NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL REMEDIATION
Site Classification Report

DATE: 6/23/2020

Site Code: 932051A **Site Name:** Olin Corporation Parking Lot
City: Niagara Falls **Town:** Niagara Falls (c)
Region: 9 **County:** Niagara
Current Classification: 03 **Proposed Classification:** N
Estimated Size (acres): 2.11 **Disposal Area:** Dump
Significant Threat: Previously **Site Type:**
Priority ranking Score: **Project Manager:** Gail Dieter

Summary of Approvals

Originator/Supervisor: Sarah Saucier

RHWRE: Stanley Radon

BEEI of NYSDOH: Charlotte Bethony

CO Bureau Director: Michael Cruden, Director, Remedial Bureau E:

Assistant Division Director: George Heitzman, P.E.:

Basis for Classification Change

In 2016, DEC indicated to Olin the soil Hg concentration should be compared to Protection of Groundwater SCO of 0.73mg/kg and that Olin further delineate soil Hg concentrations and evaluate site groundwater. Olin performed mercury leaching evaluation in April 2017 using synthetic precipitation leaching procedure (SPLP) to evaluate the risk posed to groundwater. The results indicated that Hg present in the Parking Lot parcel soil has a low leaching potential and is not a threat to site groundwater. The investigation and discussions resolved the questions concerning protection of groundwater-No Further Action is required for groundwater.
In 2019 DEC requested Olin address the nature of Hg soil concentrations above Commercial SCO 2.8mg/kg. With DEC/DOH Olin developed a Hg speciation plan that addressed speciation analysis and provided additional QA/QC documentation on speciation analytical procedure. It included analytical method that would reliably and quantitatively differentiate various Hg species. The plan was to try and show that Hg present was inorganic salt and posed no human health risk, therefore no cover or soil removal was necessary. Samples were collected August 2019. Evaluation of data showed no volatile elemental Hg detected in surface soils. Total Hg concentrations ranged from 2.1-57.3mg/kg-consistent with results from 2014. 2014/2019 surface soil results were below exposure pathway specific SCO of 130mg/kg based on inorganic salt Hg ingestion risk to adults. DEC/DOH concurred that based on

sporadic detection of inorganic Hg over cleanup objectives; limited potential for human exposure-No Further Action required for inorganic Hg in soil.
November 2012, Deed Restriction recorded restricting property use for commercial/industrial only. No groundwater to be extracted other than non-contact use, water treatment, environmental sampling. No soils to be extracted unless consistent with industrial/commercial uses and protective of human health and safety.

Site Description - Last Review: 6/12/2020

Location:
The Olin Parking Lot site is located 132 feet north of Buffalo Avenue across from the main Olin Plant site in the City of Niagara Falls, Niagara County. The Parking Lot site consists of two parcels separated by 27th Street. Parcel 1 is located east of 27th Street, extending 522 feet (+/-) eastward as a strip of land parallel to Buffalo Ave. Parcel 2 is located west of 27th Street, extending as a strip of land westward to 24th Street and parallel to Buffalo Ave. See Figure 1.1

Site Features:
The site is generally flat, level land in an area of heavy industry. Each parcel is a 60-foot-wide (measured north-south) strip of land running parallel to Buffalo Avenue (except a short section of Parcel 2 adjacent to 24th Street which is only 20 feet wide). Parcel 1 is approximately 522 feet long and 0.72 acres, and Parcel 2 is approximately 1,088 feet long and 1.39 acres. Total area of the Parking Lot site is approximately 2.11 acres. A transportation right-of-way (formerly a railroad corridor) separates both Parking Lot parcels from Buffalo Avenue to the south. An electric power substation and the Olin Industrial Welding Superfund Site are north of Parcel 1. A commercial trucking company is north of Parcel 2.

Current Zoning and Land Use:
The Olin Parking Lot parcels are zoned Industrial. Both parcels are currently used as a corridor for electric power transmission lines. Otherwise, Parcel 1 and most of Parcel 2 are currently vacant. A small portion of Parcel 2 adjacent to 27th Street continues to be used for parking. (NOTE: most of the present-day parking lot is situated in the above-mentioned transportation right-of-way, south of the original Parking Lot which is the subject of this description.)

Past Use of Site:
The site has historically been used as a parking lot but otherwise has never been developed.

Site Geology and Hydrogeology:
Geology of the site is characterized by overburden deposits 4 to 10 feet thick overlying fractured bedrock. Groundwater generally occurs in the weathered zone at the top of the bedrock and along horizontally continuous fracture zones in the bedrock.

In site reports, water-bearing zones are designated (from top to bottom) as: A-zone, at the top of bedrock, generally less than 10 feet below ground surface (bgs); B-zone, a highly transmissive zone 16-21 feet bgs; C-zone, a discontinuous fracture zone 25-35 feet bgs; and C/D-zone, a second highly transmissive zone 45-50 feet bgs.

DATE: 6/23/2020

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Groundwater flow under natural conditions is northwest toward the lower Niagara River. Manmade influences, however, have resulted in a complex flow regime that is dominated by New York Power Authority conduits east of the site and groundwater extraction for remediation purposes.

Contaminants of Concern (Including Materials Disposed)	**Quantity Disposed**
OU 01	
mercury	0.00 lb

Analytical Data Available for: Groundwater, Soil

Applicable Standards Exceeded for: Groundwater, Soil

Site Environmental Assessment- Last Review: 06/09/2020

Nature and Extent of Contamination:
The primary contaminant of concern in the Parking Lot is mercury. From approximately 1947 to 1960, mercury cell brine sludge, with its cementitious properties, was used to fill potholes in the Parking Lot. The brine sludge was a waste from Olin Plant manufacturing processes and contained mercury at approximately 30-50 mg/kg (or parts per million). The quantity of brine sludge disposed in the Parking Lot is unknown. Organic chemicals, including chlorinated organics, were not used or disposed in the Parking Lot, however they are found there in deep groundwater as a result of migration from off-site sources.

Groundwater:
In the Parking Lot, shallow groundwater (in the A- and B-zones) generally has no contamination or low levels of contamination. Deeper groundwater (in the C- and C/D-zones) has contamination as a result of off-site contaminant migration from both Olin and non-Olin sources.

Mercury has been detected intermittently and generally at low concentrations in shallow (A- and B-zone) groundwater as follows: 1994 (1.2 ug/L), 1998 (7.1 ug/L), 1999 (0.33 ug/L), and 2002 (0.26 ug/L). The groundwater standard for mercury is 0.7 ug/L. Eight other sampling events between 1998 and 2006 did not detect mercury in shallow groundwater. Mercury has not been detected in deeper (C- and C/D-zone) groundwater.

Organic chemical concentrations in shallow (A- and B-zone) groundwater have not exceeded groundwater standards in the Parking Lot. Deeper (C- and C/D-zone) groundwater is contaminated with chlorinated organic compounds as a result of migration primarily from non-Olin sources, although releases from the Olin plant site likely have contributed to the contamination. Chlorinated aliphatic compounds (which are from non-Olin sources) have been found at total concentrations up to 15,750 ug/L in the deeper C- and C/D-zones in the Parking Lot. Olin-related compounds (chlorobenzenes, chlorophenols, and benzene hexachlorides) have been detected at a total concentration of up to 192 ug/L.

Groundwater monitoring and leaching tests indicate mercury in Parking Lot soil is highly insoluble and immobile and does not pose a leaching threat to groundwater. Organic chemical contamination in soil and shallow groundwater is not a concern in the Parking Lot. Organic chemical contamination is present in

deeper groundwater but is being addressed through remedies in place at Olin and nearby non-Olin source areas. See Figure 2.3

Soil:
The primary contaminant of concern in Parking Lot soil is mercury. In two sampling events (1982 and 1991), samples were collected from five locations in the Parking Lot – two locations in Parcel 1 and three locations in Parcel 2. Total mercury was detected at concentrations ranging from 0.17 to 20 mg/kg (ppm). All detections were at depths less than six feet.

From the 1996 Remedial Plan the Mercury-contaminated soils were to be designated Soil Management Areas, paved and maintained to provide cover over the contaminated soil. However, the Department was not able to document this pavement cover.

In 2014 Olin performed a surface soil investigation to fully characterize the Parking Lot Site surface soils - analyzing for total mercury. Total mercury concentration in surface soil ranged from 0.43 to 53.3 mg/kg. Olin concluded that the mercury detected is in the form of inorganic salts rather than elemental mercury and that the levels are protective of human health. Because DEC/DOH assume that mercury is in the elemental form, for the DEC/DOH to accept the conclusion that the total mercury levels are protective of human health, Olin was requested to submit an analytical method and work plan that reliably and quantitatively differentiates the three mercury species (elemental, inorganic, and organic)and shows that each species meets the applicable SCOs. On April 26, 2019, DEC and DOH accepted a revised Hg Speciation Work Plan from Olin with an acceptable mercury speciation method and sampling plan. Field work was completed in August 2019.

The results show that elemental mercury (Hg) is not present in site surface soils indicating that no inhalation risks for Hg exist at the site. The total Hg concentrations were compared to the exposure pathway specific SCOs for inorganics Hg salts. All 2014 and 2019 surface soil results were below the exposure pathway specific SCO of 130 mg/kg based on inorganic salt Hg ingestion risks to adults. It is recommended 'No Further Action' at the Olin Parking Lot Parcels based on the cumulative results from the 2019 and previous investigations which indicate no unacceptable risk to human health or groundwater receptors. See Figures 2.1, 2.2, 2.3

Site Health Assessment - Last Update: 06/29/2020

As the site is currently used as a utility corridor and parking in an industrial area, contact with contaminants in soil is limited.

	Start		End	
OU 01				
Reclass Pkg.	3/9/20	ACT	6/30/20	PLN
Remedial Investigation	8/1/94	ACT	11/1/94	ACT

Remedy Description and Cost

Remedy Description for Operable Unit 01

Contamination was identified by the Site Characterization of this site which resulted in the remedial program identified below.
In 2016, NYSDEC indicated to Olin that the site soil Hg concentrations should be compared against the Protection of Groundwater SCO of 0.73mg/kg and required that Olin further delineate Hg soil concentrations and evaluate site groundwater. Olin proposed to perform a Hg leaching evaluation using the synthetic precipitation leaching procedure (SPLP) on site soils to evaluate the risk posed to groundwater in a November 2016 DEC approved work plan.
Olin performed a SPLP investigation in April 2017. The investigation results indicated that Hg present in the Parking Lot parcel soils has a very low leaching potential and is not a threat to site groundwater.
The investigations and subsequent correspondence resolved the questions concerning protection of groundwater and no further action was required for groundwater.
The remaining question NYSDEC requested Olin address was the nature of site soil concentrations above the Commercial SCO of 2.8mg/kg. NYSDEC did not have an approved speciation method, therefore Olin worked with NYSDEC and NYSDOH to develop and submit a Hg speciation work plan in 2019 that addressed the questions of speciation analysis and provided additional quality control and quality assurance documentation on the speciation analytical procedure and quantitatively differentiate various Hg species.
After receiving comment from DOH/DEC Olin submitted a Revised Mercury Speciation Work Plan to try and show that the Hg present in the soil is in the form of inorganic salt and poses no human health risk and therefore no cover or soil removal is necessary before re-classing of the site. The work plan was accepted by both DOH and DEC in April 2019. Field samples were collected in August 2019. Results were delayed due to the contracted lab's facility move and were received in November 2019. Field investigation results, evaluation of sampling data, and speciation conclusions were submitted in December 2019. The report, reviewed by both DEC and DOH, showed no volatile elemental Hg was detected in site surface soils. And total Hg surface soil concentrations ranged from 2.1mg/kg to 57.3mg/kg which is consistent with the range of total Hg detected from the samples collected in 2014. All 2014 and 2019 surface soil results were below the exposure pathway specific SCO of 130mg/kg based on inorganic salt Hg ingestion risks to adults.
NYSDOH has concurred, that based on the sporadic detections of inorganic Hg over cleanup objectives and limited potential for human exposure to site soil, no further action is needed to address inorganic Hg in soil on this site with respect to human health.
In November 2012, a Deed Restriction was recorded, and a copy submitted to the Department. the property or any portion shall be used solely for commercial and/or industrial purposes. No groundwater shall be extracted from beneath the property for any purpose other than those commercial/industrial purposes involving non-contact uses, water treatment or environmental sampling and testing. In addition,

soils shall be extracted from beneath the property only when consistent with industrial/commercial uses and with products that maintain adequate protection to humans, and health and safety. See Appendix A After considering the remedial action(s)taken and the current site conditions, DEC believes that reclassification for the Olin Parking Lot Parcels I and II from a class 3 to an N is appropriate.

Total Cost

OU	**Site Management Plan Approval:**	**Status:**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Form
6/23/2020

SITE DESCRIPTION

SITE NO. 932051A

SITE NAME Olin Corporation Parking Lot

SITE ADDRESS: Buffalo Avenue ZIP CODE: 14302

CITY/TOWN: Niagara Falls

COUNTY: Niagara

ALLOWABLE USE: Industrial

SITE MANAGEMENT DESCRIPTION

SITE MANAGEMENT PLAN INCLUDES:

IC/EC Certification Plan	NO
Monitoring Plan	
Operation and Maintenance (O&M) Plan	NO
Periodic Review Frequency:	NO
Periodic Review Report Submittal Date:	

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL REMEDIATION
Site Classification Report

DATE: 6/23/2020

Site Code: 932051A **Site Name:** Olin Corporation Parking Lot

Description of Institutional Control

Olin Corporation

2400 Buffalo Avenue - PO Box 748

111 27th Street

Deed Restriction
Block: 0001
Lot: 008
Sublot: 000
Section: 159
Subsection: 012
S_B_L Image: 159.12-1-8
Ground Water Use Restriction
Landuse Restriction

Other Controls
Block: 0001
Lot: 008
Sublot: 000
Section: 159
Subsection: 012
S_B_L Image: 159.12-1-8
Consent Order/Decree
Deed Notice

97 24th Street

Deed Restriction
Block: 0001
Lot: 016
Sublot: 000
Section: 159
Subsection: 011
S_B_L Image: 159.11-1-16
Ground Water Use Restriction
Landuse Restriction

Other Controls
Block: 0001
Lot: 016
Sublot: 000
Section: 159
Subsection: 011
S_B_L Image: 159.11-1-16
Consent Order/Decree
Deed Notice

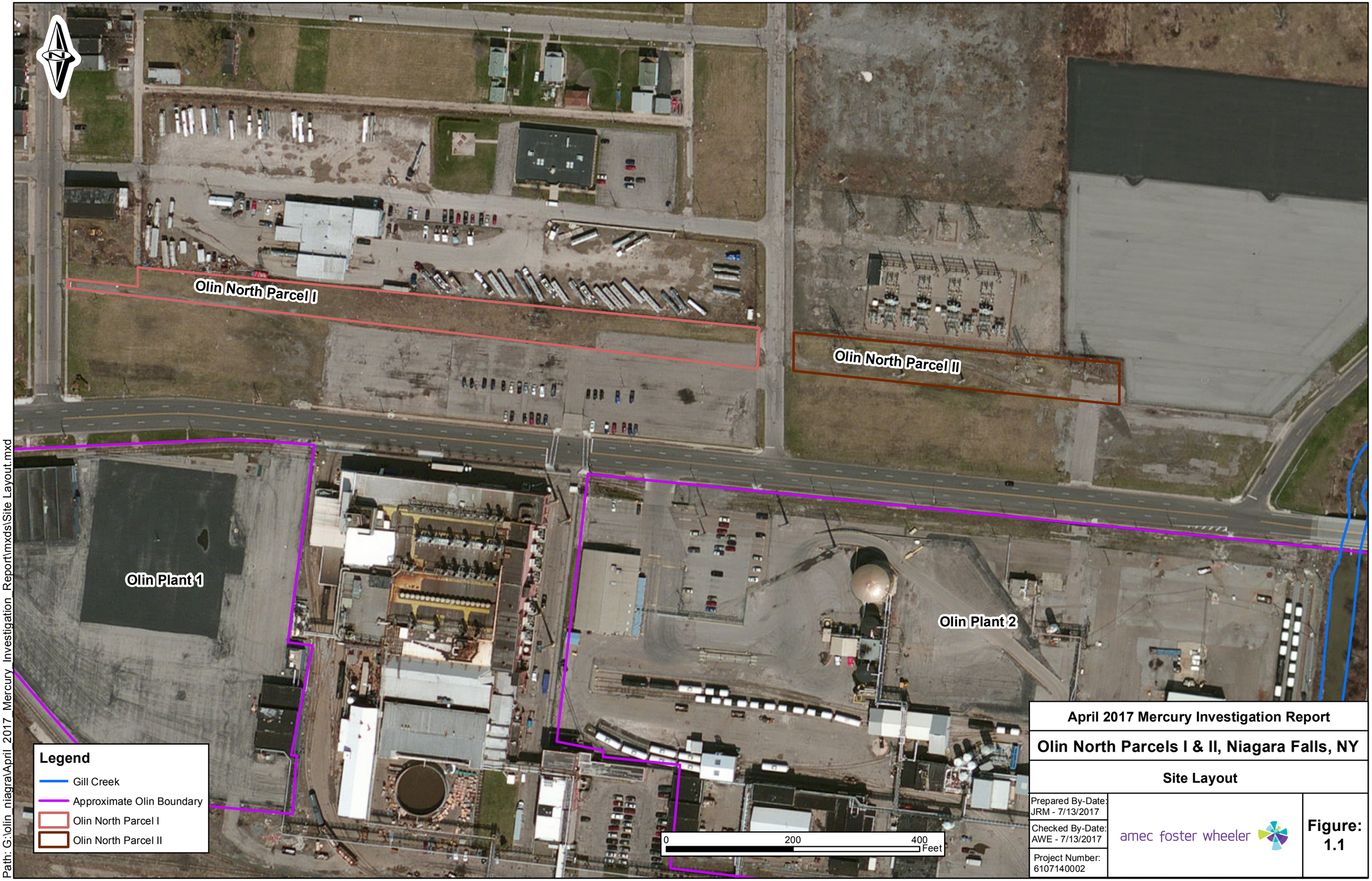
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL REMEDIATION
Site Classification Report

DATE: 6/23/2020

Site Code: 932051A **Site Name:** Olin Corporation Parking Lot

Description of Engineering Control

Not Applicable/No EC's



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April 2017 Mercury Investigation Report

Olin North Parcels I & II, Niagara Falls, NY

Site Layout

Prepared By-Date: JRM - 7/13/2017	amec foster wheeler	**Figure: 1.1**
Checked By-Date: AWE - 7/13/2017		
Project Number: 6107140002		

1	
Depth	Total Hg
ft bgs	mg/kg
3.5	0.17

2	
Depth	Total Hg
ft bgs	mg/kg
4.0	0.3

3	
Depth	Total Hg
ft bgs	mg/kg
3	4.5

4	
Depth	Total Hg
ft bgs	mg/kg
2.5	20

OSB3		
Depth	Total Hg	TCLP Hg
ft bgs	mg/kg	ug/L
0-2	2.3	<0.2
2-4	0.77	<0.2
4-6	0.44	<0.2
4-6-Dup	0.98	<0.2
6-8	<0.10	<0.2

Legend

- USGS Soil Boring (1982)
- RCRA Facility Investigation Soil Boring (1992)
- Gill Creek
- Approximate Olin Boundary
- Olin North Parcel I (Niagara County Parcel 97)
- Olin North Parcel II (Niagara County Parcel 111)

0 200 400 Feet

Path: G:\olin_niagra\August_2019_Investigative_Report\Historic Soil Sample Results.mxd

August 2019 Mercury Speciation Soil Investigation Report

Olin North Parcels, Niagara Falls, NY

Historical Soil Sample Results

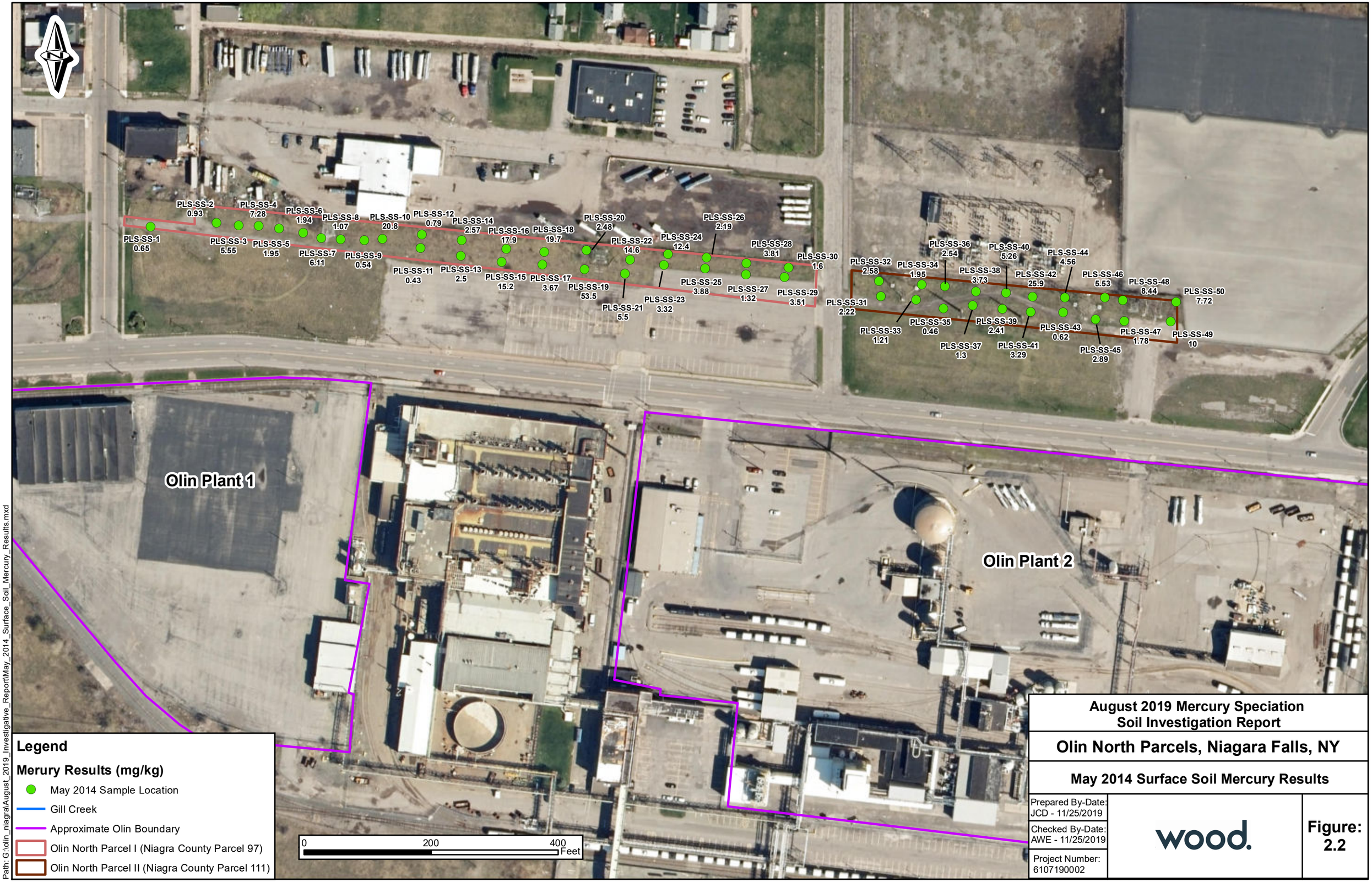
Prepared By-Date: JCD - 11/26/2019

Checked By-Date: AWE - 11/26/2019

Project Number: 6107190002

wood.

Figure: 2.1



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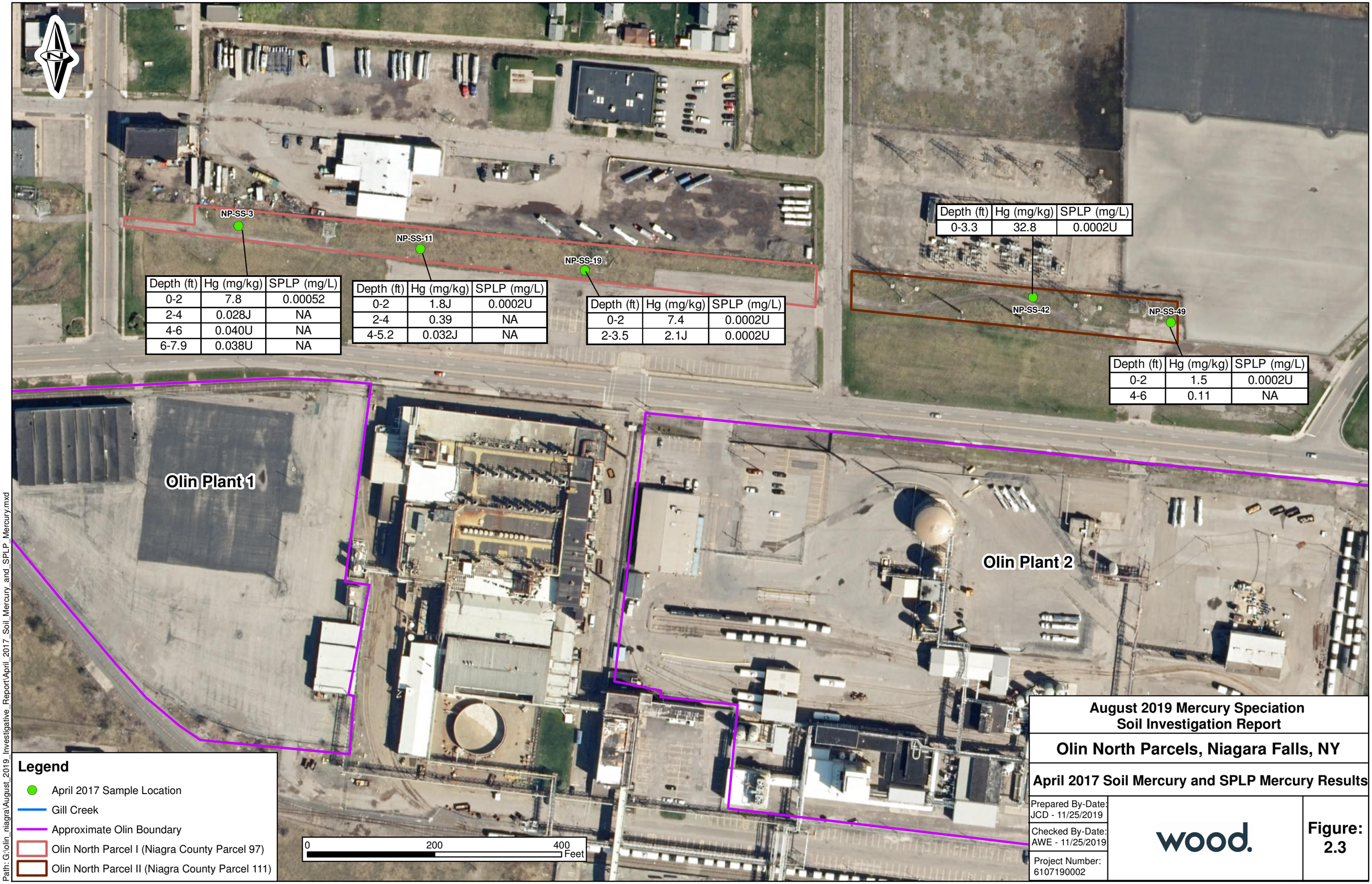
August 2019 Mercury Speciation Soil Investigation Report

Olin North Parcels, Niagara Falls, NY

May 2014 Surface Soil Mercury Results

Prepared By-Date: JCD - 11/25/2019	wood.	Figure: 2.2
Checked By-Date: AWE - 11/25/2019		
Project Number: 6107190002		



Depth (ft)	Hg (mg/kg)	SPLP (mg/L)
0-2	7.8	0.00052
2-4	0.028J	NA
4-6	0.040U	NA
6-7.9	0.038U	NA

Depth (ft)	Hg (mg/kg)	SPLP (mg/L)
0-2	1.8J	0.0002U
2-4	0.39	NA
4-5.2	0.032J	NA

Depth (ft)	Hg (mg/kg)	SPLP (mg/L)
0-2	7.4	0.0002U
2-3.5	2.1J	0.0002U

Depth (ft)	Hg (mg/kg)	SPLP (mg/L)
0-3.3	32.8	0.0002U

Depth (ft)	Hg (mg/kg)	SPLP (mg/L)
0-2	1.5	0.0002U
4-6	0.11	NA

Legend

- April 2017 Sample Location
- Gill Creek
- Approximate Olin Boundary
- Olin North Parcel I (Niagra County Parcel 97)
- Olin North Parcel II (Niagra County Parcel 111)

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August 2019 Mercury Speciation Soil Investigation Report

Olin North Parcels, Niagara Falls, NY

April 2017 Soil Mercury and SPLP Mercury Results

Prepared By-Date: JCD - 11/25/2019

Checked By-Date: AWE - 11/25/2019

Project Number: 6107190002

wood.

Figure: 2.3

Notes:
U - Constituent not detected above the Reporting Limit shown
J - The compound was positively identified, but the associated numerical value is an estimated concentration.

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	13.6	0.00161 U

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	26.5	0.00175 U

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	12.7 J	0.00189 U

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	7.35	0.00343 U

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	3.75	0.00322 U

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	3.22	0.00164 U

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	49.2	0.00175 U

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	57.3	0.00173 U

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	2.1	0.0034 U

Depth (ft)	Total Hg (mg/kg)	Elemental Hg (mg/kg)
0 - 0.5	7.19	0.00317 U

PLS-SS-3
PLS-SS-7
PLS-SS-10
PLS-SS-16
PLS-SS-19
PLS-SS-24
PLS-SS-29
PLS-SS-31
PLS-SS-42
PLS-SS-49

Olin Plant 1

Olin Plant 2

Legend

Mercury Results (mg/kg)

- August 2019 Sample Locations
- Gill Creek
- Approximate Olin Boundary
- Olin North Parcel I (Niagra County Parcel 97)
- Olin North Parcel II (Niagra County Parcel 111)

0 200 400 Feet

August 2019 Mercury Speciation Soil Investigation Report

Olin North Parcels, Niagara Falls, NY

August 2019 Surface Soil Mercury Results

Prepared By-Date: JCD - 12/11/2019
Checked By-Date: AWE - 12/11/2019
Project Number: 6107190002

wood.

Figure: 4.1

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Appendix A
Declaration of Restrictive Covenants

NOTICE AND DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION is made as of the 30TH day of NOVEMBER, 2012 by OLIN CORPORATION, a Virginia corporation ("Declarant"), with a place of business at 3855 North Ocoee Street, Suite 200, Cleveland, Tennessee 37312.

RECITALS

A. The Declarant owns fee simple title to the real estate and improvements known as the 2400 Buffalo Avenue, located in the City of Niagara Falls in Niagara County, New York (the "Plant"). Such real property includes two parcels of land referred to as the "Parking Lot Parcels" being legally described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").

B. **From 1897 through the present, Declarant has operated various chemical manufacturing facilities at the Plant.**

C. **As of the date hereof, Declarant is investigating and evaluating the environmental conditions of the Plant and the Property.**

D. In order to limit possible exposure pathways, Declarant desires to impose upon and subject the Property to this Declaration, which shall become effective upon the recording of this Declaration in the land records of Niagara County, New York.

NOTICE AND DECLARATION

NOW, THEREFORE, the Declarant hereby declares that the Property and any portion thereof is and shall be held, transferred, sold, conveyed, used and occupied subject to the perpetual restrictive covenants hereinafter set forth, which restrictive covenants shall run with the Property and be binding upon all parties having any right, title or interest in the Property or any part thereof, their successors and assigns, and shall inure to the benefit of each owner thereof, and which are for the purpose of protecting the value and desirability of the Property.

1. Notice. Declarant has entered into an Order on Consent ("Order") with the New York State Department of Environmental Conservation ("DEC") to implement a Resource Conservation and Recovery Act ("RCRA") corrective action program to remediate soil and groundwater contamination in the vicinity of the Property. A copy of this Order may be obtained from Declarant or DEC. The terms and conditions of this Order are incorporated herein by reference.

2. Presence of Hazardous Wastes. The potential Declarant-derived hazardous waste constituents are listed in Exhibit B, attached hereto and incorporated herein by this reference, and are found in various concentrations throughout the soil and groundwater of the Property.

3. Restricted Uses. Notwithstanding any laws, rules, regulations, ordinances or orders of any governmental or quasi-governmental entity, including, without limitation, local municipal and zoning

ordinances, the Property, or any portion thereof, shall be used solely for commercial and/or industrial purposes.

4. General Restriction. Notwithstanding the commercial and/or industrial use limitation set forth above, no groundwater shall be extracted from beneath the Property for any purpose other than those commercial/industrial purposes involving non-contact uses, water treatment, or environmental sampling and testing. In addition, soils shall be extracted from beneath the Property only when consistent with industrial/commercial uses and with protocols that maintain adequate protection to human health and safety.

5. Runs with the Land. The perpetual restrictive covenants created in this Declaration are appurtenant to the Property and are (i) made for the direct benefit of the Property; (ii) shall run with the land; (iii) may be enforced as either equitable servitudes or real covenants; and (iv) shall bind and inure to the benefit of every person or entity having any property interest in the Property or any portion thereof.

6. Severability. If any portion of this Declaration shall to any extent be invalid or unenforceable, the remaining provisions of this Declaration shall not be affected thereby, and each provision of this Declaration shall be valid and enforceable to the fullest extent permitted by law.

7. Successors and Assigns Bound. This Declaration shall be perpetual and shall be binding upon and shall inure to the benefit of Declarant, any subsidiary of Declarant, division, parent or wholly owned corporation or affiliate now or hereafter existing, and their respective successors and assigns with respect to the Property and the tenants, subtenants, licensees, vendees, concessionaires and successors and assigns of any of them with any fee, leasehold, license or other interest in the Property.

8. Removal of Restriction. In the event that the DEC or its successor provides Declarant with a written determination that this deed restriction is no longer necessary to protect the public health or the environment, and Declarant is the then owner of record of the Property, Declarant shall file such documents with the Niagara County, New York Recorder of Deeds as are necessary to remove the restrictions contained in this Declaration from the Property.

9. Governing Law. This Declaration shall be governed by and construed in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the day and year first above written.

OLIN CORPORATION,
a Virginia corporation

By: Curtis M Richards
Name: Curtis M. Richards
Title: Corporate Vice President
Environment, Health & Safety

STATE OF Tennessee)
) SS.
COUNTY OF Bradley)

On the 30th day of November in the year 2012 before me, the undersigned, personally appeared Curtis M. Richards, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

BETH A. BALTIMORE
STATE OF TENNESSEE NOTARY PUBLIC
BRADLEY COUNTY

Beth A. Balti
Notary Public

Beth A. Baltimore
Printed Name

My Commission expires: 1/16/2013

EXHIBIT A

Parcel I: All that tract or parcel of land, situate in the City of Niagara Falls, County of Niagara and State of New York and being part of Lot 4 Stedman Farm, bounded and described as follows: Beginning at the point of intersection of the west line of Packard Road with the north line of lands of the Erie Railroad Company; thence westerly along said north line of the railroad company's land to the east line of an alleged public highway, known and designated as Twenty-seventh Street, a distance of 771.08 feet, more or less; thence northerly along the east line of said highway or street a distance of 60.27 feet; thence east and parallel with said north line of the railroad company's land and distant 60 feet therefrom, measured at right angles thereto, a distance of 826.70 feet, more or less, to the west line of Packard Road; thence south along the west line of Packard Road to said point of beginning a distance of 81.11 feet, more or less
Excepting therefrom that portion conveyed by Olin Mathieson Chemical Corporation to Industrial Welding Corporation by Deed dated May 7 1964 and recorded in liber 1425 of Deeds page 117

Parcel II: All that tract or parcel of land, situate in said City of Niagara Falls and being a part of Lot 3 of Lot 4 Stedman Farm, bounded and described as follows: Beginning at the point of intersection of the east line of Twenty-fourth Street with the north line of lands of the Erie Railroad Company; thence easterly a distance of 1087.67 feet, more or less, to the west line of said alleged public highway referred to and designated as Twenty-seventh Street; thence northerly along said west line of said alleged highway or street, a distance of 60.27 feet; thence westerly and parallel with the north line of said railroad company's lands and distant therefrom 60 feet measured at right angles thereto, a distance of 971.14 feet; thence southerly and parallel to the east line of Twenty-fourth Street and distant therefrom 116.52 feet, a distance of 40.18 feet; thence westerly and parallel with said north line of Erie Railroad Company's land and distant therefrom 20.09 feet, measured parallel to the east line of Twenty-fourth Street, a distance of 116.52 feet to the east line of Twenty-fourth Street; thence southerly along the east line of Twenty-fourth Street, a distance of 20.09 feet to the place of beginning

EXHIBIT B

POTENTIAL OLIN-DERIVED CONSTITUENTS MEASURED IN SOIL AND GROUNDWATER
PARKING LOT PARCELS

Parameter	*CAS No.*
Volatile Organic Compounds	
Benzene	71-43-2
Acid/Base/Neutral/Pesticides Compounds	
Phenol	108-95-2
2,4,5-Trichlorophenol	95-95-4
2,3,4,6-Tetrachlorophenol	58-90-2
2-Chlorophenol	95-57-8
Chlorobenzene	108-90-7
1,2,4-Trichlorobenzene	120-82-1
m-Dichlorobenzene	541-73-1
o-Dichlorobenzene	95-50-1
p-Dichlorobenzene	106-46-7
α-BHC	319-84-6
β-BHC	319-85-7
δ-BHC	319-86-8
Alcohols	
Methanol	67-56-1
Inorganics	
Mercury (total)	

NEW YORK STATE OF OPPORTUNITY. Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

February 19, 2020

Gail Dieter
NYS Dept. of Environmental Conservation
Division of Environmental Remediation
Bureau E, Section C
625 Broadway, 12th floor
Albany, NY 12233-7017

RE: Mercury Speciation Soil Investigation
Olin Parking Lot
Site # 932051A
Niagara Falls, Niagara County

Dear Ms. Dieter:

I have reviewed the August 2019 Mercury Speciation Soil Investigation Report, received December 12, 2019, for the Olin North Parking Lot Site in Niagara Falls. Based on that review, I understand that the soil samples collected in August 2019 were analyzed for both total and volatile elemental mercury by Eurofins via USEPA method 1631B, in accordance with the approved work plan.

Elemental mercury was not detected in the soil samples. Levels of total mercury exceed the current soil cleanup objectives of 2.8 parts per million (ppm) for commercial use and 5.7 ppm for industrial use. However, when compared to values in the Development of Soil Cleanup Objectives Technical Support Document Table 5.6-1: Final Human Health Based Soil Cleanup Objectives, for mercury (Inorganic salts) of 47 ppm for commercial use and 220 for industrial use, only two locations exceed commercial use values, with a maximum value of 57.3ppm.

The site is currently used as a utility corridor and for parking in an industrial area. In addition, a Deed Restriction was filed in November 2012 that limits site development to commercial or industrial purposes only. Based on the sporadic detections of inorganic mercury over cleanup objectives and limited potential for human exposures to site soil, I agree with the conclusion of the report that no further action is needed to address inorganic mercury in soil in this area with respect to human health. Please feel free to contact me at 518-402-7860 if you have any questions or wish to discuss the site further.

Sincerely,

Wendy S. Kuehner, P.E.
Professional Engineer 1 (Environmental)
Bureau of Environmental Exposure Investigation

Ec: C. Bethoney / e-File
A. Bonamici / C. Nicastro – NYSDOH WRO
P. Dicky – NCDOH
M. Cruden / S. Saucier – NYSDEC Central Office
S. Radon – NYSDEC Region 9