



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
 DIVISION OF ENVIRONMENTAL REMEDIATION  
**Site Classification Report**



DATE: 11/28/2011

<b>Site Code:</b> 622017	<b>Site Name:</b> Rose Valley Landfill
<b>City:</b> Russia	<b>Town:</b> Russia
<b>Region:</b> 6	<b>County:</b> Herkimer
<b>Current Classification:</b> 02	<b>Proposed Classification:</b> 04
<b>Estimated Size (acres):</b> 91.00	<b>Disposal Area:</b> Structure, Pond
<b>Significant Threat:</b> Previously	<b>Site Type:</b>
<b>Priority ranking Score:</b> 380	<b>Project Manager:</b> Michael Mason

**Summary of Approvals**

<b>Originator/Supervisor:</b> Gerard Burke	<b>10/14/2011</b>
<b>RHWRE:</b> Peter Taylor:	<b>10/14/2011</b>
<b>BEEI of NYSDOH:</b>	<b>10/19/2011</b>
<b>CO Bureau Director:</b> Michael Cruden, Director, Remedial Bureau E:	<b>10/20/2011</b>
	<b>11/02/2011</b>
<b>Assistant Division Director:</b> Robert W. Schick, P.E.:	

**Basis for Classification Change**

Hazardous waste disposal at this site was addressed by implementation of the remedy identified for the site by one or more Records of Decision. All construction of the components of the site-wide remedy was completed no later than 2008. The Final Engineering Report(s) (FER) (or its equivalent) confirms that the remedy has been constructed consistent with the requirements in the ROD(s). The FER(s) (or its equivalent) is/are in edocs. Management of contamination remaining at the site, including any required monitoring, is and has been controlled pursuant to a Site Management Plan (SMP) (or its equivalent). Institutional controls were required to ensure the protectiveness of the site, in the form of an Environmental Notice . A significant threat to public health and the environment no longer exists at the site. The site is properly remediated and requires site management, therefore, it qualifies for Class 4 status on the Registry of Inactive Hazardous Waste disposal sites.

**Site Description - Last Review: 10/11/2011**

**Location:** The Rose Valley Landfill is located in a sparsely populated area of the town of Russia in Herkimer County. It is bounded by Rose Valley, Bromley, and Military Roads.  
**Site Features:** The two landfill parcels cover 91 acres (unfenced) and include a 60 foot sand embankment. The major landfill area is located on the side of a hill, and is vegetated with brush and small trees. A NYSDEC Class C stream locally known as Finch Brook separates the site from Military Road. Finch Brook is a tributary of Hurricane Brook (also a NYSDEC Class C stream).



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL REMEDIATION  
Site Classification Report**



DATE: 11/28/2011

**Site Code:** 622017

**Site Name:** Rose Valley Landfill

The area surrounding the site is zoned residential, sparsely populated, with few known permanent residents.

**Site History:** The Rose Valley Landfill was a privately-owned, unlined dump that was open from 1963 to 1985. The site served as the municipal landfill for the villages of Poland and Cold Brook.

A private well immediately adjacent to the landfill entrance on Rose Valley Road (and downgradient of the landfill) was contaminated with site-related contaminants. In July 2009, a new water supply well brought on-line in Jan 2006 remained free of contamination. DEC, with DOH concurrence, has stopped OM&M of GAC system installed on the new well.

(In Aug. 2009 the Property owner indicated that he wishes to keep system & requests training on operation.

In March, 1992, the site was added to the New York State Registry of Inactive Hazardous Waste Sites as a Class 2 Site. In 1998, the Rose Valley Landfill site was referred to the State Superfund Program for action.

**Site Geology and Hydrogeology:**

The site exhibits moderate relief with an elevation change across the site of about 200 feet. The soils are a sand or loamy sand with thicknesses exceeding 100 feet. Below this sand unit is a glacial till, below which are sedimentary rocks of Ordovician age.

Groundwater flows radially from the site from an area centered near monitoring well MW-2. Groundwater flow north and east of this area is to the east northeast towards Military Road. Groundwater flow west of this area is to the northwest and flow south of this area is to the south towards Rose Valley Road. Monitoring wells drilled into the underlying glacial till suggest a substantial aquitard exists which prevents an exchange of water between the upper and lower aquifers.

A Record of Decision was issued in March 2001. The remedy recommended: 1) consolidation of wastes from septage pits onto the landfill; 2) installation of a new cap on the landfill to reduce infiltration through the wastes; and 3) installation of a new residential well in a deeper, clean aquifer for the impacted residence. (The new well was completed in 2006)

Notice to proceed on construction contract for the cap was issued for May 7, 2007. Remediation was completed in Spring 2008.

<b>Contaminants of Concern (Including Materials Disposed)</b>	<b>Quantity Disposed</b>
<b>OU 01</b>	
1,1,1-TRICHLOROETHANE (TCA)	0.00
<b>OU 01A</b>	
1,1,1 TCA	
1,1-DICHLOROETHANE	

**Analytical Data Available for :** Groundwater, Surface Water, Sediment

**Applicable Standards Exceeded for:** Groundwater, Surface Water, Drinking Water



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL REMEDIATION  
**Site Classification Report**



DATE: 11/28/2011

**Site Code:** 622017

**Site Name:** Rose Valley Landfill

---

**Site Environmental Assessment- Last Review: 10/11/2011**

Nature and Extent of Contamination:

Prior to remediation: The RI was conducted in 2 phases between June 1999 and October 2000 and included the following activities: a geophysical survey to determine the extent of landfill materials; the installation of soil borings and monitoring wells for analysis of soils and groundwater; a soil gas survey; and surface water and sediment sampling.

Soil: The site soils contained numerous inorganic compounds above SCGs and an isolated area of SVOC contaminants of concern (in the older septic disposal pit). The SVOC contaminants exceeded SCG values in the three soil samples collected from the older septic disposal pit.

Sediments: The contaminants that exceeded SCGs in sediments were inorganic compounds with the exception of two locations which contained several SVOC compounds. One location was located in the wetlands downgradient of the upper main landfill area. The inorganics above the SCGs were iron, manganese, cadmium, lead, arsenic, copper, silver, zinc, antimony, and possibly selenium (no SCG values for this compound).

Groundwater: There are three locations where the groundwater is impacted by contamination at the site. These locations are the TCA plume at the western end of the site, the trichloroethene (TCE) contamination in the area of HP-11 in the area of perched groundwater and the wetlands which are at the toe of the landfill in the eastern end of the site, and the western plume which is a VOC plume containing TCA and DCA. The western plume has impacted the well supplying water to the adjacent residence on Rose Valley Road. The source area of this plume is located in the vicinity of monitoring well MW-8. This groundwater contaminant plume is small in extent and does not impact any other off site wells. The area of groundwater contamination near HP-11 is smaller than the western plume. The contaminant detected in the HP-11 groundwater sample is TCE, and the only one of its related breakdown products (DCE) was detected in adjacent, downgradient monitoring wells. The groundwater contaminant plume at the base of the landfill contains low levels of DCA and DCE. This plume is of limited extent and does not leave the site. There are no private wells impacted by this plume.

Surface Water: Numerous surface water samples were collected and analyzed during the RI for this site. With the exception of three locations which had levels of phthalate (a plasticizer) exceeding SCGs, the contaminants exceeding SCGs in the surface water were inorganic. Iron was the inorganic which had the most exceedances, followed by aluminum, and selenium. Other inorganic substances were lead, zinc, cadmium, copper, cobalt, silver, thallium, cyanide and vanadium in the unfiltered samples.

Post-Remediation: A single residential well has been impacted by site contamination. A new water supply well was provided to the resident. Extensive sampling of other neighboring residential wells has not identified any additional impacted homes. The site is posted and a fence has been erected along the main entry road.

A state funded Remedial Design is complete, and construction of the remedy has been completed. A Vapor Intrusion evaluation was conducted in 2006. The evaluation recommended no further action with respect to vapor intrusion.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL REMEDIATION  
**Site Classification Report**



DATE: 11/28/2011

**Site Code:** 622017

**Site Name:** Rose Valley Landfill

**Site Health Assessment - Last Update: 10/06/2011**

The landfill was properly capped and measures are in place to prevent contact with the underlying contamination. People are not drinking contaminated groundwater from the site. A new drinking water source was provided for a previously impacted residence. Volatile organic compounds in the groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the air of buildings, is referred to as soil vapor intrusion. Because the site is vacant, the inhalation of site related contaminants due to soil vapor intrusion does not represent a concern. Furthermore, environmental sampling indicates soil vapor intrusion is not a concern for off-site buildings.

	Start		End	
<b>OU 00</b>				
Periodic Review	10/28/09	ACT	1/28/10	ACT
Periodic Review	9/16/10	ACT	11/30/10	ACT
Periodic Review	8/31/11	ACT	8/31/11	ACT
Site Management	5/30/08	ACT	5/30/38	PLN
<b>OU 01</b>				
OGC Docket - Environmental Notice	12/28/10	ACT	9/28/11	ACT
Reclass Pkg.	9/30/10	ACT	11/28/11	ACT
Remedial Action	5/7/07	ACT	5/30/08	ACT
Remedial Design	2/18/04	ACT	11/30/06	ACT
Remedial Investigation	2/1/99	ACT	3/30/01	ACT
Site Management	2/20/04	TRM	2/20/04	TRM
<b>OU 01A</b>				
Remedial Action	1/1/93	ACT	9/1/93	ACT
Site Management	10/1/93	ACT	9/3/09	ACT
<b>OU 02</b>				
VI Evaluation	10/27/05	ACT	9/5/06	ANF

**Remedy Description and Cost**

**Remedy Description for Operable Unit 01**

Based on the results of the Remedial Investigation and Feasibility Study (RI/FS) for the Rose Valley Landfill and the criteria identified for evaluation of alternatives, the NYSDEC selected installation of a single layer cover over the major fill area, excavation and disposal of contaminated surface soils, treatment of the leachate by natural attenuation, monitoring of the wetland, replacement of the impacted homeowner well with a deeper well, and monitoring of the western groundwater plume. The components of the remedy are as follows:

- Excavation and disposal of contaminated surface soils from the older septic disposal pit into the on-site landfill;
- Installation of an alternative drinking water supply for the impacted well and long-term monitoring of the western groundwater plume containing low levels of DCA and TCA;



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL REMEDIATION  
**Site Classification Report**



DATE: 11/28/2011

**Site Code:** 622017

**Site Name:** Rose Valley Landfill

- Treatment of the leachate and contaminated groundwater plume by monitored natural attenuation. (Long term monitoring of the effectiveness of natural attenuation will be conducted and documented); and,
- Installation of a single layer Part 360 (1982 regulations) cover over the eight (8) acres of major fill area encircled by a six foot high chain link fence.

**Total Cost** \$920,300



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL REMEDIATION  
**Site Classification Report**



DATE: 11/28/2011

**Site Code:** 622017

**Site Name:** Rose Valley Landfill

---

**Remedy Description for Operable Unit 01A**

Installation and OM&M of one GAC system.

**Total Cost**



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL REMEDIATION  
**Site Classification Report**



DATE: 11/28/2011

**Site Code:** 622017

**Site Name:** Rose Valley Landfill

---

**Remedy Description for Operable Unit 02**

Conducted soil vapor intrusion evaluation in 2006, resulting in a no further action determination.

**Total Cost**

---

<b>OU 01A</b>	<b>Site Management Plan Approval: 10/01/1993</b>	<b>Status: ACT</b>
<b>OU 01</b>	<b>Site Management Plan Approval: 02/20/2004</b>	<b>Status: TRM</b>
	Status must be ACT to reclassify to Class 4	
<b>OU 00</b>	<b>Site Management Plan Approval: 05/30/2008</b>	<b>Status: ACT</b>

---



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
 DIVISION OF ENVIRONMENTAL REMEDIATION  
**Site Classification Report**



DATE: 11/28/2011

**Site Code:** 622017

**Site Name:** Rose Valley Landfill

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
**Site Management Form**  
 11/28/2011

**SITE DESCRIPTION**

**SITE NO.** 622017

**SITE NAME** Rose Valley Landfill

SITE ADDRESS: Rose Valley Road ZIP CODE: 13431

CITY/TOWN: Russia

COUNTY: Herkimer

ALLOWABLE USE:

**SITE MANAGEMENT DESCRIPTION**

SITE MANAGEMENT PLAN INCLUDES:	YES	NO
IC/EC Certification Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Monitoring Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operation and Maintenance (O&M) Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Periodic Review Frequency: every five years

First Periodic Review Date:





NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL REMEDIATION  
**Site Classification Report**



DATE: 11/28/2011

Site Code: 622017

Site Name: Rose Valley Landfill

**Description of Institutional Control**

**CROUCH GERALD**

**ROSE VALLEY RD**

Environmental Notice

Block: 0002

Lot: 029

Sublot: 200

Section: 089

Subsection: 001

S\_B\_L Image: 089.1-2-29.2

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

O&M Plan

Site Management Plan

**Description of Engineering Control**

**CROUCH GERALD**

**ROSE VALLEY RD**

Environmental Notice - Institutional Control Instrument

Block: 0002

Lot: 029

Sublot: 200

Section: 089

Subsection: 001

S\_B\_L Image: 089.1-2-29.2

Cover System

Fencing/Access Control



**PUBLIC NOTICE**

**State Superfund Program**

Receive Site Information by Email. See “For More Information” to Learn How.

**Site Name:** Rose Valley Landfill

**November 28, 2011**

**Site No.** 622017      **Tax Map No.** 089.1-2-29.2

**Site Location:** Rose Valley Road, Russia, Herkimer County

**Inactive Hazardous Waste Disposal Site Classification Notice**

The Inactive Hazardous Waste Disposal Site Program (the State Superfund Program) is the State's program for identifying, investigating, and cleaning up sites where the disposal of hazardous waste may present a threat to public health and/or the environment. The New York State Department of Environmental Conservation (Department) maintains a list of these sites in the Registry of Inactive Hazardous Waste Disposal Sites (the “Registry”). The site identified above, and located on a map on the reverse side of this page, was recently reclassified on the Registry as a Class 4 site as it no longer presents a significant threat to public health and/or the environment for the following reason(s):

Contaminated soils were consolidated on-site and placed beneath a soil cap. A fence was erected to restrict access to the capped landfill. A new well was drilled for a neighboring home previously impacted by contaminated groundwater. A long term monitoring plan exists for this site which includes the collection and treatment of groundwater and leachate. A site management plan and environmental easement for the property addresses remaining site contamination.

The Department will keep you informed throughout the investigation and cleanup of the site.

**If you own property adjacent to this site and are renting or leasing your property to someone else, please share this information with them. If you no longer wish to be on the contact list for this site or otherwise need to correct our records, please contact the Department’s Project Manager listed below.**

**FOR MORE INFORMATION**

Additional information about this site can be found using the Department’s “Environmental Site Remediation Database Search” engine which is located on the internet at:

[www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=3](http://www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=3)

Comments and questions are always welcome and should be directed as follows:

Project Related Questions

Michael Mason, Project Manager

NYS Department of Env. Conservation

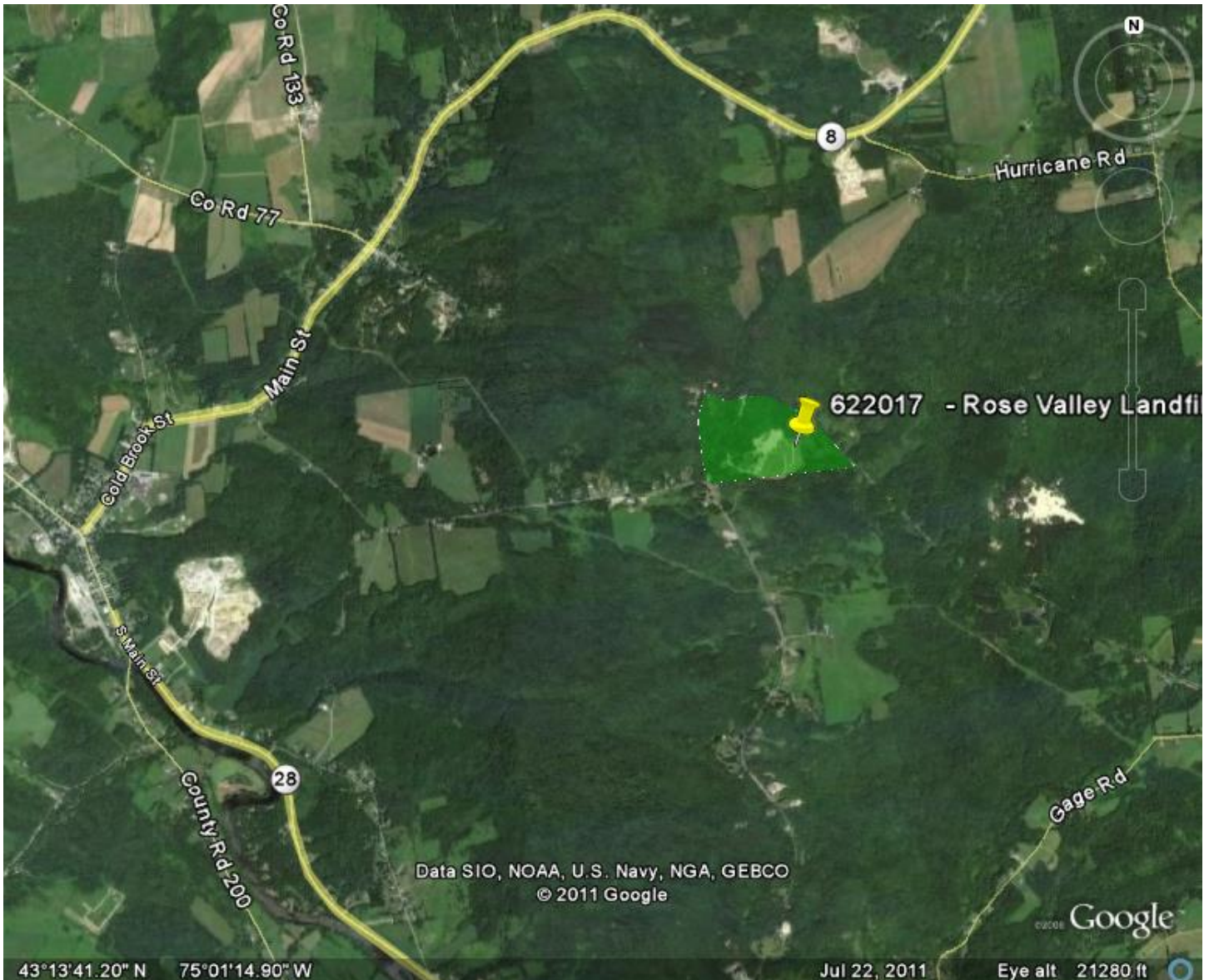
Div. of Env. Remediation, Remedial Bureau B

625 Broadway, 12<sup>th</sup> Fl., Albany, NY 12233-7016

518-402-9814, mamason@gw.dec.state.ny.us

The Department is sending you this notice in accordance with Environmental Conservation Law Article 27, Title 13 and its companion regulation (6 NYCRR 375-2.7(b)(6)(ii)) which requires the Department to notify all parties on the contact list for this site of this recent action.

**Approximate Site Location**  
Rose Valley Landfill  
622017  
Rose Valley Road, Russia, Herkimer County



**Receive Site Updates by Email**

Have site information such as this public notice sent right to your email inbox. NYSDEC invites you to sign up with one or more contaminated sites county email listservs available at the following web page:

[www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html) . It's *quick*, it's *free*, and it will help keep you *better informed*.



As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select.

You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

**Note:** Please disregard if you received this notice by way of a county email listserv.

**Electronic copies:**

D. Desnoyers, Director, Division of Environmental Remediation  
A. English, Director, Bureau of Technical Support  
K. Lewandowski, Chief, Site Control Section  
M. Ryan, Director, Remedial Bureau C  
R. Cozzy, Director, Remedial Bureau B  
P. Taylor, RHWRE, Region 6  
L. Ambeau, Regional Permit Administrator, Region 6  
S. Litwhiler, Regional CPS, Region 6  
S. Bates, NYSDOH  
G. Rys, NYSDOH, Herkimer District Office  
L. Ennist, DER, Bureau of Program Management  
M. Mason, Project Manager  
W. Bayer, Site Control Section

**Rose Valley Landfill**

**622017**

17 Total

Wayne Bayer/Mike Mason

John Sandwick  
704 Rose Valley Rd  
Cold Brook, NY 13324

Jacqueline Homer  
P.O. Box 1297  
Richfield Springs, NY 13439

Jeanne M. Barley  
Town Clerk  
8916 N. Main Street  
Poland, NY 13431

Louis Bravo, Sr.  
Town Board  
8916 N. Main Street  
Poland, NY 13431

Health Officer  
Herkimer County Health Department  
301 North Washington Street  
Herkimer, NY 13350

Gerald Crouch  
340 Baywest Neighbors Cr.  
Orlando, FL 32835

Laura Sandwick  
704 Rose Valley Rd  
Cold Brook, NY 13324

Roger L. Rommel  
HC 1  
P.O. Box 23A  
Piseco, NY 12139

W. Scott Gifford  
Town Board  
8916 N. Main Street  
Poland, NY 13431

Ronald Przelski  
Town Board  
8916 N. Main Street  
Poland, NY 13431

Herkimer Telegram Newspaper  
111 Green Street  
Herkimer, NY 13350

Joyce Miller  
340 Baywest Neighbors Cr.  
Orlando, FL 32835

Mark Homer  
P.O. Box 1297  
Richfield Springs, NY 13439

Mary C. Rommel  
HC 1  
P.O. Box 23A  
Piseco, NY 12139

Wayne G. Haver  
Town Board  
8916 N. Main Street  
Poland, NY 13431

Sylvia M. Rowan  
County Clerk  
Suite 1111  
109 Mary Street  
Herkimer, NY 13350

Frances J. Donley  
Town Supervisor  
8916 N. Main Street  
Poland, NY 13431

November 7, 2011

Estate of Gerald Crouch/Joyce Miller  
340 Baywest Neighbors Circle  
Orlando, FL 32811

Dear Estate Holder(s):

As mandated by Section 27-1305 of the Environmental Conservation Law (ECL), the New York State Department of Environmental Conservation (Department) must maintain a Registry of all inactive disposal sites suspected or known to contain hazardous waste. The ECL also mandates that this Department notify the owner of all or any part of each site or area included in the Registry of Inactive Hazardous Waste Disposal Sites as to changes in site classification.

Our records indicate that you are the owner or part owner of the site listed below. Therefore, this letter constitutes notification of change in the classification of such site in the Registry of Inactive Hazardous Waste Disposal Sites in New York State.

**DEC Site No.:** 622017

**Site Name:** Rose Valley Landfill

**Site Address:** Rose Valley Road, Russia, Herkimer County

Classification change from Class 2 to Class 4

The reason for the change is as follows:

Contaminated soils were consolidated on-site and placed beneath a soil cap. A fence was erected to restrict access to the capped landfill. A new well was drilled for a neighboring home previously impacted by contaminated groundwater. A long term monitoring plan exists for the site groundwater and leachate to be collected and treated. A site management plan and environmental easement for the property addresses remaining site contamination.

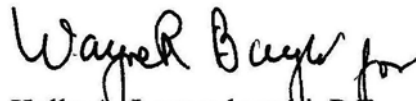
Enclosed is a copy of the Department's Inactive Hazardous Waste Disposal Site Report form as it appears in the Registry. An explanation of the site classifications is available at <http://www.dec.ny.gov/chemical/8663.html>. The Law allows the owner and/or operator of a site listed in the Registry to petition the Commissioner of the New York State Department of Environmental Conservation for deletion of such site, modification of site classification, or modification of any information regarding such site, by submitting a written statement setting forth the grounds of the petition.

Such petition may be addressed to:

Honorable Joseph J. Martens  
Commissioner  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York 12233-1010

For additional information, please contact Mr. Michael Mason, P.E., the project manager at 518-402-9814.

Sincerely,



Kelly A. Lewandowski, P.E.  
Chief  
Site Control Section

KAL/WB/sjs  
Enclosure

ec: D. Desnoyers  
D. Weigel  
A. English  
K. Lewandowski

bec: w/Enc.  
S. Bates, NYSDOH  
M. Ryan, Director, Remedial Bureau C  
M. Cruden, Director, Remedial Bureau E  
R. Young, Regional Attorney, Region 6  
L. Ambeau, Regional Permit Administrator, Region 6  
P. Taylor, RHWRE, Region 6  
G. Rys, NYSDOH, Herkimer  
M. Mason, Project Manager  
W. Bayer, Site Control Section





**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION  
DIVISION OF ENVIRONMENTAL REMEDIATION  
Inactive Hazardous Waste Disposal Report**



<b>Site Code</b>	622017				
<b>Site Name</b>	Rose Valley Landfill	<b>Address</b>	Rose Valley Road		
<b>Classification</b>	04	<b>City</b>	Russia	<b>Zip</b>	13431
<b>Region</b>	6	<b>County</b>	Herkimer	<b>Town</b>	Russia
<b>Latitude</b>	43 degrees, 13 minutes, 50.47 seconds			<b>Estimated Size</b>	91.0000
<b>Longitude</b>	-75 degrees, 0 minutes, 18.89 seconds				
<b>Site Type</b>	<b>Disposal Area</b> Structure, Pond				

## Site Description

**Location:** The Rose Valley Landfill is located in a sparsely populated area of the town of Russia in Herkimer County. It is bounded by Rose Valley, Bromley, and Military Roads.

**Site Features:** The two landfill parcels cover 91 acres (unfenced) and include a 60 foot sand embankment. The major landfill area is located on the side of a hill, and is vegetated with brush and small trees. A NYSDEC Class C stream locally known as Finch Brook separates the site from Military Road. Finch Brook is a tributary of Hurricane Brook (also a NYSDEC Class C stream).

The area surrounding the site is zoned residential, sparsely populated, with few known permanent residents.

**Site History:** The Rose Valley Landfill was a privately-owned, unlined dump that was open from 1963 to 1985. The site served as the municipal landfill for the villages of Poland and Cold Brook.

A private well immediately adjacent to the landfill entrance on Rose Valley Road (and downgradient of the landfill) was contaminated with site-related contaminants. In July 2009, a new water supply well brought on-line in Jan 2006 remained free of contamination. DEC, with DOH concurrence, has stopped OM&M of GAC system installed on the new well.

(In Aug, 2009 the Property owner indicated that he wishes to keep system & requests training on operation.

In March, 1992, the site was added to the New York State Registry of Inactive Hazardous Waste Sites as a Class 2 Site. In 1998, the Rose Valley Landfill site was referred to the State Superfund Program for action.

### Site Geology and Hydrogeology:

The site exhibits moderate relief with an elevation change across the site of about 200 feet. The soils are a sand or loamy sand with thicknesses exceeding 100 feet. Below this sand unit is a glacial till, below which are sedimentary rocks of Ordovician age.

Groundwater flows radially from the site from an area centered near monitoring well MW-2. Groundwater flow north and east of this area is to the east northeast towards Military Road. Groundwater flow west of this area is to the northwest and flow south of this area is to the south towards Rose Valley Road. Monitoring wells drilled into the underlying glacial till suggest a substantial aquitard exists which prevents an exchange of water between the upper and lower aquifers.

A Record of Decision was issued in March 2001. The remedy recommended: 1) consolidation of wastes from septage pits onto the landfill; 2) installation of a new cap on the landfill to reduce infiltration through the wastes; and 3) installation of a new residential well in a deeper, clean aquifer for the impacted residence. (The new well was completed in 2006)

Notice to proceed on construction contract for the cap was issued for May 7, 2007. Remediation was completed in Spring 2008.

<b>Contaminants of Concern (Including Materials Disposed)</b>	<b>Quantity</b>
<b>OU 01</b>	
1,1,1-TRICHLOROETHANE (TCA)	0.00
<b>OU 01A</b>	
1,1,1 TCA	
1,1-DICHLOROETHANE	

---

**Analytical Data Available for :** Groundwater, Surface Water, Sediment

**Applicable Standards Exceeded for:** Groundwater, Surface Water, Drinking Water

---

## Site Environmental Assessment

### Nature and Extent of Contamination:

Prior to remediation: The RI was conducted in 2 phases between June 1999 and October 2000 and included the following activities: a geophysical survey to determine the extent of landfill materials; the installation of soil borings and monitoring wells for analysis of soils and groundwater; a soil gas survey; and surface water and sediment sampling.

Soil: The site soils contained numerous inorganic compounds above SCGs and an isolated area of SVOC contaminants of concern (in the older septic disposal pit). The SVOC contaminants exceeded SCG values in the three soil samples collected from the older septic disposal pit.

Sediments: The contaminants that exceeded SCGs in sediments were inorganic compounds with the exception of two locations which contained several SVOC compounds. One location was located in the wetlands downgradient of the upper main landfill area. The inorganics above the SCGs were iron, manganese cadmium, lead, arsenic, copper, silver, zinc, antimony, and possibly selenium (no SCG values for this compound).

Groundwater: There are three locations where the groundwater is impacted by contamination at the site. These locations are the TCA plume at the western end of the site, the trichloroethene (TCE) contamination in the area of HP-11 in the area of perched groundwater and the wetlands which are at the toe of the landfill in the eastern end of the site, and the western plume which is a VOC plume containing TCA and DCA. The western plume has impacted the well supplying water to the adjacent residence on Rose Valley Road. The source area of this plume is located in the vicinity of monitoring well MW-8. This groundwater contaminant plume is small in extent and does not impact any other off site wells. The area of groundwater contamination near HP-11 is smaller than the western plume. The contaminant detected in the HP-11 groundwater sample is TCE, and the only one of its related breakdown products (DCE) was detected in adjacent, downgradient monitoring wells. The groundwater contaminant plume at the base of the landfill contains low levels of DCA and DCE. This plume is of limited extent and does not leave the site. There are no private wells impacted by this plume.

Surface Water: Numerous surface water samples were collected and analyzed during the RI for this site. With the exception of three locations which had levels of phthalate (a plasticizer) exceeding SCGs, the contaminants exceeding SCGs in the surface water were inorganic. Iron was the inorganic which had the most exceedances, followed by aluminum, and selenium. Other inorganic substances were lead, zinc, cadmium, copper, cobalt, silver thallium cyanide and vanadium in the unfiltered samples.

Post-Remediation: A single residential well has been impacted by site contamination. A new water supply well was provided to the resident. Extensive sampling of other neighboring residential wells has not identified any additional impacted homes. The site is posted and a fence has been erected along the main entry road.

A state funded Remedial Design is complete, and construction of the remedy has been completed. A Vapor Intrusion evaluation was conducted in 2006. The evaluation recommended no further action with respect to vapor intrusion.

---

## Site Health Assessment

The landfill was properly capped and measures are in place to prevent contact with the underlying contamination. People are not drinking contaminated groundwater from the site. A new drinking water source was provided for a previously impacted residence. Volatile organic compounds in the groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the air of buildings, is referred to as soil vapor intrusion. Because the site is vacant, the inhalation of site related contaminants due to soil vapor intrusion does not represent a concern. Furthermore, environmental sampling indicates soil vapor intrusion is not a concern for off-site buildings.

---

11/7/2011

## Owners

### Current Owner(s)

Estate of Gerald Crouch/Joyce Miller

340 Baywest Neighbors Circle

Orlando FL 32811

Estate of Gerald Crouch/Joyce Miller

340 Baywest Neighbors Circle

Orlando FL 32811

### Disposal Owner(s)

Owner is deceased

GERALD CROUCH

## Operators

### Current Operator(s)

Gerald Crouch (Deceased)

340 Baywest Neighbors Circle

Orlando FL 32811

Gerald Crouch (Deceased)

340 Baywest Neighbors Circle

Orlando FL 32811

ZZ

## ENVIRONMENTAL NOTICE

**THIS ENVIRONMENTAL NOTICE** is made the <sup>9<sup>th</sup></sup> day of *September* 2011, by the New York State Department of Environmental Conservation (Department), having an office for the transaction of business at 625 Broadway, Albany, New York 12233

**WHEREAS**, that parcel of real property located at the address of Military Road in the Town of Russia, County of Herkimer and State of New York, known and designated on the tax map of the County Clerk of Herkimer and tax map parcel numbers: in Section Block and lot # 089.1-2-29.2, being the same as that property conveyed by deed dated January 25, 1982 and recorded in the office of the Herkimer County Clerk on January 25, 1982 in book 680 of deeds at page 784. Commencing from the easterly side of Bromley road to the westerly side of Rose Valley, County of Herkimer, State of New York, the property being more particularly described in Metes and Bounds description and attached hereto as Appendix "A" to this notice and made a part hereof, and hereinafter referred to as "the Property" and is the subject of a remedial program performed by the Department; and

**WHEREAS**, the Department approved a cleanup to address contamination disposed at the Property and such cleanup was conditioned upon certain limitations.

**NOW, THEREFORE**, the Department provides notice that:

**FIRST**, the part of lands subject to this Environmental Notice is as shown on a map attached to this Notice as Appendix "B" and made a part hereof.

**SECOND**, unless prior written approval by the Department or, if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as "the Relevant Agency," is first obtained, where contamination remains at the Property subject to the provisions of the Site Management Plan ("SMP"), there shall be no disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results or may result in a significantly increased threat of harm or damage at any site as a result of exposure to soils. A violation of this provision is a violation of 6 NYCRR 375-1.1 1(b)(2).

**THIRD**, no person shall disturb, remove, or otherwise interfere with the installation, use, operation, and maintenance of engineering controls required for the Remedy, including but not limited to those engineering controls described in the SMP and listed below, unless in each instance they first obtain a written waiver of such prohibition from the Department or Relevant Agency.

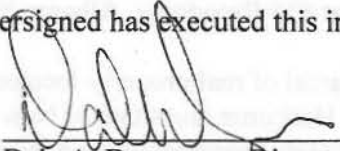
**FOURTH**, the owners of the Property shall prohibit the Property from ever being used for purposes other than for its current land use as a landfill without the express written waiver of such prohibition by the Department or Relevant Agency.

**FIFTH**, the no person shall use the groundwater underlying the Property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Department or Relevant Agency. Use of the groundwater

without appropriate treatment may result in a significantly increased threat of harm or damage at any site.

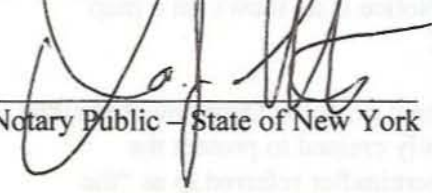
**SIXTH**, it is a violation of 6 NYCRR 375-1.11(b) to use the Property in a manner inconsistent with this environmental notice.

**IN WITNESS WHEREOF**, the undersigned has executed this instrument the day written below.

By:   
Dale A. Desnoyers, Director  
Division of Environmental Remediation

STATE OF NEW YORK ) ss:  
COUNTY OF ALBANY )

On the 9<sup>th</sup> day of September in the year 2011, before me, the undersigned, personally appeared Dale Desnoyers, 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/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public - State of New York

**David J. Chiusano**  
Notary Public, State of New York  
No. 01CH5032146  
Qualified in Schenectady County  
Commission Expires August 22, 2014



Rose Valley Landfill  
Military Road  
County of Herkimer  
Tax Map: 089.1-2-29.2

## APPENDIX "A"

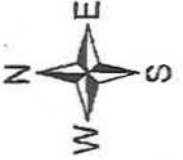
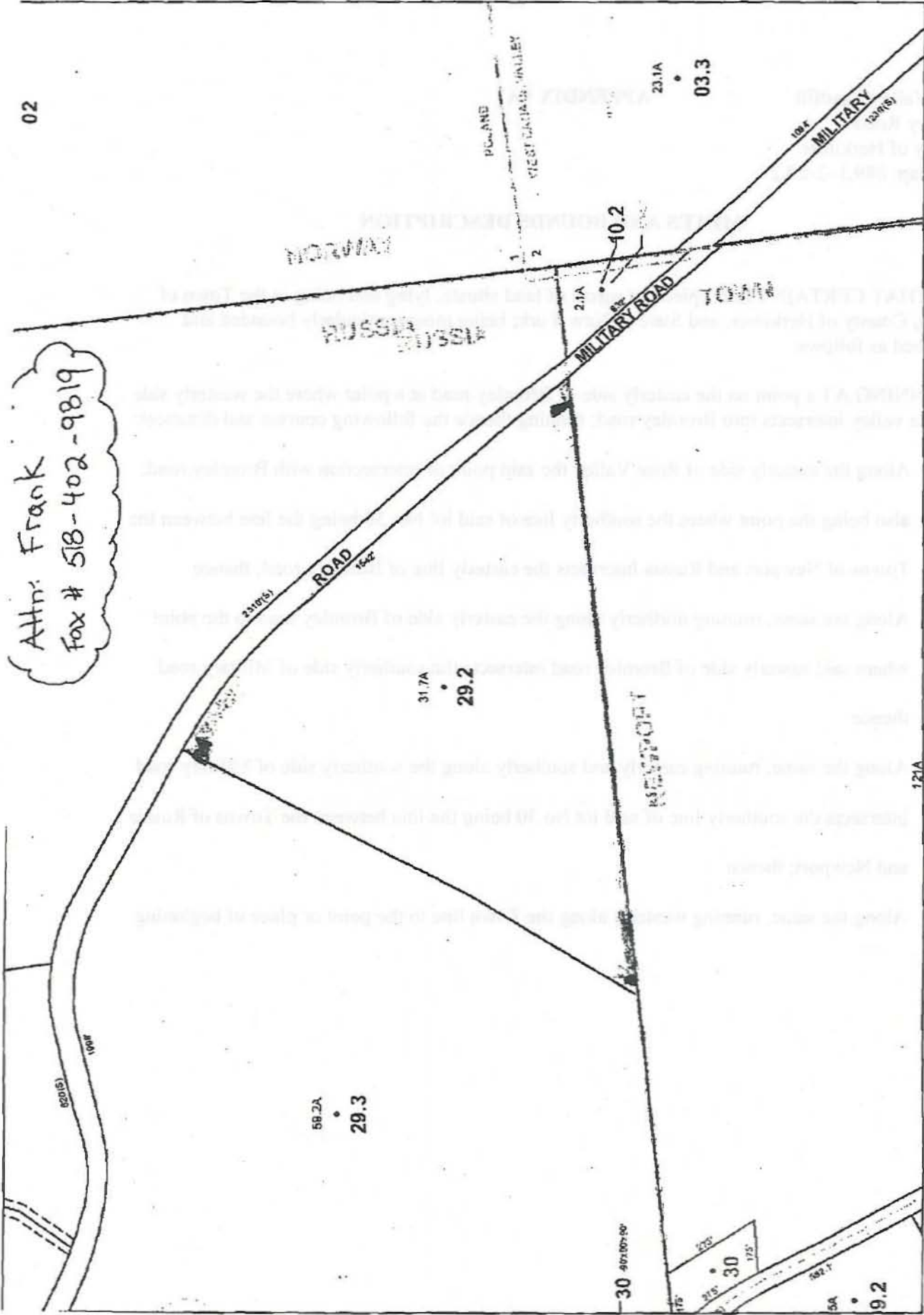
### METES AND BOUNDS DESCRIPTION

ALL THAT CERTAIN PLOT, piece or parcel of land situate, lying and being in the Town of Russia, County of Herkimer, and State of New York; being more particularly bounded and described as follows:

BEGINNING AT a point on the easterly side of Bromley road at a point where the westerly side of Rose valley intersects into Bromley road; running thence the following courses and distances:

- 1) Along the easterly side of Rose Valley the said point of intersection with Bromley road; also being the point where the southerly line of said lot No. 30 being the line between the Towns of Newport and Russia intersects the easterly line of Bromley road; thence
- 2) Along the same, running northerly along the easterly side of Bromley road to the point where said easterly side of Bromley road intersects the southerly side of Military road; thence
- 3) Along the same, running easterly and southerly along the southerly side of Military road intersects the southerly line of said lot No.30 being the line between the Towns of Russia and Newport; thence
- 4) Along the same, running westerly along the Town line to the point or place of beginning

Attn: Frank  
Fox # 518-402-9819



1 inch = 400 feet



# T/O RUSSIA



Chicago Title Insurance Company

**Rochester Office**  
19 West Main Street, Suite 100  
Rochester, NY 14614  
Office 585-546-6350  
Fax: 585-546-4236

Email: susan.hindmarsh@ctt.com

**Last Owner Report**

.....  
Date: 3/4/11

Chicago Title Search No.: 1116-98055      AECOM Site #622017

Address: Military Road      SBL #089.1-2-29.2

Town of Russia      County: Herkimer

**A Last Owner Search has been conducted against the name(s) of Gerald Crouch at the property located at Military Road SBL #089.1-2-29.2 from 12/27/1981 to 2/19/2011 in the Herkimer County Clerk's Office:**

Bargain & Sale Deed by Elizabeth Scardina to Gerald Crouch recorded 1/25/82 in Book 680 at page 784

Mortgage by Gerald H. Crouch to The Oneida National Bank and Trust Company of Central NY for \$22,000.00 recorded 1/25/82 in Book 456 at page 936

Mortgage by Gerald H. Crouch to The Oneida National Bank and Trust Company of Central NY for \$19,000.00 in Book 471 at page 609

Chicago Title of New York does hereby certify that the records of the above governmental agency were examined. The information reported above is true and accurate of the information reported therein and no liability is assumed. This report is submitted for information purposes only.



8001 680 PAGE 784

A 221—Statutory Form G. Receipt and Ack. Bond, with Certificate against Creditors—Indivisible. *James Blumenthal, D.D.S., Law Office, 200 Broadway, New York*  
THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY

# This Indenture,

Made the <sup>28<sup>th</sup></sup> day of *December* *nineteen hundred*  
and *Eighty ONE*  
Between ELIZABETH SCARDINA, 7604 13th Avenue, Brooklyn, New York

party of the first part,  
and GERALD CROUCH, Star Route 8, Cold Brook, New York,

party of the second part,

**Witnesseth**, that the party of the first part, in consideration of Ten and no/100 -  
(\$10.00) ----- Dollars,  
lawful money of the United States, and other good and valuable consideration  
paid by the party of the second part  
do hereby grant and release unto the party of the second part, his heirs  
and assigns forever,

**All** THAT TRACT OR PARCEL OF LAND situate in the Town of Russia, County of Herkimer, New York described in Schedule A annexed hereto.

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Russia, County of Herkimer, New York being part of Lot No. 30 in the Third Allotment of the Royal Grant and bounded as follows:

Beginning at a point on the easterly side of Bromley Road at a point where the easterly side of Rose Valley Road intersects into Bromley Road; said point also being the point where the southerly line of said Lot No. 30 being the line between the Towns of Newport and Russia intersects the easterly line of Bromley Road; thence running northerly along the easterly side of Bromley Road to the point where said easterly side of Bromley Road intersects the southerly side of Military Road; then running easterly and southerly along the southerly side of Military Road to the point where said southerly side of Military Road intersects the southerly line of said Lot No. 30 being the line between the Towns of Russia and Newport; then running westerly along said Town line to the point or place of beginning. Subject to easements and restrictions of record.

Being a portion of the premises conveyed by Clarence L. Sneath and Wilma M. Sneath to John L. Scardina and Elizabeth Scardina by deed dated November 9, 1964 and recorded in the Herkimer County Clerk's Office in Book 572 of deeds at page 44.

Subject to lease granted to Sneath Realty, Inc. a memorandum of which was recorded in the Herkimer County Clerk's office on November 21, 1972 in book 624 of deeds at page 907, which lease was assigned to Gerald Crouch by assignment recorded in book 624 of deeds at page 910.

That John L. Scardina died in Brooklyn, New York on July 31, 1981 leaving surviving him his wife, Elizabeth Scardina.

RECEIVED  
JAN 25 1982  
TRANSFER TAX  
HERKIMER  
COUNTY

00908

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

To have and to hold the premises herein granted unto the party of the second part, his heirs and assigns forever.

And the said party of the first part

covenant that she has not done or suffered anything whereby the said premises have been incumbered in any way whatever.

The grantor, in compliance with Section 13 of the Lien Law, covenants that the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that the grantor will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the party of the first part hereunto set her hand and seal the day and year first above written.

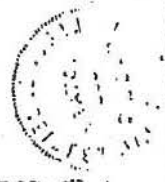
In presence of:

X Elizabeth Scardina L.S.  
Elizabeth Scardina

\_\_\_\_\_ L.S.

\_\_\_\_\_ L.S.

\_\_\_\_\_ L.S.



853





State of Virginia } ss:  
County of Fairfax  
On the 25th day of December nineteen hundred and  
before me came ELIZABETH SCARDINA

to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to me that she executed the same.

Harvey D. Hinkle  
Notary Public - State of Virginia  
Fairfax Co. - Comm. Exp. \_\_\_\_\_  
My Commission Expires November 22, 1982

State of \_\_\_\_\_ } ss:  
County of \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_ nineteen hundred and \_\_\_\_\_  
before me came \_\_\_\_\_ the subscribing  
witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly  
sworn, did depose and say that he resides in \_\_\_\_\_

that he knows \_\_\_\_\_

\_\_\_\_\_ to be the individual described in, and who  
executed the foregoing instrument; that he, said subscribing witness, was present, and saw  
execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

112923

ELIZABETH SCARDINA

TO

GERALD CROUCH

**DEED**

Dated, \_\_\_\_\_ 19\_\_\_\_

The land affected by the within instru-  
ment lies in \_\_\_\_\_

RECORD AND RETURN TO

K. D. Bensley

BASLOE, BASLOE & GALLAGHER, P.C.  
Attorneys at Law  
100 W. Main Street  
Herkimer, New York 13350

ST. T. OF NEW YORK  
 RESERVE DEPARTMENT OF RECORDS & CLERKING OFFICE  
 117 A.O.  
 JAN 25 2 49 PM '82 13  
 BOOK 680 OF DEEDS  
 PAGE 757 EXAMINED  
 Clerk  
 112923

REAL PROPERTY MORTGAGE TO SECURE DEBTS

Dated Jan. 25 1982

By Gerald H. Crouch  
RD. Newport, New York  
Address

to THE ONEIDA NATIONAL BANK AND TRUST COMPANY OF CENTRAL NEW YORK, a national banking corporation with its principal office at 268 Genesee Street, Utica, New York,

MEANING OF WORDS

"I", "me" and "my" refer to each person who signs this mortgage and to each person who signs an agreement to assume this mortgage.

"Bank" means The Oneida National Bank and Trust Company of Central New York and anyone else who owns this mortgage.

"Debt" means any and all indebtedness of every kind which I may presently or in the future owe the Bank up to but not exceeding \$22,000.00 which debt is evidenced by the following identified paper now held by Bank Note

*GHC* dated Jan 25 1982

"Property" means the real property located at Rose Valley Road,  
RD. Newport, N.Y. (Address)

consisting of land described as follows: ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Russia, County of Herkimer, New York being part of Lot No. 30 in the Third Allotment of the Royal Grant and bounded as follows:

Beginning at a point on the easterly side of Bromley Road at a point where the easterly side of Rose Valley Road intersects into Bromley Road; said point also being the point where the southerly line of said Lot No. 30 being the line between the Towns of Newport and Russia intersects the easterly line of Bromley Road; thence running northerly along the easterly side of Bromley Road to the point where said easterly side of Bromley Road intersects the southerly side of Military Road; then running easterly and southerly along the southerly side of Military Road to the point where said southerly side of Military Road intersects the southerly line of said Lot No. 30 being the line between the Towns of Russia and Newport; then running westerly along said Town line to the point of place of ~~beginning~~ Subject to easements and restrictions of record.

Being a portion of the premises conveyed by Clarence L. Sneath and Wilma M. Sneath to John L. Scardina and Elizabeth Scardina by deed dated November 9, 1964 and recorded in the Herkimer County Clerk's Office in Book 572 of deeds at page 44.

Subject to lease granted to Sneath Realty, Inc. a memorandum of which was recorded in the Herkimer County Clerk's office on November 21, 1972 in book 624 of deeds at page 907, which lease was assigned to Gerald Crouch by assignment recorded in book 624 of deeds at page 910.

That John L. Scardina died in Brooklyn, New York on July 31, 1981 leaving surviving him his wife, Elizabeth Scardina.

Being the same premises being transferred to Gerald Crouch this date by Elizabeth Scardina, 7604 13th Avenue, Brooklyn, New York.



9. COLLECTION OF DEBT BY FORECLOSURE OR DIRECT ACTION.

In case of a default and Bank calls the defaulted Debt, Bank may sue me (1) directly for same, or (2) foreclose this mortgage which will result in the Property being sold as one Parcel to pay the defaulted Debt. If the sale does not bring enough to pay allowable foreclosure costs and the defaulted Debt, I can be sued for the balance.

10. RECEIVER. If Bank calls the defaulted Debt, it can have a court appointed Receiver to take any rents or other income produced by the Property.

11. BANK MAY PAY TAXES, INSURANCE PREMIUMS AND ANY PAYMENTS DUE ON PRIOR MORTGAGES. If I do not pay the taxes, assessments and water charges on the Property, or the premiums to keep the required insurance in effect or the installments of interest or principal due on any prior mortgage on the Property, Bank may do so and add such payments to my Debt.

I acknowledge receipt of a copy of this mortgage.

*Handwritten signature*

STATE OF NEW YORK, COUNTY OF *HERKIMER* ss.:

On this *24* day of *January*, 19*82* before me, the subscriber, personally appeared *Robert H. Crook* to me known and known to me to be the same person(s) described in and who executed the foregoing instrument, and he duly acknowledged to me that *he* executed the same.

*Handwritten signature*

*55*  
*110*  
*165*

STATE OF NEW YORK  
HERKIMER COUNTY  
RECORDED/FILED/UDO:

JAN 25 2 50 PM '82

BOOK *452 of Mortgages*

PAGE *226* EXAMINED

*Mortgages N.Y. County*

CLERK  
112824

10 -

ROBERT A. CHLINGER  
Notary Public in New York  
My Commission Expires March 20, 1983

PY 808

I DO HEREBY CERTIFY THAT I HAVE RECEIVED ON THE WITHIN:  
MORTGAGE \$ *110.00*, RECORDING FEE (UNLESS OTHERWISE SPECIFIED)  
SPECIAL ADDITIONAL MORTGAGE RECORDING TAX \$ *55.00*  
DATE: *1/25/82* BY *Raymond [Signature]*  
RECORD # *112824* BY *112824* CLERK

REAL PROPERTY MORTGAGE TO SECURE DEBTS

BOOK 471 PAGE 609

Dated Aug 13 1964

By Bernard H. Crouch  
R.D. Brook N.Y.  
Address

to THE ONEIDA NATIONAL BANK AND TRUST COMPANY OF CENTRAL NEW YORK, a national banking corporation with its principal office at 268 Genesee Street, Utica, New York.

MEANING OF WORDS

"I", "me" and "my" refer to each person who signs this mortgage and to each person who signs an agreement to assume this mortgage.

"Bank" means The Oneida National Bank and Trust Company of Central New York and anyone else who owns this mortgage.

"Debt" means any and all indebtedness of every kind which I may presently or in the future owe the Bank up to but not exceeding \$ 19000 which debt is evidenced by the following identified paper now held by Bank  
note (1967) \$10,000 13, 1964 No. 701-829376

"Property" means the real property located at Rose Valley Rd  
R.D. Brook N.Y. (Address)

consisting of land described as follows: ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Russia, County of Herkimer, New York being part of Lot No. 30 in the Third Allotment of the Royal Grant and bounded as follows:

Beginning at a point on the easterly side of Bromley Road at a point where the easterly side of Rose Valley Road intersects into Bromley Road; said point also being the point where the southerly line of said Lot No. 30 being the line between the Towns of Newport and Russia intersects the easterly line of Bromley Road; thence running northerly along the easterly side of Bromley Road to the point where said easterly side of Bromley Road intersects the southerly side of Military Road; then running easterly and southerly along the southerly side of Military Road to the point where said southerly side of Military Road intersects the southerly line of said Lot No. 30 being the line between the Towns of Russia and Newport; then running westerly along said Town line to the point of place of beginning. Subject to easements and restrictions of record.

Being a portion of the premises of conveyed by Clarence L. Sneath and Wilma M. Sneath to John L. Scardina and Elizabeth Scardina by deed dated November 9, 1964 and recorded in the Herkimer County Clerk's Office in Book 572 of deeds at page 44.

Subject to lease granted to Sneath Realty, Inc. a memorandum of which was recorded in the Herkimer County Clerk's office on November 21, 1972 in book 624 of deeds at page 907, which lease was assigned to Gerald Grouch by assignment recorded in book 624 of deeds at page 910.

That John L. Scardina died in Brooklyn, New York on July 31, 1981 leaving surviving him his wife, Elizabeth Scardina.

Being the same premises being transferred to Gerald Crouch this date by Elizabeth Scardina, 7604 13th Avenue, Brooklyn, New York.

*H. O. B. Poland*



9. COLLECTION OF DEBT BY FORECLOSURE OR DIRECT ACTION.  
 In case of a default and Bank calls the defaulted Debt, Bank may sue me (1) directly for same, or (2) foreclose this mortgage which will result in the Property being sold as one Parcel to pay the defaulted Debt. If the sale does not bring enough to pay allowable foreclosure costs and the defaulted Debt, I can be sued for the balance.

10. RECEIVER. If Bank calls the defaulted Debt, it can have a court appointed Receiver to take any rents or other income produced by the Property.

11. BANK MAY PAY TAXES, INSURANCE PREMIUMS AND ANY PAYMENTS DUE ON PRIOR MORTGAGES. If I do not pay the taxes, assessments and water charges on the Property, or the premiums to keep the required insurance in effect or the installments of interest or principal due on any prior mortgage on the Property, Bank may do so and add such payments to my Debt.

I acknowledge receipt of a copy of this mortgage.

*[Signature]*

STATE OF NEW YORK, COUNTY OF

SS.:

On this *37th* day of *Nov*, 19*84*, before me, the subscriber, personally appeared *Armed H. Christ*, to me known and known to me to be the same person(s) described in and who executed the foregoing instrument, and he duly acknowledged to me that *he* executed the same.

*[Signature]*

NOTARY PUBLIC  
 NY CIVIL SERVICE EXAMINER

47.50  
 95.00

134775

1400

OR 505

STATE OF NEW YORK, HERKIMER COUNTY  
 Recorded on the *16th* Day of *Aug*, 19*84*  
 at *1:42* o'clock *P.M.* by *[Signature]*  
 of *[Signature]*  
 at *100* and examined  
*[Signature]* CLERK

I DO HEREBY CERTIFY THAT I HAVE RECEIVED ON THE WITHIN  
 MORTGAGE \$ *220* RECEIVED FOR WOODS FURNISH  
 SPECIAL ADDITIONAL VENTURE LICENSING FEE \$ *42.50*  
 DATED *Aug 16* 19 *84*  
*[Signature]*  
 NOTARY PUBLIC OF HERKIMER COUNTY, NY



113 of 113

THE STATE OF TEXAS, COUNTY OF DALLAS, ss. I, the undersigned, Clerk of the County, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of the County.

Witness my hand and the seal of the County at Dallas, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Clerk of the County

\_\_\_\_\_  
Notary Public

STATE OF TEXAS, COUNTY OF DALLAS

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

**NEW YORK**  
*state department of*  
**HEALTH**

Nirav R. Shah, M.D., M.P.H.  
Commissioner

Sue Kelly  
Executive Deputy Commissioner

October 19, 2011

Mr. Mike Ryan, Bureau Director  
Division of Environmental Remediation  
NYS Dept. of Environmental Conservation  
625 Broadway - 12th Floor  
Albany, NY 12233-7011

Re: Site Reclassification  
Rose Valley Landfill  
Site # 622017  
Russia (T), Herkimer County

Dear Mr. Ryan:

Staff reviewed the September 2011 Reclassification Package for the Rose Valley Landfill site. Based on that review, I understand contaminated soils were consolidated on-site and placed beneath a soil cap. A fence was erected to restrict access to the capped landfill. A new well was drilled for a neighboring home previously impacted by contaminated groundwater. A long term monitoring plan exists for the site groundwater and leachate will be collected and treated. A site management plan and environmental easement for the property addresses remaining site contamination.

Based on this, I believe reclassification of the site from a Class 2 to a 4 is protective of public health and concur with the site Reclassification Package. Please call me at (518) 402-7860, if you have any questions.

Sincerely,



Steven M. Bates, Acting Director  
Bureau of Environmental Exposure Investigation

cc: A. Salame-Alfie, PhD.  
K. Anders/R. Fedigan  
J. Strepelis - CNYRO  
D. VanPatten/G. Rys - HDO  
P. Taylor - DEC Region 6  
D. Crosby - DEC

P:\Bureau\Sites\Region\_6\HERKIMER\622017\RYANLTR.doc