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Final Engineering Report
for the
Valatie Village Plaza, LLC (f.k.a. Emkay Cleaners)

1048 Kinderhook Street
Valatie, Columbia County, New York

NYSDEC Site No. 4-11-016

August 25, 2015

Prepared for:
Valatie Village Plaza, LLC and Michael & Karen Dellarocco
1048 Kinderhook Street
Valatie, New York 12184

REMEDIATION

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5 McCrea Hill Road
Ballston Spa, NY 12020
p 518.885.5383
f 518.885.5385

aztechtech.com

CERTIFICATION

I, **Fil L. Fina III**, am currently a registered professional engineer licensed by the State of New York, I had primary direct responsibility for implementation of the remedial program activities, and I certify that the Remedial Action Work Plan was implemented and that all construction activities were completed in substantial conformance with the Department-approved Remedial Action Work Plan.

I certify that the data submitted to the Department with this Final Engineering Report demonstrates that the remediation requirements set forth in the Remedial Action Work Plan and in all applicable statutes and regulations have been or will be achieved in accordance with the time frames, if any, established for the remedy.

I certify that all use restrictions, Institutional Controls, Engineering Controls, and/or any operation and maintenance requirements applicable to the Site are contained in an environmental easement created and recorded pursuant ECL 71-3605 and that all affected local governments, as defined in ECL 71-3603, have been notified that such easement has been recorded.

I certify that a Site Management Plan has been submitted for the continual and proper operation, maintenance, and monitoring of all Engineering Controls employed at the Site, including the proper maintenance of all remaining monitoring wells, and that such plan has been approved by Department.

I certify that all documents generated in support of this report have been submitted in accordance with the DER's directives (the Electronic Data Deliverables (EDD) requirements were waived for this Order on Consent and Administrative Settlement project) and have been accepted by the Department.

I certify that all information and statements in this certification form 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, **Fil L. Fina III,** of **Aztech Engineering Services, P.C.**, am certifying as Owner's Designated Site Representative.

069949	August 25, 2015	
NYS Professional Engineer #	Date	Signature

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List of Acronyms

Acronym	Definition
RAO	Remedial Action Objective
SSDS	Sub-Slab Depressurization System

List of Acronyms
(continued)

Acronym	Definition
VOC	Volatile Organic Compound
TCE	Trichloroethene
DCE	Dichloroethene
PCE	Tetrachloroethene, Perc
ppb	parts per billion
ug/kg	micrograms per kilogram (for soil)
ug/l	micrograms per liter (for groundwater)

1.0 BACKGROUND AND SITE DESCRIPTION

Michael and Karen Della Rocco, and the owner of the subject property, which is Valatie Village Plaza, LLC, entered into an Order on Consent and Administrative Settlement with the New York State Department of Environmental Conservation (NYSDEC) in April, 2010, to investigate and remediate an approximate 3.5-acre parcel (herein referred to as "site" and "property") located in Valatie, Columbia County, New York (**Figure 1**). The property is currently an active strip mall that includes a post office, sandwich shop, dry cleaner/laundromat, restaurant and hair salon/business office. The property is anticipated to continue its current commercial use for the foreseeable future.

The site is located in Columbia County, New York and is identified as Section 33.18, Block 1 and Lot 29.100 on the Columbia County Tax Map (**Figure 2**). The site is situated on an approximately 3.5-acre area bounded by commercial and residential properties and Pine Drive to the north, a gasoline station/convenience store to the south, residential property and Ridge Drive to the east, and Kinderhook Street to the west (Figure 1). The site includes an approximately 11,625 ft^2 strip mall that houses four separate businesses, including: a sandwich shop; the Emkay Cleaners (Emkay); a restaurant; and, a hair salon/business office. Each of these businesses operates their own separate, roof-mounted heating, venting and air conditioning (HVAC) system. A US Post Office is in a separate building located on the northern side of the property. The boundaries of the site are identified on Figure 2 (Tax Parcel Map) and fully described in **Appendix A** (Supporting Documents – Environmental Easement) and Appendix B Environmental Easement (paper copy).

The regulatory history of the site includes its origin as a petroleum spill in 2003. That spill file was assigned to a former Stewarts Shop convenience store (with retail gasoline sales) that operated in the portion of the strip mall that is currently occupied by the sandwich shop. Stewart's Shops operated at this location during the period between 1994 and 2003. Prior to 1994, a Bonfare convenience store (with retail gasoline sales) operated at the location of the former Stewart's Shop.

During the 2003 decommissioning of the petroleum storage and distribution infrastructure associated with the Stewart's Shop, soil and groundwater on the property were noted to be impacted with petroleum. A limited excavation was conducted at that time, but was not able to remove all of the impacted media at the site. As such, the site was managed under the Spills Response Program by the NYSDEC's Division of Environmental Remediation via spill file no. 03-03686. During the course of investigations and monitoring conducted under the spills response program, the presence of tetrachloroethene (PCE), a chlorinated solvent typically associated with dry cleaning operations, was identified in site groundwater, while compounds typically associated with petroleum spills diminished. Consequently, NYSDEC requested that Emkay, who has operated a dry cleaning and laundromat business on the property since approximately 1977, conduct groundwater sampling and investigate the historic presence of PCE under a new

spill file (no. 06-06889). This request was made by the NYSDEC because the dry cleaning process historically employed by Emkay used PCE as the dry cleaning fluid until approximately 1999, when its use at the site was discontinued. The project transitioned from the NYSDEC's Spills Response Program to their Hazardous Waste Remediation program when the Order on Consent and Administrative Settlement was executed on April 29, 2010.

Based on the transitional regulatory history of the site, the following regulators have been involved with verbal and/or written authorizations for the investigative and/or remedial activities associated with the site:

- Mr. James Yuchniewicz – NYSDEC Region 4 - Spills
- Mr. Keith Goertz, P.E. – NYSDEC Region 4 – Spills
- Mr. Christopher O'Neill, P.E. – NYSDEC Region 4 – Remediation
- Mr. Christopher Doroski – NYSDOH
- Ms. Maureen Schuck – NYSDOH
- Ms. Karen Lavery, Esq. – NYSDEC Region 4 – Legal
- Mr. James Quinn, P.E. – NYSDEC Region 4 - Remediation

The site is currently being managed under the NYSDEC's Remediation program as an Active {A} Remediation Site. Further evaluation of the site with respect to the Inactive Hazardous Waste Disposal Site Registry is being deferred until such time that the respondents are no longer compliant with the Order on Consent and Administrative Settlement, or the Order on Consent and Administrative Settlement is otherwise terminated.

The property is currently owned by Valatie Village Plaza, LLC who purchased it in approximately 1977. Mr. Michael Della Rocco operated a laundromat on the property from approximately 1969 up until 1977 and subsequently, Mr. Della Rocco converted the laundromat into a dry cleaning business (Emkay Cleaners). Mr. Della Rocco operated the Emkay Cleaners until the business was purchased in 2004 by the current owner and operator, Mr. John Scuola. Mr. Della Rocco is a member of Valatie Village Plaza, LLC. which is the owner of the property on which the Emkay Cleaners operates.

Several phases of subsurface investigation have been conducted by the previous operator of the Emkay Cleaners during the period between 2006 and 2009. These investigations included sampling of indoor air, sub-slab vapor, soil vapor, soil and groundwater at several locations on the property as well as at off-site locations. These investigations identified a wide range of concentrations of PCE and its degradation compounds, trichloroethene (TCE), cis-1,2-dichloroethene (DCE) and other related compounds both on the property and at off-site locations. These compounds (PCE and its degradation by-products TCE, DCE and vinyl chloride (VC)) are considered to be the site related compounds associated with the site.

The groundwater and soil concentrations were compared to NYSDEC regulatory standards and guidance values. The soil vapor, sub-slab vapor and indoor air concentrations were compared

to the NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October, 2006). The remedial action objectives focused on the mitigation of soil vapors actually (or potentially) impacting indoor air, specifically, on-site where the vapor concentrations warranted mitigation.

An electronic copy of this FER with all supporting documentation is included as Appendix A.

2.0 SUMMARY OF SITE REMEDY

2.1 Remedial Action Objectives

Based on the results of soil, soil vapor, sub-slab vapor, indoor air and groundwater sampling that has been conducted as part of the on-site and off-site sub-surface investigation, it was determined that on-site impacted groundwater, sub-slab vapor and indoor air pose the greatest threat to human health and the environment. As such, the following Remedial Action Objectives (RAOs) were identified for this site.

2.1.1 Groundwater RAOs

RAOs for Public Health Protection:

- Prevent ingestion of groundwater containing contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of, volatiles emanating from groundwater impacted with site-related compounds

RAOs for Environmental Protection:

- Monitor groundwater to track contaminant presence and plume dynamics.

2.1.2 Soil RAOs

RAOs for Public Health Protection:

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation-of or, exposure-to, site–related compounds volatilizing from impacted soil.

2.2 Description of Selected Remedy

The threat to human health and the environment has been mitigated in accordance with the remedy selected by the NYSDEC and NYDOH in the Order on Consent and Administrative Settlement dated April 29, 2010. The factors considered during the selection of the remedy are those listed in 6NYCRR 375-1.8. The following are the components of the selected remedy:

- Execution and recording of an Environmental Easement to restrict land use and prevent future exposure to any contamination remaining at the site;
- Development and implementation of a Site Management Plan for long term management of remaining contamination as required by the Environmental Easement, which includes plans for: (1) Institutional and Engineering Controls, (2) monitoring, (3) operation and maintenance and (4) reporting;
- Install, operate, maintain and monitor a sub-slab depressurization system (SSDS), similar to a radon removal system, in order to remove soil vapor from beneath the Valatie Village Plaza and discharge the captured soil vapor above the roof of the plaza;
- Periodic certification of the institutional and engineering controls listed above;
- Periodic certification regarding change in use or change in property access for a specific nearby commercial property;
- Continue on-site and off-site groundwater monitoring;
- Evaluate the potential for soil vapor to impact new structures placed on the site; and,
- Conduct future sampling of soil, groundwater and/or soil vapor at a nearby commercial property under certain circumstances.

3.0 INTERIM REMEDIAL MEASURES, OPERABLE UNITS AND REMEDIAL CONTRACTS

The remedy for this site was performed as a single project, and no interim remedial measures, operable units or separate construction contracts were performed.

The information and certifications made in the following documents were relied upon to prepare this report and certify that the remediation requirements for the site have been met. All of the following documents were prepared for Michael and Karen Della Rocco and Valatie Village Plaza, LLC by Aztech Technologies, Inc. (unless indicated otherwise).

- Subsurface Investigation Report – January 2, 2007
- Supplemental Subsurface Investigation Report – May 2, 2007
- Supplemental Subsurface Investigation Report – March 4, 2008
- Supplemental Subsurface Investigation Report – March 30, 2009
- Supplemental Subsurface Investigation Report – May 4, 2009
- Citizen Participation Plan – April, 2010
- Records Search Report – May 28, 2010
- Site Management Plan - August, 2015
- Sub-Slab Depressurization System (SSDS) Design Proposal – July 12, 2010
- Remedial Program Fact Sheet – July, 2010
- Environmental Easement - October 8, 2014) – prepared by Tooher & Barone, LLP)
- Health and Safety Plan - August, 2011

An electronic copy (in PDF Format) of each of these documents in their entirety is included in Appendix A.

4.0 DESCRIPTION OF REMEDIAL ACTIONS PERFORMED

The remedial activities conducted at the site include several phases of investigation and sampling of various media. Each phase of these investigations was conducted with the concurrence of NYSDEC and/or NYSDOH. The findings of these investigations resulted in the installation of a sub-slab depressurization system (SSDS) that was completed in accordance with the July 12, 2010 NYSDEC/NYSDOH-approved SSDS Design Proposal for the site. This SSDS was installed to address sub-slab vapor and indoor air associated with the on-site portion of the study area. Any deviations from the SSDS Design Proposal are noted below.

4.1 Governing Documents

4.1.1 Site Specific Health & Safety Plan (HASP)

All remedial work performed under this remedial action was in full compliance with governmental requirements, including site and worker safety requirements mandated by federal Occupational Safety and Health Administration (OSHA).

The Health and Safety Plan (HASP) was complied with for all remedial and invasive work performed at the Site. An electronic copy (in PDF format) of the HASP is included in Appendix A.

4.1.2 Contractors Site Operations Plans (SOPs)

The certifying engineer of record reviewed all plans and submittals for this remedial project (i.e. those listed above plus contractor and subcontractor submittals) and confirmed that they were in compliance with the SSDS Design Proposal. All remedial documents were submitted to NYSDEC and NYSDOH in a timely manner and prior to the start of work.

4.1.3 Citizen Participation Plan

Prior to the April 29, 2010 Order on Consent and Administrative Settlement (R4-2009-1008-157), the community was informed of on-going project activities through a public forum, correspondence with various government entities (including the Village of Valatie Mayor's office), community members and, local media. Additionally, document repositories have been established and maintained in order to provide project status information to the interested public. A fact sheet was issued in July 2010 to notify the interested public that a remedial action was about to begin at the site. An electronic copy (in PDF format) of the Fact Sheet is included in Appendix A.

4.2 Remedial Program Elements

The remedial program for the site consists of the previously completed site investigations (which have included soil boring/monitoring well installation, soil/groundwater/soil vapor and indoor air sampling) and, installation, operation, maintenance and monitoring of a SSDS. Additional elements of the remedial program for the site include routine groundwater monitoring, land use and access denial certification for a nearby business. This access denial certification will be required until NYSDEC determines that it is no longer necessary. The

determination decision will include the consideration that groundwater quality within two (2) monitoring wells (EM MW-3 and EM MW-4) located in the New York State Department of Transportation Right of Way (NYSDOT-ROW) is within the standards established by New York State for Class GA groundwater with respect to the site related compounds (PCE, TCE, DCE and VC). Placement of an environmental easement on the Valatie Village Plaza property is also an element of the remedial program for the site.

4.2.1 Contractors and Consultants

Site investigation, sampling/monitoring and, SSDS maintenance and monitoring are performed by Aztech Technologies, Inc., of Ballston Spa, NY; SSDS Installation was conducted by C. E. Rothermel, Inc., of Kinderhook, NY. The certifying Engineer of Record responsible for inspection of the work is Fil L. Fina, III, P.E., of Ballston Spa, N.Y.

4.2.2 Site Investigations

Several phases of investigation have been conducted at the site. Each phase of investigation was conducted in accordance with work plans approved by NYSDEC prior to their implementation. These investigations include installation of a total of eleven overburden monitoring wells (labeled EM MW-1 to EM MW-11) and nine soil vapor sampling points (labeled SVP-1, SVP-2, SVP-3, SVP-4, SVP-6, SVP-8, SVP-10, SVP-12 and SVP-13) to evaluate soil, groundwater and soil vapor at both on-site and off-site locations (**Figure 3**). Note that four additional soil vapor sampling points (SVP-5, SVP-7, SVP-9 and SVP-11) were originally proposed for installation but, were deemed by NYSDEC and NYSDOH to be unnecessary.

In order to evaluate the potential for soil vapor intrusion into potentially-affected businesses and/or residences, all of the businesses in the Valatie Village Plaza (including the US Post Office, the sandwich shop, the Emkay Cleaners, the restaurant and the hair salon/business office) have been sampled. This included collection of sub-slab vapor and indoor air samples from each aforementioned business. Additionally, soil vapor intrusion sampling has also been conducted at the residences across US Route 9 (west of the site) located at 1402 and 1404 Albany Avenue. Permission to include the commercial property located west of the site across Kinderhook Street (US Route 9), in the soil vapor intrusion sampling program (as well as the groundwater and soil investigations) was denied by the owner of that property. However, soil vapor sampling was performed via soil vapor points established along the commercial property boundary/perimeter located within the right of way along US Route 9.

The findings of the various phases of site investigation are that the soil underlying the site and adjacent area investigated is composed of hard, compact, fine- to very fine-grained sand, with some fine gravel. Laboratory analytical results of soil samples collected from these drilled locations indicate concentrations of PCE and TCE that range from below the laboratory practical quantitation limit (PQL) to 8.33 micrograms per kilogram (ug/kg) or, parts per billion (ppb). The on-site maximum acetone soil concentration exceeds the Unrestricted Use concentrations. However, it is important to note that the presence of acetone is likely a laboratory artifact. As

such, the analytical results of all samples collected during the investigations associated with the site are below their respective SCO for Unrestricted use (6 NYCRR Part 375-6 [(1)]) with respect to site-related compounds.

A saturated water bearing zone was noted within the shallow overburden in each of the drilled locations on site and in proximity to the site. This water bearing zone was not identified in locations drilled south of the site on US Route 9 and west of the site on Albany Avenue. The groundwater within the shallow overburden flows generally toward the southeast or southwest, depending on location within the study area (**Figure 4**). Groundwater analytical results indicate concentrations of PCE and TCE in excess of groundwater quality standards as identified in NYSDEC's Ambient Water Quality Standards and Guidance Values (TOGS 1.1.1) of June, 1998. This impacted groundwater could be a potential source of VOCs to soil vapor and, ultimately, to indoor air.

The soil vapor and indoor air sampling conducted at several locations throughout and in proximity to the Valatie Village Plaza indicated that there are no vapor intrusion issues associated with the US Post Office, the sandwich shop, the hair salon/business office and residences at 1402 and 1404 Albany Avenue. However, the findings of the soil vapor and indoor air sampling indicated that mitigation of potential soil vapor intrusion was deemed to be necessary beneath the Emkay Cleaners and the adjacent restaurant. In response to these findings, pilot testing for a SSDS was subsequently conducted and reported to NYSDEC in April 2010 and, a SSDS Design Proposal was subsequently submitted on July 12, 2010. SSDS system installation commenced on July 26, 2010 after authorization to proceed was obtained from NYSDEC and NYSDOH.

4.2.3 Sub-Slab Depressurization System (SSDS)

Installation of the sub-slab depressurization system (SSDS) began on July 26, 2010 and was completed on July 27, 2010. The installation was performed in accordance with the NYSDEC and NYSDOH-approved SSDS Design Proposal (July 12, 2010). As specified in the SSDS Design Proposal, a total of three vapor extraction points, 16 monitoring points, and, a uni-strut structure equipped with a RadonAway HS2000 fan, associated manifold and discharge line, were installed at the property. The SSDS is discussed in detail in Section 4.4 Engineering Controls, of this document.

4.2.4 Routine Groundwater Monitoring

The groundwater monitoring program for the site has historically included quarterly sampling of monitoring wells EM MW-1, EM MW-2, EM MW-3, EM MW-4, EM MW-5, EM MW-6, EM MW-8, EM MW-9, EM MW-10, and EM MW-11 (refer to Figure 3 for monitoring well locations).

[1] (Even though the soil concentrations satisfy Residential Use criteria in 6NYCRR Part 375, the Site's need for Institutional and Engineering Controls limits the future Use to Restricted-Residential, Commercial, or Industrial, as per 6NYCRR Part 375-1.8(g)(2).)

The Site Management Plan (SMP) for the site, included in Appendix A, identifies the current groundwater monitoring program. The groundwater samples collected from the aforementioned wells are analyzed by Northeast Analytical, a division of Pace Analytical Services, Inc. (NEA-PACE), an Environmental Laboratory Accreditation Program (ELAP) laboratory located in Schenectady, New York (ELAP certification no. 11078), or other suitable laboratories. Analysis is for the full list of VOCs via EPA Method 8260.

The data collected during the groundwater monitoring program is being used to generate groundwater flow direction and quality trends. These data are incorporated into the monthly progress reports and are submitted within 45 days of the groundwater monitoring event. During the course of the project, a formal request may be made to reduce the number, sampling, and/or reporting frequency of the groundwater monitoring program proposed herein, if warranted.

4.2.5 Community Air Monitoring Program (CAMP)

Several phases of soil boring and monitoring well/soil vapor point installation have been conducted during the course of investigations associated with the site. The activities associated with each phase of investigation were in accordance with an NYSDEC-approved work plan. A Community Air Monitoring Program (CAMP) was not required for the remedy, and the site investigation work did not produce any CAMP-type exceedances. No CAMP Report was necessary and no CAMP-related follow-up was warranted.

4.2.6 Land Use Certification

During the course of investigations associated with the property, the neighboring commercial property, located west of the site and across Kinderhook Street (US Route 9), declined to allow sampling of soil, groundwater, sub-slab vapor, indoor air and soil vapor on their property. As such, an annual certification that the property owner continues to deny Valatie Village Plaza and Michael/Karen Della Rocco access to that property for soil vapor intrusion or subsurface evaluation will be made until NYSDEC determines that it is no longer necessary. The necessity decision will consider if the groundwater quality within two (2) monitoring wells (EM MW-3 and EM MW-4) located in the New York State Department of Transportation Right of Way (NYSDOT-ROW) is within the standards established by New York State for Class GA groundwater with respect to the site related compounds (PCE, TCE, DCE and VC). Additional certification that the use of the commercial property has not changed from a commercial/retail use to a more sensitive use (i.e. to residential or a day care facility) will also be made annually for that same time period. These annual certifications will be made via first class mail. If access to the commercial property is granted by the owner or, if changes in the usage of the property are noted, then NYSDEC will be informed electronically within three (3) days of the observation. NYSDEC may invoke the regulatory requirement for appropriate investigative/remedial actions for such commercial property at that time, or at any other time provided by its statutory authorities.

4.2.7 Environmental Easement

An environmental easement has been established for the property. The purpose of the environmental easement is to encourage current and/or future use/redevelopment of the property while ensuring current and future protection of public health and the environment. The Environmental Easement is discussed further in Section 4.5 - Institutional Controls, of this document.

4.2.8 Reporting

During the course of conducting the investigations and remedial activities conducted in relation to the site, several reports have been prepared and submitted to NYSDEC. This includes reporting completed prior to execution of the April 2010 Order on Consent and Administrative Settlement and reporting completed under the Order on Consent and Administrative Settlement after its execution. Reporting completed prior to execution of the Order on Consent and Administrative Settlement includes:

- Subsurface Investigation Report – January 2, 2007
- Supplemental Subsurface Investigation Report – May 2, 2007
- Supplemental Subsurface Investigation Report – March 4, 2008
- Supplemental Subsurface Investigation Report – March 30, 2009
- Supplemental Subsurface Investigation Report – May 4, 2009

Reporting completed subsequent to execution of the Order on Consent and Administrative Settlement includes:

- Citizen Participation Plan – April, 2010
- Records Search Report – May 28, 2010
- Site Management Plan – August, 2015
- Sub-Slab Depressurization System (SSDS) Design Proposal – July 12, 2010
- Remedial Program Fact Sheet – July, 2010
- Environmental Easement – October 8, 2014
- Health and Safety Plan – August, 2011

In addition to the documents listed above, monthly progress reports detailing site activities, including quarterly groundwater sampling, SSDS installation, testing, startup and performance, and ongoing routine activities have been submitted on a monthly basis. Monthly progress reports will no longer be required once this Final Engineering Report and the Site Management Plan are finalized.

An electronic copy (in PDF Format) of each of these documents in their entirety is included in Appendix A. Electronic Data Deliverables (EDD) via the NYSDEC's EQuIS database are not required by NYSDEC for this site.

4.3 Contaminated Materials Removal

Several phases of soil boring and monitoring well/soil vapor point installation have been

conducted during the course of investigations associated with the site. The activities associated with each phase of investigation were performed in accordance with an NYSDEC-approved work plan.

During the drilling programs associated with the site, several soil samples were collected and submitted for laboratory analysis. The general approach was to obtain a soil sample from each borehole at the depth interval where headspace screening (via PID) indicated a positive bias for the presence of VOCs. Where a positive bias was not noted, soil samples were either collected from the saturated portion of the borehole or, the portion of the borehole immediately above the soil/bedrock interface.

Headspace screening of the soil encountered did not indicate total VOC concentrations in excess of 2.0 ppm in any of the soil borings advanced during the site investigations. Additionally, the subsequent laboratory analytical results of several samples were below the compound-specific practical quantitation limit (i.e. not detected). For soil samples where laboratory analysis did indicate a positive result for PCE and/or TCE, the concentrations of those compounds were below their respective Soil Cleanup Objective for Residential use as defined by 6 NYCRR Part 375-6.8(a).

Based on a lack of visual, olfactory or other evidence of impact, soil cuttings generated during the various phases of investigation were returned to the borehole (where possible) or, redistributed and graded on the surface at each drilling location. Fluids generated during drilling, well development and/or sampling activities were redistributed on the pavement at each location.

4.4 Contamination Remaining at the Site

During the multiple phases of site investigation, various media, including soil, soil vapor and sub-slab vapor and, groundwater have been sampled in order to characterize site conditions.

Sub-surface soil samples have been collected in proximity to the water table, from within the saturated zone or, from just above bedrock during the various drilling programs. The analytical results of the soil samples collected during the site investigations are presented in **Table 1** (Laboratory Analytical Results - Soil). The concentrations of PCE identified in those samples are represented in **Figure 5**.

Soil vapor, sub-slab vapor and indoor air were sampled during February and April, 2009 from on-site and off-site locations. This includes sub-slab and indoor air samples collected from several businesses operating within the Valatie Village Plaza (the post office, the sandwich shop, the Emkay Cleaners, the restaurant and hair salon/business office) as well as two private residences (1402 and 1404 Albany Avenue) located hydraulically downgradient of the site. Soil vapor results for PCE and TCE indicate that PCE concentrations ranged from “not detected” (ND), or below the 1.0 microgram per cubic meter (ug/m^3) detection limit, to 27 ug/m^3; TCE

concentrations ranged from below the 0.82 ug/m^3 detection limit to 3.2 ug/m^3. An evaluation of the sub-slab and indoor air analytical results, in accordance with the NYSDOH Guidance for Evaluating Soil Vapor Intrusion (October, 2006), for the post office, the businesses in the Valatie Village Plaza and the two residences, indicated that neither continued monitoring nor implementation of a mitigation system was necessary anywhere except at the Emkay Cleaners location and the adjacent restaurant. The analytical results of the sampling events conducted as part of the soil vapor and soil vapor intrusion studies are represented in **Figure 6A** (March, 2007); **Figure 6B** (January, 2008) and **Figure 6C** (February, 2009); the analytical results of the various soil vapor and vapor intrusion sampling events are included in **Table 2A** (March 5, 2007), **Table 2B** (January 21, 2008), **Table 2C** (February 25, 2009 – Emkay Plaza), **Table 2D** (February 25, 2009 – Soil Vapor Points) and **Table 2E** (February 21, 2009 – Residential).

The site has historically been under a groundwater monitoring program whereby monitoring wells EM MW-1, EM MW-2, EM MW-3, EM MW-4, EM MW-5, EM MW-6, EM MW-8, EM MW-9, EM MW-10, and EM MW-11 are sampled on a quarterly basis. Wells EM MW-7, EM MW-9 and EM MW-10 are typically dry and well EM MW-8 is frequently dry. The most recent groundwater sampling event for which analytical results are currently available was conducted on October 29, 2013. The analytical results for those samples, which are summarized in the Summary of Groundwater Analytical Results (**Table 3**), indicate that PCE was the most predominant VOC with concentrations ranging from 1.7 parts per billion (ppb) in well EM MW-5, to 178 ppb in well EM MW-2, on that date. TCE was detected in one well (EM MW-1) at a concentration of 2.7ppb on that date and; vinyl chloride (VC) and cis 1,2-DCE concentrations were each below their respective practical quantitation limit (PQL) on that date. These concentrations represent the typical range identified in site groundwater. The distribution of VOCs in groundwater on October 29, 2013 is shown on **Figure 7**.

Groundwater samples collected from the site demonstrate concentrations of dissolved VOCs in excess of NYS standards and guidance values. As such, the potential exists for VOCs to transfer from the dissolved phase to the vapor phase and accumulate in soil vapor beneath structures. Soil vapor can subsequently enter the indoor air of those structures via cracks or irregularities in the foundation or concrete slab (or both). Therefore, NYSDEC and NYSDOH required that Engineering and Institutional Controls (ECs/ICs) be implemented to protect public health and the environment. These ECs/ICs are described in Section 4.5 (Engineering Controls) and Section 4.6 (Institutional Controls) of this document. Long-term management of these EC/ICs and residual contamination will be performed under the Site Management Plan (SMP) upon approval by the NYSDEC.

4.5 Engineering Controls

The engineering control for the property includes installation, operation and monitoring of a SSDS to address potential soil vapor intrusion issues associated with the Emkay Cleaners and the adjacent restaurant. The results of the soil vapor intrusion investigations conducted at the

other adjacent (and nearby) businesses within the Valatie Village Plaza, and residences on Albany Avenue, indicated that engineering controls were not necessary at those locations.

4.5.1 SSDS Installation

According to the owner of the property, the Valatie Village Plaza was constructed in stages. During each stage of construction, separate concrete foundations were installed on concrete footings to a depth of 4.0 feet. The approximate locations of these foundations/footings are shown on the schematic of the Valatie Village Plaza shown in **Figure 8**. Based on the soil vapor and indoor air sampling conducted beneath and within the businesses that occupy the Plaza, and the location of the concrete foundations/footings, the NYSDOH identified an approximate area of 7,200 square feet that requires active mitigation via an SSDS. Pilot testing for that system commenced in July, 2009.

During the period between July 17, 2009 and July 19, 2009 three vapor extraction points (VEP), and associated vacuum monitoring points, were installed within the Emkay Cleaners in order to facilitate pilot testing that was conducted at that time. Each of the VEP wells was constructed by first coring a 6.0-inch diameter hole through the concrete slab and, removing approximately 12-inches of sub base material via hand tooling. A 4.0-inch inside diameter (ID) machine-slotted well screen and threaded riser were subsequently installed through the concrete and sub base material to extend the VEP above the concrete slab. The annular space was backfilled with peastone and the penetration through the concrete slab was sealed with hydraulic cement. Vacuum monitoring points were installed by advancing a 1.0-inch diameter hole approximately half-way through the slab and completing the penetration with a 3/8-inch diameter drill bit to approximately 12-inches below the bottom of the concrete slab. The vacuum monitoring point was constructed of ¼-inch ID nylon tubing set into the borehole. The sub-base material was allowed to collapse around the nylon tubing and the penetration through the concrete slab was sealed with beeswax. The locations of the three VEPs and vacuum monitoring points are included on **Figure 9**.

The pilot testing was conducted initially using well VEP-A for a duration of 330 minutes at a maximum wellhead vacuum of 10-inches of water column (H_2O). Observed vacuum measurements collected during the initial testing indicated that the required observed vacuum (0.004-inches H_2O) was not able to be observed throughout the entire 7,200 square-foot area identified as needing sub-slab depressurization. As such, VEP-B was installed to address the areas that were not adequately depressurized via VEP-A. Testing on VEP-B was at a maximum wellhead vacuum of 13-inches H_2O for a duration of 60 minutes. Testing via well VEP-B indicated that installation and testing of VEP-C would be necessary. Testing of VEP-C at a wellhead vacuum of 60-inches H_2O for a duration of 155 minutes determined that the entire footprint requiring depressurization could not be accomplished at that time. Further pilot testing was suspended at that time until the entire concrete slab overlying the footprint requiring depressurization could be professionally sealed. Sealing was completed in October

2009.

A second phase of pilot testing was conducted in October, 2009 after the concrete sealing was completed. The testing was accomplished by manifolding VEP-A, VEP-B and VEP-C together and testing these extraction points simultaneously. The findings of the pilot testing conducted in October, 2009 indicated that the three VEPs operated simultaneously applied a sufficient vacuum to the sub slab area requiring depressurization. This information, along with a conceptual design for the SSDS, was provided to NYSDEC and NYSDOH in the May 13, 2010 Pilot Test Report.

Installation of the SSDS was performed by C.E. Rothermel, Inc., of Kinderhook, NY, in July, 2010. The SSDS was installed to comply with all appropriate building, fire, plumbing and electrical practices, codes, standards, manufacturer's requirements and NYSDEC/NYSDOH recommended practices and guidance. The installation was completed in accordance with the approved SSDS Design Proposal of July 12, 2010. After its installation was completed, the SSDS was inspected by F.L. Fina, PE, a NYS licensed professional engineer.

SSDS installation commenced by equipping each VEP wellhead with permanent valves, gauges, u-tube manometers and sampling ports. As shown in the as-built drawing for the SSDS (**Figure 10**) each VEP was extended to a neighboring wall via a 45 degree 4.0-inch elbow then, fastened to that wall using an appropriate number of pipe fasteners. Each VEP was continued vertically through the ceiling/roof via a sealed penetration. After penetrating the roof line, VEP-A is connected to a 90-degree elbow that attaches via 4.0-inch horizontal piping to the north side of a 4.0-inch by 3.0-inch "tee" fitting (with the 3.0-inch portion of the fitting oriented vertically). VEP-B and VEP-C are also connected into a single horizontal piping run (via a 4.0-inch tee fitting) that connects to the south side of the 4.0-inch by 3.0-inch tee fitting.

The manifolding from the three VEPs (**Figure 11**) conveys the extracted soil vapor to a unistrut structure upon which the HS2000 fan is mounted. This is located on the roof of the Valatie Village Plaza approximately 20 feet south of the tee fitting used to connect VEP-B and VEP-C. The manifolding is connected to the inlet of the fan via a 3.0-inch diameter flexible coupling extending from the 4.0-inch by 3.0-inch tee. The discharge from the fan is via 2.0-inch ID schedule 40 PVC attached via flexible coupling. The discharge line is attached to the unistrut structure and extends approximately six feet above the roof line.

Operation of the SSDS commenced on July 28, 2010. Weekly inspections were conducted during the first six weeks of its operation in order to evaluate the system's performance. Once the initial startup period was completed, monthly inspections were conducted (October, November, December, 2010) followed by quarterly inspections beginning in January, 2011. Quarterly inspections were completed in October, 2011. The SSDS is currently on an annual inspection schedule.

The operational data collected from the SSDS during its operation is included as **Table 4**. NYSDEC/NYSDOH have established 0.004 inches of H_2O as the threshold minimum observed vacuum value for SSDS operations. The observed vacuum measurements, as well as other SSDS operational data through January 23, 2015, are included in Table 4.

Discharge samples collected from the SSDS in January, 2011 were analyzed for VOCs via EPA Method TO-15. The analytical results were used in combination with other SSDS performance data in order to compare the discharge from the system to the emission standards established by the Division of Air Resources' (DAR) Guidelines for the Control of Toxic Ambient Air Contaminants (Air Guide 1). The SSDS effluent concentrations are compliant with the emission standards established by Air Guide 1. Therefore, no air discharge/emissions treatment has been required to date.

Procedures for monitoring, operating and maintaining the SSDS are provided in the Site Management Plan (SMP).

4.6 Institutional Controls

The institutional controls implemented for the site include an annual land use certification focusing on the commercial property located west of the site across Kinderhook Street (US Route 9) and, an environmental easement on the Valatie Village Plaza property.

4.6.1 Land Use Certification

Refer to Section 4.2.6.

4.6.2 Environmental Easement

The site remedy requires that an environmental easement be placed on the property to limit the use and development of the site. The environmental easement references the site management plan, which details the activities required for ensuring that public health and the environment are protected from the remaining contamination at the site. The easement is established pursuant to Article 71, Title 36 of the New York State Environmental Conservation Law (ECL) and will remain in effect until it can be extinguished under ECL Article 71, Title 36.

The environmental easement includes a prohibition on the extraction and use of groundwater on the site. This prohibition will be removed upon demonstration, to the NYSDEC's satisfaction, that groundwater meets applicable New York State standards.

In the event that soil excavation and/or construction is performed at the site:

- The NYSDEC and NYSDOH will receive adequate prior notice;
- Any new structure constructed on the property will be evaluated for potential impacts from soil vapor or other environmental media (installation of a mitigation system, such

as an SSDS, may be considered during new construction in order to prevent soil vapor intrusion from occurring in lieu of a full soil vapor intrusion investigation);

- Any impacted soil encountered during excavation or construction will be managed in accordance with the NYSDEC-approved site management plan;
- If a soil vapor intrusion evaluation identifies the need for mitigation, then an appropriate remedy will be selected, implemented and verified as effective; and,
- NYSDEC and NYSDOH will be included in the development of all work plans and reporting.

The environmental easement for the site was executed by the Department on October 8, 2014 and filed with the Columbia County Clerk on November 13, 2014. The County Recording Identifier number for this filing is 20140013346. A copy of the easement and proof of filing is provided in Appendix A (electronic copy) and Appendix B (paper copy).

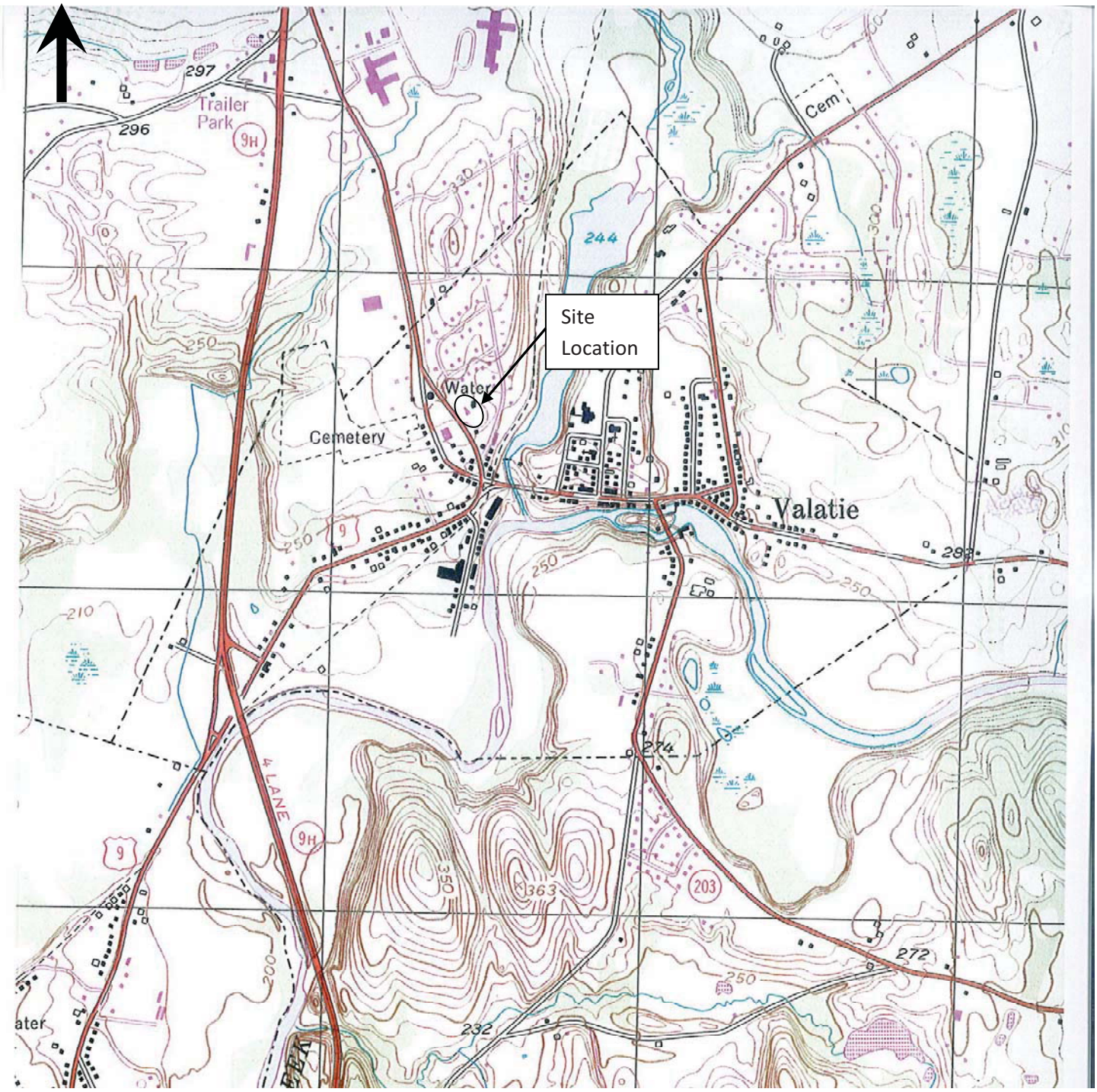
4.7 Deviations from the Remedial Action Work Plan

The installation/startup and operation of the SSDS did not entail any deviations from the remedial action work plan of a significant nature. Minor modifications to the SSDS system hardware are detailed in the as built drawing included as Figure 10. These modifications include:

- Positioning of the U-tube manometer and sampling port/vacuum gauge on each VEP in relation to the 4.0-inch butterfly valve;
- Positioning of the 4.0-inch diameter manifolding from each soil vapor point to the HS2000 fan mounted along the top (rather than the face) of the concrete parapet on the roof of the building;
- Position of the all weather outlet box on the unistrut structure: and,
- Height of the discharge from the HS2000 fan above the roof-line (from 3.0 feet to approximately 6.0 feet).

During the startup phase of SSDS operation, there were initial exceedances of the 1,000 ug/m^3 short term guideline concentration (SGC) for PCE as defined in NYSDEC-Air Guide 1 (DAR-1). The first air effluent sample collected from the SSDS (August 4, 2010) indicated a PCE concentration of 1,430 ug/m^3. Based on that initial exceedance, two (2) additional weekly monitoring events (for a total of six weekly monitoring events) were conducted. A second air effluent sample was collected from the SSDS on September 8, 2010. That sample, which indicated a PCE concentration of 1,140 ug/m^3, also exceeded the DAR-1 SGC. Subsequent SSDS effluent samples, collected on December 8, 2010 and January 11, 2011, were both below the SGC for PCE. NYSDEC approved the SSDS operations without emissions treatment based on the sampling results generated.

FIGURES



USGS Topographic Quadrangle Map, Kinderhook, NY

Approximate Scale 1" = 1,500'

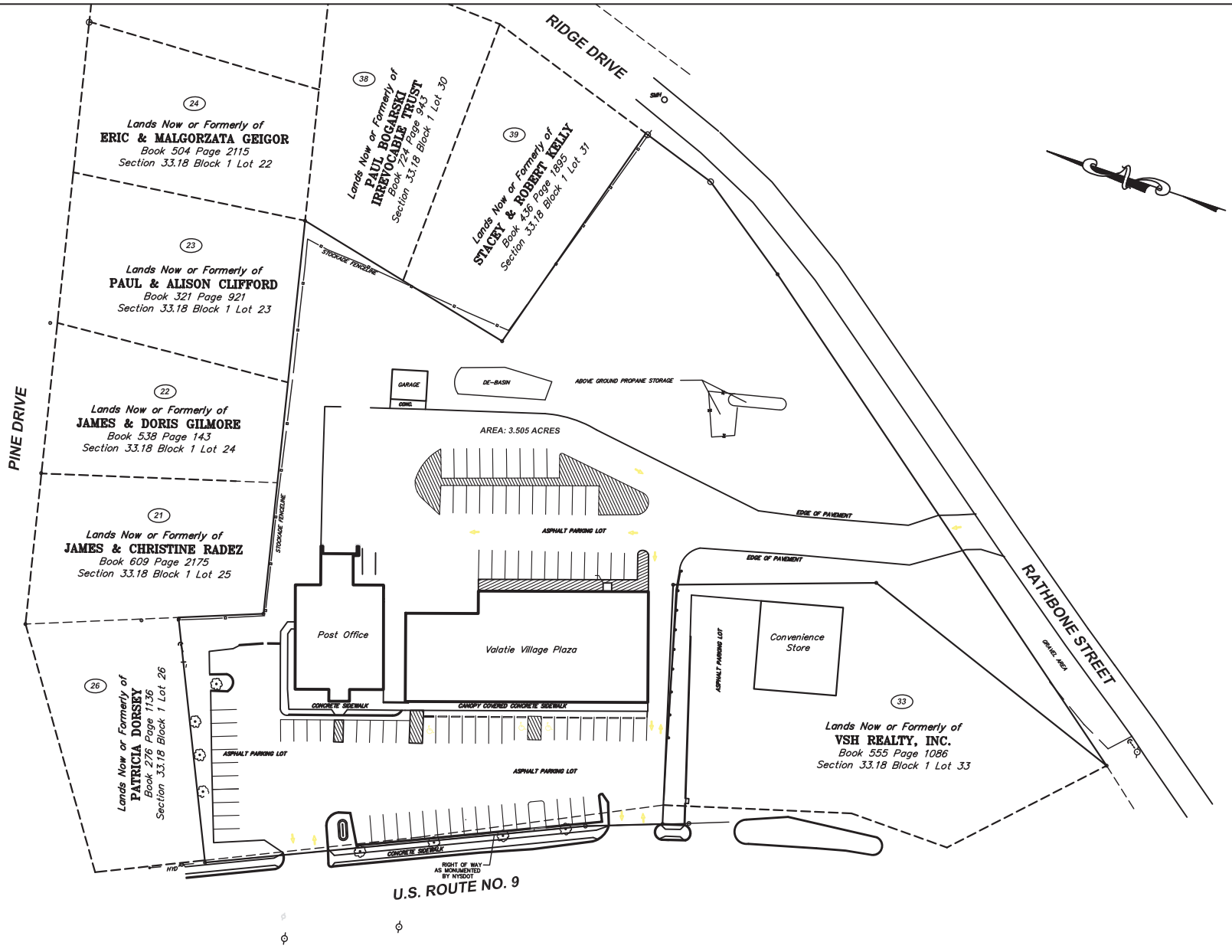
Aztech Engineering, P.C.

5 McCrea Hill Road
Ballston Spa, NY 12020
p 518.885.5383 | f 518.885.5383
info@aztechtech.com | ww.aztechtech.com

SITE: Valatie Village Plaza
(f.k.a. Emkay Cleaners)
1048 Kinderhook St.
(NYS Route 9)
Valatie, NY

FIGURE 1

Site Location Map



Aztech Engineering, P.C.

5 McCrea Hill Road
Ballston Spa
New York, 12866

Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

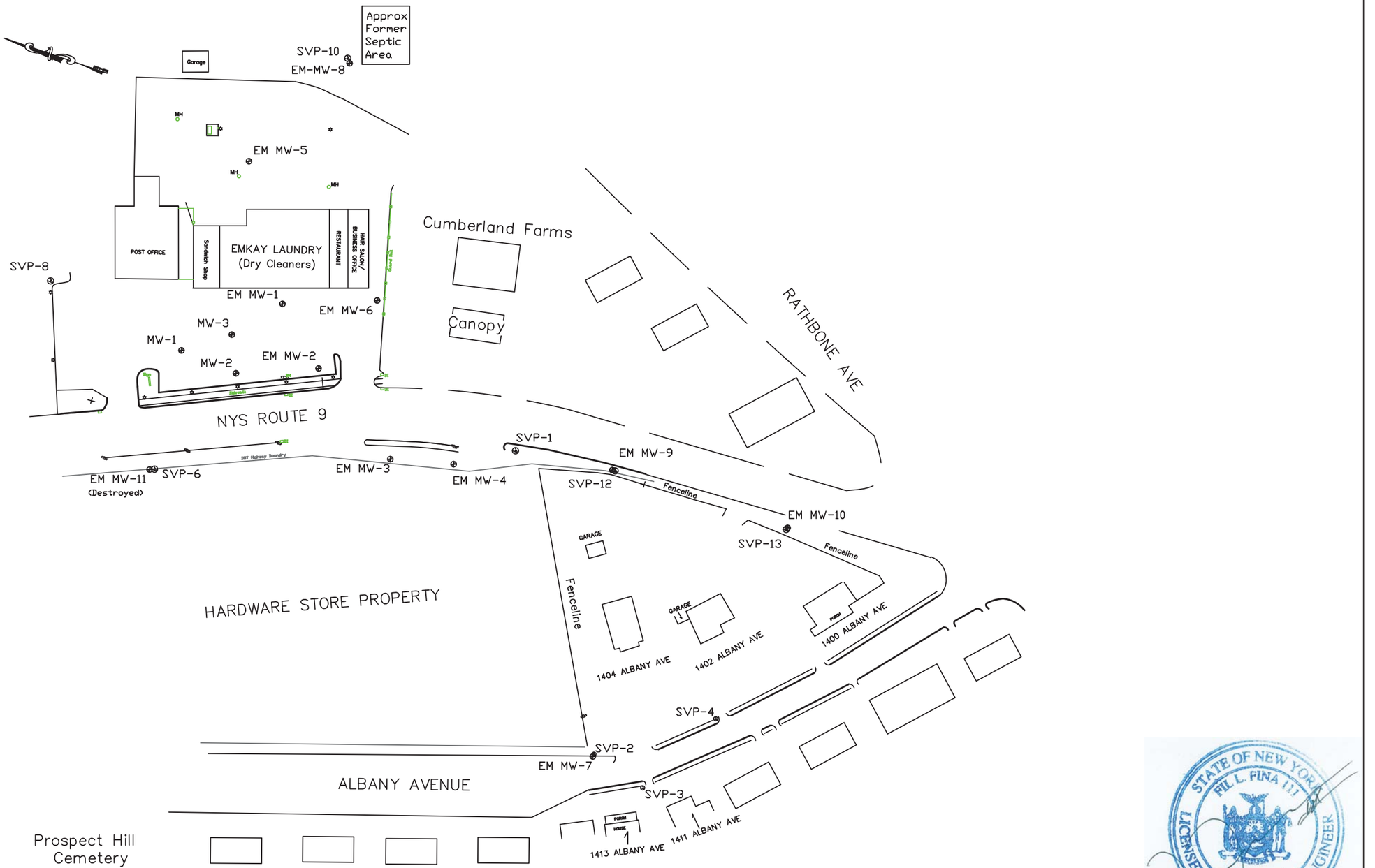
SITE: Valatie Village Plaza (f.k.a. Emkay Cleaners)
1048 Kinderhook Street (NYS Route 9)
Valatie, NY
NYSDEC Site No. 411016

FIGURE 2

DATE: January 21, 2013 | SCALE: 1"= 100'

Tax Parcel Map

Tax parcel mapping by: Ausfeld & Waldruff Land Surveyors, LLP
514 State Street, Schenectady, NY



Aztech Engineering, P.C.
5 McCrea Hill Road
Ballston Spa
New York, 12020
Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

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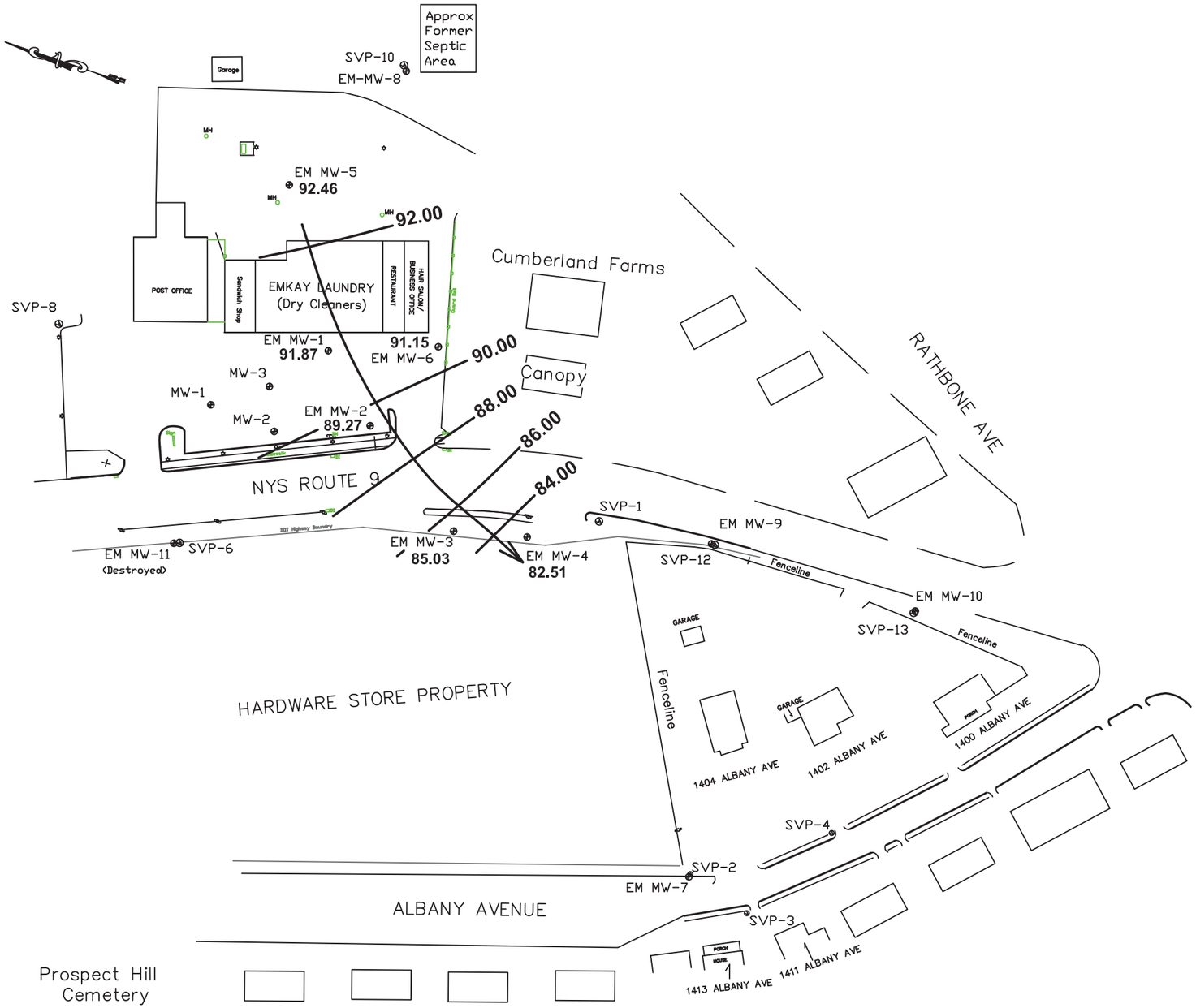
FIGURE 3

Date: July, 2011 | SCALE: 1" = 100'

Site Map

- SOIL VAPOR POINT
- SHALLOW OVERBURDEN MONITORING WELL
- LIGHT POLE
- POWER POLE



Aztech Engineering, P.C.
5 McCrea Hill Road
Ballston Spa
New York, 12020
Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

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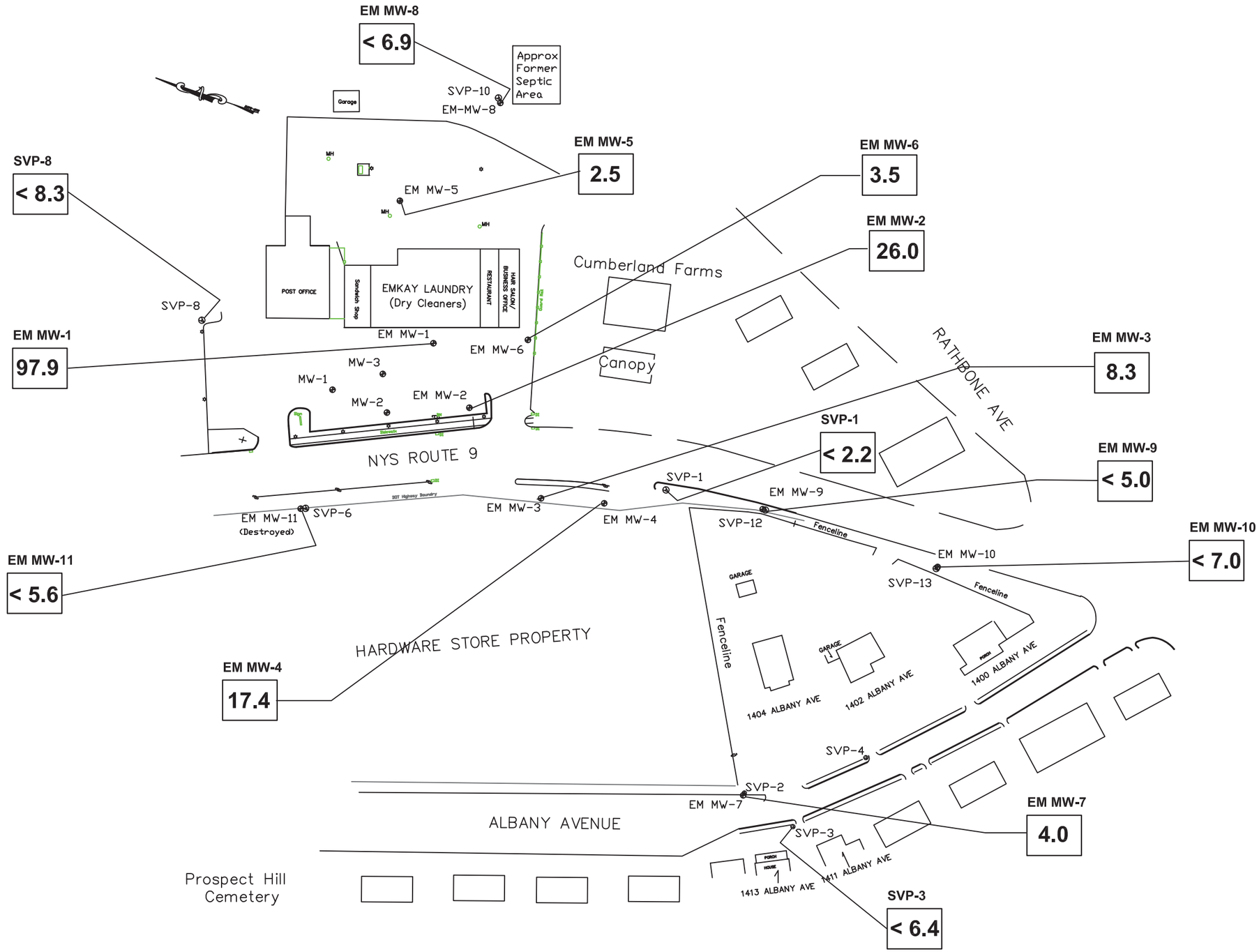
FIGURE 4

Date: October 29, 2013 | SCALE: 1" = 100'

Groundwater Contour Map
October 29, 2013

- SOIL VAPOR POINT
- SHALLOW OVERBURDEN MONITORING WELL
- LIGHT POLE
- POWER POLE



Aztech Engineering, P.C.
5 McCrea Hill Road
Ballston Spa
New York, 12020
Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

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FIGURE 5

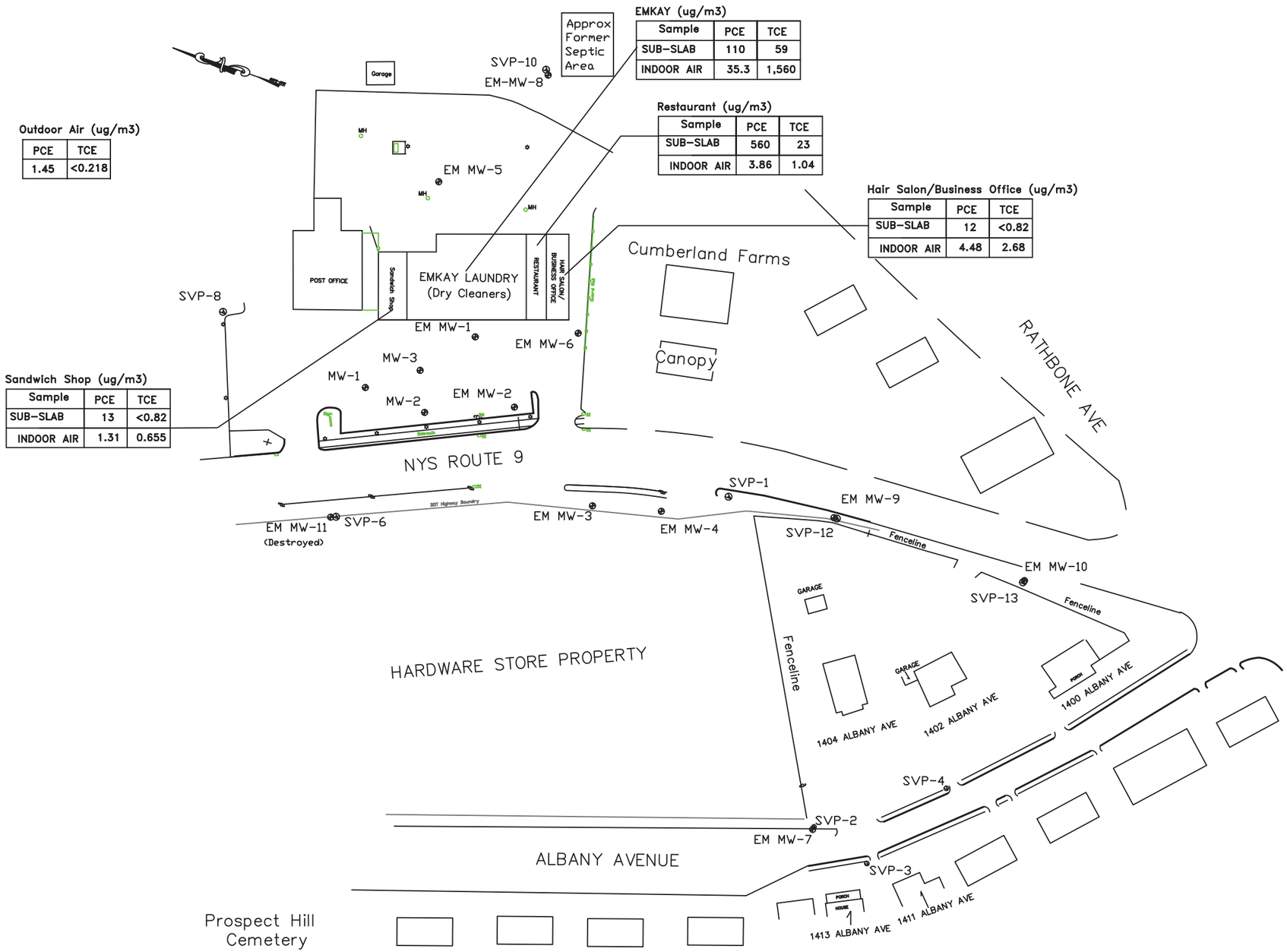
Date: January 5, 2012 | SCALE: 1" = 100'

PCE Distribution in Soil

(samples collected during various phases of investigation)

- SOIL VAPOR POINT
- SHALLOW OVERBURDEN MONITORING WELL

EM MW-4 **17.4** — PCE concentration in micrograms per kilogram (ug/kg)



Aztech Engineering, P.C.
5 McCrea Hill Road
Ballston Spa
New York, 12020
Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

SITE: Valatie Village Plaza
(f.k.a. Emkay Cleaners)
1048 Kinderhook Street (NYS Route 9)
Valatie, NY
NYSDEC Site No. 411016

FIGURE 6A

Date: 2007-03-05 | SCALE: 1" = 100'

Soil Vapor/Vapor Intrusion Data
March 5, 2007

SOIL VAPOR POINT
SHALLOW OVERBURDEN MONITORING WELL

Outdoor Air (ug/m3)

PCE	TCE
0.827	0.601

EMKAY (ug/m3)

Sample	PCE	TCE
SUB-SLAB	550	59
INDOOR AIR	3.17	3.99

Restaurant (ug/m3)

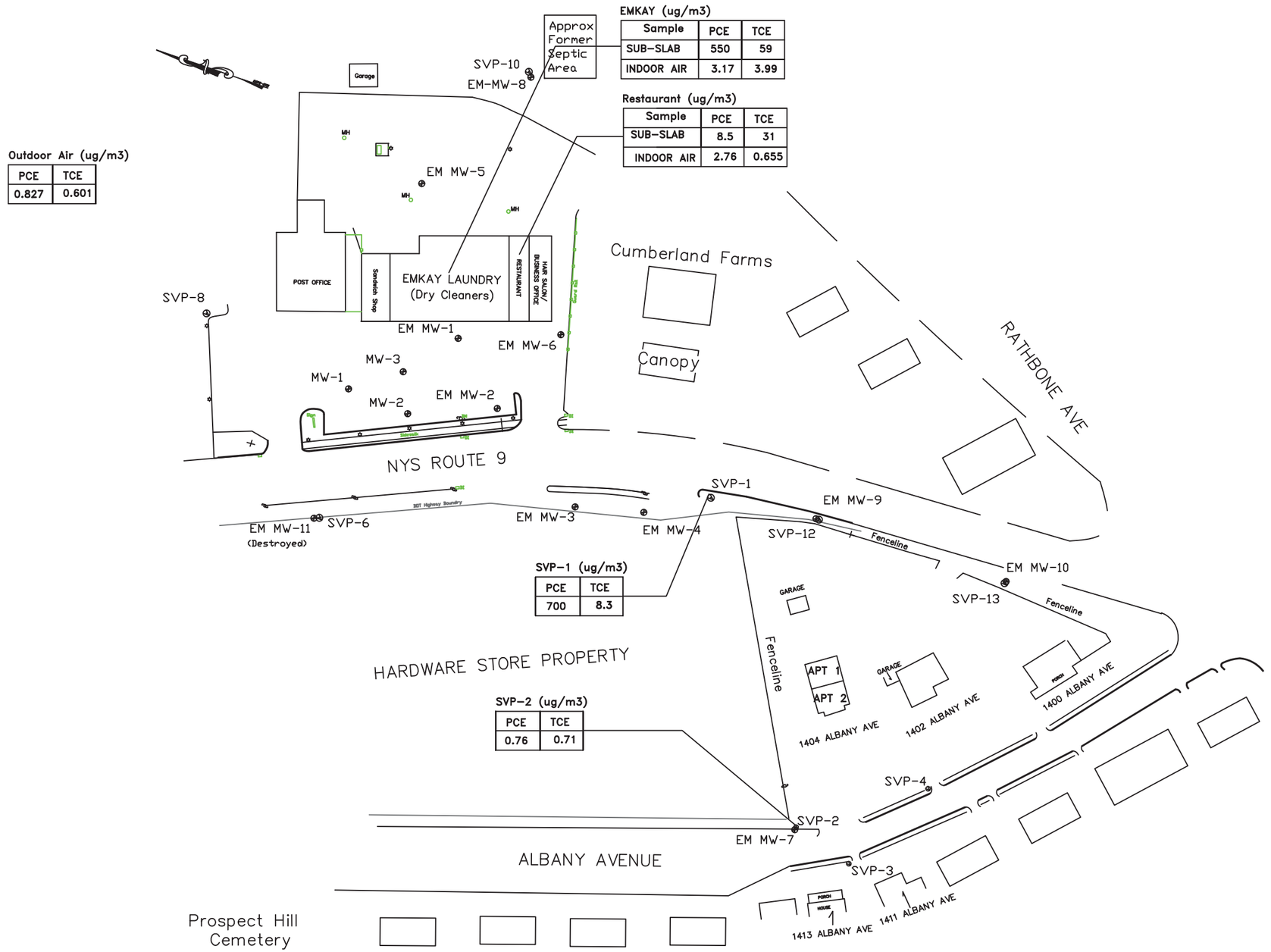
Sample	PCE	TCE
SUB-SLAB	8.5	31
INDOOR AIR	2.76	0.655

SVP-1 (ug/m3)

PCE	TCE
700	8.3

SVP-2 (ug/m3)

PCE	TCE
0.76	0.71



Aztech Engineering, P.C.

5 McCrea Hill Road
Ballston Spa
New York, 12020

Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

SITE: Valatie Village Plaza
(f.k.a. Emkay Cleaners)
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FIGURE 6B

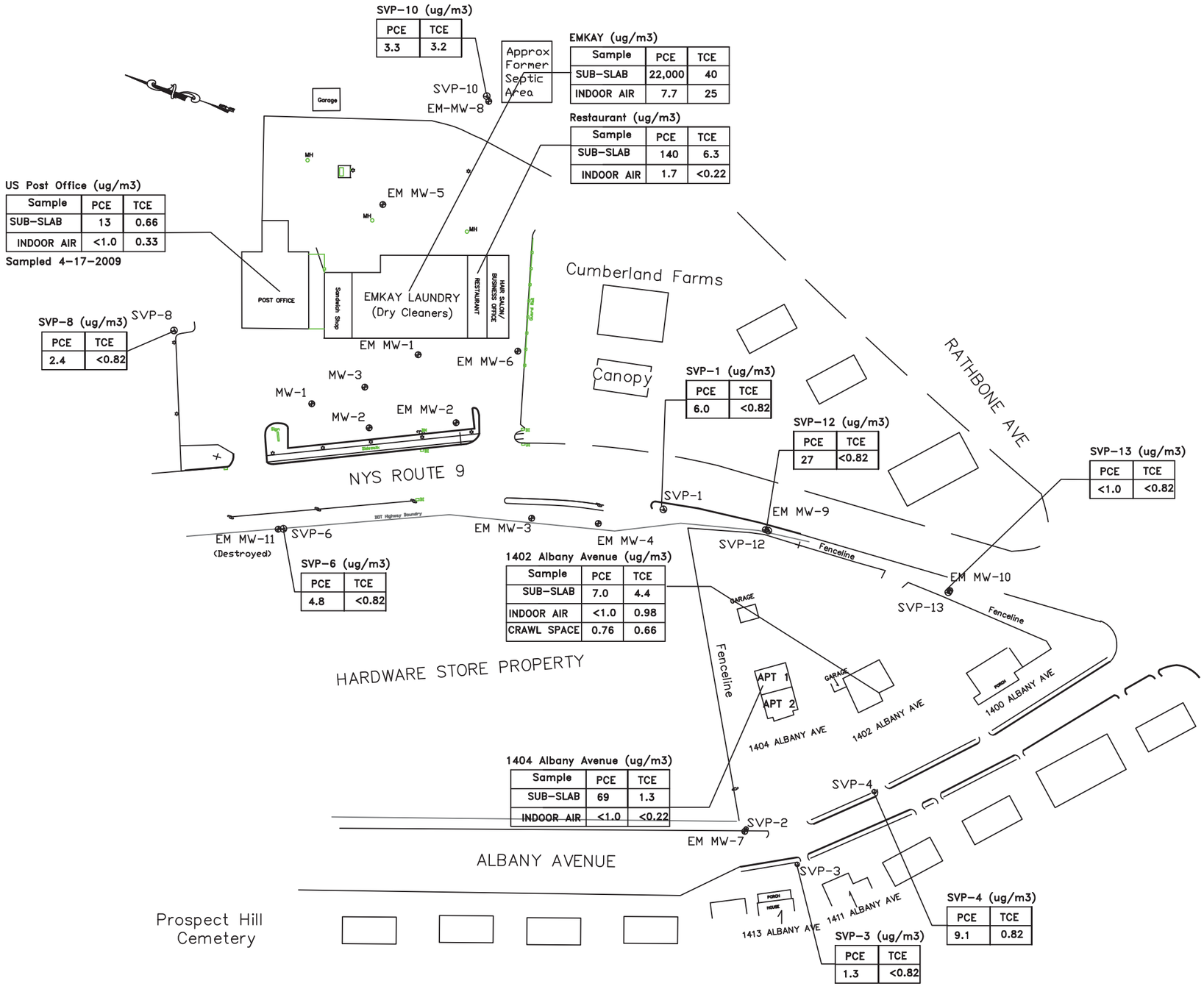
Date: January 21, 2008

SCALE: 1" = 100'

Soil Vapor/Vapor Intrusion Data
January 21, 2008

SOIL VAPOR POINT

SHALLOW OVERBURDEN MONITORING WELL



Aztech Engineering, P.C.
5 McCrea Hill Road
Ballston Spa
New York, 12020
Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

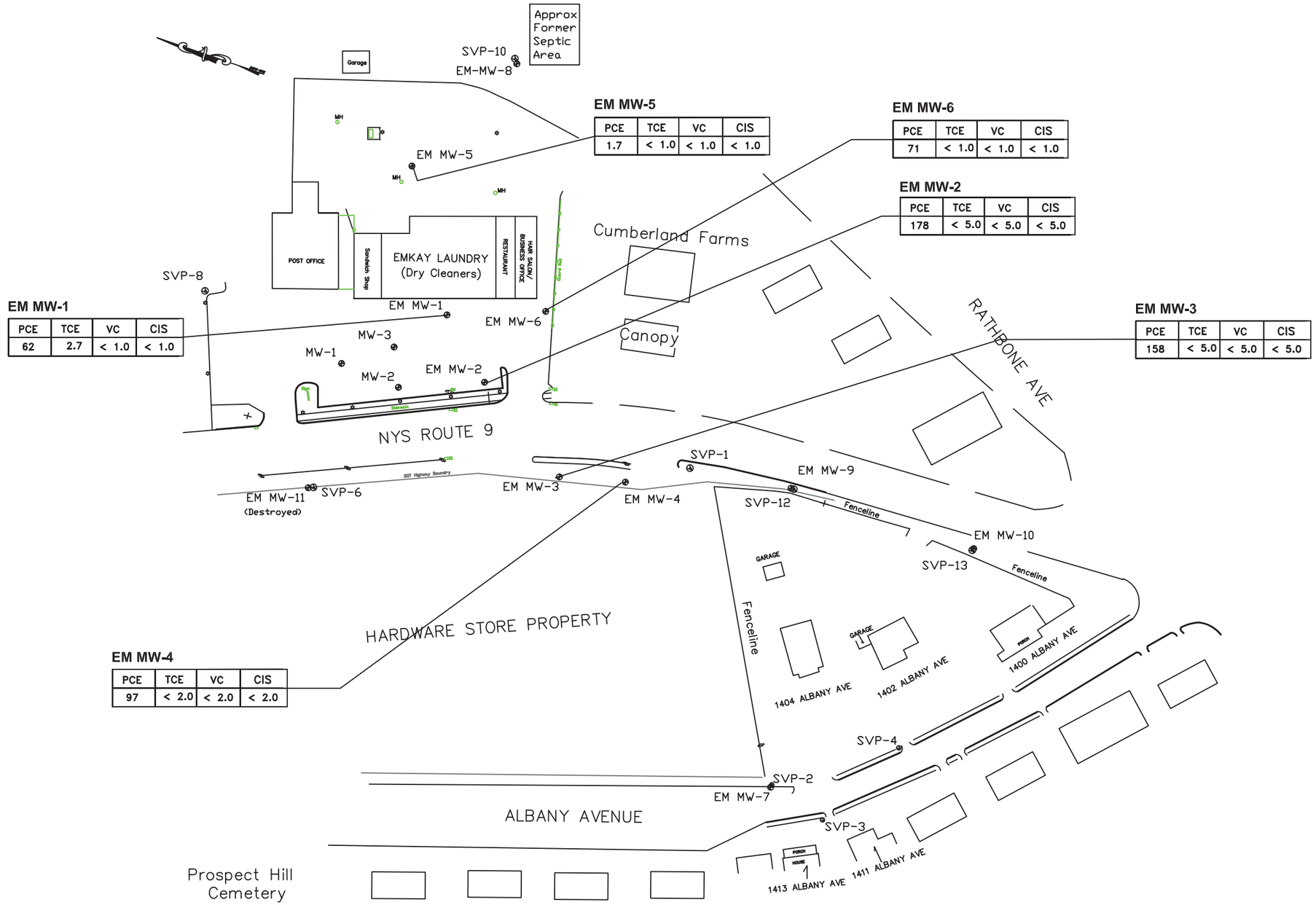
SITE: Valatie Village Plaza
(f.k.a. Emkay Cleaners)
1048 Kinderhook Street (NYS Route 9)
Valatie, NY
NYSDEC Site No. 411016

FIGURE 6C

Date: February/April, 2009 | SCALE: 1" = 100'

Soil Vapor/Vapor Intrusion Data
February 25, 2009*
(*samples collected 2-25-2009 unless indicated otherwise)

SOIL VAPOR POINT
SHALLOW OVERBURDEN MONITORING WELL



EM MW-5

PCE	TCE	VC	CIS
1.7	< 1.0	< 1.0	< 1.0

EM MW-6

PCE	TCE	VC	CIS
71	< 1.0	< 1.0	< 1.0

EM MW-2

PCE	TCE	VC	CIS
178	< 5.0	< 5.0	< 5.0

EM MW-1

PCE	TCE	VC	CIS
62	2.7	< 1.0	< 1.0

EM MW-3

PCE	TCE	VC	CIS
158	< 5.0	< 5.0	< 5.0

EM MW-4

PCE	TCE	VC	CIS
97	< 2.0	< 2.0	< 2.0

Aztec Engineering, P.C.
5 McCrea Hill Road
Ballston Spa
New York, 12020
Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

SITE: Valatie Village Plaza
(f.k.a. Emkay Cleaners)
1048 Kinderhook Street (NYS Route 9)
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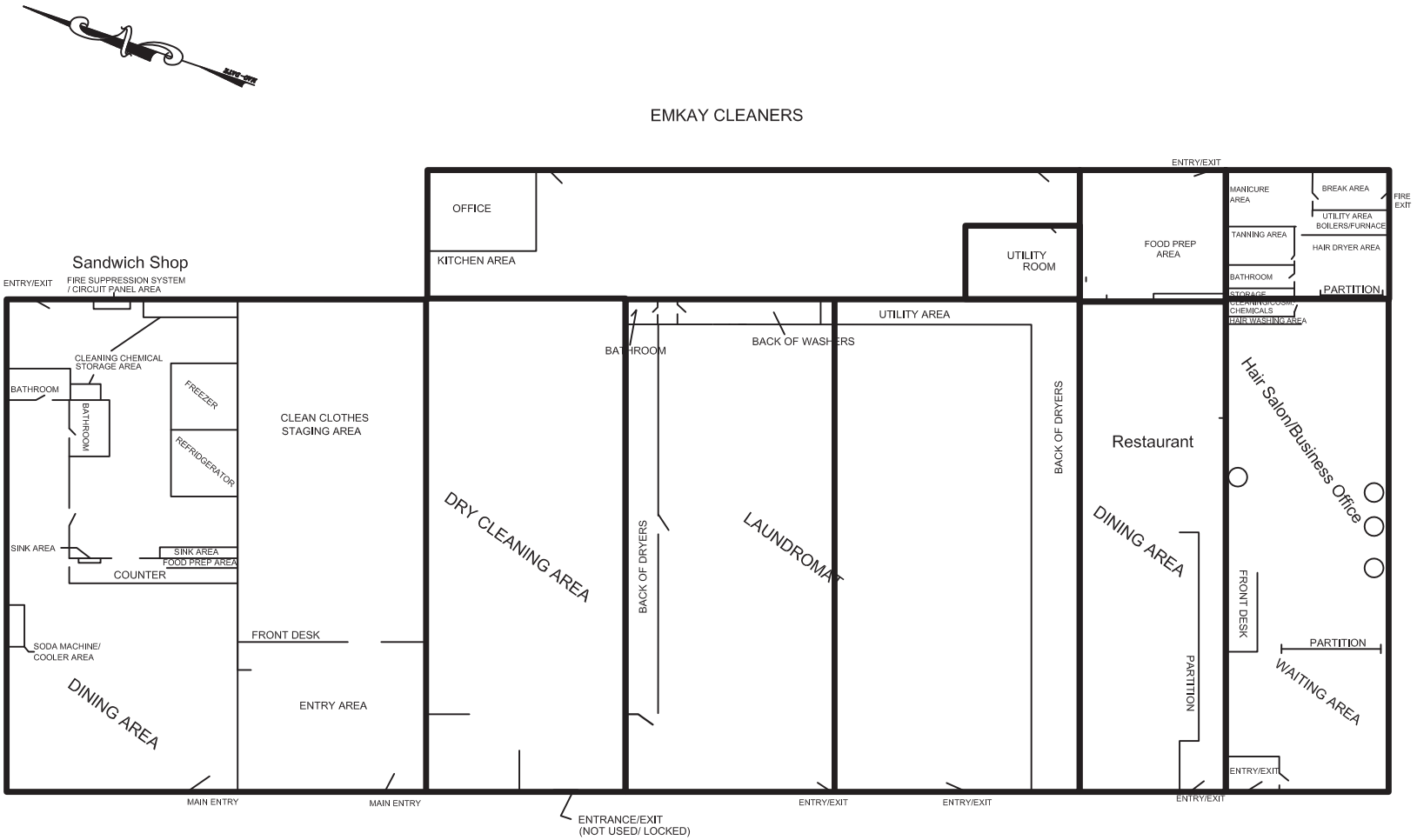
FIGURE 7

Date: October 29, 2013 | SCALE: 1" = 100'

VOC Distribution Map
October 29, 2013

Concentrations in micrograms per liter (ug/l)

- SOIL VAPOR POINT
- SHALLOW OVERBURDEN MONITORING WELL
- LIGHT POLE
- POWER POLE



Aztech Engineering, P.C.

5 McCrea Hill Road
Ballston Spa
New York, 12866

Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

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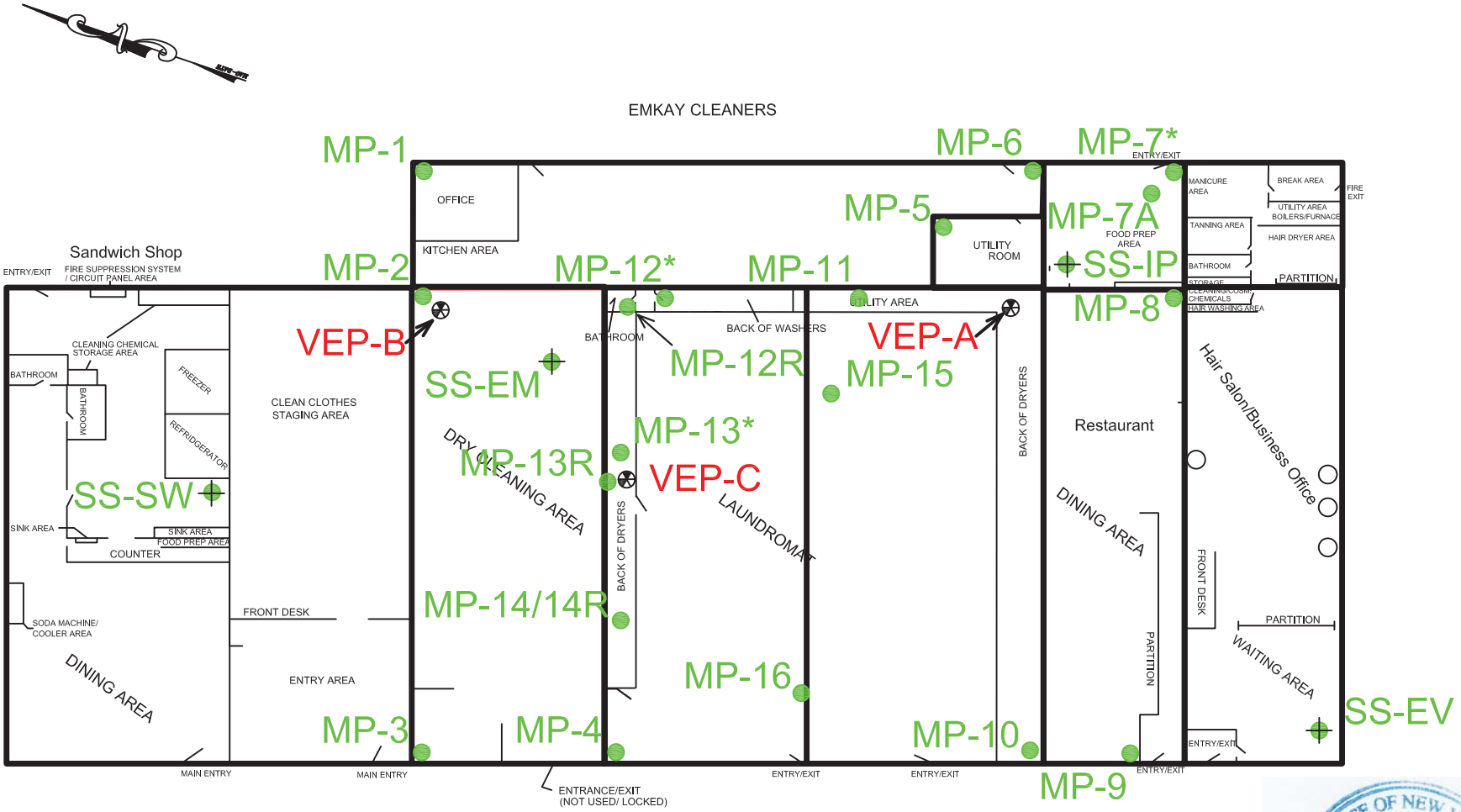
FIGURE 8

DATE: July, 2010 | SCALE: ~1"= 20'

Valatie Village Plaza Footing Locations

Concrete Foundation/Footing



Aztech Engineering, P.C.
5 McCrea Hill Road
Ballston Spa
New York, 12866
Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

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FIGURE 9

DATE: as of April, 2014 | SCALE: ~1"= 20'

Vapor Extraction, Monitoring & Sub-Slab Sampling Point Locations

4" Vapor Extraction Point

SS-EV Sub-Slab Soil Vapor Sampling Point

MP-8 Vacuum Monitoring Point

* MP-7, MP-12, MP-13 no longer exist/accessible.

FIGURE 10A
VAPOR EXTRACTION POINT
As-Built Construction

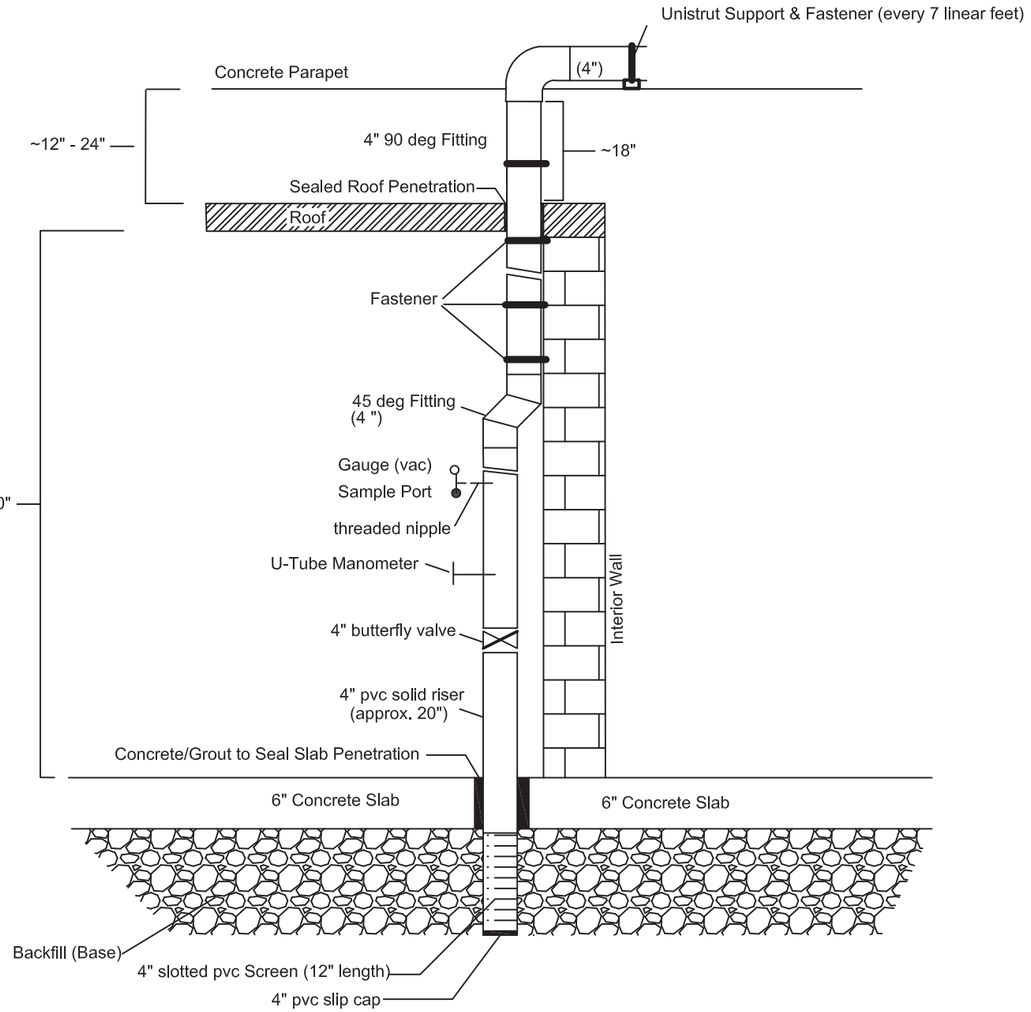
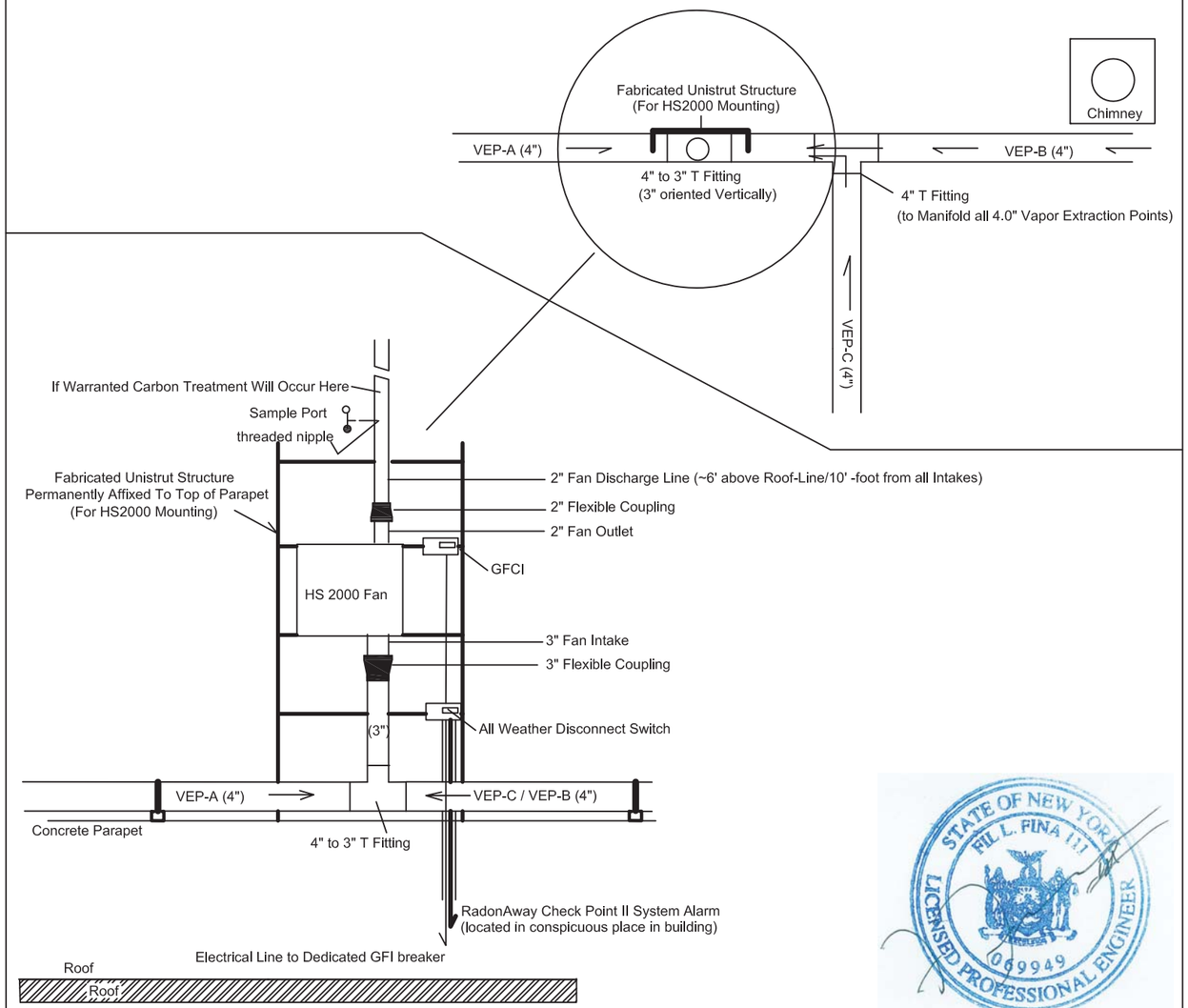


FIGURE 10B
VAPOR EXTRACTION DISCHARGE
ROOF-LINE MANIFOLD
As-Built Construction (Overhead View)

(Note All 4" lines are pitched back to VEPs and fastened to respective parapet every 7')



Aztech Engineering, P.C.
5 McCrea Hill Road
Ballston Spa
New York, 12020
Phone: 518-885-5383
Fax: 518-885-5385
www.aztechtech.com

SITE: EMKAY CLEANERS
1048 Kinderhook Street (NYS Route 9)
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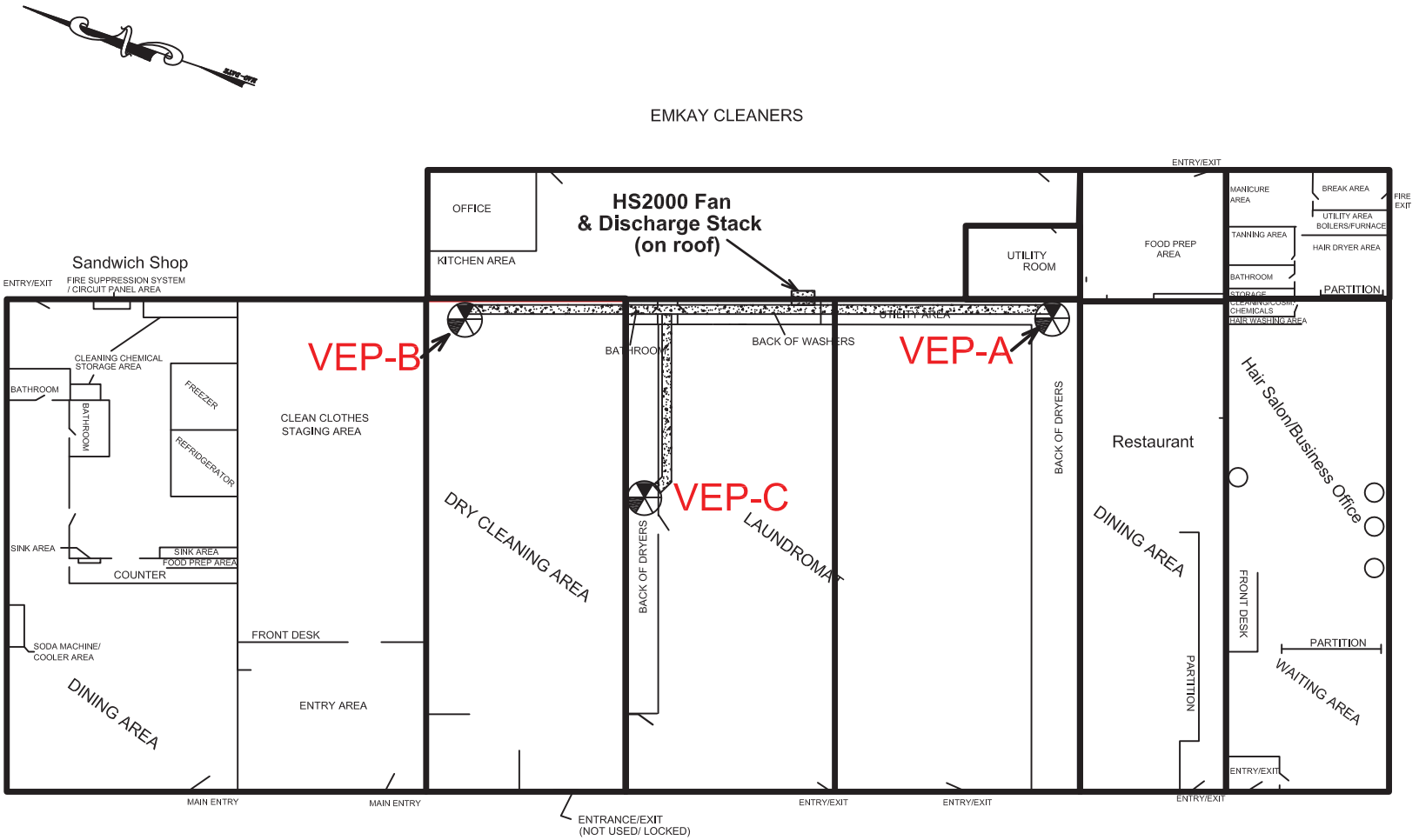
NYSDEC Site No. 411016

FIGURE 10

DATE: July, 2011 | NOT TO SCALE

Sub-Slab Depressurization System
As-Built



Aztech Engineering, P.C.

5 McCrea Hill Road
Ballston Spa
New York, 12866

Phone: 518-885-5383
Fax: 518-885-5385
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FIGURE 11

DATE: July, 2010 | SCALE: ~1"= 20'

SSDS Piping Layout

Piping/SSDS fan unit located on roof of Valatie Village Plaza

4" VEP 4" Piping

Concrete foundation/footing

TABLES

Table 1
LABORATORY ANALYTICAL RESULTS - SOIL
Valatie Village Plaza
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Site No. 411016

VOC	Soil Cleanup Objective		SAMPLE LOCATION						
			EM MW-1	EM MW-2	EM MW-3	EM MW-4	EM MW-5	EM MW-6	EM MW-7
	Unrestricted Use	Residential Use	10/30/06	10/30/06	04/02/07	04/02/07	04/02/07	04/02/07	01/11/08
Tetrachloroethene	1,300	5,500	97.9	26.0	8.29	17.4	2.52	3.50	4.04
Trichloroethene	470	10,000	28	< 5.23	< 2.07	< 2.12	< 2.25	< 2.14	< 2.12
1,2,4-Trimethylbenzene	3,600	47,000	< 5.47	< 5.23	< 2.07	< 2.12	< 2.25	< 2.14	2.52
2-Butanone	120	100,000	< 5.47	< 5.23	< 2.07	< 2.12	< 2.25	< 2.14	< 2.12
Acetone	50	100,000	< 27.4	< 26.1	47	**56**	**68**	**80**	< 10.6
Mixed Xylenes	260	100,000	< 5.47	< 5.23	< 2.07	< 2.12	< 2.25	< 2.14	2.79
Toluene	700	100,000	< 5.47	< 5.23	2.98	2.52	4.24	5.02	< 2.12
TOTAL VOCs			126	26	59	76	75	88	9.4

Notes:
Soil Samples analyzed for the full list of VOCs by EPA Method 8260
Compounds not included in the list of VOCs hereon were not identified in any of the soil samples analyzed.
Soil Cleanup Objectives for unrestricted use and residential use as given in 6NYCRR Part 375 tables 375-6.8(a) and 375-6.8(b), respectively.
All concentrations reported in parts per billion (ppb or ug/kg)
Concentrations in bold are in excess of the unrestricted use criteria but, are below the residential use criteria as identified in 6NYCRR Part 375.

VOC	Soil Cleanup Objective		SAMPLE LOCATION						
			SVP-1	EM MW-8 / SVP-10	EM MW-9 / SVP-12	EM MW-10	EM MW-11 / SVP-6	SVP-3	SVP-8
	Unrestricted Use	Residential Use	01/11/08	02/18/09	02/18/09	02/18/09	02/18/09	02/18/09	02/18/09
Tetrachloroethene	1,300	5,500	< 2.17	< 6.94	< 5.02	< 6.99	< 5.62	< 6.37	< 8.33
Trichloroethene	470	10,000	< 2.17	< 6.95	< 5.02	< 6.99	< 5.62	< 6.37	< 8.33
1,2,4-Trimethylbenzene	3,600	47,000	< 2.17	< 6.95	< 5.02	< 6.99	< 5.62	< 6.37	< 8.33
2-Butanone	120	100,000	< 2.17	12	< 5.02	< 6.99	< 5.62	< 6.37	< 8.33
Acetone	50	100,000	< 10.9	**107**	< 25.1	< 34.9	< 28.1	35	< 41.6
Mixed Xylenes	260	100,000	< 2.17	< 6.95	< 5.02	< 6.99	< 5.62	< 6.37	< 8.33
Toluene	700	100,000	< 2.17	< 6.95	< 5.02	< 6.99	< 5.62	< 6.37	< 8.33
TOTAL VOC			< 10.9	119	< 25.1	< 34.9	< 28.1	35	< 41.6

Notes:
Soil Samples analyzed for the full list of VOCs by EPA Method 8260
Compounds not included in the list of VOCs hereon were not identified in any of the soil samples analyzed.
Soil Cleanup Objectives for unrestricted use and residential use as given in 6NYCRR Part 375 tables 375-6.8(a) and 375-6.8(b), respectively.
All concentrations reported in parts per billion (ppb or ug/kg)
Concentrations in bold are in excess of the unrestricted use criteria but, are below the residential use criteria as identified in 6NYCRR Part 375.

TABLE 2A
VAPOR / AIR LABORATORY ANALYTICAL RESULTS
EMKAY CLEANERS
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Spill No. 06-06889

VOCs by EPA Method T015	AIR / VAPOR SAMPLING LOCATION								
DATE SAMPLED	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07
BUSINESS NAME	SUBWAY		EMKAY DRY CLEANERS		THE ITALIAN PLACE		EnVOGUE		
TO15 COMPOUND LIST	SS-SW-1 *(Sub-slab @ Subway)*	IA - SW-1 *(Indoor Air @ Subway)*	SS-EM-1 *(Sub-slab @ Emkay)*	IA-EM-1 *(Indoor Air @ Emkay)*	SS-IP-1 *(Sub-slab @ Italian Pl)*	IA-IP-1 *(Indoor Air @ Italian Pl)*	SS-EV-1 *(Sub-slab @ EnVogue)*	IA-EV-1 *(Indoor Air @ EnVogue)*	OA-1 *(Outdoor Air)*
1,1,1-Trichloroethane	<0.83	<0.832	<0.83	<0.832	<0.83	<0.832	<0.83	<0.832	<0.832
1,1,2,2-Tetrachloroethane	<1.0	<1.05	<1.0	<1.05	<1.0	<1.05	<1.0	<1.05	<1.05
1,1,2-Trichloroethane	<0.83	<0.832	<0.83	<0.832	<0.83	<0.832	<0.83	<0.832	<0.832
1,1-Dichloroethane	<0.62	<0.617	<0.62	<0.617	<0.62	<0.617	<0.62	<0.617	<0.617
1,1-Dichloroethene	<0.60	<0.605	<0.60	<0.605	<0.60	<0.605	<0.60	<0.605	<0.605
1,2,4-Trichlorobenzene	<1.1	<1.13	<1.1	<1.13	<1.1	<1.13	<1.1	<1.13	<1.13
1,2,4-Trimethylbenzene	9.3	2.85	45	2.95	7.5	3.40	5.0	1.55	1.40
1,2-Dibromoethane	<1.2	<1.17	<1.2	<1.17	<1.2	<1.17	<1.2	<1.17	<1.17
1,2-Dichlorobenzene	<0.92	<0.917	<0.92	<0.917	<0.92	<0.917	<0.92	<0.917	<0.917
1,2-Dichloroethane	1.2	<0.617	1.5	<0.617	<0.62	<0.617	0.82	<0.617	<0.617
1,2-Dichloropropane	<0.70	<0.705	<0.70	<0.705	<0.70	<0.705	<0.70	<0.705	<0.705
1,3,5-Trimethylbenzene	2.6	1.05	14	0.899	3.8	1.40	2.9	0.700	<0.750
1,3-butadiene	<0.34	<0.337	<0.34	<0.337	<0.34	<0.337	<0.34	<0.337	<0.337
1,3-Dichlorobenzene	<0.92	<0.917	<0.92	<0.917	<0.92	<0.917	<0.92	<0.917	<0.917
1,4-Dichlorobenzene	<0.92	<0.917	<0.92	<0.917	<0.92	<0.917	<0.92	<0.917	<0.917
1,4-Dioxane	<1.1	<1.10	<1.1	<1.10	<1.1	<1.10	<1.1	<1.10	<1.10
2,2,4-trimethylpentane	2.6	<0.712	1.3	<0.712	0.90	0.665	1.6	0.807	<0.712
4-ethyltoluene	4.5	1.20	25	0.899	5.9	1.20	5.1	0.550	<0.750
Acetone	750	19.8	690	44.8	47	42.7	380	45.6	18.8
Allyl chloride	<0.48	<0.477	<0.48	<0.477	<0.48	<0.477	<0.48	<0.477	<0.477
Benzene	3.0	0.779	6.0	1.20	4.4	10.7	2.4	1.49	0.909
Benzyl chloride	<0.88	<0.877	<0.88	<0.877	<0.88	<0.877	<0.88	<0.877	<0.877
Bromodichloromethane	<1.0	<1.02	<1.0	<1.02	<1.0	<1.02	<1.0	<1.02	<1.02
Bromoform	<1.6	<1.58	<1.6	<1.58	<1.6	<1.58	<1.6	<1.58	<1.58
Bromomethane	<0.59	<0.592	<0.59	<0.592	<0.59	<0.592	<0.59	<0.592	<0.592
Carbon disulfide	0.95	<0.475	0.57	<0.475	<0.47	<0.475	0.66	<0.475	<0.475
Carbon tetrachloride	<0.96	0.384	<0.96	0.512	<0.96	0.448	<0.96	0.448	0.512
Chlorobenzene	<0.70	<0.702	<0.70	<0.702	<0.70	<0.702	<0.70	<0.702	<0.702
Chloroethane	<0.40	<0.402	<0.40	<0.402	<0.40	<0.402	<0.40	<0.402	<0.402
Chloroform	0.50	<0.744	1.5	<0.744	0.84	0.744	0.69	<0.744	<0.744
Chloromethane	<0.31	1.43	<0.31	<0.315	<0.31	1.64	<0.31	1.22	<0.315
cis-1,2-Dichloroethene	<0.60	<0.604	<0.60	<0.604	1.3	<0.604	<0.60	<0.604	<0.604
cis-1,3-Dichloropropene	<0.69	<0.692	<0.69	<0.692	<0.69	<0.692	<0.69	<0.692	<0.692
Cyclohexane	11	<0.525	5.9	<0.525	6.1	<0.525	2.0	<0.525	<0.525
Dibromochloromethane	<1.3	<1.30	<1.3	<1.30	<1.3	<1.30	<1.3	<1.30	<1.30
Ethyl acetate	8.8	9.16	5.4	1.58	4.8	19.8	7.3	36.6	<0.916
Ethylbenzene	8.7	1.68	7.8	0.574	11	1.06	9.1	0.794	0.441
Freon 11	1.1	1.14	1.4	1.26	1.0	1.71	0.91	1.26	1.14
Freon 113	<1.2	<1.17	<1.2	<1.17	<1.2	<1.17	<1.2	<1.17	<1.17
Freon 114	<1.1	<1.07	<1.1	<1.07	<1.1	<1.07	<1.1	<1.07	<1.07
Freon 12	33	2.31	6.1	2.61	2.0	2.61	1.8	2.26	2.21
Heptane	4.8	0.791	4.2	0.542	3.2	3.67	4.4	0.542	<0.625
Hexachloro-1,3-butadiene	<1.6	<1.63	<1.6	<1.63	<1.6	<1.63	<1.6	<1.63	<1.63
Hexane	7.5	1.07	<0.54	<0.537	2.3	2.79	<0.54	0.752	0.896
Isopropyl alcohol	15	14.2	23	216	<0.37	<0.375	<0.37	30.2	<0.375
m&p-Xylene	18	6.97	13	2.38	21	2.60	17	2.43	1.15
Methyl Butyl Ketone	<1.2	<1.25	<1.2	<1.25	<1.2	<1.25	<1.2	<1.25	<1.25
Methyl Ethyl Ketone	13	2.61	24	276	3.9	4.50	<0.90	5.28	0.630
Methyl Isobutyl Ketone	1.7	<1.25	1.7	34.6	0.87	<1.25	1.8	<1.25	<1.25
Methyl tert-butyl ether	<0.55	<0.550	<0.55	<0.550	<0.55	<0.550	<0.55	<0.550	<0.550
Methylene chloride	87	0.812	24	0.777	2.0	0.671	18	0.600	0.636
o-Xylene	6.5	5.16	8.9	1.02	9.0	1.50	6.8	1.02	0.530
Propylene	<0.26	<0.262	<0.26	<0.262	<0.26	<0.262	<0.26	<0.262	<0.262

TABLE 2A
VAPOR / AIR LABORATORY ANALYTICAL RESULTS
EMKAY CLEANERS
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Spill No. 06-06889

VOCs by EPA Method T015	AIR / VAPOR SAMPLING LOCATION								
DATE SAMPLED	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07	03/05/07
BUSINESS NAME	**SUBWAY**		**EMKAY DRY CLEANERS**		**THE ITALIAN PLACE**		**EnVOGUE**		
TO15 COMPOUND LIST	**SS-SW-1** *(Sub-slab @ Subway)*	**IA - SW-1** *(Indoor Air @ Subway)*	**SS-EM-1** *(Sub-slab @ Emkay)*	**IA-EM-1** *(Indoor Air @ Emkay)*	**SS-IP-1** *(Sub-slab @ Italian Pl)*	**IA-IP-1** *(Indoor Air @ Italian Pl)*	**SS-EV-1** *(Sub-slab @ EnVogue)*	**IA-EV-1** *(Indoor Air @ EnVogue)*	**OA-1** *(Outdoor Air)*
Styrene	9.0	2.77	9.7	1.69	12	2.86	9.5	1.17	0.823
Tetrachloroethylene	13	1.31	110	35.3	560	3.86	12	4.48	1.45
Tetrahydrofuran	13	<0.450	<0.45	0.420	4.3	1.20	6.6	<0.450	<0.450
Toluene	37	7.47	56	7.93	62	7.66	33	8.43	7.32
trans-1,2-Dichloroethene	<0.60	<0.604	<0.60	<0.604	<0.60	<0.604	<0.60	<0.604	<0.604
trans-1,3-Dichloropropene	<0.69	<0.692	<0.69	<0.692	<0.69	<0.692	<0.69	<0.692	<0.692
Trichloroethene	<0.82	0.655	59	1,560	23	1.04	<0.82	2.68	<0.218
Vinyl acetate	<0.54	<0.537	<0.54	<0.537	<0.54	<0.537	<0.54	<0.537	<0.537
Vinyl Bromide	<0.67	<0.667	<0.67	<0.667	<0.67	<0.667	<0.67	<0.667	<0.667
Vinyl chloride	<0.39	<0.390	<0.39	<0.390	<0.39	<0.390	<0.39	<0.390	<0.390
TOTAL VOC	1,063	86	1,145	2,194	800	120	529	151	39

All concentrations reported in ug/m^3
All samples analyzed by EPA Method TO15

TABLE 2B
VAPOR / AIR LABORATORY ANALYTICAL RESULTS
EMKAY CLEANERS
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Spill No. 06-06889

VOCs by EPA Method T015	INDOOR VAPOR INTRUSION SAMPLING										SOIL VAPOR POINTS (SVP)	
DATE SAMPLED	03/05/07	01/21/08	03/05/07	01/21/08	03/05/07	01/21/08	03/05/07	01/21/08	03/05/07	01/21/08	01/21/08	01/21/08
BUSINESS NAME	EMKAY DRY CLEANERS				THE ITALIAN PLACE				OUTDOOR AIR		NYSDOT / VOV ROWs	
TO15 COMPOUND LIST	(SS-EM-1)	SS-EM-2	(IA-EM-1)	IA-EM-2	(SS-IP-1)	SS-IP-2	(IA-IP-1)	IA-IP-2	(OA-1)	OA-2	SVP-1	SVP-2
	(Sub-slab @ Emkay)		*(Indoor Air @ Emkay)*		*(Sub-slab @ Italian Pl)*		*(Indoor Air @ Italian Pl)*		*(Outdoor Air)*		*(NYSDOT ROW)*	*(Village of Valatie ROW)*
1,1,1-Trichloroethane	<0.83	**1.0**	<0.832	<0.832	<0.83	<0.83	<0.832	<0.832	<0.832	<0.832	<0.83	<0.83
1,1,2,2-Tetrachloroethane	<1.0	<1.0	<1.05	**1.05**	<1.0	<1.0	<1.05	<1.05	<1.05	<1.05	<1.0	<1.0
1,1,2-Trichloroethane	<0.83	<0.83	<0.832	<0.832	<0.83	<0.83	<0.832	<0.832	<0.832	<0.832	<0.83	<0.83
1,1-Dichloroethane	<0.62	<0.62	<0.617	<0.617	<0.62	<0.62	<0.617	<0.617	<0.617	<0.617	<0.62	<0.62
1,1-Dichloroethene	<0.60	<0.60	<0.605	<0.605	<0.60	<0.60	<0.605	<0.605	<0.605	<0.605	<0.60	<0.60
1,2,4-Trichlorobenzene	<1.1	<1.1	<1.13	<1.13	<1.1	<1.1	<1.13	<1.13	<1.13	<1.13	<1.1	<1.1
1,2,4-Trimethylbenzene	45	**16**	2.95	**4.55**	7.5	**13**	3.40	**2.60**	1.40	**2.40**	**4.9**	**1.5**
1,2-Dibromoethane	<1.2	<1.2	<1.17	<1.17	<1.2	<1.2	<1.17	<1.17	<1.17	<1.17	<1.2	<1.2
1,2-Dichlorobenzene	<0.92	<0.92	<0.917	<0.917	<0.92	<0.92	<0.917	<0.917	<0.917	<0.917	<0.92	<0.92
1,2-Dichloroethane	1.5	**1.3**	<0.617	<0.617	<0.62	**1.2**	<0.617	<0.617	<0.617	<0.617	<<0.62	<0.62
1,2-Dichloropropane	<0.70	<0.70	<0.705	<0.705	<0.70	<0.70	<0.705	<0.705	<0.705	<0.705	<0.70	<0.70
1,3,5-Trimethylbenzene	14	**6.1**	0.899	**1.80**	3.8	**5.1**	1.40	**2.40**	<0.750	**0.899**	**3.1**	**0.70**
1,3-butadiene	<0.34	<0.34	<0.337	<0.337	<0.34	<0.34	<0.337	<0.337	<0.337	<0.337	<0.34	<0.34
1,3-Dichlorobenzene	<0.92	<0.92	<0.917	<0.917	<0.92	<0.92	<0.917	<0.917	<0.917	<0.917	<0.92	<0.92
1,4-Dichlorobenzene	<0.92	**2.7**	<0.917	<0.917	<0.92	**1.5**	<0.917	<0.917	<0.917	<0.917	<0.92	<0.92
1,4-Dioxane	<1.1	<1.1	<1.10	<1.10	<1.1	<1.1	<1.10	<1.10	<1.10	<1.10	<1.1	<1.1
2,2,4-trimethylpentane	1.3	**1.5**	<0.712	**0.712**	0.90	**1.1**	0.665	**0.712**	<0.712	**0.807**	**94**	**1.0**
4-ethyltoluene	25	**7.5**	0.899	**1.45**	5.9	**5.3**	1.20	**1.15**	<0.750	**0.999**	**2.3**	**0.70**
Acetone	690	**68**	44.8	**18.1**	47	**120**	42.7	<0.724	18.8	**14.6**	**57**	**21**
Allyl chloride	<0.48	<0.48	<0.477	<0.477	<0.48	<0.48	<0.477	<0.477	<0.477	<0.477	<0.48	<0.48
Benzene	6.0	**5.2**	1.20	**1.82**	4.4	**13**	10.7	**14.9**	0.909	**1.95**	**23**	**2.5**
Benzyl chloride	<0.88	<0.88	<0.877	<0.877	<0.88	<0.88	<0.877	<0.877	<0.877	<0.877	<0.88	<0.88
Bromodichloromethane	<1.0	<1.0	<1.02	<1.02	<1.0	<1.0	<1.02	<1.02	<1.02	<1.02	<1.0	<1.0
Bromoform	<1.6	<1.6	<1.58	<1.58	<1.6	<1.6	<1.58	<1.58	<1.58	<1.58	<1.6	<1.6
Bromomethane	<0.59	<0.59	<0.592	<0.592	<0.59	<0.59	<0.592	<0.592	<0.592	<0.592	<0.59	<0.59
Carbon disulfide	0.57	**0.76**	<0.475	<0.475	<0.47	**0.44**	<0.475	**0.348**	<0.475	<0.475	**140**	**2.8**
Carbon tetrachloride	<0.96	**0.77**	0.512	**0.831**	<0.96	**0.90**	0.448	0.703	0.512	**0.831**	<0.96	**0.90**
Chlorobenzene	<0.70	<0.70	<0.702	<0.702	<0.70	<0.70	<0.702	<0.702	<0.702	<0.702	<0.70	<0.70
Chloroethane	<0.40	<0.40	<0.402	<0.402	<0.40	<0.40	<0.402	<0.402	<0.402	<0.402	<0.40	<0.40
Chloroform	1.5	**2.8**	<0.744	**3.47**	0.84	**0.69**	0.744	**1.94**	<0.744	<0.744	<0.74	<0.74
Chloromethane	<0.31	<0.31	<0.315	<0.315	<0.31	<0.31	1.64	<0.315	<0.315	<0.315	<0.31	<0.31
cis-1,2-Dichloroethene	<0.60	**4.2**	<0.604	<0.604	1.3	**3.6**	<0.604	<0.604	<0.604	<0.604	<0.60	<0.60
cis-1,3-Dichloropropene	<0.69	<0.69	<0.692	<0.692	<0.69	<0.69	<0.692	<0.692	<0.692	<0.692	<0.69	<0.69
Cyclohexane	5.9	<0.52	<0.525	<0.525	6.1	<0.52	<0.525	<0.525	<0.525	**0.490**	**22**	<0.52
Dibromochloromethane	<1.3	<1.3	<1.30	<1.30	<1.3	<1.3	<1.30	<1.30	<1.30	<1.30	<1.3	<1.3
Ethyl acetate	5.4	**15**	1.58	**3.52**	4.8	**25**	19.8	**24.2**	<0.916	<0.916	<0.92	<0.92
Ethylbenzene	7.8	**16**	0.574	**1.28**	11	**12**	1.06	**11.5**	0.441	**1.15**	**9.0**	**1.9**
Freon 11	1.4	**2.5**	1.26	**2.00**	1.0	**2.5**	1.71	**2.28**	1.14	**2.00**	**2.9**	**2.2**
Freon 113	<1.2	**0.93**	<1.17	**0.857**	<1.2	**0.93**	<1.17	**0.857**	<1.17	**0.779**	**11**	<1.2
Freon 114	<1.1	<1.1	<1.07	**2.56**	<1.1	**8.7**	<1.07	**8.67**	<1.07	<1.07	<1.1	<1.1
Freon 12	6.1	**83**	2.61	**3.92**	2.0	**4.3**	2.61	**3.87**	2.21	**3.92**	<0.75	<0.75
Heptane	4.2	**13**	0.542	<0.625	3.2	**8.9**	3.67	**7.41**	<0.625	**0.958**	**55**	**1.4**
Hexachloro-1,3-butadiene	<1.6	<1.6	<1.63	<1.63	<1.6	<1.6	<1.63	<1.63	<1.63	<1.63	<1.6	<1.6
Hexane	<0.54	<0.54	<0.537	<0.537	2.3	<0.54	2.79	**1.72**	0.896	**1.50**	**170**	<0.54
Isopropyl alcohol	23	**120**	216	**37.5**	<0.37	**37**	<0.375	<0.375	<0.375	<0.375	<0.37	<0.37
m&p-Xylene	13	**43**	2.38	**4.37**	21	**30**	2.60	**45.90**	1.15	**3.22**	**26**	**6.5**
Methyl Butyl Ketone	<1.2	<1.2	<1.25	<1.25	<1.2	<1.2	<1.25	<1.25	<1.25	<1.25	<1.2	<1.2
Methyl Ethyl Ketone	24	**130**	276	**13.5**	3.9	**75**	4.50	**4.08**	0.630	<0.899	<0.90	**1.3**

TABLE 2B
VAPOR / AIR LABORATORY ANALYTICAL RESULTS
EMKAY CLEANERS
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Spill No. 06-06889

VOCs by EPA Method T015	INDOOR VAPOR INTRUSION SAMPLING										SOIL VAPOR POINTS (SVP)	
DATE SAMPLED	03/05/07	01/21/08	03/05/07	01/21/08	03/05/07	01/21/08	03/05/07	01/21/08	03/05/07	01/21/08	01/21/08	01/21/08
BUSINESS NAME	EMKAY DRY CLEANERS				THE ITALIAN PLACE				OUTDOOR AIR		NYSDOT / VOV ROWs	
TO15 COMPOUND LIST	(SS-EM-1) *(Sub-slab @ Emkay)*	**SS-EM-2** *(Sub-slab @ Emkay)*	(IA-EM-1) *(Indoor Air @ Emkay)*	**IA-EM-2** *(Indoor Air @ Emkay)*	(SS-IP-1) *(Sub-slab @ Italian Pl)*	**SS-IP-2** *(Sub-slab @ Italian Pl)*	(IA-IP-1) *(Indoor Air @ Italian Pl)*	**IA-IP-2** *(Indoor Air @ Italian Pl)*	(OA-1) *(Outdoor Air)*	**OA-2** *(Outdoor Air)*	**SVP-1** *(NYSDOT ROW)*	**SVP-2** *(Village of Valatie ROW)*

VOCs by EPA Method T015	INDOOR VAPOR INTRUSION SAMPLING										SOIL VAPOR POINTS (SVP)	
DATE SAMPLED	03/05/07	01/21/08	03/05/07	01/21/08	03/05/07	01/21/08	03/05/07	01/21/08	03/05/07	01/21/08	01/21/08	01/21/08
BUSINESS NAME	EMKAY DRY CLEANERS				THE ITALIAN PLACE						NYSDOT / VOV ROWs	
TO15 COMPOUND LIST	(SS-EM-1) *(Sub-slab @ Emkay)*	**SS-EM-2** *(Sub-slab @ Emkay)*	(IA-EM-1) *(Indoor Air @ Emkay)*	**IA-EM-2** *(Indoor Air @ Emkay)*	(SS-IP-1) *(Sub-slab @ Italian Pl)*	**SS-IP-2** *(Sub-slab @ Italian Pl)*	(IA-IP-1) *(Indoor Air @ Italian Pl)*	**IA-IP-2** *(Indoor Air @ Italian Pl)*	(OA-1) *(Outdoor Air)*	**OA-2** *(Outdoor Air)*	**SVP-1** *(NYSDOT ROW)*	**SVP-2** *(Village of Valatie ROW)*
Methyl Isobutyl Ketone	1.7	**8.1**	34.6	<1.25	0.87	<1.2	<1.25	<1.25	<1.25	**0.916**	**54**	**1.4**
Methyl tert-butyl ether	<0.55	<0.55	<0.550	<0.550	<0.55	<0.55	<0.550	<0.550	<0.550	<0.550	<0.55	<0.55
Methylene chloride	24	**20**	0.777	**0.953**	2.0	**59**	0.671	**1.27**	0.636	**1.27**	**6.0**	**1.9**
o-Xylene	8.9	**14**	1.02	**1.72**	9.0	**11**	1.50	**18.50**	0.530	**1.19**	**7.6**	**2.6**
Propylene	<0.26	<0.26	<0.262	<0.262	<0.26	<0.26	<0.262	<0.262	<0.262	<0.262	<0.26	<0.26
Styrene	9.7	**6.9**	1.69	<0.649	12	**5.4**	2.86	<0.649	0.823	<0.649	<0.65	**0.82**
Tetrachloroethylene	110	**550**	35.3	**3.17**	560	**8.5**	3.86	**2.76**	1.45	**0.827**	**700**	**0.76**
Tetrahydrofuran	<0.45	**28**	0.420	<0.450	4.3	**71**	1.20	<0.450	<0.450	<0.450	<0.45	<0.45
Toluene	56	**93**	7.93	**8.12**	62	**80**	7.66	**9.00**	7.32	**5.90**	**78**	**4.2**
trans-1,2-Dichloroethene	<0.60	<0.60	<0.604	<0.604	<0.60	<0.60	<0.604	<0.604	<0.604	<0.604	<0.60	<0.60
trans-1,3-Dichloropropene	<0.69	<0.69	<0.692	<0.692	<0.69	<0.69	<0.692	<0.692	<0.692	<0.692	<0.69	<0.69
Trichloroethene	59	**59**	1,560	**3.99**	23	**31**	1.04	**0.655**	<0.218	**0.601**	**8.3**	**0.71**
Vinyl acetate	<0.54	<0.54	<0.537	<0.537	<0.54	<0.54	<0.537	<0.537	<0.537	<0.537	<0.54	<0.54
Vinyl Bromide	<0.67	<0.67	<0.667	<0.667	<0.67	<0.67	<0.667	<0.667	<0.667	<0.667	<0.67	<0.67
Vinyl chloride	<0.39	<0.39	<0.390	<0.104	<0.39	<0.39	<0.390	<0.104	<0.390	<0.104	<0.39	<0.39
TOTAL VOC	40,291	40,788	41,340	39,589	39,946	40,104	39,266	39,635	39,185	39,515	40,942	39,525

All concentrations reported in ug/m^3
All samples analyzed by EPA Method TO15

Table 2C
VAPOR / AIR LABORATORY ANALYTICAL RESULTS - EMKAY CLEANERS PLAZA
EMKAY CLEANERS
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Spill No. 06-06889

VOCs by EPA Method T015	SOIL VAPOR INTRUSION SAMPLING																
DATE SAMPLED	03/05/07	01/21/08	02/25/09	03/05/07	01/21/08	02/25/09	03/05/07	01/21/08	02/25/09	03/05/07	01/21/08	02/25/09	03/05/07	01/21/08	02/25/09	04/17/09	04/17/09
BUSINESS NAME	**EMKAY DRY CLEANERS**						**THE ITALIAN PLACE**						**OUTDOOR AIR**			**US POST OFFICE**	
TO15 COMPOUND LIST	(SS-EM-1) *(Sub-slab @ Emkay)*	(SS-EM-2) *(Sub-slab @ Emkay)*	**SS-EM-3** *(Sub-slab @ Emkay)*	(IA-EM-1) *(Indoor Air @ Emkay)*	IA-EM-2 *(Indoor Air @ Emkay)*	**IA-EM-3** *(Indoor Air @ Emkay)*	(SS-IP-1) *(Sub-slab @ Italian Pl)*	(SS-IP-2) *(Sub-slab @ Italian Pl)*	**SS-IP-3** *(Sub-slab @ Italian Pl)*	(IA-IP-1) *(Indoor Air @ Italian Pl)*	(IA-IP-2) *(Indoor Air @ Italian Pl)*	**IA-IP-3** *(Indoor Air @ Italian Pl)*	(OA-1) *(Outdoor Air @ Emkay Plaza)*	(OA-2) *(Outdoor Air @ Emkay Plaza)*	**OA-3** *(Outdoor Air @ Emkay Plaza)*	**SS-PO-1** *(Sub-slab)*	**IA-PO-1** *(Indoor Air)*
1,1,1-Trichloroethane	<0.83	1.0	**1.8**	<0.832	<0.832	<0.83	<0.83	<0.83	<0.89	<0.832	<0.832	<0.83	<0.832	<0.832	<0.83	<0.83	<0.83
1,1,2,2-Tetrachloroethane	<1.0	<1.0	<1.0	<1.05	1.05	<1.0	<1.0	<1.0	<1.0	<1.05	<1.05	<1.0	<1.05	<1.05	<1.0	<1.0	<1.0
1,1,2-Trichloroethane	<0.83	<0.83	<0.83	<0.832	<0.832	<0.83	<0.83	<0.83	<0.83	<0.832	<0.832	<0.83	<0.832	<0.832	<0.83	<0.83	<0.83
1,1-Dichloroethane	<0.62	<0.62	<0.62	<0.617	<0.617	<0.62	<0.62	<0.62	<0.62	<0.617	<0.617	<0.62	<0.617	<0.617	<0.62	<0.62	<0.62
1,1-Dichloroethene	<0.60	<0.60	<0.60	<0.605	<0.605	<0.60	<0.60	<0.60	<0.60	<0.605	<0.605	<0.60	<0.605	<0.605	<0.60	<0.60	<0.60
1,2,4-Trichlorobenzene	<1.1	<1.1	<1.1	<1.13	<1.13	<1.1	<1.1	<1.1	<1.1	<1.13	<1.13	<1.1	<1.13	<1.13	<1.1	<1.1	<1.1
1,2,4-Trimethylbenzene	45	16	**3.8**	2.95	4.55	**3.4**	7.5	13	**2.1**	3.40	2.60	**5.1**	1.40	2.40	**2.2**	**3.1**	**1.9**
1,2-Dibromoethane	<1.2	<1.2	<1.2	<1.17	<1.17	<1.2	<1.2	<1.2	<1.2	<1.17	<1.17	<1.2	<1.17	<1.17	<1.2	<1.2	<1.2
1,2-Dichlorobenzene	<0.92	<0.92	<0.92	<0.917	<0.917	<0.92	<0.92	<0.92	<0.92	<0.917	<0.917	<0.92	<0.917	<0.917	<0.92	<0.92	<0.92
1,2-Dichloroethane	1.5	1.3	<0.62	<0.617	<0.617	<0.62	<0.62	1.2	<0.62	<0.617	<0.617	<0.62	<0.617	<0.617	<0.62	<0.62	<0.62
1,2-Dichloropropane	<0.70	<0.70	<0.70	<0.705	<0.705	<0.70	<0.70	<0.70	<0.70	<0.705	<0.705	<0.70	<0.705	<0.705	<0.70	<0.70	<0.70
1,3,5-Trimethylbenzene	14	6.1	**1.7**	0.899	1.80	**1.2**	3.8	5.1	**1.6**	1.40	2.40	**3.0**	<0.750	0.899	**0.60**	**1.4**	**0.60**
1,3-butadiene	<0.34	<0.34	<0.34	<0.337	<0.337	<0.34	<0.34	<0.34	<0.34	<0.337	<0.337	<0.34	<0.337	<0.337	<0.34	<0.34	<0.34
1,3-Dichlorobenzene	<0.92	<0.92	<0.92	<0.917	<0.917	<0.92	<0.92	<0.92	<0.92	<0.917	<0.917	<0.92	<0.917	<0.917	<0.92	<0.92	<0.92
1,4-Dichlorobenzene	<0.92	2.7	**1.3**	<0.917	<0.917	**1.2**	<0.92	1.5	<0.92	<0.917	<0.917	**0.86**	<0.917	<0.917	<0.92	**17**	<0.92
1,4-Dioxane	<1.1	<1.1	<1.1	<1.10	<1.10	<1.1	<1.1	<1.1	<1.1	<1.10	<1.10	<1.1	<1.10	<1.10	<1.1	<1.1	<1.1
2,2,4-trimethylpentane	1.3	1.5	<0.71	<0.712	0.712	<0.71	0.90	1.1	<0.71	0.665	0.712	**0.57**	<0.712	0.807	<0.71	<0.71	<0.71
4-ethyltoluene	25	7.5	**1.4**	0.899	1.45	**1.3**	5.9	5.3	**0.75**	1.20	1.15	**1.6**	<0.750	0.999	**0.60**	**1.0**	**0.50**
Acetone	690	68	**37**	44.8	18.1	**32**	47	120	**32**	42.7	<0.724	**41**	18.8	14.6	**23**	**120**	**28**
Allyl chloride	<0.48	<0.48	<0.48	<0.477	<0.477	<0.48	<0.48	<0.48	<0.48	<0.477	<0.477	<0.48	<0.477	<0.477	<0.48	<0.48	<0.48
Benzene	6.0	5.2	**0.78**	1.20	1.82	**1.7**	4.4	13	**1.4**	10.7	14.9	**3.5**	0.909	1.95	**1.6**	**32**	**1.2**
Benzyl chloride	<0.88	<0.88	<0.88	<0.877	<0.877	<0.88	<0.88	<0.88	<0.88	<0.877	<0.877	<0.88	<0.877	<0.877	<0.88	<0.88	<0.88
Bromodichloromethane	<1.0	<1.0	<1.0	<1.02	<1.02	<1.0	<1.0	<1.0	<1.0	<1.02	<1.02	<1.0	<1.02	<1.02	<1.0	<1.0	<1.0
Bromoform	<1.6	<1.6	<1.6	<1.58	<1.58	<1.6	<1.6	<1.6	<1.6	<1.58	<1.58	<1.6	<1.58	<1.58	<1.6	<1.6	<1.6
Bromomethane	<0.59	<0.59	<0.59	<0.592	<0.592	<0.59	<0.59	<0.59	<0.59	<0.592	<0.592	<0.59	<0.592	<0.592	<0.59	<0.59	<0.59
Carbon disulfide	0.57	0.76	<0.47	<0.475	<0.475	<0.47	<0.47	0.44	<0.47	<0.475	0.348	**0.79**	<0.475	<0.475	<0.47	**13**	<0.47
Carbon tetrachloride	<0.96	0.77	**0.64**	0.512	0.831	**1.3**	<0.96	0.90	**1.0**	0.448	0.703	**0.64**	0.512	0.831	**0.96**	<0.96	**0.45**
Chlorobenzene	<0.70	<0.70	<0.70	<0.702	<0.702	<0.70	<0.70	<0.70	<0.70	<0.702	<0.702	<0.70	<0.702	<0.702	<0.70	<0.70	<0.70
Chloroethane	<0.40	<0.40	<0.40	<0.402	<0.402	<0.40	<0.40	<0.40	<0.40	<0.402	<0.402	<0.40	<0.402	<0.402	<0.40	<0.40	<0.40
Chloroform	1.5	2.8	**6.3**	<0.744	3.47	**9.0**	0.84	0.69	**1.3**	0.744	1.94	**2.2**	<0.744	<0.744	<0.74	**1.2**	<0.74
Chloromethane	<0.31	<0.31	<0.31	<0.315	<0.315	**2.4**	<0.31	<0.31	<0.31	1.64	<0.315	**3.1**	<0.315	<0.315	**1.7**	<0.31	<0.31
cis-1,2-Dichloroethene	<0.60	4.2	<0.60	<0.604	<0.604	<0.60	1.3	3.6	**1.1**	<0.604	<0.604	<0.60	<0.604	<0.604	<0.60	<0.60	<0.60
cis-1,3-Dichloropropene	<0.69	<0.69	<0.69	<0.692	<0.692	<0.69	<0.69	<0.69	<0.69	<0.692	<0.692	<0.69	<0.692	<0.692	<0.69	<0.69	<0.69
Cyclohexane	5.9	<0.52	<0.52	<0.525	<0.525	<0.52	6.1	<0.52	<0.52	<0.525	<0.525	**1.3**	<0.525	0.490	<0.52	<0.52	<0.52
Dibromochloromethane	<1.3	<1.3	<1.3	<1.30	<1.30	<1.3	<1.3	<1.3	<1.3	<1.30	<1.30	<1.3	<1.30	<1.30	<1.3	<1.3	<1.3
Ethyl acetate	5.4	15	<0.92	1.58	3.52	**4.1**	4.8	25	**8.4**	19.8	24.2	**30**	<0.916	<0.916	<0.92	**1.9**	**1.1**
Ethylbenzene	7.8	16	**1.4**	0.574	1.28	**0.97**	11	12	**1.9**	1.06	11.5	**1.7**	0.441	1.15	**0.57**	**2.6**	<0.66
Freon 11	1.4	2.5	**3.2**	1.26	2.00	**2.7**	1.0	2.5	**3.7**	1.71	2.28	**3.1**	1.14	2.00	**2.9**	**2.5**	**1.0**
Freon 113	<1.2	0.93	**1.0**	<1.17	0.857	**1.2**	<1.2	0.93	**1.1**	<1.17	0.857	**1.1**	<1.17	0.779	**1.2**	<1.2	<1.2
Freon 114	<1.1	<1.1	<1.1	<1.07	2.56	<1.1	<1.1	8.7	<1.1	<1.07	8.67	<1.1	<1.07	<1.07	<1.1	<1.1	<1.1
Freon 12	6.1	83	**42**	2.61	3.92	**3.9**	2.0	4.3	**4.6**	2.61	3.87	**3.9**	2.21	3.92	**4.6**	<0.75	**2.2**
Heptane	4.2	13	**1.1**	0.542	<0.625	**1.3**	3.2	8.9	**4.4**	3.67	7.41	**18**	<0.625	0.958	**0.92**	**3.0**	**0.87**
Hexachloro-1,3-butadiene	<1.6	<1.6	<1.6	<1.63	<1.63	<1.6	<1.6	<1.6	<1.6	<1.63	<1.63	<1.6	<1.63	<1.63	<1.6	<1.6	<1.6
Hexane	<0.54	<0.54	<0.54	<0.537	<0.537	<0.54	2.3	<0.54	<0.54	2.79	1.72	<0.54	0.896	1.50	<0.54	<0.54	**1.3**
Isopropyl alcohol	23	120	**44**	216	37.5	**240**	<0.37	37	**4.7**	<0.375	<0.375	<0.37	<0.375	<0.375	<0.37	**11**	**150**
m&p-Xylene	13	43	**4.4**	2.38	4.37	**3.3**	21	30	**5.8**	2.60	45.9	**4.7**	1.15	3.22	**1.5**	**8.4**	**1.2**
Methyl Butyl Ketone	<1.2	<1.2	<1.2	<1.25	<1.25	<1.2	<1.2	<1.2	<1.2	<1.25	<1.25	**1.7**	<1.25	<1.25	<1.2	<1.2	<1.2
Methyl Ethyl Ketone	24	130	**6.4**	276	13.5	**210**	3.9	75	**2.9**	4.50	4.08	**6.6**	0.630	<0.899	**6.7**	**45**	**1.9**
Methyl Isobutyl Ketone	1.7	8.1	**0.79**	34.6	<1.25	**1.0**	0.87	<1.2	**3.4**	<1.25	<1.25	**15**	<1.25	0.916	**0.75**	**1.2**	<1.2
Methyl tert-butyl ether	<0.55	<0.55	<0.55	<0.550	<0.550	<0.55	<0.55	<0.55	<0.55	<0.550	<0.550	<0.55	<0.550	<0.550	<0.55	<0.55	<0.55
Methylene chloride	24	20	**0.64**	0.777	0.953	**0.85**	2.0	59	**5.6**	0.671	1.27	**0.99**	0.636	1.27	**0.85**	**0.92**	<0.53
o-Xylene	8.9	14	**1.5**	1.02	1.72	**1.2**	9.0	11	**1.9**	1.50	18.50	**2.3**	0.530	1.19	**0.71**	**3.5**	**0.57**

Table 2C
VAPOR / AIR LABORATORY ANALYTICAL RESULTS - EMKAY CLEANERS PLAZA
EMKAY CLEANERS
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Spill No. 06-06889

VOCs by EPA Method T015	SOIL VAPOR INTRUSION SAMPLING																
DATE SAMPLED	03/05/07	01/21/08	02/25/09	03/05/07	01/21/08	02/25/09	03/05/07	01/21/08	02/25/09	03/05/07	01/21/08	02/25/09	03/05/07	01/21/08	02/25/09	04/17/09	04/17/09
BUSINESS NAME	**EMKAY DRY CLEANERS**						**THE ITALIAN PLACE**						**OUTDOOR AIR**			**US POST OFFICE**	
TO15 COMPOUND LIST	(SS-EM-1) *(Sub-slab @ Emkay)*	(SS-EM-2) *(Sub-slab @ Emkay)*	**SS-EM-3** *(Sub-slab @ Emkay)*	(IA-EM-1) *(Indoor Air @ Emkay)*	IA-EM-2 *(Indoor Air @ Emkay)*	**IA-EM-3** *(Indoor Air @ Emkay)*	(SS-IP-1) *(Sub-slab @ Italian Pl)*	(SS-IP-2) *(Sub-slab @ Italian Pl)*	**SS-IP-3** *(Sub-slab @ Italian Pl)*	(IA-IP-1) *(Indoor Air @ Italian Pl)*	(IA-IP-2) *(Indoor Air @ Italian Pl)*	**IA-IP-3** *(Indoor Air @ Italian Pl)*	(OA-1) *(Outdoor Air @ Emkay Plaza)*	(OA-2) *(Outdoor Air @ Emkay Plaza)*	**OA-3** *(Outdoor Air @ Emkay Plaza)*	**SS-PO-1** *(Sub-slab)*	**IA-PO-1** *(Indoor Air)*
Propylene	<0.26	<0.26	<0.26	<0.262	<0.262	<0.26	<0.26	<0.26	<0.26	<0.262	<0.262	<0.26	<0.262	<0.262	<0.26	<0.26	<0.26
Styrene	9.7	6.9	**2.9**	1.69	<0.649	**1.3**	12	5.4	**1.9**	2.86	<0.649	**4.3**	0.823	<0.649	**0.56**	**3.6**	<0.65
Tetrachloroethylene	110	550	**22,000**	35.3	3.17	**7.7**	560	8.5	**140**	3.86	2.76	**1.7**	1.45	0.827	**0.9**	**13**	<1.0
Tetrahydrofuran	<0.45	28	**1.7**	0.420	<0.450	<0.45	4.3	71	<0.45	1.20	<0.450	<0.45	<0.450	<0.450	<0.45	**67**	<0.45
Toluene	56	93	**6.5**	7.93	8.12	**8.0**	62	80	**23**	7.66	9.00	**24**	7.32	5.90	**3.9**	**37**	**49**
trans-1,2-Dichloroethene	<0.60	<0.60	<0.60	<0.604	<0.604	<0.60	<0.60	<0.60	<0.60	<0.604	<0.604	<0.60	<0.604	<0.604	<0.60	<0.60	<0.60
trans-1,3-Dichloropropene	<0.69	<0.69	<0.69	<0.692	<0.692	<0.69	<0.69	<0.69	<0.69	<0.692	<0.692	<0.69	<0.692	<0.692	<0.69	<0.69	<0.69
Trichloroethene	59	59	**40**	1,560	3.99	**25**	23	31	**6.3**	1.04	0.655	<0.22	<0.218	0.601	**1.7**	**0.66**	**0.33**
Vinyl acetate	<0.54	<0.54	<0.54	<0.537	<0.537	<0.54	<0.54	<0.54	<0.54	<0.537	<0.537	<0.54	<0.537	<0.537	<0.54	<0.54	<0.54
Vinyl Bromide	<0.67	<0.67	**0.93**	<0.667	<0.667	**0.67**	<0.67	<0.67	**1.1**	<0.667	<0.667	**0.62**	<0.667	<0.667	**0.89**	<0.67	<0.67
Vinyl chloride	<0.39	<0.39	<0.39	<0.390	<0.104	<0.10	<0.39	<0.39	<0.39	<0.390	<0.104	<0.10	<0.390	<0.104	<0.10	<0.39	<0.39
TOTAL VOC	1,145	1,320	22,213	2,194	121	567	800	636	262	120	167	183	39	47	59	390	242

All concentrations reported in ug/m^3
All samples analyzed by EPA Method TO15

Table 2D
SOIL VAPOR POINT LABORATORY ANALYTICAL RESULTS
EMKAY CLEANERS
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Spill No. 06-06889

VOCs by EPA Method T015	SOIL VAPOR POINT SAMPLING									
DATE SAMPLED	01/21/08	02/25/09	01/21/08	02/25/09	02/25/09	02/25/09	02/25/09	02/25/09	02/25/09	02/25/09
TO15 COMPOUND LIST	**SVP-1**		**SVP-2**	**SVP-3**	**SVP-4**	**SVP-6**	**SVP-8**	**SVP-10**	**SVP-12**	**SVP-13**
1,1,1-Trichloroethane	<0.83	<0.83	<0.83	<0.83	**0.67**	**1.1**	<0.83	<0.83	<0.83	<0.83
1,1,2,2-Tetrachloroethane	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
1,1,2-Trichloroethane	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83
1,1-Dichloroethane	<0.62	<0.62	<0.62	<0.62	<0.62	<0.62	<0.62	<0.62	<0.62	<0.62
1,1-Dichloroethene	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60
1,2,4-Trichlorobenzene	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1
1,2,4-Trimethylbenzene	4.9	**1.7**	1.5	**5.7**	**5.5**	**3.8**	**5.4**	**5.6**	**1.4**	**1.1**
1,2-Dibromoethane	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2
1,2-Dichlorobenzene	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92
1,2-Dichloroethane	<<0.62	**0.66**	<0.62	**0.91**	**1.6**	**3.3**	<0.62	<0.62	<0.62	<0.62
1,2-Dichloropropane	<0.70	<0.70	<0.70	<0.70	<0.70	**1.9**	<0.70	<0.70	<0.70	<0.70
1,3,5-Trimethylbenzene	3.1	**0.55**	0.70	**2.6**	**2.1**	**1.2**	**1.6**	**2.1**	**0.60**	<0.75
1,3-butadiene	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34
1,3-Dichlorobenzene	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92
1,4-Dichlorobenzene	<0.92	**0.73**	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92
1,4-Dioxane	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1
2,2,4-trimethylpentane	94	**0.52**	1.0	**17**	<0.71	**1.0**	**15**	**53**	<0.71	<0.71
4-ethyltoluene	2.3	**0.70**	0.70	**2.7**	**2.3**	**2.4**	**2.1**	**3.0**	**0.85**	<0.75
Acetone	57	**32**	21	**460**	**220**	**32**	**30**	**42**	**11**	**18**
Allyl chloride	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48
Benzene	23	**3.6**	2.5	**3.4**	**1.6**	**3.6**	**5.1**	**5.7**	**1.1**	**1.3**
Benzyl chloride	<0.88	<0.88	<0.88	<0.88	<0.88	<0.88	<0.88	<0.88	<0.88	<0.88
Bromodichloromethane	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Bromoform	<1.6	**1.2**	<1.6	<1.6	**2.0**	**5.1**	<1.6	<1.6	<1.6	<1.6
Bromomethane	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59
Carbon disulfide	140	**0.63**	2.8	**29**	**8.9**	**1.6**	**19**	<0.47	<0.47	<0.47
Carbon tetrachloride	<0.96	**1.1**	0.90	<0.96	<0.96	**0.90**	**0.70**	<0.96	<0.96	**0.70**
Chlorobenzene	<0.70	<0.70	<0.70	<0.70	<0.70	<0.70	<0.70	<0.70	<0.70	<0.70
Chloroethane	<0.40	<0.40	<0.40	<0.40	<0.40	<0.40	<0.40	<0.40	<0.40	<0.40
Chloroform	<0.74	<0.74	<0.74	<0.74	**1.1**	**2.3**	**0.89**	<0.74	<0.74	<0.74
Chloromethane	<0.31	**1.8**	<0.31	<0.31	<0.31	<0.31	<0.31	**0.57**	<0.31	**1.3**
cis-1,2-Dichloroethene	<0.60	<0.60	<0.60	<0.60	**2.0**	<0.60	<0.60	**12**	<0.60	<0.60
cis-1,3-Dichloropropene	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69
Cyclohexane	22	<0.52	<0.52	**7.7**	<0.52	**1.0**	**5.0**	**7.3**	<0.52	<0.52
Dibromochloromethane	<1.3	<1.3	<1.3	<1.3	<1.3	<1.3	<1.3	<1.3	<1.3	<1.3
Ethyl acetate	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92
Ethylbenzene	9.0	**0.93**	1.9	**5.0**	**6.3**	**3.6**	**4.5**	**7.4**	**1.0**	**0.57**
Freon 11	2.9	**2.6**	2.2	**2.8**	**2.6**	**8.2**	**2.1**	**1.4**	**1.8**	**1.9**
Freon 113	11	**1.5**	<1.2	**2.7**	**1.1**	**1.5**	**1.1**	**0.93**	**1.0**	**1.0**
Freon 114	<1.1	<1.1	<1.1	**6.3**	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1
Freon 12	<0.75	**4.8**	<0.75	**4.0**	**4.4**	**4.7**	**3.2**	**3.0**	**3.5**	**3.6**
Heptane	55	<0.62	1.4	**26**	**8.2**	**4.0**	**10**	**62**	**0.92**	**0.67**
Hexachloro-1,3-butadiene	<1.6	<1.6	<1.6	<1.6	<1.6	<1.6	<1.6	<1.6	<1.6	<1.6
Hexane	170	**2.5**	<0.54	**37**	<0.54	**4.7**	**24**	**70**	<0.54	<0.54
Isopropyl alcohol	<0.37	<0.37	<0.37	<0.37	<0.37	<0.37	<0.37	<0.37	**3.8**	**2.3**
m&p-Xylene	26	**1.9**	6.5	**8.1**	**18**	**6.3**	**11**	**12**	**1.9**	**1.1**
Methyl Butyl Ketone	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2
Methyl Ethyl Ketone	<0.90	**2.6**	1.3	**36**	**20**	**20**	**25**	**41**	**6.6**	**5.4**
Methyl Isobutyl Ketone	54	**1.4**	1.4	**15**	**5.1**	**3.0**	**7.8**	**45**	**0.75**	**0.58**
Methyl tert-butyl ether	<0.55	<0.55	<0.55	<0.55	<0.55	<0.55	<0.55	<0.55	<0.55	<0.55
Methylene chloride	6.0	**1.0**	1.9	**2.4**	**0.74**	**1.1**	**0.56**	**0.71**	**0.67**	**0.71**
o-Xylene	7.6	**0.88**	2.6	**3.4**	**5.7**	**2.7**	**3.4**	**3.6**	**0.84**	**0.44**
Propylene	<0.26	<0.26	<0.26	<0.26	<0.26	<0.26	<0.26	<0.26	<0.26	<0.26
Styrene	<0.65	**0.82**	0.82	**2.8**	**3.2**	**3.4**	**1.2**	**1.7**	<0.65	<0.65
Tetrachloroethylene	700	**6.0**	0.76	**1.3**	**9.1**	**4.8**	**2.4**	**3.3**	**27**	<1.0
Tetrahydrofuran	<0.45	<0.45	<0.45	**58**	**17**	**41**	**43**	**54**	**12**	**8.4**
Toluene	78	**6.1**	4.2	**11**	**12**	**22**	**23**	**21**	**3.2**	**2.6**
trans-1,2-Dichloroethene	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60
trans-1,3-Dichloropropene	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69
Trichloroethene	8.3	<0.82	0.71	<0.82	**0.82**	<0.82	<0.82	**3.2**	<0.82	<0.82
Vinyl acetate	<0.54	<0.54	<0.54	<0.54	<0.54	<0.54	<0.54	<0.54	<0.54	<0.54
Vinyl Bromide	<0.67	**1.2**	<0.67	**1.2**	**1.6**	**1.5**	<0.67	<0.67	<0.67	<0.67
Vinyl chloride	<0.39	<0.39	<0.39	<0.39	<0.39	<0.39	<0.39	<0.39	<0.39	<0.39
TOTAL VOC	1,474	79	57	752	364	194	247	462	80	52

All concentrations reported in ug/m^3
All samples analyzed by EPA Method TO15

Table 2E
VAPOR / AIR LABORATORY ANALYTICAL RESULTS - RESIDENCES
EMKAY CLEANERS
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Spill No. 06-06889

Ug/M^3 by EPA Method T015	SOIL VAPOR INTRUSION SAMPLING - OFFSITE RESIDENCES					
DATE SAMPLED	02/21/09	02/21/09	02/21/09	02/21/09	02/21/09	02/21/09
LOCATION	1402 ALBANY AVENUE			1404 ALBANY AVENUE		OUTDOOR AIR
TO15 COMPOUND LIST	**SS-1402-1** *sub-slab - basement*	**IA-1402-1** *indoor air - basement*	**IA-1402-CS-1** *indoor air - crawl space*	**SS-1404-1** *sub-slab- basement (eastern apt.)*	**IA-1404-BM-1** *indoor air - basement (eastern apt.)*	**OA-4** *outdoor air*
1,1,1-Trichloroethane	**9.5**	<0.83	<0.83	<0.83	<0.83	<0.83
1,1,2,2-Tetrachloroethane	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
1,1,2-Trichloroethane	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83
1,1-Dichloroethane	<0.62	<0.62	<0.62	<0.62	<0.62	<0.62
1,1-Dichloroethene	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60
1,2,4-Trichlorobenzene	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1
1,2,4-Trimethylbenzene	**9.6**	**2.7**	**2.2**	**3.0**	**1.8**	**3.5**
1,2-Dibromoethane	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2
1,2-Dichlorobenzene	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92
1,2-Dichloroethane	**0.82**	<0.62	<0.62	<0.62	<0.62	<0.62
1,2-Dichloropropane	<0.70	<0.70	<0.70	<0.70	<0.70	<0.70
1,3,5-Trimethylbenzene	**2.5**	**0.95**	**0.75**	**1.3**	**0.80**	**0.75**
1,3-butadiene	<0.34	<0.34	<0.34	<0.34	<0.34	<0.34
1,3-Dichlorobenzene	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92
1,4-Dichlorobenzene	**5.0**	**0.61**	<0.92	<0.92	<0.92	<0.92
1,4-Dioxane	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1
2,2,4-trimethylpentane	**0.8**	<0.71	<0.71	<0.71	<0.71	<0.71
4-ethyltoluene	**3.7**	**0.80**	**0.75**	**1.1**	**0.60**	**1.0**
Acetone	**50**	**16**	**19**	**21**	**23**	**12**
Allyl chloride	<0.48	<0.48	<0.48	<0.48	<0.48	<0.48
Benzene	**5.2**	**1.1**	**1.1**	**0.39**	**1.3**	**1.0**
Benzyl chloride	<0.88	<0.88	<0.88	<0.88	<0.88	<0.88
Bromodichloromethane	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Bromoform	<1.6	<1.6	<1.6	<1.6	<1.6	<1.6
Bromomethane	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59
Carbon disulfide	**0.70**	<0.47	<0.47	<0.47	<0.47	<0.47
Carbon tetrachloride	**0.90**	**0.64**	**0.64**	<0.96	**0.70**	**0.70**
Chlorobenzene	<0.70	<0.70	<0.70	<0.70	<0.70	<0.70
Chloroethane	<0.40	<0.40	<0.40	<0.40	<0.40	<0.40
Chloroform	**0.60**	<0.74	<0.74	**1.7**	<0.74	<0.74
Chloromethane	<0.31	**1.3**	**1.4**	<0.31	**1.6**	**1.3**
cis-1,2-Dichloroethene	**1.2**	<0.60	<0.60	<0.60	<0.60	<0.60
cis-1,3-Dichloropropene	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69
Cyclohexane	**1.4**	**0.42**	**0.42**	<0.52	<0.52	<0.52
Dibromochloromethane	<1.3	<1.3	<1.3	<1.3	<1.3	<1.3
Ethyl acetate	<0.92	<0.92	<0.92	<0.92	<0.92	<0.92
Ethylbenzene	**4.9**	**0.84**	**0.75**	**0.97**	**0.79**	**1.1**
Freon 11	**2.5**	**3.5**	**3.5**	**2.9**	**1.9**	**2.0**
Freon 113	**0.93**	**0.78**	**0.78**	**1.0**	<1.2	**1.1**
Freon 114	<1.1	<1.1	<1.1	<1.1	<1.1	<1.1
Freon 12	**3.1**	**3.3**	**3.6**	**3.6**	**3.6**	**3.6**
Heptane	**4.3**	**0.87**	**0.62**	**0.71**	**0.75**	**0.79**
Hexachloro-1,3-butadiene	<1.6	<1.6	<1.6	<1.6	<1.6	<1.6
Hexane	<0.54	**1.1**	**1.2**	<0.54	**1.1**	**1.4**
Isopropyl alcohol	<0.37	<0.37	<0.37	**4.3**	**360**	<0.37
m&p-Xylene	**15**	**2.5**	**2.4**	**3.3**	**2.5**	**4.0**
Methyl Butyl Ketone	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2
Methyl Ethyl Ketone	**6.0**	**1.4**	**1.6**	**2.1**	**1.4**	**1.1**
Methyl Isobutyl Ketone	**3.2**	**0.71**	**0.50**	**0.58**	**0.62**	**0.67**
Methyl tert-butyl ether	<0.55	<0.55	<0.55	<0.55	<0.55	<0.55
Methylene chloride	**2.7**	**0.56**	**0.88**	**0.64**	**0.64**	**0.60**
o-Xylene	**4.5**	**1.1**	**1.0**	**1.0**	**1.1**	**2.0**
Propylene	<0.26	<0.26	<0.26	<0.26	<0.26	<0.26
Styrene	**6.7**	**1.0**	**0.87**	**1.3**	**1.1**	**3.0**
Tetrachloroethylene	**7.0**	<1.0	**0.76**	**69**	<1.0	<1.0
Tetrahydrofuran	**6.1**	<0.45	<0.45	<0.45	<0.45	<0.45
Toluene	**18**	**3.9**	**3.9**	**5.5**	**3.8**	**3.9**
trans-1,2-Dichloroethene	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60
trans-1,3-Dichloropropene	<0.69	<0.69	<0.69	<0.69	<0.69	<0.69
Trichloroethene	**4.4**	**0.98**	**0.66**	**1.3**	<0.22	<0.22
Vinyl acetate	<0.54	<0.54	<0.54	<0.54	<0.54	<0.54
Vinyl Bromide	<0.67	<0.67	<0.67	<0.67	<0.67	<0.67
Vinyl chloride	<0.39	<0.10	<0.10	<0.39	<0.10	<0.10
TOTAL VOC	181	47	49	127	409	46

All concentrations reported in ug/m^3
All samples analyzed by EPA Method TO15

Table 3
SUMMARY OF HISTORIC GROUNDWATER ANALYTICAL RESULTS
Valatie Village Plaza
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Site No. 411016

WELL ID/DATE	COMPOUND			
	PCE	TCE	Cis-1,2 DCE	Total VOC
NYSDEC Standard* (ppb)	5.0	5.0	5.0	-
EM MW-1				
10/30/06	Monitoring Well Installed			
11/13/06	**108**	**30**	**7.0**	145
04/06/07	**127**	**21**	4.8	152
01/21/08	**67**	**14**	2.9	84
02/25/09	Not Sampled			
10/13/10	**107**	**16**	3.9	128
01/28/11	**65**	**8.3**	3.7	79
04/07/11	**68**	4.0	1.4	73
07/27/11	**107**	**5.1**	2.2	114
10/25/11	**182**	< 5.0	< 5.0	182
01/10/12	**62**	**5.0**	2.3	69
04/18/12	**590**	< 10	< 10	590
07/03/12	**749**	< 10	< 10	749
10/18/12	**141**	< 20	< 20	141
01/09/13	**96**	4.7	< 2.0	101
04/16/13	Not Sampled - Well Not Accessible			
07/30/13	**52**	2.4	< 1.0	56
10/29/13	**62**	2.7	< 1.0	66
EM MW-2				
10/30/06	Monitoring Well Installed			
11/13/06	**302**	1.9	< 1.0	304
04/06/07	**300**	1.0	< 1.0	301
01/21/08	**297**	1.6	< 1.0	299
02/25/09	**383**	< 5.0	< 5.0	383
10/13/10	**426**	2.1	< 1.0	430
01/28/11	**369**	< 5.0	< 5.0	369
04/07/11	Not Sampled - Car Parked Over Well			
07/27/11	**416**	1.1	< 1.0	417
10/25/11	**347**	< 10	< 10	347
01/10/12	**265**	< 5.0	< 5.0	265
04/18/12	**662**	< 10	< 10	662
07/03/12	**576**	< 10	< 10	576
10/18/12	**366**	< 10	< 10	366
01/09/13	**264**	< 10	< 10	264
04/16/13	**136**	1.1	< 1.0	137
07/30/13	**295**	1.0	< 1.0	296
10/29/13	**178**	< 5.0	< 5.0	178
EM MW-3				
04/02/07	Monitoring Well Installed			
04/06/07	**112**	1.4	< 1.0	113
01/21/08	**143**	1.7	< 1.0	145
02/25/09	**197**	< 1.0	< 1.0	197
10/13/10	**163**	1.8	< 1.0	166
01/28/11	**198**	< 5.0	< 5.0	198
04/07/11	**142**	1.3	< 1.0	143
07/27/11	**186**	1.6	< 1.0	188
10/25/11	**208**	< 5.0	< 5.0	208
01/10/12	**181**	< 5.0	< 5.0	181
04/18/12	**232**	< 5.0	< 5.0	232
07/03/12	**197**	< 5.0	< 5.0	197
10/18/12	**148**	1.2	< 1.0	149
01/09/13	**146**	< 2.0	< 2.0	146
04/16/13	**85**	1.3	< 1.0	87
07/30/13	**335**	1.5	< 1.0	338
10/29/13	**158**	< 5.0	< 5.0	158
EM MW-4				
04/02/07	Monitoring Well Installed			
04/06/07	**37**	< 1.0	< 1.0	37
01/21/08	**99**	2.2	< 1.0	102
02/25/09	**121**	1.5	< 1.0	123
10/13/10	**118**	2.4	< 1.0	120
01/28/11	**120**	2.5	< 1.0	123
04/07/11	**85**	1.8	< 1.0	87
07/27/11	**127**	2.5	< 1.0	130
10/25/11	**165**	< 5.0	< 5.0	165
01/10/12	**136**	< 5.0	< 5.0	136
04/18/12	**116**	< 5.0	< 5.0	116
07/03/12	**145**	< 5.0	< 5.0	145
10/18/12	**111**	1.9	< 1.0	113
01/09/13	**100**	2.4	< 2.0	102
04/16/13	**52**	1.5	< 1.0	54

Table 3
SUMMARY OF HISTORIC GROUNDWATER ANALYTICAL RESULTS
Valatie Village Plaza
1048 Kinderhook Street (NYS Route 9)
Valatie, New York
Site No. 411016

WELL ID/DATE	COMPOUND			
	PCE	TCE	Cis-1,2 DCE	Total VOC
NYSDEC Standard* (ppb)	**5.0**	**5.0**	**5.0**	**-**
EM MW-4 (Continued)				
07/30/13	**107**	2.0	< 1.0	109
10/29/13	**97**	< 2.0	< 2.0	97
EM MW-5				
04/02/07	Monitoring Well Installed			
04/06/07	3.5	< 1.0	< 1.0	3.5
01/21/08	4.5	< 1.0	< 1.0	4.5
02/25/09	3.8	< 1.0	< 1.0	3.8
10/13/10	**8.4**	< 1.0	< 1.0	8.4
01/28/11	Well Dry			
04/07/11	3.6	< 1.0	< 1.0	3.6
07/27/11	**7.3**	< 1.0	< 1.0	7.3
10/25/11	4.3	< 1.0	< 1.0	4.3
01/10/12	3.2	< 1.0	< 1.0	3.2
04/18/12	Well Dry			
07/03/12	Well Dry			
10/18/12	**8.3**	< 1.0	< 1.0	8.3
01/09/13	3.6	< 1.0	< 1.0	3.6
04/16/13	2.9	< 1.0	< 1.0	9.1
07/30/13	2.9	< 1.0	< 1.0	4.1
10/29/13	1.7	< 1.0	< 1.0	3.0
EM MW-6				
04/02/07	Monitoring Well Installed			
04/06/07	**76**	< 1.0	< 1.0	76
01/21/08	**88**	< 1.0	< 1.0	88
02/25/09	**75**	< 1.0	< 1.0	75
10/13/10	**63**	< 1.0	< 1.0	63
01/28/11	Well Dry			
04/07/11	**60**	< 1.0	< 1.0	60
07/27/11	Well Dry			
10/25/11	**88**	< 1.0	< 1.0	88
01/10/12	**69**	< 1.0	< 1.0	69
04/18/12	Well Dry			
07/03/12	Well Dry			
10/18/12	**83**	< 1.0	< 1.0	83
01/09/13	**18**	< 1.0	< 1.0	18
04/16/13	**50**	< 1.0	< 1.0	51
07/30/13	**62**	< 1.0	< 1.0	63
10/29/13	**71**	< 1.0	< 1.0	73
EM MW-7				
01/11/08	Monitoring Well Installed			
01/11/08-10/29/13	Not Sampled - Well Dry			
EM MW-8				
02/18/09	Monitoring Well Installed			
02/25/09	2.3	< 1.0	< 1.0	2.3
2/26/09 - 10/29/13	Not Sampled - Well Dry			
EM MW-9				
02/18/09	Monitoring Well Installed			
2/18/09 - 10/29/13	Not Sampled - Well Dry			
EM MW-10				
02/18/09	Monitoring Well Installed			
2/18/09 - 10/29/13	Not Sampled - Well Dry			
EM MW-11				
02/18/09	Monitoring Well Installed			
02/25/09	< 1.0	< 1.0	< 1.0	< 1.0
2/26/09 - 10/29/13	Not Sampled - Well Not Located			

Notes:

All concentrations presented in parts per billion (ppb)

* NYSDEC Standard for class GA groundwater given in 6NYCRR Part 703.5 Table 1.

Concentrations in bold are in excess of their respective Standard for class GA groundwater.

All samples analyzed for the full list of volatile organic compounds by EPA Method 8260

Total VOC = Sum of all VOCs identified in that sample

Abbreviations:

PCE = Tetrachloroethene

TCE = Trichloroethene

Cis 1,2-DCE = Cis-1,2-dichloroethene

VC - Vinyl Chloride

Table 4
SUB-SLAB DEPRESSURIZATION SYSTEM OPERATIONAL DATA
Valatie Village Plaza
1048 Kinderhook Street, Valatie, New York
NYSDEC Site No. 411016

SITE:	Valatie Village Plaza - 1048 KINDERHOOK STREET, VALATIE, NY			OBSERVED VACUUM MONITORING POINTS															SSDS Effluent				HS200 STATUS
System Start Date:	7/27/2010		EXTRACTION POINT		MP-1	MP-2	MP-3	MP-4	MP-5	MP-6	MP-7A	MP-8	MP-9	MP-10	MP-11	MP-12	MP-13	MP-14	MP-15	MP-16					
			VEP-A		75	74	93	75	13	17	21	20	58	56	20	44	53	63	27	61					
			VEP-B	DISTANCE (from VEP)	17	3	56	60	63	76	88	91	102	92	52	28	29	45	49	67	VACUUM	EFFLUENT AIR FLOW		PID	ALARM STATUS
FAN:	HS 2000		VEP-C		47	35	41	32	53	66	75	73	70	60	38	28	5	15	27	34	(at Fan)	(FPM)	(SCFM)	(PPB)	
EXTRACTION POINT	DATE	TIME	WELL HEAD VACUUM																						
VEP-A	7/28/2010	1410	1.60		**0.002**	0.300	0.004	0.010	0.008	0.004	0.004	MP Not Installed	MP Not Installed	**0.001**	0.015	**0.000**	0.419	0.115	MP Not Installed	0.006	Gauge Not Installed	Port not Installed	-	1,672	OK
VEP-B		1418	1.50																						
VEP-C		1423	1.35																						
VEP-A	8/4/2010	1300	1.50		**0.001**	0.261	0.004	0.004	0.035	0.005	0.005	0.006	0.008	0.006	0.046	**0.000**	0.007	0.011	0.750	0.032	1.8	3,270	71	702	OK
VEP-B		1305	1.50																						
VEP-C		1310	1.30																						
VEP-A	8/11/2010	1143	1.60		**0.000**	0.283	0.022	0.017	0.044	0.004	0.030	0.028	0.023	0.008	0.031	**0.000**	0.011	0.023	0.079	0.021	1.9	3,435	75	405	OK
VEP-B		1150	1.50																						
VEP-C		1156	1.40																						
VEP-A	8/18/2010	1054	1.60		0.005	0.276	0.007	0.008	0.049	0.009	0.022	0.018	0.013	0.007	0.157	0.004	0.012	0.019	0.080	0.019	1.9	3,575	78	1,019	OK
VEP-B		1136	1.50																						
VEP-C		1105	1.40																						
VEP-A	8/25/2010	0900	1.60		0.004	0.269	0.006	0.009	0.044	0.007	0.008	0.005	0.009	0.008	0.150	0.009	0.013	0.009	0.072	0.017	1.9	3,430	75	1,272	OK
VEP-B		0905	1.50																						
VEP-C		0912	1.40																						
VEP-A	9/8/2010	11:42	1.45		0.009	0.274	0.007	0.007	0.054	0.012	0.004	0.006	0.008	0.008	0.163	0.010	0.016	0.016	0.079	0.018	1.9	3,421	75	1,936	OK
VEP-B		11:15	1.50																						
VEP-C		11:28	1.35																						
VEP-A	9/15/2010	9:30	1.45		0.007	0.263	0.005	0.006	0.045	0.007	0.005	0.005	0.005	0.005	0.162	0.008	0.011	0.007	0.075	0.006	2.0	3,326	73	8,377	OK
VEP-B		9:15	1.50																						
VEP-C		9:35	1.30																						
VEP-A	10/13/2010	9:51	1.40		0.004	0.272	0.006	0.006	0.054	0.005	0.010	0.008	0.007	0.007	1.172	0.009	0.009	0.010	0.083	0.012	1.9	3,240	71	742	OK
VEP-B		9:25	1.60																						
VEP-C		9:39	1.30																						
VEP-A	11/10/2010	9:51	1.60		0.005	0.267	0.005	0.007	0.055	0.011	0.015	0.009	0.010	0.007	0.176	0.010	0.019	0.011	0.085	0.018	1.9	3,105	68	501	OK
VEP-B		9:25	1.60																						
VEP-C		9:39	1.40																						
VEP-A	12/8/2010	9:28	1.60		0.004	0.287	0.009	0.009	0.056	0.008	0.012	0.011	0.005	0.006	0.176	0.007	0.018	0.010	0.082	0.011	1.9	3,440	75	0	OK
VEP-B		9:32	1.60																						
VEP-C		9:40	1.40																						
VEP-A	1/11/2011	10:26	1.60		0.005	0.287	0.010	0.010	0.056	0.014	0.011	0.010	0.009	0.008	0.171	0.011	0.020	0.010	0.079	0.011	1.9	3,205	70	187	OK
VEP-B		10:05	1.60																						
VEP-C		10:17	1.40																						
VEP-A	4/7/2011	9:18	1.60		0.004	0.283	0.008	0.011	0.067	0.007	0.014	0.012	0.008	0.006	0.161	0.009	0.011	0.017	0.094	0.017	1.9	3,356	73	236	OK
VEP-B		9:35	1.50																						
VEP-C		9:48	1.60																						
VEP-A	7/27/2011	9:30	1.60		0.004	0.284	0.009	0.010	0.054	0.012	0.016	0.009	0.006	0.011	0.174	0.010	0.009	0.013	0.083	0.015	2.0	3,296	72	239	OK
VEP-B		9:40	1.50																						
VEP-C		9:53	1.40																						
VEP-A	10/25/2011	10:34	1.40		0.006	0.304	0.007	0.008	0.064	0.005	0.006	0.007	0.013	0.007	0.173	0.007	0.049	0.009	0.082	0.007	2.0	2,769	60	31	OK
VEP-B		10:47	1.50																						
VEP-C		10:59	1.50																						
VEP-A	10/18/2012	11:37	1.60		0.019	0.328	0.018	0.019	0.081	0.020	0.020	0.018	0.019	0.016	0.177	0.021	0.017	0.032	0.098	0.220	2.0	3,350	73	1,470	OK
VEP-B		11:51	2.20																						
VEP-C		12:08	1.30																						
VEP-A	1/30/2014		1.60		0.004	0.067	**0.003**	**0.001**	0.010	**0.003**	**0.002**	**0.002**	0.006	**0.002**	0.039	**0.003**	NA	NA	0.018	**0.001**	2.0	2,886	63	450	OK
VEP-B			1.70																						
VEP-C			1.40																						
VEP-A	2/7/2014		1.60		0.008	0.085	0.008	0.004	0.009	0.006	**0.002**	**0.002**	0.005	0.006	0.036	0.006	NA	NA	0.017	**0.003**					OK
VEP-B			1.70																						
VEP-C			1.40																						
VEP-A	4/10/2014		1.60		0.008	0.219	0.005	0.004	0.182	0.006	**0.000**	0.006	0.017	0.006	0.063	0.004*	0.188*	0.009*	0.082	0.004	2.0	3,150	69	361	OK
VEP-B			2.20																						
VEP-C			1.40																						
VEP-A	1/23/2015		1.70		0.007	0.342	0.013	0.007	0.154	0.005	**0.003**	0.004	0.012	0.007	0.161	**0.003***	0.199*	0.010*	0.076	0.006	2.0	3,341	73	628	OK
VEP-B			2.30																						
VEP-C			1.30																						

NOTES: MP Not Installed: Permanent Monitoring Points were not installed at the request of business owners, due to interferences with business operations: As such, the monitoring points were installed during the subsequent visit on 8/4/10 during non-business hours
Vacuum readings recorded in inches of water column
Bold Values - Observed vacuum reading did not meet the NYSDEC/NYSDOH Thresold Value for Minimum Vaccum of 0.004 inches of water column
*** 8/4/10, 9/8/10, 12/8/10, and 1/11/11 - Air Samples Collected from SSD System Effluent and submitted for anlysis by EP TO15
NA - Monitoring point not accessible beneath new row of clothes dryers on that date.
* Measurement from replacement point MP-12R; MP-13R & MP-14R

APPENDIX A

DIGITAL COPY OF THE FER AND SUPPORTING DOCUMENTATION

Pocket Page for CD of FER and Supporting Documentation

APPENDIX B

ENVIRONMENTAL EASEMENT (PAPER COPY)

COLUMBIA COUNTY – STATE OF NEW YORK

HOLLY C. TANNER, COUNTY CLERK
560 Warren Street, Hudson, New York 12534

COUNTY CLERK'S RECORDING PAGE
*****THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH*****

BOOK/PAGE: 796 / 912
INSTRUMENT #: 20140013346

Receipt#: 375690
Clerk: CC
Rec Date: 11/13/2014 09:58:57 AM
Doc Grp: D
Descrip: EASEMENT
Num Pgs: 10
Rec'd Frm: TOOHER & BARONE

Party1: VALATIE VILLAGE PLAZA LLC
Party2: PEOPLE OF THE STATE OF NEW YORK BY COMMISSIONER

Recording:	
Cover Page	5.00
Recording Fee	65.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Sub Total:	95.00
Transfer Tax	
Transfer Tax - State	0.00
Transfer Tax - Columbia C	0.00
Sub Total:	0.00
Total:	95.00

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

***** Transfer Tax *****
Transfer Tax #: 641
Transfer Tax
Consideration: 0.00

Total: 0.00

Record and Return To:

TOOHER & BARONE LLP
313 HAMILTON ST
ALBANY NY 12210

WARNING***
** Information may change during the verification process and may not be reflected on this page.

Holly C. Tanner
Columbia County Clerk

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

THIS INDENTURE made this 8th day of October, 2014 between Owner(s) VALATIE VILLAGE PLAZA, LLC , having an office at 1048 Kinderhook Steet, P.O. Box 186, Valatie, County of Columbia, State of New York (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 1048 Kinderhook Street in the Village of Valatie, County of Columbia and State of New York, known and designated on the tax map of the County Clerk of Columbia as tax map parcel numbers: Section 33.18 Block 1 Lot 29.1, being the same as that property conveyed to Grantor by deed dated January 21, 1999 and recorded in the Columbia County Clerk's Office in Liber and Page 460/781. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 3.505 +/- acres, and is hereinafter more fully described in the Land Title Survey dated May 1, 2012 and revised June 5, 2012, February 6, 2014 and June 3, 2014 prepared by Ausfeld & Waldruff Land Surveyors LLP, 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: R4-2009-1008-157, 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:

Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), 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 Columbia 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 purposes as defined in 6NYCRR 375-1.8(g)(2)(i), 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: HW 411016
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.

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

Valatie Village Plaza LLC:

By: Michael L. Della Rocco

Print Name: Michael L. Della Rocco

Title: Owner Date: 10-June-14

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF Rensselaer

On the 10 day of June, in the year 2014, before me, the undersigned, personally appeared Michael L. DellaRocca 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.

Jennifer Molesky
Notary Public - State of New York

Jennifer Molesky
NOTARY PUBLIC, State of New York
No. 01M06074369
Qualified in Rensselaer County
Commission Expires May 13, 2018

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 8th day of October, 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. 01CH5032146
Qualified in Schenectady County
Commission Expires August 22, 2018

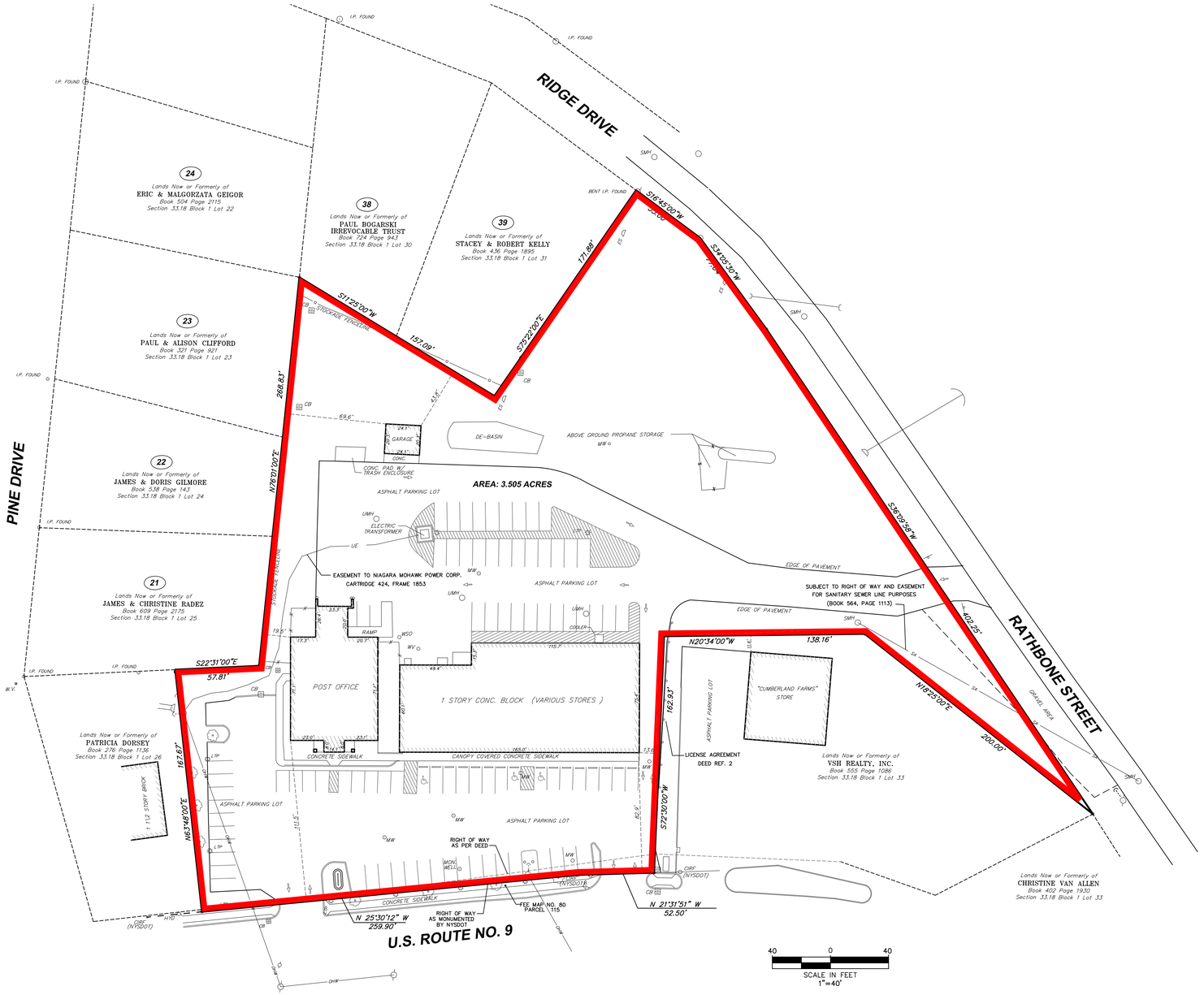
SCHEDULE "A" PROPERTY DESCRIPTION

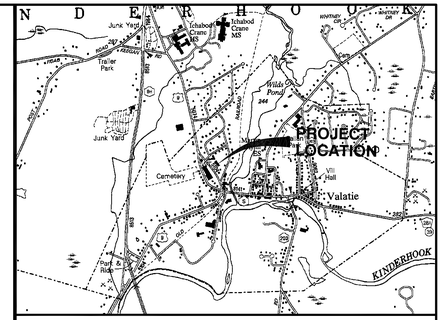
ALL that piece or parcel of land situate in the Village of Valatie, Town of Kinderhook, County of Columbia and the State of New York, bounded and described as follows:

BEGINNING at a point located in the easterly line of US Route 9 (as monumented by New York State Department of Transportation), said point being the intersection formed by said east line of US Route 9 with the division line between the lands now or formerly of Patricia A. Dorsey (Book 276 Page 1136) on the north and the lands now or formerly of Valatie Village Plaza (Cartridge 460 Frame 781) on the south; thence in an easterly direction and along said division line, North 63° 48' 00" East, 167.67 feet to a point located along the westerly line of Lot 21 as shown on the Pine Hills Subdivision; thence in a southerly direction and along said line being the westerly line of the lands now or formerly of Radez (Book 609 Page 2175), South 22° 31' 00" East 57.81 feet to a point; thence in an easterly direction and along the southerly line of the aforesaid lands of Radez and continuing along the south line of the land now or formerly of Gilmore (Book 538 Page 143) and Clifford (Book 321 Page 921), said line also being the south line of Lots 21, 22 and 23 as shown on the aforesaid subdivision map, North 76° 01' 00" East 268.83 feet to a point; thence in a southerly direction and along the westerly line of the lands now or formerly of Paul Bogarski, Trustee (Book 724 Page 943) and Kelly (Book 436 Page 1895), said line also being the westerly line of Lots 38 and 39 as shown on the aforesaid subdivision map, South 11° 25' 00" West, 157.09 feet to a point; thence in an easterly direction and along the south line of the aforesaid lands of Kelly, South 75° 22' 00" East, 171.88 feet to a point; thence in a southerly direction and along the westerly line of Ridge Drive, the following two courses: 1) South 16° 45' 00" West, 55.00 feet to a point and 2) South 34° 05' 30" West, 77.64 feet to a point; thence continuing in a southerly direction South 36° 09' 58" West, 402.25 feet to a point; thence in a northerly and westerly direction and along the lands now or formerly of V.S.H. Realty (Book 555 Page 1086), the following three courses: 1) North 18° 25' 00" East, 200.00 feet to a point; 2) North 20° 34' 00" West, 138.16 feet to a point and 3) South 72° 30' 00" West, 162.93 feet to a point; thence in a northerly direction and along the aforesaid easterly line of US Route 9 (as monumented), the following two courses: 1) North 21° 31' 51" West, 52.50 feet to an aluminum capped iron rod found and 2) North 25° 30' 12" West, 259.90 feet to the point or place of beginning

FOR CLOSING INSTRUMENTS ONLY, NOT FOR POLICY: (Containing in all 3.505 acres of land being more or less.)

Record and return to:
Tooher & Barone LLP
313 Hamilton St.
Albany, NY 12210





SITE LOCATION PLAN: 1"=2000'

LEGEND:

- CB — CATCH BASIN
- HYD — HYDRANT
- LP — LIGHT POLE
- SMH — SANITARY MANHOLE
- DMH — STORM MANHOLE
- EMH — ELECTRIC MANHOLE
- WV — WATER VALVE
- TEL PED — TELEPHONE PEDESTAL
- UP — UTILITY POLE
- G — GAS LINE
- S — SANITARY LINE
- ST — STORM LINE
- W — WATER LINE
- T — TELEPHONE LINE
- CIRF — CAPPED IRON ROD FOUND
- CIRS — CAPPED IRON ROD SET
- IRF — IRON ROD FOUND
- IPF — IRON PIPE FOUND
- MON — MONUMENT FOUND
- EASEMENT AREA

DEED REFERENCES:

1. MICHAEL AND KAREN DELLA ROCCO TO VALATIE VILLAGE PLAZA, LLC, DATED JANUARY 21, 1999 AND RECORDED IN THE COLUMBIA COUNTY CLERKS OFFICE IN DEED BOOK 460 AT PAGE 781.

2. LICENSE AGREEMENT BETWEEN CUMBERLAND FARMS, IN. AND VALATIE VILLAGE PLAZA, LLC DATED JANUARY 27, 2005 AND RECORDED IN BOOK 529 AT PAGE 1466.

3. VALATIE VILLAGE PLAZA TO THE PEOPLE OF THE STATE OF NEW YORK, RECORDED MAY 26, 2005 AND FILED IN DEED BOOK 539, PAGE 1005 .

MAP REFERENCES:

1. "STUYVESANT FALLS–VALATIE" MAP NO. 81, PARCEL NO 115, PREPARED BY THE NEW YORK STATE DEPARTMENT OF PUBLIC WORKS, ON FILE AT DISTRICT OFFICE NO. 8, POUGHKEEPSIE, N.Y.

GENERAL NOTES:

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

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

SURVEYED FROM RECORD DESCRIPTION AND AS IN POSSESSION.

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS OF RECORD.

SURVEY SUBJECT TO ANY RIGHT, TITLE OR INTEREST THE PUBLIC MAY HAVE FOR HIGHWAY USE.

SURVEY SHOWN IS SUBJECT TO ANY SUBSURFACE CONDITIONS THAT MAY EXIST, IF ANY.

UNDERGROUND FACILITIES AND STRUCTURES SHOWN HEREON WERE TAKEN FROM DATA OBTAINED FROM PREVIOUS MAPS AND RECORD DRAWINGS. ALL ABOVE GROUND STRUCTURES AND SURFACE FEATURES SHOWN HEREON ARE THE RESULT OF A FIELD SURVEY UNLESS OTHERWISE NOTED. THERE MAY BE OTHER UNDERGROUND UTILITIES, THE EXISTANCE OF WHICH ARE NOT KNOWN OR CERTIFIED BY THE UNDERSIGNED. THE SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES MUST BE VERIFIED BY THE APPROPRIATE AUTHORITIES. THE UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION MUST BE NOTIFIED PRIOR TO CONDUCTING TEST BORINGS, EXCAVATION AND CONSTRUCTION.

FLOOD ZONE NOTE:

PROPERTY SHOWN HEREON DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA ("SFHA") AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE PROPERTY LIES WITHIN ZONE "C", AREAS OF MINIMAL FLOODING, AS SHOWN ON THE FLOOD INSURANCE RATE MAP IDENTIFIED AS COMMUNITY PANEL NO. 361508 0001 B, ONLY PANEL PRINTED, OF THE VILLAGE OF VALATIE, COLUMBIA COUNTY BEARING AN EFFECTIVE DATE OF DECEMBER 1, 1982.

EASEMENT NOTES:

WITH RESPECT TO FIDELITY NATIONAL TITLE INSURANCE COMPANY – TITLE NO:M–053188, DATED NOVEMBER 21, 2013 SCHEDULE B SECTION 2:

ITEM 1– RIGHT OF WAY AND EASEMENT FOR SANITARY SEWER PURPOSES RECORDED IN BOOK 564, PAGE 1113 AS SHOWN HEREON.

ITEM 2– UTILITY EASEMENT CARTRIDGE 424, FRAME 1853 TO NIAGARA MOHAWK AS SHOWN HEREON.

LEGAL DESCRIPTION:

ALL THAT PIECE OR PARCEL OF LAND SITUATE IN THE VILLAGE OF VALATIE, TOWN OF KINDERHOOK, COUNTY OF COLUMBIA AND THE STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED IN THE EASTERLY LINE OF U.S. ROUTE 9 (AS MONUMENTED BY NEW YORK STATE DEPARTMENT OF TRANSPORTATION), SAID POINT BEING THE INTERSECTION FORMED BY SAID EAST LINE OF U.S. ROUTE 9 WITH THE DIVISION LINE BETWEEN THE LANDS NOW OR FORMERLY OF PATRICIA A. DORSEY (BOOK 276, PAGE 1136) ON THE NORTH AND THE LANDS NOW OR FORMERLY OF VALATIE VILLAGE PLAZA (CARTRIDGE 460, FRAME 781) ON THE SOUTH; THENCE IN AN EASTERLY DIRECTION AND ALONG SAID DIVISION LINE, NORTH 63°48'00" EAST, 167.67 FEET TO A POINT LOCATED ALONG THE WESTERLY LINE OF LOT 21 AS SHOWN ON THE PINE HILLS SUBDIVISION; THENCE IN A SOUTHERLY DIRECTION AND ALONG SAID LINE BEING THE WESTERLY LINE OF THE LANDS NOW OR FORMERLY OF RADEZ (BOOK 609, PAGE 2175), SOUTH 22°31'00" EAST, 57.81 FEET TO A POINT; THENCE IN AN EASTERLY DIRECTION AND ALONG THE SOUTHERLY LINE OF THE AFORESAID LANDS OF RADEZ AND CONTINUING ALONG THE SOUTH LINE OF THE LANDS NOW OR FORMERLY OF GILMORE (BOOK 538, PAGE 143) AND CLIFFORD (BOOK 321, PAGE 921), SAID LINE ALSO BEING THE SOUTH LINE OF LOTS 21, 22 AND 23 AS SHOWN ON THE AFORESAID SUBDIVISION MAP, NORTH 76°01'00" EAST, 268.83 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION AND ALONG THE WESTERLY LINE OF THE LANDS NOW OR FORMERLY OF PAUL BOGARSKI, TRUSTEE (BOOK 724, PAGE 943) AND KELLY (BOOK 436, PAGE 1895), SAID LINE ALSO BEING THE WESTERLY LINE OF LOTS 38 AND 39 AS SHOWN ON THE AFORESAID SUBDIVISION MAP, SOUTH 11°25'00" WEST, 157.09 FEET TO A POINT; THENCE IN AN EASTERLY DIRECTION AND ALONG THE SOUTH LINE OF THE AFORESAID LANDS OF KELLY, SOUTH 75°22'00" EAST, 171.88 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION AND ALONG THE WESTERLY LINE OF RIDGE DRIVE, THE FOLLOWING TWO COURSES; 1) SOUTH 16°45'00" WEST, 55.00 FEET TO A POINT AND 2) SOUTH 34°05'30" WEST, 77.64 FEET TO A POINT; THENCE CONTINUING IN A SOUTHERLY DIRECTION SOUTH 36°09'58" WEST, 402.25 FEET TO A POINT; THENCE IN A NORTHERLY AND WESTERLY DIRECTION AND ALONG THE LANDS NOW OR FORMERLY OF V.S.H. REALTY (BOOK 555, PAGE 1086), THE FOLLOWING THREE COURSES: 1) NORTH 18°25'00" EAST, 200.00 FEET TO A POINT; 2) NORTH 20°34'00" WEST, 138.16 FEET TO A POINT AND 3) SOUTH 72°30'00" WEST, 162.93 FEET TO A POINT; THENCE IN A NORTHERLY DIRECTION AND ALONG THE AFORESAID EASTERLY LINE OF U. S. ROUTE 9 (AS MONUMENTED), THE FOLLOWING TWO COURSES: 1) NORTH 21°31'51" WEST, 52.50 FEET TO AN ALUMINUM CAPPED IRON ROD FOUND AND 2) NORTH 25°30'12" WEST, 259.90 FEET TO THE POINT OR PLACE OF BEGINNING.

SURVEY NOTE:

1. THE EASEMENT AREA IS EQUIVALENT TO THE OVERALL PARCEL AREA.

2. THE DESCRIPTION FOUND ON THE DEED DATED JANUARY 21, 1993 (LIBER 460, PAGE 731) WAS LATER MODIFIED BY AN APPROPRIATIONS DEED DATED MAY 26, 2005 (LIBER 539, PAGE 1005). THE SURVEY HEREON REFLECTS THE UPDATED PERIMETER.

CERTIFICATIONS:

1. THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH ITS COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

2. FIDELITY NATIONAL TITLE INSURANCE COMPANY

TAX PARCEL NUMBER:

VILLAGE OF VALATIE, COLUMBIA COUNTY, NEW YORK
SEC. 33.18 – BLK. 1– LOT 29.1

SPECIAL NOTE:

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.

ENVIRONMENTAL EASEMENT FOR EMKAY CLEANERS
SITE ID NO. : HW411016
ORDER ON CONSENT NO.: R4-2009-1008-157
VALATIE, NEW YORK, COLUMBIA COUNTY

1048 KINDERHOOK STREET

ALTA/ACSM LAND TITLE SURVEY OF THE LANDS OF VALATIE REALTY, LLC

VILLAGE OF VALATIE	COLUMBIA COUNTY,N.Y.
SCALE: 1"=40'	MAY 1, 2012
DRAWN BY: KCW	PROJECT NO: 12-850

MISC. REVISIONS 6-5-14
MISC. REVISIONS 2-6-14
MISC. REVISIONS 6-6-12

Ausfeld & Waldruff Land Surveyors LLP
514 State Street, Schenectady N.Y. 12305
Phone: (518) 346-1595 Fax: 518-770-1655

STATE OF NEW YORK — VINCENT P. AUSFELD — LICENSED PROFESSIONAL SURVEYOR — 49597

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