

# C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

50 Century Hill Drive, Latham, NY 12110  
518.786.7400 FAX 518.786.7299 www.ctmale.com



April 20, 2020

VIA EMAIL

Ms. Ruth Curley, Professional Engineer 1  
Division of Environmental Remediation  
NYSDEC, Bureau B  
625 Broadway  
Albany New York 12233-7016  
Email: [Ruth.Curley@dec.ny.gov](mailto:Ruth.Curley@dec.ny.gov)

Re: *Site Management Plan Periodic Review Report & IC/EC Submittal  
Chalmers Building Site (NYSDEC Site No.: E429011)  
21 - 41 Bridge Street and 32 Gilliland Avenue  
City of Amsterdam, Montgomery County, New York  
Reporting Period: March 31, 2017 to March 31, 2020  
C.T. Male Project No. 18.8571*

Dear Ms. Curley:

On behalf of KCG Development, C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. (C.T. Male) presents the Site-Wide Periodic Review Report (PRR) for the Chalmers Building Site in Amsterdam, New York. The PRR was prepared in accordance with NYSDEC approved Site Management Plan (SMP) dated July 2014 and PRR General Guidance. C.T. Male completed a site-wide visit on March 21, 2020 to observe the integrity of the cover system. This PRR is the second PRR for the Site since completion of the remedial action in 2015. The first PRR was prepared by City of Amsterdam for the reporting period of December 1, 2015 to March 31, 2017.

## Site Overview

The remedial action for the Chalmers Building Site was completed in 2015 and the Certificate of Completion was issued on December 1, 2015. The Site consists of two (2) contiguous parcels more commonly referred to as Parcel A (2.54 acres – 21 to 41 Bridge Street) and Parcel B (0.77 acres – 32 Gilliland Avenue). A Boundary and Topographic Survey, last updated in January 2015, that was prepared as part of the Environmental Restoration Program Certificate of Completion, is attached as Figure 1. An updated Boundary Survey was completed in December 2019, which is attached as Figure 2.

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## *Change of Use Notification and Related*

KCG Development submitted a Notification of Change of Use to NYSDEC on or about March 9, 2020. The change of use was related to the change of ownership from the City of Amsterdam to Chalmers Mill Lofts, L.P. on December 30, 2019 and related transfer of the Certificate of Completion (COC). A Notice of COC and Ownership Change for the Site was filed in the Montgomery County Clerk's Office by Deed recorded in the Montgomery County Clerk's Office on January 3, 2020 under Instrument #2020-86413. A copy of the bargain and sale deed is provided as an attachment.

## *Evaluate Remedy Performance, Effectiveness and Protectiveness*

The implemented remedy is achieving the remedial goals for the site. The surface cover, which is 12-inches of imported fill and demarcation layer, is providing protection of human health and the environment. The site's surface cover is in good condition.

## *IC/EC Plan Compliance Report*

The listed Institutional Controls/Engineering Controls (IC/ECs) listed in the PRR are still applicable and required for the site. No action or changes are required for the IC/ECs.

## *Monitoring Plan Compliance Report*

Monitoring requirements consist of annual site-wide inspections. The City of Amsterdam was responsible for performing annual inspections before the property transfer. Record of these inspections were not provided to Chalmers Mill Lofts, L.P. as part of the sale, therefore C.T. Male cannot certify that they were compliant with the SMP. Also, there were no severe weather conditions that could have affected ECs and therefore, there would have been no need for additional inspections performed during the reporting period.

## *Operation & Maintenance Plan Compliance Report*

On March 21, 2020, the surface cover system was mostly grass cover and in fair to good condition. The fair condition refers to the area of the site that the surface vegetation is sparse and has minimal vehicle ruts in the southeast quadrant of the site. This condition does not affect the efficacy of the cover system in that it is stable and not eroding and the underlying existing soils are still protected from contact. Select photos taken during the

## C.T. MALE ASSOCIATES

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site visit are presented as an attachment. The SMP inspection form was completed on the basis of the March 21<sup>st</sup> site visit and is attached.

Beyond the surface cover system, the Site does not rely on any mechanical systems such as sub-slab depressurization systems or air/sparge extraction systems to protect public health and the environment.

### **Overall PRR Conclusions and Recommendations**

The following conclusions and recommendations relative to compliance with the SMP are provided:

1. Groundwater Use Restriction: Requirements were met during the reporting period.
2. Landuse Restriction: Requirements were met during the reporting period.
3. Site Management Plan: Requirements were met during the reporting period. Updates are warranted to the plan in order to list the change in the owner from the City of Amsterdam to Chalmers Mill Lofts LP and to change the NYSDEC contact from Mr. Larry Alden to Ms. Ruth Curley.
4. Monitoring Plan: Requirements were met during the reporting period.
5. IC/EC Plan: Requirements were met during the reporting period.
6. Cover System: Requirements were met during the reporting period. The southeast quadrant of the site could use some attention to improve the level of sparse vegetation.
7. Based on C.T. Male's evaluation of the components of the SMP, the remedy is achieving the remedial objectives for the site.
8. The frequency of the submittal of the PRR should not be changed at this time.
9. Site management shall be continued.

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## Certifications

For each institutional or engineering control identified for the Site, I certify that all of the following statements are true:

- The inspection of the Site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this Site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any SMP for this control;
- 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;
- Use of the Site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- 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 in this report is accurate and complete.
- 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, Jeffrey A. Marx, P.E., of C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C., at 50 Century Hill Drive, Latham, New York



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12110, am certifying as KCG Development LLC (a.k.a. Chalmers Mill Lofts, LP) and I have been authorized and designated by the Site Owner to sign this certification for the Site.

If you have any questions, please feel free to contact me at (518) 786-7548 or [j.marx@ctmale.com](mailto:j.marx@ctmale.com). We appreciate the opportunity to continue to work with you on this project.

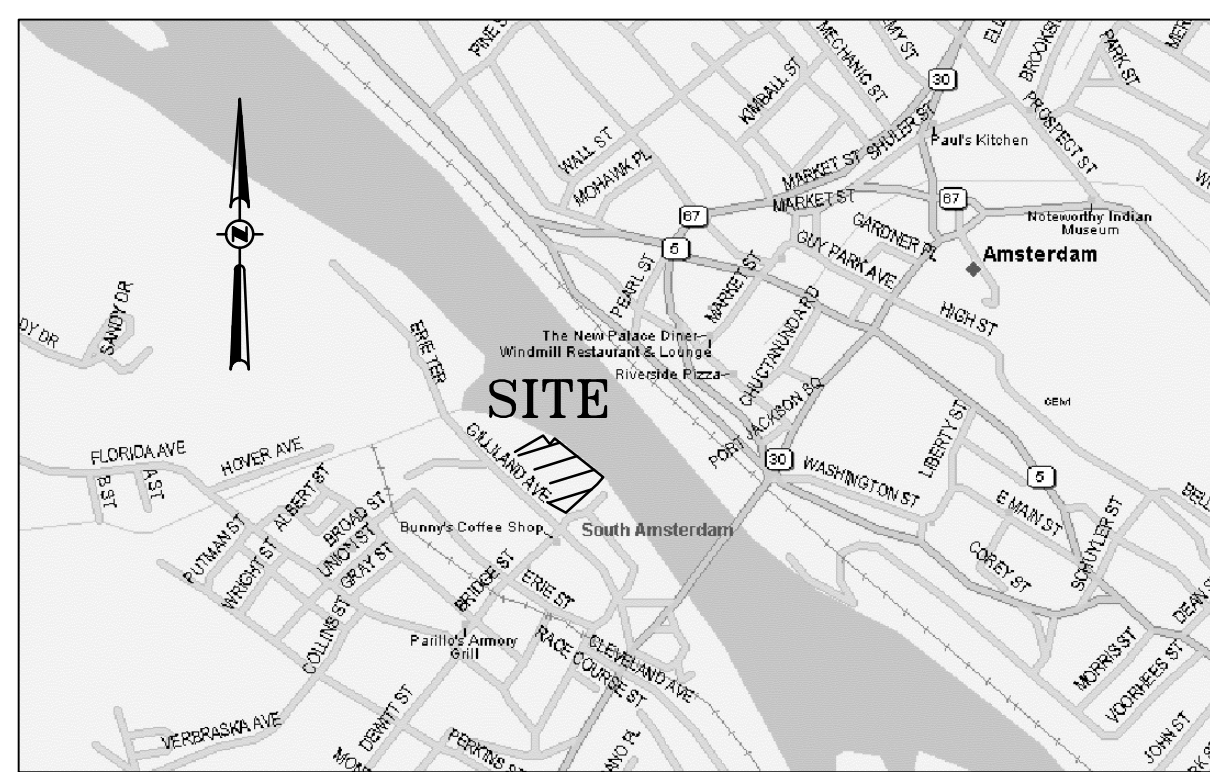
Sincerely,  
C.T. MALE ASSOCIATES



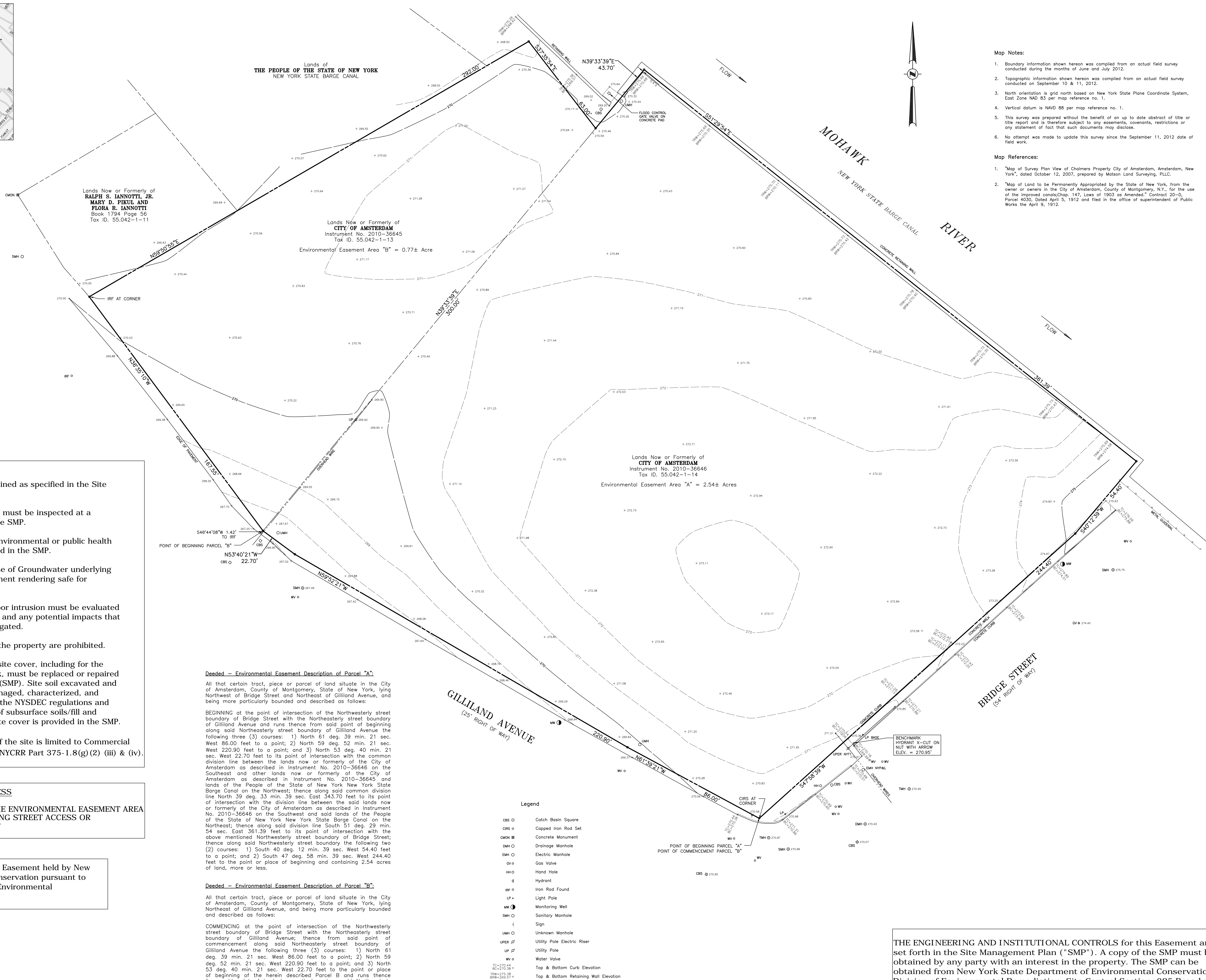
Jeffrey A. Marx, P.E.  
Project Manager / Sr. Environmental Engineer

Att    Figure 1 - Boundary and Topographic Survey (2015)  
       Figure 2 - Boundary and Topographic Survey (2019)  
       Recorded Deed  
       Site Visit Photos  
       Site Inspection Form  
       Periodic Review Report Certification Form

ec:    Ms. Stacy Kaplowitz, KCG Development, LLC



SITE LOCATION MAP  
NOT TO SCALE

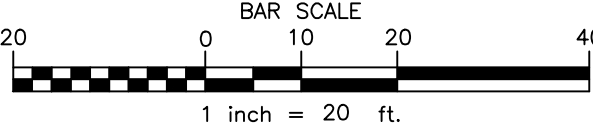


I certify to the following that this survey has been prepared in accordance with the Code of Practice for Land Surveys adopted by the N.Y.S. Association of Professional Land Surveyors as last revised.

City of Amsterdam, New York  
The People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation

James F. Cook PLS No. 49260 Date

"ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES OR A DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID TRUE COPY"

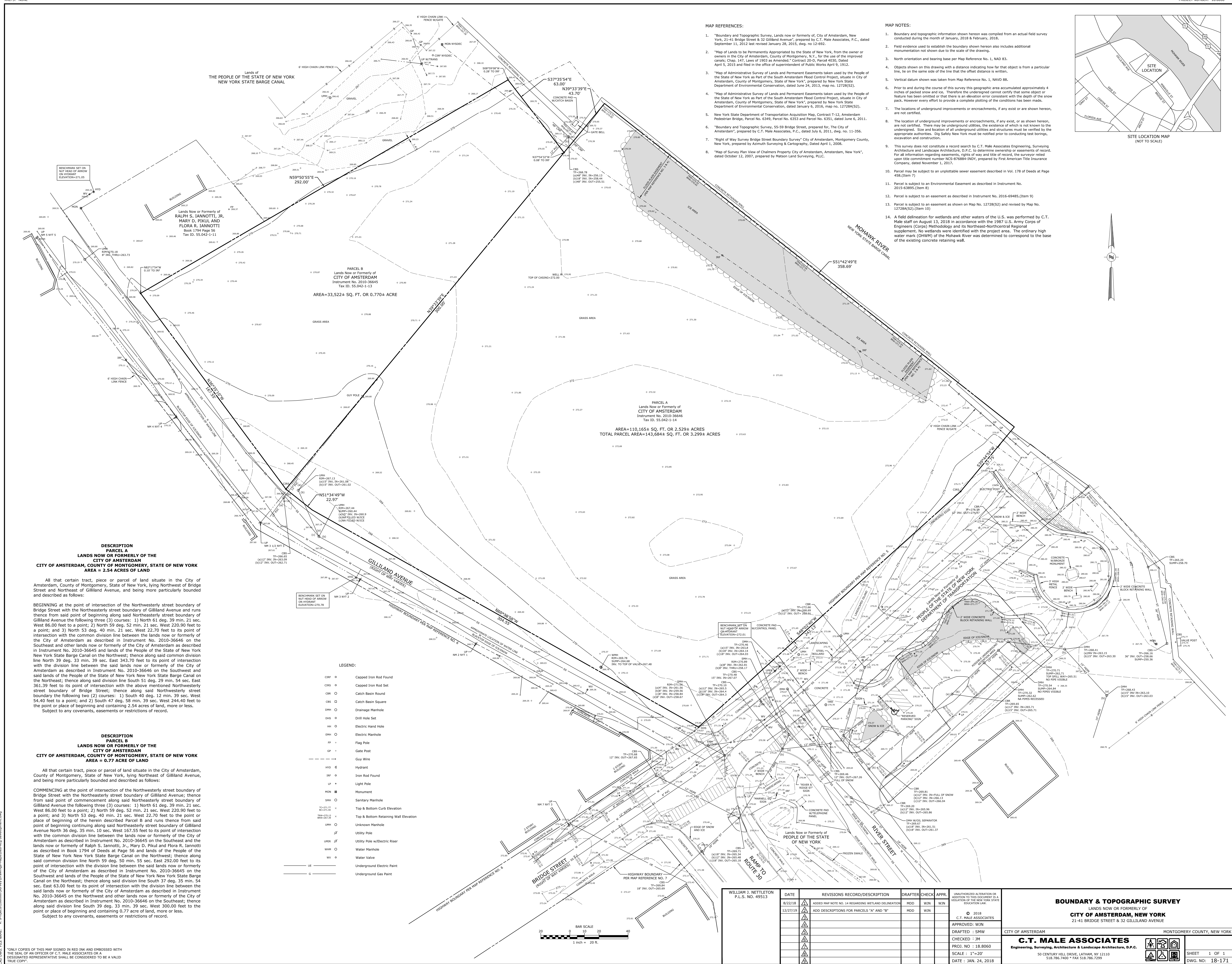


JAMES F. COOK P.L.S. NO. 49260	DATE 01/30/14 01/28/15	REVISIONS RECORD/DESCRIPTION CERTIFICATION & ADDITIONAL NOTES ADDED MAP TITLE & CERTIFICATION REVISED	DRAFTER SWW	CHECK JFC	APPR. WUN	UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW. © 2012 C.T. MALE ASSOCIATES APPROVED: WUN DRAFTED : SMW/TCB CHECKED : JFC PROJ. NO: 10.1580 SCALE : 1"=20' DATE : SEPT. 11, 2012	BOUNDARY AND TOPOGRAPHIC SURVEY LANDS NOW OR FORMERLY OF <b>CITY OF AMSTERDAM, NEW YORK</b> 21-41 BRIDGE STREET & 32 GILLILAND AVENUE CITY OF AMSTERDAM <b>C.T. MALE ASSOCIATES</b> Engineering, Surveying, Architecture & Landscape Architecture, P.C. 50 CENTURY HILL DRIVE, LATHAM, NY 12110 518.786.7400 • FAX 518.786.7298	SHEET 1 OF 1 DWG. NO: 12-692



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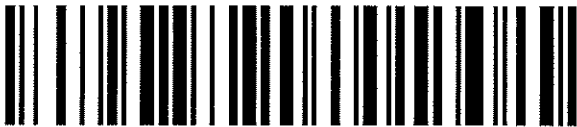
ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES OR A DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID TRUE COPY.





MONTGOMERY COUNTY – STATE OF NEW YORK  
BRITTANY L. KOLBE, COUNTY CLERK  
P O BOX 1500, FONDA, NY 12068

COUNTY CLERK'S RECORDING PAGE  
\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



INSTRUMENT #: 2020-86413

Receipt#: 2020304614  
Clerk: AM  
Rec Date: 01/03/2020 12:04:23 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 3  
Rec'd Frm: FIRST AMERICAN TITLE INSURANCE  
COMPANY - NCS INDIANAPOLIS

Party1: CITY OF AMSTERDAM THE NEW YORK  
Party2: CHALMERS MILL LOFTS LP  
Town: CITY OF AMSTERDAM

Recording:

Cover Page	5.00
Recording Fee	30.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 - County	9.00
RP5217 All others - State	241.00

Sub Total: 310.00

Transfer Tax  
Transfer Tax 1200.00

Sub Total: 1200.00

Total: 1510.00

\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 681  
Transfer Tax

Transfer Tax 1200.00

Total: 1200.00

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE

I hereby certify that the within and foregoing was  
recorded in the Montgomery County Clerk's Office

Brittany L. Kolbe  
Montgomery County Clerk

\*\*\*THIS IS NOT AN INVOICE\*\*\*



**THIS INDENTURE** made the <sup>th</sup>28 day of **December, 2019**

**BETWEEN, THE CITY OF AMSTERDAM, NEW YORK** a municipality and body politic in the State of New York, having its principal place of business at 61 Church Street, Amsterdam, New York 12010, party of the first part, and

**CHALMERS MILL LOFTS, LP**, a New York limited partnership, having its principal place of business at 9333 N. Meridian Street, Suite 230, Indianapolis, IN 46260, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of the sum of **ONE & MORE DOLLARS (\$1.00 & More)**, lawful money of the United States, paid by the said party of the second part, doth hereby grant and release unto the said party of the second part, its successors and assigns forever,

**SEE DESCRIPTION ATTACHED ON SCHEDULE A HERETO.**

**TOGETHER** with the appurtenances and all the estate and rights of the said party of the first part in and to the said premises.

**TO HAVE AND TO HOLD** the above granted premises unto the said party of the second part, its successors and assigns forever.

**AND** the said party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

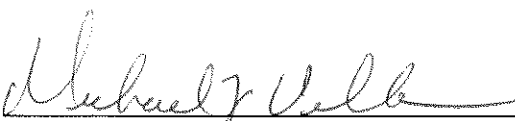
**AND** the party of the first part, in compliance with Section 13 of the Lien Law, will receive the consideration for this conveyance and will hold the right to receive such consideration as trust fund to be applied first for the purpose of paying the improvement before using any part of the total of the same for any other purpose.

This conveyance is made in compliance with Section 509 and 510(A)(1) or (2) of the Not-For-Profit Corporation Law of the State of New York, and does not constitute all or substantially all of its assets

**THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE  
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO  
TITLE 36 OF ARTICLE 71 OF THE ENVIRONMENTAL CONSERVATION LAW**

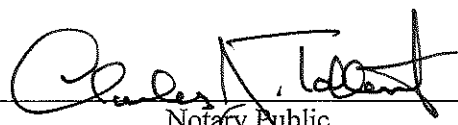
**IN WITNESS WHEREOF**, the party of the first part has caused these presents to be duly signed on the day and year first above written.

**THE CITY OF AMSTERDAM, NEW YORK**  
a municipality and body politic  
in the State of New York

By:   
Name: Hon. Michael Villa  
Title: Mayor

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF Montgomery

On this <sup>th</sup>28 day of December, in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Hon. Michael Villa, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Notary Public  
CHARLES J. TALLEY  
Notary Public, State of New York  
No. 4607383  
Qualified in Montgomery County  
Commission Expires Sept. 30, 2021

876884

SCHEDULE A

PARCEL A  
LANDS NOW OR FORMERLY OF THE  
CITY OF AMSTERDAM  
CITY OF AMSTERDAM, COUNTY OF MONTGOMERY, STATE OF NEW YORK  
AREA = 2.54± ACRES OF LAND

All that certain tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, lying Northwest of Bridge Street and Northeast of Gilliland Avenue, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the Northwestern street boundary of Bridge Street with the Northeastly street boundary of Gilliland Avenue and runs thence from said point of beginning along said Northeastly street boundary of Gilliland Avenue the following three (3) courses: 1) North 61 deg. 39 min. 21 sec. West 86.00 feet to a point; 2) North 59 deg. 52 min. 21 sec. West 220.90 feet to a point; and 3) North 53 deg. 40 min. 21 sec. West 22.70 feet to its point of intersection with the common division line between the lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36646 on the Southeast and other lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36645 and lands of the People of the State of New York New York State Barge Canal on the Northwest; thence along said common division line North 39 deg. 33 min. 39 sec. East 343.70 feet to its point of intersection with the division line between the said lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36646 on the Southwest and said lands of the People of the State of New York New York State Barge Canal on the Northeast; thence along said division line South 51 deg. 29 min. 54 sec. East 361.39 feet to its point of intersection with the above mentioned Northwestern street boundary of Bridge Street; thence along said Northwestern street boundary the following two (2) courses: 1) South 40 deg. 12 min. 39 sec. West 54.40 feet to a point; and 2) South 47 deg. 58 min. 39 sec. West 244.40 feet to the point or place of beginning and containing 2.54 acres of land, more or less.

Subject to any covenants, easements or restrictions of record.

PARCEL B  
LANDS NOW OR FORMERLY OF THE  
CITY OF AMSTERDAM  
CITY OF AMSTERDAM, COUNTY OF MONTGOMERY, STATE OF NEW YORK  
AREA = 0.77± ACRE OF LAND

All that certain tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, lying Northeast of Gilliland Avenue, and being more particularly bounded and described as follows:

COMMENCING at the point of intersection of the Northwestern street boundary of Bridge Street with the Northeastly street boundary of Gilliland Avenue; thence from said point of commencement along said Northeastly street boundary of Gilliland Avenue the following three (3) courses: 1) North 61 deg. 39 min. 21 sec. West 86.00 feet to a point; 2) North 59 deg. 52 min. 21 sec. West 220.90 feet to a point; and 3) North 53 deg. 40 min. 21 sec. West 22.70 feet to the point or place of beginning of the herein described Parcel B and runs thence from said point of beginning continuing along said Northeastly street boundary of Gilliland Avenue North 36 deg. 35 min. 10 sec. West 167.55 feet to its point of intersection with the common division line between the lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36645 on the Southeast and the lands now or formerly of Ralph S. Iannotti, Jr., Mary D. Piktul and Flora R. Iannotti as described in Book 1794 of Deeds at Page 56 and lands of the People of the State of New York New York State Barge Canal on the Northwest; thence along said common division line North 59 deg. 50 min. 55 sec. East 292.00 feet to its point of intersection with the division line between the said lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36645 on the Southwest and lands of the People of the State of New York New York State Barge Canal on the Northeast; thence along said division line South 37 deg. 35 min. 54 sec. East 63.00 feet to its point of intersection with the division line between the said lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36645 on the Northwest and other lands now or formerly of the City of Amsterdam as described in Instrument No. 2010-36646 on the Southeast; thence along said division line South 39 deg. 33 min. 39 sec. West 300.00 feet to the point or place of beginning and containing 0.77 acre of land, more or less.

Subject to any covenants, easements or restrictions of record.



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03/21/2020



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03/21/2020



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03/21/2020

**CHALMERS BUILDING ERP SITE  
Site Management Plan Inspection Form**

Date 3/21/2020

Inspection Personnel: Jeffrey A. Marx, P.E.

Weather Conditions: 46°, Sunny

The site investigations determined that semi-volatile organic compounds (SVOCs), PCBs and metals were identified as contaminants of concern within the Site's surface soil; SVOCs and metals were identified as contaminants of concern within the Site's subsurface soil; volatile organic compounds (VOCs), SVOCs and metals were identified as contaminants of concern within the Site's groundwater; and VOCs (including petroleum hydrocarbons, chlorinated hydrocarbons and others) were identified within sub-slab vapor.

Currently, protection of public health and the environment to contaminated media is provided by an engineered soil cover system consisting of a one-foot thick soil cover system underlain by geotextile filter fabric.

This SMP Inspection Form will be utilized to observe the Chalmers Building parcels located at 21 - 41 Bridge Street and 32 Gilliland Avenue to document that the Engineering Controls are intact and are serving to protect public health and the environment from underlying contamination.

Attachments to this Inspection Form must include a Site Plan for the site.

**Cover System Observation Questions**

1. Has the overall condition of the cover system changed from the previous inspection (if first inspection, respond with N/A) Yes ☐ No ☒

If Yes, provide detail below and identify on a Site Plan, and attach

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**CHALMERS BUILDING ERP SITE**  
**Site Management Plan Inspection Form (continued)**

2. Is soil cover system adequately vegetated to prevent erosion Yes ☐ No ☒  
If No, provide detail below and identify locations on a Site Plan, and attach

The vegetative cover is sparse and there are minor vehicle ruts in the southeast quadrant of the site, but the adequacy of the cover system is still sufficient.

3. Is there evidence that the soil cover system has been eroded by wind and/or water Yes ☐ No ☒

If Yes, provide detail below and identify locations on a Site Plan, and attach

4. Is there evidence that the soil cover system has been breached (i.e., areas where surface appears patched, signs of excavation) Yes ☐ No ☒

If Yes, provide detail below and identify locations on a Site Plan, and attach

5. Is there evidence that the asphalt cover systems has been breached (i.e., areas where surface appears patched, signs of excavation) Yes ☐ No ☐

If Yes, provide detail below and identify locations on a Site Plan, and attach

Not Applicable

**CHALMERS BUILDING ERP SITE**  
**Site Management Plan Inspection Form (continued)**

6. Have photographs been taken of the cover system  
for inclusion in the site inspection report.

Yes ☒ No ☐

If No, give reason below

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List below other relevant information such as results of interview of person(s) familiar with the site and what activities may have breached the cover system since the last cover system inspection.

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No evidence of cover system breach. No interviews performed.

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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 No.**                      **E429011**                      **Site Details**                      **Box 1**

**Site Name** Chalmers Building

Site Address: 21-41 Bridge Street & 32 Gilliland Avenue      Zip Code: 12010-5505  
City/Town: Amsterdam  
County: Montgomery  
Site Acreage: 3.300

Reporting Period: March 31, 2017 to March 31, 2020

- |   | 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 checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?  | <input checked="" type="checkbox"/> | <input 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?<br>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.**

Not Applicable

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

\_\_\_\_\_  
Date

**Description of Institutional Controls**ParcelOwnerInstitutional Control**055.42-1-13**~~City of Amsterdam~~

Chalmers Mill Lofts, LP as of December 28, 2019

Ground Water Use Restriction  
Landuse Restriction  
Site Management PlanSoil Management Plan  
Building Use Restriction  
Monitoring Plan  
IC/EC Plan  
O&M Plan

The property may only be used for commercial or industrial use.

The property may not be used for a higher level of use without additional remediation and amendment of the Environmental Easement.

Future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP.

The use of the groundwater underlying the property as a source of potable or process water is prohibited without treatment rendering it safe for intended use.

The potential for vapor intrusion must be evaluated for any buildings developed at the property, and any potential impacts that are identified must be monitored or mitigated.

Vegetable gardens and farming on the property are prohibited.

The property owner or remedial party will periodically submit to NYSDEC a written statement that certifies that: (1) controls employed at the property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP.

**55.42-1-14**~~City of Amsterdam~~

Chalmers Mill Lofts, LP as of December 28, 2019

O&M Plan  
Ground Water Use Restriction  
Landuse Restriction  
Site Management PlanSoil Management Plan  
Building Use Restriction  
Monitoring Plan  
IC/EC Plan

The property may only be used for commercial or industrial use.

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that: (1) controls employed at the property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP.

**Box 4**

**Description of Engineering Controls**

Parcel

Engineering Control

**055.42-1-13**

Cover System

One-foot thick soil cover over the entire site

**55.42-1-14**

Cover System

One-foot thick soil cover over the entire 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.**

Not Applicable

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

\_\_\_\_\_  
Date



IC CERTIFICATIONS  
SITE NO. E429011

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 Stacy Kaplowitz at 9333 N. Meridian Street, Suite 230, Indianapolis, IN 46260,  
print name print business address

am certifying as KCG Development, LLC (a.k.a Chalmers Mill Lofts, LP) (Owner or ~~Remedial Party~~)

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

*Stacy Kaplowitz*

Signature of Owner, Remedial Party, or Designated Representative  
Rendering Certification

4/22/20

Date

## IC/EC CERTIFICATIONS

Box 7

### Qualified Environmental Professional Signature

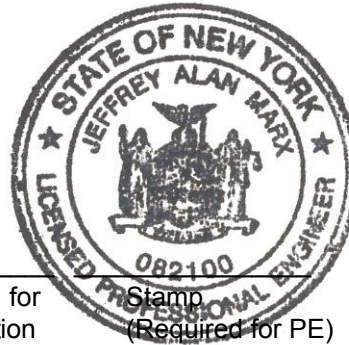
I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Jeffrey A. Marx, PE at C.T. Male Associates Engineering, Surveying,  
Architecture, Landscape Architecture & Geology, D.P.C.,  
50 Century Hill Dr., Latham, New York 12110,  
print name print business address

am certifying as a Qualified Environmental Professional for the KCG Development, LLC  
(a.k.a Chalmers Mill Lofts, LP)  
(Owner or Remedial Party)

*Jeffrey A. Marx*

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



Stamp  
(Required for PE)

4/22/2020  
Date