

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

September 29, 2021

Eastern Metal Recycling, Inc.
Attn: Michael Gross
201 North Front Street
Camden, NJ 08102

Re: Certificate of Completion and Registry Reclassification from 2 to 4
R. Freedman & Son, Green Island, Albany County, Site No. 401033

Dear Mr. Gross:

Congratulations on having satisfactorily completed the remedial program at the R. Freedman & Son site. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (Department) has issued a Record of Decision selecting No Further Action as the remedy and has approved the Interim Remedial Measures Construction Completion Report (IRM CCR) and Supplemental Certification, 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.

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
- 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 December 2022.

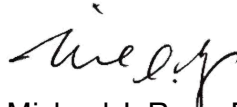


Department of
Environmental
Conservation

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 Kyle Forster at (518) 402-8644.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Ryan".

Michael J. Ryan, P.E.
Director

Division of Environmental Remediation

Enclosure

ec w/ enclosure:

Mike Rumrill, Leader
Cynthia McKeown, Eastern Metal Recycling, Inc.
C. Vooris – NYSDOH
S. Selmer – NYSDOH
J. Deming – NYSDOH

ec w/o enc:

K. Forster
S. Quandt
G. Burke
C. O'Neill
K. Lewandowski
J. Dougherty

NYSDEC STATE SUPERFUND PROGRAM (SSF)
CERTIFICATE OF COMPLETION

Name

Eastern Metal Recycling, Inc.

Address

201 North Front Street, Camden, NJ 08102

SITE INFORMATION

Site No.: 401033 **Site Name:** R. Freedman & Son

Order on Consent: Index No. A7-0834-14-07 **Order Execution Date:** 4/1/2015

Site Owner: Eastern Metal Recycling, Inc.

Street Address: 147 Cannon Street

Municipality: Green Island **County:** Albany **DEC Region:** 4

Site Size: 11.71 Acres

Tax Map Identification Number(s): 21.13-1-2

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: 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 Albany County with recording identifier R2020-23737.

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.

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 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:  Date: 09/29/21
Michael J. Ryan, P.E., Director
Division of Environmental Remediation

NOTICE OF CERTIFICATE OF COMPLETION
Inactive Hazardous Waste Disposal Site Program
Pursuant to 6 NYCRR Part 375-1.9(d)

R. Freedman & Son, Site ID No. 401033
147 Cannon Street, Green Island, NY 12183
Green Island, Albany County, Tax Map Identification Number: 21.13-1-2

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 Eastern Metal Recycling, Inc. for a parcel of approximately 11.71 acres located at 147 Cannon Street in the Village of Green Island, Albany 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 Albany County as R2020-23737.

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.

R. Freedman & Son, Site No. 401033, 147 Cannon Street, Green Island, NY

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 4 Office located at 1130 N Westcott Road, Schenectady, NY 12306, by contacting the Regional Environmental Remediation Engineer, or at <https://www.dec.ny.gov/data/DecDocs/401033/>.

WHEREFORE, the undersigned has signed this Notice of Certificate

Eastern Metal Recycling, Inc.

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:
Eastern Metal Recycling, Inc.
Attn: Michael Gross
201 North Front Street
Camden, NJ 08102

Exhibit A

Site Description

SCHEDULE "A" PROPERTY DESCRIPTION

ENVIRONMENTAL EASEMENT AREA

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE VILLAGE OF GREEN ISLAND, COUNTY OF ALBANY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHEASTERLY LINE OF TIBBITS AVENUE AT ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN LANDS N/F BENDIX CORPORATION ON THE NORTHWEST AND THE HEREIN DESCRIBED LANDS N/F R. FREEDMAN & SON, INC. ON THE SOUTHEAST; THENCE ALONG SAID PROPERTY DIVISION LINE AND THE PROPERTY DIVISION LINES BETWEEN SAID LANDS N/F BENDIX CORPORATION ON THE SOUTHWEST AND NORTHWEST SAID LANDS HEREIN DESCRIBED ON THE NORTHEAST AND SOUTHEAST THE FOLLOWING THREE COURSES AND DISTANCES: 1) N13° 31' 58"E, A DISTANCE OF 239.00' (72.847m) TO A CORNER; 2) NORTHWESTERLY ON A CURVE TO THE LEFT, A DISTANCE OF 166'± TO A CORNER, SAID CURVE CONTAINING A CHORD OF N39° 00' 45"W, 166.00' (50.597m); AND 3) N14° 24' 56"E, A DISTANCE OF 897.00' (273.406m) TO ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN LANDS N/F BCBTM, LLC ON THE NORTHEAST AND SAID HEREIN DESCRIBED LANDS ON THE SOUTHWEST; THENCE S75° 35' 04"E ALONG THE LAST MENTIONED PROPERTY DIVISION LINE, A DISTANCE OF 433.00' (135.027m) TO ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN LANDS N/F VILLAGE OF GREEN ISLAND IDA ON THE SOUTHEAST AND SAID HEREIN DESCRIBED LANDS ON THE NORTHWEST; THENCE S14° 24' 56"W ALONG SAID PROPERTY DIVISION LINE, A DISTANCE OF 979.20' (298.461m) TO ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN SAID LANDS N/F VILLAGE OF GREEN ISLAND IDA ON THE EAST AND SAID HEREIN DESCRIBED LANDS ON THE WEST; THENCE S10° 36' 30"W ALONG SAID PROPERTY DIVISION LINE, A DISTANCE OF 256.00' (78.029m) TO ITS INTERSECTION WITH THE FIRST MENTIONED NORTHEASTERLY LINE OF TIBBITS AVENUE; THENCE N75° 37' 44"W ALONG SAID LINE OF TIBBITS AVENUE, A DISTANCE OF 323.00' (98.451m) TO THE POINT OF BEGINNING CONTAINING 510,295± SQUARE FEET OR 11.71± ACRES.

Exhibit B

Site Survey

RECORD TITLE DESCRIPTION - NYSDEC SITE No. 401033

FROM DELAWARE AND HUDSON RAILWAY COMPANY TO R. FREEDMAN & SON, INC., DATED JANUARY 30, 1973 AND RECORDED IN THE ALBANY COUNTY CLERK'S OFFICE ON APRIL 21, 1973 IN LIBER 2062 OF DEEDS, PAGE 1013.

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, TOGETHER WITH THE RAILROAD TRACKS "FBA", "FBA" AND "FBC" LOCATED THEREON, SITUATE, LYING AND BEING IN THE VILLAGE OF GREEN ISLAND, COUNTY OF ALBANY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT IN THE NORTHEASTLY LINE OF TIBBITS AVENUE AT THE MOST SOUTHEASTLY CORNER OF A PARCEL OF LAND CONVEYED BY THE DELAWARE AND HUDSON RAILROAD CORPORATION TO BENDIX AVIATION CORPORATION BY DEED DATED DECEMBER 16, 1951; THENCE NORTHEASTLY ALONG THE EASTERN LINE OF SAID LAND CONVEYED AS AFORESAID TWO HUNDRED THIRTY-NINE (239) FEET, OR THEREABOUTS, TO A CORNER, THENCE NORTHWESTERLY ON A CURVE TO THE LEFT ALONG THE NORTHERLY LINE OF LAND CONVEYED, AS AFORESAID, ONE HUNDRED SIXTY-SIX (166) FEET, OR THEREABOUTS, TO A CORNER IN THE NORTHWESTERLY LINE OF LAND OF THE FIRST PART; THENCE NORTHEASTLY ALONG SAID LAST MENTIONED LINE EIGHT HUNDRED NINETY-SEVEN (897) FEET, OR THEREABOUTS, TO THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND CONVEYED BY THE DELAWARE AND HUDSON RAILROAD CORPORATION TO ARO ISLAND, INC. BY DEED DATED MAY 17, 1962; THENCE SOUTHEASTLY ALONG THE SOUTHERLY LINE OF SAID LAST MENTIONED LAND AS CONVEYED FOUR HUNDRED FORTY-THREE (443) FEET, OR THEREABOUTS, TO A CORNER DISTANT NORTHWESTERLY NINE (9) FEET MEASURED AT RIGHT ANGLES FROM A POINT IN THE CENTER LINE OF TRACK "F7" OF THE RAILWAY OF THE FIRST PART; THENCE SOUTHWESTERLY PARALLEL WITH SAID CENTERLINE AND DISTANT NORTHWESTERLY NINE (9) FEET MEASURED AT RIGHT ANGLES THEREFROM NINE HUNDRED SEVENTY-THREE (973) FEET, OR THEREABOUTS, TO A POINT NORTHWESTERLY AND AT RIGHT ANGLES FROM THE POINT OF TANGENCY OF SAID LAST-MENTIONED TRACK; THENCE SOUTHWESTERLY TWO HUNDRED FIFTY-SIX (256) FEET, OR THEREABOUTS, TO A POINT IN SAID NORTHERLY LINE OF TIBBITS AVENUE SAID POINT BEING DISTANT NORTHWESTERLY NINE (9) FEET MEASURED AT RIGHT ANGLES FROM A POINT IN THE CENTER LINE OF THE MAIN LINE TRACK OF THE FIRST PART; AND THENCE NORTHWESTERLY ALONG SAID LINE OF TIBBITS AVENUE THREE HUNDRED TWENTY-THREE (323) FEET, OR THEREABOUTS, TO THE PLACE OF BEGINNING CONTAINING ELEVEN AND SEVENTY-SEVEN ONE HUNDREDTHS (11.77) ACRES, BE THE SAME MORE OR LESS.

BEING A PORTION OF THE PROPERTY ACQUIRED BY THE RENSSELAER AND SARATOGA RAIL ROAD COMPANY FROM SARAH B. TIBBITS ET AL BY DEED DATED DECEMBER 26, 1880 AND RECORDED IN THE OFFICE OF COUNTY CLERK FOR ALBANY COUNTY, NEW YORK, JULY 14, 1881, IN BOOK 334 OF DEEDS AT PAGE 278. THE PROPERTIES OF THE RENSSELAER AND SARATOGA RAIL ROAD COMPANY BECAME THE PROPERTY OF THE DELAWARE AND HUDSON RAILROAD CORPORATION BY OPERATION OF THE MERGER ON JANUARY 30, 1949 OF THE RENSSELAER AND SARATOGA RAIL ROAD COMPANY INTO THE DELAWARE AND HUDSON RAILROAD CORPORATION. THE PROPERTIES OF THE DELAWARE AND HUDSON RAILROAD CORPORATION WERE ACQUIRED BY THE PARTY OF THE FIRST PART BY DEED DATED JULY 1, 1968, AND RECORDED IN THE OFFICE AFORESAID JULY 15, 1968, IN BOOK 1946 OF DEEDS AT PAGE 393.

EXCEPTING AND EXPRESSLY RESERVING THEREFROM TO THE PARTY OF THE FIRST PART, ITS SUCCESSORS AND ASSIGNS, THE RAILROAD TRACKS DESIGNATED AS TRACK "F6" AND "SPUR TRACKS" ON SAID ATTACHED MAP, INCLUDING RAILS, TIES AND APPURTENANCES, NOW CONSTRUCTED AND EXISTING THROUGH THE CENTRAL AND SOUTHWESTERLY PORTIONS OF THE LAND HEREIN CONVEYED TOGETHER WITH THE PERPETUAL RIGHT TO THE PARTY OF THE FIRST PART, ITS SUCCESSORS AND ASSIGNS, TO HAVE, KEEP AND MAINTAIN SAID RAILROAD TRACKS ON SAID LAND HEREIN CONVEYED FROM THE SOUTHEASTLY BOUNDARY LINE TO THE NORTHERLY AND SOUTHWESTERLY BOUNDARY LINES THEREOF IN THE LOCATION SAID RAILROAD TRACKS ARE CONSTRUCTED AND EXIST AS OF THE DATE OF THIS CONVEYANCE, AND AS SHOWN MARKED TRACK "F6" AND "SPUR TRACKS" ON SAID MAP HERETO ATTACHED AND MADE A PART HEREOF, FOR THE FREE AND UNINTERRUPTED USE AND ENJOYMENT OF THE PARTY OF THE FIRST PART, ITS SUCCESSORS AND ASSIGNS, IN ITS OR THEIR RAILROAD OPERATIONS IN THE MOVING OF ENGINES, CARS, OR ANY OTHER SPECIES OF RAILROAD EQUIPMENT AND CONVEYANCE UPON, ALONG OR OVER SAID RAILROAD TRACKS, WITHOUT INTERFERENCE OR HINDRANCE, ALSO TOGETHER WITH THE PERPETUAL RIGHT TO THE PARTY OF THE FIRST PART, ITS SUCCESSORS AND ASSIGNS, TO ENTER UPON THE PREMISES HEREIN CONVEYED FOR THE PURPOSES OF REPAIRING, RENEWING, REPLACING, RECONSTRUCTING, OR REMOVING SAID RAILS, TIES AND APPURTENANCES AND SAID RAILROAD TRACKS. SAID RAILROAD TRACKS SHALL BE CONSTITUTED AS OCCUPYING WIDTHS OF LAND OF SEVENTEEN (17) FEET, BEING EIGHT AND FIVE TENTHS (8.5) FEET ON EITHER SIDE OF SAID TRACKS MEASURED AT RIGHT ANGLES OR RADIALLY FROM THE CENTER LINE OF SAID TRACKS, AND THE PARTY OF THE SECOND PART SHALL NOT PLACE OR STORE ANY MATERIAL OR DEBRIS OR CONSTRUCT ANY BUILDING OR IMPROVEMENT WITHIN THE LIMITS OF SAID STRIPS OF LAND SEVENTEEN (17) FEET IN WIDTH.

ENVIRONMENTAL EASEMENT "AS SURVEYED" DESCRIPTION - NYSDEC SITE No. 401033

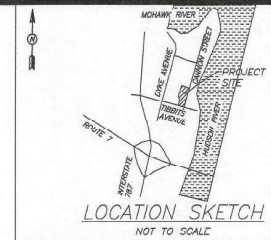
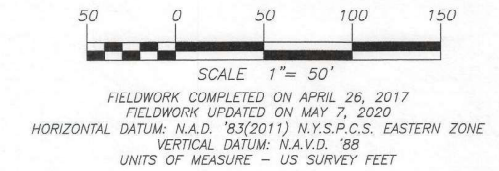
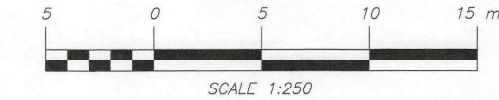
ALL THAT CERTAIN PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE VILLAGE OF GREEN ISLAND, COUNTY OF ALBANY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHEASTLY LINE OF TIBBITS AVENUE AT ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN LANDS N/F R. FREEDMAN & SON, INC. ON THE NORTHWEST AND THE HEREIN DESCRIBED LANDS N/F R. FREEDMAN & SON, INC. ON THE SOUTHEAST; THENCE ALONG SAID PROPERTY DIVISION LINE AND THE PROPERTY DIVISION LINES BETWEEN SAID LANDS N/F BENDIX CORPORATION ON THE SOUTHWEST AND NORTHWEST AND SAID LANDS HEREIN DESCRIBED ON THE NORTHEAST AND SOUTHEAST THE FOLLOWING THREE COURSES AND DISTANCES: 1) N13° 31' 58"E, A DISTANCE OF 239.00' (72.847m) TO A CORNER, 2) NORTHWESTERLY ON A CURVE TO THE LEFT, A DISTANCE OF 166' TO A CORNER, SAID CURVE CONTAINING A CHORD OF N39° 00' 45"W, 166.00' (50.597m); AND 3) N14° 24' 56"E, A DISTANCE OF 897.00' (273.406m) TO ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN LANDS N/F BCBTM, LLC ON THE NORTHEAST AND SAID HEREIN DESCRIBED LANDS ON THE SOUTHWEST; THENCE S1/5° 35' 04"E ALONG THE LAST MENTIONED PROPERTY DIVISION LINE, A DISTANCE OF 443.00' (135.027m) TO ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN LANDS N/F VILLAGE OF GREEN ISLAND IDA ON THE SOUTHEAST AND SAID HEREIN DESCRIBED LANDS ON THE NORTHWEST; THENCE S14° 24' 56"W ALONG SAID PROPERTY DIVISION LINE, A DISTANCE OF 979.20' (298.461m) TO ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN SAID LANDS N/F VILLAGE OF GREEN ISLAND IDA ON THE EAST AND SAID HEREIN DESCRIBED LANDS ON THE WEST; THENCE S10° 36' 30"W ALONG SAID PROPERTY DIVISION LINE, A DISTANCE OF 256.00' (78.029m) TO ITS INTERSECTION WITH THE FIRST MENTIONED NORTHEASTLY LINE OF TIBBITS AVENUE; THENCE N1/5° 37' 44"E ALONG SAID LINE OF TIBBITS AVENUE, A DISTANCE OF 323.00' (98.451m) TO THE POINT OF BEGINNING CONTAINING 510,295± SQUARE FEET OR 11.71± ACRES.

SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

SURVEY NOTES:

- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, AND IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES SAID ABSTRACT WOULD REVEAL.
- ONLY COPIES OF THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S STAMPED SEAL SHALL BE CONSIDERED VALID TRUE COPIES.
- THIS MAP MAY NOT BE USED IN CONJUNCTION WITH A "SURVEY AFFIDAVIT" OR SIMILAR DOCUMENT STATEMENT OR MECHANISM TO OBTAIN TITLE INSURANCE FOR ANY SUBSEQUENT OR FUTURE GRANTEE.
- BY SCAFFOLD MAP LOCATION AND GRAPHIC PLOTTING ONLY, THE SUBJECT PROPERTY APPEARS TO LIE IN ZONE "AE" (AREA HAVING A 1% ANNUAL FLOOD CHANCE, WITH A BASE FLOOD ELEVATION OF 27' AND 28' AS LABELED) AND ZONE "X" (AREA HAVING 0.2% ANNUAL FLOOD CHANCE) ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 36001C0089D, COMMUNITY NO. 360009 - VILLAGE OF GREEN ISLAND, PANEL NO. 0089 SUFFIX D, EFFECTIVE DATE MARCH 16, 2015, AND RATE MAP NO. 36001C0202D, COMMUNITY NO. 360009 - VILLAGE OF GREEN ISLAND, PANEL NO. 0202 SUFFIX D, EFFECTIVE DATE MARCH 16, 2015.
- ACCESS TO SITE VIA ASPHALT DRIVE FROM CANNON STREET CROSSING LANDS N/F VILLAGE OF GREEN ISLAND IDA. THIS ACCESS WAS GRANTED BY A NEW YORK STATE SUPREME COURT, COUNTY OF ALBANY SETTLEMENT AGREEMENT DATED SEPTEMBER 22, 2008 IN WHICH THE VILLAGE AGREED TO GRANT A PERMANENT ACCESS EASEMENT TO R. FREEDMAN & SON, INC. (DOCUMENT PROVIDED BY THE VILLAGE OF GREEN ISLAND).



| DATE | |
|----------|--|
| REVISION | |
| NO. | |

ANY ALTERATIONS TO THIS SURVEY MUST BE MADE BY THE SURVEYOR OR A LICENSED SURVEYOR. THE SURVEYOR'S SEAL IS A REQUIREMENT FOR ANY ALTERATIONS. THE SURVEYOR'S SEAL IS A REQUIREMENT FOR ANY ALTERATIONS. THE SURVEYOR'S SEAL IS A REQUIREMENT FOR ANY ALTERATIONS.

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RAVI ENGINEERING & LAND SURVEYING, P.C.
2110 SOUTH CLINTON AVENUE, SUITE 1
ROCHESTER, NEW YORK 14618
TEL: (585) 223-3660 FAX: (585) 697-1764

PROJECT SURVEYOR: C. LENT, L.S.
DRAWING BY: J. NAVAGH/DJH
SCALE: 1"=50'

ENVIRONMENTAL EASEMENT PLAN
OF PROPERTY OWNED N/F BY
R. FREEDMAN & SON, INC.
NOW KNOWN AS
EASTERN METAL RECYCLING, INC.
VILLAGE OF GREEN ISLAND
COUNTY OF ALBANY, STATE OF NEW YORK

PROJECT # 20-20-080
ISSUE DATE JUNE 3, 2020
SHEET 1 OF 1

P.O.B.
RECORD TITLE &
ENVIRONMENTAL EASEMENT

JAMES STREET
(PUBLIC RIGHT OF WAY)

TIBBITS AVENUE
(PUBLIC RIGHT OF WAY)
(WIDTH VARIES)

CANNON STREET
(PUBLIC RIGHT OF WAY)
(53' WIDE)

N/F
BENDIX CORPORATION
T.A.# 20.16-2-10
NO DEED FOUND

LEGEND

- CONIFEROUS TREE
- LIGHT POLE
- UTILITY POLE
- MISC. POST
- SIGN
- CONIFEROUS SHRUB
- DECIDUOUS SHRUB
- DECIDUOUS TREE
- PROPERTY LINE
- UNKNOWN VALVE
- ELECTRIC METER
- ELECTRIC MANHOLE
- SANITARY MANHOLE
- DRAINAGE CATCHBASIN
- MANHOLE
- FIRE HYDRANT
- WATER VALVE
- BORING LOCATION
- FLAGPOLE
- M = MAP DISTANCE
- D = DEED DISTANCE
- m = METERS
- MW = MONITORING WELL
- SB = SOIL BORING

ENVIRONMENTAL EASEMENT NOTE:

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 NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV.

WE, RAVI ENGINEERING AND LAND SURVEYING, HEREBY CERTIFY TO THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH ITS COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, EASTERN METAL RECYCLING, INC., AND KNAUF SHAW LLP, THAT THIS SURVEY MAP WAS PREPARED FROM THE NOTES OF A INSTRUMENT SURVEY COMPLETED BY RAVI ENGINEERING & LAND SURVEYING, P.C. ON APRIL 26, 2017 AND FROM THE REFERENCES NOTED HEREON. ADDITIONAL FIELDWORK PERFORMED ON MAY 7, 2020.

SIGNED: *Charles E. Lent*
CHARLES E. LENT, L.S. REGISTRATION # 050049



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
8/13/2021



SITE DESCRIPTION

SITE NO. 401033

SITE Namer. Freedman & Son

SITE ADDRESS: 147 Cannon Street **ZIP CODE:** 12183

CITY/TOWN: Green Island

COUNTY: Albany

ALLOWABLE USE: 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: 07/31/2022

Description of Institutional Control

Eastern Metal Recycling, Inc.

147 Cannon St

Environmental Easement

Block: 0001

Lot: 002

Sublot: 000

Section: 021

Subsection: 013

S_B_L Image: 21.13-1-2

Ground Water Use Restriction

IC/EC Plan

Landuse Restriction

Monitoring Plan

Site Management Plan

Description of Engineering Control

Eastern Metal Recycling, Inc.

147 Cannon St

Environmental Easement

Block: 0001

Lot: 002

Sublot: 000

Section: 021

Subsection: 013

S_B_L Image: 21.13-1-2

Cover System