

PERIODIC REVIEW REPORT

for

**1915 ERIE BOULEVARD EAST
AND PEAT STREET**

City of Syracuse

Onondaga County, New York

Brownfield Cleanup Program Site No. C734090

Prepared for:

ERIE & PEAT, LLC
P.O. Box 4325
Utica, New York 13504

Prepared by:



8232 Loop Road
Baldwinsville, New York 13027
(315) 638-8587
Project No. 2020053

May 2020

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FIGURE 1 – SITE LOCATION MAP

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INTRODUCTION AND OVERVIEW

The 1915 Erie Boulevard East and Peat Street site, located in the City of Syracuse, Onondaga County, New York (refer to *Figure 1 – Site Location Map*), was investigated and cleaned up under the New York State Brownfield Cleanup Program (BCP) by S&W Redevelopment of North America, L.L.C. (S&W). The site is 1.1 acres in size and is located in a commercial area. Refer to *Figure 2 – Site Plan* for the property boundaries and currently developed features of the site.

Cleanup activities completed by S&W included the demolition and disposal of former buildings and related floor drains and hydraulic lifts, closure of petroleum underground storage tank (UST) facilities and disposal of impacted subsurface and surface soils. Contaminants of concern included semi-volatile organic compounds (SVOCs) and volatile organic compounds (VOCs) associated with petroleum-impacted subsurface soils in the vicinity of USTs and SVOCs associated with surface fills. Cleanup activities were documented in a final report¹ and approved by the New York State Department of Environmental Conservation (DEC). A *Certificate of Completion* (COC) for the site was issued to 1915 Erie Boulevard East, L.L.C. in October 2006. The site was left as an undeveloped lot at that time and a Site Management Plan² (SMP) was prepared and approved by the DEC. The COC included a restricted use limitation for commercial development and a groundwater use restriction. The SMP details the site use restrictions, governs the maintenance of a surface cover system required for the site and the management of any excavated soils.

The site was redeveloped into a Family Dollar store in 2010. Development included the construction of a 9,000-square foot slab-on-grade, single story commercial building, site grading, paving and installation of required utilities. Plumley Engineering was retained by Westlake Development, LLC to document compliance with the SMP. A vapor barrier (10 mil liner by *SealTight*) was installed beneath the building's concrete slab as required by the SMP to reduce

¹*Remedial Action Final Report*, prepared by S&W Redevelopment of North America, L.L.C., dated January 2004.

²*Site Management Plan*, prepared by S&W Redevelopment of North America, L.L.C., dated December 2004.

risk of vapor contaminant intrusion into the building. The site development activities and SMP compliance during construction were summarized and documented in detail in an SMP Update.³

Plumley Engineering was retained by Erie & Peat, LLC to prepare this Periodic Review Report (PRR). In accordance with the SMP, PRRs are currently required annually for this site to evaluate compliance with use restrictions and applicable institutional and engineering controls. The DEC may lengthen the timeframe between the periodic reviews in the future, at their discretion. To prepare this PRR, we interviewed David Mazloom of Erie & Peat, LLC and completed a site inspection on May 14, 2020.

REMEDY PERFORMANCE, EFFECTIVENESS AND PROTECTIVENESS

There are no active, ongoing remedial systems in place at the site. Institutional and certain engineering controls are in force to ensure protectiveness, as discussed below.

INSTITUTIONAL / ENGINEERING CONTROL PLAN COMPLIANCE

Institutional and engineering controls (IECs) in force at the site include:

- A land use restriction governing site development for commercial and industrial uses only (no residential use).
- A groundwater use restriction, prohibiting the use of groundwater without treatment to render safe for use as drinking water or industrial purposes and for which the user must obtain approval from the DEC.
- Maintenance of a surface cover system over all outdoor areas of the site, as detailed in the site's SMP. This currently includes concrete and asphalt cover components over the

³*Site Management Plan Update*, prepared by Plumley Engineering, P.C., dated November 2010.

paved and sidewalk areas and a clean 12-inch thick soil layer in the grass lawn areas This cover system serves as a protective barrier, eliminating incidental human contact with the underlying site soils. Areas of concrete and asphalt include 9 inches of select gravel underlying approximately 5 inches of concrete or asphalt. A geotextile fabric was installed beneath the outdoor cover components to serve as a demarcation layer.

- Installation and maintenance of a soil vapor subsurface barrier (minimum 8 mil thickness) beneath any future buildings. The existing building has a 10-mil vapor barrier installed underneath it.
- Existence of soil handling and disposal procedures detailed in the SMP governing all excavations below the surface cover system components at the site.

All IECs are conveyed with the property via an environmental easement held by the DEC. The COC for the site indicates the environmental easement was filed in the Recording Office for Onondaga County. The owner reported that the environmental easement is referenced in the current deed for the property.

Figure 2 details the current developed condition of the site as an operating Family Dollar store. The site is currently in compliance with the required IECs, as follows:

- The outdoor surface cover system appears unchanged since construction. This includes suitable cover system components comprised of concrete and asphalt and 12 inches of imported topsoil in grass lawn areas that were constructed in 2010. The owner's representative reported that no excavations have been completed at the site since completion of the 2010 construction project. We saw no evidence of any excavations during our recent site inspection.
- No new buildings or structures have been constructed on the site that would require installation of a soil vapor barrier. The owner reported that no breaches through the floor have been made in the existing building since completion of construction in 2010. No indications of such were noted during our recent inspection.

As of this reporting period, there are no deficiencies with IECs. No changes to the IECs are recommended.

MONITORING PLAN

A monitoring plan is not applicable. There are no ongoing, active monitoring activities for the site.

OPERATION AND MAINTENANCE

Operation and maintenance are not applicable. There are no ongoing, active systems at the site requiring any operation and maintenance activities.

CONCLUSIONS AND RECOMMENDATIONS

All requirements for the site for this reporting period have been met. Refer to *Enclosure 2 – Certification Form* for additional information.

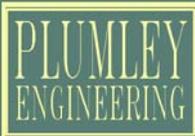
Any future excavations or drilling that would penetrate the cover system components (inside the building and anywhere outside) are to be conducted in accordance with the SMP. The DEC shall be notified in advance. The owner shall keep a written record of any such excavations or drill holes, recording their locations, extent and depths by measurement, backfilling and sealing procedures used and documenting compliance with the SMP. These written filings shall be reviewed and included in the PRRs.

ATTACHMENTS



REF.: USGS - SYRACUSE EAST (NY) QUAD., 2013, 7.5 MIN. SCALE: 1"=2000'

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PLUMLEY ENGINEERING, P.C.
8232 LOOP ROAD
BALDWINSVILLE, NY 13127
TELEPHONE: (315) 638-8587
FAX: (315) 638-9740
WWW.PLUMLEYENG.COM

Civil and Environmental Engineering

PROJECT:

PERIODIC REVIEW REPORT

1915 ERIE BOULEVARD EAST AND PEAT STREET

DWG. TITLE:

SITE LOCATION MAP

CLIENT:

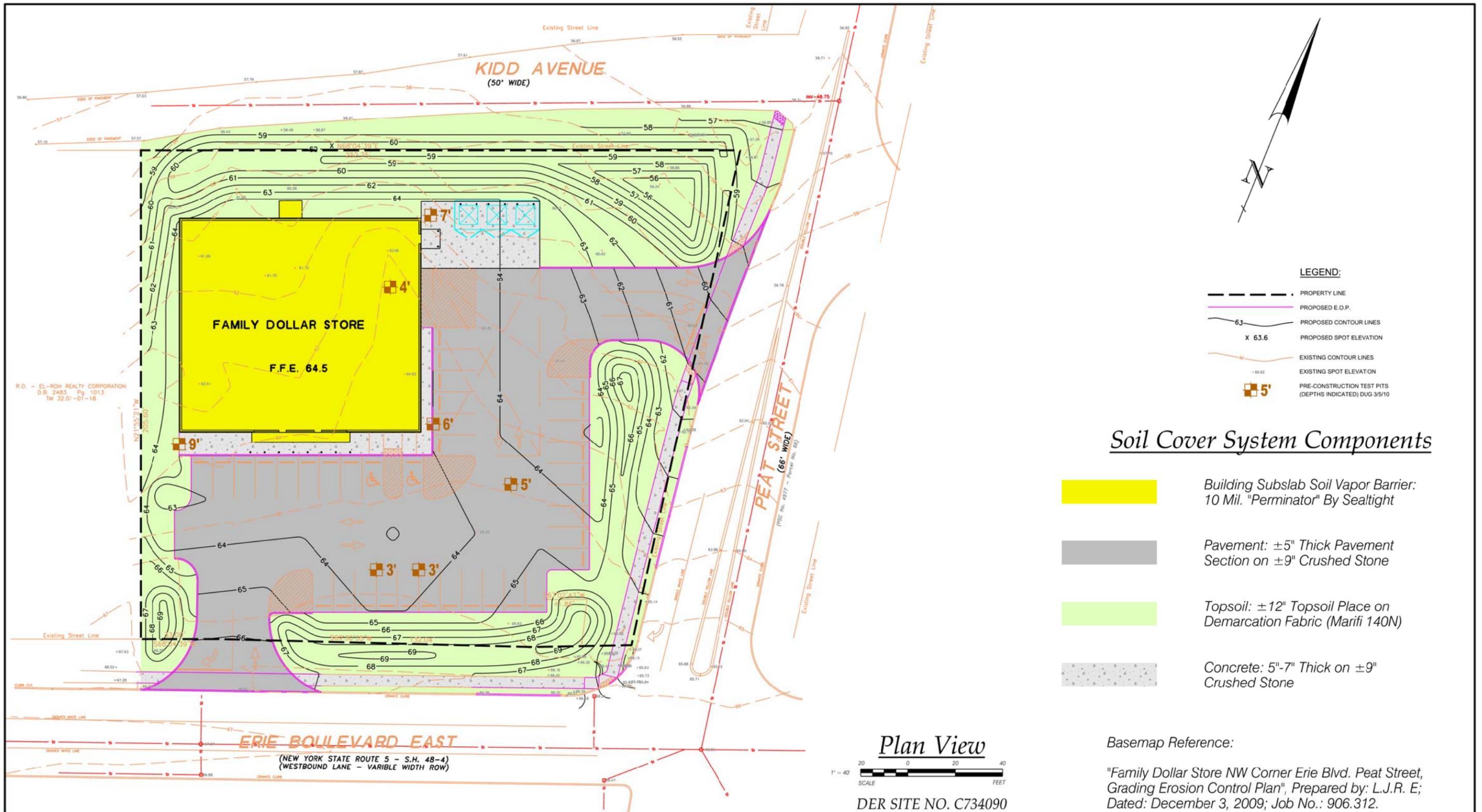
ERIE & PEAT, LLC

LOCATION:

CITY OF SYRACUSE, ONONDAGA COUNTY, NEW YORK

Note: No alteration permitted hereon except as provided under Section 7209 Subdivision 2 of the New York State Education Law.

PROJECT No: 2014122
FILE NAME: FIGURE 1
SCALE: AS NOTED
DATE: DEC. 2014
ENG'D BY: MGT
DRAWN BY: JMD
CHECKED BY: FAK



- LEGEND:**
- PROPERTY LINE
 - PROPOSED E.O.P.
 - PROPOSED CONTOUR LINES
 - PROPOSED SPOT ELEVATION
 - EXISTING CONTOUR LINES
 - EXISTING SPOT ELEVATION
 - PRE-CONSTRUCTION TEST PITS (DEPTHS INDICATED) DUG 3/5/10

Soil Cover System Components

- Building Subslab Soil Vapor Barrier: 10 Mil. "Perminator" By Sealtight
- Pavement: ±5" Thick Pavement Section on ±9" Crushed Stone
- Topsoil: ±12" Topsoil Place on Demarcation Fabric (Marifi 140N)
- Concrete: 5"-7" Thick on ±9" Crushed Stone

Plan View



Basemap Reference:
 "Family Dollar Store NW Corner Erie Blvd. Peat Street, Grading Erosion Control Plan", Prepared by: L.J.R. E;
 Dated: December 3, 2009; Job No.: 906.312.

DER SITE NO. C734090

PLUMLEY ENGINEERING
 PLUMLEY ENGINEERING, P.C.
 8232 LOOP ROAD
 BALDWINVILLE, NY 13027
 TELEPHONE: (315) 638-8587
 FAX: (315) 638-9740
 WWW.PLUMLEYENG.COM

REVISIONS:	DATE:	BY:
△		

PROJECT: PERIODIC REVIEW REPORT
1915 ERIE BOULEVARD EAST AND PEAT STREET
 DWG. TITLE: **SITE PLAN**
 CLIENT: **ERIE & PEAT, LLC**
 LOCATION: **CITY OF SYRACUSE, ONONDAGA COUNTY, NEW YORK**
 Note: No alteration permitted hereon except as provided under Section 7209 Subdivision 2 of the New York State Education Law.

PROJECT No.: 2014122
 FILE NAME.: EV01P
 SCALE: AS NOTED
 DATE: DEC. 2014
 ENGD BY: MGT
 DRAWN BY: JMD
 CHECKED BY: FAK

SHEET NO.: **FIGURE 2**

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Civil and Environmental Engineering

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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. C734090			
Site Name Carbacio Auto			
Site Address: 1915 Erie Boulevard East & Corner of Peat St.		Zip Code: 13148-	
City/Town: Syracuse			
County: Onondaga			
Site Acreage: 1.100			
Reporting Period: December 15, 2014 to December 15, 2019			
			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? 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	

SITE NO. C734090

Description of Institutional Controls

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
32.1-01-17	Erie & Peat, LLC	Ground Water Use Restriction Soil Management Plan Landuse Restriction Site Management Plan

Future EC will require Soil Vapor Evaluation and subsurface barrier, i.e. concrete slab, pavement, Geotech-vapor barrier, or 12"min. soil cover. A SUMMARY of the IC/EC are the following:

Commercial/Industrial use provided the long-term EC are employed: existing soil of property have barrier layer such as concrete, asphalt, or structures or min. 12-inch layer of soil this barrier layer must be maintained -

-prior to any soil excavation, Dept. must be notified, and the previously approved Soil Management Plan be followed.

-prior to redevelopment sub slab soil vapor evaluation to be conducted for a new construction at site property.

-any area of soil excavation below barrier layer that is returned to vegetative state must be back-filled w/ min. 12 inches of clean soil underlain by a demarcation layer. DMC layer material consists of geotextile or similar specs. All material must be approved by Dept.

Use of Groundwater at site is prohibited w/out treatment to render safe for use as drinking water or industrial purposes and user must obtain approval from Dept.

Controlled Property may not be used for higher level of use i.e. residential use and above stated engineering controls may not be discontinued w/out an amendment or extinguishment of this Environmental Easement.

Property deed and all subsequent conveyance relating to controlled property shall state (summary): "This property is subject to an environmental easement held by NYS DEC pursuant to Title 36 of Art. 71 of Env. Con. Law."

Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

Grantor covenants and agrees that it shall annually or such time as DEC may allow, submit to Dept. written statement by an expert the Dept. finds acceptable certifying controlled property are unchanged from previous certification or that any changes to controls (for the site) were approved by the Dept. and nothing has occurred that would impair the ability of such control to protect the public health and environment or constitute a violation or failure to comply w/ any Site Management Plan. (Summary)

Description of Engineering Controls

<u>Parcel</u>	<u>Engineering Control</u>
32.1-01-17	Subsurface Barriers

A soil vapor barrier membrane was installed beneath the entire footprint of the building.

All area of the site during site re-development were covered with suitable cover components, comprised of concrete, asphalt or grass containing 12 inches of imported clean topsoil on top of a geo-textile fabric as a demarcation layer.

During re-development phase owner and their representative engineers contacted Department and Dept. of Health, a Site Management Redevelopment Report was submitted that outlined measures taken to address Site Management Plan and Engineering Controls. Requirements of Eng. Controls have been met.

Parcel

Engineering Control

Future EC will require Soil Vapor Evaluation and subsurface barrier, i.e. concrete slab, pavement, geotech. vapor barrier, or 12-inch. soil cover for any new/additional structures on the site.

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. 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

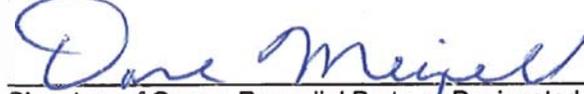
SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

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 David K. Meixell, P.E. at PLUMLEY ENGINEERING, P.C.
8232 Loop Road, Baldwinsville, NY 13027,
print name print business address

am certifying as Owner's Designated Representative (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

05/21/2020
Date

IC/EC CERTIFICATIONS

Box 7

Professional Engineer 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.

PLUMLEY ENGINEERING, P.C.

I David K. Meixell, P.E. at 8232 Loop Road, Baldwinsville, NY 13027,
print name print business address

am certifying as a Professional Engineer for the Erie & Peat, LLC
(Owner or Remedial Party)

David Meixell



05/21/2020

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

Stamp (Required for PE)

Date