



**CONESTOGA-ROVERS
& ASSOCIATES**

285 Delaware Avenue, Suite 500
Buffalo, NY 14202
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<http://www.craworld.com>

August 21, 2008

Reference No. 051484

Mr. David S. Szymanski
New York State Department of
Environmental Conservation
270 Michigan Avenue
Buffalo, NY 14203



Dear Mr. Szymanski:

Re: Revised Annual Soil Management Certification
NYSDEC Site ID V00625-9
Buffalo Brake Beam
Lackawanna, New York

Conestoga-Rovers & Associates (CRA) has completed an inspection of the engineering controls in place at the above-referenced Site on behalf of the current Site owner, FCSM, Inc. The inspection was completed on April 7, 2008.

Site cover materials have been maintained in accordance with the Soil Management Plan in Areas 1, 2, 3, and 4 as identified on the attached Site drawing. No construction activities have occurred in these areas which would have resulted in excavation and management of impacted soils. Consequently, no sampling has been required to date.

Area 5 corresponds to that portion of the property potentially contaminated with transformer oil. The Soil Management Plan states:

"In the event that the transformers are removed or the building is demolished, the stone and soil from the floor as noted in Survey Drawing 4751-404 must be sampled and managed in accordance with this plan."

The transformers were removed by the former property owner, Rigel Enterprises, as a condition of the sale of the property to FCSM, Inc. CRA is unable to certify whether management of Site soils from this location was conducted in accordance with the Soil Management Plan.

CRA submitted an Annual Certification Report to the New York State Department of Environmental Conservation (NYSDEC) dated June 2, 2008. The NYSDEC disapproved the Report and requested that current data for Area 5 be submitted in a revised Annual Report.

At the request of NYSDEC, CRA collected one parent soil sample and one blind duplicate soil sample from Area 5 on August 11, 2008. The samples were submitted to IsleChem, LLC of Grand Island, New York and analyzed for polychlorinated biphenyls (PCBs). A copy of the analytical report is attached to this letter. The concentrations are below the 6 NYCRR Part 375 Restricted Use – Industrial Soil Cleanup Objective for PCBs.

Equal
Employment Opportunity
Employer

REGISTERED COMPANY FOR
ISO 9001
ENGINEERING DESIGN



**CONESTOGA-ROVERS
& ASSOCIATES**

August 21, 2008

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Reference No. 051484

Please contact me if you have any questions regarding this correspondence.

Yours truly,

CONESTOGA-ROVERS & ASSOCIATES

Katherine B. Galanti
Project Manager

KBG/CMB/jac/051484-Szymanski-002

Encl.

cc: J. Pohlman, Esq.
F. Pericozzi, FCSM, Inc.

Annual Certification of Institutional/Engineering Controls
at Voluntary Clean-Up Program Site

Site Number: V00625-9
Site Name: Buffalo Brake Beam
Site Address: 400 Ingham Avenue
Lackawanna, NY 14218

County: Erie County
City/Town: Lackawanna
Property ID: (from Tax Assessment Map)

Section: 141.68 Block: 1 Lot(s): 22

I, Robert G. Adams, P.E., 285 Delaware Avenue, Suite 500, Buffalo, New York, as a duly authorized representative, of the property(ies) listed above which are located wholly or partially within the boundaries of the Voluntary Cleanup Site named above; do certify that the engineering and/or institutional controls, as specified in the Restrictive Covenant for the Voluntary Cleanup Site are in-place and functioning as designed within the property(ies) listed above with the following exception:

The transformers in Area 5, that area potentially contaminated with transformer oil residuals, were removed by the previous property owner as a condition of the sale of the property to FCSM, Inc. CRA is unable to certify whether sampling and management of Site soils from this location were conducted in accordance with the Soil Management Plan.

At the request of NYSDEC, CRA collected one parent soil sample and one blind duplicate soil sample from Area 5 on August 11, 2008. The samples were submitted to IsleChem, LLC of Grand Island, New York and analyzed for polychlorinated biphenyls (PCBs). The concentrations are below the 6 NYCRR Part 375 Restricted Use – Industrial Soil Cleanup Objective for PCBs.

Signature: Robert G. Adams
August 21, 2008





SCHOOL ST.

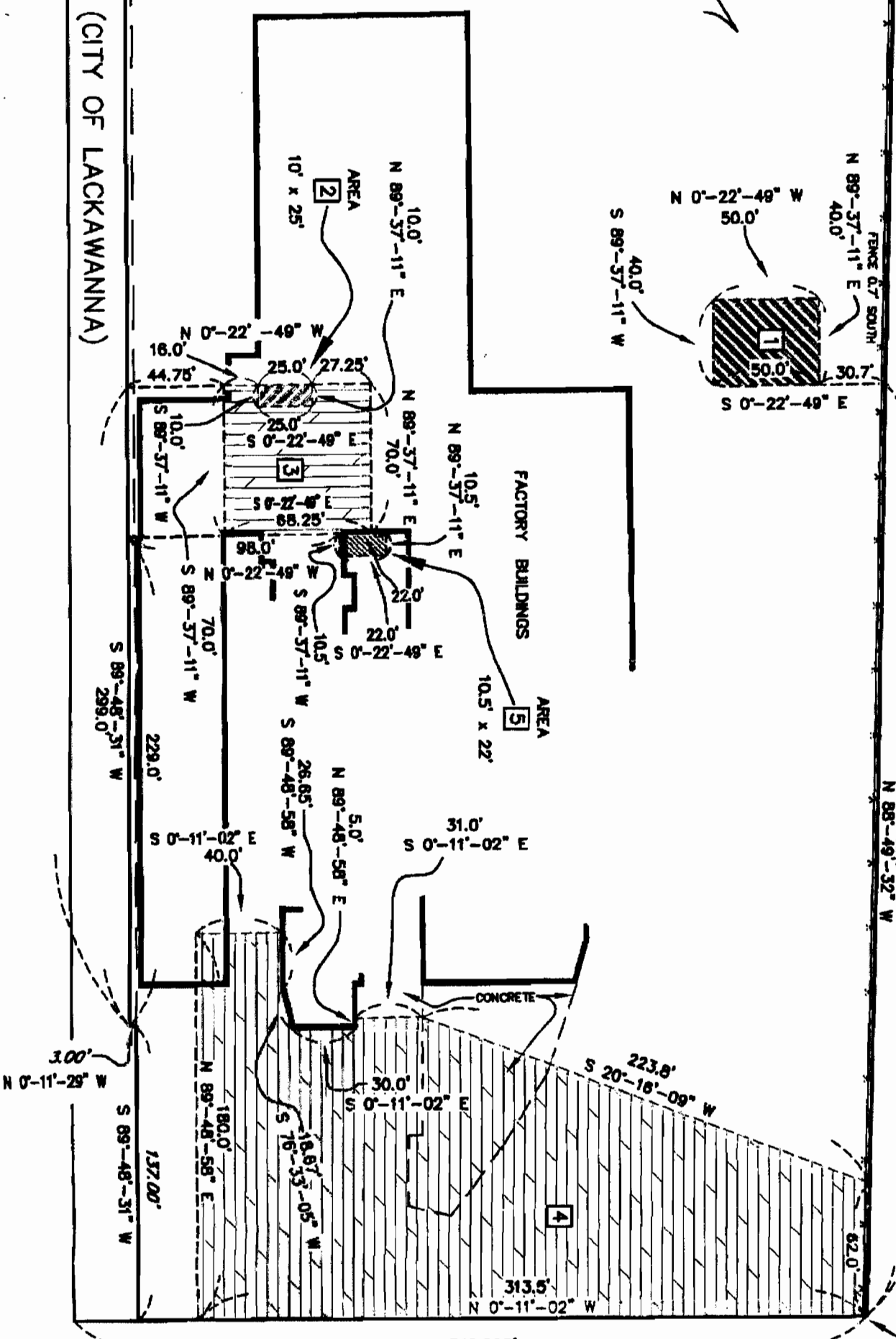
INGHAM ST.

LANDS OF
BUFFALO BRAKE
BEAM COMPANY

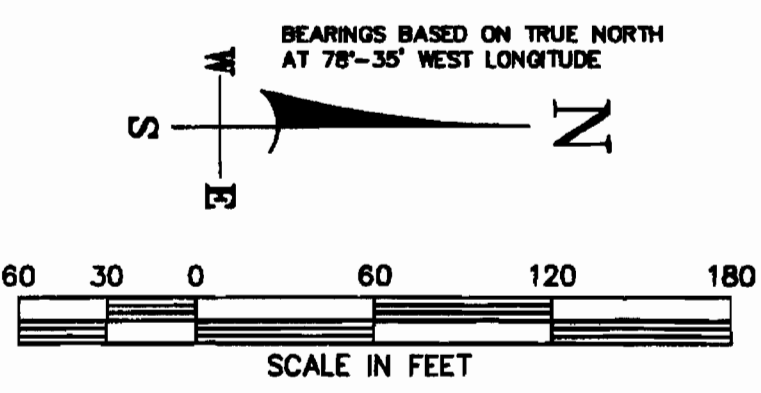
ALLEY (CITY OF LACKAWANNA)

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW. PRINTS OR COPIES CHECKED BY THE UNDERSIGNED SURVEYOR REGARDING THE ABOVE SHALL BEAR THE SURVEYOR'S EMBOSSED SEAL IN ADDITION TO THE PRINTED SEAL SHOWN HERE.

- NOTES**
- 1) PROPERTY LINES DEPICTED HEREON ARE BASED ON SURVEY MONUMENTATION FOUND IN APPROPRIATE COMPLIANCE WITH A SURVEY MAP OF BUFFALO BRAKE BEAM CO. PROPERTY BY TGA ENGINEERING, SURVEYING, P.C. JOB NO. 972310 DATED JUNE 23, 1997. NO INDEPENDENT DEED RESEARCH OR TITLE INTERPRETATION WAS UNDERTAKEN IN THE PRODUCTION OF THIS MAP. DIMENSIONS HEREON IN WALLS ARE TGA SURVEY DIMENSIONS NOT NECESSARILY CONFIRMED. EXISTING CORNER MONUMENTATION RECOVERED IS NOT SHOWN ON THIS MAP. COMMENTS OF CONTAMINATED AREAS WERE NOT MONUMENTED. THE ONLY PHYSICAL FEATURES (BUILDINGS, FENCES, ETC.) SHOWN ARE THOSE PERTINENT TO IDENTIFICATION OF CONTAMINATED AREAS.
 - 2) CONTAMINATED AREAS IDENTIFIED BY STERLING ENVIRONMENTAL SERVICES, INC. ARE SHOWN HEREON AS LOCATED ON THE GROUND IN ACCORDANCE WITH FIELD NOTES, REPORT INFORMATION, DRAWING B0889P-01 AND OTHER INFORMATION SUPPLIED BY STERLING.
 - 3) THE STATE PLANE COORDINATE (NY WEST ZONE - NAD 1983, GEOD99 - U.S. SURVEY FOOT) LISTED HEREON AT THE N.E. PROPERTY CORNER IS BASED ON THE USE OF ASHTACH PROGRAM 2 (SINGLE FREQUENCY LI C/A CODE) GLOBAL POSITIONING SYSTEM (GPS) RECEIVERS IN CONJUNCTION WITH THE CONTINUOUSLY OPERATING REFERENCE STATION (CORS) DATA FOR STATION "BTRY" (N 1,048,297.86 E 1,065,973.66 - EPOCH DATE 2002.00) AS DISTRIBUTED ON THE NOAA WEBSITE.



KLETTKE LAND SURVEYORS, P.C.	
NEAL R. KLETTKE L.S. 048505 - MATTHEW F. KLETTKE L.S. 050034	
2470 STOELTING ST. (BERGHOLZ), NIAGARA FALLS, NEW YORK, 14304 (716)731-5613	
MAP OF PART OF LOT - 22, TWP. - 10, R. - 8 BUFFALO CREEK RESERVATION	
LOCATION	CITY OF LACKAWANNA, ERIE COUNTY, NEW YORK
DATE	APRIL 5, 2004
SCALE	1" = 60'
OWNER	BUFFALO BRAKE BEAM CO.
REQUESTED BY	WAYNE K. CAMERON, STERLING ENVIRONMENTAL SERVICES, INC.
JOB No.	4751-404



- 1 [Hatched pattern] AREA CONTAMINATED WITH LEAD PAINT RESIDUALS (0 TO 2 DEPTH)
- 2 [Diagonal lines /] AREA CONTAMINATED WITH GASOLINE SPILL RESIDUALS (4' TO 10' DEPTH)
- 3 [Diagonal lines \] AREA POTENTIALLY CONTAMINATED WITH GASOLINE SPILL RESIDUALS
- 4 [Horizontal lines] AREA POTENTIALLY CONTAMINATED WITH FUEL OIL RESIDUALS
- 5 [Vertical lines] AREA POTENTIALLY CONTAMINATED WITH TRANSFORMER OIL RESIDUALS
- [Dashed line] = EXISTING BUILDING WALL LINES

IsleChem, LLC Analysis Report

Project: Soil Samples Analysis for PCB's

Client: Kathy Galanti
Conestoga-Rovers & Associates

Buffalo Brake Beam

2055 Niagara Falls Blvd. - Suite 3

Niagara Falls, NY 14304

Report Date: Tuesday, August 12, 2008

Phase:

Report ID: NY808079.0.12735

Batch: --

PO# / Release# /

Contact

Reference #: 051484

Kathy Galanti

Sample Date: Monday, August 11, 2008

Authorized Signature:

Sample Time: 8:00:00 AM



Richard V. Finn, Manager of Chemical Testing

Report Status: Final

The following result table is for 2 samples received by IsleChem LLC on 08/11/2008 submitted by Client
Also enclosed is the paperwork submitted with the samples.

Notes:

Sample ID	Lab ID / Vessel	Location / Description	Analyte	Results	Units	Analyst	Date
1	73077 / 148771	S-51484-081108-001 / Grab - Soil					

IsleChem LLC

2801 Long Road, Grand Island NY 14072

Tel: (716) 773-8614

Project: NY808079.0.12735

Visit us on the web at www.islechem.com

Sample ID **Lab ID / Vessel** **Location / Description**
1 73077 / 148771 S-51484-081108-001 / Grab - Soil

Analyte Group / Method	Analyte	Results	Units	Analyst	Date
Polychlorinated Biphenyls EPA 8082	PCB-1016	<0.1	mg/kg	FB	8/11/2008
	PCB-1221	<0.1	mg/kg	FB	8/11/2008
	PCB-1232	<0.1	mg/kg	FB	8/11/2008
	PCB-1242	<0.1	mg/kg	FB	8/11/2008
	PCB-1248	<0.1	mg/kg	FB	8/11/2008
	PCB-1254	0.72	mg/kg	FB	8/11/2008
	PCB-1260	0.16	mg/kg	FB	8/11/2008

Surrogate Recovery - PCB's
EPA 8082

Decachlorobiphenyl (DCB)	84.5	%	FB	8/11/2008
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end of Lab ID number 73077

Sample ID **Lab ID / Vessel** **Location / Description**
 2 73078 / 148772 S-51484-081108-002 / Grab - Soil

<u>Analyte Group / Method</u>	<u>Analyte</u>	<u>Results</u>	<u>Units</u>	<u>Analyst</u>	<u>Date</u>
Polychlorinated Biphenyls EPA 8082	PCB-1016	<0.2	mg/kg	FB	8/11/2008
	PCB-1221	<0.2	mg/kg	FB	8/11/2008
	PCB-1232	<0.2	mg/kg	FB	8/11/2008
	PCB-1242	<0.2	mg/kg	FB	8/11/2008
	PCB-1248	<0.2	mg/kg	FB	8/11/2008
	PCB-1254	1.33	mg/kg	FB	8/11/2008
	PCB-1260	0.59	mg/kg	FB	8/11/2008

Surrogate Recovery - PCB's
 EPA 8082

Decachlorobiphenyl (DCB)	118	%	FB	8/11/2008
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end of Lab ID number 73078

Sample ID	Lab ID / Vessel	Location / Description	Analyst	Date
3	73079 / DUP	Lab Duplicate / Duplicate - Soil		
Analyte Group / Method	Analyte	Results	Units	
Polychlorinated Biphenyls				
EPA 8082	PCB-1016	<0.1	mg/kg	8/11/2008
	PCB-1221	<0.1	mg/kg	8/11/2008
	PCB-1232	<0.1	mg/kg	8/11/2008
	PCB-1242	<0.1	mg/kg	8/11/2008
	PCB-1248	<0.1	mg/kg	8/11/2008
	PCB-1254	0.90	mg/kg	8/11/2008
	PCB-1260	0.46	mg/kg	8/11/2008
Surrogate Recovery - PCB's				
EPA 8082	Decachlorobiphenyl (DCB)	85.7	%	8/11/2008

end of Lab ID number 73079

Sample ID	Lab ID / Vessel	Location / Description	Results	Units	Analyst	Date
4	73080 / BLK	Method Blank / Method Blank - Soil				
Analyte Group / Method						
Polychlorinated Biphenyls						
EPA 8082		PCB-1016	<0.01	mg/kg	FB	8/11/2008
		PCB-1221	<0.01	mg/kg	FB	8/11/2008
		PCB-1232	<0.01	mg/kg	FB	8/11/2008
		PCB-1242	<0.01	mg/kg	FB	8/11/2008
		PCB-1248	<0.01	mg/kg	FB	8/11/2008
		PCB-1254	<0.01	mg/kg	FB	8/11/2008
		PCB-1260	<0.01	mg/kg	FB	8/11/2008
Surrogate Recovery - PCB's						
EPA 8082		Decachlorobiphenyl (DCB)	70	%	FB	8/11/2008

end of Lab ID number 73080

Sample ID Lab ID / Vessel Location / Description
5 73081 / LCS Lab Control Sample / Lab Control Sample - Soil

Analyte Group / Method	Analyte	Results	Units	Analyst	Date
Polychlorinated Biphenyls EPA 8082	PCB-1016	<0.01	mg/kg	FB	8/11/2008
	PCB-1221	<0.01	mg/kg	FB	8/11/2008
	PCB-1232	<0.01	mg/kg	FB	8/11/2008
	PCB-1242	<0.01	mg/kg	FB	8/11/2008
	PCB-1248	<0.01	mg/kg	FB	8/11/2008
	PCB-1254	<0.01	mg/kg	FB	8/11/2008
	PCB-1260	0.029	mg/kg	FB	8/11/2008

Spike - PCBs
EPA 8082 Aroclor - 1260 **87.5** % FB 8/11/2008

Surrogate Recovery - PCB's
EPA 8082 Decachlorobiphenyl (DCB) **77.7** % FB 8/11/2008

end of Lab ID number 73081

General Disclaimer

•The test results are submitted pursuant to IsleChem LLC's current terms and conditions of sale, including the company's standard warranty and limitation of liability provisions. No responsibility or liability is assumed for the manner in which the results are used or interpreted.

•This report is issued for the benefit of and may be relied upon by the client named above. The client bears full responsibility for deciding the level of testing for sample submitted to IsleChem LLC.

•These results pertain only to the items tested.

•This report shall not be reproduced except in full.

•If the sample(s) represented by these test results were not collected by IsleChem LLC then the test results are limited to the reported values determine by the analytical testing process. IsleChem LLC makes no representation regarding the sample's collection technique, condition, volume, homogeneity or any other aspect of the sample(s) prior to IsleChem LLC taking possession of the sample(s) and the influence it may have on the results.

•Unless notified in writing to return the samples covered by this report IsleChem LLC will store what remains of the sample(s), if anything, for a period of 60 days before discarding, unless otherwise required by law. A shipping and handling fee will be charged for the return of any sample(s).

•Certain analytes may not be covered by the NYS DOH or NELAP fields of accreditation. Results for those analytes are generated by the cited method using QA/QC guidelines from IsleChem's Quality Control Manual, where applicable.

The test results in this report meet all NELAP requirements for parameters that are within IsleChem's field of accreditation. Any exceptions to NELAP requirements are noted in the comments field.

IsleChem, LLC
2801 Long Road
Grand Island
New York 14072
Tel: (716) 773-8614
Fax: (716) 773-8517

IsleChem LLC

2801 Long Road, Grand Island NY 14072

Tel: (716) 773-8614

NYS DOH ELAP ID# 11862

Project: NY808079.0.12735

Visit us on the web at www.islechem.com

CHAIN-OF-CUSTODY / Analytical Request Document

The Chain-of-Custody is a LEGAL DOCUMENT. All relevant fields must be completed accurately.

NY 808079

PAGE 1 OF 1

Required Client Information:

Company: **CPA** Report To: **KATHY GALANTI**

Address: **285 DELAWARE** Copy To:

SUITE 500 Invoice To:

BUFFALO NY 14202 P.O.:

Phone: **716 856-2142** Project Name: **BRONX BRIDGE BEACH**

Fax: **716 856-2160** Project Number: **051484**

E-mail: **KGALANTI@CPAWORLD.COM**

Laboratory: **ISLE CHEM**

Laboratory Location: **GRAND ISLAND NY**

Laboratory Contact: **LAH HALL** TAT: **24-HR**

Requested Due Date: **8/12/08**

QA/QC Requirements:

ID # **N: 00340**

SSOW Ref. Code:

Analysis and Method

Sample Identification:	Matrix Code	Date Collected	Time Collected	# Containers	Unpreserved	Preservative					Remarks/Lab ID
						HCl	H2SO4	HNO3	NaOH	Other:	
1. S-51484-081108-001	SO	8/11/08	08:00	1	X						148771
2. S-51484-081108-002	SO	8/11/08	08:00	1	X						148772
3.											
4.											
5.											
6.											
7.											
8.											
9.											
10.											
11.											
12.											
13.											
14.											
15.											

TOTAL NUMBER OF CONTAINERS

SHIPMENT METHOD: **DELIVER** NO. OF COOLERS: **CHRISTOPHER BANTON** RELINQUISHED BY / AFFILIATION: **CHRISTOPHER BANTON**

AIRBILL NO. **8/11/08 10:25** RECEIVED BY / AFFILIATION: **CHRISTOPHER BANTON** DATE: **8/11/08** TIME: **10:25**

Sample Condition

Temp in C	Y/N
Received on Ice	Y/N
Sealed Cooler	Y/N
Samples Intact	Y/N

Additional Comments:

Sampler Name: **KATHY GALANTI** Date: **8/11/08**

Sampler Signature: *[Signature]*