

Final Engineering Report

*Tecumseh Phase III-8 Business Park Site
NYSDEC Site No. C915199H
Lackawanna, New York*

June 2014

0262-014-001

Prepared For:

Welded Tube USA

Prepared By:



BROWNFIELD CLEANUP PROGRAM

FINAL ENGINEERING REPORT

TECUMSEH PHASE III- 8 BUSINESS PARK SITE
NYSDEC SITE NUMBER C915199H
LACKAWANNA, NEW YORK

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CERTIFICATIONS

I, Thomas H. Forbes, P.E., am currently a registered Professional Engineer licensed by the State of New York, I had primary direct responsibility for implementation of the remedial program activities, and I certify that the Remedial Action Work Plan was implemented and that all construction activities were completed in substantial conformance with the Department-approved Remedial Action Work Plan.

I certify that the data submitted to the Department with this Final Engineering Report demonstrates that the remediation requirements set forth in the Remedial Action Work Plan and in all applicable statutes and regulations have been or will be achieved in accordance with the time frames, if any, established in for the remedy.

I certify that all use restrictions, Institutional Controls, Engineering Controls, and/or any operation and maintenance requirements applicable to the Site are contained in an environmental easement created and recorded pursuant ECL 71-3605 and that all affected local governments, as defined in ECL 71-3603, have been notified that such easement has been recorded.

I certify that a Site Management Plan has been submitted for the continual and proper operation, maintenance, and monitoring of all Engineering Controls employed at the Site, including the proper maintenance of all remaining monitoring wells, and that such plan has been approved by Department.

I certify that all documents generated in support of this report have been submitted in accordance with the DER's electronic submission protocols and have been accepted by the Department.

I certify that all documents generated in support of this report have been submitted in accordance with the Department's electronic data deliverable and have been accepted by the Department.

I certify that all information and statements in this certification form 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, Thomas H. Forbes, P.E., of Benchmark Environmental Engineering & Science, PLLC at 2558 Hamburg Turnpike, Buffalo, New York 14218, am certifying as Owner's Designated Site Representative for the Site.

070950-1

NYS Professional Engineer #

6-5-14

Date



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TECUMSEH PHASE III-8 BUSINESS PARK SITE**

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LIST OF ACRONYMS

Acronym	Definition
BCA	Brownfield Cleanup Agreement
BCP	Brownfield Cleanup Program
BPA	Business Park Area
BUD	Beneficial Use Determination
CAMP	Community Air Monitoring Plan
CP	Citizen Participation
EC	Engineering Control
FER	Final Engineering Report
HASP	Health and Safety Plan
IC	Institutional Control
IRM	Interim Remedial Measure
MECP	Master Erosion Control Plan
NELAP	National Environmental Laboratory Approval Program
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
PID	Photoionization Detector
RAO	Remedial Action Objectives
SCOs	Soil Cleanup Objectives
SEQRA	State Environmental Quality Review Act
SVOC	Semi-Volatile Organic Compound
VOC	Volatile Organic Compound

1.0 BACKGROUND AND SITE DESCRIPTION

In March of 2007 Tecumseh Redevelopment Inc. (Tecumseh) entered into a Brownfield Cleanup Agreement (BCA) with the New York State Department of Environmental Conservation (NYSDEC) to investigate and remediate an approximate 150-acre property located in Lackawanna, New York. The property, deemed the “Phase III Business Park Site” is located in the County of Erie, New York and encompasses tax parcel numbers 141.15-1-1, 141.15-1-2, and part of tax parcel number 141.11-1-50 per Erie County Tax Map records. The Phase III Business Park Site is bounded by Gateway Metroport Ship Canal and property owned by Gateway Trade Center to the north; the South Buffalo Railroad Company to the south; Phase II Business Park Site and the South Return Water Trench (SRWT) to the east; and other Tecumseh property to the west (see Figures 1 and 2).

The Phase III Business Park was originally deemed Brownfield Cleanup Program (BCP) Site No. C915199, but was subsequently subdivided into smaller BCP Site sub-parcels to facilitate remediation and redevelopment (see Figure 2). On August 20, 2012, the original BCA for Site C915199 was amended to cover the smaller Sub-parcel III-1, with separate BCAs issued and executed for the remaining nine BCP Sub-parcels (i.e., III-2 through III-10, having Site Nos. C915199b through C915199j).

In October 2012, Welded Tube USA Realty, LLC¹ acquired from Tecumseh the 39.2-acre Sub-parcels III-7 (Site No. C915199g) to construct a new manufacturing facility, and the adjacent 5.9-acre Sub-parcel III-8 (Site No. C915199h) for future expansion (see Figure 3). As a condition of the purchase Tecumseh agreed to complete certain Interim Remedial Measures (IRMs) on the properties as necessary to remove known areas of “hotspot” soil/fill as further described in Section 3.0 of this report. Decision Documents for Sub-parcels III-7 & III-8 were subsequently issued by the NYSDEC in May 2013 after completion of Tecumseh’s IRM hotspot soil/fill removal work. The Decision Documents specify the final/remaining remedial measures for the Sub-parcels including, among other requirements, placement of acceptable cover material in areas not otherwise covered by buildings, pavement, etc.

Final remedial measures on Sub-parcel III-7 were completed in 2013 and a Certificate of Completion (COC) for that Sub-parcel (Site C915199g) was issued by the NYSDEC in

December 2013. Due to the tight construction schedule and pending winter weather final remedial measures construction on Sub-parcel III-8 was deferred until spring of 2014.

This Final Engineering Report (FER) has been prepared to document remedial measures on Sub-parcel III-8 (hereafter referred to as the Site). The boundaries of the Site are fully described in Appendix A: Survey Map, Metes, and Bounds. As of May 2013 Sub-parcel III-8 is identified as tax parcel number 141.15-1-2 and addressed as 2537 Hamburg Turnpike, Lackawanna, New York. An electronic copy of this FER with all supporting documentation is included as Appendix B.

¹ Welded Tube USA Realty, LLC and Welded Tube USA, Inc. are collectively referred to herein as “Welded Tube USA.”

2.0 SUMMARY OF SITE REMEDY

2.1 Remedial Action Objectives

Based on the results of the Remedial Investigation, the following Remedial Action Objectives (RAOs) were identified for this Site.

2.1.1 Groundwater RAOs

RAOs for Public Health Protection

- Prevent ingestion of groundwater containing contaminant levels exceeding drinking water standards.

RAOs for Environmental Protection

- Remove the source of ground or surface water contamination.

2.1.2 Soil RAOs

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.

RAOs for Environmental Protection

- Prevent impacts to biota due to ingestion/direct contact with contaminated soil that would cause toxicity or bioaccumulation through the terrestrial food chain.

2.2 Description of Selected Remedy

The Site was remediated in accordance with the remedy selected by the NYSDEC in the Decision Document dated May 2013. R.E Lorenz Construction performed the final remedial work under contract to Welded Tube USA. Benchmark Environmental Engineering & Science, PLLC (Benchmark) was retained by Welded Tube USA to serve as the Engineer of Record for the BCP activities.

The factors considered during the selection of the remedy are those listed in 6NYCRR 375-1.8. The following are the components of the selected remedy:

1. Excavation and off-site disposal of arsenic-impacted hotspot soil/fill exceeding the site-specific action level (SSAL) of 118 ppm. (This component of the remedy was performed by Tecumseh as described in Section 3.0 of this report)

2. Construction and maintenance of a cover system consisting of a demarcation layer followed by a 12-inch compacted Beneficial Use Determination (BUD)-approved slag layer to prevent human exposure to contaminated soil/fill remaining at the Site.
3. Execution and recording of an Environmental Easement (see Appendix C) to restrict land use and prevent future exposure to any contamination remaining at the Site.
4. Development and implementation of a Site Management Plan for long term management of remaining contamination as required by the Environmental Easement, which includes plans for: (1) Institutional and Engineering Controls, (2) monitoring, (3) operation and maintenance and (4) reporting.
5. Periodic certification of the institutional and engineering controls listed above.

3.0 INTERIM REMEDIAL MEASURES

The information and certifications made in the February 2013 Construction Completion Report for Sub-Parcels III-7 and III-8 (Ref. 1) were relied upon to prepare this report and certify that the associated remedial measures for the Site have been met.

TurnKey Environmental Restoration, LLC (TurnKey) implemented IRM work at the Site on behalf of Tecumseh in accordance with the approved IRM Work Plan (Ref. 2). The IRM activities specific to Sub-parcel III-8, which are more fully described and documented in the above-referenced CCR, are summarized below:

- Excavation of approximately 30 cubic yards (CY) of arsenic-impacted hotspot slag/fill surrounding test pit BPA3A-TP-33 followed by off-site disposal of these materials at the Chautauqua County Landfill (CCLF) in Ellery, NY under active CCLF permit number CC0626.12S1 (issued June 26, 2012). Excavation work was conducted on October 18, 2012
- Collecting post-excavation documentation samples from the arsenic-impacted hotspot excavation. One representative sample was collected from each of the four sidewalls and one from the base of the excavation area. The samples were submitted to a New York State Department of Health (NYSDOH)-ELAP certified laboratory for analysis of arsenic in accordance with USEPA SW-846 Method 6010. The total disposal weight from the arsenic hotspot, as reported by the landfill, was 40.09 tons. No backfill was performed due to the shallow nature of the excavation.

4.0 DESCRIPTION OF REMEDIAL ACTIONS PERFORMED

Remedial activities completed at the Site following the IRM work discussed in Section 3.0 were conducted in accordance with the NYSDEC-approved Remedial Action Work Plan (RAWP) (Ref. 3). All deviations from the RAWP are noted below.

4.1 Governing Documents

4.1.1 Site Specific Health & Safety Plan (HASP)

All remedial work performed under this Remedial Action was in full compliance with governmental requirements, including Site and worker safety requirements mandated by Federal OSHA.

The April 2010 Site Health and Safety Plan (HASP) for Brownfield Cleanup Program, prepared in accordance with the requirements of 40 CFR 300.150 of the National Contingency Plan (NCP) and 29 CFR 1910.120, and previously approved by the NYSDEC for Business Park investigation work, was used for the remedial activities. The HASP was complied with for all remedial and invasive work performed at the Site.

4.1.2 Storm-Water Pollution Prevention Plan (SWPPP)

Welded Tube USA obtained storm water coverage under the NYSDEC SPDES General Permit for Storm Water Discharges from Construction Activity (General Permit No. GP-0-10-001) and was assigned permit identification number NYR10V834 effective August 26, 2012. All construction activities were conducted in general accordance with the General Permit and the Storm Water Pollution Prevention Plan (SWPPP) dated July 2012. The City of Lackawanna Codes Enforcement Officer responsible for MS4 storm water compliance was onsite during the construction work to inspect and verbally approve storm water controls. Benchmark provided independent SWPPP inspections via certified personnel in accordance with the permit.

4.1.3 Community Air Monitoring Program (CAMP)

Real-time community air monitoring was performed during all activities involving disturbance of soil/fill materials at the Site. A Community Air Monitoring Plan (CAMP) is included with the HASP. Particulate monitoring was performed at a distance of approximately 100 feet downwind of the work area during grading and soil/fill handling activities in accordance with this Plan. In addition, no visible dust was allowed beyond the Site perimeter during these activities. The CAMP is consistent with the requirements for community air monitoring at remediation sites as established by the New York State Department of Health (NYSDOH) and NYSDEC. Accordingly, it follows procedures and practices outlined under DER-10 (Ref. 4) Appendix 1A (NYSDOH's Generic Community Air Monitoring Plan) and Appendix 1B (Fugitive Dust and Particulate Monitoring).

4.1.4 Contractors Site Operations Plans (SOPs)

Benchmark reviewed all submittals for this remedial project (i.e., those listed above plus contractor and subcontractor submittals for imported materials and other work affecting remedial measures) and confirmed that they were in compliance with the RAWP. All remedial planning documents were submitted to NYSDEC and NYSDOH in a timely manner and prior to the start of work.

4.1.5 Community Participation Plan

In July 2012, a fact sheet was issued to summarize the proposed cleanup plan for Interim Remedial Measures on the Sub-parcels. In March 2013, upon approval of the RAWP, a fact sheet containing information of the remedial actions to be performed was transmitted to individuals on the Phase III Business Park contact list. A Decision Document for Sub-parcel III-8 was issued by NYSDEC in May 2013.

4.2 Remedial Program Elements

Remedial program elements are described below. In general the remedial work involved clearing/grubbing and minor re-grading followed by placement of demarcation layer and a minimum of one foot of approved cover material.

4.2.1 Contractors and Consultants

Benchmark Environmental Engineering & Science, PLLC (Benchmark) served as the Engineer of Record for BCP activities. RE Lorenz Construction, Inc. (RE Lorenz) performed the cover system construction as a direct contractor to Weld Tube USA.

4.2.2 Site Preparation

Site preparation initially involved establishing survey control and setting Site boundary markers followed by mobilization of equipment and personnel to the Site to clear vegetative cover. On April 17, 2014, RE Lorenz began clearing and grubbing trees and stumps. Woody materials (small trees and branches) were taken off-site. Minor re-grading activities were performed coincidental with grubbing of low-lying vegetation. During subgrade preparation, no field indications of contamination were encountered and no soil/fill materials were removed from the Site. The low-lying vegetative layer was stripped and high areas were in-filled into low areas within the Sub-parcel boundaries and proof-rolled to create a level sub-base.

Documentation of agency approvals required by the RAWP is included in Appendix D. All State Environmental Quality Review Act (SEQRA) requirements and all substantive compliance requirements for attainment of applicable natural resource or other permits were achieved during this Remedial Action.

4.2.3 General Site Controls

Site controls were maintained throughout construction. Access to the Site was limited to business hours and restricted by fencing and gates along NY State Route 5, which is the point of public access to the property. Only authorized employees of Benchmark, RE Lorenz, and the NYSDEC were permitted in the exclusion zone.

Trucks employed to import cover material traveled along a designated route within the Tecumseh property. BUD-approved slag from an approved source on the Tecumseh property was used as cover material. Equipment employed in the subgrade work was cleaned of any soil clods and swept free of remaining soils prior to removal from the Site or reuse in preparing final grade.

4.2.4 CAMP Results

Continuous air monitoring was performed at the downgradient property boundary during all activities involving sub-grade soil/fill disturbance. Per the CAMP, action limits of 100 ug/m³ for respirable particulates and 5 ppm for organic vapors were employed. No exceedances of the thresholds were recorded.

Copies of all field data sheets relating to the CAMP are provided in Appendix E.

4.2.5 Reporting

A Benchmark representative was on-site on a routine basis during remedial activities. All daily field notes are included in Appendix F.

The digital photo log required by the RAWP is included in Appendix G.

4.3 Imported Materials

4.3.1 Imported Backfill

As described in the CCR, no backfill was imported following hotspot excavation work due to the shallow nature of the depression. Accordingly, the sides of the shallow arsenic-impacted excavation were gradually sloped during the IRM activities and re-graded as part of the minor grading work that preceded cover installation.

4.3.2 Imported Cover Materials

The following materials and quantities were imported, with NYSDEC approval, to the location shown on Figure 5 for the cover system and to support the redevelopment plan:

- Demarcation layer (3/4" orange plastic netting from Industrial Netting Supply)
- Steel slag under BUD #555-9-15 from Iron City Recovery (19,019 tons)

Appendix I includes imported material documentation.

4.4 Contamination Remaining at the Site

The remedial work conducted on Sub-Parcel III-8 has removed all known "source area" soil/fill for off-site disposal (metal-impacted soil/fill). The remaining soil/fill is

generally characterized by widespread exceedance of the Part 375 unrestricted-use SCOs for several ubiquitous constituents. Specifically, many samples collected during the RI exhibited exceedance of the unrestricted SCOs for several PAHs, as well as arsenic, cadmium, chromium, lead, and mercury. Other constituents remaining above unrestricted-use SCOs in select areas of the Site include PCB Aroclor 1242 and 1260. Table 1 summarizes the results of soil/fill samples remaining that exceed the Track 1 (unrestricted) SCOs after completion of Remedial Action on Sub-Parcel III-7. Based on the data, it is not possible to quantify with any certainty areas that do not exceed one or more of the unrestricted-use SCO criteria. It is therefore estimated that the entire approximate 5.9 acres of property contained in Sub-parcel III-8 are impacted above the unrestricted-use SCOs to the approximate native soil depth of 12 fbg. Following grading of the Site, demarcation was constructed and placed so as to easily identify the existing Site sub-grade from the cover system material, and prevent the potential for inadvertent removal of sub-grade material during other Site work. The demarcation layer is comprised of an orange 3/4-inch plastic industrial netting material was rolled across the sub-grade. Since contaminated soil remains beneath the Site after completion of the Remedial Action, Institutional and Engineering Controls are required to protect human health and the environment. These Engineering and Institutional Controls (ECs/ICs) are described in the following sections. Long-term management of these EC/ICs and residual contamination will be performed under the Site Management Plan (SMP) approved by the NYSDEC.

4.5 Cover System

Exposure to remaining contamination in soil/fill at the Site is prevented by a cover system placed over the Site. This cover system is comprised of:

- A minimum of 12 inches of BUD-approved slag material (NYSDEC BUD #555-9-15) imported from Iron City Recovery. This material which covers the majority of the site has been subjected to gradation testing and meets the requirements of DER-10 for exemption from import analytical testing.
- A small area (approximately 650 square feet) of existing 8-inch thick concrete slab.

Following placement of the cover system, it was noted that the 12 inches of BUD – approved slag material was not extended fully to the north and east property boundaries of the parcel. Field observations indicated the cover system thickness tapered within 1 foot of the parcel boundary to match existing grade of the adjoining property. As per the BCP remedial requirements, the 12-inch cover system thickness must extend completely to the property boundary edge. Therefore, on May 16, 2014 the contractor, (RE Lorenz) placed and additional 90 tons of BUD –approved slag along the north and east boundaries limits to achieve the minimum 12-inch cover thickness. The additional 90 tons of slag cover is included in the total quantity of imported material described in Section 4.3.2 of this report.

Figure 5 outlines the types, locations, and thicknesses of cover system materials placed. Section 4.5.2 summarizes the quantities and sources of materials imported to the Site. Appendix I includes a figure and table showing the pre- and post-cover system elevations.

An Excavation Work Plan, which outlines the procedures required in the event the cover system and/or underlying residual contamination are disturbed, is provided in Appendix B of the SMP.

4.6 Other Engineering Controls

The remedy for the Site did not require the construction of any other engineering control systems.

4.7 Institutional Controls

The Site remedy requires that an environmental easement be placed on the property to (1) implement, maintain and monitor the Engineering Controls; (2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and, (3) limit the use and development of the Site to commercial or industrial uses only.

The environmental easement for the Site was executed by the Department on November 6, 2013, and filed with the Erie County Clerk on November 14, 2013. The County Recording Identifier number for this filing is 2013261303. A copy of the easement and proof of filing is provided in Appendix C.

4.8 Problems Encountered

There were no problems encountered other than the placement of additional cover material along the property boundaries as described in Section 3.5 of this report.

4.9 Deviations from the Remedial Action Work Plan

There were no deviations from the RAWP.

5.0 REFERENCES

1. TurnKey Environmental Restoration, LLC. *Construction Completion Report for Business Park Sub-Parcels III-7 and III-8; BCP Site Nos. C615199G and C915199H, Tecumseh Redevelopment Inc., Lackawanna, New York.* February 2013.
2. TurnKey Environmental Restoration, LLC. *Interim Remedial Measures (IRM) Work Plan for Phase III Business Park Sub-Parcels III-7 and III-8; BCP Site Nos. C615199G and C915199H, Tecumseh Redevelopment Inc., Lackawanna, New York.* August 2013.
3. Benchmark Environmental Engineering & Science, PLLC. *Remedial Action Work Plan for BCP Site Nos. C615199G and C915199H, Welded Tube USA Site, Lackawanna, New York, The Krog Corporation.* May 2013.
4. New York State Department of Environmental Conservation. *DER-10; Technical Guidance for Site Investigation and Remediation.* May 3, 2010.

TABLE



TABLE 1

SUMMARY OF REMAINING SOIL/FILL EXCEEDING UNRESTRICTED SCOs FOLLOWING REMEDIAL ACTION

FINAL ENGINEERING REPORT

Sub-parcel III-8
Lackawanna, New York

PARAMETER ¹	Unrestricted SCOs ² (ppm)	Sub-Parcel III-8			
		BPA-3A-TP-32 (0-2)	BPA-3A-TP-34 (0-2)	BPA-3A-TP-35 (0-2)	BPA-3A-TP-56 (0-2)
Volatile Organic Compounds (VOCs) - mg/kg ³					
1,2,4-Trimethylbenzene	3.6	--	--	--	0.0018 J
1,3,5-Trimethylbenzene	8.4	--	--	--	--
2-Butanone (MEK)	0.12	--	--	--	--
p-Cymene	--	--	--	--	ND
Acetone	0.05	--	--	--	--
Benzene	0.06	--	--	--	ND
Chlorobenzene	1.1	--	--	--	--
Cyclohexane	--	--	--	--	--
Ethylbenzene	1	--	--	--	ND
Isopropylbenzene	--	--	--	--	ND
Methylcyclohexane	--	--	--	--	--
Methylene chloride	0.05	--	--	--	--
m-Xylene & p-Xylene	0.26	--	--	--	0.002 J
n-Butylbenzene	12	--	--	--	ND
n-Propylbenzene	3.9	--	--	--	ND
o-Xylene	0.26	--	--	--	ND
sec-Butylbenzene	11	--	--	--	ND
Toluene	0.7	--	--	--	0.00085 J
Total Xylenes	0.26	--	--	--	0.002 J
Semi-Volatile Organic Compounds (SVOCs) - mg/kg ³					
2-Methylnaphthalene	--	ND	ND	ND	ND
Acenaphthene	20	ND	ND	3.2 D,J	ND
Acenaphthylene	100	ND	ND	ND	ND
Anthracene	100	2 D,J	3.2 D,J	7.6 D,J	ND
Benzo(a)anthracene	1	8.2 D,J	11 DJ	27 D	1.9 D,J
Benzo(a)pyrene	1	8.4 D,J	10 DJ	25 D	2.9 D
Benzo(b)fluoranthene	1	8.4 D,J	18 D,J,ID4	28 D	3.4 D
Benzo(ghi)perylene	100	5.5 D,J	ND	14 D,J	2.9 D
Benzo(k)fluoranthene	0.8	5.4 D,J	ND	14 D,J	1.1 D,J
Biphenyl	--	ND	ND	ND	ND
Bis(2-ethylhexyl) phthalate	--	ND	ND	ND	ND
Carbazole	--	--	--	--	--
Chrysene	1	7.8 D,J	12 D,J	24 D	2.1 D
Dibenzo(a,h)anthracene	0.33	1.2 D,J	ND	ND	0.66 D,J
Dibenzofuran	--	ND	ND	ND	ND
Fluoranthene	100	18 D	26 D,J	58 D	2.1 D
Fluorene	30	ND	ND	3 D,J	ND
Indeno(1,2,3-cd)pyrene	0.5	4.7 D,J	6.3 D,J	14 D,J	2.5 D
Naphthalene	12	ND	ND	ND	ND
Phenanthrene	100	7.2 D,J	16 D,J	31 D	0.6 D,J
Pyrene	100	14 D	20 D,J	42 D	1.9 D,J
Polychlorinated Biphenyls (PCBs) - mg/kg ³					
Aroclor 1242	0.1	0.13 D	--	--	--
Aroclor 1248	0.1	ND	--	--	--
Aroclor 1260	0.1	1.5 D	--	--	--



TABLE 1

SUMMARY OF REMAINING SOIL/FILL EXCEEDING UNRESTRICTED SCOs FOLLOWING REMEDIAL ACTION

FINAL ENGINEERING REPORT

Sub-parcel III-8
Lackawanna, New York

PARAMETER ¹	Unrestricted SCOs ² (ppm)	Sub-Parcel III-8			
		BPA-3A-TP-32 (0-2)	BPA-3A-TP-34 (0-2)	BPA-3A-TP-35 (0-2)	BPA-3A-TP-56 (0-2)
Inorganic Compounds - mg/kg					
Aluminum, Total	--	--	--	--	--
Arsenic, Total	13	18.7	15.4	20.6	12.5 J
Barium, Total	350	--	--	--	--
Beryllium, Total	7.2	--	--	--	--
Cadmium, Total	2.5	7.75	2.59	30.9	6.93 J
Calcium, Total	--	--	--	--	--
Chromium, Total ⁴	31	125 J	49.2 J	145 J	260 J
Cobalt, Total	--	--	--	--	--
Copper, Total	50	--	--	--	--
Iron, Total	--	--	--	--	--
Lead, Total	63	488	332	484	605 J
Magnesium, Total	--	--	--	--	--
Manganese, Total	1600	--	--	--	--
Nickel, Total	30	--	--	--	--
Potassium, Total	--	--	--	--	--
Sodium, Total	--	--	--	--	--
Thallium, Total	--	--	--	--	--
Vanadium, Total	--	--	--	--	--
Zinc, Total	109	--	--	--	--
Mercury, Total	0.18	3.32 D	0.355	0.403	0.806
Cyanide	27	--	--	--	--
General Chemistry Parameters					
pH, Leachable		--	--	--	--

Notes:

1. Only those parameters detected at a minimum of one sample location are presented in this table; all other compounds were reported as non-detect.
2. Values per NYSDEC draft Part 375 Soil Cleanup Objectives (June 2006)
3. Sample results were reported by the laboratory in ug/kg and converted to mg/kg for comparison to SCOs.
4. The total Chromium SCO was determined by adding the hexavalent and trivalent Chromium SCOs.
5. The sample collected from the area of completed excavation (BPA-3-TP-33) has been removed from the table.

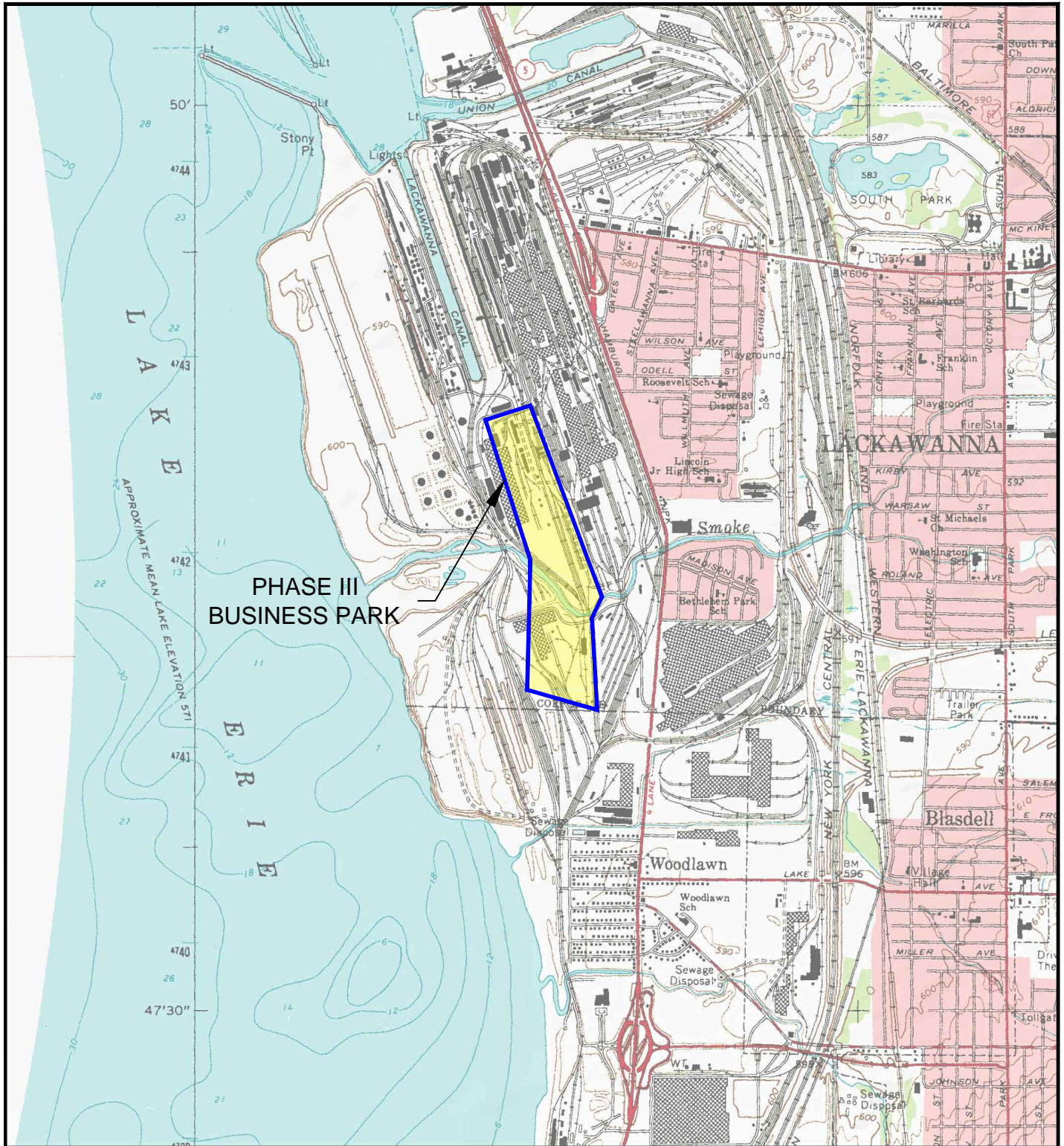
Definitions:

- ND = Parameter not detected above laboratory detection limit.
- "--" = No SCO available/sample not analyzed for parameter.
- J = Estimated value; result is less than the sample quantitation limit but greater than zero.
- B = Indicates a value greater than or equal to the instrument detection limit, but less than the quantitation limit.
- D = All compounds were identified in an analysis at the secondary dilution factor.
- R = The data is unusable.

BOLD = result exceeds SCO.

FIGURES

FIGURE 1



F:\CAD\Benchmark\Welded Tube of Canada\BP III-8\Final Engineering Report\Figure 1: Site Location and Vicinity Map.dwg



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2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0599

SITE LOCATION & VICINITY MAP
FINAL ENGINEERING REPORT

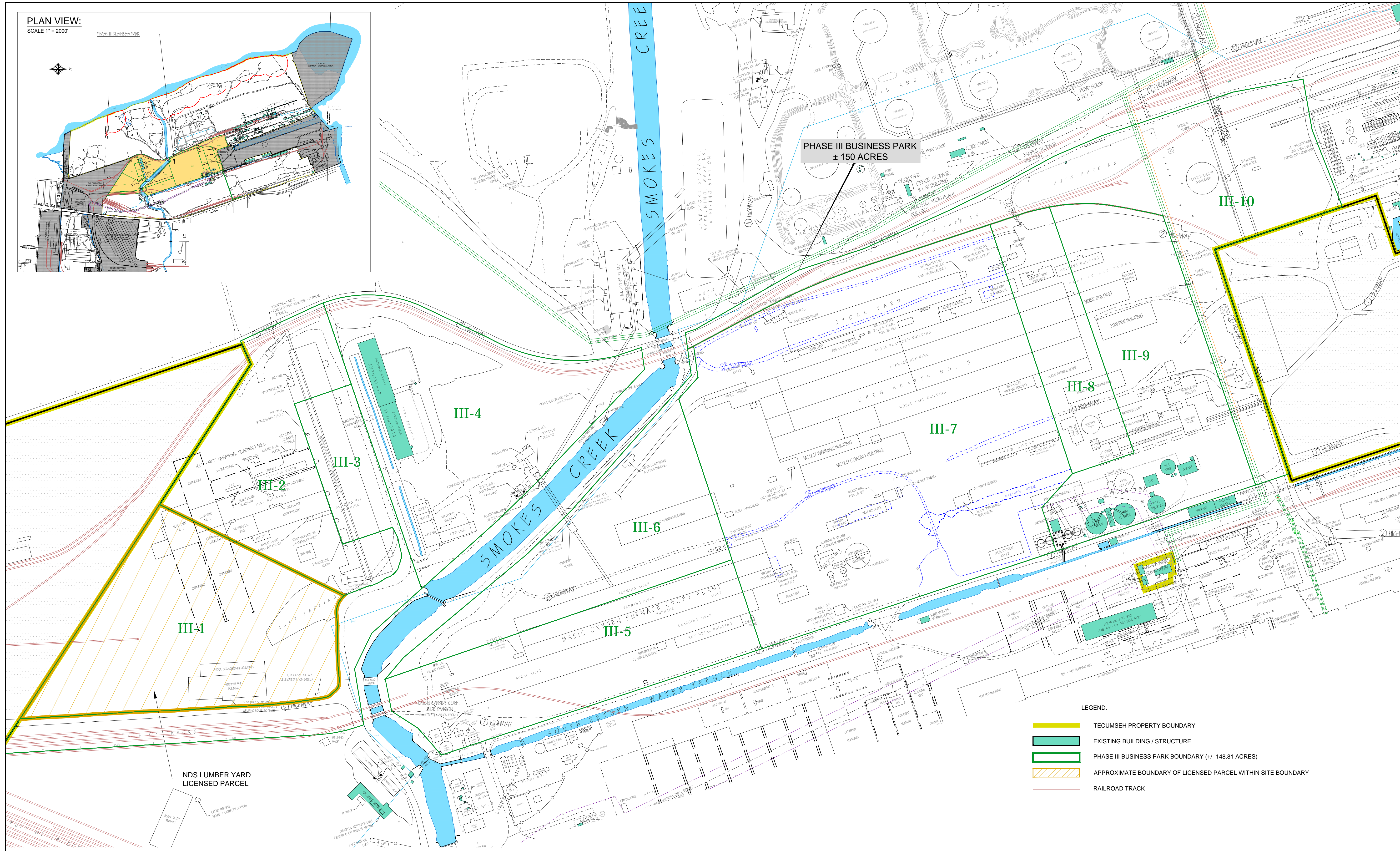
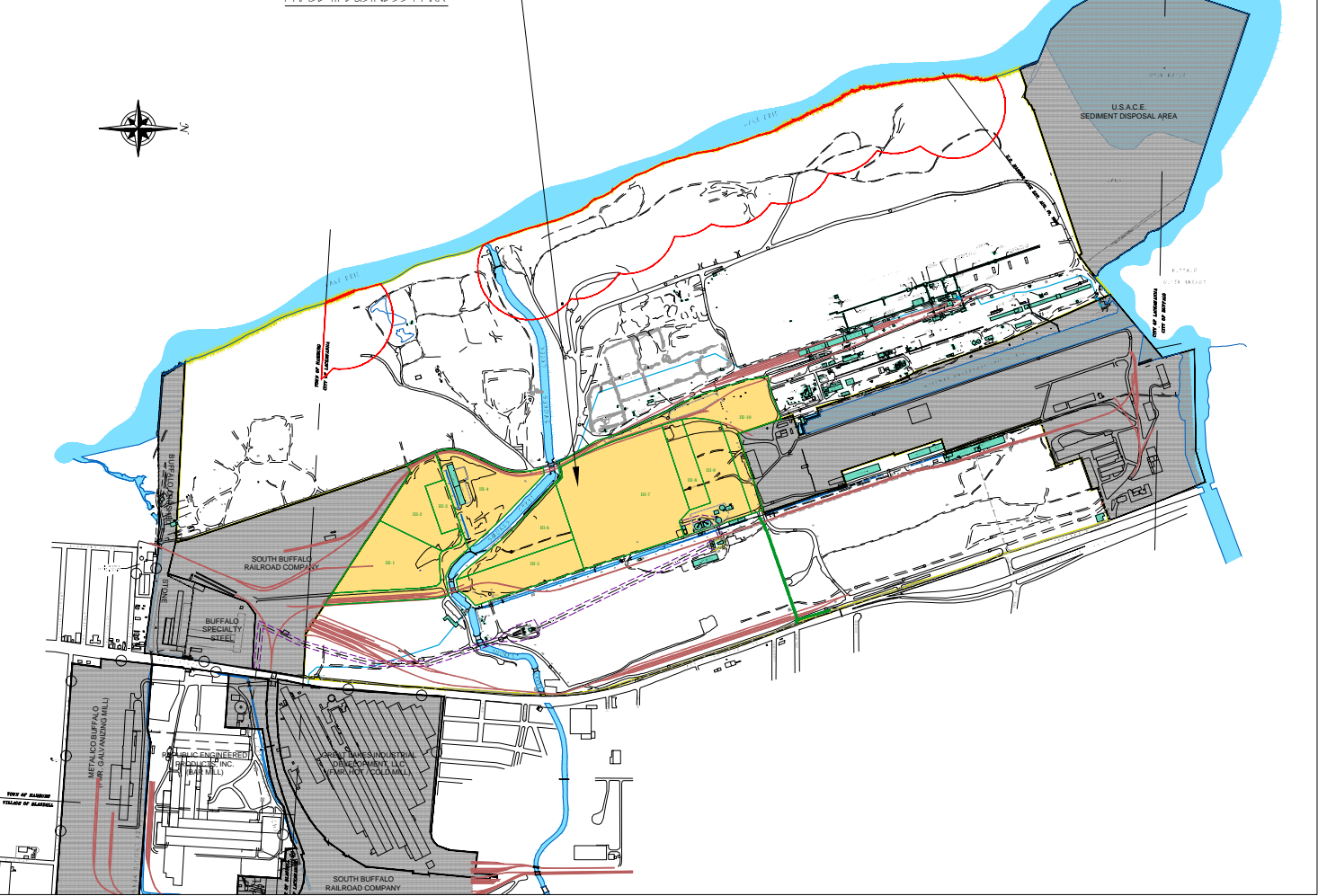
TECUMSEH PHASE III-8 BUSINESS PARK SITE
BCP SITE NO. C195199H
LACKAWANNA, NEW YORK
PREPARED FOR
WELDED TUBE USA

PROJECT NO.: 0262-014-001

DATE: MAY 2014

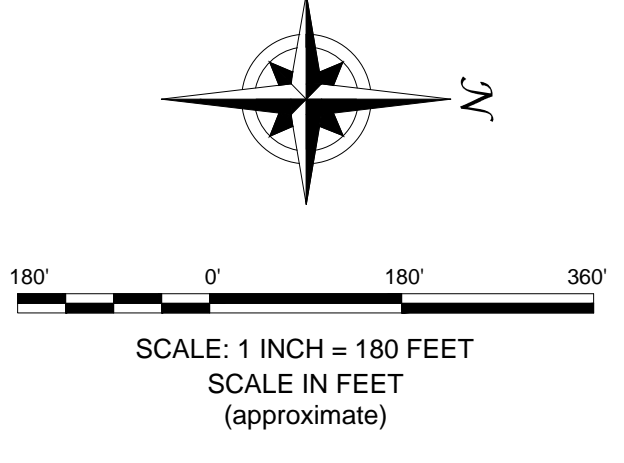
DRAFTED BY: BLR

PLAN VIEW:
SCALE 1" = 2000'



PHASE III BUSINESS PARK
± 150 ACRES

- LEGEND:**
- TECUMSEH PROPERTY BOUNDARY
 - EXISTING BUILDING / STRUCTURE
 - PHASE III BUSINESS PARK BOUNDARY (± 148.81 ACRES)
 - APPROXIMATE BOUNDARY OF LICENSED PARCEL WITHIN SITE BOUNDARY
 - RAILROAD TRACK



BENCHMARK
ENVIRONMENTAL
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2558 HAMBURG TURNPIKE
SUITE 100
LACKAWANNA, NY 14218
(716) 856-0599

JOB NO.: 0262-014-001

REVISIONS	
NO.	REMARKS

NO.	BY	DATE

DRAWN BY: BLR
DATE: MAY 2014

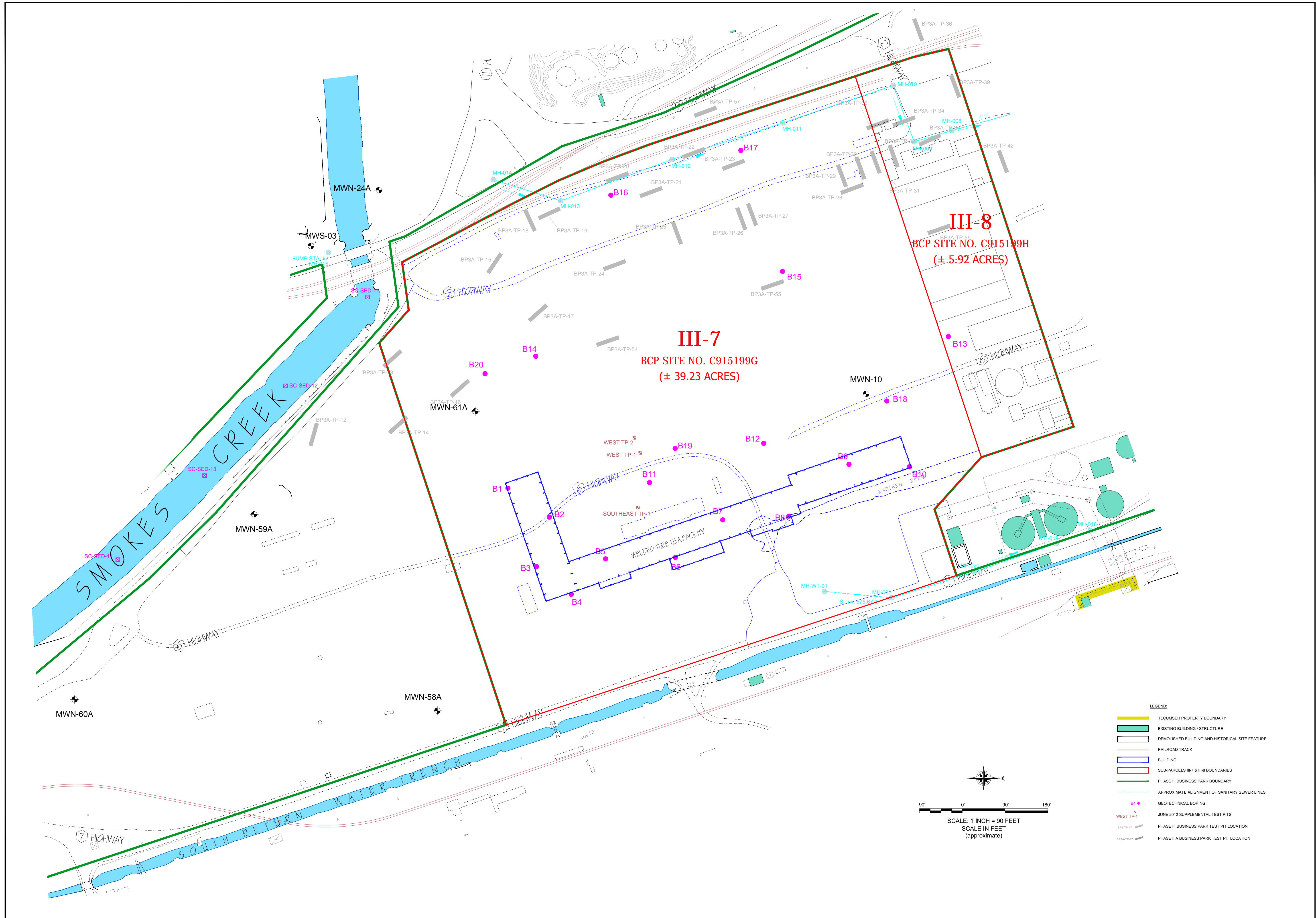
CHECKED BY:
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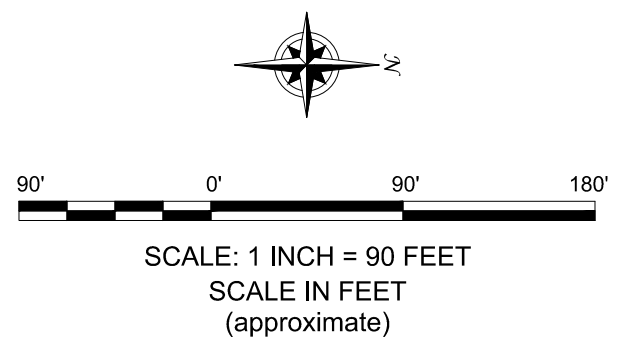
SUB-PARCEL DELINEATION MAP

FINAL ENGINEERING REPORT
TECUMSEH PHASE III-8 BUSINESS PARK SITE
BCP SITE NO. C-1951199H
LACKAWANNA, NEW YORK
PREPARED FOR
WELDED TUBE USA

FIGURE 2



- LEGEND:**
- TECUMSEH PROPERTY BOUNDARY
 - EXISTING BUILDING / STRUCTURE
 - DEMOLISHED BUILDING AND HISTORICAL SITE FEATURE
 - RAILROAD TRACK
 - BUILDING
 - SUB-PARCELS III-7 & III-8 BOUNDARIES
 - PHASE III BUSINESS PARK BOUNDARY
 - APPROXIMATE ALIGNMENT OF SANITARY SEWER LINES
 - GEOTECHNICAL BORING
 - JUNE 2012 SUPPLEMENTAL TEST PITS
 - PHASE III BUSINESS PARK TEST PIT LOCATION
 - PHASE IIIA BUSINESS PARK TEST PIT LOCATION



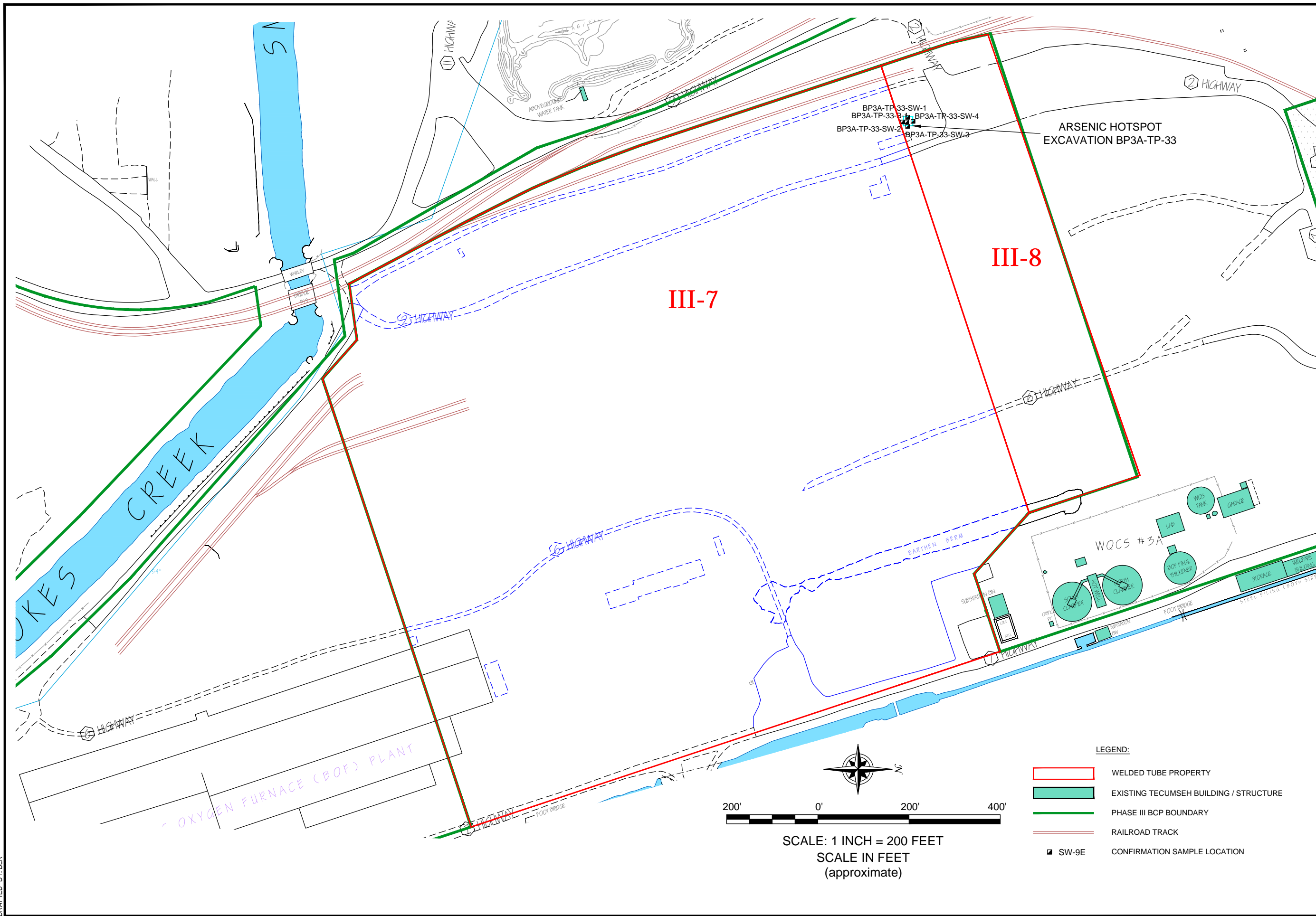
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SITE PLAN
 FINAL ENGINEERING REPORT
 TECUMSEH PHASE III-8 BUSINESS PARK SITE
 BCP SITE NO. C195199H
 LACKAWANNA, NEW YORK
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FIGURE 3



DATE: MAY 2014
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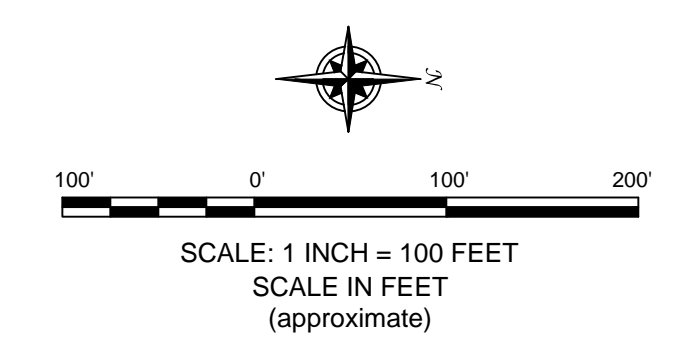
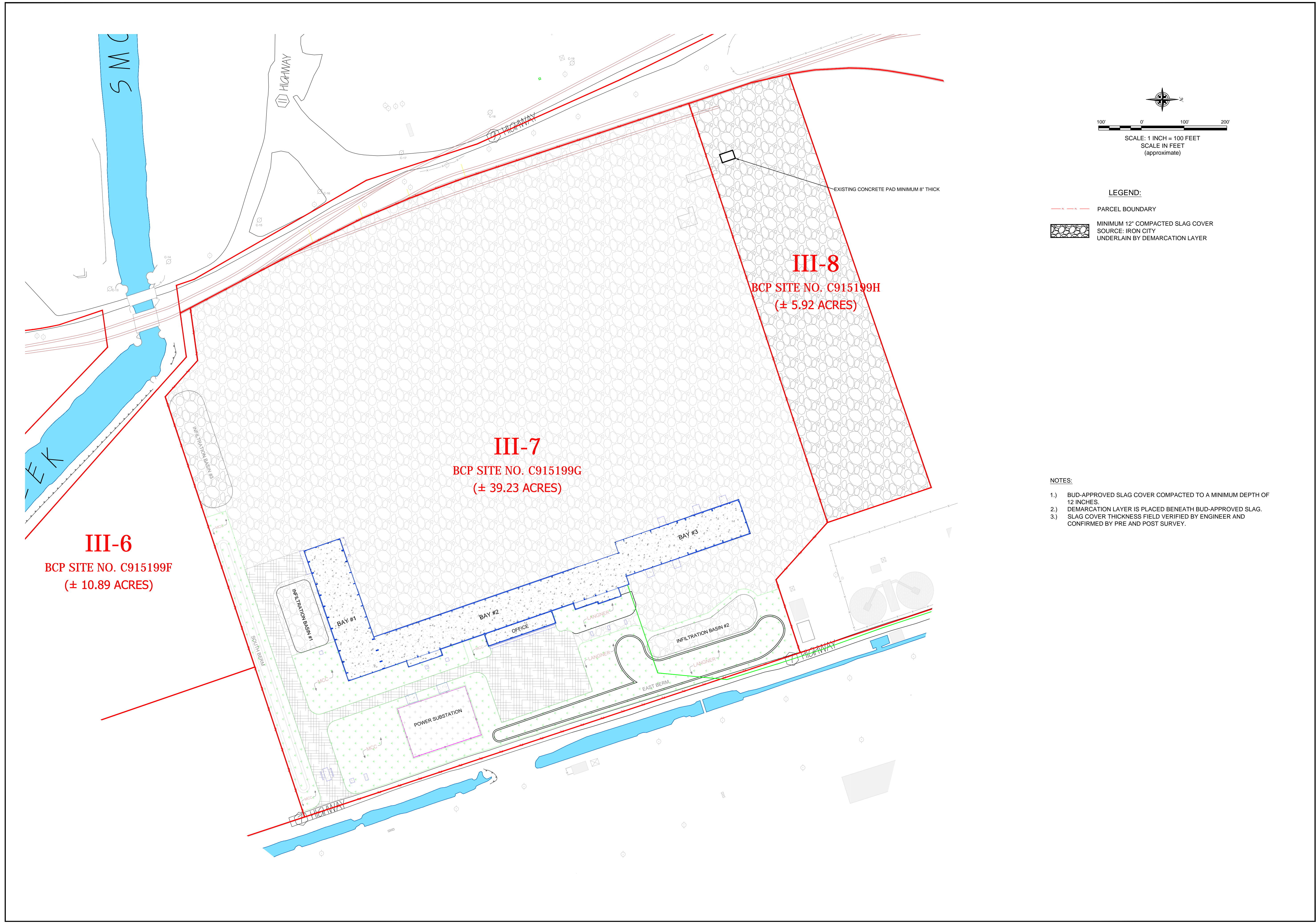
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JOB NO.: 0262-014-001

REMEDIAL ACTIONS ON SUB-PARCEL III-8

FINAL ENGINEERING REPORT
TECUMSEH PHASE III-8 BUSINESS PARK SITE
BCP SITE NO. C195199H
LACKAWANNA, NEW YORK
PREPARED FOR
WELDED TUBE USA

FIGURE 4



LEGEND:

--- PARCEL BOUNDARY

MINIMUM 12" COMPACTED SLAG COVER
SOURCE: IRON CITY
UNDERLAIN BY DEMARCATION LAYER

- NOTES:**
- 1.) BUD-APPROVED SLAG COVER COMPACTED TO A MINIMUM DEPTH OF 12 INCHES.
 - 2.) DEMARCATION LAYER IS PLACED BENEATH BUD-APPROVED SLAG.
 - 3.) SLAG COVER THICKNESS FIELD VERIFIED BY ENGINEER AND CONFIRMED BY PRE AND POST SURVEY.

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2558 HAMBURG TURNPIKE
SUITE 100
LACKAWANNA, NY 14218
(716) 856-0599

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DRAWN BY: BLR	DATE: MAY 2014
CHECKED BY:	APPROVED BY:
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SITE-WIDE COVER SYSTEM PLAN

FINAL ENGINEERING REPORT
TECUMSEH PHASE III-8 BUSINESS PARK SITE
BCP SITE NO. C915199H
LACKAWANNA, NEW YORK
PREPARED FOR
WELDED TUBE USA

FIGURE 5

APPENDIX A

SURVEY MAP METES & BOUNDS

PARCEL "B" ENVIRONMENTAL EASEMENT DESCRIPTION FOR BCP SITE #915199H

Being part of the piece or parcel of land made by KB Business Redevelopment LLC to Welded Tube USA Reality, LLC by Quit Claim Deed dated October 23, 2012 recorded October 29, 2012 in Liber 11232 of Deeds at Page 2695 in the Erie County Clerk's Office.

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Lackawanna, County of Erie and State of New York being part of Lots Nos. 18, 19 & 20 of the Ogden Gore Tract and part of Lot No. 24, Township 10, Range 8 of the Holland Land Company's Survey, and being BCP Site No. C 915199H as shown on a survey of the Tecumseh Redevelopment, Inc., Business Park Phase III, Parcel "B" dated June 7, 2012 and made by Wendel, described as follows:

COMMENCING at the intersection of the westerly highway boundary of the Hamburg Turnpike (AKA State Route No. 5) as appropriated by the State of New York by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 5650 of Deeds at page 404 and being Parcel No. 1 as shown on Map No. 1 and the municipal boundary line of the City of Lackawanna (to the North) and the Town of Hamburg (to the South), said point of intersection also being in the northerly line of lands conveyed to the South Buffalo Railroad Company by deed recorded in the Erie County Clerk's Office in Liber 10119 of deeds at page 131; thence N 22° 36' 14" W a distance of 2158.13 feet to the southeast corner of said Business Park Phase III, Parcel "B", said southeast corner being approximately 25 feet north from the existing northerly top of the high bank of Smokes Creek and in the westerly line of the South Return Water Trench; Thence N 18° 20' 36" W along the easterly line of said Business Park Phase III, Parcel "B", said easterly line also being the westerly line of the aforesaid South Return Water Trench, a distance 2705.74 feet to a point therein; Thence S 71° 39' 24" W and at right angles to the last described course, a distance of 269.12 feet to the principal point of beginning, said principal point of beginning being the southwest corner of BCP Site No. C 915199H; thence S 71° 41' 32" W, a distance of 1033.00 feet to a point in the approximate center line of a railroad track;

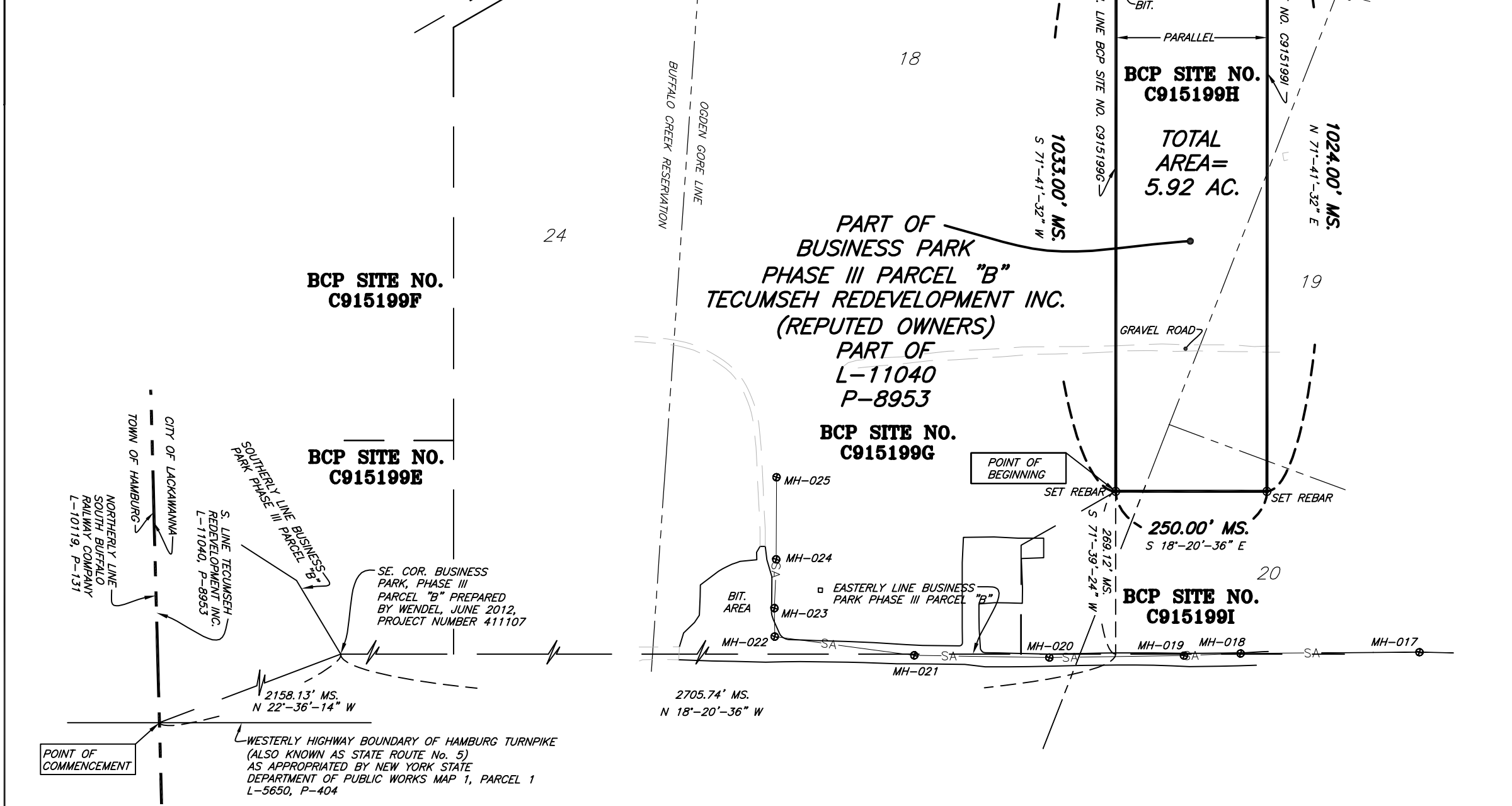
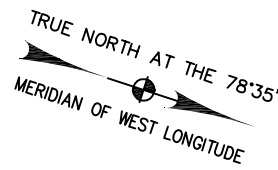
Thence N 18° 20' 36" W and along the approximate center line of said railroad tracks, a distance of 155.42 feet to a point;

Thence continuing N 12° 54' 26" W and along the approximate center line of said railroad tracks, a distance of 95.00 feet to the northeasterly corner of BCP Site Number C915199H;

Thence N 71° 41' 32" E, a distance of 1024.00 feet to a point;

Thence S 18° 20' 36" E, a distance of 250.00 feet to the principal point of beginning. Being 5.92 acres of land, more or less.

NOTES:
 -ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH THE SIGNATURE AND AN ORIGINAL OF THE LAND SURVEYOR'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
 -UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY DRAWING, DESIGN, SPECIFICATION, PLAN OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.
 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 NEW YORK ENVIRONMENTAL CONSERVATION LAW.



**ENVIRONMENTAL EASEMENT
 DESCRIPTION FOR BCP SITE
 No. C915199H**

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOTS 18, 19 AND 20 OF THE OGDEN GORE TRACT, TOWNSHIP 10, RANGE 8 OF THE HOLLAND LAND COMPANY'S SURVEY, AND BEING BCP SITE No. C915199H AS SHOWN ON A SURVEY OF THE TECUMSEH REDEVELOPMENT, INC., BUSINESS PARK PHASE III, PARCEL "B" DATED JUNE 7, 2012 AND MADE BE WENDEL, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY HIGHWAY BOUNDARY OF THE HAMBURG TURNPIKE (ALSO KNOWN AS STATE ROUTE No. 5) AS APPROPRIATED BY NEW YORK STATE DEPARTMENT OF PUBLIC WORKS, MAP No. 1, PARCEL 1 AND RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 5650 OF DEEDS AT PAGE 404 AND THE MUNICIPAL BOUNDARY LINE BETWEEN THE CITY OF LACKAWANNA (TO THE NORTH) AND THE TOWN OF HAMBURG (TO THE SOUTH), SAID POINT ALSO BEING ON THE NORTHERLY BOUNDARY OF LANDS CONVEYED TO THE SOUTH BUFFALO RAILWAY COMPANY BY DEED RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 10119 OF DEEDS AT PAGE 131; THENCE N 22°-36'-14" W, A DISTANCE OF 2158.13 FEET TO THE SOUTHEAST CORNER OF SAID BUSINESS PARK PHASE III, PARCEL "B"; SAID SOUTHEAST CORNER BEING APPROXIMATELY 25 FEET NORTH FROM THE EXISTING NORTHERLY TOP OF HIGH BANK OF SMOKES CREEK AND IN THE WESTERLY LINE OF THE SOUTH RETURN WATER TRENCH; THENCE N 18°-20'-36" W, ALONG THE EASTERLY LINE OF SAID BUSINESS PARK PHASE III, PARCEL "B", SAID EASTERLY LINE ALSO BEING THE WESTERLY LINE OF THE AFORESAID SOUTH RETURN WATER TRENCH, A DISTANCE OF 2705.74 FEET TO A POINT THEREIN; THENCE S 71°-39'-24" W, AND AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 269.12 FEET TO THE PRINCIPAL POINT OF BEGINNING, SAID POINT ALSO BEING SOUTHWEST CORNER OF BCP SITE No. C915199H; THENCE S 71°-41'-32" W, A DISTANCE OF 1033.00 FEET TO A POINT IN THE APPROXIMATE CENTER LINE OF A RAILROAD TRACK;
 THENCE N 18°-20'-36" W, ALONG THE APPROXIMATE CENTER LINE OF SAID RAILROAD TRACKS, A DISTANCE OF 155.42 FEET TO A POINT;
 THENCE CONTINUING N 12°-54'-26" W AND ALONG THE APPROXIMATE CENTER LINE OF SAID RAILROAD TRACKS, A DISTANCE OF 95.00 FEET TO THE NORTHEASTERLY CORNER OF BCP SITE NUMBER C915199H;
 THENCE N 71°-41'-32" E, A DISTANCE OF 1024.00 FEET TO A POINT;
 THENCE S 18°-20'-36" E, A DISTANCE OF 250.00 FEET TO THE PRINCIPAL POINT OF BEGINNING. CONTAINING 5.92 ACRES OF LAND, MORE OR LESS.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 PREPARED BY THE CONSULTANT

wendel
 140 John James Audubon Pkwy, Suite 201
 Buffalo, NY 14228
 www.wendelcompanies.com
 p:716.688.0766 f:716.625.6825

MAP OF
 1951 HAMBURG TURNPIKE
 BCA BOUNDARIES & PLANNED SUB-PARCELS BROWNFIELD CLEAN-UP PROGRAM
 IN BUSINESS PARK PHASE III
 TO
 THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 SITUATE IN PARTS OF LOTS 18, 19 & 20 OF THE OGDEN GORE TRACT
 TOWNSHIP 10, RANGE 8 OF THE HOLLAND LAND COMPANY'S SURVEY
 CITY OF LACKAWANNA, COUNTY OF ERIE, STATE OF NEW YORK
 T.M.#: PART OF 141.11-1-1.111

200' 100' 50' 0' 200' 400'
 1 inch = 200 Feet
 1:2400

I HEREBY CERTIFY TO THE PEOPLE OF THE STATE OF NEW YORK, ACTING THROUGH THEIR COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND CHICAGO TITLE INSURANCE COMPANY THAT THIS IS AN ACCURATE SURVEY MAP PREPARED UNDER MY DIRECTION, FROM AN ACTUAL SURVEY, PERFORMED IN ACCORDANCE TO THE STANDARDS AND PROCEDURES ADOPTED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, SEPTEMBER 14, 2012 FIELD SURVEY COMPLETED JUNE 2012.

CHRISTOPHER J. SCOTT, LAND SURVEYOR #050708 DATE _____
 SHEET 9 of 11 CHECKED BY: CJS MAP NUMBER BCP SITE No. C915199H

WENDEL PROJECT NUMBER: 411107
 DRAWING NAME: PH3-8 C915199H.Dwg

- COVER SYSTEM THE COVER SYSTEM IS A PERMANENT CONTROL. PROCEDURES FOR THE INSPECTION AND MAINTENANCE OF THIS COVER ARE PROVIDED IN THE MONITORING PLAN IN SECTION 4 OF THE SITE MANAGEMENT PLAN (SMP).
- COMPLIANCE WITH THE ENVIRONMENTAL EASEMENT AND THE SMP BY THE GRANTOR AND THE GRANTOR'S SUCCESSORS AND ASSIGNS;
- ALL ENGINEERING CONTROLS MUST BE OPERATED AND MAINTAINED AS SPECIFIED IN THE SMP;
- ALL ENGINEERING CONTROLS ON THE CONTROLLED PROPERTY MUST BE INSPECTED AT A FREQUENCY AND IN A MANNER DEFINED IN THE SMP;
- GROUNDWATER, SOIL VAPOR AND OTHER ENVIRONMENTAL OR PUBLIC HEALTH MONITORING MUST BE PERFORMED AS DEFINED IN THE SMP;
- 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;
- THE USE AND DEVELOPMENT OF THE SITE IS LIMITED TO COMMERCIAL AND INDUSTRIAL USES ONLY AS DESCRIBED IN 6NYCRR PART 375-1.8(G) (2) (III) & (IV).
- THE PROPERTY MAY NOT BE USED FOR A HIGHER LEVEL OF USE, SUCH AS RESTRICTED RESIDENTIAL USE WITHOUT ADDITIONAL REMEDIATION AND AMENDMENT OF THE ENVIRONMENTAL EASEMENT AS APPROVED BY THE NYSDEC;
- ALL FUTURE ACTIVITIES ON THE PROPERTY THAT WILL DISTURB REMAINING CONTAMINATED MATERIAL MUST BE CONDUCTED IN ACCORDANCE WITH THE SMP;
- THE USE OF THE GROUNDWATER UNDERLYING THE PROPERTY IS PROHIBITED WITHOUT TREATMENT RENDERING IT SAFE FOR INTENDED USE;
- THE SITE OWNER OR REMEDIAL PARTY WILL SUBMIT TO NYSDEC A WRITTEN STATEMENT THAT CERTIFIES, UNDER PENALTY OF PERJURY, THAT: (1) CONTROLS EMPLOYED AT THE CONTROLLED PROPERTY ARE UNCHANGED FROM THE PREVIOUS CERTIFICATION OR THAT ANY CHANGES TO THE CONTROLS WERE APPROVED BY THE NYSDEC; AND, (2) NOTHING HAS OCCURRED THAT IMPAIRS THE ABILITY OF THE CONTROLS TO PROTECT PUBLIC HEALTH AND ENVIRONMENT OR THAT CONSTITUTE A VIOLATION OR FAILURE TO COMPLY WITH THE SMP.

ENVIRONMENTAL EASEMENT DESCRIPTION FOR BUSINESS PARK PHASE III, PARCEL B
TITLE No. 1213-2517 (AMENDED)
 FOR BCP SITES C915199E, C915199F, C915199I & C915199J

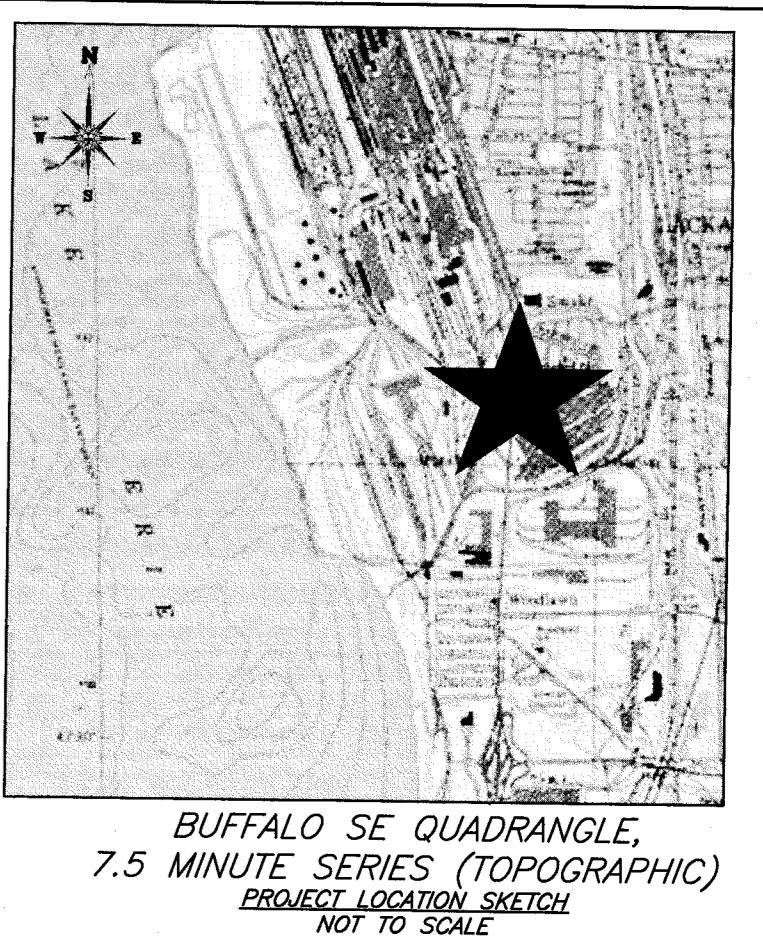
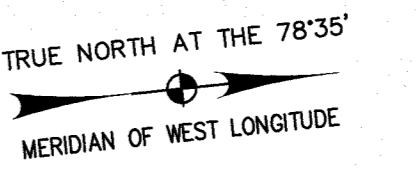
ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK BEING PART OF LOTS NOS. 18, 19 AND 20 OF THE OGDEN GORE TRACT AND PART OF LOT NO. 24, TOWNSHIP 10, RANGE 8 OF THE BUFFALO CREEK RESERVATION, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LANDS CONVEYED TO GATEWAY TRADE CENTER INC. BY DEED RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 10886 OF DEEDS AT PAGE 1064, RUNNING THENCE NORTHERLY ALONG THE SOUTHERLY LINE OF SAID LANDS SO CONVEYED TO GATEWAY TRADE CENTER, INC. BY DEED ADDRESSAD, A DISTANCE OF 330.64 FEET TO A POINT THEREIN; THENCE S 18° 20' 36" E, A DISTANCE OF 966.47 FEET TO A POINT; THENCE N 82° 08' 06" E, A DISTANCE OF 124.80 FEET TO A POINT; THENCE S 71° 11' 41" 32" W, A DISTANCE OF 1024.00 FEET TO A POINT IN THE APPROXIMATE CENTERLINE OF RAILROAD TRACKS; THENCE ALONG THE APPROXIMATE CENTERLINE OF SAID RAILROAD TRACKS THE FOLLOWING 7 COURSES AND DISTANCES: S 12° 54' 26" E, A DISTANCE OF 95.00 FEET; S 18° 20' 36" E, A DISTANCE OF 550.00 FEET; S 18° 20' 36" E, A DISTANCE OF 138.87 FEET; S 22° 56' 39" E, A DISTANCE OF 120.00 FEET; S 28° 40' 17" E, A DISTANCE OF 130.00 FEET; S 27° 51' 58" E, A DISTANCE OF 325.00 FEET TO A POINT; THENCE N 82° 08' 06" E, A DISTANCE OF 124.80 FEET TO A POINT; THENCE S 48° 08' 58" E, A DISTANCE OF 113.54 FEET TO A POINT; THENCE N 71° 31' 24" E, A DISTANCE OF 1036.13 FEET TO THE SOUTHEAST CORNER OF SAID LANDS CONVEYED TO WELDED TUBE USA, LLC;

THENCE S 18° 20' 36" E, A DISTANCE OF 1327.70 FEET TO A POINT, APPROXIMATELY 25 FEET NORTH FROM THE EXISTING NORTHERLY TOP OF THE HIGH BANK OF SMOKES CREEK; THENCE WESTERLY AND NORTHERLY APPROXIMATELY 25 FEET NORTH FROM THE EXISTING NORTHERLY TOP OF THE HIGH BANK OF SAID SMOKES CREEK, THE FOLLOWING 8 COURSES AND DISTANCES: S 48° 54' 48" W, A DISTANCE OF 140.81 FEET; S 32° 40' 10" W, A DISTANCE OF 122.80 FEET; S 78° 47' 59" W, A DISTANCE OF 128.86 FEET; N 49° 35' 08" W, A DISTANCE OF 112.10 FEET; N 39° 56' 33" W, A DISTANCE OF 635.45 FEET; N 44° 32' 31" W, A DISTANCE OF 243.09 FEET; N 48° 25' 21" W, A DISTANCE OF 710.19 FEET; S 62° 08' 06" W, A DISTANCE OF 169.65 FEET TO THE APPROXIMATE CENTER LINE OF AN IMPROVED ACCESS ROAD; THENCE NORTHERLY ALONG THE APPROXIMATE CENTER LINE OF SAID IMPROVED ACCESS ROAD, THE FOLLOWING 11 COURSES AND DISTANCES: N 18° 37' 00" W, A DISTANCE OF 43.20 FEET; N 29° 52' 05" W, A DISTANCE OF 453.81 FEET; N 18° 10' 50" W, A DISTANCE OF 270.79 FEET; N 24° 11' 01" W, A DISTANCE OF 362.77 FEET; N 26° 08' 35" W, A DISTANCE OF 243.92 FEET; N 28° 28' 28" W, A DISTANCE OF 228.78 FEET; N 23° 10' 20" W, A DISTANCE OF 205.04 FEET; N 18° 20' 44" W, A DISTANCE OF 542.77 FEET; N 10° 35' 36" W, A DISTANCE OF 278.16 FEET; N 28° 52' 42" E, A DISTANCE OF 326.23 FEET TO A POINT IN THE WESTERLY LINE OF LANDS SO CONVEYED TO GATEWAY TRADE CENTER, INC. BY DEED ADDRESSAD; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LANDS CONVEYED TO GATEWAY TRADE CENTER, INC. BY DEED ADDRESSAD, A DISTANCE OF 528.60 FEET TO THE SOUTHWEST CORNER THEREOF AND THE PRINCIPAL POINT OF BEGINNING, CONTAINING 53.78 ACRES OF LAND, MORE OR LESS.

BEING PART OF THE PIECE OR PARCEL OF LAND IN A BARGAIN AND SALE DEED DATED 5/08/2003 AND RECORDED 5/22/2003 IN LIBER 11040 OF DEEDS AT PAGE 8953 IN THE ERIE COUNTY CLERK'S OFFICE, THIS PARCEL OF LAND IS PART OF THE OVERALL DEED.

- GENERAL NOTES:**
- HORIZONTAL DATUM: NORTH AMERICAN DATUM OF 1983 (NAD83), WESTERN ZONE, US SURVEY FEET.
 - MONUMENTS ACQUIRED: NGS MONUMENT "LEHR" PID: AE2177 NORTHING: 1030094.885 EASTING: 1076447.880 SITE CONTROL MONUMENT PIN WITH ALUMINUM CAP "BSP2" NORTHING: 1024721.330 EASTING: 1076610.356
 - BUFFALO CREEK RESERVATION & OGDEN GORE TRACT INFORMATION IS SHOWN IN ITS APPROXIMATE LOCATION FROM MAPS FILED IN THE ERIE COUNTY CLERK'S OFFICE.
 - REFER TO NEW YORK STATE DEPARTMENT OF TRANSPORTATION APPROPRIATION MAPS FOR MAP DISTANCES & BEARINGS.
 - BEING PART OF THE PIECE OR PARCEL OF LAND IN A BARGAIN AND SALE DEED DATED 5/08/2003 AND RECORDED 5/22/2003 IN LIBER 11040 OF DEEDS AT PAGE 8953 IN THE ERIE COUNTY CLERK'S OFFICE, THIS PARCEL OF LAND IS PART OF THE OVERALL DEED.
 - THIS PROPERTY IS LOCATED WITHIN THE AREA HAVING A ZONE DESIGNATION "A2" BY FEDERAL EMERGENCY AGENCY (FEMA) OF FLOOD INSURANCE RATE MAP NO. 3602470001B, WITH AN EFFECTIVE DATE JULY 2, 1980 FOR COMMUNITY NO. 360247 IN THE CITY OF LACKAWANNA, ERIE COUNTY AND THE STATE OF NEW YORK.
 - SMOKES CREEK WAS LOCATED IN JUNE 2012.
 - PROPERTY CORNERS TO BE STAKED AT A LATER DATE.
 - BCP SITE NO. ### = PARCEL DESIGNATION
 - REFERENCE MAPS: MAP PREPARED BY KREHBIEL ASSOCIATES, A-834, DATED 6/17/94, MAP PREPARED BY BERGMANN ASSOCIATES 10/16/00 AND MAP NO. 303, PARCEL 303 OF THE HAMBURG TURNPIKE ARTERIAL HIGHWAY, DATED APRIL 15, 1980, PREPARED BY THE NEW YORK STATE DEPARTMENT OF PUBLIC WORKS.
 - THIS SURVEY HAS BEEN REVISED WITH THE BENEFIT OF TITLE REPORT NO. 1213-2517 (AMENDED), AS PREPARED BY CHICAGO TITLE INSURANCE COMPANY, DATED SEPTEMBER 4, 2013.

ENVIRONMENTAL EASEMENT AREA ACCESS
 THE DEC OR THEIR AGENT MAY ACCESS THE ENVIRONMENTAL EASEMENT AREA AS SHOWN HEREON THROUGH ANY EXISTING STREET ACCESS OR BUILDING INGRESS/EGRESS ACCESS POINT

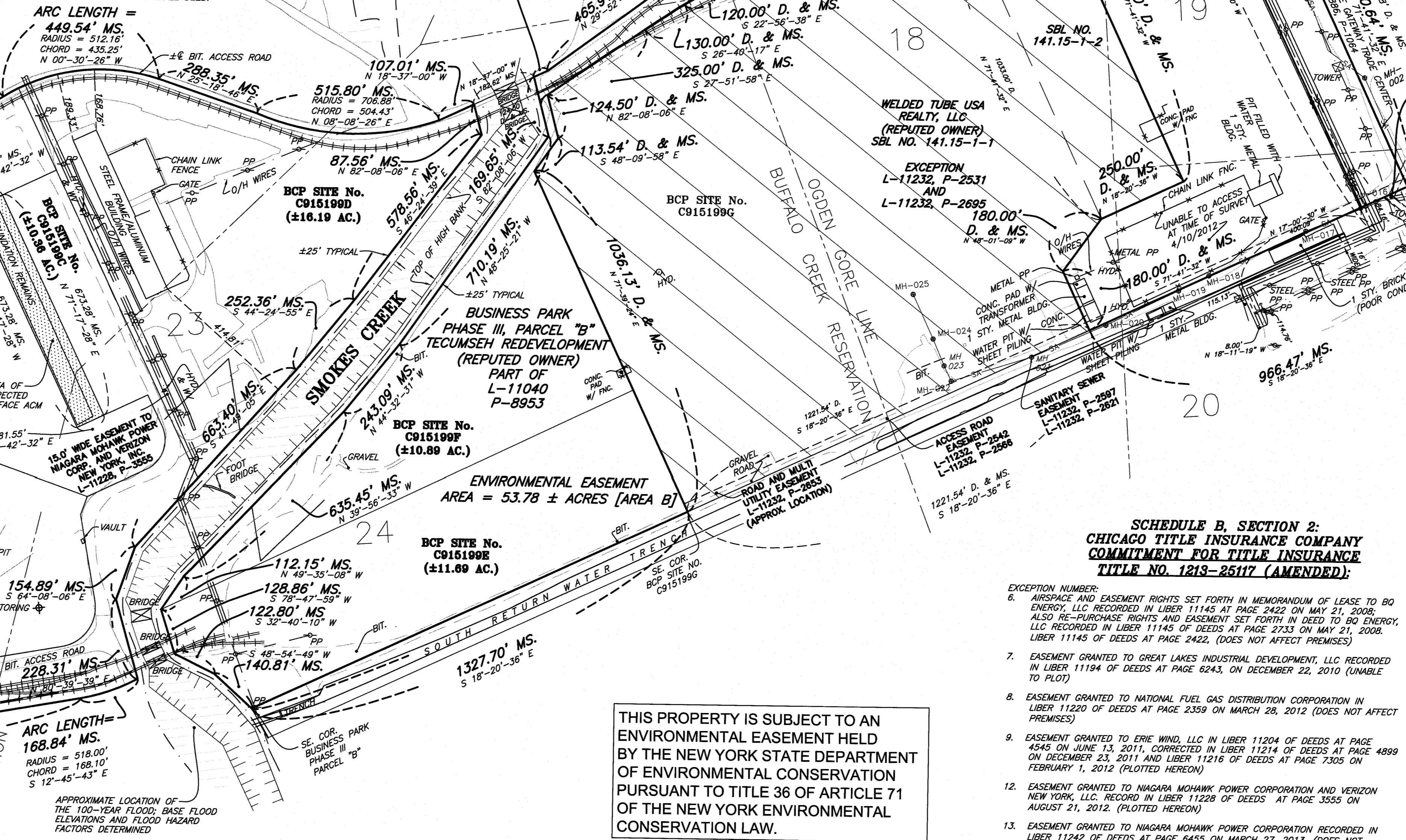
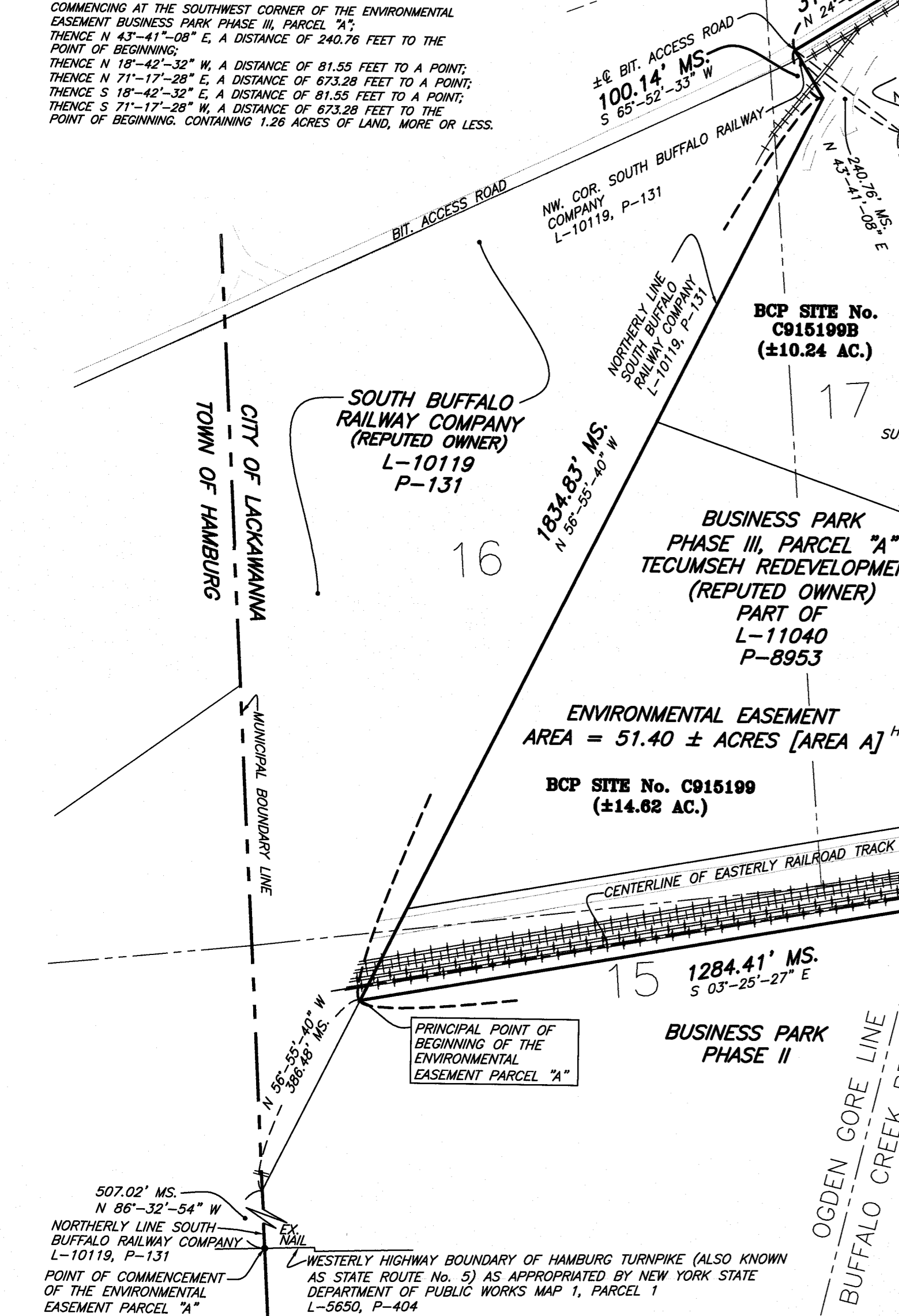


ENVIRONMENTAL EASEMENT DESCRIPTION FOR BUSINESS PARK PHASE III, PARCEL A
TITLE No. 1213-2517 (AMENDED)
 FOR BCP SITES C915199B, C915199C & C915199D

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOTS 15, 16 AND 17 OF THE OGDEN GORE TRACT AND PART OF LOT 23, TOWNSHIP 10, RANGE 8 OF THE BUFFALO CREEK RESERVATION AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WESTERLY HIGHWAY BOUNDARY OF THE HAMBURG TURNPIKE (ALSO KNOWN AS STATE ROUTE NO. 5) AS APPROPRIATED BY THE PEOPLE OF THE STATE OF NEW YORK AS SHOWN ON MAP NO. 1, PARCEL 1 AND RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 5850 OF DEEDS AT PAGE 404 AND THE MUNICIPAL BOUNDARY LINE BETWEEN THE CITY OF LACKAWANNA (TO THE NORTH) AND THE TOWN OF HAMBURG (TO THE SOUTH), SAID POINT ALSO BEING IN THE NORTHERLY LINE OF LANDS CONVEYED TO THE SOUTH BUFFALO RAILWAY COMPANY BY DEED RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 10119 OF DEEDS AT PAGE 131; THENCE NORTHERLY ALONG THE MUNICIPAL BOUNDARY LINE AND THE NORTHERLY LINE OF SAID SOUTH BUFFALO RAILWAY COMPANY'S LAND A DISTANCE OF 507.02 FEET TO A POINT; THENCE NORTHWESTERLY CONTINUING ALONG SAID SOUTH BUFFALO RAIL COMPANY'S LAND, A DISTANCE OF 388.49 FEET TO THE PRINCIPAL POINT OF BEGINNING; RUNNING THENCE NORTHWESTERLY AND CONTINUING ALONG SAID SOUTH BUFFALO RAILWAY COMPANY'S LAND, A DISTANCE OF 1834.83 FEET TO A POINT; THENCE NORTHWESTERLY CONTINUING ALONG SAID SOUTHWESTERLY AND CONTINUING ALONG SAID SOUTH BUFFALO RAILWAY COMPANY'S LAND, A DISTANCE OF 100.14 FEET TO THE APPROXIMATE CENTER LINE OF IMPROVED ACCESS ROAD; THENCE NORTHWESTERLY ALONG THE APPROXIMATE CENTER LINE OF SAID ROAD N 24° 58' 39" W, A DISTANCE OF 310.20 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 512.16 FEET, A CENTRAL ANGLE OF 30° 17' 25" AND A CHORD OF 435.25 FEET BEARING N 00° 30' 26" W; THENCE NORTHWESTERLY ALONG SAID CURVE, CURVING TO THE RIGHT, A DISTANCE OF 449.54 FEET TO A POINT; THENCE NORTHWESTERLY CONTINUING ALONG SAID ROAD N 25° 18' 46" E, A DISTANCE OF 288.65 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 206.88 FEET, A CENTRAL ANGLE OF 41° 48' 30" AND A CHORD OF 504.43 FEET; THENCE NORTHWESTERLY CONTINUING ALONG SAID CURVE, CURVING TO THE LEFT, A DISTANCE OF 515.80 FEET TO A POINT OF TANGENCY; THENCE NORTHWESTERLY CONTINUING ALONG SAID ROAD N 18° 37' 00" W, A DISTANCE OF 107.01 FEET TO A POINT APPROXIMATELY 25 FEET SOUTH FROM THE EXISTING SOUTHERLY TOP OF HIGH BANK OF SMOKES CREEK THE FOLLOWING 6 COURSES AND DISTANCES: N 82° 08' 06" E, A DISTANCE OF 87.56 FEET; S 49° 24' 39" E, A DISTANCE OF 578.56 FEET; S 44° 24' 55" E, A DISTANCE OF 252.36 FEET; S 41° 49' 05" E, A DISTANCE OF 663.40 FEET; S 41° 49' 05" E, A DISTANCE OF 228.31 FEET; N 80° 39' 39" E, A DISTANCE OF 228.31 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 518.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE, CURVING TO THE RIGHT, A DISTANCE OF 168.84 FEET TO A POINT OF TANGENCY; THENCE S 03° 25' 27" E, A DISTANCE OF 1284.41 FEET TO THE PRINCIPAL POINT OF BEGINNING, CONTAINING 51.40 ACRES OF LAND, MORE OR LESS.

BEING PART OF THE PIECE OR PARCEL OF LAND IN A BARGAIN AND SALE DEED DATED 5/08/2003 AND RECORDED 5/22/2003 IN LIBER 11040 OF DEEDS AT PAGE 8953 IN THE ERIE COUNTY CLERK'S OFFICE, THIS PARCEL OF LAND IS PART OF THE OVERALL DEED.

DESCRIPTION FOR THE EXCEPTION OF THE AREA OF SUSPECTED SUBSURFACE ACM

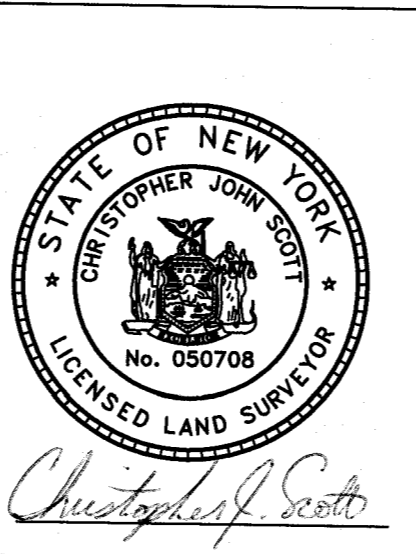


SCHEDULE B, SECTION 2: CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE TITLE NO. 1213-2517 (AMENDED):

- AIRSPACE AND EASEMENT RIGHTS SET FORTH IN MEMORANDUM OF LEASE TO BO ENERGY, LLC RECORDED IN LIBER 11145 AT PAGE 2422 ON MAY 21, 2009, ALSO RE-PURCHASE RIGHTS AND EASEMENT SET FORTH IN DEED TO BO ENERGY, LLC RECORDED IN LIBER 11145 OF DEEDS AT PAGE 2733 ON MAY 21, 2009, LIBER 11145 OF DEEDS AT PAGE 2422, (DOES NOT AFFECT PREMISES)
- EASEMENT GRANTED TO GREAT LAKES INDUSTRIAL DEVELOPMENT, LLC RECORDED IN LIBER 11194 OF DEEDS AT PAGE 6243, ON DECEMBER 22, 2010 (UNABLE TO PLOT)
- EASEMENT GRANTED TO NATIONAL FUEL GAS DISTRIBUTION CORPORATION IN LIBER 11220 OF DEEDS AT PAGE 2359 ON MARCH 28, 2012 (DOES NOT AFFECT PREMISES)
- EASEMENT GRANTED TO ERIE WIND, LLC IN LIBER 11204 OF DEEDS AT PAGE 4549 ON JUNE 13, 2011, CORRECTED IN LIBER 11214 OF DEEDS AT PAGE 4899 ON DECEMBER 23, 2011 AND LIBER 11216 OF DEEDS AT PAGE 7305 ON FEBRUARY 1, 2012 (PLOTTED HEREON)
- EASEMENT GRANTED TO NAGARA MOHAWK POWER CORPORATION AND VERIZON NEW YORK, LLC RECORDED IN LIBER 11232 OF DEEDS AT PAGE 3555 ON AUGUST 21, 2012, (PLOTTED HEREON)
- EASEMENT GRANTED TO NAGARA MOHAWK POWER CORPORATION RECORDED IN LIBER 11242 OF DEEDS AT PAGE 6455 ON MARCH 27, 2013, (DOES NOT AFFECT PREMISES)
- EASEMENT GRANTED TO NATIONAL FUEL GAS DISTRIBUTION CORPORATION RECORDED IN LIBER 11242 OF DEEDS AT PAGE 7580 ON MARCH 28, 2013, (UNABLE TO PLOT)
- EASEMENT GRANTED TO TECUMSEH REDEVELOPMENT, INC. AND KB BUSINESS PARK REDEVELOPMENT, LLC RECORDED IN LIBER 11232 OF DEEDS AT PAGE 2542 ON OCTOBER 29, 2012, (PLOTTED HEREON)
- AGREEMENT FOR MAINTENANCE OF ROAD BETWEEN TECUMSEH REDEVELOPMENT, INC. AND KB BUSINESS PARK REDEVELOPMENT, LLC RECORDED IN LIBER 11232 OF DEEDS AT PAGE 2586, ON OCTOBER 29, 2012, (PLOTTED HEREON)
- EASEMENT GRANTED TO TECUMSEH REDEVELOPMENT, INC. AND KB BUSINESS PARK REDEVELOPMENT, LLC RECORDED IN LIBER 11232 OF DEEDS AT PAGE 2597 AND IN LIBER 11232 OF DEEDS AT PAGE 2821 AND LIBER 11232 OF DEEDS AT PAGE 2653 ALL ON OCTOBER 29, 2012, (PLOTTED HEREON)
- EASEMENT GRANTED TO TECUMSEH REDEVELOPMENT, INC. AND WELDED TUBE USA REALTY, LLC RECORDED IN LIBER 11244 OF DEEDS AT PAGE 7853 ON APRIL 26, 2013, (DOES NOT AFFECT PREMISES)

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO ARTICLE 71 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW.

THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@GW.DEC.STATE.NY.US.



Legend:

AC = AREAS	CONC. = CONCRETE	DIST. = DISTANCE	EX = EXISTING	MS = MEASURED	E = PROPERTY LINE	STA = STATION
APPROX. = APPROXIMATE	C.T.V. = CABLE TV BOX	ELEV. = ELEVATION	GLM = GAS LINE MARKER	MON. = MONITORING WELL	PP = POWER POLE	SMW = SANITARY MANHOLE
AVE = AVENUE	EL = ELECTRICAL	GLM = GAS LINE MARKER	L = LIBER	NTS = NOT TO SCALE	R = ROAD	T.M.# = TAX MAP NUMBER
BT = BUTTERMUS	OB = OCEAN BASIN	GLM = GAS LINE MARKER	LH = LEFT STATION	NTS = NOT TO SCALE	R = ROAD	T.M.# = TAX MAP NUMBER
CH = CHAIN	DIA. = DIAMETER	ESMT. = EASEMENT	MS = MAP	ON = ON LINE	S = SOUTH	W = WEST
				PAGE	ST = STREET	100-YEAR FLOOD

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 PREPARED BY THE CONSULTANT
wendel
 140 John James Audubon Pkwy, Suite 201
 Buffalo, NY 14228
 www.wendelcompanies.com
 p: 716.888.0766 f: 716.825.6825
 Wendel W/D Architecture, Engineering, Surveying and Landscape Architecture P.C.
 MAP OF
 BCA BOUNDARIES & PLANNED SUB-PARCELS
 BROWNFIELD CLEAN-UP PROGRAM
 BUSINESS PARK PHASE III
 TO
 THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 SITUATE IN PARTS OF
 LOTS 15, 16, 17, 18, 19, 20, OF THE OGDEN GORE TRACT AND
 PART OF LOTS 23 & 24 OF THE BUFFALO CREEK RESERVATION,
 TOWNSHIP 10, RANGE 8 OF THE HOLLAND LAND COMPANY'S SURVEY
 CITY OF LACKAWANNA, COUNTY OF ERIE
 STATE OF NEW YORK
 T.M.# PART OF 141.11-50
 1:2400
 1 INCH = 200 FEET
 60.96 100' 30.48 0 60.96 121.92 182.88
 METERS
 I HEREBY CERTIFY TO (1) THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH THEIR COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, (2) TECUMSEH REDEVELOPMENT INC., (3) CHICAGO TITLE INSURANCE COMPANY, THAT THIS IS AN ACCURATE SURVEY MAP UNDER MY STANDARDS AND PROCEDURES ADOPTED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, SEPTEMBER 14, 2012, FIELD SURVEY COMPLETED JUNE 12, 2012
 Christopher J. Scott
 CHRISTOPHER J. SCOTT, LAND SURVEYOR #050708
 DATE 5/15/14
 Brian S. Smith, CST 13, SURVEY DRAFTER
 DATE 8/15/2014
 BCP SITE NUMBERS:
 C915199, C915199B, C915199C, C915199D,
 C915199E, C915199F, C915199G, C915199H,
 C915199I, C915199J

APPENDIX B

DIGITAL COPY OF FER
(CD ENCLOSED)

APPENDIX C

ENVIRONMENTAL EASEMENT

CHRISTOPHER L. JACOBS, ERIE COUNTY CLERK
REF:

DATE:11/14/2013
TIME:11:28:52 AM
RECEIPT: 13182289

PHILLIPS LYTLE - ATT LINDA MORGAN
ACCOUNT #: 1732

DUPLICATE RECEIPT

ITEM - 01 785
RECD: 11/14/2013 11:29:13 AM
FILE: 2013261303 BK/PG D 11256/2215
Deed Sequence: TT2013007344
WELDED TUBD USA REALTY LLC
PEOPLE OF THE STATE OF NEW YORK (THE)
Recording Fees 105.50
TP584 10.00

Sub. Total 115.50

TOTAL DUE	\$115.50
PAID TOTAL	\$115.50
PAID ESCROW	\$115.50

REC BY: Donna
COUNTY RECORDER

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

THIS INDENTURE made this 6th day of November, 2013 between Owner(s) Welded Tube USA Realty, LLC, having an office at 2537 Hamburg Turnpike, Lackawanna, County of Erie, 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 2537 and 2539 (formerly 1951) Hamburg Turnpike in the City of Lackawanna, County of Erie and State of New York, known and designated on the tax map of the County Clerk of Erie as tax map parcel numbers: Section 141.15 Block 1 Lots 1 and 2 (formerly part of Section 141.11 Block 1 Lot 1.11), being the same as that property conveyed to Grantor by deed dated October 23, 2012 and recorded October 29, 2012 in the Erie County Clerk's Office in Liber 11232 and Page 2695. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 45.15 +/- acres, and is hereinafter more fully described in the Land Title Survey dated October 21, 2013, prepared by Wendel, 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

[10/12]

FILED

NOV 14 2013

ERIE COUNTY
CLERK'S OFFICE

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement IndexNumber: B9-0696-05-06(C), amended August 20, 2012, 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:

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 Erie 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;

[10/12]

(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 or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), 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 [10/12]

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: C915199G and C915199H
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 [10/12]

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.

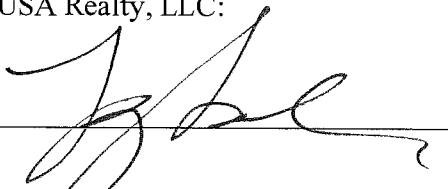
9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is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

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

Welded Tube USA Realty, LLC:

By: _____



Print Name: _____

BARRY SONSHINE

EXECUTIVE

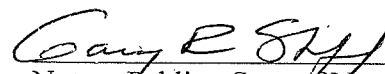
Title: CHAIRMAN

Date: OCT. 29-13


Grantor's Acknowledgment

PROVINCE ONTARIO)
STATE OF NEW YORK)
 CRS 6/25) ss:
COUNTY OF)

On the 29th day of OCTOBER, in the year 2013, before me, the undersigned, personally appeared BARRY SOMSKINE, 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 ONTARIO
 PROVINCE 6/25

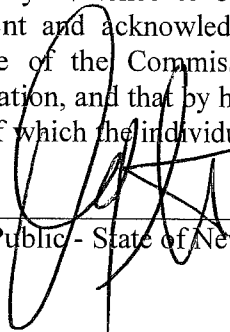
THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: 
Robert W. Schick, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the 6th day of November, in the year 2013, before me, the undersigned, personally appeared Robert W. Schick, 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, 2014

SCHEDULE "A" PROPERTY DESCRIPTION

Parcel A:

BEING part of the piece or parcel of land made by KB Business Redevelopment LLC to Welded Tube USA Realty, LLC by quit claim deed dated October 23, 2012 recorded October 29, 2012 in Liber 11232 of Deeds at page 2695 in the Erie County Clerk's Office.

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Lackawanna, County of Erie and State of New York being part of Lot No. 18 of the Ogden Gore Tract and part of Lot No. 24, Township 10, Range 8 of the Holland Land Company's Survey, and being BCP Site No. C915199G as shown on a survey of the Tecumseh Redevelopment, Inc., Business Park Phase III, Parcel "B" dated June 7, 2012, and made by Wendel, described as follows:

COMMENCING at the intersection of the westerly highway boundary of the Hamburg Turnpike (aka State Route No. 5) as appropriated by the State of New York by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 5650 of Deeds at page 404 and being Parcel No. 1 as shown on Map No. 1 and the municipal boundary line of the City of Lackawanna (to the North) and the Town of Hamburg (to the South), said point of intersection also being in the northerly line of lands conveyed to the South Buffalo Railroad Company by deed recorded in the Erie County Clerk's Office in Liber 10119 of deeds at page 131; thence N 22° 36' 14" W a distance of 2158.13 feet to the southeast corner of said Business Park Phase III, Parcel "B", said southeast corner being approximately 25 feet north from the existing northerly top of the high bank of Smokes Creek and in the westerly line of the South Return Water Trench; thence N 18° 20' 36" W along the easterly line of said Business Park Phase III, Parcel "B", said easterly line also being the westerly line of the aforesaid South Return Water Trench, a distance of 1327.70 feet to the principal point of beginning, said principal point of beginning being the southeast corner of BCP Site No. C915199G; running thence S 71° 39' 24" W a distance of 1036.13 feet to a point;

Thence N 48° 09' 58" W, a distance of 113.54 feet to a point;

Thence S 82° 08' 06" W, a distance of 124.50 feet to a point on the approximate center line of railroad tracks;

Thence along the approximate center line of said railroad tracks the following 5 courses and distances:

(1) N 27° 51' 58" W, a distance of 325.00 feet to a point;

(2) N 26° 40' 17" W, a distance of 130.00 feet to a point;

(3) N 22° 56' 38" W, a distance of 120.00 feet to a point;

(4) N 20° 21' 28" W, a distance of 138.87 feet to a point and

(5) N 18° 20' 36" W, a distance of 550.00 feet to the northwest corner of BCP Site No. C915199G;

Thence N 71° 41' 32" E, a distance of 1033.00 feet to a point;

Thence S 48° 01' 09" E, a distance of 180.00 feet to a point;

[10/12]

Thence N 71° 41' 32" E, a distance of 180.00 feet to a point in the easterly line of said Business Park Phase III, Parcel "B", said easterly line also being the westerly line of the South Return Water Trench;

Thence S 18° 20' 36" E along said easterly line of said Business Park Phase III, Parcel "B", said easterly line also being the westerly line of the aforesaid South Return Water Trench, a distance of 1221.54 feet to the principal point of beginning.

Parcel B:

BEING part of the piece or parcel of land made by KB Business Redevelopment LLC to Welded Tube USA Realty, LLC by quit claim deed dated October 23, 2012 recorded October 29, 2012 in Liber 11232 of Deeds at page 2695 in the Erie County Clerk's Office.

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Lackawanna, County of Erie and State of New York being part of Lots Nos. 18, 19 & 20 of the Ogden Gore Tract and part of Lot No. 24, Township 10, Range 8 of the Holland Land Company's Survey, and being BCP Site No. C915199H as shown on a survey of the Tecumseh Redevelopment, Inc., Business Park Phase III, Parcel "B" dated June 7, 2012 and made by Wendel, described as follows:

COMMENCING at the intersection of the westerly highway boundary of the Hamburg Turnpike (aka State Route No. 5) as appropriated by the State of New York by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 5650 of Deeds at page 404 and being Parcel No. 1 as shown on Map No. 1 and the municipal boundary line of the City of Lackawanna (to the North) and the Town of Hamburg (to the South), said point of intersection also being in the northerly line of lands conveyed to the South Buffalo Railroad Company by deed recorded in the Erie County Clerk's Office in Liber 10119 of deeds at page 131; thence N 22° 36' 14" W a distance of 2158.13 feet to the southeast corner of said Business Park Phase III, Parcel "B", said southeast corner being approximately 25 feet north from the existing northerly top of the high bank of Smokes Creek and in the westerly line of the South Return Water Trench; thence N 18° 20' 36" W along the easterly line of said Business Park Phase III, Parcel "B", said easterly line also being the westerly line of the aforesaid South Return Water Trench, a distance of 2705.74 feet to a point therein; thence S 71° 39' 24" W and at right angles to the last described course, a distance of 269.12 feet to the principal point of beginning, said principal point of beginning being the southeast corner of BCP Site No. C915199H; thence S 71° 41' 32" W, a distance of 1033.00 feet to a point in the approximate center line of a railroad track;

Thence N 18° 20' 36" W and along the approximate center line of said railroad tracks, a distance of 155.42 feet to a point

Thence continuing N 12° 54' 26" W and along the approximate center line of said railroad tracks, a distance of 95.00 feet to the northwesterly corner of BCP Site Number C915199H;

Thence N 71° 41' 32" E, a distance of 1024 feet to a point;

Thence S 18° 20' 36" E, a distance of 250.00 feet to the principal point of beginning.

Total Site: 45.15 +/- acres

[10/12]

APPENDIX D

AGENCY PERMITS, APPLICATIONS, AND APPROVALS

NF



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF ENVIRONMENT & PLANNING

MARIA R. WHYTE
COMMISSIONER

JOSEPH L. FIEGL, P.E.
DEPUTY COMMISSIONER

July 27, 2012

Mr. Steve Bremer
Stormwater Management Officer
City of Lackawanna
714 Ridge Road
Lackawanna, NY 14218

Re: CP 12-27
Erie County Sewer District 6
Welded Tube USA Proposed Manufacturing Facility
1951 Hamburg Turnpike, Lackawanna, New York
Stormwater Pollution Prevention Plan (SWPPP)

Dear Mr. Bremer:

By this letter the revised SWPPP for the above referenced project received in an e-mail dated July 26, 2012 has been accepted by the Division of Sewerage Management for compliance with the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-10-001.

Please note, separate approval of this project for compliance with Department of Environment & Planning (DEP) Division of Sewerage Management (DSM) Rules & Regulations for Erie County Sewer Districts and with DEP Rules and Regulations for Erie County Sewer District No. 6 Municipal Separate Storm Sewer System (MS4) by the DSM will be required.

Should you have any questions, please call me at 858-6697, or email me at rosaleen.nogle@erie.gov.

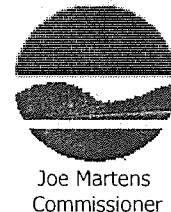
Sincerely,

Rosaleen B. Nogle, P.E.
Asst. Public Health Engineer

Cc: J. Fiegl/M. Salah/N. Kernyczyj/6.2.5.Commercial
Susan M. Marriott (Phillips Lytle LLP)

V:\Sewerage Management\Staff\Nogle (Rauch)\Commercial\Projects\CR\6\Welded Tube\Comments to City re SWPPP-3.doc

New York State Department of Environmental Conservation
Division of Water
Bureau of Water Permits, 4th Floor
625 Broadway, Albany, New York 12233-3505
Phone: (518) 402-8111 ▪ Fax: (518) 402-9029
Website: www.dec.state.ny.us



8/22/2012

WELDED TUBE USA, INC.
ROBERT PIKE
111 RAYETTE ROAD
CONCORD ONTARIO CANADA ON L4K-2E9

**Re: ACKNOWLEDGMENT of NOTICE of INTENT for
Coverage Under SPDES General Permit for Storm
Water Discharges from CONSTRUCTION
ACTIVITY General Permit No. GP-0-10-001**

Dear Prospective Permittee:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) has received a complete Notice of Intent (NOI) for coverage under General Permit No. GP-0-10-001 for the construction activities located at:

**WELDED TUBE USA SITE
1951 HAMBURG TURNPIKE
LACKAWANNA NY 14218-**

County: ERIE

Pursuant to Environmental Conservation Law (ECL) Article 17, Titles 7 and 8, ECL Article 70, discharges in accordance with GP-0-10-001 from the above construction site will be authorized **5** business days from **8/21/2012** which is the date we received your final NOI, unless notified differently by the Department.

The permit identification number for this site is: NYR **10V834**. Be sure to include this permit identification number on any forms or correspondence you send us. When coverage under the permit is no longer needed, you must submit a Notice of Termination to the Department.

This authorization is conditioned upon the following:

1. The information submitted in the NOI received by the Department on **8/21/2012** is accurate and complete.
2. You have developed a Stormwater Pollution Prevention Plan (SWPPP) that complies with GP-0-10-001 which must be implemented as the first element of construction at the above-noted construction site.
3. Activities related to the above construction site comply with all other requirements of GP-0-10-001.

4. **Payment of the annual \$100 regulatory fee, which is billed separately by the Department in the late fall. The regulatory fee covers a period of one calendar year. In addition, since September 1, 2004, construction stormwater permittees have been assessed an initial authorization fee which is now \$100 per acre of land disturbed and \$600 per acre of future impervious area. The initial authorization fee covers the duration of the authorized disturbance.**

5. Your SWPPP has been reviewed by the regulated, traditional land use control MS4 where your project is located and has been determined to be in substantive conformance with the requirements in the SPDES General Permit for Stormwater Discharges from MS4s.

6. **Before disturbing greater than 5 acres of soil at any one time, you have obtained written authorization from the regulated, traditional land use control MS4 that has jurisdiction over the project.**

7. When applicable, project review pursuant to the State Environmental Quality Review Act (SEQRA) has been satisfied.

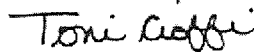
8. You have obtained all necessary Department permits subject to the Uniform Procedures Act (UPA). You should check with your Regional Permit Administrator for further information.

*Note: Construction activities cannot commence until project review pursuant to SEQRA has been satisfied, when SEQRA is applicable; and, where required, all necessary Department permits subject to the UPA have been obtained.

Please be advised that the Department may request a copy of your SWPPP for review.

Should you have any questions regarding any aspect of the requirements specified in GP-0-10-001, please contact Dave Gasper at (518) 402-8114 or the undersigned at (518) 402-8109.

Sincerely,



Toni Cioffi

Environmental Program Specialist 1

cc: RWE - 9
SWPPP Preparer

BENCHMARK ENVIRONMENTAL ENGINEERING
WERTHMAN, PAUL
2558 HAMBURG TURNPIKE
BUFFALO NY 14218-

APPENDIX E

CAMP FIELD DATA SHEETS & AIR MONITORING DATA

COMMUNITY AIR MONITORING DAILY LOG

Date: 4/17/14
 Project: Welded Tube USA, Inc Facility BCP-III 8
 Job No.: _____
 Client: Welded Tube USA, Inc

WEATHER CONDITIONS:

Time of Day:	<u>0930 A.M.</u>	<u>1630 P.M.</u>
Ambient Air Temp.:	<u>40°F</u>	<u>52°F</u>
Wind Direction:	<u>SW</u>	<u>SW</u>
Wind Speed:	<u>10-12 mph</u>	<u>10-12 mph</u>
Precipitation:	<u>NONE</u>	<u>NONE</u>

LOCATION of ACTIVITIES/MONITORING STATIONS (Provide Sketch on Attached Map):

DESCRIPTION OF SITE ACTIVITIES: Clearing Brush & Trees in sub parcel III 8. Basin cut & Fill of subgrade.

PARTICULATE MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 100 ug/m3 ¹			<u>NONE</u>		
Exceedence of 150 ug/m3 ¹			<u>NONE</u>		
Visual Observation of Fugitive Dust			<u>NA</u>		
			<u>NA</u>		
			<u>NA</u>		

VOC MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 5 ppm ¹			<u>NONE</u>		<u>Temporarily halt Work and continue monitoring</u>
Reading of 5 to 25 ppm ¹			<u>NONE</u>		<u>Temporarily halt Work, abate emissions with corrective actions and continue monitoring ³</u>
Exceedence of 25 ppm ²			<u>NONE</u>		<u>Shut Down Work Immediately and notify Site Safety & Health Officer</u>

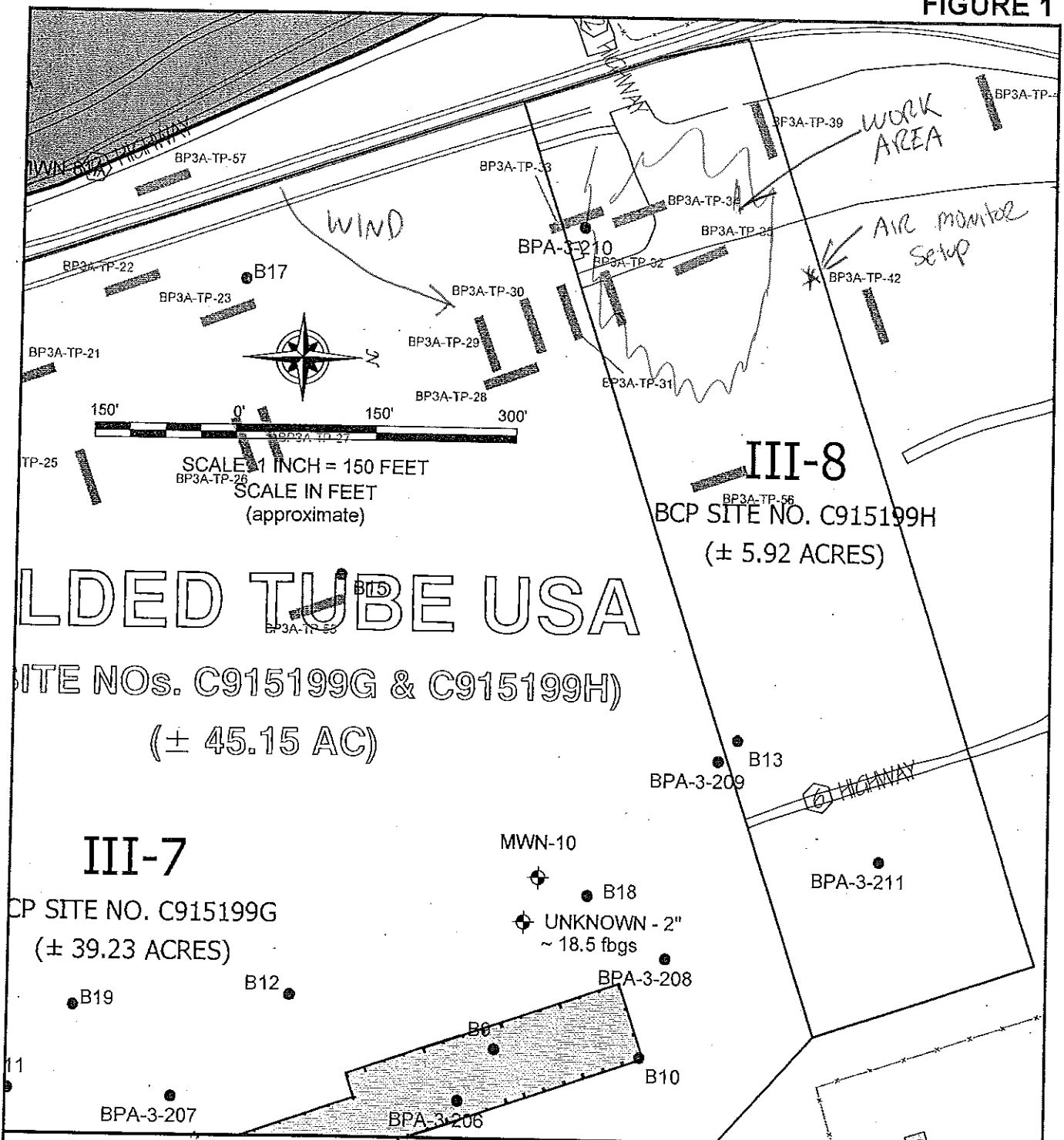
- Above background for 15 minute moving average.
 - Above background at Site perimeter (indicate location on attached sketch)
 - Work may resume when total VOC conc. 200 ft downwind or half the distance to nearest receptor (whichever is less) is below 5 ppm for 15 min.
- NOTE:** All exceedences are to be reported to Benchmark within 15 minutes.

Prepared By: RJD Date: 4/17/14
 Checked By: _____ Date: _____

4/1/2014

FIGURE 1

F:\CAD\Benchmark\Welded Tube of Canada\BP III-8\Figure 1: Areas of Prior Investigation BP III-8 (WTUSA) Expansion Parcel.dwg



WELDED TUBE USA
 (SITE NOS. C915199G & C915199H)
 (± 45.15 AC)

III-7
 CP SITE NO. C915199G
 (± 39.23 ACRES)

III-8
 BCP SITE NO. C915199H
 (± 5.92 ACRES)

BENCHMARK
 ENVIRONMENTAL
 ENGINEERING &
 SCIENCE, PLLC

2658 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 858-0699

**AREAS OF PRIOR INVESTIGATION BP III-8
 (WTUSA) EXPANSION PARCEL**

PROJECT NO.:
 DATE: MARCH 2014
 DRAFTED BY: BLR

WELDED TUBE USA SITE
 LACKAWANNA, NEW YORK
 PREPARED FOR
 WELDED TUBE

DISCLAIMER:
 PROPERTY OF BENCHMARK EES, PLLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF BENCHMARK EES, PLLC.

april 17 2014

"Model Number", "DataRAM 4 ", 106
 "Serial no.", "D211"
 "Device no.", 1
 "Tag Number", 17
 "Start Time", 08:31:45
 "Start Date", 17-Apr-2014
 "Log Period", 00:15:00
 "Number", 28
 "CalFactor", 1.000000
 "Unit", 0
 "Unit Name", "(MASS)ug/m3"
 "SIZE_CORRECT", "DISABLED"
 "TEMPUNITS", C
 "Max MASS", 54.816160
 "Max MASS @", 1 ,08:46:45 ,17-Apr-2014
 "Avg MASS", 10.962740
 "Max Diam", 2.161279
 "Max Diam @", 1 ,08:46:45 ,17-Apr-2014
 "Avg Diam", 0.663747
 "ALARM", "DISABLED"
 "ALARM_LEVEL", 0.0
 "AUTO_ZERO", "DISABLED"
 "AZ INTERVAL", 1
 "Errors", 0000

record,	(MASS)ug/m3"	Temp,	RHumidity,	Diameter		
1,	54.8,	14.8,	27,	2.1613	,08:46:45	,17-Apr-2014
2,	25.1,	12.7,	28,	1.4893	,09:01:45	,17-Apr-2014
3,	17.0,	12.3,	29,	1.2185	,09:16:45	,17-Apr-2014
4,	10.3,	12.3,	29,	0.5707	,09:31:45	,17-Apr-2014
5,	17.8,	12.4,	29,	1.4240	,09:46:45	,17-Apr-2014
6,	26.4,	12.6,	29,	1.3556	,10:01:45	,17-Apr-2014
7,	9.1,	13.2,	29,	0.5374	,10:16:45	,17-Apr-2014
8,	8.5,	13.6,	29,	0.6081	,10:31:45	,17-Apr-2014
9,	7.9,	14.2,	28,	0.5244	,10:46:45	,17-Apr-2014
10,	5.2,	15.1,	27,	0.4259	,11:01:45	,17-Apr-2014
11,	5.5,	16.0,	26,	0.4479	,11:16:45	,17-Apr-2014
12,	6.4,	17.0,	26,	0.5275	,11:31:45	,17-Apr-2014
13,	4.7,	17.3,	25,	0.4121	,11:46:45	,17-Apr-2014
14,	4.5,	17.3,	25,	0.3852	,12:01:45	,17-Apr-2014
15,	4.7,	17.4,	25,	0.3943	,12:16:45	,17-Apr-2014
16,	4.8,	18.0,	25,	0.4242	,12:31:45	,17-Apr-2014
17,	5.1,	18.3,	25,	0.4435	,12:46:45	,17-Apr-2014
18,	4.6,	18.7,	24,	0.3762	,13:01:45	,17-Apr-2014
19,	4.7,	19.0,	24,	0.4067	,13:16:45	,17-Apr-2014
20,	4.2,	19.3,	23,	0.3918	,13:31:45	,17-Apr-2014
21,	34.7,	19.5,	23,	0.6473	,13:46:45	,17-Apr-2014
22,	6.6,	19.9,	23,	0.5320	,14:01:45	,17-Apr-2014
23,	8.3,	20.1,	24,	0.5639	,14:16:45	,17-Apr-2014
24,	4.3,	20.5,	23,	0.4102	,14:31:45	,17-Apr-2014
25,	8.6,	20.8,	22,	0.5741	,14:46:45	,17-Apr-2014
26,	4.3,	21.1,	22,	0.4275	,15:01:45	,17-Apr-2014
27,	4.0,	21.3,	22,	0.4064	,15:16:45	,17-Apr-2014
28,	4.7,	21.6,	22,	0.4990	,15:31:45	,17-Apr-2014

Instrument: MiniRAE 2000 (PGM7600) Serial Number: 006938
User ID: PID 1 Site ID: PID 1298
Data Points: 213 Gas Name: Isobutylene Sample Period: 120 sec
Last Calibration Time: 02/21/2014 06:59
Start At: 04/17/2014 08:22 End At: 04/17/2014 15:26

```
=====
Measurement Type:           Min(ppm)           Avg(ppm)           Max(ppm)
High Alarm Levels:         100.0           100.0           100.0
Low Alarm Levels:          50.0            50.0            50.0
STEL Alarm Levels:         25.0            25.0            25.0
TWA Alarm Levels:          5.0             5.0             5.0
=====
```

```
=====
Measurement Type:           Min(ppm)           Avg(ppm)           Max(ppm)
Peak Data Value:           -----           0.0                0.2
Min Data Value:            -----           0.0                0.0
TWA Data Value:            -----           0.0                0.0
AVG Data Value:            -----           0.0                0.0
=====
```

Instrument: MiniRAE 2000 (PGM7600)

Serial Number: 006938

User ID: PID 1

Site ID: PID 1298

Data Points: 213

Gas Name: Isobutylene

Last Calibration Time: 02/21/2014 06:59

Sample Period: 120 sec

Measurement Type:			Min (ppm)			Avg (ppm)			Max (ppm)		
Alarm Type:	STEL	TWA	AVG	STEL	TWA	AVG	STEL	TWA	AVG		
Alarm Levels:	25.0	5.0		25.0	5.0		25.0	5.0			

Line#	Date	Time	Min (ppm)			Avg (ppm)			Max (ppm)		
			STEL	TWA	AVG	STEL	TWA	AVG	STEL	TWA	AVG
1	04/17/2014	08:22	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
2	04/17/2014	08:24	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
3	04/17/2014	08:26	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
4	04/17/2014	08:28	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
5	04/17/2014	08:30	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
6	04/17/2014	08:32	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
7	04/17/2014	08:34	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
8	04/17/2014	08:36	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
9	04/17/2014	08:38	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
10	04/17/2014	08:40	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
11	04/17/2014	08:42	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
12	04/17/2014	08:44	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
13	04/17/2014	08:46	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
14	04/17/2014	08:48	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
15	04/17/2014	08:50	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
16	04/17/2014	08:52	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
17	04/17/2014	08:54	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
18	04/17/2014	08:56	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
19	04/17/2014	08:58	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
20	04/17/2014	09:00	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
21	04/17/2014	09:02	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
22	04/17/2014	09:04	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
23	04/17/2014	09:06	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
24	04/17/2014	09:08	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
25	04/17/2014	09:10	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
26	04/17/2014	09:12	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
27	04/17/2014	09:14	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
28	04/17/2014	09:16	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
29	04/17/2014	09:18	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
30	04/17/2014	09:20	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
31	04/17/2014	09:22	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
32	04/17/2014	09:24	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
33	04/17/2014	09:26	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
34	04/17/2014	09:28	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
35	04/17/2014	09:30	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
36	04/17/2014	09:32	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
37	04/17/2014	09:34	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
38	04/17/2014	09:36	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
39	04/17/2014	09:38	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
40	04/17/2014	09:40	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
41	04/17/2014	09:42	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
42	04/17/2014	09:44	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
43	04/17/2014	09:46	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
44	04/17/2014	09:48	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
45	04/17/2014	09:50	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
46	04/17/2014	09:52	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
47	04/17/2014	09:54	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
48	04/17/2014	09:56	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
49	04/17/2014	09:58	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
50	04/17/2014	10:00	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
51	04/17/2014	10:02	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
52	04/17/2014	10:04	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
53	04/17/2014	10:06	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
54	04/17/2014	10:08	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
55	04/17/2014	10:10	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
56	04/17/2014	10:12	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0

195	04/17/2014	14:50	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
196	04/17/2014	14:52	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
197	04/17/2014	14:54	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
198	04/17/2014	14:56	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
199	04/17/2014	14:58	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
200	04/17/2014	15:00	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
201	04/17/2014	15:02	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
202	04/17/2014	15:04	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
203	04/17/2014	15:06	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
204	04/17/2014	15:08	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
205	04/17/2014	15:10	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
206	04/17/2014	15:12	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
207	04/17/2014	15:14	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
208	04/17/2014	15:16	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
209	04/17/2014	15:18	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
210	04/17/2014	15:20	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
211	04/17/2014	15:22	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
212	04/17/2014	15:24	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
213	04/17/2014	15:26	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0

COMMUNITY AIR MONITORING DAILY LOG

Date: 4/18/14
 Project: Welded Tube USA, Inc Facility BCP-III 8
 Job No.: _____
 Client: Welded Tube USA, Inc

WEATHER CONDITIONS:

Time of Day:	<u>0700</u> A.M.	<u>1600</u> P.M.
Ambient Air Temp.:	<u>50°F</u>	<u>65°F</u>
Wind Direction:	<u>S</u>	<u>S</u>
Wind Speed:	<u>8-10 mph</u>	<u>8-10 mph</u>
Precipitation:	<u>NONE</u>	<u>NONE</u>

LOCATION of ACTIVITIES/MONITORING STATIONS (Provide Sketch on Attached Map): _____

DESCRIPTION OF SITE ACTIVITIES: Preparing subscale, Remaining scrap steel

PARTICULATE MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 100 ug/m3 ¹			<u>NONE</u>		
Exceedence of 150 ug/m3 ¹			<u>NONE</u>		
Visual Observation of Fugitive Dust			<u>NA</u>		
			<u>NA</u>		
			<u>NA</u>		

VOC MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 5 ppm ¹			<u>NONE</u>		<u>Temporarily halt Work and continue monitoring</u>
Reading of 5 to 25 ppm ¹			<u>NONE</u>		<u>Temporarily halt Work, abate emissions with corrective actions and continue monitoring ³</u>
Exceedence of 25 ppm ²			<u>NONE</u>		<u>Shut Down Work Immediately and notify Site Safety & Health Officer</u>

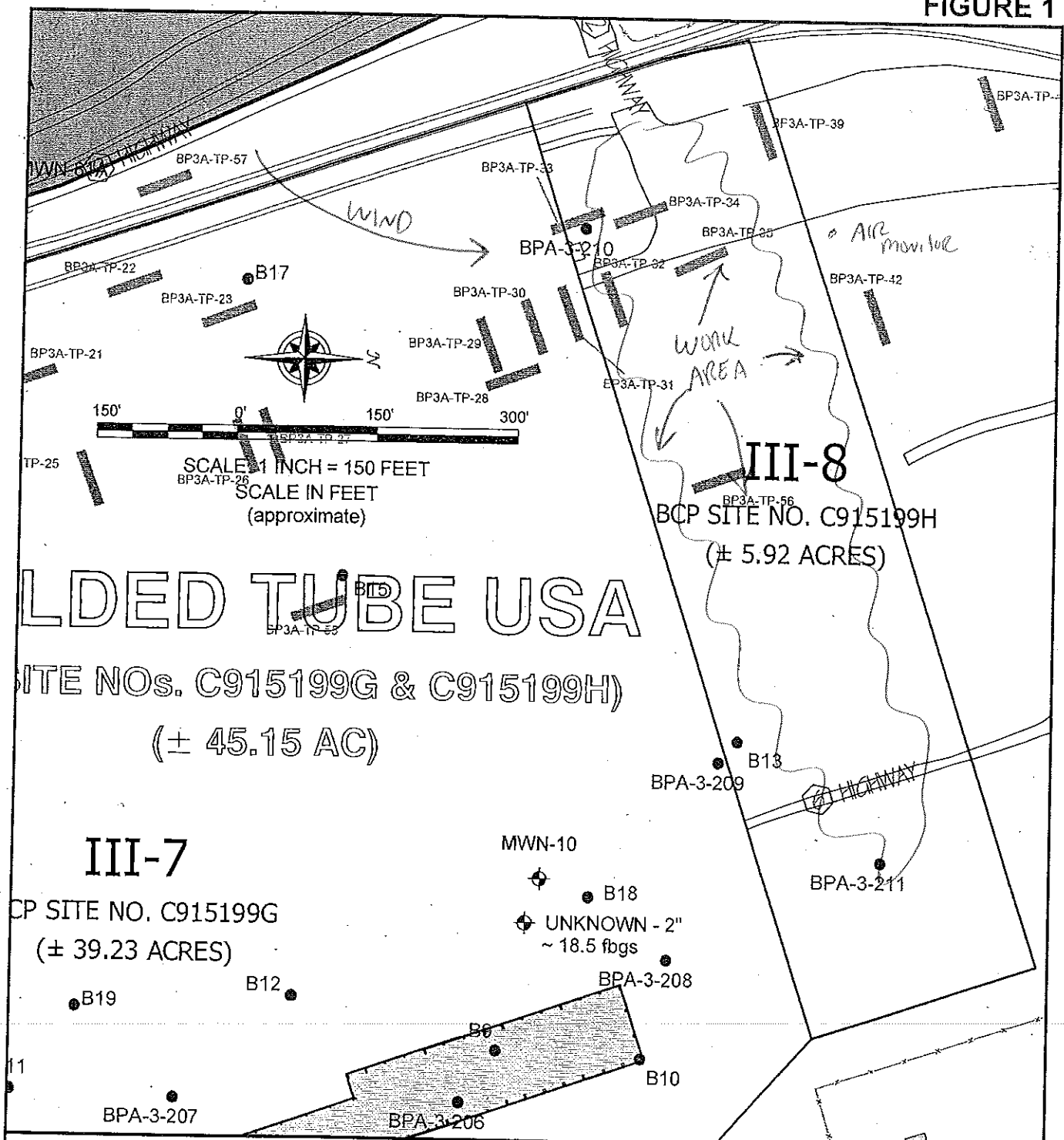
1. Above background for 15 minute moving average.
 2. Above background at Site perimeter (indicate location on attached sketch)
 3. Work may resume when total VOC conc. 200 ft downwind or half the distance to nearest receptor (whichever is less) is below 5 ppm for 15 min.
NOTE: All exceedences are to be reported to Benchmark within 15 minutes.

Prepared By: RWD Date: 4/18/14
 Checked By: _____ Date: _____

4/18/14

FIGURE 1

F:\CAD\Benchmark\Welded Tube of Canada\BP III-8\Figure 1: Areas of Prior Investigation BP III-8 (WTUSA) Expansion Parcel.dwg



WELDED TUBE USA

(CP SITE NOS. C915199G & C915199H)
(± 45.15 AC)

III-7

CP SITE NO. C915199G
(± 39.23 ACRES)

III-8

BCP SITE NO. C915199H
(± 5.92 ACRES)

BENCHMARK
 ENVIRONMENTAL
 ENGINEERING &
 SCIENCE, PLLC

2558 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 856-0699

AREAS OF PRIOR INVESTIGATION BP III-8 (WTUSA) EXPANSION PARCEL

PROJECT NO.:
DATE: MARCH 2014
DRAFTED BY: BLR

WELDED TUBE USA SITE
LACKAWANNA, NEW YORK
PREPARED FOR
WELDED TUBE

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april18 2014

"Model Number", "DataRAM 4 ", 106
"Serial no.", "D211"
"Device no.", 1
"Tag Number", 19
"Start Time", 07:54:34
"Start Date", 18-Apr-2014
"Log Period", 00:15:00
"Number", 23
"CalFactor", 1.000000
"Unit", 0
"Unit Name", "(MASS)ug/m3"
"SIZE_CORRECT", "DISABLED"
"TEMPUNITS", C
"Max MASS", 19.012610
"Max MASS @", 3 ,08:39:34 ,18-Apr-2014
"Avg MASS", 9.089141
"Max Diam", 1.656564
"Max Diam @", 10 ,10:24:34 ,18-Apr-2014
"Avg Diam", 0.771028
"ALARM", "DISABLED"
"ALARM_LEVEL", 0.0
"AUTO_ZERO", "DISABLED"
"AZ INTERVAL", 1
"Errors", 1000
record, "(MASS)ug/m3", Temp, RHumidity, Diameter
1, 8.0, 13.1, 36, 0.7314 ,08:09:34 ,18-Apr-2014
2, 7.9, 13.8, 36, 0.7446 ,08:24:34 ,18-Apr-2014
3, 19.0, 14.2, 36, 0.8364 ,08:39:34 ,18-Apr-2014
4, 6.8, 15.0, 36, 0.6096 ,08:54:34 ,18-Apr-2014
5, 6.1, 15.8, 34, 0.6057 ,09:09:34 ,18-Apr-2014
6, 6.7, 16.1, 34, 0.6297 ,09:24:34 ,18-Apr-2014
7, 7.1, 15.9, 34, 0.6861 ,09:39:34 ,18-Apr-2014
8, 8.4, 15.6, 35, 0.8098 ,09:54:34 ,18-Apr-2014
9, 11.2, 15.5, 35, 1.2780 ,10:09:34 ,18-Apr-2014
10, 14.6, 15.3, 36, 1.6566 ,10:24:34 ,18-Apr-2014
11, 9.3, 14.9, 36, 0.9947 ,10:39:34 ,18-Apr-2014
12, 8.5, 14.9, 37, 0.9092 ,10:54:34 ,18-Apr-2014
13, 9.0, 15.2, 36, 0.7738 ,11:09:34 ,18-Apr-2014
14, 7.9, 15.5, 36, 0.6432 ,11:24:34 ,18-Apr-2014
15, 12.3, 15.6, 36, 0.7106 ,11:39:34 ,18-Apr-2014
16, 8.0, 15.3, 36, 0.5993 ,11:54:34 ,18-Apr-2014
17, 7.9, 15.3, 37, 0.6148 ,12:09:34 ,18-Apr-2014
18, 7.6, 15.9, 36, 0.5844 ,12:24:34 ,18-Apr-2014
19, 7.8, 16.1, 35, 0.6235 ,12:39:34 ,18-Apr-2014
20, 7.9, 15.6, 36, 0.6034 ,12:54:34 ,18-Apr-2014
21, 8.1, 15.4, 36, 0.6159 ,13:09:34 ,18-Apr-2014
22, 8.3, 15.1, 37, 0.6334 ,13:24:34 ,18-Apr-2014
23, 10.6, 15.2, 37, 0.8395 ,13:39:34 ,18-Apr-2014

Instrument: MiniRAE 2000 (PGM7600) Serial Number: 006938
User ID: PID 1 Site ID: PID 1299
Data Points: 191 Gas Name: Isobutylene Sample Period: 120 sec
Last Calibration Time: 02/21/2014 06:59
Start At: 04/18/2014 07:23 End At: 04/18/2014 13:43

```
=====
Measurement Type:           Min(ppm)           Avg(ppm)           Max(ppm)
High Alarm Levels:         100.0           100.0           100.0
Low Alarm Levels:          50.0            50.0            50.0
STEL Alarm Levels:         25.0            25.0            25.0
TWA Alarm Levels:          5.0             5.0             5.0
=====
```

```
=====
Measurement Type:           Min(ppm)           Avg(ppm)           Max(ppm)
Peak Data Value:           -----            0.0                0.0
Min Data Value:            -----            0.0                0.0
TWA Data Value:            -----            0.0                0.0
AVG Data Value:            -----            0.0                0.0
=====
```

Instrument: MiniRAE 2000 (PGM7600)

Serial Number: 006938

User ID: PID 1

Site ID: PID 1299

Data Points: 191

Gas Name: Isobutylene

Sample Period: 120 sec

Last Calibration Time: 02/21/2014 06:59

Measurement Type:	Min(ppm)			Avg(ppm)			Max(ppm)		
Alarm Type:	STEL	TWA	AVG	STEL	TWA	AVG	STEL	TWA	AVG
Alarm Levels:	25.0	5.0		25.0	5.0		25.0	5.0	

Line#	Date	Time	Min(ppm)			Avg(ppm)			Max(ppm)		
			STEL	TWA	AVG	STEL	TWA	AVG	STEL	TWA	AVG
1	04/18/2014	07:23	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
2	04/18/2014	07:25	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
3	04/18/2014	07:27	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
4	04/18/2014	07:29	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
5	04/18/2014	07:31	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
6	04/18/2014	07:33	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
7	04/18/2014	07:35	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
8	04/18/2014	07:37	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
9	04/18/2014	07:39	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
10	04/18/2014	07:41	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
11	04/18/2014	07:43	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
12	04/18/2014	07:45	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
13	04/18/2014	07:47	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
14	04/18/2014	07:49	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
15	04/18/2014	07:51	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
16	04/18/2014	07:53	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
17	04/18/2014	07:55	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
18	04/18/2014	07:57	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
19	04/18/2014	07:59	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
20	04/18/2014	08:01	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
21	04/18/2014	08:03	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
22	04/18/2014	08:05	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
23	04/18/2014	08:07	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
24	04/18/2014	08:09	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
25	04/18/2014	08:11	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
26	04/18/2014	08:13	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
27	04/18/2014	08:15	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
28	04/18/2014	08:17	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
29	04/18/2014	08:19	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
30	04/18/2014	08:21	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
31	04/18/2014	08:23	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
32	04/18/2014	08:25	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
33	04/18/2014	08:27	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
34	04/18/2014	08:29	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
35	04/18/2014	08:31	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
36	04/18/2014	08:33	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
37	04/18/2014	08:35	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
38	04/18/2014	08:37	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
39	04/18/2014	08:39	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
40	04/18/2014	08:41	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
41	04/18/2014	08:43	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
42	04/18/2014	08:45	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
43	04/18/2014	08:47	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
44	04/18/2014	08:49	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
45	04/18/2014	08:51	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
46	04/18/2014	08:53	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
47	04/18/2014	08:55	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
48	04/18/2014	08:57	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
49	04/18/2014	08:59	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
50	04/18/2014	09:01	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
51	04/18/2014	09:03	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
52	04/18/2014	09:05	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
53	04/18/2014	09:07	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
54	04/18/2014	09:09	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
55	04/18/2014	09:11	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
56	04/18/2014	09:13	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0

COMMUNITY AIR MONITORING DAILY LOG

Date: 4/2/14
 Project: Welded Tube USA, Inc Facility BCP-III 8
 Job No.: _____
 Client: Welded Tube USA, Inc

WEATHER CONDITIONS:

Time of Day:	<u>0800 A.M.</u>	<u>1700 P.M.</u>
Ambient Air Temp.:	<u>50°F</u>	<u>70°F</u>
Wind Direction:	<u>S</u>	<u>S</u>
Wind Speed:	<u>8-10 mph</u>	<u>8-10 mph</u>
Precipitation:	<u>NONE</u>	<u>NONE</u>

LOCATION of ACTIVITIES/MONITORING STATIONS (Provide Sketch on Attached Map):

DESCRIPTION OF SITE ACTIVITIES:

Preparing Subgrade - cut & fill material to achieve subgrade elevation
PM - Begin placement of sub-grade material - GAS

PARTICULATE MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 100 ug/m3 ¹			<u>NONE</u>		<u>* Meter malfunction observed at 0830, (renewed) meter from service, setup new particulate meter.</u>
Exceedence of 150 ug/m3 ¹			<u>NONE</u>		
Visual Observation of Fugitive Dust			<u>NA</u>		
			<u>NA</u>		
			<u>NA</u>		

VOC MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 5 ppm ¹			<u>NONE</u>		<u>Temporarily halt Work and continue monitoring</u>
Reading of 5 to 25 ppm ¹			<u>NONE</u>		<u>Temporarily halt Work, abate emissions with corrective actions and continue monitoring³</u>
Exceedence of 25 ppm ²			<u>NONE</u>		<u>Shut Down Work Immediately and notify Site Safety & Health Officer</u>

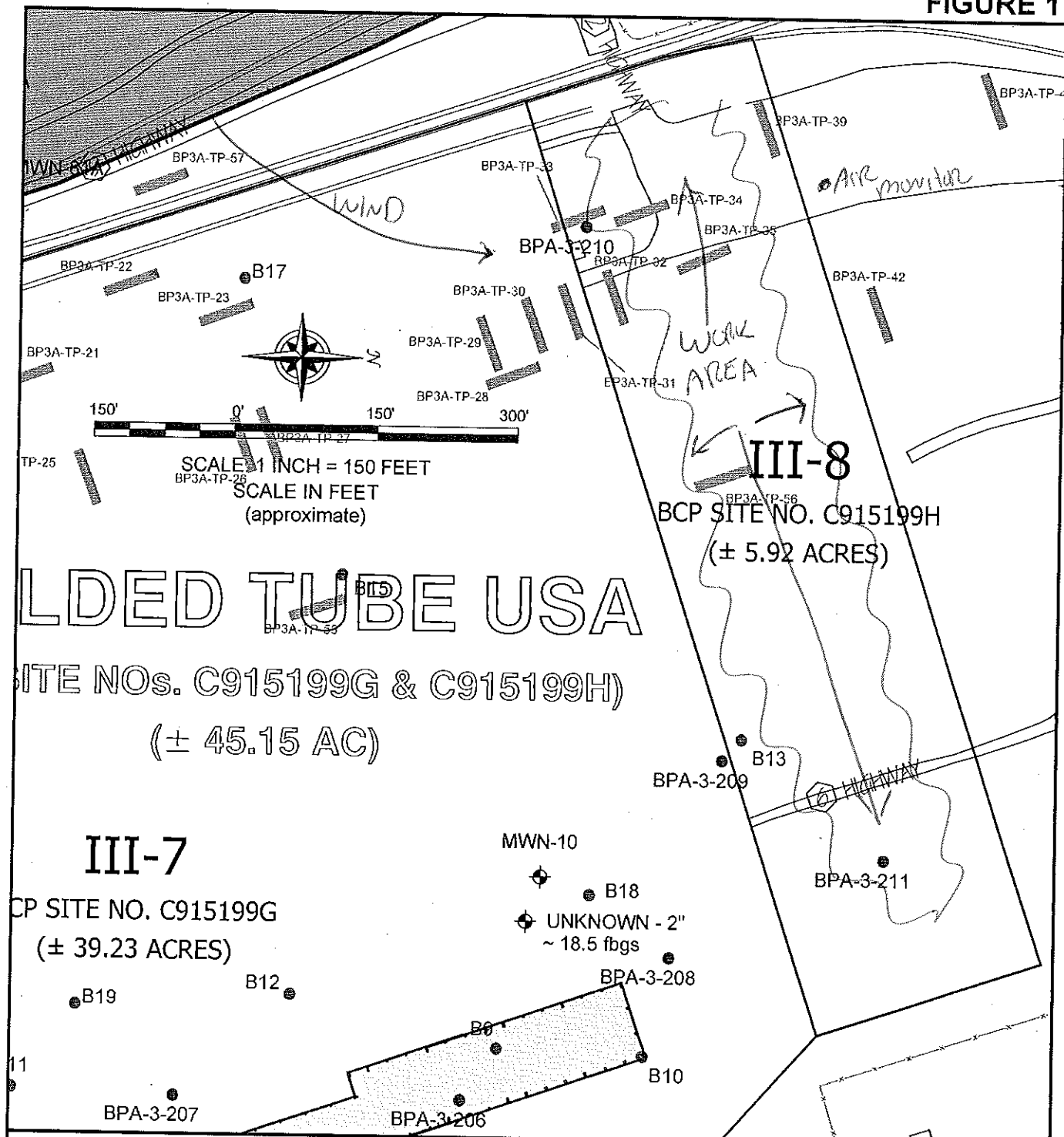
1. Above background for 15 minute moving average.
 2. Above background at Site perimeter (indicate location on attached sketch)
 3. Work may resume when total VOC conc. 200 ft downwind or half the distance to nearest receptor (whichever is less) is below 5 ppm for 15 min.
- NOTE:** All exceedences are to be reported to Benchmark within 15 minutes.

Prepared By: BW Date: 4/2/14
 Checked By: _____ Date: _____

4/21/14

FIGURE 1

F:\CAD\Benchmark\Welded Tube of Canada\BP III-8\Figure 1: Areas of Prior Investigation BP III-8\WTUSA Expansion Parcel.dwg



BENCHMARK
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2658 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 666-0599

**AREAS OF PRIOR INVESTIGATION BP III-8
 (WTUSA) EXPANSION PARCEL**

PROJECT NO.:

DATE: MARCH 2014

DRAFTED BY: BLR

WELDED TUBE USA SITE
 LACKAWANNA, NEW YORK
 PREPARED FOR
 WELDED TUBE

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april 21 2014

```
"Model Number", "DataRAM 4 ", 106
"Serial no.", "D835 ! "
"Device no.", 1
"Tag Number", 1
"Start Time", 10:06:11
"Start Date", 21-Apr-2014
"Log Period", 00:15:00
"Number", 30
"CalFactor", 1.000000
"Unit", 0
"Unit Name", "(MASS )ug/m3"
"SIZE_CORRECT", "ENABLED"
"TEMPUNITS", F
"Max MASS", 13.874290
"Max MASS @", 23 ,15:51:11 ,21-Apr-2014
"Avg MASS", 7.501233
"Max Diam", 0.512556
"Max Diam @", 23 ,15:51:11 ,21-Apr-2014
"Avg Diam", 0.324696
"ALARM", "DISABLED"
"ALARM_LEVEL", 0.0
"AUTO_ZERO", "DISABLED"
"AZ INTERVAL", 1
"Errors", 0000
record,"(MASS )ug/m3", Temp, RHumidity, Diameter
1, 9.3, 67.6, 28, 0.2979 ,10:21:11 ,21-Apr-2014
2, 6.8, 68.0, 25, 0.3838 ,10:36:11 ,21-Apr-2014
3, 6.8, 68.1, 25, 0.3866 ,10:51:11 ,21-Apr-2014
4, 7.0, 67.6, 25, 0.3687 ,11:06:11 ,21-Apr-2014
5, 6.2, 68.5, 25, 0.2731 ,11:21:11 ,21-Apr-2014
6, 6.5, 69.6, 24, 0.2713 ,11:36:11 ,21-Apr-2014
7, 8.1, 70.3, 23, 0.2839 ,11:51:11 ,21-Apr-2014
8, 7.6, 70.7, 23, 0.3110 ,12:06:11 ,21-Apr-2014
9, 7.0, 71.2, 23, 0.3251 ,12:21:11 ,21-Apr-2014
10, 7.5, 72.6, 22, 0.3069 ,12:36:11 ,21-Apr-2014
11, 7.1, 74.1, 21, 0.3200 ,12:51:11 ,21-Apr-2014
12, 8.8, 75.5, 20, 0.4173 ,13:06:11 ,21-Apr-2014
13, 6.9, 76.3, 19, 0.3092 ,13:21:11 ,21-Apr-2014
14, 6.5, 76.6, 18, 0.3155 ,13:36:11 ,21-Apr-2014
15, 6.2, 76.2, 17, 0.2846 ,13:51:11 ,21-Apr-2014
16, 6.7, 75.4, 17, 0.3340 ,14:06:11 ,21-Apr-2014
17, 6.6, 75.1, 17, 0.3108 ,14:21:11 ,21-Apr-2014
18, 6.2, 75.1, 18, 0.2957 ,14:36:11 ,21-Apr-2014
19, 7.6, 74.7, 18, 0.3403 ,14:51:11 ,21-Apr-2014
20, 7.5, 74.3, 18, 0.3486 ,15:06:11 ,21-Apr-2014
21, 9.2, 74.6, 17, 0.4502 ,15:21:11 ,21-Apr-2014
22, 8.2, 75.0, 17, 0.3489 ,15:36:11 ,21-Apr-2014
23, 13.9, 74.8, 17, 0.5126 ,15:51:11 ,21-Apr-2014
24, 7.4, 75.1, 17, 0.3188 ,16:06:11 ,21-Apr-2014
25, 7.2, 74.3, 17, 0.3015 ,16:21:11 ,21-Apr-2014
26, 6.8, 73.0, 18, 0.2636 ,16:36:11 ,21-Apr-2014
27, 7.1, 71.4, 18, 0.2575 ,16:51:11 ,21-Apr-2014
28, 7.5, 70.7, 19, 0.2956 ,17:06:11 ,21-Apr-2014
29, 7.5, 71.0, 20, 0.2602 ,17:21:11 ,21-Apr-2014
30, 7.4, 71.4, 20, 0.2476 ,17:36:11 ,21-Apr-2014
```

Instrument: MiniRAE 2000 (PGM7600)

Serial Number: 006938

User ID: PID 1

Site ID: PID 1300

Data Points: 259

Gas Name: Isobutylene

Sample Period: 120 sec

Last Calibration Time: 02/21/2014 06:59

Start At: 04/21/2014 08:08 End At: 04/21/2014 16:44

```
=====
Measurement Type:           Min(ppm)           Avg(ppm)           Max(ppm)
High Alarm Levels:         100.0           100.0           100.0
Low Alarm Levels:          50.0            50.0            50.0
STEL Alarm Levels:         25.0            25.0            25.0
TWA Alarm Levels:          5.0             5.0             5.0
=====
```

```
=====
Measurement Type:           Min(ppm)           Avg(ppm)           Max(ppm)
Peak Data Value:           -----           0.0                0.0
Min Data Value:            -----           0.0                0.0
TWA Data Value:            -----           0.0                0.0
AVG Data Value:            -----           0.0                0.0
=====
```

Instrument: MiniRAE 2000 (PGM7600)

Serial Number: 006938

User ID: PID 1

Site ID: PID 1300

Data Points: 259

Gas Name: Isobutylene

Sample Period: 120 sec

Last Calibration Time: 02/21/2014 06:59

Measurement Type:	Min (ppm)			Avg (ppm)			Max (ppm)		
Alarm Type:	STEL	TWA	AVG	STEL	TWA	AVG	STEL	TWA	AVG
Alarm Levels:	25.0	5.0		25.0	5.0		25.0	5.0	

Line#	Date	Time	Min (ppm)			Avg (ppm)			Max (ppm)		
			STEL	TWA	AVG	STEL	TWA	AVG	STEL	TWA	AVG
1	04/21/2014	08:08	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
2	04/21/2014	08:10	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
3	04/21/2014	08:12	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
4	04/21/2014	08:14	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
5	04/21/2014	08:16	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
6	04/21/2014	08:18	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
7	04/21/2014	08:20	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
8	04/21/2014	08:22	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
9	04/21/2014	08:24	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
10	04/21/2014	08:26	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
11	04/21/2014	08:28	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
12	04/21/2014	08:30	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
13	04/21/2014	08:32	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
14	04/21/2014	08:34	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
15	04/21/2014	08:36	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
16	04/21/2014	08:38	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
17	04/21/2014	08:40	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
18	04/21/2014	08:42	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
19	04/21/2014	08:44	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
20	04/21/2014	08:46	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
21	04/21/2014	08:48	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
22	04/21/2014	08:50	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
23	04/21/2014	08:52	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
24	04/21/2014	08:54	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
25	04/21/2014	08:56	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
26	04/21/2014	08:58	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
27	04/21/2014	09:00	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
28	04/21/2014	09:02	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
29	04/21/2014	09:04	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
30	04/21/2014	09:06	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
31	04/21/2014	09:08	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
32	04/21/2014	09:10	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
33	04/21/2014	09:12	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
34	04/21/2014	09:14	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
35	04/21/2014	09:16	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
36	04/21/2014	09:18	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
37	04/21/2014	09:20	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
38	04/21/2014	09:22	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
39	04/21/2014	09:24	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
40	04/21/2014	09:26	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
41	04/21/2014	09:28	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
42	04/21/2014	09:30	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
43	04/21/2014	09:32	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
44	04/21/2014	09:34	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
45	04/21/2014	09:36	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
46	04/21/2014	09:38	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
47	04/21/2014	09:40	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
48	04/21/2014	09:42	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
49	04/21/2014	09:44	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
50	04/21/2014	09:46	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
51	04/21/2014	09:48	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
52	04/21/2014	09:50	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
53	04/21/2014	09:52	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
54	04/21/2014	09:54	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
55	04/21/2014	09:56	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0
56	04/21/2014	09:58	-----	-----	-----	0.0	0.0	0.0	0.0	0.0	0.0

COMMUNITY AIR MONITORING DAILY LOG

Date: 4/22/14
 Project: Welded Tube USA, Inc Facility BCP-III 8
 Job No.: _____
 Client: Welded Tube USA, Inc

WEATHER CONDITIONS:

Time of Day:	<u>0700 A.M.</u>	<u>1200 P.M.</u>
Ambient Air Temp.:	<u>48°F</u>	<u>50°F</u>
Wind Direction:	<u>S/SW</u>	<u>S/SW</u>
Wind Speed:	<u>5-10 mph</u>	<u>5-10 mph</u>
Precipitation:	<u>RAIN</u>	<u>RAIN</u>

LOCATION of ACTIVITIES/MONITORING STATIONS (Provide Sketch on Attached Map):
NO MONITORS SETUP TODAY DUE TO HEAVY RAIN SHOWERS

DESCRIPTION OF SITE ACTIVITIES: NO PLANS SIG COVER MAINT. NO INTRUSIVE WORK PERFORMED.

PARTICULATE MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 100 ug/m3 ¹			<u>NONE</u>		
Exceedence of 150 ug/m3 ¹			<u>NONE</u>		
Visual Observation of Fugitive Dust			<u>NA</u>		
			<u>NA</u>		
			<u>NA</u>		

VOC MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 5 ppm ¹			<u>NONE</u>		<u>Temporarily halt Work and continue monitoring</u>
Reading of 5 to 25 ppm ¹			<u>NONE</u>		<u>Temporarily halt Work, abate emissions with corrective actions and continue monitoring³</u>
Exceedence of 25 ppm ²			<u>NONE</u>		<u>Shut Down Work Immediately and notify Site Safety & Health Officer</u>

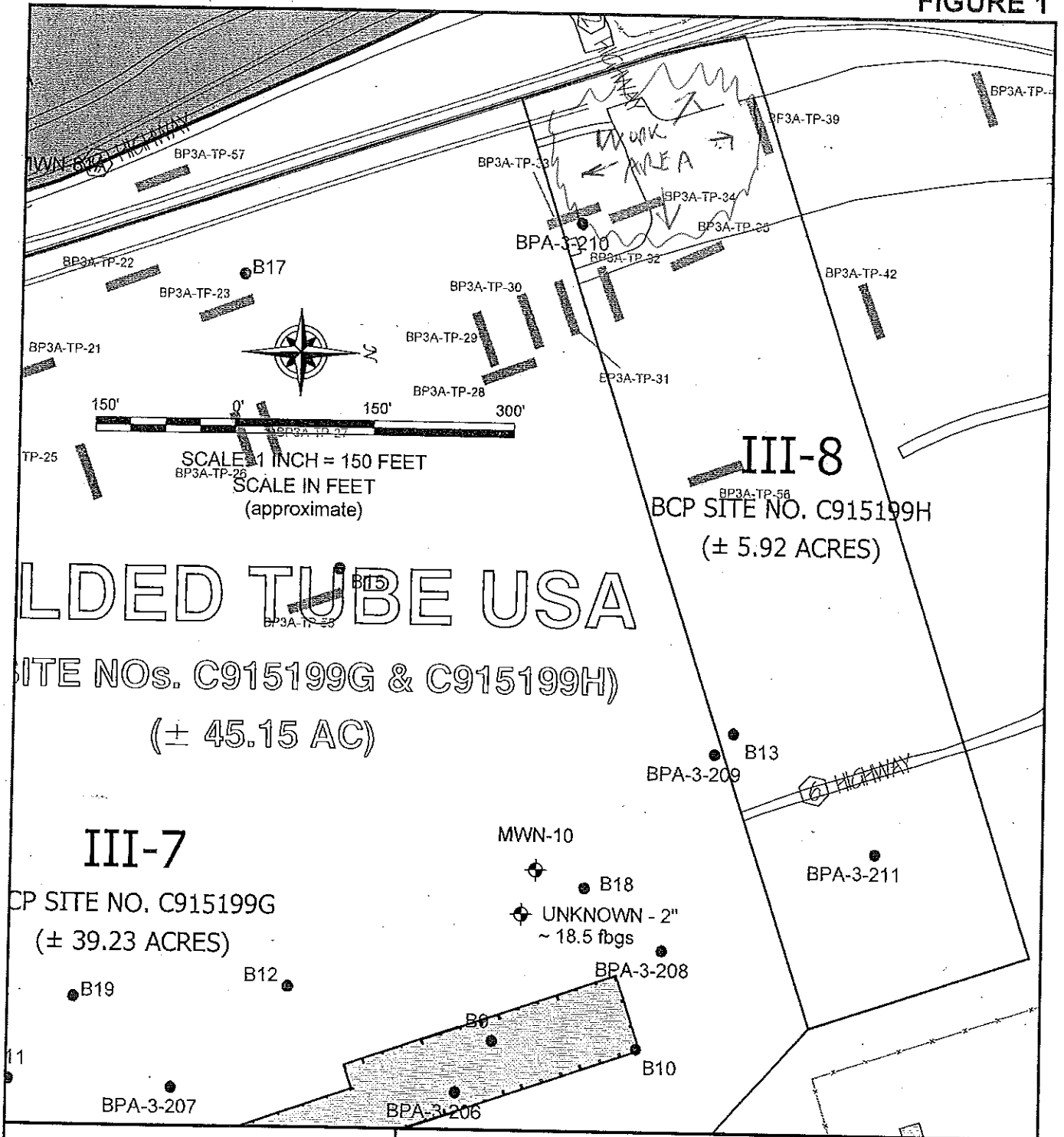
1. Above background for 15 minute moving average.
 2. Above background at Site perimeter (indicate location on attached sketch)
 3. Work may resume when total VOC conc. 200 ft downwind or half the distance to nearest receptor (whichever is less) is below 5 ppm for 15 min.
NOTE: All exceedences are to be reported to Benchmark within 15 minutes.

Prepared By: YLD Date: 4/22/14
 Checked By: _____ Date: _____

4/22/14

FIGURE 1

F:\CAD\Benchmark\Welded Tube of Canada\BP III-8\Figure 1: Areas of Prior Investigation BP III-8 (WTUSA) Expansion Parcel.dwg



WELDED TUBE USA
 (SITE NOS. C915199G & C915199H)
 (± 45.15 AC)

III-7
 CP SITE NO. C915199G
 (± 39.23 ACRES)

III-8
 BCP SITE NO. C915199H
 (± 5.92 ACRES)

BENCHMARK
 ENVIRONMENTAL
 ENGINEERING &
 SCIENCE, PLLC

2658 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 858-0699

PROJECT NO.:

DATE: MARCH 2014

DRAFTED BY: BLR

**AREAS OF PRIOR INVESTIGATION BP III-8
 (WTUSA) EXPANSION PARCEL**

WELDED TUBE USA SITE
 LACKAWANNA, NEW YORK
 PREPARED FOR
 WELDED TUBE

DISCLAIMER:
 PROPERTY OF BENCHMARK EES, PLLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF BENCHMARK EES, PLLC.

COMMUNITY AIR MONITORING DAILY LOG

Date: 4/23/14
 Project: Welded Tube USA, Inc Facility BCP-III 8
 Job No.: _____
 Client: Welded Tube USA, Inc

WEATHER CONDITIONS:

Time of Day:	<u>0800 A.M.</u>	<u>1600 P.M.</u>
Ambient Air Temp.:	<u>40°F</u>	<u>55°F</u>
Wind Direction:	<u>SW</u>	<u>SW</u>
Wind Speed:	<u>5-10 mph</u>	<u>5-10 mph</u>
Precipitation:	<u>Am. LT Rain</u>	<u>None</u>

LOCATION of ACTIVITIES/MONITORING STATIONS (Provide Sketch on Attached Map): _____

DESCRIPTION OF SITE ACTIVITIES: Placing 1-Foot cover SAs material over subpanel III-8. No disturbance work performed.

PARTICULATE MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 100 ug/m3 ¹			<u>NA</u>		
Exceedence of 150 ug/m3 ¹			<u>NA</u>		
Visual Observation of Fugitive Dust			<u>NA</u>		
			<u>NA</u>		
			<u>NA</u>		

VOC MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 5 ppm ¹			<u>NA</u>		<u>Temporarily halt Work and continue monitoring</u>
Reading of 5 to 25 ppm ¹			<u>NA</u>		<u>Temporarily halt Work, abate emissions with corrective actions and continue monitoring ³</u>
Exceedence of 25 ppm ²			<u>NA</u>		<u>Shut Down Work Immediately and notify Site Safety & Health Officer</u>

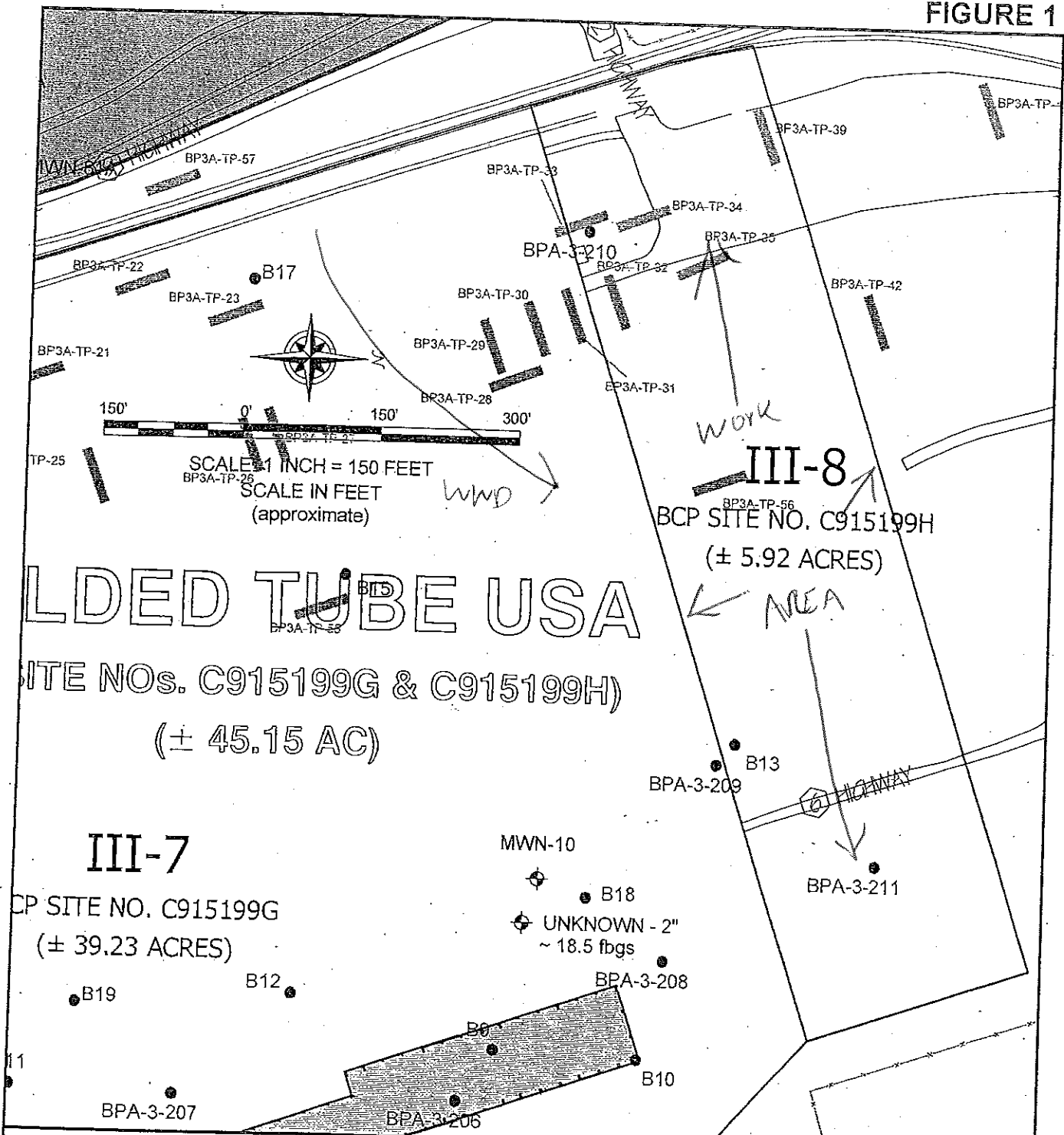
1. Above background for 15 minute moving average.
 2. Above background at Site perimeter (indicate location on attached sketch)
 3. Work may resume when total VOC conc. 200 ft downwind or half the distance to nearest receptor (whichever is less) is below 5 ppm for 15 min.
NOTE: All exceedences are to be reported to Benchmark within 15 minutes.

Prepared By: RLO Date: 4/23/14
 Checked By: _____ Date: _____

4/23/14

FIGURE 1

F:\CAD\Benchmark\Welded Tube of Cunniff\BP III-8\Figure 1: Areas of Prior Investigation BP III-8 (WTUSA) Expansion Parcel.dwg



WELDED TUBE USA
 (SITE NOS. C915199G & C915199H)
 (± 45.15 AC)

III-7
 CP SITE NO. C915199G
 (± 39.23 ACRES)

III-8
 BCP SITE NO. C915199H
 (± 5.92 ACRES)

BENCHMARK
 ENVIRONMENTAL
 ENGINEERING &
 SCIENCE, PLLC

2558 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 858-0899

PROJECT NO.:
 DATE: MARCH 2014
 DRAFTED BY: BLR

**AREAS OF PRIOR INVESTIGATION BP III-8
 (WTUSA) EXPANSION PARCEL**

WELDED TUBE USA SITE
 LACKAWANNA, NEW YORK
 PREPARED FOR
 WELDED TUBE

DISCLAIMER:
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COMMUNITY AIR MONITORING DAILY LOG

Date: 4/24/14
 Project: Welded Tube USA, Inc Facility BCP-III 8
 Job No.: _____
 Client: Welded Tube USA, Inc

WEATHER CONDITIONS:

Time of Day:	<u>0700</u> A.M.	<u>1200</u> P.M.
Ambient Air Temp.:	<u>45°F</u>	<u>55°F</u>
Wind Direction:	<u>W</u>	<u>W</u>
Wind Speed:	<u>5-10 mph</u>	<u>5-10 mph</u>
Precipitation:	<u>none</u>	<u>none</u>

LOCATION of ACTIVITIES/MONITORING STATIONS (Provide Sketch on Attached Map): _____

DESCRIPTION OF SITE ACTIVITIES: Placement of 1-foot cover slabs - no intensive work performed

PARTICULATE MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 100 ug/m3 ¹			<u>NA</u>		
Exceedence of 150 ug/m3 ¹			<u>NA</u>		
Visual Observation of Fugitive Dust			<u>NA</u>		
			<u>NA</u>		
			<u>NA</u>		

VOC MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 5 ppm ¹			<u>NA</u>		<u>Temporarily halt Work and continue monitoring</u>
Reading of 5 to 25 ppm ¹			<u>NA</u>		<u>Temporarily halt Work, abate emissions with corrective actions and continue monitoring ³</u>
Exceedence of 25 ppm ²			<u>NA</u>		<u>Shut Down Work Immediately and notify Site Safety & Health Officer</u>

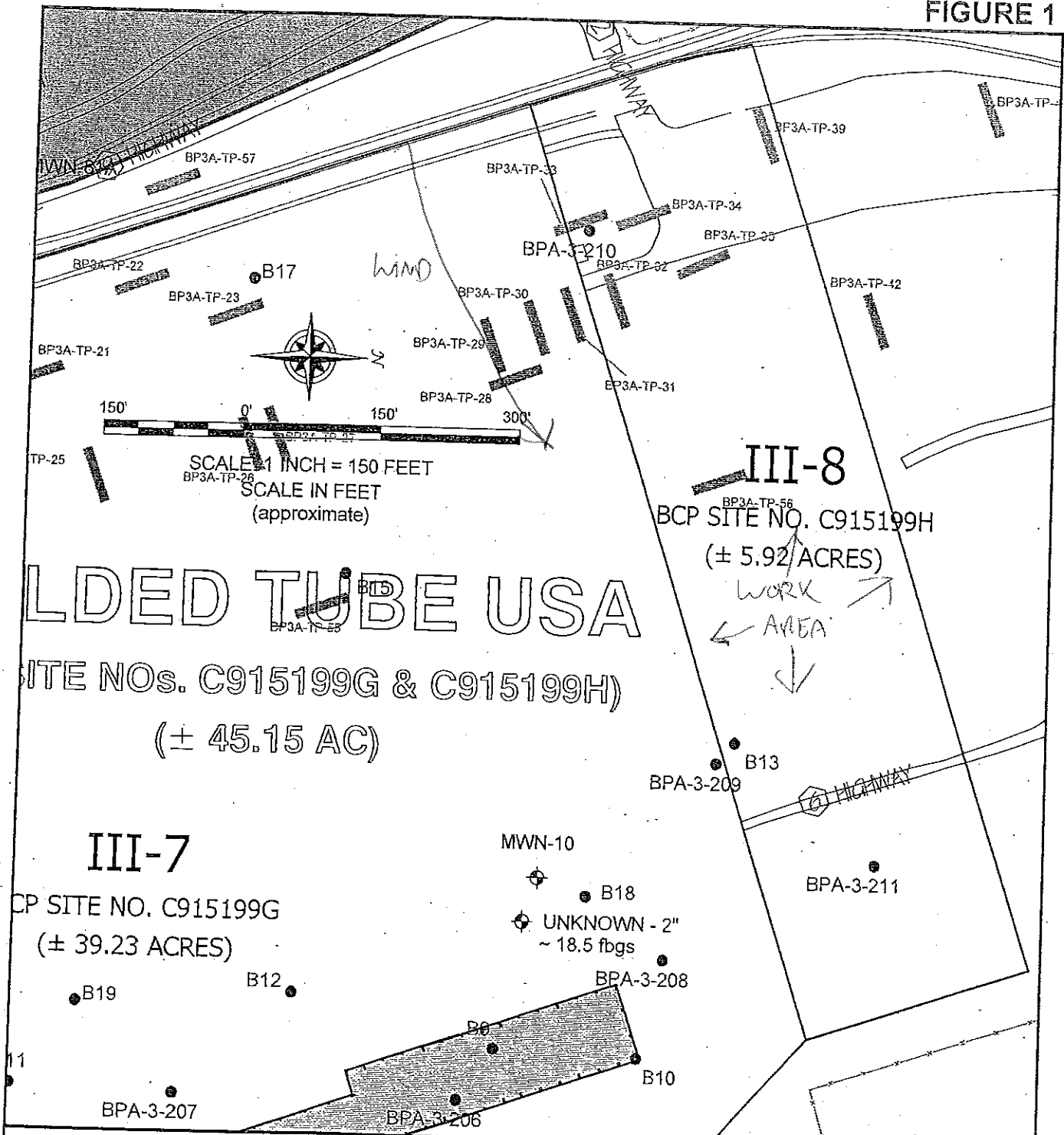
1. Above background for 15 minute moving average.
 2. Above background at Site perimeter (indicate location on attached sketch)
 3. Work may resume when total VOC conc. 200 ft downwind or half the distance to nearest receptor (whichever is less) is below 5 ppm for 15 min.
NOTE: All exceedences are to be reported to Benchmark within 15 minutes.

Prepared By: RLO Date: 4/24/14
 Checked By: _____ Date: _____

4/24/14

FIGURE 1

F:\CAD\Benchmark\Welded Tube of Canada\BP III-8\Figure 1; Areas of Prior Investigation BP III-8 (WTUSA) Expansion Parcel.dwg



WELDED TUBE USA
 (SITE NOS. C915199G & C915199H)
 (± 45.15 AC)

III-7
 CP SITE NO. C915199G
 (± 39.23 ACRES)

III-8
 BCP SITE NO. C915199H
 (± 5.92 ACRES)

BENCHMARK
 ENVIRONMENTAL
 ENGINEERING &
 SCIENCE, PLLC

2658 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 856-0599

PROJECT NO.:
 DATE: MARCH 2014
 DRAFTED BY: BLR

**AREAS OF PRIOR INVESTIGATION BP III-8
 (WTUSA) EXPANSION PARCEL**

WELDED TUBE USA SITE
 LACKAWANNA, NEW YORK
 PREPARED FOR
 WELDED TUBE

DISCLAIMER:
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COMMUNITY AIR MONITORING DAILY LOG

Date: 4/25/14
 Project: Welded Tube USA, Inc Facility BCP-III 8
 Job No.: _____
 Client: Welded Tube USA, Inc

WEATHER CONDITIONS:

Time of Day:	<u>0900 A.M.</u>	<u>1700 P.M.</u>
Ambient Air Temp.:	<u>65°F</u>	<u>80°F</u>
Wind Direction:	<u>E</u>	<u>E</u>
Wind Speed:	<u>5-10 mph</u>	<u>5-10 mph</u>
Precipitation:	<u>None</u>	<u>None</u>

LOCATION of ACTIVITIES/MONITORING STATIONS (Provide Sketch on Attached Map):

DESCRIPTION OF SITE ACTIVITIES: Placing 1-foot cover material - no intrusive work performed

PARTICULATE MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 100 ug/m3 ¹			<u>NA</u>		
Exceedence of 150 ug/m3 ¹			<u>NA</u>		
Visual Observation of Fugitive Dust			<u>NA</u>		
			<u>NA</u>		
			<u>NA</u>		

VOC MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 5 ppm ¹			<u>NA</u>		<u>Temporarily halt Work and continue monitoring</u>
Reading of 5 to 25 ppm ¹			<u>NA</u>		<u>Temporarily halt Work, abate emissions with corrective actions and continue monitoring ³</u>
Exceedence of 25 ppm ²			<u>NA</u>		<u>Shut Down Work Immediately and notify Site Safety & Health Officer</u>

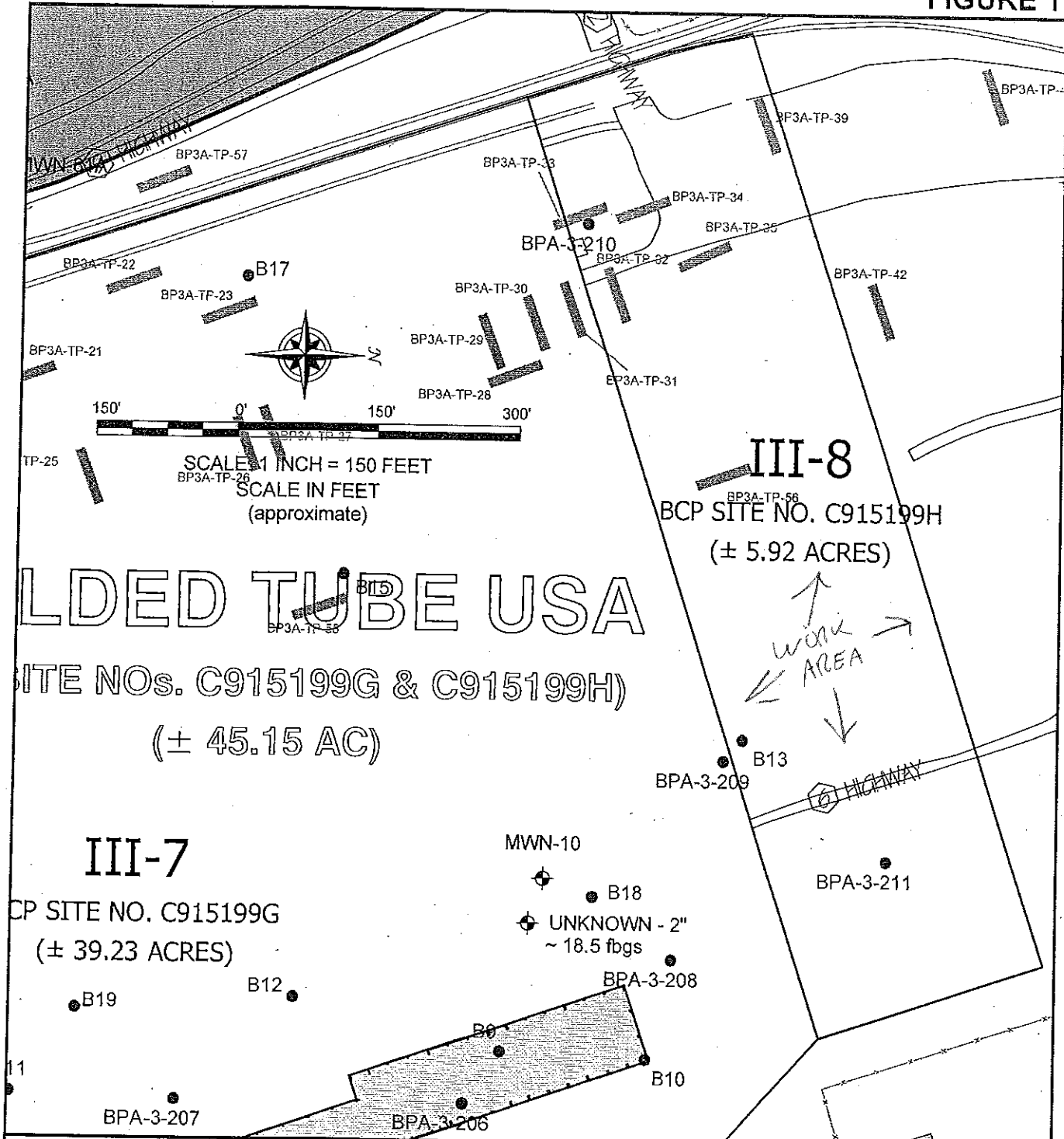
1. Above background for 15 minute moving average.
 2. Above background at Site perimeter (indicate location on attached sketch)
 3. Work may resume when total VOC conc. 200 ft downwind or half the distance to nearest receptor (whichever is less) is below 5 ppm for 15 min.
NOTE: All exceedences are to be reported to Benchmark within 15 minutes.

Prepared By: RLO Date: 4/25/14
 Checked By: _____ Date: _____

4/25/14

FIGURE 1

F:\CADD\Benchmark\Welded Tube of Canada\BP III-B\Figure 1: Areas of Prior Investigation, BP III - WTUSA Expansion Parcel.dwg



BENCHMARK
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2558 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 856-0699

**AREAS OF PRIOR INVESTIGATION BP III-8
 (WTUSA) EXPANSION PARCEL**

PROJECT NO.:
 DATE: MARCH 2014
 DRAFTED BY: BLR

WELDED TUBE USA SITE
 LACKAWANNA, NEW YORK
 PREPARED FOR
 WELDED TUBE

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COMMUNITY AIR MONITORING DAILY LOG

Date: 4/28/14
 Project: Welded Tube USA, Inc Facility BCP-III 8
 Job No.: _____
 Client: Welded Tube USA, Inc

WEATHER CONDITIONS:

Time of Day:	<u>0730 A.M.</u>	<u>1700 P.M.</u>
Ambient Air Temp.:	<u>40°F</u>	<u>55°F</u>
Wind Direction:	<u>E</u>	<u>E</u>
Wind Speed:	<u>10-20 mph</u>	<u>10-20 MPH</u>
Precipitation:	<u>none</u>	<u>none</u>

LOCATION of ACTIVITIES/MONITORING STATIONS (Provide Sketch on Attached Map): _____

DESCRIPTION OF SITE ACTIVITIES: Placing 1-foot cover slag material - no intrusive work

PARTICULATE MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 100 ug/m3 ¹			<u>NA</u>		
Exceedence of 150 ug/m3 ¹			<u>NA</u>		
Visual Observation of Fugitive Dust			<u>NA</u>		
			<u>NA</u>		
			<u>NA</u>		

VOC MONITORING	Location	Time	Value	Duration	Corrective Measures Taken (Eng Controls/Work Stoppage, etc.)
Exceedence of 5 ppm ¹			<u>NA</u>		<u>Temporarily halt Work and continue monitoring</u>
Reading of 5 to 25 ppm ¹			<u>NA</u>		<u>Temporarily halt Work, abate emissions with corrective actions and continue monitoring ³</u>
Exceedence of 25 ppm ²			<u>NA</u>		<u>Shut Down Work Immediately and notify Site Safety & Health Officer</u>

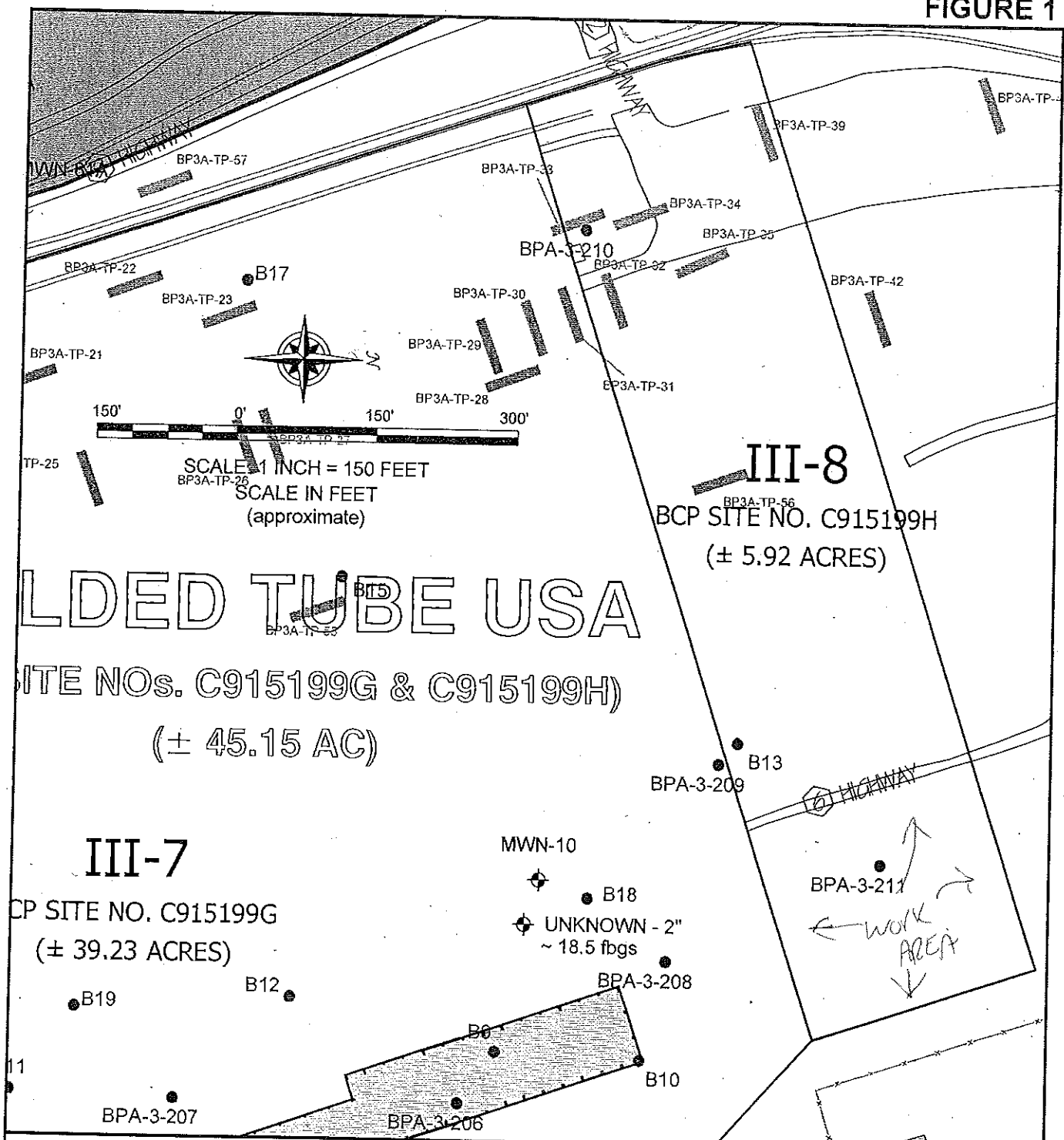
1. Above background for 15 minute moving average.
 2. Above background at Site perimeter (indicate location on attached sketch)
 3. Work may resume when total VOC conc. 200 ft downwind or half the distance to nearest receptor (whichever is less) is below 5 ppm for 15 min.
- NOTE: All exceedences are to be reported to Benchmark within 15 minutes.

Prepared By: RW Date: 4/28/14
 Checked By: _____ Date: _____

4/28/14

FIGURE 1

F:\CAD\Benchmark\Welded Tube of Canada\BP III-8\Figure 1: Areas of Prior Investigation BP III-8 (WTUSA) Expansion Parcel.dwg



WELDED TUBE USA
 (SITE NOS. C915199G & C915199H)
 (± 45.15 AC)

III-7
 CP SITE NO. C915199G
 (± 39.23 ACRES)

III-8
 BCP SITE NO. C915199H
 (± 5.92 ACRES)

BENCHMARK
 ENVIRONMENTAL
 ENGINEERING &
 SCIENCE, PLLC

2668 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 856-0599

PROJECT NO.:
 DATE: MARCH 2014
 DRAFTED BY: BLR

**AREAS OF PRIOR INVESTIGATION BP III-8
 (WTUSA) EXPANSION PARCEL**

WELDED TUBE USA SITE
 LACKAWANNA, NEW YORK
 PREPARED FOR
 WELDED TUBE

DISCLAIMER:
 PROPERTY OF BENCHMARK EES, PLLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF BENCHMARK EES, PLLC.

APPENDIX F

DAILY REPORTS

WELD TUBE - SUB Parcel III-8

4/17/12 Sunny 50°F winds SW 8-10 mph
Contractor - R.E. Cooney

- Set up Camp Air monitors.
- Contractor clearing & removing trees, stumps in Subparcel III-8.
- Best cut & fill of subgrade material - no visible impact on soils observed.

- contractor spoke with Steve Bishop
CITY OF LACKAWANNA CODE ENFORCEMENT.
Steve agreed that SHS cover will
not have ~~any~~ erosion control around the
site. Contractor will put a perimeter of SHS

Location _____ Date _____

Project / Client _____

Around site

4/21/14 - WADW TUBE SUBPARCEL III-8
 PT cloudy - 50°F AM 65°F PM
 WINDS SW - 10-12 mph

0830 - setup amp monitors, - switched
 particulate meter at 10:00 AM we
 to make mg function.

Contractor BALKANY cut & fill
 on subgrade preparing subgrade for
 cover soils

- amp monitors removed by Steve Brown.

* Steve Brown onsite to ~~the~~ review
 SWPPP requirements of parcel SUB-III-8.

It was agreed that runoff from
 the site to any water source is

very minimal due to proximity of
 SWS. Therefore no erosion controls

will be installed. Contractor will
 have to work cover SWS placed by
 end of the week.

Location _____ Date _____

Project / Client _____

4/22/14 WADW TUBE SUBPARCEL III-8
 RAW - 48°F WINDS WEST / SW
 - NO AIR MONITORS SETUP DUE TO
 RAIN SHOWERS

- Contractor placing 1' SWS cover
 proceeding west to EAST.

~~the~~ source of SWS is from
 Iron City SWS. - Dozer used
 to spread material - NO OTHER
 WORK PERFORMED TODAY.

~~the~~ contractor placing DEMONSTRATION
 FABRIC ON SUBGRADE, PRIOR TO
 PLACING SWS COVER.

- Contractor using VIBRATING ROLLER
 TO COMPACT PLACED MATERIAL.

4/23/14 WADW TUBE SUBPARCEL III-8
 LT RAW - 50°F

- NO INVASIVE WORK PERFORMED
 - CONTRACTOR PLACING 1' TST COVER
 SWS MATERIAL OVER PREPARED SUBGRADE
 PROCEEDING WEST TO EAST. - NO OTHER
 WORK PERFORMED

APPENDIX G

PROJECT PHOTO LOG



Client Name: Welded Tube USA		Site Location: Tecumseh Business Park Sub-parcel III 8	Project No.:
Photo No. 1	Date 04/17/14		
Direction Photo Taken: West			
Description: Clearing and removing vegetation material			

Photo No. 2	Date 04/17/14		
Direction Photo Taken: West			
Description: Clearing and removing vegetation material			



Client Name: Welded Tube USA		Site Location: Tecumseh Business Park Sub-parcel III 8	Project No.:
Photo No. 3	Date 04/18/14		
Direction Photo Taken: North West			
Description: Preparing subgrade (Cut & fill)			

Photo No. 4	Date 04/18/14		
Direction Photo Taken: West			
Description: Preparing subgrade (Cut & fill)			


Client Name: Welded Tube USA		Site Location: Tecumseh Business Park Sub-parcel III 8	Project No.:
Photo No. 5	Date 04/21/14		
Direction Photo Taken: Northeast			
Description: Preparing subgrade			

Photo No. 6	Date 04/21/14	
Direction Photo Taken: East		
Description: Preparing subgrade		


Client Name: Welded Tube USA		Site Location: Tecumseh Business Park Sub-parcel III 8	Project No.:
Photo No. 7	Date 04/22/14		
Direction Photo Taken: North			
Description: Placing 1-foot of BUD approved slag cover material.			

Photo No. 8	Date 04/22/14		
Direction Photo Taken: North			
Description: Placing 1-foot of BUD approved slag cover material.			



Client Name: Welded Tube USA		Site Location: Tecumseh Business Park Sub-parcel III 8	Project No.:
Photo No. 9	Date 04/22/14		
Direction Photo Taken: West			
Description: Placing 1-foot of BUD approved slag cover material.			

Photo No. 10	Date 04/23/14	
Direction Photo Taken: East		
Description: Placing 1-foot of BUD approved slag cover material.		



Client Name: Welded Tube USA		Site Location: Tecumseh Business Park Sub-parcel III 8	Project No.:
Photo No. 11	Date 04/22/14		
Direction Photo Taken: West			
Description: Placing 1-foot of BUD approved slag cover material on east end of property.			

Photo No. 12	Date 04/23/14	
Direction Photo Taken: West		
Description: Sub-parcel III-8 with 1-foot of BUD approved slag cover material.		

APPENDIX H

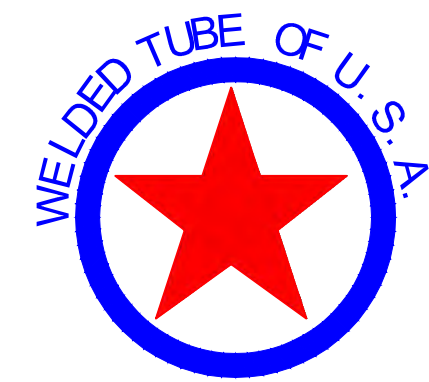
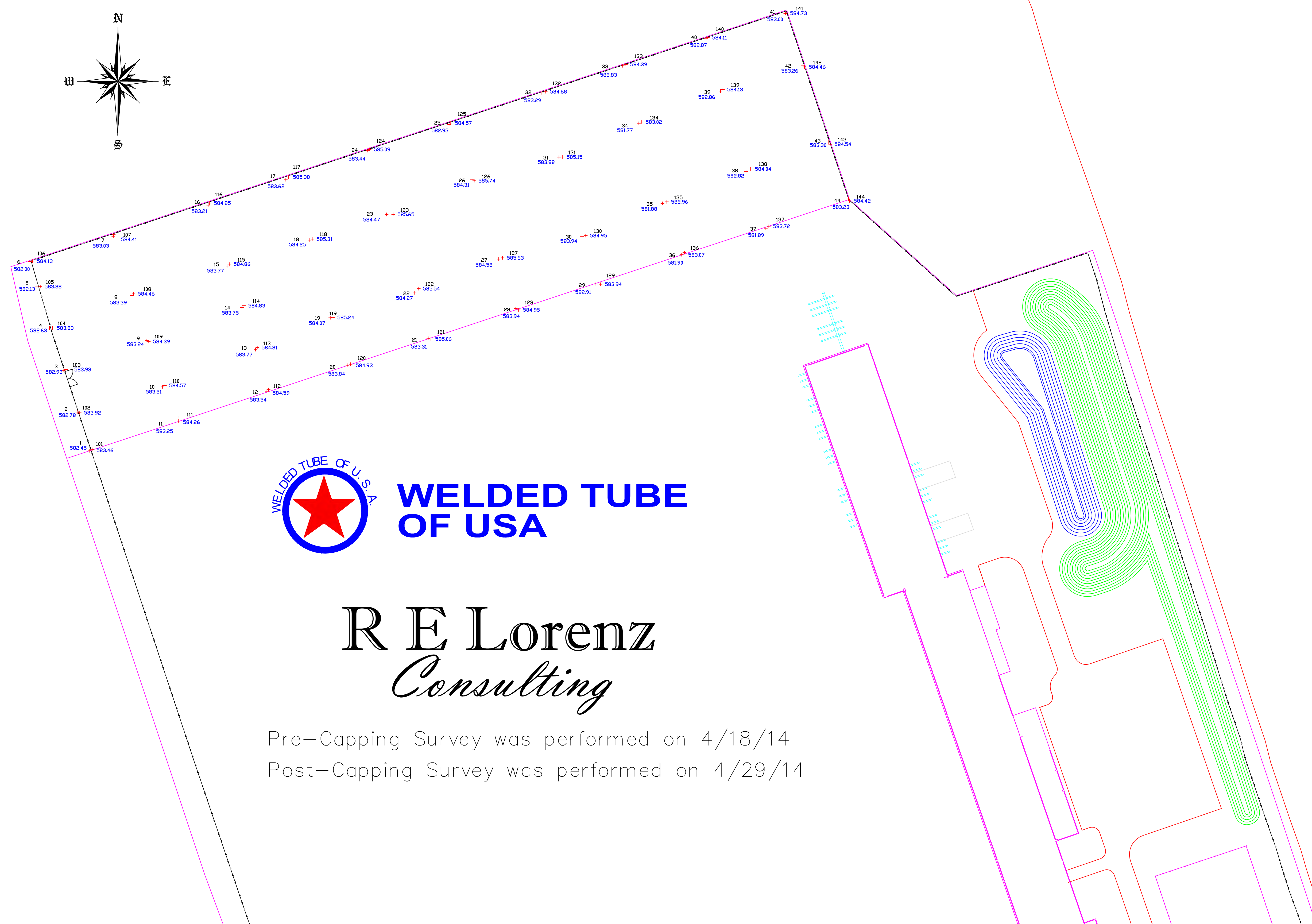
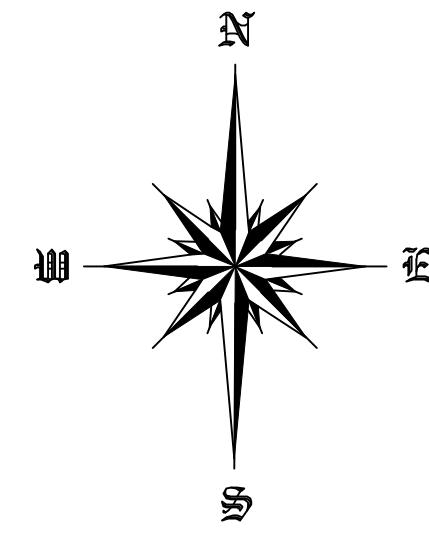
IMPORTED MATERIALS DOCUMENTATION (CD ENCLOSED)

APPENDIX I

ENVIRONMENTAL CONTROLS AS-BUILT DRAWINGS AND DOCUMENTATION

WELDED TUBE USA SUB PARCEL III 8

<u>PRE-CAP PNT NO.</u>	<u>PRE-CAP ELEVATION</u>		<u>POST-CAP PNT NO.</u>	<u>POST CAP ELEVATION</u>	<u>DIFFERENCE</u>
1	582.45		101	583.46	1.01
2	582.78		102	583.92	1.14
3	582.93		103	583.98	1.05
4	582.63		104	583.83	1.20
5	582.13		105	583.88	1.75
6	582.00		106	584.13	2.13
7	583.03		107	584.41	1.38
8	583.39		108	584.46	1.07
9	583.24		109	584.39	1.15
10	583.21		110	584.57	1.36
11	583.25		111	584.26	1.01
12	583.54		112	584.59	1.05
13	583.77		113	584.81	1.04
14	583.75		114	584.83	1.08
15	583.77		115	584.86	1.09
16	583.21		116	584.85	1.64
17	583.62		117	585.38	1.76
18	584.25		118	585.31	1.06
19	584.07		119	585.24	1.17
20	583.84		120	584.93	1.09
21	583.31		121	585.06	1.75
22	584.27		122	585.54	1.27
23	584.47		123	585.65	1.18
24	583.44		124	585.09	1.65
25	582.93		125	584.57	1.64
26	584.31		126	585.74	1.43
27	584.58		127	585.63	1.05
28	583.94		128	584.95	1.01
29	582.91		129	583.94	1.03
30	583.94		130	584.95	1.01
31	583.88		131	585.15	1.27
32	583.29		132	584.68	1.39
33	582.83		133	584.39	1.56
34	581.77		134	583.02	1.25
35	581.88		135	582.96	1.08
36	581.90		136	583.07	1.17
37	581.89		137	583.72	1.83
38	582.82		138	584.04	1.22
39	582.86		139	584.13	1.27
40	582.87		140	584.11	1.24
41	583.00		141	584.73	1.73
42	583.26		142	584.46	1.20
43	583.30		143	584.54	1.24
44	583.23		144	584.42	1.19



**WELDED TUBE
OF USA**

R E Lorenz
Consulting

Pre-Capping Survey was performed on 4/18/14
Post-Capping Survey was performed on 4/29/14