John Strang - RE: BASF Lagoons Capping

From: Charlie McGuckin <cmcguckin@rouxinc.com>
To: "John Strang" <jrstrang@gw.dec.state.ny.us>
Date: 1/22/2009 9:25 AM
Subject: RE: BASF Lagoons Capping
CC: <douglas.reid-green@basf.com>, <wayne.stclair@basf.com>, "Christopher O'neill" <cxoneill@gw.dec.state.ny.us>, <wayne.stclair@basf.com>, "Jim Stagge" <jstagge@rouxinc.com>
Attachments: Common Fill Analytical Report_Final - 1-19-09.pdf; valente.pdf

John,

We have identified a source for Common Fill for the Lagoons Capping project. The source is a virgin sand mine owned by RJ Valente Gravel in Waterford, NY. A letter from Valente is attached. This is the same source for common fill material that was used for the Landfill capping at this Site in 2006. The common fill was analyzed for VOCs, SVOCs, Metals, PCBs and Pesticides/Herbicides by Phoenix Environmental Laboratories and the data is attached. In accordance with Section 5.4(e) of latest DER-10 guidance you provided, this soil sampling data meets the lower of the protection of groundwater and the protection of public health soil cleanup objectives for commercial use outlined in 6NYCRR Part 375-6.8(b). One round of characterization samples were analyzed, satisfying DER-10 5.4(e) requirements for imported soil backfill from a virgin mine/pit.

Please review the provided information and let me know if this satisfies the NYSDEC requirements or if any additional sampling is required. BASF may elect to perform additional sampling for quality control purposes and any data will be provided to NYSDEC when available.

From: John Strang [mailto:jrstrang@gw.dec.state.ny.us]
Sent: Thursday, January 15, 2009 10:27 AM
To: Charlie McGuckin
Cc: douglas.reid-green@basf.com; wayne.stclair@basf.com; Christopher O'neill
Subject: NYSDEC DER-10 Soil Backfill Guidance

Charles, as we briefly discussed on January 6, 2009,

From our Division of Environmental Remediation Technical Guidance for Site Investigation and Remediation (refered to as DER-10), the attached .pdf file is Section 5.4 Remedial action implementation compliance. On page 10 of 20 you will find Table 5.4 titled Recommended Number of Soil Samples for Soil Covers and Backfills. This is our Department's draft Guidance on the number of soil samples to be taken and analyzed based on the quantity of soil being used, in this case, for backfilling the BASF lagoons.

Contact me with any questions.

John R. Strang, P.E.
Environmental Engineer 2
New York State Dept. of Environmental Conservation
Region Four Headquarters
1130 North Westcott Road
Schenectady, NY 12306-2014

518-357-2390
518-357-2389 (facsimile)

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PHOENIX

Environmental Laboratories, Inc.
587 East Middle Turnpike, P.O.Box 370, Manchester, CT 06040
Tel. (860) 645-1102 Fax (860) 645-0823

ACCREDITED IN ACCORDANCE WITH nelac NY # 11301

Draft Progress Report

January 16, 2009

FOR: RJ Valente
118 Button Rd.
Waterford, NY 12188

Sample Information		Custody Information		Date	Time
Matrix:	SOIL	Collected by:	JP	12/29/08	0:00
Location Code:	SPECIAL2	Received by:	LB	12/30/08	9:30
Rush Request:	HOLDTIME	Analyzed by:	see "By" below		
P.O.#:					

Laboratory Data

SDG I.D.: GAR24398
Phoenix I.D.: AR24398

Client ID: BASF

Parameter	Result	RL	Units	Date	Time	By	Reference
Arsenic	3.1	0.6	mg/Kg	12/31/08		TH	SW6010
Barium	29.8	0.33	mg/Kg	12/31/08		TH	SW6010
Beryllium	< 0.24	0.24	mg/Kg	12/31/08		EK	SW6010
Cadmium	< 0.33	0.33	mg/Kg	12/31/08		TH	SW6010
Chromium	7.69	0.33	mg/Kg	12/31/08		TH	SW6010
Copper	14.6	0.33	mg/kg	12/31/08		EK	SW6010
Lead	5.15	0.33	mg/Kg	12/31/08		EK	SW6010
Manganese	262	3.3	mg/Kg	01/09/09		EK	SW6010
Mercury	< 0.11	0.11	mg/kg	12/31/08		RS	SW-7471
Nickel	11.0	0.33	mg/Kg	12/31/08		EK	SW6010
Selenium	< 1.6	1.6	mg/Kg	12/31/08		TH	SW6010
Silver	< 0.33	0.33	mg/Kg	12/31/08		EK	SW6010
Trivalent Chromium	7.69	0.50	mg/kg	01/13/09		LK	Calculation
Zinc	32.9	0.33	mg/Kg	12/31/08		EK	SW6010
Percent Solid	93		%	12/30/08		Q-JL	E160.3
Chromium, Hexavalent	< 0.86	0.86	mg/Kg	01/13/09		LK	SW3060/7196
Total Cyanide	< 0.36	0.36	mg/Kg	01/12/09		GD/EG	SW9010/9014
Mercury Digestion	Completed			12/31/08		E	SW7471
Soil Extraction for Herbicide	Completed			12/30/08		M/D	SW8151
Soil Extraction for PCB	Completed			12/30/08		JJ	SW3545
Soil Ext. for Pesticide	Completed			12/30/08		JJ/D	3545
Soil Ext. for Semi- Vol	Completed			12/30/08		JJ/D	SW3545
Total Metals Digest	Completed			12/30/08		JC/AG	SW846 - 3050
1,4-Dioxane	< 100	100	ug/Kg	01/09/09		R/J	SW8260 MOD
Chlorinated Herbicides							
2,4,5-T	ND	110	ug/Kg	12/31/08		JRB	SW8151
2,4,5-TP (Silvex)	ND	110	ug/Kg	12/31/08		JRB	SW8151
2,4-D	ND	110	ug/Kg	12/31/08		JRB	SW8151
2,4-DB	ND	1100	ug/Kg	12/31/08		JRB	SW8151
Dalapon	ND	540	ug/Kg	12/31/08		JRB	SW8151

Client ID: BASF

Phoenix I.D.: AR24398

Parameter	Result	RL	Units	Date	Time	By	Reference
Dicamba	ND	320	ug/Kg	12/31/08		JRB	SW8151
Dichloroprop	ND	110	ug/Kg	12/31/08		JRB	SW8151
Dinoseb	ND	220	ug/Kg	12/31/08		JRB	SW8151
QA/QC Surrogates							
% DCAA	64		%	12/31/08		JRB	SW8151
Volatiles							
1,1,1,2-Tetrachloroethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,1,1-Trichloroethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,1,2,2-Tetrachloroethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,1,2-Trichloroethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,1-Dichloroethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,1-Dichloroethene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,1-Dichloropropene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,2,3-Trichlorobenzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,2,3-Trichloropropane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,2,4-Trichlorobenzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,2,4-Trimethylbenzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,2-Dibromo-3-chloropropane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,2-Dichlorobenzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,2-Dichloroethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,2-Dichloropropane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,3,5-Trimethylbenzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,3-Dichlorobenzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,3-Dichloropropane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
1,4-Dichlorobenzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
2,2-Dichloropropane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
2-Chlorotoluene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
2-Hexanone	ND	27	ug/Kg	12/30/08		R/J	SW8260
2-Isopropyltoluene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
4-Chlorotoluene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
4-Methyl-2-pentanone	ND	27	ug/Kg	12/30/08		R/J	SW8260
Acetone	ND	50	ug/Kg	12/30/08		R/J	SW8260
Acrylonitrile	ND	11	ug/Kg	12/30/08		R/J	SW8260
Benzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Bromobenzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Bromochloromethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Bromodichloromethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Bromoform	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Bromomethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Carbon Disulfide	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Carbon tetrachloride	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Chlorobenzene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Chloroethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Chloroform	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Chloromethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
cis-1,2-Dichloroethene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
cis-1,3-Dichloropropene	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Dibromochloromethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Dibromoethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Dibromomethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260
Dichlorodifluoromethane	ND	5.4	ug/Kg	12/30/08		R/J	SW8260

Client ID: BASF

Phoenix I.D.: AR24398

Parameter	Result		RL	Units	Date	Time	By	Reference
Ethylbenzene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Hexachlorobutadiene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Isopropylbenzene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
m&p-Xylene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Methyl Ethyl Ketone	ND		32	ug/Kg	12/30/08		R/J	SW8260
Methyl t-butyl ether (MTBE)	ND		11	ug/Kg	12/30/08		R/J	SW8260
Methylene chloride	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Naphthalene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
n-Butylbenzene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
n-Propylbenzene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
o-Xylene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
p-Isopropyltoluene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
sec-Butylbenzene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Styrene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
tert-Butylbenzene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Tetrachloroethene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Tetrahydrofuran (THF)	ND		11	ug/Kg	12/30/08		R/J	SW8260
Toluene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Total Xylenes	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
trans-1,2-Dichloroethene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
trans-1,3-Dichloropropene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
trans-1,4-dichloro-2-butene	ND		11	ug/Kg	12/30/08		R/J	SW8260
Trichloroethene	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Trichlorofluoromethane	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Trichlorotrifluoroethane	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
Vinyl chloride	ND		5.4	ug/Kg	12/30/08		R/J	SW8260
QA/QC Surrogates								
% 1,2-dichlorobenzene-d4	102			%	12/30/08		R/J	SW8260
% Bromofluorobenzene	92			%	12/30/08		R/J	SW8260
% Dibromofluoromethane	106			%	12/30/08		R/J	SW8260
% Toluene-d8	98			%	12/30/08		R/J	SW8260
Polychlorinated Biphenyls								
PCB-1016	ND		36	ug/Kg	01/09/09		MH	SW 8082
PCB-1221	ND		36	ug/Kg	01/09/09		MH	SW 8082
PCB-1232	ND		36	ug/Kg	01/09/09		MH	SW 8082
PCB-1242	ND		36	ug/Kg	01/09/09		MH	SW 8082
PCB-1248	ND		36	ug/Kg	01/09/09		MH	SW 8082
PCB-1254	ND		36	ug/Kg	01/09/09		MH	SW 8082
PCB-1260	ND		36	ug/Kg	01/09/09		MH	SW 8082
PCB-1262	ND		36	ug/Kg	01/09/09		MH	SW 8082
PCB-1268	ND		36	ug/Kg	01/09/09		MH	SW 8082
QA/QC Surrogates								
% DCBP	81	*		%	01/09/09		MH	SW 8082
% TCMX	38	*		%	01/09/09		MH	SW 8082
Pesticides								
4,4'-DDD	ND		3.2	ug/Kg	12/31/08		MH	SW8081
4,4'-DDE	ND		3.2	ug/Kg	12/31/08		MH	SW8081
4,4'-DDT	ND		3.2	ug/Kg	12/31/08		MH	SW8081
a-BHC	ND		17	ug/Kg	12/31/08		MH	SW8081
Alachlor	ND		17	ug/Kg	12/31/08		MH	SW8081

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Phoenix I.D.: AR24398

Parameter	Result	RL	Units	Date	Time	By	Reference
Aldrin	ND	4.9	ug/Kg	12/31/08		MH	SW8081
b-BHC	ND	17	ug/Kg	12/31/08		MH	SW8081
Chlordane	ND	70	ug/Kg	12/31/08		MH	SW8081
d-BHC	ND	17	ug/Kg	12/31/08		MH	SW8081
Dieldrin	ND	4.9	ug/Kg	12/31/08		MH	SW8081
Endosulfan I	ND	17	ug/Kg	12/31/08		MH	SW8081
Endosulfan II	ND	34	ug/Kg	12/31/08		MH	SW8081
Endosulfan sulfate	ND	34	ug/Kg	12/31/08		MH	SW8081
Endrin	ND	13	ug/Kg	12/31/08		MH	SW8081
Endrin aldehyde	ND	34	ug/Kg	12/31/08		MH	SW8081
Endrin ketone	ND	34	ug/Kg	12/31/08		MH	SW8081
g-BHC	ND	17	ug/Kg	12/31/08		MH	SW8081
Heptachlor	ND	11	ug/Kg	12/31/08		MH	SW8081
Heptachlor epoxide	ND	17	ug/Kg	12/31/08		MH	SW8081
Methoxychlor	ND	170	ug/Kg	12/31/08		MH	SW8081
Toxaphene	ND	170	ug/Kg	12/31/08		MH	SW8081
QA/QC Surrogates							
% DCBP	84		%	12/31/08		MH	SW8081
% TCMX	83		%	12/31/08		MH	SW8081
Semivolatiles							
1,2,4,5-Tetrachlorobenzene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
1,2,4-Trichlorobenzene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
1,2-Dichlorobenzene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
1,3-Dichlorobenzene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
1,4-Dichlorobenzene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2,4,5-Trichlorophenol	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2,4,6-Trichlorophenol	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2,4-Dichlorophenol	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2,4-Dimethylphenol	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2,4-Dinitrophenol	ND	1100	ug/Kg	12/31/08		KCA	SW 8270
2,4-Dinitrotoluene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2,6-Dinitrotoluene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2-Chloronaphthalene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2-Chlorophenol	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2-Methylnaphthalene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
2-Methylphenol (o-cresol)	ND	330	ug/Kg	12/31/08		KCA	SW 8270
2-Nitroaniline	ND	1100	ug/Kg	12/31/08		KCA	SW 8270
2-Nitrophenol	ND	710	ug/Kg	12/31/08		KCA	SW 8270
3&4-Methylphenol (m&p-cresol)	ND	330	ug/Kg	12/31/08		KCA	SW 8270
3,3'-Dichlorobenzidine	ND	850	ug/Kg	12/31/08		KCA	SW 8270
3-Nitroaniline	ND	1100	ug/Kg	12/31/08		KCA	SW 8270
4,6-Dinitro-2-methylphenol	ND	2000	ug/Kg	12/31/08		KCA	SW 8270
4-Bromophenyl phenyl ether	ND	710	ug/Kg	12/31/08		KCA	SW 8270
4-Chloro-3-methylphenol	ND	850	ug/Kg	12/31/08		KCA	SW 8270
4-Chloroaniline	ND	850	ug/Kg	12/31/08		KCA	SW 8270
4-Chlorophenyl phenyl ether	ND	710	ug/Kg	12/31/08		KCA	SW 8270
4-Nitroaniline	ND	1100	ug/Kg	12/31/08		KCA	SW 8270
4-Nitrophenol	ND	2000	ug/Kg	12/31/08		KCA	SW 8270
Acenaphthene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Acenaphthylene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Acetophenone	ND	710	ug/Kg	12/31/08		KCA	SW 8270

Client ID: BASF

Phoenix I.D.: AR24398

Parameter	Result	RL	Units	Date	Time	By	Reference
Aniline	ND	2000	ug/Kg	12/31/08		KCA	SW 8270
Anthracene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Azobenzene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Benz(a)anthracene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Benzidine	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Benzo(a)pyrene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Benzo(b)fluoranthene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Benzo(ghi)perylene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Benzo(k)fluoranthene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Benzoic acid	ND	2000	ug/Kg	12/31/08		KCA	SW 8270
Benzyl butyl phthalate	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Bis(2-chloroethoxy)methane	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Bis(2-chloroethyl)ether	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Bis(2-chloroisopropyl)ether	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Bis(2-ethylhexyl)phthalate	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Carbazole	ND	2000	ug/Kg	12/31/08		KCA	SW 8270
Chrysene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Dibenz(a,h)anthracene	ND	330	ug/Kg	12/31/08		KCA	SW 8270
Dibenzofuran	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Diethyl phthalate	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Dimethylphthalate	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Di-n-butylphthalate	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Di-n-octylphthalate	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Fluoranthene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Fluorene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Hexachlorobenzene	ND	330	ug/Kg	12/31/08		KCA	SW 8270
Hexachlorobutadiene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Hexachlorocyclopentadiene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Hexachloroethane	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Indeno(1,2,3-cd)pyrene	ND	500	ug/Kg	12/31/08		KCA	SW 8270
Isophorone	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Naphthalene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Nitrobenzene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
N-Nitrosodimethylamine	ND	710	ug/Kg	12/31/08		KCA	SW 8270
N-Nitrosodi-n-propylamine	ND	710	ug/Kg	12/31/08		KCA	SW 8270
N-Nitrosodiphenylamine	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Pentachloronitrobenzene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Pentachlorophenol	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Phenanthrene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Phenol	ND	330	ug/Kg	12/31/08		KCA	SW 8270
Pyrene	ND	710	ug/Kg	12/31/08		KCA	SW 8270
Pyridine	ND	710	ug/Kg	12/31/08		KCA	SW 8270
QA/QC Surrogates							
% 2,4,6-Tribromophenol	81		%	12/31/08		KCA	SW 8270
% 2-Fluorobiphenyl	63		%	12/31/08		KCA	SW 8270
% 2-Fluorophenol	59		%	12/31/08		KCA	SW 8270
% Nitrobenzene-d5	63		%	12/31/08		KCA	SW 8270
% Phenol-d5	60		%	12/31/08		KCA	SW 8270
% Terphenyl-d14	50		%	12/31/08		KCA	SW 8270

Client ID: BASF

Phoenix I.D.: AR24398

Parameter	Result	RL	Units	Date	Time	By	Reference

Comments:

* In order to reach the desired MDL, the sample extracts were run undiluted causing the surrogates to be above the calibration range.

If there are any questions regarding this data, please call Phoenix Client Services at extension 200.

ND=Not detected BDL=Below Detection Level RL=Reporting Level

PLEASE NOTE: THIS PROGRESS REPORT IS CONSIDERED PRELIMINARY DATA. THE RESULTS ENTERED HAVE NOT BEEN EXAMINED BY OUR QA/QC DEPARTMENT.

Phyllis Shiller, Laboratory Director
January 16, 2009

R. J. VALENTE GRAVEL
118 Button Road
Waterford, NY 12188
(518) 432-4470
Fax: (518) 432-4901

December 22, 2008

Roux Associates, Inc.

ATTN: Charlie McGuckin

Dear Mr. McGuckin:

R. J. Valente is proposing to supply for common fill for the BASF lagoon project the same material that we provided for the previous project for the landfill, which comes from a virgin sand mine.

Sincerely,

Joseph Pasinella