

Appendix F

NYSDEC Approvals and Permits

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Subject: Re: AEC-2 / AOI-3 Lead Excavation Backfill Request
Date: Thursday, August 16, 2012 3:39:45 PM

The Department approves the AEC-2/AOI-3 Lead excavation as complete and this area may be backfilled and seeded.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 8/16/2012 3:09 PM >>>

Hi John,

We are requesting permission to backfill the AEC-2 / AOI-3 Lead Excavation. Attached are the final analytical results spreadsheet and supporting data for this area. Please review and approve this request at your earliest convenience.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: John Grathwol [<mailto:jcgrathw@gw.dec.state.ny.us>]
Sent: Thursday, August 16, 2012 2:34 PM
To: Gianna Aiezza
Cc: Brent Heesemann
Subject: Follow up to our discussion today

just add that sample location from the Lead area to the list of areas of industrial SCOs exceedances in the Site Management Plan.

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Alezza](#)
Subject: Re: AEC-7 PCB Excavation Backfill Approval
Date: Wednesday, September 12, 2012 1:11:09 PM

The Department reviewed this submittal, approves as written. The Department grants permission to backfill.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 9/12/2012 12:54 PM >>>
Hi John,

We have completed the AEC-7 PCB Excavation and are requesting permission to backfill. Please find attached the analytical data for informational sample BIIW60SW1, collected from the western sidewall of this excavation. Please review and approve at your earliest convenience.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#)
Subject: AEC-8C Chromium Excavation
Date: Wednesday, July 11, 2012 1:50:38 PM

The Department inspected this work and it is approved as complete. The Department approves SMC's request to backfill the AEC-1/AEC-8C South excavation.

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#); [Matthew G. Root](#); [Nicole Brower](#); [James Moras](#)
Subject: Re: AOI-3 and AOI-4 Soil Covers
Date: Friday, September 21, 2012 6:54:15 PM
Attachments: [IMAGE1.img](#)

Brent,

By my site inspection today, SMC's contractor has performed satisfactory to date for AOI-3 and AOI-4 Mercury Soil Covers.

Therefore, the Department approves the RAWP clarifications listed below.

On another matter, if in the future that you need assistance with oversight, please let me know as the Department would try to assist SMC. Today for example, I would have arrived on site sooner. Abscope performed satisfactorily during my inspection and I did not direct them in any way.

If you have any questions, please let me know.

Thanks,
John

>>> Brent Heesemann <bheesemann@envirospeceng.com> 09/20/12 8:37 AM >>>
Hi John,

As we have discussed and as was shown on the AOI-3 soil cover drawing sent to you on 9/13/12, the AOI-3 and AOI-4 Mercury Soil Covers were not and cannot be excavated to the edge of water. We have been excavating close enough to the Creek to leave approximately one (1) foot of freeboard to account for a potential increase in water surface elevation. This lateral distance varies depending on the slope at which the Creek bank rises from the edge of water, but we have not been allowing any more than approximately five (5) feet from the edge of water to the start of the soil cover excavation.

The section of the berm in AOI-4 that we discussed yesterday that was undercut by high water level and left a vertical drop in to the Creek has been removed. The vertical wall will not be able to be restored, but the contours immediately surrounding that wall will be restored to pre-excavation contours. Please acknowledge what we have discussed when you have a chance, and feel free to contact me with any questions of concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204

Cell: 518.369.6173

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#); [James Moras](#); [Matthew G. Root](#)
Subject: Re: AOI-3 Soil Cover Installation Request
Date: Thursday, September 13, 2012 9:27:20 AM

The Department reviewed SMC's AOI-3 Mercury Soil Cover submittal, concurs with SMC's evaluation that the 2' or greater in depth is complete and approves this area for the installation of the soil cover.

John C. Grathwol, P. E.
Environmental Engineer 2
Rem Section C, Rem Bureau B
Div. of Environmental Remediation
Work Phone: 518-402-9767

>>> Brent Heesemann <bheesemann@envirospeceng.com> 9/13/2012 8:55 AM >>>

Hi John,

Please find attached the drawing of the AOI-3 Mercury Soil Cover. This drawing has been reviewed and the AOI-3 Mercury Soil Cover Excavation completed as outlined in the approved AOI-3 and AOI-4 Cap Modification Memo, submitted on 8/16/12. Please review this information and approve this area for installation of the soil cover at your earliest convenience. Feel free to contact me with any questions or concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#); [Matthew G. Root](#)
Subject: Re: AOI-4 Mercury Soil Cover Installation, NCRB-1 and SB84R Backfill Requests
Date: Wednesday, October 10, 2012 11:24:33 AM

The Department reviewed the documentation provided below and approves the SB84R and NCRB-1 excavations for backfilling. Thus, the entire AOI-4 area is approved for the soil cover.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 10/10/2012 10:59 AM >>>

Hi John,

Please find attached drawings showing the three (3) corners of the AOI-4 Mercury Soil Cover excavation that had to be expanded, as well as the SB84R and NCRB-1 excavations. The SB84R and NCRB-1 excavations were completed to bedrock and taken to their maximum possible extents as shown on the attached drawing. The cuts on the AOI-4 Mercury Cap drawing that fell within the limits of the SB84R and NCRB-1 excavations have been modified to reflect the actual cuts as a result of these excavations, and are further noted with "Bedrock". Please review these drawings and approve these areas for backfill at your earliest convenience. Feel free to contact me with any questions or concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#)
Subject: Re: AOI-4 Soil Cover Installation Request
Date: Monday, October 01, 2012 11:02:14 AM
Attachments: [AOI-4 Post Excav. 1.pdf](#)

Based on review of this e-mail below and attached figure, the Department approves SMC's request to begin placing the soil cover in AOI-4 and SMC's planned method of this placement.

Please notify the Department when SMC plans to work on the red highlighted areas of the attached figure.

If you have any questions, please let me know.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 10/1/2012 10:55 AM >>>
Hi John,

Per our conversation this afternoon, please find attached a drawing showing what is detailed in the email below as well as samples SB84R and NCRB-1. As we discussed, the soil cover will be installed around these two (2) areas as well in order to address them while being able to stage equipment on clean fill. NYSDEC approval will be obtained before any areas are backfilled and / or soil cover installed. Please review the attached drawing and approve this request at your earliest convenience. Feel free to contact me with any questions or concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: Brent Heesemann
Sent: Friday, September 28, 2012 3:52 PM
To: 'John Grathwol'
Cc: Gianna Aiezza; Matthew G. Root; Nicole Brower
Subject: AOI-4 Cap Installation Request

Hi John,

Please find attached the AOI-4 Soil Cover post excavation drawing showing the excavation limits and cut values. I have highlighted three (3) areas along the southwestern edge of the excavation that require additional excavation. As we discussed this afternoon, we are requesting permission to begin installing the cap in order to make access to AOI-4 possible while keeping machinery on clean material. Once at these areas, we will continue the excavation to the proposed limits at a depth of

at least two (2) ft. These areas will then be surveyed for soil cover installation approval. Please review the attached drawing and approve this request at your earliest convenience.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

New York State Department of Environmental Conservation

Division of Environmental Remediation

Remedial Bureau E, 12th Floor

625 Broadway, Albany, New York 12233-7017

Phone: (518) 402-9814 • **FAX:** (518) 402-9819

Website: www.dec.state.ny.us



Denise M. Sheehan
Acting
Commissioner

August 12, 2005

Mr. Tom Haldas
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

RE: Site No. 7-34-010, SMC Skaneateles Falls
August 3, 2005 AEC-5 Culvert Removal & Replacement Remedial Plan

Dear Mr. Haldas:

Based upon review by the Department, a formal notice to proceed is granted for SMC to initiate onsite Skaneateles Creek culvert removal & replacement activities in accordance with the subject workplan. The workplan accurately reflects discussions and past agreements between SMC representatives and the Department's Division of Environmental Remediation and Division of Water.

With this notice, it is expected that SMC and SPEC will continue to work with the NYSDEC onsite representatives. Should SMC or SPEC have any questions, please feel free to contact me accordingly.

Sincerely,

David Chiusano
Project Manager
Remedial Section A, Remedial Bureau E
Division of Environmental Remediation

ec: R. Pucci, SMC
J. Burke/W. Foy/L. Mona - SPEC
J. Burke - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
S. Pepling/J. Kuhn - D&B
S. Lizlovs - NYSDEC-DOW, Region 7
J. Eifert - NYSDEC -DFW
J. Romagnoli, Abscope

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#)
Subject: Re: Area A Creek Bank Excavation Photos
Date: Friday, September 14, 2012 2:35:52 PM
Attachments: [IMAGE1.img](#)

The Department has reviewed SMC's Area A Creek Bed and Area A Creek Bank excavation submittals and approves these documents as written.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 09/14/12 1:31 PM >>>
Hi John,

Please find attached the photos of the Area A Creek Bank excavation that you requested. Also attached is a survey of this area showing excavation progress and final limits. As we discussed, the Area A Creek Bed excavation was performed with your continuous oversight and these photos and survey of the Area A Creek Bank excavation should suffice for completion of this area. Please review these documents and approve this area at your earliest convenience. Feel free to contact me with any questions or concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: [John Grathwol](#)
To: [Jim Moras](#); [Brent Heesemann](#)
Subject: Area A Skaneateles Creek Excavation
Date: Friday, July 20, 2012 7:24:38 AM

Per Wednesday's conference call, the Department requests one documentation sample on the North creek bank and one post-excavation sample on the South creek bank of the Area A excavation. Both these samples shall be taken in the 0' - 2' depth of the excavation.

It was confirmed yesterday that these samples will be taken at the midpoint of each bank (for example, the Southern face of the Area A excavation is 42' long. Therefore, the sample will be taken 21' from the endpoints of the excavation).

If the post-excavation sample does not meet Ecological soil standards, the Department concurs with SMC that the maximum size of the additional excavation will be 42' Long X 25' Wide (zone where Ecological standards apply) X 2' Deep. SMC may perform soil sampling to demonstrate ecological cleanup objectives are met to lessen the size of the additional excavation.

Due to the site topography, the sample on the North creek bank is a documentation sample, the results will be noted in the Final Engineering Report, and the Department will not require additional excavation of the North Creek bank of the Area A excavation.

I will be on site later this morning to oversee these samples.

If you have any questions, please let me know.

From: [Gianna Aiezza](#)
To: [Brent Heesemann](#); [Matthew G. Root](#)
Cc: [Rob Gray \(rgray@abscope.com\)](#)
Subject: FW: Re: FW: soil data to date
Date: Thursday, August 02, 2012 11:44:55 AM
Attachments: [ATT00001.png](#)

Gianna Aiezza, PE
Principal Engineer
Envirospec Engineering, PLLC
16 Computer Drive West
Albany, NY 12205
P: 518-453-2203 x 113
F: 518-453-2204
C: 518-339-1973
gaiezza@envirospeceng.com

From: James Moras [mailto:jamoras@gw.dec.state.ny.us]
Sent: Thursday, August 02, 2012 11:44 AM
To: Gianna Aiezza
Cc: Grathwol, John
Subject: FW: Re: FW: soil data to date

Gianna,

Based on the additional information provided, you have approval to backfill all of Area B.

Jim

James A. Moras, P.E.
Section Chief, Bureau B/Section C
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7016
(518) 402-9767
EMail: jamoras@gw.dec.state.ny.us
>>> Gianna Aiezza <gaiezza@envirospeceng.com> 8/2/2012 10:52 AM >>>
Here is Matt's response, with the corrections

Gianna Aiezza, PE
Principal Engineer
Envirospec Engineering, PLLC
16 Computer Drive West
Albany, NY 12205
P: 518-453-2203 x 113
F: 518-453-2204
C: 518-339-1973
gaiezza@envirospeceng.com

From: Matthew G. Root
Sent: Thursday, August 02, 2012 10:29 AM
To: Gianna Aiezza
Cc: Brent Heesemann
Subject: RE: Re: FW: soil data to date

Gianna and Brent,

This captures it.

- Sample BAAE390SW1 (PCB's tab), at the bottom of the column it indicates the sample area was re-excavated for xylenes - I assume that should indicate it was re-excavated for PCBs?

Response: BAAE390SW1 was excavated for PCBs. Table has been corrected.

- Were samples BBBE390SW3 (taken @ 6') & BBBE390SW2 (taken @ 8') taken at the same location at different depths? If so, why was the 8" sample collected (and why is the results column red) if the sample at 6' passed? Were the sample depths mixed up?

Response: Samples were collected at different locations.
There was a short jog in the excavation wall that was sampled as an additional wall sample (BBBEE390SW1 -6 ft).
Sample BBBE390SW2 (taken @ 8') was collected further into the bank. When measured from the preexisting grade the sample depth was 8' bgs.
The BBBEE390SW3 sample was excavated because the adjacent PCB excavation for BAAE390SW1 would have left an unmanageable 3 ft sliver of material where BBBEE390SW3 was collected. So we removed the sliver.
The BBBE390SW3 (taken @ 6') should be red not BBBE390SW2 (taken @ 8'), table corrected.

Thank you,
Matthew G. Root
Project Manager/
Senior Environmental Scientist



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.124
Fax: 518.453.2204
Cell: 518.265.4533
<http://www.envirospeceng.com/>

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From: Gianna Aiezza [<mailto:giannaie3@gmail.com>] **On Behalf Of** Gianna Aiezza
Sent: Thursday, August 02, 2012 9:53 AM
To: Matthew G. Root; Brent Heesemann
Subject: Fwd: Re: FW: soil data to date

Sent from my Verizon Wireless 4G LTE DROID

----- Original Message -----

Subject: Re: FW: soil data to date
From: James Moras <jamoras@gw.dec.state.ny.us>
To: Gianna Aiezza <gaiezza@envirospeceng.com>
CC: "Grathwol, John" <jcgrathw@gw.dec.state.ny.us>

Gianna,

A couple of quick questions/clarifications:

- Sample BAAE390SW1 (PCB's tab), at the bottom of the column it indicates the sample area was re-excavated for xylenes - I assume that should indicate it was re-excavated for PCBs?
- Were samples BBBE390SW3 (taken @ 6') & BBBE390SW2 (taken @ 8') taken at the same location at different depths? If so, why was the 8" sample collected (and why is the results column red) if the sample at 6' passed? Were the sample depths mixed up?

Jim

James A. Moras, P.E.
Section Chief, Bureau B/Section C
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7016
(518) 402-9767

EMail: jamoras@gw.dec.state.ny.us

>>> Gianna Aiezza <gaiezza@envirospeceng.com> 8/1/2012 7:40 PM >>>

Jim,

We have additional results back and are requesting to backfill all of Area B, including the trench and the areas re-excavated toward the south end. All of the samples in Area B now pass and are shown on the attached table. The lab results are also attached. Please let me know if we can backfill, we would like to complete the work tomorrow.

For Area A, one of the mercury re-sample locations passed and one failed. We are going to re-excavate the failed area again tomorrow and collect a new sample. We expect to have that result Friday when John is back. We do not have the ecological samples in Area A back yet and that will remain open.

Thank you for your help. Please call me with any questions.

Gianna

From: Matthew G. Root
Sent: Wednesday, August 01, 2012 4:11 PM
To: Gianna Aiezza
Cc: Brent Heesemann
Subject: soil data to date

Gianna,

All looks good with the recently received data with the exception of the mercury hit at AQQE420SW2 Hg 6.82mg/Kg. Brent is excavating today and resampling.


Samples still outstanding at the lab are the two ecological samples AQQE480EC01 and AQQE420EC01 (metals, SVOCs and PCBs)

The south end of the trench adjacent to the SPDES pipes can be backfilled. Sample BAAE390SW4 for PCBs only is good.
Samples BBBE390SW2 and BBBE390SW3 (for Metals, VOCs, SVOCs and PCBs) are also good.

Thank you,
Matthew G. Root
Project Manager/
Senior Environmental Scientist



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.124
Fax: 518.453.2204
Cell: 518.265.4533
<http://www.envirospeceng.com/>

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From: [John Grathwol](#)
To: [Gianna Alezza](#)
Cc: [Brent Heesemann](#)
Subject: SMC-Skan Falls (Site code 734010)
Date: Thursday, September 20, 2012 8:38:17 AM

Gianna,

As you know, NYSDOH concurrence on the second AROD is a major factor in holding the public meeting on October 16th.

To date, NYSDOH has only one comment on the draft AROD. Unfortunately, this is not part of the RAWP, nor our November 15, 2011 meeting.

The State required SMC to perform a Soil Vapor Intrusion evaluation if the site is developed (the proposed AROD must have this or equivalent text to gain State approval for release for public comment).

The Department has already provided SMC with documentation that the off-site Soil Vapor Intrusion evaluation was performed and fully completed.

While this site remains undeveloped, SMC's requirement is solely certifying in Periodic Review Reports that "the site remains undeveloped and therefore, a Soil Vapor Intrusion evaluation is not required".

If the site is developed, since it is one of 421 Soil Vapor Legacy sites, this SVI evaluation is required.

An e-mail stating that SMC will concur to the requirement would be helpful.

If you have any questions, I'll be back in the office this afternoon.

Thanks,
John

From :

**Terrestrial
Environmental
Specialists, inc.**

23 COUNTY ROUTE 6, SUITE A, PHOENIX, NY 13135

(315) 695-7228

FAX (315) 695-3277

LETTER OF TRANSMITTAL

DATE :

6/13/12

PROJECT :

Skaneateles Creek

RE :

ENV-3761

To :

Brent Heesemann

Attention :

WE ARE SENDING :

- ☐ ATTACHED ☐ UNDER SEPARATE COVER VIA _____
- ☐ REPORTS ☐ MAPS/PLANS ☒ CORRESPONDENCE
- ☐ LITERATURE ☐ PHOTOGRAPHS ☐ PROPOSAL/COST ESTIMATE
- ☐ OTHER _____

NO. OF COPIES

DESCRIPTION

1

Application for Collecting Permit

THESE ARE BEING SENT :

- ☐ FOR YOUR APPROVAL ☐ FOR YOUR REVIEW
- ☐ FOR YOUR COMMENTS ☒ FOR YOUR USE/INFORMATION
- ☐ OTHER _____

NOTES

Copies To :

By :

Bernie C

If enclosures are not as noted, please notify us at once.

LCP

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES - SPECIAL LICENSES
625 BROADWAY, ALBANY, NEW YORK 12233-4752

**LICENSE TO COLLECT OR POSSESS APPLICATION****Fee: \$10.00**

Please Refer to the Instructions Before Completing This Application.
Please Print or Type)

Applicant Last Name Workman		First Name Bruce		M.I. S.	FOR OFFICIAL USE ONLY License Number _____ Effective Date _____ Expiration Date _____ Region _____
Business/Organization Name (if applicable) Terrestrial Environmental Specialists, Inc.					
Street 1 23 County Route 6, Suite A		4. Telephone # (Day) (315) 695-7228			
Street 2		Telephone # (Night) (315) 439-8209			
City/Town Phoenix		State NY	Zip Code (Zip + 4) 13135		
County Oswego		5. Date of Birth 3-22-67			

This Application Is For a:

- ☒ New Application ☐ Renewal of Current License WITHOUT Change ☐ Renewal of Current License WITH Change

Describe, in detail, your purpose for which you applying for this license:

According to a NYSDEC Consent Order (Site 7-34-010), removal of contaminants will occur in the bed and banks of Skaneateles Creek. Dewatering of a 710-foot section of the creek will occur. A cofferdam will be established and pumps used to convey water around the remediation area. License is to move any stranded fish or crayfish from the dewatered area downstream into Skaneateles Creek.

(If more space is needed, attach additional sheets)

List the species and number you wish to possess and sell:

	COMMON NAME	SCIENTIFIC NAME	TOTAL	
			Male	Female
a.	Trout	(Salmo sp.)		
b.	Minnows	(Cyprinidae etc.)		
c.	Crayfish	(Cambarus sp., Ononectes sp.)		
d.				
e.				

(If more space is needed, attach additional sheets)

Check the appropriate category:

- ☒ Species will be collected from the wild in New York State. ☐ Species will NOT be collected from the wild in New York State.

If you WILL NOT be collecting species from the wild in New York State, describe how you will obtain the species you list in Question 8:

(If more space is needed, attach additional sheets)

- Continued On Next Page -

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES - SPECIAL
625 BROADWAY, ALBANY, NEW YORK 12233-4752

LICENSE TO COLLECT OR POSSESS APPLICATION

Continued

Answer Questions 11 through 13 ONLY if you WILL be collecting from the wild of New York State

11. Describe the methods that you will be employing to collect the species listed in Question 8:

Species will be collected with dip nets and by hand from remaining pools or dewatered sections of creek. All fauna collected will be placed in insulated coolers with stream water. Ice and battery operated aerators will be used to minimize stress. Collected creek fauna will be transported downstream using the insulated coolers. If needed, electroshocking equipment will be available.

(If more space is needed, attach additional sheets)

12. List the locations where you wish collect the species listed in Question 8:

See attached figure showing the section of Skaneateles Creek where the dewatering will occur.

(If more space is needed, attach additional sheets)

13. List the time periods when you will make your collections:

Dewatering will take place on July 10 or 11, 2012.

(If more space is needed, attach additional sheets)

14. Describe the final disposition of the species you wish to collect:

All species collected will be return to Skaneateles Creek.

(If more space is needed, attach additional sheets)

15. Do you wish to designate agents, under your license, to assist you in making collections?

☒ Yes ☐ No

If YES, Please attach a list with the names and addresses of each agent to the application.

16. Do you possess valid State and/or Federal Licenses or permits which relate to your proposed activity?

☐ Yes ☒ No

If YES, Please attach photocopies of relevant licenses or permits to the application.

Make Check or Money Order Payable to:

New York State Department of Environmental Conservation Please - DO NOT send cash.

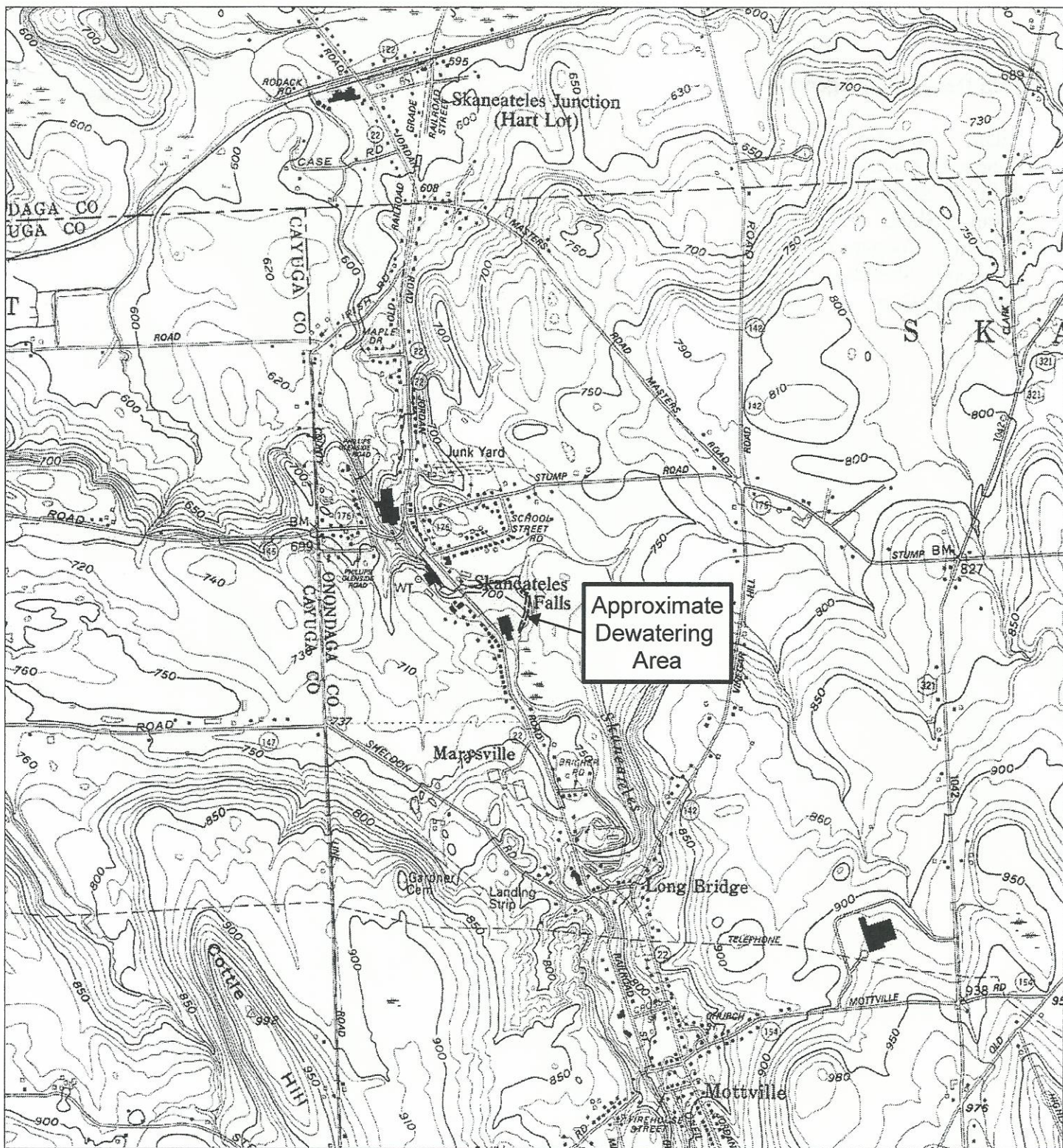
NOTICE: Pursuant to ECL Section 3-0301(2)(Q) False statements made on this application are punishable pursuant to Section 210.45 of the New York State Penal Code.

6/13/12

Date

Bernard R. C. for Bruce W. Korman
Signature of Applicant

RETURN THE COMPLETED APPLICATION (BOTH SHEETS) AND ANY ADDITIONAL SHEETS, TO THE ADDRESS AT THE TOP



0 2,000
Feet
1 inch = 2,000 feet



Figure 1. Site Location

NYS DOT Topographic Map

Skaneateles and Jordan Quadrangles

1989 and 1989

Creek Backfill Sources and Testing

SMC Skaneateles Falls Site

Analytical Results for

Creek Backfill Source

		Sample ID		CR- FILL
		Sample Source		Riccelli Palermo Bradshaw Rd Palermo, NY
		Sample Date		6/20/2005
		Sample Number		402977 402988
Contaminants of Concern	Soil Site Specific (Totals) ppm	Sediment Site Specific (Totals) ppm	Typical Detection Limit (ppm)	
*Metal (Total):				
Antimony	-	2 - 25	0.001	ND
Cadmuim	-	0.6 - 9.0	0.001	ND
Chromium	100	-	0.02	2.8
Cobalt	60	-	0.02	2.2
Copper	-	16 - 110	0.02	14
Lead	500	31 - 110	0.01	3.1
Mercury	5	0.15 - 1.3	0.05	ND
Nickel	100	16 - 50	0.02	4.2
Zinc	750	120 - 270	0.02	19
*Metal (TCLP):	RCRA (TCLP) Thresholds			
Arsenic	5		2	ND
Barium	100		0.001	ND
Cadmuim	1		0.001	ND
Chromium	5		0.002	ND
Lead	5		0.01	ND
Mercury	0.2		0.05	ND
Selenium	1		0.4	ND
Silver	5		0.003	ND

Notes:

ND: Not Detected

All results are in units of ppm

Soil Site Specific (Totals): Site COC's for AEC-1, 2, 6, 7, and 8 per AROD

Sediment Site Specific (Totals): Site COC's for AEC-5 per AROD



**Certified
Environmental
Services, Inc.**

1401 Erie Blvd. East
Syracuse, NY 13210
Phone 315-478-2374
Fax 315-478-2107

REPORT OF ANALYSES

Stauffer Management Company
4512 Jordan Road
Skaneateles Falls, NY 13153-
Attn: Mr. Thomas Haldas

DATE: 06/30/2005

PROJECT NAME: Creek Backfill Source

SAMPLE NUMBER- 402977 SAMPLE ID- CR-Fill
DATE SAMPLED- 06/20/05
DATE RECEIVED- 06/20/05 SAMPLER- Laura Mona
TIME RECEIVED- 1545 DELIVERED BY- Tom Barry

SAMPLE MATRIX- SO
TIME SAMPLED- 0645
RECEIVED BY- rlp
TYPE SAMPLE- Composite

Page 1 of 1

ANALYSIS	METHOD	SAMPLE PREP DATE	BY	ANALYSIS DATE	TIME	BY	RESULT UNITS
Sample Receipt Temperature				06/20/05		RLP	9.0 Degrees C
Sample Receipt Temperature				06/20/05		RLP	Sample Rec. On Ice
Antimony, Total	SW846 6010	06/22/05	KB	06/23/05		KB	< 3.0 mg/Kg
Arsenic, Total (As)	SW846 6010	06/22/05	KB	06/23/05		KB	3.2 mg/Kg
Cadmium, Total (Cd)	SW846 6010	06/22/05	KB	06/23/05		KB	< 1.0 mg/Kg
Chromium, Total (Cr)	SW846 6010	06/22/05	KB	06/23/05		KB	2.8 mg/Kg
Cobalt, Total (Co)	SW846 6010	06/22/05	KB	06/23/05		KB	2.2 mg/Kg
Copper, Total (Cu)	SW846 6010	06/22/05	KB	06/23/05		KB	14. mg/Kg
Lead, Total (Pb)	SW846 6010	06/22/05	KB	06/23/05		KB	3.1 mg/Kg
MERCURY, TOTAL (HG)	SW846 7471			06/22/05		MM	< 0.05 mg/Kg
Nickel, Total (Ni)	SW846 6010	06/22/05	KB	06/23/05		KB	4.2 mg/Kg
Zinc, Total (Zn)	SW846 6010	06/22/05	KB	06/24/05		KB	19. mg/Kg

NYSDOH LAB ID NO. 11246

APPROVED BY: 
(Terms and Conditions on Reverse Side)

Barbara L. DuChene
Laboratory Manager



**Certified
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REPORT OF ANALYSES

Stauffer Management Company
4512 Jordan Road
Skaneateles Falls, NY 13153-
Attn: Mr. Thomas Haldas

PROJECT NAME: Creek Backfill Source
DATE: 06/30/2005

SAMPLE NUMBER- 403788 SAMPLE ID- CR-Fill (402977)
DATE SAMPLED- 06/20/05
DATE RECEIVED- 06/20/05 SAMPLER- Laura Mona
TIME RECEIVED- 1545 DELIVERED BY- Tom Barry

SAMPLE MATRIX- SO
TIME SAMPLED- 0645
RECEIVED BY- rlp
TYPE SAMPLE- Composite

Page 1 of 1

ANALYSIS

METHOD	SAMPLE PREP DATE	BY	ANALYSIS DATE	TIME	BY	RESULT	UNITS
Sample Receipt Temperature			06/20/05		RLP	9.0	Degrees C
Sample Receipt Temperature			06/20/05		RLP	Sample	Rec.On Ice
TCLP Extraction			06/27/05		RS	Complete	
TCLP Metals	40CFR 1311		06/29/05		KB		
Arsenic, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Barium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 10.0	mg/L
Cadmium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.10	mg/L
Chromium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Lead, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Selenium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Silver, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
MERCURY, TCLP (HG)	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
	EPA 245.1			06/30/05	NMA	< 0.02	mg/L

NYSDOH LAB ID NO. 11246

APPROVED BY:

(Terms and Conditions on Reverse Side)

Barbara L. DuChene
Laboratory Manager



Certified Environmental Services, Inc.
1401 Erie Blvd. East
Syracuse, NY 13210

Phone: 315-478-2374

Fax: 315-478-2107

CHAIN OF CUSTODY RECORD

BATCH NO:

76516

Turn-Around Time:

☐ Standard

☐ 1 Week

☐ 72 Hours

☐ 48 Hours

☐ 24 Hours

PROJECT NUMBER/NAME:

4512 JORDAN RD
SHADDER MANAGEMENT CO
CREEK BACKFILL SOURCE

PHONE: (315) 685-1095

FAX: (315) 685-6209

CONTACT NAME: LAURA MORA

PURCHASE ORDER NO:

Sampler's Name:

LAURA MORA

Signature:

Laurel Mora

LAB USE ONLY

Collected

Date

Time

Comp.

Grab

TYPE

MATRIX

Aqueous

Soil

Other

CLIENT ID/SAMPLE LOCATION

CR-FILL (402977)

CES Sample Numbers

462980

462985

X

TOTAL NUMBER OF CONTAINERS

1

X Metals (total) - See list

X Metals (TCLP) - EPA list

Page 1 of 1

PARAMETERS FOR ANALYSIS

SPECIAL REMARKS:

Total Metal - Sb, As, Cd, Cr, Co, Cu, Pb, Hg, Ni, + Zn

TCLP Metal (EPA list) - As, Ba, Ca, Cr, Pb, Hg, Se, Ag

SAMPLES RELINQUISHED BY:

NAME: LAURA MORA

SIGNATURE: *Laurel Mora*

DATE: 6/20/05

TIME: 12:00

SAMPLES RECEIVED BY:

NAME: Tom BACCH

SIGNATURE: *Tom BACCH*

DATE: 6/20/05

TIME: 14:15

Samples Received in Good Condition:

☐ Yes ☐ No

Temperature 68 °C

NAME: Tom BACCH

SIGNATURE: *Tom BACCH*

DATE: 6/20/05

TIME: 15:45

NAME: Renee T. Jones

SIGNATURE: *Renee T. Jones*

DATE: 6/20/05

TIME: 15:45

White - CES's Copy • Canary - Return to Client With Report • Pink - Clients Initial Copy



**Certified
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Services, Inc.**

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Syracuse, NY 13210
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REPORT OF ANALYSES

Stauffer Management Company
4512 Jordan Road
Skaneateles Falls, NY 13153-
Attn: Mr. Thomas Haldas

DATE: 06/30/2005

PROJECT NAME: Creek Backfill Source

SAMPLE NUMBER- 402977 SAMPLE ID- CR-Fill
DATE SAMPLED- 06/20/05
DATE RECEIVED- 06/20/05 SAMPLER- Laura Mona
TIME RECEIVED- 1545 DELIVERED BY- Tom Barry

SAMPLE MATRIX- SO
TIME SAMPLED- 0645
RECEIVED BY- rlp
TYPE SAMPLE- Composite

Page 1 of 1

ANALYSIS	METHOD	SAMPLE PREP DATE	BY	ANALYSIS DATE	TIME	BY	RESULT UNITS
Sample Receipt Temperature				06/20/05		RLP	9.0 Degrees C
Sample Receipt Temperature				06/20/05		RLP	Sample Rec.On Ice
Antimony, Total	SW846 6010	06/22/05	KB	06/23/05		KB	< 3.0 mg/Kg
Arsenic, Total (As)	SW846 6010	06/22/05	KB	06/23/05		KB	3.2 mg/Kg
Cadmium, Total (Cd)	SW846 6010	06/22/05	KB	06/23/05		KB	< 1.0 mg/Kg
Chromium, Total (Cr)	SW846 6010	06/22/05	KB	06/23/05		KB	2.8 mg/Kg
Cobalt, Total (Co)	SW846 6010	06/22/05	KB	06/23/05		KB	2.2 mg/Kg
Copper, Total (Cu)	SW846 6010	06/22/05	KB	06/23/05		KB	14. mg/Kg
Lead, Total (Pb)	SW846 6010	06/22/05	KB	06/23/05		KB	3.1 mg/Kg
MERCURY, TOTAL (HG)	SW846 7471			06/22/05		MM	< 0.05 mg/Kg
Nickel, Total (Ni)	SW846 6010	06/22/05	KB	06/23/05		KB	4.2 mg/Kg
Zinc, Total (Zn)	SW846 6010	06/22/05	KB	06/24/05		KB	19. mg/Kg

NYSDOH LAB ID NO. 11246

APPROVED BY: 
(Terms and Conditions on Reverse Side)

Barbara L. DuChene
Laboratory Manager



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REPORT OF ANALYSES

Stauffer Management Company
4512 Jordan Road
Skaneateles Falls, NY 13153-
Attn: Mr. Thomas Haldas

PROJECT NAME: Creek Backfill Source
DATE: 06/30/2005

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DATE RECEIVED- 06/20/05 SAMPLER- Laura Mona
TIME RECEIVED- 1545 DELIVERED BY- Tom Barry

SAMPLE MATRIX- SO
TIME SAMPLED- 0645
RECEIVED BY- rlp
TYPE SAMPLE- Composite

Page 1 of 1

ANALYSIS

METHOD	SAMPLE PREP DATE	BY	ANALYSIS DATE	TIME	BY	RESULT	UNITS
Sample Receipt Temperature			06/20/05		RLP	9.0	Degrees C
Sample Receipt Temperature			06/20/05		RLP	Sample	Rec.On Ice
TCLP Extraction			06/27/05		RS	Complete	
TCLP Metals	40CFR 1311		06/29/05		KB		
Arsenic, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Barium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 10.0	mg/L
Cadmium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.10	mg/L
Chromium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Lead, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Selenium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Silver, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
MERCURY, TCLP (HG)	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
	EPA 245.1			06/30/05	NMA	< 0.02	mg/L

NYSDOH LAB ID NO. 11246

APPROVED BY:

(Terms and Conditions on Reverse Side)

Barbara L. DuChene
Laboratory Manager



Certified Environmental Services, Inc.
1401 Erie Blvd. East
Syracuse, NY 13210

Phone: 315-478-2374

Fax: 315-478-2107

CHAIN OF CUSTODY RECORD

BATCH NO:

76516

Turn-Around Time:

- ☐ Standard
☐ 1 Week
☐ 72 Hours
☐ 48 Hours
☐ 24 Hours

RAP

CLIENT NAME: SHOOTER MANAGEMENT CO

PROJECT NUMBER/NAME:

ADDRESS: 4512 JORDAN RD

PHONE: (315) 685-1095

SKATEBOARDERS PARKS, NY 13153

FAX: (315) 685-1099

PURCHASE ORDER NO:

CONTACT NAME: LAURA MORA

Sampler's Name:

LAURA MORA

Signature:

Laurel Mora

LAB USE ONLY

Collected

Date

Time

Comp.

Grab

TYPE

MATRIX

Aqueous

Soil

Other

CLIENT ID/SAMPLE LOCATION

CR-FILL (402977)

CES Sample Numbers

462980

462985

462986

462987

462988

462989

462990

462991

462992

462993

462994

462995

462996

462997

462998

462999

463000

463001

463002

463003

463004

463005

463006

463007

463008

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463010

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**Certified
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REPORT OF ANALYSES

Stauffer Management Company
4512 Jordan Road
Skaneateles Falls, NY 13153-
Attn: Mr. Thomas Haldas

PROJECT NAME: Creek Backfill Source
DATE: 06/30/2005

SAMPLE NUMBER- 403788 SAMPLE ID- CR-Fill (402977)
DATE SAMPLED- 06/20/05
DATE RECEIVED- 06/20/05 SAMPLER- Laura Mona
TIME RECEIVED- 1545 DELIVERED BY- Tom Barry

SAMPLE MATRIX- SO
TIME SAMPLED- 0645
RECEIVED BY- rlp
TYPE SAMPLE- Composite

Page 1 of 1

ANALYSIS

METHOD	SAMPLE PREP DATE	BY	ANALYSIS DATE	TIME	BY	RESULT	UNITS
Sample Receipt Temperature			06/20/05		RLP	9.0	Degrees C
Sample Receipt Temperature			06/20/05		RLP	Sample	Rec.On Ice
TCLP Extraction			06/27/05		RS	Complete	
TCLP Metals	40CFR 1311		06/29/05		KB		
Arsenic, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Barium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 10.0	mg/L
Cadmium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.10	mg/L
Chromium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Lead, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Selenium, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
Silver, TCLP	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
MERCURY, TCLP (HG)	SW846-6010	06/28/05	KB	06/29/05	KB	< 0.50	mg/L
	EPA 245.1			06/30/05	NMA	< 0.02	mg/L

NYSDOH LAB ID NO. 11246

APPROVED BY:

(Terms and Conditions on Reverse Side)

Barbara L. DuChene
Laboratory Manager



ATLANTIC TESTING LABORATORIES, Limited

Syracuse
5866 State Route 31
Cicero, New York 13039
(315) 699-5281 (T)
(315) 699-3374 (F)

TRANSMITTAL

June 23, 2005

Mr. Jack Romagnoli
Abscope Environmental, Inc.
P.O. Box 487
Canastota, New York 13032

Re: Soil Testing
SMC
4512 Jordan Road
Skaneateles Falls, New York
ATL File No.: ST2509

Enclosed is one copy of the following test report:

ST2509SL-02-06-05 Particle Size Distribution Report June 22, 2005 (Wednesday)

Please contact our office should you have any questions or if we may be of further service.

Sincerely,
ATLANTIC TESTING LABORATORIES, Limited

David J. Wells
Division Manager
dwells@atlantictesting.com

DJW/tam

Enclosure



Particle Size Distribution Report

Project: SMC, Skaneateles, NY

Report No.: ST2509SL-02-06-05

Client: Abscope Environmental, Inc.

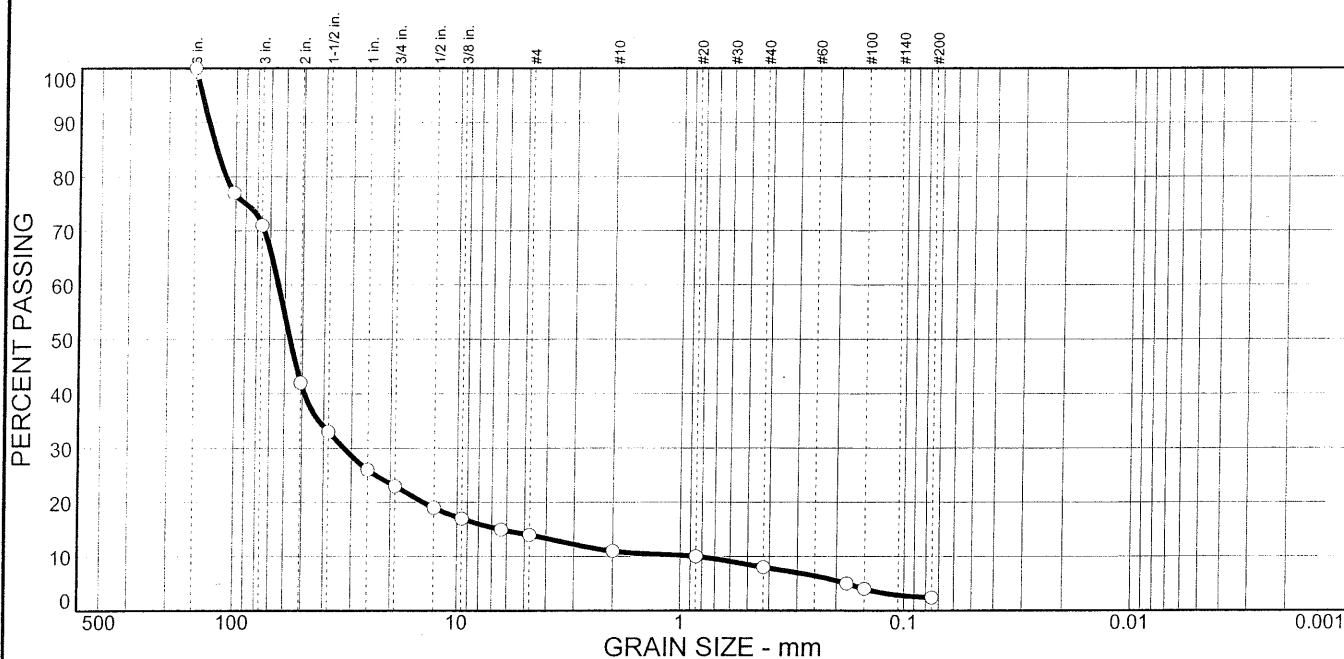
Date: 6/22/05

Sample No: ST2509S02

Source of Sample: Not Provided

Location: Stockpile

Elev./Depth: N/A



% COBBLES	% GRAVEL		% SAND			% FINES	
	CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
29	48	9	3	3	6	2	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
6 in.	100		
4 in.	77		
3 in.	71		
2 in.	42		
1.5 in.	33		
1 in.	26		
3/4 in.	23		
1/2 in.	19		
3/8 in.	17		
1/4 in.	15		
#4	14		
#10	11		
#20	10		
#40	8		
#80	5		
#100	4		
#200	2.4		

* (no specification provided)

Soil Description

Brown c+mf GRAVEL, some Cobbles, little cmf Sand, trace Silt

Atterberg Limits

PL= N/A

LL= N/A

PI= N/A

Coefficients

D₈₅= 122.0D₆₀= 64.4D₅₀= 56.9D₃₀= 32.5D₁₅= 6.35D₁₀= 0.850C_u= 75.74C_c= 19.26

Classification

USCS= GP

AASHTO=

Remarks

Sampled by Client.

Picked up by M. Walser on 6/20/05

ASTM D 422 (without hydrometer)

ATLANTIC TESTING LABORATORIES, LIMITED

Reviewed by:

Date: 6/23/05



ATLANTIC TESTING LABORATORIES, Limited

Particle Size Distribution Report

Project: SMC-LSA Contaminated Soil Testing

Report No.: ST2593SL-01-06-05

Client: Abscope Environmental

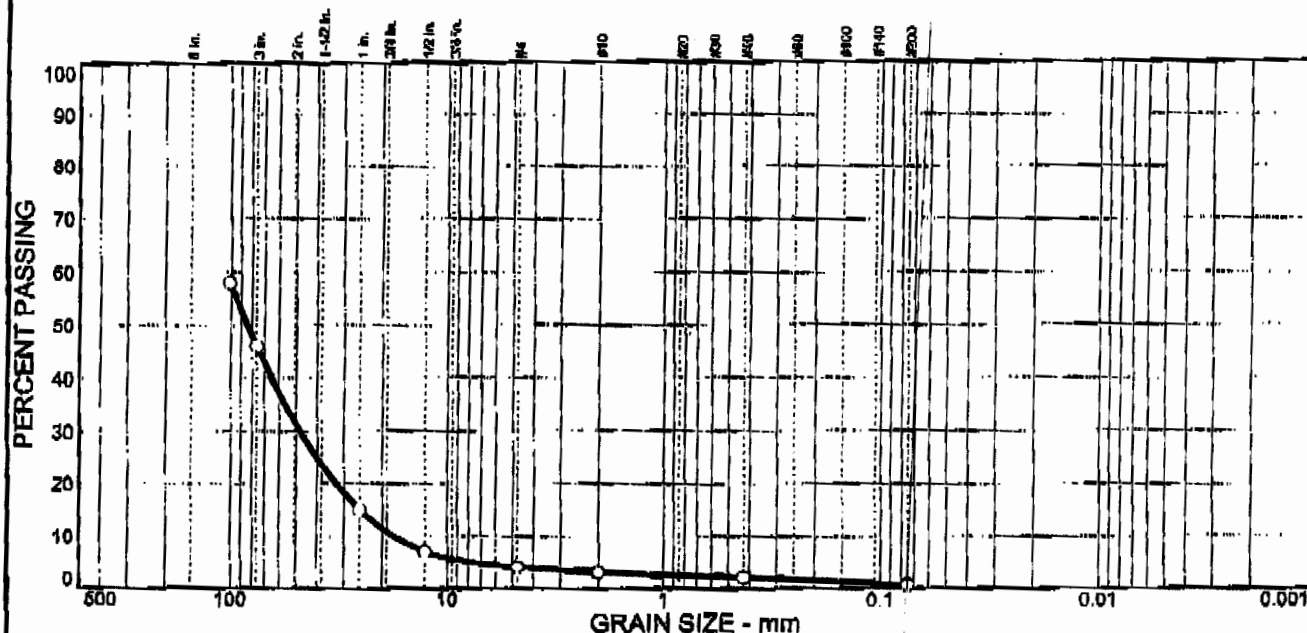
Date: 6/10/05

Sample No: ST2593S01

Source of Sample: Existing On-site Material

Location: In-situ

Elev./Depth: N/A



% COBBLES	% GRAVEL		% SAND			% FINES	
	CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
54	35	7	1	1	1	1	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
4 in.	58		
3 in.	46		
1 in.	15		
1/2 in.	7		
#4	4		
#10	3		
#40	2		
#200	0.6		

Soil Description

Brown COBBLES and c+mf GRAVEL, trace c+mf Sand, trace Silt

Atterberg Limits

PL= N/A

LL= N/A

PI= N/A

Coefficients

D₈₅=

D₆₀=

D₅₀= 84.1

D₃₀= 48.1

D₁₅= 25.4

D₁₀= 17.8

C_u=

C_c=

Classification

USCS= GP

AASHTO=

Remarks

Sampled by client on 5/20/05
ASTM D 422 (without hydrometer)

* (no specification provided)

ATLANTIC TESTING LABORATORIES, LIMITED

Reviewed by:

[Signature]

Date:

6/10/05



ATLANTIC TESTING LABORATORIES, Limited

Particle Size Distribution Report

Project: SMC-LSA Contaminated Soil Testing

Report No.: ST2593SL-03-06-05

Client: Abscope Environmental

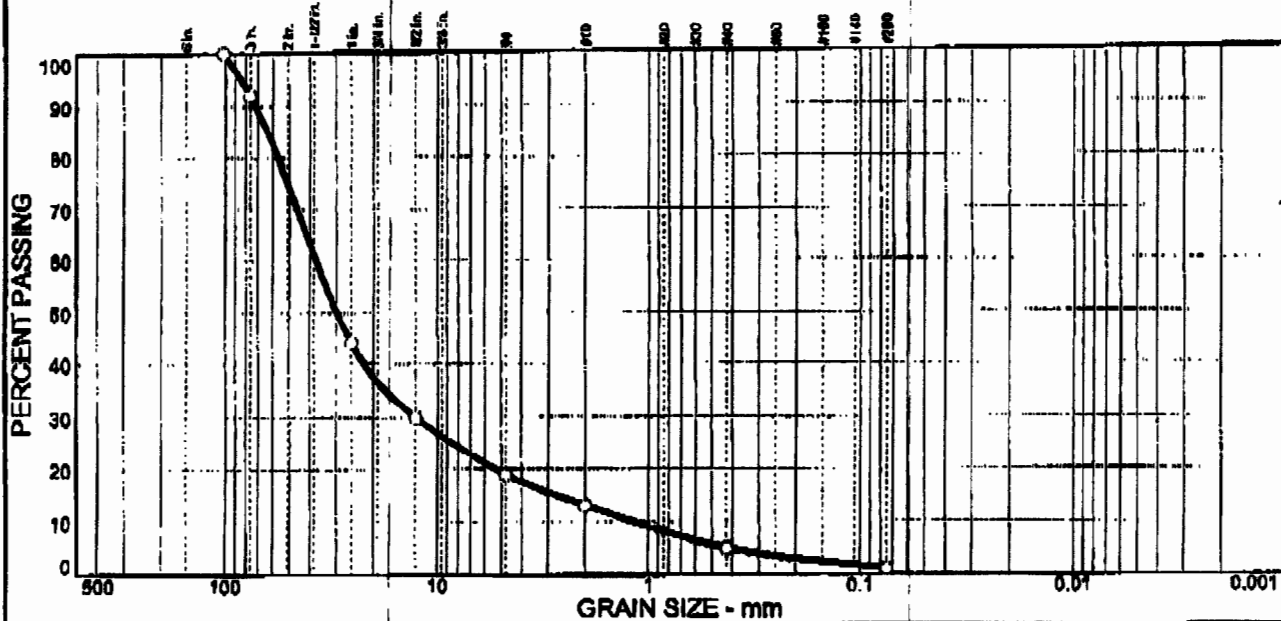
Date: 06/15/05

Sample No: ST2593S03

Source of Sample: Existing On-site Material

Location: In-situ

Elev./Depth: N/A



% COBBLES	% GRAVEL		% SAND			% FINES	
	CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
8	56	17	6	8	4	1	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
4 in.	100		
3 in.	92		
1 in.	44		
1/2 in.	30		
#4	19		
#10	13		
#40	5		
#200	1.2		

Soil Description

Brown c+mf GRAVEL, little cmf Sand, trace Cobbles, trace Silt

Atterberg Limits

PL= N/A

LL= N/A

PI= N/A

Coefficients

D₈₅= 63.3

D₆₀= 37.3

D₅₀= 29.8

D₃₀= 12.7

D₁₅= 2.77

D₁₀= 1.20

C_u= 31.12

C_c= 3.61

Classification

USCS= GP

AASHTO=

Remarks

Sampled by client on 5/20/05
ASTM D 422 (without hydrometer)

* (no specification provided)

ATLANTIC TESTING LABORATORIES, LIMITED

Reviewed by: David A. R. S.

Date: 6/15/05

at

ATLANTIC TESTING LABORATORIES, Limited

Particle Size Distribution Report

Project: SMC-LSA Contaminated Soil Testing

Report No.: ST2593SL-02-06-06

Client: Abscope Environmental

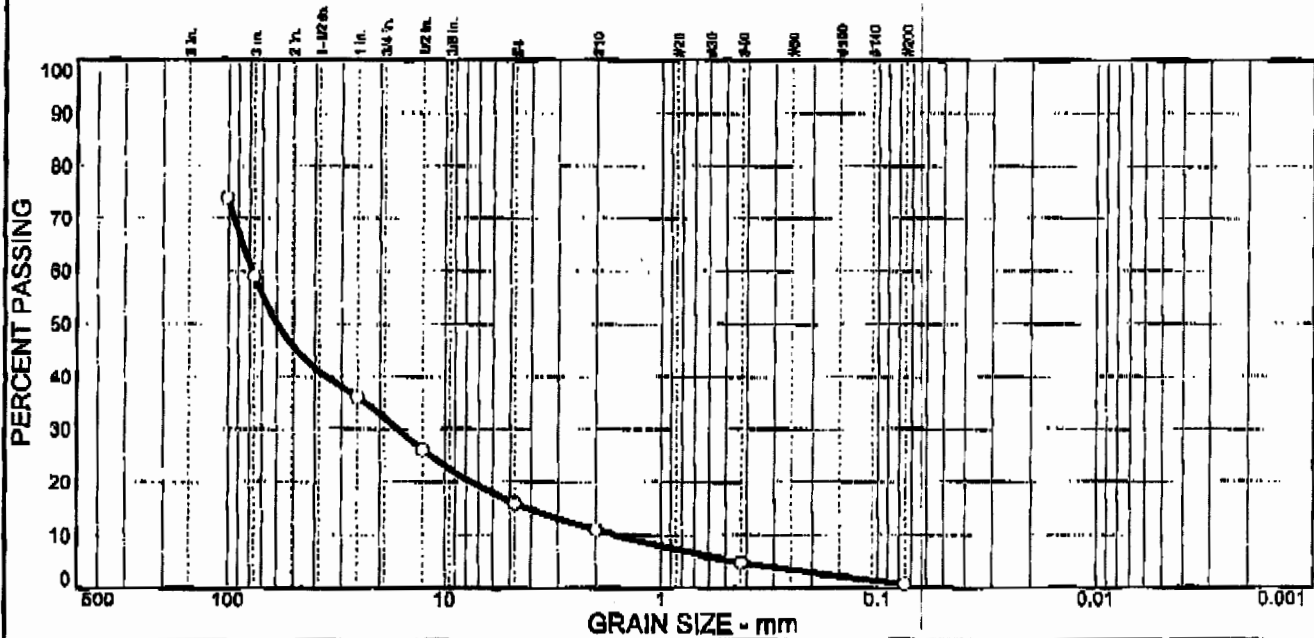
Date: 06/09/05

Sample No: ST2593S02

Source of Sample: Existing On-site Material

Location: In-situ

Elev./Depth: N/A



% COBBLES	% GRAVEL		% SAND			% FINES	
	CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
41	27	16	5	6	4	1	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
4 in.	74		
3 in.	59		
1 in.	36		
1/2 in.	26		
#4	16		
#10	11		
#40	5		
#200	0.8		

Soil Description

Brown c+mf GRAVEL and COBBLES, little cmf Sand, trace Silt

Atterberg Limits

PL= N/A

LL= N/A

PI= N/A

Coefficients

D₈₅=D₆₀= 77.9D₅₀= 59.8D₃₀= 16.7D₁₅= 4.11D₁₀= 1.61C_u= 48.28C_c= 2.21

Classification

USCS= GW

AASHTO=

Remarks

Sampled by client on 05/20/05

ASTM D 422 (without hydrometer)

* (no specification provided)

ATLANTIC TESTING LABORATORIES, LIMITED

Reviewed by:

[Signature]

Date:

6/9/05

05/09/2005 19:44 3153799067

ATLANTIC TESTING LABORATORIES, Limited

PARTICLE SIZE ANALYSIS (Without Hydrometer)

ASTM D 422

Client: AbSCOPE Project No.: ST0593
 Project: _____ Sample No.: 21
 Performed By: [Signature] Date: 6/9/05 Color: Brown
 Location/Supplier: _____ Sample Type: _____
 Collected By: _____ Date: _____ Delivered By: _____ Date: _____

Total Sample		
Wt. Wet Soil & Tare		
Wt. Dry Soil & Tare		
Tare ID		Wt.
Wt. Dry Soil		
Split Sieve		Moisture Content
Wt. Coarser than Split Sieve		

Material Finer than Split Sieve		
Total Wt. Finer than Split Sieve (pan)		
Wt. Split Soil & Tare (before wash)		506.59
Tare ID	32	Wt. 153.80
Wt. Split Soil (before wash)		372.79
Wt. Split Soil (after wash)		314.29
Wt. - #200 wash		58.50

Sieve Size	Weight Retained	Percent Retained		Percent Passing	Applicable Specifications	Burmister Classification
		Original	Corrected			
4"	23.62		42.2	57.8		COBBLES
3"	10.03		11.8	46.0		
2 1/2"						Coarse GRAVEL
2"						
1 1/2"						
1 1/4"						
1"	17.53		31.3	14.7		Medium GRAVEL
3/4"						
5/8"						
1/2"	4.12		7.4	7.3		Fine GRAVEL
3/8"						
5/16"						
1/4"						
#4	2.08		3.7	3.6		
Pan	2.03		2.6			
Total	56.01		100			
1/8"						Coarse SAND
#8						
x #10	111.42	29.9	1.0	2.6		Medium SAND
#16						
#20						
#30						
x #40	88.87	23.8	.9	1.7		Fine SAND
#50						
#60						
#80						
#100						
#140						
x #200	118.45	30.5	1.1	0.6		
x Pan	1.55					*SILT/CLAY
- #200 wash	58.50	59.05	15.8	0.6	0.0	
Total	372.79	100.0				

0% to 10% = trace 11% to 20% = little 21% to 35% = some 36% to 50% = and

* ≤ 5% = Silt
 > 5% = Silt/Clay



ATLANTIC TESTING LABORATORIES, Limited

Particle Size Distribution Report

Project: SMC-LSA Contaminated Soil Testing

Report No.: ST2593SL-01-06-05

Client: Abscope Environmental

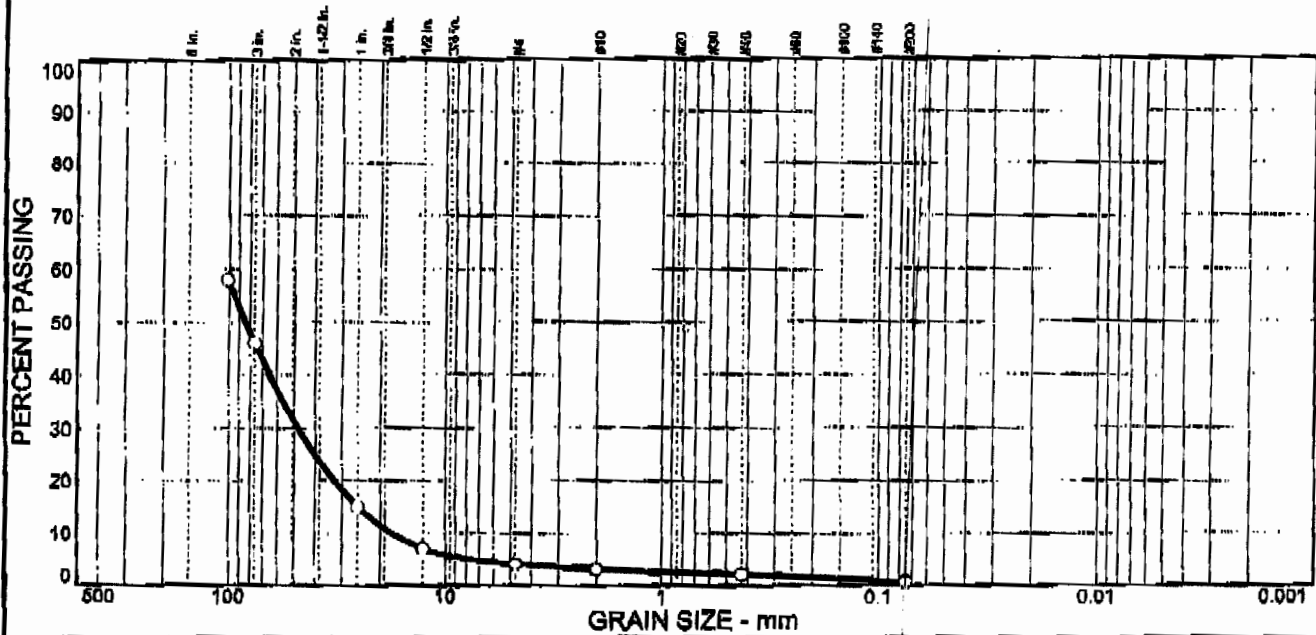
Date: 6/10/05

Sample No: ST2593S01

Source of Sample: Existing On-site Material

Location: In-situ

Elev./Depth: N/A



% COBBLES	% GRAVEL		% SAND			% FINES	
	CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
54	35	7	1	1	1	1	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
4 in.	58		
3 in.	46		
1 in.	15		
1/2 in.	7		
#4	4		
#10	3		
#40	2		
#200	0.6		

Soil Description

Brown COBBLES and c+mf GRAVEL, trace c+mf Sand, trace Silt

Atterberg Limits

PL= N/A

LL= N/A

PI= N/A

Coefficients

D₈₅=

D₆₀=

D₅₀= 84.1

D₃₀= 48.1

D₁₅= 25.4

D₁₀= 17.8

C_u=

C_c=

Classification

USCS= GP

AASHTO=

Remarks

Sampled by client on 5/20/05
ASTM D 422 (without hydrometer)

* (no specification provided)

ATLANTIC TESTING LABORATORIES, LIMITED

Reviewed by:

[Signature]

Date:

6/10/05



ATLANTIC TESTING LABORATORIES, Limited

Particle Size Distribution Report

Project: SMC-LSA Contaminated Soil Testing

Report No.: ST2593SL-03-06-05

Client: Abscope Environmental

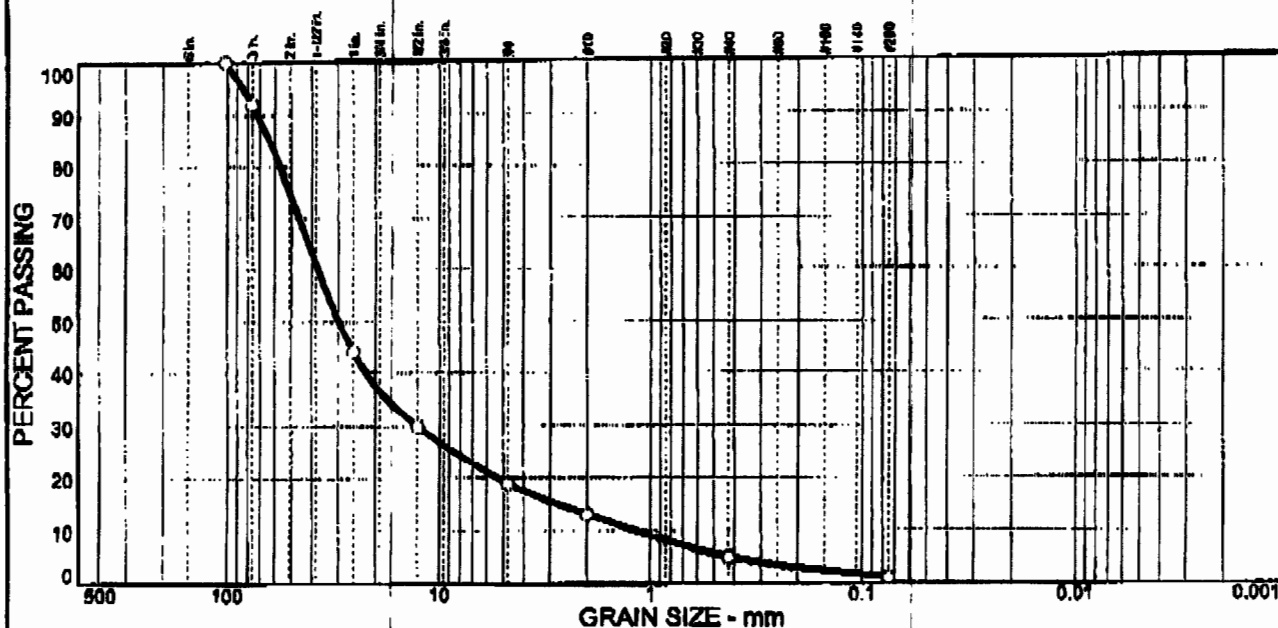
Date: 06/15/05

Sample No: ST2593S03

Source of Sample: Existing On-site Material

Location: In-situ

Elev./Depth: N/A



% COBBLES	% GRAVEL		% SAND			% FINES	
	CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
8	56	17	6	8	4	1	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
4 in.	100		
3 in.	92		
1 in.	44		
1/2 in.	30		
#4	19		
#10	13		
#40	5		
#200	1.2		

* (no specification provided)

Soil Description

Brown c+mf GRAVEL, little cmf Sand, trace Cobbles, trace Silt

Atterberg Limits

PL= N/A

LL= N/A

PI= N/A

Coefficients

D₈₅= 63.3

D₆₀= 37.3

D₅₀= 29.8

D₃₀= 12.7

D₁₅= 2.77

D₁₀= 1.20

C_u= 31.12

C_c= 3.61

Classification

USCS= GP

AASHTO=

Remarks

Sampled by client on 5/20/05
ASTM D 422 (without hydrometer)

ATLANTIC TESTING LABORATORIES, LIMITED

Reviewed by: David A. R. S.

Date: 6/15/05

atl ATLANTIC TESTING LABORATORIES, Limited

PARTICLE SIZE ANALYSIS (Without Hydrometer)

ASTM D 422

Client: AbscopeProject No.: ST 0395Project: SMCSample No.: #5Performed By: (10)Date: 6/13/05Color: Br.Location/Supplier: (9)Sample Type: Collected By: Date: Delivered By: Date:

Total Sample	
Wt. Wet Soil & Tare	
Wt. Dry Soil & Tare	
Tare ID	Wt.
Wt. Dry Soil	
Split Sieve	Moisture Content
Wt. Coarser than Split Sieve	

Material Finer than Split Sieve	
Total Wt. Finer than Split Sieve (pan)	
Wt. Split Soil & Tare (before wash)	
Tare ID	Wt.
Wt. Split Soil (before wash)	add to 369.00
Wt. Split Soil (after wash)	pan 345.88
Wt. - #200 wash	23.12

Sieve Size	Weight Retained	Percent Retained		Percent Passing	Applicable Specifications	Burmister Classification
		Original	Corrected			
4"	0		0	100.0	8	COBBLES
3"	4.48		6.0	98.0		
2 1/2"						
2"						Coarse GRAVEL
1 1/2"					49	
1 1/4"						
1"	27.04		48.0	43.8		
3/4"						Medium GRAVEL
5/8"					14	
1/2"	8.45		14.3	29.5		
3/8"						Fine GRAVEL
5/16"					11	
1/4"	5.97		10.6	18.9		
#4						
Pan	10.63		18.9			
Total	56.17		100.0			
1/2"						Coarse SAND
#8						
#10	15.20	31.0	5.8	12.1		
#16						Medium SAND
#20						
#30						
#40	2.79	43.3	8.2	4.9		Fine SAND
#50						
#60						
#80						
#100						
#140						
#200	0.11	19.4	2.7	1.0		*SILT/CLAY
Pan	0.07					
- #200 wash	02.12	6.3	1.2	0.0		
Total	369.00	100	18.9			

0% to 10% = trace

11% to 20% = little

21% to 35% = some

36% to 50% = and

* ≤ 5% = Silt
> 5% = Silty Clay

06/09/2005 11:21 3153799067

PAGE 01

10 Dave W

ATLANTIC TESTING LABORATORIES, Limited**PARTICLE SIZE ANALYSIS (Without Hydrometer)**

ASTM D 422

369.19

Client: AbscopeProject: SMCPerformed By: [Signature]Location/Supplier: [Signature]Collected By: [Signature]Date: 6/9/05Date: 6/9/05Delivered By: [Signature]Date: 6/9/05Project No.: ST2593Sample No.: #2Color: Br.Sample Type: [Blank]

Total Sample	
Wt. Wet Soil & Tare	
Wt. Dry Soil & Tare	
Tare ID	Wt.
Wt. Dry Soil	
Split Sieve	Moisture Content
Wt. Coarser than Split Sieve	

Material Finer than Split Sieve	
Total Wt. Finer than Split Sieve (pan)	
Wt. Split Soil & Tare (before wash)	477.97
Tare ID	Wt.
Wt. Split Soil (before wash)	110.78
Wt. Split Soil (after wash)	368.19
Wt. #200 wash	351.56

Sieve Size	Weight Retained	Percent Retained		Percent Passing	Applicable Specifications	Burnister Classification
		Original	Corrected			
+4"	14.60		25.8	74.2		COBBLES
3"	8.42		14.8	59.4		
2 1/2"						
2"						Coarse GRAVEL
1 1/2"						
1 1/4"						
1"	13.08		22.1	36.3		Medium GRAVEL
3/4"						
5/8"						
1/2"	6.00		10.6	25.7		Fine GRAVEL
3/8"						
5/16"						
1/4"						Coarse SAND
#4	5.27		9.3	16.4		
Pan	9.81		16.4			
Total	56.68		100.0			
3/8"						Medium SAND
#8						
x #10	117.30	31.8	5.2	11.2		
#16						Fine SAND
#20						
#30						
x #40	197.50	40.0	6.6	4.6		*SILT/CLAY
#50						
#60						
#80						
#100						
#140						
x #200	85.41	23.1	3.8	0.8		
x Pan	1.36					
- #200 wash	17.68	18.99	5.1	0.8		
Total	369.19	100.0	100.0			

0% to 10% = trace 11% to 20% = little 21% to 35% = some 36% to 50% = and

* ≤ 5% = Silt
> 5% = Silt/Clay

at

ATLANTIC TESTING LABORATORIES, Limited

Particle Size Distribution Report

Project: SMC-LSA Contaminated Soil Testing

Report No.: ST2593SL-02-06-06

Client: Abscope Environmental

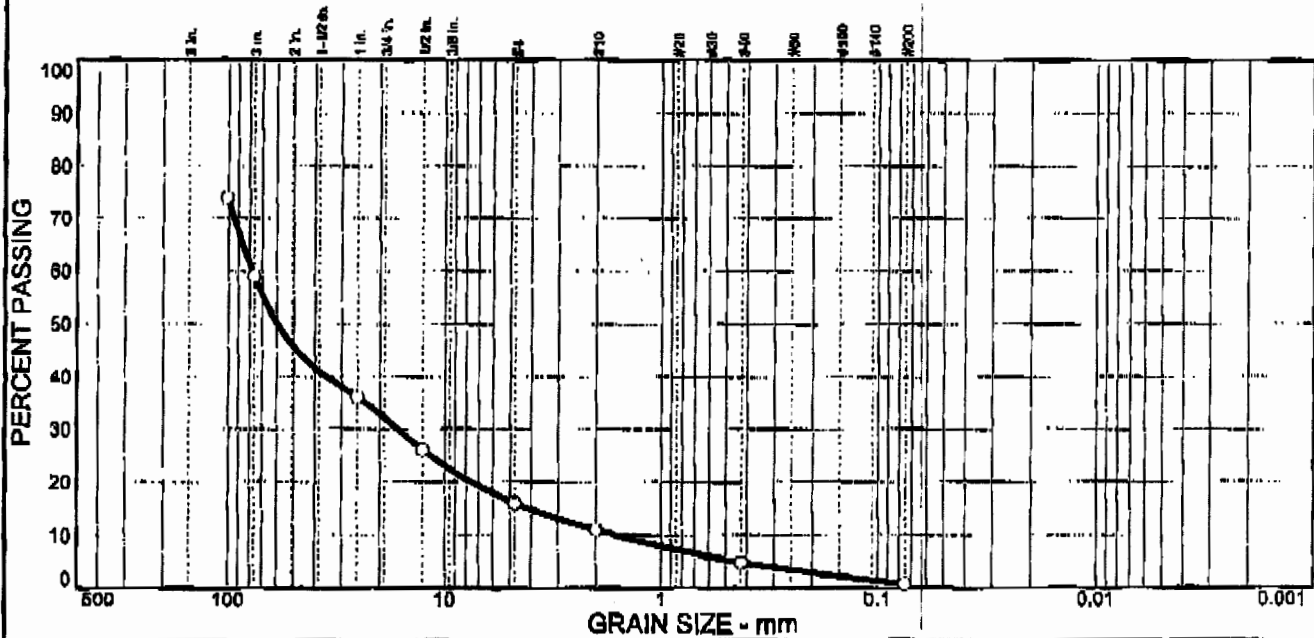
Date: 06/09/05

Sample No: ST2593S02

Source of Sample: Existing On-site Material

Location: In-situ

Elev./Depth: N/A



% COBBLES	% GRAVEL		% SAND			% FINES	
	CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
41	27	16	5	6	4	1	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
4 in.	74		
3 in.	59		
1 in.	36		
1/2 in.	26		
#4	16		
#10	11		
#40	5		
#200	0.8		

Soil Description

Brown c+mf GRAVEL and COBBLES, little cmf Sand, trace Silt

Atterberg Limits

PL= N/A

LL= N/A

PI= N/A

Coefficients

D₈₅=D₆₀= 77.9D₅₀= 59.8D₃₀= 16.7D₁₅= 4.11D₁₀= 1.61C_u= 48.28C_c= 2.21

Classification

USCS= GW

AASHTO=

Remarks

Sampled by client on 05/20/05

ASTM D 422 (without hydrometer)

* (no specification provided)

ATLANTIC TESTING LABORATORIES, LIMITED

Reviewed by:

[Signature]

Date:

6/9/05



PW LABORATORIES INC.
P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

October 2, 2003

Ms. Barbara DuChene
Certified Environmental Services, Inc.
1401 Erie Boulevard East
Syracuse, New York 13210

Re: L-03002
Laboratory Testing
PO # 18545

Dear Ms. DuChene:

Enclosed are the results of laboratory testing performed at your request on a bulk material sample delivered to our laboratory on September 12, 2003 for the above referenced project. Results include:

- | | | |
|----|--|--------|
| 1. | Sieve Analysis ASTM D422 & D1140
Laboratory I.D. #17222 | 1 each |
| 2. | Standard Compaction Test ASTM D698
Laboratory I.D. #17222 | 1 each |
| 3. | Specific Gravity ASTM D854
Laboratory I.D. #17222 | 1 each |
| 4. | Specific Gravity ASTM C127
Laboratory I.D. #17222 | 1 each |

All requested tests have been completed on the previously received sample(s) for the above project. All sample remains are scheduled to be disposed of on November 2, 2003. Please notify PW Laboratories, Inc. by letter or telephone prior to November 2, 2003 if you would prefer to pick up the sample(s) or that the sample(s) be retained by PW Laboratories, Inc. for an additional period of time.

Thank you for this opportunity to work with you.

Very truly yours,

PW LABORATORIES, INC.

A handwritten signature in cursive script, reading 'Virginia J. Thoma'.

Virginia J. Thoma
Manager - Laboratory Services
VJT/bap
encs:



PW LABORATORIES INC.
P.O. BOX 58, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

October 2, 2003

L-03002
Laboratory Testing
PO # 18545

SPECIFIC GRAVITY OF SOILS ASTM D854
SPECIFIC GRAVITY AND ABSORPTION
OF COARSE AGGREGATE
ASTM C127

Lab <u>ID#</u>	<u>Sample</u>	Plus No. 4 Fraction Apparent Specific <u>Gravity</u>	Minus No. 4 Fraction Specific Gravity <u>of Solids(G)</u>	Entire Sample Weighted Average Specific <u>Gravity</u>	Oversize (Plus No. 4) Fraction Only Bulk Specific <u>Gravity</u>
17222	338355	2.68	2.66	2.67	2.59



PROJECT TITLE Laboratory Testing - PO # 18545

PROJECT # L-03002

TEST METHOD ASTM D422 & D1140

REPORT # 1

REPORT DATE October 2, 2003

[illegible]

Sample mass, as received, meets minimum mass requirements of test method:

Remarks:

	Yes	No
1. I have a good understanding of the company's financial performance.	X	
2. I have a good understanding of the company's market position.	X	
3. I have a good understanding of the company's competitive advantage.	X	
4. I have a good understanding of the company's future prospects.	X	
5. I have a good understanding of the company's risks.	X	
6. I have a good understanding of the company's management team.	X	
7. I have a good understanding of the company's products and services.	X	
8. I have a good understanding of the company's customers.	X	
9. I have a good understanding of the company's suppliers.	X	
10. I have a good understanding of the company's industry.	X	

Prewashed: Yes X No

Performed By: AM

Checked By: V.J. Thoma

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐

PROCEDURE A ☐ B ☐

C ☒

MAXIMUM DRY DENSITY (P.C.F.)

Corrected 123.7
Uncorrected 119.7

OPTIMUM MOISTURE CONTENT (%)

Corrected 11.5
Uncorrected 12.5

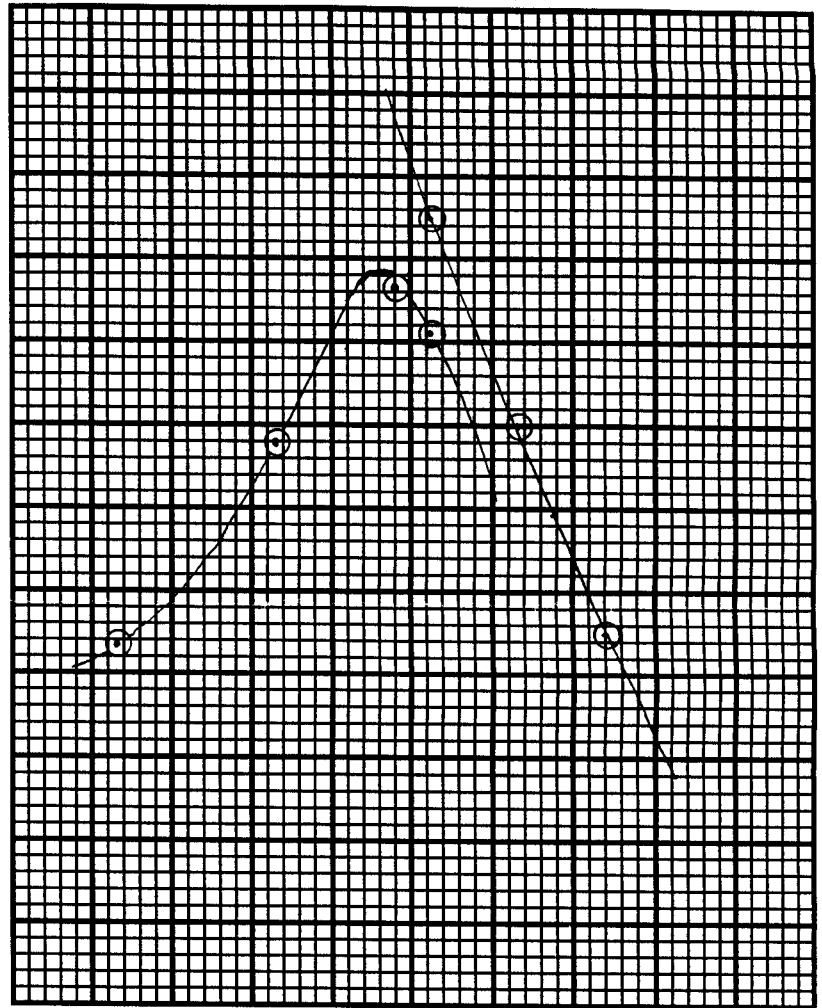
PERFORMED IN ACCORDANCE WITH
ASTM D698 & D4718

12.5% retained on the 3/4" sieve.

SPECIFIC GRAVITY = 2.67

DRY DENSITY, P.C.F. (Corrected)

124
120
116
112



WATER CONTENT, % OF DRY WEIGHT (Corrected)

SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	22.33	23.14	23.77	23.77			
MOLD WEIGHT	13.64	13.64	13.64	13.64			
WET SAMPLE WT.	8.69	9.50	10.13	10.13			
WET DENSITY, P.C.F.	115.8	126.6	135.0	135.0			
MOISTURE CONTENT (1)	5.2	9.8	13.2	14.3			
DRY DENSITY, P.C.F. (1)	110.1	115.3	119.3	118.1			

SOIL LOCATION:

Sample I.D. # 338355

Lab I.D. # 17222

Note: (1) Actual test data shown in uncorrected form.

CLIENT: Certified Environmental Services, Inc.

PROJECT Laboratory Testing

PO # 18545

DATE 9/22/03 TESTED BY: DEW

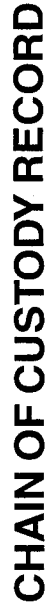
CHECKED BY: V. J. Thoma

JOB NO. L-03002

REPORT NO. 1

PW Laboratories, Inc.

P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752



Phone: 315-478-2374

BATCH NO: _____

Turn-Around

☐ Standard

☐ 1 Week

☐ 72 Hours

☐ 48 Hours

☐ 24 Hours

☐ Standard
☐ 1 Week
☐ 72 Hours
☐ 48 Hours
☐ 24 Hours

Sampler's Name: LSH24 NORT Signature: Jayna Ward

Signature:

[illegible]

SPECIAL REMARKS:

TOTAL NUMBER OF CONTAINERS

NAME: Arif Nawaz DATE: 9/11/03
SIGNATURE: [Signature] TIME: 11:00

SAMPLES RECEIVED BY:

DATE: 1-1-03
TIME: 7:58

Samples Received in Good Condition:

☐ Yes ☐ No

Temperature

NAME: Debra Diller DATE: 1-11-00
SIGNATURE: [Signature] TIME: 2:50

NAME: _____
SIGNATURE: _____
DATE: 9/11
TIME: 11:00

DATE: 9/11/00
TIME:

White - CES's Copy • Canary • Return to Client With Report • Pink - Clients Initial Copy

September 23, 2003

L-03002
Laboratory Testing
PO # 18526

SPECIFIC GRAVITY OF SOILS ASTM D854

<u>Lab</u> <u>I.D. #</u>	<u>Sample</u>	Minus No. 4 Fraction Specific Gravity <u>of Solids (G)</u>
17220	337661	2.72
17221	337662	2.66

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐PROCEDURE A ☒ B ☐C ☐
 MAXIMUM DRY DENSITY
107.9 P.C.F.

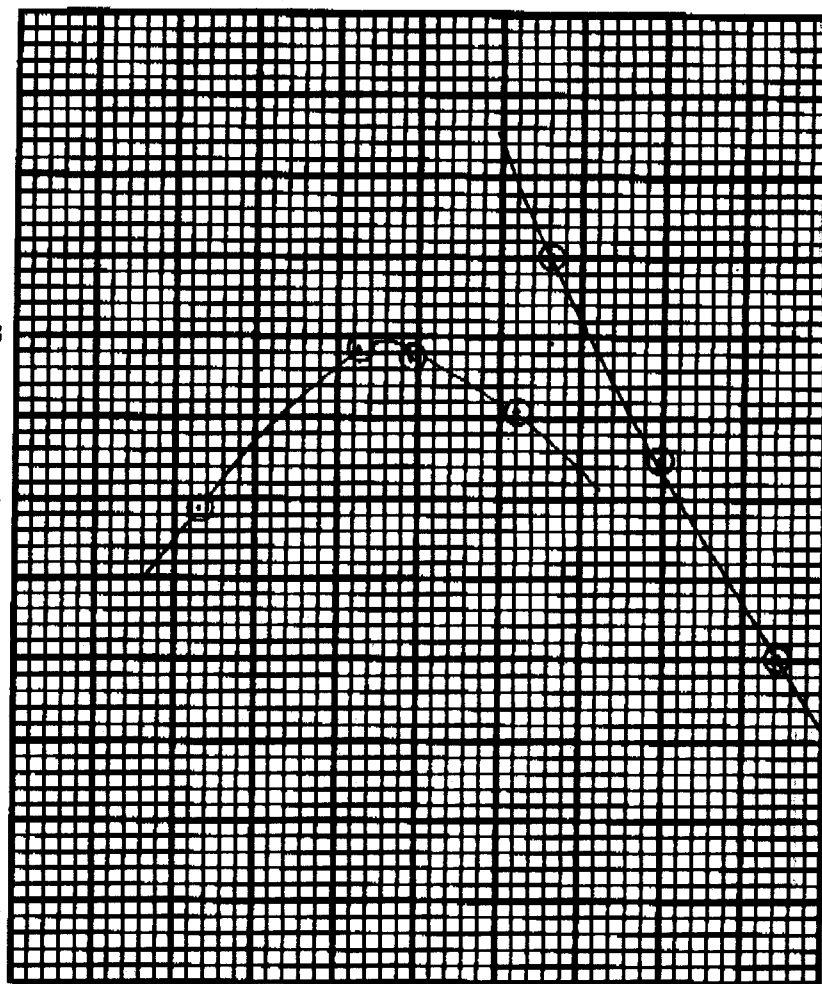
 OPTIMUM MOISTURE CONTENT
15.2 %

 PERFORMED IN ACCORDANCE WITH
 ASTM D698

0.6% retained on the #4 sieve.

 SPECIFIC GRAVITY = 2.66

DRY DENSITY, P.C.F.

 108
104
100


WATER CONTENT, % OF DRY WEIGHT

SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	13.28	13.56	13.60	13.64			
MOLD WEIGHT	9.48	9.48	9.48	9.48			
WET SAMPLE WT.	3.80	4.08	4.12	4.16			
WET DENSITY, P.C.F.	114.8	123.3	124.5	125.7			
MOISTURE CONTENT	10.6	14.5	15.8	18.4			
DRY DENSITY, P.C.F.	103.8	107.7	107.5	106.2			

 SOIL LOCATION: 337662 Lab I.D. # 17221

 CLIENT Certified Environmental Services, Inc.

 PROJECT Laboratory Testing PO # 18526

 DATE 9/19/03 TESTED BY TT

 CHECKED BY: V. J. Thoma

 JOB NO. L-03002

 REPORT NO. 2

PW Laboratories, Inc.

 P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
 315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752

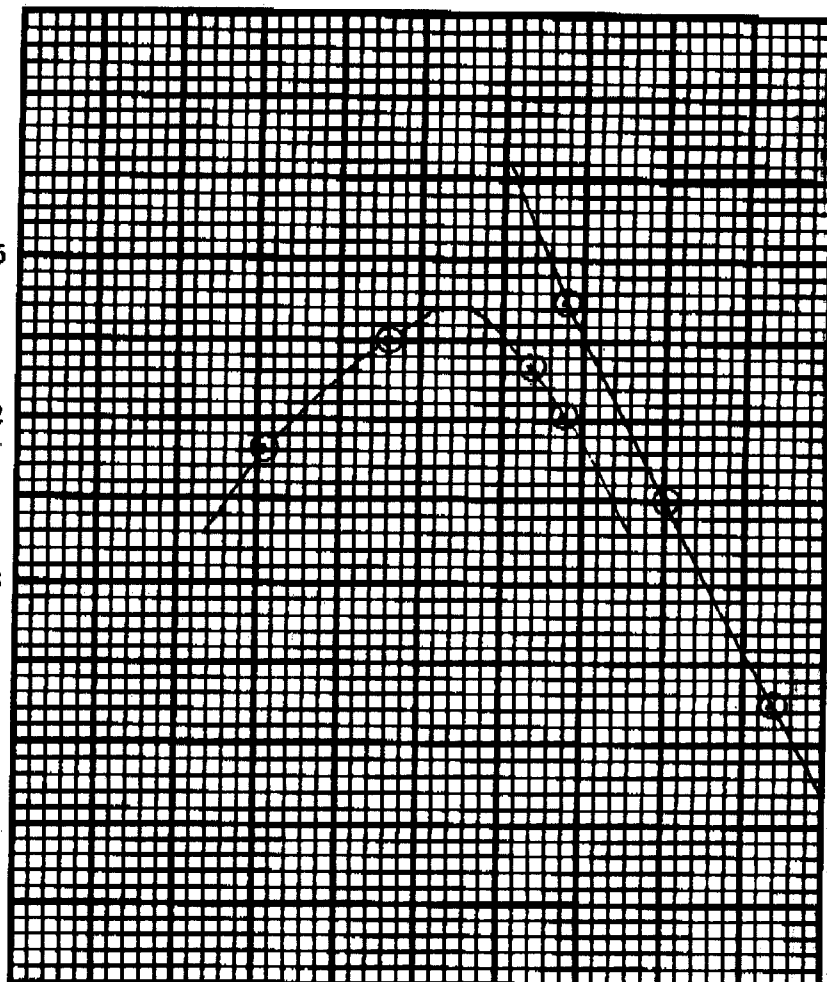
COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐PROCEDURE A ☒ B ☐C ☐MAXIMUM DRY DENSITY
114.8 P.C.F.OPTIMUM MOISTURE CONTENT
14.8 %PERFORMED IN ACCORDANCE WITH
ASTM D698

0.2% retained on the #4 sieve.

SPECIFIC GRAVITY = 2.72

DRY DENSITY, P.C.F.

116
112
108
104

WATER CONTENT, % OF DRY WEIGHT

SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	13.53	13.75	13.86	13.84			
MOLD WEIGHT	9.48	9.48	9.48	9.48			
WET SAMPLE WT.	4.05	4.27	4.38	4.36			
WET DENSITY, P.C.F.	122.4	129.0	132.3	131.7			
MOISTURE CONTENT	10.1	13.2	16.7	17.5			
DRY DENSITY, P.C.F.	111.2	114.0	113.4	112.1			

SOIL LOCATION:

337661

Lab I.D. #17220

CLIENT Certified Environmental Services, Inc.

PROJECT Laboratory Testing PO # 18526

DATE 9/19/03 TESTED BY TT

CHECKED BY: V. J. Thoma

JOB NO. L-03002

REPORT NO. 1

PW Laboratories, Inc.

P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13059
315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752

CE\$

Phone: 315-478-2374

Fax: 315-478-2107

BATCH NO: 61100

Page 1 of 1

Turn-Around Time:

- ☐ Standard
☐ 1 Week
☐ 72 Hours
☐ 48 Hours
☐ 24 Hours

e. 

CLIENT NAME: John J. Macaluso

PROJECT NUMBER/NAME:

ADDRESS: 4512 VERNAL

✓ James Allen MSU / 3/5

PHONE: 315 1085 1045

FAX: 315 1085 10204

CONTACT NAME: 1-ADY NADY

PURCHASE ORDER NO:

Sampler's Name: LAURA MONA

Signature: Tanya Mada

[illegible]

SPECIAL REMARKS:

TOTAL NUMBER OF CONTAINERS

SAMPLES RELINQUISHED BY:

NAME: LARA MONA
SIGNATURE

DATE: 9/8/03
TIME: 1:00

SAMPLES RECEIVED BY:

NAME: Ryan Yager
SIGNATURE: [Signature]

DATE: 7-8-07
TIME: 7:50

Samples Received in Good Condition:	
-------------------------------------	--

☐ Yes ☐ No

Temperature °C

NAME: Ryan T. C. Jr.
SIGNATURE:

DATE: 9-8-01
TIME: 3:10

NAME:
SIGNATURE:

DATE: 9/8
TIME: 1:30



PW LABORATORIES INC.
P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

June 11, 2004

Ms. Barbara DuChene
Certified Environmental Services, Inc.
1401 Erie Boulevard East
Syracuse, New York 13210

Re: L-04004
Laboratory Testing
PO # 19474

Dear Ms. DuChene:

Enclosed are the results of laboratory testing performed at your request on two bulk material samples delivered to our laboratory on May 28, 2004 for the above referenced project. Results include:

- | | | |
|----|--|--------|
| 1. | Sieve Analysis ASTM D422 & D1140 | |
| | Laboratory I.D. #17729, 17730 | 2 each |
| 2. | Standard Compaction Test ASTM D698 & D4718 | |
| | Laboratory I.D. #17729 | 1 each |
| 3. | Specific Gravity ASTM D854 | |
| | Laboratory I.D. #17729 | 1 each |
| 4. | Specific Gravity ASTM C127 | |
| | Laboratory I.D. #17729 | 1 each |

All requested tests have been completed on the previously received sample(s) for the above project. All sample remains are scheduled to be disposed of on July 11, 2004. Please notify PW Laboratories, Inc. by letter or telephone prior to July 11, 2004 if you would prefer to pick up the sample(s) or that the sample(s) be retained by PW Laboratories, Inc. for an additional period of time.

Thank you for this opportunity to work with you.

Very truly yours,

PW LABORATORIES, INC.

Virginia J. Thoma
Manager - Laboratory Services
VJT/bap
encs:

JUN 14 2004

SIEVE ANALYSIS OF SOIL / AGGREGATE

PROJECT TITLE

PROJECT # L-04004

TEST METHOD ASTM D422 & D1140

REPORT

REPORT DATE June 10, 2004

[illegible]

Sample mass, as received, meets minimum mass requirements of test method:

	Yes	No	X
1. The company has a policy on sexual harassment.			
2. The company has a policy on discrimination.			
3. The company has a policy on equal opportunity.			
4. The company has a policy on affirmative action.			
5. The company has a policy on diversity.			
6. The company has a policy on employee relations.			
7. The company has a policy on safety.			
8. The company has a policy on health.			
9. The company has a policy on environment.			
10. The company has a policy on community relations.			
11. The company has a policy on public relations.			
12. The company has a policy on media relations.			
13. The company has a policy on government relations.			
14. The company has a policy on industry relations.			
15. The company has a policy on academic relations.			
16. The company has a policy on professional relations.			
17. The company has a policy on international relations.			
18. The company has a policy on global relations.			
19. The company has a policy on cross-cultural relations.			
20. The company has a policy on multicultural relations.			
21. The company has a policy on intercultural relations.			
22. The company has a policy on transnational relations.			
23. The company has a policy on multinational relations.			
24. The company has a policy on supranational relations.			
25. The company has a policy on international law.			
26. The company has a policy on international trade.			
27. The company has a policy on international finance.			
28. The company has a policy on international investment.			
29. The company has a policy on international development.			
30. The company has a policy on international cooperation.			
31. The company has a policy on international partnership.			
32. The company has a policy on international collaboration.			
33. The company has a policy on international exchange.			
34. The company has a policy on international mobility.			
35. The company has a policy on international migration.			
36. The company has a policy on international diaspora.			
37. The company has a policy on international identity.			
38. The company has a policy on international belonging.			
39. The company has a policy on international citizenship.			
40. The company has a policy on international nationality.			
41. The company has a policy on international ethnicity.			
42. The company has a policy on international race.			
43. The company has a policy on international religion.			
44. The company has a policy on international culture.			
45. The company has a policy on international language.			
46. The company has a policy on international communication.			
47. The company has a policy on international information.			
48. The company has a policy on international knowledge.			
49. The company has a policy on international wisdom.			
50. The company has a policy on international understanding.			
51. The company has a policy on international respect.			
52. The company has a policy on international tolerance.			
53. The company has a policy on international acceptance.			
54. The company has a policy on international inclusion.			
55. The company has a policy on international participation.			
56. The company has a policy on international engagement.			
57. The company has a policy on international involvement.			
58. The company has a policy on international contribution.			
59. The company has a policy on international impact.			
60. The company has a policy on international legacy.			
61. The company has a policy on international reputation.			
62. The company has a policy on international image.			
63. The company has a policy on international brand.			
64. The company has a policy on international trademark.			
65. The company has a policy on international copyright.			
66. The company has a policy on international patent.			
67. The company has a policy on international trademark.			
68. The company has a policy on international copyright.			
69. The company has a policy on international patent.			
70. The company has a policy on international trademark.			
71. The company has a policy on international copyright.			
72. The company has a policy on international patent.			
73. The company has a policy on international trademark.			
74. The company has a policy on international copyright.			
75. The company has a policy on international patent.			
76. The company has a policy on international trademark.			
77. The company has a policy on international copyright.			
78. The company has a policy on international patent.			
79. The company has a policy on international trademark.			
80. The company has a policy on international copyright.			
81. The company has a policy on international patent.			
82. The company has a policy on international trademark.			
83. The company has a policy on international copyright.			
84. The company has a policy on international patent.			
85. The company has a policy on international trademark.			
86. The company has a policy on international copyright.			
87. The company has a policy on international patent.			
88. The company has a policy on international trademark.			
89. The company has a policy on international copyright.			
90. The company has a policy on international patent.			
91. The company has a policy on international trademark.			
92. The company has a policy on international copyright.			
93. The company has a policy on international patent.			
94. The company has a policy on international trademark.			
95. The company has a policy on international copyright.			
96. The company has a policy on international patent.			
97. The company has a policy on international trademark.			
98. The company has a policy on international copyright.			
99. The company has a policy on international patent.			
100. The company has a policy on international trademark.			

No	X
----	---

Yes

No
X

2

Remarks: * Riceau S+G

Performed By:

KW, JP

Checked By:

V.J. Thoma



PW LABORATORIES INC.
P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

RICCELLI S4G

June 10, 2004

L-04004
Laboratory Testing
PO # 19474

SPECIFIC GRAVITY OF SOILS ASTM D854
SPECIFIC GRAVITY AND ABSORPTION
OF COARSE AGGREGATE
ASTM C127

Lab ID#	Sample	(C127) Plus No. 4 Fraction Apparent Specific Gravity	(D854) Minus No. 4 Fraction Specific Gravity of Solids(G)	(C127 & D854) Entire Sample Weighted Average Specific Gravity	(C127) Oversize (Plus No. 4) Bulk Specific Gravity
17729	367884	2.72	2.74	2.73	2.55

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐

PROCEDURE A ☐ B ☐

C ☒

MAXIMUM DRY DENSITY (P.C.F.)

Corrected 142.3
Uncorrected 134.8

OPTIMUM MOISTURE CONTENT (%)

Corrected 5.8
Uncorrected 7.8

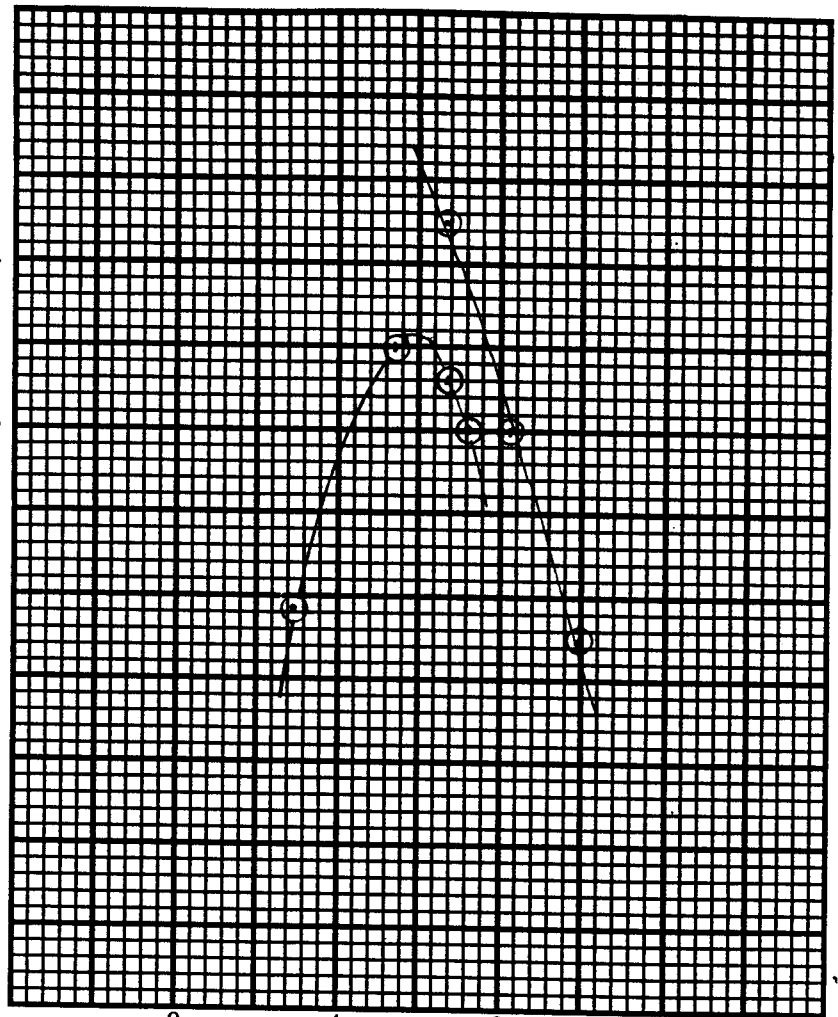
PERFORMED IN ACCORDANCE WITH
ASTM D698 & D4718

34.2% retained on the 3/4" sieve exceeds
the upper limit tolerance of
30% for the plus 3/4" material

SPECIFIC GRAVITY = 2.73

DRY DENSITY, P.C.F. (Corrected)

144
140
136
132



WATER CONTENT, % OF DRY WEIGHT (Corrected)

SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	24.22	25.26	25.36	25.32			
MOLD WEIGHT	14.43	14.43	14.43	14.43			
WET SAMPLE WT.	9.79	10.83	10.93	10.89			
WET DENSITY, P.C.F.	130.3	144.1	145.5	144.9			
MOISTURE CONTENT (1)	3.4	7.1	9.1	9.9			
DRY DENSITY, P.C.F. (1)	126.0	134.5	133.4	131.8			

SOIL LOCATION: 367884

Lab I.D. # 17729

Note: (1) Actual test data shown in uncorrected form.

CLIENT: Certified Environmental Services, Inc.

PROJECT Laboratory Testing PO # 19474

RICCOLI S+G

DATE 6/8/04 TESTED BY: CJ

CHECKED BY: V. J. Thoma

JOB NO. L-04004

REPORT NO. 1

PW Laboratories, Inc.

P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752

Certified Environmental Services, Inc.
1401 Erie Blvd. East
Syracuse, NY 13210

CHAIN OF CUSTODY RECORD

Phone: 315-478-2374

Fax: 315-478-2107

BATCH NO.: 67352

Page 1 of 1

PARAMETERS FOR ANALYSIS

CLIENT NAME:	STAFFER MANAGEMENT	PROJECT NUMBER/NAME:	
ADDRESS:	450 WILSON RD STROUSEWOOD FARM, NY 13153		
PHONE:	315 1085 1015		
FAX:	315 1085 1004		
CONTACT NAME:	CHUCK WILSON	PURCHASE ORDER NO.:	
Sampler's Name: <u>CHUCK WILSON</u>		Signature: <u>Chuck Wilson</u>	

[illegible]

SAMPLES RELINQUISHED BY:		SAMPLES RECEIVED BY:		Samples Received in Good Condition: <input type="checkbox"/> Yes <input type="checkbox"/> No , Temperature _____ °C
NAME: <u>John Mena</u>	DATE: <u>5/27/04</u> TIME: <u>1:30</u>	NAME: <u>Tom Mena</u>	DATE: <u>5/27/04</u> TIME: <u>14:30</u>	
SIGNATURE: <u>[Signature]</u>		SIGNATURE: <u>[Signature]</u>		
NAME: <u>John Mena</u>	DATE: <u>5/27/04</u> TIME: <u>15:25</u>	NAME: <u>Tom Mena</u>	DATE: <u>5/27/04</u> TIME: <u>15:25</u>	
SIGNATURE: <u>[Signature]</u>		SIGNATURE: <u>[Signature]</u>		

SIEVE ANALYSIS OF SOIL / AGGREGATE

PROJECT TITLE **Laboratory Testing - PO # 18526**

PROJECT # L-03002

TEST METHOD ASTM D422 & D1140

REPORT # 1

REPORT DATE September 23, 2004

[illegible]

Sample mass, as received, meets minimum mass requirements of test method: Yes ☒ No

Prewashed: Yes X No

Remarks:

Performed By: TT

Checked By: V.J. Thoma

September 23, 2003

L-03002
Laboratory Testing
PO # 18526

SPECIFIC GRAVITY OF SOILS ASTM D854

<u>Lab</u> <u>I.D. #</u>	<u>Sample</u>	Minus No. 4 Fraction Specific Gravity <u>of Solids (G)</u>
17220	337661	2.72
17221	337662	2.66

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐PROCEDURE A ☒ B ☐C ☐
 MAXIMUM DRY DENSITY
114.8 P.C.F.

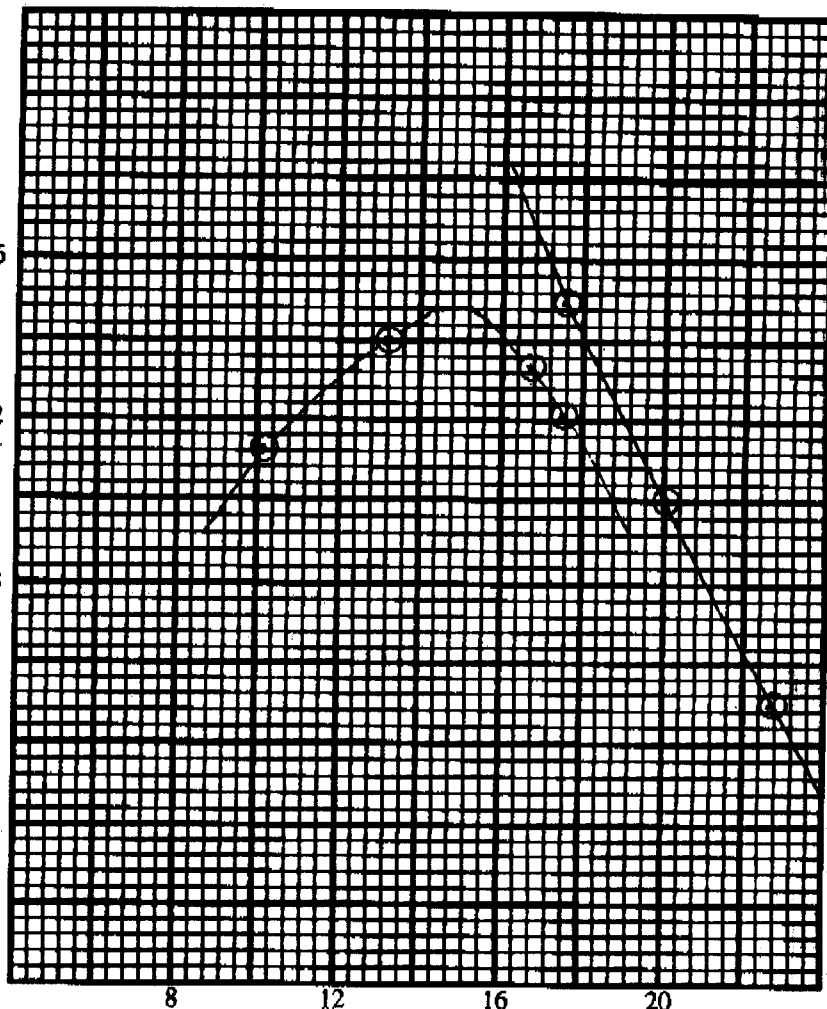
 OPTIMUM MOISTURE CONTENT
14.8 %

 PERFORMED IN ACCORDANCE WITH
 ASTM D698

0.2% retained on the #4 sieve.

 SPECIFIC GRAVITY = 2.72

DRY DENSITY, P.C.F.

 116
112
108
104


WATER CONTENT, % OF DRY WEIGHT

SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	13.53	13.75	13.86	13.84			
MOLD WEIGHT	9.48	9.48	9.48	9.48			
WET SAMPLE WT.	4.05	4.27	4.38	4.36			
WET DENSITY, P.C.F.	122.4	129.0	132.3	131.7			
MOISTURE CONTENT	10.1	13.2	16.7	17.5			
DRY DENSITY, P.C.F.	111.2	114.0	113.4	112.1			

 SOIL LOCATION: 337661 Lab I.D. #17220

 CLIENT Certified Environmental Services, Inc.

 PROJECT Laboratory Testing PO # 18526

 DATE 9/19/03 TESTED BY TT

 CHECKED BY: V. J. Thoma

 JOB NO. L-03002

 REPORT NO. 1

PW Laboratories, Inc.

 P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13059
 315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752

CE\$

Phone: 315-478-2374

Fax: 315-478-2107

BATCH NO: 61100

Page 1 of 1

Turn-Around Time:

- ☐ Standard
☐ 1 Week
☐ 72 Hours
☐ 48 Hours
☐ 24 Hours

e. 

CLIENT NAME: John J. Macaluso

PROJECT NUMBER/NAME:

ADDRESS: 4512 VERNAL

✓ James Allen 11/13/5

PHONE: 315 1085 1045

FAX: 315 1085 10204

CONTACT NAME: 1-ADY NADY

PURCHASE ORDER NO:

Sampler's Name: LAURA MONA

Signature: Tanya Mada

[illegible]

SPECIAL REMARKS:

TOTAL NUMBER OF CONTAINERS

SAMPLES RELINQUISHED BY:

NAME: Christina
SIGNATURE: [Signature]

DATE: 9/8/03
TIME: 1:00

SAMPLES RECEIVED BY:

NAME: Ryan Yager
SIGNATURE: [Signature]

DATE: 7-8-07
TIME: 7:50

Samples Received in Good Condition:

☐ Yes ☐ No

Temperature °C

NAME: Ryan T. C. Jr.
SIGNATURE:

DATE: 9-8-01
TIME: 3:10

NAME:
SIGNATURE:

DATE: 9/8
TIME: 1:30



PW LABORATORIES INC.
P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

September 16, 2003

Ms. Barbara DuChene
Certified Environmental Services, Inc.
1401 Erie Boulevard East
Syracuse, New York 13210

Re: L-03002
Laboratory Testing
PO # 18514

Dear Ms. DuChene:

Enclosed are the results of laboratory testing performed at your request on two bulk material samples delivered to our laboratory on September 4, 2003 for the above referenced project. Results include:

- | | | |
|----|------------------------------------|--------|
| 1. | Sieve Analysis ASTM D422 & D1140 | |
| | Laboratory I.D. #17214, 17215 | 2 each |
| 2. | Standard Compaction Test ASTM D698 | |
| | Laboratory I.D. #17214, 17215 | 2 each |
| 3. | Specific Gravity ASTM D854 | |
| | Laboratory I.D. #17214, 17215 | 2 each |

All requested tests have been completed on the previously received sample(s) for the above project. All sample remains are scheduled to be disposed of on October 16, 2003. Please notify PW Laboratories, Inc. by letter or telephone prior to October 16, 2003 if you would prefer to pick up the sample(s) or that the sample(s) be retained by PW Laboratories, Inc. for an additional period of time.

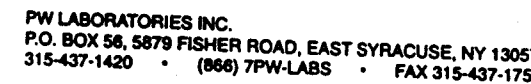
Thank you for this opportunity to work with you.

Very truly yours,

PW LABORATORIES, INC.

A handwritten signature in cursive script, appearing to read 'Virginia J. Thoma'.

Virginia J. Thoma
Manager - Laboratory Services
VJT/bap
encs:



PROJECT TITLE Laboratory Testing - PO # 18514

TEST METHOD ASTM D422 & D1140

REPORT DATE September 16, 2003

Sample mass, as received, meets minimum mass requirements of test method: Yes X No

Prewashed: Yes ☒ No ☐

Remarks:

Performed By: TT

Checked By: V.J. Thoma



PW LABORATORIES INC.
P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

September 16, 2003

L-03002
Laboratory Testing
PO # 18514

SPECIFIC GRAVITY OF SOILS ASTM D854

Lab <u>I.D. #</u>	<u>Sample</u>	Minus No. 4 Fraction Specific Gravity <u>of Solids (G)</u>
17214	337215	2.69
17215	337216	2.70

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐

PROCEDURE A ☒ B ☐

C ☐

MAXIMUM DRY DENSITY
108.4 P.C.F.

OPTIMUM MOISTURE CONTENT
13.5 %

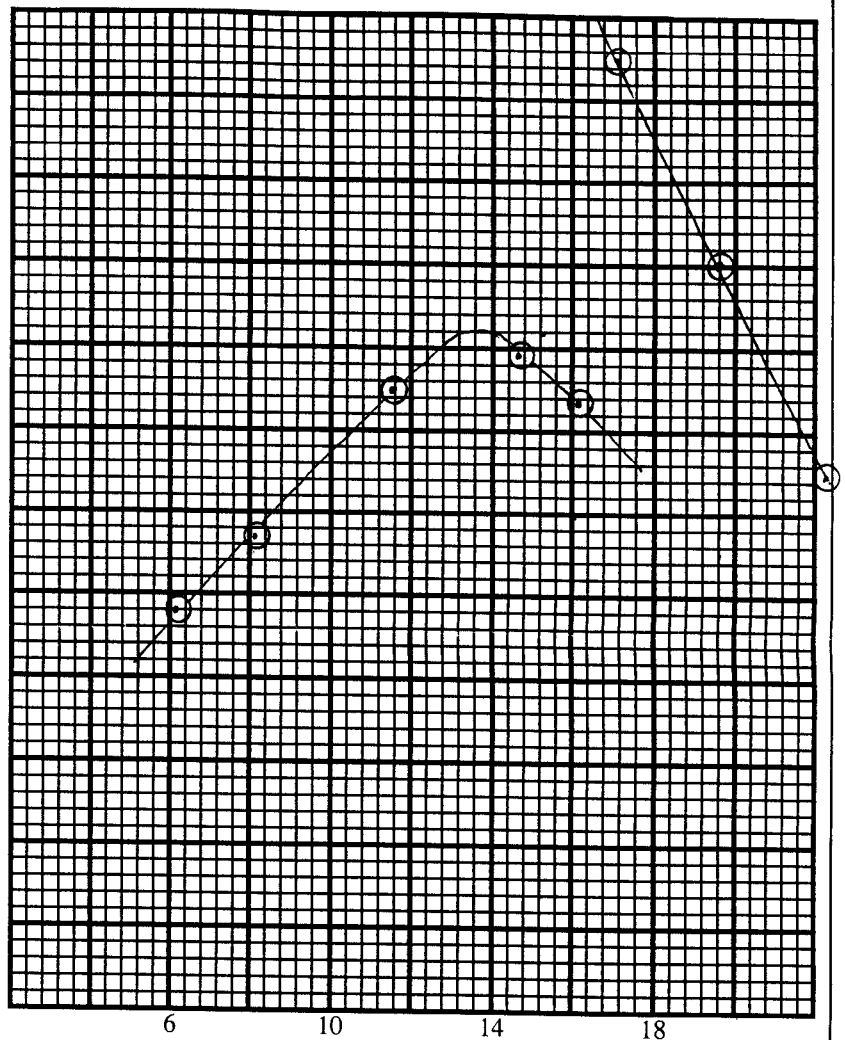
PERFORMED IN ACCORDANCE WITH
ASTM D698

3.7% retained on the #4 sieve.

SPECIFIC GRAVITY = 2.69

DRY DENSITY, P.C.F.

110
106
102
98



WATER CONTENT, % OF DRY WEIGHT

SAMPLE NO.	1	2	3	4	5		
MOLD + SAMPLE WT.	13.06	13.19	13.44	13.58	13.59		
MOLD WEIGHT	9.49	9.49	9.49	9.49	9.49		
WET SAMPLE WT.	3.57	3.70	3.95	4.09	4.10		
WET DENSITY, P.C.F.	107.8	111.8	123.6	123.6	123.9		
MOISTURE CONTENT	6.1	8.1	11.5	14.6	16.1		
DRY DENSITY, P.C.F.	101.6	103.4	107.0	107.9	106.7		

SOIL LOCATION:

Sample 337215

Lab I.D. # 17214

CLIENT Certified Environmental Services, Inc.

PROJECT Laboratory Testing PO # 18514

DATE 9/5/03 TESTED BY TT

CHECKED BY: V. J. Thoma

JOB NO. L-03002

REPORT NO. 1

PW Laboratories, Inc.

P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752



PW LABORATORIES INC.
P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

October 2, 2003

Ms. Barbara DuChene
Certified Environmental Services, Inc.
1401 Erie Boulevard East
Syracuse, New York 13210

Re: L-03002
Laboratory Testing
PO # 18545

Dear Ms. DuChene:

Enclosed are the results of laboratory testing performed at your request on a bulk material sample delivered to our laboratory on September 12, 2003 for the above referenced project. Results include:

- | | | |
|----|------------------------------------|--------|
| 1. | Sieve Analysis ASTM D422 & D1140 | |
| | Laboratory I.D. #17222 | 1 each |
| 2. | Standard Compaction Test ASTM D698 | |
| | Laboratory I.D. #17222 | 1 each |
| 3. | Specific Gravity ASTM D854 | |
| | Laboratory I.D. #17222 | 1 each |
| 4. | Specific Gravity ASTM C127 | |
| | Laboratory I.D. #17222 | 1 each |

All requested tests have been completed on the previously received sample(s) for the above project. All sample remains are scheduled to be disposed of on November 2, 2003. Please notify PW Laboratories, Inc. by letter or telephone prior to November 2, 2003 if you would prefer to pick up the sample(s) or that the sample(s) be retained by PW Laboratories, Inc. for an additional period of time.

Thank you for this opportunity to work with you.

Very truly yours,

PW LABORATORIES, INC.

Virginia J. Thoma
Manager - Laboratory Services
VJT/bap
encs:



PROJECT TITLE Laboratory Testing - PO # 18545

PROJECT # L-03002

TEST METHOD ASTM D422 & D1140

REPORT # 1

REPORT DATE	October 2, 2003
-------------	-----------------

[illegible]

Sample mass, as received, meets minimum mass requirements of test method:	Yes	No
	X	

Prewashed: Yes X No

Remarks:

Performed By: AM

Checked By: V.J. Thoma

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐

PROCEDURE A ☐ B ☐

C ☒

MAXIMUM DRY DENSITY (P.C.F.)

Corrected 123.7

Uncorrected 119.7

OPTIMUM MOISTURE CONTENT (%)

Corrected 11.5

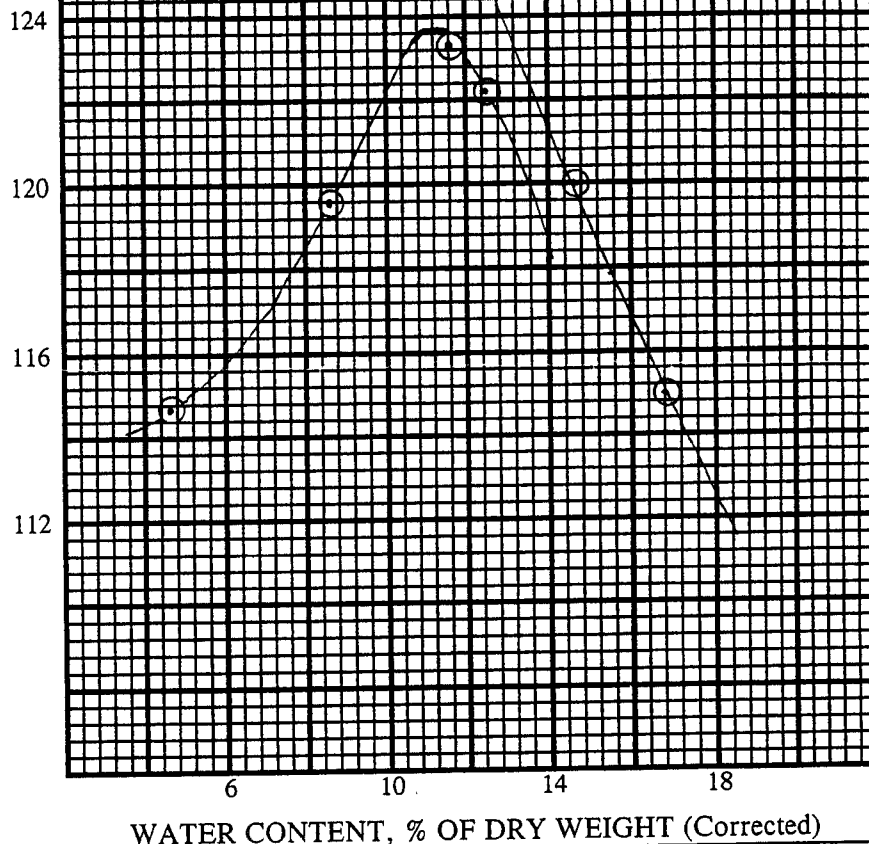
Uncorrected 12.5

PERFORMED IN ACCORDANCE WITH
ASTM D698 & D4718

12.5% retained on the 3/4" sieve.

SPECIFIC GRAVITY = 2.67

DRY DENSITY, P.C.F. (Corrected)



SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	22.33	23.14	23.77	23.77			
MOLD WEIGHT	13.64	13.64	13.64	13.64			
WET SAMPLE WT.	8.69	9.50	10.13	10.13			
WET DENSITY, P.C.F.	115.8	126.6	135.0	135.0			
MOISTURE CONTENT (1)	5.2	9.8	13.2	14.3			
DRY DENSITY, P.C.F. (1)	110.1	115.3	119.3	118.1			

SOIL LOCATION:

Sample I.D. # 338355

Lab I.D. # 17222

DATE 9/22/03 TESTED BY: DEW

CHECKED BY: V. J. Thoma

JOB NO. L-03002

REPORT NO. 1

Note: (1) Actual test data shown in uncorrected form.

CLIENT: Certified Environmental Services, Inc.

PROJECT Laboratory Testing

PO # 18545

PW Laboratories, Inc.

P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752

October 2, 2003

L-03002
Laboratory Testing
PO # 18545

SPECIFIC GRAVITY OF SOILS ASTM D854
SPECIFIC GRAVITY AND ABSORPTION
OF COARSE AGGREGATE
ASTM C127

Lab ID#	Sample	Plus No. 4 Fraction Apparent Specific Gravity	Minus No. 4 Fraction Specific Gravity of Solids(G)	Entire Sample Weighted Average Specific Gravity	Oversize (Plus No. 4) Fraction Only Bulk Specific Gravity
17222	338355	2.68	2.66	2.67	2.59



Certified Environmental Services, Inc.
1401 Erie Blvd. East
Syracuse, NY 13210

Phone: 315-478-2374

Fax: 315-478-2107

CHAIN OF CUSTODY RECORD

BATCH NO:

101260

Turn-Around Time:

- ☐ Standard
☐ 1 Week
☐ 72 Hours
☐ 48 Hours
☐ 24 Hours

BAP

CLIENT NAME: Stauder Management

PROJECT NUMBER/NAME:

ADDRESS: 1150 WOODWARD

Syracuse, NY 13153

PHONE: 315 485 1015

FAX: 315 485 1015

CONTACT NAME: CHINA WONG

PURCHASE ORDER NO:

Sampler's Name:

LARA NUNIA

Signature:

Lara Nunia

LAB USE ONLY

Collected
Date Time

TYPE
Comp. Grab

MATRIX
Aqueous Soil Other

CES Sample Numbers

338355 11/19/08

CLIENT ID/SAMPLE LOCATION

CPLF FILL

TOTAL NUMBER OF CONTAINERS

2

X GRAIN SIZE

X STANDARD ROTOR (5/16")

SPECIAL REMARKS:

TOTAL NUMBER OF CONTAINERS

2

SAMPLES RELINQUISHED BY:

NAME: Lara Nunia
SIGNATURE: [Signature]

DATE: 11/19/08
TIME: 1100

SAMPLES RECEIVED BY:

NAME: [Signature]
SIGNATURE: [Signature]

DATE: 11/19/08
TIME: 255

Samples Received in Good Condition:

☐ Yes ☐ No

Temperature °C

NAME: [Signature]
SIGNATURE: [Signature]

DATE: 11/19/08
TIME: 350

DATE: 11/19/08
TIME: 1550



PW LABORATORIES INC.
P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

September 16, 2003

Ms. Barbara DuChene
Certified Environmental Services, Inc.
1401 Erie Boulevard East
Syracuse, New York 13210

Re: L-03002
Laboratory Testing
PO # 18514

Dear Ms. DuChene:

Enclosed are the results of laboratory testing performed at your request on two bulk material samples delivered to our laboratory on September 4, 2003 for the above referenced project. Results include:

- | | | |
|----|------------------------------------|--------|
| 1. | Sieve Analysis ASTM D422 & D1140 | |
| | Laboratory I.D. #17214, 17215 | 2 each |
| 2. | Standard Compaction Test ASTM D698 | |
| | Laboratory I.D. #17214, 17215 | 2 each |
| 3. | Specific Gravity ASTM D854 | |
| | Laboratory I.D. #17214, 17215 | 2 each |

All requested tests have been completed on the previously received sample(s) for the above project. All sample remains are scheduled to be disposed of on October 16, 2003. Please notify PW Laboratories, Inc. by letter or telephone prior to October 16, 2003 if you would prefer to pick up the sample(s) or that the sample(s) be retained by PW Laboratories, Inc. for an additional period of time.

Thank you for this opportunity to work with you.

Very truly yours,

PW LABORATORIES, INC.

A handwritten signature in cursive script, reading 'Virginia J. Thoma'.

Virginia J. Thoma
Manager - Laboratory Services
VJT/bap
encs:



PROJECT TITLE Laboratory Testing - PO # 18514

REPORT # 1

REPORT DATE September 16, 2003

[illegible]

Sample mass, as received, meets minimum mass requirements of test method:

	Yes	X	No
1. The company has a policy on the use of social media.			
2. The company has a policy on the use of mobile devices.			
3. The company has a policy on the use of email.			
4. The company has a policy on the use of instant messaging.			
5. The company has a policy on the use of video conferencing.			
6. The company has a policy on the use of cloud storage.			
7. The company has a policy on the use of virtual reality.			
8. The company has a policy on the use of artificial intelligence.			
9. The company has a policy on the use of blockchain.			
10. The company has a policy on the use of quantum computing.			

Prewashed: Yes X No

Remarks:

Performed By:

Checked By: V.J. Thoma



PW LABORATORIES INC.
P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

September 16, 2003

L-03002
Laboratory Testing
PO # 18514

SPECIFIC GRAVITY OF SOILS ASTM D854

Lab <u>I.D. #</u>	<u>Sample</u>	Minus No. 4 Fraction Specific Gravity <u>of Solids (G)</u>
17214	337215	2.69
17215	337216	2.70

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐

PROCEDURE A ☒ B ☐

C ☐

MAXIMUM DRY DENSITY
108.4 P.C.F.

OPTIMUM MOISTURE CONTENT
13.5 %

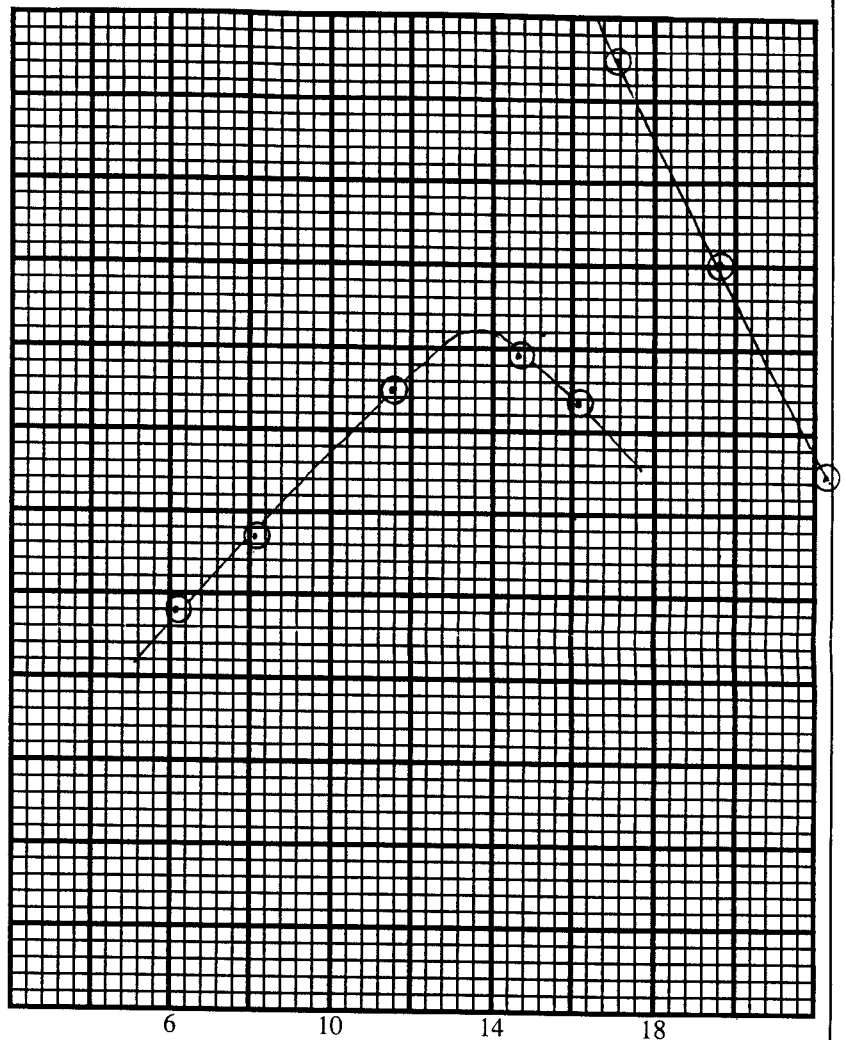
PERFORMED IN ACCORDANCE WITH
ASTM D698

3.7% retained on the #4 sieve.

SPECIFIC GRAVITY = 2.69

DRY DENSITY, P.C.F.

110
106
102
98



WATER CONTENT, % OF DRY WEIGHT

SAMPLE NO.	1	2	3	4	5		
MOLD + SAMPLE WT.	13.06	13.19	13.44	13.58	13.59		
MOLD WEIGHT	9.49	9.49	9.49	9.49	9.49		
WET SAMPLE WT.	3.57	3.70	3.95	4.09	4.10		
WET DENSITY, P.C.F.	107.8	111.8	123.6	123.6	123.9		
MOISTURE CONTENT	6.1	8.1	11.5	14.6	16.1		
DRY DENSITY, P.C.F.	101.6	103.4	107.0	107.9	106.7		

SOIL LOCATION:

Sample 337215

Lab I.D. # 17214

CLIENT Certified Environmental Services, Inc.

PROJECT Laboratory Testing PO # 18514

DATE 9/5/03 TESTED BY TT

CHECKED BY: V. J. Thoma

JOB NO. L-03002

REPORT NO. 1

PW Laboratories, Inc.

P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐

PROCEDURE A ☒ B ☐

C ☐

MAXIMUM DRY DENSITY
109.5 P.C.F.

OPTIMUM MOISTURE CONTENT
13.2 %

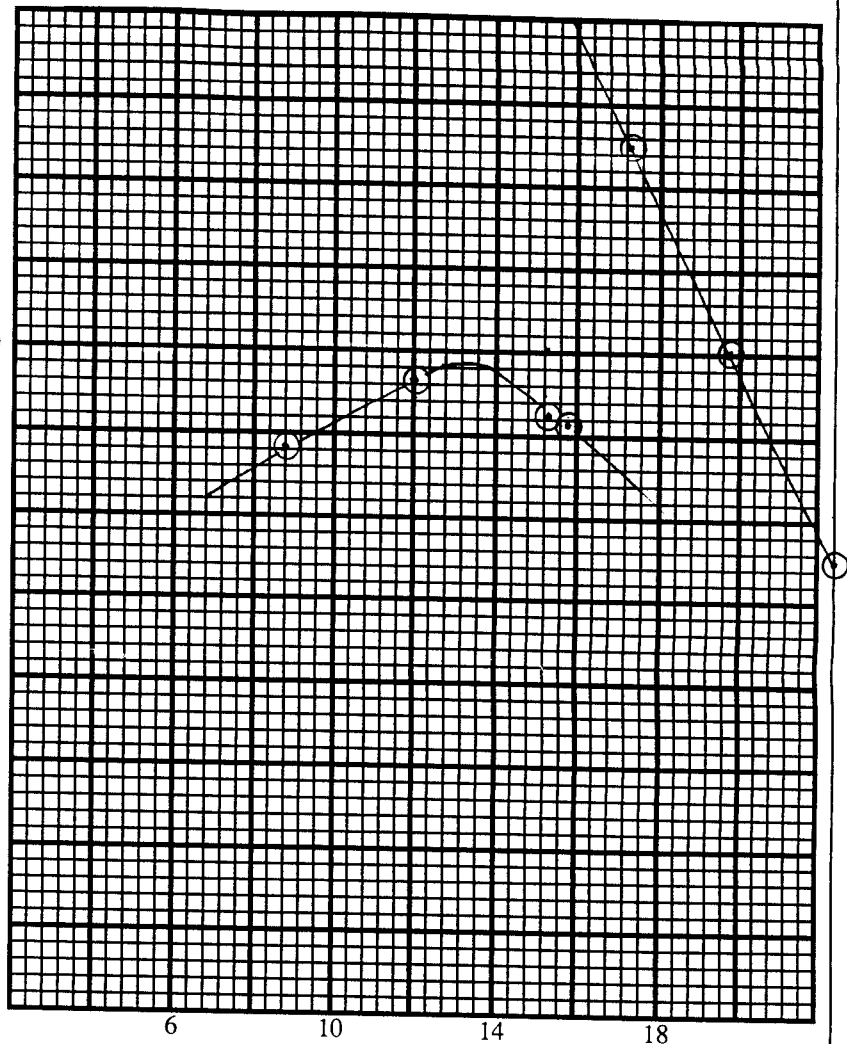
PERFORMED IN ACCORDANCE WITH
ASTM D698

1.8% retained on the #4 sieve.

SPECIFIC GRAVITY = 2.70

DRY DENSITY, P.C.F.

110
106
102



WATER CONTENT; % OF DRY WEIGHT

SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	13.37	13.54	13.63	13.64			
MOLD WEIGHT	9.49	9.49	9.49	9.49			
WET SAMPLE WT.	3.88	4.05	4.14	4.15			
WET DENSITY, P.C.F.	117.2	122.4	125.1	125.4			
MOISTURE CONTENT	8.8	12.0	15.3	15.8			
DRY DENSITY, P.C.F.	107.7	109.3	108.5	108.3			

SOIL LOCATION:

Sample 337216

Lab I.D. # 17215

CLIENT Certified Environmental Services, Inc.

PROJECT Laboratory Testing PO # 18514

DATE 9/5/03 TESTED BY TT

CHECKED BY: V. J. Thoma

JOB NO. L-03002

REPORT NO. 2

PW Laboratories, Inc.

P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752



PW LABORATORIES INC.
P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • (866) 7PW-LABS • FAX 315-437-1752

September 23, 2003

Ms. Barbara DuChene
Certified Environmental Services, Inc.
1401 Erie Boulevard East
Syracuse, New York 13210

Re: L-03002
Laboratory Testing
PO # 18526

Dear Ms. DuChene:

Enclosed are the results of laboratory testing performed at your request on three bulk material samples delivered to our laboratory on September 9, 2003 for the above referenced project. Results include:

- | | | |
|----|--|--------|
| 1. | Sieve Analysis ASTM D422 & D1140
Laboratory I.D. #17219, 17220, 17221 | 3 each |
| 2. | Standard Compaction Test ASTM D698
Laboratory I.D. #17220, 17221 | 2 each |
| 3. | Specific Gravity ASTM D854
Laboratory I.D. #17220, 17221 | 2 each |

All requested tests have been completed on the previously received sample(s) for the above project. All sample remains are scheduled to be disposed of on October 23, 2003. Please notify PW Laboratories, Inc. by letter or telephone prior to October 23, 2003 if you would prefer to pick up the sample(s) or that the sample(s) be retained by PW Laboratories, Inc. for an additional period of time.

Thank you for this opportunity to work with you.

Very truly yours,

PW LABORATORIES, INC.

Virginia J. Thoma
Manager - Laboratory Services
VJT/bap
encs:

SEP 24 2003

SIEVE ANALYSIS OF SOIL / AGGREGATE

PROJECT TITLE Laboratory Testing - PO # 18526

PROJECT # L-03002

TEST METHOD ASTM D422 & D1140

REPORT # 1

REPORT DATE	September 23, 2004
-------------	--------------------

[illegible]

Sample mass, as received, meets minimum mass requirements of test method:

	Yes	X	No
1. Do you have a current driver's license?			
2. Do you have a current vehicle registration?			
3. Do you have a current insurance policy?			
4. Do you have a current title?			
5. Do you have a current sales tax certificate?			
6. Do you have a current license plate?			
7. Do you have a current title transfer fee?			
8. Do you have a current title transfer tax?			
9. Do you have a current title transfer fee and tax?			
10. Do you have a current title transfer fee and tax and title transfer fee and tax?			

Prewashed:	Yes	No
	X	

Remarks:

III

V.J. Thoma

SIEVE ANALYSIS OF SOIL / AGGREGATE

PROJECT TITLE Laboratory Testing P.O. # 18526

PROJECT # L-03002

REPORT # 1

TEST METHOD ASTM D422 & D1140

REPORT DATE September 23, 2003

[illegible]

Sample mass, as received, meets minimum mass requirements of test method:

	X	No
Yes	X	No

Prewashed:	Yes	No
	X	

Remarks:

Performed By:

III

Checked By: V.J. Thoma

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐

PROCEDURE A ☒ B ☐

C ☐

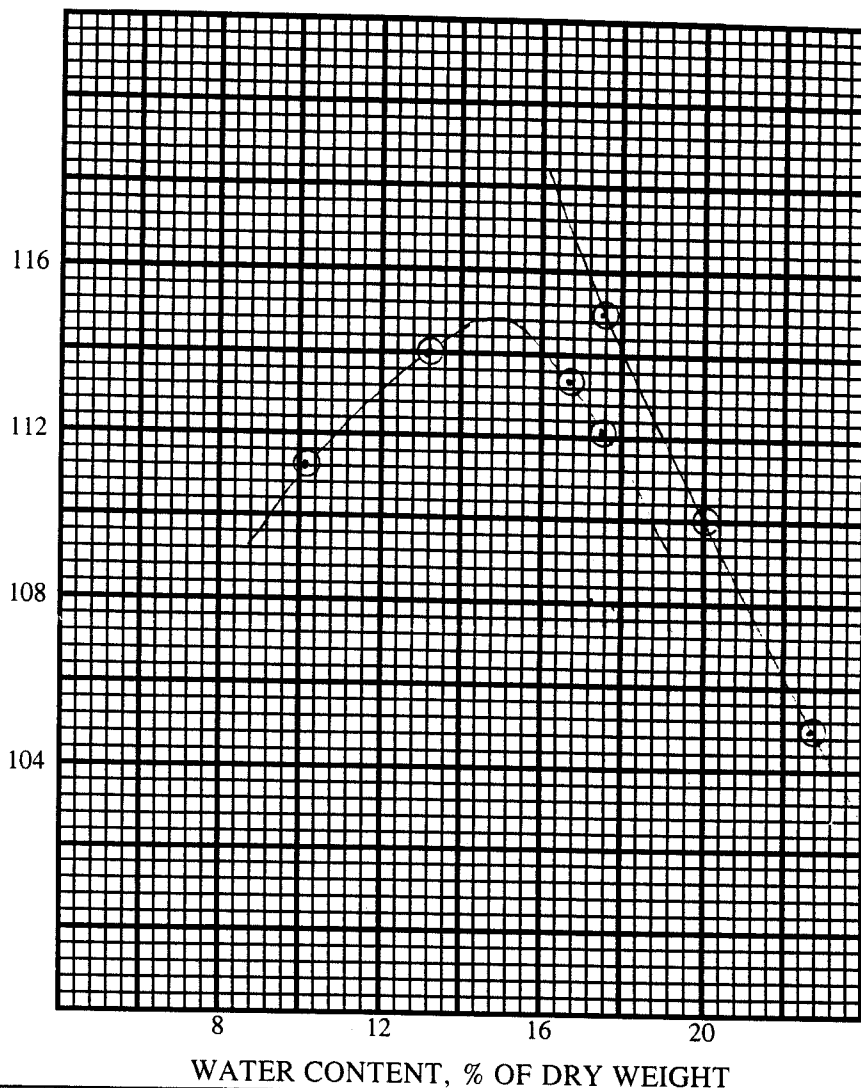
MAXIMUM DRY DENSITY
114.8 P.C.F.

OPTIMUM MOISTURE CONTENT
14.8 %

PERFORMED IN ACCORDANCE WITH
ASTM D698
0.2% retained on the #4 sieve.

SPECIFIC GRAVITY = 2.72

DRY DENSITY, P.C.F.



SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	13.53	13.75	13.86	13.84			
MOLD WEIGHT	9.48	9.48	9.48	9.48			
NET SAMPLE WT.	4.05	4.27	4.38	4.36			
NET DENSITY, P.C.F.	122.4	129.0	132.3	131.7			
MOISTURE CONTENT	10.1	13.2	16.7	17.5			
DRY DENSITY, P.C.F.	111.2	114.0	113.4	112.1			

SOIL LOCATION: 337661 Lab I.D. #17220

CLIENT Certified Environmental Services, Inc.

PROJECT Laboratory Testing PO # 18526

DATE 9/19/03 TESTED BY TT

CHECKED BY: V. J. Thoma

JOB NO. L-03002

REPORT NO. 1

PW Laboratories, Inc.

P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐

PROCEDURE A ☒ B ☐

C ☐

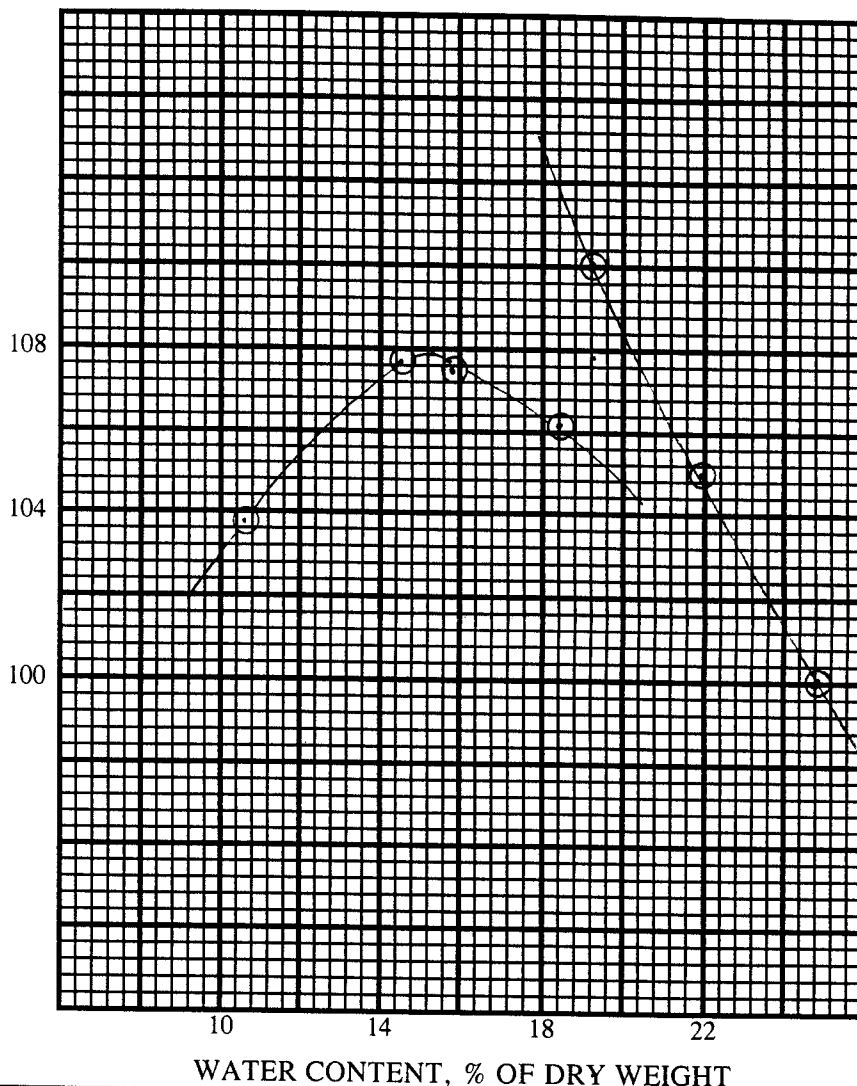
MAXIMUM DRY DENSITY
107.9 P.C.F.

OPTIMUM MOISTURE CONTENT
15.2 %

PERFORMED IN ACCORDANCE WITH
ASTM D698
0.6% retained on the #4 sieve.

SPECIFIC GRAVITY = 2.66

DRY DENSITY, P.C.F.



SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	13.28	13.56	13.60	13.64			
MOLD WEIGHT	9.48	9.48	9.48	9.48			
NET SAMPLE WT.	3.80	4.08	4.12	4.16			
NET DENSITY, P.C.F.	114.8	123.3	124.5	125.7			
MOISTURE CONTENT	10.6	14.5	15.8	18.4			
DRY DENSITY, P.C.F.	103.8	107.7	107.5	106.2			

SOIL LOCATION: 337662 Lab I.D. # 17221

CLIENT Certified Environmental Services, Inc.

PROJECT Laboratory Testing PO # 18526

DATE 9/19/03 TESTED BY TT

CHECKED BY: V. J. Thoma

JOB NO. L-03002

REPORT NO. 2

PW Laboratories, Inc.

P.O. BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 (866) 7PW-LABS FAX NO. 315-437-1752



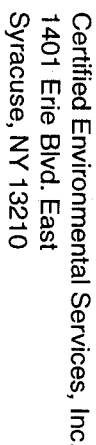
LABORATORIES INC.
BOX 56, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
437-1420 • (866) 7PW-LABS • FAX 315-437-1752

September 23, 2003

L-03002
Laboratory Testing
PO # 18526

SPECIFIC GRAVITY OF SOILS ASTM D854

<u>Lab</u> <u>I.D. #</u>	<u>Sample</u>	Minus No. 4 Fraction Specific Gravity <u>of Solids (G)</u>
17220	337661	2.72
17221	337662	2.66



CHAIN OF CUSTODY RECORD

Fax: 315-478-2107

BATCH NO: 6106

Turn-Around Time:

☐ Standard

☐ 1 Week

☐ 72 Hours

☐ 48 Hours

☐ 24 Hours

BA

[illegible]

CLIENT NAME:	Stuvel Management	PROJECT NUMBER/NAME:	
ADDRESS:	4520 York Rd Stonewall Falls NY 13153		
PHONE:	315 685 1045		BTEFL
FAX:	315 685 1044		
CONTACT NAME:	Carol Mann	PURCHASE ORDER NO:	
Sampler's Name:	ATRA Mann	Signature:	Carol Mann

[illegible]

SAMPLES RELINQUISHED BY:		SAMPLES RECEIVED BY:		Samples Received in Good Condition: <input type="checkbox"/> Yes <input type="checkbox"/> No Temperature _____ °C
NAME: <u>Erica Nunez</u> SIGNATURE: <u>[Signature]</u> DATE: <u>9/8/03</u> TIME: <u>1400</u>	NAME: <u>Erica Nunez</u> SIGNATURE: <u>[Signature]</u> DATE: <u>9/8/03</u> TIME: <u>3210</u>	NAME: <u>[Signature]</u> SIGNATURE: <u>[Signature]</u> DATE: <u>9/8/03</u> TIME: <u>2:55</u>	NAME: <u>[Signature]</u> SIGNATURE: <u>[Signature]</u> DATE: <u>9/8/03</u> TIME: <u>1540</u>	

04/04/2006 15:28

3154371752

PW LABS

PAGE 02



PW LABORATORIES, INC.
P.O. BOX 58, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • 866-7PW-LABS • Fax 315-437-1752

April 4, 2006

Ms. Barbara DuChene
Certified Environmental Services, Inc.
1401 Erie Boulevard East
Syracuse, New York 13210

Re: L-06005
Laboratory Testing
PO #21632

Dear Ms. DuChene:

Enclosed are the results of laboratory testing performed at your request on a bulk material sample delivered to our laboratory on March 29, 2006 for the above referenced project. Results include:

1. Sieve Analysis ASTM D422 & D1140
Laboratory I.D. #20219

1 each

All requested tests have been completed on the previously received sample(s) for the above project. All sample remains are scheduled to be disposed of on May 4, 2006. Please notify PW Laboratories, Inc. by letter or telephone prior to May 4, 2006 if you would prefer to pick up the sample(s) or that the sample(s) be retained by PW Laboratories, Inc. for an additional period of time.

Thank you for this opportunity to work with you.

Very truly yours.

PW LABORATORIES, INC.

A handwritten signature in cursive script, appearing to read 'Virginia J. Thoma'.

Virginia J. Thoma
Manager - Laboratory Services
VJT/klw
encs:



PW LABORATORIES, INC.
P.O. BOX 55, 5879 FISHER ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • 800-7PWALLS • FAX 315-437-1752

SIEVE ANALYSIS OF SOIL / AGGREGATE

PROJECT TITLE **Laboratory Testing - P.O. # 21632**

PROJECT # L-06005

TEST METHOD ASTM D422 & D1140

REPORT #

5

REPORT DATE: April 4, 2008

[illegible]

Sample mass, as received, meets minimum mass requirements of test method:

Remarks:

yes

On

X

Prewashed:

yes

ON

1447

Performed By:

V. J. Thomas

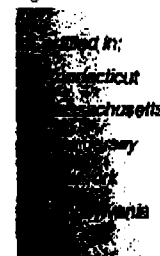
Apr. 4. 2006 3:52PM

Environmental Laboratory Service

No. 6461

P. 1


Environmental
 LABORATORY SERVICES

 7280 Caswell Street, Hancock Air Park, North Syracuse, NY 13212
 (315) 458-8033, FAX (315) 458-0528, (800) 842-4867


Laboratory Analysis Report

 CERTIFIED ENVIRONMENTAL SERVICES
 1401 Erie Boulevard, East

 Syracuse, NY 13210
 ATTN: Ms. Barbara Duchene

PO#: 21633

 PROJECT #: 218387
 RECEIVED: 03/29/2006 @ 15:25

TEST PERFORMED	RESULTS	UNITS	DATE/TIME PERFORMED	METHOD NUMBER	PERFORMED BY
SAMPLE #: 421427 CLIENT SAMPLE ID: 436375			DATE/TIME SAMPLED: 03/29/06 @ 11:45		
Semi-Volatile - HERBICIDES					
2,4,5-t	<0.01	MG/KG as Rec'd	04/04/06	EPA 8151A	KDI
2,4,5-tp (silvex)	<0.01	MG/KG as Rec'd	04/04/06	EPA 8151A	KDI
2,4-d	<0.01	MG/KG as Rec'd	04/04/06	EPA 8151A	KDI
dalapon	<0.01	MG/KG as Rec'd	04/04/06	EPA 8151A	KDI
dicamba	<0.01	MG/KG as Rec'd	04/04/06	EPA 8151A	KDI
dinoseb	<0.01	MG/KG as Rec'd	04/04/06	EPA 8151A	KDI
pentachlorophenol	<0.01	MG/KG as Rec'd	04/04/06	EPA 8151A	KDI
picloram	<0.01	MG/KG as Rec'd	04/04/06	EPA 8151A	KDI
Solid Soxhlet Extraction			03/30/06	EPA 3540C	ASI

Sample Receipt Temperature: 8 Degrees C

Samples received above acceptable temperature requirements of 0-6 degrees C.


 David R. Hill
 Laboratory Director

 04/04/2006
 Print Date

All tests performed under NYS ELAP Laboratory Certification # 11375 unless otherwise stated.
 Report relates only to the samples as received by the laboratory and shall not be reproduced
 except in full, without written approval from Environmental Laboratory Services.

CHAIN OF CUSTODY RECORD

Certified Environmental Services, Inc.
1401 Erie Blvd. East
Syracuse, NY 13210



Phone: 315-478-2374 Fax: 315-478-2107

BATCH NO:

Turn-Around Time:

- ☐ Standard
☐ 1 Week
☐ 72 Hours
☐ 48 Hours
☐ 24 Hours

Results by

Tuesday
4-4-06

CLIENT NAME:

CES

PROJECT NUMBER/NAME:

ADDRESS:

PHONE:

FAX:

CONTACT NAME: Barb DuChene

PURCHASE ORDER NO: 21633

Sampler's Name:

Signature:

LAB USE ONLY

CES Sample Numbers

Collected

Date

Time

421427 5/4/06 1145

TYPE

Comp

Grab

MATRIX

Aqueous

Soil

Other

CLIENT/SAMPLE LOCATION

456370

TOTAL NUMBER OF CONTAINERS

1

Hazardous

Page

of

PARAMETERS FOR ANALYSIS

SPECIAL REMARKS:

TOTAL NUMBER OF CONTAINERS

SAMPLES RELINQUISHED BY:

DATE: 3/27/06

TIME: 1525

NAME: JIM O'NEILL

SIGNATURE: [Signature]

DATE: 3/27/06

TIME: 1525

NAME: JIM O'NEILL

SIGNATURE: [Signature]

SAMPLES RECEIVED BY:

DATE: 3/27/06

TIME: 1525

NAME: JIM O'NEILL

SIGNATURE: [Signature]

DATE: 3/27/06

TIME: 1525

NAME: JIM O'NEILL

SIGNATURE: [Signature]

Samples Received in Good Condition:

☐ Yes ☐ No

Temperature: 6 °C

White - CES's Copy • Canary - Return to Client With Repeat • Pink - Client's Initial Copy

From: [David Lemon](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#); [Grathwol, John](#)
Subject: Re: Skaneateles Creek Restoration
Date: Tuesday, August 07, 2012 9:06:31 AM

Brent,

Everything looks good. Once I see the completed Toe Wood photos I expect I will be able to approve.

Dave

>>> Brent Heesemann <bheesemann@envirospeceng.com> 8/7/2012 8:46 AM >>>

Hi Dave,

Please find attached pictures showing the work completed this morning on the Cross Vane (which already existed but we added key stones to in the right bank), the J-Hook (which we added a small section to that is keyed in to left bank perpendicular to flow), and the Creek bank restoration (less the plantings, which will be completed after flow has been reestablished in the Creek). Please approve review these photos and approve this work as soon as possible as we will be shutting down the bypass system this afternoon. We have yet to complete the Toe Wood-Sod Mat, which I will send you pictures of for your approval before we reestablish flow in the Creek. Please let me know if you need anything else.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: [David Lemon](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#); [Gian Dodici](#); [Grathwol, John](#)
Subject: Re: Toe Wood-Sod Matt
Date: Wednesday, August 08, 2012 8:41:47 AM

Brent,

Looks good. Thanks for your cooperation in getting this right!

Dave

>>> Brent Heesemann <bheesemann@envirospeceng.com> 8/7/2012 5:42 PM >>>
Hi Dave,

Attached are photos of the Toe Wood-Sod Mat after our conversation this afternoon. An additional 18" or so of topsoil was added to weight the logs down more, with particular attention to the upstream section. Both end were tied into cobble and the burlap mats were anchored down with staples. I believe this is what you wanted. The creek is flowing and everything appears to be functioning as it was intended.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

New York State Department of Environmental Conservation

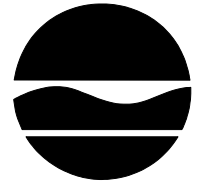
Division of Environmental Remediation

Remedial Bureau E, 12th Floor

625 Broadway, Albany, New York 12233-7017

Phone: (518) 402-9814 • FAX: (518) 402-9819

Website: www.dec.state.ny.us



Denise M. Sheehan
Acting
Commissioner

June 30, 2005

Mr. Tom Haldas
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

RE: Site No. 7-34-010, SMC Skaneateles Falls
AEC-5: June 22, 2005 Creek Pump Around Work Plan

Dear Mr. Haldas:

Pursuant to our recent discussions I have completed my review of Sections 1.0 thru 1.7 of the subject workplan. Based upon review, contingent approval is granted for SMC to initiate remedial activities associated with remediation of creek sediments, to remove the existing culvert with replacement of existing culvert in kind, and construction, operation, and maintenance of the creek pump around containment system. It is important to note that approval has not been granted, at this time, for the option to allow SMC to permanently re-route the creek and bypass the culvert. Further review by the Department and D&B will be necessary before any approvals relating to that task can be granted.

Based upon my review of the subject workplan, I have the following comments that will require workplan revision and/or letter addendum to address the comments concurrently with initiation of AEC-5 remedial activities:

GENERAL:

1. Allowed time frame to conduct creek work needs to be clearly identified within the workplan. Workplan will also need to state that Department approval will be necessary should remedial work be required to extend past 9/30/05.
2. Workplan should include a bar type schedule showing creek work activities beginning on July 5, 2005 and extending to September 30, 2005.
3. Following successful completion of AEC-5 remedial activities, what will happen to pump around detention and dissipation areas ? How will culvert, sediments within detention pond , and any concrete be handled, characterized and disposed of ?
4. For simplification and understanding it may be useful to prepare a decision making flow chart associated with construction of a permanent bypass in the creek.

5. Plan needs to include a contingency plan and off hour emergency numbers of contact for Abscope, SMC, SPEC, Department, local and county officials, should there be a failure of the pump around system.
6. It is my understanding that Abscope/SPEC is planning to work 12 hr days from 5:30AM - 5:30 PM and work straight through the weekends. If that is the case, we need to notify nearby residents of our work activities. Maybe a fact sheet or flyer can transmit the specifics to them and Supervisor Pavlus.

SPECIFIC:

7. Section 1.3 (Pump Around); What changes in creek elevation result from an increase in flow of 6-10mmgpd to 250 mmgpd ?

Does Abscope have a verbal or written agreement with the City of Syracuse to control water flow from Skaneateles Lake ? Whom is City contact ?

If not already, an onsite staffing gage should be installed within creek to allow realtime monitoring of creek elevations.

Please provide manufacturer cut sheets for “super sacks” and culvert.

Will pump lines be equipped with flow meters in order to monitor pumping rates ?

How will turbidity levels in creek be monitored during remedial activities ?

Should SMC or SPEC have any questions, please feel free to contact me accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Chiusano".

David Chiusano
Project Manager
Remedial Section A, Remedial Bureau E
Division of Environmental Remediation

ec: J. Burke/W. Foy - SPEC
J. Burke/K.Cahill - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
S. Pepling/J. Kuhn - D&B
S. Lizlovs - NYSDEC-DOW, Region 7
J. Eifert - NYSDEC -DFW

Elbridge Bank Run Gravel Backfill



August 23, 2012

To: Rob Gray

Abscope Environmental Services

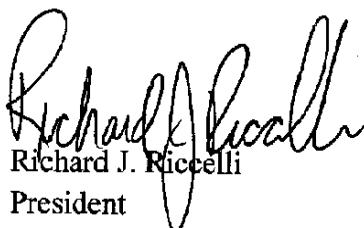
RE: Stauffer Project

Any material produced and supplied to the above mentioned project from Riccelli Enterprises, Inc. and/or Syracuse Sand & Gravel, LLC mines are 100% native virgin materials and have not been previously used on the site or on another project. We do not include any recycled materials in our products. The materials are free of contaminated substances and are clean.

<i>Source</i>	<i>Material</i>
Rolling Hills/Elbridge Pit, Elbridge, NY	Item 203.07 Bank Run Gravel

Statement regarding past usage on the site:

In the past, we have utilized roughly 1,000 CY of Bank Run Gravel from the Elbridge Pit on the Stauffer Project site.



Richard J. Riccelli
President

Riccelli Enterprises, Inc.



PW LABORATORIES, INC.,
6544 FREMONT ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • Fax 315-437-1752 • pwlabslnc@hotmail.com

SIEVE ANALYSIS OF
SOIL / AGGREGATE

Project Title: _____
Laboratory Testing

Project #: L-09038

Test Method: ASTM C136 & C117

Report #: 1

Report Date: June 5, 2009

		Sieve Size - Percent Passing Sieve									
Lab I.D. #	Sample	4"	3/4"	#4	#40	#200					
24449	Elbridge Pit Sample #1	100	49.2	21.3	6.8	4.2					
24450	Elbridge Pit Sample #2	100	41.9	16.6	8.4	5.3					
	NYS DOT Specifications Item 203.07 Select Granular Fill	100	--	--	0 - 70	0 - 15					

Sample mass, as received, meets minimum mass requirements of test method:

Yes ☒ No ☐

Prewashed:

Yes ☒ No ☐

Remarks:

Performed By:

SC & MB

Checked By:

V.J. Thoma



PW LABORATORIES, INC.

6544 FREMONT ROAD, EAST SYRACUSE, NY 13057

315-437-1420 • Fax 315-437-1752 • pwlabinc@hotmail.com

June 5, 2009

L-09038
Laboratory Testing

SPECIFIC GRAVITY OF SOILS ASTM D854
SPECIFIC GRAVITY AND ABSORPTION
OF COARSE AGGREGATE
ASTM C127

Composite Lab ID #	Composite Sample	(C127) Plus No. 4 Fraction Apparent Specific Gravity	(D854) Minus No. 4 Fraction Specific Gravity of Solids (G)	(C127 & D854) Entire Sample Weighted Average Specific Gravity	(C127) Oversize (Plus No. 4) Fraction Only Bulk Specific Gravity
24449 & 24450	Elbridge Pit Samples #1 & #2	2.74	2.75	2.74	2.49

COMPACTION TEST REPORT

STANDARD ☒ MODIFIED ☐

PROCEDURE A ☐ B ☐

C ☒

MAXIMUM DRY DENSITY (P.C.F.)

Corrected 143.9
Uncorrected 132.1

OPTIMUM MOISTURE CONTENT (%)

Corrected 5.6
Uncorrected 9.8

PERFORMED IN ACCORDANCE WITH
ASTM D698 & D4718

54.4% retained on the 3/4" sieve, exceeds the upper
limit tolerance of 30% for the plus 3/4" material

SPECIFIC GRAVITY = 2.74

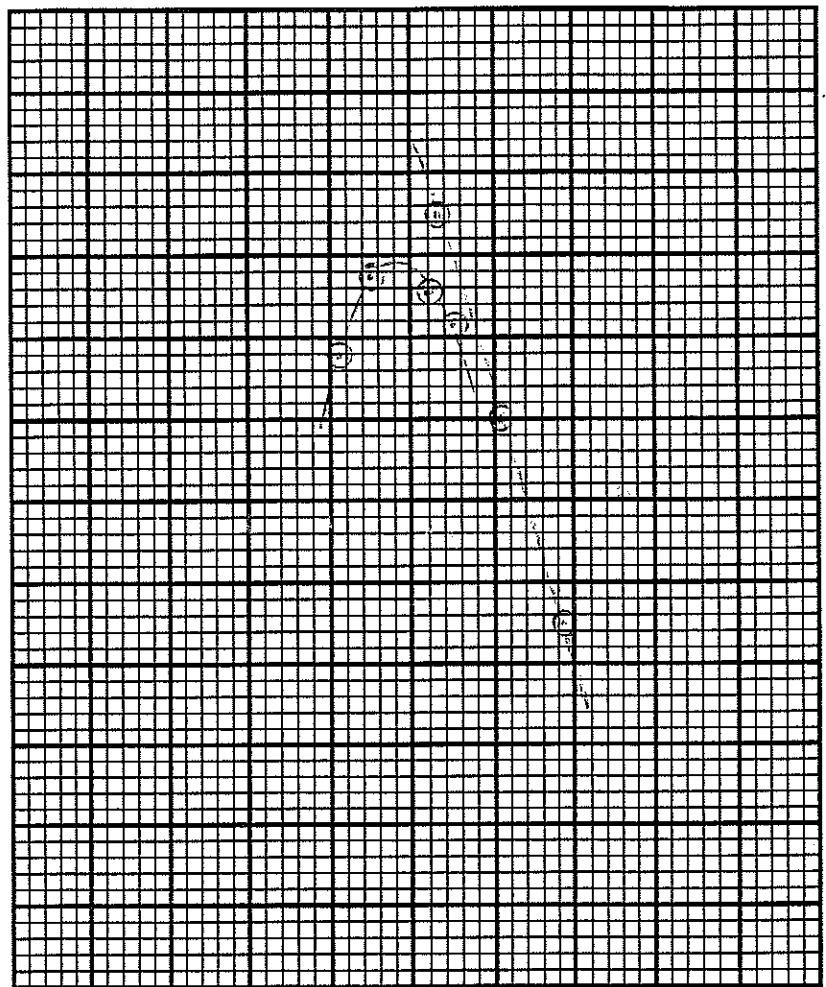
DRY DENSITY, P.C.F. (Corrected)

144

140

136

132



WATER CONTENT, % OF DRY WEIGHT (Corrected)

SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	24.46	24.94	25.16	25.17			
MOLD WEIGHT	14.20	14.20	14.20	14.20			
WET SAMPLE WT.	10.26	10.74	10.96	10.97			
WET DENSITY, P.C.F.	136.5	142.9	145.9	146.0			
MOISTURE CONTENT (1)	6.7	8.6	11.6	12.9			
DRY DENSITY, P.C.F. (1)	128.0	131.5	130.7	129.3			

SOIL LOCATION:

Elbridge Pit Composite of Samples #1 & #2

Laboratory I.D. #'s 24449 & 24450

Note: (1) Actual test data shown in uncorrected form.

CLIENT Riccelli Enterprises, Inc.

PROJECT Laboratory Testing

DATE 6/3/2009 TESTED BY SC

CHECKED BY: V.J. Thoma

JOB NO. L-09038

REPORT NO. 1



p-w
labs

PW LABORATORIES, INC.
6544 FREMONT ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • Fax 315-437-1752 • pwlabslnc@hotmail.com

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Alezza](#); [Matthew G. Root](#)
Subject: Re: Elbridge Topsoil Analytical Results
Date: Friday, August 17, 2012 9:13:11 AM

The Department reviewed the analytical data for the Elbridge topsoil and approves this material for the site.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 8/17/2012 9:06 AM >>>
Hi John,

Please find attached metals and VOCs data for the Elbridge topsoil that we would like to start importing to the Site. Please review and approve this material at when you have a chance. Please contact me with any questions / concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

Elbridge Topsoil Analytical

Upstate Laboratories, Inc.

Shipping: 6034 Corporate Dr. * E. Syracuse, NY 13057-1017 * (315) 437-0255 * Fax (315) 437-1209

Mailing: Box 169 * Syracuse, NY 13206

Albany (518) 459-3134 * Binghamton (607) 239-4413 * Buffalo (716) 972-0371

Rochester (866) 437-0255 * New Jersey (908) 581-4285

Mr. Rob Drabot
Abscope Environmental, Inc.
1 Commercial Dr.
PO Box 487
Canastota, NY 13032
(315) 697-8437

Friday, August 03, 2012

RE: Analytical Report:
SMC Stauffer

Order No.: U1208019

Dear Mr. Rob Drabot:

Upstate Laboratories, Inc. received 1 sample(s) on 8/1/2012 for the analyses presented in the following report.

All analytical results relate to the samples as received by the laboratory.

All analytical data conforms with standard approved methodologies and quality control. Our quality control narrative will be included should any anomalies occur.

We have included the Chain of Custody Record as part of your report. The NYS DOH requires that all samples received by the laboratory must have a Collection Date and Time, and a Relinquished By signature. You may need to reference this form for a more detailed explanation of your samples. Samples will be disposed of approximately one month from final report date.

Should you have any questions regarding these tests, please feel free to give us a call.

Thank you for your patronage.

Sincerely,

UPSTATE LABORATORIES, INC.

AJS (PFF)
Anthony J. Scala
President/CEO

Confidentiality Statement: This report is meant for the use of the intended recipient. It may contain confidential information, which is legally privileged or otherwise protected by law. If you have received this report in error, you are strictly prohibited from reviewing, using, disseminating, distributing or copying the information.

Upstate Laboratories, Inc.

Analytical Report

Date: 03-Aug-12

CLIENT: Abscope Environmental, Inc.
Lab Order: U1208019
Project: SMC Stauffer
Lab ID: U1208019-001

Client Sample ID: Top Soil
Collection Date: 8/1/2012 8:00:00 AM
Matrix: SOIL

Analyses	Result	Limit	Qual	Units	DF	Date Analyzed
----------	--------	-------	------	-------	----	---------------

SOIL AND SOLID METALS ICP BY EPA 6010B

Lab Code: 6010B-S

Analyst: MRA

[Solid Prep Total Metals by EPA 3050 Prep Code: 3050_I Prep Date: 8/1/2012 1:18:12 PM Prep By: ARO]

Aluminum	10000	6.0	B	mg/Kg-dry	1	8/2/2012 4:57:58 PM
Barium	61	36		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Beryllium	ND	0.60		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Cadmium	ND	0.60		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Calcium	11000	60		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Chromium	19	6.0		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Cobalt	8.5	6.0		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Copper	27	2.4		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Iron	18000	3.6		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Magnesium	6000	60		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Manganese	650	2.4		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Nickel	15	3.6	Q	mg/Kg-dry	1	8/2/2012 4:57:58 PM
Potassium	1400	60	Q	mg/Kg-dry	1	8/2/2012 4:57:58 PM
Silver	ND	6.0		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Sodium	160	60		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Vanadium	ND	36		mg/Kg-dry	1	8/2/2012 4:57:58 PM
Zinc	45	1.2	Q	mg/Kg-dry	1	8/2/2012 4:57:58 PM

SOIL AND SOLID METALS ICP-MS BY EPA 6020

Lab Code: 6020_S

Analyst: LET

[Solid Prep Total Metals by EPA 3050 Prep Code: 3050_I Prep Date: 8/1/2012 1:18:12 PM Prep By: ARO]

Antimony	ND	6.0		mg/Kg-dry	10	8/2/2012 4:26:37 PM
Arsenic	ND	6.0	Q	mg/Kg-dry	10	8/2/2012 4:26:37 PM
Lead	25	3.6		mg/Kg-dry	10	8/2/2012 4:26:37 PM
Selenium	ND	3.6	Q	mg/Kg-dry	10	8/2/2012 4:26:37 PM
Thallium	ND	3.6		mg/Kg-dry	10	8/2/2012 4:26:37 PM

NOTES:

The reporting limits were raised due to matrix interference.

TOTAL MERCURY - SOIL/SOLID/WASTE BY EPA 7471A

Lab Code: 7471A

Analyst: LET

[Total Mercury Prep - Soil/Solid/Waste by 7471A Prep Code: 7471APR Prep Date: 8/1/2012 2:10:13 PM Prep By: ARO]

Mercury	ND	0.118		mg/Kg-dry	1	8/2/2012 3:03:42 PM
---------	----	-------	--	-----------	---	---------------------

PERCENT MOISTURE BY ASTM D2216

Lab Code: PMOIST

Analyst: NKA

Percent Moisture	17.7	0.0100		wt%	1	8/2/2012
------------------	------	--------	--	-----	---	----------

Approved By: PFF

Date: 8-3-12

Page 1 of 1

Qualifiers: # Accreditation not offered by NYS DOH for this parameter
** Value exceeds Maximum Contaminant Value
E Value above quantitation range
J Analyte detected below quantitation limits
Q Outlying QC recoveries were associated with this parameter

* Low Level
B Analyte detected in the associated Method Blank
H Holding times for preparation or analysis exceeded
ND Not Detected at the Reporting Limit
S Spike Recovery outside accepted recovery limits

Fax 437 1209

[illegible]

Upstate Laboratories, Inc.

Shipping: 6034 Corporate Dr. * E. Syracuse, NY 13057-1017 * (315) 437-0255 * Fax (315) 437-1209

Mailing: Box 169 * Syracuse, NY 13206

Albany (518) 459-3134 * Binghamton (607) 239-4413 * Buffalo (716) 972-0371

Rochester (866) 437-0255 * New Jersey (908) 581-4285

Mr. Rob Drabot
Abscope Environmental, Inc.
1 Commercial Dr.
PO Box 487
Canastota, NY 13032
(315) 697-8437

Thursday, August 16, 2012

RE: Analytical Report:
SMC - Skan Falls

Order No.: U1208190

Dear Mr. Rob Drabot:

Upstate Laboratories, Inc. received 1 sample(s) on 8/7/2012 for the analyses presented in the following report.

All analytical results relate to the samples as received by the laboratory.

All analytical data conforms with standard approved methodologies and quality control. Our quality control narrative will be included should any anomalies occur.

We have included the Chain of Custody Record as part of your report. The NYS DOH requires that all samples received by the laboratory must have a Collection Date and Time, and a Relinquished By signature. You may need to reference this form for a more detailed explanation of your samples. Samples will be disposed of approximately one month from final report date.

Should you have any questions regarding these tests, please feel free to give us a call.

Thank you for your patronage.

Sincerely,

UPSTATE LABORATORIES, INC.

AJS (PFF)

Anthony J. Scala
President/CEO

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Upstate Laboratories, Inc.

Analytical Report

Date: 16-Aug-12

CLIENT: Abscope Environmental, Inc.
Lab Order: U1208190
Project: SMC - Skan Falls
Lab ID: U1208190-001

Client Sample ID: Top Soil
Collection Date: 8/7/2012 1:00:00 PM
Matrix: SOIL

Analyses	Result	Limit	Qual	Units	DF	Date Analyzed
METHOD 5035/8260B 2005 LIST VOLATILES IN SOIL				Lab Code: 8260_05_S	Analyst: EMZ	
1,2,3-Trichlorobenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,2,4-Trichlorobenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,2,4-Trimethylbenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,2-Dibromo-3-chloropropane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,2-Dibromoethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,2-Dichlorobenzene	6.6	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,3,5-Trimethylbenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,3-Dichlorobenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,4-Dichlorobenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,4-Dioxane	ND	110		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Bromochloromethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Cyclohexane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Dichlorodifluoromethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Freon-113	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Isopropylbenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Methyl Acetate	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Methyl tert-butyl ether	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Methylcyclohexane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
n-Butylbenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
n-Propylbenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
sec-Butylbenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
tert-Butylbenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Trichlorofluoromethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Chloromethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Vinyl chloride	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Bromomethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Chloroethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Acetone	48	11	Q	µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,1-Dichloroethene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Carbon disulfide	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Methylene chloride	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
trans-1,2-Dichloroethene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,1-Dichloroethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
2-Butanone	ND	11		µg/Kg-dry	1	8/13/2012 3:14:00 PM
cis-1,2-Dichloroethene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Chloroform	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,1,1-Trichloroethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM

Approved By: PFF

Date: 8-16-12

Page 1 of 2

Qualifiers: # Accreditation not offered by NYS DOH for this parameter
** Value exceeds Maximum Contaminant Value
E Value above quantitation range
J Analyte detected below quantitation limits
Q Outlying QC recoveries were associated with this parameter

* Low Level
B Analyte detected in the associated Method Blank
H Holding times for preparation or analysis exceeded
ND Not Detected at the Reporting Limit
S Spike Recovery outside accepted recovery limits

Upstate Laboratories, Inc.

Analytical Report

Date: 16-Aug-12

CLIENT: Abscope Environmental, Inc.

Client Sample ID: Top Soil

Lab Order: U1208190

Collection Date: 8/7/2012 1:00:00 PM

Project: SMC - Skan Falls

Lab ID: U1208190-001

Matrix: SOIL

Analyses	Result	Limit	Qual	Units	DF	Date Analyzed
----------	--------	-------	------	-------	----	---------------

METHOD 5035/8260B 2005 LIST VOLATILES IN SOIL

Lab Code: 8260_05_S

Analyst: EMZ

Carbon tetrachloride	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Benzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,2-Dichloroethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Trichloroethene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,2-Dichloropropane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Bromodichloromethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
4-Methyl-2-pentanone	ND	11		µg/Kg-dry	1	8/13/2012 3:14:00 PM
cis-1,3-Dichloropropene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Toluene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
trans-1,3-Dichloropropene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,1,2-Trichloroethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
2-Hexanone	ND	11		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Tetrachloroethene	ND	5.5	Q	µg/Kg-dry	1	8/13/2012 3:14:00 PM
Dibromochloromethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Chlorobenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Ethylbenzene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
m,p-Xylene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
o-Xylene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Styrene	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
Bromoform	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM
1,1,2,2-Tetrachloroethane	ND	5.5		µg/Kg-dry	1	8/13/2012 3:14:00 PM

PERCENT MOISTURE BY ASTM D2216

Lab Code: PMOIST

Analyst: NKA

Percent Moisture	9.72	0.0100	wt%	1	8/9/2012
------------------	------	--------	-----	---	----------

Approved By: PFF

Date: 8-16-12

Page 2 of 2

Qualifiers: # Accreditation not offered by NYS DOH for this parameter
** Value exceeds Maximum Contaminant Value
E Value above quantitation range
J Analyte detected below quantitation limits
Q Outlying QC recoveries were associated with this parameter

* Low Level
B Analyte detected in the associated Method Blank
H Holding times for preparation or analysis exceeded
ND Not Detected at the Reporting Limit
S Spike Recovery outside accepted recovery limits

6034 Corporate Drive • E. Syracuse, NY 13057-1017
(315) 437 0255 Fax 437 1209

Chain of Custody Record

[illegible]

Upstate Laboratories, Inc.

Sample Receipt Checklist

Client Name **ABSCOPE**

Date and Time Receive

8/7/2012

Work Order Number **U1208190**

Received by **BLM**

Checklist completed by

Signature

J. Mann

Date

8/7/12

Reviewed by

Initials

PFF

Date

8/7/12

Matrix:

Carrier name: CLIENT

Shipping container/cooler in good condition?

Yes ☒

No ☐

Not Present ☐

Custody seals intact on shipping container/cooler?

Yes ☐

No ☐

Not Present ☒

Custody seals intact on sample bottles?

Yes ☐

No ☐

Not Present ☒

Chain of custody present?

Yes ☒

No ☐

Chain of custody signed when relinquished and received?

Yes ☒

No ☐

Chain of custody agrees with sample labels?

Yes ☒

No ☐

Samples in proper container/bottle?

Yes ☒

No ☐

Sample containers intact?

Yes ☒

No ☐

Sufficient sample volume for indicated test?

Yes ☒

No ☐

All samples received within holding time?

Yes ☒

No ☐

Container/Temp Blank temperature in compliance? **6.3**

Yes ☒

No ☐

Ice present in cooler

Yes ☒

No ☐

Ice Melted ☐

N/A or Unknown ☐

Water - VOA vials have zero headspace?

No VOA vials submitted ☐

Yes ☒

No ☐

Water - pH acceptable upon receipt?

Yes ☒

No ☐

Adjusted?

Checked by

Any No and/or NA (not applicable) response must be detailed in the comments section below

Client contacted

Date contacted:

Person contacted

Contacted by:

Regarding:

Comments:

SAMPLES RECEIVED WITHIN FOUR HOURS OF COLLECTION.

Corrective Action



ATLANTIC TESTING LABORATORIES

Particle Size Distribution Report

Project: SMC Skaneateles

Report No.: ST3330SL-05-08-12

Client: Abscope Environmental, Inc.

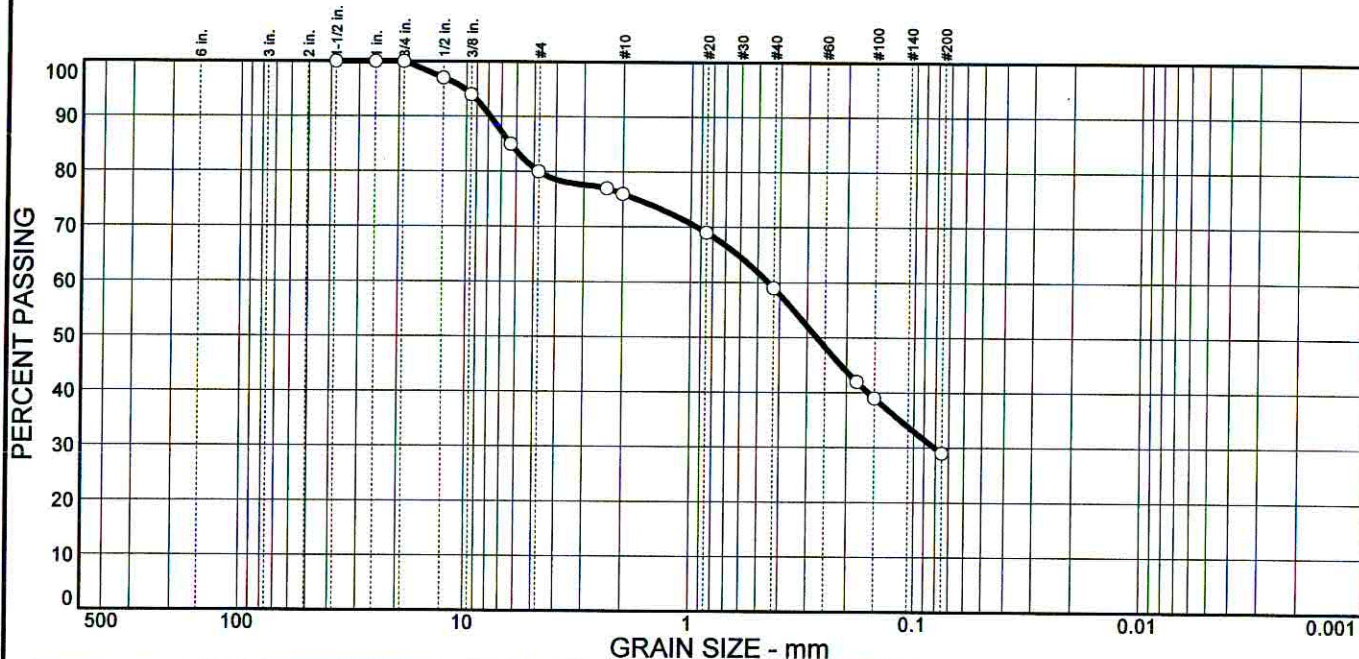
Date: 08-03-2012

Sample No: ST3330S05

Source of Sample: Elbridge Pit

Location: Topsoil Stockpile

Elev./Depth: ---



% COBBLES	% GRAVEL		% SAND			% FINES	
	CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
0	0	20	4	17	30	29	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
1-1/2 in.	100		
1 in.	100		
3/4 in.	100		
1/2 in.	97		
3/8 in.	94		
1/4 in.	85		
#4	80		
#8	77		
#10	76		
#20	69		
#40	59		
#80	42		
#100	39		
#200	29		

* (no specification provided)

Soil Description

Brown c-mf+ SAND; some SILT/CLAY; little cmf+ GRAVEL

Atterberg Limits

PL= ---

LL= ---

PI= ---

Coefficients

D₈₅= 6.35

D₆₀= 0.449

D₅₀= 0.271

D₃₀= 0.0806

D₁₅=

D₁₀=

C_u=

C_c=

Classification

USCS= ---

AASHTO= ---

Remarks

ASTM D 422 (without Hydrometer)

Sampled delivered by the client 08-01-2012

ATLANTIC TESTING LABORATORIES, LIMITED

Reviewed by: 

Date: 8/8/12



COMPACTION TEST REPORT



Test specification: ASTM D 1557-09 Method C Modified
Oversize correction applied to each point

Elev/ Depth	Classification		Received Moist.	Sp.G.	LL	PL	PI	% > 3/4 in.
	USCS	AASHTO						
---	---	---	---	2.6	---	---	---	0.0

TEST RESULTS

Maximum dry density = 117.7 pcf

Optimum moisture = 13.6 %

MATERIAL DESCRIPTION

Brown c-mf+ SAND; some SILT/CLAY; little
cmf+ GRAVEL

Report No.: ST3330SL-05-08-12 Client: Abscope Environmental, Inc.

Project: SMC Skaneateles

Sample No.: ST3330S05 Source of Sample: Elbridge Pit

Location: Topsoil Stockpile

Date: 08-03-2012

Remarks:

Sample delivered by the client 08-01-2012
Wet Preparation

COMPACTION TEST REPORT

ATLANTIC TESTING LABORATORIES, LIMITED

Rammer: Mechanical

Specific Gravity: Assumed

Reviewed by:

Date: 8/3/12

Matthew G. Root

From: John Grathwol <jcgrathw@gw.dec.state.ny.us>
Sent: Thursday, January 17, 2008 6:54 AM
To: Gianna Aiezza; lmona@specllc.com
Cc: John Kuhn; Jack Aversa
Subject: SMC-Skan Falls

The Department realizes that SMC would like to begin backfill Lagoon 1 as soon as possible.

To expedite the review, comment and approval process on SMC's January 15, 2008 Lagoon 1 backfill request, I will be on site Friday the 18th and sometime that day, the Department requests a conference call (informal progress meeting) to discuss the following items, at a minimum:

1. The Department's contingent approval to start backfilling Lagoon 1; Department-approved backfill source material should not be in contact with North, Northwest or Southwest notch material, soils currently in the footprint of the previously-completed Lagoon 1 will be removed to bedrock as it was before the Notch investigations, delineation of North and Northwest Notch material from clean backfill for historical purposes, etc.
2. The AEC-7 IRM RA schedule after mobilization; the Department considers complete mobilization as the RA start. Trench boxes on site will complete the mobilization.
3. Department's lab for confirmatory sampling

I may have a 1-hr. conflict Friday morning at a time between 9 am and Noon, but please choose a convenient time for you as I hope to have my Friday schedule set by this afternoon.

Jack Kuhn and I will be on the call.

Please let me know a couple of convenient times for you and who will be on the call on your end (i.e., if it only SPEC and Abscope are participating we would not need a toll-free conference call number).

Matthew G. Root

From: John Grathwol <jcgrathw@gw.dec.state.ny.us>
Sent: Thursday, January 17, 2008 6:54 AM
To: Gianna Aiezza; lmona@specllc.com
Cc: John Kuhn; Jack Aversa
Subject: SMC-Skan Falls

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Matthew G. Root

From: John Grathwol <jcgrathw@gw.dec.state.ny.us>
Sent: Thursday, April 17, 2008 8:20 AM
To: jkuhn@dbsyracuse.com; Jim Magda; Laura Mona
Cc: 'Jack Romagnoli'; Jack Aversa; gaiezza@specllc.com; 'Nicole B Walsh'
Subject: Re: Lagoon 1 final grades
Attachments: Lagoon 1 Final Grades.pdf

The Department approves the final grade plan for Lagoon 1.

Upon completion of this work including seeding, the Department will notify SMC that Lagoon 1 IRM is complete. Then, the Department will request SMC provide a Lagoon 1 IRM Final Engineering Report certified by a New York State Professional Engineer.

>>> "Laura Mona" <lmona@specllc.com> 4/16/2008 1:41 PM >>>
Attached is the final grade plan for Lagoon 1.

Laura L. Mona
Envirospec Engineering, PLLC
Skaneateles Falls Site
Ph (315) 685-6195
Fx (315) 685-6209
[Lmona@specllc.com](mailto:lmona@specllc.com)

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Matthew G. Root

From: John Grathwol <jcgrathw@gw.dec.state.ny.us>
Sent: Tuesday, May 06, 2008 10:31 AM
To: lmona@envirospeceng.com
Cc: jkuhn@dbsyracuse.com; jmagda@dbsyracuse.com; hmh01@health.state.ny.us
Subject: Re: New Topsoil Source

Thank you for researching another source. The DEC and DOH approve the Dewitt, Schuyler Road source.

>>> "Laura Mona" <lmona@envirospeceng.com> 05/05/08 4:03 PM >>>

Attached is the approval request for a new off-site backfill (topsoil) source. The topsoil is from a field located on Schuyler Road in Dewitt, NY.

Laura L. Mona
Envirospec Engineering, PLLC
Skaneateles Falls Site
Ph (315) 685-6195
Fx (315) 685-6209
<<mailto:Lmona@envirospeceng.com>> Lmona@envirospeceng.com

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Matthew G. Root

From: John Grathwol <jcgrathw@gw.dec.state.ny.us>
Sent: Thursday, January 10, 2008 7:55 PM
To: lmona@specllc.com
Cc: jack@abscope.com; jkuhn@dbsyracuse.com; jmagda@dbsyracuse.com; gaiezza@specllc.com
Subject: Re: NW Notch Backfill

As stated this morning, the Department approved that SMC may begin backfilling operations in the NW Notch. The Department's approval is contingent that the second sentence of Item #5 from Laura's Mona 1/9/08 e-mail listed below is not necessary.

Consistent with the SW Notch, SMC must suspend backfilling operations immediately if soils removed from NW Notch cannot be put back into place for any reason.

Discussion between SMC and the Department on backfilling operations will continue on site on Friday morning, January 11th so that the Department's approval is clarified and the understanding and expectations of both SMC and of the Department regarding the backfilling of Lagoon 1 and adjacent Notches are clear.

>>> "Laura Mona" <lmona@specllc.com> 01/09/08 12:25 PM >>>

The additional investigation of the western wall of Lagoon 1 into previously excavated and backfilled portions of AEC-1 is complete.

Sidewall samples of the northwest "notch" (NW Notch) collected by both SMC and DEC showed no contaminants above site SCGs/SSRGs or TAGM 4046 levels.

As such, per previous discussions and correspondence, the material generated from the NW Notch area, which is stockpiled on the soil staging pad as well as on the bottom of the Lagoon, will not require sampling prior to placement back in the notch. Backfilling of this area will be approached similar to test pitting backfill protocol. In order to expedite backfilling within the area, the following is proposed.

1. Material generated from the NW Notch will not be sampled and will be re-used as backfill in the area from which it was generated.
2. Sidewalls will not be delineated
3. The area of the NW Notch will not be scraped and no clay will be placed along bedrock. (After approval for backfilling the entire Lagoon has been granted, placement of clay along bedrock will begin at approximately the previous Lagoon 1 excavation limits and will butt up against the NW Notch backfill area.)
4. If needed, a clay berm (or other suitable material), will be installed along the eastern side of the NW Notch to contain the material and aid in backfilling efforts.
5. Efforts will be taken to place all the NW Notch material back in place.
Should all the material not be able to be placed within the area of the NW Notch (due to stability of material, water, etc), additional limits or areas for re-use of the material will be reviewed by SMC and DEC.

6. Clean import backfill material will be used if necessary to facilitate backfill to grade. In the spring, the top 6" will be backfilled with import topsoil then seeded and mulched.

A drawing showing the final limits of excavation of the Lagoon and additional investigation, including the final limits of the NW Notch, is attached. The limits shown are based on CT Male field surveys and CT Male provided base map drawings.

Laura L. Mona
Envirospec Engineering, PLLC
Skaneateles Falls Site
Ph (315) 685-6195
Fx (315) 685-6209
<<mailto:Lmona@specllc.com>> Lmona@specllc.com

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Matthew G. Root

From: John Grathwol <jcgrathw@gw.dec.state.ny.us>
Sent: Thursday, October 18, 2007 2:00 PM
To: Laura Mona
Cc: jkuhn@dbsyracuse.com; Jim Magda; Jack Aversa; Gianna Aiezza
Subject: Re: 8CSouth Pipe area excavation

Laura,

The Department concurs that it is OK to backfill the area referenced above in order to provide support for the site utilities including the electric panel, conduit and junction box. I believe my rough sketch provided to you earlier today designates this area.

The Department request one week TAT on the post-excavation samples and we will share those results with you upon the Department's receipt of the data so we can further discuss the soils in AEC-1.

>>> "Laura Mona" <lmona@specllc.com> 10/18/2007 1:43:04 PM >>>
John,

The excavation of the pipe area on the south wall of the open 8CSouth excavation is complete. In order to provide support for site utilities, including the electrical panel, conduit, and junction box, we need to backfill this immediate area. Please let me know if ok to proceed with backfilling.

Thanks

Laura L. Mona
Envirospec Engineering, PLLC
Skaneateles Falls Site
Ph (315) 685-6195
Fx (315) 685-6209
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Lake Road and Warners Analytical



Rob Drabot
Abscope Environmental Inc.
P.O. Box 487
Canastota, NY 13032

Phone: (315) 697-8437
FAX: (315) 697-9391

Laboratory Analysis Report

For

Abscope Environmental Inc.

Client Project ID:

Lake Rd Pit

LSL Project ID: **1313244**

Receive Date/Time: 08/16/13 12:32

Project Received by: RD

Life Science Laboratories, Inc. warrants, to the best of its knowledge and belief, the accuracy of the analytical test results contained in this report, but makes no other warranty, expressed or implied, especially no warranties of merchantability or fitness for a particular purpose. By the Client's acceptance and/or use of this report, the Client agrees that LSL is hereby released from any and all liabilities, claims, damages or causes of action affecting or which may affect the Client as regards to the results contained in this report. The Client further agrees that the only remedy available to the Client in the event of proven non-conformity with the above warranty shall be for LSL to re-perform the analytical test(s) at no charge to the Client. The data contained in this report are for the exclusive use of the Client to whom it is addressed, and the release of these data to any other party, or the use of the name, trademark or service mark of Life Science Laboratories, Inc. especially for the use of advertising to the general public, is strictly prohibited without express prior written consent of Life Science Laboratories, Inc. This report may only be reproduced in its entirety. No partial duplication is allowed. The Chain of Custody document submitted with these samples is considered by LSL to be an appendix of this report and may contain specific information that pertains to the samples included in this report. The analytical result(s) in this report are only representative of the sample(s) submitted for analysis. LSL makes no claim of a sample's representativeness, or integrity, if sampling was not performed by LSL personnel.

Life Science Laboratories, Inc.

LSL Central Lab
5854 Butternut Drive
East Syracuse, NY 13057
Tel. (315) 445-1900
Fax (315) 445-1104
NYS DOH ELAP #10248
PA DEP #68-2556

LSL North Lab
131 St. Lawrence Avenue
Waddington, NY 13694
Tel. (315) 388-4476
Fax (315) 388-4061
NYS DOH ELAP #10900

LSL Finger Lakes Lab
16 N. Main St., PO Box 424
Wayland, NY 14572
Tel. (585) 728-3320
Fax (585) 728-2711
NYS DOH ELAP #11667

LSL Southern Tier Field
Office
30 East Main Street
Cuba, NY 14727
Tel. (585) 968-2640
Fax (585) 968-0906

LSL MidLakes Field Office
493 South Main Street
Canandaigua, NY 14424
Tel. (585) 728-3320
Fax (585) 728-2711

This report was reviewed by:

Linda M. Pichley, QA
Life Science Laboratories, Inc.

Date:

8/27/13

A copy of this report was sent to:

Page 1 of 3

Date Printed:

8/27/13

- - LABORATORY ANALYSIS REPORT - -

Abscope Environmental Inc. Canastota, NY

Sample ID: Topsoil Grab LSL Sample ID: 1313244-001
 Location:
 Sampled: 08/16/13 10:00 Sampled By: RD
 Sample Matrix: SHW as Recd, Soil

Analytical Method	Prep Method	Prep	Analysis	Analyst
Analyte	Result Units	Date	Date & Time	Initials
(1) EPA 8260B TCL Volatiles	EPA 5035A			
Acetone	<40 ug/kg		8/22/13	MSV
Benzene	<3 ug/kg		8/22/13	MSV
Bromodichloromethane	<3 ug/kg		8/22/13	MSV
Bromoform	<3 ug/kg		8/22/13	MSV
Bromomethane	<3 ug/kg		8/22/13	MSV
2-Butanone (MEK)	<40 ug/kg		8/22/13	MSV
Carbon disulfide	<3 ug/kg		8/22/13	MSV
Carbon tetrachloride	<3 ug/kg		8/22/13	MSV
Chlorobenzene	<3 ug/kg		8/22/13	MSV
Chloroethane	<3 ug/kg		8/22/13	MSV
Chloroform	<3 ug/kg		8/22/13	MSV
Chloromethane	<3 ug/kg		8/22/13	MSV
Dibromochloromethane	<3 ug/kg		8/22/13	MSV
1,1-Dichloroethane	<3 ug/kg		8/22/13	MSV
1,2-Dichloroethane	<3 ug/kg		8/22/13	MSV
1,1-Dichloroethene	<3 ug/kg		8/22/13	MSV
1,2-Dichloroethene, Total	<3 ug/kg		8/22/13	MSV
1,2-Dichloropropane	<3 ug/kg		8/22/13	MSV
cis-1,3-Dichloropropene	<3 ug/kg		8/22/13	MSV
trans-1,3-Dichloropropene	<3 ug/kg		8/22/13	MSV
Ethyl benzene	<3 ug/kg		8/22/13	MSV
2-Hexanone	<6 ug/kg		8/22/13	MSV
Methylene chloride	<6 ug/kg		8/22/13	MSV
4-Methyl-2-pentanone (MIBK)	<6 ug/kg		8/22/13	MSV
Styrene	<3 ug/kg		8/22/13	MSV
1,1,2,2-Tetrachloroethane	<3 ug/kg		8/22/13	MSV
Tetrachloroethene	<3 ug/kg		8/22/13	MSV
Toluene	<3 ug/kg		8/22/13	MSV
1,1,1-Trichloroethane	<3 ug/kg		8/22/13	MSV
1,1,2-Trichloroethane	<3 ug/kg		8/22/13	MSV
Trichloroethene	<3 ug/kg		8/22/13	MSV
Vinyl chloride	<3 ug/kg		8/22/13	MSV
Xylenes (Total)	<3 ug/kg		8/22/13	MSV
Surrogate (1,2-DCA-d4)	99 %R		8/22/13	MSV
Surrogate (Tol-d8)	107 %R		8/22/13	MSV
Surrogate (4-BFB)	110 %R		8/22/13	MSV

The NYS DOH currently only certifies low level volatiles to be sampled using a sealed vial, EnCore type, sampling technique. Samples not taken this way may show a low bias in their results.

(1) EPA Method 6010 Metals

Please refer to the next page

(1) EPA Method 7471 Metals

Please refer to the next page

(1) Modified SM 18-20 2540B Total Solids

Total Solids @ 103-105 C	91 %	8/20/13	MM
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Life Science Laboratories, Inc.

Page 2 of 3

Date Printed: 8/27/13

Analysis performed at: (1) LSL Central, (2) LSL North, (3) LSL Finger Lakes, (4) LSL Southern Tier, (5) LSL MidLakes

**Life Science Laboratories, Inc.**

5854 Butternut Drive

East Syracuse, NY 13057

(315) 445-1900

Analytical Results

StateCertNo: 10248

CLIENT: Life Science Labs-LIMS
Project: 1313244-Abscope Environmental

Lab ID: K1308193-001A
Client Sample ID: Top Soil Grab

W Order: K1308193**Matrix:** SHW**Collection Date:** 08/16/13 10:00**Date Received:** 08/16/13 12:32

Analyte	Result	Qual	PQL Units	DF	Date Analyzed
MERCURY			SW7471A		(SW7471A)
Mercury	ND		0.10 mg/Kg	1	08/19/13 16:27

TOTAL METALS BY ICP**SW6010B****(SW3050B)**

Aluminum	4600	10 mg/Kg	1	08/27/13 10:57
Antimony	ND	1.0 mg/Kg	1	08/27/13 10:57
Arsenic	1.8	1.0 mg/Kg	1	08/27/13 10:57
Barium	23	10 mg/Kg	1	08/27/13 10:57
Beryllium	ND	1.0 mg/Kg	1	08/27/13 10:57
Cadmium	ND	1.0 mg/Kg	1	08/27/13 10:57
Calcium	19000	100 mg/Kg	1	08/27/13 10:57
Chromium	4.9	1.0 mg/Kg	1	08/27/13 10:57
Cobalt	2.7	1.0 mg/Kg	1	08/27/13 10:57
Copper	7.2	1.0 mg/Kg	1	08/27/13 10:57
Iron	7800	5.0 mg/Kg	1	08/27/13 10:57
Lead	4.5	1.0 mg/Kg	1	08/27/13 10:57
Magnesium	6600	100 mg/Kg	1	08/27/13 10:57
Manganese	260	1.0 mg/Kg	1	08/27/13 10:57
Nickel	5.1	1.0 mg/Kg	1	08/27/13 10:57
Potassium	570	100 mg/Kg	1	08/27/13 10:57
Selenium	ND	1.0 mg/Kg	1	08/27/13 10:57
Silver	ND	1.0 mg/Kg	1	08/27/13 10:57
Sodium	ND	100 mg/Kg	1	08/27/13 10:57
Thallium	ND	2.0 mg/Kg	1	08/27/13 10:57
Vanadium	8.5	1.0 mg/Kg	1	08/27/13 10:57
Zinc	30	2.0 mg/Kg	1	08/27/13 10:57

Qualifiers:

* Value exceeds Maximum Contaminant Level
E Value exceeds the instrument calibration range
J Analyte detected below the PQL
P Prim./Conf. column %D or RPD exceeds limit

B Analyte detected in the associated Method Blank
H Holding times for preparation or analysis exceeded
ND Not Detected at the Practical Quantitation Limit (PQL)
S Spike Recovery outside accepted recovery limits

- - LABORATORY ANALYSIS REPORT - -

Abscope Environmental Inc. Canastota, NY

Sample ID: Topsoil Grab LSL Sample ID: 1313244-001

Location:

Sampled: 08/16/13 10:00 Sampled By: RD

Sample Matrix: SHW as Recd, Soil

Analytical Method	Prep Method	Prep	Analysis	Analyst	
Analyte	Result	Units	Date	Date & Time	Initials

(1) Modified SM 18-20 2540B Total Solids

Analysis is not certifiable by NYS DOH ELAP.



SURROGATE RECOVERY CONTROL LIMITS FOR ORGANIC METHODS

<u>Method</u>	<u>Surrogate(s)</u>	<u>Water Limits, %R</u>	<u>SHW Limits, %R</u>
EPA 504	TCMX	80-120	NA
EPA 508	DCB	70-130	NA
EPA 515.4	DCAA	70-130	NA
EPA 524.2	1,2-DCA-d4	70-130	NA
EPA 524.2	Tol-d8, 4-BFB	75-125	NA
EPA 525.2	1,3-DM-2-NB, TPP, Per-d12	70-130	NA
EPA 526	1,3-DM-2-NB, TPP	70-130	NA
EPA 528	2-CP-3,4,5,6-d4, 2,4,6-TBP	70-130	NA
EPA 551.1	Decafluorobiphenyl	80-120	NA
EPA 552.2	2,3-DBPA	70-130	NA
EPA 601/602	1,2-DCA-d4	70-130	NA
EPA 601/602	Tol-d8, 4-BFB	75-125	NA
EPA 608	TCMX, DCB	30-150	NA
EPA 624	1,2-DCA-d4	70-130	NA
EPA 624	Tol-d8, 4-BFB	75-125	NA
EPA 625, AE	2-Fluorophenol	21-110	NA
EPA 625, AE	Phenol-d5	10-110	NA
EPA 625, AE	2,4,6-Tribromophenol	10-123	NA
EPA 625, BN	Nitrobenzene-d5	35-114	NA
EPA 625, BN	2-Fluorobiphenyl	43-116	NA
EPA 625, BN	Terphenyl-d14	33-141	NA
EPA 8010/8020/8021	1,2-DCA-d4	70-130	69-127
EPA 8010/8020/8021	Tol-d8	75-125	72-138
EPA 8010/8020/8021	4-BFB	75-125	53-167
EPA 8081	TCMX, DCB	30-150	30-150
EPA 8082	DCB	30-150	30-150
EPA 8151	DCAA	30-130	30-120
EPA 8260	1,2-DCA-d4	70-130	69-127
EPA 8260	Tol-d8	75-125	72-138
EPA 8260	4-BFB	75-125	53-167
EPA 8270, AE	2-Fluorophenol	21-110	25-121
EPA 8270, AE	Phenol-d5	10-110	24-113
EPA 8270, AE	2,4,6-Tribromophenol	10-123	19-122
EPA 8270, BN	Nitrobenzene-d5	35-114	23-120
EPA 8270, BN	2-Fluorobiphenyl	43-116	30-115
EPA 8270, BN	Terphenyl-d14	33-141	18-137
DOH 310-13	Terphenyl-d14	40-110	40-110
DOH 310-14	Terphenyl-d14	40-110	40-110
DOH 310-15	Terphenyl-d14	40-110	40-110
DOH 310-34	4-BFB	50-150	50-150
DOH 313-4	DCB	NA	30-150
8015M_GRO	4-BFB	50-150	50-150
8015M_DRO	Terphenyl-d14	50-150	50-150

Units Key:

ug/l = microgram per liter
 ug/kg = microgram per kilogram
 mg/l = milligram per liter
 mg/kg = milligram per kilogram
 %R = Percent Recovery



**5854 Butternut Drive
East Syracuse, NY 13057**

Chain of Custody Record

33244
AbscoperEnv

[illegible]

From: [Rob Gray](#)
To: [Brent Heeseemann](#)
Subject: Warner's Top Soil
Date: Thursday, August 16, 2012 9:59:05 AM

Brent

I spoke to Rob Drabot who delivered the top soil sample to the laboratory. Rob said he picked up the sample from ATL, the sample he delivered was from the Warner's top soil pile that ATL was performing soil grain analysis on. Rob mislabeled the chain of custody as I had sent him an e-mail chain that described the metals analysis that we needed to perform and in that e-mail there was a reference to the sand from lake Road.

Sorry for the confusion

Rob'

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Rob Drabot
Abscope Environmental Inc.
P.O. Box 487
Canastota, NY 13032

Phone: (315) 697-8437

FAX: (315) 697-9391

Laboratory Analysis Report

For

Abscope Environmental Inc.

Client Project ID:

Riccalli Lake Rd.

LSL Project ID: **1210869**

Receive Date/Time: 07/11/12 16:40

Project Received by: RD

Life Science Laboratories, Inc. warrants, to the best of its knowledge and belief, the accuracy of the analytical test results contained in this report, but makes no other warranty, expressed or implied, especially no warranties of merchantability or fitness for a particular purpose. By the Client's acceptance and/or use of this report, the Client agrees that LSL is hereby released from any and all liabilities, claims, damages or causes of action affecting or which may affect the Client as regards to the results contained in this report. The Client further agrees that the only remedy available to the Client in the event of proven non-conformity with the above warranty shall be for LSL to re-perform the analytical test(s) at no charge to the Client. The data contained in this report are for the exclusive use of the Client to whom it is addressed, and the release of these data to any other party, or the use of the name, trademark or service mark of Life Science Laboratories, Inc. especially for the use of advertising to the general public, is strictly prohibited without express prior written consent of Life Science Laboratories, Inc. This report may only be reproduced in its entirety. No partial duplication is allowed. The Chain of Custody document submitted with these samples is considered by LSL to be an appendix of this report and may contain specific information that pertains to the samples included in this report. The analytical result(s) in this report are only representative of the sample(s) submitted for analysis. LSL makes no claim of a sample's representativeness, or integrity, if sampling was not performed by LSL personnel.

Life Science Laboratories, Inc.

LSL Central Lab
5854 Butternut Drive
East Syracuse, NY 13057
Tel. (315) 445-1900
Fax (315) 445-1104
NYS DOH ELAP #10248
PA DEP #68-2556

LSL North Lab
131 St. Lawrence Avenue
Waddington, NY 13694
Tel. (315) 388-4476
Fax (315) 388-4061
NYS DOH ELAP #10900

LSL Finger Lakes Lab
16 N. Main St., PO Box 424
Wayland, NY 14572
Tel. (585) 728-3320
Fax (585) 728-2711
NYS DOH ELAP #11667

LSL Southern Tier Lab
30 East Main Street
Cuba, NY 14727
Tel. (585) 968-2640
Fax (585) 968-0906
NYS DOH ELAP #10760

LSL MidLakes Field Office
493 South Main Street
Canandaigua, NY 14424
Tel. (585) 728-3320
Fax (585) 728-2711

This report was reviewed by:

Linda M. Paoletti, QA
Life Science Laboratories, Inc.

Date:

7/27/12

A copy of this report was sent to: Rob Gray

Page 1 of 2

Date Printed:

7/27/12

-- LABORATORY ANALYSIS REPORT --

Abscope Environmental Inc. Canastota, NY

Sample ID: Lake Rd. Pit Topsoil LSL Sample ID: 1210869-001
Location:
Sampled: 07/11/12 13:00 Sampled By: RD
Sample Matrix: SHW Dry Wt, Soil

Analytical Method	Prep	Analysis	Analyst
Analyte	Date	Date & Time	Initials
(1) EPA Method 6010 Metals			
Please refer to the next page			
(1) EPA Method 7471 Metals			
Please refer to the next page			
(1) SM 18-20 2540B Total Solids			
Total Solids @ 103-105 C	97 %	7/16/12	MM



Life Science Laboratories, Inc.
5854 Butternut Drive
East Syracuse, NY 13057 (315) 445-1900

Analytical Results

StateCertNo: 10248

CLIENT: Life Science Labs-LIMS
Project: 1210869-Abscope Environmental
W Order: K1207123
Matrix: SOIL

Lab ID: K1207123-001A
Client Sample ID: Lake Rd. Pit Topsoil

Collection Date: 07/11/12 13:00
Date Received: 07/11/12 16:40

Analyte	Result	Qual	PQL Units	DF	Date Analyzed
MERCURY			SW7471A		(SW7471A)
Mercury	ND		0.10 mg/Kg-dry	1	07/18/12 10:12

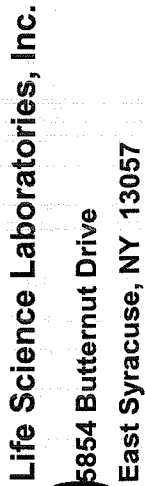
TOTAL METALS BY ICP

SW6010B

(SW3050B)

Aluminum	2900		10 mg/Kg-dry	1	07/27/12
Antimony	ND		1.0 mg/Kg-dry	1	07/27/12
Arsenic	2.8		1.0 mg/Kg-dry	1	07/27/12
Barium	34		10 mg/Kg-dry	1	07/27/12
Beryllium	ND		1.0 mg/Kg-dry	1	07/27/12
Cadmium	ND		1.0 mg/Kg-dry	1	07/27/12
Calcium	230000		510 mg/Kg-dry	5	07/27/12
Chromium	7.4		1.0 mg/Kg-dry	1	07/27/12
Cobalt	4.0		1.0 mg/Kg-dry	1	07/27/12
Copper	17		1.0 mg/Kg-dry	1	07/27/12
Iron	7300		5.1 mg/Kg-dry	1	07/27/12
Lead	11		1.0 mg/Kg-dry	1	07/27/12
Magnesium	6200		100 mg/Kg-dry	1	07/27/12
Manganese	470		1.0 mg/Kg-dry	1	07/27/12
Nickel	7.7		1.0 mg/Kg-dry	1	07/27/12
Potassium	820		100 mg/Kg-dry	1	07/27/12
Selenium	ND		1.0 mg/Kg-dry	1	07/27/12
Silver	ND		1.0 mg/Kg-dry	1	07/27/12
Sodium	220		100 mg/Kg-dry	1	07/27/12
Thallium	ND		2.1 mg/Kg-dry	1	07/27/12
Vanadium	7.5		1.0 mg/Kg-dry	1	07/27/12
Zinc	34		2.1 mg/Kg-dry	1	07/27/12

Qualifiers:	* Value exceeds Maximum Contaminant Level	B Analyte detected in the associated Method Blank
	E Value exceeds the instrument calibration range	H Holding times for preparation or analysis exceeded
	J Analyte detected below the PQL	ND Not Detected at the Practical Quantitation Limit (PQL)
	P Prim./Conf. column %D or RPD exceeds limit	S Spike Recovery outside accepted recovery limits



Chain of Custody Record

2069
AbscopelEnv
3356

[illegible]

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#); [Matthew G. Root](#)
Subject: Re: 7/11/12 Call and Backfill Sources
Date: Wednesday, July 11, 2012 11:13:44 AM

The Department has reviewed the Lake Road Pit Sand submittal and approve this material. As we previously discussed, metals analysis (similar to the analysis provided for Lake Road Pit Sand) is needed for Department review on the Topsoil material.

>>> Brent Heesemann 07/09/12 10:47 AM >>>
Hi John,

We will be hosting a conference call with Abscope at 9:30 am on Wednesday, 7/11/12. Does that time work for you? I know you planned on being here at 7:00 on Wednesday, but we will not start digging until after the call if we excavate at all before Thursday.

Also, attached is a signed letter outlining exactly what has been used before at the site as backfill material. Per your 6/28/12 email, material used here before is assumed to be pre-approved by the Department. There are two (2) materials that we still need Department approval for, however, being the Lake Road Pit Sand and Topsoil. I have attached analytical data for Lake Road Pit Sand. The Topsoil is currently being analyzed for pH, Total Organic, Matter, and sieve analysis. What additional information, if any, do you require to approve these materials? These materials are originating from NYSDEC permitted sources, the permits for which were sent to you on 6/21/12.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

New York State Department of Environmental Conservation

Division of Environmental Remediation

Remedial Bureau E, 12th Floor

625 Broadway, Albany, New York 12233-7017

Phone: (518) 402-9814 • **FAX:** (518) 402-9819

Website: www.dec.state.ny.us



Denise M. Sheehan
Acting
Commissioner

August 12, 2005

Mr. Tom Haldas
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

RE: Site No. 7-34-010, SMC Skaneateles Falls
August 3, 2005 AEC-5 Culvert Removal & Replacement Remedial Plan

Dear Mr. Haldas:

Based upon review by the Department, a formal notice to proceed is granted for SMC to initiate onsite Skaneateles Creek culvert removal & replacement activities in accordance with the subject workplan. The workplan accurately reflects discussions and past agreements between SMC representatives and the Department's Division of Environmental Remediation and Division of Water.

With this notice, it is expected that SMC and SPEC will continue to work with the NYSDEC onsite representatives. Should SMC or SPEC have any questions, please feel free to contact me accordingly.

Sincerely,

David Chiusano
Project Manager
Remedial Section A, Remedial Bureau E
Division of Environmental Remediation

ec: R. Pucci, SMC
J. Burke/W. Foy/L. Mona - SPEC
J. Burke - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
S. Pepling/J. Kuhn - D&B
S. Lizlovs - NYSDEC-DOW, Region 7
J. Eifert - NYSDEC -DFW
J. Romagnoli, Abscope

New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau B
625 Broadway, Albany, New York 12233-7016
Phone: (518) 402-9768 • FAX: (518) 402-9020
Website: www.dec.ny.gov



September 8, 2008

Gianna Aiezza, P.E.
Principal Engineer
Envirospec Engineering, PLLC
16 Computer Drive West
Albany, NY 12205

RE: Site Code 7-34-010
SMC - Skaneateles Falls
Onondaga County

Dear Ms. Aiezza:

The Department reviewed the August 27, 2008 proposal for reduction of the off-site groundwater sampling frequency and found it satisfactory with one addendum as follows:

Alternate the season of the year that the annual sampling event is performed (i.e., Spring 2009, Fall 2010, Summer 2011, Spring 2012 and so on.....).

When drafting the Site Management Plan for Department review, please include the sampling schedule of these off-site groundwater monitoring wells in this document.

If you have any questions, please let me know.

Sincerely,

John Grathwol

John Grathwol
Remedial Section C
Remedial Bureau B
Division of Environmental Remediation

ec: R. Jones, NYSDOH
G. Townsend, DER Region 7

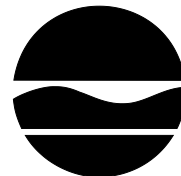
**New York State Department of Environmental Conservation
Division of Environmental Remediation**

Remedial Bureau D, 12th Floor

625 Broadway, Albany, New York 12233-7013

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Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

September 15, 2003

Mr. Lee Erickson
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

Dear Mr. Erickson:

Re: SMC Skaneateles Falls Site No. 7-34-010
September 9, 2003 Final RD Work Plan Phase II AEC 7 & 8

The New York State Department of Environmental Conservation (Department) has reviewed the subject submittal which was received on September 11, 2003. Based upon that review, approval is granted to allow initiation and implementation of remedial activities within the subject AECs.

Please be sure to forward a copy of the subject work plan to Joe Eifert, NYSDEC-DFW at 1285 Fisher Avenue, Cortland, New York 13045-1090. Should SMC/SPEC have any further questions regarding this submittal, please feel free to contact me accordingly.

Sincerely,

David J. Chiusano
Project Manager
Remedial Section D, Remedial Bureau D
Division of Environmental Remediation

ec: S.Lizlovs - DOW
J. Eifert - DFW, Cortland
T. Haldas - SMC
R. Pucci, SMC - Skan Falls
J. Burke/W. Foy - SPEC
J. Burke - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould, D&B

**New York State Department of Environmental Conservation
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September 19, 2003

Mr. Lee Erickson
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

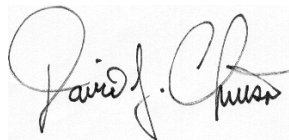
Re: Site No. 7-34-010, SMC Skaneateles Falls
AEC-1 Confirmatory Soil Sampling Package CONFIRM-1

Dear Mr. Erickson:

The New York State Department of Environmental Conservation (Department) has reviewed the subject submittal which was received on September 18, 2003. Based upon that review, approval is granted for SMC to initiate backfilling activities within AEC-1 in areas excavated to bedrock and as depicted within drawing CONFIRM-1 of the submittal. It is further understood and agreed upon that the first approximately five feet of backfill will consist of compacted clay from a pre-approved source.

Should SMC/SPEC have any further questions regarding this submittal, please feel free to contact me accordingly.

Sincerely,



David Chiusano
Section D, Remedial Bureau D
Division of Environmental Remediation

ec: T. Haldas - SMC
R. Pucci, SMC - Skan Falls
J. Burke/W. Foy - SPEC
J. Burke - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould/S. Pepling/J. Kuhn, D&B
S. Lizlovs, NYSDEC-DOW, Region 7

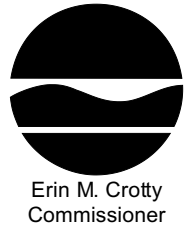
**New York State Department of Environmental Conservation
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Remedial Bureau D, 12th Floor

625 Broadway, Albany, New York 12233-7013

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Website: www.dec.state.ny.us



September 23, 2003

Mr. Lee Erickson
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

Re: Site No. 7-34-010, SMC Skaneateles Falls
AEC-1 Confirmatory Soil Sampling Packages
CONFIRM-2 thru CONFIRM-5

Dear Mr. Erickson:

The New York State Department of Environmental Conservation (Department) has reviewed the subject submittals which were received on September 18, 19, and 22, 2003. Based upon that review, approval is granted for SMC to initiate backfilling activities within AEC-1 in the areas identified within drawings CONFIRM-2 thru 5 of the submittals. It is further understood and agreed upon that the first approximately two feet of backfill in those areas will consist of compacted clay from a pre-approved source.

Should SMC/SPEC have any further questions regarding this submittal, please feel free to contact me accordingly.

Sincerely,

David J. Chiusano
Section D
Remedial Bureau D
Division of Environmental Remediation

ec: T. Haldas - SMC
R. Pucci - SMC - Skan Falls
J. Burke/W. Foy/L.Mona - SPEC
J. Burke - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould/S. Pepling/J. Kuhn - D&B
S. Lizlovs - NYSDEC-DOW, Region 7

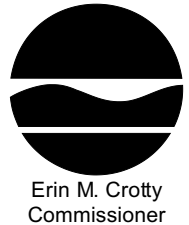
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September 24, 2003

Mr. Lee Erickson
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

Re: Site No. 7-34-010, SMC Skaneateles Falls
AEC-1 Confirmatory Soil Sampling Package CONFIRM-6

Dear Mr. Erickson:

The New York State Department of Environmental Conservation (Department) has reviewed the subject submittal which was received on September 23, 2003. Based upon that review, approval is granted for SMC to initiate backfilling activities within AEC-1 in areas depicted within drawing CONFIRM-6 of the submittal. It is further understood and agreed upon that the first approximately two feet of backfill in that area will consist of compacted clay from a pre-approved source.

Should SMC/SPEC have any further questions regarding this submittal, please feel free to contact me accordingly.

Sincerely,

David Chiusano
Section D, Remedial Bureau D
Division of Environmental Remediation

ec: T. Haldas - SMC
R. Pucci, SMC - Skan Falls
J. Burke/W. Foy/L.Mona - SPEC
J. Burke - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould/S. Pepling/J. Kuhn, D&B
S. Lizlovs, NYSDEC-DOW, Region 7

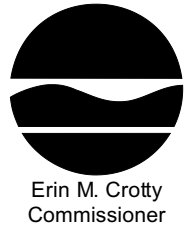
**New York State Department of Environmental Conservation
Division of Environmental Remediation**

Remedial Bureau D, 12th Floor

625 Broadway, Albany, New York 12233-7013

Phone: (518) 402-9814 • **FAX:** (518) 402-9819

Website: www.dec.state.ny.us



September 30, 2003

Mr. Lee Erickson
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

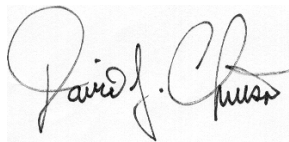
Re: Site No. 7-34-010, SMC Skaneateles Falls
AEC-1 Confirmatory Soil Sampling Package CONFIRM-7

Dear Mr. Erickson:

The New York State Department of Environmental Conservation (Department) has reviewed the subject submittal which was received on September 29, 2003. Based upon that review, approval is granted for SMC to initiate backfilling activities within AEC-1 in areas depicted within drawing CONFIRM-7 of the submittal

Should SMC/SPEC have any further questions regarding this submittal, please feel free to contact me accordingly.

Sincerely,



David Chiusano
Section D, Remedial Bureau D
Division of Environmental Remediation

cc: T. Haldas - SMC
R. Pucci, SMC - Skan Falls
J. Burke/W. Foy/L.Mona - SPEC
J. Burke - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould/S. Pepling/J. Kuhn, D&B
S. Lizlovs, NYSDEC-DOW, Region 7

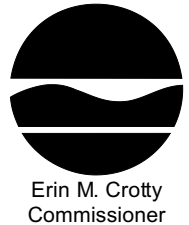
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October 10, 2003

Mr. Lee Erickson
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

Re: Site No. 7-34-010, SMC Skaneateles Falls
AEC-1 Confirmatory Soil Sampling Package CONFIRM-8

Dear Mr. Erickson:

The New York State Department of Environmental Conservation (Department) has reviewed the subject submittal which was received on October 8, 2003. Based upon that review, approval is granted for SMC to initiate backfilling activities within AEC-1 in areas depicted within drawing CONFIRM-8 of the submittal. It is understood from discussions at our 10/01/03 site progress meeting that the sidewalls within the southeast corner of the excavation will be backfilled and packed with clay or another impermeable barrier to prevent potential infiltration from the nearby settling ponds. Also, it is understood that the first approximately five feet of backfill in this area will consist of compacted clay from a pre-approved source.

Should SMC/SPEC have any further questions regarding this submittal, please feel free to contact me accordingly.

Sincerely,

David Chiusano
Section D, Remedial Bureau D
Division of Environmental Remediation

cc: T. Haldas - SMC
R. Pucci, SMC - Skan Falls
J. Burke/W. Foy - SPEC
J. Burke - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould/J. Kuhn, D&B
S. Lizlovs, NYSDEC-DOW, Region 7

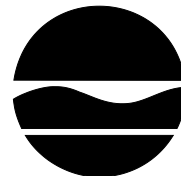
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Erin M. Crotty
Commissioner

October 22, 2003

Mr. Lee Erickson
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

Re: SMC Skaneateles Falls, Site No. 7-34-010
October 20, 2003 Final RD Work Plan Phase IV AEC-2

Dear Mr. Erickson:

The New York State Department of Environmental Conservation (Department) has reviewed the subject submittal which was received on October 21, 2003. Based upon that review, approval is granted to allow initiation and implementation of remedial activities within AEC-2. With this approval, it is understood that Appendix F of the workplan, Project Schedule, will be submitted to me by SPEC Consulting under separate cover by Friday, October 24, 2003.

Please be sure to forward a copy of the subject work plan to Joe Eifert, NYSDEC-DFW at 1285 Fisher Avenue, Cortland, New York 13045-1090. Should SMC/SPEC have any further questions regarding this submittal, please feel free to contact me accordingly.

Sincerely,

David J. Chiusano
Project Manager
Remedial Section D, Remedial Bureau D
Division of Environmental Remediation

ec: S. Lizlovs - NYSDEC, DOW
J. Eifert - NYSDEC, DFW, Cortland
T. Haldas - SMC
R. Pucci - SMC, Skan Falls
J. Burke/W. Foy - SPEC
J. Burke - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould - D&B

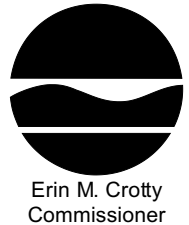
**New York State Department of Environmental Conservation
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Remedial Bureau E, 12th Floor

625 Broadway, Albany, New York 12233-7013

Phone: (518) 402-9814 • **FAX:** (518) 402-9819

Website: www.dec.state.ny.us



August 20, 2004

Mr. Tom Haldas
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

Dear Mr. Haldas:

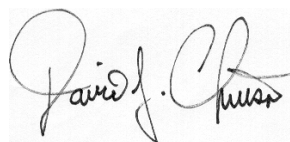
Re: SMC Skaneateles Falls Site No. 7-34-010
August 9, 2004 AEC-5 Final Sediment SAP, Rev. 2

The New York State Department of Environmental Conservation (Department) has reviewed the subject submittal which was received on August 12, 2004. Based upon that review, the sampling and analysis plan has been approved as noted below.

It is understood by the Department that a cleanup goal will be developed by SPEC for PCBs before AEC-5 remedial activities are undertaken next construction season. Obviously, if PCBs are not detected during the upcoming sampling, there is no necessity to develop a PCB cleanup goal. Secondly, please provide the Department's on-site representatives and me with copies of the HASP addendum associated with this creek sampling event as previously discussed.

Finally, it is understood that sampling activities will be initiated on August 30, 2004 and take up to three weeks to be completed provided the weather cooperates. Please contact me accordingly should this schedule change. Should SMC/SPEC have any further questions regarding this submittal, please feel free to contact me accordingly.

Sincerely,



David J. Chiusano
Project Manager
Remedial Section A, Remedial Bureau E
Division of Environmental Remediation

ec: S.Lizlovs - DOW
J. Eifert - DFW, Cortland
R. Pucci, SMC - Skan Falls
J. Burke/W. Foy - SPEC
J. Burke / K. Cahill - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould, D&B

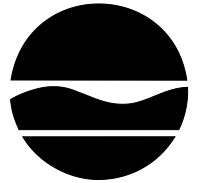
**New York State Department of Environmental Conservation
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Website: www.dec.state.ny.us



Denise M. Sheehan
Acting
Commissioner

July 20, 2005

Mr. Tom Haldas
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

RE: Site No. 7-34-010, SMC Skaneateles Falls
AEC-5: July 12, 2005 Phase 2 Creek Pump Around Work Plan

Dear Mr. Haldas:

Based upon review by the Department, approval is granted for SMC to initiate construction, operation, and maintenance of the phase 2 creek pump around containment system as presented in the subject workplan. However, please note that option #2 involving a proposal to install the downstream stilling basin within the creek is not approved for installation. Accordingly, option #1 involving the installation of the stilling basin adjacent to creek will need to be implemented as part of the phase 2 pump around.

With this approval it is expected that SMC and SPEC will continue to work with D&B in the field to locate build access roads and delineate extent of tree removal necessary to perform the work. Should SMC or SPEC have any questions, please feel free to contact me accordingly.

Sincerely,

David Chiusano
Project Manager
Remedial Section A, Remedial Bureau E
Division of Environmental Remediation

ec: J. Burke/W. Foy - SPEC
J. Burke/K.Cahill - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
S. Pepling/J. Kuhn - D&B
S. Lizlovs - NYSDEC-DOW, Region 7
J. Eifert - NYSDEC -DFW

Misc Backfill Sources and Testing



August 23, 2012

To: Rob Gray

Abscope Environmental Services

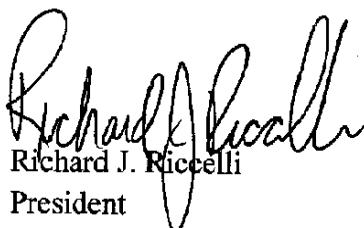
RE: Stauffer Project

Any material produced and supplied to the above mentioned project from Riccelli Enterprises, Inc. and/or Syracuse Sand & Gravel, LLC mines are 100% native virgin materials and have not been previously used on the site or on another project. We do not include any recycled materials in our products. The materials are free of contaminated substances and are clean.

<i>Source</i>	<i>Material</i>
Rolling Hills/Elbridge Pit, Elbridge, NY	Item 203.07 Bank Run Gravel

Statement regarding past usage on the site:

In the past, we have utilized roughly 1,000 CY of Bank Run Gravel from the Elbridge Pit on the Stauffer Project site.



Richard J. Riccelli
President

Riccelli Enterprises, Inc.



Particle Size Distribution Report

Project: Stauffer Chemical

Report No.: ST3330SL-04-07-12

Client: Abscope Environmental, Inc.

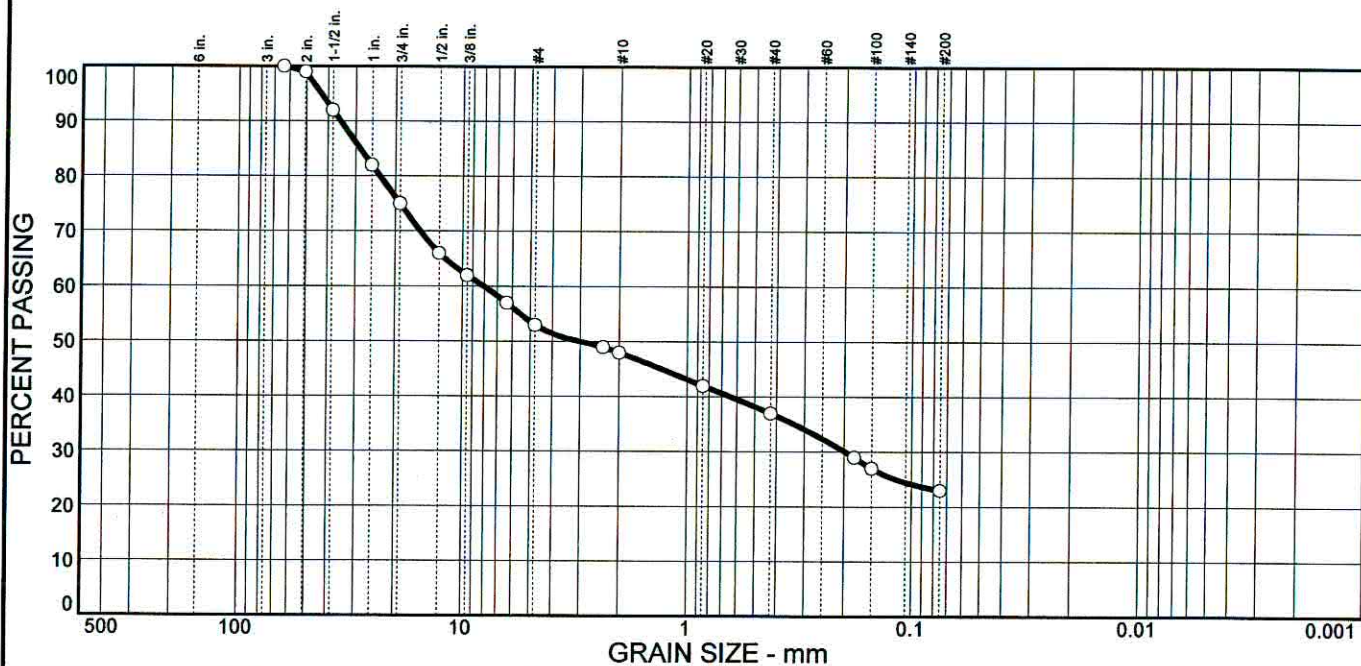
Date: 07-25-2012

Sample No: ST3330S04

Source of Sample: On-Site Imported Previously

Location: Stockpile

Elev./Depth: ---



% COBBLES	% GRAVEL		% SAND			% FINES	
	CRS.	FINE	CRS.	MEDIUM	FINE	SILT	CLAY
0	25	22	5	11	14	23	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	OUT OF SPEC. (X)
2-1/2 in.	100		
2 in.	99		
1-1/2 in.	92		
1 in.	82		
3/4 in.	75		
1/2 in.	66		
3/8 in.	62		
1/4 in.	57		
#4	53		
#8	49		
#10	48		
#20	42		
#40	37		
#80	29		
#100	27		
#200	23		

Soil Description

Brown cmf GRAVEL; some c-mf SAND; some SILT/CLAY

Atterberg Limits

PL= --- LL= --- PI= ---

Coefficients

D₈₅= 28.7 D₆₀= 8.04 D₅₀= 2.99
D₃₀= 0.197 D₁₅= C_u=
C_c=

Classification

USCS= --- AASHTO= ---

Remarks

ASTM D 422 (without Hydrometer)
Delivered by the client on 07-19-2012

* (no specification provided)

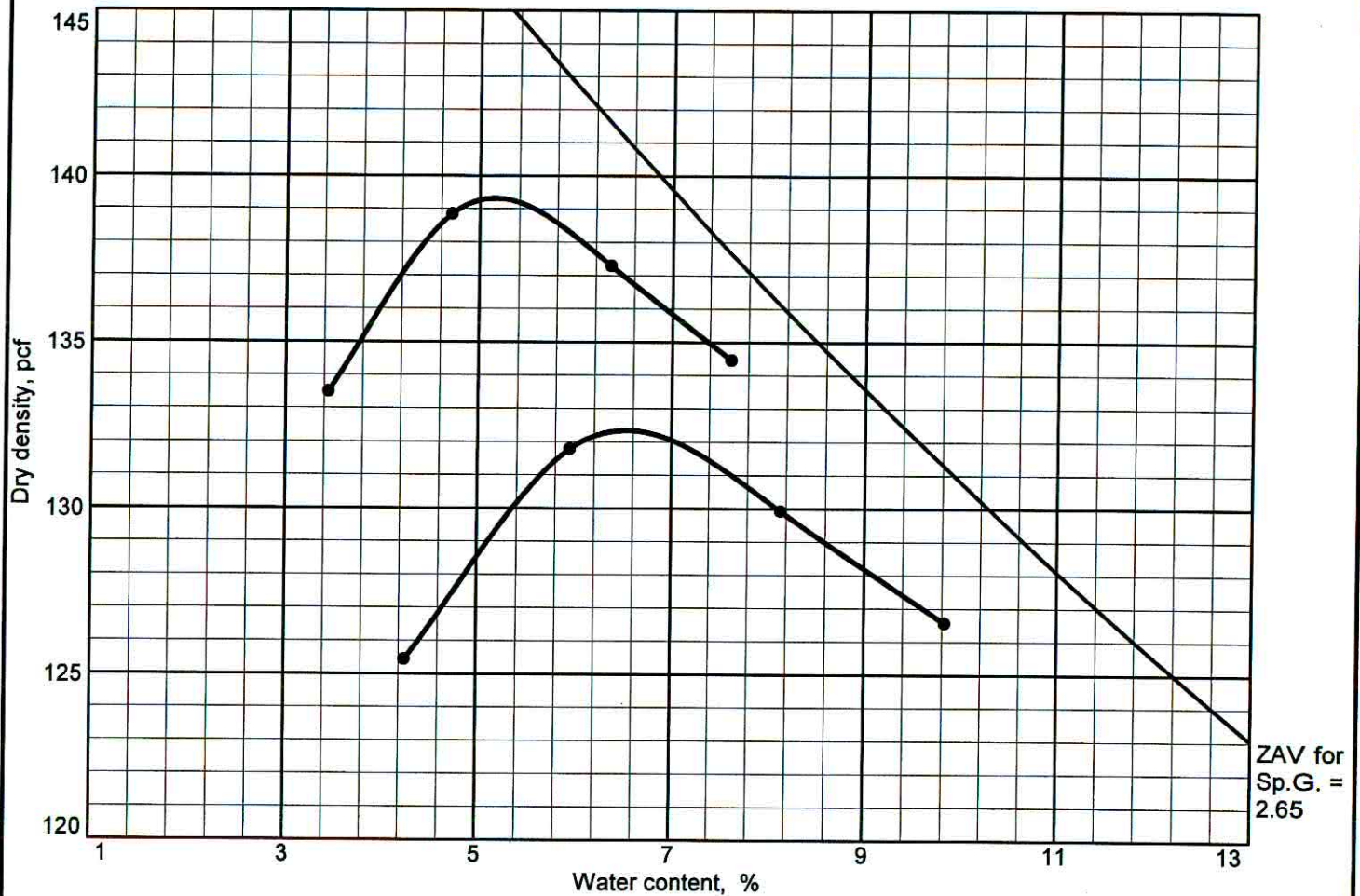
ATLANTIC TESTING LABORATORIES, LIMITED

Reviewed by: Jian

Date: 8/2/12



COMPACTION TEST REPORT



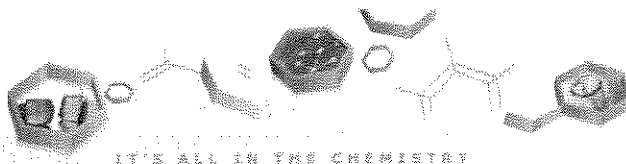
Test specification: ASTM D 1557-07 Method C Modified
Oversize correction applied to each point

Elev/ Depth	Classification		Received Moist.	Sp.G.	LL	PL	PI	% > 3/4 in.
	USCS	AASHTO						
---	---	---	---	2.65	---	---	---	25.0

TEST RESULTS		MATERIAL DESCRIPTION
Maximum dry density = 139.3 pcf Optimum moisture = 5.1 %		Brown cmf GRAVEL; some c-mf SAND; some SILT/CLAY
Report No.: ST3330SL-04-07-12 Client: Abscope Environmental, Inc. Project: Stauffer Chemical Sample No.: ST3330S04 Source of Sample: On-Site Imported Previously Location: Stockpile Date: 07-25-2012		Remarks: Delivered by the client on 07-19-2012
COMPACTION TEST REPORT ATLANTIC TESTING LABORATORIES, LIMITED		Rammer: Mechanical Specific Gravity: Assumed

Reviewed by: Jine

Date: 8/2/12



07/14/10

Technical Report for

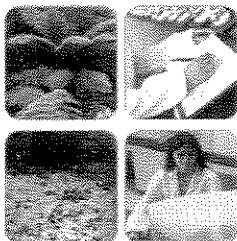
OP-TECH Environmental Services

Honeywell Trib 5A Willis Ave NY

SOBE0075

Accutest Job Number: M92386

Sampling Date: 06/18/10



Report to:

OP-TECH Environmental Services

pierceym@op-tech.us

ATTN: Mike Piercey

Total number of pages in report: 30



Test results contained within this data package meet the requirements of the National Environmental Laboratory Accreditation Conference and/or state specific certification programs as applicable.

Reza Fand
Lab Director

Client Service contact: Kristen Blanchard 508-481-6200

Certifications: MA (M-MA136) CT (PH-0109) NH (250210) RI (00071) ME (MA00136) FL (E87579) NY (11791) NJ (MA926) PA (002) ND (R-188) CO MN (11546AA) NC (653) IL (002337) DoD/ISO/IEC 17025:2005 (L2235)

This report shall not be reproduced, except in its entirety, without the written approval of Accutest Laboratories.
Test results relate only to samples analyzed.

Table of Contents

-1-

Section 1: Sample Summary	3
Section 2: Sample Results	4
2.1: M92386-1: GRANBY 1 1/2 MINUS	5
2.2: M92386-1A: GRANBY 1 1/2 MINUS	8
2.3: M92386-2: LAKE RD. MASON SAND	13
2.4: M92386-2A: LAKE RD. MASON SAND	16
2.5: M92386-3: LAKE RD. CORC. SAND	21
2.6: M92386-3A: LAKE RD. CORC. SAND	24
Section 3: Misc. Forms	29
3.1: Chain of Custody	30

Sample Summary

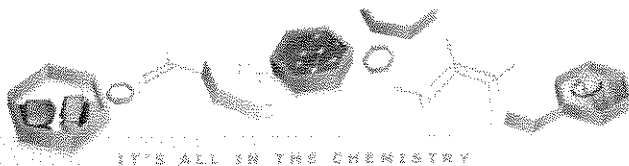
OP-TECH Environmental Services

Job No: M92386

Honeywell Trib 5A Willis Ave NY
Project No: SOBE0075

Sample Number	Collected Date	Time By	Received	Matrix Code	Type	Client Sample ID
M92386-1	06/18/10	11:30 SD	06/19/10	SO	Soil	GRANBY 1 1/2 MINUS
M92386-1A	06/18/10	11:30 SD	06/19/10	SO	Soil	GRANBY 1 1/2 MINUS
M92386-2	06/18/10	11:30 SD	06/19/10	SO	Soil	LAKE RD. MASON SAND
M92386-2A	06/18/10	11:30 SD	06/19/10	SO	Soil	LAKE RD. MASON SAND
M92386-3	06/18/10	11:30 SD	06/19/10	SO	Soil	LAKE RD. CORC. SAND
M92386-3A	06/18/10	11:30 SD	06/19/10	SO	Soil	LAKE RD. CORC. SAND

Soil samples reported on a dry weight basis unless otherwise indicated on result page.



Sample Results

Report of Analysis

Report of Analysis

Client Sample ID: GRANBY 1 1/2 MINUS
 Lab Sample ID: M92386-1
 Matrix: SO - Soil
 Method: SW846 8270C SW846 3545
 Project: Honeywell Trib 5A Willis Ave NY

Date Sampled: 06/18/10
 Date Received: 06/19/10
 Percent Solids: 88.0

	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	S16323.D	1	07/03/10	AA	07/02/10	OP21855	MSS603
Run #2							

	Initial Weight	Final Volume
Run #1	20.2 g	1.0 ml
Run #2		

ABN PPL List

CAS No.	Compound	Result	RL	Units	Q
95-57-8	2-Chlorophenol	ND	280	ug/kg	
59-50-7	4-Chloro-3-methyl phenol	ND	560	ug/kg	
120-83-2	2,4-Dichlorophenol	ND	560	ug/kg	
105-67-9	2,4-Dimethylphenol	ND	560	ug/kg	
51-28-5	2,4-Dinitrophenol	ND	1100	ug/kg	
534-52-1	4,6-Dinitro-o-cresol	ND	560	ug/kg	
88-75-5	2-Nitrophenol	ND	560	ug/kg	
100-02-7	4-Nitrophenol	ND	1100	ug/kg	
87-86-5	Pentachlorophenol	ND	560	ug/kg	
108-95-2	Phenol	ND	280	ug/kg	
88-06-2	2,4,6-Trichlorophenol	ND	560	ug/kg	
83-32-9	Acenaphthene	ND	280	ug/kg	
208-96-8	Acenaphthylene	ND	280	ug/kg	
120-12-7	Anthracene	ND	280	ug/kg	
92-87-5	Benzidine	ND	1100	ug/kg	
56-55-3	Benzo(a)anthracene	ND	280	ug/kg	
50-32-8	Benzo(a)pyrene	ND	280	ug/kg	
205-99-2	Benzo(b)fluoranthene	ND	280	ug/kg	
191-24-2	Benzo(g,h,i)perylene	ND	280	ug/kg	
207-08-9	Benzo(k)fluoranthene	ND	280	ug/kg	
101-55-3	4-Bromophenyl phenyl ether	ND	280	ug/kg	
85-68-7	Butyl benzyl phthalate	ND	280	ug/kg	
91-58-7	2-Chloronaphthalene	ND	280	ug/kg	
106-47-8	4-Chloroaniline	ND	560	ug/kg	
218-01-9	Chrysene	ND	280	ug/kg	
111-91-1	bis(2-Chloroethoxy)methane	ND	280	ug/kg	
111-44-4	bis(2-Chloroethyl)ether	ND	280	ug/kg	
108-60-1	bis(2-Chloroisopropyl)ether	ND	280	ug/kg	
7005-72-3	4-Chlorophenyl phenyl ether	ND	280	ug/kg	
95-50-1	1,2-Dichlorobenzene	ND	280	ug/kg	
122-66-7	1,2-Diphenylhydrazine	ND	280	ug/kg	
541-73-1	1,3-Dichlorobenzene	ND	280	ug/kg	

ND = Not detected

RL = Reporting Limit

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Client Sample ID:	GRANBY 1 1/2 MINUS		Date Sampled:	06/18/10
Lab Sample ID:	M92386-1		Date Received:	06/19/10
Matrix:	SO - Soil		Percent Solids:	88.0
Method:	SW846 8270C SW846 3545			
Project:	Honeywell Trib 5A Willis Ave NY			

ABN PPL List

CAS No.	Compound	Result	RL	Units	Q
106-46-7	1,4-Dichlorobenzene	ND	280	ug/kg	
121-14-2	2,4-Dinitrotoluene	ND	560	ug/kg	
606-20-2	2,6-Dinitrotoluene	ND	560	ug/kg	
91-94-1	3,3'-Dichlorobenzidine	ND	280	ug/kg	
53-70-3	Dibenzo(a,h)anthracene	ND	280	ug/kg	
84-74-2	Di-n-butyl phthalate	ND	280	ug/kg	
117-84-0	Di-n-octyl phthalate	ND	280	ug/kg	
84-66-2	Diethyl phthalate	ND	280	ug/kg	
131-11-3	Dimethyl phthalate	ND	280	ug/kg	
117-81-7	bis(2-Ethylhexyl)phthalate	ND	280	ug/kg	
206-44-0	Fluoranthene	ND	280	ug/kg	
86-73-7	Fluorene	ND	280	ug/kg	
118-74-1	Hexachlorobenzene	ND	280	ug/kg	
87-68-3	Hexachlorobutadiene	ND	280	ug/kg	
77-47-4	Hexachlorocyclopentadiene	ND	560	ug/kg	
67-72-1	Hexachloroethane	ND	280	ug/kg	
193-39-5	Indeno(1,2,3-cd)pyrene	ND	280	ug/kg	
78-59-1	Isophorone	ND	280	ug/kg	
91-20-3	Naphthalene	ND	280	ug/kg	
98-95-3	Nitrobenzene	ND	280	ug/kg	
62-75-9	n-Nitrosodimethylamine	ND	280	ug/kg	
621-64-7	N-Nitroso-di-n-propylamine	ND	280	ug/kg	
86-30-6	N-Nitrosodiphenylamine	ND	280	ug/kg	
85-01-8	Phenanthrene	ND	280	ug/kg	
129-00-0	Pyrene	ND	280	ug/kg	
120-82-1	1,2,4-Trichlorobenzene	ND	280	ug/kg	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
367-12-4	2-Fluorophenol	56%		30-130%
4165-62-2	Phenol-d5	52%		30-130%
118-79-6	2,4,6-Tribromophenol	65%		30-130%
4165-60-0	Nitrobenzene-d5	48%		30-130%
321-60-8	2-Fluorobiphenyl	59%		30-130%
1718-51-0	Terphenyl-d14	96%		30-130%

ND = Not detected

RL = Reporting Limit

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

2.1
2

Client Sample ID: GRANBY 1 1/2 MINUS

Lab Sample ID: M92386-1

Matrix: SO - Soil

Date Sampled: 06/18/10

Date Received: 06/19/10

Percent Solids: 88.0

Project: Honeywell Trib 5A Willis Ave NY

General Chemistry

Analyte	Result	RL	Units	DF	Analyzed	By	Method
Cyanide Reactivity	< 1.7	1.7	mg/kg	1	06/25/10	BF	SW846 CHAP7
Ignitability (Flashpoint)	> 230		Deg. F	1	06/26/10	BF	SW846 1020
Solids, Percent	88		%	1	06/25/10	BF	SM21 2540 B MOD.
Sulfide Reactivity	< 57	57	mg/kg	1	06/25/10	CF	SW846 CHAP7
pH	7.2		su	1	06/24/10	MA	SW846 9045

RL = Reporting Limit

Report of Analysis

Client Sample ID:	GRANBY 1 1/2 MINUS	Date Sampled:	06/18/10
Lab Sample ID:	M92386-1A	Date Received:	06/19/10
Matrix:	SO - Soil	Percent Solids:	88.0
Method:	SW846 8260B SW846 1311		
Project:	Honeywell Trib 5A Willis Ave NY		

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	L42553.D	100	07/04/10	AMY	06/28/10	GP11761	MSL1392
Run #2							

Run #	Purge Volume
Run #1	5.0 ml
Run #2	

VOA TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
71-43-2	Benzene	ND	D018	0.50	0.050	mg/l	
78-93-3	2-Butanone (MEK)	ND	D035	200	0.50	mg/l	
56-23-5	Carbon tetrachloride	ND	D019	0.50	0.10	mg/l	
108-90-7	Chlorobenzene	ND	D021	100	0.10	mg/l	
67-66-3	Chloroform	ND	D022	6.0	0.10	mg/l	
106-46-7	1,4-Dichlorobenzene	ND	D027	7.5	0.10	mg/l	
107-06-2	1,2-Dichloroethane	ND	D028	0.50	0.10	mg/l	
75-35-4	1,1-Dichloroethene	ND	D029	0.70	0.10	mg/l	
127-18-4	Tetrachloroethene	ND	D039	0.70	0.10	mg/l	
79-01-6	Trichloroethene	ND	D040	0.50	0.10	mg/l	
75-01-4	Vinyl chloride	ND	D043	0.20	0.10	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
1868-53-7	Dibromofluoromethane	101%		70-130%
2037-26-5	Toluene-D8	107%		70-130%
460-00-4	4-Bromofluorobenzene	104%		70-130%

ND = Not detected

MCL = Maximum Contamination Level (40 CFR 261.6/96)

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

2.2
2

Client Sample ID:	GRANBY 1 1/2 MINUS			Date Sampled:	06/18/10
Lab Sample ID:	M92386-1A			Date Received:	06/19/10
Matrix:	SO - Soil			Percent Solids:	88.0
Method:	SW846 8270C SW846 3510C				
Project:	Honeywell Trib 5A Willis Ave NY				

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	166417.D	1	07/12/10	AA	07/08/10	OP21898	MSI2253
Run #2							

Run #	Initial Volume	Final Volume
Run #1	100 ml	1.0 ml
Run #2		

ABN TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
95-48-7	2-Methylphenol	ND	D023	200	0.10	mg/l	
	3&4-Methylphenol	ND	D024	200	0.10	mg/l	
87-86-5	Pentachlorophenol	ND	D037	100	0.10	mg/l	
95-95-4	2,4,5-Trichlorophenol	ND	D041	400	0.10	mg/l	
88-06-2	2,4,6-Trichlorophenol	ND	D042	2.0	0.10	mg/l	
106-46-7	1,4-Dichlorobenzene	ND	D027	7.5	0.050	mg/l	
121-14-2	2,4-Dinitrotoluene	ND	D030	0.13	0.10	mg/l	
118-74-1	Hexachlorobenzene	ND	D032	0.13	0.050	mg/l	
87-68-3	Hexachlorobutadiene	ND	D033	0.50	0.050	mg/l	
67-72-1	Hexachloroethane	ND	D034	3.0	0.050	mg/l	
98-95-3	Nitrobenzene	ND	D036	2.0	0.050	mg/l	
110-86-1	Pyridine	ND	D038	5.0	0.10	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
367-12-4	2-Fluorophenol	36%		15-110%
4165-62-2	Phenol-d5	21%		15-110%
118-79-6	2,4,6-Tribromophenol	98%		15-110%
4165-60-0	Nitrobenzene-d5	82%		30-130%
321-60-8	2-Fluorobiphenyl	82%		30-130%
1718-51-0	Terphenyl-d14	91%		30-130%

ND = Not detected

MCL = Maximum Contamination Level (40 CFR 261 6/96)

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

2.2
2

Client Sample ID:	GRANBY 1 1/2 MINUS	Date Sampled:	06/18/10
Lab Sample ID:	M92386-1A	Date Received:	06/19/10
Matrix:	SO - Soil	Percent Solids:	88.0
Method:	SW846 8151 SW846 3510C		
Project:	Honeywell Trib 5A Willis Ave NY		

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	BB30743.D	1	07/09/10	SL	07/08/10	OP21900	GBB2070
Run #2							

Run #	Initial Volume	Final Volume
Run #1	100 ml	5.0 ml
Run #2		

Herbicide TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
94-75-7	2,4-D	ND	D016	10	0.010	mg/l	
93-72-1	2,4,5-TP (Silvex)	ND	D017	1.0	0.010	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
19719-28-9	2,4-DCAA	118%		30-150%
19719-28-9	2,4-DCAA	97%		30-150%

ND = Not detected
MCL = Maximum Contamination Level (40 CFR 261.6/96)
E = Indicates value exceeds calibration range

J = Indicates an estimated value
B = Indicates analyte found in associated method blank
N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

Client Sample ID: GRANBY 1 1/2 MINUS
 Lab Sample ID: M92386-1A
 Matrix: SO - Soil
 Method: SW846 8081 SW846 3510C
 Project: Honeywell Trib 5A Willis Ave NY

Date Sampled: 06/18/10
 Date Received: 06/19/10
 Percent Solids: 88.0

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	BE20274.D	1	07/12/10	SL	07/08/10	OP21899	GBE1286
Run #2							

Run #	Initial Volume	Final Volume
Run #1	100 ml	5.0 ml
Run #2		

Pesticide TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
58-89-9	gamma-BHC (Lindane)	ND	D013	0.40	0.00050	mg/l	
12789-03-6	Chlordane	ND	D020	0.030	0.0050	mg/l	
72-20-8	Endrin	ND	D012	0.020	0.00050	mg/l	
76-44-8	Heptachlor	ND	D031	0.0080	0.00050	mg/l	
1024-57-3	Heptachlor epoxide	ND	D031	0.0080	0.00050	mg/l	
72-43-5	Methoxychlor	ND	D014	10	0.00050	mg/l	
8001-35-2	Toxaphene	ND	D015	0.50	0.025	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
877-09-8	Tetrachloro-m-xylene	70%		30-150%
877-09-8	Tetrachloro-m-xylene	75%		30-150%
2051-24-3	Decachlorobiphenyl	91%		30-150%
2051-24-3	Decachlorobiphenyl	93%		30-150%

ND = Not detected

MCL = Maximum Contamination Level (40 CFR 261 6/96)

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Client Sample ID:	GRANBY 1 1/2 MINUS	Date Sampled:	06/18/10
Lab Sample ID:	M92386-1A	Date Received:	06/19/10
Matrix:	SO - Soil	Percent Solids:	88.0
Project:	Honeywell Trib 5A Willis Ave NY		

Metals Analysis, TCLP Leachate SW846 1311

Analyte	Result	HW#	MCL	RL	Units	DF	Prep	Analyzed By	Method	Prep Method
Arsenic	< 0.025	D004	5.0	0.025	mg/l	1	07/01/10	07/01/10	DA	SW846 6010B ¹ SW846 3010A ³
Barium	0.58	D005	100	0.50	mg/l	1	07/01/10	07/01/10	DA	SW846 6010B ¹ SW846 3010A ³
Cadmium	< 0.0040	D006	1.0	0.0040	mg/l	1	07/01/10	07/01/10	DA	SW846 6010B ¹ SW846 3010A ³
Chromium	< 0.010	D007	5.0	0.010	mg/l	1	07/01/10	07/01/10	DA	SW846 6010B ¹ SW846 3010A ³
Lead	< 0.010	D008	5.0	0.010	mg/l	1	07/01/10	07/01/10	DA	SW846 6010B ¹ SW846 3010A ³
Mercury	< 0.00020	D009	0.20	0.00020	mg/l	1	07/06/10	07/06/10	MA	SW846 7470A ² SW846 7470A ⁴
Selenium	< 0.025	D010	1.0	0.025	mg/l	1	07/01/10	07/01/10	DA	SW846 6010B ¹ SW846 3010A ³
Silver	< 0.0050	D011	5.0	0.0050	mg/l	1	07/01/10	07/01/10	DA	SW846 6010B ¹ SW846 3010A ³

(1) Instrument QC Batch: MA11972

(2) Instrument QC Batch: MA11980

(3) Prep QC Batch: MP15545

(4) Prep QC Batch: MP15561

RL = Reporting Limit

MCL = Maximum Contamination Level (40 CFR 261.6/96)

Report of Analysis

Client Sample ID: LAKE RD. MASON SAND
 Lab Sample ID: M92386-2
 Matrix: SO - Soil
 Method: SW846 8270C SW846 3545
 Project: Honeywell Trib 5A Willis Ave NY

Date Sampled: 06/18/10
 Date Received: 06/19/10
 Percent Solids: 85.0

	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	S16324.D	1	07/03/10	AA	07/02/10	OP21855	MSS603
Run #2							

	Initial Weight	Final Volume
Run #1	20.5 g	1.0 ml
Run #2		

ABN PPL List

CAS No.	Compound	Result	RL	Units	Q
95-57-8	2-Chlorophenol	ND	290	ug/kg	
59-50-7	4-Chloro-3-methyl phenol	ND	580	ug/kg	
120-83-2	2,4-Dichlorophenol	ND	580	ug/kg	
105-67-9	2,4-Dimethylphenol	ND	580	ug/kg	
51-28-5	2,4-Dinitrophenol	ND	1200	ug/kg	
534-52-1	4,6-Dinitro-o-cresol	ND	580	ug/kg	
88-75-5	2-Nitrophenol	ND	580	ug/kg	
100-02-7	4-Nitrophenol	ND	1200	ug/kg	
87-86-5	Pentachlorophenol	ND	580	ug/kg	
108-95-2	Phenol	ND	290	ug/kg	
88-06-2	2,4,6-Trichlorophenol	ND	580	ug/kg	
83-32-9	Acenaphthene	ND	290	ug/kg	
208-96-8	Acenaphthylene	ND	290	ug/kg	
120-12-7	Anthracene	ND	290	ug/kg	
92-87-5	Benzidine	ND	1200	ug/kg	
56-55-3	Benzo(a)anthracene	ND	290	ug/kg	
50-32-8	Benzo(a)pyrene	ND	290	ug/kg	
205-99-2	Benzo(b)fluoranthene	ND	290	ug/kg	
191-24-2	Benzo(g,h,i)perylene	ND	290	ug/kg	
207-08-9	Benzo(k)fluoranthene	ND	290	ug/kg	
101-55-3	4-Bromophenyl phenyl ether	ND	290	ug/kg	
85-68-7	Butyl benzyl phthalate	ND	290	ug/kg	
91-58-7	2-Chloronaphthalene	ND	290	ug/kg	
106-47-8	4-Chloroaniline	ND	580	ug/kg	
218-01-9	Chrysene	ND	290	ug/kg	
111-91-1	bis(2-Chloroethoxy)methane	ND	290	ug/kg	
111-44-4	bis(2-Chloroethyl)ether	ND	290	ug/kg	
108-60-1	bis(2-Chloroisopropyl)ether	ND	290	ug/kg	
7005-72-3	4-Chlorophenyl phenyl ether	ND	290	ug/kg	
95-50-1	1,2-Dichlorobenzene	ND	290	ug/kg	
122-66-7	1,2-Diphenylhydrazine	ND	290	ug/kg	
541-73-1	1,3-Dichlorobenzene	ND	290	ug/kg	

ND = Not detected

RL = Reporting Limit

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Client Sample ID:	LAKE RD. MASON SAND		
Lab Sample ID:	M92386-2	Date Sampled:	06/18/10
Matrix:	SO - Soil	Date Received:	06/19/10
Method:	SW846 8270C SW846 3545	Percent Solids:	85.0
Project:	Honeywell Trib 5A Willis Ave NY		

ABN PPL List

CAS No.	Compound	Result	RL	Units	Q
106-46-7	1,4-Dichlorobenzene	ND	290	ug/kg	
121-14-2	2,4-Dinitrotoluene	ND	580	ug/kg	
606-20-2	2,6-Dinitrotoluene	ND	580	ug/kg	
91-94-1	3,3'-Dichlorobenzidine	ND	290	ug/kg	
53-70-3	Dibenzo(a,h)anthracene	ND	290	ug/kg	
84-74-2	Di-n-butyl phthalate	ND	290	ug/kg	
117-84-0	Di-n-octyl phthalate	ND	290	ug/kg	
84-66-2	Diethyl phthalate	ND	290	ug/kg	
131-11-3	Dimethyl phthalate	ND	290	ug/kg	
117-81-7	bis(2-Ethylhexyl)phthalate	ND	290	ug/kg	
206-44-0	Fluoranthene	ND	290	ug/kg	
86-73-7	Fluorene	ND	290	ug/kg	
118-74-1	Hexachlorobenzene	ND	290	ug/kg	
87-68-3	Hexachlorobutadiene	ND	290	ug/kg	
77-47-4	Hexachlorocyclopentadiene	ND	580	ug/kg	
67-72-1	Hexachloroethane	ND	290	ug/kg	
193-39-5	Indeno(1,2,3-cd)pyrene	ND	290	ug/kg	
78-59-1	Isophorone	ND	290	ug/kg	
91-20-3	Naphthalene	ND	290	ug/kg	
98-95-3	Nitrobenzene	ND	290	ug/kg	
62-75-9	n-Nitrosodimethylamine	ND	290	ug/kg	
621-64-7	N-Nitroso-di-n-propylamine	ND	290	ug/kg	
86-30-6	N-Nitrosodiphenylamine	ND	290	ug/kg	
85-01-8	Phenanthrene	ND	290	ug/kg	
129-00-0	Pyrene	ND	290	ug/kg	
120-82-1	1,2,4-Trichlorobenzene	ND	290	ug/kg	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
367-12-4	2-Fluorophenol	76%		30-130%
4165-62-2	Phenol-d5	68%		30-130%
118-79-6	2,4,6-Tribromophenol	76%		30-130%
4165-60-0	Nitrobenzene-d5	63%		30-130%
321-60-8	2-Fluorobiphenyl	75%		30-130%
1718-51-0	Terphenyl-d14	92%		30-130%

ND = Not detected

RL = Reporting Limit

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

2.3

2

Client Sample ID:	LAKE RD. MASON SAND	Date Sampled:	06/18/10
Lab Sample ID:	M92386-2	Date Received:	06/19/10
Matrix:	SO - Soil	Percent Solids:	85.0
Project:	Honeywell Trib 5A Willis Ave NY		

General Chemistry

Analyte	Result	RL	Units	DF	Analyzed	By	Method
Cyanide Reactivity	< 1.8	1.8	mg/kg	1	06/25/10	BF	SW846 CHAP7
Ignitability (Flashpoint)	> 230		Deg. F	1	06/26/10	BF	SW846 1020
Solids, Percent	85		%	1	06/25/10	BF	SM21 2540 B MOD.
Sulfide Reactivity	< 59	59	mg/kg	1	06/25/10	CF	SW846 CHAP7
pH	7.7		su	1	06/24/10	MA	SW846 9045

RL = Reporting Limit

Report of Analysis

Page 1 of 1

2.4
2

Client Sample ID:	LAKE RD. MASON SAND			Date Sampled:	06/18/10
Lab Sample ID:	M92386-2A			Date Received:	06/19/10
Matrix:	SO - Soil			Percent Solids:	85.0
Method:	SW846 8260B SW846 1311				
Project:	Honeywell Trib 5A Willis Ave NY				

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	L42554.D	100	07/04/10	AMY	06/28/10	GP11761	MSL1392
Run #2							

Run #	Purge Volume
Run #1	5.0 ml
Run #2	

VOA TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
71-43-2	Benzene	ND	D018	0.50	0.050	mg/l	
78-93-3	2-Butanone (MEK)	ND	D035	200	0.50	mg/l	
56-23-5	Carbon tetrachloride	ND	D019	0.50	0.10	mg/l	
108-90-7	Chlorobenzene	ND	D021	100	0.10	mg/l	
67-66-3	Chloroform	ND	D022	6.0	0.10	mg/l	
106-46-7	1,4-Dichlorobenzene	ND	D027	7.5	0.10	mg/l	
107-06-2	1,2-Dichloroethane	ND	D028	0.50	0.10	mg/l	
75-35-4	1,1-Dichloroethene	ND	D029	0.70	0.10	mg/l	
127-18-4	Tetrachloroethene	ND	D039	0.70	0.10	mg/l	
79-01-6	Trichloroethene	ND	D040	0.50	0.10	mg/l	
75-01-4	Vinyl chloride	ND	D043	0.20	0.10	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
1868-53-7	Dibromofluoromethane	102%		70-130%
2037-26-5	Toluene-D8	107%		70-130%
460-00-4	4-Bromofluorobenzene	104%		70-130%

ND = Not detected

MCL = Maximum Contamination Level (40 CFR 261.6/96)

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Client Sample ID:	LAKE RD. MASON SAND			Date Sampled:	06/18/10
Lab Sample ID:	M92386-2A			Date Received:	06/19/10
Matrix:	SO - Soil			Percent Solids:	85.0
Method:	SW846 8270C SW846 3510C				
Project:	Honeywell Trib 5A Willis Ave NY				

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	I66418.D	1	07/12/10	AA	07/08/10	OP21898	MSI2253
Run #2							

Run #	Initial Volume	Final Volume
Run #1	100 ml	1.0 ml
Run #2		

ABN TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
95-48-7	2-Methylphenol	ND	D023	200	0.10	mg/l	
	3&4-Methylphenol	ND	D024	200	0.10	mg/l	
87-86-5	Pentachlorophenol	ND	D037	100	0.10	mg/l	
95-95-4	2,4,5-Trichlorophenol	ND	D041	400	0.10	mg/l	
88-06-2	2,4,6-Trichlorophenol	ND	D042	2.0	0.10	mg/l	
106-46-7	1,4-Dichlorobenzene	ND	D027	7.5	0.050	mg/l	
121-14-2	2,4-Dinitrotoluene	ND	D030	0.13	0.10	mg/l	
118-74-1	Hexachlorobenzene	ND	D032	0.13	0.050	mg/l	
87-68-3	Hexachlorobutadiene	ND	D033	0.50	0.050	mg/l	
67-72-1	Hexachloroethane	ND	D034	3.0	0.050	mg/l	
98-95-3	Nitrobenzene	ND	D036	2.0	0.050	mg/l	
110-86-1	Pyridine	ND	D038	5.0	0.10	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
367-12-4	2-Fluorophenol	39%		15-110%
4165-62-2	Phenol-d5	22%		15-110%
118-79-6	2,4,6-Tribromophenol	99%		15-110%
4165-60-0	Nitrobenzene-d5	85%		30-130%
321-60-8	2-Fluorobiphenyl	80%		30-130%
1718-51-0	Terphenyl-d14	100%		30-130%

ND = Not detected

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N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

2.4
2

Client Sample ID:	LAKE RD. MASON SAND			Date Sampled:	06/18/10		
Lab Sample ID:	M92386-2A			Date Received:	06/19/10		
Matrix:	SO - Soil			Percent Solids:	85.0		
Method:	SW846 8151 SW846 3510C						
Project:	Honeywell Trib 5A Willis Ave NY						

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	BB30744.D	1	07/09/10	SL	07/08/10	OP21900	GBB2070
Run #2							

Run #	Initial Volume	Final Volume
Run #1	100 ml	5.0 ml
Run #2		

Herbicide TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
94-75-7	2,4-D	ND	D016	10	0.010	mg/l	
93-72-1	2,4,5-TP (Silvex)	ND	D017	1.0	0.010	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
19719-28-9	2,4-DCAA	119%		30-150%
19719-28-9	2,4-DCAA	100%		30-150%

ND = Not detected
MCL = Maximum Contamination Level (40 CFR 261 6/96)
E = Indicates value exceeds calibration range

J = Indicates an estimated value
B = Indicates analyte found in associated method blank
N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

Client Sample ID:	LAKE RD. MASON SAND			Date Sampled:	06/18/10		
Lab Sample ID:	M92386 2A			Date Received:	06/19/10		
Matrix:	SO - Soil			Percent Solids:	85.0		
Method:	SW846 8081 SW846 3510C						
Project:	Honeywell Trib 5A Willis Ave NY						

	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	BE20275.D	1	07/12/10	SL	07/08/10	OP21899	GBE1286
Run #2							

	Initial Volume	Final Volume
Run #1	100 ml	5.0 ml
Run #2		

Pesticide TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
58-89-9	gamma-BHC (Lindane)	ND	D013	0.40	0.00050	mg/l	
12789-03-6	Chlordane	ND	D020	0.030	0.0050	mg/l	
72-20-8	Endrin	ND	D012	0.020	0.00050	mg/l	
76-44-8	Heptachlor	ND	D031	0.0080	0.00050	mg/l	
1024-57-3	Heptachlor epoxide	ND	D031	0.0080	0.00050	mg/l	
72-43-5	Methoxychlor	ND	D014	10	0.00050	mg/l	
8001-35-2	Toxaphene	ND	D015	0.50	0.025	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
877-09-8	Tetrachloro-m-xylene	42%		30-150%
877-09-8	Tetrachloro-m-xylene	43%		30-150%
2051-24-3	Decachlorobiphenyl	58%		30-150%
2051-24-3	Decachlorobiphenyl	60%		30-150%

ND = Not detected

MCL = Maximum Contamination Level (40 CFR 261 6/96)

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J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

2.4
2

Client Sample ID: LAKE RD. MASON SAND

Lab Sample ID: M92386-2A

Matrix: SO - Soil

Date Sampled: 06/18/10

Date Received: 06/19/10

Percent Solids: 85.0

Project: Honeywell Trib 5A Willis Ave NY

Metals Analysis, TCLP Leachate SW846 1311

Analyte	Result	HW#	MCL	RL	Units	DF	Prep	Analyzed By	Method	Prep Method
Arsenic	< 0.025	D004	5.0	0.025	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Barium	< 0.50	D005	100	0.50	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Cadmium	< 0.0040	D006	1.0	0.0040	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Chromium	< 0.010	D007	5.0	0.010	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Lead	< 0.010	D008	5.0	0.010	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Mercury	< 0.00020	D009	0.20	0.00020	mg/l	1	07/06/10	07/06/10 MA	SW846 7470A ²	SW846 7470A ⁴
Selenium	< 0.025	D010	1.0	0.025	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Silver	< 0.0050	D011	5.0	0.0050	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³

(1) Instrument QC Batch: MA11972

(2) Instrument QC Batch: MA11980

(3) Prep QC Batch: MP15545

(4) Prep QC Batch: MP15561

RL = Reporting Limit

MCL = Maximum Contamination Level (40 CFR 261 6/96)

Report of Analysis

Page 1 of 2

Client Sample ID:	LAKE RD. CORC. SAND			Date Sampled:	06/18/10		
Lab Sample ID:	M92386-3			Date Received:	06/19/10		
Matrix:	SO - Soil			Percent Solids:	88.9		
Method:	SW846 8270C SW846 3545						
Project:	Honeywell Trib 5A Willis Ave NY						

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	S16339.D	1	07/06/10	AA	07/02/10	OP21855	MSS604
Run #2							

Run #	Initial Weight	Final Volume
Run #1	20.7 g	1.0 ml
Run #2		

ABN PPL List

CAS No.	Compound	Result	RL	Units	Q
95-57-8	2-Chlorophenol	ND	270	ug/kg	
59-50-7	4-Chloro-3-methyl phenol	ND	540	ug/kg	
120-83-2	2,4-Dichlorophenol	ND	540	ug/kg	
105-67-9	2,4-Dimethylphenol	ND	540	ug/kg	
51-28-5	2,4-Dinitrophenol	ND	1100	ug/kg	
534-52-1	4,6-Dinitro-o-cresol	ND	540	ug/kg	
88-75-5	2-Nitrophenol	ND	540	ug/kg	
100-02-7	4-Nitrophenol	ND	1100	ug/kg	
87-86-5	Pentachlorophenol	ND	540	ug/kg	
108-95-2	Phenol	ND	270	ug/kg	
88-06-2	2,4,6-Trichlorophenol	ND	540	ug/kg	
83-32-9	Acenaphthene	ND	270	ug/kg	
208-96-8	Acenaphthylene	ND	270	ug/kg	
120-12-7	Anthracene	ND	270	ug/kg	
92-87-5	Benzidine	ND	1100	ug/kg	
56-55-3	Benzo(a)anthracene	ND	270	ug/kg	
50-32-8	Benzo(a)pyrene	ND	270	ug/kg	
205-99-2	Benzo(b)fluoranthene	ND	270	ug/kg	
191-24-2	Benzo(g,h,i)perylene	ND	270	ug/kg	
207-08-9	Benzo(k)fluoranthene	ND	270	ug/kg	
101-55-3	4-Bromophenyl phenyl ether	ND	270	ug/kg	
85-68-7	Butyl benzyl phthalate	ND	270	ug/kg	
91-58-7	2-Chloronaphthalene	ND	270	ug/kg	
106-47-8	4-Chloroaniline	ND	540	ug/kg	
218-01-9	Chrysene	ND	270	ug/kg	
111-91-1	bis(2-Chloroethoxy)methane	ND	270	ug/kg	
111-44-4	bis(2-Chloroethyl)ether	ND	270	ug/kg	
108-60-1	bis(2-Chloroisopropyl)ether	ND	270	ug/kg	
7005-72-3	4-Chlorophenyl phenyl ether	ND	270	ug/kg	
95-50-1	1,2-Dichlorobenzene	ND	270	ug/kg	
122-66-7	1,2-Diphenylhydrazine	ND	270	ug/kg	
541-73-1	1,3-Dichlorobenzene	ND	270	ug/kg	

ND = Not detected

RL = Reporting Limit

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Client Sample ID:	LAKE RD. CORC. SAND		
Lab Sample ID:	M92386-3	Date Sampled:	06/18/10
Matrix:	SO - Soil	Date Received:	06/19/10
Method:	SW846 8270C SW846 3545	Percent Solids:	88.9
Project:	Honeywell Trib 5A Willis Ave NY		

ABN PPL List

CAS No.	Compound	Result	RL	Units	Q
106-46-7	1,4-Dichlorobenzene	ND	270	ug/kg	
121-14-2	2,4-Dinitrotoluene	ND	540	ug/kg	
606-20-2	2,6-Dinitrotoluene	ND	540	ug/kg	
91-94-1	3,3'-Dichlorobenzidine	ND	270	ug/kg	
53-70-3	Dibenzo(a,h)anthracene	ND	270	ug/kg	
84-74-2	Di-n-butyl phthalate	ND	270	ug/kg	
117-84-0	Di-n-octyl phthalate	ND	270	ug/kg	
84-66-2	Diethyl phthalate	ND	270	ug/kg	
131-11-3	Dimethyl phthalate	ND	270	ug/kg	
117-81-7	bis(2-Ethylhexyl)phthalate	ND	270	ug/kg	
206-44-0	Fluoranthene	ND	270	ug/kg	
86-73-7	Fluorene	ND	270	ug/kg	
118-74-1	Hexachlorobenzene	ND	270	ug/kg	
87-68-3	Hexachlorobutadiene	ND	270	ug/kg	
77-47-4	Hexachlorocyclopentadiene	ND	540	ug/kg	
67-72-1	Hexachloroethane	ND	270	ug/kg	
193-39-5	Indeno(1,2,3-cd)pyrene	ND	270	ug/kg	
78-59-1	Isophorone	ND	270	ug/kg	
91-20-3	Naphthalene	ND	270	ug/kg	
98-95-3	Nitrobenzene	ND	270	ug/kg	
62-75-9	n-Nitrosodimethylamine	ND	270	ug/kg	
621-64-7	N-Nitroso-di-n-propylamine	ND	270	ug/kg	
86-30-6	N-Nitrosodiphenylamine	ND	270	ug/kg	
85-01-8	Phenanthrene	ND	270	ug/kg	
129-00-0	Pyrene	ND	270	ug/kg	
120-82-1	1,2,4-Trichlorobenzene	ND	270	ug/kg	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
367-12-4	2-Fluorophenol	80%		30-130%
4165-62-2	Phenol-d5	74%		30-130%
118-79-6	2,4,6-Tribromophenol	73%		30-130%
4165-60-0	Nitrobenzene-d5	72%		30-130%
321-60-8	2-Fluorobiphenyl	62%		30-130%
1718-51-0	Terphenyl-d14	89%		30-130%

ND = Not detected
 RL = Reporting Limit
 E = Indicates value exceeds calibration range

J = Indicates an estimated value
 B = Indicates analyte found in associated method blank
 N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

2.5
2

Client Sample ID:	LAKE RD. CORC. SAND	Date Sampled:	06/18/10
Lab Sample ID:	M92386-3	Date Received:	06/19/10
Matrix:	SO - Soil	Percent Solids:	88.9
Project:	Honeywell Trib 5A Willis Ave NY		

General Chemistry

Analyte	Result	RL	Units	DF	Analyzed	By	Method
Cyanide Reactivity	< 1.7	1.7	mg/kg	1	06/25/10	BF	SW846 CHAP7
Ignitability (Flashpoint)	> 230		Deg. F	1	06/26/10	BF	SW846 1020
Solids, Percent	88.9		%	1	06/25/10	BF	SM21 2540 B MOD.
Sulfide Reactivity	< 56	56	mg/kg	1	06/25/10	CF	SW846 CHAP7
pH	7.7		su	1	06/24/10	MA	SW846 9045

RL = Reporting Limit

Report of Analysis

Page 1 of 1

2.6
2

Client Sample ID:	LAKE RD. CORC. SAND	Date Sampled:	06/18/10
Lab Sample ID:	M92386-3A	Date Received:	06/19/10
Matrix:	SO - Soil	Percent Solids:	88.9
Method:	SW846 8260B SW846 1311		
Project:	Honeywell Trib 5A Willis Ave NY		

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	L42555.D	100	07/04/10	AMY	06/28/10	GP11761	MSL1392
Run #2							

Run #	Purge Volume
Run #1	5.0 ml
Run #2	

VOA TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
71-43-2	Benzene	ND	D018	0.50	0.050	mg/l	
78-93-3	2-Butanone (MEK)	ND	D035	200	0.50	mg/l	
56-23-5	Carbon tetrachloride	ND	D019	0.50	0.10	mg/l	
108-90-7	Chlorobenzene	ND	D021	100	0.10	mg/l	
67-66-3	Chloroform	ND	D022	6.0	0.10	mg/l	
106-46-7	1,4-Dichlorobenzene	ND	D027	7.5	0.10	mg/l	
107-06-2	1,2-Dichloroethane	ND	D028	0.50	0.10	mg/l	
75-35-4	1,1-Dichloroethene	ND	D029	0.70	0.10	mg/l	
127-18-4	Tetrachloroethene	ND	D039	0.70	0.10	mg/l	
79-01-6	Trichloroethene	ND	D040	0.50	0.10	mg/l	
75-01-4	Vinyl chloride	ND	D043	0.20	0.10	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
1868-53-7	Dibromofluoromethane	104%		70-130%
2037-26-5	Toluene-D8	106%		70-130%
460-00-4	4-Bromofluorobenzene	103%		70-130%

ND = Not detected

MCL = Maximum Contamination Level (40 CFR 261.6/96)

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Report of Analysis

Page 1 of 1

Client Sample ID:	LAKE RD. CORC. SAND			Date Sampled:	06/18/10
Lab Sample ID:	M92386-3A			Date Received:	06/19/10
Matrix:	SO - Soil			Percent Solids:	88.9
Method:	SW846 8270C SW846 3510C				
Project:	Honeywell Trib 5A Willis Ave NY				

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	I66419.D	1	07/12/10	AA	07/08/10	OP21898	MSI2253
Run #2							

Run #	Initial Volume	Final Volume
Run #1	100 ml	1.0 ml
Run #2		

ABN TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
95-48-7	2-Methylphenol	ND	D023	200	0.10	mg/l	
	3&4-Methylphenol	ND	D024	200	0.10	mg/l	
87-86-5	Pentachlorophenol	ND	D037	100	0.10	mg/l	
95-95-4	2,4,5-Trichlorophenol	ND	D041	400	0.10	mg/l	
88-06-2	2,4,6-Trichlorophenol	ND	D042	2.0	0.10	mg/l	
106-46-7	1,4-Dichlorobenzene	ND	D027	7.5	0.050	mg/l	
121-14-2	2,4-Dinitrotoluene	ND	D030	0.13	0.10	mg/l	
118-74-1	Hexachlorobenzene	ND	D032	0.13	0.050	mg/l	
87-68-3	Hexachlorobutadiene	ND	D033	0.50	0.050	mg/l	
67-72-1	Hexachloroethane	ND	D034	3.0	0.050	mg/l	
98-95-3	Nitrobenzene	ND	D036	2.0	0.050	mg/l	
110-86-1	Pyridine	ND	D038	5.0	0.10	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
367-12-4	2-Fluorophenol	35%		15-110%
4165-62-2	Phenol-d5	20%		15-110%
118-79-6	2,4,6-Tribromophenol	99%		15-110%
4165-60-0	Nitrobenzene-d5	78%		30-130%
321-60-8	2-Fluorobiphenyl	74%		30-130%
1718-51-0	Terphenyl-d14	101%		30-130%

ND = Not detected

MCL = Maximum Contamination Level (40 CFR 261.6/96)

E = Indicates value exceeds calibration range

J = Indicates an estimated value

B = Indicates analyte found in associated method blank

N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

Client Sample ID: LAKE RD. CORC. SAND
 Lab Sample ID: M92386-3A
 Matrix: SO - Soil
 Method: SW846 8151 SW846 3510C
 Project: Honeywell Trib 5A Willis Ave NY

Date Sampled: 06/18/10
 Date Received: 06/19/10
 Percent Solids: 88.9

	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	BB30745.D	1	07/09/10	SL	07/08/10	OP21900	GBB2070
Run #2							

	Initial Volume	Final Volume
Run #1	100 ml	5.0 ml
Run #2		

Herbicide TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
94-75-7	2,4-D	ND	D016	10	0.010	mg/l	
93-72-1	2,4,5-TP (Silvex)	ND	D017	1.0	0.010	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
19719-28-9	2,4-DCAA	122%		30-150%
19719-28-9	2,4-DCAA	101%		30-150%

ND = Not detected
 MCL = Maximum Contamination Level (40 CFR 261.6/96)
 E = Indicates value exceeds calibration range

J = Indicates an estimated value
 B = Indicates analyte found in associated method blank
 N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

Client Sample ID:	LAKE RD. CORC. SAND			Date Sampled:	06/18/10
Lab Sample ID:	M92386-3A			Date Received:	06/19/10
Matrix:	SO - Soil			Percent Solids:	88.9
Method:	SW846 8081 SW846 3510C				
Project:	Honeywell Trib 5A Willis Ave NY				

Run #	File ID	DF	Analyzed	By	Prep Date	Prep Batch	Analytical Batch
Run #1	BE20276.D	1	07/13/10	SL	07/08/10	OP21899	GBE1286
Run #2							

Run #	Initial Volume	Final Volume
Run #1	100 ml	5.0 ml
Run #2		

Pesticide TCLP Leachate

TCLP Leachate method SW846 1311

CAS No.	Compound	Result	HW#	MCL	RL	Units	Q
58-89-9	gamma-BHC (Lindane)	ND	D013	0.40	0.00050	mg/l	
12789-03-6	Chlordane	ND	D020	0.030	0.0050	mg/l	
72-20-8	Endrin	ND	D012	0.020	0.00050	mg/l	
76-44-8	Heptachlor	ND	D031	0.0080	0.00050	mg/l	
1024-57-3	Heptachlor epoxide	ND	D031	0.0080	0.00050	mg/l	
72-43-5	Methoxychlor ^a	0.00055	D014	10	0.00050	mg/l	
8001-35-2	Toxaphene	ND	D015	0.50	0.025	mg/l	

CAS No.	Surrogate Recoveries	Run# 1	Run# 2	Limits
877-09-8	Tetrachloro-m-xylene	72%		30-150%
877-09-8	Tetrachloro-m-xylene	77%		30-150%
2051-24-3	Decachlorobiphenyl	83%		30-150%
2051-24-3	Decachlorobiphenyl	86%		30-150%

(a) Confirmed by second column.

ND = Not detected
MCL = Maximum Contamination Level (40 CFR 261.6/96)
E = Indicates value exceeds calibration range

J = Indicates an estimated value
B = Indicates analyte found in associated method blank
N = Indicates presumptive evidence of a compound

Report of Analysis

Page 1 of 1

Client Sample ID: LAKE RD. CORC. SAND

Lab Sample ID: M92386-3A

Matrix: SO - Soil

Date Sampled: 06/18/10

Date Received: 06/19/10

Percent Solids: 88.9

Project: Honeywell Trib 5A Willis Ave NY

Metals Analysis, TCLP Leachate SW846 1311

Analyte	Result	HW#	MCL	RL	Units	DF	Prep	Analyzed By	Method	Prep Method
Arsenic	< 0.025	D004	5.0	0.025	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Barium	< 0.50	D005	100	0.50	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Cadmium	< 0.0040	D006	1.0	0.0040	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Chromium	< 0.010	D007	5.0	0.010	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Lead	< 0.010	D008	5.0	0.010	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Mercury	< 0.00020	D009	0.20	0.00020	mg/l	1	07/06/10	07/06/10 MA	SW846 7470A ²	SW846 7470A ⁴
Selenium	< 0.025	D010	1.0	0.025	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³
Silver	< 0.0050	D011	5.0	0.0050	mg/l	1	07/01/10	07/01/10 DA	SW846 6010B ¹	SW846 3010A ³

(1) Instrument QC Batch: MA11972

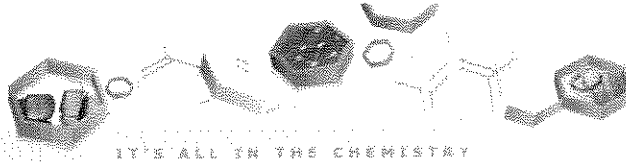
(2) Instrument QC Batch: MA11980

(3) Prep QC Batch: MP15545

(4) Prep QC Batch: MP15561

RL = Reporting Limit

MCL = Maximum Contamination Level (40 CFR 261.6/96)



Misc. Forms

Custody Documents and Other Forms

Includes the following where applicable:

- Certification Exceptions
- Certification Exceptions (NY)
- Chain of Custody

CHAIN OF CUSTODY

495 TECHNOLOGY CENTER WEST • BUILDING ONE
MARLBOROUGH, MA 01752
TEL: 508-481-6200 • FAX: 508-481-7753

ACCUTEST JOB #:

M 92386

#CREDIT QUOTE #

[illegible]

M92386: Chain of Custody

Page 1 of 1

SYRACUSE
SAND & GRAVEL
LLC

June 28, 2012

To: Abscope Environmental

RE: Syracuse Sand and Gravel's Sennett Pit materials – Stauffer Site Project

This letter certifies that Syracuse Sand and Gravel, LLC has supplied aggregate to the Stauffer Site from our Sennett Pit in the past.

Thank you,



Richard J. Riccelli

Member

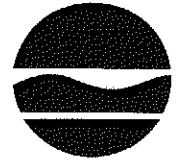
New York State Department of Environmental Conservation

Division of Mineral Resources, Region 7

615 Erie Boulevard West, Syracuse, New York 13204-2400

Phone: (315) 426-7461 • Fax: (315) 426-7489

Website: www.dcc.ny.gov



Joe Martens
Acting Commissioner

April 17, 2012

Syracuse Sand & Gravel LLC
PO Box 6418
Syracuse, NY 13217

**Re: Renewal of NYS DEC Mined Land Reclamation Permit – East Side Pit – NYS Route 20
Mine ID Number 70636, (T) Sennett, Cayuga County
Application ID# 7-0552-00024**

Dear Permittee:

This is to advise you that the above New York State Mined Land Reclamation Permit expires on 6/18/2012. To renew your permit, you are required to submit an application (copy enclosed) in triplicate at least 30 days before your permit expires. Please complete items #1-22 on the enclosed application form. Be sure to sign and date all portions of box #21 and 22. Please note that an Organizational Report form is required only if there have been changes to your organization since the last filing. In addition you must include two (2) copies of an updated mining plan. This plan must include:

- areas affected to date, and areas to be affected through the permit renewal term
- areas having received Department reclamation approval to date
- areas reclaimed to date awaiting Department review and approval
- areas to be reclaimed through the permit renewal term

Any proposed changes to the previously approved mined land-use plan must also be identified. Any adjustments to the reclamation financial security will be based upon this submission. If no work was performed during the previous permit term, provide a signed statement to that effect in lieu of the plan.

Please be advised that you must have adequate financial security in place prior to issuance of the renewed permit. As a result of the increasing cost of reclaiming lands affected by mining, the new reclamation financial security rate will be higher. The new amount will be sent to you in a separate letter once the financial security determination is made.

If you have any questions concerning this renewal application, please call me at the above phone number.

Sincerely,

Lucas Mahoney
Mined Land Reclamation Specialist 2

Enc.

cc: DEP, RPA



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
DIVISION OF MINERAL RESOURCES
MINED LAND RECLAMATION PROGRAM

MINING PERMIT APPLICATION

FOR OFFICIAL DEC USE ONLY DEC# _____ / _____			
7. MINED LAND PROJECT			
a. Will the total acreage by mining for the entire mining site exceed 5 acres? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No b. Will the vertical depth from the top of the mine face to the floor exceed 20 feet? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No c. Will there be on-site processing of mining products (eg. crushing, screening, washing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No d. Will mining occur within 100 feet of a surface water body (eg. stream, lake) or wetland area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No e. Will any consolidated materials be mined (eg. limestone, trap rock, sandstone)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No f. Will mining occur within 500' of any dwelling? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No g. Will mining ever occur at or below the mean high water table? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
1. MINED LAND FILE NUMBER 70636		2. TELEPHONE NUMBER (315) 433-5115	
3. NAME OF APPLICANT Syracuse Sand & Gravel, LLC			
4. PERMANENT ADDRESS P.O. Box 6419			
CITY Syracuse	STATE NY	ZIP CODE 13217	
5. CONTACT PERSON Richard J. Riccelli, Jr.		6. TELEPHONE NUMBER (315) 433-5115	
8. TAXPAYER ID If other than individual, provide Federal Taxpayer ID number		9. APPLICATION TYPE <input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Modification	
10. a. PRESENT PERMIT TERM Expiration date: 06/18/2012		b. COMING PERMIT TERM <input checked="" type="checkbox"/> 5 years <input type="checkbox"/> Other _____ years	
11. COMMON GEOLOGIC NAME OF MINERAL TO BE MINED Sand and Gravel			
12. LOCAL ORDINANCES a. Is mining prohibited at this location? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		b. Does the local government require any type of permit for mining at this location? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
13. a. ARE ANY OTHER STATE MINING PERMITS CURRENTLY HELD BY THE APPLICANT? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		b. If YES, give DEC mine file number(s) See attached	
14. Has any owner, partner, corporate officer or corporate director of your organization ever held any of these positions in another organization that has had a New York State mining permit SUSPENDED OR REVOKED or has had a New York State mined land reclamation bond FORFEITED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, identify the person(s)			
15. ACREAGE SUMMARY (To be filled in by applicant)		FOR OFFICIAL DEC USE ONLY	
a. Total acreage controlled by owner at this location.		28.46 acres	
b. Total acreage permitted by DEC prior to this application.		21.47 acres	
c. Total acreage affected since April 1, 1975.		11.0 acres	
d. Total acreage approved by DEC as reclaimed since April 1, 1975.		0 acres	
e. Current affected acreage (c minus d).		11.0 acres	
f. Acreage included in this application, but not previously approved.		0 acres	
g. New acreage to be affected during the coming permit term.		10.47 acres	
h. Number of acres to be reclaimed during coming permit term.		0 acres	
16. NAME OF MINING SITE Sennett Pit			
17. MINE LOCATION Road US Route 20 Nearest Road Intersection Pine Ridge Road Town Sennett County Cayuga		18. MAP LOCATION a. Quadrangle Name Auburn, NY b. <input type="checkbox"/> 15 minute <input checked="" type="checkbox"/> 7½ minute NYTM'S FOR DEC OFFICIAL USE ONLY E. 4 N	
19. NAME AND ADDRESS OF SURFACE LANDOWNER Richard J. Riccelli, Sr. PO Box 6419, Syracuse, NY 13217			
20. NAME AND ADDRESS OF MINERAL OWNER (if different) Richard J. Riccelli, Sr. PO Box 6419, Syracuse, NY 13217			
21. I am the owner <input checked="" type="checkbox"/> in fee, <input type="checkbox"/> of the mineral rights of the property that is to be mined by the above applicant. I have read the contents of the Mined Land Use Plan, which sets forth the applicant's mining and reclamation plan for the property to be mined, and I hereby irrevocably consent and agree to the performance of the Mined Land Use Plan by the applicant, his surety or insurer or the NYS Department of Environmental Conservation. I further agree to allow access to the property to department personnel for the purpose of conducting inspections or investigations in the regular course or their duties.			
Richard J. Riccelli, Sr.		DATE 5/7/12	
22. I hereby affirm, under penalty of perjury that information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.			
NAME, TITLE AND SIGNATURE OF APPLICANT OR AUTHORIZED REPRESENTATIVE Richard J. Riccelli, Sr., Member		DATE 5/7/12	

PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:
SENNETT PIT
US ROUTE 20
AUBURN, NY

Facility Location: in SENNETT in CAYUGA COUNTY

Facility Principal Reference Point: NYTM-E: 377.2 NYTM-N: 4755.2

Latitude: 42°56'22.3" Longitude: 76°30'18.3"

Authorized Activity: This permit authorizes mining activity on 21.47 acres of land during the permit term, within a 21.47 acre life-of-mine facility, on a 28.46 acre parcel of land, including specified processing equipment, on lands owned by Richard J. Ricelli.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-0552-00024/00001

(Mined Land ID 70636)

Renewal

Effective Date: 6/19/2007

Expiration Date: 6/18/2012

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOANNE L MARCH, Deputy Regional Permit Administrator

Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204-2400

Authorized Signature: _____

Date: 6/19/07

Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by the Department on various dates and consist of the following items: plans prepared by V.P. Chebetar, Jr. on 11/01/01.
And by Matthew Podniesinski on April 18, 2007:
 - Organizational Report dated 1/31/07.
 - Mining Permit Application dated 3/28/07.
 - Mining Plan Map prepared by Continental Placer, Inc. dated 3/26/07.
- 2. Storage of Materials to be Disposed** Materials which are to be disposed of during reclamation shall be stored and stockpiled within the permit area.
- 3. Revegetate The Site** The permittee shall successfully revegetate the site. Seeding, mulching and fertilizing shall be utilized where needed to speedily and successfully reclaim the mine site.
- 4. Comply With Clean Water Act** The NYS Department of Environmental Conservation hereby certifies that the referenced project will comply with all applicable provisions of the Clean Water Act of 1977 (PL 95-217), provided all Special Conditions are met.
- 5. Keep Site Neat** At all times the mine site is to be kept neat.
- 6. Grading** The permittee shall grade the site to a maximum slope of 1:2 and to blend smoothly with surrounding terrain. There are to be no disturbed areas within 25 feet of any property line. No abrupt changes are to occur within or near the edge of the mined area.
- 7. Mine Operation Periods** All mining, reclamation and associated activities (including but not limited to: excavating, grading, processing operations, stockpiling operations, haulage operations, and maintenance operations) shall be limited to the following times: Monday through Friday 7 a.m. to 4 p.m., or sunrise to 4 p.m., whichever is more restrictive. Operation of the mine is prohibited on Saturdays, Sundays and Holidays.
- 8. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1)** The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.

9. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.

10. Provide Person during DEC Inspection The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.

11. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.

12. No Deviation From Approved Plan The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.

13. Archaeological or Structural Remains If any archaeological or structural remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

14. Post Permit Sign The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

15. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

16. Bury, Remove Wastes All waste generated by mining activity, including trees, stumps, brush and rock rubble must be buried at the mine site or otherwise disposed of in a manner approved by the Department.

17. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

18. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at

the mine site.

19. Petroleum Product Storage No petroleum products, fuels, lubricants shall be stored within the mine limits in any excavated area. No long-term maintenance shall be conducted at the mine. long-term maintenance does not include routine fueling, oil changes or necessary on-site repairs.

20. Bond, Surety to Remain in Force Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.

21. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

22. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

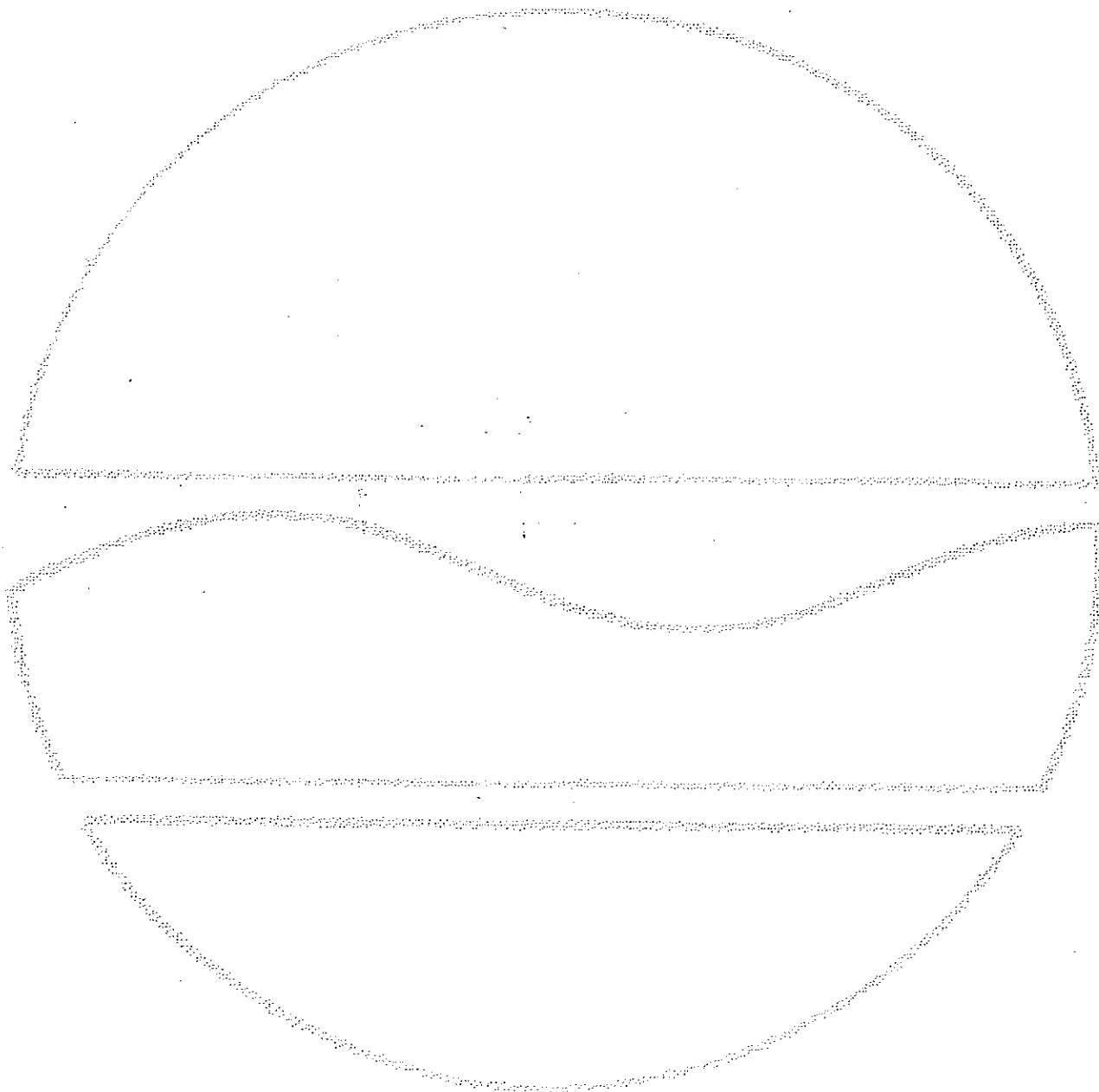
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



SYRACUSE
SAND & GRAVEL
LLC

June 20, 2012

To: Abscope

RE: Stauffer Project - Cobble Material Source

Syracuse Sand & Gravel has provided material (cobbles) to the Stauffer Project in the past from our Palermo Mine. Currently we are processing cobbles from our Granby Mine, sizes range from 2" to 12", that look very similar to the cobbles that were previously produced at the Palermo Mine. We are no longer operating at the Palermo mine and there are no cobbles stockpiles left at that location.

Sincerely,

Richard J. Riccelli

Member



June 14, 2012

To: Rob Gray
Abscope

RE: Stauffer Project

Any material produced and supplied to the above mentioned project from Riccelli Enterprises, Inc. and/or Syracuse Sand & Gravel, LLC mines are 100% native virgin materials and have not been previously used on the site or on another project. We do not include any recycled materials in our products. The materials are free of contaminated substances and are clean.

Below is a summary of materials and their respective sources – Permits for each mine are attached to this email. The proctor for the Limestone Crusher Run from Hanson Skaneateles Quarry is also attached;

<i>Source</i>	<i>Material</i>
Sennett Route 20 Pit	Sand
Valley Borrow – Marcellus Pit	Clay
Rolling Hills- Elbridge	Cobbles & Bank Run Gravel
Lake Road Pit	Sand – secondary source
Granby Pit	Cobbles – secondary source
Hanson Skaneateles Quarry	Limestone Crusher Run



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:
SENNETT PIT
US ROUTE 20
AUBURN, NY

Facility Location: in SENNETT in CAYUGA COUNTY

Facility Principal Reference Point: NYTM-E: 377.2 NYTM-N: 4755.2

Latitude: 42°56'22.3" Longitude: 76°30'18.3"

Authorized Activity: This permit authorizes mining activity on 21.47 acres of land during the permit term, within a 21.47 acre life-of-mine facility, on a 28.46 acre parcel of land, including specified processing equipment, on lands owned by Richard J. Ricelli.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-0552-00024/00001

(Mined Land ID 70636)

Renewal

Effective Date: 6/19/2007

Expiration Date: 6/18/2012

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOANNE L MARCH, Deputy Regional Permit Administrator

Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204-2400

Authorized Signature: _____

Date 6/19/07

Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

1. Conformance With Plans All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by the Department on various dates and consist of the following items: plans prepared by V.P. Chebetar, Jr. on 11/01/01.

And by Matthew Podniesinski on April 18, 2007:

-Organizational Report dated 1/31/07.

-Mining Permit Application dated 3/28/07.

-Mining Plan Map prepared by Continental Placer, Inc. dated 3/26/07.

2. Storage of Materials to be Disposed Materials which are to be disposed of during reclamation shall be stored and stockpiled within the permit area.

3. Revegetate The Site The permittee shall successfully revegetate the site. Seeding, mulching and fertilizing shall be utilized where needed to speedily and successfully reclaim the mine site.

4. Comply With Clean Water Act The NYS Department of Environmental Conservation hereby certifies that the referenced project will comply with all applicable provisions of the Clean Water Act of 1977 (PL 95-217), provided all Special Conditions are met.

5. Keep Site Neat At all times the mine site is to be kept neat.

6. Grading The permittee shall grade the site to a maximum slope of 1:2 and to blend smoothly with surrounding terrain. There are to be no disturbed areas within 25 feet of any property line. No abrupt changes are to occur within or near the edge of the mined area.

7. Mine Operation Periods All mining, reclamation and associated activities (including but not limited to: excavating, grading, processing operations, stockpiling operations, haulage operations, and maintenance operations) shall be limited to the following times: Monday through Friday 7 a.m. to 4 p.m., or sunrise to 4 p.m., whichever is more restrictive. Operation of the mine is prohibited on Saturdays, Sundays and Holidays.

8. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1) The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.



9. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.

10. Provide Person during DEC Inspection The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.

11. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.

12. No Deviation From Approved Plan The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.

13. Archaeological or Structural Remains If any archaeological or structural remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

14. Post Permit Sign The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

15. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

16. Bury, Remove Wastes All waste generated by mining activity, including trees, stumps, brush and rock rubble must be buried at the mine site or otherwise disposed of in a manner approved by the Department.

17. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

18. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at



the mine site.

19. Petroleum Product Storage No petroleum products, fuels, lubricants shall be stored within the mine limits in any excavated area. No long-term maintenance shall be conducted at the mine. long-term maintenance does not include routine fueling, oil changes or necessary on-site repairs.

20. Bond, Surety to Remain in Force Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.

21. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

22. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400



4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

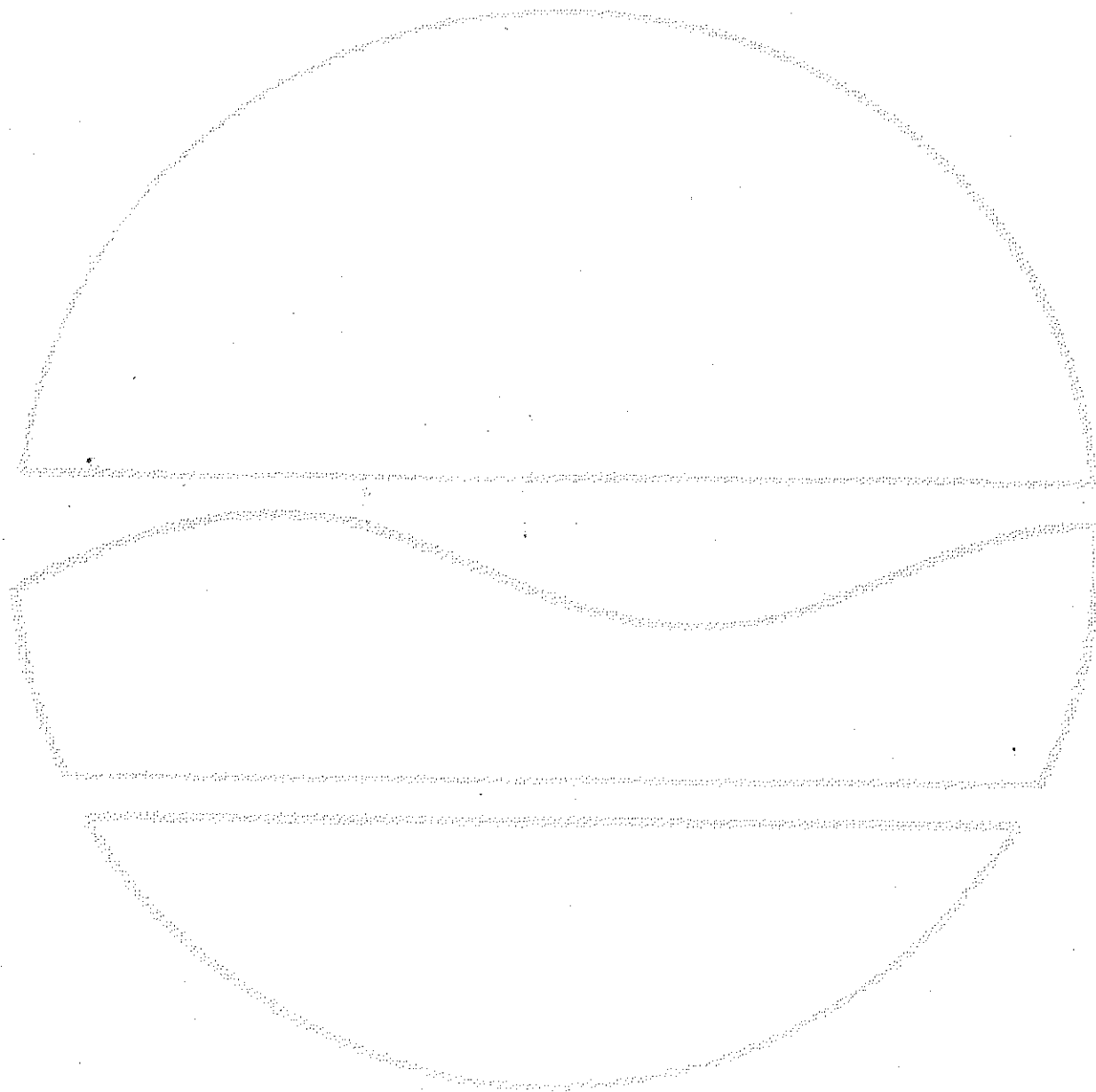
Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.



Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.





PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:
VALLEY BORROW PIT
ST RTE 174
MARCELLUS, NY 13108

Facility Location: in MARCELLUS in ONONDAGA COUNTY

Facility Principal Reference Point: NYTM-E: 390.9 NYTM-N: 4753

Latitude: 42°55'18.6" Longitude: 76°20'12.5"

Authorized Activity: This permit authorizes mining activity on 3.6 acres of land during the permit term, within a 3.6 acre life-of-mine facility, on a 75 acre parcel of land, including specified processing equipment on lands owned by Fred Gutchess. The life-of-mine area was measured by Thomas Giles for this 2007 renewal and is corrected to 3.6 acres rather than 5.5 acres.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-3140-00025/00001

(Mined Land ID 70621)

Renewal

Effective Date: 6/11/2007

Expiration Date: 6/10/2012

Modification # 1

Effective Date: 8/10/2011

Expiration Date: 6/10/2012

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: ELIZABETH A TRACY, Deputy Regional Permit Administrator

Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Authorized Signature:

Elizabeth Tracy

Date 8/10/11



Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

1. Conformance With Plans All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by Nanette Nelson on March 16, 2007 and consist of the following items:

-- Mining Permit Application signed February 1, 2007 & received by the NYS Department of Environmental Conservation Region 7 Division of Mineral Resources February 12, 2007.

-- MINED LAND-USE PLAN RENEWAL VALLEY BORROW PIT narrative, dated January 2007, including application item cover letters dated February 1, 2007 (2 letters), February 15, 2007 & February 23, 2007, prepared by Thomas Giles Geologist, & received by the NYS Department of Environmental Conservation Region 7 Division of Mineral Resources February & March, 2007.

-- Organizational Report signed March 3, 1991.

-- VALLEY BORROW PIT mine plan narrative & associated documents dated March 5, 1991 & prepared by Robert H. Snyder Jr.

-- MINING PLAN & RECLAMATION PLAN MAP, Sheet 1 of 3, prepared by Robert H. Snyder Jr. dated February 27, 1991 & received by the NYS Department of Environmental Conservation Region 7 Division of Regulatory Affairs March 11, 1991.

-- VALLEY BORROW PIT - CROSS SECTIONS Sheet 3 of 3, prepared by Robert H. Snyder Jr. dated February 27, 1991 & received by the NYS Department of Environmental Conservation Region 7 Division of Regulatory Affairs March 11, 1991.

-- MINING PLAN RENEWAL mine plan map, Sheet 1 of 3, prepared by Thomas Giles Geologist, dated February 2007 & received by the NYS Department of Environmental Conservation Region 7 Division of Mineral Resources March 12, 2007.

2. Reclamation Slope The reclamation slope requirement remains at 1V : 3 H and flatter, as represented in the narrative and the cross sections of the approved mined land-use plan dated March 5, 1991. Any subsequent proposal to steepen the reclamation slope is not approved.

3. Truck Traffic Whenever truck traffic exceeds 70 truck trips per day, the operator/permittee or its agents shall use traffic control measures such as flag persons at the entrance to ensure that exiting truck

traffic must yield the right-of-way to traffic on the public highway. The permittee shall maintain tally sheets to monitor truck traffic. Such sheets shall be made available to the Department upon request.

4. Stabilize Final Slopes Immediately As soon as final grades are reached and prior to revegetation, the permittee shall treat the slopes by tracking with a bulldozer or other cleated equipment for purposes of stabilization.

5. Erosion Control Near Otisco Lake The permittee shall insure that silt dams are maintained and the pit is adequately graded, both during and after development, to prevent runoff water from carrying turbidity into the Otisco Lake Reservoir.

6. Salvage Wood Prior to Clearing and Grubbing The permittee shall salvage all saleable forest products, including firewood, prior to clearing and grubbing. Brush, grass, weeds, and other non-saleable or salvageable vegetation shall be mowed, "brush-hogged" or otherwise reduced prior to clearing.

7. Reclaim Mined Land The permittee shall successfully revegetate the site. Seeding, mulching and fertilizing shall be used where needed to speedily and satisfactorily reclaim mined land within two years of the cessation of mining.

8. Final Grades for Drainage The permittee shall maintain the final grades indicated on the mined land use plan so as to maintain positive surface drainage at all times. Backfilling to achieve the grades shown shall not be permitted. A minimum of 2 percent grade on the mine floor shall be maintained at all times.

9. Maintain Internal Drainage All drainage shall be directed internally throughout the life of this mining operation. All drainage and water control features shall be constructed to the extent necessary to achieve this. All drainage from this mine shall be directed to a properly-sized settling pond/retention basin or into a system of settling ponds/retention basins. (Minimum capacity is the capacity necessary to retain a 10-year storm event of 24 hours duration for the entire watershed, including drainage coming into the mine). There shall be no discharge of waters to any area outside the limits of the lands to be affected by mining over the life of this mining operation. Surface water shall not be allowed to drain in such a manner that siltation and/or sediment is carried outside the limits of the life of mine boundary onto neighboring properties or into any wetland, stream, river or other water body.

10. Construct Catch Basins The permittee shall construct and maintain silt catch basins, ditching with staked straw bales or other appropriate erosion control features during the permit term to confine the effects of siltation and erosion to the permit area.

11. Conditions Prevail Over Plans If any condition of this permit conflicts with the approved plans, the permit condition shall prevail over the plans.

12. Equipment at Mines Maintained to Minimize Noise Equipment operation and maintenance:

- a. All equipment to be used in mining and mineral processing shall be maintained in proper operating conditions.
- b. All factory installed or added environmental controls and suppressors and mufflers must be utilized at all times.



- c. Mining equipment shall be operated in a manner so as to reasonably minimize noise levels during operating hours.

13. Store Materials for Reclamation Within Permit Area Materials which are to be disposed of during reclamation shall be stored or stockpiled within the permit area.

14. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.

15. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.

16. No Deviation From Approved Plan The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.

17. Provide Person during DEC Inspection The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.

18. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

19. No Backfilling of Sloped Areas Sufficient materials shall be left in place, in sloped areas along the final limits of this mine, to achieve the final approved grades without backfilling.

20. Post Sign and Permit The enclosed permit and permit sign must be conspicuously posted in a publicly accessible location at the project site. They must be visible, legible and protected from the elements at all times.

21. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

22. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES)



permit requirements and provide necessary notifications for off-site point source discharges.

23. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at the mine site.

24. Bond, Surety to Remain in Force Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.

25. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

26. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1) The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.

27. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a



separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision.



under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Item E: Air Permits at Mine The permittee shall obtain all required permits for non-exempt processing equipment at the mine in accordance with Article 19 of the Environmental Conservation Law and 6NYCRR Part 201.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Application For Permit Transfer and Application for Transfer of Pending Application

(12/10)

NOTE: Please read ALL instructions before completing this application. Please TYPE or PRINT clearly in ink.

PART 1 - TRANSFEREE (New Owner/Operator/Lessee/Applicant) Completes:

1. List Permit Number(s) And Their Effective And Expiration Dates:

#70621 6/11/2007 - 6/10/2012

List Pending Application Number(s):

NA

2. Name Of Transferee:

Syracuse Sand & Gravel LLC

Telephone Number (Daytime):

(315) 433-5115

Transferee is a/an: (check all that apply)

☐ Owner

☒ Operator

☒ Lessee

☒ Applicant

Mailing Address:

P.O. Box 6419

Email: richr@riccellienterprises.com

If other than an individual, provide

Post Office City, State, Zip Code:

Syracuse, NY 13217

Taxpayer ID Number:

16-1497545

3. Name Of Facility/Project:

Valley Borrow Pit

4. Facility Contact Name:

Richard Riccelli, Sr.

Telephone Number (Daytime):

(315) 433-5115

Location (or Street Address, P.O. City, State, Zip Code, if applicable):

State Route 174

Mailing Address:

P.O. Box 6419

Email: richr@riccellienterprises.com

Town / Village / City:

Marcellus, NY 13108

County:

Onondaga

Post Office City, State, Zip Code:

Syracuse, NY 13217

5. Has Work Begun On The Project?

Yes ☒ No ☐ If "No," proposed starting date: _____

Approximate completion date: 6/2017+?

If there will be any modifications to the current or proposed operation or construction, the transferee must attach a statement specifying the details.

6. CERTIFICATION: This certifies that the Transferee seeks to be the legally responsible party for operations or project development either authorized by the permits identified above or proposed in applications identified above. The Transferee has a copy of the permit(s) and/or application(s) and understands and will comply with all conditions in the referenced permit(s) and supports the content of referenced application(s). Facility operations/project scope/discharges/emissions will remain the same as authorized or as proposed in pending applications. Further, I hereby affirm that under penalty of perjury that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Printed Name and Title of Transferee: Richard J. Riccelli, Sr. Member

Signature of Transferee

Richard Riccelli Sr. Member

Date

6/15/11

PART 2 - TRANSFEROR (Present or Former Owner/Operator/Lessee/Applicant) Completes:

1. Name Of Transferor:

David J. Smith

Telephone Number (Daytime):

(315) 673-4124

If other than an individual, provide

Taxpayer ID Number: 16-1112299

Mailing Address:

4782 Shepard Road

Email:

Post Office City, State, Zip Code:

Marcellus, NY 13108-9745

2. Name Of Facility/Project, if different from Facility Name in Part 1: Same

3. CERTIFICATION: This certifies that ownership, operation, or a lease for the facility identified in Part 1 of this form ☐ will be / ☒ was conveyed to the party identified as the Transferee on 5/31/11 (date). I affirm that this conveyance includes the rights and obligations of the permits, approvals, or applications identified above.

Printed Name and Title of Transferor: David J. Smith, President

Signature of Transferor

David Smith

Date

6-17-11

PART 3 - PERMIT TRANSFER VALIDATION SECTION - Department Of Environmental Conservation Completes:

- ☒ Transfer of permit approved, effective as of 8/10/11. Transferee subject to conditions of original permit, without exception.
☐ Transfer of permit approved, with the following modifications or contingencies related to this Permit Transfer:

- ☐ See attached revised permit page(s).
☐ Transfer of application approved. See attached for additional information required.
☐ Transfer denied, new application required. Please complete the enclosed permit application and return it to the undersigned Regional Permit Administrator at the address listed on the reverse side of this form.

NYSDEC PERMIT ADMINISTRATOR

SIGNATURE

DATE

copies to:

Elizabeth Tracy

Elizabeth Tracy

8/10/11

FOR DEC USE ONLY

FOR DEC USE ONLY



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
GRANT L PERRY
RD 6 DEPOT RD
AUBURN, NY 13021
(315) 253-7421

Facility:
ROLLING HILLS POND
CHATFIELD RD
SENNETT, NY 13021

Facility Location: in SENNETT in CAYUGA COUNTY

Facility Principal Reference Point: NYTM-E: 378

NYTM-N: 4762.4

Latitude: 43°00'16.2" Longitude: 76°29'48.8"

Authorized Activity: This permit authorizes mining activity on 24.4 acres of land during the permit term, within a 24.4 acre life-of-mine facility, on a 100.66 acre parcel of land, including specified processing equipment on lands owned by Grant and Patricia Perry. (This permit is a renewal with an increase of 12.55 acres to the Life-of-Mine.)

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-0552-00053/00001

(Mined Land ID 70712)

Renewal

Effective Date: 11/25/2009

Expiration Date: 11/24/2014

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOANNE L MARCH, Deputy Regional Permit Administrator
Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Authorized Signature: _____

Date 11/25/09



Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

1. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
2. **Bond, Surety to Remain in Force** Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.
3. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by the Department on various dates and consist of the following items:
 - A.) Narrative titled "Renewal and Expansion of Rolling Hills Pond Sand and Gravel Mine" prepared by PLS Engineering, P.C. and dated May 2009.
 - B.) Graphic plans (3 Sheets total) titled:
 - 1.) "Area Plan, 1 of 3" dated November 2008 and prepared by PLS Engineering, P.C.
 - 2.) "Mining and Reclamation Plan, 2 of 3" dated November 2008 and prepared by PLS Engineering, P.C.
 - 3.) "Profiles, 3 of 3" dated November 2008 and prepared by PLS Engineering, P.C.
4. **No Deviation From Approved Plan** The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.
5. **Department Personnel Access** The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.
 - (a) The permittee shall allow Department personnel access to enter and inspect any property or premises covered by a permit at all reasonable times during normal business hours on normal business days, and



after reasonable notification to the permittee and proper identification as Department employees, for the purpose of conducting inspections or investigations in the regular course of their duties pursuant to the Environmental Conservation Law, notwithstanding signs or other notices purporting to limit access to the property.

(b) The permittee expressly agrees that the Department, including its employees, agents and representatives shall have access at all reasonable times during normal business hours on normal business days to mine records relative to mining and subsequent reclamation of the affected land for the purpose of ascertaining compliance with Title 27 (New York State Mined Land Reclamation Law), the permit or subchapter D of 6NYCRR.

6. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

7. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

8. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

9. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.

10. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

11. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1) The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.



12. **Dust Control** Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.
13. **Fueling of Equipment and Reporting of Spills** Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at the mine site.
14. **Fuel Storage** All fuel storage will be within the permit limits and a minimum of 100 feet from any surface water. Equipment fueling shall be controlled to prevent spillage. The permittee shall retain sufficient plastic sheeting upon which to store and with which to cover any soils contaminated by a spill while awaiting the Department's response to the spill notification. No long-term equipment maintenance shall be conducted at the mine. Long-term maintenance does not include routine fueling, oil changes or necessary on-site repairs.
15. **Property Line Setbacks** No mining activity of any kind, including clearing and grubbing, shall occur within 25 feet of any adjacent property line or right-of-way. When mining is conducted lower than the adjacent property, the distance from the floor of the mine to the nearest property line shall be no closer than 25 feet plus 1 1/2 times the depth of the excavation.
16. **Material Storage** The permittee shall provide that no material will be stored or disposed of at the mine so as to adversely affect or contaminate surface or subsurface water. Any trees are to be cut for firewood. No materials are to be stored or stockpiled within 100 feet of roads or wetlands which are outside the mine limit.
17. **Stockpile storage** Materials which are to be disposed of during reclamation shall be stored or stockpiled within the permit area.
18. **Vegetated Earth Mounds** The permittee shall provide vegetation or vegetated earth mounds as necessary or as directed by the Department's Mined Land Reclamation Specialist, or other means to reduce overall visibility of the mine, equipment storage and processing areas. At all times the mine is to be kept neat.
19. **Equipment Operation and Maintenance**
 - a. All equipment to be used in mining and mineral processing shall be maintained in proper operating conditions.
 - b. All factory installed or added environmental controls, suppressors and mufflers must be utilized at all times.
 - c. Mining equipment shall be operated in a manner so as to reasonably minimize noise levels during operating hours.
20. **Street Sweeper** The permittee shall utilize a street sweeper or other device acceptable to the Department to clean mud and dirt from the public highway near the mine entrance as necessary or as directed by authorized representatives of the Department.
21. **Operating Hours** Mining activity, mineral extraction, processing of minerals, trucking activity and removal of products from the mine site shall be limited to the following hours of operation: Monday



through Friday 7:00 a.m. - 5:00 p.m.; Saturdays 7:00 a.m. - 12:00 p.m. and no processing of minerals; and Sunday & Holidays: No Operation. Monday through Friday hours of operation may be extended to sun-up to sundown for up to 10-days per calendar year to meet special demands. The permittee shall report each extension of the hours to the NYS DEC Region 7, Division of Mineral Resources office as soon as possible but no later than 2 days after each such occurrence.

22. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;



- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:
LAKE ROAD PIT
E SIDE LAKE RD
PHELPS, NY 14532

Facility Application Contact:
RICHARD RICCELLI
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217

Facility Location: in PHELPS in ONTARIO COUNTY
Facility Principal Reference Point: NYTM-E: 334.23 NYTM-N: 4762.42
Latitude: 43°59'47.0" Longitude: 77°02'01.1"

Project Location: Lake Road

Authorized Activity: Permit to mine unconsolidated material from a 76.9 acre permit term area within a 76.9 acre Life of Mine. Approved operations include crushing, washing, and screening.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 8-3240-00033/00001

(Mined Land ID 80634)

Renewal

Effective Date: 1/19/2011

Expiration Date: 1/18/2016

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: DAVID L BIMBER, Deputy Regional Permit Administrator
Address: NYSDEC REGION 8 HEADQUARTERS
6274 E AVON-LIMA RD
AVON, NY 14414

Authorized Signature: _____

Date: 1/19/2011



Distribution List

RICHARD RICCELLI
JOHN P FREEMAN
TOWN OF PHELPS

Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Permit Attachments

Permit Sign

MINED LAND RECLAMATION PERMIT CONDITIONS

1. **Post Sign and Permit** The enclosed permit and permit sign must be conspicuously posted in a publicly accessible location at the project site. They must be visible, legible and protected from the elements at all times.
2. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by John P. Freeman, Mineral Resources Division on 1/18/2011 and consist of the following items:

The Plans stamped Approved by John P. Freeman on January 18, 2011, consist of the following items:

- * Mining Permit Application dated May 25, 2010.
- * Organizational Report Form dated August 28, 2002.
- * Environmental Assessment Forms dated December 11, 1991; August 8, 1994; July 16, 1996; May 20, 1999; August 28, 2002, April 7, 2004 and June 9, 2007.
- * 2nd Supplemental Information for a Mined Land Use Modification During Permit Term 2005-2010 dated July 26, 2007.



- * Supplemental Information for a Mined Land Use Plan Modification During Permit Term 2005-2010 dated June 7, 2007.
- * Mined Land Use Plan Modification During Permit Term 2005-2010 dated April 15, 2007 April 15, 2007.
- * January 12, 2005 letter from John Hellert to Steve Army.
- * Mined Land Use Plan Renewal For Permit Term 2005-2010 dated April 15, 2005.
- * Mined Land Use Plan Modification During Permit Term 2003-2005 dated April 5, 2004.
- * Spectra Report included with " Mined Land Use Plan Modification During Permit Term 2003-2005 dated September 2002.
- * October 2, 2002 letter from P. Wyckoff to R. McDonough.
- * Modification Application for Permit To Mine, Syracuse Sand and Gravel, LLC. Lake Road Mine (Spectra Report included) September 2002.
- * Mine Plan Map dated July 26, 2007, updated 4/17/2010
- * Reclamation Plan Map dated March 22, 2004, most recently updated April 2007.
- * Reclamation Sections Map dated March 22, 2004.
- * Impacts to Groundwater map dated September 3, 2002.
- * May 14, 1999 letter from V. Chebetar to J. Cole.
- * July 15, 1996, letter from V. Chebetar to S. Army.
- * August 8, 1994, letter from V. Chebetar to S. Army.
- * Wash Plant and Settling Pond layout map dated July 12, 1996.
- * Mining and Reclamation Plan narrative dated December 9, 1991, revised June 8, 1992.
- * June 8, 1992, letter from V. Chebetar to R. Shearer.



3. No Deviation From Approved Plan The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.

4. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.

5. Bond, Surety to Remain in Force Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.

6. Distance From Mine to Property Line No land within 25 feet of any property or right-of-way boundary may be affected by any mining related activity. When mining is conducted below the level of adjacent property, the horizontal distance from the toe of the mine face to the nearest property or right-of-way boundary must be no less than 25 feet plus 1.5 times the depth of excavation.

7. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

8. No Mining Within 100' of Wetlands No mining or mining-related activities shall occur within 100 feet of the state-protected wetland, located on this property.

9. Authorized Days and Hours of Operation. Mining and mining related activities shall occur only between the hours of 7 AM and 6 PM, Monday through Friday, 7 AM and 3 PM on Saturdays, with no activities on Sundays or legal holidays.

10. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

11. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

12. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.



13. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 8 HEADQUARTERS
6274 E AVON-LIMA RD
AVON, NY 14414

Work shall not resume until written permission to do so has been received from the Department.

14. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at the mine site.

15. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

16. No Importing or Processing Off-Site Materials There shall be no importation, storage, disposal or processing of materials, of any kind, originating from outside the limits of the life of mine, without first applying for and obtaining a modification to this permit.

17. No Wastes at Mine There shall be no disposal, storage, transfer or processing of trash or garbage, demolition debris, or other wastes regulated under the Environmental Conservation Law in the mine.



GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 8 HEADQUARTERS
6274 E AVON-LIMA RD
AVON, NY 14414

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;



- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. **Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:

GRANBY MINE
COUNTY ROUTE 85
GRANBY, NY 13126

Facility Location: in GRANBY in OSWEGO COUNTY

Facility Principal Reference Point: NYTM-E: 379.5 NYTM-N: 4802.2
Latitude: 43°21'46.8" Longitude: 76°29'13.7"

Authorized Activity:

This permit authorizes mining activity on 51.3 acres of land within a 69.1 acre life-of-mine facility, on a 184 acre parcel of land including specified processing equipment, on lands owned by Syracuse Sand and Gravel, LLC.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-3528-00031/00001

(Mined Land ID 70465)

Renewal

Effective Date: 7/1/2008

Expiration Date: 6/30/2013

Modification # 1

Effective Date: 10/7/2010

Expiration Date: 6/30/2013

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOANNE L MARCH, Regional Permit Administrator

Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204-2400

Authorized Signature: _____

Date 10/8/10



Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

1. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
2. **Bond, Surety to Remain in Force** Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.
3. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by the Department on various dates and consist of the following items:
 - A.) Narrative titled "Mined Land Use Plan Modification" dated March 28, 2007, "Revised Mined Land Use Plan Modification" dated July 12, 2007, and "Supplemental Information For A Mined Land Use Plan Modification" dated November 6, 2007; all Narratives were prepared by Continental Placer Inc.
 - B.) Graphic Plans (2 sheets total) titled "Mining Plan Map" dated March 8, 2010, "Reclamation Plan Map" dated July 12, 2007 and prepared by Continental Placer Inc.
4. **No Deviation From Approved Plan** The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.
5. **Provide Person during DEC Inspection** The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.
6. **Permit Does Not Apply to Structures and Safety Aspects** Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.
7. **Strip and Stockpile Soils for Reclamation** Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted



area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

8. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

9. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

10. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at the mine site.

11. Spill Response Procedures The permittee shall contain and clean-up any spill under 5 gallons within 2 hours of discovery of the spill as required by ECL.

12. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

13. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

14. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1) The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.

15. No Mining Within 100' of Wetlands No mining or mining-related activities shall occur within 100 feet of the state-protected wetland, located on this property.

16. Improve and Maintain Access Road The permittee shall improve and maintain at least the first 300 feet of the access road by filling, grading, and preparing the access road surface with clean gravel,



crushed stone, or other paving materials acceptable to the Department, to control fugitive dust and mud collecting on the road. The permittee shall clean the access road as necessary and/or directed by the Department to control fugitive dust or mud.

17. Hours of Operation Mining activity, mineral extraction, trucking activity and removal of materials or products from the mine site shall be limited to the following hours of operation:

Monday - Friday

8:00 AM - 5:00 PM

Or sunrise to sunset, whichever is more restrictive

Saturdays, Sundays and Holidays No Operation

18. Equipment at Mines Maintained to Minimize Noise Equipment operation and maintenance:

- a. All equipment to be used in mining and mineral processing shall be maintained in proper operating conditions.
- b. All factory installed or added environmental controls and suppressors and mufflers must be utilized at all times.
- c. Mining equipment shall be operated in a manner so as to reasonably minimize noise levels during operating hours.

19. Store Materials for Reclamation Within Permit Area Materials which are to be disposed of during reclamation shall be stored or stockpiled within the permit area.

20. No Disposal, Use Trees For Firewood, Away From Road The permittee shall provide that no material will be stored or disposed of at the mine site so as to adversely affect or contaminate surface or subsurface water. All trees are to be cut for firewood. No materials are to be stored or stockpiled within 100 feet of the road.

21. Bury, Remove Wastes All waste generated by mining activity, including trees, stumps, brush and rock rubble must be buried at the mine site or otherwise disposed of in a manner approved by the Department.

22. Cover Large Rocks and Boulders Large blocks of rocks, boulders or similar materials remaining within the permit area shall be removed or covered with a minimum compacted depth of two feet of cover material with a soil composition capable of sustaining vegetative growth.

23. Remove Equipment During Reclamation The permittee shall remove all machinery, equipment, tools and other personal property from the permit area during the reclamation period.

24. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.



GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions,



relevant technology or applicable law or regulations since the issuance of the existing permit;

- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. **Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Standard ☐Modified ☒Procedure A ☐B ☐C ☒

Preparation Method:

Moist ☒Dry ☐

Rammer Used:

Manual ☒Mechanical ☐

MAXIMUM DRY DENSITY (P.C.F.)

Corrected: 148.1Uncorrected: 144.4

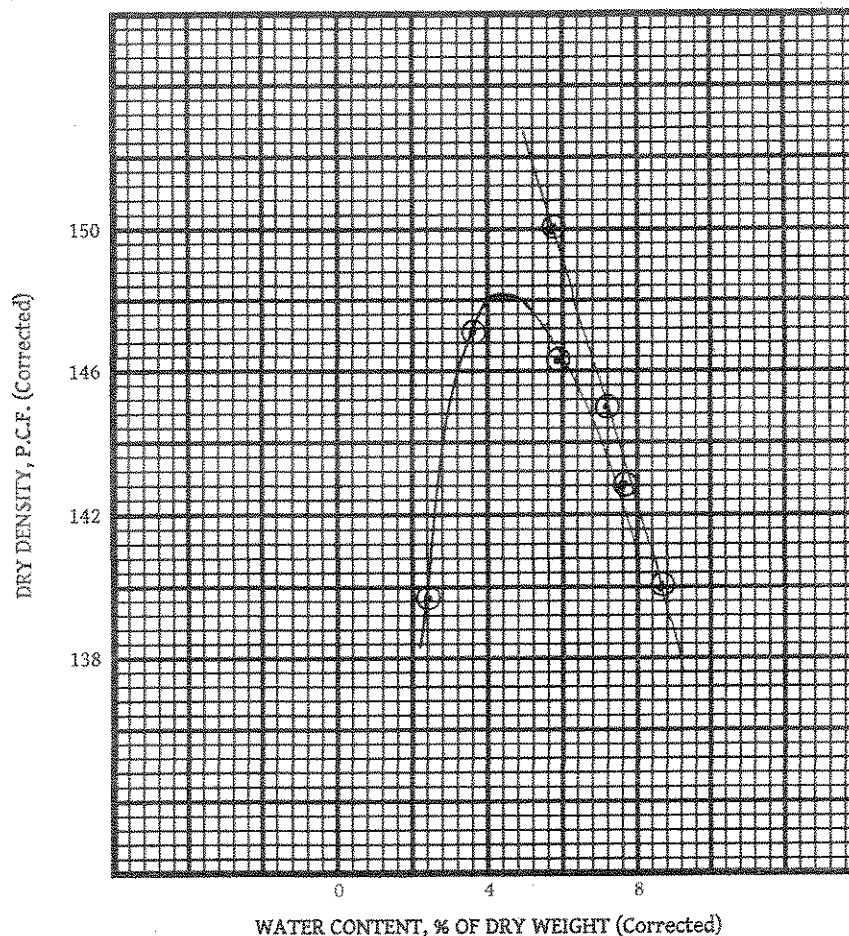
OPTIMUM MOISTURE CONTENT (%)

Corrected: 4.5Uncorrected: 5.0

Performed in accordance with:

ASTM D1557 & D471818.2% retained on the 3/4" sieveApparent Specific Gravity: 2.78

Compaction Test Report



SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	23.87	24.68	24.91	24.81			
MOLD WEIGHT	13.45	13.45	13.45	13.45			
WET SAMPLE WT.	10.42	11.23	11.46	11.36			
WET DENSITY, P.C.F.	138.2	148.9	152.0	150.6			
MOISTURE CONTENT (1)	2.5	3.9	6.8	8.9			
DRY DENSITY, P.C.F. (1)	134.8	143.3	142.3	138.3			

Note: (1) Actual test data shown in uncorrected form.

Material

Color: GrayClassification: N/AType: - 1 1/2" Run of Crush Limestone (Oriskany)Location: Skaneateles, New YorkLab I.D. #: 26932Client: Hanson Aggregates New York, LLC.Project Title: Laboratory TestingTest Date: May 31, 2012Tested By: JBChecked By: V.J. ThomaProject #: L-12044Report #: 3

PW LABORATORIES, INC.
 6644 FREMONT ROAD, EAST SYRACUSE, NY 13057
 315-437-1420 • Fax 315-437-1752 • pwlabinfo@hotmail.com



July 5, 2012

To: Rob Gray – Abscope Environmental

RE: Stauffer Project

Any material produced and supplied to the above mentioned project from Riccelli Enterprises, Inc. and/or Syracuse Sand & Gravel, LLC mines are 100% native virgin materials and have not been previously used on the site or on another project. We do not include any recycled materials in our products. The materials are free of contaminated substances and are clean.

Below is a summary of materials and their respective sources.

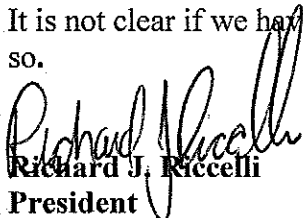
<i>Source</i>	<i>Material</i>
Sennett Route 20 Pit	Sand
Valley Borrow – Marcellus Pit	Clay
Rolling Hills- Elbridge Pit	Cobbles & Bank Run Gravel
Lake Road Pit	Sand – secondary source
Granby Pit	Cobbles – secondary source
Hanson Skaneateles Quarry	Limestone Crusher Run

Statement regarding past usage on the site:

In past construction activities at the SMC Skaneateles Falls Site, we have utilized thousands of cubic yards (CY) of sand from our Sennett Route 20 Pit and roughly 1,000 CY of Bank Run Gravel from our Elbridge Pit. When we ran out of Cobbles at our Palermo Pit, we used a few hundred CY from our Granby Pit. We have hauled thousands of CY of clay from our Marcellus Pit. We hauled rip rap material and limestone products from our Hanson Skaneateles Quarry. In all, the following materials from the above table have previously been used at the SMC Skaneateles Falls site:

- Sennett Route 20 Pit Sand
- Marcellus Pit Clay
- Elbridge Pit Cobbles, Bank Run Gravel
- Granby Pit Cobbles
- Hanson Skaneateles Quarry Limestone Crusher Run

It is not clear if we have provided material from our Lake Road Pit, but we probably have done so.


Richard J. Riccelli
President

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Subject: Re: SMC Skaneateles Falls Backfill Material
Date: Thursday, June 28, 2012 2:58:16 PM

Brett,

As we discussed, since the backfill material planned for AEC-8A is coming from a source already approved by the Department, that approval is still valid.

The other previously Department-approved sources from your 11:39 am e-mail also still have valid approvals.

In the near future, you will note via e-mail which material source is new to the site.

Regards,
John

>>> Brent Heesemann <bheesemann@envirospeceng.com> 6/28/2012 11:39 AM >>>
Hi John,

We are planning on bringing in sand for backfilling AEC-8A and AEC-8C South on Monday. I have attached the NYSDEC permits and cover letter for each potential source of clay, sand, gravel, and cobbles. Please review this information and confirm that these materials may be brought on site and used as specified in the Supplemental Remedial Activities Work Plan. Please reply as soon as possible as we are hoping to start backfilling AEC-8A within the next few working days.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Subject: AOI-4 Soil Cover
Date: Tuesday, October 09, 2012 1:32:31 PM
Attachments: [HB_DWG_2..pdf](#)
[image2012-10-09-132338_1.pdf](#)

Brent,

The Department approves the modification to Supplemental RAWP for the NCRB-1 PCB Excavation as proposed via e-mail on 10/8/12 @ 11:31 am and illustrated by the attached drawing labeled HB_DWG_2..pdf.

To further document that the NCRB-1 PCB excavation area is ready for the soil cover, the Department requests an additional surveyed point in the area highlighted in blue (filename: image2012-10-09-132338_1.pdf). There appears to be three data points near NC RB1 point on this figure.

If you have any questions, please let me know.

Thanks,
John



Stauffer Chemical Company

Westport, Connecticut 06880 / Tel. (203) 222-3000 / Cable "Staufferchem"

REGISTERED MAIL
RETURN RECEIPT REQUESTED*Pete - are you doing the
required post-closure monitoring*

April 18, 1983

*Jim C*New York State Department of
Environmental Conservation
Region 7
7481 Henry Clay Blvd.
Liverpool, N. Y. 13088

Attn: Mr. Larry Gross

Gentlemen:

This letter concerns the erroneous designation of Stauffer Chemical Company's Skaneateles Falls, N.Y. plant on a preliminary list of New York State Department of Environmental Conservation, Region 7 sites for possible action under the New York State Superfund Law.

In my discussions with Mr. Robert Olazagasti of the Albany DEC office, and your Mr. Larry Gross, it was determined that the Skaneateles Falls site was listed for "unlined lagoons containing hazardous waste." This is not correct. The disposal site in question is a landfill which was permitted to receive only non-hazardous sludge from the plant's wastewater treatment settling ponds. The non-hazardous landfill was permitted March 5, 1981, Permit #1694, and was closed in accordance with permit requirements on October 23, 1982.

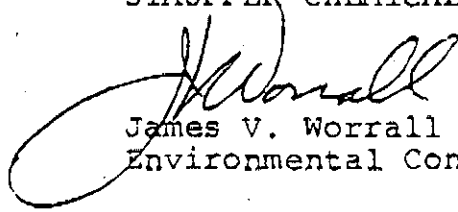
Confirming my phone agreement with Mr. Gross, Stauffer's Skaneateles Falls site has now been removed from the New York State Superfund list. Further, this site will be deleted from the "Hazardous Waste Disposal Sites in New York State" report before it is re-issued later this year, on the condition that the required post-closure monitoring does not indicate any hazardous releases from the landfill.

We appreciate the cooperation of Messrs. Gross and Olazagasti, and thank them for their efforts.

Sincerely,

bcc: J. Call
P. Jacobi
P. Nervina
D. McGrade
J. D. Sheehan
A. S. Woods

STAUFFER CHEMICAL COMPANY


James V. Worrall
Environmental Control Dept.

JVW/rcg

cc: Robert Olazagasti

1594

PERMIT

Under the Environmental Conservation Law, Article 27, Title 7, Part 360

EXPIRATION DATE
3/5/84☐ CONSTRUCTION☒ INITIAL ISSUE☐ REISSUANCE☒ OPERATION☐ RENEWAL☐ MODIFICATION

PERMIT ISSUED TO Stauffer Chemical Co.		ADDRESS OF PERMITTEE Skaneateles Falls, NY		TELEPHONE NO. 685-5717
LOCATION OF PROJECT Town Skaneateles		County Onondaga	Environmental Conservation Regional Office 7481 Henry Clay Blvd., Liverpool, NY 13088	
DESCRIPTION OF PROJECT Sludge landfill			ON-SITE SUPERVISOR	

GENERAL CONDITIONS

1. The permittee shall file in the office of the Environmental Conservation Region specified above, a notice of intention to commence work at least 48 hours in advance of the time of commencement and shall also notify said office promptly in writing of the completion of the work.
2. The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation who may order the work suspended if the public interest so requires.
3. As a condition of the issuance of this permit, the applicant has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.
4. All work carried out under this permit shall conform to the approved plans and specifications. Any amendments must be approved by the Department of Environmental Conservation prior to their implementation.
5. The permittee is responsible for obtaining any other permits, approvals, easements and rights-of-way which may be required for this project.
6. By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with Part 360 and the special conditions. Any variances granted by the Department of Environmental Conservation to Part 360 must be in writing and attached hereto.

SPECIAL CONDITIONS

1. Only Wastewater Treatment Plant sludge from the existing systems as described in the Stauffer Chemical Engineering Report and Specifications, dated December 5, 1980 may be disposed under this permit.
2. Operation of the landfill must follow the engineering report and plans and must be in conformance with Part 360 of the Environmental Conservation Law.
3. One upgrade and two downgrade water monitoring wells must be established and maintained in the area of active and inactive sludge pits. The monitoring wells must be sampled for Total Chlorides, Total Organic Carbon, Total Sulfates, Specific Conductivity (in micromhos), pH, and Total Lead every four months and results submitted to the Region 7 office of Solid Waste.
4. As new sludge pits are constructed field tests must be performed and submitted to this department, on the bottom and side embankments of the pits to determine whether acceptable hydraulic conductivity values have been obtained during construction.
5. Closure of this facility shall include, but not be limited to:
 - 1) Establishment and maintenance of a grass or ground cover within four months of placement of final cover.
 - 2) Soil cover integrity, slopes, cover vegetation, drainage structures and ground-water monitoring facilities must be established and maintained for a period of five years or longer as prescribed by this department.

ISSUE DATE 3/5/81	ISSUING OFFICER Charles J. Branagh	SIGNATURE X <i>Charles J. Branagh</i>
----------------------	---------------------------------------	--

PERMITTEE COPY

New York State Department of Environmental Conservation

Division of Environmental Remediation

Remedial Bureau B, 12th Floor

625 Broadway, Albany, New York 12233-7016

Phone: (518) 402-9768 • **Fax:** (518) 402-9773

Website: www.dec.ny.gov



Joe Martens
Commissioner

June 8, 2012

Gianna Aiezza, Principal Engineer
Envirospec Engineering, PLLC
16 Computer Drive West
Albany, NY 12205

Dear Ms. Aiezza:

RE: Site Code 734010
SMC-Skaneateles Falls
Onondaga County

The Department reviewed the Lagoon 1 Construction Certification Report as revised on May 23, 2012 for the site referenced above and approves this document as written.

If you have any questions, please contact me at (518) 402-9767 or via e-mail at jcgrathw@gw.dec.state.ny.us

Sincerely,

John Grathwol
Environmental Engineer 2
Remedial Section C, Remedial Bureau B
Division of Environmental Remediation

cc: C. Elmendorf, SMC
D. Tuohy, NYSDEC
J. Moras, NYSDEC
H. Warner, NYSDEC
R. Jones, NYSDOH



HAZARDOUS WAM APPROVAL FORM

Requested Disposal Facility Model City (Hazardous Waste Facility)

Profile Number 106060NY

Waste Approval Expiration Date 08/31/2011

APPROVAL DETAILS

Hazardous Classification: Nonhazardous

Profile Renewal: ☐ Yes ☒ No

Management Method: Bulk for Disposal, Landfill - Non-hazardous

Management Facility Precautions, Special Handling Procedures or Limitation on approval:

- Drummed waste must be marked with profile number on top & side of the containers & bear only the appropriate labeling under RCRA and/or DOT provisions
- Waste profile sheet numbers must appear on manifests/shipping papers and drums.
- No demurrage will be paid by CWM Chem. Services Inc. for delays at Model City for on-site acceptance procedures when generator/customer arranges their own transportation.
- SLF restrictions require all drummed solids for landfill to be full and have no void space. Price and disposal is contingent upon the generator's waste being contained in open top drums.
- Any sorbents used to absorb free liquids or eliminate void space in drums must be non-biodegradable.
- If material is shipped as non-hazardous, appropriate non-hazardous labels must be on drums, per Model City permit requirements.
- CWM Chemical Services, L.L.C. (CWM) has all the necessary permits and licenses and is authorized for the management of the waste that has been characterized and identified by this profile.

WM Authorization Name: Andrew Argona

Title: Waste Approval Manager

WM Authorization Signature: Andrew D Argona

Date: 08/31/2010

Agency Authorization (if Required): _____

Date: _____

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#); [James Moras](#); [Matthew G. Root](#)
Subject: RE: AOI-4 Soil Cover - SMC-Skaneateles Falls (Site Code 734010)
Date: Friday, November 09, 2012 8:21:20 AM

The Department concurs that the AOI-4 survey and explanation below are sufficient documentation of SMC's completion of the soil cover as approved in the Supplementary RAWP.

As discussed in our November 7, 2012 meeting, the Department has concerns that the unforeseen ponding on the AOI-3 and AOI-4 soil cover may lead to erosion and other adverse effects to damage this remedy.

Wednesday's discussion on this item, as well as the other topics discussed, was productive and SMC's initial proposed solution is conceptually acceptable to the Department.

The Department requests SMC submit a modification to the Supplemental RAWP (an electronic submittal is acceptable) to resolve this ponding issue so this concern can be removed from the Department's punch list items for the Spring 2013 Final Inspection.

If you have any questions, please let me know.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 11/8/2012 8:29 AM >>>

Hi John,

Attached is the drawing that you marked up with the point labeled "B" (AOI-4 fill survey.pdf), as well as another drawing showing that point circled in red (AOI-4 Post Excav..pdf). As is shown on these drawings, the original cut at this location was 3.56 ft. This location was then restored to within 0.81 ft. of its pre-excavation elevation, meaning that there is actually a 2.75 ft. (3.56 ft. - 0.81 ft.) soil cover in this area. The required soil cover thickness is two (2) ft. As we had discussed previously, this area is where the large tree stump used to be that was holding a very steep, essentially vertical, embankment in place. This stump had to be removed in order to install the cap, and in its absence it is impossible to rebuild the bank in the area to the exact conditions that existed before its excavation. This is the reason for the 0.81 ft. differential at this location, and the 6.46 ft. differential at the location immediately adjacent to it that we have already discussed. Please review this material at your convenience and approve this location pending established vegetative cover. Please contact me with any questions or concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: John Grathwol [mailto:jcgrathw@gw.dec.state.ny.us]
Sent: Wednesday, October 31, 2012 2:56 PM
To: Brent Heesemann
Subject: AOI-4 Soil Cover - SMC-Skaneateles Falls (Site Code 734010)

The Department understands that the stump area will not be restored and concurs that the circled area is in this immediate location is appropriately addressed (included the survey point labeled "A" which is the survey point NE of the stump area) on the attached map.

As for the circled area outside the 100-year flood plain, the Department concurs that this circled area is appropriately addressed.

Per the attached map, the survey point labeled "B" is 0.81 feet less than the expected 2' of fill. It is hoped that this area can be restored due to its proximity to Skaneateles Creek.

Please address this area to receive a conceptual Department approval on the AOI-4 soil cover.

Your e-mail's concluding statement is correct - SMC will receive complete Department approval after the vegetative cover is established.

From: [John Grathwol](#)
To: [Brent Heesemann](#); [Matthew G. Root](#)
Cc: gaiezza@envirospec.com; [James Moras](#)
Subject: Request to Properly Decommission Recovery Well 8 (RW-8)
Date: Wednesday, July 11, 2012 1:42:40 PM

As previously discussed, RW-8, located in AEC-8A, is no longer needed at the SMC-Skaneateles Falls site because the Department has approved this area of soil remediation as complete, and approved AEC-8A to be backfilled in the Supplemental Remedial Activities Work Plan. In addition, groundwater sample results illustrate that it will not require pump and treatment.

The Department approves this RW-8 to be properly decommissioned and requires the activity be documented in the text of the Final Engineering Report.

IMPORTANT NOTICE: Carefully read and fully comply with the conditions stated in this permit. No work affecting the roots or tops of trees is authorized by this permit. To obtain such permission obtain the proper permit furnished. Gutting to trees requires written permission. To avoid serious damage to underground communication cables, gas mains, water mains, the Permittee should contact the owners thereof and obtain their permission before starting work which may interfere with such lines. Conduct your operations safely. Prevent accidents. Before discharging explosives in grounds and excavations, it is mandatory to notify at least 72 hours in advance, the person or municipality distributing gas in that area. The Permittee and/or his successor in interest shall be responsible for all future maintenance of all work done under this permit.

COUNTY OF ONONDAGA

Proposed Starting Date 7/25/12Date Work Completed 7/30/12**Department of Transportation**

421 MONTGOMERY ST.
11th FLOOR CIVIC CENTER
SYRACUSE, N.Y. 13202
PHONE: 435-3176

Reference:

Permit No. 22-01-12**APPLICATION FOR PERMIT**

For Water Mains, Gas Mains, Sewer Lines, Telephone-Telegraph Installations, Electric Light Line, Electric Power Line, Miscellaneous Structures, Drainage Enclosure. Temporary Signs.
Pursuant to Sections 103, 104 and 136 of the Highway Law and Section 14 of the Vehicle and Traffic Law.

TO: COMMISSIONER OF TRANSPORTATION of the County of Onondaga, Application is hereby made by the undersigned, _____

ABSCOPE Environmental Inc.

whose principal place of business is at 1 Commercial Dr. Canastota, NY 13032

to Advance soil borings along Jordan Rd. in Skaneateles Falls adjacent Stauffer Chemical Property 14 total.

	PAID
AMT.	\$ 32.00
DATE	6/19/2012
CHECK NO.	250833

on or across a County highway situated in the Town of _____

known as 4512 Jordan Rd. No. 22

in accordance with the map and plan hereto attached, and pursuant to the conditions and regulations, whether general or special, which are hereinafter set forth: all forming a part hereof. This applicant will obtain any and all other consents and permits that may be necessary to accomplish the purposes set forth herein, as it is understood that in granting such permit, this Department merely expresses its assent insofar as it is authorized.

Protective Liability Insurance required on this permit covered by Undertaking dated 6/14/2012

20_____, or by Protective Liability Insurance Policy No. 897625856 which expires on 1/1/2013

PERMIT

For Water Mains, Gas Mains, Sewer Lines, Telephone-Telegraph Installations, Electric Light Line, Electric Power Line, Miscellaneous Structures, Drainage Enclosure.

PERMISSION IS HEREBY GRANTED

TO above applicant (hereinafter referred to as "Permittee"), to proceed as set forth and represented in the attached and pursuant to the conditions and regulations, whether general or special, which are hereinafter set forth; all forming a part hereof, to-wit:

CONDITIONS AND REGULATIONS

1. The privilege granted by this permit does not authorize any infringement of Federal, State or local laws or regulations, and is limited to the extent of the authority of this department in the premises. Such permit shall not be assigned or transferred without the written consent of the Commissioner of Transportation of the County of Onondaga, or his representative.
2. The work authorized by this permit shall be performed under the supervision and to the satisfaction of the Commissioner of Transportation of the County of Onondaga, or his representative.

3. The Commissioner of Transportation of the County of Onondaga, or his representative, shall be given one week's notice by said Permittee of the day when it intends to begin the work authorized by this permit and prompt notice of its completion.
4. The Owner and/or Permittee covenants and agrees to indemnify, defend, and hold harmless to the fullest extent permitted by law, the County of Onondaga, its officers, agents and employees and representatives in connection with this permit, from and against any and all loss or expense that may arise by reason of liability for damage, injury or death, or for invasion of personal or property rights, of every name and nature including but not limited to: (i) claims of property damage; (ii) claims of personal injury to Contractor if self employed, Contractor's employees, agents, or subcontractors; (iii) claims of personal injury to third parties; and (iv) reasonable attorney's fees, whether incurred as the result of a third party claim or to enforce this Permit: arising out of or resulting directly or indirectly from the performance of the work or the enforcement of this Permit, irrespective of whether there is a breach of a statutory obligation or rule of apportioned liability; and whether casual or continuing trespass or nuisance, and any other claim for damages arising at law and equity alleged to have been caused or sustained in whole or in part by or because of misfeasance, omission of duty, negligence or wrongful act on the part of the Owner and/or Permittee. The said Permittee does hereby further expressly agree to pay any damages because of injury to or destruction of part or all of any bridges or structures owned and maintained by the County of Onondaga, or which may be caused, directly or indirectly by any occurrence and arising out of the existence, maintenance or use of any facility or the matter and contents thereof as such facility, matter and contents are authorized for the installation, connection, maintenance, transportation or transmission on and across any bridge or structure, pursuant to the terms of this permit.
5. The Permittee shall obtain a protective *Liability Insurance Policy* issued to and naming the County as an additional insured and covering the liability of the County of Onondaga, Department of Transportation of the County of Onondaga and/or the Commissioner of Transportation of the County of Onondaga, with respect to all operations under this permit by the Permittee or by anyone acting by, through or for the Permittee, including omission and supervisory acts of the County of Onondaga. The limit of Liability in such policy shall be not less than \$1,000,000 for all damages arising out of bodily injury (including death), and property damage. Such policy shall state that it will not be changed or cancelled until 10 days written notice has been given to the Commissioner of Transportation of the County of Onondaga, or his representative. Unless expressly waived, in writing, by the Commissioner of Transportation of the County of Onondaga, or his representative, the Permittee shall furnish with the application filed, in order to obtain this Permit, a certificate of insurance verifying the amounts of protective liability insurance.
6. The Enumeration in this permit of the kind and amount of insurance shall not abridge, diminish or affect the Permittee's legal responsibility for the consequences of accidents arising out of or resulting from the operations of the Permittee under this permit.
7. Any cash undertaking or a certified check deposited with the Commissioner of Transportation of the County of Onondaga before or at the time of the issuance of this permit, shall be deemed to including and be used as security so that the highway, or any part thereof, will be restored to its original condition where disturbed at the expense of the Permittee, and as soon as the work has been completed and the said Commissioner of Transportation or his representative is hereby authorized to expend all or as much of such deposit as may be necessary for that purpose should the said Permittee neglect or refuse to perform the work.
8. It shall be deemed the responsibility of the Permittee for the payment of any and all claims and damages arising out of operations by this permit which may result because of any dangerous conditions created by the existence of any debris or obstruction left on the pavement or roadside during the progress of the work which may be either within the highway, right of way or on adjacent property. Should the Commissioner of Transportation or his representative, discover any hazardous condition so created, he may issue verbal instructions or written notice to the Permittee to eliminate the cause. In the event the Permittee fails to take immediate action to remove such hazardous condition, the Commissioner of Transportation of the County of Onondaga reserves the right to take such action as it may deem necessary to safeguard the public. All cost resulting therefrom shall be paid by the Permittee and shall be deducted from any deposit on file or any surety given by the Permittee. In the event the expenses exceed the amount of any surety bond or deposit, the Permittee shall promptly pay the balance due.
9. The Commissioner of Transportation of the County of Onondaga, or his duly authorized representative, reserves the right to revoke or annul this permit at any time without the necessity of a hearing or showing cause.
10. The Permittee agrees to pay all necessary expenses incident to any supervision and inspection by reason of the granting of such permit as may be certified by the Commissioner of Transportation of the County of Onondaga, and such payment will be made within ten days from the rendering of the account.
11. Work authorized by this permit shall be commenced within thirty days from the date of permit and shall be performed in a workmanlike and expeditious manner without unreasonable delay or interference with public travel. The Permittee shall provide all necessary and suitable safeguards so as to reduce to an absolute minimum any dangerous condition hazardous to life, limb or property.
12. The Permittee shall submit with the application filed in order to obtain a permit to said Commissioner of Transportation of the County of Onondaga, or his representative, a detailed plan of any structure to be built, if any, with a description of the proposed method of construction before any work hereunder is started.
13. Traffic shall be maintained and flagmen provided by the applicant and/or Permittee during the period of time the work is in progress and until its final completion. The applicant and/or Permittee assume full responsibility for all traffic control and are required to place adequate warning signs at least 300 feet on each side of the work site.
14. The Permittee expressly agrees that the rights of abutting property owners in fee to the center line of the highway shall not be encroached upon, and that any drainage, sewer or water pipes or appurtenances which are laid under this permit shall be placed at least four (4) feet below, and in such a manner as in no way to interfere with the pavement, shoulders or drainage ditches of the highway, and that portion of the pipe which passes under the pavement shall be pipe-driven, and in no case shall the pavement be disturbed. Upon the completion of the work the highway shall be left in as good condition as before the work was performed and to the complete satisfaction of the Commissioner of Transportation of the County of Onondaga.
15. The applicant and Permittee agrees to keep in good repair all pipes, hydrants or appurtenances which may be placed within the bounds of the highway under the terms of this permit, and agrees to save the County harmless from any and all damages which may accrue by reason of and location in the highway whether due to the

negligence of the said Permittee or the negligence of the County of Onondaga, its agents, servants and employees, and upon notice from the Commissioner of Transportation of the County of Onondaga, the said Permittee agrees to make any and all repairs required for the protection and preservation of the highway, and said applicant and Permittee further agrees that upon the failure of said applicant and/or Permittee to make such repairs, they may be made by the Commissioner of Transportation of the County of Onondaga at the sole expense of the applicant and such expense shall be a prior lien upon the land benefited by and from the use of the highway for such pipes, hydrants and appurtenances. It is further agreed by the applicant and Permittee that any injury or disturbance of the paved portion of the highway, its shoulders or drainage ditches, which may occur hereafter by reason of the laying of any drainage, sewer or water pipes and their appurtenances, shall be repaired and at the expense of the applicant and Permittee and to the complete satisfaction of the Commissioner of Transportation of the County of Onondaga.

16. If the road upon which this permit is issued is at any time repaired, improved or reconstructed by the State, County or any other municipality, the applicant, Permittee or any successor in interest to said applicant and Permittee shall, upon the written request of the Commissioner of Transportation of the County of Onondaga, before its improvement, at the applicant and Permittee's own expense, remove any drainage, sewer or water pipe or appurtenances which may have been placed under this permit and will relay the same in conformity with the directions of the engineer in charge of such improvement and in accordance with any rules and regulations as may be laid down at the time of said improvement.

17. It is understood and provided that this permit shall not be effective as regards any highway, street, avenue or bridge over which the County of Onondaga has no jurisdiction.

18. Pursuant to Chapter 731 of the Laws of 1953, as amended, it is mandatory that before discharging explosives in the ground or excavations where gas lines may be located, that the Permittee must notify at least 72 hours in advance, the person or municipality distributing gas in that area.

19. The rules and regulations covering the method of performing work and which are attached hereto and made a part hereof and hereby regarded and made a part of this permit insofar as they are specifically modified herein.

METHOD OF PERFORMING WORK

(1) All locations shall be approved by the Commissioner of Transportation of the County of Onondaga. Special permission will be required to use trees for guy wires.

(2) All pipes or mains crossing highway pavements shall, wherever possible, be driven beneath the roadway without disturbance to the pavement. The point of driving shall not be less than 5 feet from edge of pavement. Such cross-over pipes shall, whenever possible, be enclosed in sleeves, or larger pipes so that repairs or replacements may be made in the future without further disturbance of the roadway pavement.

If the boring method in the driving of cross-over pipes is found to be impracticable, the Commissioner of Transportation of the County of Onondaga shall be consulted to determine the manner of placing the pipe by the open-cut method. Tunneling will be permitted only under exceptional circumstances, and then only if shoring and 1:15 concrete backfill is provided or if hand-placed rock backfill is provided to avoid future settlement. Voids in the lower layers of such rock backfill may be sand filled but the top layer adjacent to the pavement shall be filled with 1 to 2 parts of Portland Cement grout, either placed from the sides with a cement gun or forced in from the top through holes drilled in the pavement.

(3) Backfill of excavated areas shall be performed in the following manner:

a. **PAVEMENT CUTS**—Wherever the pavement is cut and including paved driveways, backfill for the entire depth of the trench shall consist of a dry concrete mixture of one part cement to fifteen parts run-of-bank gravel thoroughly compacted. This requirement may be modified at the discretion of the Commissioner of Transportation of the County of Onondaga.

Temporary pavement restoration shall consist of bituminous concrete 3 inches in depth and run-of-bank gravel of a depth to provide for the permanent pavement. It shall be maintained flush with the existing pavement until permanent restoration of the pavement is made.

After consolidation of the trench has been attained the temporary pavement shall be replaced with permanent pavement in the following manner:

(1) On concrete pavements, as specified by the Commissioner of Transportation of Onondaga County or his representative, slabs partly undermined, or broken shall be completely replaced with high early strength 1-1-2-1/2 concrete, except, if slabs are more than forty (40) feet long, not less than twenty (20) feet shall be required to be replaced for transverse disturbance. In all such cases the pavement shall be replaced for a distance of at least 4 feet from the edge of the cut.

(2) On block pavements, a reinforced high early strength 1-1-2-1/2 concrete foundation and new block shall be placed over the trench and 18" beyond each side of it where the trench is less than two (2) feet deep, and 24" on each side where the trench is of greater depth.

(3) Any concrete installations shall be reinforced by steel rods 3/8" in diameter and reinforced 6" from center to center.

(4) On macadam pavements, acceptable bituminous top course with adequate foundation equal to that removed shall be furnished.

b. **EXCAVATION WITHIN SHOULDER AREA**—Wherever the edge of the trench excavation is within 5 feet of the edge of the pavement or paved gutter and/or within areas normally used by traffic, the backfill shall be placed in 12-inch layers and each layer thoroughly compacted; the top 12 inches of backfill shall consist of run-of-bank gravel.

Where the depth of the trench excavation is greater than the distance from edge of pavement to edge of the trench sheeting may be required and left in place if so ordered by the Commissioner of Transportation of the County of Onondaga. The backfilling of the sheeted area shall proceed as stated above.

c. EXCAVATION WITHIN AREAS OUTSIDE OF PAVEMENT AND SHOULDER — The backfill in trenches beyond the shoulder and pavement areas but within the roadway area shall be compacted by rolling with heavy equipment. All trench backfill within the roadway area shall be maintained level with the original surface at all times. All surplus material between the ditch line shall be removed.

(4) The Permittee shall be required to restore shoulders and ditches and clean up the highway as his work progresses. All driveways shall be restored with material in kind and to their original condition.

Outside of the pavement area the work shall be carried on in such manner that not more than 50 feet of trench remains open at the end of day's work.

During winter conditions highway shoulders shall be maintained free of obstructions which would interfere with snow removal and ice control.

(5) Maintenance and Protection of Traffic—Traffic is to be maintained at all times during the progress of this work. Adequate signs, barricades and lights, in accordance with the standards of the Commissioner of Transportation of the County of Onondaga necessary to protect the public shall be provided. Flagmen to direct traffic shall be employed continuously during periods when only one-way traffic can be maintained or when equipment is operated back and forth across the pavement area.

No construction materials or equipment shall be left on the shoulders or pavement after working hours, nor shall any construction equipment or material be placed in any manner or location that will obstruct highway or railroad warning signs.

No pavement cuts are to be left unfilled over night, except in emergencies, and in such cases, adequate precautions must be exercised to protect traffic.

Soft Shoulder Signs of adequate size, not less than 24" square, shall be erected and maintained on all backfill trenches within the shoulder area until the backfill is thoroughly settled. These signs shall be located at the beginning of each section of work, at intersections and at a distance not greater than 1000 feet apart.

(6) Shoring shall progress with the excavation to prevent cave-ins.

(7) Service Connections—Where service connections are made the trench shall be backfilled within two days from time of opening, and suitable barricades shall be maintained during this time, with amber lights displayed at night.

(8) Manhole frames and covers shall be of a weight approved by the Commissioner of Transportation of the County of Onondaga and set in a workmanlike manner flush with the surface of the highway.

(9) All surplus earth and rubbish shall be cleaned up and removed from the highway right of way upon completion of the work, and the highway left in a neat and orderly condition.

(10) Any and all underground and overhead facilities encountered shall not be disturbed in any manner without proper authority from the owner.

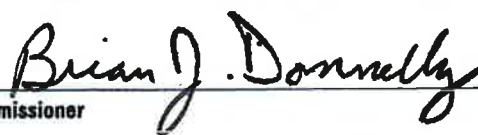
(11) The applicant agrees, in consideration of this permit, that any present or future injury to or disturbance of the highway, its slopes or gutters, caused by placing mains and service pipe shall be repaired by the applicant at his own expense and in accordance with the requirements of the Commissioner of Transportation of the County of Onondaga.

SPECIAL CONDITIONS

(a) If necessity arises in the future because of the work on the highway system and/or its structures, requiring the removal, relocations, or replacement of the installation authorized by this permit, said work shall be done as directed by the Commissioner of Transportation of the County of Onondaga or his representative, and all cost and expense so incurred shall be the obligation of the said Permittee or his successor in interest.

(12) In addition to the aforementioned conditions, if it is found necessary by the Commissioner of Transportation of the County of Onondaga to add to or otherwise modify the same, it is to be understood such changes shall form a part of this permit and be complied with immediately upon notice.

Dated at Syracuse, New York, this 19TH day of June, 20 12


Commissioner

In consideration of the granting of the within permit, the Undersigned hereby accepts the same subject to the restrictions and regulations therein described.

Dated at Syracuse, New York, this 14th day of June, 20 12


Signature of Applicant

BY President
Title, if signed by representative

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Alezza](#); [James Moras](#); [Matthew G. Root](#)
Subject: Re: SMC Skaneateles Falls- SB77 Request to Backfill
Date: Friday, September 07, 2012 7:22:23 AM

The Department reviewed the post-excavation sample results and grants permission to SMC to backfill this excavation.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 9/6/2012 5:50 PM >>>
Hi John,

Please find attached the analytical data for SB77, completed on 8/27/12. All contaminants of concerns are below their applicable ISCO standard. As such we are requesting to backfill this area as soon as possible. Please feel free to contact me with any questions or concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Aiezza](#); [James Moras](#); [Matthew G. Root](#)
Subject: Re: SMC Skaneateles Falls- SB86 Excavation
Date: Thursday, September 06, 2012 10:22:10 AM

The Department reviewed your update on the SB86 Excavation.

The Department requires SMC to remove the strip of material including the removal of Confirmatory Sample AIIE60SW1. The Department approves the method of excavation described below and understands some material and/or the excavator bucket will come in contact with the Skaneateles Creek. Therefore, the Department requires SMC to use an experienced Abscope operator to minimize contact with and minimize potential impact to the Creek during this removal. After the removal is complete, no additional confirmatory sampling is necessary.

If you have any questions, please let me know.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 9/5/2012 2:41 PM >>>
Hi John,

Please find attached a drawing of the SB86 PCB excavation. As we discussed this morning, confirmatory sample AIIE60SW1, collected from the Creek side sidewall of the SB86 PCB excavation, contained elevated levels of mercury (8-9 ppm, with an applicable standard (ISCOs) of 5.7 ppm). AIIE60SW1 was collected from a narrow strip of material that was left in place to prevent the Creek from flowing in to the SB86 excavation. To remove this sample. our options are to backfill the excavation with clay and prior to removing this strip of material to prevent water from flowing into the open excavation, or to leave this strip in place and simply backfill behind it. Excavating this material will inevitably result in some material and / or the excavator bucket coming in contact with the Creek. Please let me know if you need any additional information and how you request that we proceed with addressing this sample.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Cc: [Gianna Alezza](#); [James Moras](#)
Subject: Re: SB86 Excavation Backfill Approval Request
Date: Thursday, September 13, 2012 7:14:02 AM

The Department reviewed SMC's documentation of the SB86 Excavation, approves this work, and grants permission to backfill this area.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 9/12/2012 12:57 PM >>>
Hi John,

We have completed the work as outlined in your 9/6/12 email regarding the completion of the SB86 Excavation and are requesting permission to backfill. Please feel free to contact me with any questions or concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

SYRACUSE
SAND & GRAVEL
LLC

June 28, 2012

To: Abscope Environmental

RE: Syracuse Sand and Gravel's Sennett Pit materials – Stauffer Site Project

This letter certifies that Syracuse Sand and Gravel, LLC has supplied aggregate to the Stauffer Site from our Sennett Pit in the past.

Thank you,



Richard J. Riccelli

Member

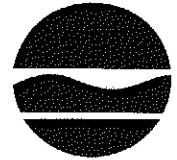
New York State Department of Environmental Conservation

Division of Mineral Resources, Region 7

615 Erie Boulevard West, Syracuse, New York 13204-2400

Phone: (315) 426-7461 • Fax: (315) 426-7489

Website: www.dcc.ny.gov



Joe Martens
Acting Commissioner

April 17, 2012

Syracuse Sand & Gravel LLC
PO Box 6418
Syracuse, NY 13217

**Re: Renewal of NYS DEC Mined Land Reclamation Permit – East Side Pit – NYS Route 20
Mine ID Number 70636, (T) Sennett, Cayuga County
Application ID# 7-0552-00024**

Dear Permittee:

This is to advise you that the above New York State Mined Land Reclamation Permit expires on 6/18/2012. To renew your permit, you are required to submit an application (copy enclosed) in triplicate at least 30 days before your permit expires. Please complete items #1-22 on the enclosed application form. Be sure to sign and date all portions of box #21 and 22. Please note that an Organizational Report form is required only if there have been changes to your organization since the last filing. In addition you must include two (2) copies of an updated mining plan. This plan must include:

- areas affected to date, and areas to be affected through the permit renewal term
- areas having received Department reclamation approval to date
- areas reclaimed to date awaiting Department review and approval
- areas to be reclaimed through the permit renewal term

Any proposed changes to the previously approved mined land-use plan must also be identified. Any adjustments to the reclamation financial security will be based upon this submission. If no work was performed during the previous permit term, provide a signed statement to that effect in lieu of the plan.

Please be advised that you must have adequate financial security in place prior to issuance of the renewed permit. As a result of the increasing cost of reclaiming lands affected by mining, the new reclamation financial security rate will be higher. The new amount will be sent to you in a separate letter once the financial security determination is made.

If you have any questions concerning this renewal application, please call me at the above phone number.

Sincerely,

Lucas Mahoney
Mined Land Reclamation Specialist 2

Enc.

cc: DEP, RPA



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
DIVISION OF MINERAL RESOURCES
MINED LAND RECLAMATION PROGRAM

MINING PERMIT APPLICATION

FOR OFFICIAL DEC USE ONLY DEC# _____ / _____																																										
7. MINED LAND PROJECT <table style="width:100%; border: none;"> <tr> <td></td> <td style="text-align: center;">Yes</td> <td style="text-align: center;">No</td> </tr> <tr> <td>a. Will the total acreage by mining for the entire mining site exceed 5 acres?</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>b. Will the vertical depth from the top of the mine face to the floor exceed 20 feet?</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>c. Will there be on-site processing of mining products (eg. crushing, screening, washing)?</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>d. Will mining occur within 100 feet of a surface water body (eg. stream, lake) or wetland area?</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>e. Will any consolidated materials be mined (eg. limestone, trap rock, sandstone)?</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>f. Will mining occur within 500' of any dwelling?</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>g. Will mining ever occur at or below the mean high water table?</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>				Yes	No	a. Will the total acreage by mining for the entire mining site exceed 5 acres?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	b. Will the vertical depth from the top of the mine face to the floor exceed 20 feet?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	c. Will there be on-site processing of mining products (eg. crushing, screening, washing)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	d. Will mining occur within 100 feet of a surface water body (eg. stream, lake) or wetland area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	e. Will any consolidated materials be mined (eg. limestone, trap rock, sandstone)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	f. Will mining occur within 500' of any dwelling?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	g. Will mining ever occur at or below the mean high water table?	<input type="checkbox"/>	<input checked="" type="checkbox"/>																
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1. MINED LAND FILE NUMBER 70636		2. TELEPHONE NUMBER (315) 433-5115																																								
3. NAME OF APPLICANT Syracuse Sand & Gravel, LLC																																										
4. PERMANENT ADDRESS P.O. Box 6419 CITY: Syracuse STATE: NY ZIP CODE: 13217																																										
5. CONTACT PERSON Richard J. Riccelli, Jr.		6. TELEPHONE NUMBER (315) 433-5115																																								
8. TAXPAYER ID If other than individual, provide Federal Taxpayer ID number		9. APPLICATION TYPE <input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Modification																																								
10. a. PRESENT PERMIT TERM Expiration date: 06/18/2012		b. COMING PERMIT TERM <input checked="" type="checkbox"/> 5 years <input type="checkbox"/> Other _____ years																																								
11. COMMON GEOLOGIC NAME OF MINERAL TO BE MINED Sand and Gravel																																										
12. LOCAL ORDINANCES a. Is mining prohibited at this location? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		b. Does the local government require any type of permit for mining at this location? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																																								
13. a. ARE ANY OTHER STATE MINING PERMITS CURRENTLY HELD BY THE APPLICANT? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		b. If YES, give DEC mine file number(s) See attached																																								
14. Has any owner, partner, corporate officer or corporate director of your organization ever held any of these positions in another organization that has had a New York State mining permit SUSPENDED OR REVOKED or has had a New York State mined land reclamation bond FORFEITED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, identify the person(s)																																										
15. ACREAGE SUMMARY (To be filled in by applicant) <table style="width:100%; border: none;"> <tr> <td>a. Total acreage controlled by owner at this location.</td> <td style="text-align: right;">28.46</td> <td style="text-align: right;">acres</td> </tr> <tr> <td>b. Total acreage permitted by DEC prior to this application.</td> <td style="text-align: right;">21.47</td> <td style="text-align: right;">acres</td> </tr> <tr> <td>c. Total acreage affected since April 1, 1975.</td> <td style="text-align: right;">11.0</td> <td style="text-align: right;">acres</td> </tr> <tr> <td>d. Total acreage approved by DEC as reclaimed since April 1, 1975.</td> <td style="text-align: right;">0</td> <td style="text-align: right;">acres</td> </tr> <tr> <td>e. Current affected acreage (c minus d).</td> <td style="text-align: right;">11.0</td> <td style="text-align: right;">acres</td> </tr> <tr> <td>f. Acreage included in this application, but not previously approved.</td> <td style="text-align: right;">0</td> <td style="text-align: right;">acres</td> </tr> <tr> <td>g. New acreage to be affected during the coming permit term.</td> <td style="text-align: right;">10.47</td> <td style="text-align: right;">acres</td> </tr> <tr> <td>h. Number of acres to be reclaimed during coming permit term.</td> <td style="text-align: right;">0</td> <td style="text-align: right;">acres</td> </tr> </table>		a. Total acreage controlled by owner at this location.	28.46	acres	b. Total acreage permitted by DEC prior to this application.	21.47	acres	c. Total acreage affected since April 1, 1975.	11.0	acres	d. Total acreage approved by DEC as reclaimed since April 1, 1975.	0	acres	e. Current affected acreage (c minus d).	11.0	acres	f. Acreage included in this application, but not previously approved.	0	acres	g. New acreage to be affected during the coming permit term.	10.47	acres	h. Number of acres to be reclaimed during coming permit term.	0	acres	FOR OFFICIAL DEC USE ONLY <table style="width:100%; border: none;"> <tr><td>_____</td><td style="text-align: right;">acres</td></tr> <tr><td>_____</td><td style="text-align: right;">acres</td></tr> <tr><td>_____</td><td style="text-align: right;">acres</td></tr> <tr><td>_____</td><td style="text-align: right;">acres</td></tr> <tr><td>_____</td><td style="text-align: right;">acres</td></tr> <tr><td>_____</td><td style="text-align: right;">acres</td></tr> <tr><td>_____</td><td style="text-align: right;">acres</td></tr> <tr><td>_____</td><td style="text-align: right;">acres</td></tr> </table>	_____	acres	_____	acres	_____	acres	_____	acres	_____	acres	_____	acres	_____	acres	_____	acres
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16. NAME OF MINING SITE Sennett Pit																																										
17. MINE LOCATION Road: US Route 20 Nearest Road Intersection: Pine Ridge Road Town: Sennett County: Cayuga		18. MAP LOCATION a. Quadrangle Name: Auburn, NY b. <input type="checkbox"/> 15 minute <input checked="" type="checkbox"/> 7½ minute NYTM'S: _____ E. 4 N																																								
19. NAME AND ADDRESS OF SURFACE LANDOWNER Richard J. Riccelli, Sr. PO Box 6419, Syracuse, NY 13217																																										
20. NAME AND ADDRESS OF MINERAL OWNER (if different) Richard J. Riccelli, Sr. PO Box 6419, Syracuse, NY 13217																																										
21. I am the owner <input checked="" type="checkbox"/> in fee, <input type="checkbox"/> of the mineral rights of the property that is to be mined by the above applicant. I have read the contents of the Mined Land Use Plan, which sets forth the applicant's mining and reclamation plan for the property to be mined, and I hereby irrevocably consent and agree to the performance of the Mined Land Use Plan by the applicant, his surety or insurer or the NYS Department of Environmental Conservation. I further agree to allow access to the property to department personnel for the purpose of conducting inspections or investigations in the regular course or their duties.																																										
Richard J. Riccelli, Sr.		DATE: 5/7/12																																								
22. I hereby affirm, under penalty of perjury that information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.																																										
NAME, TITLE AND SIGNATURE OF APPLICANT OR AUTHORIZED REPRESENTATIVE Richard J. Riccelli, Sr., Member		DATE: 5/7/12																																								

PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:
SENNETT PIT
US ROUTE 20
AUBURN, NY

Facility Location: in SENNETT in CAYUGA COUNTY

Facility Principal Reference Point: NYTM-E: 377.2 NYTM-N: 4755.2

Latitude: 42°56'22.3" Longitude: 76°30'18.3"

Authorized Activity: This permit authorizes mining activity on 21.47 acres of land during the permit term, within a 21.47 acre life-of-mine facility, on a 28.46 acre parcel of land, including specified processing equipment, on lands owned by Richard J. Ricelli.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-0552-00024/00001

(Mined Land ID 70636)

Renewal

Effective Date: 6/19/2007

Expiration Date: 6/18/2012

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOANNE L MARCH, Deputy Regional Permit Administrator

Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204-2400

Authorized Signature: _____

Date: 6/19/07

Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by the Department on various dates and consist of the following items: plans prepared by V.P. Chebetar, Jr. on 11/01/01.
And by Matthew Podniesinski on April 18, 2007:
 - Organizational Report dated 1/31/07.
 - Mining Permit Application dated 3/28/07.
 - Mining Plan Map prepared by Continental Placer, Inc. dated 3/26/07.
- 2. Storage of Materials to be Disposed** Materials which are to be disposed of during reclamation shall be stored and stockpiled within the permit area.
- 3. Revegetate The Site** The permittee shall successfully revegetate the site. Seeding, mulching and fertilizing shall be utilized where needed to speedily and successfully reclaim the mine site.
- 4. Comply With Clean Water Act** The NYS Department of Environmental Conservation hereby certifies that the referenced project will comply with all applicable provisions of the Clean Water Act of 1977 (PL 95-217), provided all Special Conditions are met.
- 5. Keep Site Neat** At all times the mine site is to be kept neat.
- 6. Grading** The permittee shall grade the site to a maximum slope of 1:2 and to blend smoothly with surrounding terrain. There are to be no disturbed areas within 25 feet of any property line. No abrupt changes are to occur within or near the edge of the mined area.
- 7. Mine Operation Periods** All mining, reclamation and associated activities (including but not limited to: excavating, grading, processing operations, stockpiling operations, haulage operations, and maintenance operations) shall be limited to the following times: Monday through Friday 7 a.m. to 4 p.m., or sunrise to 4 p.m., whichever is more restrictive. Operation of the mine is prohibited on Saturdays, Sundays and Holidays.
- 8. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1)** The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.

9. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.

10. Provide Person during DEC Inspection The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.

11. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.

12. No Deviation From Approved Plan The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.

13. Archaeological or Structural Remains If any archaeological or structural remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

14. Post Permit Sign The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

15. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

16. Bury, Remove Wastes All waste generated by mining activity, including trees, stumps, brush and rock rubble must be buried at the mine site or otherwise disposed of in a manner approved by the Department.

17. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

18. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at

the mine site.

19. Petroleum Product Storage No petroleum products, fuels, lubricants shall be stored within the mine limits in any excavated area. No long-term maintenance shall be conducted at the mine. long-term maintenance does not include routine fueling, oil changes or necessary on-site repairs.

20. Bond, Surety to Remain in Force Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.

21. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

22. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

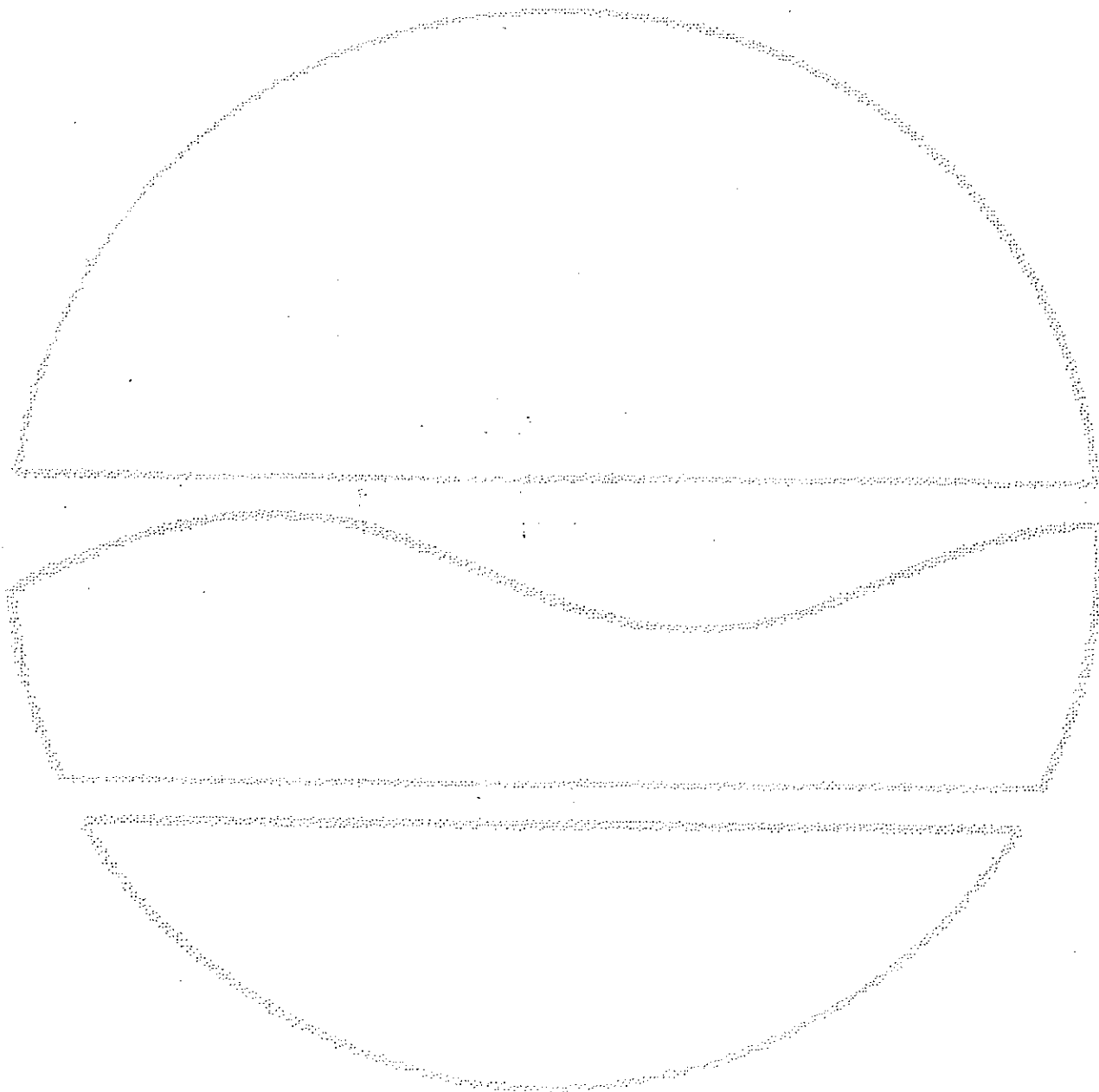
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



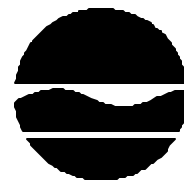
**New York State Department of Environmental Conservation
Division of Environmental Remediation**

Bureau of Construction Services, 12th Floor

625 Broadway, Albany, New York 12233-7013

Phone: (518) 402-9814 • **FAX:** (518) 402-9819

Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

January 10, 2003

Mr. Lee Erickson
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

Dear Mr. Erickson:

Re: SMC Skaneateles Falls Site No. 7-34-010
Consolidation of AEC-1 Clay Cap Materials

The New York State Department of Environmental Conservation (Department) has reviewed SPEC Consulting's January 7, 2003 letter which outlines the understanding recently reached in regards to handling AEC-1 clay cap materials not meeting project SCGs. Based upon that review, approval is granted to allow consolidation of that material with other soil/debris materials generated from within the bounds of AEC-1.

It is my understanding that work involving consolidation of these materials will be initiated next week by Abscope. Should SMC/SPEC have any further questions regarding this matter, please feel free to contact me accordingly.

Sincerely,

David Chiusano
Western Field Services Section
Bureau of Construction Services
Division of Environmental Remediation

ec: T. Haldas - SMC
R. Pucci, SMC - Skan Falls
J. Burke/W. Foy - SPEC

J. May - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould/J. Kuhn, D&B

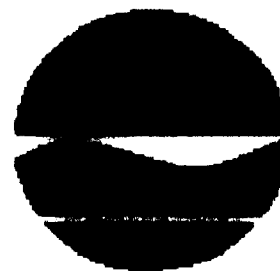
DJC/mj


bcc: G. Harris
S. Priore
D. Chiusano
Dayfile

E:\skan falls\skancapmaterial3.wpd

FAX TRANSMISSION

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 7, Suite 206
615 Erie Blvd. W., Syracuse, NY 13204-2400
Phone: (315) 426-7438 Fax: (315) 426-7425
Website: www.dec.state.ny.us



To: Laura Mona, Stauffer Mgt. Date: January 21, 2009
Fax #: 315-685-6209 Pages: 3; plus this cover sheet.
From: Joanne L. March 
Subject: Stauffer Management Co. – SPDES Renewal Permit, DEC ID# 7-3150-00019/00001, SPDES No. NY 000 1929

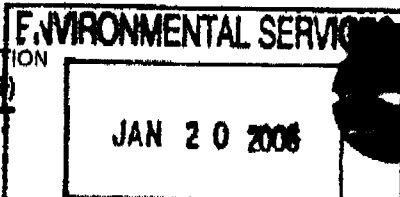
COMMENTS:

Laura: I have faxed the current administrative renewal SPDES permit, which expires 10/31/2011.

The most recent permit, in my files, is a modification issued 5/31/06 with an expiration date of 11/1/06. This is the most current permit and is the one referred to, in the administrative renewal. If you need a copy of this permit, let me know. It is 14 pages. This one could be mailed for better clarity.

91-20-5 (5/97)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)
NOTICE / RENEWAL APPLICATION / PERMIT



RECEIVED
NYSDEC
ENVIRONMENTAL PERMITS

06 MAY - 1 AM '06

Please read ALL instructions on the back before completing this application form. Please TYPE or PRINT clearly in ink.

PART 1 - NOTICE

01/17/2006

Permittee Contact Name, Title, Address

Facility and SPDES Permit Information

STAUFFER MANAGEMENT CO LLC
PAMELA A. EICHHOLZ
PO BOX 15437, EICHHOLZ-DCCXY
WILMINGTON DE 19850-5437

Name: STAUFFER MANAGEMENT CO -SKANEATELE
Ind. Code: 9511 County: ONONDAGA
DEC No.: 7-3150-00019/00001
SPDES No.: NY 000 1929
Expiration Date: 11/01/2006
Application Due By: 05/05/2006

Skaneateles
015

Are these name(s) & address(es) correct? if not, please write corrections above.

The State Pollutant Discharge Elimination System Permit for the facility referenced above expires on the date indicated. You are required by law to file a complete renewal application at least 180 days prior to expiration of your current permit. Note the "Application Due By" data above.

CAUTION: This short application form and attached questionnaire are the only forms acceptable for permit renewal. Sign Part 2 below and mail only this form and the completed questionnaire using the enclosed envelope. Effective April 1, 1994 the Department no longer assesses SPDES application fees.

If there are changes to your discharge, or to operations affecting the discharge, then in addition to this renewal application, you must also submit a separate permit modification application to the Regional Permit Administrator for the DEC region in which the facility is located, as required by your current permit. See the reverse side of this page for instructions on filing a modification request.

PART 2 - RENEWAL APPLICATION

CERTIFICATION: I hereby affirm that under penalty of perjury that the information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Tom HALDAS
Name of person signing application (see instructions on back)

SITE 6 - ORDINANCE
Title

Tom Haldas
Signature

4/19/06
Date

PART 3 - PERMIT (Below this line - Official Use Only)

Effective Date: 11/1/06

Expiration Date: 10/31/11

William R. Adriance

Permit Administrator

Address:

NYSDEC - Division of Environmental Permits
Bureau of Environmental Analysis
625 Broadway, Albany, NY 12233-1750

William R. Adriance
Signature

JUN - 8 2006

Date

This permit together with the previous valid permit for this facility issued 11/1/01 and subsequent modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified in the previously issued valid permit, modifications thereof or issued as part of this permit, including any special or general conditions attached hereto. Nothing in this permit shall be deemed to waive the Department's authority to initiate a modification of this permit on the grounds specified in 6NYCRR §621.14, 6NYCRR §754.4 or 6NYCRR §757.1 existing at the time this permit is issued or which arise thereafter.

Attachments: General Conditions dated 1/1/01

New York State Department of Environmental Conservation**Division of Environmental Permits, 4th Floor**

625 Broadway, Albany, New York 12233-1750

Phone: (518) 402-9167 • FAX: (518) 402-9168

Website: www.dec.state.ny.us

Denise M. Sheehan
Commissioner

JUN - 8 2006

FACILITY INFORMATION

STAUFFER MANAGEMENT CO LLC
PAMELA A EICHHOLZ
PO BOX 15437 EICHHOLZ-DCCXY
WILMINGTON DE 19850-5437

NAME: STAUFFER MANAGEMENT CO
SKANEATELES
LOCATION: (T) SKANEATELES
COUNTY: ONONDAGA
SPDES NO: NY 000 1929
DEC ID NO. 7-3150-00014-00001

Dear SPDES Permittee:

Enclosed please find a validated NOTICE/RENEWAL APPLICATION/PERMIT form renewing your State Pollutant Discharge Elimination System (SPDES) permit for the referenced facility. This validated form, together with the previously issued permit (see issuance date of this permit in Part 3 of the NOTICE/RENEWAL APPLICATION/PERMIT form), and any subsequent permit modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified therein.

The instructions and other information that you received with the NOTICE/RENEWAL APPLICATION/PERMIT package fully described procedures for renewal and modification of your SPDES permit under the Environmental Benefit Permit Strategy (EBPS). As a reminder, SPDES permits are renewed at a central location in Albany in order to make the process more efficient. All other concerns with your permit such as applications for permit modifications, permit transfers to a new owner, name changes, and other questions should be directed to the Regional Permit Administrator at the following address:

John Feltman
NYSDEC REGION 7
615 Erie Blvd. West - (Env.Permits Room 206)
Syracuse, NY 13204-2400
(315) 426-7438

If you have already filed an application for modification of your permit, it will be processed separately through our regional office. If you have questions concerning this permit renewal, please contact Lynn Kaplan at (518) 402-9165.

Sincerely,

Chief Permit Administrator

Enclosure

cc: RPA

RWE

BWP

91-20-5a (7/99)



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Please enter the
numbers from your
current permit:

DEC Number: 7 - 3150 - 00019, 00001 -
SPDES Number: NY 000 1929

SPDES RENEWAL APPLICATION
QUESTIONNAIRE

THIS PAGE MUST BE COMPLETED AND RETURNED WITH YOUR COMPLETED APPLICATION

Please TYPE or PRINT neatly using adequate pressure to make ALL copies legible. Keep the GOLD copy for your records.

- Has the SPDES permit for your facility been modified in the past 5 years ☒ YES ☐ NO
- Dischargers who use, manufacture, store, handle or discharge toxic or hazardous pollutants are subject to Industrial Best Management Practices (BMP) plan requirements for toxic or hazardous substances. A BMP plan prevents or minimizes the potential for release of pollutants to receiving waters from such ancillary industrial activities, including material storage areas; plant site runoff; in-plant transfer; process and material storage areas; loading and unloading operations, and sludge and waste disposal areas.

Does your facility conduct ancillary activities as described above, which are not covered by BMP requirements in your current permit? ☐ YES ☒ NO

Please indicate which of the following best describes the situation at your facility:

- ☒ None of the concerns on the "Self Evaluation List" seem to apply to my facility at this time and I will not be applying for a modification of the SPDES permit in the foreseeable future. *
- ☐ Yes, some of the items on the "Self Evaluation List" have led me to believe my permit needs to be modified. I already have a complete modification application pending with the Department.
- ☐ Yes, some of the items on the "Self Evaluation List" have led me to believe that the SPDES permit for this facility may need to be Modified. I have requested the appropriate forms by phone OR I have completed and attached the "Request For SPDES Application Forms" (included in this renewal package) to allow me to submit a permittee-initiated Modification application.
- ☐ The items on the "Self Evaluation List" have left me unable to conclude whether my permit needs to be modified at this time. I am reporting the following general concerns about my permit:

* Requests for: 1) remove outfalls 001, 02B, and 004 from the SPDES permit
2) revise PCB sampling frequency at outfalls 003 and 005 from weekly to quarterly
3) bypass rotating biological contactor units (RBCs) in the wastewater treatment facility
have been submitted to Sandra Lizlors (NYSDEC, Division of Water, Region 7). Per a 4/19/2006 telephone conversation with Sandra Lizlors, completion of a SPDES permit modification form is not necessary for these changes.
SMC is awaiting a formal response from NYSDEC on these matters and would like for these changes to be reflected in the renewed SPDES permit.

DISTRIBUTION: Regional Water Engineer
Central Office (BWEP)
Regional Permit Administrator
Applicant

9.2007 3:39PM

NYS DEC DIV OF WATER

NO. 206

P. 3

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
State Pollutant Discharge Elimination System (SPDES)
DISCHARGE PERMIT
Special Conditions (Part 1)

Page 99

Industrial Code: 9511
Discharge Class (CL): 01
Toxic Class (TX): T
Major Drainage Basin: 07
Sub Drainage Basin: 07

SPDES Number: NY-000 1929
DEC Number: 7-3150-00019/00001
Effective Date (EDP): 11/01/01
Expiration Date (ExpD): 11/01/06
Modification Dates: 4/1/98, 9/29/98, 3/31/01,
8/1/01, 8/01/03, 5/31/06

Water Index Number: Out. 66-12-29
Compact Area:

Attachment(s):

This SPDES permit is issued in compliance with Title 8 of Article 17 of the Environmental Conservation Law of New York State and in compliance with the Clean Water Act, as amended, (33 U.S.C. §1251 et seq.) (hereinafter referred to as "the Act").

PERMITTEE NAME AND ADDRESS

Name: Stauffer Management Company LLC
Street: 1800 Concord Pike, DCC#2, PO Box 15437
City: Wilmington

Attention: Brian Spiller, CEO

State: DE

Zip Code: 19850-5437

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS

Name: Stauffer Management Company LLC
Location (C,T,V): Skaneateles Falls (T)
Facility Address: 4512 Jordan Road
City: Skaneateles Falls

County: Onondaga

State: NY

Zip Code: 13153

NYTM -E:

From Outfall No.: 02A

at Latitude: 42 °

NYTM - N:

59 ' 15 " & Longitude: 76 ° 26 ' 45 "

Class: C(T)

into receiving waters known as:

Skaneateles Creek

and; (list other Outfalls, Receiving Waters & Water Classifications)

Outfalls 003, 005: Skaneateles Creek, Class C(T)

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in 6 NYCRR 750-1.2(a) and 750-2.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS

Mailing Name: Stauffer Management Company LLC
Street: 1800 Concord Pike, DCC #2, PO Box 15437
City: Wilmington
Responsible Official or Agent: Brian Spiller

State: DE

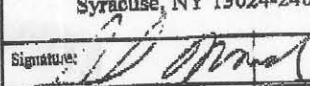
Zip Code: 19850-5437

Phone: (302)886-4254

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed, or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

Bureau of Water Permits
Region 7 DOW
Onondaga County Health Department
Town of Skaneateles

Deputy Permit Administrator: Joanne L. March	
Address: NYS DEC, 615 Erie Blvd. W. Syracuse, NY 13024-2400	
Signature: 	Date: 5/31/06

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NYS DEC DIV OF WATER

SPDES PERMIT NO. 206 ER P. 400 1929

Part I, Page 2 of 14

PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

PERMIT LIMITS, LEVELS, LEVELS AND MONITORING REQUIREMENTS						
OUTFALL	WASTEWATER TYPE		RECEIVING WATER	EFFECTIVE	EXPIRING	
	This cell describes the type of wastewater authorized for discharge. Examples include process or sanitary wastewater, storm water, non-contact cooling water.		This cell lists classified waters of the state to which the listed outfall discharges.	The date this page starts in effect. (e.g. EDP or EDPM)	The date this page is no longer in effect. (e.g. ExDP)	
PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQ.	SAMPLE TYPE	
e.g. pH, TRC, Temperature, D.O.	The minimum level that must be maintained at all instants in time.	The maximum level that may not be exceeded at any instant in time.	SU, °F, mg/l, etc.			
PARA-METER	EFFLUENT LIMIT	PRACTICAL QUANTITATION LIMIT (PQL)	ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE
	Limit types are defined below in Note 1. The effluent limit is developed based on the more stringent of technology-based limits, required under the Clean Water Act, or New York State water quality standards. The limit has been derived based on existing assumptions and rules. These assumptions include receiving water hardness, pH and temperature; rates of this and other discharges to the receiving stream; etc. If assumptions or rules change the limit may, after due process and modification of this permit, change.	For the purposes of compliance assessment, the analytical method specified in the permit shall be used to monitor the amount of the pollutant in the outfall to this level, provided that the laboratory analyst has complied with the specified quality assurance/quality control procedures in the relevant method. Monitoring results that are lower than this level must be reported, but shall not be used to determine compliance with the calculated limit. This PQL can be neither lowered nor raised without a modification of this permit.	Type I or Type II Action Levels are monitoring requirement as defined below in Note 2, that trigger additional monitoring and permit review when exceeded.	This can include units of flow, pH, mass, Temperature, concentration. Examples include µg/l, lbs/d, etc.	Examples include Daily, 3/week, weekly, 2/month, monthly, quarterly, 2/yr and yearly.	Examples include grab, 24 hour composites and 3 grab samples collected over a 6 hour period.

Note 1: DAILY DISCHARGE: The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants expressed in units of mass, the 'daily discharge' is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the 'daily discharge' is calculated as the average measurement of the pollutant over the day.

DAILY MAX.: The highest allowable daily discharge. **DAILY MIN.:** The lowest allowable daily discharge.

DAILY AVG or 30 DAY ARITHMETIC MEAN (30 day average): The highest allowable average of daily discharges over a calendar month, calculated as the sum of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

7 DAY ARITHMETIC MEAN (7 day average): The highest allowable average of daily discharges over a calendar week.

30 DAY GEOMETRIC MEAN: The highest allowable geometric mean of daily discharges over a calendar month, calculated as the antilog of: the sum of the log of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

7 DAY GEOMETRIC MEAN: The highest allowable geometric mean of daily discharges over a calendar week.

RANGE: The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown.

Note 2: ACTION LEVELS: Routine Action Level monitoring results, if not provided for on the Discharge Monitoring Report (DMR) form, shall be appended to the DMR for the period during which the sampling was conducted. If the additional monitoring requirement is triggered as noted below, the permittee shall undertake a short-term, high-intensity monitoring program for the parameter(s). Samples identical to those required for routine monitoring purposes shall be taken on each of at least three consecutive operating and discharging days and analyzed. Results shall be expressed in terms of both concentration and mass, and shall be submitted no later than the end of the third month following the month when the additional monitoring requirement was triggered. Results may be appended to the DMR or transmitted under separate cover to the same address. If levels higher than the Action Levels are confirmed, the permit may be reopened by the Department for consideration of revised Action Levels or effluent limits. The permittee is not authorized to discharge any of the listed parameters at levels which may cause or contribute to a violation of water quality standards. **TYPE I:** The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results in excess of the stated Action Level. **TYPE II:** The additional monitoring requirement is triggered upon receipt by the permittee of any monitoring results that show the stated action level exceeded for four of six consecutive samples, or for two of six consecutive samples by 20 % or more, or for any one sample by 50 % or more.

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NYS DEC DIV OF WATER

SPDES PERMIT NO. 2063R NP, 5U 1929
Part I, Page 3 of 14

FINAL PERMIT LIMITS, LEVELS AND MONITORING

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OUTFALL NUMBER	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
02A	Treated landfill leachate (See Footnote 4)	Skaneateles Creek	08/01/2003	11/01/2006

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY		SAMPLE TYPE	FOOTNOTES (FN)		
pH	6.0	9.0	SU	Monthly		Grab			
PARAMETER	PERMIT LIMIT		PQL (µg/l)	MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Daily Avg	Daily Max		TYPE I	TYPE II				
Flow	Monitor	16.7	-			MGD	Continuous	Meter	
Temperature, May 1 - October 31	Monitor	80	-			degrees F	Weekly	Instantaneous	
Temperature, Nov. 1 - April 30	Monitor	70	-			degrees F	Weekly	Instantaneous	
Solids, Total Suspended	Monitor	46	-			lb/d	Weekly	24-hr. Comp.	
Solids, Dissolved	Monitor	3600	-			lb/d	Monthly	24-hr. Comp.	
Solids, Settleable	Monitor	0.3	-			ml/l	Weekly	24-hr. Comp.	
COD	12.5	45	-			lb/d	Weekly	24-hr. Comp.	
COD	50	75	-			mg/l	Weekly	24-hr. Comp.	
TOC	12.5	45	-			lb/d	Weekly	24-hr. Comp.	
Phosphorus, Total (as P)	Monitor	1.0	-			lb/d	Monthly	24-hr. Comp.	
Phosphorus, Total (as P)	Monitor	1.0	-			mg/l	Monthly	24-hr. Comp.	
Phenol	Monitor	25	-			µg/l	Weekly	Grab	
Copper, Total	Monitor	0.09	-			lb/d	Monthly	24-hr. Comp.	
Lead, Total	Monitor	0.054	-			lb/d	Monthly	24-hr. Comp.	
Mercury, Total	Monitor	0.2	-			µg/l	Monthly	24-hr. Comp.	5
1,2-trans-Dichloroethene	Monitor	10	-			µg/l	Weekly	Grab	
Methylene Chloride	Monitor	10	-			µg/l	Weekly	Grab	
Tetrachloroethene	Monitor	10	-			µg/l	Weekly	Grab	
Toluene	Monitor	10	-			µg/l	Weekly	Grab	
Trichloroethene	Monitor	10	-			µg/l	Weekly	Grab	
Xylenes, Total	Monitor	10	-			µg/l	Weekly	Grab	
Toluic Acid, all isomers	Monitor	Monitor	-			µg/l	Weekly	Grab	

Footnotes for this outfall: See Pages 7 and 8 of this Permit.

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NYS DEC DIV OF WATER

SPDES PERMIT NO. 2064R NP 601729
Part I, Page 4 of 14

FINAL PERMIT LIMITS, LEVELS AND MONITORING

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OUTFALL NUMBER	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
02A (continued)	Treated landfill leachate (See Footnote 4)	Skaneateles Creek	01/01/2003	11/01/2006

PARAMETER	EFFECTIVE LIMIT		PQL (µg/l)	MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Daily Avg.	Daily Max.		TYPE I	TYPE II				
PCB, Aroclor 1248	Monitor	1 µg/l	0.3			µg/l	Weekly	Grab	1,2
PCB, Aroclor 1248	Monitor	Monitor				lb/day	Weekly	Grab	1,2
PCB, Aroclor 1254	Monitor	1 µg/l	0.3			µg/l	Weekly	Grab	1,2
PCB, Aroclor 1254	Monitor	Monitor				lb/day	Weekly	Grab	1,2
Arsenic, Total				0.1		lb/d	Quarterly	24-hr. Comp.	
Chromium, Total				0.1		lb/d	Quarterly	24-hr. Comp.	
Nickel, Total				0.1		lb/d	Quarterly	24-hr. Comp.	
Silver, Total				0.1		lb/d	Quarterly	24-hr. Comp.	
Zinc, Total				0.1		lb/d	Quarterly	24-hr. Comp.	
Aluminum, Total				1.0		lb/d	Quarterly	24-hr. Comp.	
Iron, Total				2.0		lb/d	Quarterly	24-hr. Comp.	
Manganese, Total				0.2		lb/d	Quarterly	24-hr. Comp.	
Ammonia (as N)				4.0		lb/d	Quarterly	24-hr. Comp.	
Fluoride				20		lb/d	Quarterly	24-hr. Comp.	
Sulfate (as SO ₄)				20		lb/d	Quarterly	24-hr. Comp.	
Sulfite (as SO ₃)				2.0		lb/d	Quarterly	24-hr. Comp.	
Bis(2-ethylhexyl)Phthalate				0.3		lb/d	Quarterly	24-hr. Comp.	

Footnotes for this outfall: See Pages 7 and 8 of this permit.

FEB. 9. 2007 3:40PM

NYS DEC DIV OF WATER

SPDES PERMIT NO. 206-R Np. 710 1929
Part I, Page 5 of 14

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FINAL PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL NUMBER	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
003	Storm Water Discharge	Skaneateles Creek	08/01/2003	11/01/2006

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)
pH	6.0	9.0	SU	Monthly	Grab	

PARAMETER	EPA/STATE LIMIT		PQL (μ g/l)	MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Daily Avg.	Daily Max.		TYPE I	TYPE II				
Flow		Monitor				gpd	Quarterly	Grab	3
Solids, Total Suspended		Monitor				mg/l	Quarterly	Grab	3
Solids, Total Suspended		Monitor				lb/d	Quarterly	Grab	3
BOD, 5 day		Monitor				mg/l	Quarterly	Grab	3
BOD, 5 day		Monitor				lb/d	Quarterly	Grab	3
COD		Monitor				mg/l	Quarterly	Grab	3
COD		Monitor				lb/d	Quarterly	Grab	3
Oil and Grease		Monitor				mg/l	Quarterly	Grab	3
Oil and Grease		Monitor				lb/d	Quarterly	Grab	3
Volatile Organics, Total		Monitor				mg/l	Quarterly	Grab	3
Volatile Organics, Total		Monitor				lb/d	Quarterly	Grab	3
Copper, Total		Monitor				mg/l	Quarterly	Grab	3
Copper, Total		Monitor				lb/d	Quarterly	Grab	3
Zinc, Total		Monitor				mg/l	Quarterly	Grab	3
Zinc, Total		Monitor				lb/d	Quarterly	Grab	3
PCB, Aroclor 1248		1x10 ⁻⁶ ug/l (applies to the sum of all Aroclors)	0.3			ug/l	Monthly	Grab	1,2, 3
PCB, Aroclor 1254			0.3			ug/l	Monthly	Grab	1,2, 3

Footnotes for this outfall: See Pages 7 and 8 of this permit.

FEB. 9. 2007 3:40PM

NYS DEC DIV OF WATER

SPDES PERMIT NNO. 2061R NP. 80 1929

Part I, Page 6 of 14

FINAL PERMIT LIMITS, LEVELS AND MONITORING

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OUTFALL NUMBER	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
005	Storm water (see Footnotes 3, 5 and 6)	Skaneateles Creek	7/18/01	11/01/2006

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)
pH	Monitor	Monitor	SU	Quarterly	Grab/Composite	3

PARAMETER	PERMITTING LIMITS		PQL (µg/l)	MONITORING ACTION LEVEL		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	Daily Avg.	Daily Max.		TYPE I	TYPE II				
Flow		Monitor				gallons/day	Quarterly	Grab	3
Solids, Total Suspended		Monitor				mg/l	Quarterly	Grab	3
Solids, Total Suspended		Monitor				lb/day	Quarterly	Grab	3
BOD, 5 day		Monitor				mg/l	Quarterly	Grab	3
BOD, 5 day		Monitor				lb/day	Quarterly	Grab	3
COD		Monitor				mg/l	Quarterly	Grab	3
COD		Monitor				lb/day	Quarterly	Grab	3
Oil and Grease		Monitor				mg/l	Quarterly	Grab	3
Oil and Grease		Monitor				lb/day	Quarterly	Grab	3
Volatile Organics, Total		Monitor				mg/l	Quarterly	Grab	3
Volatile Organics, Total		Monitor				lb/day	Quarterly	Grab	3
Copper, Total		Monitor				mg/l	Quarterly	Grab	3
Copper, Total		Monitor				lb/day	Quarterly	Grab	3
Zinc, Total		Monitor				mg/l	Quarterly	Grab	3
Zinc, Total		Monitor				lb/day	Quarterly	Grab	3

Renewal appl.

Footnotes for this outfall: See Pages 7 and 8 of this permit.

FEB. 9. 2007 3:40PM

NYS DEC DIV OF WATER

NO. 206 P. 9

SPDES PERMIT NUMBER NY 000 1929
Part I, Page 7 of 14

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FOOTNOTES:

1. POLYCHLORINATED BIPHENYL (PCB) DISCHARGES:

- a. The permittee must monitor this discharge for PCBs using USEPA laboratory method 608. The laboratory must make all reasonable attempts to achieve an MDL of 0.065 µg/l or less per Aroclor. Monitoring requirements may be modified in the future if the Department approves a method different from 608.
- b. Non-detect at the MDL is the discharge goal. The permittee shall report all values above the Minimum Detection Level (MDL) (0.065 µg/l per Aroclor). If the level of any Aroclor is above the MDL for three consecutive samples, the permittee must evaluate the treatment system and identify the cause of the detectable level of PCBs in the discharge.
- c. If the Department determines that effluent monitoring results above the MDL (0.065 µg/l) can be prevented by implementation of additional measures as proposed by the permittee, the permittee shall implement such additional measures.
- d. The treatment technology for this discharge constitutes the maximum feasible treatment technology for treatment of PCBs. As treatment technology improvements become available, the permittee shall, at its own initiative or the department's request, review the available technology and submit for department approval, plans to improve the treatment technology and/or Best Management Practices employed to remove maximum feasible amount of PCBs from the wastewater discharge.
- e. This limit is a phased Total Maximum Daily Loading limit, prepared in accordance with 6 NYCRR 702.16(b).

2. POLLUTANT MINIMIZATION PROGRAM

- a. The permittee shall develop and implement a Pollutant Minimization Program (PMP). The goal of this program will be to meet the calculated water quality based effluent limit for the following substances: Polychlorinated Biphenyls (PCBs), Aroclors 1248 and 1254. **WITHIN 3 MONTHS OF THE EDPM, the completed, approvable PMP plan shall be submitted to the Regional Water Engineer at the address listed under the section of this permit entitled RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS.**
- b. Subsequent modifications or renewal of this permit does not reset or revise the deadline set forth in number 1 above unless a new deadline is set explicitly by such a permit modification or renewal.
- c. The PMP plan shall be documented in narrative form and shall include any necessary plot plans, drawings or maps. Other documents already prepared for the facility, such as the approved Remedial Design documents, the Safety Manual or a Spill Prevention, Control and Countermeasure (SPCC) plan or Best Management Practices Plan (BMP) may be used as part of the plan and may be incorporated by reference. As a minimum, the plan shall include:
 - i. An on-going potential source identification, evaluation and prioritization program;
 - ii. Periodic monitoring designed to quantify and, over time, track the reduction of discharges of the substances noted above;
 - iii. An approvable schedule for submission of an approvable control strategy and source investigation for eliminating PCB discharges via cost-effective control measures, including but not limited to site treatment and remediation for the substances noted in (a.) above. The schedule for submission of a control strategy will become enforceable under this permit. The schedule for the source investigation and remedial/control strategy may become enforceable and executable under either Division of Water Order on Consent Index No. ##### or existing Order on Consent Index No. A7-0347-9610. The control strategy and the schedule for implementation of the control strategy will also become enforceable under this permit; and
 - iv. An annual status report that summarizes all source monitoring and all control measures implemented during the previous calendar year shall be prepared and submitted to the Regional Water Engineer by March 1 of each year.
- d. The PMP plan shall be modified whenever changes at the facility increase the potential for discharge of the substance(s) noted in (a.) above or where ongoing monitoring indicates that the plan is ineffective.

FEB. 9. 2007 3:41PM

NYS DEC DIV OF WATER

NO. 206

P. 10

SPDES PERMIT NUMBER NY 000 1929

Part I, Page 8 of 14

FOOTNOTES (continued):**3. STORM WATER OUTFALL SAMPLING**

The permittee shall collect a grab sample from Outfalls 003 and 005 during the first storm event of greater than 0.1 inches of precipitation for each of the following quarters: January 1 - March 31; April 1 - June 30; July 1 - September 30; October 1 - December 31. The grab sample shall be collected during the first thirty (30) minutes of the storm. The permittee shall collect a grab sample when there is a discharge from Outfalls 003 and 005 not resulting from a storm event (e.g. snow melt, ground water seepage) should no discharge from a storm event occur during that quarter.

4. WASTEWATER SOURCES:

Outfall 02A authorizes the discharge of treated site generated wastewater. The discharges authorized as of the EDPM include landfill leachate, groundwater from the landfill extraction system, water from the AEC-1 interception drain, groundwater from the North Plant recovery wells and trench, equipment and personnel decontamination areas, contaminated groundwater from the thermal desorption soil storage areas, water from the Main Plant Building sump, and site recovery and monitoring wells and groundwater encountered during excavation. Construction water treatment system wastewater sources may be treated through the Outfall 02A system due to maintenance and other operational requirements as shown on the Process Flow Diagram. Combination of this treated water with any other waters following treatment and prior to discharge is not authorized by this permit. Should the permittee wish to utilize the leachate treatment system to treat additional sources of contaminated water from the site, the permittee shall provide this Department with a characterization of the quality and quantity of the water to be treated for approval prior to discharge.

5. MERCURY:

According to DEC SPDES permit drafting policy, no substances shall be limited at a level below the practical quantitation limit (PQL) or the treatment technology limit. The permittee shall use EPA Method 1631 to analyze total mercury and report the results on the Discharge Monitoring Report forms for enforcement compliance purposes.

FEB. 9. 2007 3:41PM

NYS DEC DIV OF WATER

NO. 206 P. 11

SPDES PERMIT NUMBER NY 000 1929
Part I, Page 9 of 14

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SPECIAL CONDITIONS**BEST MANAGEMENT PRACTICES**

- A. The permittee shall develop a Best Management Practices (BMP) plan to prevent, or minimize the potential for, release of significant amounts of toxic or hazardous pollutants to the waters of the State through plant site runoff, spillage and leaks; sludge or waste disposal; and storm water discharges including, but not limited to, drainage from areas under active excavation and remediation.
- B. Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (1) above, unless a new deadline is set explicitly by such permit modification or renewal.
- C. The BMP plan shall be documented in narrative form and shall include any necessary plot plans, drawings or maps. Other documents already prepared for the facility such as a Safety Manual or a Spill Prevention, Control and Countermeasure (SPCC) plan may be used as part of the plan and may be incorporated by reference. USEPA guidance for development of storm water elements of the BMP is available in the September 1992 manual "Storm Water Management for Industrial Activities," USEPA Office of Water Publication EPA 832-R-92-006 (available from NTIS, (703)487-4650, order number PB 92235969). A copy of the BMP plan shall be maintained at the facility and shall be available to authorized Department representatives upon request. The BMP plan shall include the following BMP's:
- | | | |
|-------------------------------------|----------------------------|--------------------------------|
| a. BMP Committee | e. Inspections and Records | i. Security |
| b. Reporting of BMP Incidents | f. Preventive Maintenance | j. Spill prevention & response |
| c. Risk Identification & Assessment | g. Good Housekeeping | k. Erosion & sediment control |
| d. Employee Training | h. Materials Compatibility | l. Management of runoff |

Note that for some facilities, especially those with few employees, some of the above BMP's may not be applicable. It is acceptable in these cases to indicate "Not Applicable" for the portion(s) of the BMP plan that do not apply to your facility, along with an explanation.

- D. The BMP plan shall be reviewed annually and shall be modified whenever: (a) changes at the facility materially increase the potential for significant releases of toxic or hazardous pollutants, (b) actual releases indicate the plan is inadequate or (c) a letter from the Regional Water Engineer highlights inadequacies in the plan..

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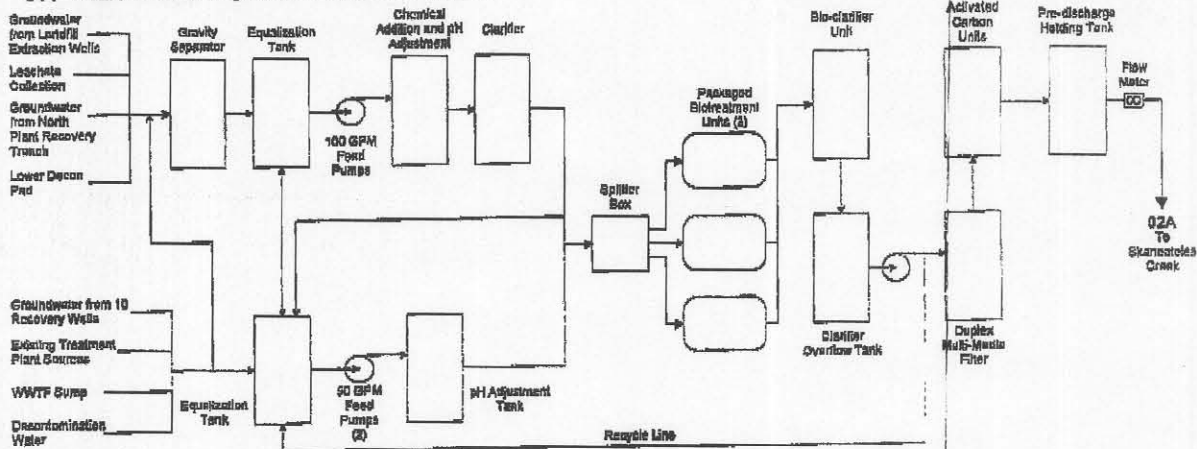
NYS DEC DIV OF WATER

NO. 206

P. 12

SPDES PERMIT NUMBER NY 000 1929
Part I, Page 10 of 14**MONITORING LOCATIONS - TREATMENT SYSTEM BLOCK DIAGRAMS**

The permittee shall take samples and measurements, to comply with the monitoring requirements specified in this permit, at the location(s) specified below:

Outfall 02A Treatment System Process Flow Diagram

FEB. 9. 2007 3:41PM

NYS DEC DIV OF WATER

NO. 206

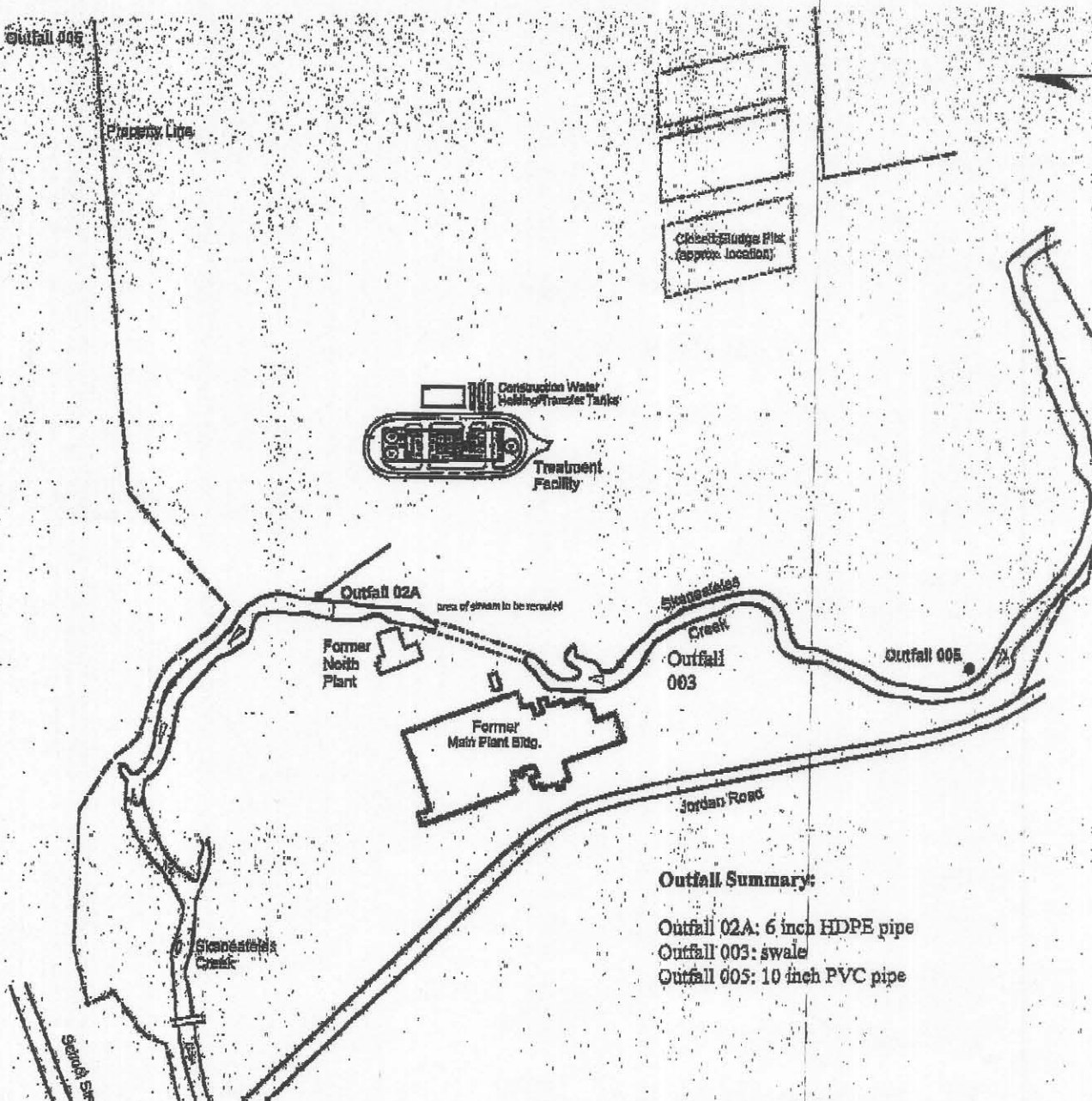
P. 13

SPDES PERMIT NUMBER NY 000 1929

Part I, Page 11 of 14

MONITORING LOCATIONS

The permittee shall take samples and measurements, to comply with the monitoring requirements specified in this permit, at the location(s) specified below:



FEB. 9. 2007 3:41PM

NYS DEC DIV OF WATER

NO. 206

P. 14

SPDES PERMIT NUMBER NY 000 1929
Part I, Page 12 of 14

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DISCHARGE NOTIFICATION REQUIREMENTS

- (a) Except as provided in (c) and (f) of these Discharge Notification Act requirements, the permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit. Such signs shall be installed within 90 days of the Effective Date of this Modification.
- (b) Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (a) above, unless a new deadline is set explicitly by such permit modification or renewal.
- (c) The Discharge Notification Requirements described herein do not apply to outfalls from which the discharge is composed exclusively of storm water, or discharges to ground water.
- (d) The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

The signs shall have minimum dimensions of eighteen inches by twenty four inches (18" x 24") and shall have white letters on a green background and contain the following information:

N.Y.S. PERMITTED DISCHARGE POINT

SPDES PERMIT No.: NY _____

OUTFALL No. : _____

For information about this permitted discharge contact:

Permittee Name: _____

Permittee Contact: _____

Permittee Phone: () - ### - ####

OR:

NYSDEC Division of Water Regional Office Address :

NYSDEC Division of Water Regional Phone: () - ### - ####

- (e) For each discharge required to have a sign in accordance with a), the permittee shall, concurrent with the installation of the sign, provide a repository of copies of the Discharge Monitoring Reports (DMRs), as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee or at an off-premises location of its choice (such location shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained on record for a period of five years.

(continued)

FEB. 9. 2007 3:41PM

NYS DEC DIV OF WATER

NO. 206 P. 15

SPDES PERMIT NUMBER NY 000 1929
Part I, Page 13 of 14

- (f) All requirements of the Discharge Notification Act, including public repository requirements, are waived for any outfall meeting any of the following circumstances, provided Department notification is made in accordance with (g):
- (i) such sign would be inconsistent with any other state or federal statute;
 - (ii) the Discharge Notification Requirements contained herein would require that such sign could only be located in an area that is damaged by ice or flooding due to a one-year storm or storms of less severity;
 - (iii) instances in which the outfall to the receiving water is located on private or government property which is restricted to the public through fencing, patrolling, or other control mechanisms. Property which is posted only, without additional control mechanisms, does not qualify for this provision;
 - (iv) instances where the outfall pipe or channel discharges to another outfall pipe or channel, before discharge to a receiving water; or
 - (v) instances in which the discharge from the outfall is located in the receiving water, two-hundred or more feet from the shoreline of the receiving water.
- (g) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the waiver criteria listed in (f) above, notification (form enclosed) must be made to the Department's Bureau of Water Permits, Central Office, of such fact, and, provided there is no objection by the Department, a sign and DMR repository for the involved outfall(s) are not required. This notification must include the facility's name, address, telephone number, contact, permit number, outfall number(s), and reason why such outfall(s) is waived from the requirements of discharge notification. The Department may evaluate the applicability of a waiver at any time, and take appropriate measures to assure that the ECL and associated regulations are complied with.
- (h) The permittee shall periodically inspect the outfall identification signs in order to ensure that they are maintained, are still visible and contain information that is current and factually correct.

FEB. 9. 2007 3:41PM

NYS DEC DIV OF WATER

NO. 206 P. 16

SPDES PERMIT NUMBER NY 000 1929
Part I, Page 14 of 14**RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS**

a) The permittee shall also refer 6 NYCRR 750-1.2(a) and 750-2. for additional information concerning monitoring and reporting requirements and conditions.

b) The monitoring information required by this permit shall be summarized, signed and retained for a period of five years from the date of the sampling for subsequent inspection by the Department or its designated agent. Also, monitoring information required by this permit shall be summarized and reported by submitting:

☒ (if box is checked) completed and signed Discharge Monitoring Report (DMR) forms for each 1 month reporting period to the locations specified below. Blank forms are available at the Department's Albany office listed below. The first reporting period begins on the effective date of this permit and the reports will be due no later than the 28th day of the month following the end of each reporting period.

☐ (if box is checked) an annual report to the Regional Water Engineer at the address specified below. The annual report is due by February 1 and must summarize information for January to December of the previous year in a format acceptable to the Department.

☐ (if box is checked) a monthly "Wastewater Facility Operation Report..." (form 92-15-7) to the Regional Water Engineer and/or ☐ County Health Department or Environmental Control Agency specified below.

Send the original (top sheet) of each DMR page to:

Department of Environmental Conservation
Division of Water
Bureau of Water Compliance Programs
625 Broadway
Albany, New York 12233-3506
Phone: (518) 402-8177

Send the first copy (second sheet) of each DMR page to:

Department of Environmental Conservation
Regional Water Engineer
615 Erie Boulevard West
Syracuse, NY 13204-2400
Phone: (315) 426-7500

Send the second copy (third sheet) of each DMR page to:

Onondaga County Health Department
Division of Environmental Health
421 Montgomery St., 12th Floor
Syracuse, NY 13202

- c) Noncompliance with the provisions of this permit shall be reported to the Department as prescribed in 6 NYCRR 750.
- d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.
- e) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculations and recording of the data on the Discharge Monitoring Reports.
- f) Calculation for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- g) Unless otherwise specified, all information recorded on the Discharge Monitoring Report shall be based upon measurements and sampling carried out during the most recently completed reporting period.
- h) Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section five hundred two of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be sent to the Environmental Laboratory Accreditation Program, New York State Health Department Center for Laboratories and Research, Division of Environmental Sciences, The Nelson A. Rockefeller Empire State Plaza, Albany, New York 12201.

New York State Department of Environmental Conservation

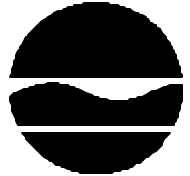
Division of Environmental Remediation

Bureau of Construction Services, 12th Floor

625 Broadway, Albany, New York 12233-7013

Phone: (518) 402-9814 • FAX: (518) 402-9819

Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

December 19, 2002

Mr. Lee Erickson
Stauffer Management Company
Environmental Services & Engineering
Bancroft 1, 1800 Concord Pike
Wilmington, Delaware 19850-5437

Dear Mr. Erickson:

Re: SMC Skaneateles Falls Site No. 7-34-010
Submittal 5: Staging of Non-Impacted AEC-1 Clay Cap Material

The New York State Department of Environmental Conservation (Department) has reviewed the subject submittal which was received on December 17, 2002. Based upon that review approval is granted to allow the removal and staging of the two non-impacted stockpiles (CPLF2 and CPLLF3) from AEC-1. Moreover, approval is also being granted to allow removal of non-impacted stockpile CPLF4 from AEC-1 per our discussions and review of the data transmitted to me at the December 18, 2002 site progress meeting.

It is my understanding that this work will be initiated and completed over the next two weeks by Abscope, and that SMC will utilize this non-impacted material as AEC-1 backfill material in the future. Should SMC/SPEC have any further questions regarding this matter, please feel free to contact me accordingly.

Sincerely,

David Chiusano
Western Field Services Section
Bureau of Construction Services
Division of Environmental Remediation

ec: T. Haldas - SMC
R. Pucci, SMC - Skan Falls
J. Burke/W. Foy - SPEC

J. May - NYSDEC-DER, Region 7
H. Hamel - NYSDOH, Syracuse
G. Gould/J. Kuhn, D&B

DJC/mj

bcc: G. Harris
S. Priore
D. Chiusano
Dayfile

E:\skan falls\skancapmaterial2.wpd



June 14, 2012

To: Rob Gray
Abscope

RE: Stauffer Project

Any material produced and supplied to the above mentioned project from Riccelli Enterprises, Inc. and/or Syracuse Sand & Gravel, LLC mines are 100% native virgin materials and have not been previously used on the site or on another project. We do not include any recycled materials in our products. The materials are free of contaminated substances and are clean.

Below is a summary of materials and their respective sources – Permits for each mine are attached to this email. The proctor for the Limestone Crusher Run from Hanson Skaneateles Quarry is also attached;

<i>Source</i>	<i>Material</i>
Sennett Route 20 Pit	Sand
Valley Borrow – Marcellus Pit	Clay
Rolling Hills- Elbridge	Cobbles & Bank Run Gravel
Lake Road Pit	Sand – secondary source
Granby Pit	Cobbles – secondary source
Hanson Skaneateles Quarry	Limestone Crusher Run



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:
SENNETT PIT
US ROUTE 20
AUBURN, NY

Facility Location: in SENNETT in CAYUGA COUNTY

Facility Principal Reference Point: NYTM-E: 377.2 NYTM-N: 4755.2

Latitude: 42°56'22.3" Longitude: 76°30'18.3"

Authorized Activity: This permit authorizes mining activity on 21.47 acres of land during the permit term, within a 21.47 acre life-of-mine facility, on a 28.46 acre parcel of land, including specified processing equipment, on lands owned by Richard J. Ricelli.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-0552-00024/00001

(Mined Land ID 70636)

Renewal

Effective Date: 6/19/2007

Expiration Date: 6/18/2012

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOANNE L MARCH, Deputy Regional Permit Administrator

Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204-2400

Authorized Signature: _____

Date 6/19/07

Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by the Department on various dates and consist of the following items: plans prepared by V.P. Chebetar, Jr. on 11/01/01.
And by Matthew Podniesinski on April 18, 2007:
 - Organizational Report dated 1/31/07.
 - Mining Permit Application dated 3/28/07.
 - Mining Plan Map prepared by Continental Placer, Inc. dated 3/26/07.
2. **Storage of Materials to be Disposed** Materials which are to be disposed of during reclamation shall be stored and stockpiled within the permit area.
3. **Revegetate The Site** The permittee shall successfully revegetate the site. Seeding, mulching and fertilizing shall be utilized where needed to speedily and successfully reclaim the mine site.
4. **Comply With Clean Water Act** The NYS Department of Environmental Conservation hereby certifies that the referenced project will comply with all applicable provisions of the Clean Water Act of 1977 (PL 95-217), provided all Special Conditions are met.
5. **Keep Site Neat** At all times the mine site is to be kept neat.
6. **Grading** The permittee shall grade the site to a maximum slope of 1:2 and to blend smoothly with surrounding terrain. There are to be no disturbed areas within 25 feet of any property line. No abrupt changes are to occur within or near the edge of the mined area.
7. **Mine Operation Periods** All mining, reclamation and associated activities (including but not limited to: excavating, grading, processing operations, stockpiling operations, haulage operations, and maintenance operations) shall be limited to the following times: Monday through Friday 7 a.m. to 4 p.m., or sunrise to 4 p.m, whichever is more restrictive. Operation of the mine is prohibited on Saturdays, Sundays and Holidays.
8. **Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1)** The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.



9. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.

10. Provide Person during DEC Inspection The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.

11. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.

12. No Deviation From Approved Plan The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.

13. Archaeological or Structural Remains If any archaeological or structural remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

14. Post Permit Sign The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

15. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

16. Bury, Remove Wastes All waste generated by mining activity, including trees, stumps, brush and rock rubble must be buried at the mine site or otherwise disposed of in a manner approved by the Department.

17. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

18. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at



the mine site.

19. Petroleum Product Storage No petroleum products, fuels, lubricants shall be stored within the mine limits in any excavated area. No long-term maintenance shall be conducted at the mine. long-term maintenance does not include routine fueling, oil changes or necessary on-site repairs.

20. Bond, Surety to Remain in Force Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.

21. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

22. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400



4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

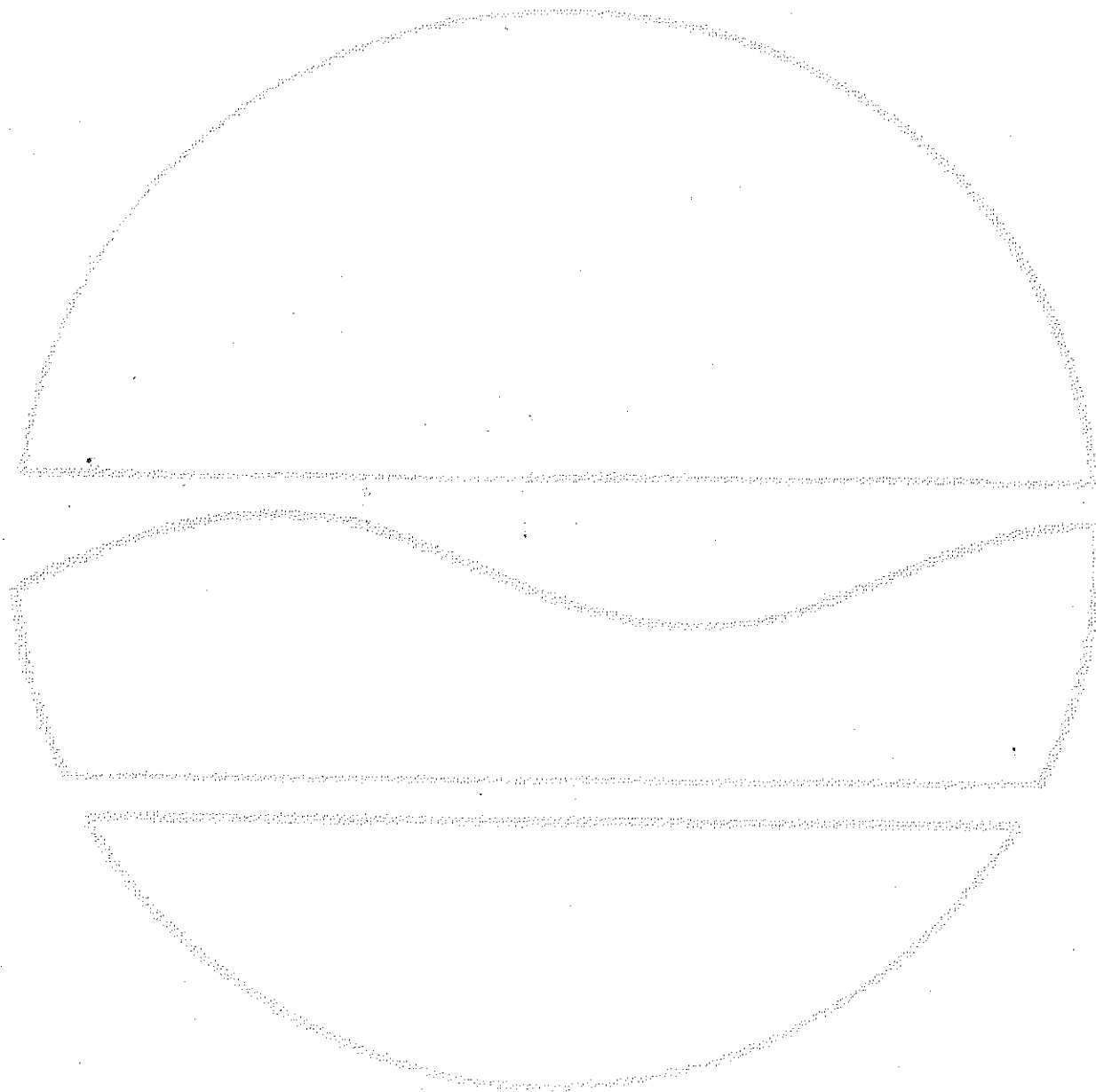
Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.



Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.





PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:
VALLEY BORROW PIT
ST RTE 174
MARCELLUS, NY 13108

Facility Location: in MARCELLUS in ONONDAGA COUNTY

Facility Principal Reference Point: NYTM-E: 390.9 NYTM-N: 4753

Latitude: 42°55'18.6" Longitude: 76°20'12.5"

Authorized Activity: This permit authorizes mining activity on 3.6 acres of land during the permit term, within a 3.6 acre life-of-mine facility, on a 75 acre parcel of land, including specified processing equipment on lands owned by Fred Gutchess. The life-of-mine area was measured by Thomas Giles for this 2007 renewal and is corrected to 3.6 acres rather than 5.5 acres.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-3140-00025/00001

(Mined Land ID 70621)

Renewal

Effective Date: 6/11/2007

Expiration Date: 6/10/2012

Modification # 1

Effective Date: 8/10/2011

Expiration Date: 6/10/2012

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: ELIZABETH A TRACY, Deputy Regional Permit Administrator

Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Authorized Signature:

Elizabeth Tracy

Date 8/10/11



Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

1. Conformance With Plans All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by Nanette Nelson on March 16, 2007 and consist of the following items:

-- Mining Permit Application signed February 1, 2007 & received by the NYS Department of Environmental Conservation Region 7 Division of Mineral Resources February 12, 2007.

-- MINED LAND-USE PLAN RENEWAL VALLEY BORROW PIT narrative, dated January 2007, including application item cover letters dated February 1, 2007 (2 letters), February 15, 2007 & February 23, 2007, prepared by Thomas Giles Geologist, & received by the NYS Department of Environmental Conservation Region 7 Division of Mineral Resources February & March, 2007.

-- Organizational Report signed March 3, 1991.

-- VALLEY BORROW PIT mine plan narrative & associated documents dated March 5, 1991 & prepared by Robert H. Snyder Jr.

-- MINING PLAN & RECLAMATION PLAN MAP, Sheet 1 of 3, prepared by Robert H. Snyder Jr. dated February 27, 1991 & received by the NYS Department of Environmental Conservation Region 7 Division of Regulatory Affairs March 11, 1991.

-- VALLEY BORROW PIT - CROSS SECTIONS Sheet 3 of 3, prepared by Robert H. Snyder Jr. dated February 27, 1991 & received by the NYS Department of Environmental Conservation Region 7 Division of Regulatory Affairs March 11, 1991.

-- MINING PLAN RENEWAL mine plan map, Sheet 1 of 3, prepared by Thomas Giles Geologist, dated February 2007 & received by the NYS Department of Environmental Conservation Region 7 Division of Mineral Resources March 12, 2007.

2. Reclamation Slope The reclamation slope requirement remains at 1V : 3 H and flatter, as represented in the narrative and the cross sections of the approved mined land-use plan dated March 5, 1991. Any subsequent proposal to steepen the reclamation slope is not approved.

3. Truck Traffic Whenever truck traffic exceeds 70 truck trips per day, the operator/permittee or its agents shall use traffic control measures such as flag persons at the entrance to ensure that exiting truck

traffic must yield the right-of-way to traffic on the public highway. The permittee shall maintain tally sheets to monitor truck traffic. Such sheets shall be made available to the Department upon request.

4. Stabilize Final Slopes Immediately As soon as final grades are reached and prior to revegetation, the permittee shall treat the slopes by tracking with a bulldozer or other cleated equipment for purposes of stabilization.

5. Erosion Control Near Otisco Lake The permittee shall insure that silt dams are maintained and the pit is adequately graded, both during and after development, to prevent runoff water from carrying turbidity into the Otisco Lake Reservoir.

6. Salvage Wood Prior to Clearing and Grubbing The permittee shall salvage all saleable forest products, including firewood, prior to clearing and grubbing. Brush, grass, weeds, and other non-saleable or salvageable vegetation shall be mowed, "brush-hogged" or otherwise reduced prior to clearing.

7. Reclaim Mined Land The permittee shall successfully revegetate the site. Seeding, mulching and fertilizing shall be used where needed to speedily and satisfactorily reclaim mined land within two years of the cessation of mining.

8. Final Grades for Drainage The permittee shall maintain the final grades indicated on the mined land use plan so as to maintain positive surface drainage at all times. Backfilling to achieve the grades shown shall not be permitted. A minimum of 2 percent grade on the mine floor shall be maintained at all times.

9. Maintain Internal Drainage All drainage shall be directed internally throughout the life of this mining operation. All drainage and water control features shall be constructed to the extent necessary to achieve this. All drainage from this mine shall be directed to a properly-sized settling pond/retention basin or into a system of settling ponds/retention basins. (Minimum capacity is the capacity necessary to retain a 10-year storm event of 24 hours duration for the entire watershed, including drainage coming into the mine). There shall be no discharge of waters to any area outside the limits of the lands to be affected by mining over the life of this mining operation. Surface water shall not be allowed to drain in such a manner that siltation and/or sediment is carried outside the limits of the life of mine boundary onto neighboring properties or into any wetland, stream, river or other water body.

10. Construct Catch Basins The permittee shall construct and maintain silt catch basins, ditching with staked straw bales or other appropriate erosion control features during the permit term to confine the effects of siltation and erosion to the permit area.

11. Conditions Prevail Over Plans If any condition of this permit conflicts with the approved plans, the permit condition shall prevail over the plans.

12. Equipment at Mines Maintained to Minimize Noise Equipment operation and maintenance:

- a. All equipment to be used in mining and mineral processing shall be maintained in proper operating conditions.
- b. All factory installed or added environmental controls and suppressors and mufflers must be utilized at all times.



- c. Mining equipment shall be operated in a manner so as to reasonably minimize noise levels during operating hours.

13. Store Materials for Reclamation Within Permit Area Materials which are to be disposed of during reclamation shall be stored or stockpiled within the permit area.

14. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.

15. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.

16. No Deviation From Approved Plan The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.

17. Provide Person during DEC Inspection The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.

18. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

19. No Backfilling of Sloped Areas Sufficient materials shall be left in place, in sloped areas along the final limits of this mine, to achieve the final approved grades without backfilling.

20. Post Sign and Permit The enclosed permit and permit sign must be conspicuously posted in a publicly accessible location at the project site. They must be visible, legible and protected from the elements at all times.

21. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

22. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES)



permit requirements and provide necessary notifications for off-site point source discharges.

23. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at the mine site.

24. Bond, Surety to Remain in Force Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.

25. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

26. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1) The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.

27. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a



separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision.



under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Item E: Air Permits at Mine The permittee shall obtain all required permits for non-exempt processing equipment at the mine in accordance with Article 19 of the Environmental Conservation Law and 6NYCRR Part 201.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Application For Permit Transfer and Application for Transfer of Pending Application

(12/10)

NOTE: Please read ALL instructions before completing this application. Please TYPE or PRINT clearly in ink.

PART 1 - TRANSFEE (New Owner/Operator/Lessee/Applicant) Completes:

1. List Permit Number(s) And Their Effective And Expiration Dates:
#70621 6/11/2007 - 6/10/2012

List Pending Application Number(s):
NA

2. Name Of Transferee:
Syracuse Sand & Gravel LLC

Telephone Number (Daytime):
(315) 433-5115

Transferee is a/an: (check all that apply)

☐ Owner ☒ Operator
☒ Lessee ☒ Applicant

Mailing Address:

Email: richr@riccellienterprises.com

If other than an individual, provide

Post Office City, State, Zip Code:
Syracuse, NY 13217

Taxpayer ID Number:
16-1497545

3. Name Of Facility/Project:
Valley Borrow Pit

4. Facility Contact Name:
Richard Riccelli, Sr.

Telephone Number (Daytime):
(315) 433-5115

Location (or Street Address, P.O. City, State, Zip Code, if applicable):
State Route 174

Mailing Address:
P.O. Box 6419

Email: richr@riccellienterprises.com
received
JUN 17 '11

Town / Village / City:
Marcellus, NY 13108

County:
Onondaga

Post Office City, State, Zip Code:
Syracuse, NY 13217

5. Has Work Begun On The Project?

Yes ☒ No ☐ If "No," proposed starting date: _____

Approximate completion date: 6/2017+?

If there will be any modifications to the current or proposed operation or construction, the transferee must attach a statement specifying the details.

6. CERTIFICATION: This certifies that the Transferee seeks to be the legally responsible party for operations or project development either authorized by the permits identified above or proposed in applications identified above. The Transferee has a copy of the permit(s) and/or application(s) and understands and will comply with all conditions in the referenced permit(s) and supports the content of referenced application(s). Facility operations/project scope/discharges/emissions will remain the same as authorized or as proposed in pending applications. Further, I hereby affirm that under penalty of perjury that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Printed Name and Title of Transferee: Richard J. Riccelli, Sr. Member

Signature of Transferee: Richard Riccelli Sr

Date: 6/15/11

PART 2 - TRANSFEROR (Present or Former Owner/Operator/Lessee/Applicant) Completes:

1. Name Of Transferor:
David J. Smith

Telephone Number (Daytime):
(315) 673-4124

If other than an individual, provide

Taxpayer ID Number: 16-1112299

Mailing Address:

Email:

4782 Shepard Road

Post Office City, State, Zip Code:
Marcellus, NY 13108-9745

2. Name Of Facility/Project, if different from Facility Name in Part 1: Same

3. CERTIFICATION: This certifies that ownership, operation, or a lease for the facility identified in Part 1 of this form ☐ will be / ☒ was conveyed to the party identified as the Transferee on 5/31/11 (date). I affirm that this conveyance includes the rights and obligations of the permits, approvals, or applications identified above.

Printed Name and Title of Transferor: David J. Smith, President

Signature of Transferor: David Smith

Date: 6-17-11

PART 3 - PERMIT TRANSFER VALIDATION SECTION - Department Of Environmental Conservation Completes:

- ☒ Transfer of permit approved, effective as of 8/10/11. Transferee subject to conditions of original permit, without exception.
☐ Transfer of permit approved, with the following modifications or contingencies related to this Permit Transfer:

- ☐ See attached revised permit page(s).
☐ Transfer of application approved. See attached for additional information required.
☐ Transfer denied, new application required. Please complete the enclosed permit application and return it to the undersigned Regional Permit Administrator at the address listed on the reverse side of this form.

Elizabeth Tracy
NYSDEC PERMIT ADMINISTRATOR

Elizabeth Tracy
SIGNATURE

8/10/11
DATE

copies to:

FOR DEC USE ONLY

FOR DEC USE ONLY



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
GRANT L PERRY
RD 6 DEPOT RD
AUBURN, NY 13021
(315) 253-7421

Facility:
ROLLING HILLS POND
CHATFIELD RD
SENNETT, NY 13021

Facility Location: in SENNETT in CAYUGA COUNTY

Facility Principal Reference Point: NYTM-E: 378

NYTM-N: 4762.4

Latitude: 43°00'16.2" Longitude: 76°29'48.8"

Authorized Activity: This permit authorizes mining activity on 24.4 acres of land during the permit term, within a 24.4 acre life-of-mine facility, on a 100.66 acre parcel of land, including specified processing equipment on lands owned by Grant and Patricia Perry. (This permit is a renewal with an increase of 12.55 acres to the Life-of-Mine.)

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-0552-00053/00001

(Mined Land ID 70712)

Renewal

Effective Date: 11/25/2009

Expiration Date: 11/24/2014

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOANNE L MARCH, Deputy Regional Permit Administrator
Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Authorized Signature: _____

Date 11/25/09



Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

1. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
2. **Bond, Surety to Remain in Force** Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.
3. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by the Department on various dates and consist of the following items:
 - A.) Narrative titled "Renewal and Expansion of Rolling Hills Pond Sand and Gravel Mine" prepared by PLS Engineering, P.C. and dated May 2009.
 - B.) Graphic plans (3 Sheets total) titled:
 - 1.) "Area Plan, 1 of 3" dated November 2008 and prepared by PLS Engineering, P.C.
 - 2.) "Mining and Reclamation Plan, 2 of 3" dated November 2008 and prepared by PLS Engineering, P.C.
 - 3.) "Profiles, 3 of 3" dated November 2008 and prepared by PLS Engineering, P.C.
4. **No Deviation From Approved Plan** The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.
5. **Department Personnel Access** The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.
 - (a) The permittee shall allow Department personnel access to enter and inspect any property or premises covered by a permit at all reasonable times during normal business hours on normal business days, and



after reasonable notification to the permittee and proper identification as Department employees, for the purpose of conducting inspections or investigations in the regular course of their duties pursuant to the Environmental Conservation Law, notwithstanding signs or other notices purporting to limit access to the property.

(b) The permittee expressly agrees that the Department, including its employees, agents and representatives shall have access at all reasonable times during normal business hours on normal business days to mine records relative to mining and subsequent reclamation of the affected land for the purpose of ascertaining compliance with Title 27 (New York State Mined Land Reclamation Law), the permit or subchapter D of 6NYCRR.

6. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

7. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

8. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

9. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.

10. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

11. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1) The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.



12. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

13. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at the mine site.

14. Fuel Storage All fuel storage will be within the permit limits and a minimum of 100 feet from any surface water. Equipment fueling shall be controlled to prevent spillage. The permittee shall retain sufficient plastic sheeting upon which to store and with which to cover any soils contaminated by a spill while awaiting the Department's response to the spill notification. No long-term equipment maintenance shall be conducted at the mine. Long-term maintenance does not include routine fueling, oil changes or necessary on-site repairs.

15. Property Line Setbacks No mining activity of any kind, including clearing and grubbing, shall occur within 25 feet of any adjacent property line or right-of-way. When mining is conducted lower than the adjacent property, the distance from the floor of the mine to the nearest property line shall be no closer than 25 feet plus 1 1/2 times the depth of the excavation.

16. Material Storage The permittee shall provide that no material will be stored or disposed of at the mine so as to adversely affect or contaminate surface or subsurface water. Any trees are to be cut for firewood. No materials are to be stored or stockpiled within 100 feet of roads or wetlands which are outside the mine limit.

17. Stockpile storage Materials which are to be disposed of during reclamation shall be stored or stockpiled within the permit area.

18. Vegetated Earth Mounds The permittee shall provide vegetation or vegetated earth mounds as necessary or as directed by the Department's Mined Land Reclamation Specialist, or other means to reduce overall visibility of the mine, equipment storage and processing areas. At all times the mine is to be kept neat.

19. Equipment Operation and Maintenance

a. All equipment to be used in mining and mineral processing shall be maintained in proper operating conditions.

b. All factory installed or added environmental controls, suppressors and mufflers must be utilized at all times.

c. Mining equipment shall be operated in a manner so as to reasonably minimize noise levels during operating hours.

20. Street Sweeper The permittee shall utilize a street sweeper or other device acceptable to the Department to clean mud and dirt from the public highway near the mine entrance as necessary or as directed by authorized representatives of the Department.

21. Operating Hours Mining activity, mineral extraction, processing of minerals, trucking activity and removal of products from the mine site shall be limited to the following hours of operation: Monday



through Friday 7:00 a.m. - 5:00 p.m.; Saturdays 7:00 a.m. - 12:00 p.m. and no processing of minerals; and Sunday & Holidays: No Operation. Monday through Friday hours of operation may be extended to sun-up to sundown for up to 10-days per calendar year to meet special demands. The permittee shall report each extension of the hours to the NYS DEC Region 7, Division of Mineral Resources office as soon as possible but no later than 2 days after each such occurrence.

22. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;



- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:
LAKE ROAD PIT
E SIDE LAKE RD
PHELPS, NY 14532

Facility Application Contact:
RICHARD RICCELLI
SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217

Facility Location: in PHELPS in ONTARIO COUNTY
Facility Principal Reference Point: NYTM-E: 334.23 NYTM-N: 4762.42
Latitude: 43°59'47.0" Longitude: 77°02'01.1"

Project Location: Lake Road

Authorized Activity: Permit to mine unconsolidated material from a 76.9 acre permit term area within a 76.9 acre Life of Mine. Approved operations include crushing, washing, and screening.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 8-3240-00033/00001

(Mined Land ID 80634)

Renewal

Effective Date: 1/19/2011

Expiration Date: 1/18/2016

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: DAVID L BIMBER, Deputy Regional Permit Administrator
Address: NYSDEC REGION 8 HEADQUARTERS
6274 E AVON-LIMA RD
AVON, NY 14414

Authorized Signature: _____

Date: 1/19/2011



Distribution List

RICHARD RICCELLI
JOHN P FREEMAN
TOWN OF PHELPS

Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Permit Attachments

Permit Sign

MINED LAND RECLAMATION PERMIT CONDITIONS

1. **Post Sign and Permit** The enclosed permit and permit sign must be conspicuously posted in a publicly accessible location at the project site. They must be visible, legible and protected from the elements at all times.
2. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by John P. Freeman, Mineral Resources Division on 1/18/2011 and consist of the following items:

The Plans stamped Approved by John P. Freeman on January 18, 2011, consist of the following items:

- * Mining Permit Application dated May 25, 2010.
- * Organizational Report Form dated August 28, 2002.
- * Environmental Assessment Forms dated December 11, 1991; August 8, 1994; July 16, 1996; May 20, 1999; August 28, 2002, April 7, 2004 and June 9, 2007.
- * 2nd Supplemental Information for a Mined Land Use Modification During Permit Term 2005-2010 dated July 26, 2007.



- * Supplemental Information for a Mined Land Use Plan Modification During Permit Term 2005-2010 dated June 7, 2007.
- * Mined Land Use Plan Modification During Permit Term 2005-2010 dated April 15, 2007 April 15, 2007.
- * January 12, 2005 letter from John Hellert to Steve Army.
- * Mined Land Use Plan Renewal For Permit Term 2005-2010 dated April 15, 2005.
- * Mined Land Use Plan Modification During Permit Term 2003-2005 dated April 5, 2004.
- * Spectra Report included with " Mined Land Use Plan Modification During Permit Term 2003-2005 dated September 2002.
- * October 2, 2002 letter from P. Wyckoff to R. McDonough.
- * Modification Application for Permit To Mine, Syracuse Sand and Gravel, LLC. Lake Road Mine (Spectra Report included) September 2002.
- * Mine Plan Map dated July 26, 2007, updated 4/17/2010
- * Reclamation Plan Map dated March 22, 2004, most recently updated April 2007.
- * Reclamation Sections Map dated March 22, 2004.
- * Impacts to Groundwater map dated September 3, 2002.
- * May 14, 1999 letter from V. Chebetar to J. Cole.
- * July 15, 1996, letter from V. Chebetar to S. Army.
- * August 8, 1994, letter from V. Chebetar to S. Army.
- * Wash Plant and Settling Pond layout map dated July 12, 1996.
- * Mining and Reclamation Plan narrative dated December 9, 1991, revised June 8, 1992.
- * June 8, 1992, letter from V. Chebetar to R. Shearer.



3. **No Deviation From Approved Plan** The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.
4. **File Termination Notice** If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.
5. **Bond, Surety to Remain in Force** Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.
6. **Distance From Mine to Property Line** No land within 25 feet of any property or right-of-way boundary may be affected by any mining related activity. When mining is conducted below the level of adjacent property, the horizontal distance from the toe of the mine face to the nearest property or right-of-way boundary must be no less than 25 feet plus 1.5 times the depth of excavation.
7. **Maintain Area Markers for Permit Term** The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.
8. **No Mining Within 100' of Wetlands** No mining or mining-related activities shall occur within 100 feet of the state-protected wetland, located on this property.
9. **Authorized Days and Hours of Operation.** Mining and mining related activities shall occur only between the hours of 7 AM and 6 PM, Monday through Friday, 7 AM and 3 PM on Saturdays, with no activities on Sundays or legal holidays.
10. **Strip and Stockpile Soils for Reclamation** Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.
11. **No Unpermitted Discharge Outside Limits of Mine** There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.
12. **Permit Does Not Apply to Structures and Safety Aspects** Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.



13. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 8 HEADQUARTERS
6274 E AVON-LIMA RD
AVON, NY 14414

Work shall not resume until written permission to do so has been received from the Department.

14. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at the mine site.

15. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

16. No Importing or Processing Off-Site Materials There shall be no importation, storage, disposal or processing of materials, of any kind, originating from outside the limits of the life of mine, without first applying for and obtaining a modification to this permit.

17. No Wastes at Mine There shall be no disposal, storage, transfer or processing of trash or garbage, demolition debris, or other wastes regulated under the Environmental Conservation Law in the mine.



GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 8 HEADQUARTERS
6274 E AVON-LIMA RD
AVON, NY 14414

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;



- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. **Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:

GRANBY MINE
COUNTY ROUTE 85
GRANBY, NY 13126

Facility Location: in GRANBY in OSWEGO COUNTY

Facility Principal Reference Point: NYTM-E: 379.5 NYTM-N: 4802.2
Latitude: 43°21'46.8" Longitude: 76°29'13.7"

Authorized Activity:

This permit authorizes mining activity on 51.3 acres of land within a 69.1 acre life-of-mine facility, on a 184 acre parcel of land including specified processing equipment, on lands owned by Syracuse Sand and Gravel, LLC.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-3528-00031/00001

(Mined Land ID 70465)

Renewal

Effective Date: 7/1/2008

Expiration Date: 6/30/2013

Modification # 1

Effective Date: 10/7/2010

Expiration Date: 6/30/2013

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOANNE L MARCH, Regional Permit Administrator

Address: NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204-2400

Authorized Signature: _____

Date 10/8/10



Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

1. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
2. **Bond, Surety to Remain in Force** Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.
3. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by the Department on various dates and consist of the following items:
 - A.) Narrative titled "Mined Land Use Plan Modification" dated March 28, 2007, "Revised Mined Land Use Plan Modification" dated July 12, 2007, and "Supplemental Information For A Mined Land Use Plan Modification" dated November 6, 2007; all Narratives were prepared by Continental Placer Inc.
 - B.) Graphic Plans (2 sheets total) titled "Mining Plan Map" dated March 8, 2010, "Reclamation Plan Map" dated July 12, 2007 and prepared by Continental Placer Inc.
4. **No Deviation From Approved Plan** The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.
5. **Provide Person during DEC Inspection** The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.
6. **Permit Does Not Apply to Structures and Safety Aspects** Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.
7. **Strip and Stockpile Soils for Reclamation** Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted



area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

8. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

9. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

10. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at the mine site.

11. Spill Response Procedures The permittee shall contain and clean-up any spill under 5 gallons within 2 hours of discovery of the spill as required by ECL.

12. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.

13. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC REGION 7 HEADQUARTERS
615 ERIE BOULEVARD WEST
SYRACUSE, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

14. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1) The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.

15. No Mining Within 100' of Wetlands No mining or mining-related activities shall occur within 100 feet of the state-protected wetland, located on this property.

16. Improve and Maintain Access Road The permittee shall improve and maintain at least the first 300 feet of the access road by filling, grading, and preparing the access road surface with clean gravel,



crushed stone, or other paving materials acceptable to the Department, to control fugitive dust and mud collecting on the road. The permittee shall clean the access road as necessary and/or directed by the Department to control fugitive dust or mud.

17. Hours of Operation Mining activity, mineral extraction, trucking activity and removal of materials or products from the mine site shall be limited to the following hours of operation:

Monday - Friday 8:00 AM - 5:00 PM
Or sunrise to sunset, whichever is more restrictive

Saturdays, Sundays and Holidays No Operation

18. Equipment at Mines Maintained to Minimize Noise Equipment operation and maintenance:

- a. All equipment to be used in mining and mineral processing shall be maintained in proper operating conditions.
- b. All factory installed or added environmental controls and suppressors and mufflers must be utilized at all times.
- c. Mining equipment shall be operated in a manner so as to reasonably minimize noise levels during operating hours.

19. Store Materials for Reclamation Within Permit Area Materials which are to be disposed of during reclamation shall be stored or stockpiled within the permit area.

20. No Disposal, Use Trees For Firewood, Away From Road The permittee shall provide that no material will be stored or disposed of at the mine site so as to adversely affect or contaminate surface or subsurface water. All trees are to be cut for firewood. No materials are to be stored or stockpiled within 100 feet of the road.

21. Bury, Remove Wastes All waste generated by mining activity, including trees, stumps, brush and rock rubble must be buried at the mine site or otherwise disposed of in a manner approved by the Department.

22. Cover Large Rocks and Boulders Large blocks of rocks, boulders or similar materials remaining within the permit area shall be removed or covered with a minimum compacted depth of two feet of cover material with a soil composition capable of sustaining vegetative growth.

23. Remove Equipment During Reclamation The permittee shall remove all machinery, equipment, tools and other personal property from the permit area during the reclamation period.

24. File Termination Notice If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.



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A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

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- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions,



relevant technology or applicable law or regulations since the issuance of the existing permit;

- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. **Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

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The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

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This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Standard ☐Modified ☒Procedure A ☐B ☐C ☒

Preparation Method:

Moist ☒Dry ☐

Rammer Used:

Manual ☒Mechanical ☐

MAXIMUM DRY DENSITY (P.C.F.)

Corrected: 148.1Uncorrected: 144.4

OPTIMUM MOISTURE CONTENT (%)

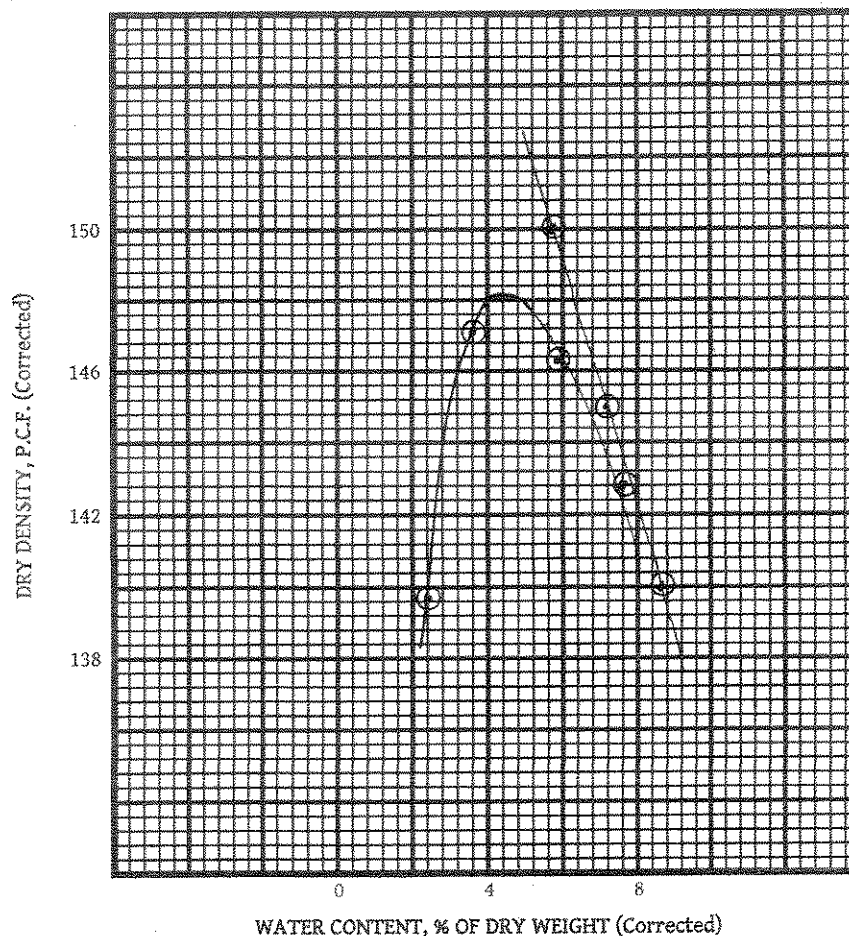
Corrected: 4.5Uncorrected: 5.0

Performed in accordance with:

ASTM D1557 & D4718

18.2% retained on the 3/4" sieve

Compaction Test Report

Apparent Specific Gravity: 2.78

WATER CONTENT, % OF DRY WEIGHT (Corrected)

SAMPLE NO.	1	2	3	4			
MOLD + SAMPLE WT.	23.87	24.68	24.91	24.81			
MOLD WEIGHT	13.45	13.45	13.45	13.45			
WET SAMPLE WT.	10.42	11.23	11.46	11.36			
WET DENSITY, P.C.F.	138.2	148.9	152.0	150.6			
MOISTURE CONTENT (1)	2.5	3.9	6.8	8.9			
DRY DENSITY, P.C.F. (1)	134.8	143.3	142.3	138.3			

Note: (1) Actual test data shown in uncorrected form.

Material

Color: GrayClassification: N/AType: - 1 1/2" Run of Crush Limestone (Oriskany)Location: Skaneateles, New YorkLab I.D. #: 26932Client: Hanson Aggregates New York, LLC.Project Title: Laboratory TestingTest Date: May 31, 2012Tested By: JBChecked By: V.J. ThomaProject #: L-12044Report #: 3

PW LABORATORIES, INC.
6644 FREMONT ROAD, EAST SYRACUSE, NY 13057
315-437-1420 • Fax 315-437-1752 • pwlabinfo@hotmail.com

From: [John Grathwol](#)
To: [Brent Heesemann](#)
Subject: Re: SMC Skaneateles Falls Site - TSCA Regulated Waste
Date: Wednesday, September 05, 2012 2:43:50 PM

Thank you for informing the Department which TSCA landfill that SMC is using. This satisfies the Department's concerns on this matter.

>>> Brent Heesemann <bheesemann@envirospeceng.com> 9/5/2012 1:51 PM >>>
John,

This email is being sent per our conversation on the morning of 9/5/12. As we discussed, waste generated at SMC's Skaneateles Falls Site that is subject to the USEPA's Toxic Substances Control Act (TSCA) is to be disposed of at CWM Chemical Services, L.L.C.'s Model City landfill located at 1550 Balmer Rd., Model City, NY 14107. Please feel free to contact me with any questions or concerns.

Thanks,

Brent Heesemann, EIT
Project Engineer



16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.115
Fax: 518.453.2204
Cell: 518.369.6173

From: [Matthew G. Root](#)
To: [Brent Heesemann](#)
Subject: Fwd: Fwd: SMC Topsoil
Date: Thursday, August 16, 2012 10:42:52 AM

Matt Root
Sent from my Verizon Wireless Phone

----- Forwarded message -----

From: "John Grathwol" <jcgrathw@gw.dec.state.ny.us>
To: "Gianna Aiezza" <gaiezza@envirospeceng.com>
Cc: "Matthew G. Root" <mroot@envirospeceng.com>, "James Moras" <jamoras@gw.dec.state.ny.us>
Subject: RE: Fwd: SMC Topsoil
Date: Sat, Jul 28, 2012 8:23 am

The Department has reviewed the topsoil analytical results and approves this topsoil source for the SMC-Skaneateles Falls site.

>>> Rob Gray <rgray@abscope.com> 07/27/12 19:02 PM >>>

Matt

The attached report has the COC included

Rob

From: Matthew G. Root [<mailto:mroot@envirospeceng.com>]
Sent: Friday, July 27, 2012 5:00 PM
To: John Grathwol (jcgrathw@gw.dec.state.ny.us)
Cc: Gianna Aiezza; Rob Gray
Subject: FW: Fwd:

John,

Attached are the topsoil analytical results.

Thank you,
Matthew G. Root
Project Manager/
Senior Environmental Scientist

[cid:image001.png@01CD6C2A.33D27830]
16 Computer Dr. West
Albany, NY 12205
518.453.2203 Ext.124
Fax: 518.453.2204
Cell: 518.265.4533
<http://www.envirospeceng.com/>

P Please consider the environment before you print this email.

DISCLAIMER:

This e-mail, including any attachments, was sent to you by Envirospec Engineering, PLLC and may contain sensitive and confidential information. It is intended only for the individual(s) named. If you received this e-mail in error or from someone who was not authorized to send it to you, do not disseminate, copy, or otherwise use this e-mail or its attachments. Please notify the sender immediately by reply e-mail and delete the e-mail from your system.

From: Rob Gray [<mailto:rgray@abscope.com>]<[mailto:\[mailto:rgray@abscope.com\]](mailto:[mailto:rgray@abscope.com])>
Sent: Friday, July 27, 2012 4:35 PM
To: Gianna Aiezza
Cc: Brent Heesemann; Matthew G. Root
Subject: Fwd:

Gianna

Attached are top soil analytical results. John said before you left that he would review them tonight if I got them to him. I don't have John's email can you please send him
Rob

Sent from my iPhone

Begin forwarded message:

From: Hugh Guider <guiderhm@lsl-inc.com<<mailto:guiderhm@lsl-inc.com>>>
Date: July 27, 2012 4:17:53 PM EDT
To: Rob Gray <rgray@abscope.com<<mailto:rgray@abscope.com>>>
Cc: Rob Drabot <rdrabot@abscope.com<<mailto:rdrabot@abscope.com>>>
Here you go. There will be no charges for this project

Hugh

CONFIDENTIALITY NOTICE: This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please notify the sender of any unintended recipients and delete the original message without making any copies.