

New York State Department of Environmental Conservation
 Division of Environmental Remediation
 Bureau of Hazardous Site Control

828005

ADDITIONS/CHANGES TO REGISTRY: SUMMARY OF APPROVALS

SITE NAME: FORMER JALC EXTRUSIONS SITE DEC I.D. NUMBER 828005

Current Classification 2 Volunteer Yes No
 Sign (7) below

Activity: Add as Class Reclassify to 4 Delist Categor Modify
 ROD RECLASS

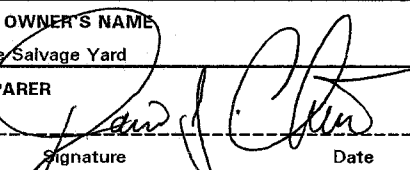
Approvals:

	Yes	No	
1. Regional Hazardous Waste Engineer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>
2. BEEI of NYSDOH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>
3. DEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>
4. <u>CONSTRUCTED</u> Remediation Action Bureau Director [Class 2]	<input type="checkbox"/>	<input type="checkbox"/>	<u>9/21/00</u>
5. BHSC - Investigation Section	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>
6. BHSC - O&M Section [Class 4]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10/20/00</u>
7. BPM - Brownfield & Voluntary Cleanup Section	<u>N/A</u>		Date _____
8. Site Control Section	<u>Don J. Fan</u>		Date <u>10/31/00</u>
9. Director	<u>Robert J. Marano</u>		Date <u>10/31/00</u>

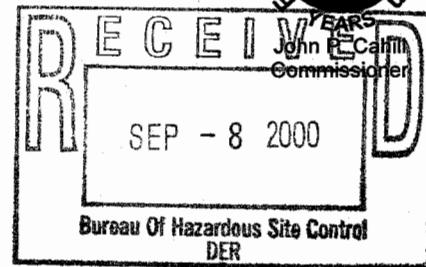
Completion Checklist for Registry Sites

	Completed By: Initials	Date
OWNER NOTIFICATION LETTER?	<input checked="" type="checkbox"/>	<u>11/13/00</u>
ADJACENT PROPERTY OWNER NOTIFICATION LETTER?	<input checked="" type="checkbox"/>	<u>11/28/00</u>
ENB/LEGAL NOTICE SENT? (For Deletion Only)	<input type="checkbox"/>	_____
COMMENTS SUMMARIZED/PLACE IN REPOSITORY?	<input type="checkbox"/>	_____
FINAL NOTIFICATION SENT TO OWNER? (For Deletion Only)	<input type="checkbox"/>	_____

SITE INVESTIGATION INFORMATION

1. SITE NAME Former Jarl Extrusions (ALCAN)		2. SITE NUMBER 8-28-005	3. TOWN/CITY/VILLAGE (T) Pittsford	4. COUNTY Monroe
5. REGION 8	6. CLASSIFICATION CURRENT: 2 PROPOSED: 4			
7. LOCATION OF SITE a. Quadrangles: Rochester East, Webster, Pittsford, and Fairport b. Site Latitude: 43° 07' 17" Site Longitude: 77° 29' 52" c. Tax Map Number: Tax Map #138.160-01-001 d. Site Street Address: 860 Linden Avenue				
8. BRIEFLY DESCRIBE THE SITE The site began making aluminum products in 1953. From 1953 until 1956 wastewaters were directly discharged into the ravine north of the site. From 1956 thru 1976 the wastewaters were pumped into two earthen, retention impoundments on the north side of the plant buildings which frequently overflowed. The wastewaters primarily contained inorganic contaminants (chromium and aluminum) and some organic contaminants (TCE) as well. In 1976 a pretreatment system was constructed and wastewaters were discharged to the municipal sewer system. In 1988 plant operations ceased and the property was purchased by Alcan. In December 1996 the facility was sold to Associated Tool & Die Company. The facility has since been sold to North Side Salvage. The PRP funded RI/FS was initiated in 1990 and was completed by signing of the Record of Decision for the site in March 1998. The Remedial Action was completed by the PRP in accordance with the ROD from April 2000 thru May 2000. Major remedial activities completed included excavation of the former impoundment cistern and impacted soils for on-site consolidation within former impoundments area followed by the construction of an asphalt cover system to promote surface drainage away from the former impoundment area. a. Area: 21 acres b. Completed: ()Phase I ()Phase II ()PSA ()RI/FS ()PA/SI (X)Other RA				
9. Hazardous Waste Disposed Waste hydraulic oil (unknown quantities) F019 - Waste water treatment sludge from chemical conversion and casting of aluminum containing chromium (4,567 CY - 10,351 CY)				
10. ANALYTICAL DATA AVAILABLE a. (X)Air (X)Groundwater (X)Surface Water (X)Sediment (X)Soil ()Waste (X)Leachate (X)EPTox (X)TCLP b. Contravention of Standards or Guidance Values The PRP RI identified subsurface soil and groundwater contamination by inorganic compounds (aluminum and chromium) and volatile organic compounds (VOCs). Contaminated soils were placed beneath the asphalt cap during the RA.				
11. CONCLUSION The selected remedy has been completed in accordance with the ROD and the approved design. A final inspection was held and the Engineer's certification is included along with the Executive Summary from the final Engineering / Certification Report for the asphalt cover dated August 2000. A draft long-term O&M Plan is currently under review by the NYSDEC. Continued monitoring of the groundwater will continue for at least five (5) years and maintenance of the asphalt cover will continue for thirty (30) years by the PRP. Thus, reclassification to class 4 is justified. a. Institutional Controls (IC) Required? (X)Yes ()No b. If yes, identify: Prevents future uses that are incompatible with asphalt cover. c. Are the ICs in place and verified? Yes. Declaration of Restrictions recorded in the Monroe County's Clerk Office on 3/8/00 (attached)				
12. SITE IMPACT DATA a. Nearest Surface Water: Distance 0.5 mi. Direction: North Classification: C(T) b. Nearest Groundwater: Depth approx. 10 ft. Flow Direction: North ()Sole Source ()Primary ()Principal c. Nearest Water Supply: Distance 1.5 mi. Direction: North Active: ()Yes (X)No d. Nearest Building: Distance 100 ft. Direction: West Use: Commercial e. Documented fish or wildlife mortality? ()Y (X)N i. If proposed Classification is 2, Priority ()1 ()2 ()3 f. Impact on special status fish or wildlife resource? ()Y (X)N j. EPA ID #: NYD002209625 g. Controlled Site Access? (X)Y ()N k. HRS Score: NA h. Exposed hazardous waste? ()Y (X)N				
13. SITE OWNER'S NAME Northside Salvage Yard		14. ADDRESS 954 W. Linden Avenue, East Rochester, NY 14445 - 1421		15. TELEPHONE NUMBER (716) 381 - 9667
16. PREPARER  Signature Date 9/21/00 David J. Chiusano, Environmental Engineer 1, BCS - DER Name, Title, Organization		17. APPROVED  Signature Date 9/21/00 Acting Director, BHSC Name, Title, Organization		

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Construction Services, Room 267
50 Wolf Road, Albany, New York 12233-7010
Phone: (518) 457-9280 • FAX: (518) 457-7743
Website: www.dec.state.ny.us



MEMORANDUM

TO: Robert Marino, Acting Director, Bureau of Hazardous Site Control

FROM: George W. Harris, Chief, Western Field Services Section
THRU: H. R. Koelling, Director, Bureau of Construction Services *HRK*

SUBJECT: Site No. 8-28-005, Former Jarl Extrusions Site, Monroe County

DATE: SEP - 8 2000

David Chiusano has prepared the attached Former Jarl Extrusions site reclassification package for review and appropriate processing by the Bureau of Hazardous Site Control. It is proposed to reclassify the 21 acre site from a class 2 to a class 4. This package follows completion of the responsible party remedial action by O'Brien & Gere Technical Services.

The Jarl Extrusions Company began making aluminum products at the site in 1953. From 1956-1976, wastewater from the plant was pumped into two impoundments on the north side of the site, where it was allowed to settle into site soils. Periodic overflows of the impoundments occurred during this period. This wastewater primarily contained inorganic contaminants (metals) from the aluminum extrusion process, but likely contained some organic contaminants as well. After 1976, wastewater was discharged to the sanitary sewer. Production of aluminum products at the site ceased in 1988. Alcan Aluminum (Alcan) purchased the site in 1989 after all processes within the plant had been shut down. In 1997 Alcan completed an environmental investigation of the site to determine the type and extent of contamination at the site. The investigation found soil and groundwater contamination on the site in concentrations above State standards.

Contaminants at the site generally consist of metals such as aluminum, chromium, and manganese. Organic contaminants were detected at the site in very low concentrations. While both organic compounds and metals were detected in groundwater above standards, they were present in relatively minor concentrations and no distinct groundwater contamination "plume" was identified. In December 1996 the facility was sold to the Associated Tool & Die Company. The facility has since been sold to the current owner, the Northside Salvage Company.

The DEC and Alcan signed a legal agreement in February 2000 which required Alcan to implement the cleanup plan. DEC approved a design plan for the cleanup activities in March 2000. Alcan subsequently awarded the contract for the cleanup to O'Brien & Gere Technical Services (OB&G) from Syracuse, New York. Cleanup activities were conducted from April 2000 through May 2000.

The selected remedy has been completed in accordance with the ROD and the approved design. Major activities completed included the excavation of an old underground cistern and contaminated soils on the site, relocation of the excavated cistern and soils into the former impoundments on the site, and the installation of an asphalt pavement cover over the former impoundment areas to direct rain water into existing drainage swales along the east and west perimeters of the site.

The remedial action plan also called for placing restrictions on the property deed to prevent future uses of the site that are incompatible with the chosen remedy. Accordingly, a copy of the original Declaration of Restrictions and Attachments that was recorded in the Monroe County's Clerk's Office on 3/8/00 has been attached for your files.

A final inspection was held and the Engineer's certification is included along with the Executive Summary from the final Engineering/Certification Report for the asphalt cover dated August 2000. A draft long-term O&M Plan has been reviewed by the BCS, and the workplan is currently being revised by the PRP accordingly. Monitoring of the groundwater is expected to be conducted over a minimal period of ten (10) years and maintenance of the asphalt cover will be done by the PRP over the next thirty (30) years. Thus, reclassification to class 4 is justified.

Supporting documentation, including proposed additions/changes to the Registry of Inactive Hazardous Waste Disposal Sites form, a Site Investigative Information form, and the executive summary from the final August 2000 Certification Report has been attached for your information and justification for the proposed site reclassification request.

Should you require further information, please have your staff contact David Chiusano at 7-7878.

Attachments

cc: w/o att.: T. Quinn
T. Koch
M. J. Peachey - NYSDEC, Region 8
M. VanValkenberg - NYSDOH, Troy
R. Elliott - MCHD



Department of Environmental Conservation

Division of Environmental Remediation

Record of Decision
Jarl Extrusions Site
Pittsford, Monroe County
Site Number 8-28-005

March 1998

New York State Department of Environmental Conservation
GEORGE E. PATAKI, *Governor* John P. Cahill, *Commissioner*

DECLARATION STATEMENT - RECORD OF DECISION

Jarl Extrusions Site Pittsford, Monroe County Inactive Hazardous Waste Site No. 8-28-005

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedial action for the Jarl Extrusions Inactive Hazardous Waste Disposal Site which was chosen in accordance with the New York State Environmental Conservation Law (ECL). The remedial program selected is not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan of March 8, 1990 (40CFR300).

This decision is based upon the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for the Jarl Extrusions Inactive Hazardous Waste Site and upon public input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. A bibliography of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Assessment of the Site

Actual or threatened releases of hazardous waste constituents from this site, if not addressed by implementing the response action selected in this ROD, present a current or potential threat to public health and the environment.

Description of Selected Remedy

Based upon the results of the Remedial Investigation/Feasibility Study (RI/FS) for the Jarl Extrusion Site and the criteria identified for evaluation of alternatives, the NYSDEC has selected a containment remedy for the site. The major components of the remedy are as follows:

- Excavation of contaminated surface soils along the eastern side of the site, and consolidation of this material within the former impoundment areas;
- Excavation of the cistern and associated contaminated soils, and consolidation of this material within the former impoundment areas;

- Design and construction of an asphalt cover system which will take possible future site uses into consideration. The cover system will be graded appropriately and will include appropriate drainage features to promote surface drainage away from the impoundment areas;
- Preparation and implementation of a long term Operation and Maintenance (O&M) plan for the cover. O&M activities include periodic repairs and sealing of the asphalt layer, and other maintenance as necessary;
- Preparation and implementation of a long term groundwater monitoring plan which will allow the effectiveness of the remedy to be monitored;
- Deed restrictions will be pursued to prevent future uses of the site which are incompatible with the selected remedy.

New York State Department of Health Acceptance

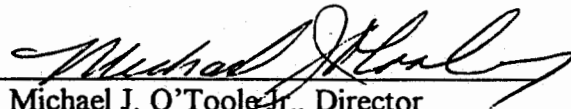
The New York State Department of Health concurs with the remedy selected for this site as being protective of human health.

Declaration

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

3/31/98

Date



Michael J. O'Toole Jr., Director
Division of Environmental Remediation

Inactive Hazardous Waste Disposal Report

Site Name: Former Jarl Extrusions, Inc. (ALCAN)		Site Code: 828005
Class Code: 4	Region: 8	County: Monroe
Address: 860 Linden Avenue	City: Pittsford	EPA Id: NYD002209625
Latitude: 43 7' 17"	Longitude: 77 29' 52"	Zip: 14445
Site Type: Lagoon Landfill	Estimated Size: 20	Acres

Site Owner / Operator Information:		
Current Owner(s) Name: Northside Salvage Yard		
Current Owner(s) Address: 954 Linden Avenue	E. Rochester	NY 14445
Owner(s) during disposal: Jarl Extrusions, Inc.		
Operator(s) during disposal: Jarl Extrusions, Inc.		
Stated Operator(s) Address: 860 Linden Avenue	Pittsford	NY 14445
Hazardous Waste Disposal Period: From 1954	To 1976	

Site Description:

Liquid wastes generated by Jarl Extrusions were discharged from the plant down into a ravine that is located north of the facility. This disposal practice was used from 1954 to 1962. From 1963 until 1976 the company used a lagoon system for their liquid waste disposal. Substances of concern that were used during the entire time period include nitric, sulfuric, and hydrofluoric acids, sodium hydroxide, and chromium salts used in the anodizing of aluminum. In 1973, samples were taken from the discharge sump, and analysis revealed hexavalent chromium at 16.7 ppm. Periodically, wastewater in the lagoon would overflow and enter into a tributary of Irondequoit Creek. Estimates of the amount of sludge remaining in the lagoons range from 4,567 cubic yards to 10,531 cubic yards. The lagoons are located over a primary aquifer. A Site Assessment was performed by Jarl Extrusions in 1987. It revealed that the groundwater was contaminated by several heavy metals including hexavalent chromium at levels exceeding the applicable Part 703 groundwater standards. The property was purchased by ALCAN in 1989. ALCAN signed a Consent Order to conduct a Remedial Investigation/Feasibility Study (RI/FS). In September 1996 the facility was sold to the Awaste Tool & Dye Co. The facility has since been sold to Northside Salvage Yard. A Record of Decision (ROD) was signed in March of 1998. The ROD specifies that the impoundment areas are to be paved with asphalt in order to prevent direct human contact. A Consent Order was signed with ALCAN in 1999 which requires that the conditions of the ROD are to be implemented. Cleanup activities were conducted from April 2000 through May 2000. Maintenance of the Asphalt Cover System will continue for thirty (30) years.

Confirmed Hazardous Waste Disposal:

Waste hydraulic oil
 Waste water treatment sludge from chemical conversion and casting of aluminum (containing chromium) (F019)

Quantity:

unknown
 between 4,567 and 10,351 cubic yards

Analytical Data Available for:	Air Groundwater Surface Water Soil Sediment
Applicable Standards Exceeded in:	Groundwater Drinking Water
Geotechnical Information:	Depth to Groundwater:
Soil/Rock Type: Fine sand-rich loam.	Approx. 65 feet.

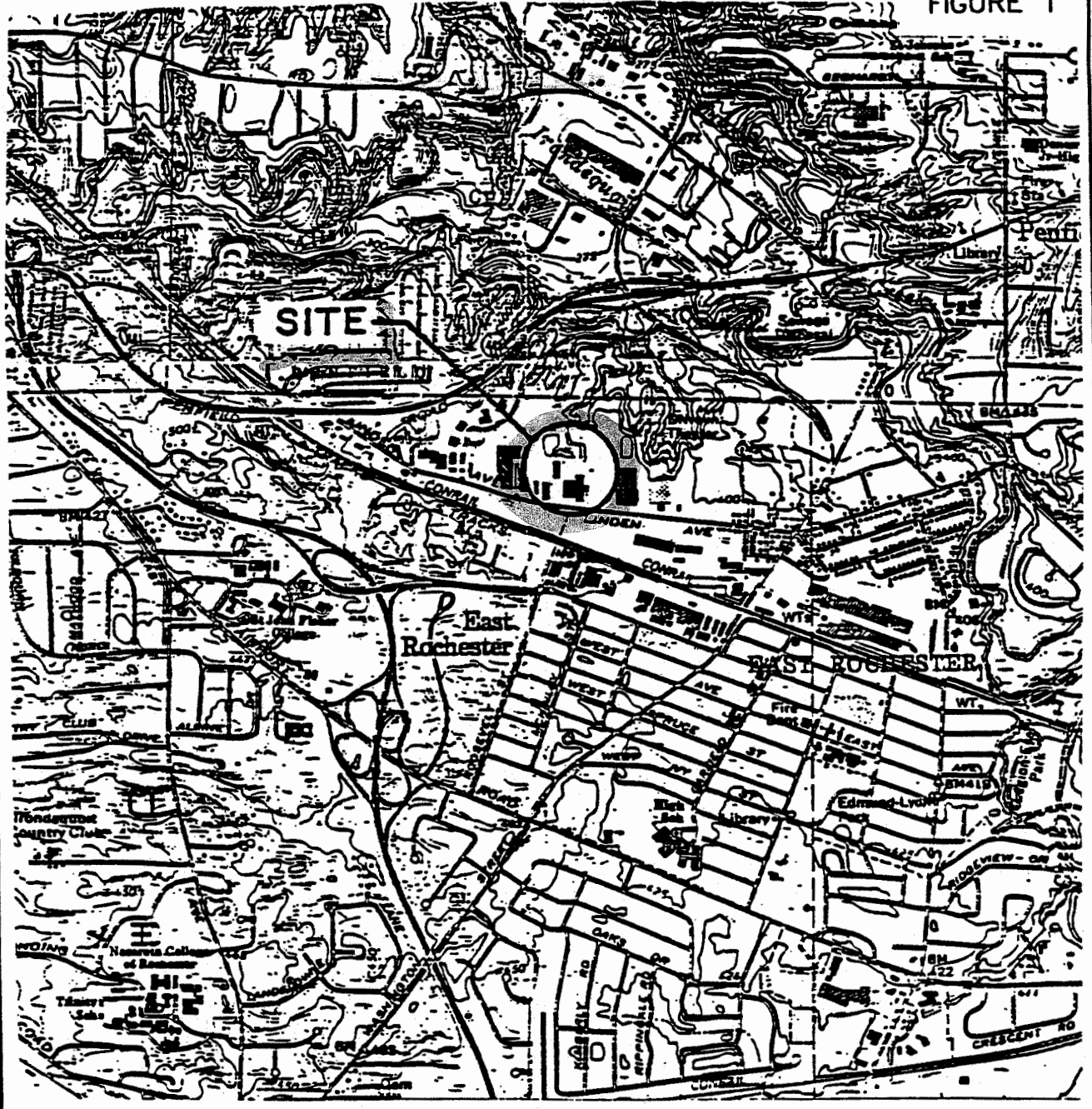
Legal Action: Type: State Consent Order -RD/RA	Status: Order Signed
Remedial Action: Complete	Nature of action: RI-FS & RD-RA for full site remedy

Assessment of Environmental Problems:

This site was considered to be a significant threat to a primary aquifer as well as the environment. The recently completed Remedial Action will minimize groundwater infiltration through the site.

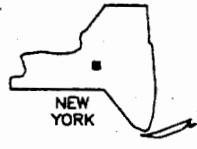
Assessment of Health Problems:

The site is located in a commercial/residential area which is served by public water. There are no private wells in the vicinity so exposures via drinking water are not expected. Access to the property is limited by chain link fencing and heavy underbrush. The site is being used as a automobile dealership with the automobiles parked in a location away from the former waste disposal area. The potential for human exposure to contaminants in on-site soil will be eliminated by consolidating surface soil within the impoundment area and constructing an asphalt cover system. A deed restriction will be put in place to prevent site uses which may cause future exposure to contaminated soils.



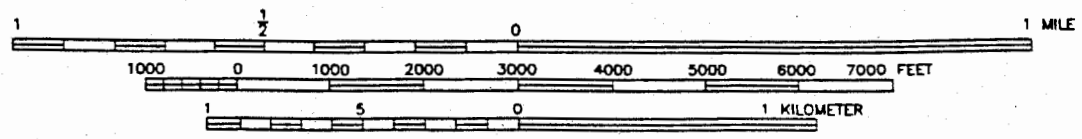
ADAPTED FROM: ROCHESTER, EAST, WEBSTER & FAIRPORT, NEW YORK U.S.G.S. 7.5 MIN. QUAD., 1955.

FORMER JARL EXTRUSIONS SITE
SITE 8-28-005 - PITTSFORD, N.Y.



SITE LOCATION MAP

QUADRANGLE LOCATION



FILE NO.: 0784.23404-003
DATE: MAY 2000

SCALE: 1:24000

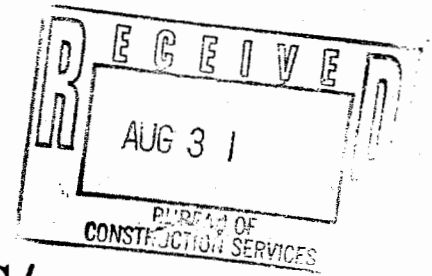


Fig. 1. Location of Former Jarl Extrusions



© 1997 DeLorme, Street Atlas USA

Mag 15.00	Scale 1:15,625 (at center)	— Local Road
	1000 Feet	▬ Interstate/Limited Access
	500 Meters	▬ State Route



FINAL ENGINEERING/ CERTIFICATION REPORT

**Former Jarl Extrusions Site
Pittsford, New York
Site No. 8-25-005**

August 2000



O'BRIEN & GERE
ENGINEERS, INC.

A series of approximately 20 horizontal lines of uniform thickness, stacked vertically, filling the bottom portion of the page.

Certification

The Remedial Design was implemented and construction activities were completed in accordance with the Remedial Design documents approved by New York State Department of Environmental Conservation.



A handwritten signature in black ink, appearing to read "Terrance P. Madden", written over a horizontal line.

Terrance P. Madden, P.E.
Vice President

2. Pre-construction site activities

2.1. Pre-construction documentation

As part of the pre-construction activities, O'Brien & Gere Technical Services Inc. (OBG Tech) developed a Health & Safety Plan that was submitted to NYSDEC for review and approval prior to commencing on-site activities. A copy of the May 2000 approval letter from NYSDEC is included in Appendix D. In addition, a project schedule was also developed and submitted to NYSDEC for review and comment prior to commencing on-site activities.

2.2. Subcontractors

Coordination of the on-site contractors and NYSDEC representatives was conducted by Marc Dent, P.E. of O'Brien & Gere.

OBG Tech was the general contractor for the site remediation activities. Robert Cheesman was the Project Manager and Chris Killoren was the on-site supervisor for OBG Tech. The following subcontractors were retained by OBG Tech for the project:

- Abscope Environmental, Inc. (Abscope) – site clearing, grading and installation/compaction of granular subbase, cistern removal;
- Hanson Aggregates East – granular material and asphalt for cover;
- Kovah Surveyors - surveyed construction grade stakes
- Ruston Paving – installation of the asphalt cover;
- Van der Horst Engineering – compaction testing.
- Richard Rybinski, L.S. - post construction site survey

2.3. Site preparation

Site preparation began with clearing and grubbing of the area over the impoundments (approximately 3 acres). Trees in the area were either shredded or stockpiled and stumps were removed and buried.

To minimize soil erosion, silt fencing and hay bales were installed around the construction area prior to clearing and grubbing in accordance with the Erosion and Sediment Control Plan. Dust monitoring conducted in accordance with NYS TAGM 4031: *Fugitive Dust Suppression and Particulate Monitoring at Inactive Waste Sites*.

A temporary decontamination area was constructed for cleaning of the construction equipment. The decontamination area was removed following the completion of on-site construction activities.

3. Construction activities

3.1. Field supervision

A full time representative from OBG Tech, remained on the site for the duration of the project acting as a field supervisor. The supervisor's responsibilities included observation of the construction activities to verify compliance with the approved plans and specifications, and acting as a representative of the engineer for field-related decisions. Project reports were prepared by the on-site field supervisor to identify personnel and equipment used, and to describe daily activities. Copies of the daily reports are included as Appendix E. O'Brien & Gere provided technical support and overall enforcement of the specifications throughout the project. The project manager for O'Brien & Gere visited the site on a periodic basis to review work progress and NYSDEC CO compliance.

O'Brien & Gere reviewed the following submittals from the contractor during the construction phase. Copies of these submittals are included as Appendix F.

- Granular subbase material
- Asphalt mix
- In-place field density test report

Field quality control of the remedial components was provided in accordance with the specifications and standard construction procedures.

3.2. On-site remedial activities

On-site remedial activities included surface soil sampling, clearing and grubbing, cistern removal, grading, placement and compaction of the granular subbase, placement of the asphalt cover and site survey. The activities associated with the installation of the asphalt cover were initiated on April 17, 2000 and completed on May 22, 2000.

In accordance with the ROD, a surface soil sampling program was conducted on June 15, 1998 by O'Brien & Gere along the eastern portion of the site within the drainage ditch. Eleven surface soil samples were collected by O'Brien & Gere and analyzed for total chromium at O'Brien & Gere Laboratories, Inc. in Syracuse, New York. Total chromium concentrations ranged from 14 to 180 mg/kg (ppm). These values were

below the risk based screening level for chromium for the site and were not significant enough to require excavation and consolidation within the limits of the asphalt cover. A copy of the NYSDEC approval letter is included in Appendix G.

Excavation of the cistern was conducted on April 26, 2000 by Abscope Environmental, Inc. The cistern was a 4 ft diameter by 12 ft deep steel vertical tank with a steel bottom and a removable steel top. The cistern was in good condition and no holes were observed.

During the excavation, an electrical conduit containing the power supply for a sump pump (located in the cistern) was uncovered. The conduit was approximately 10 ft. deep and originated from somewhere in the existing building located approximately 140 ft. south of the excavation. A white liquid was observed trickling from the conduit onto the floor of the excavation. The white liquid appeared to be "pulling lubricant" (soap) that is used to assist in the installation of wires in electrical conduits. At the direction of Dave Chiusano of NYSDEC, O'Brien & Gere collected a soil sample that contained the white liquid from the floor of the excavation. There was no solvent or oily odor associated with the soil sample. Following the collection of the soil sample, the electrical conduit was permanently sealed with mortar as prescribed by the Contract Documents and the excavation was backfilled with native material. The cistern was crushed and buried within the impoundment area as shown on the Record Drawing.

The soil sample was transported to O'Brien & Gere Laboratories, Inc. in Syracuse, New York. The sample was analyzed for volatile organic compounds (VOCs), aluminum, total chromium, hexavalent chromium and trivalent chromium as directed by NYSDEC in a letter dated April 28, 2000. The results of the analyses are presented below and copies of the laboratory sheets are included in Appendix H.

<u>Parameters</u>	<u>Results</u>
VOCs	Non-Detect
Aluminum	7600 mg/kg (ppm)
Total Chromium	34 mg/kg (ppm)
Hexavalent Chromium	<1 mg/kg (ppm)
Trivalent Chromium	34 mg/kg (ppm)

Note: Eastern USA Background Concentrations for aluminum and total chromium are 33,000 ppm and 1.5-40 ppm, respectively.

Based on the analytical results, the small amount of liquid that was present in the electrical conduit, the permanent sealing of the conduit with mortar and that the white liquid appeared to be "pulling lubricant" (soap), we recommended no further action.

Following clearing and grubbing, the native material was rough graded and compacted. Granular material was brought on-site, graded in accordance with the design documents and compacted. Compaction testing of the granular material was conducted by Van der Horst

Engineering. The test results were in accordance with the design documents. Refer to Appendix F.

A 2-inch asphalt subbase and a 1-inch asphalt top layer were installed by Ruston Paving over the granular subbase. The final asphalt cover that was installed over the impoundment area is approximately 3 acres. The finish grade of the asphalt cover provides proper surface drainage in accordance with the design documents.

3.3. Air monitoring

Air monitoring for dust was conducted in accordance with NYS TAGM 4031: Fugitive Dust Suppression and Particulate Monitoring at Inactive Waste Sites. The monitoring was performed on-site to evaluate both worker and public exposure during construction activities. Air monitoring was conducted continuously during intrusive activities. The purpose of the testing was to determine whether the workers were wearing the appropriate level of personal protective equipment and whether dust control measures needed to be employed. Airborne dust particles did not exceed the action level of 0.15 mg/m^3 over the integrated period not to exceed 15 minutes. Therefore, the dust suppression methods described in Section 3.5 of the Health and Safety Plan were not utilized. The air monitoring logs are included in Appendix I.

3.4. Record drawings

Following completion of the construction activities a site survey was conducted by Richard Rybinski, L.S.. A record drawing was developed from this survey and information recorded in the field during construction activities. The drawing indicates the horizontal location and elevations of the asphalt cover. The site survey and record drawing are provided in Appendix J.

3.5. Construction photographs

Photographs were taken during the construction of the asphalt cover and the removal of the cistern. Representative photographs are included in Appendix K.

3.6. Operation, maintenance and monitoring plan

Upon completion of the construction activities, an Operation, Maintenance and Ground Water Monitoring Plan (O&M) was prepared and submitted to NYSDEC on June 28, 2000 for review and comment. The O&M summarizes the components of the remedial action, provides procedures for routine inspections and reporting of information and, summarizes the ground water monitoring activities at the site.

Alcan Aluminum Corporation

6060 Parkland Boulevard
Cleveland, OH 44124-4185

Mailing Address:
P.O. Box 6977
Cleveland, OH 44101-1977

Tel: (440) 423-6000
Fax: (440) 423-6663



Direct Telephone No.: 440-423-6805
Direct Fax No.: 440-423-6663
E-Mail: john.tillman@alcan.com

March 14, 2000

Jeffrey A. Konsella, P.E.
Division of Environmental Remediation
New York State Department of Environmental
Conservation
50 Wolf Road
Albany, New York 12233-7010

Re: **Former Jarl Extrusions Site, Site #8-28-005**
February 18, 2000 Order on Consent, Index #B8-0049-97-07

Dear Mr. Konsella:

According to section XI of the February 18, 2000 Order on Consent, enclosed please find a time-stamped copy of the filed original Declaration of Restrictions and Attachments recorded in the Monroe County Clerk's Office on March 8, 2000, at 9:56 A.M. in Liber 9283 of Deeds, Page 74.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "John C. Tillman".

John C. Tillman
Associate Counsel

JCT/ncp
Enclosure

Alcan Aluminum Corporation

- 2 -



Copies to:

Director, Bureau of Environmental
Exposure Investigation
New York State Department of Health
Flanagin Square
547 River Street
Troy, New York 12180

New York State Department of Environmental
Conservation
Division of Environmental Remediation
6271 East Avon-Lima Road
Avon, New York 14414-0057

Richard Elliott, P.E.
Monroe County Department of Health
111 Westfall Road, Caller 632
Rochester, New York 14692

Glen R. Bailey, Esq.
New York State Department of Environmental
Conservation
Division of Environmental Enforcement
270 Michigan Avenue
Buffalo, New York 14203-2999

Dr. Peter S. Segretto (w/o encl.)
Alcan Aluminum Corporation
6060 Parkland Boulevard
Mayfield Heights, OH 44124-4185

Mr. Marc Dent (w/o encl.)
O'Brien & Gere Engineers, Inc.
5000 Brittonfield Parkway
Syracuse, New York 13221-4873

RECEIVED

Box 93
(SOT)

00112-8 AM 9:56

DECLARATION OF RESTRICTIONS

WHEREAS, by deeds listed on Exhibit A annexed hereto (collectively the "Deeds"), 860 LINDEN PARK, INC. ("Owner") is the owner in fee simple of certain real property located in the Town of Pittsford, County of Monroe and State of New York ("Property") and being more particularly described on Exhibit A; and

WHEREAS, pursuant to the Agreement of Purchase and Sale between Alcan Aluminum Corporation ("Alcan") and Owner ("Purchase Agreement"), the Deeds contained certain covenants and restrictions regarding the pending negotiations between Alcan and the New York Department of Environmental Conservation ("DEC") for remediation of certain environmental conditions on the property ("Remediation"); and

WHEREAS, a certain unrecorded Consent and Forebearance Agreement ("Forebearance Agreement") dated September 29, 1998 among Alcan, Owner, Northside Salvage Yard, Inc, ("Northside"), John P. Sebastian and Joseph Sebastian (collectively the "Sebastians") contained additional restrictions on the Property pertaining to the Remediation; and

WHEREAS, Paragraph 3 of Schedule B of each of the Deeds reserves to Alcan the right to execute and record in the Monroe County Clerk's Office a revised Declaration of Restrictions as may be required by DEC, without the consent of Owner provided such revised Declaration does not restrict use of the Property in the manner specified in Paragraph 3 of Schedule B ("Consent Restrictions"); and

WHEREAS, the restrictions contained in this instrument do not constitute Consent Restrictions and, accordingly, the consent of Owner is not required; and

WHEREAS, Owner is the current owner of the Property and Northside is the current occupant of the Property; and

WHEREAS, the Property was the subject of an enforcement proceeding brought by DEC pursuant to Article 27, Title 13 of the New York State Environmental Conservation Law; and

WHEREAS, such proceeding was resolved by an Order on Consent dated February 18, 2000 a copy of which is annexed hereto as Exhibit B; and

WHEREAS, pursuant to the terms of such Order on Consent, Alcan is required to undertake certain response activities at the Property, and

17

WHEREAS, pursuant to the terms of Article XI of the Order on Consent, Alcan is required to file this Declaration of Restrictions with the Monroe County Clerk's Office for the purpose of providing notice of the Order on Consent to all potential future purchasers of any portion of the Property; and

WHEREAS, in addition to recording the Order on Consent, Alcan desires to restate and modify certain restrictions contained in the Deeds, Forebearance Agreement and the Purchase Agreement and to include such restrictions in this Declaration of Restrictions, such that Owner, Northside and future owners and occupants of the Property may rely on this Declaration to guide their use of the Property from the date of recording of this Declaration;

NOW THEREFORE, in consideration of the foregoing and One Dollar (\$1.00) and other good and valuable consideration, Alcan hereby declares that the Property shall be held, sold, and conveyed subject to the covenants, conditions, conditions, and restrictions set forth in the Order on Consent, the obligations under such Order on Consent constituting a covenant running with the land. Such covenants shall be binding on all parties having any right, title, or interest in the Property, their distributees, successors, and assigns. All subsequent owners shall be deemed to covenant by acceptance of a deed, whether or not it shall be expressed in the deed, to be bound by the obligations of the Order on Consent.

Alcan further declares that the Property shall be held, sold and conveyed subject to the additional covenants, conditions and restrictions ("Additional Restrictions") set forth on Exhibit C attached hereto, all of which shall constitute a covenant running with the land and shall supersede and replace the restrictions in the Deeds and Forebearance Agreement. Such covenants shall be binding on all parties having any right, title or interest in the Property, their distributees, successors and assigns. All subsequent owners shall be deemed to covenant by acceptance of a deed, whether or not it shall be expressed in the deed, to be bound by the Additional Restrictions.

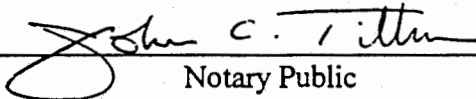
IN WITNESS WHEREOF, Alcan has hereunto set its hand and seal on this 1st day of March, 2000.

ALCAN ALUMINUM CORPORATION

By: William H. Jamel
Its: Vice President + General Counsel

STATE OF OHIO)
COUNTY OF CUYAHOGA) ss:

On the 1st day of March in the year 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared William James, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) 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.



Notary Public

JOHN C. TILLMAN, ATTORNEY AT LAW
Notary Public - State of Ohio
My Commission Has No Expiration.
Section 147.03 R.C.

Exhibit A to

Declaration of Restrictions

Legal Description of Premises

ALL THAT TRACT OR PARCEL OF LAND, being part of Town Lot 3, of the Blake Tract, Township 12, Range 3, Phelps & Gorham Purchase, Town of Pittsford, Monroe County, New York (#88-36)

Commencing at a point on the centerline of Linden Avenue at its intersection with the west line of Town Lot 3; thence (1) $00^{\circ}15'44''$ east and along the east property line of lands now or formerly Alloy Supply Co., Inc., and C.O.M.I.D.A. (Milton Roy Company Analytical Products Division) a distance of 1,461.66' to a point; thence (2) north $88^{\circ}32'57''$ east and along the division line between the Town of Penfield on the north and the Town of Pittsford on the south forming an interior angle of $91^{\circ}42'47''$ with course (1) a distance of 600.20' to a point; thence (3) south $00^{\circ}15'44''$ west and along the west property line of lands now or formerly Beaudell, Inc. forming an interior angle of $88^{\circ}17'13''$ with course (2) a distance of 1,539.34' to a point; thence (4) north $84^{\circ}03'06''$ west and along the centerline of Linden Avenue forming an interior angle of $84^{\circ}18'50''$ with course (3) a distance of 602.90' to the point of beginning. Course (4) forms an interior angle of $95^{\circ}41'10''$ with course (1). Parcel contains 885,278 square feet which equals 20.323 acres to the northerly highway boundary line of Linden Avenue.

Deed dated December 18, 1996 and recorded on December 20, 1996 in Liber 8820 of Deeds, Page 614.

Correction Deed dated February 3, 2000 and recorded on February 9, 2000 in Liber 9273 of Deeds, Page 385.

Exhibit B to
Declaration of Restrictions

Order on Consent

STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of the
Development and Implementation
of a Remedial Program for an
Inactive Hazardous Waste Disposal
Site, Under Article 27, Title 13,
and Article 71, Title 27 of the
Environmental Conservation Law
of the State of New York by

ORDER
ON
CONSENT

Index # B8-0049-97-07

ALCAN ALUMINUM CORPORATION

Respondent

Site Code # 8-28-005

WHEREAS,

1. The New York State Department of Environmental Conservation (the "Department") is responsible for the enforcement of Article 27, Title 13 of the Environmental Conservation Law of the State of New York ("ECL"), entitled "Inactive Hazardous Waste Disposal Sites." This Order is issued pursuant to the Department's authority under ECL Article 27, Title 13 and under ECL 3-0301.

2. Alcan Aluminum Corporation ("Respondent"), is a corporation doing business in the State of New York, and Respondent formerly owned real property in the Town of Pittsford, Monroe County generally recognized as the Jarl Extrusions facility ("the Site"). Respondent has conducted a remedial investigation and feasibility study at the Site, and has submitted reports detailing its activities, all pursuant to previous Orders on Consent.

3. The Department asserts that the Site is an inactive hazardous waste disposal site, as that term is defined at ECL 27-1301.2, and presents a significant threat to the public health or environment. The Site has been listed in the Registry of Inactive Hazardous Waste Disposal Sites in New York State as Site Number 8-28-005. The Department has classified the Site as a Classification "2" pursuant to ECL 27-1305.4.b.

4. A. Pursuant to ECL 27-1313.3.a, whenever the Commissioner of Environmental Conservation (the "Commissioner") "finds that hazardous wastes at an inactive hazardous waste disposal site constitute a significant threat to the environment, he may order the owner of such site and/or any person responsible for the disposal of hazardous wastes at such site (i) to develop an inactive hazardous waste disposal site remedial program, subject to the approval of the department, at such site, and (ii) to implement such program within reasonable time limits specified in the order."

B. Any person under order pursuant to ECL 27-1313.3.a has a duty imposed by ECL Article 27, Title 13 to carry out the remedial program committed to under order. ECL 71-2705 provides that any person who fails to perform any duty imposed by ECL Article 27, Title 13 shall be liable for civil, administrative and/or criminal sanctions.

C. The Department also has the power, inter alia, to provide for the prevention and abatement of all water, land, and air pollution. ECL 3-0301.1.i.

5. Following a period of public comment, the Department selected a final remedial alternative for the Site in a Record of Decision ("ROD"). The ROD, as modified by correspondence from Craig Jackson of the Department to Peter Segretto of Respondent dated March 10, 1999, and Table 3 related thereto, attached to the ROD, is attached to this Order as Appendix "A" and incorporated as an enforceable part of this Order. As used in this Order, references to the ROD shall include reference to the attached correspondence.

6. The Department and Respondent agree that the goals of this Order are for Respondent to (i) develop and implement, in accordance with the ROD, a remedial program ("Remedial Program") for the Site that shall include design and implementation, and operation, maintenance and monitoring of the selected remedial alternative; and (ii) reimburse the State's administrative costs.

7. Respondent, having waived it's right to a hearing herein as provided by law, and having consented to the issuance and entry of this Order, agrees to be bound by its terms. Respondent consents to and agrees not to contest the authority or jurisdiction of the Department to issue or enforce this Order, and agrees not to contest the validity of this Order or

its terms.

NOW, having considered this matter and being duly advised, IT IS ORDERED THAT:

I. Remedial Design Contents

A. Within 30 days after the effective date of this Order, Respondent shall submit to the Department a schedule for development of the remedial design to implement the remedial alternative for the Site selected by the Department in the ROD (the "Remedial Design") and in accordance with the schedule as approved by the Department, Respondent shall develop and submit the Remedial Design for approval. The Remedial Design shall be prepared by and have the signature and seal of a professional engineer who shall certify that the Remedial Design was prepared in accordance with this Order.

B. The Remedial Design shall include the following:

1. A detailed description of the remedial objectives and the means by which each element of the selected remedial alternative will be implemented to achieve those objectives, including, but not limited to:

a. the construction and operation of any structures;

b. the collection, destruction, treatment, and/or disposal of wastes and their constituents and degradation products, and of any soil or other materials contaminated thereby;

c. the collection, destruction, treatment, and/or disposal of contaminated groundwater, leachate, and air, if necessary;

d. physical security and posting of the Site;

e. health and safety of persons living and/or working at or in the vicinity of the Site;

f. quality control and quality assurance procedures and protocols to be applied during implementation of the Remedial Design; and

g. monitoring during implementation of the Department-selected remedial alternative.

2. "Biddable Quality" documents for the Remedial Design including, but not limited to, documents and specifications prepared, signed, and sealed by a professional engineer. These plans shall satisfy all applicable local, state and federal laws, rules and regulations;

3. A time schedule to implement the Remedial Design;

4. The parameters, conditions, procedures, and protocols to determine the effectiveness of the Remedial Design;

5. A groundwater monitoring plan which designates groundwater monitoring wells, sampling methodology, analytical methods, and a schedule for sampling and reporting, and a summary of deliverables to be included in groundwater

monitoring reports;

6. A description of operation, maintenance, and monitoring activities to be undertaken after the Department has approved construction of the Remedial Design, including the number of years during which such activities will be performed;

7. A contingency plan to be implemented if any element of the Remedial Design fails to achieve any of its objectives or otherwise fails to protect human health or the environment;

8. A health and safety plan for the protection of persons at and in the vicinity of the Site during construction and after completion of construction. This plan shall be prepared in accordance with 29 CFR 1910 by a certified health and safety professional; and

9. A citizen participation plan which incorporates appropriate activities outlined in the Department's publication, "Citizen Participation in New York's Hazardous Waste Site Remediation Program: A Guidebook" dated June 1998, and any subsequent revisions thereto, and 6 NYCRR Part 375.

II. Remedial Design Construction and Reporting

A. Within 30 days of the Department's approval to do so, Respondent shall commence construction of the Remedial Design unless prevented from doing so due to weather or specific physical Site conditions. In such event, Respondent shall, within said 30 days, notify the Department of the approximate

date on which construction of the Remedial Design shall commence, which date shall be no later than 15 days from the date of notice of delay unless otherwise agreed to in writing by the Department.

B. Respondent shall implement the Remedial Design in accordance with the Department-approved Remedial Design.

C. During implementation of designated construction activities identified in the Remedial Design, Respondent shall have on-Site a full-time representative who is qualified to supervise the work done.

D. Within 45 days after completion of the construction activities identified in the Remedial Design, Respondent shall submit to the Department a detailed post-remedial operation and maintenance plan ("O&M Plan"); "as-built" drawings and a final engineering report (each including all changes made to the Remedial Design during construction); and a certification by a professional engineer that the Remedial Design was implemented and all construction activities were completed in accordance with the Department-approved Remedial Design. The O&M Plan, "as built" drawings, final engineering report, and certification must be prepared, signed, and sealed by a professional engineer.

E. Upon the Department's approval of the O&M Plan, Respondent shall implement the O&M Plan in accordance with the requirements of the Department-approved O&M Plan.

F. After receipt of the "as-built" drawings, final engineering report, and certification, the Department shall notify Respondent in writing whether the Department is satisfied that all construction activities have been completed in compliance with the approved Remedial Design.

G. If the Department concludes that any element of the Remedial Program fails to achieve its objectives or otherwise fails to protect human health or the environment, Respondent shall take such action which the Department determines to be necessary to achieve those objectives or to ensure that the Remedial Program otherwise protects human health and the environment.

III. Progress Reports

A. During construction of the Remedial Design and continuing until the Department has approved the final engineering report and O&M Plan, Respondent shall submit to the parties identified in Subparagraph XII.B in the numbers specified therein copies of written monthly progress reports that:

1. describe the actions which have been taken toward achieving compliance with this Order during the previous month;

2. include all results of sampling and tests and all other data received or generated by Respondent or Respondent's contractors or agents in the previous month,

including quality assurance/quality control information, whether conducted pursuant to this Order or conducted independently by Respondent;

3. identify all work plans, reports, and other deliverables required by this Order that were completed and submitted during the previous month;

4. describe all actions, including, but not limited to, data collection and implementation of work plans, that are scheduled for the next month and provide other information relating to the progress at the Site;

5. include information regarding percentage of completion, unresolved delays encountered or anticipated that may affect the future schedule for implementation of the Respondent's obligations under the Order, and efforts made to mitigate those delays or anticipated delays;

6. include any modifications to any work plans that Respondent has proposed to the Department or that the Department has approved; and

7. describe all activities undertaken in support of the Citizen Participation Plan during the previous month and those expected to be undertaken in the next month.

B. Respondent shall submit these progress reports to the Department by the tenth day of every month following the effective date of this Order.

C. Respondent also shall allow the Department to

attend, and shall provide the Department at least seven days advance notice of, any of the following activities which are conducted in relation to the Remedial Design: prebid meetings, job progress meetings, substantial completion meeting and inspection, and final inspection and meeting.

IV. Review of Submittals

A. 1. The Department shall review each submittal Respondent makes pursuant to this Order to determine whether it was prepared, and whether the work done to generate the data and other information in the submittal was done, in accordance with this Order and generally accepted technical and scientific principles. The Department shall use its best efforts to complete such review within 30 days of receipt of the submittal from Respondent. The Department shall notify Respondent in writing of its approval or disapproval of the submittal, except for the submittal discussed in Paragraph I.B.(8). All Department-approved submittals shall be incorporated into and become an enforceable part of this Order.

2. a. If the Department disapproves a submittal, it shall notify Respondent in writing and shall specify the reasons for its disapproval. Within 30 days after receiving written notice that Respondent's submittal has been disapproved, Respondent shall make a revised submittal to the Department that addresses and resolves all of the Department's stated reasons for disapproving the first submittal.

b. After receipt of the revised submittal, the Department shall notify Respondent in writing of its approval or disapproval. If the Department disapproves the revised submittal, Respondent shall be in violation of this Order unless Respondent invokes the dispute resolution provision as provided in Paragraph V, below, and the Department may take any action or pursue whatever rights it has pursuant to any provision of statutory or common law. If the Department approves the revised submittal, it shall be incorporated into and become an enforceable part of this Order.

B. Respondent shall modify and/or amplify and expand a submittal upon the Department's direction to do so if the Department determines, as a result of reviewing data generated by an activity required under this Order or as a result of reviewing any other data or facts, that further work is necessary.

V. Dispute Resolution

A. In the event of a dispute between the Department and Respondent regarding the disapproval of a submittal or the need for modification or amplification of a submittal or of the Remedial Program pursuant to Paragraphs II.G, IV.A.2.b, or IV.B hereof, the parties shall first attempt to resolve the dispute informally between them. If informal discussions and negotiations do not appear to be resolving the dispute within thirty (30) days of Respondent's receipt of the notice of the

Department's disapproval of a submittal or its determination that further work is necessary, Respondent shall be entitled to invoke this Subparagraph to resolve the issues in dispute.

1. Within 30 days of the date on which the Department issues a notification to Respondent pursuant to Paragraph II.G, IV.A.2, or IV.B, Respondent shall serve upon the Department a request for an appointment of an Administrative Law Judge ("ALJ").

2. A request for an ALJ shall include a written statement of the issues in dispute along with the relevant facts upon which the dispute is based and the factual data, analyses or opinions supporting Respondent's position, and all other supporting documentation on which Respondent relies ("Statement of Position"), with copies also delivered to Jeffrey A. Konsella and to Glen R. Bailey at the addresses provided in Paragraph XII, below.

3. The Department staff shall deliver its Statement of Position to the ALJ and to Respondent no later than fifteen (15) business days after receipt of Respondent's Statement of Position.

B. The Department shall compile an administrative record of any dispute pursuant to this paragraph. The record shall include the Statement of Position of each party and any other identified relevant information. The record shall be available for review to all parties and to the public.

C. Upon review of the administrative record, the ALJ shall issue a final decision and order resolving the dispute. Respondent shall have the burden of proving that there is no rational basis for the Department's position giving rise to the dispute.

D. The invocation of the procedures stated in this paragraph shall not extend, postpone, or modify Respondent's obligations under this Order with respect to any undisputed items. Respondent shall not be in violation of this Order for failure to perform tasks or obligations which are directly related to the issues in dispute or which may be altered or revised in the resolution of the issues in dispute. The invocation of the procedures provided in this subparagraph shall constitute an election of remedies by the party initiating the proceedings, and such election of this remedy shall constitute a waiver of any and all other remedies which may otherwise have been available to the party regarding the issue in dispute.

VI. Penalties

A. Respondent's failure to comply with any term of this Order constitutes a violation of this Order and the ECL. Respondent shall be liable for payment to the Department of the sums set forth by statute as penalties for each day or part thereof that the Respondent is in violation of the terms of this Order.

B. Respondent shall not suffer any penalty under

this Order or be subject to any proceeding or action if it cannot comply with any requirement hereof because of war, riot, or an unforeseeable disaster arising exclusively from natural causes which the exercise of ordinary human prudence could not have prevented. Respondent shall, within five days of when it obtains knowledge of any such condition, notify the Department in writing. Respondent shall include in such notice the measures taken and to be taken by Respondent to prevent or minimize any delays and shall request an appropriate extension or modification of this Order. Failure to give such notice within such five-day period constitutes a waiver of any claim that a delay is not subject to penalties. Respondent shall have the burden of proving that an event is a defense to compliance with this Order pursuant to this Subparagraph VI.B.

VII. Entry upon Site

Respondent hereby consents to the entry upon the Site or areas in the vicinity of the Site which may be under the control of the Respondent by any duly designated employee, consultant, contractor, or agent of the Department or any State agency for purposes of inspection, sampling, and testing and to ensure Respondent's compliance with this Order. Respondent shall provide the Department with office space at the Site, including access to a telephone, comparable to the office space available to Respondent and/or its consultant, and shall permit the Department full access to all records relating to matters

addressed by this Order and job meetings.

VIII. Payment of State Costs

Within 30 days after receipt of an itemized invoice from the Department, Respondent shall pay to the Department a sum of money which shall represent reimbursement for the State's expenses including, but not limited to, direct labor, fringe benefits, indirect costs, travel, analytical costs, and contractor costs incurred by the State of New York for work performed at the Site since the date of the ROD, as well as for negotiating this Order, reviewing and revising submittals made pursuant to this Order, overseeing activities conducted pursuant to this Order, collecting and analyzing samples, and administrative costs associated with this Order. Such payment shall be made by certified check payable to the Department of Environmental Conservation. Payment shall be sent to the Bureau of Program Management, Division of Environmental Remediation, N.Y.S.D.E.C., 50 Wolf Road, Albany, NY 12233-7010. Itemization of the costs shall include an accounting of personal services indicating the employee name, title, biweekly salary, and time spent (in hours) on the project during the billing period, as identified by an assigned time and activity code. This information shall be documented by reports of Direct Personal Service. Approved agency fringe benefit and indirect cost rates shall be applied. Non-personal service costs shall be summarized by category of expense (e.g., supplies, materials,

travel, contractual) and shall be documented by expenditure reports.

IX. Department Reservation of Rights

A. Nothing contained in this Order shall be construed as barring, diminishing, adjudicating, or in any way affecting any of the Department's civil, criminal, administrative, or equitable rights or authorities.

B. Nothing contained in this Order shall be deemed to supercede, replace, revise or otherwise alter any terms of any previous Orders with the same Respondent, to the extent that the terms of such Orders have not been fulfilled.

C. Nothing contained in this Order shall be construed to prohibit the Commissioner or his duly authorized representative from exercising any summary abatement powers.

X. Indemnification

Respondent shall indemnify and hold the Department, the State of New York, and their representatives and employees harmless for all claims, suits, actions, damages, and costs of every name and description arising out of or resulting from the fulfillment or attempted fulfillment of this Order by Respondent, and/or Respondent's directors, officers, employees, servants, agents, successors, and assigns, provided, however, that Respondent shall not be required to indemnify and hold harmless the Department, the State of New York, or their representatives or employees for any claims, suits, actions,

damages, or costs of any name and description arising out of or resulting from the unlawful, willful or malicious acts or omissions of the Department, the State of New York or their representatives and employees.

XI. Public Notice

Within 30 days after the effective date of this Order, Respondent shall provide the Department with a verified copy of the Declaration of Covenants and Restrictions which Respondent is to have filed with the Clerk of Monroe County to give all parties who may acquire any interest in the Site notice of conditions at the Site.

XII. Communications

A. All written communications required by this Order shall be transmitted by United States Postal Service, by private courier service, or hand delivered as follows:

Communication from Respondent shall be sent to:

Jeffrey A. Konsella, P.E.
Division of Environmental Remediation
New York State Department of Environmental
Conservation
50 Wolf Road
Albany, New York 12233-7010

with copies thereof sent to:

1. Director, Bureau of Environmental
Exposure Investigation
New York State Department of Health
Flanagan Square
547 River Street
Troy, New York 12180

2. New York State Department of Environmental Conservation
Division of Environmental Remediation
6271 East Avon-Lima Road
Avon, New York 14414-0057
3. Richard Elliott, P.E.
Monroe County Department of Health
111 Westfall Road, Caller 632
Rochester, New York 14692
4. Glen R. Bailey, Esq.
New York State Department of Environmental Conservation
Division of Environmental Enforcement
270 Michigan Avenue
Buffalo, New York 14203-2999

B. Copies of work plans and reports shall be submitted as follows:

1. Four copies (one unbound) to Jeffrey Konsella, Division of Environmental Remediation.
2. Two copies to the Director, Bureau of Environmental Exposure Investigation.
3. Two copies to the Division of Environmental Remediation, Region 8, Avon
4. One copy to Richard Elliott, Monroe County Department of Health
5. One copy to Glen Bailey, Division of Environmental Enforcement, Buffalo

C. Within 30 days of the Department's approval of any report submitted pursuant to this Order, Respondent shall submit to Jeffrey Konsella a computer readable magnetic media copy of the approved report in American Standard Code for Information Interchange (ASCII) format.

D. Communication to be made from the Department to Respondent shall be sent to:

Peter Segretto, Ph.D.
Manager of Environmental Affairs
Alcan Aluminum Corporation
6060 Parkland Boulevard
Mayfield Heights, Ohio 44124-4185

and to: John Tillman, Esq.
Associate Counsel
Alcan Aluminum Corporation
6060 Parkland Boulevard
Mayfield Heights, Ohio 44124-4185

E. The Department and Respondent reserve the right to designate additional or different addressees for communication on written notice to the other.

XIII. Miscellaneous

A. All activities and submittals required by this Order shall address contamination resulting from the disposal of wastes at the Site in accordance with the ROD.

B. Respondent shall retain professional consultants, contractors, laboratories, quality assurance/quality control personnel, and data validators acceptable to the Department to perform the technical, engineering, and analytical obligations required by this Order. The experience, capabilities, and qualifications of the firms or individuals selected by Respondent shall be submitted to the Department within 5 days after the effective date of this Order. The Department's approval of these firms or individuals shall be obtained before the start of any activities for which Respondent

and such firms or individuals will be responsible. The Department acknowledges that the firm of O'Brien & Gere Engineers, Inc., includes staff with the requisite training and experience. The responsibility for the performance of the professionals retained by Respondent shall rest solely with Respondent.

C. The Department shall have the right to obtain split samples, duplicate samples, or both, of all substances and materials sampled by Respondent, and the Department also shall have the right to take its own samples. Respondent shall make available to the Department the results of all sampling and/or tests or other data generated by Respondent with respect to implementation of this Order and shall submit these results in the progress reports required by this Order.

D. Respondent shall notify the Department at least 10 working days in advance of any field activities to be conducted pursuant to this Order.

E. Respondent shall obtain all permits, easements, rights-of-way, rights-of-entry, approvals, or authorizations necessary to perform Respondent's obligations under this Order.

F. Respondent and Respondent's officers, directors, agents, servants, employees, successors, and assigns shall be bound by this Order. Any change in ownership or corporate status of Respondent including, but not limited to, any transfer of assets or real or personal property shall in no way alter

Respondent's responsibilities under this Order. Respondent's officers, directors, employees, servants, and agents shall be obliged to comply with the relevant provisions of this Order in the performance of their designated duties on behalf of Respondent.

G. Respondent shall provide a copy of this Order to each contractor hired to perform work required by this Order and to each person representing Respondent with respect to the Site and shall condition all contracts entered into in order to carry out the obligations identified in this Order upon performance in conformity with the terms of this Order. Respondent or Respondent's contractors shall provide written notice of this Order to all subcontractors hired to perform any portion of the work required by this Order. Respondent shall nonetheless be responsible for ensuring that Respondent's contractors and subcontractors perform the work in satisfaction of the requirements of this Order.

H. All references to "professional engineer" in this Order are to an individual registered as a professional engineer in accordance with Article 145 of the New York State Education Law. If such individual is a member of a firm, that firm must be authorized to offer professional engineering services in the State of New York in accordance with Article 145 of the New York State Education Law.

I. All references to "days" in this Order are to

L. The effective date of this Order shall be the date it is signed by the Commissioner or his designee.

DATED: 2/18/2000 , New York
1999

JOHN P. CAHILL
Commissioner
New York State Department of
Environmental Conservation

By:



Michael J. O'Toole, Jr.

CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of this Order, waives Respondent's right to a hearing herein as provided by law, and agrees to be bound by this Order.

ALCAN ALUMINUM CORPORATION

By: William H. Jannett
(TYPE NAME OF SIGNER)

Title: Vice President + General Counsel

Date: 2/3/2000

STATE OF _____)
) s.s. :
COUNTY OF _____)

On this 3rd day of February, 2000, ~~19~~, to before me personally came William Jannett, to me known, who being duly sworn, did depose and say that he resides in the city of Cleveland, State of Ohio; that he is the Vice President + General Counsel of Alcan Aluminum Corporation, the corporation described in and which executed the foregoing instrument; that he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation and that he signed his name thereto by like order.

John Till
Notary Public

JOHN C. TILLMAN, ATTORNEY AT LAW
Notary Public - State of Ohio
My Commission Has No Expiration.
Section 147.03 R.C.

DECLARATION STATEMENT - RECORD OF DECISION

Jarl Extrusions Site Pittsford, Monroe County Inactive Hazardous Waste Site No. 8-28-005

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedial action for the Jarl Extrusions Inactive Hazardous Waste Disposal Site which was chosen in accordance with the New York State Environmental Conservation Law (ECL). The remedial program selected is not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan of March 8, 1990 (40CFR300).

This decision is based upon the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for the Jarl Extrusions Inactive Hazardous Waste Site and upon public input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. A bibliography of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Assessment of the Site

Actual or threatened releases of hazardous waste constituents from this site, if not addressed by implementing the response action selected in this ROD, present a current or potential threat to public health and the environment.

Description of Selected Remedy

Based upon the results of the Remedial Investigation/Feasibility Study (RI/FS) for the Jarl Extrusion Site and the criteria identified for evaluation of alternatives, the NYSDEC has selected a containment remedy for the site. The major components of the remedy are as follows:

- Excavation of contaminated surface soils along the eastern side of the site, and consolidation of this material within the former impoundment areas;
- Excavation of the cistern and associated contaminated soils, and consolidation of this material within the former impoundment areas;

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Western Remedial Action, Room 348
50 Wolf Road, Albany, New York 12233-7010
Phone: (518) 457-5636 FAX: (518) 457-3972



John P. Cahill
Commissioner

March 10, 1999

Mr. Peter Segretto, Ph.D.
Manager of Environmental Affairs
Alcan Aluminum Corporation
660 Parkland Blvd.
Mayfield Heights, OH 44124-4185

RECEIVED

MAR 15 1999

N.Y.S. DEPT. OF
ENVIRONMENTAL CONSERVATION
DIV. ENVIRONMENTAL ENFORCEMENT
BUFFALO FIELD UNIT

Re: Former Jarl Extrusions Site (#8-28-005)
Record of Decision

Dear Mr. Segretto:

The March 1998 Record of Decision (ROD) for the Former Jarl Extrusions site requires the excavation of any contaminated surface soils along eastern portion of the site (and any impacted contiguous soils on the adjacent Sigismondi site), and consolidation of any contaminated surface soil under an asphalt cover system. This cover system is to be constructed over the impoundment areas in the northern portion of the Jarl site. The ROD also requires a sampling program to adequately define the limits of any contaminated surface soils in this portion of the site.

On October 26, 1998, New York State and Monroe County representatives collected soil samples from the northern end of the drainage swale between the former Jarl Extrusions site and the Sigismondi Landfill site. Results from the sampling (attached) reveal levels of chromium in surface soils similar to those detected in surface soils collected from the eastern portion of the Jarl site and the middle of the swale by O'Brien & Gere Engineers on June 15, 1998. The State has determined that the chromium concentrations detected in the eastern portion of the Jarl site and the drainage swale between the sites are not significant enough to require excavation and consolidation within the limits of the asphalt cover system to be constructed on the Former Jarl site.

The sampling performed by the State and O'Brien & Gere Engineers satisfies the sampling program requirement in the ROD. Since the sampling has not revealed significant surface soil contamination in this portion of the Jarl site (and contiguous portions of the Sigismondi site), the provision in the ROD to excavate and consolidate contaminated surface soils from the eastern

bcc w/enclosure:

J. Konsella

T. Caffoe, Reg. 8

G. Bailey, DEE - WFU

J. Albert -MCHD

M. Kadlec - NYSDOH - Alb.

portion of the Jarl site (and contiguous portions of the Sigismondi site) is not considered applicable.

With resolution of this issue in hand, we hope that Alcan will shortly execute a Consent Order with this Department for the remainder of the remedial program. We look forward to receiving and reviewing the final remedial design for the Former Jarl site. Please be advised however, that approval of this design will be given only after the Consent Order has been executed.

Should you have any questions concerning the above, please feel free to call me or Jeff Konsella of my staff at (518) 457-5636.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig D. Jackson', written in a cursive style.

Craig D. Jackson, P.E.
Chief, Technical Support Section
Bureau of Western Remedial Action
Division of Environmental Remediation

Enclosure

cc w/enclosure : M. Dent (O'B&G)

Table 3
Sigismondi Site
Focused Remedial Investigation
Summary of Soil Sample Results (mg/kg)

Sample Number Lab. Sample No. Sampling Date	NYSDEC TAGM 4046 Soil Cleanup Guidance (mg/kg)	SIG-1 250877 10/26/98 CONC Q (mg/kg)	SIG-2 250878 10/26/98 CONC Q (mg/kg)	SIG-3 250879 10/26/98 CONC Q (mg/kg)	SIG-4 250880 10/26/98 CONC Q (mg/kg)	SIG-5 250881 10/26/98 CONC Q (mg/kg)	SIG-6 250882 10/26/98 CONC Q (mg/kg)	SIG-7 250883 10/26/98 CONC Q (mg/kg)	SIG-8 250884 10/26/98 CONC Q (mg/kg)
INORGANIC PARAMETERS									
Aluminum	SB	4,900	6,420	4,380	5,630	6,150	7,040	14,500	5,780
Antimony	SB	0.78	1.4	ND	ND	ND	ND	1.3	15.6
Arsenic	7.5 OR SB	1	2.3	1.5	2.3	1.7	2.6	2	3.8
Barium	300 OR SB	21.5	25.7	22.6	32.9	37	47.2	37.3	39.1
Beryllium	0.16 OR SB	1.1	0.1	0.05	0.11	0.11	0.13	0.13	0.1
Cadmium	1 OR SB	1.7	0.64	0.49	0.6	0.69	0.77	0.78	0.72
Calcium	SB	2,360	2,770	2,220	2,720	3,260	4,130	4,540	5,670
Chromium	10 OR SB	41.3	99.3	33.2	27.1	65.7	34.9	108	47.3
Cobalt	30 OR SB	3	3.5	3.6	4.8	4.7	5.3	4.4	5.1
Copper	25 OR SB	10.4	16.2	10.4	11.9	15	15.1	31.8	13
Iron	2000 OR SB	7,020	8,290	7,690	10,300	9,690	11,000	9,370	10,700
Lead	SB	12.8	23.4	16.3	32.6	53.5	202	31.5	76.3
Magnesium	SB	1,330	1,950	1,460	1,840	1,950	2,060	2,630	2,710
Manganese	SB	159	128	186	237	267	282	260	281
Mercury	0.1	0.02	0.03	0.02	0.03	0.04	0.05	0.29	0.05
Nickel	13 OR SB	6.3	7.6	6.5	9.3	8.8	10.5	9.4	10.1
Potassium	SB	371	422	347	605	597	611	632	675
Silver	SB	0.43	0.27	0.25	0.36	0.33	0.47	0.31	0.46
Sodium	SB	191	207	158	290	144	297	200	185
Thallium	SB	5	3.1	1.7	2.8	3	3.3	2.1	3.8
Vanadium	150 OR SB	8.4	10.9	9.8	12.6	12.6	16.1	11.7	12.4
Zinc	20 OR SB	57.5	85.1	70.5	80.3	94.1	111	95.7	69.3

Notes:

Only those compounds detected in at least one sample have been included in this table.

ND = Compound was analyzed for, but not detected.

SB = Site Background.

B = Inorganic concentration is above the instrument detection limit but below the contract required detection limit.

Table 3
Sigsmond Site
Focused Remedial Investigation
Summary of Soil Sample Results (mg/kg)

Sample Number Lab. Sample No. Sampling Date	NYSDEC TAGM 4046 Soil Cleanup Guidance (mg/kg)	SIG-9 250885 10/26/98 CONC (mg/kg)	SIG-10 250886 10/26/98 CONC (mg/kg)	SIG-11 250887 10/26/98 CONC (mg/kg)	SIG-12 250888 10/26/98 CONC (mg/kg)	SIG-13 250889 10/26/98 CONC (mg/kg)	SIG-22 250890 10/26/98 CONC (mg/kg)	QC-1 250891 10/28/98 CONC (mg/kg)
INORGANIC PARAMETERS								
Aluminum	SB	4,800	6,890	4,340	4,100	4,760	5,940	14,700
Antimony	SB	ND	ND	ND	ND	ND	4.4	4.6
Arsenic	7.5 OR SB	2	3.1	1.4	2.4	4.6	4.3	4.8
Barium	300 OR SB	21.3	29.6	14.3	21.1	19	38.8	65.4
Beryllium	0.16 OR SB	0.1	0.15	0.59	ND	0.06	0.15	0.2
Cadmium	1 OR SB	0.45	0.62	0.34	0.46	0.44	0.68	2.3
Calcium	SB	2,820	2,300	1,060	3,540	4,520	6,190	11,400
Chromium	10 OR SB	8	11.2	5.6	12.1	10.9	38.5	308
Cobalt	30 OR SB	3.5	5.9	2.5	4.3	4.3	5.1	5.6
Copper	25 OR SB	7.3	18.8	4.2	8.8	7.8	15	59.8
Iron	2000 OR SB	8,010	12,200	6,540	9,240	9,700	10,200	13,200
Lead	SB	17.9	102	9	13.4	8.8	68.1	150
Magnesium	SB	1,390	1,820	942	1,890	3,020	2,820	6,110
Manganese	SB	202	409	117	333	236	280	500
Mercury	0.1	0.14	0.05	ND	0.02	ND	0.05	0.13
Nickel	13 OR SB	7.4	10.8	5.2	7.7	7.5	9.9	18.8
Potassium	SB	510	592	248	400	452	714	1,020
Silver	SB	0.41	0.48	0.1	0.34	0.33	0.56	1.3
Sodium	SB	154	325	149	206	144	167	278
Thallium	SB	2.4	3	2	2	3.2	2.5	4
Vanadium	150 OR SB	10.2	14.9	8.6	11.3	12.2	12	15.7
Zinc	20 OR SB	31.7	41.8	19.5	28.7	25.3	65.6	675
Notes:								
Only those compounds detected in at least one sample have been included in this table.								
ND = Compound was analyzed for, but not detected.								
SB = Site Background.								
B = Inorganic concentration is above the instrument detection limit but below the contract required detection limit.								

Exhibit C to
Declaration of Restrictions

Additional Restrictions

1.
 - A. There shall be no activity over the area of the former lagoons on the Property that will breach the surface cap or increase infiltration through the sub-surface soils without prior written approval of the DEC.
 - B. There shall be no activity that will increase surface erosion over the area of the former lagoons that will breach the cap and increase infiltration through the surface soils without prior written approval of DEC.
 - C. There shall be no activity that will expose soils under the main building on the Property without prior written approval of DEC.
 - D. Prior to the completion of the Remedial Program (as defined in the Order on Consent) there shall be no activity over the area of the former lagoons.

2. In the event DEC, as part of the Remedial Program requires additional restrictions on the Property, Alcan reserves the right to record in the Monroe County Clerk's Office a supplemental Declaration of Restrictions which may or may not include some or all of the restrictions set forth in this Declaration. Owner shall be given notice of any supplemental Declaration of Restrictions, but its consent shall not be required.

Notwithstanding the foregoing, without the prior written consent of Owner not to unreasonably be withheld, any supplemental Declaration of Restrictions may not, subject to the restrictions in this Section 2:

- A. prevent use of the existing buildings on the Property for the permitted use as of the date of the earlier Deed; or
- B. prevent maintenance of existing building or construction of new buildings for the permitted use as of the date of the earlier Deed on more than twenty-five percent (25%) of the Property.

The Declaration of Restrictions to which this Exhibit C is attached does not violate the foregoing and accordingly the consent of Owner is not required.

3. Alcan reserves an unlimited right of access to the Property and all improvements thereon for the purpose of implementing the Remedial Program as may be required by Alcan and DEC; provided that Alcan will endeavor to give prior notice of its entry onto the Property and to consult with Owner so as to minimize to the extent reasonably possible interference with the business conducted on the Property by Owner. It is understood, however, that the determination of Alcan in conjunction with DEC as to what access is required shall be conclusive.

4. Until the Remedial Program (including all monitoring requirements) has been completed, Owner and Northside agree to be bound by the following restrictions:

- A. Not to conduct directly or indirectly, nor permit their successors, assigns or affiliates to conduct, directly or indirectly, any salvage activities on the Property other than storage of auto parts (no crushing activities will be conducted on the Property);
- B. No activity will be conducted over the area of the former lagoons or around the cistern and swale;
- C. No activity will be conducted on the Property which might cause soil or groundwater contamination; storage will be conducted on paved surfaces only (excluding the area of the former lagoons); and
- D. No excavation or other activity will be conducted on the Property that might undermine or change the surface drainage pattern developed under the Remedial Program.

5. In the event any activity is to be conducted over the area of the former lagoons after completion of the Remedial Program, Owner and Northside agree to obtain any necessary state approvals and perform any state required modifications at no cost to Alcan and assume Alcan's responsibilities for inspection and maintenance under the Order on Consent (Exhibit B to this Declaration).

6. Owner shall permit Alcan to undertake investigations and install monitoring and/or treatment facilities in, on or under the Property to such extent and for so long as Alcan in its discretion shall require to achieve and implement the Remedial Program.

22 RECEIPT
 MONROE COUNTY CLERK'S OFFICE
 Maggie Brooks, County Clerk

REC: 01303592 QPR: BC
 MONROE ABSTRACT & TITLE
 47 WEST MAIN STREET
 ROCHESTER, NY 14614

DESCRIPTION	TRANS AMOUNT
FILE FEE-S	4.75
FILE FEE-C	10.25
REC FEE	123.00

Total Fees 138.00
 DECL RESTR GOVT # TT0000013954
 DATE: 03/08/2000 TIME: 09:56:00
 R/P D 09283 0074 Central# 200003080131
 860 LINDEN AVENUE PR
 1 ALCAN ALUMINUM CORPORATION
 2 ALCAN ALUMINUM CORPORATION

RECEIPT TOTAL	138.00
1 CHECK	138.00
TOTAL AMOUNT TENDERED	138.00
TOTAL CHANGE RETURNED	.00
PAYMENT TOTAL	138.00

A. Sylvester

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Hazardous Site Control, Room 252
50 Wolf Road, Albany, New York 12233-7010
Phone: (518) 457-8807 • **FAX:** (518) 457-8989
Website: www.dec.state.ny.us



NOV 28 2000

This letter was sent to the people on the attached list.

Dear :

The Department of Environmental Conservation (DEC) maintains a Registry of sites where hazardous waste disposal has occurred. Property located at 860 Linden Avenue in the Town of Pittsford and County of Monroe and designated as Tax Map Number 138.160-01-001 was recently reclassified as a Class 4 in the Registry. The name and site I.D. number of this property as listed in the Registry is Former Jarl Extrusions, Inc. (ALCAN), Site #828005.

The Classification Code 4 means that the site is properly closed – requires continued management.

We are sending this letter to you and others who own property near the site listed above, as well as the county and town clerks. We are notifying you about these activities at this site because we believe it is important to keep you informed.

If you currently are renting or leasing your property to someone else, please share this information with them. If you no longer own the property to which this letter was sent, please provide this information to the new owner and provide this office with the name and address of the new owner so that we can correct our records.

The reason for this recent classification decision is as follows:

- The selected remedy has been completed in accordance with the Record of Decision (ROD) and the approved design. A final inspection was held and the Engineer's certification was submitted along with the Executive Summary from the final Engineering/Certification Report for the asphalt cover dated August 2000. A draft long-term Operation and Maintenance (O&M) Plan is currently under review by the NYSDEC. Continued monitoring of the groundwater will continue for at least five (5) years and maintenance of the asphalt cover will continue for thirty (30) years by the potentially responsible party (PRP). Thus, reclassification to class 4 is justified.

Former Jarl Extrusions, Inc. (ALCAN)
Site #828005

Page 2

If you have questions, need additional information, or have information which you believe would be useful to us, please call the Department of Environmental Conservation's toll-free number: **1(800)342-9296**. The Department of Health maintains a Health Liaison Program (HeLP) toll-free number: **1(800)458-1158 Ext. 2-7530**.

Sincerely,



Dennis J. Farrar
Acting Chief
Site Control Section

bcc: D. Farrar
J. Swartwout
M. Boice-Green, R/8
M.J. Peachey, R/8
A. Butkas, R/8
A. Sylvester
A. Carlson
L. Ennist

AS/srh

A. Sylvester

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Hazardous Site Control, Room 252
50 Wolf Road, Albany, New York 12233-7010
Phone: (518) 457-8807 • **FAX:** (518) 457-8989
Website: www.dec.state.ny.us



NOV 13 2000

Northside Salvage Yard
954 W. Linden Avenue
East Rochester, NY 14445-1421

Dear Sir/Madam:

As mandated by Section 27-1305 of the Environmental Conservation Law (ECL), the New York State Department of Environmental Conservation (NYSDEC) must maintain a Registry of all inactive disposal sites suspected or known to contain hazardous waste. The ECL also mandates that this Department notify the owner of all or any part of each site or area included in the Registry of Inactive Hazardous Waste Disposal Sites as to changes in site classification.

Our records indicate that you are the owner or part owner of the site listed below. Therefore, this letter constitutes notification of change in the classification of such site in the Registry of Inactive Hazardous Waste Disposal Sites in New York State.

DEC Site No.: 828005
Site Name: Former Jarl Extrusions, Inc. (ALCAN)
Site Address: 860 Linden Avenue, Pittsford, NY 14445

Classification change from 2 to 4

The reason for the change is as follows:

- The selected remedy has been completed in accordance with the Record of Decision (ROD) and the approved design. A final inspection was held and the Engineer's certification was submitted along with the Executive Summary from the final Engineering/Certification Report for the asphalt cover dated August 2000. A draft long-term Operation and Maintenance (O&M) Plan is currently under review by the NYSDEC. Continued monitoring of the groundwater will continue for at least five (5) years and maintenance of the asphalt cover will continue for thirty (30) years by the potentially responsible party (PRP). Thus, reclassification to class 4 is justified.

Enclosed is a copy of the New York State Department of Environmental Conservation, Division of Environmental Remediation, Inactive Hazardous Waste Disposal Site Report form as it appears in the Registry and Annual Report, and an explanation of the site classifications. The Law allows the owner and/or operator of a site listed in the Registry to petition the Commissioner of the New York State Department of Environmental Conservation for deletion of such site, modification of site classification, or modification of any information regarding such site, by submitting a written statement setting forth the grounds of the petition. Such petition may be addressed to:

John P. Cahill
Commissioner
New York State Department of Environmental Conservation
50 Wolf Road
Albany, New York 12233-0001

For additional information, please contact me at (518) 457-0747.

Sincerely,



Dennis J. Farrar
Acting Chief
Site Control Section
Bureau of Hazardous Site Control
Division of Environmental Remediation

Enclosures

bcc: R. Marino
D. Farrar
J. Swartwout
A. Sylvester

w/Enc. (Copy of Site Report form only)
A. Grant
A. Carlson, DOH
S. Ervolina
E. Belmore
P. D'Amato, R/8
M.J. Peachey, R/8
A. Butkas, R/8

AS/srh

calendar days unless otherwise specified.

J. The paragraph headings set forth in this Order are included for convenience of reference only and shall be disregarded in the construction and interpretation of any of the provisions of this Order.

K. 1. The terms of this Order shall constitute the complete and entire Order between Respondent and the Department concerning the design and implementation of the Remedial Program designated in the ROD for this Site. No term, condition, understanding, or agreement purporting to modify or vary any term of this Order shall be binding unless made in writing and subscribed by the party to be bound. No informal advice, guidance, suggestion, or comment by the Department regarding any report, proposal, plan, specification, schedule, or any other submittal shall be construed as relieving Respondent of Respondent's obligation to obtain such formal approvals as may be required by this Order.

2. If Respondent desires that any provision of this Order be changed, Respondent shall make timely written application, signed by Respondent, to the Commissioner setting forth reasonable grounds for the relief sought. Copies of such written application shall be delivered or mailed to Jeffrey A. Konsella and to Glen R. Bailey.