



Glenn Springs Holdings, Inc.

A subsidiary of Occidental Petroleum

Clint Babcock
Project Manager
Direct Dial (972) 687-7506

5005 LBJ Freeway, Suite 1350
Dallas, TX 75244-6119
Facsimile (972) 687-7524

April 14, 2009

Mr. Brian Sadowski
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
270 Michigan Avenue
Buffalo, New York 14203-2999

RECEIVED

APR 15 2009

NYSDEC REG 9
FOIL
REL UNREL

Dear Mr. Sadowski:

Re: Site Management Periodic Review – 102nd Street Landfill Site

On behalf of Occidental Chemical Corporation (OCC), Conestoga-Rovers & Associates (CRA) is submitting the Site Management Periodic Review for the 102nd Street Landfill site (Site) in Niagara Falls, New York. As part of the last phase of a site's remedial program, this progress report documents the implementation of and compliance with the Site Management requirements for the Site, and certifies that the New York State Department of Environmental Conservation (NYSDEC) listed institutional and engineering controls (ICECs) are accurate as shown. This report includes the five (5) OCC parcels and the two (2) Olin Corporation (Olin) parcels that make up the 102nd Street Landfill Site.

The Site covers approximately 22 acres and consists of two separate properties owned by OCC (15.6 acres) and Olin (6.5 acres). The Site is bordered by the Niagara River to the south, Buffalo Avenue to the north, Griffon Park to the west, and privately owned land to the east. A perimeter fence restricts Site access. Authorized vehicular traffic access is provided from Buffalo Avenue by locked fence gates.

Remedial construction at the Site was completed in 1998, and groundwater pumping began in March 1999.

Final responses to the comments for the Final Closure Report for the Site were submitted to the NYSDEC and the United States Environmental Protection Agency (USEPA) (collectively, the "Agencies") on September 22, 2000. Final approval of the Operation and Maintenance (O&M) Manual (CRA, 2001) was received on October 24, 2001. The Certificate of Completion for the Site was accepted by the Agencies on March 13, 2002, signifying that all remedial work had been completed. Subsequently, the formal initiation of the O&M program for the Site occurred in April 2002. This year, 2009, is the eighth year of reporting for the Site since the implementation of the O&M program.

April 14, 2009

Page 2

The Remedial Action (RA) system components at the Site that have associated O&M activities are as follows:

- landfill cap;
- perimeter slurry wall;
- aqueous phase liquid (APL) collection and discharge system;
- non-aqueous phase liquid (NAPL) recovery system;
- post-RA system performance monitoring;
- perimeter fence; and
- shallow water environmental monitoring.

If you have any questions, please do not hesitate to contact Jane Pietraszek-Polovich at 716-297-6150 or myself at 972-687-7506.

Very truly yours,

GLENN SPRINGS HOLDINGS, INC.



Clint Babcock
Project Manager

CB/JP/adh/1 (001431)
Encl.

c.c.: D. Hoyt, CRA
R. Knizek, NYSDEC Remedial Bureau E
J. Konsella, NYSDEC Region 9
G. Litwin, NYSDOH
J. Pentilchuk, CRA
G. Sutton, NYSDEC Region 9



**CONESTOGA-ROVERS
& ASSOCIATES**

285 Delaware Avenue, Suite 500, Buffalo, NY 14202
Telephone: (716) 856-2142 Fax: (716) 856-2160
<http://www.craworld.com>

April 13, 2009

Reference No. 001431

Mr. Clint Babcock
Project Manager
GLENN SPRINGS HOLDINGS, INC.
5005 LBJ Freeway
Suite 1350
Dallas, TX 75244

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FOIL
__REL __UNREL

Dear Mr Babcock:

Re: Site Management Periodic Review – 102nd Street Landfill Site
Qualified Environmental Professional Review

As a "Qualified Environment Professional" under NYCRR Chapter IV Subpart 375-1.2, I do hereby certify that all information shown in Boxes 4 and 5 of the attached Site Management Periodic Review for the 102nd Street Landfill Site in Niagara Falls, New York is 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.

Yours truly,

CONESTOGA-ROVERS & ASSOCIATES

James C. Thornton, P.E.
Project Manager

JCT/JP/adh/1
Encl.

Equal
Employment Opportunity
Employer

REGISTERED COMPANY FOR
ISO 9001
ENGINEERING DESIGN



Enclosure 1
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form



Site No. 932022

Site Details

Box 1

Site Name Hooker-102nd Street Landfill

Site Address: 102nd Street, South of River Road Zip Code: 14304

City/Town: Niagara Falls

County: Niagara

Allowable Use(s) (if applicable, does not address local zoning):

Site Acreage: ~~16.5~~ 22.1 acres

Verification of Site Details

Box 2

YES NO

1. Are the Site Details above, correct?

YES NO

If NO, are changes handwritten above or included on a separate sheet?

YES NO

2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment since the initial/last certification?

YES NO

If YES, is documentation or evidence that documentation has been previously submitted included with this certification?

3. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property since the initial/last certification?

YES NO

If YES, is documentation (or evidence that documentation has been previously submitted) included with this certification?

4. If use of the site is restricted, is the current use of the site consistent with those restrictions?

YES NO

If NO, is an explanation included with this certification?

5. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?

YES NO

If YES, is the new information or evidence that new information has been previously submitted included with this Certification?

6. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), are the assumptions in the Qualitative Exposure Assessment still valid (must be certified every five years)?

YES NO

SITE NO. 932022

Description of Institutional Controls - OCC

Add:

<u>Parcel</u>	<u>Institutional Control</u>	<u>Parcel</u>	<u>Inst. Control</u>
S_B_L Image: 174.07-1-1	Landuse Restriction	S_B_L Image: 174.07-1-3	Landuse Restriction
S_B_L Image: 174.07-1-2	Landuse Restriction	S-B-L Image: 174.07-1-4	Landuse Restriction
S_B_L Image: 161.18-1-34.2	Landuse Restriction		
S_B_L Image: 161.19-3-1	Landuse Restriction		
S_B_L Image: 161.19-3-2	Landuse Restriction		

Description of Engineering Controls

Add:

<u>Parcel</u>	<u>Engineering Control</u>	<u>Parcel</u>	<u>Eng. Control</u>
S_B_L Image: 174.07-1-1	Cover System Fencing/Access Control Groundwater Containment Pump & Treat Subsurface Barriers	S-B-L Image: 174.07-1-3	Cover System Fencing/Access Control Groundwater Contain. Pump + Treat. Subsurface Barriers
S_B_L Image: 174.07-1-2	Cover System Fencing/Access Control Groundwater Containment Pump & Treat Subsurface Barriers		
S_B_L Image: 161.18-1-34.2	Cover System Fencing/Access Control Groundwater Containment Pump & Treat Subsurface Barriers	S-B-L Image: 174.07-1-4	Cover System Fencing/Access Control Groundwater Containment Pump + Treat Subsurface Barriers
S_B_L Image: 161.19-3-1	Cover System Fencing/Access Control Groundwater Containment Pump & Treat Subsurface Barriers		
S_B_L Image: 161.19-3-2	Cover System Fencing/Access Control Groundwater Containment Pump & Treat Subsurface Barriers		

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

Control Description for Site No. 932022

Parcel: 161.18-1-34.2

The engineering controls consist of a containment system for the landfill, including: perimeter fencing; NAPL recovery wells; a groundwater collection system; a perimeter sub-surface slurry wall; and a landfill cap. Groundwater collected from the containment system is pumped north for treatment at the Love Canal groundwater treatment system. NAPL is pumped seasonally (April - Nov.) from select NAPL recovery wells into a waste tanker and sent off site for proper disposal. OCC/Olin has performed the required O&M activities ~~from since 1999~~ through Sept 2008. As of October 1, 2008, GSHI contracted Conestoga-Rovers and Associates to perform maintenance and reporting activities at the Site.

The Institutional Controls include a January 2000 deed restriction that prohibits the use of site groundwater or disturbance of landfill cover

Parcel: 161.19-3-1

The engineering controls consist of a containment system for the landfill, including: perimeter fencing; NAPL recovery wells; a groundwater collection system; a perimeter sub-surface slurry wall; and a landfill cap. Groundwater collected from the containment system is pumped north for treatment at the Love Canal groundwater treatment system. NAPL is pumped seasonally (April - Nov.) from select NAPL recovery wells into a waste tanker and sent off site for proper disposal. OCC/Olin has performed the required O&M activities since 1999. (text edits as above)

The Institutional Controls include a January 2000 deed restriction that prohibits the use of site groundwater or disturbance of landfill cover

Parcel: 161.19-3-2

The engineering controls consist of a containment system for the landfill, including: perimeter fencing; NAPL recovery wells; a groundwater collection system; a perimeter sub-surface slurry wall; and a landfill cap. Groundwater collected from the containment system is pumped north for treatment at the Love Canal groundwater treatment system. NAPL is pumped seasonally (April - Nov.) from select NAPL recovery wells into a waste tanker and sent off site for proper disposal. OCC/Olin has performed the required O&M activities since 1999. (text edits as above)

The Institutional Controls include a January 2000 deed restriction that prohibits the use of site groundwater or disturbance of landfill cover

Parcel: 174.07-1-1

The engineering controls consist of a containment system for the landfill, including: perimeter fencing; NAPL recovery wells; a groundwater collection system; a perimeter sub-surface slurry wall; and a landfill cap. Groundwater collected from the containment system is pumped north for treatment at the Love Canal groundwater treatment system. NAPL is pumped seasonally (April - Nov.) from select NAPL recovery wells into a waste tanker and sent off site for proper disposal. OCC/Olin has performed the required O&M activities since 1999. (text edits as above)

The Institutional Controls include a January 2000 deed restriction that prohibits the use of site groundwater or disturbance of landfill cover.

Parcel: 174.07-1-2

The engineering controls consist of a containment system for the landfill, including: perimeter fencing; NAPL recovery wells; a groundwater collection system; a perimeter sub-surface slurry wall; and a landfill cap. Groundwater collected from the containment system is pumped north for treatment at the Love Canal groundwater treatment system. NAPL is pumped seasonally (April - Nov.) from select NAPL recovery wells into a waste tanker and sent off site for proper disposal. OCC/Olin has performed the required O&M activities since 1999. (text edits as above)

The Institutional Controls include a January 2000 deed restriction that prohibits the use of site groundwater or disturbance of landfill cover.

Add:

Parcel: 174.07-1-3 Control description as written above.

Parcel: 174.07-1-4 Control description as written above.

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. 932022

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 CLINT BABCOCK at ~~482ND STREET SOUTH OF RIVER ROAD~~
~~NIAGARA FALLS, NY 14304~~ 5005 LBJ
GLENN SPRINGS HOLDING SUITE 1350
DALLAS TX

FREWAY
75244

am certifying as GLENN SPRINGS HOLDINGS (Owner or Remedial Party)

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

Clint Babcock 4/14/09
Signature of Owner or Remedial Party Rendering Certification 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 James Thornton at 285 Delaware Ave Buffalo, NY 14202

am certifying as a Qualified Environmental Professional for the Remedial Party

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



James Thornton 4/13/09
Signature of Qualified Environmental Professional, for Stamp (if Required) Date
the Owner or Remedial Party, Rendering Certification

Enclosure 2

Certification Instructions

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

Answer the six questions in the Verification of Site Details Section. Questions 5 and 6 only refer to sites in the Brownfield Cleanup Program. The Owner and/or Qualified Environmental Professional (QEP) may include handwritten changes and/or other supporting documentation, as necessary.

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

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 is to petition the Department requesting 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 and/or certify the other SM Plan components that are applicable, continue to complete the remainder of this **Certification** form. Attach supporting documentation that explains why the **Certification** cannot be rendered, as well as a statement 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) is to 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. Where the only control is an Institutional Control on the use of the property the certification statement in Box 6 shall be completed and may be made by the property owner. Where the site has Institutional and Engineering Controls, the certification statement in Box 7 must be completed by a Professional Engineer or Qualified Environmental Professional (see table below).

Table 1. Signature Requirements for Control Certification Page

Type of Control	Example of IC/EC	Required Signatures
EC which does not include a treatment system or engineered caps.	Fence, Clean Soil Cover, Individual House Water Treatment System, Vapor Mitigation System	A site or property owner or remedial party, and a QEP. (P.E. license not required)
EC that includes treatment system or an engineered cap.	Pump & Treat System providing hydraulic control of a plume, Part 360 Cap.	A site or property owner or remedial party, and a QEP with a P.E. license.

WHERE to mail the signed Certification Form by **Tuesday, April 14, 2009**:

New York State Department of Environmental Conservation

270 Michigan Ave
Buffalo, NY 14203-2999

Attn: Brian Sadowski, Project Manager

Please note that extra postage may be required.