

PERIODIC REVIEW REPORT

FORMER HAIGHT /AMERICAN HIDE SITE

**125 BATH STREET
BALLSTON SPA, NEW YORK**

BCP Site # C546055-10-12

PREPARED FOR:

NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

OFFICE OF ENVIRONMENTAL QUALITY REGION 5

**1115 ROUTE 86 - PO BOX 296
RAY BROOK, NEW YORK 12977**

AND

JJB 125 Bath. LLC

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BALLSTON SPA, NY 12020**

PREPARED BY:

**NORTHEASTERN ENVIRONMENTAL
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DATED:

May 15, 2024

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1.0 EXECUTIVE SUMMARY

This Periodic Review Report (PRR) is required by Section 5.4.2 of the Site Management Plan (SMP) dated August 12, 2019, revised December 17, 2019, for the Former Haight / American Hide Tannery Site (hereinafter referred to as the “Site”) and has been developed in accordance with Section 6.3 of the Department of Environmental Remediation (DER) - 10 Technical Guidance for Site Investigation and Remediation. This PRR documents the inspection and efficacy of the institutional controls (ICs) and engineering controls (ECs) implemented at the Site during the reporting period of April 2023 to April 2024.

The Site is located at 125 Bath Street in the Village of Ballston Spa (Town of Milton), Saratoga County, New York (see Figure 1). The Site, approximately 6.052 acres in size, is identified by the Village of Ballston Spa as Tax Map No. 216.32-1-96.2. A mixture of single-family and multi-family residential properties exist to the north, south, and east of the Site. Unimproved wooded land, a bike path of the Village of Ballston Spa (a/k/a Jim Tedisco Fitness Trail), and the Saratoga County Fairgrounds exist west of the Site. The Gordon Creek; a tributary to the Kayaderosseras Creek borders the Site along its southern property line. An auto repair facility (i.e., Generations Auto Repair) is also located south of Gordon Creek.

One vacant \pm 80,000 square foot commercial building most recently operated by Angelica Textile Services, Inc. (Angelica) exists directly west of the Site’s Bath Street road frontage. Areas immediately north, south, and west of the former Angelica building are improved by asphalt, and concrete or are improved by gravel parking surfaces, respectively. The concrete foundations of structures historically used by the Former Haight / American Hide Tannery also exist adjacent to the southern and western property lines. Areas of the Site not covered by the \pm 80,000 square foot commercial building or the above-noted historic concrete foundations of the Former Haight / American Hide Tannery are currently improved by asphalt, concrete, gravel, and a landscaped soil cover system or exist as steeply sloped wooded land.

The Site has been investigated and remediated under the New York State Department of Environmental Conservation’s (NYSDEC) Brownfield Cleanup Program (BCP) and is identified as BCP Site No. C546055. Remedial activities completed at the Site, in November 2019, were conducted in accordance with the NYSDEC-approved Alternative Analysis Report & Remedial Action Work Plan (AAR / RAWP) for the Former Haight/American Hide Tannery Site (August 12, 2019). Elements of the selected “Remedy” include the installation of a soil cover system in developed areas of the Site not otherwise improved by the former Angelica Textile Services, Inc. building; its asphalt, concrete, and gravel parking surfaces or concrete foundations of the former Haight / American Hide Tannery; institutional controls restricting the use of groundwater, limiting the use of the Former Haight/American Hide Tannery Site to Restricted Residential, commercial and industrial uses, and requiring periodic certification of institutional and engineering controls; and the development of a SMP.

A Certificate of Completion (COC) issued by the NYSDEC on December 31, 2019, and an SMP dated August 12, 2019, revised December 17, 2019, are in place for the Site. This PRR presents the results of monitoring activities outlined in the SMP for the April 2023 to April 2024 reporting period, which consisted of a Site-wide inspection of the cover system on April 17, 2024. No change in use, site development, subdivisions, or merging has occurred at the Site during the April 2023 to April 2024 reporting period.

The remedial program implemented at the Site has been successful in meeting the Remedial Action Objectives set forth in the NYSDEC Decision Document. The Site inspection confirmed the protective cover remains intact and functional. No areas of non-compliance with the SMP were identified. Based on inspection activities performed during the April 2023 to April 2024 period, no changes to the approved SMP are recommended at this time.

2.0 SITE OVERVIEW

JJB 125 Bath, LLC entered into a Brownfield Cleanup Agreement (BCA) for Site No. C546055 (BCA Index No. C546055-10-12) with the NYSDEC in October 2018 to investigate and remediate a 6.052-acre property located at 125 Bath Street Ballston Spa, Saratoga County, New York. The boundaries of the Site are more fully described in the metes and bounds site description that is part of the Environmental Easement provided in Appendix A. The Site was remediated to NYSDEC Part 375 Restricted Residential Use Soil Cleanup Objectives (SCOs).

2.1 Site Description & History

The Site constitutes one commercial business district (CBD) zoned parcel of land totaling approximately 6.052 \pm acres in the Town of Milton, Village of Ballston Spa, Saratoga County, New York. The Site is located at 125 Bath Street, immediately north of Gordon Creek, and northwest of the intersection of Bath Street and Hamilton Avenue. The Site is identified by the Village of Ballston Spa as Tax Map No. 216.32-1-96.2. A mixture of single-family and multi-family residential properties exist north, south, and east of the Site. Unimproved wooded land, a bike path of the Village of Ballston Spa (a/k/a Jim Tedisco Fitness Trail), and the Saratoga County Fairgrounds exist west of the Site. A tributary of the Kayaderosseras Creek (i.e., Gordon Creek) borders the southern property line of the Site. Generations Auto Repair is also located south of Gordon Creek. (See **Appendix A, Figure 1**).

Improvements at the Site include a \pm 80,000 square foot commercial structure most recently operated by Angelica which is located along the Bath Street road frontage of the Site; as well as concrete foundations of buildings historically used by the Former Haight/American Hide Tannery that are located along the southern and western portions of the Site. The Site and the commercial building remain vacant and unoccupied. Developed areas of the Site not covered by the \pm 80,000 square foot commercial building or the above-noted historic concrete foundations of the Former Haight / American Hide Tannery are currently improved by asphalt driveways, concrete walkways, gravel parking surfaces or the soil cover systems completed during the BCA work.

Historic records document the industrial development of the Site beginning around 1881. Tannery operations of the Haight and Company, American Hide & Leather, and Howes Leather (Former Haight/American Hide Tannery) reportedly occurred during the period from 1887 to 1960. The most recent operator of the Site was Angelica, which acquired the Site and the business entity, Linen Systems for Hospitals, Inc. in 1977 and officially changed Linen Systems' name to Angelica on or about 1984. Linen Systems acquired title to the Site in 1977. Linen Systems and later Angelica performed laundering of garments with detergents on the Site and warehoused linens from approximately 1977 through 2011 without the use of dry-cleaning chemicals.

2.2 Summary of Remedial Actions

Environmental contamination associated with the Site was first discovered in July 2010 following an extended rainfall event, in the vicinity of a former 100,000-gallon No. 6 fuel oil above-ground storage tank. Upon discovery, the NYSDEC assigned Spill No. 1004405 to the release. In response to the discovery of a petroleum spill, significant petroleum-contaminated soil (PCS) removal occurred at the facility from 2010 to 2013. Approximately 3390 tons of PCS were excavated and properly disposed of in four separate events, including PCS interim remedial measure (IRM) work performed during the period from June – August 2013. Site investigation work conducted by Environmental Compliance Incorporated sufficiently demonstrated that the nature and extent of the contaminants warranted the inclusion of the site into the NYSDEC Brownfields Cleanup Program (BCP). The Site was accepted in the BCP on January 31, 2013. Demolition IRM work in 2017 was completed to facilitate the supplemental remedial investigation work deemed necessary by the NYSDEC for the Site in areas below (6) distinct condemned structures, a large smokestack, and other foundation ruins located west of the 80,000-square-foot commercial structure operated by Angelica. The demolition work included the closure of abandoned fuel storage systems, undocumented vessels found to exist in the condemned structures as well as the demolition of a pump house and storage building located along Gordon Creek.

The 80,000-square-foot commercial manufacturing structure located along the eastern road frontage of the Site was excluded from the demolition IRM work. The demolition work zone comprised ± 2.5 acres of the Site. A total of 2,346.15 tons of asbestos construction and demolition debris was disposed of offsite during the demolition IRM using the Albany County landfill and Finch Waste Company landfill facilities. A total of $\pm 8,500$ pounds of petroleum-impacted tank bottoms and waste generated during the closure of (2) No. 6 fuel oil above-ground storage tanks were also disposed of offsite as a result of the demolition IRM by Veolia ES Technical Solutions, LLC. All recyclable metal generated from the demolition work was transported to Plan It Waste & Recycling.

The Site was remediated in accordance with the Remedy selected by the NYSDEC in the AAR / RAWP dated August 12, 2019. The Remedy was selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation, and 6 NYCRR Part 375. The selected remedy was a “*Track 4: Restricted use with generic soil cleanup objectives remedy*”. The elements of the Remedy include a combination of institutional and engineering controls (IC/EC) that are described in the following subsections below.

2.3 Remaining Contamination

As described in the NYSDEC-approved SMP, the remaining contaminants of concern that exceed the Track 4 Restricted Residential Use Standards, Criteria, and Guidance (SCGs) established for this Site for soil are as follows:

PCB aroclor 1254	Benzo(a)anthracene
Benzo(a)pyrene	Benzo(b)fluoranthene
Benzo[k]fluoranthene	Chrysene
Dibenz[a,h]anthracene	Indeno(1,2,3-CD)pyrene
Arsenic	Barium
Cadmium	Chromium
Copper	Lead
Mercury	

The remaining contaminants of concern that exceed the NYSDEC 6NYCRR Part 703 groundwater quality SCGs are as follows:

Aluminum	Beryllium
Cadmium	Chromium
Copper	Iron
Lead	Magnesium
Manganese	Mercury
Sodium	Benzo(a)anthracene
Benzo(b)fluoranthene	Benzo(k)fluoranthene
Chrysene	Ideno(1,2,3-cd)pyrene
Trichlorofluoromethane	

2.4 Remedial Action Objectives

The following Remedial Action Objectives (RAOs) were identified for this Site:

Groundwater ROAs

- RAOs for Public Health Protection
 - Prevent ingestion of groundwater containing contaminant levels exceeding drinking water standards.
 - Prevent contact with, or inhalation of, volatiles emanating from contaminated groundwater.
- RAOs for Environmental Protection
 - Restore groundwater aquifer to pre-disposal/pre-release conditions, to the extent practical.
 - Remove the source of groundwater contamination

Soil ROAs

- RAOs for Public Health Protection
 - Prevent ingestion/direct contact with contaminated soil.
 - Prevent inhalation of, or exposure to, contaminants volatilizing from contaminated soil.
- RAOs for Environmental Protection
 - Prevent migration of contaminants that would result in groundwater or surface water contamination.
 - Prevent impacts to biota from ingestion/direct contact with soil causing toxicity or impacts from bioaccumulation through the terrestrial food chain.

2.5 Institutional & Engineering Controls (IC/EC)

The institutional control for the Site consists of an Environmental Easement that restricts the future use of the Site to Restricted-Residential, Commercial, and Industrial Uses; requires compliance with the SMP; and prohibits the use of Site groundwater for potable, irrigation, or process purposes without written approval from the NYSDOH. The Environmental Easement also requires the property owner to complete and submit to the NYSDEC a periodic certification of institutional and engineering controls in accordance with Part 375- 1.8(h)(3). Engineering control consisting of a site-wide cover system was incorporated into the final approved construction design plans to prevent direct contact with residually impacted soil.

Institutional Controls

A series of ICs is required by the Decision Document to (1) implement, maintain, and monitor Engineering Control systems; (2) prevent future exposure to remaining contamination; and (3) limit the use and development of the Site to Restricted-Residential, Commercial, and Industrial uses only. The Environmental Easement requires adherence to these ICs on the Site and will be implemented under this SMP. ICs identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement. The IC boundary is site-wide. The ICs are:

- The Site may be utilized for restricted residential, commercial, and industrial use.
- The use of on-site groundwater as a potable or non-potable water supply is prohibited without prior written approval of NYSDEC. Local permits and approvals may also apply.
- All ECs must be operated and maintained as specified in the SMP.
- All ECs must be inspected at a frequency and in a manner defined in the SMP.
- Data and information pertinent to site management must be reported at the frequency and in a manner as defined in the SMP.
- Future activities that will disturb the remaining contaminated material must be conducted in accordance with the SMP and approved by NYSDEC.
- Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in the SMP.
- Access to the Site must be provided to agents, employees, or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement.
- Agriculture and vegetable gardens on the Site are prohibited.

Engineering Controls¹

Exposure to remaining near-surface soil Site contaminants is prevented by a soil cover system that has been strategically installed in developed areas of the Site that did not already contain existing improvements/cover systems (i.e., Site buildings, concrete foundations, asphalt driveways, concrete sidewalks, and gravel parking surfaces). The soil cover system, placed over a geosynthetic demarcation fabric, is comprised of a minimum of 2 feet of clean virgin soil, including fill material and topsoil suitable for supporting vegetation; and Riprap in steeply sloping areas susceptible to soil erosion and as cover material in select areas within historic concrete foundations. Approximately 1,978 tons of run of bank gravel and sandy loam (topsoil) and 607 tons of fine and light stone (as described in Table 733-21A of the NYS Department of Transportation Standard Specification dated January 1, 2019) were used for construction of the cover system. All imported fill materials met the requirements of NYSDEC's DER-10 Section 5.4(e) and were approved for use at the Site by the NYSDEC.

¹ Erosion and sediment control equipment (i.e., silt fence) used to facilitate the revegetation and permanent stabilization of the soil cover system installed at the Former Haight/American Hide, Site No.: C546055 were no longer needed and were removed from the Site in September 2023 at the direction of the NYSDEC.

3.0 REMEDY PERFORMANCE, EFFECTIVENESS, & PROTECTIVENESS

As described in the SMP, IC/EC are established for the Site to protect human health and the environment from remaining contaminants. The purpose of the IC/EC is to reduce exposures to remaining contaminants in soil and groundwater by controlling disturbances of the subsurface impacts and restricting the use and development of the Site to restricted residential, commercial, or industrial uses only. The institutional and engineering goals have been achieved throughout this reporting period. Further information on the IC/EC maintained and implemented at the Site is contained within this report.

4.0 ENGINEERING & INSTITUTIONAL CONTROLS COMPLIANCE REPORT

Since residual impacts are present at the Site, Engineering Controls and Institutional Controls have been implemented to protect public health and the environment for the applicable future use. The Site has the following Engineering and Institutional Controls.

4.1 Engineering Control - Soil Cover System

As discussed in Section 5.4.2 of the SMP, a comprehensive site-wide inspection is required annually. The site-wide inspection for the April 2023 – April 2024 monitoring period was conducted on April 17, 2024. During the inspection, ICs were observed to be effective at protecting human health and the environment at the Site, as follows:

- Obvious indications of recent intrusive disturbance to the subsurface were not observed on the Site.
- Land use was observed to be vacant commercial/industrial, which is consistent with that identified in the SMP.
- No vegetable gardens were observed at the Site; and
- No active use of the groundwater resource has occurred

A photographic log for photographs taken during the Site inspection is included in **Appendix B**.

The soil cover system has been maintained since the COC was issued. No deficiencies have been found during the monitoring period. General photos of the Site soil cover system field conditions are included in Appendix B. Modifications to the soil cover system are not recommended at this time.

4.2 Institutional & Engineering Control Certification

I Robert W. Gray III PG 1091-1 certify, on the basis of on-site observation and documentation as presented herein, that the Institutional & Engineering Control activities completed during this reporting period at the Former Haight / American Hide Tannery Site were completed in substantial compliance with the approved SMP dated August 12, 2019, revised December 17, 2019. The NYSDEC-approved certification forms are included in **Appendix C**.

5.0 MONITORING PLAN COMPLIANCE REPORT

5.1 Media Monitoring

No active remediation system or media sampling is required for the Site, performance monitoring is not applicable.

Section 5.2 of the SMP, has established specific means and methods for the management, monitoring, disposal, and treatment of soils and groundwater encountered during future earthwork activities that penetrate the soil cover system. No Site redevelopment activities have occurred during the April 2023 – April 2024 reporting period.

5.2 Soil Cover System Monitoring

The remedial exposure pathway associated with residual soil impacts that remain in the subsurface soils at the Site is managed by the soil cover system detailed in Section 2.5 of this PRR. All cover system surfaces were inspected.

The soil cover system has been maintained since the COC was issued. No deficiencies have been found during the monitoring period. General photos of the Site conditions are included in Appendix B. Modifications to the soil cover system are not recommended at this time.

6.0 CONCLUSIONS AND RECOMMENDATIONS

During the April 2023 – April 2024 PRR reporting period the soil cover system inspection work was conducted annually. No deficiencies to the soil cover system were encountered during this reporting period.

As previously stated, the remedial goals outlined in the SMP have been achieved. No recommendations for adjusting the annual soil cover system monitoring are advocated for this matter.

7.0 REFERENCES

New York State Department of Environmental Conservation. DER-10; *Technical Guidance for Site Investigation and Remediation*. May 2010.

GaiaTech Incorporated. *Phase I Environmental Site Assessment*. June 2008

GaiaTech Incorporated. *Phase I Environmental Site Assessment Update*. February 2012

Environmental Compliance Inc. *Remedial Investigation Work Plan, Former Haight / American Hide Tannery Site*. February 28, 2013, Updated May 8, 2013

Environmental Compliance Inc. *Remedial Investigation Report, Former Haight / American Hide Tannery Site*. March 2014 Updated June 2014

KHEOPS Architecture, Engineering & Survey, DPC. *Interim Remedial Measure #1 (Excavation Pit #1, EP-1) Construction Completion Report, Former Haight / American Hide Tannery Site*. May 2014

Northeastern Engineering Technologies PLLC. *Interim Remedial Measures Construction Completion Report Demolition of Site Buildings, Former Haight / American Hide*. August 30, 2018

Northeastern Engineering Technologies PLLC. *Supplemental Remedial Investigation Report, Former Haight / American Hide*. August 12, 2019

Northeastern Engineering Technologies PLLC. *Alternative Analysis Report & Remedial Action Work Plan, Former Haight / American Hide*. August 12, 2019

Northeastern Environmental Technologies Corp. *Site Management Plan, Former Haight / American Hide*. August 12, 2019, Revised December 17, 2019

APPENDIX A

ENVIRONMENTAL EASEMENT & FIGURES

NORTHEASTERN ENVIRONMETNAL GEOSCIENCE, D.P.C.

ENVIRONMENTAL EASEMENT

NORTHEASTERN ENVIRONMETNAL GEOSCIENCE, D.P.C.



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Party1: JJB 125 BATH LLC

Party2: NEW YORK STATE PEOPLE OF

Town: MILTON

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Transfer Tax 0.00

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REGULAR EASEMENT
Saratoga County Clerk

**ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW**

THIS INDENTURE made this 31st day of July, 2019, between Owner(s) JJB 125 Bath LLC, having an office at c/o JEEMS, LLC, 17 Sonja Lane, Ballston Spa, New York 12020, County of Saratoga, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee"), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 125 Bath Street in the Town of Milton, Village of Ballston Spa, County of Saratoga and State of New York, known and designated on the tax map of the County Clerk of Saratoga as tax map parcel numbers: Section 216.32 Block 1 Lot 96.2, being a portion of the property conveyed to Grantor by deed dated September 21, 2018 and recorded in the Saratoga County Clerk's Office in Instrument No. 2018029071. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 6.052 +/- acres, and is hereinafter more fully described in the Land Title Survey dated May 23, 2014 and last revised June 27, 2019 prepared by Vincent P. Ausfeld, L.L.S. of Ausfeld & Waldruff Land Surveyors LLP, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation

established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: C546055-10-12 as amended February 14, 2019, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

**Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii),
Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial
as described in 6 NYCRR Part 375-1.8(g)(2)(iv)**

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Saratoga County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held

by the New York State Department of Environmental Conservation
pursuant to Title 36 of Article 71 of the Environmental Conservation
Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:
(i) are in-place;
(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her 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

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to: Site Number: C546055
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to: Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail

and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

11. Consistency with the SMP. To the extent there is any conflict or inconsistency between the terms of this Environmental Easement and the SMP, regarding matters specifically addressed by the SMP, the terms of the SMP will control.

Remainder of Page Intentionally Left Blank

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

~~JJB 125 Bath LLC:~~

By:

Print Name: JAMES T BEAUDOIN

Title: SOUL MENDER Date: 7/17/19

Grantor's Acknowledgment


STATE OF NEW YORK)
) ss:
COUNTY OF *Pers.*)

On the 17th day of July, in the year 2019 before me, the undersigned, personally appeared James Beaudin personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public - State of New York
NORA E LINDELL
Notary Public, State of New York
No. 01115012006

Qualified in Rensselaer County
Commission Expires June 30, 2024

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting by and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: 
Michael J. Ryan, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 31st day of July, in the year 2019, before me, the undersigned, personally appeared Michael J. Ryan, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public - State of New York

David J. Chiusano
Notary Public, State of New York
No. 01CH5032146
Qualified in Schenectady County
Commission Expires August 22, 2022

SCHEDULE "A" PROPERTY DESCRIPTION

ALL THAT CERTAIN PARCEL OF LAND WITH BUILDINGS AND IMPROVEMENTS THEREON, SITUATE IN THE VILLAGE OF BALLSTON SPA, TOWN OF MILTON, COUNTY AT SARATOGA AND STATE OF NEW YORK, LYING ON THE WESTERLY SIDE OF BATH STREET AND BEING BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WESTERLY LINE AT BATH STREET AT IT'S INTERSECTION WITH THE EXISTING CENTER LINE OF GORDON CREEK, SAID POINT OF COMMENCEMENT BEING SITUATE NORTH 02 DEGREES 04 MINUTES 30 SECONDS EAST A DISTANCE OF 161.17 FEET ALONG SAID BATH STREET FROM THE SOUTHEAST CORNER OF LAND DESCRIBED IN A DEED FROM GORDON CREEK, INC. TO PAUL J. RICKETT, SR. (BOOK 689 OF DEEDS – PAGE 574), THENCE FROM SAID POINT OF COMMENCEMENT NORTH 02 DEGREES 04 MINUTES 30 SECONDS EAST A DISTANCE OF 27.86 FEET TO THE POINT OF BEGINNING, THENCE FROM SAID POINT OF BEGINNING AND THROUGH THE LANDS NOW OR FORMERLY OF LINEN SYSTEMS FOR HOSPITAL, INC. THE FOLLOWING EIGHT (8) COURSES: 1) SOUTH 60 DEGREES 30 MINUTES 7 SECONDS WEST A DISTANCE OF 94.24 FEET TO A POINT, 2) SOUTH 64 DEGREES 33 MINUTES 50 SECONDS WEST A DISTANCE OF 69.48 FEET TO A POINT, 3) SOUTH 64 DEGREES 13 MINUTES 20 SECONDS WEST A DISTANCE OF 91.97 FEET TO A POINT, 4) SOUTH 73 DEGREES 37 MINUTES 22 SECONDS WEST A DISTANCE OF 18.36 FEET TO A POINT, 5) SOUTH 68 DEGREES 23 MINUTES 31 SECONDS WEST A DISTANCE OF 48.04 FEET TO A POINT, 6) SOUTH 71 DEGREES 09 MINUTES 06 SECONDS WEST A DISTANCE OF 115.69 FEET TO A POINT, 7) NORTH 89 DEGREES 41 MINUTES 02 SECONDS WEST A DISTANCE OF 51.85 FEET TO A POINT AND 8) SOUTH 83 DEGREES 21 MINUTES 43 SECONDS WEST A DISTANCE OF 97.02 FEET TO A POINT ON THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF THE DELAWARE AND HUDSON RAILROAD CORPORATION, THENCE ALONG SAID EASTERLY LINE THE FOLLOWING FOUR (4) COURSES: 1) NORTH 04 DEGREES 56 MINUTES 42 SECONDS EAST A DISTANCE OF 20.52 FEET TO A POINT; 2) NORTH 20 DEGREES 18 MINUTES 22 SECONDS EAST A DISTANCE OF 312.33 FEET TO A POINT; 3) NORTH 23 DEGREES 54 MINUTES 13 SECONDS EAST A DISTANCE OF 386.90 FEET TO A POINT; 4) NORTH 15 DEGREES 52 MINUTES 18 SECONDS EAST A DISTANCE OF 110.96 FEET TO AN EXISTING CONCRETE MONUMENT; THENCE ALONG LANDS NOW OR FORMERLY OF THOMAS O. MANOQUE, SOUTH 83 DEGREES 12 MINUTES 52 SECONDS EAST A DISTANCE OF 301.84 FEET TO AN EXISTING CONCRETE MONUMENT IN THE WESTERLY LINE OF BATH STREET; THENCE ALONG SAID WESTERLY LINE, SOUTH 06 DEGREES 16 MINUTES 13 SECONDS WEST A DISTANCE OF 12.15 FEET TO AN EXISTING IRON AXLE AT THE COMMON CORNER WITH LANDS NOW OR FORMERLY OF WILLIAM RYAN; THENCE NORTH 83 DEGREES 08 MINUTES 36 SECONDS WEST ALONG SAID BOUNDS PASSING THROUGH AN EXISTING CONCRETE MONUMENT AT A DISTANCE OF ABOUT 161.2 FEET MARKING THE CORNER WITH LANDS OF SAID RYAN AND OF THE VILLAGE OF BALLSTON SPA, A TOTAL DISTANCE OF 234.04 FEET TO AN EXISTING CONCRETE MONUMENT, THENCE CONTINUING ALONG LANDS OF THE VILLAGE, SOUTH 06 DEGREES 02 MINUTES 53 SECONDS WEST A DISTANCE OF 4818 FEET TO AN EXISTING CONCRETE MONUMENT AND SOUTH 83 DEGREES 17 MINUTES 35 SECONDS EAST

A DISTANCE OF 72.94 FEET TO AN EXISTING CONCRETE MONUMENT AT THE NORTHWEST CORNER OF LANDS NOW OR FORMERLY OF PARMY SENTIWANY; THENCE, ALONG SAID LANDS SOUTH 06 DEGREES 19 MINUTES 16 SECONDS WEST A DISTANCE OF 39.85 FEET TO AN EXISTING CONCRETE MONUMENT AND SOUTH 83 DEGREES 05 MINUTES 26 SECONDS EAST A DISTANCE OF 160.95 FEET TO AN EXISTING CONCRETE MONUMENT IN THE WESTERLY LINE OF BATH STREET; THENCE, ALONG SAID WESTERLY LINE, SOUTH 06 DEGREES 14 MINUTES 17 SECONDS WEST A DISTANCE OF 304.83 FEET TO AN IRON ROD SET AND SOUTH 02 DEGREES 04 MINUTES 30 SECONDS WEST A DISTANCE OF 148.26 FEET TO THE POINT OR PLACE OF BEGINNING CONTAINING 6.052 ACRES OF LAND.

FIGURES



Figure 1
Site Vicinity Map
Former Haight / American Hide
125 Bath Street
Ballston Spa, New York 12020
BCP Site #C546055

Figure 2
Remedial Cover Systems
Former Haigh / American Hide
125 Bath Street
Ballston Spa, New York 12020
BCP Site #C546055

TAX PARCEL NUMBER:
 VILLAGE OF BALLSTON SPA, SARATOGA COUNTY, NEW YORK
 SEC. 216.32 - BLK. 1 - LOT 36.2

DEED REFERENCES:
 1. RICKETT'S INC. TO LINEN SYSTEMS FOR HOSPITALS, INC., DATED JANUARY 7, 1977 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN DEED BOOK 946 AT PAGE 933.

MAP REFERENCES:
 1. "SURVEY OF A PORTION OF LANDS OF PAUL J. RICKETT, SR. FOR LINEN SYSTEMS FOR HOSPITALS, INC." PREPARED BY ROBERT W. AUSFELD, DATED JANUARY 8, 1977 AND FILED IN THE SARATOGA COUNTY CLERK'S OFFICE AS MAP R-25.

GENERAL NOTES:
 NORTH IS ORIENTED TO NEW YORK STATE PLANE EAST ZONE, ESTABLISHED BY GPS OBSERVATIONS AT THE TIME OF MONITORING WELL SURVEY.
 VERTICAL DATUM IS NAVD83 ESTABLISHED BY GPS OBSERVATIONS AT THE TIME OF MONITORING WELL SURVEY.
 UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 2206, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.
 ONLY COPIES FROM THE ORIGINAL OR THIS SURVEY MARKED WITH AN ORIGINAL OR THE LAND SURVEYOR'S PAINED SEAL OR HIS CROSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
 SURVEYED FROM RECORD DESCRIPTION AND AS IN POSSESSION.
 NO ABSTRACT OF TITLE OF CURRENT TITLE REPORT HAS BEEN ISSUED.
 SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS OF RECORD.
 SURVEY SUBJECT TO ANY RIGHT, TITLE OR INTEREST THE PUBLIC MAY HAVE FOR HIGHWAY USE.
 SURVEY SHOWN IS SUBJECT TO ANY SUBSURFACE CONDITIONS THAT MAY EXIST, IF ANY.
 Soil boring and vapor sample locations USB-1, SS, OA, IA and IA DUP were not included in the site survey. These locations have been approximated for illustrations purposes only.

Sample Key:
 * Vapor / Ambient Air Sample Location
 ○ Boring / Well Location
 ● Boring Location
 ▲ Sediment Sample Location
 ◆ Test Pit Location
 Blue Symbols Indicate RI Data
 Orange Symbols Indicate SRI Data



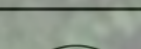


IDENTIFICATION	LOCATION NORTHING	LOCATION EASTING	LOCATION LATITUDE	LOCATION LONGITUDE	WELL/GROUND ELEVATION	PVC RISER ELEVATION
MW-1	1520448.377	665508.889	43°00'18.08"	-73°51'06.38"	244.34	243.87
MW-2	1520147.052	665435.985	43°00'15.10"	-73°51'07.40"	255.47	255.11
MW-4	1519955.572	665446.036	43°00'13.21"	-73°51'07.28"	249.51	249.06
B4-1	1519875.804	665222.527	43°00'12.44"	-73°51'10.30"	256.00	255.97
NW-1	1519917.673	665170.211	43°00'12.86"	-73°51'11.00"	256.66	256.69
FD-4	1519957.637	665222.375	43°00'13.25"	-73°51'10.29"	257.18	256.88
B3-2	1519915.161	665224.191	43°00'12.83"	-73°51'10.27"	255.50	255.55
ME-1	1520009.660	665272.215	43°00'13.76"	-73°51'09.62"	257.05	257.83
MW5	1519917.813	665307.426	43°00'12.85"	-73°51'09.23"	255.90	255.89
USB-2	1519952.762	665157.644	43°00'13.21"	-73°51'11.16"	275.3	
DB1	1520106.652	665280.619	43°00'14.72"	-73°51'09.49"	264.75	
BB2	1520182.572	665252.786	43°00'15.47"	-73°51'09.86"	259.47	
WELL	1520219.449	665224.959	43°00'15.84"	-73°51'11'02.23"	261.25	

TOPOGRAPHIC SURVEY
OF A PORTION OF THE LANDS OF
LINEN SYSTEMS FOR HOSPITAL, INC.

VILLAGE OF BALLSTON SPA SARATOGA COUNTY, N.Y.
 SCALE: 1"=30' OCTOBER 12, 2017
 DRAWN BY: PROJECT NO: 17-2048

Ausfeld & Waldroff Land Surveyors LLP
 323 CLINTON STREET, SCHENECTADY NY
 Phone: (518) 346-1595 Fax: (518) 770-1655

VINCENT P. AUSFELD P.L.S.
 LICENSE NUMBER: 14597
 www.ausfeld.com

		BATH STREET		
		TOPOGRAPHIC SURVEY OF A PORTION OF THE LANDS OF LINEN SYSTEMS FOR HOSPITAL, INC.		
REVISED		VILLAGE OF BALLSTON SPA	SARATOGA COUNTY, N.Y.	
		SCALE: 1"=30'	OCTOBER 12, 2017	
		DRAWN BY:	PROJECT NO: 17-2048	
4:15:18		Ausfeld & Waldruff Land Surveyors LLP 323 CLINTON STREET, SCHENECTADY NY		VINCENT P. AUSFELD P.L.S. LICENSE NUMBER

APPENDIX B

SITE PHOTOS

NORTHEASTERN ENVIRONMETNAL GEOSCIENCE, D.P.C.



Improved landscaped eastern property line along Bath Street facing northwest



Southeast gated entrance to site facing northwest from Bath Street



Improved landscaped eastern property line and gated entrance along Bath Street facing southwest



Northeast corner of the site facing west from Bath Street along northern property line



Asphalt & concrete cover system located adjacent to the building & Gordon Creek



Asphalt & gravel cover systems adjacent to soil cover system southwest of building



View of southern property line & concrete retaining wall along Gordon Creek



Soil cover system; southwest corner of Site facing steeply sloping western property line



Soil cover system & concrete foundations facing northwest from Gordon Creek



Soil cover system north of Gordon Creek; southwest corner of the Site



Western extent of soil / Rip Rap cover systems & building foundations north of Gordon Creek



Soil / Rip Rap cover systems and building foundations; facing east from southwest corner of Site



Improved gravel cover system west of building; facing east from soil / Rip Rap cover systems



Improved gravel cover system & building foundations west of building; facing south



Soil cover system & building foundations east of steeply sloping western property line



Soil cover system & asphalt/gravel surfaces; southeast view from northwest corner of Site



Rip/Rap cover system at northwest corner of the site; facing northeast



Asphalt surface & soil / Rip Rap cover systems at northwest corner of the Site



Site perimeter security fencing along western property line; facing south from Jim Tedisco Fitness Trail

APPENDIX C

CERTIFICATION FORMS

NORTHEASTERN ENVIRONMETNAL GEOSCIENCE, D.P.C.



Enclosure 2
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. **C546055**

Site Name **Former American Hide Leather Haight Co.Tannery**

Site Address: 125 BATH STREET Zip Code: 12020

City/Town: Ballston Spa

County: Saratoga

Site Acreage: 6.052

Reporting Period: April 30, 2023 to April 30, 2024

YES NO

1. Is the information above correct?



If NO, include handwritten above or on a separate sheet.

2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?



3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?



4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?



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?



Box 2

YES NO

6. Is the current site use consistent with the use(s) listed below?



Restricted-Residential, Commercial, and Industrial

7. Are all ICs in place and functioning as designed?



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.

Signature of Owner, Remedial Party or Designated Representative

Date

Box 2A

YES NO

8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?

☐

If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.

9. Are the assumptions in the Qualitative Exposure Assessment still valid?
(The Qualitative Exposure Assessment must be certified every five years)

☐

If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.

SITE NO. C546055**Box 3****Description of Institutional Controls**ParcelOwnerInstitutional Control**Portion of 216.32-1-96.2**

JJB 125Bath, LLC

Ground Water Use Restriction
Soil Management Plan
Site Management Plan
IC/EC Plan

GW use restriction, SMP, restricted residential usage.

Box 4**Description of Engineering Controls**ParcelEngineering Control**Portion of 216.32-1-96.2**

Cover System

Soil cover over approximately 1 acre.

Periodic Review Report (PRR) Certification Statements

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



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 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. C546055

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 JAMES J REAGAN at 17 SONJA LANE, BALLSTON SPA NY
print name print business address

am certifying as OWNER (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

5/6/24
Date

EC CERTIFICATIONS

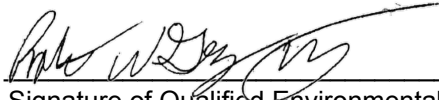
Box 7

Qualified Environmental Professional 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 Robert Gray at 1476 Saratoga Road Ballston Spa, NY 12020,
print name print business address

am certifying as a Qualified Environmental Professional for the Northeastern Environmental Geoscience, D.P.C.
(Owner or Remedial Party)



Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering Certification

Stamp
(Required for PE)

05/02/2024
Date