

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

MAY 21 2015

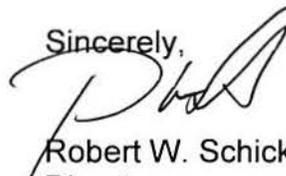
Doreen A. Simmons
Hancock Estabrook, LLP
1500 AXA Tower I
100 Madison Street
Syracuse, New York 13202

Re: Certificate of Completion and Registry Reclassification
Site Name: Quanta Resources Site
Site No. 734013
City of Syracuse, Onondaga County, New York

Dear Ms. Simmons:

As requested in your letter, dated May 7, 2015 (copy attached), the New York State Department of Environmental Conservation (DEC) has made the requested edits to the Certificate Holder information on the above referenced Certificate of Completion (COC), and Notice of Certificate of Completion. The revised COC and corresponding Notice of COC are enclosed. Please discard the previously provided COC and Notice. Please note that the requirements found in DEC's May 5, 2015 COC cover letter still stand, and are not reiterated in this letter. If you have any further questions on the requirements or any other item in DEC's May 5, 2015 letter, please contact the project manager for this site, Christopher F. Mannes III, P.E. at (315) 426-7515.

Sincerely,



Robert W. Schick, P.E.

Director

Division of Environmental Remediation

Enclosures

c: Alan G. Reiter, Esq., Arent Fox LLP

ec: Krista Anders, DOH
Richard Jones, DOH
Maureen Schuck, DOH
Chris Mannes, DEC
Harry Warner, DEC
William Daigle, DEC
Margaret Sheen, DEC



Department of
Environmental
Conservation

NYSDEC STATE SUPERFUND PROGRAM (SSF)
CERTIFICATE OF COMPLETION

CERTIFICATE HOLDER(S):

Name	Address
Quanta Resources Syracuse PRP Group, (The Respondents and Settling Parties under Order on Consent and Administrative Settlement Agreement; Index #D7-0001-07-07)	c/o Hancock Estabrook, LLP, 1500 AXA Tower 1, 100 Madison Street, Syracuse, New York 13202, Doreen Simmons, Esq.

SITE INFORMATION

Site No.: 734013 **Site Name:** Quanta Resources
Order on Consent: Index No. D7-0001-07-07 **Order Execution Date:** 11/17/2007
Site Owner: Arent Fox LLP Attorneys At Law
Street Address: 2802-2810 Lodi Street
Municipality: Syracuse **County:** Onondaga **DEC Region:** 7
Site Size: 0.413 Acres
Tax Map Identification Number(s): 02-01-08

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

CERTIFICATE ISSUANCE

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

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

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

Allowable Uses under the SSF: Industrial

The Remedial Program includes use restrictions or reliance on the long term employment of institutional or engineering controls which are contained in the approved Site Management Plan and an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Onondaga County with recording identifier B/P 05301/0515.

LIABILITY LIMITATION

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

CERTIFICATE TRANSFERABILITY

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

CERTIFICATE MODIFICATION/REVOCATION

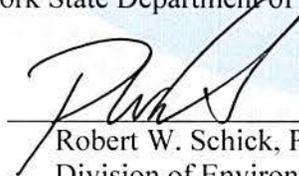
This Certificate of Completion may be modified or revoked by the Commissioner following notice and an opportunity for a hearing in accordance with 6NYCRR §375-1.9(e)(2) upon a finding that:

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

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

Joseph J. Martens
Commissioner
New York State Department of Environmental Conservation

By:



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

Date:

MAY 5, 2015

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

Quanta Resources, Site ID No. 734013
2802-2810 Lodi Street, Syracuse, New York 13208
City of Syracuse, Onondaga County, Tax Map Identification Number(s) Tax ID# 02-01-08

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to 6 NYCRR Part 375 to Quanta Resources Syracuse PRP Group, (The Respondents and Settling Parties under Order on Consent and Administrative Agreement; Index No. D7-0001-07-07), for a parcel approximately 0.413 acres located at 2802-2810 Lodi Street in the City of Syracuse, Onondaga County.

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

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

Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

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

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Onondaga County as Book 5301 at page 515, October 27, 2014.

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

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

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

Quanta Resources, Site No. 734013, 2802-2810 Lodi Street Syracuse, New York 13208

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

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

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

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 7 located at 615 Erie Boulevard West Syracuse, New York 13204, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

Quanta Resources Syracuse PRP Group (Remedial Party)
(The Respondents and Settling Parties under Order on Consent and Administrative Agreement; Index No. D7-0001-07-07)

By: _____

Title: _____

Date: _____

STATE OF NEW YORK) SS:
COUNTY OF)

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

Signature and Office of individual
taking acknowledgment

Please record and return to:

Quanta Resources Syracuse PRP Group
(The Respondents and Settling Parties under
Order on Consent and Administrative
Agreement; Index No. D7-0001-07-07).

c/o Hancock Estabrook, LLP, 1500 AXA Tower
I, 100 Madison Street, Syracuse, New York
13202, Doreen A. Simmons, Esq.



HANCOCK
ESTABROOK, LLP
COUNSELORS AT LAW

DOREEN A. SIMMONS
dsimmons@hancocklaw.com

May 7, 2015

Margaret Sheen, Esq.
Senior Attorney
NYSDEC Region 7
Division of Legal Affairs
615 Erie Blvd. West
Syracuse, NY 13204-2400

Re: Certificate of Completion and Registry Reclassification
Site Name: Quanta Resources Site
Site No. 734013
City of Syracuse, Onondaga County, New York

Dear Ms. Sheen:

Confirming our conversation of earlier today, this letter is to formally request that the Certificate of Completion be modified to reflect the certificate holder as "Quanta Resources Syracuse PRP Group," address c/o Hancock Estabrook, LLP, 1500 AXA Tower I, 100 Madison Street, Syracuse, New York 13202, Doreen A. Simmons, Esq. I serve as Chair of the PRP Group, as referenced in the original Order on Consent and Administrative Settlement Agreement (Index #D7-0001-07-07).

Further, the Respondents and Settling Defendants named per the Order need to be referenced. It is respectfully suggested, that on the COC under the name "Quanta Resources/Syracuse PRP Group" it be stated (The Respondents and Settling Parties under Order on Consent and Administrative Settlement Agreement; Index No. D7-0001-07-07).

I will await communications from you concerning the correction and addition. We are prepared to file an amended Certificate of Completion per the provided Notice. The Notice similarly needs to be amended by changing the address for "Please record and return to" to be the undersigned. Thank you for your immediate attention to this matter.

Very truly yours,

HANCOCK ESTABROOK, LLP

Doreen A. Simmons

DAS/ks
Enclosures

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director
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www.dec.ny.gov

MAY 05 2015

Quanta Resources/Syracuse PRP Group
Colleen S. Liddell, Chair, Technical Committee Quanta Resources Site
c/o Ford Land
Facility Environmental Control Engineer
330 Town Center Drive, Suite 1100
Dearborn, Michigan 48126

Re: Certificate of Completion and Registry Reclassification
Site Name: Quanta Resources Site
Site No. 734013
City of Syracuse, Onondaga County, New York

Dear Ms. Liddell:

Congratulations on having satisfactorily completed the remedial program at the Quanta Resources Site. Enclosed please find an original, signed Certificate of Completion. The New York State Department of Environmental Conservation (DEC) is pleased to inform you that the Final Engineering Report is hereby approved, allowing the Certificate of Completion (COC) to be issued for the above-referenced site. This also provides advance notice of the site's reclassification on the Registry of Inactive Hazardous Waste Disposal Sites ("Registry") to Class 4. This classification is assigned to a site that has been properly closed but that requires continued site management consisting of operation, maintenance and/or monitoring. On or soon after 20 days from the date of this letter, DEC will issue a notice to inform the public of this reclassification.

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

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



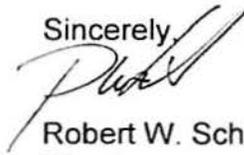
Department of
Environmental
Conservation

You must report the results of these activities to DEC in a Periodic Review Report (PRR) which also includes any required IC/EC certifications. The site IC/ECs are identified on the attached Site Management Form. The first PRR including the certification of the IC/ECs is due to DEC in July 2016.

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

If you have any questions regarding any of these items, please contact the project manager for this site, Christopher. F. Mannes III, P.E., at 315-426-7515.

Sincerely,



Robert W. Schick, P.E.

Director

Division of Environmental Remediation

Enclosures

c: Alan G. Reiter, Esq., Arent Fox LLP by Certified Mail

ec: Krista Anders, DOH
Richard Jones, DOH
Maureen Schuck, DOH
Chris Mannes, DEC
Harry Warner, DEC
William Daigle, DEC
Margaret Sheen, DEC