

# Checklist for Final Engineering Report (FER) Approval

**Applies to sites in the Brownfield Cleanup Program (BCP), Environmental Restoration Program (ERP), Voluntary Cleanup Program (VCP) and Inactive Hazardous Waste Disposal Site Program (SSF)**

**Site Name: 515 West 18<sup>th</sup> Street**

**Municipality: New York**

**County: New York**

**Site No.: C231093**

This FER is for a project which:

- Includes a summary of one or more construction completion reports (CCRs) - if checked the FER must reference of these previous CCRs for the areas identified below.
- Is for a single remedial action

All FERs submitted to DEC for approval will be prepared by an individual licensed or otherwise authorized in accordance with article 145 of the education law of the State of New York to practice the profession of engineering, and include the following:

## Technical Content of the Report:

The FER must include the following:

- Yes** Clear identification of the boundaries of the site as described in the Brownfield Cleanup Agreement (BCA), ERP State Assistance Contract, Voluntary Cleanup Agreement, or for a Superfund site as defined in the Order on Consent or the Inactive Hazardous Waste Disposal Site Registry.
- Yes**  **N/A** Clear identification of the boundaries of the real property subject to the environmental easement or other institutional controls, if different than the site boundaries described above.
- Yes** A metes and bounds description and survey map must be included in the FER which corresponds to the above site boundaries. If no survey was required as part of an institutional control, (i.e., for Track 1 or unrestricted remedies of an entire tax parcel), then these can be the metes and bounds description from the property deed and the property tax map.
- Yes** A description of the remedial activities completed at the site, including previous CCRs and the project which is the subject of this FER, completed in accordance with the remedial work plan(s) and/or decision document(s) for the site.
- Yes**  **N/A** A complete description of any ICs/ECs employed at the site.
- Yes** Identification of the cleanup levels applied to the remedial actions, for each media of concern and area of concern at the site.
- Yes** A summary of the implementation of the remedial actions, which includes as appropriate:
  - A description of any problems encountered during construction and their resolution;

- A description of changes to the design documents and why the changes were made; including documentation of the approval of the change by DEC.
- Quantities and concentration of contaminants removed or treated;
- A listing of the waste streams, quantity of materials disposed and where they were disposed.

**Yes** The FER substantially follows the guidance provided in [DER-10: Technical Guidance for Site Investigation and Remediation](#) and specifically includes the following, as appropriate to the remedy:

**Yes**  **No**  **N/A** A detailed description of site restoration activities pursuant to DER-10.

**Yes**  **No**  **N/A** A detailed description of the source and quality of imported fill pursuant to DER-10.

**Yes**  **No**  **N/A** For active groundwater remedial actions consisting of groundwater extraction or control: The FER should also include figures representative of flow conditions immediately preceding initiation of the remedial action and flow conditions representative of pumping conditions required by the remedy.

**Yes**  **No**  **N/A** For SSF and ERP projects, where State funding is provided: A detailed summary of actual costs including bid tabulations and change orders.

**Tables and Figures:**

**Included**  **Yes**  **No**  **N/A**

As set forth in DER-10 tables and figures presenting post-remedial data as appropriate to document the satisfactory completion of the remedial action. The figure/tables should clearly indicate the nature and extent of any contamination remaining at the site.

**As-Built Drawings:**

**Included**  **Yes**  **No**  **N/A**

"As-built" drawings, with a NYS P.E. stamp and signature on each drawing, were provided. The as-built drawings must identify:

**Yes** The boundaries of the site, and if different, the real property subject to the environmental easement; other institutional controls must be incorporated on all figures.

**Yes**  **N/A** The location and extent of all engineering controls including, without limitation, slurry walls, treatment units, piping and instrumentation wiring or other remedial structures which will remain in place after completion of the remedial action.

**Yes**  **No**  **N/A** Permanent survey markers for horizontal and vertical control for site management, where required.

**Yes**  **No**  **N/A** For projects with soil covers and/or caps: the areal and vertical (depth) extent of the covered/capped area, including identification of buildings and/or paving which are considered part of the site cover/cap as well as a description of the material and depths of the demarcation layer.

**Yes**  **No**  **N/A**      For projects with soil removals: the limits of the excavation, the depth of the excavation and location of all documentation samples.

**Yes**  **No**  **N/A**      For projects with underground storage tank removals: the size and contents of the tank(s) identified and addressed by the remedy, the surveyed location of the tanks removed or abandoned in place and the extent of any soil removal as per above.

**Electronic Attachments:** **Included**  **Yes**  **No**  **N/A**

The following information should be submitted only in an electronic format that is acceptable to the DER with the FER.

**Yes**  **No**  **N/A**      Copies of all fully executed manifests documenting off-site transport and disposal of all material deemed hazardous or solid wastes.

**Yes**  **No**  **N/A**      All analytical data for pre and post-excavation samples, soil backfill analyses, treated water effluent analyses, and waste disposal characterizations, including all laboratory data sheets and the required laboratory data deliverables pursuant to DER-10.

**Yes**  **No**  **N/A**      Photographs

**EQuIS Data Packages**

**Yes**  **No**  **N/A**      At a minimum, post-excavation soil data and baseline groundwater groundwater data must be submitted and accepted into EQuIS.

**Site Management Plan (SMP):**

**N/A**      If none is required for the remedy which is the subject of this FER, check here.

**Yes**      The approved SMP is included in, or specifically referenced by, the FER.

**Yes**      The required certification regarding the SMP is included in the Certification Section below.

**Environmental Easement or Deed Restriction (where applicable)**

**N/A**      If none is required for the remedy which is the subject of this FER, check here.

**Yes**      A filed copy of the environmental easement or deed restriction with proof of filing with the responsible municipal authority is included in the FER or has been provided to DEC.

**Yes**      A certification that the easement or deed restriction has been filed and the municipalities having jurisdiction over the easement or deed restriction have been notified is required. See Certification Section below for the language of this certification.

**Yes**  **No**      The County Recording Identifier number is provided in the FER.

**Financial Assurance**

**N/A**      If none is required for the remedy which is the subject of this FER, check here.

**Yes**  **No**  **N/A**      Identify the financial assurance mechanisms required for the site and include the copy of the executed mechanism.

**Yes**      A certification that the Financial Assurance has been submitted by the applicant must be included in the FER. See Certification Section below for the language of this certification.

**Citizen Participation**

**Yes** (BCP Only) A fact sheet was issued to the site contact list after the FER was submitted, but prior to DEC approval of the FER.

**Yes** (BCP Only) A fact sheet to the site contact list will also be issued within 10 days of when the

Certificate of Completion is issued by DEC and, if applicable, will include a summary of the institutional and/or engineering controls implemented by the remedy.

- Yes** (SSF Only) A Notice of the COC/Reclassification shall be combined into one Fact Sheet and mailed to the site contact list no sooner than 20 days after issuance of the of the COC. If the site is being delisted, the notice may be mailed immediately; allow for a 30 day public comment period and the classification will be changed 60 days after the COC issuance (or end of comment period if later)
- N/A** (ERP)

**FER Professional Engineer Certification and Stamp:**

**Included**  **Yes**  **No**

The FER will be prepared, stamped and the following certification signed by an [individual licensed or otherwise authorized in accordance with article 145 of the education law to practice the profession of engineering](#):

- I, \_\_\_\_\_, am currently a registered professional engineer licensed by the State of New York, I had primary direct responsibility for implementation of the remedial program activities, and I certify that the [Remedial Action Work Plan or Remedial Design] was implemented and that all construction activities were completed in substantial conformance with the Department-approved [Remedial Action Work Plan or Remedial Design].

**Included**  **Yes**  **No**

If the RAWP or RD identifies time frames to be achieved by the remedial program:

- I certify that the data submitted to the Department with this Final Engineering Report demonstrates that the remediation requirements set forth in the [Remedial Action Work Plan or Remedial Design] and in all applicable statutes and regulations have been or will be achieved in accordance with the time frames, if any, established for the remedy.

**Included**  **Yes**  **No**

- I certify that all use restrictions, Institutional Controls, Engineering Controls, and/or any operation and maintenance requirements applicable to the Site are contained in an environmental easement created and recorded pursuant ECL 71-3605 and that all affected local governments, as defined in ECL 71-3603, have been notified that such easement has been recorded.

**Included**  **Yes**  **No**  **N/A**

- I certify that a Site Management Plan has been submitted for the continual and proper operation, maintenance, and monitoring of all Engineering Controls employed at the Site, including the proper maintenance of all remaining monitoring wells, and that such plan has been approved by Department.

**Included**  **Yes**  **No**  **N/A**

If financial assurance is required:

- I certify that any financial assurance mechanisms required by the Department

pursuant to Environmental Conservation Law have been executed.

**Included**  **Yes**  **No**  **N/A**

I certify that all documents generated in support of this report have been submitted in accordance with the DER's electronic submission protocols and have been accepted by the Department.

**Included**  **Yes**  **No**

I certify that all data generated in support of this report have been submitted in accordance with the Department's electronic data deliverable and have been accepted by the Department.

**Included**  **Yes**  **No**

I certify that all information and statements in this certification form 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, [name], of [business address], am certifying as Owner's Designated Site Representative (and if the site consists of multiple properties): [and I have been authorized and designated by all site owners to sign this certification] for the site.

**Included**  **Yes**  **No**

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For DEC Internal Use Only:

**Site Contact List:**

- N/A** (BCP, ERP, SSF if site locality was canvassed for list serve)
- Yes** (SSF if not exempt thru list serve participation and deemed necessary by ADD) Provide to SCS as defined in Part 375-1.2(as). For additional guidance in preparing the SCL, go to <http://internal.dec.state.ny.us/der/der309.html>

**UIS:**

**Update Remedial Site Information on Main Page**

- Site Description:** For guidance see <http://internal.dec.state.ny.us/der/der274.html>
- Site Environmental Assessment:** Be sure it reflects conditions after the remedy is implemented (see <http://internal.dec.state.ny.us/der/der274.html> )
- Site Health Assessment:** request from DOH to reflect post-remediation conditions.
- Site Name, Address, & Size:** verify and notify SCS for changes
- Contacts:** verify owner and all other affiliations are accurate and complete
- Easement Identifier:** Enter the County Recording Identifier using the Cross Reference button on the main site page.
- Clean Up Track:** (for BCP sites) provide to SCS for data entry

**Class History File** - A Class History file (A to C) should have been auto-generated when the COC project was created. However, for older projects, this may not have occurred, and one must be requested from Site Control. The Basis for Classification should be entered as follows:

- Basis for Classification Change:** Use the standard language for this type of reclassification "Approval of the FER constitutes final approval of the Department's decision to reclassify the site to a class C. The classification in the UIS will be changed upon COC issuance and associated citizen participation." (see <http://internal.dec.state.ny.us/der/der256.html> )

**IC/EC Module**

- Property information is complete and accurate for all parcels
- Control information: If UNRESTRICTED USE/TRACK 1, check No Controls Needed in site property details
- ICs:  **Yes** (indicate all) or;  **N/A**
- ECs:  **Yes** (indicate all) or;  **N/A**
  - Dates - applicable dates, e.g.  Control In Place  date (filed with County Clerk)
  - Control Description - provide a summary of restrictions, in sufficient level of detail to list on the Site Management Form.

**UIS Projects** - as applicable, verify start and end dates, status for all projects, especially;

- RA End Date – Set this for the month the COC issuance is anticipated. This will auto-update the COC End Date, SM Start Date, and first PRR dates.

**Filed in EDMS** - as applicable, verify that all applicable documents or equivalent, are present and properly named;

- Agreement/Order/SAC:** (e.g., agreement.C231011.2006-01-01.BCA.pdf)
- Environmental Easement / Deed Restr.:** w/co. Clerk Certificate (e.g., easement.130058.2006-01-01.pdf)
- Site Management Plan:** (e.g., workplan.130058.2006-01-01.SMP.pdf)
- Final Engineering Report:** (e.g., report.E915182.2006-01-01.FER.pdf)
- Site Boundary Map:** Provide tax map, or other that clearly indicates the site boundaries.

The review of the Final Engineering Report has been completed and found to satisfy all applicable requirements and guidance as detailed above. The Final Engineering Report is therefore recommended for approval.

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_  
                   Project Manager

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_  
                   Section Chief/Regional HWR Engineer