



William C. Hennessy, Jr. P.E.

March 11, 2011

Mr. Kevin Sarnowicz
Environmental Engineer
Bureau of Central Remedial Action
NYS Department of
Environmental Conservation
625 Broadway, 12th Floor
Albany, NY 12233-7016

Re: Lucarelli Property
Karner Road
Town of Colonie, NY

Dear Mr. Sarnowicz:

This letter is the annual report pursuant to the Record of Decision for site #4-01-026. No site or construction activities have occurred in the past year. Based on our review:

- the institutional controls are still in place,
- the institutional controls have not been altered and are still effective;
- the remedy and protective cover have been maintained; and
- the conditions at the site are fully protective of public health and the environment.

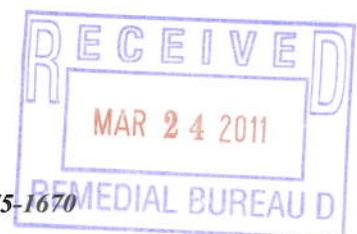
Please contact me if you need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Hennessy, Jr.", is written over a faint, larger version of the same signature.

William C. Hennessy, Jr. P.E.

Cc:
Mr. Joseph Lucarelli
1266 Duanesburg Road
Schenectady, NY 12306





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. V00267		
Site Name Albany Karner Road IHWDS		
Site Address: New Karner Rd. & Albany Street Zip Code: 12205		
City/Town: <u>Albany</u> <u>COLONIE</u>		
County: Albany		
Site Acreage:		
Reporting Period: February 25, 2010 to February 25, 2011		
		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.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? 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.		
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

SITE NO. V00267**Box 3****Description of Institutional Controls**Parcel

29.3-1-25.1

Owner

Joseph Lucarelli

Institutional Control

Ground Water Use Restriction
 Landuse Restriction
 Soil Management Plan

Box 4**Description of Engineering Controls**

None Required

Control Description for Site No. V00267**Parcel: 29.3-1-25.1**

- 1) Imposition of an institutional control for the Lucarelli property in such form as the NYSDEC may approve that would prevent the use of groundwater as a source of potable or process water without necessary water quality treatment as determined by the Albany County Department of Health.
- 2) Imposition of an institutional control for the Lucarelli property in the form of environmental easements, to be sent to the county clerk for filing, to notify future owners of the elevated residual PCB contamination remaining in subsurface soil and residual benzene and phenol which may remain in groundwater on the site.
- 3) Imposition of an institutional control for the Lucarelli property in the form of environmental easements which will require a Soil Management Plan to provide for the proper sampling, handling, and treatment and/or disposal (if required) if subsurface soils containing elevated levels of PCBs greater than 1 ppm are disturbed following the completion of the remedial action. The plan would delineate measures that may be necessary for the protection of on-site workers, the public, and the environment in the event of future subsurface soil disturbance.
- 4) Imposition of an institutional control in the form of an environmental easement on the Lucarelli property to restrict the future use of the property to non-residential activities, in accordance with the Voluntary Agreement for the parcel.
- 5) Imposition of a required annual certification by the property owner to the NYSDEC that the above measures remain in place and use of the property is in compliance with the restrictions.

Box 5

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.

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

3/27/2011

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. V00267

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 William Hennessy at P.O. Box 118 VOORHEESVILLE, NY 12186
print name print business address

am certifying as OWNER REPRESENTATIVE (Owner or Remedial Party)

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


Signature of Owner or Remedial Party Rendering Certification

1/22/2011
Date