



COUNTY OF OSWEGO  
OFFICE OF THE COUNTY ATTORNEY

LEGISLATIVE OFFICE BUILDING

46 EAST BRIDGE STREET

OSWEGO, NEW YORK 13126-2137

315-349-8296  
FAX 315-349-8298

Volney 738003 VC

BRUCE N. CLARK  
COUNTY ATTORNEY

November 20, 1998

George Shanahan, Esq.  
Assistant Regional Counsel  
New York/Caribbean Superfund Branch  
United States Environmental Protection Agency  
Region II  
290 Broadway  
New York, New York 10007-1866

Re: Unites States v. County of Oswego, et al. (Volney Landfill Superfund Site)

Dear George:

Enclosed please find Notice to Successors-In-Title filed in County Clerks office on November 19, 1998, pursuant to Paragraph V.9.a. of the Consent Decree.

Very truly yours,

Bruce N. Clark  
County Attorney

BNC:mm  
Enclosure

c: Chief, New York/Caribbean Superfund Branch  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region II  
290 Broadway, 17th Floor  
New York, New York 10007-1866  
Attention: Volney Landfill Superfund Site Attorney

RECEIVED

NOV 23 1998

Bureau of Eastern  
Remedial Action

George Shanahan  
November 20, 1998  
Page 2

c: Chief, Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044  
RE: DOJ #90-11-3-268A

Director, Division of Environmental Remediation  
New York State Department of Env. Conservation  
50 Wolf Road, Room 222  
Albany, New York 12233-7010  
Attention: Volney Landfill Site Project Manager ✓

Director, Bureau of Environmental Exposure Investigation  
New York State Department of Health  
Two University Place  
Albany, New York 12203

Region Hazardous Waste Remediation Engineer  
New York State Department of Environmental Conservation  
615 Erie Boulevard West  
Syracuse, New York 13204-2400

Mr. Andrew Barber  
Managing Environmental Scientist  
Barton & Loguidice, P.C.  
290 Elwood Davis Road  
Liverpool, New York 13088

Mr. Paul Dudden  
Barton & Loguidice, P.C.  
290 Elwood Davis Road  
Liverpool, New York 13088

George Shanahan  
November 20, 1998  
Page 3

c: Barry R. Kogut, Esq.  
Bond, Schoeneck & King  
Attorneys at Law  
One Lincoln Center  
Syracuse, New York 13202

Harold N. Bynum, Esq.  
Smith, Helms, Mulliss & Moore, LLP  
Attorneys at Law  
Suite 1400  
300 North Greene Street  
P.O. Box 21927  
Greensboro, North Carolina 27420

David J. Lagoe  
Alcan Aluminum  
Lake Road North  
P.O. Box 28  
North Oswego, New York 13126

Bob Matthews, Esq.  
McKenna & Cuneo, LLP  
Attorneys at Law  
1900 K Street, N.W.  
Washington, D.C. 20006-1108

Erik Johannessen, Esq.  
International Paper  
6400 Poplar Avenue  
Memphis, Tennessee 38197

William C. Weiss, Esq.  
Niagara Mohawk Power Corporation  
Managing Counsel  
Systems Law Department (A3)  
300 Erie Boulevard  
Syracuse, New York 13202

Raj Parikh, Esq.  
Owens-Brockway Glass Containers, Inc.  
1 Seagate  
Toledo, Ohio 43666

George Shanahan  
November 20, 1998  
Page 4

c: Robert L. Harris, Esq.  
Vice President  
Legal and Administration  
Black Clawson Company  
405 Lexington Avenue, 61st Floor  
New York, New York 10174-0307

Lawrence A. Salibra, Esq.  
Senior Counsel  
Alcan Aluminum Corporation  
P.O. Box 6977  
Cleveland, Ohio 44101

Armstrong World Industries, Inc.  
Attention: Douglas Brosman, Esq.  
P.O. Box 3001  
Lancaster, Pennsylvania 17604

Miller Brewing Company  
Attention: Garrett W. Reich, Esq.  
Associate General Counsel  
3939 West Highland Boulevard  
Milwaukee, Wisconsin 53208

Mr. Jack O'Dell  
Superfund Project Manager  
New York/Caribbean Superfund Branch  
United States Environmental Protection Agency  
Region II  
290 Broadway  
New York, New York 10007-1866

Louis Petrone, Esq.  
Petrone & Petrone PC  
1624 Genesee Street  
Utica, NY 13502

BK BB Pg 289

## NOTICE TO SUCCESSORS-IN-TITLE

## Volney (Silk Road) Landfill Superfund Site

WHEREAS, the County of Oswego is a political subdivision of the State of New York located at the County Office Building, 46 East Bridge Street, Oswego, New York 13126; and

WHEREAS, the County of Oswego is the owner of a certain inactive hazardous waste disposal site consisting of 55 acres, popularly known as the Volney Landfill, located in the Town of Volney, County of Oswego and State of New York, approximately 2 miles northeast of the City of Fulton, 25 miles northwest of the City of Syracuse and 10 miles southeast of Lake Ontario; and

WHEREAS, the Volney Landfill is part of property whose legal description is ALL THAT TRACT OR PARCEL OF LAND, located in the Town of Volney, County of Oswego, State of New York, being a part of farm lot 92 and generally described as approximately 67 acres lying northerly and westerly of the Silk Road and the Howard Road and being immediately adjacent to said Silk Road and Howard Road, said Volney Landfill being a part of the property described in a deed dated September 8, 1975 between the Oswego Valley Solid Refuse Disposal Board as Grantor and the County of Oswego as Grantee, said deed having been recorded in the Oswego County Clerk's Office on September 12, 1975 in Liber of Deeds 791 at Page 502; and

WHEREAS, the Volney Landfill is also a part of the property described in Tax Map ID# 220.00-01-01; and

WHEREAS, pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9605, the Volney Landfill Superfund Site (hereinafter the "Site") was placed on the National Priorities List by publication in the Federal Register on June 1, 1984; and

WHEREAS, the Site is the subject of a certain Consent Decree entitled United States of America v. County of Oswego, et al, Civil No. 98-CV-0994, which was entered in the Office of the Clerk, United States District Court for the Northern District of New York, at the United States District Court, 445 Broadway, Room 222, Albany, New York 12207-2924 on October 9, 1998; and

WHEREAS, the County of Oswego is the Owner Settling Defendant as described in the Consent Decree and as such is required pursuant to Paragraph V.9.a. therein to file this Notice with the office of the County Clerk, County of Oswego, 46 East Bridge Street, Oswego, New York 13126;

NOW, THEREFORE, Notice is hereby given as follows:

FIRST: The Site is shown on Exhibit "A" attached hereto and made a part hereof.

SECOND: The property owned by the County of Oswego described hereinbefore is part of the Site.

THIRD: The United States Environmental Protection Agency selected a remedy for the Site on July 31, 1987, as modified September 29, 1989 and August 1997.

FOURTH: A Consent Decree as described hereinbefore requiring the implementation of the remedy by the County of Oswego exists.

FIFTH: The Consent Decree is binding upon the United States, County of Oswego, all other Settling Defendants named in the Consent Decree and their successors and assigns.

SIXTH: The use of the property is or may be restricted by law and/or other decrees and/or orders issued or to be issued according to law.

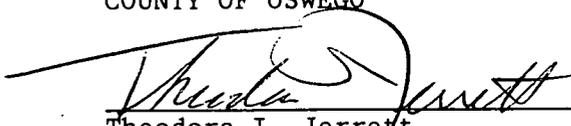
SEVENTH: The provisions of the Consent Decree are restrictive covenants that run with the land and are binding upon all future owners of the described property.

IN WITNESS WHEREOF, the undersigned has executed this instrument the date written below.

BK  
BB  
Pg  
290

COUNTY OF OSWEGO

Dated: November 12, 1998

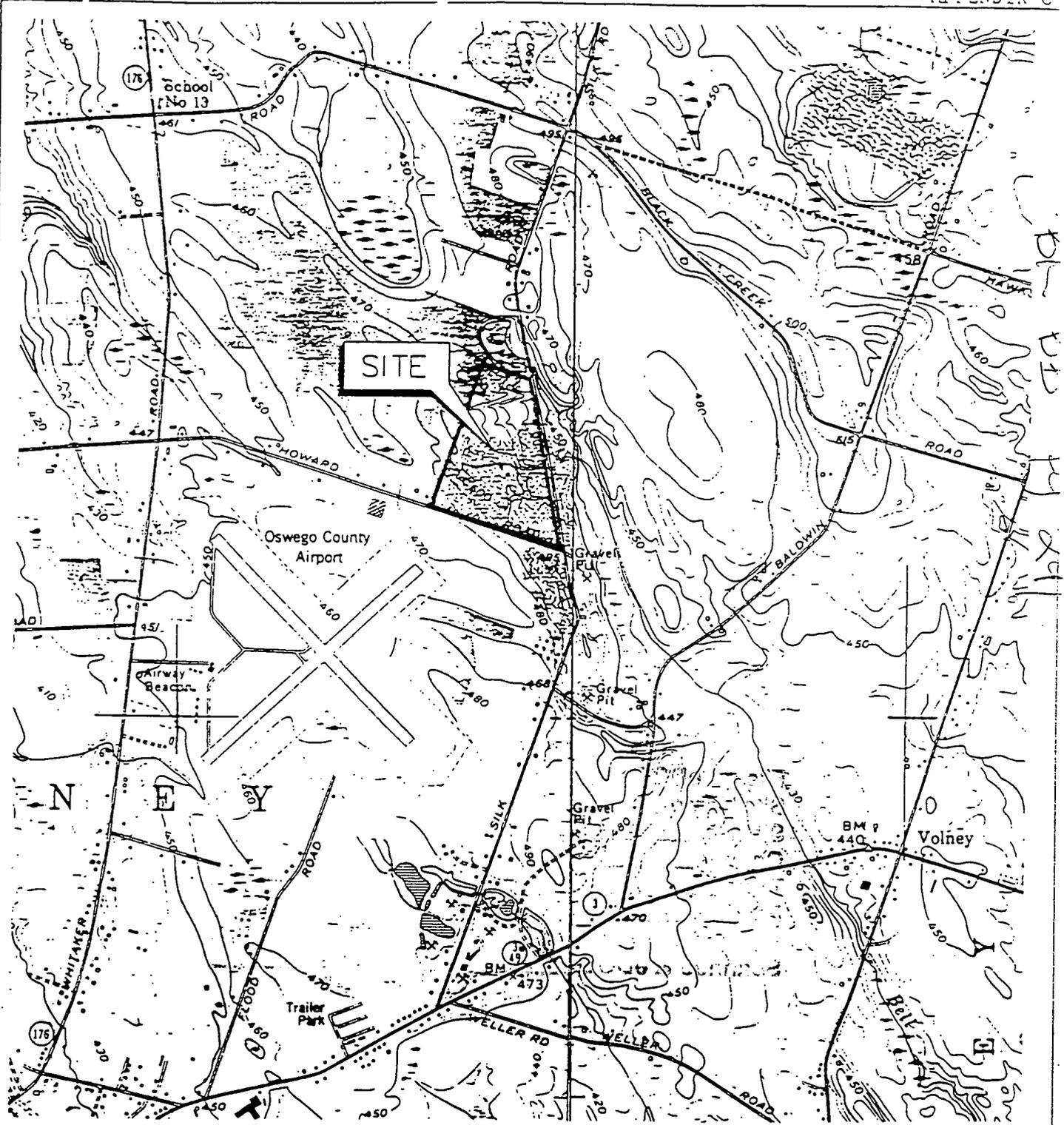
  
Theodore I. Jerrett  
Chairman, County Legislature  
46 East Bridge Street  
Oswego, New York 13126

STATE OF NEW YORK )  
                                  )  
COUNTY OF OSWEGO ) ss.:

On this 12<sup>th</sup> day of November, 1998, before me personally came Theodore I. Jerrett, to me known, who being duly sworn, did depose and say that he resides at 3449 County Route 6, Mexico, New York; that he is the Chairman of the Oswego County Legislature, the municipality described in and which executed the foregoing instrument; that he signed his name by order of the Oswego County Legislature.

  
Notary Public-State of New York  
My Commission Expires:

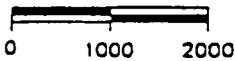
**BRUCE N. CLARK**  
#4606716  
Notary Public, State of New York  
My Commission Expires 5 - 31 99



DWG NO. DWGNUM



SCALE IN FEET



APPENDIX C  
 SITE MAP  
 OSWEGO COUNTY  
 VOLNEY LANDFILL

Exhibit A

File on eDOCs  Yes  No  
Site Name Volney  
Site No. 738003  
County Oswego  
Town Volney  
Foitable  Yes  No  
File Name 1998-11-20 DR  
Scanned & eDOC \_\_\_\_\_

STATE OF NEW YORK, COUNTY OF OSWEGO SS.  
I, GEORGE J. WILLIAMS, Clerk of the County of Oswego of the County Court  
of said County and of the Supreme Court, both being courts of Record  
having a common seal.  
DO HEREBY CERTIFY that I have compared this copy with the original filed,  
recorded, or entered in this office and that the same is a correct transcript  
thereof and of the whole of said original.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal  
of said County and Courts on  
Date 11/9/98 George J. Williams Clerk  
Facsimile signature used pursuant to Sec. 903 County Law