Periodic Review Report

Covering the time period from October 16, 2018 through October 16, 2021
NYSDEC Site No. B-00052-4

Location:

Former Mohasco Mills Complex
Lyon Street & Forest Avenue
Amsterdam, New York
12010

Prepared for:

Sticker Mule, LLC
336 Forest Avenue
Amsterdam, New York 12010

LaBella Project No. 2203166

November 15, 2021

LaBella
Powered by partnership.

5 McCrea Hill Road | Ballston Spa, NY 12020 | p 518-885-5383 | f 518-885-5385

www.labellapc.com

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form

Site Details **Box 1**

Site No. **B00052**

Site Name **Former Mohasco Mills Complex**

Site Address: Lyon Street & Forest Avenue Zip Code: 12010
City/Town: Amsterdam
County: Montgomery
Site Acreage: 15.960

Reporting Period: October 16, 2018 to October 16, 2021

	YES	NO
1. Is the information above correct?	X	
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period ?	X	
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d)) ?		X
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?		X
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?		X

Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Commercial, and Industrial	X	
7. Are all ICs/ECs in place and functioning as designed?		X

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

A Corrective Measures Work Plan will be submitted under separate cover by the responsible party.

Randy Hoose

LaBella Associates, D.P.C representing Site Owner
Signature of Owner, Remedial Party or Designated Representative

11-15-2021
Date

Site No. **B00052** **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
40.13-7-2	Sticker Mule, LLC	Ground Water Use Restriction Land Use Restriction Site Management Plan

Description of Engineering Controls **Box 4**

Parcel	Engineering Control
40.13-7-2	Cover System

The engineering control consists of two feet of clean soil covering building debris and contaminated soil at the site. Proper slope and vegetative cover must be maintained.

Periodic Review Report (PRR) Certification Statements **Box 5**

1. I certify by checking "YES" below that:
   a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;
   b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES	NO
X	

2. For each Engineering Control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:
   a) the Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
   b) nothing has occurred that would impair the ability of such Control, to protect the public health and the environment;
   c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;
   d.) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan, for this Control; and
   e.) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES	NO

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise Continue

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative — Date

IC CERTIFICATIONS
SITE NO. B00052 **Box 6**

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1, 2 and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I _____ at _____
print name

_____

_____

am certifying as _____ (Owner or Remedial Party)

For the Site named in the Site Details Section of this form.

_____ _____

Signature of Owner, Remedial Party or Designated Representative Rendering Certification — Date

EC CERTIFICATIONS
SITE NO. B00052

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Fil L. Fina, III at LaBella Associates, D.P.C.
5 McCrea Hill Road
Ballston Spa, New York 12020

am certifying as a Professional Engineer for the Owner
(Owner or Remedial Party)

_____ _____ _____

Signature of Professional Engineer for the Owner or Remedial Party, Rendering Certification — Stamp (Required for PE) — Date

Curley, Ruth E (DEC)

From: Sal Ferlazzo <sdf@girvinlaw.com>
Sent: Thursday, August 29, 2019 5:17 PM
To: Curley, Ruth E (DEC)
Cc: Adrien LaBelle; Jim Blasting
Subject: FW: Notices of Transfer of COC
Attachments: Filed Notice of Transfer of COC [350 Forest Ave.].pdf; Filed Notice of Transfer of COC [61 Edson].pdf

Categories: to be edoced

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Ruth, our engineer consultant Jim Blasting provided you as the person who receives the COCs once there is a transfer. I attach 2 such transfers for filing on behalf of the purchasers and we will have them hand delivered tomorrow to your office. Please advise if you are able to accept these for the department. Adrien, please hand deliver them to Ms Curley unless she advises otherwise.

Salvatore D. Ferlazzo, Esq.
GIRVIN FERLAZZO, PC
ATTORNEYS AT LAW
20 Corporate Woods Boulevard
Albany, NY 12211
Telephone: 518-462-0300
Facsimile: 518-462-5037
www.girvinlaw.com

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MONTGOMERY COUNTY CLERK

BRITTANY L. KOLBE

Receipt

Receipt Date: 08/29/2019 12:35:02 PM
RECEIPT # 2019297015

Recording Clerk: WN
Cash Drawer: CASH5
Rec'd Frm: GIRVIN & FERLAZZO PC
Rec'd In Person

Instr#: 2019-84816
DOC: MISCELLANEOUS RECORDING
OR Party: CITY OF AMSTERDAM INDUSTRIAL DEVELOPMENT AGENCY THE
EE Party: STICKER MULE LLC

Recording Fees	
Cover Page	$5.00
Recording Fee	$55.00
Cultural Ed	$14.25
Records Management - County	$1.00
Records Management - State	$4.75
DOCUMENT TOTAL: ---->	$80.00

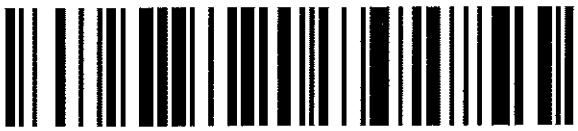
Receipt Summary	
Document Count: 1	
TOTAL RECEIPT: ---->	$80.00
TOTAL RECEIVED: ---->	$80.00
CASH BACK: ---->	$0.00

PAYMENTS
Check # 5158 -> $80.00
GIRVIN & FERLAZZO PC



MONTGOMERY COUNTY – STATE OF NEW YORK
BRITTANY L. KOLBE, COUNTY CLERK
P O BOX 1500, FONDA, NY 12068

COUNTY CLERK'S RECORDING PAGE
*****THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH*****



INSTRUMENT #: 2019-84816

Receipt#: 2019297015
Clerk: WN
Rec Date: 08/29/2019 12:35:02 PM
Doc Grp: RP
Descrip: MISCELLANEOUS RECORDING
Num Pgs: 8
Rec'd Frm: GIRVIN & FERLAZZO PC

Party1: CITY OF AMSTERDAM INDUSTRIAL DEVELOPMENT AGENCY THE
Party2: STICKER MULE LLC
Town: CITY OF AMSTERDAM

Recording:

Cover Page	5.00
Recording Fee	55.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
Total:	80.00

**** NOTICE: THIS IS NOT A BILL ****

Record and Return To:

I hereby certify that the within and foregoing was recorded in the Montgomery County Clerk's Office

Brittany L. Kolbe
Montgomery County Clerk

*****THIS IS NOT AN INVOICE*****

NOTICE OF TRANSFER OF CERTIFICATE OF COMPLETION
Environmental Restoration Program
Pursuant to 6 NYCRR Part 375-1.9(d)
Former Mohasco Mills Complex, Site ID No. B00052
Lyon Street and Forest Avenue, Amsterdam, NY 12010

PLEASE TAKE NOTICE, that pursuant to 6 NYCRR 375-1.9(d), The City of Amsterdam Industrial Development Agency hereby transfer(s) the Certificate of Completion (COC) issued by the Department of Environmental Conservation on August 2011 for the site described below. Such COC was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the State Assistance Contract, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 56, title 5 had been or would be achieved in accordance with the time frame, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, that *Former Mohasco Mills Complex* (site) is located at *Lyon Street and Forest Avenue, Amsterdam, Montgomery County*. The Site is bearing DEC site number: *B00052* and is more fully described on Schedule A attached hereto ("Site"). The Tax Map Identification Number(s) for site is/are: #40.13-7-2, #40.13-7-6 and #40.13-7-10

PLEASE TAKE NOTICE, that a Notice of Certificate of Completion for the Site was filed in the *Montgomery* County Clerk's Office on _____ in Liber _____ Of Deeds at Page _____.

PLEASE TAKE NOTICE, that on May 10, 2019, *The City of Amsterdam Industrial Development Agency* conveyed title to the Site to *Sticker Mule, LLC* by Deed recorded as Instrument (#) 2019-83183.

PLEASE TAKE NOTICE, *The City of Amsterdam Industrial Development Agency* hereby transfers the Certificate to the following new property owner(s) as provided for pursuant to 6 NYCRR 375-1.9(d):

Sticker Mule, LLC
(New Property Owner)

336 Forest Ave., Amsterdam, NY 12010
(Address)

27-1771199
(Employer Identification Number)

Anthony Constantino
Representative (if applicable)

336 Forest Ave., Amsterdam, NY 12010
(Address)

PLEASE TAKE FURTHER NOTICE, that if there is an environmental easement for this site, that *Sticker Mule, LLC* recognize(s) and agree(s) to implement the Department-approved Site Management Plan, and any amendments thereto, and to fully comply with all restrictions and affirmative obligations contained therein as well as in the Environmental Easement for the Site.

WHEREFORE, the undersigned have signed this Notice of Transfer of Certificate of Completion as of this 31st of July, 2019.

Certificate holder(s)

Mayor

By Authorized Signator

Sworn to before me this
31st of July, 2019.

CHARLES R. SCHWARTZ
Notary Public, State of New York
Qualified in Montgomery County
Reg. No. 02SC6062209
Commission Expires July 30, 2021

Notary

Sticker Mule, LLC

(New Property Owner(s))

By Authorized Signator

Sworn to before me this
31st of July, 2019.

Notary

SALVATORE D. FERLAZZO
Notary Public, State of New York
No. 4792412
Qualified in Rensselaer County
Commission Expires November 30, 2021

CHICAGO TITLE INSURANCE COMPANY **TITLE NO. CT18-31854-DIR**

SCHEDULE A DESCRIPTION

Corner Lyon and Forest, Tax Map No. 40.13-7-2 and 40.13-7-6:

All that certain tract, piece or parcel of land situate, lying and being in the City of Amsterdam, County of Montgomery, State of New York, lying West of Forest Street, South of Lyon Street, Southeast of Locust Avenue, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the Westerly street boundary of Forest Avenue with the Southerly street boundary of Lyon Street and runs thence from said point of beginning along said Westerly street boundary South 19 deg. 18 min. 45 sec. West 81.23 feet to its intersection with the Southwesterly street boundary of Forest Avenue; thence along said Southwesterly street boundary South 23 deg. 48 min. 10 sec. West 139.19 feet to its point of intersection with the division line between the lands of the City of Amsterdam, New York on the North and the lands now or formerly of Peter Demitraszek as described in Book 730 of Deeds at Page 62 formerly lands conveyed to the City of Amsterdam Industrial Development Agency as described in Book 609 of Deeds at Page 83 on the South; thence along said division line North 82 deg. 35 min. 16 sec. West 117.30 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Northwest and said lands of Peter Demitraszek on the Southeast; thence along said division line South 23 deg. 48 min. 10 sec. West 95.71 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Southwest and said lands of Peter Demitraszek on the Northeast; thence along said division line South 66 deg. 11 min. 50 sec. East 112.55 feet to its intersection with the Northwesterly street boundary of Forest Street; thence along said Northwesterly street boundary South 23 deg. 48 min. 10 sec. West 140.20 feet to its point of the intersection with the division line between the said lands of the City of Amsterdam, New York on the Northeast and the lands now or formerly of Thomas B. Constantino on the Southwest; thence along said division line North 66 deg. 13 min. 35 sec. West 319.37 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the North and said lands of Thomas B. Constantino on the South; thence along said division line South 70 deg. 03 min. 00 sec. West 167.56 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the West and said lands of Thomas B. Constantino on the East; thence along said division line South 16 deg. 25 min. 05 sec, East 12.53 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Northwest and other lands now or formerly of Thomas B. Constantino (d.b.a. The Noteworthy Company) as described in Book 414 of Deeds at Page 127 and Book 412 of Deeds at Page 263 on the Southeast; thence along said division line South 38 deg. 48 min. 55 sec. West 111.21 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the North and said other lands of Thomas B. Constantino on the South; thence along said division line South 75 deg. 50 min, 25 sec. West 145.75 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the West and said other lands of Thomas B. Constantino on the East; thence along said division line South 07 deg. 16 min. 20 sec. East 114.43 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Northwest and said other lands of Thomas B. Constantino on the Southeast; thence along said division line South 38 deg. 48 min. 55 sec. West 61.45 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Southwest and said other lands of Thomas B. Constantino on the Northeast; thence along said division line South 51 deg. 11 min. 05 sec. East 82.25 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Northwest and said other lands of Thomas B. Constantino on the Southeast; thence along said division line South 38 deg. 35 min. 40 sec. West 188.25 feet to its point of intersection with the common division line between the said lands of the City of Amsterdam, New York on the West and reputed lands of the City of Amsterdam and lands now or formerly of Thomas B. Constantino (d.b.a. The Noteworthy Company) as described in Book 412 of Deeds at Page 266 on the Southeast; thence along said common division line South 46 deg. 00 min. 00 sec. West 206.44 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Northwest and said other lands of Thomas B. Constantino as described in Book 412 of Deeds at Page 266 on the Southeast; thence along said division line South 36 deg. 48 min. 20 sec. West 279.78 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Northeast and said other lands of Thomas B. Constantino as described in Book 412 of Deeds at Page 266 on the Southwest; thence along said division line North 51 deg. 48 min. 50 sec. West 65.65 feet to its point of intersection with the common division line between the said lands of the City of Amsterdam, New York on the Southeast and the lands now or formerly of Edward L. Mazur and Gloria Anne Mazur as described in Book 318 of Deeds at Page 389 and reputed lands of Owner Unknown on the Northwest, said point also being the Northeasterly terminus of Elias Street; thence along said common division line North 38 deg. 31 min. 45 sec. East 210.35 feet to its point of intersection with the common division line between the said lands of the City of Amsterdam, New York on the Northeast and said reputed lands of Owner Unknown and the

SCHEDULE A DESCRIPTION
(Continued)

Northeasterly terminus of Krull Street on the Southwest; thence along said common division line North 51 deg. 48 min. 50 sec. West 260.25 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on Southeast and the lands now or formerly of Carmella E. Petrosino as described in Book 412 of Deeds at Page 354 on the Northwest; thence along said division line North 38 deg. 31 min. 45 sec. East 80.00 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Northeast and said lands of Carmella E. Petrosino on the Southwest; thence along said division line North 50 deg. 15 min. 00 sec. West 81.77 feet to its point of intersection with the common division line between the said lands of the City of Amsterdam, New York on the Southeast and the lands now or formerly of Philip P. Caldarone and Nancy L. Caldarone as described in Book 701 of Deeds at Page 36, lands now or formerly of Carlos Alvarez and Maria D. Parex as described in Book 576 of Deeds at Page 290 and lands now or formerly of Edward C. Tolson and Carol Tolson as described in Book 344 of Deeds at Page 449 on the Northwest; thence along said common division line North 39 deg. 39 min. 40 sec. East 130.00 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Northeast and said lands of Edward C. Tolson and Carol Tolson on the Southwest; thence along said division line North 51 deg. 59 min. 10 sec. West 53.00 feet to its point of intersection with the common division line between the said lands of the City of Amsterdam, New York on the Southeast and said lands of Edward C. Tolson and Carol Tolson, lands now or formerly of Benedict A. Isabel as described in Book 501 of Deeds at Page 239 and lands now or formerly of Mohawk Valley Properties Inc. as described in Book 690 of Deeds at Page 13 on the Northwest; thence along said common division line North 38 deg. 00 min. 50 sec. East 95.50 feet to its point of intersection with the division line between the said lands of the City of Amsterdam, New York on the Northeast and said lands of Mohawk Valley Properties Inc., on the Southwest; thence along said division line North 51 deg. 59 min. 10 sec. West 100.00 feet to its intersection with the Southeasterly street boundary of Locust Avenue; thence along said Southeasterly street boundary the following two (2) courses: 1) North 38 deg. 05 min. 30 sec, East 478.72 feet to a point; and 2) North 43 deg. 29 min. 00 sec. East 8.23 feet to its point of intersection with the Southeasterly street boundary of Lyon Street; thence along said Southeasterly street boundary 61 deg. 44 min. 15 sec. East 10.82 feet to its point of intersection with the Southerly street boundary of Lyon Street; thence along said Southerly street boundary the following seven (7) course: 1) North 71 deg. 39 min. 50 sec. East 105.38 feet to a point; 2) North 72 deg. 49 min. 35 sec. East 350.45 feet to a point; 3) North 74 deg. 41 min. 00 sec. East 146.58 feet to a point; 4) North 88 deg. 22 min. 30 sec. East 89.17 feet to a point; 5) South 77 deg. 23 min. 30 sec, East 184.62 feet to a point; 6) South 81 deg. 30 min. 25 sec. East 119.02 feet to a point; and 7) South 78 deg. 08 min. 45 sec. East 87.35 feet to the point or place of beginning.

FOR CLOSING INSTRUMENTS ONLY, NOT INSURED; (containing 16.31± acres of land).

EXCEPTING AND RESERVING from the above described premises all that certain tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, lying generally Southeast of Locust Avenue and Northwest of Forest Avenue, and being more particularly bounded and described as follows:

COMMENCING at the point of intersection of the division line between the lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 on the Northeast and the lands now or formerly of Mohawk Valley Properties, Inc., as described in Book 690 of Deeds at Page 13 on the Southwest with the Southeasterly street boundary of Locust Avenue; thence from said point of commencement along the above first mentioned division line South 51 deg. 59 min. 10 sec. East 100.00 feet to a point; thence through the said lands now or formerly of the City of Amsterdam, New York South 39 deg. 19 min. 06 sec. East 133.71 feet to the point or place of beginning and runs thence from said point of beginning through the said lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 the following four (4) courses: 1) North 12 deg. 48 min. 03 sec. East 277.35 feet to a point; 2) South 77 deg. 10 min. 56 sec. East 199.15 feet to a point; 3) South 12 deg. 58 min. 37 sec. West 277.71 feet to a point; and 4) North 77 deg. 04 min. 37 sec. West 198.30 feet to the point or place of beginning and containing 55,152± square feet or 1.27 acres of land, more or less.

Subject to ACCESS EASEMENT #1 described as follows:

All that certain tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, lying generally Southeast of Locust Avenue and Northwest of Forest Avenue, and being more particularly bounded and described as follows:

SCHEDULE A DESCRIPTION
(Continued)

COMMENCING at the point of intersection of the division line between the lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 on the Northeast and the lands now or formerly of Mohawk Valley Properties, Inc. as described in Book 690 of Deeds at Page 13 on the Southwest with the Southeasterly street boundary of Locust Avenue; thence from said point of commencement along the above first mentioned division line South 51 deg. 59 min. 10 sec. East 100.00 feet to a point; thence through the said lands now or formerly of the City of Amsterdam, New York South 39 deg. 19 min. 06 sec. East 133.71 feet to the Southwesterly corner of a proposed 1.27± acre parcel of land to be retained by the City of Amsterdam, New York; thence South 77 deg. 04 min. 37 sec. East along the Southerly boundary of said proposed 1.27± acre parcel 30.90 feet to the point or place of beginning and runs thence from said point of beginning continuing along said Southerly boundary of said proposed 1.27± acre parcel South 77 deg. 04 min. 37 sec. East 15.10 feet to a point; thence through the said lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 the following eight (8) courses: 1) South 03 deg. 47 min. 31 sec. West 62.51 feet to a point; 2) South 03 deg. 28 min. 47 sec. East 67.70 feet to a point; 3) South 01 deg. 48 min. 35 sec. East 9.17 feet to a point; 4) North 20 deg. 34 min. 54 sec. East 7.27 feet to a point; 5) North 12 deg. 44 min, 31 sec. East 41.72 feet to a point; 6) North 16 deg. 08 min. 55 sec. East 24.81 feet to a point; 7) North 06 deg. 32 min. 03 sec. West 37.81 feet to a point; and 8) North 01 deg. 56 min. 32 sec. East 26.68 feet to a point on the above mentioned Southerly boundary of a proposed 1.27± acre of parcel of land to be retained by the City of Amsterdam, New York; thence South 77 deg. 04 min. 37 sec. East along said Southerly boundary of said proposed 1.27± acre parcel 15.28 feet to a point; thence continuing through the said lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 the following eleven (11) courses: 1) South 01 deg. 56 min. 32 sec. West 22.66 feet to a point; 2) South 06 deg. 32 min, 03 sec. East 39.70 feet to a point; 3) South 16 deg. 08 min. 55 sec. West 27.37 feet to a point; 4) South 12 deg. 44 min. 31 sec. West 42.30 feet to a point; 5) South 20 deg. 34 min. 54 sec. West 31.31 feet to a point; 6) South 11 deg. 32 min. 51 sec. West 22.01 feet to a point; 7) South 03 deg. 10 min. 14 sec. East 41,93 feet to a point; 8) South 04 deg. 08 min. 06 sec. East 63.68 feet to a point; 9) South 02 deg. 05 min. 14 sec. East 59.24 feet to a point; 10) South 01 deg. 21 min. 31 sec. West 73.28 feet to a point; and 11) South 03 deg. 19 min. 06 sec. West 16.71 feet to a point on the division line between the said lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 on the Northwest and the lands now or formerly of Thomas B. Constantino DBA "The Noteworthy Company" as described in Book 412 of Deeds at Page 266 on the Southeast; thence South 36 deg. 48 min. 20 sec. West along the last mentioned division line 27.19 feet to a point; thence continuing through the said lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 the following eight (8) courses: 1) North 03 deg.19 min. 06 sec. East 39.12 feet to a point; 2) North 01 deg. 21 min. 31 sec. East 72.57 feet to a point; 3) North 02 deg. 05 min. 14 sec. West 58.53 feet to a point; 4) North 04 deg. 08 min. 06 sec. West 63.54 feet to a point; 5) North 03 deg. 10 min. 14 sec. West 43.12 feet to a point; 6) North 01 deg. 48 min. 35 sec. West 56.65 feet to a point; 7) North 03 deg. 28 min. 47 sec. West 68.54 feet to a point; and 8) North 03 deg. 52 min. 49 sec. East 65.75 feet to the point or place of beginning and containing 9,212± square feet or 0.21 acre of land, more or less. *Subject to any covenants, easements or restrictions of record.*

Subject to ACCESS EASEMENT #2 described as follows:

All that certain tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, lying generally Southeast of Locust Avenue and Northwest of Forest Avenue, and being more particularly bounded and described as follows:

COMMENCING at the point of intersection of the division line between the lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 on the Northeast and the lands now or formerly of Mohawk Valley Properties, Inc., as described in Book 690 of Deeds at Page 13 on the Southwest with the Southeasterly street boundary of Locust Avenue; thence from said point of commencement along the above first mentioned division line South 51 deg. 59 min, 10 sec. East 100.00 feet to a point; thence through the said lands now or formerly of the City of Amsterdam, New York South 39 deg. 19 min. 06 sec. East 133.71 feet to the Southwesterly corner of a proposed 1.27± acre parcel of land to be retained by the City of Amsterdam, New York; thence South 77 deg. 04 min. 37 sec. East along the Southerly boundary of said proposed 1.27± acre Parcel 198.30 feet to its point of intersection with the Easterly boundary of said proposed 1.27± acre parcel of land to be retained by the City of Amsterdam, New York; thence along the Easterly boundary of said proposed 1.27± acre parcel North 12 deg. 58 min. 37 sec. East 26.65 feet to the point or place of beginning and runs thence from said point of beginning continuing along said Easterly boundary of said proposed 1.27±

SCHEDULE A DESCRIPTION
(Continued)

acre parcel North 12 deg. 58 min. 37 sec. East 15.00 feet to a point; thence through the said lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 the following six (6) courses: 1) South 76 deg. 59 min. 59 sec. East 19.89 feet to a point; 2) South 05 deg. 54 min. 42 sec. East 69.10 feet to a point; 3) South 05 deg. 50 min, 13 sec. East 55.47 feet to a point; 4) South 20 deg. 33 min. 18 sec. East 36.05 feet to a point; 5) South 36 deg. 19 min. 01 sec. East 42.80 feet to a point; and 6) South 36 deg. 05 min. 01 sec. East 8.77 feet to a point on the division line between the said lands now or formerly of the City of Amsterdam, New York as describedin Book 587 of Deeds at Page 123 on the Northwest and the lands now or formerly of Thomas B. Constantino DBA "The Noteworthy Company" as described in Book 414 of Deeds at Page 127 on the Southeast; thence South 38 deg. 35 min. 40 sec. West along the last mentioned division line 13.47 feet to its point of intersection with the division line between the said lands now of formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 on the Northwest and other reputed lands of The City of Amsterdam on the Southeast; thence South 40 deg. 00 min. 00 sec. West along the last mentioned division line 2.03 feet to a point; thence through the said lands now or formerly of the City of Amsterdam, New York as described in Book 587 of Deeds at Page 123 the following six (6) courses: 1) North 36 deg. 05 min. 01 sec. West 12.58 feet to a point; 2) North 36 deg. 19 min. 01 sec. West 44.85 feet to a point; 3) North 20 deg. 33 min. 18 sec. West 40.06 feet to a point; 4) North 05 deg. 50 min. 13 sec. West 57.39 feet to a point; 5) North 05 deg. 54 min. 42 sec. West 58.37 feet to a point; and 6) North 76 deg. 59 min. 59 sec. West 9.16 feet to the point or place of beginning and containing 3,410± square feet or 0.08 acre of land, more or less. *Subject to any covenants, easements or restrictions of record.*

350 Forest Avenue, Tax Map No. 40.13-7-10:

All that tract, piece or parcel of land located in the City of Amsterdam, Montgomery County, New York described as follows:

Property on Lyon Street and Forest Avenue designated as SBL # 40.13-7-10

Premises are also described as follows:

All that tract, piece or parcel of land together with all of the improvements located thereon situate in the City of Amsterdam, County of Montgomery State of New York, bounded and described as follows:

BEGINNING at a railroad spike set in blacktop in the westerly margin of Forests Avenue, which point of beginning is 276.13 feet northerly as measured along the westerly margin of Forest Avenue from an iron pipe set in the northerly margin of Third Street; thence North 66°-06'-05" West, a distance of 301.70 feet along the northerly line of an easement for access to and from Forest Avenue to an iron pipe; thence North 23°-49'-50" East, a distance of 90.71 feet along the easterly line of said easement to a railroad spike set in blacktop; thence North 53°-35'-00" East, a distance 33.16 feet along the easterly line or said easement to a bolt set in blacktop; thence South 66°-11'-30" West, a distance of 76.00 feet along the southerly line of said easement to a point; thence South 58°-27'-30" East, a distance of 84.72 feet along the southerly line of said easement to a point; thence South 66°-13'-35" East, a distance of 125.53 feet along the southerly side of said easement to a railroad spike set in blacktop in the westerly margin of Forest Avenue; thence South 23°-57'-30" West, a distance of 108.64 feet along the westerly margin of Forest Avenue to the POINT AND PLACE OF BEGINNING.

CONTAINING 33,996 square feet or 0.78 acres of land, more or less.

Together with a non-exclusive perpetual easement and right of way, running with the land, for the passage of vehicles and pedestrians over that tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, bounded and described as follows:

BEGINNING at a railroad spike set in blacktop in the westerly margin of Forest Avenue, which point of beginning is the southeasterly corner of a parcel of land to be conveyed to Forest Avenue Joint Venture; thence South 23°-57'-30" West, a

SCHEDULE A DESCRIPTION
(Continued)

distance of 31.61 feet along the westerly margin of Forest Avenue to an iron pipe; thence North 66°-02'-50" West, a distance of 296.06 feet on a line located one foot northerly of and parallel to the northerly building wall of the building known as Building No. 44; thence North 08°-08'-35" East, a distance of 5.83 feet to an iron pipe; thence North 60°-50'-30" West, a distance of 51.01 feet through an iron pipe to a point located on the easterly face of a covered loading platform; thence North 38°-48'-55" East, a distance of 166.63 feet along the easterly face of said covered loading platform to a point; thence South 66°-13'-35" East, a distance of 93.50 feet to a point; thence South 58°-27'-30" East, a distance of 88.77 feet to a point; thence South 66°-13'-35" East, a distance of 124.24 feet to a point in the westerly margin of Forest Avenue; thence South 23°-57'-30" West, a distance of 20.00 feet along the westerly margin of Forest Avenue to a railroad spike set in blacktop marking the northeasterly corner of said parcel of land herewith to be conveyed; thence North 66°-13'-35" West, a distance of 125.53 feet along the northerly line of said parcel herewith to be conveyed to a point; thence North 58°-27'-30" West, a distance of 84.72 feet along the northerly line of said parcel herewith to be conveyed to a point; thence North 66°-11'-30" West, a distance of 76.00 feet along the northerly line of said parcel herewith to be conveyed to a bolt set in blacktop marking the northwesterly corner of said parcel herewith to be conveyed; thence South 53°-35'-00" West, a distance of 33.16 feet along the westerly line of said parcel herewith to be conveyed to a railroad spike set in blacktop; thence South 23°-49'-50" West, a distance of 90.71 feet along the westerly line of said Parcel herewith to be conveyed to an iron pipe marking the southwesterly corner of said parcel herewith to be conveyed; thence South 66°-06'-05" East, a distance of 301.70 feet along the southerly line of said parcel herewith to be conveyed to the POINT AND PLACE OF BEGINNING.

Together with an exclusive right, which exclusive right shall run with the land, to park vehicles in that tract, piece or parcel of land situate in the City of Amsterdam, County of Montgomery, State of New York, bounded and described as follows:

BEGINNING at a point in the westerly margin of Forest Avenue, which point is located North 23°-57'-30" East, a distance of 20.00 feet as measured along the westerly margin of Forest Avenue from a railroad spike set in blacktop marking the northeasterly corner of lands herewith to be conveyed to Forest Avenue Joint Venture; thence North 66°-13'-35" West, a distance of 124.24 feet along the northerly line of an easement to be used for access; thence North 58°-27'-30" West, a distance of 88.77 feet along the northerly line of said easement to be used for access to a point; thence South 66°-13'-35" East, a distance of 212.23 feet to a point in westerly margin of Forest Avenue; thence South 23°-57' 30" West, a distance of 12.00 feet along the westerly margin of Forest Avenue to the POINT AND PLACE OF BEGINNING.

ALL BEARINGS are magnetic for the year 1977.

EXECUTIVE SUMMARY

This document is required as an element of the remedial program associated with the former Mohasco Mill Complex Site located in the City of Amsterdam, Montgomery County, New York (hereafter referred to as the "Site"). The Site is currently in the New York State (NYS) Environmental Restoration Program (ERP), which is administered by the New York State Department of Environmental Conservation (NYSDEC), as a "Class C" site. Class C sites are those sites where the NYSDEC has determined that remediation has been satisfactorily completed under a remedial program (such as the ERP).

The Site is listed under the ERP as Site No. B-00052-4 and has been issued a certificate of completion. This certificate of completion, which was originally issued to the City of Amsterdam Industrial Development Agency, was transferred to Sticker Mule, LLC on July 31, 2019. However, this site still requires ongoing maintenance and periodic certification of the applicable institutional and engineering controls (ICs/ECs).

According to the March, 2001 Record of Decision (ROD) for the Site, the Mohasco Mill Complex was a carpet manufacturing facility which operated from the late 1880s through 1984. The manufacturing processes conducted at the Site consisted primarily of milling and weaving of raw materials and dyeing operations. Carpet manufacturing ceased at the Site in 1984. Afterwords, the Site was leased for use as storage and office space. In 1992 (and again in 1994) most of the buildings at the Site were destroyed by fires. Debris from the buildings destroyed by the fires was left on-site and was used to backfill the building foundations. The City of Amsterdam acquired the site in 1994.

Subsequent to the City of Amsterdam acquiring the property in 1994, a Site Investigation was conducted under the ERP and was completed in 2000. The findings identified semi-volatile organic compounds (semi-VOCs), metals, polychlorinated biphenyls (PCBs), and/or pesticides in site soil in excess of the NYSDEC's soil cleanup objectives (SCOs) as specified in their Technical and Administrative Guidance Memorandum (TAGM No. 4046). Groundwater was found to contain low concentrations of site related compounds at a few locations but no plume (or pattern) of impacted groundwater was identified. Stream sediment samples collected immediately downgradient of the Site identified elevated concentrations of selected semi-VOCs and the metals arsenic, lead and zinc.

ICs/ECs have been implemented for the Site in order to control exposure to site-related compounds of concern identified within site media and, to assist with the protection of human health and the environment. The ICs for the Site consist of an environmental easement, which places conditions on future use/development of the site and the Site Management Plan, which directs future monitoring and reporting. The ECs for the site include soil caps, placed over the buried debris and impacted soil, that will limit/prevent future human exposure to impacted site media.

Compliance

The July, 2007 SMP directs that monitoring of the site will be conducted to verify that the remedy continues to be protective of public health and the environment and, be in compliance with the Record of Decision (ROD). Specifically, the SMP requires annual site inspections. The inspections will be documented and will assess compliance with all institutional controls and site conditions at the time of the inspection.

- A total of three (3) annual site inspections were conducted during the time period reported herein. Based on the three (3) annual site inspections conducted during the certification period, the site is in compliance with the requirements of the SMP.

Effectiveness and Protectiveness

The July 2007 SMP established the annual site inspections in order to ensure that maintenance and upkeep of the of ECs implemented for the site continue to be protective of public health and the environment.

- Based on the deficiencies noted during the site inspections, and subsequent repairs completed (or, pending) by the responsible party, the site inspection program established by the SMP for the site is effective and protective of human health and the environment.

Recommendations

- A corrective Measures Work Plan should be prepared by the responsible party to investigate and repair a “sinkhole” that was observed in the soil cover in the northeastern portion of the site (in proximity to the intersection of Lyon Street and Wilbur Avenue) during the most recent (August 23, 2021) annual site inspection.
- LaBella believes that the current annual inspection frequency for the site is appropriate at this time.
- Labella believes that the current schedule for periodic review reporting of every three (3) years is appropriate for this site at this time.
- LaBella believes that the requirements for discontinuing Site management have not been met. As such, Site monitoring as directed by the SMP should continue at this time.

1.0 INTRODUCTION

This document is required as an element of the remedial program associated with the former Mohasco Mill Complex Site located in the City of Amsterdam, Montgomery County, New York (hereafter referred to as the "Site"). The Site is currently in the New York State (NYS) Environmental Restoration Program (ERP), which is administered by the New York State Department of Environmental Conservation (NYSDEC), as a "Class C" site. Class C sites are those sites where the NYSDEC has determined that remediation has been satisfactorily completed under a remedial program (such as the ERP). The Site is listed under the ERP as Site No. B-00052-4 and has been issued a certificate of completion. This certificate of completion, which was originally issued to the City of Amsterdam Industrial Development Agency (IDA), was transferred to Sticker Mule, LLC on July 31, 2019. However, this site still requires ongoing maintenance and periodic certification of the applicable institutional and engineering controls (ICs/ECs).

The Site is an approximately 16-acre parcel located on the Montgomery County, New York tax parcel map (Section 40.13 Block 7 Lot 2.1) at the southwest corner of the intersection between Forest Avenue and Lyon Street in the City of Amsterdam, New York (**Figure 1**). This parcel is located within a mixed industrial and residential area located on the west side of the City of Amsterdam. The site is bisected by the North Chucktanunda Creek and is located approximately 1.25 miles northeast of its confluence with the Mohawk River.

According to the March, 2001 Record of Decision (ROD) for the Site, the Mohasco Mill Complex was a carpet manufacturing facility which operated from the late 1880s through 1984. The manufacturing processes conducted at the Site consisted primarily of milling and weaving of raw materials and dyeing operations. Carpet manufacturing ceased at the Site in 1984, after which time the Site was leased for use as storage and office space. In 1992 (and again in 1994) most of the buildings at the Site were destroyed by fires. Debris from the buildings destroyed by the fires was left on-site and was used to backfill the building foundations. The City of Amsterdam acquired the site in 1994.

ICs/ECs have been implemented for the Site in order to control exposure to site-related compounds of concern (COCs) identified within site media and, to assist with the protection of human health and the environment. The ICs for the Site consist of an environmental easement, which will place conditions on future use/development of the site. The ECs for the site include soil caps placed over the buried debris and impacted soil that will limit/prevent future human exposure to impacted site media.

The NYSDEC has established the periodic review process in order to determine if a site is being managed in accordance with the remedies established for that site in its governing documents. The governing document for completing this Periodic Review Report (PRR) is the July 2007 Site Management Plan (SMP). The SMP directs all future management of the site.

The PRR seeks to evaluate site-specific inspection, monitoring, and other related data, that will help to assess whether the remedies (engineering and/or institutional controls) for a site

are being implemented properly. In particular, the PRR seeks to compile and review pertinent site-related data and evaluate whether the remedial goals for the Site are being met. The PRR also seeks to verify that the remedies established for the Site remain protective of human health and the environment.

Based on the results of the investigations associated with the Site, the following remedial goals were established.

- Reduce and control (to the extent practicable), the degree of impacts present within the on-site soils;
- Reduce the threat to benthic organisms in the North Chucktanunda Creek by eliminating any future surface run-off of impacted soil from the Site;
- Eliminate the potential for direct human or animal contact with the impacted soil present on the Site.
- Reduce the threat from physical hazards that exist on the Site.

2.0 SITE INVESTIGATIVE HISTORY

Subsequent to the City of Amsterdam acquiring the property in 1994, a Site Investigation was conducted under the ERP and was completed in 2000. The findings identified semi-volatile organic compounds (semi-VOCs), metals, polychlorinated biphenyls (PCBs), and/or pesticides in site soil in excess of the NYSDEC's soil cleanup objectives (SCOs) as specified in their Technical and Administrative Guidance Memorandum (TAGM No. 4046). Groundwater was found to contain low concentrations of site related compounds at a few locations but no plume (or pattern) of impacted groundwater was identified. Stream sediment samples collected immediately downgradient of the Site identified elevated concentrations of selected semi-VOCs and the metals arsenic, lead and zinc.

NYSDEC staff also discovered abandoned electrical transformers leaking PCB oil and a large amount of friable asbestos at the former steam power plant during the site investigations. Upon making this discovery, NYSDEC requested an emergency remedial response action from the USEPA. The USEPA responded by undertaking an interim remedial measure (IRM) that included removal and disposal of PCB transformers, asbestos containing materials, coal and fly ash, and approximately 195 tons of PCB contaminated soil from areas in and around the former steam plant portion of the site. These activities were conducted from October 1999 through March 2000. A second IRM was conducted at the former steam plant (in August 2000) that included removal and disposal of a 100,000 gallon above-ground storage tank (containing approximately 6,500 gallons of oil and sludge) and removal/disposal of approximately 100 tons of petroleum impacted soil.

A Record of Decision (ROD) was signed for the site in March, 2001. The ROD called for removal of debris and impacted soil from the bank of the North Chucktanunda Creek, building demolition, and placement of a 2.0-foot thick cover of clean soil over areas of impacted soil and debris. The remedial design was subsequently approved in September 2005, and the site was remediated in the summer and fall of 2006. NYSDEC placed an environmental easement on the property on April 20, 2011 and, a Certificate of Completion was awarded to the City of Amsterdam IDA in August 2011. The property was subsequently sold to the current owner, Sticker Mule, LLC (January 2019) and, the certificate of completion transferred to Sticker Mule LLC in July, 2019.

2.1 Nature and Extent of Contamination

According to the March, 2001 ROD, semi-VOCs, metals, PCBs, and pesticides were identified at the site. The semi-VOCs associated with the site are polycyclic aromatic hydrocarbons (PAHs), which are a byproduct of combustion. The elevated concentrations of PAHs and certain metals are likely the result of the fires that occurred at the site, as well as the ash and soot from the former coal burning steam power plant.

2.1.1 Soil

PAH compounds and metals were detected in surface soil samples at concentrations above guidance values in the vicinity of the former steam plant, with the highest concentrations detected in a sample collected immediately southeast of the steam plant. This was

determined to be the former site of the old railroad trestle.

Concentrations of the PAHs benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, and benzo[a]pyrene, as well as the pesticide dieldrin, exceeded the TAGM 4046 SCOs in subsurface soil samples collected from the area south of Building 1-2. The total semi-VOC concentration in a sample collected from this area was detected at a concentration of approximately 400 parts per million (ppm). Although the standards, criteria and guidance (SCGs) for total semi-VOCs in soil is 500 ppm, the concentrations of individual compounds (such as benzo[a]anthracene and benzo[a]pyrene) exceeded the SCGs. The concentrations of the metals barium, copper, and zinc also exceeded the SCGs in the samples collected from this area.

Samples collected from test pits in proximity to the drain lines in the floor of the former dye house (Building 7), had elevated concentrations of the pesticides aldrin and dieldrin as well as elevated concentrations of metals.

2.1.2 Sediments

Stream sediment samples collected immediately downstream of the site identified concentrations of PAHs (anthracene, benzo[a]anthracene, phenanthrene, 2-methylnaphthalene, pyrene, naphthalene, acenaphthene, fluorine, and fluoranthene) in excess of the Technical Guidance for Screening Contaminated Sediments chronic toxicity level. Screening of sediment samples as part of the ecological risk assessment indicated that a risk could exist for aquatic life in the North Chuctanunda Creek from the presence of PAHs, arsenic, lead, and zinc.

2.1.3 Groundwater

The March, 2001 ROD indicates that groundwater in the vicinity of the main building complex has not been adversely impacted based on the results of the samples collected. Sporadic concentrations of site-related compounds were detected. This includes PCBs in well MW-14 (located next to the former stream plant where the PCB transformers had been removed); trichloroethene (TCE) in a well (MW-12) located in the southern portion of the property, and PAHs in a well (MW-13) located in the southern portion of the site (a buried creosote soaked railroad tie was encountered while drilling the boring for this well). This area was the location of a former railroad trestle. The analytical results for the groundwater sampling did not identify a distinct “plume” of impacted groundwater.

2.1.4 Surface Water

The North Chuctanunda Creek, which is a rapidly flowing large Class C stream, bisects the Site. Any soluble site-related compounds that may have been discharged to the stream would have long since migrated downstream. Since the groundwater in the vicinity of the main building complex had not been impacted, and the compounds that were detected in soils (PAHs and metals) do not readily dissolve in water, the water in the North Chuctanunda Creek was only sampled for pesticides and PCBs. These results indicated non-detect to

trace concentrations and, that the site does not adversely impact the creek.

2.2 Site Remedy Description

The following is a summary of the Remedial Actions undertaken for the site:

1. Removal of debris along the stream bank.
2. Those portions of the site where PAH levels are in excess of the site background levels were regraded and covered with a protective layer of 2.0 feet of clean soil for green spaces (i.e., areas not occupied by buildings, pavement or sidewalk). Beneath the 2.0-foot soil layer, a geotextile fabric was installed to serve as a demarcation layer and to prevent inadvertent contact with impacted soils.
3. The soil cover material was sloped as necessary to allow for gradual elevation transition from paved areas on the site to the final grade of the soil cover.
4. An environmental easement requiring owners to annually certify to the NYSDEC that the remedy and protective cover have been maintained and, that the conditions at the site are fully protective of public health and the environment in accordance with the ROD. The environmental easement also limits the use of the property to recreational, commercial, or industrial.
5. An environmental easement requiring that, if development or excavation occurs on the site, any subsurface soil below the protective layer that is excavated will have to either be disposed off site at an approved and permitted landfill in accordance with NYSDEC regulations, or be redeposited on site, and covered the demarcation layer and a 2.0-foot soil cover. In the event that the excavation work involves redepositing soil from below the demarcation layer, a soil management plan must first be submitted to and approved by the NYSDEC. The soil management plan includes detailed plans for sampling, staging, regrading, and covering the excavated soils.
6. Demolition and on-site disposal of the Building 31 foundation including debris under the foundation.
7. Removal and off-site disposal of sludge or soil impacted with pesticides from the drain lines in Building 7.
8. Demolition of the foundations of Buildings 7, 7A, 11 and 26.
9. Asbestos abatement and demolition of Buildings 20A, 36 and the smoke stack at the former steam power plant building.
10. Decommissioning of monitoring wells.

2.3 Institutional and Engineering Controls

The site remedial tasks described in Section 2.2 were completed in the form of Institutional Controls (ICs) and Engineering Controls (ECs).

The ECs, which include placement of soil caps over buried debris and impacted soil at the site, will prevent direct exposure to PAHs and elevated metals in surface soils, as well as prevent the continued erosion of impacted site soil into the North Chuctanunda Creek sediments. This soil cover was seeded so that a vegetative cover could be established.

Implementation of the ECs were completed at the site in the summer of 2006. A summary of the site remedial activities, including the soil cap installation, is available in the Final Engineering Certification Report for the Mohasco Mills Complex (ENSR, 2007).

The ICs consist of the environmental easement, which prevents groundwater use on site, until it can be shown that concentrations of site-related compounds of concern are at or below the SCGs. The SCGs for groundwater were only slightly exceeded in a few locations and no distinct "plume" of groundwater impact was identified. Since the area is served by a public water supply, groundwater at the site is not used for human consumption and therefore a human ingestion or exposure is not likely. Over time, the presence of these compounds in groundwater will naturally attenuate and should eventually reach SCG levels. The environmental easement, which was files for the site in April, 2011, also places conditions on future use of the site.

Certification of the ICs and ECs is required on an annual basis. This certification is to be a written statement and must identify and evaluate any required ICs or ECs employed at the site as required by the ROD. The certification will also state that the ICs/ECs employed at the site are unchanged from the previous certification period; are in place and effective; are performing as designed, and; that nothing has occurred that would impair the ability of the controls to protect the public health and environment. was filed in April, 2011.

3.0 REMEDY COMPLIANCE, PERFORMANCE, EFFECTIVENESS AND PROTECTIVENESS

The July, 2007 SMP directs that monitoring of the site will be conducted to verify that the remedy continues to be protective of public health and the environment and, be in compliance with the ROD. Specifically, the SMP requires annual site inspections. Additional inspections may be required under certain circumstances such as a major erosion or flooding event occurs at the site. The inspections will be documented and will assess compliance with all institutional controls and site conditions at the time of the inspection.

The site inspections will focus on:

- Soil cap integrity – to verify that the cap components (top soil, clean fill, geotextile and cushion layer) are in place and undisturbed.
- Site drainage – to verify that grading at the site promotes proper drainage and prevents erosion, significant ponding or settling within the former building foundations.
- Cover vegetation – to verify that the vegetation has developed sufficient root structure to promote slope stability and minimize erosion.
- Creek banks – to verify the stability of the slopes and identify any areas of erosion.
- Vectors – to observe the capped area for evidence of the presence of vectors (such as groundhogs or similar burrowing inhabitants) and verify that the cap integrity has not been compromised.
- Gravel access road – to verify that the armor stone placed on the adjacent slope is intact and, that erosion of the roadbed has not occurred.
- Pedestrian footbridge – to verify the structural integrity of the footbridge decking and handrails, to verify clear access and, to identify any potential public health hazards.
- Chain-link fence – to inspect the fencing for integrity and damage.

The SMP also directs that the annual site inspections include verification of the ICs. Specifically, that there are no deed restriction violations (i.e. disturbances/excavations).

The information gathered during the annual site inspections will be documented and be presented to the NYSDEC in a Site Management (or, Periodic Review) Report (PRR). The PRR will evaluate the compliance, performance and, effectiveness and protectiveness with respect to the goals of the ROD for that certification period.

3.1 Annual Site Inspections

The July, 2007 SMP directs that site inspections be conducted annually. Based on the three (3) year certification covered by this PRR (October 16, 2018 through October 16, 2021), three (3) annual site inspections are anticipated.

3.1.1 Compliance

A total of three (3) annual site inspections were conducted during the time period reported herein. These include site inspections conducted on:

- October 15, 2019;
- October 23, 2020, and;
- August 23, 2021

Based on the three (3) annual site inspections conducted during the certification period, the site is in compliance with the requirements of the SMP.

3.1.2 Performance

October 15, 2019 Site Inspection:

The site inspection conducted on October 15, 2019 was by Ambient Environmental, Inc. During that inspection, the capping, fencing, creek banks and vegetation were noted to be in good condition and fully functional. No signs of slumping, erosion or failure were noted and the cover vegetation was observed to be thick and unstressed.

One burrow-hole was noted and was to subsequently be taken care-of by the responsible party.

October 23, 2020 Site Inspection:

The site inspection conducted on October 23, 2020 was by the Ballston Spa, New York office of LaBella Associates. During that inspection, the capping, fencing, creek banks and vegetation were noted to be in good condition and fully functional. No signs of slumping, erosion or failure were noted in the constructed creek banks and the cover vegetation was observed to be thick and unstressed.

One (1) area was noted that showed the settling along the northern portion of the foundation. Two (2) rotted boards were observed on the pedestrian footbridge and a pothole in the pavement near the footbridge was also observed. The responsible party took care-of the hole associated with settling at the northern portion of the foundation as well as replaced the rotted boards (and filled the pothole) associated with the pedestrian footbridge.

August 23, 2021 Site Inspection:

The site inspection conducted on August 23, 2021 was by the Ballston Spa, New York office of LaBella Associates. During that inspection, the capping, fencing, creek banks and vegetation were evaluated and generally noted to be in good condition and fully functional (except as noted below). No signs of slumping, erosion or failure were noted in the constructed creek banks and the cover vegetation was observed to be thick and unstressed.

A “sinkhole” was noted in the northeastern portion of the site in the area adjacent to Lyon Street and its intersection with Wilbur Street. A Corrective Measures Work Plan will be prepared by the responsible party to investigate and repair the soil cover associated with this area. The Corrective Measures Work Plan will be submitted to NYSDEC for approval under separate cover. One (1) burrow hole was also noted in the south bank of the Chucktanunda Creek in the eastern portion of the site. A burrow-hole was also noted in the south bank of the creek in proximity to the pedestrian bridge. Additionally, side rails were noted as missing on the pedestrian bridge and sections of railing on the north wall of the creek were either damaged or missing. Repair of these deficiencies has been added to the maintenance schedule for the Site by the responsible party.

3.1.3 Effectiveness and Protectiveness

The July 2007 SMP established the annual site inspections in order to ensure that maintenance and upkeep of the of ECs implemented for the site continue to be protective of public health and the environment.

Based on the deficiencies noted during the site inspections, and subsequent repairs completed by the responsible party, the site inspection program established by the SMP for the site is effective and protective of human health and the environment.

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 Compliance with Site Management Plan

4.1.1 Institutional Controls

- ICs are established for the Site in order to prevent future exposure of the public to site-related COCs in soil, groundwater and/or soil vapor. This is accomplished by controlling disturbances of the subsurface via implementation of ICs and other site restrictions.

- The Site is in compliance with the established ICs and provisions/restrictions specified in the SMP.

4.1.2 Annual Site Inspections

- The July, 2007 SMP directs that site inspections be conducted annually. Based on the three (3) year certification covered by this PRR (October 16, 2018 through October 16, 2021), three (3) annual site inspections are anticipated.

- Based on the three (3) annual site inspections conducted during the certification period, the site is in compliance with the requirements of the SMP.

4.2 Effectiveness and Protectiveness

4.2.1 Institutional Controls

- ICs are established for the Site in order to prevent future exposure of the public to site-related COCs in soil, groundwater and/or soil vapor and may not be discontinued without approval by the NYSDEC.

- The ICs (and associated restrictions) established for the Site are effective and protective of human health and the environment.

4.2.2 Annual Site Inspections

- The July 2007 SMP established the annual site inspections in order to ensure that maintenance and upkeep of the of ECs implemented for the site continue to be protective of public health and the environment.

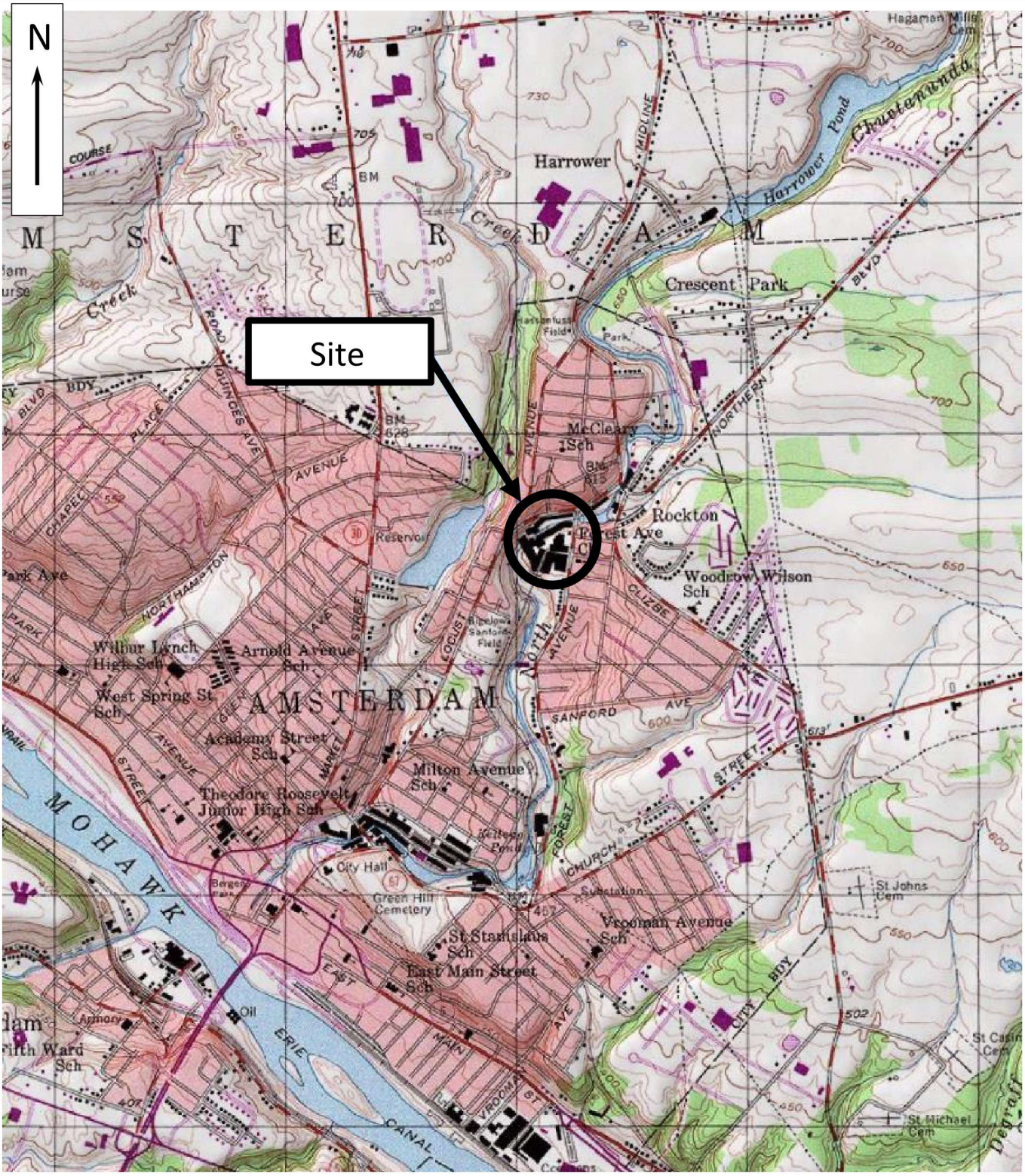
- A corrective Measures Work Plan should be prepared by the responsible party to investigate and repair a “sinkhole” that was observed in the soil cover in the northeastern portion of the site (in proximity to the intersection of Lyon Street and Wilbur Avenue) during the most recent (August 23, 2021) annual site inspection.

- Based on the deficiencies noted during the site inspections, and subsequent repairs completed (or, pending) by the responsible party, the site inspection program established by the SMP for the site is effective and protective of human health and the environment.

4.3 Future Periodic Review Report Submittals

- The July, 2007 SMP directs that PRRs for the Site be submitted every three (3) years. LaBella believes that submission of PRRs every three (3) years is appropriate for the Site at this time.

- The requirements for discontinuing site management have not been met. As such, site monitoring and reporting, as directed by the SMP, should continue at this time.



Source: USGS 7.5 Minute Quadrangle – Amsterdam, NY (1989) Scale 1:24,000

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SITE: Former Mohasco Mills
Lyon St. & Forest Ave.
Amsterdam, New York
Site No. B-00052-4

FIGURE 1

Site Location Map