

THE WEST FIRM

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May 21, 2007

By Electronic and First-Class Mail

Mr. Jamie Ascher
New York State Department of Environmental Conservation
Region 1 Office
Building 40 – SUNY
Stony Brook, NY 11790-2356

**Re: Records Search Report
F. A. Bartlett Tree Expert Company - Index # W1-1091-06-08
Site #1-30-074**

Dear Mr. Ascher:

We submit this Records Search Report pursuant to paragraph 1 of the Order on Consent (the "Order") for the above-referenced Site, effective April 20, 2007. This report meets the requirements of Exhibit F attached to the Order, detailing all relevant environmental data and information regarding environmental conditions at the Site in the possession or control of F. A. Bartlett Tree Expert Company ("Bartlett") or its agents or consultants.

Records Search Report

1. Environmental data and information regarding environmental conditions at the site.

The following environmental data and information have been obtained from Environmental Data Resources, Inc., 440 Wheelers Farms Road, Milford, Connecticut 06461, pursuant to a request for information regarding the site and surrounding area:

- Available federal, state, local and tribal database records on the target property (site) or within the requested search radius around the target property.
- Copies of Sanborn fire insurance maps dated 1903, 1910, 1920, 1929, 1941 and 1968.

- Historical topographic maps dated 1900, 1903, 1918, 1947, 1955, 1967, 1979 and 1994.
- Historical aerial photographs dated 1953, 1966, 1974, 1980 and 1994.

The following environmental data has been obtained from the Preliminary Site Assessment (April 1998) and sampling analysis performed by Chem-Bac Laboratories (May 1987):

- Soil Sampling Results
Dvirka and Bartilucci Preliminary Site Assessment (April 1998)
Volatile, Semi-Volatile and Inorganic Constituents
Pesticides, PCBs and Herbicides
- Groundwater Sampling Results
Dvirka and Bartilucci Preliminary Site Assessment (April 1998)
Pesticides, PCBs and Herbicides
Volatile, Semi-Volatile and Inorganic Constituents
- Cistern Water Sampling Results
Chem-Bac Laboratories (May 1987)
Pesticide Components

2. List all existing relevant reports on the Site and areas immediately surrounding the site.

- **Preliminary Site Assessment Bartlett Tree Company (with separately bound Supplemental Documents), Dvirka and Bartilucci, April 1998**

The preliminary site assessment was commenced in November 1996 by a contractor for the New York State Department of Environmental Conservation ("NYSDEC") in order to determine if a potential source of soil and/or groundwater contamination existed at the site. Five groundwater samples (one upgradient, one in the location of the dry well, and three downgradient) were taken on site. Soil samples from directly beneath the dry well were tested. An existing monitoring well on adjacent property at 333 Union Avenue was also tested.

Chemical analysis of the soil and groundwater included pesticides, PCBs, herbicides and volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and inorganic compounds.

Pesticides were detected in excess of TAGM 4046 recommended soil cleanup objectives in effect at the time for unrestricted use (RSCOs) throughout the entire soil column beneath the dry well. The herbicides 2, 4, 5-TP (Silvex) and Dicamba were

detected; Silvex did not exceed its RSCO. No RSCO was established for Dicamba. No PCBs were detected. VOCs (primarily benzene, ethylbenzene and xylene) and SVOCs (naphthalene, 2-methylnaphthelene and various PAHs) were also found in levels exceeding RSCOs. Inorganic constituents found in excess of RSCOs included arsenic, beryllium, copper, iron and zinc. No site-specific information regarding background levels of these inorganic constituents has been identified.

Groundwater samples collected from directly beneath the dry well contained elevated levels of pesticides, although the analytical results may reflect elevated levels of adsorbed phase constituents in turbid samples more than dissolved concentrations. No pesticides were detected in the downgradient samples. Two pesticides were detected in one upgradient sample. The VOCs ethylbenzene and total xylenes were detected above standards in groundwater samples collected directly beneath the dry well.

The chlorinated solvents tetrachloroethene (PCE), cis & trans 1,2-dichloroethene (DCE) and trichloroethene (TCE) were detected in groundwater. DCE and TCE were found in the deeper groundwater samples (62') from both upgradient and downgradient locations, but not in the sample from directly beneath the dry well. The Dvirka and Bartilucci Preliminary Site Assessment report concluded that this finding suggests two off-site sources (plumes) for DCE and TCE. PCE was detected in the shallower upgradient sample at 180 ppb and in the deeper upgradient sample at 6 ppb. Low levels of PCE were also detected in the samples from directly beneath the dry well, but not in the downgradient samples. Dvirka and Bartilucci concluded that this finding suggests an off-site source for PCE also. No significant levels of SVOCs or inorganics were detected.

- **Remedial Design Work Plan, 123 Post Ave. Site 1-30-088, Dvirka and Bartilucci, December 2005**

The Remedial Design Work Plan was prepared to address off-site groundwater contamination migrating from an active dry cleaning facility at 123 Post Avenue, within ½ mile of the Bartlett site.

- **Phase I Environmental Site Assessment, 117 Post Avenue, Roux Associates Inc., date unknown**

This assessment was performed on behalf of Westbury Senior Living, LLC. This report identifies the Bartlett Site as one of approximately 14 sites identified through a government records database search of properties of environmental concern within a one-mile radius of the site at 117 Post Ave. The report concludes that it is unknown if the Bartlett facility may pose a threat to the site at 117 Post Ave.

- **Groundwater Investigation, 117 Post Avenue, Apex Environmental, October 1997**

This investigation involved the installation of seven monitoring wells to determine the environmental quality and flow direction of the local groundwater. Results indicated the presence of PCE at levels exceeding the USEPA and NYSDEC drinking water regulations and maximum contaminant levels. Organochlorine pesticides and chlorinated herbicides were not detected in any of the monitoring wells. The report concludes that the dry cleaner at 123 Post Avenue is the likely source of the PCE contamination.

3. Summary of Information with respect to:

- **History and description of the site, including nature of the operation**

The site has been occupied by Bartlett, a nationwide tree care company, since the mid-1950s. A small strip of land running the length of the western border of the property was purchased by Bartlett in about 1995. The property is narrow and elongated and totals approximately 0.4 acres.

The ground surface is paved. There are four buildings on the site including the office, a garage, an enclosed storage shed, and an open shed. There is a former dry well on the property that was allegedly used for disposal of plant health care materials until sometime prior to 1983.

Two Sanborn fire insurance maps, dated 1929 and 1941, show the site as occupied by E. J. Christ (or C. Christ) Wagon Works & Auto Repairs. Structures shown on the maps include a paint shop, machine shop, and auto repair shop.

- **The types, quantities, physical state, locations, methods, and dates of disposal or release of hazardous waste at or emanating from the Site**

According to the Dvirka and Bartilucci Preliminary Site Assessment report, an anonymous caller to the DEC in April 1990 alleged that pesticides and herbicides, including malathion, DDT, Sevin, chlordane and lead spray for fruit trees were placed into the former cistern or dry well located in the northern portion of the site until sometime prior to 1983, at which time the dry well was abandoned. In 1987, representatives of Bartlett investigated the dry well and found two empty, crushed containers of Sevin.

In the 1960s and 1970s excess (unused) pesticide spray solutions were typically re-tankered and used for applications on the following day. Since the early 1980s, pesticide and herbicide spray solutions have been prepared in truck-mounted tanks in quantities

only as large as needed for immediate, individual applications. Thus, no unused spray solution is left over to be disposed. Empty, plastic pesticide containers are triple rinsed, bagged and stored on site pending recycling as plastic. Rinse water is placed in spray tanks for mixing with new spray solutions.

Vehicle maintenance is performed on site by a contractor who takes waste oils off site for appropriate disposal.

- **A description of current site security**

The facility is occupied by Bartlett employees during normal business hours. The facility is accessed from Union Avenue via two driveways located on either side of the Bartlett office building. A chainlink fence extends along the western and northern property boundaries.

Small amounts of plant health care materials are stored in a locked, fire proof structure located midway along the eastern side of the facility, adjacent to the garage. This storage structure has a concrete floor and meets or exceeds all relevant state and federal regulations for the storage of such materials. Granular fertilizers and chainsaw bar oil are also stored in the pesticide storage structure.

Plant health care vehicles are parked in a locked garage on the ground floor of the office building near the facility entrances on Union Avenue.

The former dry well is filled with sand and secured with a heavy, cast iron manhole cover.

- **The names and addresses of all persons responsible for the disposal of hazardous waste, including the dates of such disposal and any proof linking each such person responsible with the hazardous wastes identified.**

No information was identified in the records search. Bartlett is unaware of other information regarding persons responsible for any alleged on-site disposal activities.

If you have any questions, please call.

Very truly yours,

A handwritten signature in cursive script that reads "Elizabeth Dailey McManus". There is a small mark below the signature that appears to be "vop".

Elizabeth Dailey McManus

cc: F.A. Bartlett Tree Expert Company
Gary Litwin, NYSDOH, Bureau of Environmental Exposure Investigation, Troy, NY
Michael Peters, Esq.
Rosalie Rusinko, Esq.
Robert Stewart, NYSDEC, Division of Environmental Remediation, Stony Brook, NY
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Date: 5/21/2007 11:34:55 AM
Subject: Records Search Report, Bartlett Tree site

Attached is the Records Search Report for the F. A. Bartlett Tree Expert Company site (Index W1-1091-06-08), prepared pursuant to paragraph 1 of the Order on Consent. This report meets the requirements of paragraph 1 and Exhibit F of the Order and is timely submitted within 30 days of the effective date of the Order. A hard copy is being sent to each of you today via first class mail.

If you have any questions, please feel free to contact me. Thank you.

Vicki Schlierer

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