

2022 PERIODIC REVIEW REPORT
CLOSED VCA SITE NO. V00357-8
CORNING, NEW YORK

by Haley & Aldrich of New York
Rochester, New York

for New York State Department of Environmental Conservation
Avon, New York

File No. 129352-005
17 January 2023





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File No. 129352-005

New York State Department of Environmental Conservation
Division of Environmental Remediation, Region 8
6274 East Avon-Lima Road
Avon, New York 14414-9519

Attention: Mr. Timothy Schneider, P.E.

Subject: 2022 Periodic Review Report
Closed VCA Site No. V00357-8
Corning Family YMCA
Corning, New York

Dear Mr. Schneider:

On behalf of Corning Incorporated (Corning), Haley & Aldrich of New York (Haley & Aldrich) is submitting this 2022 Periodic Review Report in accordance with the New York State Department of Environmental Conservation (NYSDEC) - approved Site Management Plan (SMP), dated August 16, 2006, for the Corning Family YMCA closed VCA Site #V00357-8.

There were no activities conducted during 2022 that involved breach of the existing cover systems on the Site or otherwise required documentation pursuant to the NYSDEC- approved Site Management Plan. This report provides certification that requirements found in the Declaration of Covenants and Restrictions for the property were maintained.

Background information and the completed Institutional and Engineering Controls Certification Form are included herein. Please do not hesitate to call us if there are any questions.

Sincerely yours,
HALEY & ALDRICH OF NEW YORK

A handwritten signature in black ink, appearing to read 'Roger J. Wilcox'.

Roger J. Wilcox, P.E. (NY)
Senior Technical Specialist

A handwritten signature in black ink, appearing to read 'Mark N. Ramsdell'.

Mark Ramsdell
Senior Construction Project Manager

Enclosures

cc: Chris Gabel – Corning Incorporated

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Executive Summary

This Periodic Review Report (PRR) documents conditions and activities in connection with active site management at the Corning Family YMCA, closed VCA Site No. V00357-8 (the Site) in Corning, New York during the calendar year 2022.

As a result of a Voluntary Cleanup Agreement (VCA) between the New York State Department of Environmental Conservation (NYSDEC) and Corning Incorporated (Corning), property usage conditions now apply to the Site, as set forth in the Declaration of Covenants and Restrictions. Details of the requirements are further described in the Site Management Plan (SMP) for this Site, dated 16 August 2006, which was submitted to and approved by the NYSDEC.

In addition, this report provides certification from the property owner (Corning Incorporated) and the Qualified Environmental Professional (Haley & Aldrich) that institutional and engineering controls set forth in the Declaration of Covenants and Restrictions remain in place and in effect and were complied with during the reporting period.

There were no Site activities conducted during the reporting period that involved breach of the existing cover systems or otherwise required documentation pursuant to the NYSDEC- approved Site Management Plan for the property. Conditions at the property have not changed in the past year; therefore, the SMP should remain in place. At this time, no changes to the SMP or the frequency for submittal of this annual Periodic Review Report are recommended.

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1. Introduction

This Periodic Review Report (PRR) documents conditions and activities at the Corning Family YMCA in Corning, New York (the Site) for the period 30 December 2021 through 31 December 2022.

Environmental conditions at the Site were previously investigated as part of a Voluntary Cleanup Agreement (VCA) Site Number V00357-8 between the New York State Department of Environmental Conservation (NYSDEC) and Corning Incorporated (Corning), owner of the property located at 127 Centerway, Corning, New York. The Site is occupied by the Corning Family YMCA under a long-term lease.

The Site is known to contain buried ash fill composed primarily of black ash and cinders mixed with varying amounts of brick, glass and other debris. The ash material is readily distinguished from other soil underlying the Site. The ash fill remaining on the property is covered with either “clean” soil that does not contain ash material, impervious surfaces such as concrete or asphalt, or other non-ash-containing materials.

Based on the results of the environmental investigations performed under the VCA, the ash-containing material was allowed to remain on Site provided that certain restrictions were put in place. A “Declaration of Covenants and Restrictions” (Declaration) was filed for the property with the Steuben County Clerk and is now a binding part of the property deed. The Institutional and Engineering Controls included in the Declaration are summarized in Section 2 of this report.

The engineering controls related to maintenance of cover materials are described in the NYSDEC-approved Site Management Plan (SMP) dated 16 August 2006. Excavation of the material is allowed under the SMP, provided the material is properly handled and disposed, and ground cover is replaced in accordance with requirements detailed in the SMP.

There were no activities conducted during the reporting period that involved breach of the existing cover systems on the Site or otherwise required documentation pursuant to the NYSDEC-approved Site Management Plan for the property.

2. Institutional and Engineering Controls

The Declaration of Covenants and Restrictions for the property includes the following Institutional and Engineering Controls (IC/ECs):

- Institutional Controls
 - Groundwater use restriction - prohibiting usage of untreated groundwater beneath the Site
 - Land-use restriction - a permanent deed restriction limiting Site usage to “restricted residential”
 - Soil Management Plan (entitled “Site Management Plan” dated August 2006) - The SMP addresses the proper health and safety-related measures, monitoring, and material handling associated with development, maintenance, and excavation or construction activity at the Site by or for Corning Incorporated and its current or future tenants where buried ash fill material could be encountered.
- Engineering Control
 - Cover System - a cover of “clean” soil or other materials (concrete, asphalt, etc.) over the ash-containing materials on the Site in accordance with the approved SMP.

IC/EC certifications have been completed by the appropriate parties as set forth in the NYSDEC-approved certification forms included in Appendix A.

3. Annual Site Inspection

Haley & Aldrich conducted an annual site inspection of the Corning Family YMCA on January 5, 2023. During the inspection it was observed that an area on the lawn in the southeast corner of the property had three minor surficial disturbances that appeared circular and approximately 8 inches in diameter. We understand, from discussions with Corning, that on 11 October 2022 a consultant, Labella Associates (Labella), under contract with the NYSDEC for a project along Centerway, encroached erroneously onto the Corning Family YMCA Property with a drill rig and created the surficial disturbances observed during our site inspection. NYSDEC and Labella were notified that Labella was on the property without permission for access and all activities ceased and equipment was removed from the Site. We also understand that during this event Labella was attempting to perform a vertical soil boring but only hand dug an 8-inch diameter hole for the boring head that was 4 to 5 inches in depth. It is also expected that two additional 8-inch diameter surficial disturbances in this area were most likely created by the drill rigs outriggers and did not appear to penetrate the surface more than 2 to 4 inches.

The surficial areas of disturbance associated with the attempted vertical soil boring activities appear to be minimal, however, to prevent the loss of cover soils, the report recommends that the areas of disturbance be seeded when weather permits. The Annual Inspection Form is attached in Appendix B.

4. Overall PRR Conclusions and Recommendations

Institutional and Engineering Controls set forth in Declaration of Covenants and Restrictions remain in place and in effect and were complied with during calendar year 2022. There were no Site activities conducted during the reporting period that involved breach of the existing cover systems or otherwise required documentation pursuant to the NYSDEC- approved Site Management Plan for the property.

Property conditions did not change in 2022 and thus, the SMP should remain in place. No changes to the SMP or the frequency for submittal of this annual Periodic Review Report are recommended at this time.

References

1. Haley & Aldrich, 16 August 2006, "Site Management Plan, Corning Family YMCA, 127 Centerway, Corning, New York."

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APPENDIX A
IC/EC Certifications (NYSDEC Form)



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. | V00357 | | |
| Site Name Corning Family YMCA | | | |
| Site Address: 127 Centerway | | Zip Code: 14830 | |
| City/Town: Corning | | | |
| County: Steuben | | | |
| Site Acreage: 6.000 | | | |
| Reporting Period: December 30, 2010 to December 31, 2010 2021 2022 | | | |
| | | 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 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? Restricted-Residential, 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.

| | |
|---|------|
| Signature of Owner, Remedial Party or Designated Representative | Date |
|---|------|

Description of Institutional ControlsParcelOwnerInstitutional Control

317.08-01-050.3

Corning Incorporated

Ground Water Use Restriction

Soil Management Plan

Landuse Restriction

By deed, any current or future owner will certify annually (to the NYSDEC) that the soil cover systems, restricted groundwater use and restricted land use are being maintained in accordance with the Voluntary Agreement and the Site Management Plan.

Description of Engineering ControlsParcelEngineering Control

317.08-01-050.3

Cover System

Cover systems have been defined in the approved Site Management Plan.

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

X ☐

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

X ☐

**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. V00357

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 Kevin G. Corliss at One Riverfront Plaza, Corning, NY 14831
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.

Kevin G. Corliss
Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

January 17, 2023
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 Roger J. Wilcox, P.E. at Haley & Aldrich of New York
print name print business address
200 Town Centre Drive, Rochester, NY 14623

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

Roger J. Wilcox

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



Stamp
(Required for PE)

13 January 2023
Date

APPENDIX B
Annual Site Inspection Form



SMP - ANNUAL SITE INSPECTION

| | | | |
|----------|---------------------------------|--------------------------------------|---|
| PROJECT | Corning YMCA VCA Site #V00357-8 | Prepared By: Roger Wilcox | Routine/Nonroutine Inspection: Routine Annual |
| LOCATION | Corning, New York | Company: Haley & Aldrich of New York | Weather: 43 degrees, cloudy |
| DATE(s) | 1/5/2023 | Title: Senior Technical Specialist | Other Noteworthy Conditions: None |

See Attached Photo Log.

1. SITE COVER - SOIL, CONCRETE, ASPHALT, STRUCTURES

A. Visual Inspection and Integrity Observations:

An area on the lawn in the southeast corner of the property had three minor surficial disturbances that appeared circular and approximately 8 inches in diameter. These disturbances were created by a drill rig attempting to perform vertical soil borings and only penetrated 4 to 5 inches into the soil cover before the activity was halted. Based on the monitoring performed including my own site visit, the site cover is in place and effective.

B. Maintenance, repairs, or changes to site cover completed since previous inspection(s):

C. Deficiencies noted, if any:

Disturbed soils as noted in Section A.

D. Recommended actions:

Repair the disturbed soils to restore cover when weather permits to re-establish grass cover.

2. OTHER SITE OBSERVATIONS (include any incidents, repairs, maintenance, or other observations affecting site management plan and reporting):

None.

3. SITE / OWNER PERSONNEL CONTACTED:

a. Chris Gabel, Corning Incorporated.

b. Jim Williams, Corning Family YMCA



Photo 1: Sidewalk and Grass Cover.



Photo 2: Sidewalk and Grass Cover.



Photo 3: Grass Cover.



Photo 4: Circular surficial disturbances in southeast corner of property.