Department of Environmental Conservation

Division of Environmental Remediation

Environmental Restoration
Record of Decision
Griffin Supply Warehouse Site
City of Hudson, Columbia County, New York
Site Number B-00172-4

December 2002

New York State Department of Environmental Conservation
GEORGE E. PATAKI, *Governor* ERIN M. CROTTY, *Commissioner*

DECLARATION STATEMENT
ENVIRONMENTAL RESTORATION RECORD OF DECISION

Griffin Supply Warehouse Environmental Restoration Site

City of Hudson, Columbia County, New York
Site No. B-00172-4

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedy for the Griffin Supply Warehouse site, an environmental restoration site. The selected remedial program was chosen in accordance with the New York State Environmental Conservation Law and is not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan of March 8, 1990 (40CFR300), as amended.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for the Griffin Supply Warehouse environmental restoration site, and the public's input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Assessment of the Site

Actual or threatened release of hazardous substances and/or petroleum products from this site have been addressed by implementing the interim remedial measure identified in this ROD. The removal of contaminated soil from the site has significantly reduced the threat to public health and the environment.

Description of Selected Remedy

Based on the results of the Site Investigation/Remedial Alternatives Report (SI/RAR) for the Griffin Supply Warehouse site and the criteria identified for evaluation of alternatives, the NYSDEC has selected no further action.

New York State Department of Health Acceptance

The New York State Department of Health (NYSDOH) concurs that the remedy selected for this site is protective of human health.

Declaration

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective.

_____ _____

Date

Dale A. Desnoyers, Acting Director
Division of Environmental Remediation

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RECORD OF DECISION

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City of Hudson, Columbia County New York
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SECTION 1: SUMMARY OF THE RECORD OF DECISION

The New York State Department of Environmental Conservation (NYSDEC) in consultation with the New York State Department of Health has selected a remedy for the Griffin Supply Warehouse brownfield site.

The 1996 Clean Water/ Clean Air Bond Act provides funding to municipalities for the investigation and cleanup of brownfields. Under the Environmental Restoration (Brownfields) Program, the State provides grants to municipalities to reimburse up to 75 percent of eligible costs for site investigation and remediation activities. Once remediated the property can then be reused.

As more fully described in Sections 3 and 5 of this document, underground storage of fuel oil and many years of industrial use, including the storage and distillation of 1,1,1-trichloroethane (TCA) resulted in the disposal or potential for disposal of hazardous substances, including metals and volatile and semi-volatile organic compounds at the site. These activities had the potential to result in the following threats to the public health and/or the environment:

- a threat to human health associated with direct contact to contaminated soils.
- an environmental threat associated with the impacts of contaminants to groundwater.

During the course of the investigation certain actions, known as Interim Remedial Measures (IRMs), were undertaken at the Griffin Supply Warehouse in response to the threats identified above. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the site investigation/remedial alternatives report (SI/RAR). The IRM undertaken at this site included removal of a leaking 1,000 gallon underground fuel oil storage tank and 60 tons of related petroleum contaminated soil.

Based upon the success of the above IRM**,** the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment, therefore No Further Action was selected as the remedy for this site.

The selected remedy, discussed in detail in Section 6, is intended to attain the remediation goals identified for this site in Section 6. The remedy must conform with officially promulgated standards and criteria that are directly applicable, or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, criteria and guidance are hereafter called SCGs.

SECTION 2: SITE LOCATION AND DESCRIPTION

Griffin Supply Warehouse site (B3-00172-4) is located at 359-361 Columbia Street in the City of Hudson, Columbia County. The warehouse is a 15,800 sq. ft., three story brick warehouse located on a 0.37 acre lot in an area of the City of Hudson zoned for general commercial uses. To the east and adjacent to the site is Michael's Custom Furniture Shop. North 4th Street and residential properties lie beyond Michael's Custom Furniture Shop. To the north of the site is Columbia Street with residential dwellings, some of which are abandoned and condemned, and garages used for storage. The site is bordered on the south by Prison Alley and on the west by a building owned by Operation Unite, a non-profit organization dedicated to promoting arts and cultural education to urban youth.

Figure 1 is a site location map for the Griffin Supply Warehouse.

SECTION 3: SITE HISTORY

3.1: Operational/Disposal History

The Griffin Supply Warehouse was built in the late 19th century and has been used for a variety of purposes over the years including wood milling and window blind manufacturing, clothing manufacturing, plumbing supply, automotive repair and storage, and general storage.

In the early 1980's the site was used by Xtyal Corporation for the storage and distillation of 1,1,1-trichloroethane (TCA). In October 1983, after a chemical explosion occurred, the Columbia County Department of Health reported finding approximately 375 drums of TCA on this property and an adjacent property also being leased by Xtyal Corporation. Xtyal Corporation was subsequently cited for numerous violations of the Environmental Conservation Law and the drums were removed from the property.

In 1997 the City of Hudson foreclosed on the property for unpaid taxes and took ownership.

3.2: Environmental Restoration History

The City of Hudson had a Phase I environmental site assessment performed in the spring of 2001. This assessment concluded that the building was in poor condition, and likely contained asbestos containing materials and lead paint.

Four (4) 55-gallon drums in poor condition containing unknown liquids were observed in the alley on site during the initial Phase I site assessment inspection, along with staining on surface

soils. However, on a subsequent visit to the site, these drums had been removed to an unknown location.

In addition, an interview with the son of the former owner revealed there was an underground fuel oil tank on the southern side of the building.

SECTION 4: ENFORCEMENT STATUS

Potentially Responsible Parties (PRPs) are those who may be legally liable for contamination at a site. This may include past owners and operators, waste generators, and haulers.

Since no viable PRPs have been identified, there are currently no ongoing enforcement actions. However, legal action may be initiated at a future date by the State to recover State response costs should PRPs be identified. The City of Hudson will assist the State in its' efforts by providing all information to the State which identifies PRPs. The City will also not enter into any agreement regarding response costs without the approval of the NYSDEC.

SECTION 5: SITE CONTAMINATION

To determine the nature and extent of any contamination by hazardous substances at this environmental restoration site, the City of Hudson has recently completed a Site Investigation/Remedial Action Report (SI/RAR).

5.1: Summary of the Site Investigation

The purpose of the Site Investigation (SI) was to define the nature and extent of any contamination resulting from previous activities at the site.

The SI Work Plan was completed in February 2002, and the SI work started April 9, 2002. A report entitled "Site Investigation Report for Griffin Warehouse", dated July 11, 2002, has been prepared which describes the field activities and findings of the investigation in detail. The SI included the following activities:

- property survey to establish sample locations and generate a topographic map;
- nine (9) surface soil samples collected for laboratory analysis;
- two (2) additional shallow subsurface samples collected for laboratory analysis;
- nine (9) soil borings drilled to a depth of 12 feet with one (1) composite sample collected from each boring for laboratory analysis;
- three (3) deep borings drilled to a maximum depth of 25 feet with a monitoring well installed in one deep boring;
- asbestos survey;

- preliminary structural assessment of the building;

- underground storage tank investigation and interim remedial measure (tank & soil excavation and removal).

To determine which media (soil, groundwater, etc.) are contaminated at levels of concern, the SI analytical data was compared to environmental Standards, Criteria, and Guidance values (SCGs). Groundwater, drinking water and surface water SCGs identified for the Griffin Supply Warehouse site are based on NYSDEC Ambient Water Quality Standards and Guidance Values and Part V of New York State Sanitary Code. For soils, NYSDEC Technical and Administrative Guidance Memorandum (TAGM) 4046 provides soil cleanup guidelines for the protection of groundwater, background conditions and health-based exposure scenarios. In addition, for soils, background concentration levels can be considered for certain categories of contaminants.

Suspected underground storage tanks (USTs) were also investigated because the tanks, if present, may have leaked and caused soil and groundwater contamination.

Based on the Site Investigation results in comparison to the SCGs and potential public health and environmental exposure routes, certain media and areas of the site required remediation. These are summarized below. More complete information can be found in the SI Report.

Chemical concentrations are reported in parts per billion (ppb), and parts per million (ppm). For comparison purposes, where applicable, SCGs are provided for each medium.

5.1.1: Site Geology and Hydrogeology

The Griffin Supply Warehouse site is underlain by about 2 to 10 feet of fill material. The fill material is a heterogenous mixture of sand, gravel, clay, bricks, and stone. Below the fill material is a stiff brown glacial lacustrine clay. The clay unit exists under the entire site area to a depth of at least 25 feet.

The depth to the top of bedrock beneath the site was not determined. Bedrock in the area is mapped as Normanskill Formation - Ordovician black and grey shale.

The groundwater at the site was assessed by installing one (1) groundwater monitoring well, MW-2. The initial intent of the site assessment was to install three (3) groundwater monitoring wells. However, soils observed while advancing the soil borings were stiff, dry clay to 25 feet below grade.

No aquifer was identified within the unconsolidated material underlying the site. Enough moisture was observed in the fill material at the MW-2 location to install a monitoring well. Due to the poor production of MW-2, the well could not be purged prior to obtaining the water sample.

Groundwater within the fill material above the clay is perched, and no continuous saturated zone was encountered. Groundwater flow within the fill material is likely governed by the heterogenous nature of the fill, and subsurface structures such as building foundations and sewer lines. Groundwater movement within the fill is assumed to be generally to the northwest, down slope toward the Hudson River, which flows to the south approximately 0.7 miles northwest of the site.

5.1.2: Nature of Contamination

As described in the SI report, soil and groundwater samples were collected at the site to characterize the nature and extent of contamination. Figure 2 is a site map which shows the sample locations. All samples were screened when collected in the field with a photoionization detector (PID). A PID is a field instrument that indicates the presence of volatile organic compounds.

Soil and groundwater samples were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides, polychorinated biphenyls (PCBs,) and metals in a certified analytical laboratory.

Some contamination from former commercial or industrial activities that took place at this site exceeded the SCGs. The main categories of contaminants that exceeded SCGs are semi-volatile organic compounds (SVOCs) and metals. These compounds were detected at concentrations above SCGs in the subsurface soil.

The SVOC contaminants found above SCGs are polycyclic aromatic hydrocarbons (PAHs). PAHs are a subset of SVOCs. Sources of PAHs include power plants, automobile emissions and industrial processes. There are also natural sources of PAHs such as forest fires, volcanic eruptions, and decaying organic matter. The PAHs detected in the soil at the Griffin Supply Warehouse Site were chrysene, benzo(b)fluoranthene, and benzo(a)pyrene.

The metals detected in soil above guidance values were arsenic, barium, magnesium, mercury and nickel.

VOCs, such as TCA, which may have been left on site from the storage and distillation process conducted on site in the early 1980's, were not detected at concentrations above SCGs. TCA is a colorless and caustic industrial chemical.

5.1.3: Extent of Contamination

Table 1 summarizes the extent of contamination for the contaminants of concern in soil and groundwater and compares the data with the SCGs for the site. The following are the media which were investigated and a summary of the findings of the investigation.

Soil

During the SI, a total of 17 composite and discrete soil samples were collected and analyzed, including two samples taken from borings in the basement floor. The composite soil samples were collected from soil borings over a zero to twelve foot interval. The borings were first screened in the field visually and with a PID. Any soil producing a PID reading, or with odor or staining was included for laboratory analysis.

No VOCs or pesticides, were detected. Low levels of PCBs were detected in three surface soil samples at concentrations ranging from 0.06 ppm to 0.26 ppm. The three SVOC compounds were detected in soil at low concentrations, just slightly above guidance values. Chrysene, benzo(b)fluoranthene, and benzo(a)pyrene were detected at 1.1 ppm, 1.3 ppm, and up to 1.1ppm respectively. The SCG for Chrysene is 0.4ppm, for benzo(b)fluoranthene is 1.1 ppm, and for benzo(a)pyrene is 0.061 ppm.

The results also showed five metals in soil at concentrations above guidance values. The concentrations of the metals detected in soil above guidance values - arsenic, barium, magnesium, mercury and nickel, are shown on Table 1.

The concentration of mercury detected in the alley on the east side of the property next to Michael's Custom Furniture was 38.7 ppm in boring KEA-2 (SCG is 0.1ppm). The sample collected from KEA-2 was composited over a 12 foot depth interval. Four (4) additional soil samples were collected in the alley immediately adjacent to the KEA-2 location. Two of the additional samples, collected from 0 to 3 inches below grade, did not indicate mercury at concentrations above the guidance value. The other two of the additional samples were collected from 8 to 12 inches below grade. Mercury was detected in these samples at concentrations of 0.22 ppm and 0.25 ppm.

The source of mercury detected in the KEA-2 composite sample could not be determined. However, analysis of the additional samples collected indicate that mercury contamination is not widespread within the alley and does not exist above SCGs in surface soil.

Surface Soil

Surface soils were sampled for SVOCs, PCBs, pesticides and two metals of concern, lead and mercury. None of the nine (9) surface soil samples collected indicated contaminants at concentrations above guidance values except
for one sample with a concentration of the SVOC benzo(a)pyrene at 0.7 ppm, exceeding the guidance value for this compound of 0.061 ppm.

Groundwater

As previously mentioned, the ability to assess groundwater was limited as the site is underlain by fill material and a stiff, dry clay. In all but one boring location, the fill material was dry. However, at the MW-2 location moisture was observed in the fill, and a PID reading of 2 ppm was noted. A sample collected from monitoring well MW-2 did not indicate the presence of any VOCs above

standards other than acetone at 120 ppb and chloroform at 14 ppb. Low concentrations of acetone and chloroform can sometimes be laboratory analysis artifacts. The only metal detected in groundwater above standard was sodium at 51,800 ppb, exceeding the groundwater standard of 20,000 ppb. No SVOCs, pesticides, PCBs were detected above standards in the groundwater.

5.2: Interim Remedial Measures

An Interim Remedial Measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the SI/RAR.

During the site investigation, tracing the copper feed and return lines from the south wall of the building revealed a 1,000 gallon underground storage tank (UST). Once located, the UST was excavated and placed on plastic sheeting. The tank was inspected, and a small hole was observed in the seam at the end of the tank. Using a backhoe, contaminated soils adjacent to the UST were then excavated and placed on plastic sheeting. Soil samples were collected during the excavation and screened with a PID. The PID readings ranged from 2 ppm to 100+ ppm**.** The excavation continued until the PID read zero for soil samples taken from each of the excavation pit walls and the excavation floor. Approximately 60 tons of contaminated soils were excavated, placed on plastic sheeting, transported, and disposed of at the EMSI burn facility in Fort Edward, N.Y.

Composite soil samples were then collected from each of the excavation pit walls and floor and submitted for laboratory analysis. None of these five composite samples indicated contaminants at concentrations above guidance values.

The excavation area was backfilled with clean soil.

5.3: Summary of Human Exposure Pathways

This section describes the types of human exposures that may present added health risks to persons at or around the site.

An exposure pathway describes the means by which an individual may be exposed to contaminants originating from a site. An exposure pathway has five elements: [1] a contaminant source, [2] contaminant release and transport mechanisms, [3] a point of exposure, [4] a route of exposure, and [5] a receptor population.

The source of contamination is the location where contaminants were released to the environment (any waste disposal area or point of discharge). Contaminant release and transport mechanisms carry contaminants from the source to a point where people may be exposed. The exposure point is a location where actual or potential human contact with a contaminated medium may occur. The route of exposure is the manner in which a contaminant actually enters or contacts the body (e.g., ingestion, inhalation, or direct contact). The receptor population is the people who are, or may be, exposed to contaminants at a point of exposure.

An exposure pathway is complete when all five elements of an exposure pathway are documented. An exposure pathway is considered a potential pathway when one or more of the elements currently does not exist, but could in the future.

Pathways of human exposure that are known to or may exist at the site include:

- Ingestion of the site soil
- Dermal exposure to site soil; and
- Inhalation of airborne dust.

The levels of contamination found in the soil medium are below levels that pose a health concern. Therefore, even if the above exposure pathways were complete they would not pose an unacceptable risk to human health.

Physical hazards exist from the poor condition of the building, however the building is kept locked and an unsafe building notice is posted.

On May 28, 2002 the City of Hudson removed pigeon droppings and bleach washed the third floor of the building to avoid potential health concerns.

5.4: Summary of Environmental Exposure Pathways

The site is located within an urban area in the City of Hudson, and no areas of ecological significance are present at the site or the immediate surrounding area. Due to the distance from the site to the Hudson River (approximately 0.7 miles) the site would have no impact on any ecologically significant areas along the river.

SECTION 6: SUMMARY OF THE REMEDIAL GOALS, SELECTED REMEDY, AND THE PROPOSED USE OF THE SITE

Goals for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375-1.10. The remedy must, at a minimum, eliminate or mitigate all significant threats to public health and/or the environment presented by the hazardous substances disposed at the site through the proper application of scientific and engineering principles.

Prior to the completion of the IRM described in Section 5.2, the remediation goals for this site were to eliminate or reduce to the extent practicable:

- exposures of persons at or around the site to SVOCs and metals in soil

- the release of contaminants from soil into groundwater that may create exceedances of groundwater quality standards

Further, the remediation goals for the site include attaining to the extent practicable:

- groundwater quality standards

- soil cleanup guidelines

The NYSDEC believes that the IRM has accomplished these remediation goals.

Based on the results of the investigations at the site, the IRM that has been performed, and the evaluation discussed below, the NYSDEC has selected No Further Action as the remedy for the site.

The basis for this selection is the NYSDEC's conclusion that no further action will be protective of human health and the environment. Overall protectiveness is achieved through meeting the remediation goals listed above. Removal of the leaking underground fuel storage tank and approximately 60 tons of contaminated soil has eliminated the potential for release of contaminants from soil into groundwater.

The main SCGs applicable to this project are as follows:

- NYSDEC Technical and Administrative Guidance Memorandum (TAGM) 4046 - Soil Cleanup Levels

- Part 703 NYS Groundwater Standards

Therefore, the Department concludes the IRM already completed has achieved the remediation goals for the site and that no further action is needed.

SECTION 7: HIGHLIGHTS OF COMMUNITY PARTICIPATION

As part of the Griffin Supply Warehouse environmental restoration process, a number of Citizen Participation activities were undertaken to inform and educate the public about conditions at the site and the potential remedial alternatives. The following public participation activities were conducted for the site:

- Repositories for documents pertaining to the site were established.

- A public contact list, which included nearby property owners, elected officials, local media and other interested parties, was established.

- A fact sheet was prepared and mailed out to all parties on the public contact list.

- A public meeting was held on October 29, 2002 at Hudson City Hall to present and receive comment on the PRAP.

- A responsiveness summary (Appendix A) was prepared to address the comments received during the public comment period for the PRAP.

No significant public comments were received.

Table 1
Nature and Extent of Contamination

MEDIUM	CATEGORY	CONTAMINANT OF CONCERN	CONCENTRATION RANGE	FREQUENCY of Exceeding SCGs or Background	SCG
Groundwater	Volatile Organic Compounds (VOCs)	Acetone	120ppb	1of 1	5 ppb
		Chloroform	14ppb	1of 1	7 ppb
	Metals	Sodium	51.8ppm	1 of 1	20ppm
Soil	Semi-volatile Organic Compounds (SVOCs)	Chrysene	ND-1.1ppm	1 of 20	0.4ppm
		Benzo(b)-fluoranthene	ND-1.3ppm	1 of 20	1.1ppm
		Benzo(a)pyrene	ND-1.1ppm	6 of 20	0.061ppm
	Metals	Arsenic	ND - 14.6ppm	10 of 15	7.5ppm
		Barium	ND -2,920ppm	3 of 15	300ppm
		Magnesium	ND -13,200ppm	10 of 15	5,000 ppm
		Mercury	ND -38.7ppm	10 of 19	0.1ppm
		Nickel	ND -128ppm	9 of 15	0.4ppm
Surface Soil	SVOC's	Benzo(a)pyrene	ND- 0.7 ppm	1of 5	0.061ppm

ND = Not detected above method detection limits.

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

Griffin Supply Warehouse Environmental Restoration Site
City of Hudson, Columbia County, New York
Site No. B-00172-4

The Proposed Remedial Action Plan (PRAP) for the Griffin Supply Warehouse site, was prepared by the New York State Department of Environmental Conservation (NYSDEC) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on October 17, 2002. The PRAP outlined the reasons for the proposal for no further action at the Griffin Supply Warehouse site.

The release of the PRAP was announced by sending a notice to the public contact list, informing the public of the opportunity to comment on the proposed remedy.

A public meeting was held on October 29, 2002 which included a presentation of the Site Investigation (SI) and the Remedial Alternatives Report (RAR) as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. The public comment period for the PRAP ended on December 3, 2002.

No written comments were received. This responsiveness summary responds to all questions and comments raised at the public meeting. The following are the comments raised, with the NYSDEC's responses:

COMMENT 1:

What was the high lead level detected at the site?

RESPONSE 1:

During the site investigation, analysis of a composite soil sample from boring KEA-6, located in the parking lot behind the building, indicated a concentration of lead of 11,500 ppm. The sample was a composite from the entire 0 to 12 foot boring interval. A re-analysis of the same soil sample by the laboratory indicated lead at 114 ppm. The analytical laboratory suggested that this large discrepancy could have been caused by the presence of a lead based paint chip in the sample the first time the analysis was run. Two (2) additional surface soil samples were collected in the area around KEA-6 and were analyzed for lead. The analytical results indicated lead concentrations of 40 ppm and 121 ppm. The NYSDEC Technical and Administrative Guidance Memorandum (TAGM) 4046 guidance value for lead in soil in urban areas is a range from 200 ppm to 500 ppm.

COMMENT 2:

Where did the contaminated soil go that was taken off site?

RESPONSE 2:

Approximately 60 tons of petroleum contaminated soils were transported to and treated at the EMSI burn facility in Fort Edward, N.Y.

COMMENT 3:

What about the mercury that was detected at the site?

RESPONSE 3:

The concentration of mercury detected in the alley on the east side of the property next to Michael's Custom Furniture was 38.7 ppm in boring KEA-2. The NYSDEC TAGM 4046 guidance value for mercury in soil is 0.1ppm. The sample collected from KEA-2 was composited over a 12 foot depth interval. Four (4) additional soil samples were collected in the alley immediately adjacent to the KEA-2 location. Two of the additional samples, collected from 0 to 3 inches below grade, did not indicate mercury at concentrations above the guidance value. The other two of the additional samples were collected from 8 to 12 inches below grade. Mercury was detected in these samples at concentrations of 0.22 ppm and 0.25 ppm.

The source of mercury detected in the KEA-2 composite sample could not be determined. However, analysis of the additional samples collected indicate that mercury contamination is not widespread within the alley and does not exist above NYSDEC TAGM 4046 guidance values in surface soil.

APPENDIX B

Administrative Record

Administrative Record

Griffin Supply Warehouse Environmental Restoration Site
City of Hudson, Columbia County, New York
Site No. B-00172-4

1. Proposed Remedial Action Plan for the Griffin Supply Warehouse site, dated October 2002, prepared by the NYSDEC.

2. "Site Investigation Report for Griffin Warehouse, Hudson, New York", July 11, 2002, prepared by Kaaterskill Engineering Associates, P.C.

3. "Remedial Alternatives Report for Griffin Warehouse, Hudson, New York", July 11, 2002, prepared by Kaaterskill Engineering Associates, P.C.

4. "Site Investigation/Remedial Alternatives Report Work Plan for Griffin Warehouse, Hudson, New York", February 20, 2002, prepared by Kaaterskill Engineering Associates, P.C.

5. "Quality Assurance/Quality Control Plan and Citizens Participation Plan for Griffin Warehouse Site Investigation/Remedial Alternatives Report", February 20, 2002, prepared by Kaaterskill Engineering Associates, P.C.

6. "Phase 1 Environmental Site Assessment Report for Griffin Warehouse", May 29, 2001 prepared by Kaaterskill Engineering Associates, P.C.

7. October 1, 2002 correspondence from Mr. Gary Litwin, New York State Department of Health

8. August 16, 2002 correspondence from Mr. Daniel Geraghty, New York State Department of Health