JSW

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

September 19, 2008

Mr. Jaspal Walia, P.E.
New York State Department of
Environmental Conservation
270 Michigan Avenue
Buffalo, New York 14203-2999

Re: 3773 Lake Shore Road, Blasdell, NY
Area A – Underground Storage Tank
Remedial Measures Summary Report

Dear Mr. Walia:

In accordance with our December 19, 2007 Remedial Work Plan, Benchmark Environmental Engineering and Science, PLLC (Benchmark) has completed remedial activities associated with the underground storage tank (UST) and impacted soil/fill in Area "A" of the subject Site (see Figure 1), including removal of miscellaneous empty drums. This report has been prepared to document the associated excavation, disposal, and backfill activities, and present confirmatory sampling laboratory analytical results. Specifically, this report provides:

- A summary of UST and drum removal, excavation, disposal, and backfill activities
- Confirmatory sampling analytical results
- Waste disposal records
- Photographs of the remedial work
- Conclusions

UST AND SOIL/FILL REMOVAL

UST removal activities were undertaken on September 2, 2008. The removal work was performed by Benchmark's designated subcontractor, AAA Environmental, Inc. of Rochester, New York. Benchmark's geologist, Mr. Thomas Behrendt, was on-site to observe the removal activities. Attachment 1 includes photo documentation of the remedial activities.

Soil/fill overlying the majority of the UST had previously been removed and staged adjacent to the excavation. Accordingly, removal work was initiated by lifting the UST from the excavation and staging it on poly sheeting. Benchmark personnel measured the UST dimensions at approximately 13 feet in length and 4 feet in diameter. The excavated tank was cut open and approximately 5 cubic yards of sand

were removed and staged on poly sheeting near the excavation. The tank was subsequently cleaned in preparation for off-site steel scrap recycling. No liquids or sludges were present.

Following tank removal, AAA Environmental initiated excavation of impacted soil/fill surrounding the UST using a hydraulic track excavator. The impacted soil/fill was excavated until the sidewalls and bottom of the excavation no longer exhibited visual or olfactory evidence of contamination, and PID scans did not detect any volatile organic compounds (VOCs) exceeding background concentrations (i.e., 0.0 ppm).

During soil/fill excavation, a 15-inch diameter vitrified clay pipe (VCP) was encountered running in a north-south direction approximately 3 feet beneath the bottom of the UST. Based on facility utility drawings, this pipe was identified as a facility storm sewer. The pipe was not installed on bedding material, nor did Benchmark personnel observed any breaks, leaks or other indications of openings in the piping. However, because impacted soil/fill appeared to extend beneath the sewer it was necessary to remove an approximate 12-foot section of the VCP piping to facilitate the excavation work. (This section was later replaced with a new length of 15-inch PVC piping as described below).

The final excavation area measured approximately 22.5 feet in length by 11 feet wide at grade, and tapered inward to a depth of approximately 10.5 feet below ground surface (fbgs) (see Figure 2). Approximately 50 cubic yards of impacted soil/fill was stockpiled on poly sheeting with the sand removed from the UST, separate from the clean overlying soil/fill material previously removed. Other than a small amount of storm water from the removed pipe section, the excavation remained dry throughout the period.

CONFIRMATORY SAMPLING

Confirmatory soil samples were collected from the four sidewalls of the excavation (identified as North Wall, South Wall, East Wall, and West Wall) and the bottom of the excavation (identified as Bottom) following completion of the excavation work. Sidewall samples were collected by scraping the bucket of the excavator across the excavation wall. The Bottom sample was collected from the base of the excavation, characterized as native sandy clay soils, at a depth of approximately 10.5 fbgs. Dedicated stainless steel spoons and sample pans were used to transfer the confirmatory soil samples to the appropriate laboratory provided glass containers. The samples were cooled to 4°C in the field and transported, under chain of custody command to Test America, Inc. located in Amherst, New York for analysis of toluene in accordance with USEPA SW-846 Method 8021.

Table 1 summarizes the soil analytical results for the confirmatory samples. Detected toluene concentrations are listed and compared to NYSDEC Technical Assistance and Guidance Memorandum (TAGM) HWR-94-4046 Recommended Soil Cleanup Objectives (RSCOs). Attachment 2 includes a copy of the laboratory analytical data package. As indicated on Table 1, toluene concentrations were generally reported as not detectable or at levels well below the TAGM RSCO (i.e., 1.5 mg/kg) in each of the confirmatory samples.

IMPACTED SOIL AND DRUM DISPOSAL

On September 5, 2008, the staged impacted soil/fill and sand pile from the UST excavation was loaded into dump trailers provided by Waste Management, and transported to the Waste Management Model City (Subtitle C) Landfill for disposal. The 12-foot section of VCP was also disposed at the Model City facility. Concurrently, two soil/fill piles, intermingled with empty 55-gallon drums, were excavated to native soil. The drums were segregated, crushed and shipped off-site for steel scrap recycling with the UST. The soil/fill material intermingled with the drums was shipped off-site to Waste Management's Model City with the impacted soil/fill and sand from the UST removal. Attachment 3 includes a copy of scale tonnage receipts. A total of 81.44 tons of soil/fill and sand were disposed.

BACKFILL AND RESTORATION

On September 5, 2008, Benchmark and AAA Environmental replaced the removed VCP piping with a new length of 15-inch diameter PVC storm water pipe. The new section was coupled to the existing storm water pipe with Fernco adaptors. Backfill activities were also completed at this time. Crushed concrete backfill, furnished by Swift River Associates under NYSDEC Beneficial Use Determination 278-9-15, was initially used to carefully surround the new section of pipe. The remainder of the excavation was backfilled with approximately 35 cubic yards of this same material and soil previously overlying the UST. Per our December 19 Work Plan, Benchmark had previously collected four samples of the soil/fill that was overlying the UST for analysis of toluene (see analytical data in Attachment 2). Since this material exhibited non-detectable toluene concentrations, it was deemed acceptable for reuse as backfill material in the excavation. Backfill material was placed into the excavation, compacted in 2-foot lifts using the excavator, and smoothed with the excavator bucket to match final grade and minimize settling.

CONCLUSIONS

Based on the field observations/measurements and the confirmatory analytical results, removal of the UST, drums and impacted soil/fill in Area A of the Site have been completed in accordance with the requirements of the December 2007 NYSDEC-approved Remedial Work Plan. We therefore trust that the remedial measures described herein satisfy the NYSDEC's concerns relative to the underground storage tank Area A.

Please contact us if you have any questions or require additional information.

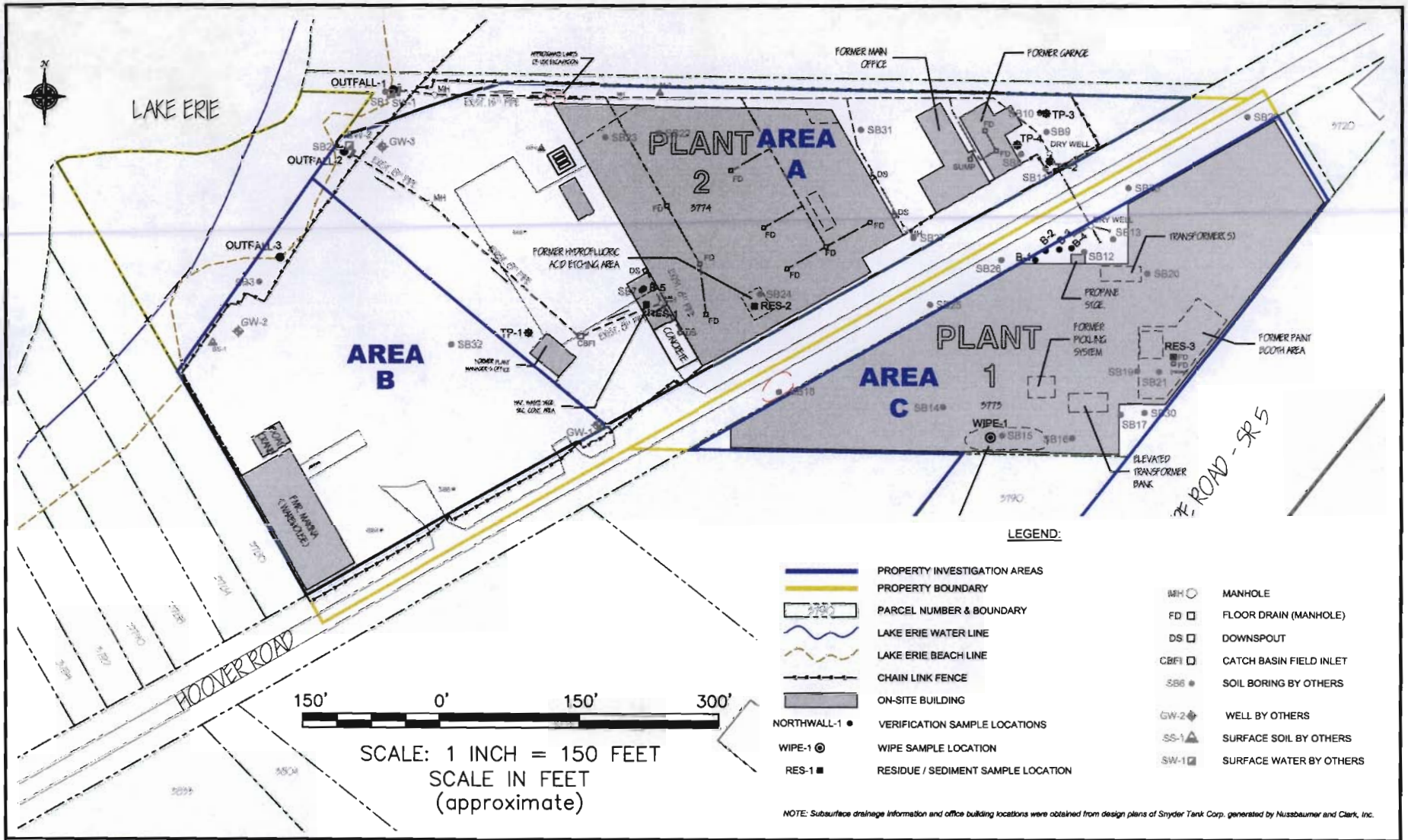
Sincerely,
Benchmark Environmental Engineering & Science, PLLC

Thomas H. Forbes, P.E.
Project Manager

c: J. Snyder
N. Katz, Esq.
C. Slater, Esq.
Att.

FIGURES

F:\CAD\Benchmark\Harter, Secrest, & Emery\3773 Lake Shore Road\Area A UST Removal\Figure 1 and 2; Area A UST Removal.dwg



BENCHMARK ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC
726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0599

PROJECT NO.: 0109-002-300
DATE: SEPTEMBER 2008
DRAFTED BY: NTM

SITE PLAN

AREA A - UNDERGROUND STORAGE TANK

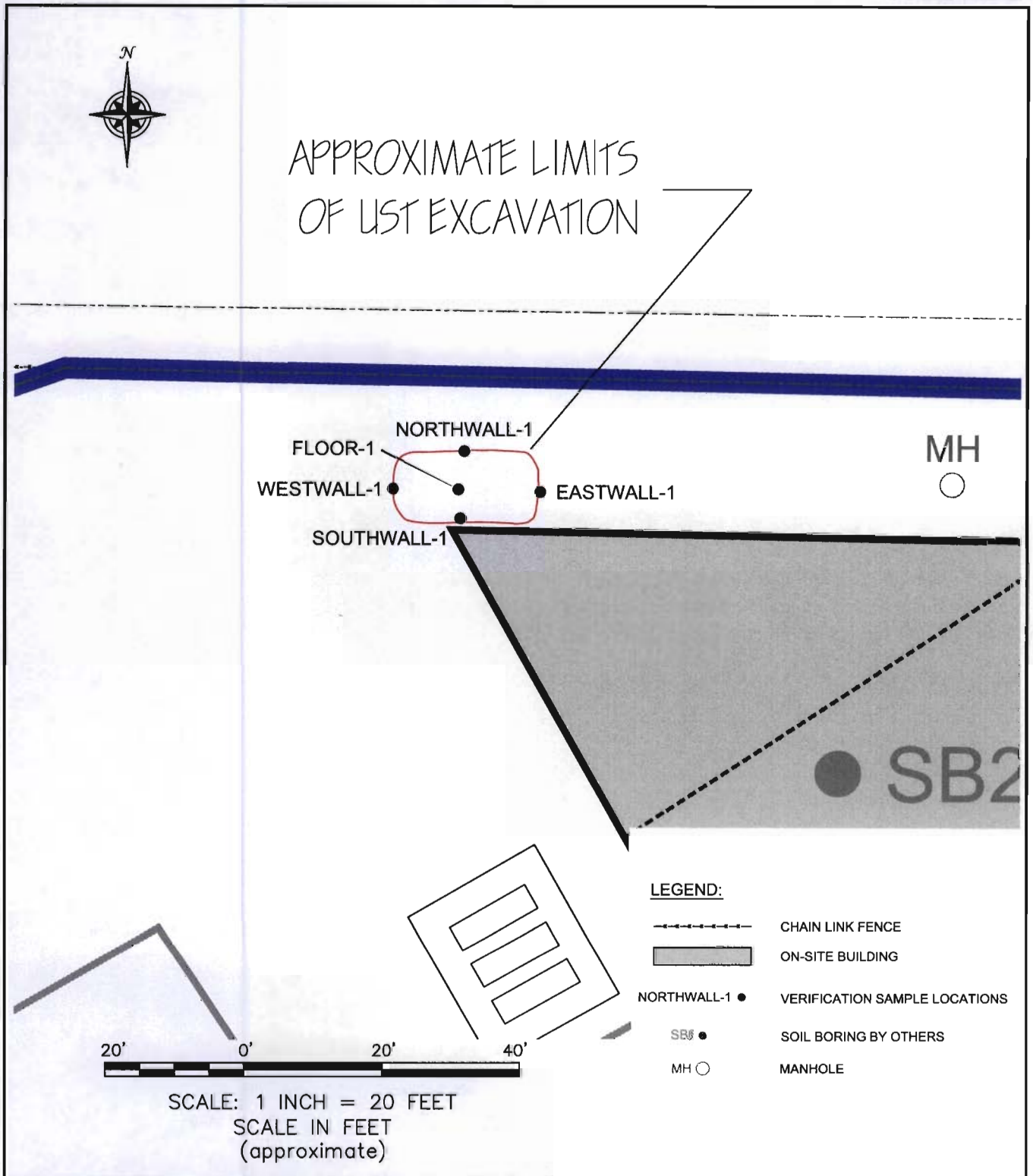
3773 LAKE SHORE ROAD SITE
HAMBURG, NEW YORK

PREPARED FOR
3773 LAKESHORE ROAD, INC.

FIGURE 1

F:\CAD\Benchmark\Harter, Secrest, & Emery\3773 Lake Shore Road\Area A UST Removal\Figure 1 and 2; Area A UST Removal.dwg

FIGURE 2



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POST-EXCAVATION SAMPLE LOCATIONS

AREA A - UNDERGROUND STORAGE TANK

3773 LAKESHORE ROAD
HAMBURG, NEW YORK

PREPARED FOR
3773 LAKESHORE ROAD, INC.

TABLES

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

TABLE 1

CONFIRMATORY ANALYTICAL RESULTS

3773 LAKE SHORE ROAD
HAMBURG, NEW YORK

Parameter	Northwall #1	Southwall #1	Westwall #1	Eastwall #1	Bottom #1	TAGM 4046 (ug/kg)
Volatile Organic Compound (ug/kg)						
Toluene	300	0.69	ND	14	ND	1500

ATTACHMENT 1

SITE PHOTOGRAPHS

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

PHOTOGRAPHIC LOG

Client Name:	Site Location:	Project No.:
Harter, Secrest & Emery	3773 Lake Shore Road	0109 - 001 - 101

Photo No.	Date
1	09/02/08

Direction Photo Taken:
South

Description:
Toluene Tank removal, tank is 13 feet long x 4 feet wide.

Photo No.	Date
2	09/02/08

Direction Photo Taken:
South

Description:
Placing Toluene tank onto poly.

Prepared By: TAB

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

PHOTOGRAPHIC LOG

Client Name:	Site Location:	Project No.:
Harter, Secrest & Emery	3773 Lake Shore Road	0109 - 001 - 101

Photo No.	Date
3	09/02/08

Direction Photo Taken:
North

Description:
Removing tank contents.

Photo No.	Date
4	09/02/08

Direction Photo Taken:
North

Description:
Empty tank on poly next to covered pile of excavated soil/fill.

Prepared By: TAB

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

PHOTOGRAPHIC LOG

Client Name:	Site Location:	Project No.:
Harter, Secrest & Emery	3773 Lake Shore Road	0109 - 001 - 101

Photo No.	Date
5	09/02/08

Direction Photo Taken:
North

Description:
Tank excavation, bottom of excavation ~10.5 fbgs at bottom 15-inch drain line flowing north to south.

Photo No.	Date
6	09/05/08

Direction Photo Taken:
West

Description:
Disposal of excavated soil/fill.

Prepared By: TAB

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

PHOTOGRAPHIC LOG

Client Name:	Site Location:	Project No.:
Harter, Secrest & Emery	3773 Lake Shore Road	0109 - 001 - 101

Photo No.	Date
7	09/05/08

Direction Photo Taken:
West

Description:
Removal of drum of northern drum and soil pile.

Photo No.	Date
8	09/05/08

Direction Photo Taken:
West

Description:
Removal of southern drum and soil pile.

Prepared By: TAB

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

PHOTOGRAPHIC LOG

Client Name:	Site Location:	Project No.:
Harter, Secrest & Emery	3773 Lake Shore Road	0109 - 001 - 101

Photo No.	Date
9	09/05/08

Direction Photo Taken:
South

Description:
Northern drum pile after removal.

Photo No.	Date
10	09/05/08

Direction Photo Taken:
South

Description:
Southern drumpile after removal.

Prepared By: TAB

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

PHOTOGRAPHIC LOG

Client Name:	Site Location:	Project No.:
Harter, Secrest & Emery	3773 Lake Shore Road	0109 - 001 - 101

Photo No.	Date
11	09/05/08

Direction Photo Taken:
North

Description:
Toluene tank excavation backfilled.

Prepared By: TAB

ATTACHMENT 2

LABORATORY ANALYTICAL DATA

Date: 09/02/2008
Time: 10:23:56

Benchmark
Benchmark - 3773 Lakeshore Rd. site
METHOD 8021 - TOLUENE

Rept: AN1246

Client ID Job No Lab ID Sample Date		TOL-1 A08-A472 A8A47201 08/26/2008		TOL-2 A08-A472 A8A47202 08/26/2008		TOL-3 A08-A472 A8A47203 08/26/2008		TOL-4 A08-A472 A8A47204 08/26/2008	
Analyte	Units	Sample Value	Reporting Limit	Sample Value	Reporting Limit	Sample Value	Reporting Limit	Sample Value	Reporting Limit
Toluene	UG/KG	ND	11	ND	11	ND	11	ND	10
SURROGATE(S)									
p-Bromofluorobenzene	%	78	66-138	84	66-138	80	66-138	58 *	66-138
a,a,a-Trifluorotoluene	%	73	66-141	80	66-141	75	66-141	55 *	66-141

Stockpiles
backfill

NA = Not Applicable ND = Not Detected

TestAmerica Lab

Date: 09/04/2008
Time: 14:03:40

Benchmark
Benchmark - 3773 Lakeshore Rd. site
METHOD 8021 - TOLUENE

Rept: AN1246

Client ID		BOTTOM #1		EASTWALL #1		NORTHWALL #1		SOUTHWALL #1	
Job No / Lab ID		A08-A652	A8A65205	A08-A652	A8A65201	A08-A652	A8A65203	A08-A652	A8A65204
Sample Date		09/02/2008		09/02/2008		09/02/2008		09/02/2008	
Analyte	Units	Sample Value	Reporting Limit	Sample Value	Reporting Limit	Sample Value	Reporting Limit	Sample Value	Reporting Limit
Toluene	UG/KG	ND	0.24	14	0.20	300	2.5	0.69	0.23
SURROGATE(S)									
p-Bromofluorobenzene	%	75	66-138	76	66-138	7.0 *	66-138	78	66-138
a,a,a-Trifluorotoluene	%	67	66-141	67	66-141	6.0 *	66-141	70	66-141

Client ID		WESTWALL #1							
Job No / Lab ID		A08-A652	A8A65202						
Sample Date		09/02/2008							
Analyte	Units	Sample Value	Reporting Limit	Sample Value	Reporting Limit	Sample Value	Reporting Limit	Sample Value	Reporting Limit
Toluene	UG/KG	ND	0.23	NA		NA		NA	
SURROGATE(S)									
p-Bromofluorobenzene	%	78	66-138	NA		NA		NA	
a,a,a-Trifluorotoluene	%	71	66-141	NA		NA		NA	

Confirmatory Samples

NA = Not Applicable ND = Not Detected

TestAmerica Lab

ATTACHMENT 3

WASTE MANAGEMENT MODEL CITY
SCALE TONNAGE SUMMARY

Transporter Log

CWM Chemical Services, Inc.
Model City, NY

164755 _____ Cubic Yards

_____ Receipt #
_____ Trailer License Plate # and State
_____ Service Req. #
_____ Profile #
_____ Permit #
_____ Transporter Name
_____ Tractor/Trailer/Roll-off #
_____ Driver's Name
_____ Generator

Scheduled Arrival: _____ Date _____ Time

Actual Arrival: _____ Date _____ Time In _____ Time Out

Arrived during Blackout? Y / N Notified DEC? Y / N

Receiving: _____ Initials _____ Comments

☐ Leaker ☐ Permit Violation ☐ Placarding/Veh. I.D. Violation

☐ Other (specify) _____

☐ Bulk to Landfill ☐ No wet line ☐ Flatbed ☐ Stabilization ☐ Drums ☐ Tanker ☐ Transformers

Laboratory

_____ Time In _____ Time Out _____ Initials _____ Comments

Stabilization

_____ Time In _____ Time Out _____ Initials _____ Gross Wt. _____ Comments

Landfill

_____ Time In _____ Time Out _____ Initials _____ Comments

Other

_____ Time In _____ Time Out _____ Initials _____ Comments

Aqueous Treatment

_____ Time In _____ Time Out _____ Signature (NO Initials) _____ Comments

Facility Personnel (*please initial*)

_____ Smoking or eating in prohibited areas
_____ Leaving truck unattended
_____ Failure to obey instructions of facility personnel
_____ Failure to display overweight flag
_____ Failure to wear appropriate PPE
_____ Improper tarping or detarpin
_____ Unsafe driving practices
_____ Overweight upon arrival
_____ Other (specify) _____

Security Guard Initials: _____
(Indicating receipt of Wash Bay pass, if necessary)

Driver's Comments

Transporter Log
CWM Chemical Services, Inc.
Model City, NY

164756

_______ *Cubic Yards*

Receipt # ______ *Trailer License Plate # and State* ______

Service Req. # ______ *Profile #* NY 9818 *Permit #* 9A-025

Transporter Name PRICE TRUCKING *Tractor/Trailer/Roll-off #* 13600-2300

Driver's Name KOKOU TOSSAH *Generator* ______

Scheduled Arrival: ______ *Date* ______ *Time*

Actual Arrival: ______ *Date* 1034 *Time In* ______ *Time Out*

7340 P

Arrived during Blackout? Y / N Notified DEC? Y / N

Receiving: ______ *Initials* ______ *Comments*

☐ **Leaker** ☐ **Permit Violation** ☐ **Placarding/Veh. I.D. Violation**

☐ **Other (specify** ______

☑ **Bulk to Landfill** ☐ **No wet line** ☐ **Flatbed** ☐ **Stabilization** ☐ **Drums** ☐ **Tanker** ☐ **Transformers**

Laboratory ______ *Time In* ______ *Time Out* ______ *Initials* ______ *Comments*

Stabilization ______ *Time In* ______ *Time Out* ______ *Initials* ______ *Gross Wt.* ______ *Comments*

Landfill ______ *Time In* ______ *Time Out* ______ *Initials* ______ *Comments*

Other ______ *Time In* ______ *Time Out* ______ *Initials* ______ *Comments*

Aqueous Treatment ______ *Time In* ______ *Time Out* ______ *Signature (NO Initials)* ______ *Comments*

Facility Personnel (*please initial*)

______ **Smoking or eating in prohibited areas** ______ **Leaving truck unattended**

______ **Failure to obey instructions of facility personnel** ______ **Failure to display overweight flag**

______ **Failure to wear appropriate PPE** ______ **Improper tarping or detarpin**

______ **Unsafe driving practices** ______ **Overweight upon arrival**

______ **Other (specify)** ______

Security Guard Initials: ______
(Indicating receipt of Wash Bay pass, if necessary)

Driver's Comments

Transporter Log

CWM Chemical Services, Inc.
Model City, NY

164758 _____ *Cubic Yards*

_____ *Receipt #*

_____ *Trailer License Plate # and State*

_____ *Service Req. #* _____ *Profile #* _____ *Permit #*

_____ *Transporter Name* _____ *Tractor/Trailer/Roll-off #*

_____ *Driver's Name* _____ *Generator*

Scheduled Arrival: _____ *Date* _____ *Time*

Actual Arrival: _____ *Date* _____ *Time In* _____ *Time Out*

Arrived during Blackout? Y / N Notified DEC? Y / N

Receiving: _____ *Initials* _____ *Comments*

☐ **Leaker** ☐ **Permit Violation** ☐ **Placarding/Veh. I.D. Violation**

☐ **Other (specify** _____

☒ **Bulk to Landfill** ☐ **No wet line** ☐ **Flatbed** ☐ **Stabilization** ☐ **Drums** ☐ **Tanker** ☐ **Transformers**

Laboratory _____ *Time In* _____ *Time Out* _____ *Initials* _____ *Comments*

Stabilization _____ *Time In* _____ *Time Out* _____ *Initials* _____ *Gross Wt.* _____ *Comments*

Landfill _____ *Time In* _____ *Time Out* _____ *Initials* _____ *Comments*

Other _____ *Time In* _____ *Time Out* _____ *Initials* _____ *Comments*

Aqueous Treatment _____ *Time In* _____ *Time Out* _____ *Signature (NO Initials)* _____ *Comments*

Facility Personnel (*please initial*)

_____ **Smoking or eating in prohibited areas**

_____ **Failure to obey instructions of facility personnel**

_____ **Failure to wear appropriate PPE**

_____ **Unsafe driving practices**

_____ **Other (specify)** _____

_____ **Leaving truck unattended**

_____ **Failure to display overweight flag**

_____ **Improper tarping or detarpin**

_____ **Overweight upon arrival**

Security Guard Initials: _____
(Indicating receipt of Wash Bay pass, if necessary)

Driver's Comments