
Site Management Plan
for
815 River Road Site
City of North Tonawanda

Prepared for:

City of North Tonawanda,
Niagara County, New York

and

New York State
Department of Environmental Conservation

June 2008

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SITE MANAGEMENT PLAN

for

815 RIVER ROAD SITE
CITY OF NORTH TONAWANDA

Prepared for

CITY OF NORTH TONAWANDA
NIAGARA COUNTY, NEW YORK

and

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



Prepared by

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PROJECT NO. 61259

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INSTITUTIONAL & ENGINEERING CONTROL PLAN

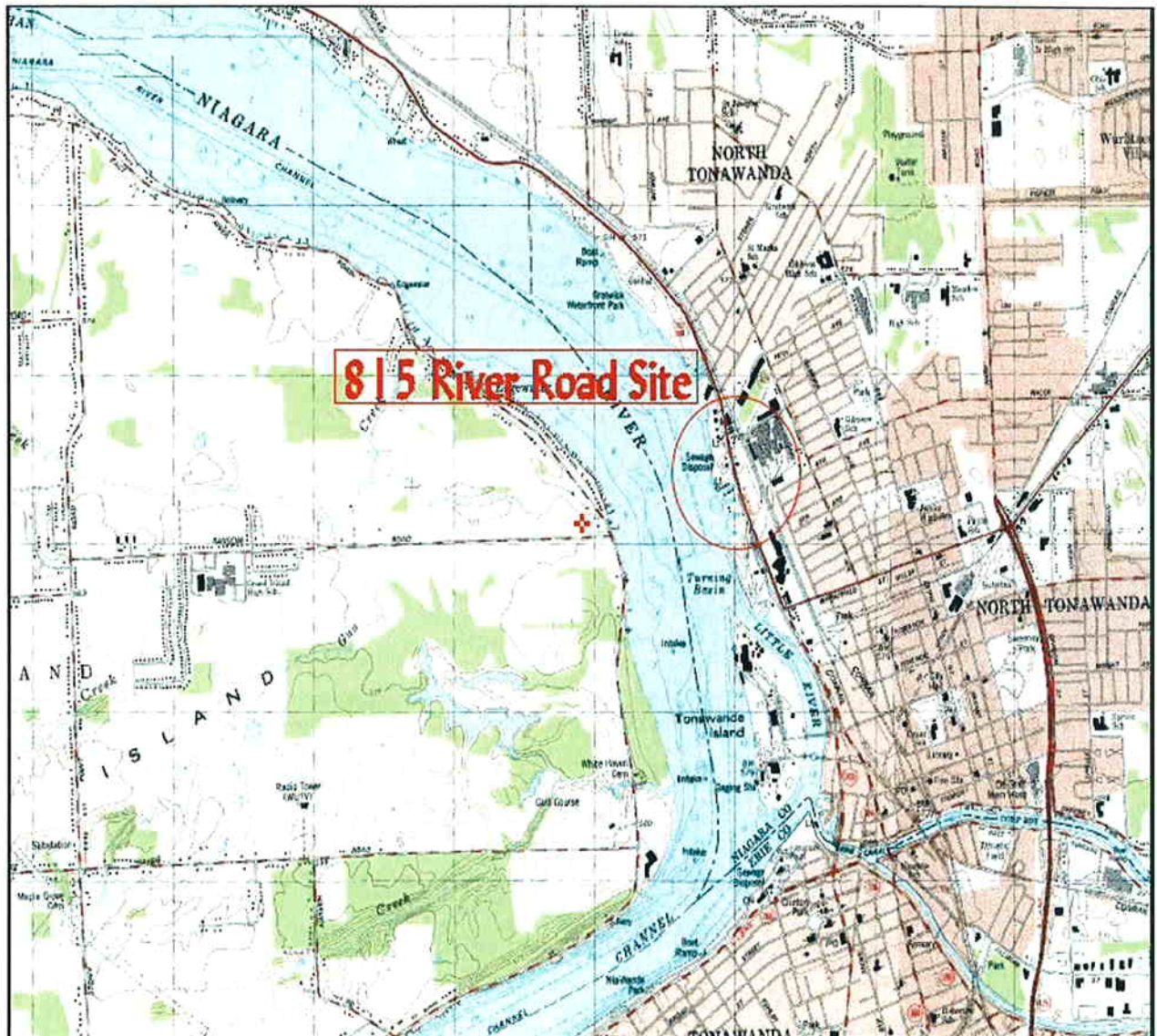
SECTION 1.0 - SITE OVERVIEW

The City of North Tonawanda acquired 815 River Road parcel in 2000 through tax foreclosure. This one-acre parcel of land is located directly across from the City's Wastewater Treatment Plant (WWTP). Prior to the City's acquisition of this property, a company that maintained school buses occupied this property. As part of this business, this company maintained fueling systems that included underground storage tanks (USTs) for gasoline and motor oil. City records indicated that the USTs were in-place for over 40 years. A site location map is presented on Figure 1-1.

A previous site investigation completed in January 2001 by Green Environmental Specialists, Inc. (Green) identified seven (7) buried USTs. Analytical testing detected the presence of benzene in two (2) USTs. Site reporting also indicated that the soil and groundwater surrounding the USTs may have been impacted through UST leakage. Shortly after the completion of Green's site investigation, remedial construction was initiated by a private entity interested in remediating and developing the property for commercial/industrial use. Remedial activities resulted in the removal of four (4) USTs.

In September 2002, an additional site investigation was completed by Parsons to delineate the extent of contamination and provide tank closure of the four (4) removed USTs from past remedial activities. The site investigation identified an additional eight (8) tanks. Under a site IRM, tank removal and closure was provided. Demolition of an on-site building was necessary for proper UST closure and to allow access to impacted soils beneath the building. Impacted soils were excavated and removed from the site for disposal to Tonawanda Landfill. During the removal of impacted soils and surface water, IRM construction was halted by the City due to a contract dispute. All site activities were discontinued. Contract disputes could not be settled and construction contracts were terminated. The site was left with an unfinished open excavation with the potential of additional impact soils to be excavated. Reporting for the site investigation and IRM activities was not provided to the City.

An IRM was conducted in November 2007 that included the excavation and disposal of 1,300 tons of impacted and staged soils. This IRM construction completed the excavation and removal



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Environmental Engineers and Scientists

AMHERST, NEW YORK
DATE: 12/07 JOB No.: 61259

815 RIVER ROAD SITE
NORTH TONAWANDA, NEW YORK

FIGURE 1-1
SITE LOCATION

of impacted soils that was halted by the City in 2004. The excavation followed the delineation of impacted soils as defined during the site investigation. The removal of impacted soils extended to the south to a minor extent onto the adjacent property. IRM excavation limits were brought to within approximately 5-feet of the River Road Right-of-Way (ROW). Depth of excavation limits was to the top of clay. Excavated impacted soils were pre-approved for disposal at Modern Landfill and directly loaded into trucks from the excavation. Confirmatory soil samples were collected from the previously impacted area. After confirmatory soil sampling analytical test results were reported below the Restricted Commercial Use Soil Cleanup Objectives, backfill of the excavation was completed. A record plan of as-built conditions for the site is presented in Appendix C.

Stearns & Wheler, LLC was contracted by the City of North Tonawanda, New York to provide engineering services and perform a Site Investigation/Remedial Alternatives Report (SI/RAR). The SI/RAR report was completed in January 2008 and selected institutional controls for both impacted soils and groundwater media. The completed 2007 IRM has achieved the SI/RAR reported Restricted Commercial Soil Cleanup Objectives. An environmental easement will be administered for the imposition of a deed restriction that requires compliance with an approved soils management plan and the future use of groundwater from the site. The soils management plan will dictate deed restrictions that prohibit the installation of potable wells at the site.

SECTION 1.1 - DESCRIPTION OF INSTITUTIONAL AND ENGINEERING CONTROLS

Institutional controls have been recommended as the most feasible and selected alternative as reported in the SI/RAR dated January 2008 and included the environmental easement for future redevelopment and ownership of the site. The soil management plan addresses the excavation procedures for the remaining soils during future redevelopment. The soil management plan includes soil management, characterization and disposal of excavated soils in accordance with the applicable New York State Department of Environmental Conservation (NYSDEC) regulations. The soil management plan is presented in Section 2.

In addition, the environmental easement requires the imposition of a deed restriction that requires compliance with the approved soil management plan and the future use of groundwater from the site. Deed restrictions are to be instituted that prohibit the installation of potable wells at the site. Any future use of groundwater at the site is prohibited.

Annually, the future owners will be required to certify to the NYSDEC that the implemented remedy has been maintained in accordance with the Site Management Plan.

SECTION 1.2 - SITE ENVIRONMENTAL EASEMENT

An environmental easement is required for the imposition of a deed restriction that requires compliance with the approved soil management plan and the future use of groundwater from the site. The soil management plan will be a part of the site management plan which will dictate deed restrictions to be instituted that prohibits the installation of potable wells at the site. Any future use of groundwater at the site will be prohibited. Annually, the future owners will be required to certify to the NYSDEC that the implemented remedy has been maintained in accordance with the soil management plan.

Potential/future property owners will be subject to the Site Environmental Easement. The following items have been included as part of the environmental easement which are presented in Appendix A.

- metes and bounds description of the site
- updated title report
- boundary survey dated July 19,2007
- site environmental easement

SECTION 1.3 - PERIODIC CERTIFICATION OF SITE CONTROLS

The Owner shall complete and submit to the Department an annual report by January 15th of each year. Such annual report will contain certification that the institutional controls put in place, pursuant to Operation, Monitoring, and Maintenance Plan (OM&M), are still in place, have not been altered and are still effective; that the remedy and protective cover have been maintained; and that the conditions at the site are fully protective of public health and the environment. Inspection will be documented and a letter will be submitted to the NYSDEC. A sample certification letter has been included in Figure 1-2.

FIGURE 1-2

SAMPLE

Date

Att: Regional Environmental Remediation Engineer
New York Department of Environmental Conservation
270 Michigan Avenue
Buffalo, NY 14203-2999

Re: 815 River Road Site

Dear Sir:

ABC Company owns a parcel of land located at _____. The property listed is part or all of the former 815 River Road Brownfield site. As required by the NYSDEC, ABC Company is submitting this certification letter to the NYSDEC. The approved Soil Management Plan requires this certification by January 15th of each year.

The institutional controls put in place pursuant to the operation, monitoring, and maintenance plan (OM&M), as they apply to the subject property held are still in place, have not been altered and are still effective. The remedy and the protective cover have been maintained, and conditions at the site are fully protective of public health and the environment.

Sincerely,

Land Owner

Property Manager

pc: Mr. Dale Marshall, P.E., City Engineer - City of North Tonawanda

SOIL MANAGEMENT PLAN

SECTION 2.0 - SOIL MANAGEMENT PLAN OBJECTIVES

The objective of this Soil Management Plan is to set guidelines for management of soil material during any future activities which would breach the cover system at the site. The Soil Management Plan addresses environmental concerns related to soil management and has been reviewed and approved by the New York State Department of Environmental Conservation (NYSDEC).

SECTION 2.1 - NATURE AND EXTENT OF CONTAMINATION

Based on data obtained from previous investigations and the IRM remediation completed at the site, a Final Engineering Report for the 815 River Road Site Remediation dated June 2008 was completed by Stearns & Wheler, LLC.

During the site investigation activities, impacted soils were identified. The impacted soil area was excavated, removed and disposed off-site during an IRM completed in 2007. Impacted soils were sampled and categorized to preliminarily delineate the extent of the contamination and for waste characterization for off-site disposal. The impacted soils were excavated to the top of clay was defined ranging between 9 to 11-feet.

The impacted soil contained concentrations of both volatile and semivolatile compounds. All concentrations reported during the 2007 IRM were below the Restricted Commercial Use Soil Cleanup Objectives. Volatile concentrations that appear to be the most impacting include xylene and ethylbenzene. Semi-volatile concentrations to a lesser degree were detected to include naphthalene. The potential exposure pathways include inhalation, absorption, ingestion and contact. Health effects from exposure to these chemical compounds are eye, skin and respiratory irritants.

The constituents of potential concern for soil consist primarily of residual VOCs and PAHs. Results of groundwater sampling indicate that constituents in the soil/fill material have impacted groundwater quality with low concentrations of volatile and semivolatile compounds. Groundwater in the southwest corner of the site has been impacted with low concentrations of

benzene, 1,2-dichloropropane, toluene, xylene, and ethylbenzene. Analytical test results indicated that groundwater standards have exceeded groundwater standards.

Groundwater in this portion of the site presumably flows toward the 36-inch diameter sanitary sewer line that runs down the east side of River Road. The top of the silty clay unit that is consistent through out the site has been logged and recorded to range in depth between 4 to 5 feet. Standard sewer construction consists of a sewer pipe laid on a gravel pipe bedding material with the rest of the sewer trench filled with a gravel backfill. Since the sanitary sewer located along River Road is approximately 15-feet deep, the bottom of sewer trench is then deeper than the top of silty clay unit. Any groundwater emitting from the site should follow the top of clay and infiltrate into the gravel backfilled sewer trench. Once in the trench, groundwater will enter the sewer through infiltration and be transmitted to the City's WWTP for treatment.

Deed restrictions will be enacted by the City of North Tonawanda, which will prohibit the installation of potable wells on the property.

SECTION 2.2 - CONTEMPLATED USE

As part of the redevelopment project, the property has been identified for industrial/commercial usage. Residential redevelopment will not be permitted. Deed restrictions will require compliance with the approved Soil Management Plan. The future use of site groundwater will be prohibited.

SECTION 2.3 - PURPOSE AND DESCRIPTION OF SURFACE COVER SYSTEM

The purpose of the surface cover system is to eliminate the potential for human contact with fill material and eliminate the potential for contaminated runoff from the property. The cover system consisting of existing non-impacted fill soils overlay the remaining impacted soils located within the River Road right-of-way. Soil borings completed near the River Road right-of-way have been logged to report that 3 to 6-feet of non-impacted soil overlays the residually impacted soils. These existing non-impacted soils provides a defacto cover system for any residually impacted materials within the River Road right-of-way.

SECTION 2.4 - MANAGEMENT OF SOILS/FILL AND LONG TERM MAINTENANCE

The purpose of this section is to provide environmental guidelines for management of subsurface soils/fill and the long-term maintenance of the cover system during any future intrusive work which breaches the cover system. The Soil Management Plan includes the following conditions:

- Any breach of the cover system within the River Road right-of way of a width of 33-feet, including for the purposes of construction or utilities work, must be replaced or repaired using an acceptable borrow source free of industrial and/or other potential sources of chemical or petroleum contamination. The repaired area must be covered with clean soil and reseeded or covered with impervious product such as concrete or asphalt, as described in Section 4, to prevent erosion in the future.
- The cover system must be maintained within the River Road right-of way since residual impacted soils above NYSDEC Part 375 Unrestricted Use Cleanup Objectives may be present.
- Control of surface erosion and run-off of the entire property at all times, including during construction activities. This includes proper maintenance of the fill cover established on the property.
- Site soil that is excavated and is intended to be removed from the property must be managed, characterized, and properly disposed of in accordance with NYSDEC regulations and directives.
- Soil excavated at the site may be reused as backfill material on-site provided it contains no visual or olfactory evidence of contamination, and is placed beneath a cover system component of 2-3 feet of clean fill from an acceptable source area.
- Any off-site fill material brought to the site for filling and grading purposes shall be from an acceptable borrow source free of industrial and/or other potential sources of chemical or petroleum contamination.
- Prior to any construction activities, workers are to be notified of the site conditions with clear instructions regarding how the work is to proceed. Invasive work performed at the property

will be performed in accordance with all applicable local, state, and federal regulations to protect worker health and safety.

- The Owner shall complete and submit to the Department an annual report by January 15th of each year. As presented in Section 1.3 - Periodic Certification of Site Controls, such an annual report will contain certification that the institutional controls put in place, pursuant to Operation, Monitoring, and Maintenance Plan (OM&M), are still in place, have not been altered and are still effective; that the remedy and protective cover have been maintained; and that the conditions at the site are fully protective of public health and the environment. Inspection will be documented and a letter will be submitted to the NYSDEC. A sample certification letter has been included in Figure 1-2.

SECTION 2.4.1 - EXCAVATED AND STOCKPILED SOIL/FILL DISPOSAL

Every effort will be made to keep excavated soils on site. The proper management of the remaining impacted subsurface soils located within the River Road right-of-way and other possibly impacted site soils must be provided. Soil/fill that is excavated as part of redevelopment that can not be used as fill below the cover system will be characterized prior to transportation off-site for disposal at a permitted facility. For excavated soil/fill with visual evidence of contamination (i.e., staining or elevated PID measurements), one composite sample and a duplicate sample will be collected for each 100 cubic yards of stockpiled soil/fill. For excavated soil/fill that does not exhibit visual evidence of contamination but must be sent for off-site disposal, one composite sample and a duplicate sample will be collected for 2,000 cubic yards of stockpiled soil, and a minimum of 1 sample will be collected for volumes less than 2,000 cubic yards.

The composite sample will be collected from five locations within each stockpile. A duplicate composite sample will also be collected. PID measurements will be recorded for each of the five individual locations. One grab sample will be collected from the individual location with the highest PID measurement. If none of the five individual sample locations exhibit PID readings, one location will be selected at random. The composite sample will be analyzed by a NYSDOH ELAP-certified laboratory for pH (EPA Method 9045C), Target Compound List (TCL), semi volatile organic compounds (SVOCs). The grab sample will be analyzed for TCL VOCs.

Additional characterization sampling for off-site disposal may be required by the disposal facility. To potentially reduce off-site disposal requirements/costs, the owner or site developer may also choose to characterize each stockpile individually. If the analytical results indicate that concentrations exceed the standards for RCRA characteristics, the material will be considered a hazardous waste and must be properly disposed off-site at a permitted disposal facility within 90 days of excavation. If the analytical results indicate that the soil is not a hazardous waste, the material will be properly disposed off-site at a non-hazardous waste facility. Stockpiled soil cannot be transported on or off-site until the analytical results are received.

SECTION 2.4.2 - SUBGRADE MATERIALS

Subgrade material used to backfill excavations or placed to increase site grades or elevation shall meet the following criteria.

- Subgrade material stockpiled on the surface for re-use must be placed on a liner material or other suitable surface to avoid the commingling of this material with clean topsoil or other surface materials. Stockpiled subgrade material should also be managed to prevent erosion and runoff of precipitation waters which may contact this material.
- Excavated on-site soil/fill which appears to be visually impacted shall be sampled and analyzed. If backfill materials are suspect, then analytical testing will be required. If soils or soil mixtures are used as backfill materials, they will be sampled for VOCs, SVOCs, pesticides & PCBs, and metals, and compared to limits listed under Restricted Commercial on Table 2-1: Imported Backfill Limits.
- Any off-site fill material brought to the site for filling and grading purposes shall be from an acceptable borrow source free of industrial and/or other potential sources of chemical or petroleum contamination. A letter will be required from the backfill supplier certifying material is clean from any hazardous and/or solid waste materials.
- Off-site soils intended for use as site backfill cannot otherwise be defined as a solid waste in accordance with 6 NYCRR Part 360-1.2(a).

- If the contractor designates a source as "virgin" soil, it shall be further documented in writing to be native soil material from areas not having supported any known prior industrial or commercial development or agricultural use.
- Virgin soils should be subject to collection of one representative composite sample per source. The sample should be analyzed for TCL VOCs, SVOCs, pesticides, PCBs, TAL metals. The soil will be acceptable for use as backfill provided that all parameters meet the Imported Backfill Limits.
- Non-virgin soils will be tested via collection of one composite sample per 500 cubic yards of material from each source area. If more than 1,000 cubic yards of soil are borrowed from a given off-site non-virgin soil source area and both samples of the first 1,000 cubic yards meet SCOCLs, the sample collection frequency will be reduced to one composite for every 2,500 cubic yards of additional soils from the same source, up to 5,000 cubic yards. For borrow sources greater than 5,000 cubic yards, sampling frequency may be reduced to one sample per 5,000 cubic yards, provided all earlier samples met the Imported Backfill Limits.

**TABLE 2-1
IMPORTED BACKFILL LIMITS**

	Unrestricted	Residential	Restricted - Residential	Restricted - Commercial or Industrial	Ecological Limit For Sites Which Have Ecological Resources
METALS					
Arsenic	13	16	16	16	13
Barium	350	350	400	400	433
Beryllium	7.2	14	47	47	10
Cadmium	2.5	2.5	4.3	7.5	4
Chromium, Hexavalent ¹	1	19	19	19	1
Chromium, Trivalent ¹	30	36	180	1500	41
Copper	50	270	270	270	50
Cyanide	27	27	27	27	NS ²
Lead	63	400	400	450	63
Manganese	1600	2000	2000	2000	1600
Mercury (total)	0.18	0.73	0.73	0.73	0.18
Nickel	30	130	130	130	30
Selenium	3.9	4	4	4	3.9
Silver	2	8.3	8.3	8.3	2
Zinc	109	2200	2480	2480	109
PCBs/PESTICIDES					
2,4,5-TP Acid (Silvex)	3.8	3.8	3.8	3.8	NS ²
4,4'-DDE	0.0033	1.8	8.9	17	0.0033
4,4'-DDT	0.0033	1.7	7.9	47	0.0033
4,4'-DDD	0.0033	2.6	13	14	0.0033
Aldrin	0.005	0.019	0.097	0.19	0.14
Alpha-BHC	0.02	0.02	0.02	0.02	0.04
Beta-BHC	0.036	0.072	0.09	0.09	0.6
Chlordane (alpha)	0.094	0.91	2.9	2.9	1.3
Delta-BHC	0.04	0.25	0.25	0.25	0.04
Dibenzofuran	7	14	59	210	NS ²
Dieldrin	0.005	0.039	0.1	0.1	0.006
Endosulfan I	2.4	4.8	24	102	NS ²
Endosulfan II	2.4	4.8	24	102	NS ²
Endosulfan sulfate	2.4	4.8	24	200	NS ²
Endrin	0.014	0.06	0.06	0.06	0.014
Heptachlor	0.042	0.38	0.38	0.38	0.14
Lindane	0.1	0.1	0.1	0.1	6
Polychlorinated biphenyls	0.1	1	1	1	1
SEMIVOLATILE ORGANIC COMPOUNDS					
Acenaphthene	20	98	98	98	20
Acenaphthylene	100	100	100	107	NS ²
Anthracene	100	100	100	500	NS ²
Benzo(a)anthracene	1	1	1	1	NS ²
Benzo(a)pyrene	1	1	1	1	2.6
Benzo(b)fluoranthene	1	1	1	1.7	NS ²
Benzo(g,h,i)perylene	100	100	100	500	NS ²
Benzo(k)fluoranthene	0.8	1	1.7	1.7	NS ²
Chrysene	1	1	1	1	NS ²
Dibenz(a,h)anthracene	0.33	0.33	0.33	0.56	NS ²
Fluoranthene	100	100	100	500	NS ²
Fluorene	30	100	100	386	30
Indeno(1,2,3-cd)pyrene	0.5	0.5	0.5	5.6	NS ²

	Unrestricted	Residential	Restricted - Residential	Restricted - Commercial or Industrial	Ecological Limit For Sites Which Have Ecological Resources
m-Cresol(s)	0.33	0.33	0.33	0.33	NS ²
Naphthalene	12	12	12	12	NS ²
o-Cresol(s)	0.33	0.33	0.33	0.33	NS ²
p-Cresol(s)	0.33	0.33	0.33	0.33	NS ²
Pentachlorophenol	0.8	0.8	0.8	0.8	0.8
Phenanthrene	100	100	100	500	NS ²
Phenol	0.33	0.33	0.33	0.33	30
Pyrene	100	100	100	500	NS ²
VOLATILE ORGANIC COMPOUNDS					
1,1,1-Trichloroethane	0.68	0.68	0.68	0.68	NS ²
1,1-Dichloroethane	0.27	0.27	0.27	0.27	NS ²
1,1-Dichloroethene	0.33	0.33	0.33	0.33	NS ²
1,2-Dichlorobenzene	1.1	1.1	1.1	1.1	NS ²
1,2-Dichloroethane	0.02	0.02	0.02	0.02	10
1,2-Dichloroethene(cis)	0.25	0.25	0.25	0.25	NS ²
1,2-Dichloroethene(trans)	0.19	0.19	0.19	0.19	NS ²
1,3-Dichlorobenzene	2.4	2.4	2.4	2.4	NS ²
1,4-Dichlorobenzene	1.8	1.8	1.8	1.8	20
1,4-Dioxane	0.1	0.1	0.1	0.1	0.1
Acetone	0.05	0.05	0.05	0.05	2.2
Benzene	0.06	0.06	0.06	0.06	70
Butylbenzene	12	12	12	12	NS ²
Carbon tetrachloride	0.76	0.76	0.76	0.76	NS ²
Chlorobenzene	1.1	1.1	1.1	1.1	40
Chloroform	0.37	0.37	0.37	0.37	12
Ethylbenzene	1	1	1	1	NS ²
Hexachlorobenzene	0.33	0.33	1.2	3.2	NS ²
Methyl ethyl ketone	0.12	0.12	0.12	0.12	100
Methyl tert-butyl ether	0.93	0.93	0.93	0.93	NS ²
Methylene chloride	0.05	0.05	0.05	0.05	12
Propylbenzene-n	3.9	3.9	3.9	3.9	NS ²
Sec-Butylbenzene	11	11	11	11	NS ²
Tert-Butylbenzene	5.9	5.9	5.9	5.9	NS ²
Tetrachloroethene	1.3	1.3	1.3	1.3	2
Toluene	0.7	0.7	0.7	0.7	36
Trichloroethene	0.47	0.47	0.47	0.47	2
Trimethylbenzene-1,2,4	3.6	3.6	3.6	3.6	NS ²
Trimethylbenzene-1,3,5	8.4	8.4	8.4	8.4	NS ²
Vinyl chloride	0.02	0.02	0.02	0.02	NS ²
Xylene (mixed)	0.26	1.6	1.6	1.6	0.26

Footnotes:

- 1) The SCO for Hexavalent or Trivalent Chromium is considered to be met if the analysis for the total species of this contaminant is below the specific SCO for Hexavalent Chromium.
- 2) NS = Not Specified. Protection of ecological resources for SCOs were not developed for contaminants identified in the above table with "NS". Where such contaminants appear in the above table, the applicant may be required by the Department to calculate a protection of ecological resources SCO.

MONITORING PLAN

SECTION 3.0 - INTRODUCTION

The Monitoring Plan will include the necessary actions required to ready and maintain the site and for monitoring once remedial construction is complete. This Monitoring Plan will include a description of a long term environmental monitoring program, very specific information on all of the equipment and materials used in any monitoring systems, contingencies for emergencies, and reporting requirements.

SECTION 3.1 - MONITORING REQUIREMENTS

Annual monitoring will be performed on groundwater samples for a minimum period of 30 years or at reduced frequency and period as approved by NYSDEC. Groundwater monitoring will initially be conducted after the remediation has been completed and thereafter on an annual basis. Methods used will be consistent with NYSDEC requirements. The extent and frequency of the sampling and analysis will be evaluated with the NYSDEC periodically to determine if sampling points or analytes can be dropped from the monitoring program. The NYSDEC will be notified in advance of each sampling event and summary reports of the data will be submitted to NYSDEC for review. Annual summary reports will be submitted to the NYSDEC.

SECTION 3.2 - GROUNDWATER MONITORING

The groundwater monitoring system will be maintained and sampled during the post-remediation period as described above. The extent and frequency of the sampling and analysis will be evaluated by NYSDEC periodically to determine if the sampling points or analytes should be changed. The NYSDEC will detail changes as appropriate after reviewing the annual summary reports. The following are the proposed monitoring locations from which groundwater samples will be collected, unless otherwise revised by the NYSDEC based on the analytical results: groundwater monitoring wells are designated MW-1 and MW-2.

The specific sampling protocol to be used, including sample preservation techniques, QA/QC objectives, a description of chain-of-custody documentation, and analytical parameters are included in the Field Sampling Plan as presented in Appendix B. Groundwater sampling field log is presented in Figure 3-1. The locations of the monitoring wells are presented in Figure 3-2.

SECTION 3.3 - GROUNDWATER CONTAMINATION CONTINGENCY PLAN

The remediation of the site should significantly reduce the possible contamination of the surface and groundwater in the immediate area. Continued monitoring of wells will facilitate determining whether any contaminants are migrating off site.

Requirements for further analysis and reports to NYSDEC will be determined by the Department periodically, or as requested by the site owner. Requirements may be reduced or revised. If this sampling program determines that significant off-site migration of surface or groundwater contamination is occurring, then the potential threat to human health or the environment will be reassessed. Factors contributing to this reassessment include, but are not limited to:

1. Proximity of downgradient groundwater users
2. Distance to environmentally sensitive surface waters or wetlands
3. Evidence of environmental damage, including stressed vegetation, abnormal algal growth, and abnormally high number of fish deaths
4. Deterioration of surface or groundwater quality

If a potential threat is identified, then the following contingency plans can be implemented. According to the City of North Tonawanda, all downgradient water users are connected to the City water system. Subsequently, groundwater contamination issues associated with downgradient groundwater users are not a concern. However, if nearby groundwater monitoring wells are suspected to have been impacted, samples should be taken from the wells and analyzed for the same baseline parameters as the site monitoring wells. The recommended sampling and analytical methods will be followed. A written report should be submitted to the NYSDEC outlining the date, time, area sampled, type of sample, methods of sampling and analysis, the person who originated the concern for contamination, and any actions to be taken. If standards are not exceeded, the analysis should be repeated on a periodic basis. If contaminant levels exceed the standards, the following procedures should be followed:

1. Verify the results in question by additional sampling and analysis within eight weeks of the receipt of the original data and prepare a Field Investigation Program (FIP). Submit all information to NYSDEC.
2. If the above items indicate the need for further investigation (i.e., Part 703 groundwater standards are exceeded, or elevations of parameters significantly above ambient groundwater quality, whichever is higher), then additional remedial action should commence.

FIGURE 3-1

**STEARNS & WHEELER, LLC
GROUNDWATER FIELD SAMPLING RECORD**

SITE _____

DATE _____

Samplers: _____

SAMPLE ID _____

Depth of well (from top of casing)..... _____

Initial static water level (from top of casing).... _____

Evacuation Method:

Well Volume Calculation

Submersible _____ Centrifugal _____

2in. casing: _____ ft. of water x .16 = _____ gallons

Airlift _____ Pos. Displ. _____

3in. casing: _____ ft. of water x .36 = _____ gallons

Bailer _____ >>> No. of bails _____

4in. casing: _____ ft. of water x .65 = _____ gallons

Volume of water removed _____ gals.

> 3 volumes: yes no

dry: yes no

Field Tests: Sample Temp: _____ C / F
pH _____
Eh _____
Turbidity _____ NTU

Alkalinity (filtered) _____ ml _____ N acid
Alkalinity (unfiltered) _____ ml _____ N acid
Spec. Conductivity _____ umhos/cm

Sampling:

Time: _____

Sampling Method: Stainless Steel Bailer _____
Teflon Bailer _____
Pos. Disp. Pump _____
Other _____

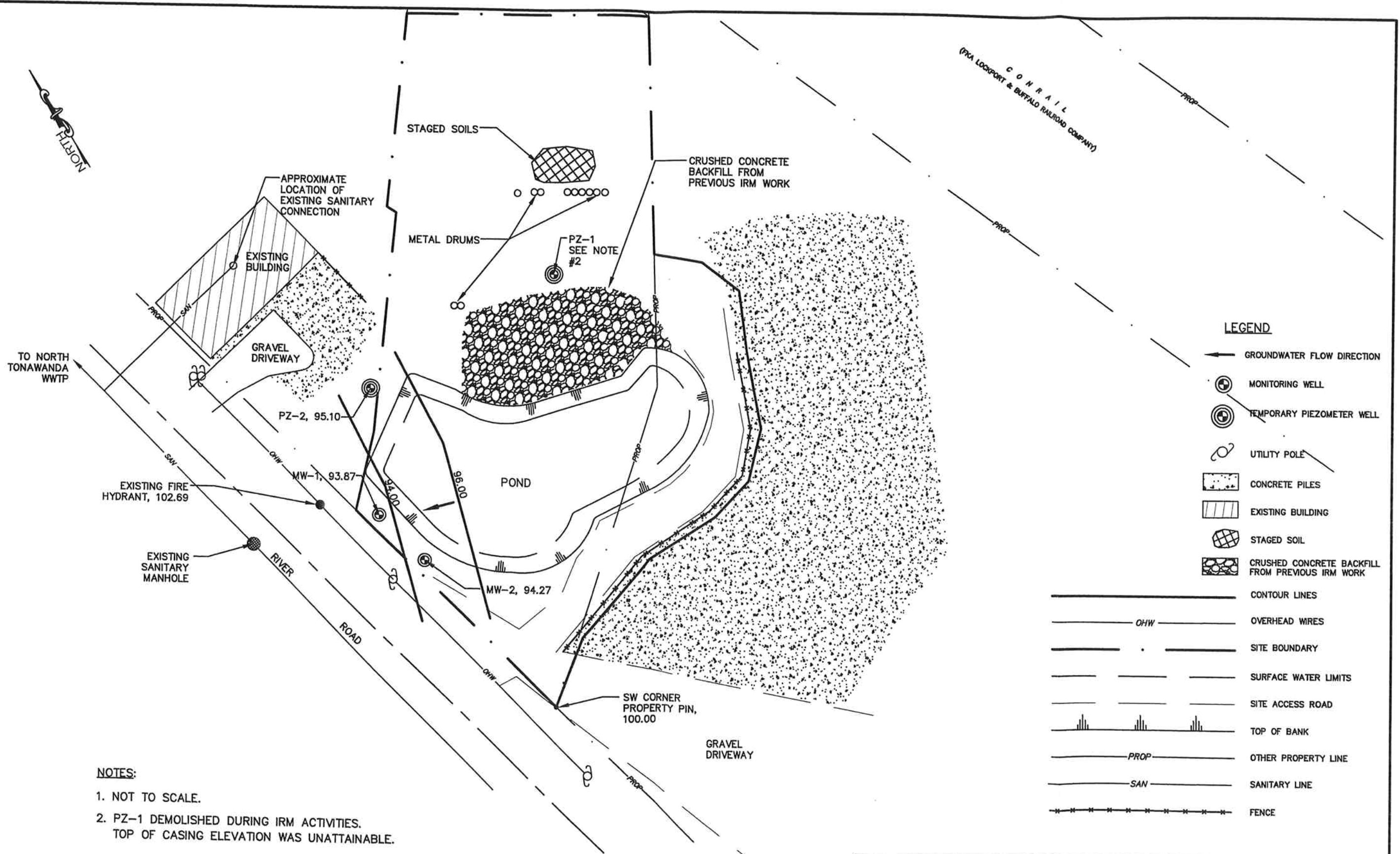
Analyses: Baseline _____
Routine _____
Other: _____

Observations:

Weather/Temperature: _____

Physical Appearance and Odor of Sample: _____

Comments: _____



LEGEND

	GROUNDWATER FLOW DIRECTION
	MONITORING WELL
	TEMPORARY PIEZOMETER WELL
	UTILITY POLE
	CONCRETE PILES
	EXISTING BUILDING
	STAGED SOIL
	CRUSHED CONCRETE BACKFILL FROM PREVIOUS IRM WORK
	CONTOUR LINES
	OVERHEAD WIRES
	SITE BOUNDARY
	SURFACE WATER LIMITS
	SITE ACCESS ROAD
	TOP OF BANK
	OTHER PROPERTY LINE
	SANITARY LINE
	FENCE

- NOTES:**
1. NOT TO SCALE.
 2. PZ-1 DEMOLISHED DURING IRM ACTIVITIES. TOP OF CASING ELEVATION WAS UNATTAINABLE.

Stearns & Wheeler, LLC
 Environmental Engineers and Scientists
 AMHERST, NEW YORK
 DATE:02/08 JOB No.:61259

815 RIVER ROAD SITE REMEDIATION
 NORTH TONAWANDA, NEW YORK

FIGURE 3-2
 GROUNDWATER FLOW

OPERATIONS AND MAINTENANCE PLAN

SECTION 4.0 - INTRODUCTION

The Operations and Maintenance (O&M) Plan will include the necessary actions required to ready and maintain the site for maintenance once remedial construction is complete. This O&M Plan will include a description of all manuals from the equipment manufacturers, maintenance requirements, contingencies for emergencies, and reporting requirements.

SECTION 4.1 - MAINTENANCE REQUIREMENTS

Once the site has been remediated, the City of North Tonawanda, or any subsequent owners, will be responsible for proper maintenance. The brownfield site will then be commercially zoned and readied for industrial development. Maintenance of the site is projected to continue for 30 years, but in time may be reduced with NYSDEC approval. Routine maintenance and inspection checks will be conducted on an annual basis. The post-remediation field inspection report as presented on Figure 4-1 should be completed each time the site inspection is performed. A record of the inspection should be maintained by the City. Once the site is developed, the future property owners will be responsible to maintain these requirements. An annual report will be filed with the NYSDEC that includes groundwater analytical test results, groundwater field sampling logs, and maintenance field inspection logs.

SECTION 4.1.1 - DRAINAGE

The drainage ditches will be checked for failure or obstructions. They will be maintained free of obstructions, damaged or failed sections will be repaired, and sediment build-up removed. Areas on site, which are consistently eroded by drainage will be repaired, and riprap or erosion control blankets will be placed on them.

SECTION 4.1.2 - COVER AND VEGETATION

Maintenance will include, but will not be limited to:

1. Maintain backfilled areas of the IRM removed impacted area. Periodic grading of surface materials is required to prevent surface water ponding. The proposed future use of the site is a concrete crushing/recycling facility. Site traffic may consist of heavy equipment and dump trucks that transports bulk concrete and crushed concrete products. Surface fill are expected to remain in a compact condition. If surface fill materials are inspected to be loose and not compact, then grading and compaction will be necessary.
2. Re-vegetating areas as needed; clearing of trees and brush at the boundary to limit infringement.
3. Repairing eroded or settled areas by adding soil and topsoil and then reseeding.

SECTION 4.1.3 - ACCESS CONTROL

Access control is to be maintained such that unauthorized entrance to the facility is prevented.

SECTION 4.2 - CONTINGENCY PLANS

The following contingency plans have been developed to address the potential problems associated with fires, vectors, dust, odor, adverse weather, accidents, illegal dumping, and groundwater contamination. It is anticipated that the potential for these problems will be minimal and use of the site will be limited. The intent of the contingency plan is to prepare for the worst-case scenario. A copy of this operations manual will be filed with the City Engineer such that it will be accessible to maintenance personnel.

SECTION 4.2.1 - FIRE CONTINGENCY PLAN

In the case of a fire, the City of North Tonawanda Fire Department should be contacted immediately. Table 4-1 lists the appropriate telephone number. The fire department has appropriate equipment and personnel to properly handle anticipated emergencies at the site. If necessary, local municipality-owned equipment, such as backhoes and bulldozers, could be used in emergencies.

Fire equipment would enter the site by the main access/entrance road. All unauthorized persons will be kept clear of the fire area. The Twin City Ambulance first aid squad and DeGraff Memorial Hospital could be utilized if medical assistance were needed. Details of the fire should be maintained with the City of North Tonawanda, including the source of the fire and any accident report forms. Photographs may be obtained, if practical.

TABLE 4-1

EMERGENCY TELEPHONE NUMBERS

CONTACT	TELEPHONE #
Mayor's Office	(716) 695-8540
City Engineer's Office	(716) 695-8565
NYSDEC Region 9 Office	(716) 851-7220
New York State Department of Health	(716) 847-4500
Fire, Police, Injury Emergency	911
City of North Tonawanda Fire Department Headquarters	(716) 693-2201
DeGraff Memorial Hospital	(716) 694-4500
Twin City Ambulance	(716) 692-2100
City Police Department Headquarters	(716) 692-2121
State Police Department	(716) 941-9300

SECTION 4.2.2 - DUST CONTROL CONTINGENCY PLAN

If a dust problem that is generated from the site, which causes complaints or presents potential for erosion of the cover material, the area of concern will be wetted down as needed.

SECTION 4.3 - SEVERE WEATHER CONDITIONS

The remediation of the site has been designed for adequate drainage and control of normal rain conditions. During severe weather conditions (intense rainstorm, hail, high winds, etc.), erosion may cause deteriorate in localized areas. After the occurrence of a severe storm, an inspection of the site should be conducted to check for erosion. In the event that areas of excessive erosion are found, actions should be taken to repair and return the damaged portion to its proper state.

SECTION 4.4 - ACCIDENT PROCEDURES

The remediation of the site should control access by unauthorized individuals. If an accident does occur, the following procedure should be followed:

1. Injury When Victim is Not Incapacitated. Authorized personnel who receive injuries that do not incapacitate them, such as minor burns, punctures and sprains, should be given first aid at the site when necessary. The victim should then be taken to the hospital emergency room for examination and treatment. The telephone number of DeGraff Memorial Hospital is included in Table 4-1. Unauthorized persons who receive injuries that are not incapacitating should not be given first aid at the site unless absolutely necessary for the well being of the victim. If possible, obtain all personal information about the victim for purposes of completing accident report forms. Instruct the individual to go to his or her doctor for examination and treatment and inform the police of the accident.
2. Serious Injury. First aid should be rendered only by individuals who have had first aid training, and they should give only that first aid which is necessary to prevent further harm to the accident victim. Seriously injured victims should not be moved unless they are endangered by their location. Be certain to notify the police and to obtain personal information about the accident victims in order to complete accident reports.
3. Procedures After An Accident. Proper authorities should perform a complete investigation of the accident, including occurrences, which may have led up to the accident. The investigation should take place as soon as possible. All witnesses to the accident and persons involved in the accident should be interviewed.

After the facts about the accident have been compiled, a determination of probable cause(s) of the accident should be made and a report should be filed with the City of North Tonawanda and, if appropriate, with their insurance carrier.

After a thorough investigation and determination of the causes, corrective steps should be taken so that the same type of accident will not reoccur. Corrective steps may include, but are not limited to, instruction of authorized personnel to be certain that proper safety precautions are being taken, and the elimination or repair of unsafe conditions.

SECTION 4.5 - ILLEGAL DUMPING

There is potential for illegal dumping of wastes at the site, which may or may not be hazardous wastes. In the case that illegal dumping is observed to be taking place or has already taken place, the following procedures should be observed:

1. Whoever observes such dumping shall report the incident to the NYSDEC and the City of North Tonawanda. The observer should take all possible care to:
 - a. Avoid exposure to the material dumped.
 - b. Observe the following: where the material was dumped; by whom (make note of vehicle and individuals' identifying characteristics); how much was dumped; whether containers were dumped and whether they appear sound or leaking; what the material looked like; and whether any smells were noticed. Such observations should only be made with extreme caution and with the utmost regard for safety.
 - c. The observer should not try to detain the vehicle alone, but should immediately inform the Region 9 NYSDEC and, if possible, ask the driver of the vehicle to remain at the dumping point to ensure adequate vehicle identification. If the driver attempts to leave the dumping point, the observer should make note of any identifying information.
2. The representative for the City of North Tonawanda should:

- a. Record all pertinent facts regarding the vehicle, including, but not limited to: name of hauler, license plate number, origin of the load (if known), any visible evidence of the identity of the waste substance, quantity and state of substance (solid or liquid), and whether it is contained or loose.
- b. Maintain careful records of personal service and other costs incurred as a result of the dumping incident, including, but not limited to, security costs in isolating the area, costs of removal (by contract or otherwise) of the suspect material, costs of intermediate or ultimate treatment and/or disposal, and any other pertinent costs.
- c. Notify NYSDEC Regional Solid Waste Engineer.
- d. Notify the Mayor of the City of North Tonawanda.
- e. Where radioactive or hazardous waste is suspected, notify the New York State Department of Health.
- f. Have experienced professionals determine whether or not material is hazardous. If it is not hazardous, have the material removed to a permitted waste disposal facility. If material is positively identified as hazardous, arrange for disposition according to NYSDEC procedures and in strict conformance with the requirements of 6 NYCRR Part 370-375 Series. If known, the responsible party for dumping the waste should be notified and made responsible for cleanup.

APPENDICES

APPENDIX A

Site Environmental Easement



STEARNS & WHEELER^{LLC}
Environmental Engineers & Scientists

ENGINEERING & LAND SURVEYING

WM. SCHUTT & ASSOCIATES, P.C.

37 CENTRAL AVE.
LANCASTER, NY 14086

WWW.WMSCHUTT.COM

PHONE: 716-683-5961
FAX: 716-683-0169



LEGAL DESCRIPTION
815 RIVER ROAD
CITY OF NORTH TONAWANDA
Reference: WSA survey file: A/07055/01

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of North Tonawanda, County of Niagara, State of New York, being part Lot Number 74 of the Mile Reserve, and more particularly bounded and described as follows:

BEGINNING at a point at the northwesterly corner of Lands acquired by New York State Department of Public Works for highway purposes for the River Road Arterial, as shown on Map 55 Parcel 55, said point also being on the northeasterly highway boundary of River Road (66.0 feet wide); thence northwesterly along the northeasterly highway boundary of River Road, a distance of 129.58 feet to a point at the southwest corner of lands conveyed from Kielan to Robinson as recorded in the Niagara County Clerk's Office under Liber 608 of Deeds at Page 218; thence northeasterly along the lands conveyed under Liber 608 of Deeds at Page 218 the following three (3) courses and distances:

- 1.) along a line forming an exterior angle of $58^{\circ}34'$ with the last mentioned course, a distance of 37.31 feet to an angle therein;
- 2.) thence continuing northeasterly along a line forming an interior angle of $187^{\circ}21'00''$ with the last mentioned course, a distance of 101.63 feet to an angle therein;
- 3.) thence northerly, along a line forming exterior angle of $117^{\circ}37'$ with the last mentioned course, a distance of 5.0 feet to a point on the northerly line of lands now or formerly of Matthew Kielan; thence northeasterly, along the lands now or formerly of Matthew Kielan, along a line forming an interior angle of $117^{\circ}29'12''$ with the last mentioned course, a distance of 164.66 feet to a point on the lands of Conrail (formerly Lockport & Buffalo Railroad Company); thence southerly, along the lands of Conrail, along a line forming an interior angle of $59^{\circ}42'31''$ with the last mentioned course a distance of 128.44 feet to a point on the southerly line of lands conveyed under Liber 3001 of Deeds at Page 342; thence southwesterly along the southerly line of lands conveyed under Liber 3001 of Deeds at Page 342 the following two (2) courses and distances:

- 1.) along a line forming an interior angle of $127^{\circ}31'15''$ with the last mentioned course, a distance of 170.91 feet to an angle therein;

2.) thence continuing southwesterly, along a line forming an interior angle of $161^{\circ}10'05''$ with the last mentioned course, a distance of 155.21 feet to the PLACE OR POINT OF BEGINNING.

Containing $0.857 \pm AC$.

Subject to any easements, rights-of-way, agreements, etc. of record.



CERTIFICATE OF TITLE

*First American Title Insurance Company
Of New York*

Title No.: 1118-NI-00004

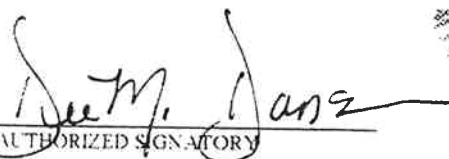
First American Title Insurance Company Of New York ("the Company") certifies that an examination of title to the premises described in Schedule A has been made in accordance with its usual procedure and agrees to issue its standard form of title insurance policy authorized by the Insurance Department of the State of New York, in the amount set forth herein, insuring the interest set forth herein, and the marketability thereof, in the premises described in Schedule A, after the closing of the transaction in conformance with the requirements and procedures approved by the Company and after the payment of the premium and fees associated herewith excepting (a) all loss or damage by reason of the estates, interests, defects, objections, liens, encumbrances and other matters set forth herein that are not disposed of to the satisfaction of the Company prior to such closing or issuance of the policy (b) any question or objection coming to the attention of the Company before the date of closing, or if there be no closing, before the issuance of the policy.

This Agreement to insure shall terminate (1) if the prospective insured, his or her attorney or agent makes any untrue statement with respect to any material fact or suppresses or fails to disclose any material fact or if any untrue answers are given to material inquiries by or in behalf of the Company; or (2) upon the issuance of title insurance in accordance herewith. In the event that this Certificate is endorsed and redated by an authorized representative of the Company after the closing of the transaction and payment of the premium and fees associated herewith, such "redated" Certificate shall serve as evidence of the title insurance issued until such time as a policy of title insurance is delivered to the insured. Any claim made under the redated Certificate shall be restricted to the conditions, stipulations and exclusions from coverage of the standard form of title insurance policy issued by the Company.

COUNTERSIGNED

*FIRST AMERICAN TITLE INSURANCE COMPANY
OF NEW YORK*




AUTHORIZED SIGNATORY

BY: 
PRESIDENT

Recertify _____

Dated: _____



First American Title Insurance Company of New York

Title No.: 1118-NI-00004

Effective Date: August 15, 2007 Date of Report: September 09, 2007

Proposed Insured: CITY OF NORTH TONAWANDA

Amount of Insurance:

Fee:	\$35,000.00
Mortgage:	\$
Other:	\$

THIS COMPANY CERTIFIES that a good and marketable title to the premises described in Schedule A, subject to the liens, encumbrances and other matters, if any, set forth in this certificate may be conveyed and/or mortgaged by:

PROPERTY ADDRESS: 815 RIVER ROAD, NORTH TONAWANDA, NY 14120

Source of Title: City of North Tonawanda by Treasurer's Deed from Leslie J. Stolzenfels, City Treasurer of the City of North Tonawanda, New York, dated October 15, 1999 and recorded March 2, 2000 in Liber 3001 of Deeds at page 342 inn the Niagara County Clerk's Office.



First American Title Insurance Company of New York

Title No.: 1118-NI-00004

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of North Tonawanda, Niagara County in the State of New York, and being part of Lot 74 of the Mile Reserve, bounded and described as follows:

BEGINNING at a point in the center line of River Road distant one hundred and two tenths (100.2) feet north of its intersection with the southeast line of Lot 74; thence northeasterly at an exterior angle of 118 49' a distance of one hundred ninety-three and four tenths (193.4) feet to an iron stake; thence continuing northeasterly turning a deflection angle of 17 05' to the north a distance of one hundred seventy-one and three tenths (171.3) feet to the west line of land conveyed to the Lockport and Buffalo Railway Company by deed recorded in Liber 179 of Deeds at page 366 on November 22, 1887, now owned by Penn Central Transportation Company; thence northwesterly along the southwest line of said railroad's land to a point on a line drawn parallel with the southeast line of Lot 74 and distant therefrom one hundred sixty-six and sixty-five hundredths (166.65) feet measured at right angles; thence southwesterly along said last described line to the center line of River Road; thence southerly along the center line of River Road to the point of beginning.

EXCEPTING therefrom that portion conveyed to Matthew J. Robinson by deed recorded in Liber 608 of Deeds at page 151 on November 23, 1934.

ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND, situate in the City of North Tonawanda, County of Niagara and State of New York, being part of Lot 74 of the Mile Reserve, bounded and described as follows:

BEGINNING at a point in the center line of River Road distant one hundred and two tenths (100.2) feet north of its intersection with the southeast line of Lot 74; thence northeasterly at an exterior angle of 118 49' a distance of one hundred ninety-three and four tenths (193.4) feet to an iron stake, thence continuing northeasterly turning a deflection angle of 17 05' to the north a distance of one hundred seventy-one and three tenths (171.3) feet to the west line of land conveyed to The Lockport and Buffalo Railway Company by deed recorded in Liber 179 of Deeds at page 366 on November 22, 1887, now owned by Penn Central Transportation Company; thence southeasterly along the southwest line of said railroad's land a distance of six and sixty-two hundredths (6.62) feet; thence southwesterly on a line parallel with the 2nd last described line a distance of one hundred seventy and sixteen hundredths (170.16) feet; thence continuing southwesterly on a straight line to a point in the east line of River Road where the first described line intersects the same.

SUBJECT to utility easements of record affecting said premises.



First American Title Insurance Company of New York

Title No.: 1118-NI-00004

More Commonly Known As: 815 River Road, North Tonawanda, New York
SBL# 181.12-1-19

FOR CONVEYANCE ONLY: The policy to be issued under this report will insure title to such buildings and improvements erected on the premises, which by law constitute real property. TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of adjoining said premises.



First American Title Insurance Company of New York

Title No.: 1118-NI-00004

SCHEDULE B - SECTION I

MATTERS TO BE DISPOSED OF ON OR BEFORE CLOSING

1. The following endorsement(s) are to be added to the final policy:
 - TIRSA Waiver of Arbitration-Owner (9/1/93)

 - TIRSA Market Value Policy Rider Endorsement (Owner's Policy - NYS Only)
 - 10%
 - Standard New York (1/1/07) Use with ALTA Owner's Policy (10/17/92)
2. Questions regarding this report should be directed to Dee Danson, title examiner at (716) 681-4855.
3. Proposed deed not provided at the time of this examination.
4. Except said survey is not certified to First American Title Insurance Company of New York or Rapid Title Services, Inc.
5. Returns, if any, of title search continuation since August 15, 2007 to date of closing.



First American Title Insurance Company of New York

Title No.: 1118-NI-00004

SCHEDULE B - SECTION II

EXCEPTIONS WHICH WILL APPEAR IN TITLE POLICY

1. All taxes not yet due or payable.
2. Future installments of special assessments for improvements, if any.
3. Any state of facts an inspection of the premises would disclose.
4. Rights of tenants or persons in possession, if any.
5. Rights and claims of parties in possession not shown of record.
6. Subject to the rights of others in and to that portion of the land lying within the lines of River Road.
7. Survey made by Wm. Schutt & Associates, P.C. dated March 26, 2007 shows premises as vacant land.
8. Said survey does not show any other violations of said restrictions and the above or any other violations of said restrictions would not cause a reversion or forfeiture of title.
9. Company assumes no liability unless and until the full premium for the insured amount, pursuant to TIRSA regulations, is paid.

CLOSING REQUIREMENTS

1. CLOSING DATE: In order to facilitate the closing of title, please notify the closing department at least 48 hours prior to the closing of the date and place of closing, so that searches may be continued.
2. PROOF OF IDENTIFY: Identify of all persons executing the papers delivered on the closing must be established to the satisfaction of the Company.
3. POWER OF ATTORNEY: If any of the closing instruments are to be executed pursuant to a Power of Attorney, a copy of such Power should be submitted to the Company prior to closing. THE IDENTIFY OF THE PRINCIPAL EXECUTING THE POWER AND THE CONTINUED EFFECTIVENESS OF THE POWER MUST BE ESTABLISHED TO THE SATISFACTION OF THE COMPANY. The Power must be in recordable form.
4. CLOSING INSTRUMENTS: If any of the closing instruments will be other than commonly used forms or contain unusual provisions, the closing can be simplified and expedited by furnishing the Company with copies of the proposed documents in advance of closing.
5. LIEN LAW CLAUSE: Deeds and mortgages must contain the covenant required by Section 13 of the Lien Law. The covenant is not required in deeds from referees or other persons appointed by a court for the sole purpose of selling property.
6. REFERENCE TO SURVEYS AND MAPS: Closing instruments should make no reference to surveys or maps unless such surveys or maps are on file.
7. INTERMEDIARY DEEDS: In the event an intermediary will come into title at closing other than the ultimate insured, the name of such party must be furnished to the Company in advance of closing so that appropriate searches can be made and relevant exceptions considered.

MISCELLANEOUS PROVISIONS

1. THIS CERTIFICATE IS INTENDED FOR LAWYERS ONLY. YOUR LAWYER SHOULD BE CONSULTED BEFORE TAKING ANY ACTION BASED UPON THE CONTENTS HEREOF.
2. THE COMPANY'S CLOSER MAY NOT ACT AS LEGAL ADVISOR FOR ANY OF THE PARTIES OR DRAW LEGAL INSTRUMENTS FOR THEM. THE CLOSER IS PERMITTED TO BE OF ASSISTANCE ONLY TO AN ATTORNEY.
3. If the insured contemplates making improvements to the property costing more than twenty per centum of the amount of insurance to be issued hereunder, we suggest that the amount of insurance be increased to cover the cost thereof; otherwise, in certain cases the insured will become a co-insurer.
4. Our policy will except from coverage any state of facts which an accurate survey might show, unless survey coverage is ordered. When such coverage is ordered, this certificate will set forth the specific survey exceptions which we will include in our policy. Whenever the word "trim" is used in any survey exceptions from coverage, it shall be deemed to include, roof cornices, mouldings, belt courses, water tables, keystones, pilasters, portico, balcony all of which project beyond the street line.
5. Our examination of the title includes a search for any unexpired financing statements which affect fixtures and which have been properly filed and indexed pursuant to the Uniform Commercial Code in the office of the recording officer of the county in which the real property lies. No search has been made for other financing statements because we do not insure title to personal property. We will on request, in connection with the issuance of a title insurance policy, prepare such search for an additional charge. Our liability in connection with such search is limited to \$1,000.00

This company must be notified immediately of the recording or the filing, after the date of this certificate, of any instrument and of the discharge or other disposition of any mortgage judgment, lien or any other matter set forth in this certificate and of any change in the transaction to be insured or the parties thereto. The continuation will not otherwise disclose the disposition of any lien.

7. If affirmative insurance is desired regarding any of the restrictive covenants with respect to new construction or alterations, please request such insurance in advance of closing as this request should not be considered at closing.
8. If it is discovered that there is additional property or an appurtenant easement for which insurance is desired, please contact the Company in advance of closing so that an appropriate title search may be made. In some cases, our rate manual provides for an additional charge for such insurance.

First American Title Insurance Company of New York

THE ALTA OWNER'S POLICY (10/17/92), WITH NEW YORK ENDORSEMENT (9/1/93), CONTAINS THE FOLLOWING INSURANCE COVERAGE AND EXCLUSIONS FROM COVERAGE.

OWNER'S COVERAGE

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, First American Title Insurance Company of New York, a New York Corporation, herein called the Company, insures, as Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land;
5. Any statutory lien for services, labor or materials furnished prior to the date hereof, and which has now gained or which may hereafter gain priority over the estate or interest of the insured as shown in Schedule A of this policy.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

EXCLUSIONS FROM OWNER'S COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out the transaction vesting in the insured the estate or interest insured by this policy, by reason of operation of federal bankruptcy, state insolvency similar creditors' rights laws that is based on: (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer, or (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure (a) to timely record the instrument of transfer, or (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

SPECIAL NEW YORK OWNER'S PROVISIONS

If the recording date of the instruments creating the insured interest is later than the policy date, such policy shall also cover intervening liens or encumbrances, except real estate taxes, assessments, water charges and sewer rents.

*First American Title Insurance Company
of New York*

SURVEY AFFIDAVIT

Title No. **1118-NI-00004**

Premises: 815 River Road, North Tonawanda, NY 14120

County: **Niagara**

Seller/Owner:

Borrower: **CITY OF NORTH TONAWANDA**

STATE OF NEW YORK)

COUNTY OF NIAGARA) SS.:

, currently residing at 815 River Road, North Tonawanda, NY 14120

being duly sworn deposes and says that (I) (we) are the owners of the premises which is fully described above. That we will be residing at 815 River Road, North Tonawanda, NY 14120

1. That there are no money Judgments, Federal Tax Liens, Mechanics Liens or Mortgages filed against us which are a lien on the property, except as listed in the Certificate of Title No. 1118-NI-00004. That we have not filed a Bankruptcy proceeding nor is there one pending in our names in any court.
2. That (I) (we) have been the owner(s) of the property described above for more than two (2) years.
3. That the property is improved and used exclusively as a residential structure for not more than four families and that there are no non-residential, commercial activities whatsoever conducted at the property.
4. That all the improvements which are now located on the property above have existed for two (2) years or more.
5. That during our ownership there have been no suits, administrative hearings or Court proceedings involving the property; nor are there now nor have (I) (we) ever been advised of any private disputes with any party including the owners of any of the properties which abut (my) (our) property, where the size of the property, the location of its boundaries or the placement of any of the improvements have been questioned; there are no persons who have in the past or who are now claiming any rights to use any portion of (my) (our) property for any purpose whatsoever by claim of ownership hostile to (me) (us), or by any easement to use or cross the property.
6. That this affidavit is being given to induce First American Title Insurance Company of New York to issue its policy of title insurance and to accept a (mortgage on) (deed to) the property knowing that they are relying upon the truth of the statements made by (me) (us) in this affidavit. That the statements made herein are based upon actual knowledge of the facts.

Subscribed and sworn to before me on

Notary Public



First American Title Insurance Company of New York

Title No.: 1118-NI-00004

OPTIONAL MARKET VALUE POLICY RIDER AVAILABLE

The following is only applicable to the purchase of a one or two family dwelling, or as a residential condominium or cooperative unit, where the purchaser is a natural person.

Chapter 502 of the Laws of 1982 (Insurance Law Section 440, Subdivision 5, Effective 9/11/82) **REQUIRES** that title companies offer, at or prior to closing, an optional policy rider to cover the homeowner for the future market value of his home. The insured may, therefore, elect to obtain protection in excess of the purchase price for an additional premium.

A. I choose to accept the Market Value Policy Rider.

_____ day of _____, 20____

Owner

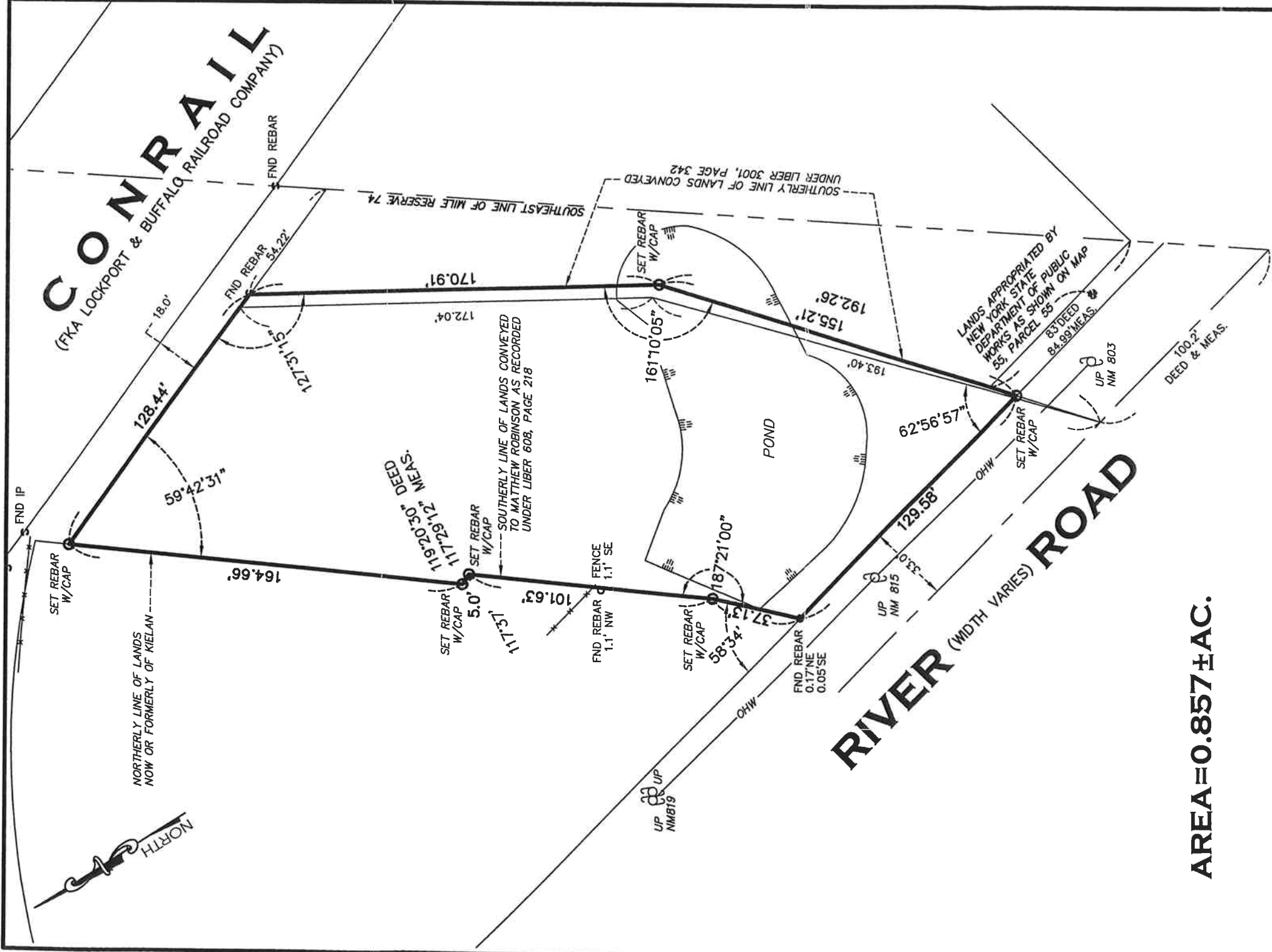
Owner

B. I do not wish to accept the Market Value Policy Rider for future increased market value and elect to waive the offer for such additional coverage.

_____ day of _____, 20____

Owner

Owner



AREA = 0.857 ± AC.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL AND SIGNATURE SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP-TO-DATE ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

PART OF LOT: MILE RESERVE 74		SECT:	TWP:	RGE:	BLK:
MAP COVER:		SUB LOT:			
LOCATED IN: CITY OF NORTH TONAWANDA, COUNTY OF NIAGARA, STATE OF NEW YORK					

DATE	DRAWING REVISIONS
07/19/07	MONUMENTED PROPERTY CORNERS

WARNING:
 UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. © COPYRIGHT 2008 WM.SCHLUTT & ASSOCIATES
 SCALE: 1"=50' DATE: 03/26/07 SURVEY FILE: A/07055/01

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LAND SURVEYING
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 SUSTAINING MEMBER - THE NEW YORK STATE SOCIETY OF PROFESSIONAL ENGINEERS

[Handwritten Signature]

APPENDIX B

Field Sampling Plan

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FIELD SAMPLING PLAN**

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815 RIVER ROAD SITE FIELD SAMPLING PLAN

1.0 SAMPLING OBJECTIVES

The objective of the field sampling plan is to provide required groundwater and soil sampling protocols and analytical testing methodologies. As stated in Section 2 - Soil Management Plan and under specific circumstances, excavated soil will require sampling and testing.

2.0 SAMPLE LOCATION AND FREQUENCY

Table 1 and Table 2 summarize the soil and groundwater sampling. QA/QC protocols are presented on Table 3.

3.0 SAMPLE DESIGNATION

All sampling locations of a particular matrix type (surface water, groundwater, soil, sludge) will be given a unique sample designation. The sample designation consists of matrix type, location, site name, date and time of sampling. Sample matrices are identified by a short alphanumeric prefix to the sample location number. A list of prefixes for various matrices is shown below:

- SS - Soil Sample
- GW - Groundwater
- SW - Surface water
- CSS - Confirmatory Soil
- SW - Soil Waste Characterization

All sample bottles will be labeled individually. Each label will identify the site name, depth, matrix and sample location (i.e., MW-1, SS-1) and date and time of sample collection. Chain-of-custody forms and field log book entries should refer to each sample in the same manner. No two samples will carry the same sample designation.

4.0 SAMPLING EQUIPMENT AND PROCEDURES

Decontamination. The following materials and procedures should be used to decontaminate all equipment that will come in contact with sample media. Wherever possible, dedicated or disposable sampling equipment is used to eliminate the need for decontamination and further reduce the possibility of cross contamination between samples.

Materials

- Five gallon jug with pour spout, potable water source
- Five gallon bucket - washtub
- Tall, kitchen-style garbage can lined with clean garbage bag - clean equipment holder/dryer
- Small Rubbermaid storage box - small parts washtub
- Alconox
- Bottle brushes - 24" or more
- Bristle scrub brush
- Pesticide - grade methanol or hexane
- Deionized water
- PVC gloves
- Pipe wrench
- Paper towels
- Aluminum foil
- Goggles

Procedure

1. Wash non-dedicated/disposable equipment in alconox and water; rinse and wipe dry.
2. Rinse with tap water; be sure to rinse hands (collect rinse solution in wash bucket).
3. Rinse with deionized water; air dry.

Groundwater Sampling by Bailer. Table 4 is a list of equipment needed for sampling monitoring wells using bailers. All the listed equipment may not be needed if the sampling effort is limited in scope, but the general procedures should be followed in all situations. The protocol is designed to provide representative samples while minimizing the chances for cross contamination between sampling points. Disposable or dedicated bailers should be used. In addition, sampling shall proceed from the least likely to the most likely contaminated locations.

Bailer Sampling Procedure.

A. Preparation

1. Review sampling plan, project QAPP, and HSP.
2. Order sample bottles from laboratory.
3. Notify interested parties (regulators, client) of sampling event.
4. Receive bottles. Check for proper bottles and chain-of-custody information.
5. Assemble and check necessary equipment (personal protection equipment, rope, bailers, field instruments, notebook).

B. Sampling

1. Identify the well and record the location in the field book. If the well is poorly marked, remark protective cover using paint or indelible marker.
2. Clean and calibrate all meters, tools, equipment, etc. before use.
3. Put on a new pair of disposable PVC gloves.
4. Cut a slit in the center of the plastic sheet and slip it over the well, creating a clean surface onto which the sampling equipment can be positioned.
5. Do not kick, transfer, drop or in any way let soils or other materials fall onto this plastic sheet unless it comes from inside the well.
6. Clean the well cap with a clean towel; remove the well cap, and plug, placing both on the plastic sheet. Do not use petroleum products or aerosol lubricants to free.
7. Using an electric water level indicator, measure the depth to the water table to the nearest 0.01 foot. If free-phase product is present, use an oil-water interface probe or a clear bottom-valve bailer to determine the thickness of the free product. Record this information in the field book. No sampling will be required if free product is present.
8. Clean the well depth probe and rinse it with deionized water after use. Table 4 illustrates capacities of various diameter wells (2-inch wells = .164 gal/ft; 4-inch wells = .651 gal/ft).
9. Compute the volume of water in the well and record this volume in the field book.
10. Attach enough polypropylene rope to a bailer to reach the bottom of the well and lower the bailer slowly into the well, making certain to submerge it only far enough to fill it one-half full. The purpose of this is to recover any oil film if one is present on the water table.
11. Pull the bailer out of the well, keeping the polypropylene rope on the plastic sheet. Empty the groundwater from the bailer into a clean glass quart container and observe its

appearance. Note: This sample will not undergo laboratory analysis and is collected to observe the physical appearance of the groundwater only.

12. Record the physical appearance of the groundwater in the field book.
13. Initiate bailing the well from the top of the water column, making certain to keep the polypropylene rope on the plastic sheet. All groundwater should be dumped from the bailer into a graduated pail to measure the quantity of water removed from the well. The purged water should be drummed for proper disposal.
14. Continue bailing the well until a sufficient volume of groundwater in the well has been removed or until the well is bailed dry. If the well appears to be going dry (small amount of water in the bailer) let the well recover and sample. Avoid letting the well go completely dry because cascading of the water into the well may alter analytical results, particularly volatiles. If the well is bailed dry, allow sufficient time for the well to recover before proceeding with Step 19. Record this information on the groundwater field sampling record.
15. Remove the sampling bottles from their transport containers and prepare the bottles for receiving samples. Inspect all labels to insure proper sample identification. Be sure labeling is complete before filling containers. Sample bottles should be kept cool with their caps on until they are ready to receive samples. Arrange the sampling containers to allow for convenient filling. Always fill the containers for volatile organic compounds first. Filter appropriate samples.
16. Record time sampling begins, and note the interval between bailing (purging) and sampling. To ensure comparable samples, maintain same interval between well evacuation and sampling.
17. To minimize agitation of the water and obtain a sample fresh from the surrounding formation, initiate sampling by lowering the bailer slowly into the well, making certain to submerge it only far enough to fill it completely. Fill sample bottles and return each to its proper transport container. Keep samples on ice. If required, seal each container with chain-of-custody seals.
18. If the sample bottles cannot be filled quickly, keep them cool with the caps on until they are filled. The vials (3) labeled *Purgeable Priority Pollutant Analysis* should be filled from one bailer, then securely capped.
19. After the last sample has been collected, record the date and time and empty one bailer of water from the surface of the water in the well into a beaker and measure the record the pH, Eh, conductivity, dissolved oxygen, turbidity, and temperature of the groundwater following the procedures outlined in the equipment operation manuals. Record this information in the

field book or sampling sheet. The beaker must then be rinsed with distilled water prior to reuse.

20. Begin the chain-of-custody record (Figure 1). A separate entry is required for each well with the required analysis listed individually.
21. If a duplicate sample is required at a well, record in the field book or on the sampling sheet where the sample was collected, the date, and time. Do not record the location or time of duplicate collection on the chain of custody. It is appropriate to record the date, well number, and time of matrix spike and matrix spike duplicate samples on the chain of custody. These are internal lab QA/QC requirements.
22. Replace the well cap and lock the well protection assembly before leaving the well location.
23. Place the polypropylene rope and disposable bailer, gloves, rags and plastic sheeting into a plastic bag for disposal.

Soil Sampling. Table 4 is a list of equipment needed for soil sampling. All the listed equipment may not be needed if the sampling effort is limited in scope, but the general procedures should be followed in all situations. The protocol is designed to provide representative samples while minimizing the chances for cross contamination between sampling points. If possible, sampling should proceed from the least likely to the most likely contaminated locations.

Soil Sampling Procedure

A. Preparation

1. Review sampling plan and project QAPP;
2. Order sample bottles from laboratory;
3. Notify interested parties (regulators, client) of sampling event;
4. Receive bottles. Check for proper bottles and chain-of-custody information;
5. Assemble and check necessary equipment (personal protection equipment, rope, bailers, field instruments, notebook).

B. Sampling

1. Grid the site map with number codes in two perpendicular directions. Mark the sampling locations with stakes. Ensure equipment is decontaminated and calibrated before use
2. Identify the sampling point and record the location in the field book;
3. Put on a new pair of disposable PVC gloves;
4. If surface or shallow samples are taken, a stainless steel spatula or a shovel can be used;

5. If volatiles are the contaminant of concern, composite samples should not be collected. For volatile samples, quickly pack soil into vials, wipe the rim, screw the septum cap snug, and keep on ice;
6. Record PID readings at each location;
7. Decontaminate equipment before next sample site.

5.0 SAMPLE HANDLING AND ANALYSIS

The following sections describe what to do with samples once they have been collected. Examples of paperwork are attached for reference.

Packaging. Samples processed for ASP protocols must be packaged for shipment in accordance with current U.S. Department of Transportation (DOT) regulations. All required government and commercial carrier shipping papers must be filled out. Information can be obtained from the carrier (i.e., Federal Express) before field sampling begins. The following checklist should be followed regardless of transport method:

1. Samples will be transported in metal ice chests or sturdy plastic coolers (cardboard or styrofoam containers are unacceptable);
2. Remove previously used labels, tape and postage from cooler;
3. Coolers should have a permanent identification number affixed to the outside walls/lid;
4. Affix return address label to cooler;
5. Check to see that all sample bottles are tightly capped;
6. Be sure all bottle labels are completed;
7. While packing cooler, fill out chain-of-custody form;
8. Wrap sample bottles in bubble pack and place in cooler;
9. Pack bottles with extra bubble pack, vermiculite, or styrofoam "peanuts". Be sure to pack trip blank if applicable;
10. Keep samples refrigerated in cooler with bagged ice or frozen cold packs. Do not use ice for packing material; melting will cause bottle contact and possible breakage;
11. Separate sampler's copy of chain-of-custody and keep with field notes;
12. Tape paperwork (COC, manifest, return address) in zip-lock bag to inside cooler lid;
13. Close cooler and apply signed and dated custody seal in such a way that the seal must be broken to open cooler;

14. Securely close cooler lid with packing or duct tape. Be sure to tape latches and drain plugs in closed position.

Shipping. Because holding times are very important for accurate laboratory analyses, it is imperative that samples arrive at the lab as soon as possible following sampling. All samples must be hand delivered on the same day as sampling or sent via overnight mail. When using a commercial carrier, follow the steps below:

1. Securely package samples and complete paperwork;
2. Complete air bill for commercial carrier (air bills can be partially completed in office prior to sampling to avoid omissions in field). If necessary, insure packages;
3. Keep customer copy of air bill with field notes and chain-of-custody form;
4. When coolers have been released to transporter, call receiving laboratory and give information regarding samplers' names, method of shipment, cooler identification numbers, and expected time of arrival;
5. Call lab on day following shipment to be sure all samples arrived intact. If bottles are broken, locations can be determined from chain of custody and re-sampled.

TABLE 1

SOIL SAMPLING AND ANALYSIS

SAMPLE DESIGNATION	SAMPLE QUANTITY	SAMPLE TYPE ⁽³⁾	ANALYSIS ^{(1) (2)}
Excavated Soil for Off-site Removal and Disposal <u>with</u> Visual Evidence of Contamination	1 composite sample for every 100 CY stockpiled (composite sample from 5 grabs)	Soil	pH (EPA Method 9045C), TCL SVOCs.
Excavated Soil for Off-site Removal and Disposal <u>with</u> Visual Evidence of Contamination	1 grab sample at highest PID reading from 5 composite sample locations	Soil	TCL VOCs
Excavated Soil for Off-site Removal and Disposal <u>without</u> Visual Evidence of Contamination	1 composite sample for every 2,000 CY stockpiled	Soil	pH (EPA Method 9045C), TCL SVOCs.
Virgin Soil for Subgrade Use	1 composite sample per source	Soil	TCL VOCs, SVOCs, pesticides, PCBs, TAL Metals
Virgin Soil for Subgrade Use	1 composite sample for every 500 CY for the first 1,000 CY 1 composite sample for every 2,500 CY thereafter	Soil	TCL VOCs, SVOCs, pesticides, PCBs, TAL Metals

- (1) Confirmatory soil analytical testing requires Laboratory Approval Program (NYSDOH-ELAP) certified laboratory in accordance with NYSDEC Analytical Services Protocol (ASP-Category B)
- (2) NYS Certified Laboratory, Standard TCL Services
- (3) All composite sampling represents sampling from 5 locations from the sampling media.
- (4) Analytical testing characterizing wastes for disposal will vary depending on the specific disposal facility.

TABLE 2

GROUNDWATER SAMPLING AND ANALYSIS

DESIGNATION	WELL DEPTH (FEET)	WELL SCREEN LENGTH	SAMPLE TYPE	ANALYSIS
Groundwater ^{(1) (2) (3)} MW-1 MW-2	12 12	5 5	Grab Grab	TCL VOCs EPA Method 8260 TCL VOCs EPA Method 8260

- (1) Groundwater sampling frequency will be on an annual basis as part of the site Operation and Maintenance or according to an alternate schedule as approved by the NYSDEC. Sampling of groundwater will not take place until the site has been remediated.
- (2) Field parameters will be collected to include temperature, Dissolved Oxygen (DO), pH, and conductivity/Eh.
- (3) Groundwater analytical testing requires Laboratory Approval Program (NYSDOH-ELAP) certified laboratory in accordance with NYSDEC Analytical Services Protocol (ASP-Category B)

TABLE 3

ANALYTICAL QA/QC REQUIREMENTS

MATRIX	NO. OF SAMPLING POINTS	FIELD QC NO. OF SAMPLES	LAB QC NO. OF SAMPLES	ANALYSIS
Groundwater ⁽¹⁾	5	1 field duplicate	1 trip blank	ASP Category B TCL VOCs EPA Method 8260
Excavated Soil for off-site disposal ⁽¹⁾	1	1 field duplicate		pH (EPA Method 9045C), TCL SVOCs

(1) Laboratory Approval Program (NYSDOH-ELAP) certified laboratory in accordance with NYSDEC Analytical Services Protocol (ASP-Category B)

(2) NYS Certified Laboratory, Standard TCL Services

TABLE 4
EQUIPMENT FOR SAMPLING

	Field notebook, pencil, ballpoint and marker
	Data sheets
	Microcassette recorder (for quick and creative note-taking)
	Spare microcassettes and batteries
	Map of well locations
	Keys for wells; graphite lubricate for locks
	Photoionization meter or explosimeter/with calibration gases
	Water level gauge and spare battery
	Tape measure
	Interface probe (for wells with pure product)
	Paper towels/rags/oil sorbent pads
	YSI and flow-through cell
	Spare batteries, if necessary
	Beakers, stirrers, wash bottle, Chem-wipes
	Nitrile gloves (size 9-10) and glove inserts (cold weather)
	Surgical gloves
	Rope (polypropylene)
	Clear plastic bailer (if you expect oil)
	Bailers and bottom emptying tubes
	Buckets (calibrated in gallons or liters)
	Containers for purged water
	Sponges
	Garbage bags
	Plastic sheet
	Stopwatch or watch that indicates seconds
	Chain-of-custody and other forms
	Sample containers (bring 20 percent more than needed), all sealed, clean, and labeled
	Trip blanks and spiked samples for volatile samples
	Filter apparatus, filters
	Chest or six-pack cooler, ice, and maximum/minimum thermometer

SOIL SAMPLING AND ANALYSIS

	Decontamination vessel
	Washwater (1-1/2 gallons per well)
	Alconox detergent solution
	Deionized water (1-1/2 gallons per well)
	Garden spray cans for wash fluids
	Tyvek suits
	Gloves, boots, respirator
	Raingear or warm clothing
	Camera and film
	Toolbox, including hacksaw
	Knife
	Pipe wrenches (at least two). What size might you need?
	Flashlight
	Calculator
	Bug off spray (contains volatile organics - beware!)
	ID card or business card
	Money
	Booklet, "How to Sample Groundwater and Soils"
	Bolt cutters

Chain Of Custody Record

Client:		Client Project # / Project Name										Special Turnaround																											
Client Contact:		Site Location (city/state)		Matrix		Grab or Comp.		ULL Internal Use Only		No. of Containers		Time		(Lab Notification required)		Remarks																							
Sample Location:		Date		Time		Matrix		Grab or Comp.		ULL Internal Use Only		1)		2)		3)		4)		5)		6)		7)		8)		9)		10)									
parameter and method		sample bottle:		type		size		pres.		Sampled by: (Please Print)										ULL Internal Use Only Delivery (check one):		Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date		Date	
1)										Company:										<input type="checkbox"/> ULL Sampled		Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			
2)																				<input type="checkbox"/> Pickup		Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			
3)																				<input type="checkbox"/> Dropoff		Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			
4)																				<input type="checkbox"/> CC		Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			
5)																						Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			
6)																						Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			
7)																						Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			
8)																						Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			
9)																						Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			
10)																						Received by: (Signature)		Time		Date		Date		Date		Date		Date		Date			

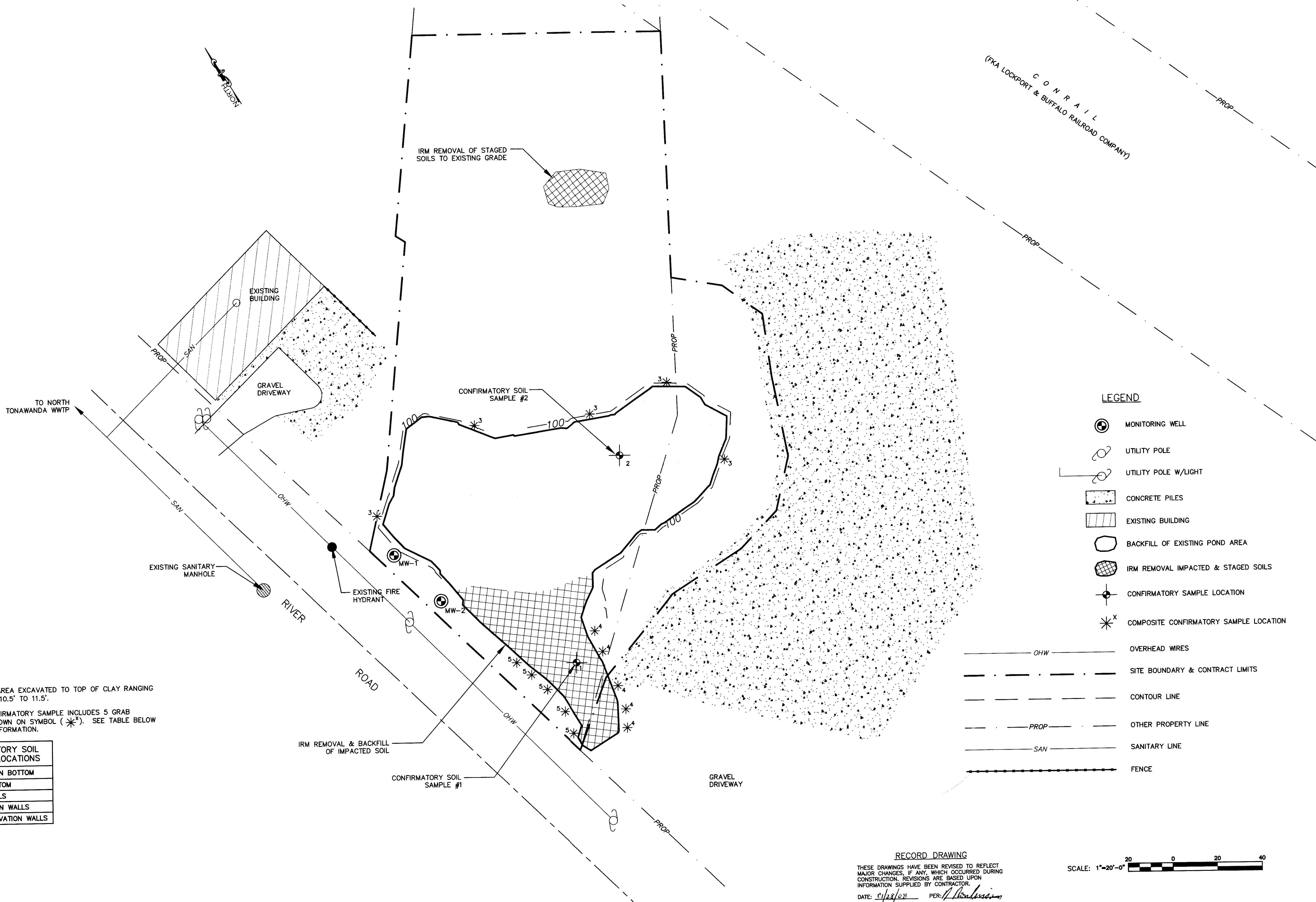
Note: The numbered columns above cross-reference with the numbered columns in the upper right-hand corner.

APPENDIX C

Site Record Drawing



STEARNS & WHEELER ^{US}
Environmental Engineers & Scientists



C O N T R A I L
(FKA LOCKPORT & BUFFALO RAILROAD COMPANY)
-PROP-

LEGEND

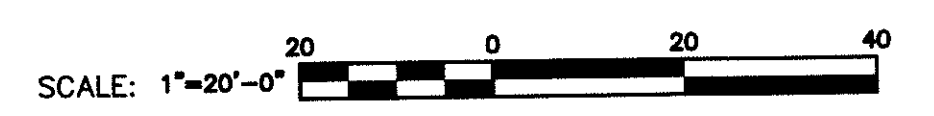
- MONITORING WELL
- UTILITY POLE
- UTILITY POLE W/LIGHT
- CONCRETE PILES
- EXISTING BUILDING
- BACKFILL OF EXISTING POND AREA
- IRM REMOVAL IMPACTED & STAGED SOILS
- CONFIRMATORY SAMPLE LOCATION
- COMPOSITE CONFIRMATORY SAMPLE LOCATION
- OVERHEAD WIRES
- SITE BOUNDARY & CONTRACT LIMITS
- CONTOUR LINE
- OTHER PROPERTY LINE
- SANITARY LINE
- FENCE

NOTES:

1. IMPACTED SOIL AREA EXCAVATED TO TOP OF CLAY RANGING IN DEPTH FROM 10.5' TO 11.5'.
2. COMPOSITE CONFIRMATORY SAMPLE INCLUDES 5 GRAB SAMPLES AS SHOWN ON SYMBOL (*^x). SEE TABLE BELOW FOR FURTHER INFORMATION.

CONFIRMATORY SOIL SAMPLES LOCATIONS	
1	EXCAVATION BOTTOM
2	POND BOTTOM
3	POND WALLS
4	EXCAVATION WALLS
5	ROW EXCAVATION WALLS

RECORD DRAWING
THESE DRAWINGS HAVE BEEN REVISED TO REFLECT MAJOR CHANGES, IF ANY, WHICH OCCURRED DURING CONSTRUCTION. REVISIONS ARE BASED UPON INFORMATION SUPPLIED BY CONTRACTOR.
DATE: 5/22/07 PER: [Signature]



24.01.2008 BRAN DOYLE
A:\60000\81258\SO\DRAWINGS\RECORD DWGS\GEN\G-1.DWG

NOTES:
Underground facilities, structures, and utilities have been plotted from available surveys and records, and therefore their locations must be considered approximate only. There may be others, the existence of which is presently not known.
It is a violation of New York State Education Law for any person, unless acting under the direction of a licensed professional engineer, to alter an item on this drawing in any way. If an item is altered, the altering engineer shall affix to the item his/her seal and the notation "altered by" followed by his/her signature and the date of such alteration, and a specific description of the alteration.

3						7				
2	RECORD DRAWINGS					6				
	BPD 02/08			DER						
1	FOR APPROVAL					5				
	BPD 08/07			BPD						
ISSUE NO.	DRAWN	DATE	CHECKED	DESIGNER	APPROVED	DATE	4			
	PROJECT SUPERVISOR			DEPARTMENT SUPERVISOR						
ISSUE NO.	DRAWN	DATE	CHECKED	DESIGNER	APPROVED	DATE				

Stearns & Wheler, LLC
Environmental Engineers and Scientists
AMHERST, NEW YORK

CITY OF NORTH TONAWANDA			
815 RIVER ROAD SITE REMEDIATION			
SITE PLAN RECORD DRAWING			
JOB NO.	61259	CONTRACT	1
SHEET	G-1		