

RECORD OF DECISION

Potter Street Site
Environmental Restoration Project
Utica, Oneida County
Site No. E633070
March 2012



Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - RECORD OF DECISION

Potter Street Site
Environmental Restoration Project
Utica, Oneida County
Site No. E633070
March 2012

Statement of Purpose and Basis

This document presents the remedy for the Potter Street Site site, an environmental restoration site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the Potter Street Site site and the public's input to the proposed remedy presented by the Department. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Description of Selected Remedy

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the above referenced site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) or alternatives analysis (AA). The IRM(s) undertaken at this site are discussed in Section 6.2.

Based on the implementation of the IRM(s), the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment; therefore No Further Action is the selected remedy. The remedy may include continued operation of a remedial system if one was installed during the IRM and the implementation of any prescribed institutional controls/engineering controls (ICs/ECs) that have been identified as being part of the remedy for the site.

The IRM(s) conducted at the site attained the remediation objectives identified for this site in Section 6.5 for the protection of public health and the environment.

New York State Department of Health Acceptance

The New York State Department of Health (NYSDOH) concurs that the remedy for this site is protective of human health.

Declaration

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

March 5, 2012



Date

Robert W. Schick, P.E., Acting Director
Division of Environmental Remediation

RECORD OF DECISION

Potter Street Site
Utica, Oneida County
Site No. E633070
March 2012

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site resulted in threats to public health and the environment that were addressed by actions known as interim remedial measures (IRMs), which were undertaken at the site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) or feasibility study (FS). The IRMs undertaken at this site are discussed in Section 6.2. Contaminants include hazardous wastes and/or petroleum.

Based on the implementation of the IRM(s), the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment. The IRM(s) conducted at the site attained the remediation objectives identified for this site, which are presented in Section 6.5, for the protection of public health and the environment. No Further Action is the remedy selected by this Record of Decision (ROD). A No Further Action remedy may include continued operation of any remedial system installed during the IRM and the implementation of any prescribed controls that have been identified as being part of the remedy for the site. This ROD identifies the IRM(s) conducted and discusses the basis for No Further Action.

The 1996 Clean Water/ Clean Air Bond Act provides funding to municipalities for the investigation and cleanup of brownfields. Brownfields are abandoned, idled, or under-used properties where redevelopment is complicated by real or perceived environmental contamination. They typically are former industrial or commercial properties where operations may have resulted in environmental contamination. Brownfields often pose not only environmental, but legal and financial burdens on communities. Under the Environmental Restoration Program, the state provides grants to municipalities to reimburse up to 90 percent of eligible costs for site investigation and remediation activities. Once remediated, the property can then be reused.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

Utica Public Library
Attn: Joan Stollach
303 Genesee Street
Utica, NY 13501
Phone: 315-735-2279

A public meeting was also conducted. At the meeting, the findings of the remedial investigation (RI) and the alternatives analyses (AA) were presented along with a summary of the proposed remedy. After the presentation, a question-and-answer period was held, during which verbal or written comments were accepted on the proposed remedy.

Comments on the remedy received during the comment period are summarized and addressed in the responsiveness summary section of the ROD.

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at <http://www.dec.ny.gov/chemical/61092.html>

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The Potter Street Site is 2.2 acres in size and is located at 470 Whitesboro Street in Utica, Oneida County, New York. The site is bordered by the New York Susquehanna and Western Railroad maintenance facility to the north, the Route 12 arterial to the west, and the former Cosmopolitan Center building to the southeast. The Utica Harbor and Mohawk River are located approximately 0.25 miles north of the property.

Site Features: The Cosmopolitan Center, which was a neighborhood recreational center, is located on the southwest corner of the site, otherwise the site is vacant and covered with a mix of concrete sidewalks, asphalt parking and vegetation.

Current Zoning/Uses: The site is currently inactive, and is zoned for multifamily residential use.

The surrounding parcels are currently vacant or used for a combination of commercial, public recreation and light industrial.

Historic Uses: The site has been developed and occupied with various commercial or light industrial facilities since 1884. The northwest portion of the site was occupied by a tannery, a button factory and a machine shop. The 1925 Sanborn Fire Insurance Map shows that the southern portion of the site was used by the Sitrin Brothers Auto Exchange. Auto reclamation continued until 1960 when the associated structures were demolished and the Cosmopolitan Center was constructed. Multi-family residential housing (since demolished) was constructed at the same time as the Cosmopolitan Center on the eastern portion of the site. No previous environmental investigations are known to have been performed at the site.

Site Geology and Hydrogeology: The site contains historic fill to a depth of approximately 4 - 9 feet. Soils found beneath the fill are characterized as sandy, clayey silt. The depth to groundwater is approximately 10 feet and flows in a northerly direction toward the Mohawk River.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives (or an alternative) that restrict(s) the use of the site to residential use (which allows for restricted-residential use, commercial use and industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the investigation to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is included in the Tables for the media being evaluated in Exhibit A.

SECTION 5: ENFORCEMENT STATUS

Potentially Responsible Parties (PRPs) are those who may be legally liable for contamination at a site. This may include past or present owners and operators, waste generators, and haulers.

No PRPs have been documented to date.

Since no viable PRPs have been identified, there are currently no ongoing enforcement actions. However, legal action may be initiated at a future date by the state to recover state response costs should PRPs be identified. City of Utica will assist the state in its efforts by providing all information to the state which identifies PRPs. City of Utica will also not enter into any agreement regarding response costs without the approval of the Department.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A Remedial Investigation (RI) has been conducted. The purpose of the RI was to define the nature and extent of any contamination resulting from previous activities at the site. The field activities and findings of the investigation are described in the RI Report.

The following general activities are conducted during an RI:

- Research of historical information,
- Geophysical survey to determine the lateral extent of wastes,
- Test pits, soil borings, and monitoring well installations,
- Sampling of waste, surface and subsurface soils, groundwater, and soil vapor,
- Sampling of surface water and sediment,
- Ecological and Human Health Exposure Assessments.

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. The tables found in Exhibit A list the applicable SCG in the footnotes. For a full listing of all SCGs see: <http://www.dec.ny.gov/regulations/61794.html>

6.1.2: RI Information

The analytical data collected on this site includes data for:

- groundwater
- soil

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action

are summarized in Exhibit A. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

COBALT

IRON

MAGNESIUM

MANGANESE

SODIUM

BENZO(A)PYRENE

COPPER

PCB-AROCOLOR 1254

Based on the investigation results, comparison to the SCGs, and the potential public health and environmental exposure routes, certain media and areas of the site required remediation. These media were addressed by the IRM(s) described in Section 6.2. More complete information can be found in the RI Report and the IRM Construction Completion Report.

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Record of Decision.

The following IRM(s) has/have been completed at this site based on conditions observed during the RI.

PCB Soil Removal

In June of 2011, 633 tons of PCB contaminated soil was removed for off-site disposal. Fifteen confirmation soil samples were taken to identify the extent of any contamination remaining following the removal and the excavation was backfilled with clean soil meeting the unrestricted soil cleanup objectives. Confirmation samples along with samples collected during the Remedial Investigation demonstrate that soil meets the residential SCOs for VOCs, SVOCs and PCBs to a depth of at least 18 feet. In addition, there is no visual or olfactory evidence of contamination.

6.3: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

Remedial measures completed at the site have removed known contamination therefore no potential exposure pathways currently exist.

6.4: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water.

Based upon the resources and pathways identified and the toxicity of the contaminants of ecological concern at this site, a Fish and Wildlife Resources Impact Analysis (FWRIA) was deemed not necessary for OU 01.

Based upon the results of the Remedial Investigation (RI), the primary contaminants of concern for the site include polychlorinated biphenyls (PCBs), semi-volatile organic compounds (SVOCs) and metals. The metal and SVOCs contamination is attributable to historic fill. Impacts to groundwater remain above groundwater standards; however, the City of Utica has a groundwater use restriction in place. No volatile organic compounds (VOCs) were found at the site.

PCB contaminated soil was removed as part of an interim remedial measure in June of 2011. Fifteen confirmation soil samples were taken to identify the extent of any contamination remaining following the removal. Confirmation samples along with samples collected during the Remedial Investigation demonstrate that soil meets the residential SCOs for VOCs, SVOCs and PCBs to a depth of at least 18 feet. In addition, there is no visual or olfactory evidence of contamination.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.

RAOs for Environmental Protection

- Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent practicable.
- Remove the source of ground or surface water contamination.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

SECTION 7: SUMMARY OF SELECTED REMEDY

Based on the results of the investigations at the site, the IRM that has been performed, and the evaluation presented here, the Department is proposing No Further Action as the proposed remedy for the site. Soil at the site meets the residential SCOs. The City of Utica also has a groundwater use restriction in place that prohibits the use of groundwater as a source of public drinking water. Therefore, no further action with no institutional controls is the proposed remedy for the site. This remedy is protective of human health and the environment and satisfies the remediation objectives described in Section 6.5. This remedy allows the use and development of the property for residential, restricted residential, commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws.

Exhibit A

Nature and Extent of Contamination

This section describes the findings of the Remedial Investigation (RI) for all environmental media that were evaluated. As described in Section 6.1.2, samples were collected from various environmental media to characterize the nature and extent of contamination.

For each medium, a table summarizes the findings of the investigation. The tables present the range of contamination found at the site in the media and compares the data with the applicable SCGs for the site. The contaminants are arranged into four categories; volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides/ polychlorinated biphenyls (PCBs), and inorganics (metals). For comparison purposes, the SCGs are provided for each medium that allows for unrestricted use. For soil, if applicable, the Restricted Use SCGs identified in Section 6.1.1 are also presented.

Groundwater

Groundwater samples were collected from fifteen (15) overburden monitoring wells to assess groundwater conditions on-site and off-site (See Figure 3). The groundwater data indicates that contamination in shallow groundwater exceeds SCGs for metals only.

Table 1 - Groundwater

Detected Constituents	Concentration Range Detected (ppb) ^a	SCG ^b (ppb)	Frequency Exceeding SCG
Metals			
Aluminum	ND – 9,130	100	14 out of 15
Cobalt	ND – 10.9 J	5	2 out of 15
Iron	ND – 25,900	300	14 out of 15
Magnesium	22,800 – 57,500	35,000	7 out of 15
Manganese	55.5 – 2,740	300	6 out of 15
Sodium	50,600 – 822,000	20,000	15 out of 15
Vanadium	ND – 19.7	14	1 out of 15

a - ppb: parts per billion, which is equivalent to micrograms per liter, ug/L, in water.

b- SCG: Standard Criteria or Guidance - Ambient Water Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).

J-Estimated value.

The inorganic compounds found in groundwater are most likely related to the historic fill, but may also be attributed to sample turbidity. Metals in groundwater were also found in up-gradient monitoring wells which indicates they may represent site background conditions as they are all common naturally occurring elements in groundwater, with the exception of cobalt and vanadium. Therefore, metals are not considered site specific contaminants of concern and no further action for groundwater is required. It is noted that the City of Utica prohibits the use of groundwater under the municipal code.

Surface Soil (Pre-IRM)

Initially, seven (7) surface soil samples (0-2 inches below grade) were collected during the RI (SS-01 through SS-07) and were analyzed for SVOCs, metals, and PCBs (see Figure 4). Only one SVOC was detected in the surface soils (Benzo(a)pyrene at 2.6 J ppm–SCO 1 ppm). Four out of seven samples contained copper in excess of the unrestricted SCO. These exceedances are not considered to be significant since only one exceeded the residential SCO of 270 ppm. PCBs were detected in surface soils at concentrations up to 12 ppm. The area of impact was located on the southern portion of the site, east of the Cosmopolitan Building (see Figure 5). Subsequently, an additional eight (8) surface soil samples were obtained in the PCB impacted area to delineate the extent of contamination. The following table illustrates the contaminant concentrations that exceeded the Part 375 unrestricted and residential SCOs.

Table 2 – Surface Soil (Pre-IRM)

Detected Constituents	Concentration Range Detected	Unrestricted SCG ^b (ppm)	Frequency Exceeding Unrestricted SCG	Residential Use SCG ^c (ppm)	Frequency Exceeding Restricted SCG
SVOCs					
Benzo(a)pyrene	ND – 2.6 J	1	2 out of 7	1	2 out of 7
Metals					
Copper	15 – 690	50	4 out of 7	270	1 out of 7
PCBs					
	ND – 12 J	0.1	8 out of 15	1	8 out of 15

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

c - SCG: Part 375-6.8(b), Residential Soil Cleanup Objectives for the Protection of Public Health for Commercial Use, unless otherwise noted.

Based on the findings of the RI, the release of PCBs resulted in the contamination of surface soils. Given the shallow and limited nature of impacts, an interim remedial measure (IRM) was conducted in June of 2011 to remove PCB impacted soils (see section 6.2 for a description of the IRM). In addition, the locations that exhibited benzo(a)pyrene and copper above the residential SCOs were also removed.

Post-IRM Soil Samples (<2 feet bg)

In June of 2011, 633 tons of contaminated soil was excavated from an area located on the southern portion of the site, east of the Cosmopolitan Building. The excavation was extended to a depth of approximately 2 feet across the entire area. Following the IRM, six (6) confirmation samples were obtained from the perimeter and bottom of the excavation to evaluate the effectiveness of the removal. The area was subsequently backfilled with two (2) feet of clean backfill. In addition, one sample was taken in the vicinity of the surface soil sample location that exhibited benzo(a)pyrene and copper above the residential SCOs. The following table illustrates the contaminant concentrations that exceeded the Part 375 unrestricted and residential use SCOs.

Table 3 - Confirmation Soil Samples

Detected Constituents	Concentration Range Detected	Unrestricted SCG ^b (ppm)	Frequency Exceeding Unrestricted SCG	Residential Use SCG ^c (ppm)	Frequency Exceeding Restricted SCG
PCBs	0.12 - 1.2	0.1	6 out of 6	1	1 out of 6
Metals					
Copper	63.5	50	1 out of 1	270	0 out of 1
Lead	183	63	1 out of 1	400	0 out of 1
Zinc	449	109	1 out of 1	10,000	0 out of 1

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

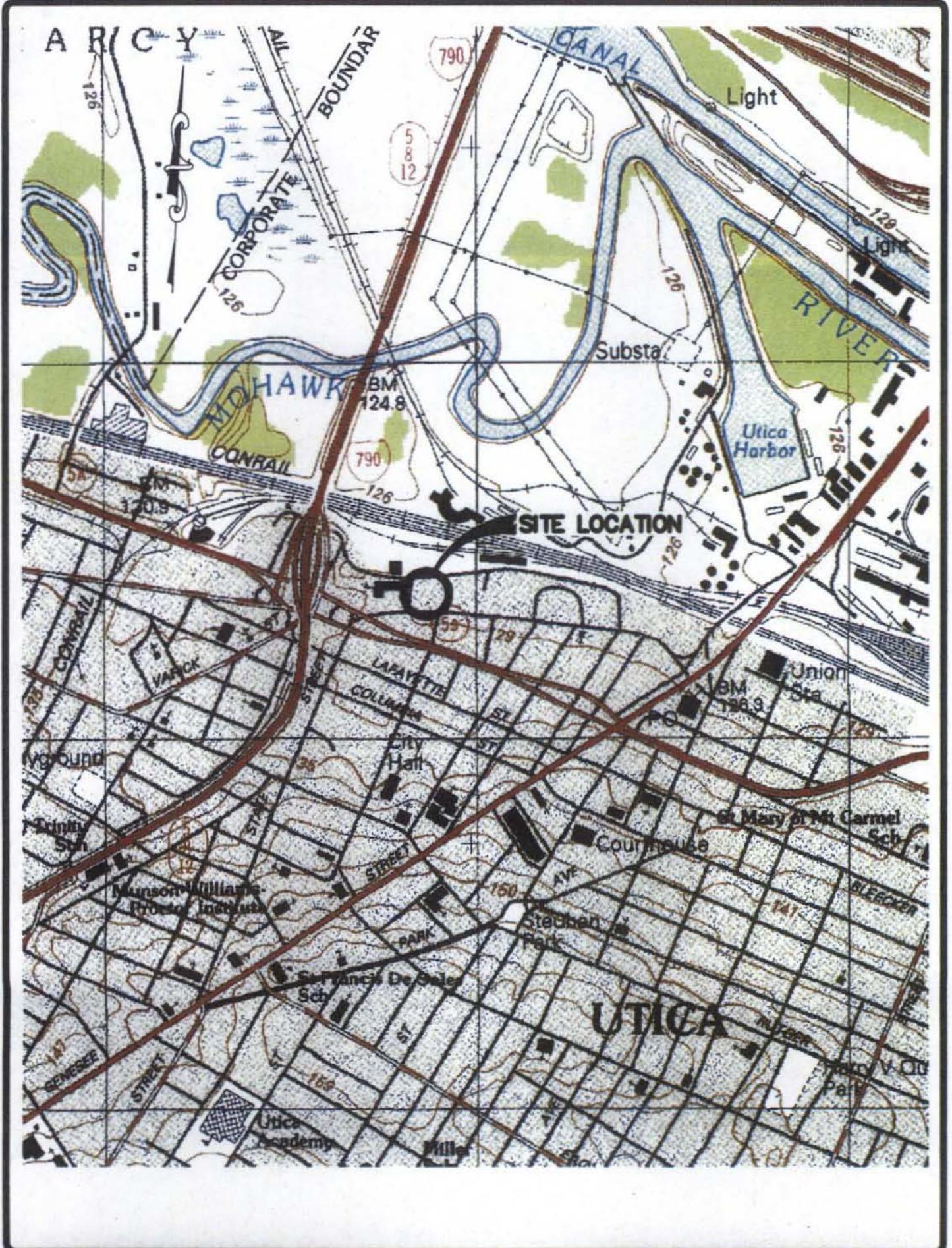
b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

c - SCG: Part 375-6.8(b), Residential Use Soil Cleanup Objectives for the Protection of Public Health for Commercial Use, unless otherwise noted.

Only one sample exceeded the residential SCO for PCBs. This sample is located on the eastern wall of the excavation at a depth of approximately 2 feet below grade. The sample location is now covered with 2 feet of clean backfill. Given that only 1 of 6 samples exceed the residential SCO for PCBs and that the sample contained 1.2 ppm versus the residential SCO for PCBs of 1.0 ppm, the Department has determined that no further action is required for soil at the site.

Sub-Surface Soil (Pre-IRM)

Twenty-three (23) soil borings were advanced at the site to characterize sub-surface soil conditions as compared to unrestricted and residential SCOs. Only one sub-surface soil sample contained PCBs above the residential SCO of 1 ppm. This sample was obtained in the vicinity of surface soil sample SS-01. This sample exhibited PCBs at 4.1 ppm and was taken 0 to 12 inches below grade (bg). This area was also removed during the IRM. Therefore, the Department has determined that no further action is required for soil at the site.



SHUMAKER
 Consulting Engineering & Land Surveying, Inc.
 430 Court St., Utica, New York 13502
 Telephone (315) 791-2100 Fax (315) 794-6116

**POTTER STREET
 ERP SITE
 UTICA, N.Y.**

**PROJECT LOCATION
 MAP**

DRAWN BY: SRR	FIGURE
CHECKED BY: RWM	1
PROJ. MGR: RAK	
DATE: 06/22/10	
PROJ. NO: 7081.02	



Cosmopolitan Center

Whitesboro Street

Potter Street Site

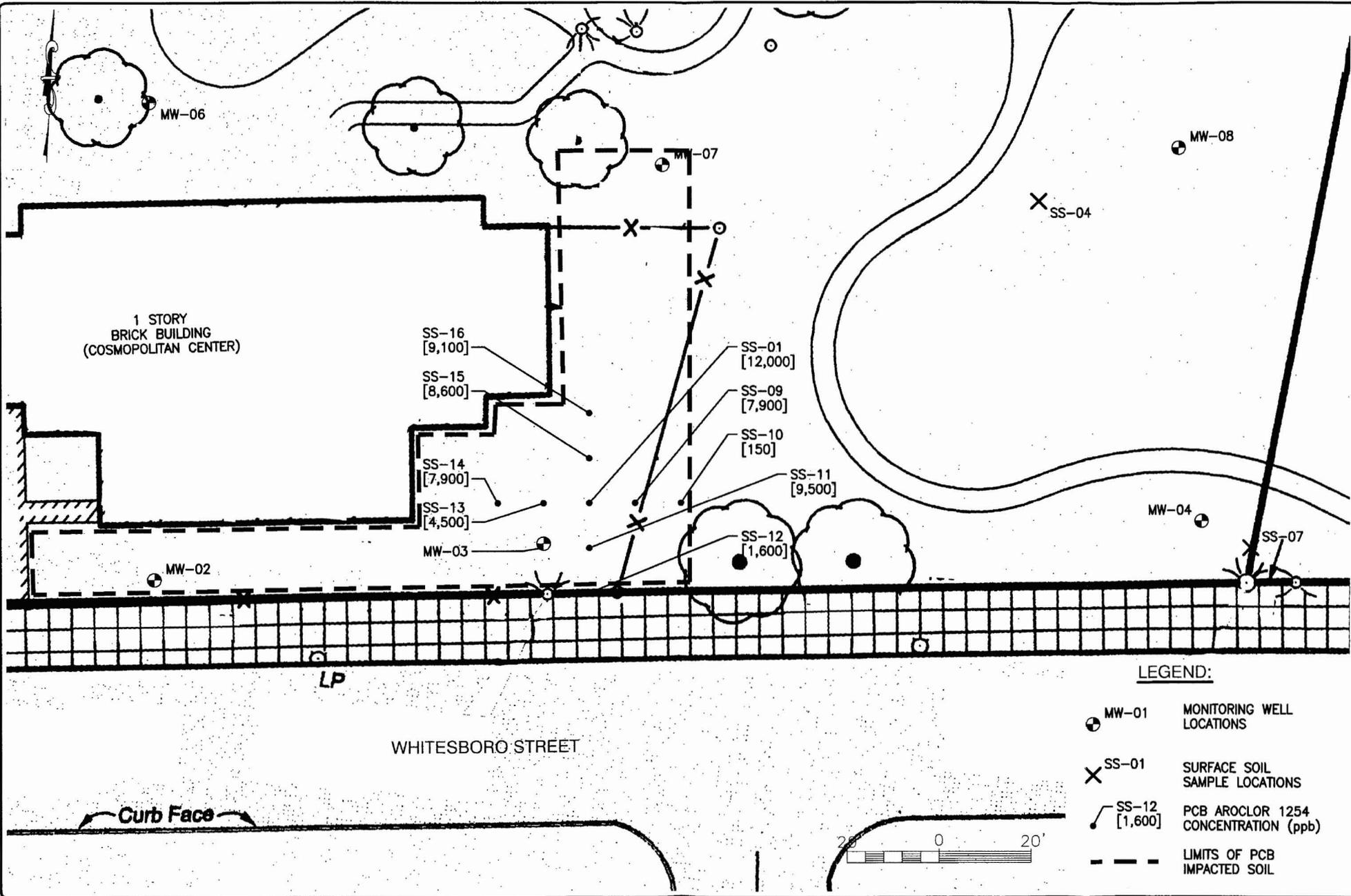
Potter Street Site
Site No. E633070

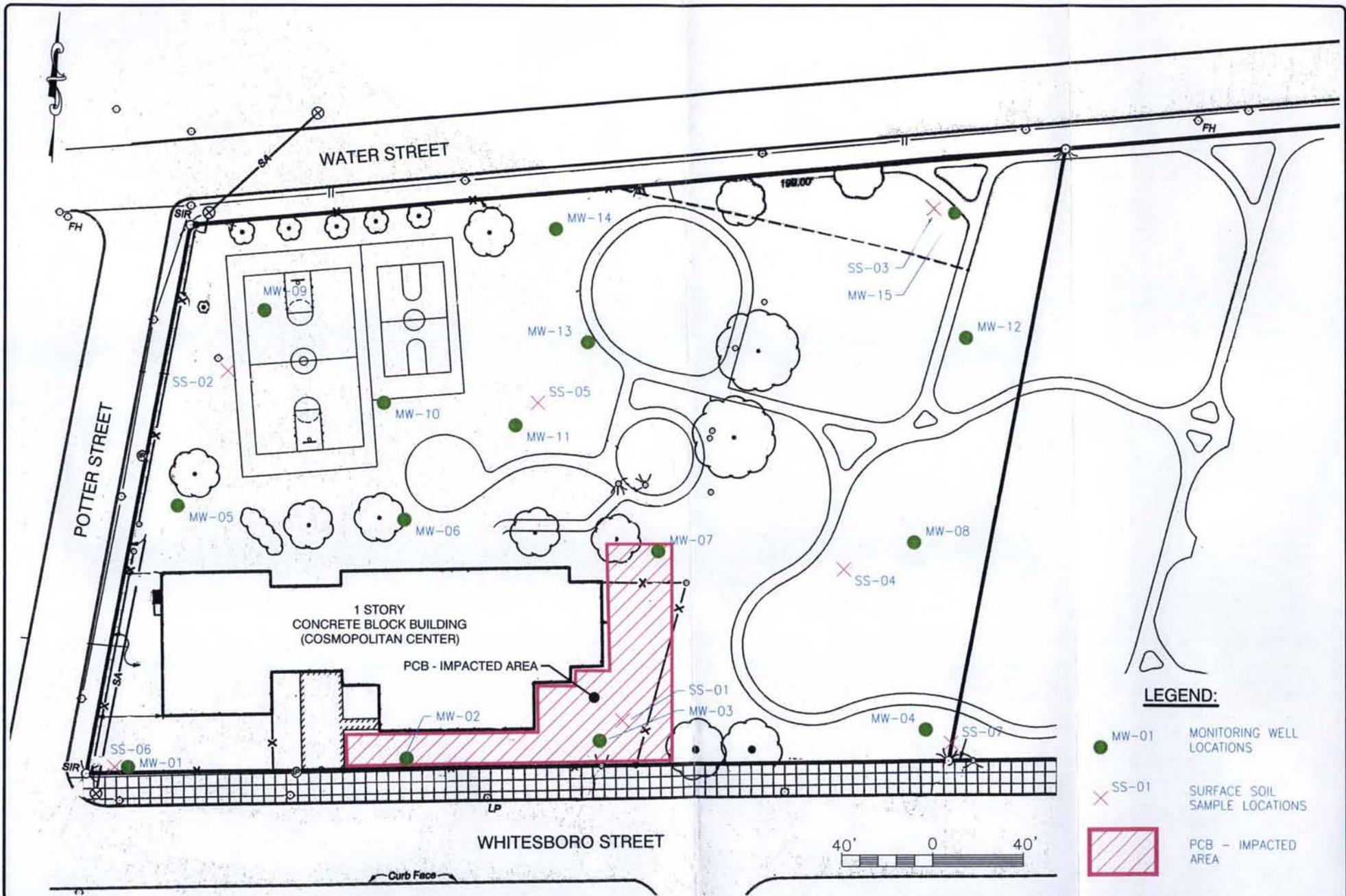
Figure 2

Site Boundary Figure
Utica, Oneida County

PCB DELINEATION MAP

POTTER STREET
 ERP SITE
 UTICA, N.Y.
 ONEIDA COUNTY
 CITY OF UTICA





Drawn By: SRR
 Checked By: RDR
 Project Mgr: RMC
 Date: 9/23/11
 Project No: 7081.00

FIGURE
 4
 SITE PLAN

POTTER STREET
 ERP SITE
 UTICA, N.Y.
 ONEIDA COUNTY
 CITY OF UTICA

SHUMAKER
 CONSULTING ENGINEERS & LAND SURVEYORS
 400 West 4th Street, Suite 100
 Utica, NY 13501
 Telephone: 315.268.6600 Fax: 315.268.6601

- LEGEND:**
- MW-01 MONITORING WELL LOCATIONS
 - × SS-01 SURFACE SOIL SAMPLE LOCATIONS
 - PCB - IMPACTED AREA

APPENDIX A
Responsiveness Summary

RESPONSIVENESS SUMMARY

**Potter Street Site
Environmental Restoration Project
City of Utica, Oneida County, New York
Site No. E633070**

The Proposed Remedial Action Plan (PRAP) for the Potter Street site was prepared by the New York State Department of Environmental Conservation (the Department) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on December 26, 2011. The PRAP outlined the remedial measure proposed for the contaminated soil at the Potter Street Site.

The release of the PRAP was announced by sending a notice to the public contact list, informing the public of the opportunity to comment on the proposed remedy.

A public meeting was held on January 4, 2012, which included a presentation of the remedial investigation (RI) and interim remedial measure (IRM) reports for the Potter Street Site as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. The public comment period for the PRAP ended on February 8, 2012.

This responsiveness summary responds to all questions and comments raised during the public comment period. The following are the comments received, with the Department's responses:

COMMENT 1: Will the site be available for residential use?

RESPONSE 1: Yes, the remedial program has achieved a residential cleanup level. However, local zoning and codes will dictate the final use.

COMMENT 2: Will the monitoring wells remain on-site?

RESPONSE 2: The monitoring wells have been removed from the site.

COMMENT 3: Is the site ready for redevelopment?

RESPONSE 3: Once the City of Utica has completed the required closeout procedures (i.e., recording of the Certificate of Completion), the site will be ready for redevelopment.

APPENDIX B

Administrative Record

Administrative Record

**Potter Street Site
City of Utica, Oneida County, New York
Site No. E633070**

Proposed Remedial Action Plan for the Potter Street site, dated December 2011, prepared by the Department.

Remedial Investigation and Remedial Alternatives Report, prepared by Shumaker Engineers, dated November 2011.

Interim Remedial Measure Construction Completion Reported, prepared by Shumaker Engineers, dated October 2011.

Remedial Investigation Work Plan, prepared by Shumaker Engineers, dated January 28, 2009.

The Department and the City of Utica entered into a State Assistance Contract, Contract No.C303489 and amendments dated December 26, 2007.

Phase I Environmental Site Assessment Report, prepared by Shumaker Engineers, dated October 2005.

Preliminary Environmental Site Assessment Report, prepared by Certified Environmental Services, dated November 2004.