

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director  
625 Broadway, 12th Floor, Albany, New York 12233-7011  
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MAR 09 2018

SI Group, Inc.  
Tom Masterson  
PO Box 1046  
Schenectady, NY 12301

Re: Certificate of Completion and Registry Reclassification from 2 to 4  
Schenectady International - 10<sup>th</sup> St Plant  
City of Schenectady, Schenectady County  
Site No. 447007

Dear Mr. Masterson:

Congratulations on having satisfactorily completed the remedial program at the Schenectady International -10<sup>th</sup> St Plant. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (COC) to be issued for the above-referenced site. This also results in the reclassification of the site on the Registry of Inactive Hazardous Waste Disposal Sites ("Registry") from Class 2 to Class 4.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record a notice of the COC in the recording office for the County (or Counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record a notice of the COC within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. In all cases, proof of filing must be provided to the Department within 30 days of receipt. A standard notice form is attached to this letter.
- Place the notice of the COC in the document repository for the site within 10 days of issuance of the COC; and
- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program. You must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department on January 15, 2020.



Department of  
Environmental  
Conservation

The Department will prepare and distribute to the Site Contact List a fact sheet describing the institutional and engineering controls that are required at the site, and notifications relating to the reclassification or delisting of the site on the Registry.

If you have any questions regarding the reclassification or any of the above tasks, please contact Kevin Sarnowicz at 518 357-2349.

Sincerely,



Michael J. Ryan, P.E.  
Assistant Director  
Division of Environmental Remediation

Enclosure

ec w/ enclosure:

K. Sarnowicz

D. Tuohy

T. Masterson – SI Group ([thomas.masterson@siigroup.com](mailto:thomas.masterson@siigroup.com))

K. Bernstein – Bond Schoeneck & King ([kbernstein@bsk.com](mailto:kbernstein@bsk.com))

K. Cowan – CHA ([kcowan@chacompanies.com](mailto:kcowan@chacompanies.com))

NYSDEC STATE SUPERFUND PROGRAM (SSF)  
**CERTIFICATE OF COMPLETION**

**Name**

SI Group, Inc.

**Address**

PO Box 1046, Schenectady, NY 12301

**SITE INFORMATION**

**Site No.:** 447007 **Site Name:** Schenectady International - 10th St Plant

**Order on Consent: Index No.** R-0888-90-12 **Order Execution Date:** 8/22/97

**Site Owner:** SI Group, Inc.

**Street Address:** 1460 Tenth Avenue

**Municipality:** Schenectady **County:** Schenectady **DEC Region:** 4

**Site Size:** 5.030 Acres

**Tax Map Identification Number(s):** 49.70-1-2.1

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

**CERTIFICATE ISSUANCE**

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to 6 NYCRR §375-1.9.

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Order on Consent as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the Environmental Conservation Law (ECL) and 6NYCRR Part 375 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses:

**Allowable Uses under the SSF:** Commercial and Industrial

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Schenectady County with recording identifier 201758448.

**LIABILITY LIMITATION**

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in 6NYCRR §375-2.9. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in 6NYCRR §375-2.9(d). The liability limitation shall be subject to all rights reserved to the State by ECL §27-1321 and any other applicable provision of law.

## CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by 6NYCRR §375-1.9(f)-(g).

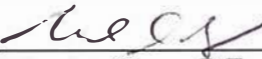
## CERTIFICATE MODIFICATION/REVOCATION

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with 6NYCRR §375-1.9(e)(2) upon a finding that:

- (1) the remedial party has failed to manage the controls or monitoring in full compliance with the terms of the approved remedial program;
- (2) there has been a failure to comply with the terms and conditions of the order;
- (3) there was a misrepresentation of a material fact tending to demonstrate that the cleanup levels were reached;
- (4) the terms and conditions of any environmental easement have been intentionally violated or found to be not protective or enforceable;
- (5) for good cause;
- (6) environmental contamination at, on, under, or emanating from the site if, in light of such conditions, the site is no longer protective of public health or the environment, and the remedial party is not in good faith negotiating, and/or following its approval by the Department, implementing a work plan to achieve conditions at the site which are protective of public health and the environment;
- (7) non-compliance with the terms of the order, the remedial work plan, site management plan, or the certificate of completion after notice of the failure and reasonable opportunity to cure has been afforded to the remedial party by the Department as provided for at paragraph 375-1.9(e)(2);
- (8) fraud related to the remedial program for the site committed by the certificate holder;
- (9) a finding by the Department that a change in an environmental standard, factor, or criterion upon which the remedial work plan was based renders the remedial program implemented at the site no longer protective of public health or the environment, and the remedial party is not in good faith negotiating, and/or following its approval by the Department, implementing a work plan to achieve conditions at the site which are protective of public health and the environment; or
- (10) a change in the site's use subsequent to the Department's issuance of the certificate of completion, unless additional remediation is undertaken which shall meet the standard for protection of the public health and environment that applies to this site.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos  
Commissioner  
New York State Department of Environmental Conservation

By:  Date: 3/5/18  
Michael J. Ryan, P.E., Assistant Director  
Division of Environmental Remediation

**NOTICE OF CERTIFICATE OF COMPLETION**  
**Inactive Hazardous Waste Disposal Site Program**  
**Pursuant to 6 NYCRR Part 375-1.9(d)**

Schenectady International - 10<sup>th</sup> St Plant, Site ID No. 447007  
1460 Tenth Avenue, Schenectady, NY 12303  
City of Schenectady, Schenectady County, Tax Map Identification Number(s) 49.70-1-2.1

**PLEASE TAKE NOTICE**, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to 6 NYCRR Part 375 to SI Group, Inc. for a parcel approximately 5 acres in size located at 1460 10<sup>th</sup> Avenue in the City of Schenectady and County of Schenectady.

**PLEASE TAKE NOTICE**, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Order on Consent, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 13 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

**PLEASE TAKE NOTICE**, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

**PLEASE TAKE NOTICE**, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Schenectady County as Instrument No. 201758448.

**PLEASE TAKE NOTICE**, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

**PLEASE TAKE NOTICE**, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in 6 NYCRR Part 375-2.9. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in 6 NYCRR Part 375-2.9. The liability limitation shall be subject to all rights reserved to the State by 6 NYCRR Part 375-2.9 and any other applicable provision of law.

**PLEASE TAKE NOTICE**, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

**PLEASE TAKE NOTICE**, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

**PLEASE TAKE NOTICE**, the Certificate may be only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

**PLEASE TAKE NOTICE**, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

**PLEASE TAKE NOTICE**, a copy of the Certificate can be reviewed at the NYSDEC's Region 4 Office located at 1130 North Westcott Rd, Schenectady NY 12306 by contacting the Regional Environmental Remediation Engineer.

**WHEREFORE**, the undersigned has signed this Notice of Certificate

*(Remedial Party)*

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF NEW YORK        ) SS:  
COUNTY OF                )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name 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.

\_\_\_\_\_  
Signature and Office of individual  
taking acknowledgment

**Please record and return to:**  
SI Group, Inc.  
Tom Masterson  
PO Box 1046  
Schenectady, NY 12301

## Exhibit A

**SCHEDULE "A" PROPERTY DESCRIPTION**

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE ON THE SOUTHERLY SIDE OF 10TH AVENUE, WESTERLY OF CONGRESS STREET AND EASTERLY OF OAK STREET IN THE CITY OF SCHENECTADY, COUNTY OF SCHENECTADY AND STATE OF NEW YORK BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY STREET BOUNDARY OF 10TH AVENUE AT ITS INTERSECTION WITH THE EASTERLY ROAD BOUNDARY OF OAK STREET, SAID POINT BEING THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF SCHENECTADY CHEMICALS, INC., CITY OF SCHENECTADY TAX PARCEL 49.70-1-2.1; THENCE SOUTH 63°-59'-28" EAST, ALONG SAID SOUTHERLY STREET BOUNDARY OF 10TH AVENUE, A DISTANCE OF 549.00 FEET TO A POINT ON THE SAID SOUTHERLY STREET BOUNDARY OF 10TH AVENUE AT ITS INTERSECTION WITH THE WESTERLY STREET BOUNDARY OF CONGRESS STREET; THENCE RUNNING ALONG SAID STREET BOUNDARY OF CONGRESS STREET THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1) SOUTH 22°-21'-48" EAST, A DISTANCE OF 233.63 FEET TO A POINT; AND
- 2) SOUTH 13°-45'-32" WEST, A DISTANCE OF 114.90 FEET TO A POINT ON THE NORTHERLY PROPERTY LINE OF SAID LANDS OF SCHENECTADY CHEMICALS, INC. AS DESCRIBED IN LIBER 1236 OF DEEDS AT PAGE 49; THENCE RUNNING ALONG SAID NORTHERLY PROPERTY LINE OF SAID LANDS OF SCHENECTADY CHEMICALS, INC. THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) NORTH 26°-10'-02" EAST, A DISTANCE OF 17.57 FEET TO A POINT;
- 2) SOUTH 63°-49'-58" EAST, A DISTANCE OF 42.09 FEET TO A POINT; AND
- 3) NORTH 26°-10'-02" EAST, A DISTANCE OF 8.00 FEET TO A POINT AT ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN SAID LANDS OF SCHENECTADY CHEMICALS, INC. ON THE SOUTH AND LANDS NOW OR FORMERLY OF DENNIS CARRINGI, CITY OF SCHENECTADY TAX PARCEL 49.71-1-31, ON THE NORTH; THENCE RUNNING ALONG SAID PROPERTY DIVISION LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1) SOUTH 63°-49'-58" EAST, A DISTANCE OF 53.30 FEET TO A POINT; AND
- 2) SOUTH 26°-10'-02" WEST, A DISTANCE OF 55.00 FEET TO A POINT AT ITS



INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN SAID LANDS OF SCHENECTADY CHEMICALS, INC. ON THE NORTH AND LANDS NOW OR FORMERLY OF CSX CORPORATION, CITY OF SCHENECTADY TAX PARCEL 39.79-1-1.4 ON THE SOUTH; THENCE RUNNING ALONG SAID PROPERTY DIVISION LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) NORTH 63°-43'-48" WEST, A DISTANCE OF 821.69 FEET TO A POINT;
- 2) NORTH 27°-30'-52" EAST, A DISTANCE OF 45.00 FEET TO A POINT; AND
- 3) NORTH 62°-28'-33" WEST, A DISTANCE OF 144.85 FEET TO A POINT ON THE SAID EASTERLY STREET BOUNDARY OF OAK STREET; THENCE RUNNING ALONG SAID EASTERLY STREET BOUNDARY THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1) NORTH 52°-29'-02" EAST, A DISTANCE OF 128.04 FEET TO A POINT;
- 2) SOUTH 63°-59'-28" EAST, A DISTANCE OF 31.56 FEET TO A POINT;
- 3) NORTH 26°-00'-32" EAST, A DISTANCE OF 40.94 FEET TO A POINT;
- 4) NORTH 52°-29'-02" EAST, A DISTANCE OF 74.76 FEET TO A POINT; AND
- 5) NORTH 26°-00'-32" EAST, A DISTANCE OF 22.14 FEET TO THE POINT OR PLACE OF BEGINNING. CONTAINING 219,267± SQUARE FEET OR 5.03± ACRES OF LAND, MORE OR LESS.

## Exhibit B



**SITE DESCRIPTION**

**SITE NO. 447007**

**SITE NAME** Schenectady International -10th St Plant

SITE ADDRESS: 10th Street ZIP CODE: 12303

CITY/TOWN: Schenectady

COUNTY: Schenectady

ALLOWABLE USE: Commercial and Industrial

**SITE MANAGEMENT DESCRIPTION**

SITE MANAGEMENT PLAN INCLUDES:

IC/EC Certification Plan NO

Monitoring Plan YES

Operation and Maintenance (O&M) Plan YES

Periodic Review Frequency: 1 year

Periodic Review Report Submittal Date: 07/31/2019

**Description of Institutional Control**

**SI Group, Inc.**

1460 TENTH AVE

Environmental Easement

Block: 0001

Lot: 002

Sublot: 001

Section: 049

Subsection: 070

S\_B\_L Image: 49.70-1-2.1

Ground Water Use Restriction

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

## Description of Engineering Control

**SI Group, Inc.**

1460 TENTH AVE

Environmental Easement

Block: 0001

Lot: 002

Sublot: 001

Section: 049

Subsection: 070

S\_B\_L Image: 49.70-1-2.1

Air Sparging/Soil Vapor Extraction

Cover System

Fencing/Access Control

Groundwater Containment

Groundwater Treatment System

Monitoring Wells