

December 14, 2022

Mr. Scott Deyette  
New York State Department of Environmental Conservation  
Division of Environmental Remediation, BURC  
625 Broadway  
Albany, New York 12233-7014

**Re:           *National Grid Herkimer Former MGP Site  
NYSDEC Site No. V00471-6  
Herkimer, New York  
2022 Periodic Review Report***

Dear Mr. Deyette:

Enclosed for your review is the 2022 Periodic Review Report (PRR) for the National Grid Herkimer MGP Site. The PRR pertains to the period from November 23, 2021 through November 23, 2022 and includes a brief report and Institutional Controls/Engineering Controls (IC/EC) Certification Form.

Please feel free to contact me at 315.428.5652 if you have any questions.

Sincerely,



for SPS  
Steven P. Stucker, C.P.G.  
Lead Environmental Engineer

## **I. Introduction**

### **A. Brief Site Summary –**

The Herkimer Manufactured Gas Plant (MGP) Site (the Site) is located on an approximate 0.6 acre lot in Herkimer, New York (refer to Figure 1 Site Location Map). The site was owned by a predecessor to Niagara Mohawk Power Corporation (NM) and operated as an MGP facility approximately from 1890 to 1911, upon which time it was consolidated with the NM- owned Ilion MGP.

An investigation of the Site began in 2003 with an Initial Site Characterization/Interim Remedial Measure (IRM) Study performed by TRC. This study was followed by a Supplemental Site Characterization (TRC, 2005) and a Remedial Investigation (TRC, 2009). Pre-design investigations including Pre-design Activities in 2010 and a Groundwater Pumping Test in 2011 were conducted by O'Brien and Gere.

The site investigations identified impacted soils from MGP related activities. Soil samples were collected and analyzed for Target Compound List (TCL) volatile organic compounds (VOCs), TCL semi-volatile organic compounds (SVOCs), metals and cyanide. The constituents of concern that were identified above Site Cleanup Objectives (SCOs) included VOCs (benzene, toluene, ethylbenzene, xylene (BTEX)) and SVOCs (polycyclic aromatic hydrocarbons (PAHs)). Cyanide and metals were not detected in soils at the Site above SCOs. The areas where soil exceeded SCOs also generally contained visual evidence of impacts in the form of non-aqueous phase liquid (NAPL), tar, or blebs of product. Groundwater samples indicated that groundwater in the northern portion of the Site had concentrations of BTEX and PAHs exceeding groundwater standards but did not require remedial action. Additionally, soil vapor and air samples collected at the Site indicated no significant levels of contamination.

The major areas of subsurface contamination were identified as the Holder Area and Petroleum Area. The Holder Area was located on the western side of the parcel in the vicinity of the former sub-grade octagonal brick gas holder (approximately 45 feet across), while the Petroleum Area was located in the center of the Site where the former fuel oil tanks and MGP facility were located. Both areas exhibited impacted soils and NAPL.

Approximately 4,350 cubic yards of MGP-related subsurface soils were excavated to an approximate depth of 12 ft. below ground surface (bgs) in the Holder Area and 16 ft. bgs in the Petroleum Area. These excavated soils were disposed off-site at a permitted facility. Following the excavation, a soil cover was installed to a minimum depth of two feet to allow for restricted-residential

**National Grid- Herkimer MGP Site (NYSDEC Site No. V00471-6)**  
**Reporting Period – November 23, 2021 through November 23, 2022**

use of the Site. All fill material met the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d). Additionally, the upper 6 inches of soil was of sufficient quality to maintain a vegetation layer. An Environmental Easement was developed to restrict land use and prevent future exposure to MGP-related residuals remaining at the Site. Lastly, a Site Management Plan (SMP) was developed to outline institutional and engineering controls, monitoring, and reporting at the Site.

**B. Remedial Program Effectiveness** – During the reporting period (November 23, 2021 to November 23, 2022), the long-term remedial objectives were met for the site.

**C. Remedial Program Compliance** - The major elements within the Institutional Control/Engineering Control(s) (IC/EC) Plan are in compliance.

**D. Remedial Program Recommendations** - It is recommended that no changes be made to the IC/EC Plan. It is recommended that an annual Periodic Review Report (PRR) be submitted. The next PRR submittal will cover the period November 24, 2022 to November 23, 2023.

## **II. Site Overview**

### **A. Site Location and Boundaries –**

The Site is located in the City of Herkimer, County of Herkimer, New York (Figure 1 presents the site location map). The Site is an approximate 0.6-acre area bounded by West Smith Street to the north, William Street to the east, and by residential properties to the west and to the south (Figure 2 presents the site plan). Currently, the site is owned by an adjacent resident and is vacant and not fenced.

### **B. Regulatory History and Remedy Features –**

The site was remediated in accordance with the multi-site Voluntary Consent Order (VCO) (NYSDEC, 2002) Index No. D0-0001-0011 Site #V00471, which was executed in 2002.

### **III. Evaluate Remedy Performance, Effectiveness, and Protectiveness**

**A. Evaluation of Remedy Performance** – Annual visual inspections of the cover system are conducted on the Site. The remedy performance has been effective in protecting the public.

### **IV. IC/EC Plan Compliance Report**

#### **A. IC/EC Requirements and Compliance**

##### **1. IC/EC Controls**

The ICs/ECs:

- **Soil Cover System:** Annual site inspection of the cover system includes identification of any damage to the cover.

**2. IC/EC Goals** - Each goal is being met and/or working effectively.

**3. IC/EC Corrective Measures** – No deficiencies were noted during the site inspections.

**4. IC/EC Conclusions/Recommendations** – The EC program is in compliance and there are no recommendations for the program at this time.

**5. IC/EC Certification** – Refer to PRR Form - Attachment 1 for the certification.

**V. Monitoring Plan Compliance Report** – The annual inspection of the cover system was conducted on September 22, 2022.

**VI. Operation & Maintenance (O&M) Plan Compliance Report** – Not Applicable.

### **VII. Overall PRR Conclusions and Recommendations**

#### **A. Compliance with Site Management Plan (SMP)**

**1. Requirements** – All IC/EC Plan requirements were met during this reporting period.

2. **Exposure Pathways** – There are no new completed exposure pathways resulting in unacceptable risk.
  3. **Proposed Plans and Schedule to Meet Compliance** – No plan proposed.
- B. Performance and Effectiveness of the Remedy** – The remedy as described in the Site Management Plan and executed by National Grid has been effective in meeting the program goals.
- C. Future PRR Submittals** – The frequency of PRR Submittals should remain annual. Therefore, the next PRR reporting period will cover November 24, 2022 through November 23, 2023.
- VIII. Additional Guidance** – Not needed.

## **REFERENCES**

O'Brien & Gere, 2016. "NM – Herkimer Smith St. MGP Site, Site Management Plan", April 2016.

**Field Inspection Report**  
**Smith Street Former MGP Site**  
**Herkimer, New York**

Date: 9/22/2022  
Technician: KL

Time: 8:30  
Weather: Rain 61

<b>Vegetated Cover Areas</b>				
Soil Above Geotextile	GOOD	FAIR	DAMAGED	COMMENTS:
Signs of Burrowing Animals?	YES	NO		COMMENTS:
Signs of Erosion?	YES	NO		COMMENTS:
Vegetative Growth	GOOD	FAIR	POOR	COMMENTS:
Vegetative Coverage	Established >80%		Established <80%	COMMENTS:
Agricultural or Vegetable Gardens	YES	NO		COMMENTS:
Site Been Mowed	YES	NO		COMMENTS:
Litter	NONE	MINOR	SIGNIFICANT	COMMENTS:

<b>Drainage Facilities</b>				
Ponding or Standing Water?	YES	NO		COMMENTS:
Sediment or debris within the site?	NONE	MINOR	SIGNIFICANT	COMMENTS:
Evidence of Sediment Release from Site?	YES	NO		COMMENTS:
Condition of Erosion Controls?	GOOD	FAIR	POOR	COMMENTS:

**General Comments:**

Raised Bed Gardens SW Corner are okay.



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.**            **V00471**

**Site Name** **NM - Herkimer Smith St. MGP**

Site Address: Smith & William            Zip Code: 13350  
City/Town: Herkimer  
County: Herkimer  
Site Acreage: 0.600

Reporting Period: November 23, 2021 to November 23, 2022

YES    NO

1. Is the information above correct? ☒    ☐

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

2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period? ☐    ☒

3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))? ☐    ☒

4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period? ☐    ☒

**If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.**

5. Is the site currently undergoing development? ☐    ☒

**Box 2**

YES    NO

6. Is the current site use consistent with the use(s) listed below? ☒    ☐  
Restricted-Residential, Commercial, and Industrial

7. Are all ICs in place and functioning as designed? ☒    ☐

**IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

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

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

\_\_\_\_\_  
Date



**Description of Institutional Controls**ParcelOwnerInstitutional Control**120.33-3-3**

Mark Netti

Ground Water Use Restriction  
 Soil Management Plan  
 Landuse Restriction  
 Building Use Restriction  
 Site Management Plan  
 IC/EC Plan

Imposition of an institutional control in the form of an environmental easement for the controlled property that:

1. requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls;
2. allows the use and development of the controlled property for restricted-residential, commercial, and industrial uses (subject to local zoning laws);
3. restricts the use of groundwater as a source of potable or process water without necessary water quality treatment as determined by NYSDOH or County DOH;
4. prohibits agriculture or vegetable gardens on the controlled property; and
5. requires compliance with the Site Management Plan.

**Description of Engineering Controls**ParcelEngineering Control**120.33-3-3**

Cover System

A site cover is required to allow for restricted-residential use of the site. The site cover consists of either structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives. The soil cover will be placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetation layer.

**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. V00471

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 Gerald Cresap, PE at 6780 Northern Blvd., Suite 100, East Syracuse, NY,  
print name print business address

am certifying as agent for National Grid (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

Date

12-13-2022



## EC CERTIFICATIONS

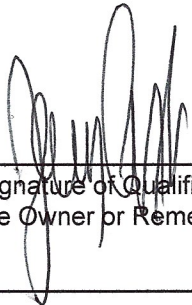
Box 7

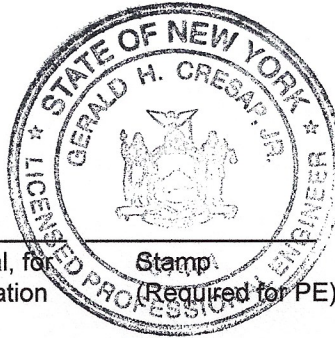
### Qualified Environmental Professional Signature

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 Gerald Cresap, PE at 6780 Northern Blvd. Suite 100, East Syracuse, NY,  
print name print business address

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

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



Stamp  
(Required for PE)

12-B-2022  
Date