*Sally Ann Costa*

SALLY ANN GOSTA  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF MACOMB  
MY COMMISSION EXPIRES Jul 3, 2014  
ACTING IN COUNTY OF *Oakland*

Enclosure 1  
**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.	V00215	
Site Name	Sovereign Specialty Chemicals, Inc.	
Site Address:	710 OHIO STREET	Zip Code: 14203
City/Town:	Buffalo	
County:	Erie	
Allowable Use(s) (if applicable, does not address local zoning):		
Site Acreage:	1.3	
Owner:	Henkel Corporation	
	<del>1001 N. Scottsdale Road, Scottsdale, AZ 85255</del>	
	One Henkel Way, Rocky Hill, CT 06067	
Reporting Period:	December 01, 2003 to September 01, 2009	

	Box 2	
Verification of Site Details	YES	NO
1. Is the information in Box 1 correct?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If NO, are changes handwritten above or included on a separate sheet?	<input checked="" type="checkbox"/>	
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If YES, is documentation or evidence that documentation has been previously submitted included with this certification?	<input type="checkbox"/>	
3. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If YES, is documentation (or evidence that documentation has been previously submitted) included with this certification?	<input type="checkbox"/>	
4. If use of the site is restricted, is the current use of the site consistent with those restrictions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If NO, is an explanation included with this certification?	<input type="checkbox"/>	

**SITE NO. V00215**

**Description of Institutional Controls**

Parcel

Institutional Control

S\_B\_L Image:

**Description of Engineering Controls**

None Required

Attach documentation if IC/ECs cannot be certified or why IC/ECs are no longer applicable.  
(See instructions)

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**Control Description for Site No. V00215**

**Parcel: 122.18-2-2**

IC: filed deed restriction

EC: High Vacuum Extraction (HVE) system for VOC soil vapor extraction and treatment, and two groundwater collection sumps and a carbon treatment of groundwater to remove VOCs. (This was discontinued in 2010.

Monitoring only required)

**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

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

3. If this site has an Operation and Maintenance (O&M) Plan (or equivalent as required in the Decision Document);

I certify by checking "YES" below that the O&M Plan Requirements (or equivalent as required in the Decision Document) are being met.

4. If this site has a Monitoring Plan (or equivalent as required in the remedy selection document);

I certify by checking "YES" below that the requirements of the Monitoring Plan (or equivalent as required in the Decision Document) is being met

YES NO

IC CERTIFICATIONS  
SITE NO. V00215

Box 6

**SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE**

I certify that all information and statements in Boxes 2 and/or 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 Jack Garavanta at 32100 Stephenson Highway, Madison Heights, MI 48071  
print name print business address

am certifying as Henkel Corporation's representative (Owner or Remedial Party)

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

Jack Garavanta  
Signature of Owner or Remedial Party Rendering Certification

April 13, 2010  
Date

IC/EC CERTIFICATIONS

Box 7

**QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) 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 Patricia M. Bryan, P.G. at 100 S. Wacker Drive, Chicago, IL 60606  
print name print business address

am certifying as a Qualified Environmental Professional for the Jack Garavanta

(Owner or Remedial Party) for the Site named in the Site Details Section of this form.

Patricia M. Bryan P.G.  
Signature of Qualified Environmental Professional, for  
the Owner or Remedial Party, Rendering Certification

Stamp (if Required)

March 15, 2010  
Date