
2022 PERIODIC REVIEW REPORT

**DUPONT-STAUFFER LANDFILL
NYSDEC Site No. 336009
700 South Street & 121 Pierces Road
Newburgh, New York 12550**

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**7 March 2023
190037501**

LANGAN

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1.0 INTRODUCTION

1.1 General

This Periodic Review Report (PRR) for the 2022 certification year (February 7, 2022 through February 7, 2023) was prepared by Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) for the DuPont-Stauffer Landfill Site in accordance with the New York State Department of Environmental Conservation (NYSDEC)-approved Site Management Plan (SMP), dated November 2016, and Section 6.3 of NYSDEC Division of Environmental Remediation (DER)-10. The site was remediated under the New York State Inactive Hazardous Waste Disposal Site Remedial Program, which is administered by NYSDEC. A periodic review of all institutional and engineering controls (IC/EC) and a site evaluation are requirements of the SMP.

E.I. DuPont de Nemours and Company, Bayer CropScience, Inc. (successor by merger to Stauffer Chemical Company [BCSI]), and Stauffer Management Company, LLC (SMC) executed an Order on Consent (Index Number W3-0988-02-04) on August 9, 2005, with the NYSDEC to remediate the site. Site remediation was performed by O'Brien & Gere Engineers, Inc. (OBG) of Syracuse, New York, between August 2013 and May 2016. Site remediation was performed in accordance with the requirements of the August 2005 Order on Consent, August 2006 Record of Decision (ROD), and the June 2007 Explanation of Significant Difference (ESD) issued by NYSDEC, and the February 2013 Final Remedial Design Report for Waste Removal and Cap, prepared by OBG. The NYSDEC issued a Certificate of Completion (COC) on October 6, 2017. The COC is included in Appendix A.

1.2 Site Description

The approximately 49.6-acre site consists of two parcels at 700 South Street and 121 Pierces Road in Newburgh, New York, identified on the Orange County Tax Map as identifier numbers 5-1-1 and 5-2-1, respectively. Parcel 5-1-1 (700 South Street, hereafter referred to as the "north and south landfills") is bounded by Interstate 84 to the north, a storage warehouse facility to the east, South Street to the south, and Gidneytown Creek to the west. Parcel 5-2-1 (121 Pierces Road, hereafter referred to as the "triangular-shaped parcel") is bounded by Pierces Road to the north and west, a residential driveway to the east, and single-family residential dwellings to the south. Both the north and south landfills and the triangular shaped parcel are collectively referred to as the "site". The site is currently vacant and access is restricted by a perimeter fence along each parcel. A Site Location Map is included as Figure 1.

1.3 Site Background and Environmental History

The site is in an area primarily characterized by commercial, industrial, and residential properties. As early as 1940, the triangular parcel was an undeveloped, densely wooded lot. The north and

south landfills were historically used as waste-disposal areas for byproducts of fabric-coating operations by DuPont between 1911 and 1967 and by Stauffer Chemicals between 1967 and 1974. The north landfill contained a waste incinerator and a waste evaporation field. The south landfill was used for storage, burning, and burial of wastes.

A remedial investigation (RI) was conducted between September 2001 and February 2004 to characterize the nature and extent of contamination. Subsequently, a pilot evaluation program and a remedial design investigation were completed in 2007 and 2008, respectively. A summary of investigation findings is provided in the November 2016 SMP and November 2016 Final Engineering Report (FER), prepared by OBG. Contaminants identified on-site at concentrations above applicable regulatory criteria during the RI are summarized below by medium.

- Soil: Volatile organic compounds (VOC), semi-volatile organic compounds (SVOC) including polycyclic aromatic hydrocarbons (PAH) and bis(2-ethylhexyl)phthalate (BEHP), polychlorinated biphenyls (PCB), and metals, including concentrations of lead and cadmium exceeding Title 6 of the Official Compilation of New York Codes, Rules and Regulations (NYCRR) Part 371.3 and 40 CFR 261 Subpart C and Table 1 of 40 CFR 261.24 Environmental Protection Agency (EPA) Resource Conservation and Recovery Act (RCRA) Characteristics of Hazardous Waste.
- Groundwater: VOCs, including 1,1-dichloroethane, 1,2-dichloroethane, and chlorobenzene, SVOCs, including BEHP, and metals including iron, magnesium, manganese.
- Gidneytown Creek Sediment: SVOCs, including PAHs.

Groundwater flow in the overburden and bedrock aquifers were evaluated as part of the RI and Remedial Design Investigation. Groundwater flow in the overburden and bedrock aquifers is to the west and north toward Gidneytown Creek, as shown in Figure 2.

1.4 Summary of Remedial Action

The remedial program was designed to eliminate or mitigate environmental and human health exposure to adverse environmental conditions present in soil, groundwater, and soil vapor. The following remedial action objectives were established:

- Eliminate, or reduce to the extent practicable, exposure to the surface and subsurface waste and contaminated soil and other identified waste fill types in the north and south landfill areas.
- Eliminate, or reduce to the extent practicable, the potential for exposure to on-site soil vapor and groundwater.

- Eliminate, or reduce to the extent practicable, the potential for water quality degradation to Gidneytown Creek due to runoff from the site.

Remedial actions were implemented between August 2013 and May 2016 in accordance with the NYSDEC-issued August 2006 ROD and June 2007 ESD, and the February 2013 Final Remedial Design Report, Waste Removal and Cap, prepared by OBG. Remedial actions included:

- Excavation and off-site disposal of Type D waste fill, which consists of paste-like and putty-like material intermittently mixed with fabrics and other debris in the north landfill area;
- Excavation, characterization, and off-site treatment and disposal of ash, which contained hazardous concentrations of metals, in the south landfill area;
- Excavation of nonhazardous waste in areas in the north and south landfills and relocation of the nonhazardous waste to a designated area in the north landfill, where an engineered cap was installed. The engineered cap consists of a 40-mil linear low-density polyethylene (LLDPE) geomembrane, an 18-inch-thick barrier protection layer, and a 6-inch layer of topsoil;
- Collection and analysis of documentation soil samples from the base of the excavation and the perimeter sidewalls; and
- Backfilling excavations to development grade with recycled concrete aggregate (RCA) and 3/4-inch virgin crushed stone.

For contamination remaining in place, an institutional control (IC) in the form of an Environmental Easement is required for the remedy as a means to ensure the maintenance and preservation of the engineering controls (EC).

Remedial actions were completed in May 2016. A draft version of the FER was submitted on October 31, 2016, and the NYSDEC issued a certificate of completion on October 6, 2017. The FER presents a summary of the work required to satisfy the SMP requirements, including results of the 2022 site-wide inspection, condition of EC/ICs, and groundwater sampling results. Additional details regarding the implementation of remedial actions are found in the November 2016 Final Engineering Report, prepared by OBG. The Environmental Easement is provided in Appendix A.

2.0 IC/EC PLAN COMPLIANCE

Because residual contaminated soil, groundwater, and soil-vapor remain beneath the site, IC/ECs are required to protect human health and the environment. The Engineering and Institutional Control Plan included in the SMP describes the procedures for the implementation and management of the IC/ECs.

2.1 IC/EC Components

The following summarizes the IC/ECs that were a component of the NYSDEC-approved remedy:

ICs:

- The property may be used for restricted commercial use as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and industrial use as described in 6 NYCRR Part 375-1.8(g)(2)(iv). The property may not be used for a higher level of use, such as unrestricted or restricted residential use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC.
- ECs must be inspected at a frequency and in a manner defined in the SMP.
- The use of groundwater underlying the property is prohibited without necessary water-quality treatment as determined by the NYSDOH or the Orange County DOH to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the respective department.
- Groundwater and other environmental or public-health monitoring must be performed as defined in the SMP.
- Data and information pertinent to site management of the controlled property must be reported at the frequency and in a manner defined in the SMP.
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP.
- Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP.
- Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP.
- Access to the site must be provided to agents, employees, or other representatives of the state of New York with reasonable prior notice to the property owner to ensure compliance with the restrictions identified by the Environmental Easement.

ECs:

- Maintenance of a cover system to prevent human exposure to residual contaminated soil.
The cover system consists of:
 - In the north landfill area, an engineered cap consists of a 40-mil linear low-density polyethylene (LDPE) geomembrane, an 18-inch-barrier protection layer, and a 6-inch layer of topsoil.
 - In areas of remedial excavations, a cover consisting of a demarcation barrier separating native soil that exceeds NYSDEC Title 6 of the Official Compilation of New York Codes, Rules and Regulations (6 NYCRR) Part 375 Restricted Use – Commercial Soil Cleanup Objectives (Part 375 CU SCOs) and a 1-foot layer of imported soil meeting Part 375 CU SCOs.

2.2 Goal Status and Corrective Measures

No deviations of the IC/ECs were noted during the certification period.

3.0 MONITORING PLAN COMPLIANCE

3.1 Monitoring Plan Components

The components of the Monitoring Plan are as follows:

1. Annual site-wide inspection;
2. Annual groundwater sampling of 12 landfill-perimeter monitoring wells (LF-08, LF-09, LF-12D through LF-17D, and LF-14S through LF-17S); and
3. Periodic sediment sampling in seven locations from Gidneytown Creek in 2017 and 2020 (sediment sampling requirements have been fulfilled per the SMP and no further sediment sampling events are required beyond 2020).

A site inspection photograph log is included in Appendix B.

3.1.1 Annual Site-Wide Inspection

The objective of the annual inspection is to determine whether on-site ECs remain in place and functioning as designed. The annual site-wide inspection was completed on July 21, 2022. The annual inspection report is included as Appendix C.

3.1.2 Annual Groundwater Sampling

The annual groundwater monitoring event occurred in July/August 2022, with supplementary analytical samples collected in September 2022. All groundwater monitoring wells were sampled for VOCs and total metals between July 20 and 21, 2022 with the exception of LF-17D, as the stick-up casing condition would not allow deployment of the submersible sampling pump. LF-17D was repaired on August 16, 2022 and sampled for VOCs and total metals on August 18, 2022 for a total of 12 landfill-perimeter monitoring wells sampled. Monitoring well locations are shown on Figure 3. Dissolved metals and SVOCs were not collected during the July/August 2022 groundwater sampling events due to an oversight by the field staff organizing the event. The remaining analytical parameters were collected during the supplementary sampling event on September 20 and 22, 2022.

July/August 2022 samples were collected in accordance with the United States Environmental Protection Agency low-flow groundwater sampling procedure ("Low Stress [low-flow] Purging and Sampling Procedure for the Collection of Groundwater Samples from Monitoring Wells," dated July 30, 1996 and revised January 19, 2010). Prior to sample collection, groundwater was purged from each well while monitoring physical and chemical groundwater parameters for stability (i.e., pH, conductivity, turbidity, dissolved oxygen, temperature, and oxidation-reduction potential). Groundwater sampling logs are included in Appendix D.

September 2022 samples were collected after one to three times the total well volumes were purged from the well providing the well could sustain a sufficient well volume. Wells that experienced significant drawdown were sampled via Teflon-lined bailers once sufficient well level were restored. This technique of groundwater sampling was used in prior events when well conditions or yield did not allow for low-flow purge methods. Physical and chemical groundwater parameters were not monitored during the September 2022 event.

During the reporting period, groundwater samples were collected from 12 monitoring wells (LF08, LF09, LF12D, LF13D, LF14D, LF14S, LF15S, LF15D, LF16S, LF16D, LF17S, and LF17D) located along the perimeter of the north landfill. Groundwater samples were collected into laboratory-supplied containers. The sample containers were labeled, placed in a laboratory-supplied cooler, and packed on ice to maintain a temperature of about 4°C. The samples were picked up and delivered via courier service to Eurofins Environment Testing (Eurofins) under standard chain-of-custody protocol. Eurofins is an NYSDOH Environmental Laboratory Approval Program (ELAP)-certified laboratory located in Edison, New Jersey. July/August 2022 samples were analyzed for VOCs and total metals, and September 2022 samples were analyzed for SVOCs and dissolved metals. Dissolved metals were filtered by the laboratory. A groundwater sample collection summary is included in Table 1.

Investigation-derived wastes (IDW) generated consisted of purge water from groundwater monitoring wells and decontamination wastewater. IDW was transferred into United Nations/Department of Transportation (UN/DOT)-approved 55-gallon steel drums with sealed tops and were stored in a secured area on-site. Two drums of liquid waste were generated and were transported for off-site disposal on December 1, 2022, under standard manifest protocol by AWT Environmental Services, Inc. to Cycle Chem, Inc. in Elizabeth, NJ. A copy of the waste disposal manifest is provided in Appendix E.

3.2 Results

3.2.1 Annual Site-Wide Inspection Results

The annual inspection included a visual assessment and evaluation of the site cover system, the condition of monitoring wells, and condition of the perimeter fence.

Observations made during the annual site inspection indicate that ECs remain operational; the north and south landfills had sufficient grass coverage; and exposed geotextile was not observed. The site capping system is intact and functioning as designed.

Three of the monitoring wells inspected required additional attention. An obstruction was observed within the PVC casing of monitoring well LF-15S. Damaged well casings were observed at monitoring wells LF-16S and LF-17D. Well repairs were completed on August 16, 2022.

The perimeter fence was in good condition, with the exception of the areas identified on the map in Appendix C. On August 24, 2022 an additional fencing-specific inspection was completed in order to scope repairs appropriately.

The following corrective measures have been implemented and confirmed in follow-up site inspections:

- Additional landscaping to remove overgrowth from site border fence and access areas in need of repairs – completed August 12, 2022,
- Monitoring well stickup/pad repairs for LF-15S, 16S, and 17D – completed August 16, 2022, and
- Fence repairs along Pierces Road, the Northeast Corner of the Site, and the Southwest Gate – completed August 12, 16, and September 16, 2022.

The monitoring well conditions will continue to be evaluated during subsequent site inspections. Additional site perimeter maintenance, including occasional repairs of damaged fencing, will be completed by Langan quarterly and documented in the 2023 PRR. No other deviations or discrepancies were identified and ECs are functioning as designed. A site inspection photograph log is included in Appendix B and the completed site inspection report is included as Appendix C.

3.2.2 Annual Groundwater Sampling Results

Sample results from the 2017 through 2022 groundwater monitoring events are provided in Table 2. Sample results from the 2022 groundwater monitoring event that exceed the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values (SGV) for Class GA (TOGS SGV) are shown in Table 3 and on Figure 4. Laboratory analytical reports are included as Appendix F. Data from the annual groundwater monitoring event were validated in accordance with USEPA and NYSDEC validation protocols. Copies of the Data Usability Summary Report (DUSR) is provided in Appendix G.

The concentration of 1,2-dichloroethane of 1.2 micrograms per liter (µg/L) detected in monitoring well LF-14D was above the NYSDEC TOGS SGV of 0.6 µg/L, but consistent with the historical results collected from this well. No other VOC exceedances were reported. Concentrations of VOCs will continue to be monitored during future monitoring events.

The phenol concentration of 5.7 µg/L detected in monitoring well LF-17D was above the NYSDEC TOGS SGV of 1 µg/L. Historical results show a single phenol exceedance in side-gradient well LF-12D during the 2020 annual groundwater monitoring event. No other SVOC exceedances were reported. Concentrations of SVOCs will continue to be monitored during future monitoring events.

Dissolved concentrations of magnesium, manganese, and sodium were detected in groundwater above TOGS SGVs. These dissolved metals are associated with regional groundwater quality, are consistent with results of previous sampling events, and are not indicative of a source of contamination. Concentrations of dissolved metals will continue to be monitored during future monitoring events.

Total concentrations of antimony, iron, lead, magnesium, and manganese were detected in groundwater above TOGS SGVs. Iron, magnesium, and manganese are associated with regional groundwater quality, are consistent with results of previous sampling events, and are not indicative of a source of contamination. Monitoring well LF-17D reported total antimony at a concentration of 7.6 µg/L which exceeds the TOGS SGV of 3 µg/L, and total lead at a concentration of 44.7 µg/L which exceeds the TOGS SGV of 25 µg/L. Note that LF-17D was not able to be sampled during the site-wide sampling event in July 2022. This well stickup required repairs and was sampled in August 2022, two days after casing repairs. The final turbidity reading prior to sample collection was 336 Nephelometric turbidity units (NTU), which exceeded the low-flow water quality stabilization turbidity goal of less than or equal to 5 NTU by nearly two orders of magnitude. The elevated total metals detections correlate with higher than typical turbidity readings, likely associated with the damaged casing and subsequent repairs. Concentrations of total metals, including antimony and lead, will continue to be monitored during future monitoring events.

3.3 Data Usability Summary Report

Category B laboratory reports for the groundwater samples were provided by Eurofins TestAmerica and were forwarded to Langan's data validator for samples collected during the 2022 groundwater monitoring event. Copies of the laboratory data reports are included as Appendix F. The DUSR is provided in Appendix G.

All data are considered usable, as qualified. Completeness, defined as the percentage of analytical results that are judged to be valid, is 100%.

3.4 Monitoring Deficiencies

Monitoring activities for the certification period fully complied with the SMP Monitoring Plan.

4.0 O&M PLAN COMPLIANCE REPORT

An Operation and Maintenance (O&M) Plan is not included in the SMP because the site remedy does not rely on any mechanical systems.

5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1 IC/EC Compliance

Site deficiencies which were previously reported and those documented during the 2022 site-wide inspection, including additional landscape maintenance, monitoring well repairs, and fence repairs, have been completed. Documentation of repairs was provided to the NYSDEC in a letter transmitted on September 23, 2022, included in Appendix H. The ICs/ECs are functioning as intended. No additional modifications to the IC/ECs are proposed at this time.

5.2 Monitoring Plan Compliance

Quarterly maintenance will be performed along the site perimeter fencing and adjoining streets and sidewalks so that they will continue to secure the site. The next annual site-wide inspection and groundwater sampling events are tentatively scheduled for May 2023. Based on the site-wide groundwater sampling event of 2022, groundwater quality parameters remain consistent with previous monitoring events and future events will be completed by Langan per the SMP. The sediment sampling event of 2020 concluded planned sediment sampling activities as stated in the SMP. Based on the August 2020 sediment sampling results, the engineering controls are functioning as designed and the remedial action objectives have been achieved. No further sediment monitoring is required or necessary.

5.3 SMP Compliance

Routine maintenance was performed during this reporting period to secure the site. The IC/ECs continue to function as designed and in compliance with the SMP. No changes to the SMP are recommended at this time. Inspections and monitoring will continue per the SMP.

6.0 CERTIFICATION OF IC/ECS

6.1 IC/EC Certification Form

The completed IC/EC Certification Form is provided as Appendix I.

6.2 IC/EC Certification

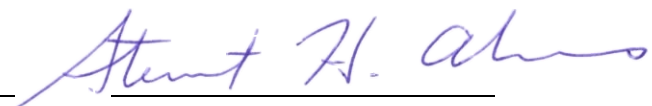
I, Stewart Abrams, P.E., of Langan, have been authorized and designated by the site owner to sign this certification for the site.

For each institutional or engineering control identified for the site, I certify that to the best my knowledge all of the following statements are true:

- The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;
- Access to the site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control;
- Use of the site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program and generally accepted engineering practices; and
- The information presented in this report is accurate and complete.

CERTIFICATION

I certify that all information and statements in this certification are true. I understand that a false statement made herein is punishable as Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

<u>078833-1</u>	<u>03/08/2023</u>	
New York State Professional Engineer #	Date	Signature

It is a violation of Article 130 of New York State Education Law for any person to alter this document in any way without the express written verification of adoption by any New York State licensed engineer in accordance with Section 7209(2), Article 130, New York State Education Law.

TABLES

Table 1
Groundwater Sample Summary

DuPont-Stauffer Landfill
Newburgh, New York
NYSDEC BCP Site No.: 336009
Langan Project No.: 190037501

Location	Sample Name	Sample Date	Sample Time	Sample Depth	Analyses
Groundwater					
LF-08	LF08_072022	07/20/2022	14:20	3-60	VOCs, Total Metals
LF-09	LF09_072022	07/20/2022	11:45	6-69.3	
LF-12D	LF12D_072122	07/21/2022	16:00	3-19	
LF-13D	LF13D_072022	07/20/2022	17:45	6.9-34	
LF-14D	LF14D_072122	07/21/2022	13:25	23.5-37	
LF-14S	LF14S_072122	07/21/2022	12:55	11-20.6	
LF-15D	LF15D_072122	07/21/2022	13:03	15.5-27	
LF-15S	LF15S_072122	07/21/2022	16:05	8.9-13.9	
LF-16D	LF16D_072022	07/20/2022	14:45	20-29.5	
LF-16S	LF16S_072122	07/21/2022	11:34	9.9-16.9	
LF-16S	D_072122	07/21/2022	12:00	9.9-16.9	
LF-17D	LF-17D_081822	08/18/2022	17:30	23-43.4	
LF-17S	LF17S_072022	07/20/2022	16:50	10.1-19.5	
LF-08	LF-08_09202022	09/20/2022	16:55	3-60	SVOCs, Dissolved Metals
LF-09	LF-09_09202022	09/20/2022	15:15	6-69.3	
LF-12D	LF-12D_09202022	09/20/2022	14:30	3-19	
LF-13D	LF-13D_09202022	09/20/2022	13:45	6.9-34	
LF-14D	LF-14D_09202022	09/20/2022	10:45	23.5-37	
LF-14D	DUP_09202022	09/20/2022	12:00	23.5-37	
LF-14S	LF-14S09202022	09/20/2022	11:10	11-20.6	
LF-15D	LF-15D_092222	09/22/2022	12:15	15.5-27	
LF-15S	LF-15S_092222	09/22/2022	12:30	8.9-13.9	
LF-16D	LF-16D_092222	09/22/2022	09:50	20-29.5	
LF-16S	LF-16S_092222	09/22/2022	10:15	9.9-16.9	
LF-17D	LF-17D_092222	09/22/2022	12:45	23-43.4	
LF-17S	LF-17S_09202022	09/20/2022	16:50	10.1-19.5	

DuPont-Stauffer Landfill
Newburgh, New York
NYSDEC BCP Site No.: 336009
Langan Project No.: 190037501

Notes:

CAS - Chemical Abstract Service

NS - No standard

ug/l - microgram per liter

NA - Not analyzed

RL - Reporting limit

<RL - Not detected

Groundwater sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 703.5 and the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA Water (herein collectively referenced as "NYSDEC SGVs").

The criteria comparison for total metals (Chromium, Total) is provided for reference. The promulgated SGV shown is for hexavalent chromium.

Analytes with detections for one or more sampling events are shown.

Qualifiers:

J - The analyte was positively identified and the associated numerical value is the approximate concentration of the analyte in the sample.

UJ - The analyte was not detected at a level greater than or equal to the RL; however, the reported RL is approximate and may be inaccurate or imprecise.

U - The analyte was analyzed for, but was not detected at a level greater than or equal to the level of the RL or the sample concentration for results impacted by blank contamination.

Exceedance Summary:

10 - Result exceeds NYSDEC SGVs

Table 3
2022 Groundwater Sample Exceedance Summary
VOCs, SVOCs, and Metals

DuPont-Stauffer Landfill
Newburgh, New York
NYSDEC BCP Site No.: 336009
Langan Project No.: 190037501

Analyte	CAS Number	NYSDEC SGVs	Location	LF-08	LF-08	LF-09	LF-09	LF-12D	LF-12D	LF-13D	LF-13D
			Sample Name	LF08_072022	LF-08_09202022	LF09_072022	LF-09_09202022	LF12D_072122	LF-12D_09202022	LF13D_072022	LF-13D_09202022
			Sample Date	07/20/2022	09/20/2022	07/20/2022	09/20/2022	07/21/2022	09/20/2022	07/20/2022	09/20/2022
			Unit	Result	Result	Result	Result	Result	Result	Result	Result
Volatile Organic Compounds											
1,2-Dichloroethane	107-06-2	0.6	ug/l	<1 U	NA	<1 U	NA	<1 U	NA	<1 U	NA
Semi-Volatile Organic Compounds											
Phenol	108-95-2	1	ug/l	NA	<10 U	NA	<10 U	NA	<10 U	NA	<10 U
Metals - Dissolved											
Magnesium	7439-95-4	35000	ug/l	NA	42,000	NA	56,700	NA	28,600	NA	57,900
Manganese	7439-96-5	300	ug/l	NA	346	NA	19.7	NA	327	NA	1,530
Sodium	7440-23-5	20000	ug/l	NA	16,300	NA	14,000	NA	3,860	NA	9,070
Metals - Total											
Antimony	7440-36-0	3	ug/l	<2 U	NA	<2 U	NA	<2 U	NA	<2 U	NA
Iron	7439-89-6	300	ug/l	4,190	NA	209	NA	20,500	NA	2,160	NA
Lead	7439-92-1	25	ug/l	<1.2 U	NA	<1.2 U	NA	<1.2 U	NA	<1.2 U	NA
Magnesium	7439-95-4	35000	ug/l	40,400	NA	59,800	NA	23,100	NA	53,900	NA
Manganese	7439-96-5	300	ug/l	330	NA	37.1	NA	303	NA	1,430	NA

Table 3
2022 Groundwater Sample Exceedance Summary
VOCs, SVOCs, and Metals

DuPont-Stauffer Landfill
Newburgh, New York
NYSDEC BCP Site No.: 336009
Langan Project No.: 190037501

Analyte	CAS Number	NYSDEC SGVs	Location	LF-14D	LF-14D	LF-14D	LF-14S	LF-14S	LF-15D	LF-15D	LF-15S	LF-15S
			Sample Name	LF14D_072122	LF-14D_09202022	DUP_09202022	LF14S_072122	LF-14S09202022	LF15D_072122	LF-15D_092222	LF15S_072122	LF-15S_092222
			Sample Date	07/21/2022	09/20/2022	09/20/2022	07/21/2022	09/20/2022	07/21/2022	09/22/2022	07/21/2022	09/22/2022
			Unit	Result	Result	Result	Result	Result	Result	Result	Result	Result
Volatile Organic Compounds												
1,2-Dichloroethane	107-06-2	0.6	ug/l	1.2	NA	NA	<1 U	NA	<1 U	NA	<1 U	NA
Semi-Volatile Organic Compounds												
Phenol	108-95-2	1	ug/l	NA	<10 U	<10 U	NA	<10 U	NA	<10 U	NA	<10 U
Metals - Dissolved												
Magnesium	7439-95-4	35000	ug/l	NA	49,600	49,800	NA	44,900	NA	43,300	NA	38,600
Manganese	7439-96-5	300	ug/l	NA	1,400	1,390	NA	95.9	NA	636	NA	66.7
Sodium	7440-23-5	20000	ug/l	NA	12,500	12,400	NA	14,300	NA	30,600	NA	9,140
Metals - Total												
Antimony	7440-36-0	3	ug/l	<2 U	NA	NA	<2 U	NA	<2 U	NA	<2 U	NA
Iron	7439-89-6	300	ug/l	2,830	NA	NA	<120 U	NA	1,820	NA	96 J	NA
Lead	7439-92-1	25	ug/l	<1.2 U	NA	NA	<1.2 U	NA	<1.2 U	NA	<1.2 U	NA
Magnesium	7439-95-4	35000	ug/l	49,600	NA	NA	32,900	NA	34,300	NA	27,800	NA
Manganese	7439-96-5	300	ug/l	1,220	NA	NA	4.5 J	NA	1,880	NA	41.5	NA

Table 3
2022 Groundwater Sample Exceedance Summary
VOCs, SVOCs, and Metals

DuPont-Stauffer Landfill
Newburgh, New York
NYSDEC BCP Site No.: 336009
Langan Project No.: 190037501

Analyte	CAS Number	NYSDEC SGVs	Location	LF-16D	LF-16D	LF-16S	LF-16S	LF-16S	LF-17D	LF-17D	LF-17S	LF-17S
			Sample Name	LF16D_072022	LF-16D_092222	LF16S_072122	D_072122	LF-16S_092222	LF-17D_081822	LF-17D_092222	LF17S_072022	LF-17S_09202022
			Sample Date	07/20/2022	09/22/2022	07/21/2022	07/21/2022	09/22/2022	08/18/2022	09/22/2022	07/20/2022	09/20/2022
			Unit	Result	Result	Result	Result	Result	Result	Result	Result	Result
Volatile Organic Compounds												
1,2-Dichloroethane	107-06-2	0.6	ug/l	<1 U	NA	<1 U	<1 U	NA	<1 U	NA	<1 U	NA
Semi-Volatile Organic Compounds												
Phenol	108-95-2	1	ug/l	NA	<10 U	NA	NA	<10 U	NA	5.7 J	NA	<10 U
Metals - Dissolved												
Magnesium	7439-95-4	35000	ug/l	NA	45,100	NA	NA	36,200	NA	22,700	NA	34,200
Manganese	7439-96-5	300	ug/l	NA	77.2	NA	NA	87.5	NA	1,640	NA	5.9 J
Sodium	7440-23-5	20000	ug/l	NA	9,080	NA	NA	7,900	NA	6,150	NA	4,570
Metals - Total												
Antimony	7440-36-0	3	ug/l	<2 U	NA	<2 U	<2 U	NA	7.6	NA	<2 U	NA
Iron	7439-89-6	300	ug/l	4,200	NA	372 J	249 J	NA	55,000	NA	138	NA
Lead	7439-92-1	25	ug/l	<1.2 U	NA	<1.2 U	<1.2 U	NA	44.7	NA	<1.2 U	NA
Magnesium	7439-95-4	35000	ug/l	36,200	NA	33,200	33,000	NA	29,100	NA	30,300	NA
Manganese	7439-96-5	300	ug/l	193	NA	92.8	87.1	NA	2,300	NA	39.2	NA

Table 3
2022 Groundwater Sample Exceedance Summary
VOCs, SVOCs, and Metals

Page 4 of 4

DuPont-Stauffer Landfill
Newburgh, New York
NYSDEC BCP Site No.: 336009
Langan Project No.: 190037501

Notes:

CAS - Chemical Abstract Service

ug/l - microgram per liter

NA - Not analyzed

RL - Reporting limit

<RL - Not detected

Groundwater sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 703.5 and the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA Water (herein collectively referenced as "NYSDEC SGVs").

Analytes with exceedances for one or more sampling events are shown.

Qualifiers:

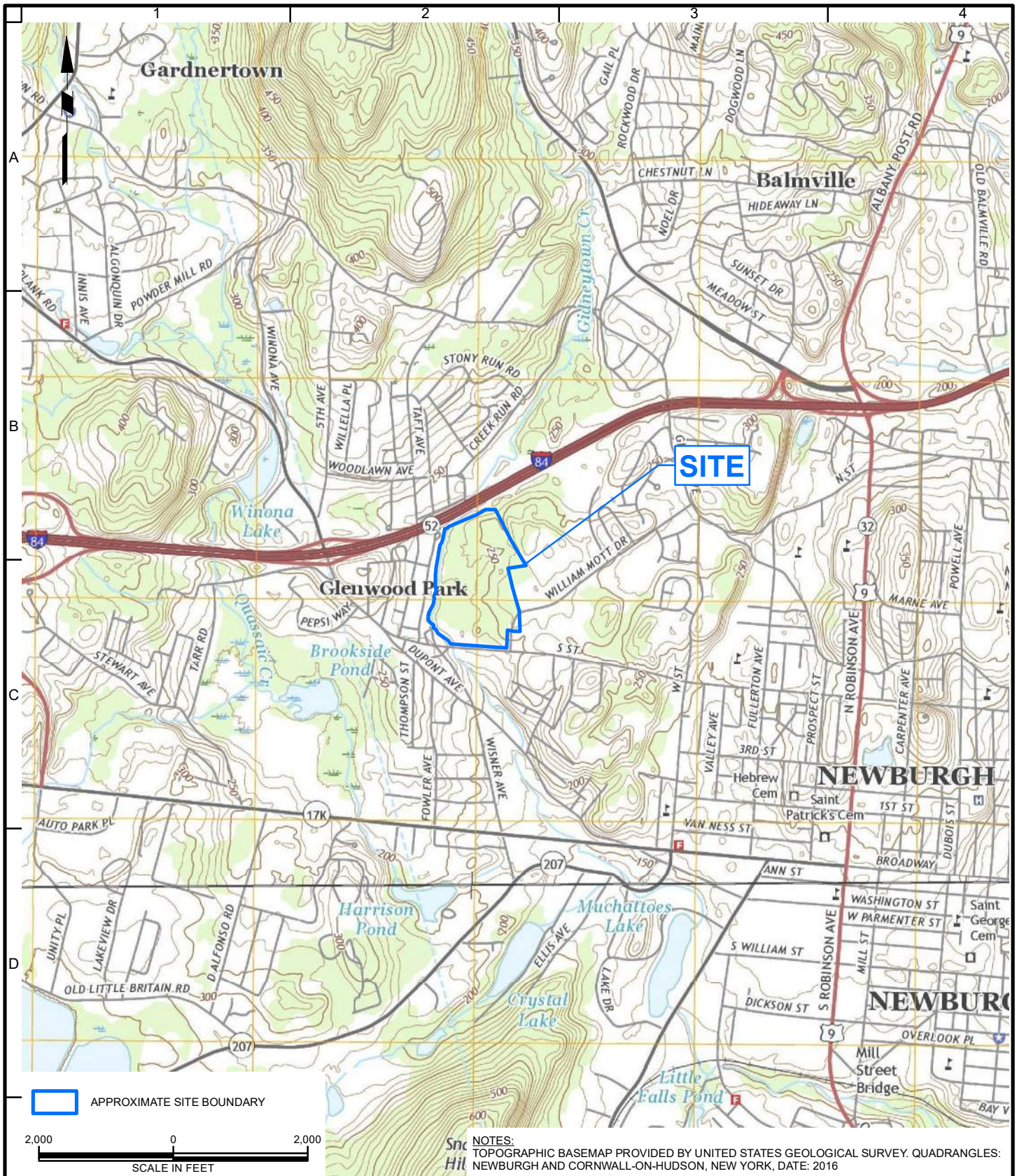
J - The analyte was positively identified and the associated numerical value is the approximate concentration of the analyte in the sample.

U - The analyte was analyzed for, but was not detected at a level greater than or equal to the level of the RL or the sample concentration for results impacted by blank contamination.

Exceedance Summary:

10 - Result exceeds NYSDEC SGVs

FIGURES



LANGAN

21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001-2727
T: 212.479.5400 F: 212.479.5444 www.langan.com

Langan Engineering & Environmental Services, Inc.
Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, D.P.C.
Langan International LLC

Collectively known as Langan

Project

**DUPONT-STAUFFER
LANDFILL**

NYSDEC Site No.: 336009

SECTION No. 5, BLOCK No. 1, LOT Nos. 1 and 2

ORANGE NEWBURGH NEW YORK

Figure Title

**SITE LOCATION
MAP**

Project No.

190037501

Date

01/21/2019

Scale

1"=2,000'

Drawn By

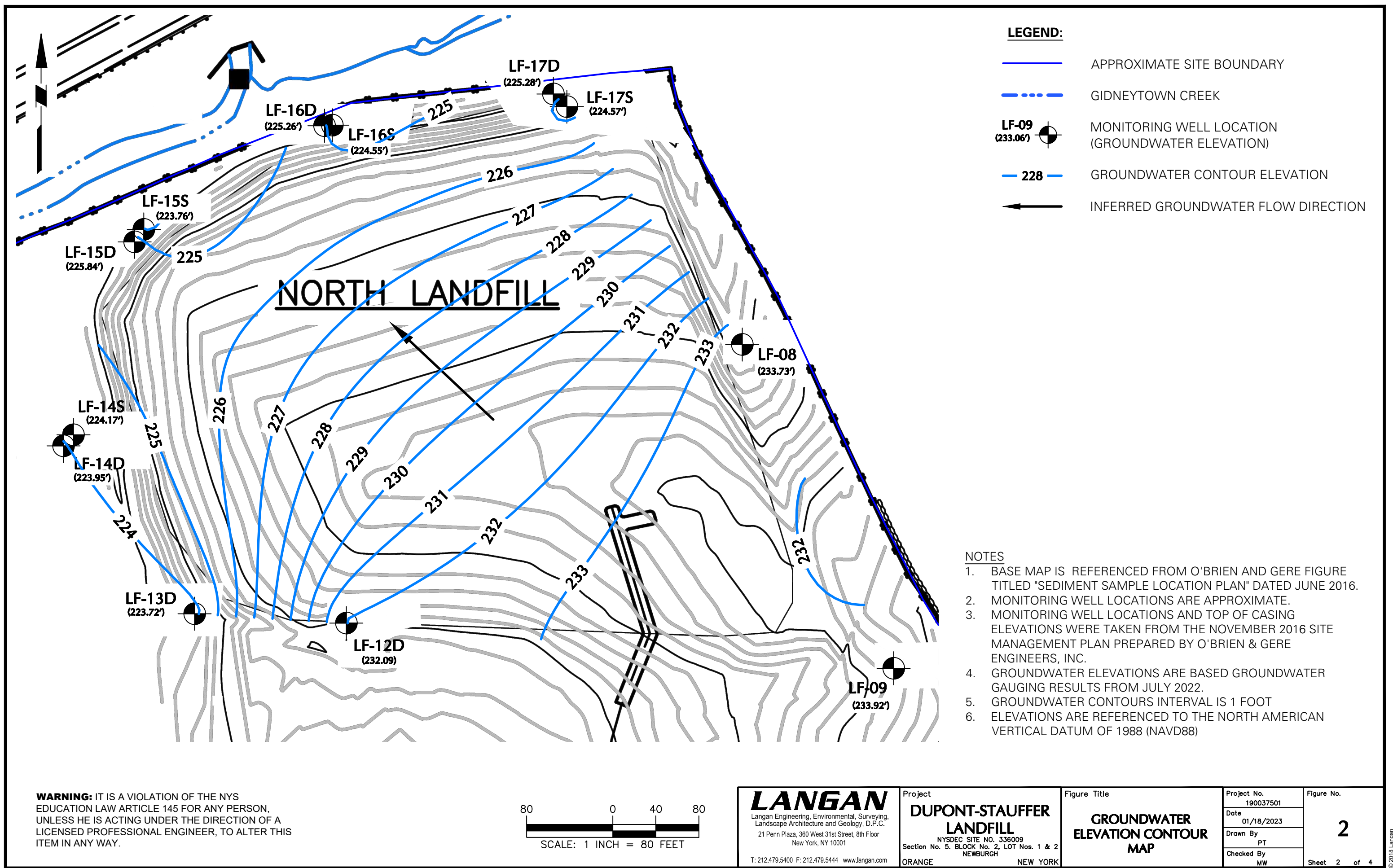
MG

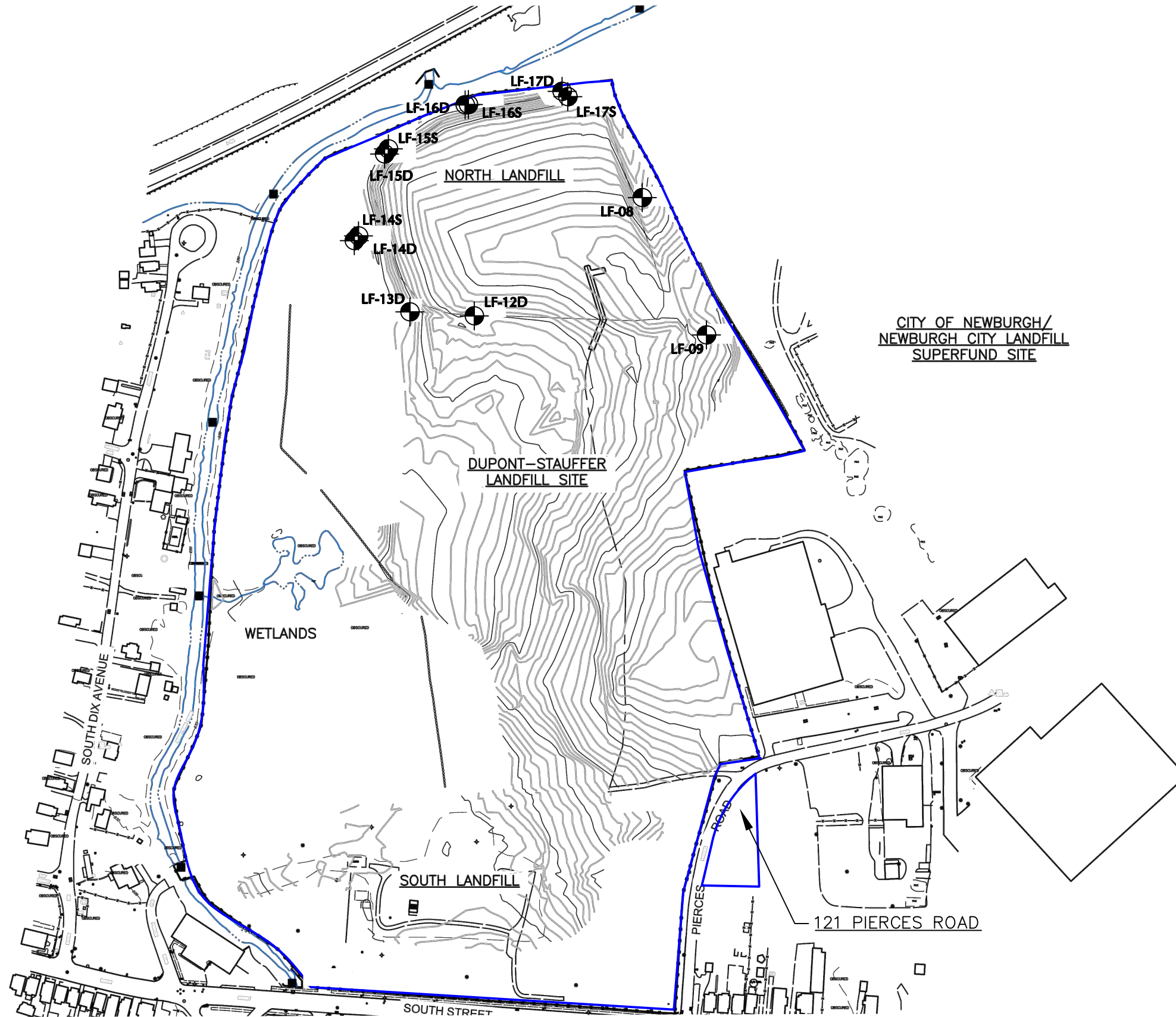
Submission Date

Figure No.

1

Sheet 1 of 4

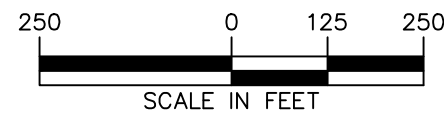




- LEGEND:**
- APPROXIMATE SITE BOUNDARY
 - GIDNEYTOWN CREEK
 - LF-09 MONITORING WELL LOCATION

- NOTES:**
1. BASE MAP IS REFERENCED FROM O'BRIEN AND GERE FIGURE TITLED "SEDIMENT SAMPLE LOCATION PLAN" DATED JUNE 2016.

WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.



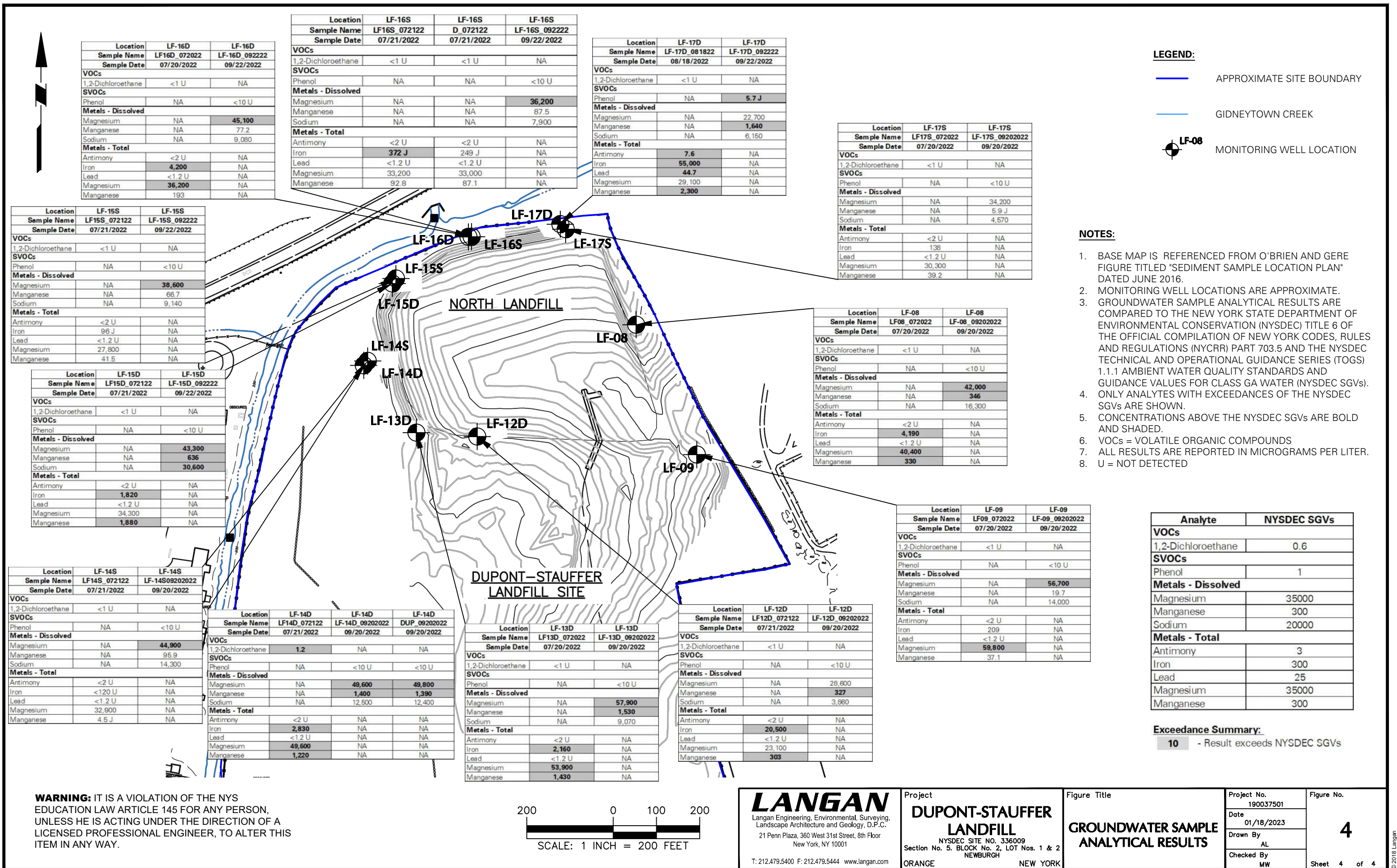
LANGAN
Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, D.P.C.
21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001
T: 212.479.5400 F: 212.479.5444 www.langan.com

Project
**DUPONT-STAUFFER
LANDFILL**
NYSDEC SITE NO. 336009
Section No. 5, BLOCK No. 2, LOT Nos. 1 & 2
NEWBURGH
ORANGE NEW YORK

Figure Title
**MONITORING WELL
LOCATION PLAN**

Project No.
190037501
Date
08/02/2021
Drawn By
PT
Checked By
MW

Figure No.
3
Sheet 3 of 4



APPENDIX A

ENVIRONMENTAL EASEMENT & CERTIFICATE OF COMPLETION



Appendix A

Environmental Easement



ORANGE COUNTY – STATE OF NEW YORK
ANN G. RABBITT, COUNTY CLERK
255 MAIN STREET
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



Recording:

Recording Fee	85.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00

Sub Total: 110.00

Transfer Tax	
Transfer Tax - State	0.00

Sub Total: 0.00

Total: 110.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 256

Transfer Tax

Consideration: 0.00

Total: 0.00

BOOK/PAGE: 14089 / 1077
INSTRUMENT #: 20160052176

Receipt#: 2175005
Clerk: CH
Rec Date: 08/09/2016 10:24:25 AM
Doc Grp: D
Descrip: RT WY
Num Pgs: 13
Rec'd Frm: MCCARTER & ENGLISH

Party1: STAUFFER MGMT CO LLC
Party2: PEOPLE OF STATE OF NY
Town: NEWBURGH (CITY)
5-1-1

Payment Type: Check ☒
Cash ☐
Charge ☐
No Fee ☐

Comment: _____

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, ANN G. RABBITT, COUNTY CLERK AND CLERK OF THE
SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO
HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH
THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE
ON **AUG 09 2016** AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt **AUG 09 2016**
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

Ann G. Rabbitt

Ann G. Rabbitt
Orange County Clerk

Record and Return To:

MCCARTER & ENGLISH LLP
405 N KING ST 8TH FL
WILMINGTON DE 19801

**ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW**

THIS INDENTURE made this 24th day of MAY, 2016, between Owner(s) Stauffer Management Company, LLC, having an office at 1800 Concord Pike, Wilmington, Delaware, County of New Castle, State of Delaware (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 121 Pierces Road in the City of Newburgh, County of Orange and State of New York, known and designated on the tax map of the County Clerk of Orange as tax map parcel numbers: Section 5 Block 1 Lot 1 and Section 5 Block 2 Lot 1, being the same as that property conveyed to Grantor by deed dated November 17, 1987 (Parcels A & B) and recorded in the Orange County Clerk's Office in Liber and Page 2837/122. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 49.6 +/- acres, and is hereinafter more fully described in the Land Title Survey dated May 15, 2015 prepared by Eric E. Crampton, P.L.S. of C.T. Male Associates, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is

extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Order on Consent Index Number: W3-0832-98-12, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Orange County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation

Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against

the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to: Site Number: 336009
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to: Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the

recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

Remainder of Page Intentionally Left Blank

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Staffer Management Company, LLC:

By: [Signature]

Print Name: Charles Elmendorf

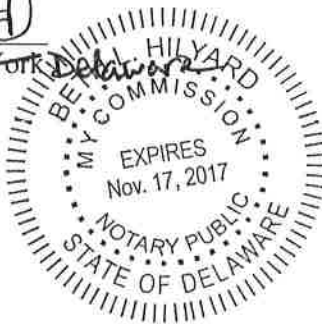
Title: President Date: 5/5/16

Grantor's Acknowledgment

Delaware
STATE OF ~~NEW YORK~~)
) ss:
COUNTY OF New Castle)

On the 5th day of May, in the year 20 16, before me, the undersigned, personally appeared Charles Elmendorf, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Beth J. Hilyard
Notary Public - State of New York



THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

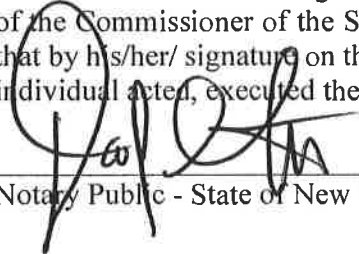
By:


Robert W. Schick, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 24th day of May, in the year 2014, before me, the undersigned, personally appeared Robert W. Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public - State of New York

David J. Chiusano
Notary Public, State of New York
No. 01CH5092146
Qualified in Schenectady County
Commission Expires August 22, 2018

SCHEDULE "A" PROPERTY DESCRIPTION

ALL those certain lots, pieces or parcels of land situate in the City of Newburgh, County of Orange, State of New York, denominated below as Parcel A and Parcel B, and being more accurately bounded and described as follows:

PARCEL A

BEGINNING at the intersection of the northerly line of South Street with the westerly line of Pierce's Road, said point of beginning being located South 51°20'25" East 0.64' from a corner fence post; thence from said point of beginning and along the northerly line of South Street, North 71°58'50" West 835.76' to the intersection of the northerly line of South Street with the center line of the Gidney Town Creek; thence along the center line of Gidney Town Creek and along the easterly line of lands now or formerly of Newburgh Gardens, North 25°26' West 73.49' to an angle point in creek; thence North 39°43' West 184.40' to a monument in the center line of the creek; thence North 16°26' West 77.99' to the intersection of the center line of the creek with the southerly line of Old Pierce's Road, said point being on the southerly face of the old bridge over the creek; thence along a portion of the southerly face of the bridge and along a portion of the southerly line of Old Pierce's Road, South 84°42' West 35.74' to a point; thence crossing Old Pierce's Road North 30°44' East 36.07' to a point in the westerly line of the old bridge; thence along a portion of the westerly line of the old bridge North 14°25' West 11.47' to the northwest corner of the old bridge, said point being in the northerly line of Old Pierce's Road; thence along the northerly line of the Old Pierce's Road, following a portion of the northerly face of the old bridge, North 84°42' East 9.33' to the intersection of the northerly face of the old bridge with the center line of the Gidney Town Creek; thence along the center line of the creek as it existed in 1912 and along the lands formerly of Newburgh Gardens on the next several courses and distances, North 24°30'30" West 112.89' to a point; thence North 1°00'20" East 98.09' to a point; thence North 35°45'30" East

30.60' to a point; thence North 13°07'30" East 91.78' to a point; thence North 73°00'30" East 90.69' to a point; thence North 32°01' East 30.28' to a point; thence North 9°30'40" East 31.05' to a point; thence North 33°02' East 104.87' to a point; thence North 10°24'50" East 30.59' to a point; thence North 4°48'50" West 67.09' to a point; thence North 21°44'30" East 90.00' to a point; thence North 11°09' East 109.73' to a point; thence North 30°40'30" West 53.53' to a point; thence North 13°35'40" East 198.08' to a point; thence North 41°39'20" East 152.21' to a point; thence North 54°46'50" East 103.45' to a point; thence North 34°25'40" East 66.45' to a point; thence North 19°17'20" East 91.78' to a point in the southerly line of Interstate Route 84; thence along the southerly line of Interstate Route 84, on the next several courses and distances, North 57°43'20" East 156.10' to a point in the center line of the Gidney Town Creek, as it now exists; thence passing over a highway monument at 71.70', and following a fence in part, North 81°34'20" East a total distance of 430.40' to a highway monument; thence following a fence South 82°08'10" East 308.96' to a highway monument; thence following a fence South 58°40'10" East 14.48' to the intersection of a stone wall with said fence, said point being the northwest corner of lands of City of Newburgh; thence along the westerly line of lands of City of Newburgh, following a stone wall South 37°27'50" West 33.12' to an angle point in the wall; thence still following a wall South 12°00'20" East 455.40' to a monument in the wall; thence still following a wall South 15°59'50" East 430.65' to a monument set in a stone wall corner; thence following a stone wall and along the line of lands now or formerly of the City of Newburgh North 84°57'50" West 270.45' to a nail set in concrete; thence South 01°21'40" West 289.00' to a monument; thence South 02°10'50" East, passing over a monument at 342.77' a total distance of 352.80' to a monument in the northerly line of Pierce's Road; thence along the northerly and westerly line of Pierce's Road on the remaining courses and distances, North 88°03'20" West, passing over a monument at 81.33' a total distance of 90.13' to an angle point; thence South 29°44'10" West 287.06' to an angle point; thence South 18°01'10" West 268.70' to the point of beginning.

Said Parcel A is the same as "Parcel A" in that certain Deed dated February 1, 1967 made by E.I. DuPont de Nemours and Company to Stauffer Chemical Company and recorded on February 3, 1967 in Liber 1762 of Deeds at page 307 in the Office of the County Clerk of Orange County, New York.

EXCEPTING from said Parcel A all those certain lots, pieces or parcels of land situate in the City of Newburgh, County of Orange, State of New York, and lying west of the westerly bank of the relocated Gidney Town Creek, which were described in the following ten (10) Deeds all dated September 19, 1967 and all made by Stauffer Chemical Company, to the grantees listed below, and recorded in the Orange County Clerk's Office also as below:

Recorded in Orange County Clerk's Office

<u>Grantees</u>	<u>Date</u>	<u>Liber and Page of Deeds</u>
Leita Mae Sylvia	10/9/1967	1778 cp 1030
Henry Morgan, as Executor of the Estate of Henrietta Morgan, Deceased	10/3/1967	1778 cp 417
Douglas Chauncey	10/3/1967	1778 cp 408
William B. Griffin and Florence M. Griffin	10/3/1967	1778 cp 396
Adolph F. Clavio	10/3/1967	1778 cp 392
Clare W. Clapper and Sarah A. Clapper	10/3/1967	1778 cp 402
Howard D. Atkins and Florence Atkins	10/3/1967	1778 cp 399
Catherine Albers	10/3/1967	1778 cp 411
Donald L. McQuiston and Ethel M. McQuiston	10/3/1967	1778 cp 414
John Owens Kerochan Jr.	10/3/1967	1778 cp 405

PARCEL B

BEGINNING at a monument in the easterly line of Pierce's Road, said monument being located North 18°01'10" East 258.33' from the intersection of the easterly line of Pierce's Road with the northerly line of South Street; thence from said point of beginning and along the easterly line of Pierce's Road, North 29°44'10" East 268.62' to a point, said point being located South 55°05'40" West 66.93' from a monument on the northerly line of Pierce's Road, said monument being in the easterly line of Parcel A described above; thence along the westerly line of lands now or formerly of Lowden, South 7°54'10" West 258.70' to a point; thence along the northerly line of lands now or formerly of Overhiser North 76°44'50" West 100.34' to the point of beginning.

Said Parcel B is the same "Parcel B" in that certain Deed dated February 1, 1967 made by E.I. DuPont deNemours and Company to Stauffer Chemical Company and recorded on February 3, 1967 in Liber 1762 of Deeds at Page 307 in the Office of the County Clerk of Orange County, New York.

This Deed is subject to all matters of record, and to any state of facts that is apparent or that an accurate surveyor inspection of the premises would disclose.

Appendix DD
Environmental Easement
and Proof of Filing



ORANGE COUNTY – STATE OF NEW YORK
ANN G. RABBITT, COUNTY CLERK
255 MAIN STREET
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



Recording:

Recording Fee	85.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00

Sub Total: 110.00

Transfer Tax	
Transfer Tax - State	0.00

Sub Total: 0.00

Total: 110.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 256

Transfer Tax

Consideration: 0.00

Total: 0.00

BOOK/PAGE: 14089 / 1077
INSTRUMENT #: 20160052176

Receipt#: 2175005
Clerk: CH
Rec Date: 08/09/2016 10:24:25 AM
Doc Grp: D
Descrip: RT WY
Num Pgs: 13
Rec'd Frm: MCCARTER & ENGLISH

Party1: STAUFFER MGMT CO LLC
Party2: PEOPLE OF STATE OF NY
Town: NEWBURGH (CITY)
5-1-1

Payment Type: Check ☒
Cash ☐
Charge ☐
No Fee ☐

Comment: _____

STATE OF NEW YORK (COUNTY OF ORANGE) SS:
I, ANN G. RABBITT, COUNTY CLERK AND CLERK OF THE
SUPREME AND COUNTY COURTS, ORANGE COUNTY, DO
HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH
THE ORIGINAL THEREOF FILED OR RECORDED IN MY OFFICE
ON **AUG 09 2016** AND THE SAME IS A CORRECT
TRANSCRIPT THEREOF. IN WITNESS WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

Ann G. Rabbitt **AUG 09 2016**
COUNTY CLERK & CLERK OF THE SUPREME COUNTY COURTS,
ORANGE COUNTY

Ann G. Rabbitt

Ann G. Rabbitt
Orange County Clerk

Record and Return To:

MCCARTER & ENGLISH LLP
405 N KING ST 8TH FL
WILMINGTON DE 19801

**ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW**

THIS INDENTURE made this 24th day of MAY, 2016, between Owner(s) Stauffer Management Company, LLC, having an office at 1800 Concord Pike, Wilmington, Delaware, County of New Castle, State of Delaware (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 121 Pierces Road in the City of Newburgh, County of Orange and State of New York, known and designated on the tax map of the County Clerk of Orange as tax map parcel numbers: Section 5 Block 1 Lot 1 and Section 5 Block 2 Lot 1, being the same as that property conveyed to Grantor by deed dated November 17, 1987 (Parcels A & B) and recorded in the Orange County Clerk's Office in Liber and Page 2837/122. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 49.6 +/- acres, and is hereinafter more fully described in the Land Title Survey dated May 15, 2015 prepared by Eric E. Crampton, P.L.S. of C.T. Male Associates, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is

extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Order on Consent Index Number: W3-0832-98-12, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Orange County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation

Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:
(i) are in-place;
(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against

the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to: Site Number: 336009
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to: Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the

recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

Remainder of Page Intentionally Left Blank

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Staffer Management Company, LLC:

By: [Signature]

Print Name: Charles Elmendorf

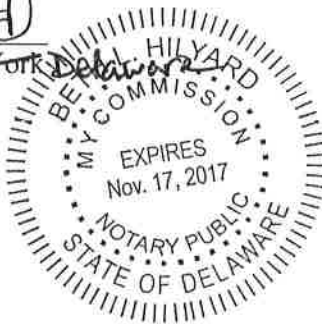
Title: President Date: 5/5/16

Grantor's Acknowledgment

Delaware
STATE OF ~~NEW YORK~~)
) ss:
COUNTY OF New Castle)

On the 5th day of May, in the year 20 16, before me, the undersigned, personally appeared Charles Elmendorf, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Beth J. Hilyard
Notary Public - State of New York



THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

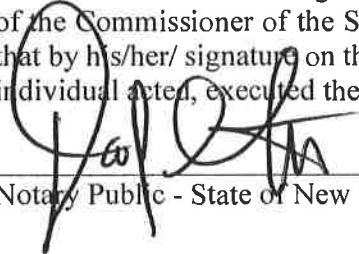
By:


Robert W. Schick, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 24th day of May, in the year 2014, before me, the undersigned, personally appeared Robert W. Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public - State of New York

David J. Chiusano
Notary Public, State of New York
No. 01CH5092146
Qualified in Schenectady County
Commission Expires August 22, 2018

SCHEDULE "A" PROPERTY DESCRIPTION

ALL those certain lots, pieces or parcels of land situate in the City of Newburgh, County of Orange, State of New York, denominated below as Parcel A and Parcel B, and being more accurately bounded and described as follows:

PARCEL A

BEGINNING at the intersection of the northerly line of South Street with the westerly line of Pierce's Road, said point of beginning being located South $51^{\circ}20'25''$ East 0.64' from a corner fence post; thence from said point of beginning and along the northerly line of South Street, North $71^{\circ}58'50''$ West 835.76' to the intersection of the northerly line of South Street with the center line of the Gidney Town Creek; thence along the center line of Gidney Town Creek and along the easterly line of lands now or formerly of Newburgh Gardens, North $25^{\circ}26'$ West 73.49' to an angle point in creek; thence North $39^{\circ}43'$ West 184.40' to a monument in the center line of the creek; thence North $16^{\circ}26'$ West 77.99' to the intersection of the center line of the creek with the southerly line of Old Pierce's Road, said point being on the southerly face of the old bridge over the creek; thence along a portion of the southerly face of the bridge and along a portion of the southerly line of Old Pierce's Road, South $84^{\circ}42'$ West 35.74' to a point; thence crossing Old Pierce's Road North $30^{\circ}44'$ East 36.07' to a point in the westerly line of the old bridge; thence along a portion of the westerly line of the old bridge North $14^{\circ}25'$ West 11.47' to the northwest corner of the old bridge, said point being in the northerly line of Old Pierce's Road; thence along the northerly line of the Old Pierce's Road, following a portion of the northerly face of the old bridge, North $84^{\circ}42'$ East 9.33' to the intersection of the northerly face of the old bridge with the center line of the Gidney Town Creek; thence along the center line of the creek as it existed in 1912 and along the lands formerly of Newburgh Gardens on the next several courses and distances, North $24^{\circ}30'30''$ West 112.89' to a point; thence North $1^{\circ}00'20''$ East 98.09' to a point; thence North $35^{\circ}45'30''$ East

30.60' to a point; thence North 13°07'30" East 91.78' to a point; thence North 73°00'30" East 90.69' to a point; thence North 32°01' East 30.28' to a point; thence North 9°30'40" East 31.05' to a point; thence North 33°02' East 104.87' to a point; thence North 10°24'50" East 30.59' to a point; thence North 4°48'50" West 67.09' to a point; thence North 21°44'30" East 90.00' to a point; thence North 11°09' East 109.73' to a point; thence North 30°40'30" West 53.53' to a point; thence North 13°35'40" East 198.08' to a point; thence North 41°39'20" East 152.21' to a point; thence North 54°46'50" East 103.45' to a point; thence North 34°25'40" East 66.45' to a point; thence North 19°17'20" East 91.78' to a point in the southerly line of Interstate Route 84; thence along the southerly line of Interstate Route 84, on the next several courses and distances, North 57°43'20" East 156.10' to a point in the center line of the Gidney Town Creek, as it now exists; thence passing over a highway monument at 71.70', and following a fence in part, North 81°34'20" East a total distance of 430.40' to a highway monument; thence following a fence South 82°08'10" East 308.96' to a highway monument; thence following a fence South 58°40'10" East 14.48' to the intersection of a stone wall with said fence, said point being the northwest corner of lands of City of Newburgh; thence along the westerly line of lands of City of Newburgh, following a stone wall South 37°27'50" West 33.12' to an angle point in the wall; thence still following a wall South 12°00'20" East 455.40' to a monument in the wall; thence still following a wall South 15°59'50" East 430.65' to a monument set in a stone wall corner; thence following a stone wall and along the line of lands now or formerly of the City of Newburgh North 84°57'50" West 270.45' to a nail set in concrete; thence South 01°21'40" West 289.00' to a monument; thence South 02°10'50" East, passing over a monument at 342.77' a total distance of 352.80' to a monument in the northerly line of Pierce's Road; thence along the northerly and westerly line of Pierce's Road on the remaining courses and distances, North 88°03'20" West, passing over a monument at 81.33' a total distance of 90.13' to an angle point; thence South 29°44'10" West 287.06' to an angle point; thence South 18°01'10" West 268.70' to the point of beginning.

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Recorded in Orange County Clerk's Office

<u>Grantees</u>	<u>Date</u>	<u>Liber and Page of Deeds</u>
Leita Mae Sylvia	10/9/1967	1778 cp 1030
Henry Morgan, as Executor of the Estate of Henrietta Morgan, Deceased	10/3/1967	1778 cp 417
Douglas Chauncey	10/3/1967	1778 cp 408
William B. Griffin and Florence M. Griffin	10/3/1967	1778 cp 396
Adolph F. Clavio	10/3/1967	1778 cp 392
Clare W. Clapper and Sarah A. Clapper	10/3/1967	1778 cp 402
Howard D. Atkins and Florence Atkins	10/3/1967	1778 cp 399
Catherine Albers	10/3/1967	1778 cp 411
Donald L. McQuiston and Ethel M. McQuiston	10/3/1967	1778 cp 414
John Owens Kerochan Jr.	10/3/1967	1778 cp 405

PARCEL B

BEGINNING at a monument in the easterly line of Pierce's Road, said monument being located North 18°01'10" East 258.33' from the intersection of the easterly line of Pierce's Road with the northerly line of South Street; thence from said point of beginning and along the easterly line of Pierce's Road, North 29°44'10" East 268.62' to a point, said point being located South 55°05'40" West 66.93' from a monument on the northerly line of Pierce's Road, said monument being in the easterly line of Parcel A described above; thence along the westerly line of lands now or formerly of Lowden, South 7°54'10" West 258.70' to a point; thence along the northerly line of lands now or formerly of Overhiser North 76°44'50" West 100.34' to the point of beginning.

Said Parcel B is the same "Parcel B" in that certain Deed dated February 1, 1967 made by E.I. DuPont deNemours and Company to Stauffer Chemical Company and recorded on February 3, 1967 in Liber 1762 of Deeds at Page 307 in the Office of the County Clerk of Orange County, New York.

This Deed is subject to all matters of record, and to any state of facts that is apparent or that an accurate surveyor inspection of the premises would disclose.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
625 Broadway, 12th Floor, Albany, New York 12233-7011
P: (518) 402-9706 | F: (518) 402-9020
www.dec.ny.gov

Charles N Elmendorf
President
Stauffer Management Company LLC.
on behalf of Bayer CropScience
1800 Concord Pike
FOP3-415
PO Box 15437
Wilmington, DE 19850-5437

OCT 06 2017

Tom Ei
Leader - DuPont Corporate Remediation Group
on behalf of E.I DuPont deNemours and Company
Chestnut Run Plaza 730/ 3170-5
PO Box 2915
974 Centre Road
Wilmington, DE 19805

Re: Certificate of Completion and Registry Reclassification from Class 2 to Class 4
DuPont-Stauffer Landfill, City of Newburgh, Orange County, Site No 336009

Dear Mr. Elmendorf and Mr. Ei:

Congratulations on having satisfactorily completed the remedial program at the DuPont- Stauffer Landfill Site ID No. 336009. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (Department) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (COC) to be issued for the above-referenced site. This also results in the reclassification of the site on the Registry of Inactive Hazardous Waste Disposal Sites ("Registry") from Class 2 to Class 4. The effective date of the classification change shall be 20 days from the date of this letter.

Please note that you are required to perform the following tasks:

- If you are the site owner, you must record a notice of the COC in the recording office for the County (or Counties) where any portion of the site is located within 30 days of issuance of the COC; or if you are a prospective purchaser of the site, you must record a notice of the COC within 30 days of the date that you acquire the site. If you are a non-owner, you must work with the owner to assure the notice of COC is recorded within the time frame specified. In all cases, proof of filing must be provided to the Department within 30 days of receipt. A standard notice form is attached to this letter.
- Place the notice of the COC in the document repository for the site within 10 days of issuance of the COC; and



Department of
Environmental
Conservation

- Implement the Department-approved Site Management Plan (SMP) which details the activities necessary to assure the performance, effectiveness, and protectiveness of the remedial program. You must report the results of these activities to the Department in a Periodic Review Report (PRR) which also includes any required IC/EC certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to the Department in January 2019.

The Department will prepare and distribute to the Site Contact List a fact sheet describing the institutional and engineering controls that are required at the site, and notifications relating to the reclassification or delisting of the site on the Registry.

If you have any questions regarding the reclassification or any of the above tasks, please contact Salvatore F. Priore at 518-402-9665 or by e-mail at salvatore.priore@dec.ny.gov.

Sincerely,



Robert W. Schick, P.E.
Director
Division of Environmental Remediation

Enclosure

Ec w/ Enc:

Charles N. Elmendorf - Charles.elmendorf@astrazeneca.com

Tom Ei - Tom.A.Ei@dupont.com

Salvatore F. Priore

Andrew Guglielmi

NOTICE OF CERTIFICATE OF COMPLETION

Inactive Hazardous Waste Disposal Site Program

Pursuant to 6 NYCRR Part 375-1.9(d)

DuPont-Stauffer Landfill, Site ID No. 336009

Site Address: 700 South Street and 121 Pierces Road, City of Newburgh, NY, 12550

City of Newburgh, Orange County, Tax Map Identification Numbers 5.1.1 & 5.2.1

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to 6 NYCRR Part 375 to Stauffer Management Company, LLC and E.I. DuPont de Nemours and Company for a parcel approximately 49.05 acres located at 700 South Street and 121 Pierces Road in the City of Newburgh, Orange County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Order on Consent, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 13 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☐ Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☐ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Orange County as ENV.E-20160052176.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in 6 NYCRR Part 375-2.9. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in 6 NYCRR Part 375-2.9. The liability limitation shall be subject to all rights reserved to the State by 6 NYCRR Part 375-2.9 and any other applicable provision of law.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, the Certificate may be only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

PLEASE TAKE NOTICE, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 3 located at 21 South Putt Corners Road, New Paltz, NY 12561, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Stauffer Management Company, LLC

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

On the _____ day of _____, in the year 20____, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature and Office of individual
taking acknowledgment

Please record and return to:
Charles Elmendorf
Stauffer Management Company, LLC
1800 Concord Pike, FOP3-415
P.O. Box 15437
Wilmington DE 19850-5437

CERTIFICATE TRANSFERABILITY

This Certificate may be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by 6NYCRR §375-1.9(f)-(g).

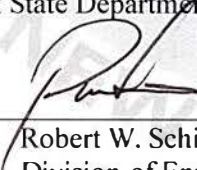
CERTIFICATE MODIFICATION/REVOCATION

This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with 6NYCRR §375-1.9(e)(2) upon a finding that:

- (1) the remedial party has failed to manage the controls or monitoring in full compliance with the terms of the approved remedial program;
- (2) there has been a failure to comply with the terms and conditions of the order;
- (3) there was a misrepresentation of a material fact tending to demonstrate that the cleanup levels were reached;
- (4) the terms and conditions of any environmental easement have been intentionally violated or found to be not protective or enforceable;
- (5) for good cause;
- (6) environmental contamination at, on, under, or emanating from the site if, in light of such conditions, the site is no longer protective of public health or the environment, and the remedial party is not in good faith negotiating, and/or following its approval by the Department, implementing a work plan to achieve conditions at the site which are protective of public health and the environment;
- (7) non-compliance with the terms of the order, the remedial work plan, site management plan, or the certificate of completion after notice of the failure and reasonable opportunity to cure has been afforded to the remedial party by the Department as provided for at paragraph 375-1.9(e)(2);
- (8) fraud related to the remedial program for the site committed by the certificate holder;
- (9) a finding by the Department that a change in an environmental standard, factor, or criterion upon which the remedial work plan was based renders the remedial program implemented at the site no longer protective of public health or the environment, and the remedial party is not in good faith negotiating, and/or following its approval by the Department, implementing a work plan to achieve conditions at the site which are protective of public health and the environment; or
- (10) a change in the site's use subsequent to the Department's issuance of the certificate of completion, unless additional remediation is undertaken which shall meet the standard for protection of the public health and environment that applies to this site.

The Certificate holder(s) (including its successors or assigns) shall have thirty (30) days within which to cure any deficiency or to seek a hearing. If the deficiency is not cured or a request for a hearing is not received within such 30-day period, the Certificate shall be deemed modified or vacated on the 31st day after the Department's notice.

Basil Seggos
Commissioner
New York State Department of Environmental Conservation

By: 
Robert W. Schick, P.E., Director
Division of Environmental Remediation

Date: October 6, 2017

NYSDEC STATE SUPERFUND PROGRAM (SSF)
CERTIFICATE OF COMPLETION

Name

Stauffer Management Company, LLC
E.I. DuPont deNemours and Company

Address

1800 Concord Pike, Fop3-415, Wilmington, DE 19850-5437
Chestnut Run Plaza 730/ 3170-5, Wilmington, DE 19805

SITE INFORMATION

Site No.: 336009 **Site Name:** DuPont-Stauffer Landfill

Order on Consent: Index No. CO W3-3988-02-04 **Order Execution Date:** 07/29/2005 and 12/27/2006

Site Owner: Stauffer Management Company, LLC

Street Address: 700 South Street and 121 Pierces Road

Municipality: Newburgh **County:** Orange **DEC Region:** 3

Site Size: 49.050 Acres

Tax Map Identification Number(s): 5-1-1, 5-2-1

A description of the property subject to this Certificate is attached as Exhibit A and a site survey is attached as Exhibit B.

CERTIFICATE ISSUANCE

This Certificate of Completion, hereinafter referred to as the "Certificate," is issued pursuant to 6 NYCRR §375-1.9.

This Certificate has been issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Order on Consent as well as any other relevant information regarding the Site, that the applicable remediation requirements set forth in the Environmental Conservation Law (ECL) and 6NYCRR Part 375 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

The remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses:

Allowable Uses under the SSF: Commercial and Industrial

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Orange County with recording identifier Env.E -20160052176.

LIABILITY LIMITATION

Upon issuance of this Certificate of Completion, and subject to the terms and conditions set forth herein, the Certificate holder(s) shall be entitled to the liability limitation provided in 6NYCRR §375-2.9. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in 6NYCRR §375-2.9(d). The liability limitation shall be subject to all rights reserved to the State by ECL §27-1321 and any other applicable provision of law.

Exhibit A
Site Description

Metes and Bounds from the Easement

All those certain lots, pieces or parcels of land situate in the City of Newburgh, County of Orange, State of New York, denominated below as Parcel A and Parcel, and being more accurately bounded and described as follows:

PARCEL A

BEGINNING at the intersection of the northerly line of South Street with the westerly line of Pierce's Road, said point of beginning being located South 51°20'25" East 0.64' from a corner fence post; thence from said point of beginning and along the northerly line of South Street, North 71°58'50" West 835.76' to the intersection of the northerly line of South Street with the center line of lands now or formerly of Newburgh Gardens, North 25°26' West 73.49' to an angle point in creek; thence North 39°43' West 184.40' to a monument in the center line of the creek; thence North 16°26' West 77.99' to the intersection of the center line of the creek with the southerly line of Old Pierce's Road, said point being on the southerly face of the old bridge over the creek; thence along a portion of the southerly face of the bridge and along a portion of the southerly line of Old Pierce's Road, South 84°42' West 35.74' to a point; thence crossing Old Pierce's Road North 30°44' East 36.07' to a point in the westerly line of the old bridge; thence along a portion of the westerly line of the old bridge North 14°25' West 11.47' to the northwest corner of the old bridge, said point being in the northerly line of Old Pierce's Road; thence along the northerly line of the Old Pierce's Road, following a portion of the northerly face of the old bridge, North 84°42' East 9.33' to the intersection of the northerly face of the old bridge with the center line of the Gidney Town Creek; thence along the center line of the creek as it existed in 1912 and along the lands formerly of Newburgh Gardens on the next several courses and distances, North 24°45'30" East West 112.89' to a point; thence North 1°00'20" East 98.09' to a point; North 35°45'30" East 30.60' to a point; thence North 13°07'30" East 91.78' to a point; thence North 73°00'30" East 90.69' to a point; thence North 32°01' East 30.28' to a point; thence North 9° 30' 40" East 31.05' to a point; thence North 33°02' East 104.87' to a point; thence North 10°24'50" East 30.59' to a point; thence North 4°48'50" West 67.09' to a point; thence North 21°44'30" East 90.00' to a point; thence North 11°09' East 109.73' to a point; thence North 30°40'30" West 53.53' to a point; thence North 13°35'40" East 198.08' to a point; thence North 41°39'20" East 152.21' to a point; thence North 54°46'50" East 103.54' to a point; thence North 34°25'40" East 66.45' to a point; thence along the southerly line of Interstate Route 84, thence along the southerly line of Interstate Route 84, on the next several courses and distances, North 57°43'20" East 156.10' to a point in the center line of the Gidney Town Creek, as it now exists; thence passing over a highway monument at 71.70', and following a fence South 82°08'10" East 308.96' to a highway monument; thence following a fence South 58°40'10" East 14.48' to the intersection of a stone wall with said fence, said point being the northwest corner of lands of City of Newburgh; thence along the westerly line of lands City of Newburgh, following a stone wall South 37°27'50" West 33.12' to an angle point in the wall; thence still following a wall South 12°00'20" East 455.40' to a monument in the wall; thence still following a wall South 15°59'50" East 430.65' to a monument set in a stone wall corner; thence following a stone wall and along the line of lands now or formerly of the City of Newburgh North 84°57'50" West 270.45' to a nail set in concrete; thence South 01°21'40" West 289.00' to a monument; thence South 02°10'50" East. Passing over a monument at 342.77' a

total distance of 352.80' to a monument to a monument in the northerly line of Pierce's Road; thence along the northerly and westerly line of Pierce's Road on the remaining courses and distances, North 88°03'30" West, passing over a monument at 81.33' a total distance of 90.13' to an angle point; thence South 29°44'10" West 287.06' to an angle point; thence South 18°01'10" West 268.70' to the point of beginning.

PARCEL B

BEGINNING at a monument in the easterly line of Pierce's Road, said monument being located North 18°01'10" East 258.33' from the intersection of the easterly line of Pierce's Road with the northerly line of the South Street; thence from said point of beginning and along the easterly line of Pierce's Road, North 29°44'10" East 269.62' to a point, said point being located South 55°05'40" West 66.93' from a monument on the northerly line of Pierce's Road, said monument being in the easterly line of Parcel A described above; thence along the westerly line of lands now of formerly of Lowden, South 7°44'10" West 258.70' to a point; thence along the northerly line of lands now or formerly of Overhiser North 76°44'50" West 100.34' to the point beginning.

Exhibit B

Site Survey

MATCH LINE "A" SEE SHEET 2

[illegible][illegible][illegible]



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
10/5/2017



SITE DESCRIPTION

SITE NO. 336009

SITE NAME DuPont-Stauffer Landfill

SITE ADDRESS: 700 South Street and 121 Pierces Road **ZIP CODE:** 12550

CITY/TOWN: Newburgh

COUNTY: Orange

ALLOWABLE USE: Commercial and Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:

IC/EC Certification Plan YES

Monitoring Plan YES

Operation and Maintenance (O&M) Plan NO

Periodic Review Frequency: 1 year

Periodic Review Report Submittal Date: 02/27/2019

Description of Institutional Control

Atkemix Thirty Seven Inc.

700 South Street

Environmental Easement

Block: 1

Lot: 1

Sublot:

Section: 5

Subsection:

S_B_L Image: 5-1-1

Building Use Restriction

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Surface Water Use Restriction

ATKEMIX THIRTY-SEVEN INC

121 Pierces Road

Environmental Easement

Block: 2

Lot: 1

Sublot:

Section: 5

Subsection:

S_B_L Image: 5-2-1

Building Use Restriction

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Soil Management Plan

Surface Water Use Restriction

Description of Engineering Control

Atkemix Thirty Seven Inc.

700 South Street

Environmental Easement

Block: 1

Lot: 1

Sublot:

Section: 5

Subsection:

S_B_L Image: 5-1-1

Cover System

Fencing/Access Control

ATKEMIX THIRTY-SEVEN INC

121 Pierces Road

Environmental Easement

Block: 2

Lot: 1

Sublot:

Section: 5

Subsection:

S_B_L Image: 5-2-1

Cover System

Fencing/Access Control

APPENDIX B

SITE INSPECTION PHOTOGRAPHS

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 1: Monitoring Well LF-17D prior to repairs



Photo 2: Monitoring Well LF-17D after stickup and pad replacement. Mulching and reseedling of disturbed areas will occur in October

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 3: Monitoring Well LF-15S prior to repairs



Photo 4: Monitoring Well LF-15S after stickup and pad replacement

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 5: Monitoring Well LF-16S prior to repairs



Photo 6: Monitoring Well LF-16S after stickup and pad replacement

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 7: Fence along Pierces Road prior to repairs



Photo 8: Fence along Pierces Road prior to repairs

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 9: Fence along Pierces Road prior to repairs



Photo 10: Landscaper removed brush to provide access for fence repairs and to remove fallen trees

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 11: Gate along Pierces Road after repairs



Photo 12: Fence along Pierces Road showing completed repairs

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 13: Fence along Pierces Road showing completed repairs



Photo 14: Fence along northern site border prior to repair of breach

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 15: Fence along northern site border after repairs were completed



Photo 16: Onsite roadway looking toward the western gate prior to brush clearing

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 17: West gate prior to tree removal

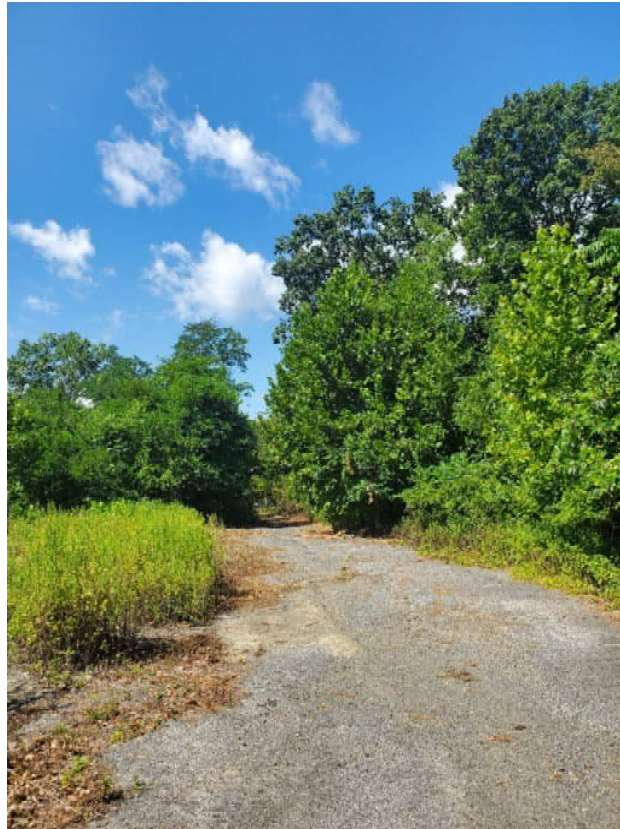


Photo 18: Onsite roadway looking toward the western gate after landscaping

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 19: West gate after tree removal



Photo 20: West gate after fence repairs

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 21: Northwestern corner of site prior to clearing and fence repair



Photo 22: Landscape contractor removing brush to allow access to fence in northwestern corner of the site

Site Inspection Photo Log
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501
February 24, 2023



Photo 23: Northwestern corner of site following fence replacement



Photo 24: Northwestern corner of site following fence replacement

APPENDIX C

ANNUAL SITE INSPECTION REPORT

INSPECTION REPORT
DUPONT-STAUFFER LANDFILL SITE
NEWBURGH, NEW YORK

DATE: 07/21/2022

INSPECTION BY: Name of Person: Mitchel Johnson
 Name of Firm: Langan

1. VEGETATED COVER AREAS:

Erosion or holes: Present: _____ Not Present: X
Grass coverage: Established (> 80%): X Bare (< 80%): _____

Remarks:

2. DRAINAGE FACILITIES:

Ponding or standing stormwater within the site
evident _____ or not evident X

Sediment or debris within the site
evident _____ or not evident X

Evidence of sediment release from the site - not evident X or evident _____

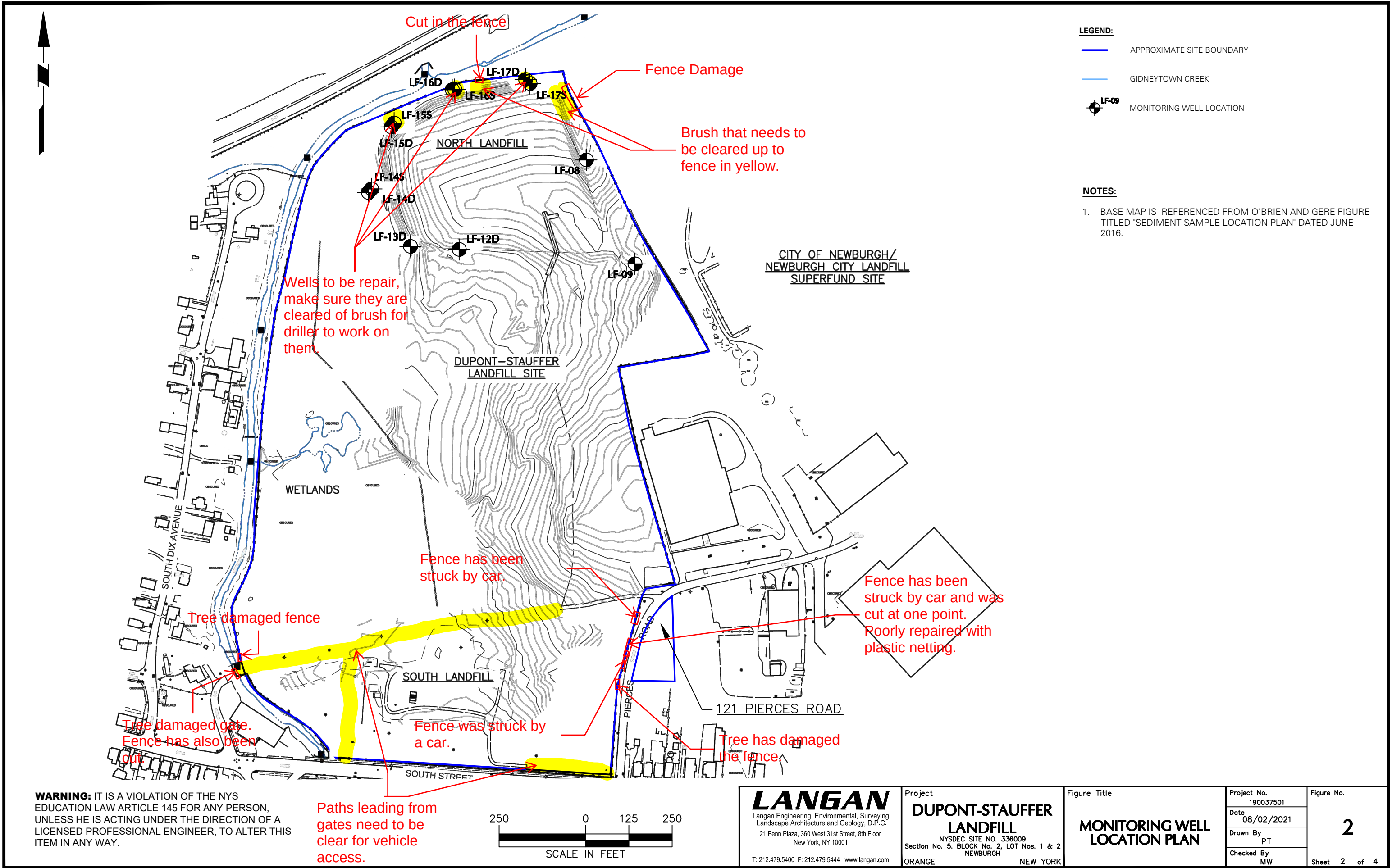
Condition of erosion controls - good X or poor _____

Remarks:

Stauffer Management Company – Charles Elmendorf (315) 428-5652

NYSDEC – Env. Remediation – Salvatore Priore (518) 402-9665
Spill Hotline (800) 457-7362

- LF-17D well casing has been damaged and needs to be repaired.
- LF-16S Well casing has been damaged and needs repair.
- LF-15S has an obstruction in PVC casing, needs repair.
- Multiple sections of fence along Pierces road are damaged and need repair.
- Multiple sections of fence are damaged by the gate on Old Pierces road and need repair.



APPENDIX D

GROUNDWATER SAMPLING LOGS

Project Information		Well Information		Equipment Information		Sampling Conditions		Sampling Information	
Project Name:	DuPont Stauffer Landfill	Well No:	LF-8	Water Quality Device Model:	Horiba U-52	Weather:	sunny and 90	Sample(s):	LF08_07202022
Project Number:	190037501	Well Depth:	62	Pine Number:	KJC9XPR	Background PID (ppm):	0.1		
Site Location:	Newburgh, New York	Well Diameter:	5 in	Pump Make and Model:	Bladder Pump	PID Beneath Inner Cap (ppm):	0		
Sampling Personnel:	MJ	Open Hole Depths (below grade surface):	3	Pine Number:		Pump Intake Depth:	45.00	Sample Date:	07/20/2022
	JC		60	Tubing Diameter:	1/4 ID	Depth to Water Before Purge:	15.56	Sample Time:	14:20

STABILIZATION = 3 successive readings within limits

TIME	TEMP °Celsius (+/- 3%)	PH (+/- 0.1)	ORP mV (+/- 10mV)	CONDUCTIVITY mS/cm (+/- 3%)	TURBIDITY ntu (+/- 10%) above 5 NTU	DO mg/l (+/- 10%) above 0.5 mg/l	DTW ft Drawdown < 0.33 ft	Flow Rate (gpm) <0.13 gpm)	Cumulative Discharge Volume (Gal)	NOTES color, odor etc.	Stabilized?
11:40	22	6.49	108	0.784	157	7.15	15.86	200 ml		started purging at 11:28	N/A
11:45	16.33	6.32	64	0.809	148.0	7.86	16.08	200 ml			N/A
11:50	15.07	6.47	38	0.813	137.0	6.78	16.17	200 ml			N
11:55	14.64	6.57	22	0.815	117	5.38	16.25	200 ml			N
12:00	14.37	6.58	11	0.819	112	4.30	16.41	200 ml			N
12:05	14.15	6.62	6	0.822	125.0	3.52	16.53	200 ml			N
12:10	13.97	6.60	2	0.826	96.0	3.0	16.65	200 ml			N
12:15	13.93	6.61	0	0.827	84.2	2.87	16.75	200 ml			N
12:20	13.91	6.59	-3	0.831	83.1	2.40	16.89	200			N
12:25	13.82	6.60	0.4	0.835	81.7	2.1	17	200			N
12:30	13.7	6.61	-5	0.837	76	1.98	17.08	200			N
12:35	14.14	6.60	-7	0.837	95.1	1.92	17.15	140			N
12:40	14.72	6.57	-6	0.839	104	1.87	17.21	145			N
12:45	14.86	6.59	-7	0.84	98.2	1.78	17.28	150			N
12:50	15.02	6.57	-9	0.842	93.1	1.74	17.35	150			N
12:55	14.95	6.60	-11	0.842	83.5	1.66	17.41	150			N
13:00	15.14	6.60	-12	0.844	80.4	1.59	17.49	150			N
13:05	14.95	6.62	-14	0.845	68.7	1.50	17.54	150			N
13:10	14.98	6.59	-12	0.846	62.1	1.45	17.61	150			N
13:15	15.02	6.60	-13	0.848	61.2	1.39	17.71	150			N
13:20	15.15	6.62	-14	0.848	70.3	1.31	17.77	150			N
13:25	15.15	6.63	-15	0.848	60.6	1.26	17.83	150			N
13:30	15.09	6.61	-14	0.850	56.8	1.20	17.90	150			N
13:35	15.22	6.61	-14	0.850	62.5	1.11	17.99	150			N
13:40	15.34	6.63	-15	0.851	64.6	1.11	18.03	150			N
13:45	15.35	6.63	-16	0.852	63.4	1.10	18.07	150			Y
13:50	15.39	6.63	-16	0.852	54.9	1.08	18.14	150			N
13:55	15.33	6.61	-15	0.853	46.9	1.00	18.21	150			N
14:00	15.04	6.63	-16	0.853	46.0	0.94	18.30	150			N
14:05	15.04	6.64	-15	0.853	42.4	0.93	18.37	150			Y
14:10	15.06	6.64	-15	0.854	41.5	0.90	18.43	150			Y
14:15	15.02	6.64	-15	0.854	40.1	0.92	18.50	150			Y
											N
											N

Notes:

1. Well depths and groundwater depths were measured in feet below the top of well casing.
2. Well and tubing diameters are measured in inches.
3. PID = Photoionization Detector
4. PPM = Parts per million
5. pH = Hydrogen ion concentration
6. ORP = Oxidation-reduction potential, measured in millivolts (mV)
7. DO = Dissolved Oxygen, measured in milligrams per liter (mg/L)
8. DTW = Depth to water
9. mS/cm = milli-Siemans per centimeter
10. NTU = Nephelometric Turbidity Unit

[illegible]

[illegible]

Notes:

1. Well depths and groundwater depths were measured in feet below the top of well casing
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3. PID = Photoionization Detector
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LANGAN Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
21 Penn Plaza, 360 West 31st Street, 8th Floor, New York

[illegible]

[illegible]

Notes:

1. Well depths and groundwater depths were measured in feet below the top of well casing.
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3. PID = Photoionization Detector
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Project Information		Well Information		Equipment Information		Sampling Conditions		Sampling Information	
Project Name:	DuPont Stauffer Landfill	Well No:	LF-15S	Water Quality Device Model:	Horiba U-52	Weather:	Clear 80s	Sample(s):	LF15S_07212022
Project Number:	190037501	Well Depth:	17.5	Pine Number:		Background PID (ppm):	0.0		
Site Location:	Newburgh, New York	Well Diameter:	2-Inch	Pump Make and Model:	1-Inch Badder	PID Beneath Inner Cap (ppm):	0		
Sampling Personnel:		Well Screen Interval (below grade surface):	8.9	Pine Number:		Pump Intake Depth:	16.50	Sample Date:	07/21/2022
			13.9	Tubing Diameter:	1/4 ID	Depth to Water Before Purge:	15.58	Sample Time:	16:05

[illegible]

Notes:

1. Well depths and groundwater depths were measured in feet below the top of well casing.
2. Well and tubing diameters are measured in inches.
3. PID = Photoionization Detector
4. PPM = Parts per million
5. pH = Hydrogen ion concentration
6. ORP = Oxidation-reduction potential, measured in millivolts (mV)
7. DO = Dissolved Oxygen, measured in milligrams per liter (mg/L)
8. DTW = Depth to water
9. mS/cm = milli-Siemans per centimeter
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[illegible]

Notes:

1. Well depths and groundwater depths were measured in feet below the top of well casing.
2. Well and tubing diameters are measured in inches.
3. PID = Photoionization Detector
4. PPM = Parts per million
5. pH = Hydrogen ion concentration
6. ORP = Oxidation-reduction potential, measured in millivolts (mV)
7. DO = Dissolved Oxygen, measured in milligrams per liter (mg/L)
8. DTW = Depth to water
9. mS/cm = milli-Siemans per centimeter
10. NTU = Nephelometric Turbidity Unit

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Project Information		Well Information		Equipment Information		Sampling Conditions		Sampling Information	
Project Name:	DuPont Stauffer Landfill	Well No:	LF-17D	Water Quality Device Model:	Horiba U-52	Weather:	Clear 80s	Sample(s):	LF17D_081822
Project Number:	190037501	Well Depth:	43.4	Pine Number:		Background PID (ppm):	0.0		
Site Location:	Newburgh, New York	Well Diameter:	4-Inch	Pump Make and Model:	Bladder Pump	PID Beneath Inner Cap (ppm):	0		
Sampling Personnel:	Mitchel Johnson	Open Hole Depth	23	Pine Number:		Pump Intake Depth:	20.69	Sample Date:	08/18/2022
		(feet below	43.4	Tubing Diameter:	1/4 ID	Depth to Water Before Purge:	16.6	Sample Time:	

[illegible]

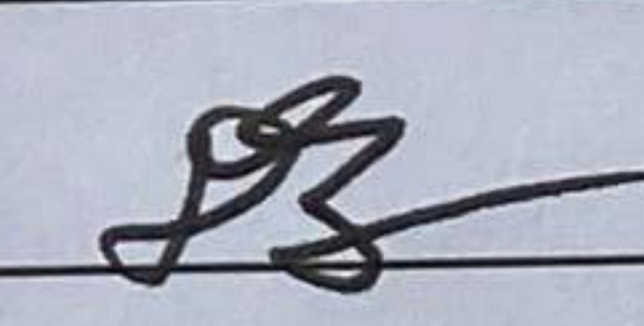
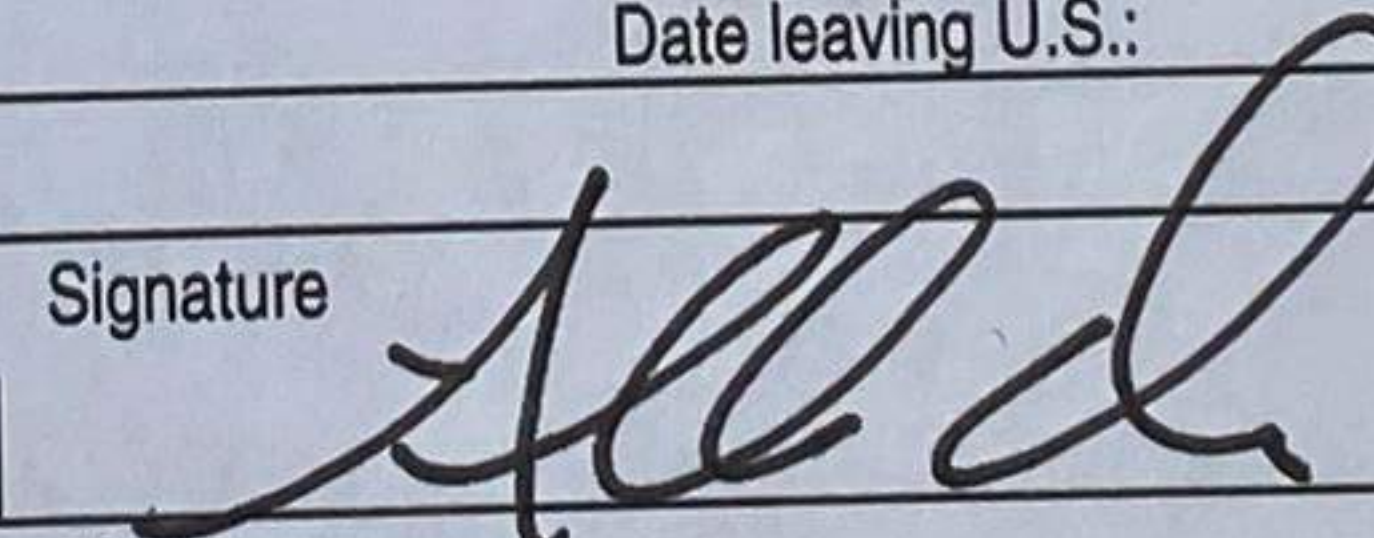
Notes:

1. Well depths and groundwater depths were measured in feet below the top of well casing.
2. Well and tubing diameters are measured in inches.
3. PID = Photoionization Detector
4. PPM = Parts per million
5. pH = Hydrogen ion concentration
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10. NTU = Nephelometric Turbidity Unit

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APPENDIX E

WASTE DISPOSAL MANIFEST

NON-HAZARDOUS WASTE MANIFEST		1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Waste Tracking Number
		Not Required	1	732-613-1660	18480-1
5. Generator's Name and Mailing Address Stauffer Management Company LLC 1800 Concord Pike-PO Box 15437 Wilmington, DE 19803			Generator's Site Address (if different than mailing address) 700 South St & 121 Pierces Road Newburgh, NY 12550 Orange		
Generator's Phone: 302-886-6932			U.S. EPA ID Number NJR986647352		
6. Transporter 1 Company Name AWT Environmental Services, Inc.			U.S. EPA ID Number		
7. Transporter 2 Company Name			U.S. EPA ID Number NJD002200046		
8. Designated Facility Name and Site Address Cycle Chem, Inc. 217 South First Street Elizabeth, NJ 07206			Facility's Phone: 908-355-5800		
9. Waste Shipping Name and Description		10. Containers		11. Total Quantity	12. Unit Wt./Vol.
		No.	Type		
1. Non RCRA Non DOT Liquids		2	DM	110	G
2.					
3.					
4.					
13. Special Handling Instructions and Additional Information 1. Purge Water - Profile 214627-LS AWT P.O. # 18480-JLH					
14. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations.					
Generator's/Offor's Printed/Typed Name Dominic Livof as Authorized Agent of Stauffer Management CO. LLC				Signature 	Month Day Year 12 01 22
15. International Shipments		☐ Import to U.S.		☐ Export from U.S.	
Transporter Signature (for exports only):		Port of entry/exit:		Date leaving U.S.:	
16. Transporter Acknowledgment of Receipt of Materials		Signature 		Month Day Year 12 1 22	
Transporter 1 Printed/Typed Name Allen Owens		Signature		Month Day Year	
Transporter 2 Printed/Typed Name					
17. Discrepancy					
17a. Discrepancy Indication Space		☐ Quantity	☐ Type	☐ Residue	☐ Partial Rejection ☐ Full Rejection
Manifest Reference Number:				U.S. EPA ID Number	
17b. Alternate Facility (or Generator)					
Facility's Phone:				Month Day Year	
17c. Signature of Alternate Facility (or Generator)					
18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in Item 17a					
Printed/Typed Name				Signature Month Day Year	

DESIGNATED FACILITY TO GENERATOR

217 South First Street
Elizabeth, NJ 07206
Phone: (908) 355-5800
Fax: (908) 355-0562

550 Industrial Dr.
Lewisberry, PA 17339
Phone: (717) 938-4700
Fax: (717) 938-3301



Product Code: _____
Sales Code: _____

A. Generator Information

Generator Name: Stauffer Management Company LLC
Mailing Address: 1800 Concord Pike, P.O. Box 15437, Wilmington, DE 19803
Site Address: 700 South Street & 121 Pierces Road, Newburgh, NY 12550
Generator Contact: _____
Phone #: 302-886-4379 Fax #: _____
Billing Address: AWT Environmental Services, Inc. - P.O. Box 128, Sayreville, NJ 08871
Billing Contact: J. Hack / T. Matthaey
Phone #: 732-613-1660 Fax #: 732-613-1536

Generator USEPA ID: Not Required

Name of Waste: Purge Water

Process Generating Waste: Monitoring Wells

B. Physical Characteristics of Waste

Color/Physical Description: Aqueous
Strong Incidental Odor Present?: ☐ Yes ☒ No
Physical State @ 70°:
☒ Single Phase ☐ Multilayered ☐ Solid ☐ Semi-solid
☐ Bi-layered ☐ Powder ☒ Liquid ☐ Sludge
% Sludge: _____ % Suspended solids: _____ % Solid/Debris: _____ % Free Liquids: 100
Dumpable: ☒ Yes ☐ No Pumpable: ☒ Yes ☐ No Pourable: ☒ Yes ☐ No
Flashpoint: ☐ <73° ☐ 73-100° ☐ 100-140° ☐ 141-200° ☒ >200° ☐ No Flash ☐ Exact _____
Ignitable Solid: ☐ Yes ☒ No
pH: ☐ ≤2 ☐ 2.01-5 ☒ 5.01-9 ☐ 9.01-12.4 ☐ ≥12.5 ☐ Exact _____

Specific Gravity: _____
☐ Yes ☒ No

C. Shipping Information

Quantity: 1 Units: 55 Gallon
Price: _____
Container: Drum

D. Transport Information

☐ CCI to Provide Transportation
☐ Customer to Deliver to CCI
☐ Customer to Deliver to end facility Via CCI

E. Chemical Composition

Description	Range Minimum	Range Maximum
Water	98	100
Sediment (Soil)	0	2

F. Regulatory Information

EPA Hazardous Waste?: ☐ Yes ☒ No USEPA Code(s): _____
Applicable Subcategories: _____
State Hazardous Waste?: ☐ Yes ☒ No State Code(s): _____
D.O.T. Hazardous Waste?: ☐ Yes ☒ No Proper Shipping Name: Non RCRA Non DOT Liquids
Class: N/A I.D. NO: N/A P.G.: N/A R.Q.: N/A

G. Special Handling Considerations

Project Codes: _____
Special Handling: _____
Special Pricing: _____

H. Other Hazardous Characteristics

☐ RCRA Reactive	☐ Water Reactive	PCB's	None ☒ Actual _____
☐ Radioactive	☐ Subject to Subpart	Cyanides	☒ _____
☐ Etiological	FF Benzene	Phenolics	☒ _____
☐ TSCA Regulated	☐ Oxidizing	Sulfides	☒ _____
☐ Pyrophoric	☐ Explosive	VOC's	☒ _____
☒ None			

☐ Is this waste characteristically hazardous (EPA Waste Codes D004-D043):
☒ Does this waste contain underlying hazardous constituents As defined in 40 CFR 268(2)(I) at concentrations exceeding the UTS treatment standards? If yes, list in section C.

GENERATOR CERTIFICATION: I hereby certify that all information submitted in this and attached documents is complete, contains true and accurate descriptions and is representative of the waste material, and that all relevant information regarding known or suspected hazards in the possession of the generator has been disclosed. If CCI discovers, after having taken delivery of the waste, that any waste does not conform to the identification and description on this MPS then CCI shall provide notice of such condition to the generator and coordinate the return of the non-conforming waste to the point of origin as set forth on the manifest or to such other locations designated in writing by the generator. Generator agrees to reimburse CCI for all handling, packaging, clean-up and transportation costs or charges, damage to equipment, and costs associated with lost time incurred by CCI during the receipt, handling, temporary storage and return of such non-conforming waste to point of origin or to such other location designated by generator. I hereby authorize CCI to amend and/or correct any information on the MPS with the full understanding that if any amendment or correction is performed, I will be contacted as such to issue any approval.

GENERATOR NAME (PRINTED) Dominic Livori, Agent of Stauffer
management CO. LLC

AUTHORIZED SIGNATURE: [Signature]

DATE: 12/01/22

TITLE: _____

ACV Approval: _____

Signature: _____

Date: _____

Form Code: _____

APPENDIX F

LABORATORY ANALYTICAL REPORTS

(PROVIDED SEPARATELY)

APPENDIX G

DATA USABILITY SUMMARY REPORT

989 Lenox Drive Lawrenceville, NJ 08648 T: 609.282.8000
Mailing Address: 989 Lenox Drive Lawrenceville, NJ 08648

To: Matthew Wenrick, Langan Project Engineer

From: Joe Conboy, Langan Senior Staff Chemist

Date: November 17, 2022

Re: Data Usability Summary Report
DuPont-Stauffer Landfill
July to September 2022 Groundwater Samples
Langan Project No.: 190037501

This memorandum presents the findings of an analytical data validation from the analysis of groundwater samples collected in July, August, and September 2022 by Langan Engineering and Environmental Services at DuPont-Stauffer Landfill. The samples were analyzed by Eurofins of Edison NJ (NYSDOH NELAP registration # 11452) for volatile organic compounds (VOCs), metals, and RCRA characteristics (including ignitability, temperature, corrosivity, reactive cyanide, and reactive sulfide) by the methods specified below.

- VOCs by SW-846 Method 8260D
- SVOCs by SW-846 Method 8270E/8270E SIM
- Metals + Hg by SW-846 Methods 6020B/7470A
- Dissolved Metals + Hg by SW-846 Methods 6020B/7470A
- TCLP Metals + Hg by SW-846 Methods 6010D/7470A
- Ignitability by SW-846 Method 1020C
- Temperature and Corrosivity by 9040C
- Reactive Cyanide by SW-846 Method 9014
- Reactive Sulfide by SW-846 Method 9034

Table 1, attached, summarizes the laboratory and client sample identification numbers, sample collection dates, level of data validation, and analytical parameters subject to review.

Validation Overview

This data validation was performed in accordance with the following guidelines, where applicable:

- USEPA Region II Standard Operating Procedures (SOPs) for Data Validation
- USEPA Contract Laboratory Program "National Functional Guidelines for Organic Superfund Methods Data Review" (EPA 540- R-20-005, November 2020)

Technical Memorandum

Data Usability Summary Report
DuPont-Stauffer Landfill
July to September 2022 Groundwater Samples
Langan Project No.: 1
November 17, 2022 Page 2 of 4

- USEPA Contract Laboratory Program “National Functional Guidelines for Inorganic Superfund Methods Data Review” (EPA 540- R-20-005, November 2020), and
- published analytical methodologies.

The following acronyms may be used in the discussion of data-quality issues:

%D	Percent Difference	MB	Method Blank
CCV	Continuing Calibration Verification	MDL	Method Detection Limit
FB	Field Blank	MS	Matrix Spike
FD	Field Duplicate	MSD	Matrix Spike Duplicate
ICAL	Initial Calibration	RF	Response Factor
ICV	Initial Calibration Verification	RL	Reporting Limit
ISTD	Internal Standard	RPD	Relative Percent Difference
LCL	Lower Control Limit	RSD	Relative Standard Deviation
LCS	Laboratory Control Sample	TB	Trip Blank
LCSD	Laboratory Control Sample Duplicate	UCL	Upper Control Limit

Tier 1 data validation is based on completeness and compliance checks of sample-related QC results including: sample receipt documentation; analytical holding times; sample preservation; blank results (method, field, and trip); surrogate recoveries; MS/MSD recoveries and RPDs values; field duplicate RPDs, laboratory duplicate RPDs, and LCS/LCSD recoveries and RPDs. All (3) SDGs underwent Tier 1 validation review.

As a result of the review process, the following qualifiers may be assigned to the data in accordance with the USEPA guidelines and our best professional judgment:

- R** – The sample results are unusable because certain criteria were not met when generating the data. The analyte may or may not be present in the sample.
- J** – The analyte was positively identified and the associated numerical value is the approximate concentration of the analyte in the sample.
- UJ** – The analyte was not detected at a level greater than or equal to the reporting limit; however, the reported reporting limit is approximate and may be inaccurate or imprecise.
- U** – The analyte was analyzed for, but was not detected at a level greater than or equal to the level of the RL or the sample concentration for results impacted by blank contamination.
- NJ** – The analysis indicates the presence of an analyte that has been "tentatively identified" and the associated numerical value represents its approximate concentration.

If any validation qualifiers are assigned, these qualifiers should supersede any laboratory-applied qualifiers. Data that is not qualified as a result of this data validation is considered acceptable on the basis of the items specified for review. Data that is qualified as “R” are considered invalid

Technical Memorandum

Data Usability Summary Report
DuPont-Stauffer Landfill
July to September 2022 Groundwater Samples
Langan Project No.: 1
November 17, 2022 Page 3 of 4

and are not technically usable for data interpretation. Data that is otherwise qualified because of minor data-quality anomalies are usable, as qualified in Table 2 (attached).

MAJOR DEFICIENCIES:

Major deficiencies include those that grossly impact data quality and necessitate the rejection of results. No major deficiencies were identified.

MINOR DEFICIENCIES:

Minor deficiencies include anomalies that directly impact data quality and necessitate qualification, but do not result in unusable data. The section below describes the minor deficiencies that were identified.

Metals by SW-846 Method 6020B

460-266204-1

The FB (FB_092222) exhibited a detection of dissolved nickel (3.2 ug/l). The associated detected results in samples LF-08_09202022, LF-09_09202022, LF-14S09202022, LF-15D_092222, LF-15S_092222, LF-16D_092222, LF-16S_092222, DUP_09202022, LF-12D_09202022, LF-13W_09202022, LF-14D_09202022, LF-17S_09202022, and LF-17D_092222 are qualified as U at the reporting limit or J because of potential blank contamination.

Temperature and Corrosivity by SW-846 Method 9040C

460-264296-1

The sample WC_081822 exhibited an exceedance of the recommended holding time for temperature and corrosivity (15 minutes). The associated results in sample WC_081822 are qualified as J because of potential low bias.

OTHER DEFICIENCIES:

Other deficiencies include anomalies that do not directly impact data quality and do not necessitate qualification. The section below describes the other deficiencies that were identified.

VOCs by SW-846 Method 8260D

460-266204-1

The LCS/LCSD for batch 460-868411 exhibited percent recoveries above the UCL for bis(2-ethylhexyl) phthalate (134%) and atrazine (182%, 179%). The associated results are non-detect. No qualification is necessary.

Technical Memorandum

Data Usability Summary Report
DuPont-Stauffer Landfill
July to September 2022 Groundwater Samples
Langan Project No.: 1
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Metals by SW-846 Method 6020B

460-262555-1

The MB for batch 460-858995 exhibited a detection of silver (0.293 ug/l). The associated results are non-detect. No qualification is necessary.

FIELD DUPLICATE:

Two field duplicate and parent sample pairs were collected and analyzed for all parameters. For results less than 5X the RL, analytes meet the precision criteria if the absolute difference is less than $\pm X$ the RL. For results greater than 5X the RL, analytes meet the precision criteria if the RPD is less than or equal to 30% for groundwater. The following field duplicate and parent sample pairs were compared to the precision criteria:

- D_072122 and LF16S_072122
- DUP_09202022 and LF-14D_09202022

The field duplicate (D_072122) and parent sample (LF16S_072022) exhibited a RPD above the control limit for iron (39.6%). The associated results are qualified as J because of potential indeterminate bias.

CONCLUSION:

On the basis of this evaluation, the laboratory appears to have followed the specified analytical methods with the exception of errors discussed above. If a given fraction is not mentioned above, that means that all specified criteria were met for that parameter. All of the data packages met ASP Category B requirements.

All data are considered usable, as qualified. In addition, completeness, defined as the percentage of analytical results that are judged to be valid, is 100%.

Signed:



Joe Conboy
Senior Staff Chemist

**Data Usability Summary Report
For DuPont-Stauffer Landfill
July to September 2022 Groundwater Samples
Table 1: Sample Summary**

SDG	Lab Sample ID	Client Sample ID	Sample Date	Validation Level	Analytical Parameters
460-262555-1	460-262555-1	TB	07/19/2022	Tier 1	VOCs
	460-262555-2	FB_072022	07/20/2022	Tier 1	VOCs, Metals + Hg
	460-262555-3	D_072122	07/21/2022	Tier 1	VOCs, Metals + Hg
	460-262555-4	LF13D_072022	07/20/2022	Tier 1	VOCs, Metals + Hg
	460-262555-5	LF17S_072022	07/20/2022	Tier 1	VOCs, Metals + Hg
	460-262555-6	LF16S_072122	07/21/2022	Tier 1	VOCs, Metals + Hg
	460-262555-7	LF15S_072122	07/21/2022	Tier 1	VOCs, Metals + Hg
	460-262555-8	LF08_072022	07/20/2022	Tier 1	VOCs, Metals + Hg
	460-262555-9	LF12D_072122	07/21/2022	Tier 1	VOCs, Metals + Hg
	460-262555-10	LF16D_072022	07/20/2022	Tier 1	VOCs, Metals + Hg
	460-262555-11	LF15D_072122	07/21/2022	Tier 1	VOCs, Metals + Hg
	460-262555-12	LF09_072022	07/20/2022	Tier 1	VOCs, Metals + Hg
	460-262555-13	LF14D_072122	07/21/2022	Tier 1	VOCs, Metals + Hg
	460-262555-14	LF14S_072122	07/21/2022	Tier 1	VOCs, Metals + Hg
460-264296-1	460-264296-1	LF-17D_081822	08/18/2022	Tier 1	VOCs, Metals + Hg
	460-264296-2	FB_081822	08/18/2022	Tier 1	VOCs, Metals + Hg
	460-264296-3	WC_081822	08/18/2022	Tier 1	VOCs, TCLP Metals + Hg, Ignitability, Temperature, Corrosivity, Reactive Cyanide, Reactive Sulfide
	460-264296-4	TRIP BLANK	08/18/2022	Tier 1	VOCs
460-266204-1	460-266204-1	LF-14S09202022	09/20/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-2	LF-15S_092222	09/22/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-3	LF-15D_092222	09/22/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-4	LF-16S_092222	09/22/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-5	LF-16D_092222	09/22/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-6	LF-17D_092222	09/22/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-7	LF-17S_09202022	09/20/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-8	LF-08_09202022	09/20/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-9	LF-09_09202022	09/20/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-10	LF-12D_09202022	09/20/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-11	LF-13W_09202022	09/20/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-12	LF-14D_09202022	09/20/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-13	FB_092222	09/22/2022	Tier 1	SVOCs, Dissolved Metals + Hg
	460-266204-14	DUP_09202022	09/20/2022	Tier 1	SVOCs, Dissolved Metals + Hg

**Data Usability Summary Report
For DuPont-Stauffer Landfill
July to September 2022 Groundwater Samples
Table 2: Validator-Applied Qualification**

SDG	Client Sample ID	Analysis	CAS #	Analyte	Validator Qualifier
460-262555-1	LF16S_072122	SW6020B	7439-89-6	Iron	J
460-262555-1	D_072122	SW6020B	7439-89-6	Iron	J
460-264296-1	WC_081822	SW9040C	TEMP	Temperature	J
460-264296-1	WC_081822	SW9040C	CORROS	Corrosivity	J
460-266204-1	LF-08_09202022	SW6020B	7440-02-0	NICKEL	U(4.0)
460-266204-1	LF-09_09202022	SW6020B	7440-02-0	NICKEL	U(4.0)
460-266204-1	LF-14S09202022	SW6020B	7440-02-0	NICKEL	U(4.0)
460-266204-1	LF-15D_092222	SW6020B	7440-02-0	NICKEL	U(4.0)
460-266204-1	LF-15S_092222	SW6020B	7440-02-0	NICKEL	U(4.0)
460-266204-1	LF-16D_092222	SW6020B	7440-02-0	NICKEL	U(4.0)
460-266204-1	LF-16S_092222	SW6020B	7440-02-0	NICKEL	U(4.0)
460-266204-1	DUP_09202022	SW6020B	7440-02-0	NICKEL	J
460-266204-1	LF-12D_09202022	SW6020B	7440-02-0	NICKEL	J
460-266204-1	LF-13W_09202022	SW6020B	7440-02-0	NICKEL	J
460-266204-1	LF-14D_09202022	SW6020B	7440-02-0	NICKEL	J
460-266204-1	LF-17D_092222	SW6020B	7440-02-0	NICKEL	J

APPENDIX H

NYSDEC CORRESPONDENCE

September 23, 2022

Mr. Salvatore Priore, PE
Division of Environmental Remediation
New York State Department of Environmental Conservation
625 Broadway, 12th Floor
Albany, New York 12233-72552

**Subject: Site Management Plan (SMP)
Periodic Review Report #4 (PRR #4) Conditional Approval
Response Letter Follow-up
DuPont-Stauffer Landfill
Newburgh, New York
Langan Project No.: 190037501**

Dear Sal:

This letter, prepared by Langan Engineering, Environmental, Survey, Landscape Architecture and Geology, DPC (Langan) on behalf of Stauffer Management Company LLC, (Stauffer) is in response to your request to address items listed in the Periodic Review Report #4 (PRR) and noted in the PRR Response Letter dated June 24, 2022. The PRR Response Letter stated these items were to be finalized within 60 to 90 days from the date of the letter. The items listed in the PRR Response letter have been corrected. Please see below bullets documenting the date(s) of when the activities were completed:

- Additional Landscaping to remove overgrowth from site border fence and access areas in need of repairs – completed August 12, 2022,
- Monitoring Well Stickup/Pad Repairs for LF-15S, 16S, and 17D – completed August 16, 2022, and
- Fence Repairs along Pierce's Road, the Northeast Corner of the Site, and the Southwest Gate – completed August 12, 16, and September 16, 2022.

The well repairs were completed by a New York Licensed Driller and fence sections repaired/replaced by a fence contractor. A photo-log showing site conditions before and after the completed repairs is provided as Attachment A.

The intent of this letter is to document the completion of the repairs and maintenance items in adherence to the conditional approval of the PRR.

Sincerely,
**Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, D.P.C.**



Matthew R. Wenrick, PE
Project Engineer



Stewart H. Abrams, PE
Principal/Vice-President

MRW:mrw

Enclosure(s): Attachment A – Photo Log

cc: John-Paul Rossi – Stauffer
Paul F. Mazierski – Chemours
Matt Wenrick, PE - Langan

\\langan.com\data\WPW\data5\190037501\Office Data\Reports\Environmental\2021 Periodic Review Report\2022-0923 PRR#4 Approval Letter Response.docx

APPENDIX I

INSTITUTIONAL AND ENGINEERING CONTROLS CERTIFICATION FORM

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation

625 Broadway, 11th Floor, Albany, NY 12233-7020

P: (518)402-9543 | F: (518)402-9547

www.dec.ny.gov

2/9/2023

Charles N Elmendorf
President
Stauffer Management Company, LLC
1800 Concord Pike, FOP3-415
P.O. Box 15437
Wilmington, DE 19850-5437
charles.elmendorf@astrazeneca.com

Re: Reminder Notice: Site Management Periodic Review Report and IC/EC Certification Submittal

Site Name: DuPont-Stauffer Landfill

Site No.: 336009

Site Address: 700 South Street and 121 Pierces Road
Newburgh, NY 12550

Dear Charles N Elmendorf:

This letter serves as a reminder that sites in active Site Management (SM) require the submittal of a periodic progress report. This report, referred to as the Periodic Review Report (PRR), must document the implementation of, and compliance with, site-specific SM requirements. Section 6.3(b) of DER-10 *Technical Guidance for Site Investigation and Remediation* (available online at <http://www.dec.ny.gov/regulations/67386.html>) provides guidance regarding the information that must be included in the PRR. Further, if the site is comprised of multiple parcels, then you as the Certifying Party must arrange to submit one PRR for all parcels that comprise the site. The PRR must be received by the Department no later than **March 08, 2023**. Guidance on the content of a PRR is enclosed.

Site Management is defined in regulation (6 NYCRR 375-1.2(at)) and in Chapter 6 of DER-10. Depending on when the remedial program for your site was completed, SM may be governed by multiple documents (e.g., Operation, Maintenance, and Monitoring Plan; Soil Management Plan) or one comprehensive Site Management Plan.

A Site Management Plan (SMP) may contain one or all of the following elements, as applicable to the site: a plan to maintain institutional controls and/or engineering controls ("IC/EC Plan"); a plan for monitoring the performance and effectiveness of the selected remedy ("Monitoring Plan"); and/or a plan for the operation and maintenance of the selected remedy ("O&M Plan"). Additionally, the technical requirements for SM are stated in the decision document (e.g., Record of Decision) and, in some cases, the legal agreement directing the remediation of the site (e.g., order on consent, voluntary agreement, etc.).

When you submit the PRR (by the due date above), include the enclosed forms documenting that all SM requirements are being met. The Institutional Controls (ICs) portion of the form (Box 6) must be signed by you or your designated representative. The Engineering Controls (ECs) portion of the form (Box 7) must be signed by a Professional Engineer (PE). If you cannot certify that all SM requirements are being met, you must submit a Corrective Measures Work Plan that identifies the actions to be taken to restore compliance. The work plan must include a schedule to be approved by the Department. The Periodic Review process will not be considered complete until all necessary corrective measures are completed and all required controls are certified. Instructions for completing the certifications are enclosed.



All site-related documents and data, including the PRR, must be submitted in electronic format to the Department of Environmental Conservation. The required format for documents is an Adobe PDF file with optical character recognition and no password protection. Data must be submitted as an electronic data deliverable (EDD) according to the instructions on the following webpage:

<https://www.dec.ny.gov/chemical/62440.html>

Documents may be submitted to the project manager either through electronic mail or by using the Department's file transfer service at the following webpage:

<https://fts.dec.state.ny.us/fts/>

The Department will not approve the PRR unless all documents and data generated in support of the PRR have been submitted using the required formats and protocols.

You may contact Brittany O'Brien-Drake, the Project Manager, at 518-402-9672 or brittany.obrien@dec.ny.gov with any questions or concerns about the site. Please notify the project manager before conducting inspections or field work. You may also write to the project manager at the following address:

New York State Department of Environmental Conservation
Division of Environmental Remediation, BURD
625 Broadway

Enclosures

PRR General Guidance
Certification Form Instructions
Certification Forms

ec: w/ enclosures

Stauffer Management Company (AstraZeneca) - John Paul-Rossi -
Johnpaul.rossi@astrazeneca.com

ec: w/ enclosures

Brittany O'Brien-Drake, Project Manager
Eric Hausamann, Section Chief
Maryanne O'Connor, Hazardous Waste Remediation Supervisor, Region 3
Langan Engineering - Stewart H. Abrams, P.E. - sabrams@Langan.com
Langan - Matthew Wenrick - mwenrick@Langan.com

The following parcel owner did not receive an ec:

Atkemix Thirty Seven Inc. - Parcel Owner
Atkemix Thirty-Seven Inc - Parcel Owner

Enclosure 1

Certification Instructions

I. Verification of Site Details (Box 1 and Box 2):

Answer the three questions in the Verification of Site Details Section. The Owner and/or Qualified Environmental Professional (QEP) may include handwritten changes and/or other supporting documentation, as necessary.

II. Certification of Institutional Controls/ Engineering Controls (IC/ECs)(Boxes 3, 4, and 5)

1.1.1. Review the listed IC/ECs, confirming that all existing controls are listed, and that all existing controls are still applicable. If there is a control that is no longer applicable the Owner / Remedial Party should petition the Department separately to request approval to remove the control.

2. In Box 5, complete certifications for all Plan components, as applicable, by checking the corresponding checkbox.

3. If you cannot certify "YES" for each Control listed in Box 3 & Box 4, sign and date the form in Box 5. Attach supporting documentation that explains why the **Certification** cannot be rendered, as well as a plan of proposed corrective measures, and an associated schedule for completing the corrective measures. Note that this **Certification** form must be submitted even if an IC or EC cannot be certified; however, the certification process will not be considered complete until corrective action is completed.

If the Department concurs with the explanation, the proposed corrective measures, and the proposed schedule, a letter authorizing the implementation of those corrective measures will be issued by the Department's Project Manager. Once the corrective measures are complete, a new Periodic Review Report (with IC/EC Certification) must be submitted within 45 days to the Department. If the Department has any questions or concerns regarding the PRR and/or completion of the IC/EC Certification, the Project Manager will contact you.

III. IC/EC Certification by Signature (Box 6 and Box 7):

If you certified "YES" for each Control, please complete and sign the IC/EC Certifications page as follows:

- For the Institutional Controls on the use of the property, the certification statement in Box 6 shall be completed and may be made by the property owner or designated representative.
- For the Engineering Controls, the certification statement in Box 7 must be completed by a Professional Engineer or Qualified Environmental Professional, as noted on the form.



Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form



Site Details

Box 1

Site No. **336009**

Site Name DuPont-Stauffer Landfill

Site Address: 700 South Street and 121 Pierces Road Zip Code: 12550
City/Town: Newburgh
County: Orange
Site Acreage: 49.050

Reporting Period: February 06, 2022 to February 06, 2023

YES NO

1. Is the information above correct?

☒ ☐

If NO, include handwritten above or on a separate sheet.

2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?

☐ ☒

3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?

☐ ☒

4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?

☐ ☒

If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.

5. Is the site currently undergoing development?

☐ ☒

Box 2

YES NO

6. Is the current site use consistent with the use(s) listed below?
Commercial and Industrial

☒ ☐

7. Are all ICs in place and functioning as designed?

☒ ☐

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

Description of Institutional ControlsParcelOwnerInstitutional Control**5-1-1**

Atkemix Thirty Seven Inc.

Ground Water Use Restriction
 Soil Management Plan
 Landuse Restriction
 Building Use Restriction
 Surface Water Use Restriction
 Monitoring Plan
 Site Management Plan
 IC/EC Plan

The site has institutional controls such as an Environmental Easement, groundwater restrictions, land use restrictions, a site management plan and monitoring plan.

5-2-1

ATKEMIX THIRTY-SEVEN INC

Ground Water Use Restriction
 Soil Management Plan
 Landuse Restriction
 Building Use Restriction
 Surface Water Use Restriction
 Monitoring Plan
 IC/EC Plan

Ground Water Use Restriction
 Soil Management Plan
 Landuse Restriction
 Building Use Restriction
 Surface Water Use Restriction
 Monitoring Plan
 Site Management Plan
 IC/EC Plan

Site Management Plan

The site has institutional controls such as Environmental Easement, groundwater restrictions, land use restrictions, a Site Management Plan, monitoring plan

Description of Engineering ControlsParcelEngineering Control**5-1-1**

Cover System
 Fencing/Access Control

The Site has a Part 360 cover system over the North Landfill area and other excavated areas have a minimum 2 foot cover system with barrier layer and grass turf. The site is also fenced and locked.

5-2-1

Cover System
 Fencing/Access Control
 Cover System
 Fencing/Access Control

Engineering Controls include a Part 360 North Landfill Cover system along with other excavated area meeting SCOs having a minimum of two foot of cover with barrier layer installed. The site is also fenced and locked.

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

- a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;
- b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

☒ ☐

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

- (a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
- (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
- (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;
- (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
- (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

☒ ☐

**IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and
DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

**IC CERTIFICATIONS
SITE NO. 336009**

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I John-Paul Rossi on behalf of Stauffer at 1800 Concord Pike, A2C
Management Company, LLC. Wilmington, DE 19850
print name print business address

am certifying as Owner (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

Date

EC CERTIFICATIONS

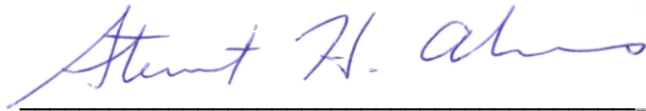
Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I, Stewart H. Abrams, PE at Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, DPC
360 West 31st St., New York, NY 10001,
print name print business address

am certifying as a Professional Engineer for the Owner
(Owner or Remedial Party)



Signature of Professional Engineer, for the Owner or
Remedial Party, Rendering Certification



Stamp
(Required for PE)

03/08/2023

Date

Enclosure 3
Periodic Review Report (PRR) General Guidance

- I. Executive Summary: (1/2-page or less)
 - A. Provide a brief summary of site, nature and extent of contamination, and remedial history.
 - B. Effectiveness of the Remedial Program - Provide overall conclusions regarding;
 - 1. progress made during the reporting period toward meeting the remedial objectives for the site
 - 2. the ultimate ability of the remedial program to achieve the remedial objectives for the site.
 - C. Compliance
 - 1. Identify any areas of non-compliance regarding the major elements of the Site Management Plan (SMP, i.e., the Institutional/Engineering Control (IC/EC) Plan, the Monitoring Plan, and the Operation & Maintenance (O&M) Plan).
 - 2. Propose steps to be taken and a schedule to correct any areas of non-compliance.
 - D. Recommendations
 - 1. recommend whether any changes to the SMP are needed
 - 2. recommend any changes to the frequency for submittal of PRRs (increase, decrease)
 - 3. recommend whether the requirements for discontinuing site management have been met.
- II. Site Overview (one page or less)
 - A. Describe the site location, boundaries (figure), significant features, surrounding area, and the nature and extent of contamination prior to site remediation.
 - B. Describe the chronology of the main features of the remedial program for the site, the components of the selected remedy, cleanup goals, site closure criteria, and any significant changes to the selected remedy that have been made since remedy selection.
- III. Evaluate Remedy Performance, Effectiveness, and Protectiveness
Using tables, graphs, charts and bulleted text to the extent practicable, describe the effectiveness of the remedy in achieving the remedial goals for the site. Base findings, recommendations, and conclusions on objective data. Evaluations and should be presented simply and concisely.
- IV. IC/EC Plan Compliance Report (if applicable)
 - A. IC/EC Requirements and Compliance
 - 1. Describe each control, its objective, and how performance of the control is evaluated.
 - 2. Summarize the status of each goal (whether it is fully in place and its effectiveness).
 - 3. Corrective Measures: describe steps proposed to address any deficiencies in ICECs.
 - 4. Conclusions and recommendations for changes.
 - B. IC/EC Certification
 - 1. The certification must be complete (even if there are IC/EC deficiencies), and certified by the appropriate party as set forth in a Department-approved certification form(s).
- V. Monitoring Plan Compliance Report (if applicable)
 - A. Components of the Monitoring Plan (tabular presentations preferred) - Describe the requirements of the monitoring plan by media (i.e., soil, groundwater, sediment, etc.) and by any remedial technologies being used at the site.
 - B. Summary of Monitoring Completed During Reporting Period - Describe the monitoring tasks actually completed during this PRR reporting period. Tables and/or figures should be used to show all data.
 - C. Comparisons with Remedial Objectives - Compare the results of all monitoring with the remedial objectives for the site. Include trend analyses where possible.
 - D. Monitoring Deficiencies - Describe any ways in which monitoring did not fully comply with the monitoring plan.
 - E. Conclusions and Recommendations for Changes - Provide overall conclusions regarding the monitoring completed and the resulting evaluations regarding remedial effectiveness.
- VI. Operation & Maintenance (O&M) Plan Compliance Report (if applicable)
 - A. Components of O&M Plan - Describe the requirements of the O&M plan including required activities, frequencies, recordkeeping, etc.
 - B. Summary of O&M Completed During Reporting Period - Describe the O&M tasks actually completed during this PRR reporting period.
 - C. Evaluation of Remedial Systems - Based upon the results of the O&M activities completed, evaluated

the ability of each component of the remedy subject to O&M requirements to perform as designed/expected.

- D. O&M Deficiencies - Identify any deficiencies in complying with the O&M plan during this PRR reporting period.
- E. Conclusions and Recommendations for Improvements - Provide an overall conclusion regarding O&M for the site and identify any suggested improvements requiring changes in the O&M Plan.

VII. Overall PRR Conclusions and Recommendations

- A. Compliance with SMP - For each component of the SMP (i.e., IC/EC, monitoring, O&M), summarize;
 - 1. whether all requirements of each plan were met during the reporting period
 - 2. any requirements not met
 - 3. proposed plans and a schedule for coming into full compliance.
- B. Performance and Effectiveness of the Remedy - Based upon your evaluation of the components of the SMP, form conclusions about the performance of each component and the ability of the remedy to achieve the remedial objectives for the site.
- C. Future PRR Submittals
 - 1. Recommend, with supporting justification, whether the frequency of the submittal of PRRs should be changed (either increased or decreased).
 - 2. If the requirements for site closure have been achieved, contact the Departments Project Manager for the site to determine what, if any, additional documentation is needed to support a decision to discontinue site management.

VIII. Additional Guidance

Additional guidance regarding the preparation and submittal of an acceptable PRR can be obtained from the Departments Project Manager for the site.