C.T. MALE ASSOCIATES
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August 15, 2011

Mr. Michael P. McLean, P.E.
Environmental Engineer 2
NYS Department of Environmental Conservation
1115 NYS Route 86
P.O. Box 296
Ray Brook, New York 12977-0296

RE: Final Engineering Report
400 Upper Broadway ERP Site
Village of Saranac Lake, Franklin County
ERP Site No. E517007

Dear Mr. McLean:

C.T. Male Associates, P.C. (C.T. Male), on behalf of the Village of Saranac Lake, has prepared this Final Engineering Report (FER) for the 400 Upper Broadway Environmental Restoration Program (ERP) Site (the "Site") located at 400 Upper Broadway in the Village of Saranac Lake, Franklin County, New York. A Site Location map and Site Features map are presented in Attachment A: Figures. Per your request, the FER is presented in letter report format and incorporates pertinent information listed in the NYS Department of Environmental Conservation (DEC) internal *Checklist for Final Engineering Report Approval* (dated October 1, 2010) and prepared in general accordance with the DEC *DER-10: Technical Guidance for Site Investigation and Remediation* (dated May 2010).

This FER documents interim remedial actions completed at the 400 Upper Broadway ERP Site in conformance with Section 5.8(a)2.ii. of DER-10. A non-emergency Interim Remedial Measure (IRM) was completed during the remedial investigation phase of the ERP project prior to issuance of the NYSDEC Record of Decision.

The remedial investigation of the Site, which included the non-emergency IRM, began in April 2007, and was completed in December 2008. Based on the results of the remedial investigation and completion of the IRM, the NYSDEC issued a Record of Decision declaring "No Further Action" as the remedy for the Site. All reports associated with the Site can be viewed by contacting the NYSDEC or its successor

agency managing environmental issues in New York State. ERP related reports prepared for the Site are listed in chronological order, as follows:

- Remedial Investigation/Alternatives Analysis Work Plan, 400 Broadway ERP Site, prepared by C.T. Male Associates, P.C., dated April 2007 (April 2007 Work Plan);
- Site Investigation Report, 400 Broadway ERP Site, prepared by C.T. Male Associates, P.C., dated October 2008 (Revised January 2009) (2009 Site Investigation Report);
- Record of Decision, 400 Upper Broadway Site, prepared by the NYS Department of Environmental Conservation, dated March 2010 (March 2010 Record of Decision); and
- Site Management Plan, 400 Upper Broadway Site, prepared by C.T. Male Associates, P.C., dated June 2010 (June 2010 Site Management Plan).

Project Background

The Village of Saranac Lake entered into a State Assistance Contract (SAC) with the DEC in January 2007 to investigate and remediate a 2.6 acre property located in the Village of Saranac Lake, New York. The subject Site consists of two adjoining parcels. The northern parcel is approximately 1.39 acres in size and is identified as Village of Saranac Lake Tax Map Parcel I.D. number 446.43, Block 2 and Lot 3 (identified as LOT 3 in the March 2010 Record of Decision). The southern parcel is approximately 1.22 acres in size and is identified as Village of Saranac Lake Tax Map Parcel I.D. number 446.43, Block 2 and Lot 4 (identified as LOT 4 in the March 2010 Record of Decision).

According to the March 2010 Record of Decision prepared by NYSDEC, the site's northern 1.39-acre parcel (LOT 3) is also referenced as the "Controlled Property" as it is the boundaries subject to the Environmental Easement. The Site's southern 1.22-acre parcel (LOT 4) does not have any land use restrictions nor is it subjected to the Environmental Easement.

The Site boundaries, inclusive of the Controlled Property subject to the Environmental Easement, are presented on the Map of Survey prepared for the Village of Saranac Lake by Geomatics Land Surveying, P.C. of Saranac Lake, New York, dated October 6, 2010 in Attachment B. This map includes a Metes and Bounds Description for the Controlled Property. The Environmental Easement is presented in Attachment F.

Remedial Activities

Remedial activities conducted at the Site consisted of a non-emergency IRM conducted during the Site's remedial investigation. The IRM included the segregation, transportation and off-site disposal of several 55-gallon and 20-gallon drums and their contents; and an approximate 1,000-gallon tank carcass and its contents. The IRM work was initiated in August 2007 and was completed in May 2008. Additional detail regarding the IRM is contained in the 2009 Site Investigation Report and March 2010 Record of Decision. The IRM work was performed by OP-TECH Environmental Services, Inc. (OP-TECH) of Plattsburgh, New York. Representative photographs of the IRM work are included in Attachment C. Because the IRMs were conducted during the remedial investigation and was a limited scope of work, an IRM Work Plan was not developed. The IRM scope of work was approved by the NYSDEC Project Manager.

The majority of the abandoned 55-gallon drums were located along the boundary separating the Controlled Property from its south adjoining parcel. In addition to the stockpiled drums, an approximate 20-gallon drum containing grease waste, a 55-gallon drum containing sludge and an aboveground tank carcass were discovered at the ground surface on the Controlled Property.

The stockpiled 55-gallon drums, some of which were partially buried, were either empty or contained a sand-like material. The empty drums, along with other miscellaneous metal strewn over the site, were salvaged off-site at a scrap metal facility. The remaining drums containing the sand-like material were emptied of their contents and the drums salvaged off-site. The sand-like material was staged atop two, 6-mil layers of poly and covered. A representative sample was collected of the sand-like material for laboratory analysis for waste characterization for disposal.

The approximate 20-gallon drum containing sludge located on the Controlled Property was placed in an over-pack drum and staged atop two, 6-mil layers of poly. A representative sample was collected of the grease waste for laboratory analysis for waste characterization for disposal.

The approximate 55-gallon drum containing sludge located on the Controlled Property was encapsulated in poly and staged atop two, 6-mil layers of poly. The drum was later placed in an over-pack drum. A representative sample was collected of the sludge for laboratory analysis for waste characterization for disposal.

The aboveground tank was staged atop two, 6-mil layers of poly and covered. Prior to staging the tank, liquids within the tank were evacuated and containerized in a 55-gallon drum. A sample was then collected of sludge remaining in the tank for laboratory analysis for waste characterization for disposal.

The analytical results for the sampled IRM derived wastes are presented in Attachment D.

The IRM derived wastes were transported off-site for disposal on May 21, 2008. The IRM derived waste manifests and bill-of lading are presented in Attachment E. The IRM wastes transported off-site included the following.

- Approximately 23 tons of sand-like material removed from the 55-gallon drums in the vicinity of the boundary separating the Controlled Property from the south parcel (LOT 4). Analytical results for the sand-like material characterized it as hazardous waste for lead. The material was transported to CWM Chemical Services, LLC in Model City, New York for disposal.

- Three 55-gallon drums of sludge, liquid and PPE from the cleaning and removal of the contents of the 1,000-gallon aboveground tank. Analytical results for the tank contents characterized it as hazardous waste for lead. The material was transported to CWM Chemical Services, LLC in Model City, New York for disposal.

- Two 55-gallon over-pack drums containing the 20-gallon drum of grease waste and the 55-gallon drum of sludge discovered at the ground surface on northern portions of the Site. Analytical results for the drum contents characterized them as non-hazardous wastes. The wastes were transported to OP-TECH's environmental services facility in Waverly, New York.

There were no problems encountered during completion of the IRMs.

Cleanup Levels Applied to the Remedial Actions

The IRM involved the off-site disposal of drums and their contents, and a tank carcass and its contents, and did not involve the remediation of native soils and groundwater on the Controlled Property. The potential contaminant sources contained in the drums

and aboveground tank were characterized and properly disposed of off-site, thus effectively eliminating any potential future release(s) to the Site soils or groundwater.

The cleanup levels for soil and groundwater applied to the Site after completion of the IRMs are discussed in the section on this page entitled "Remaining Contamination".

Site Restoration Activities

Site restoration was not necessary as the Controlled Property was not altered during completion of the IRM. Fill materials were not imported from an off-site source onto the Controlled Property.

Remaining Contamination

After completion of the remedial action (IRM) described in the March 2010 Record of Decision, contamination remains in the surface soils and the subsurface of the Controlled Property, which is hereafter referred to as 'remaining contamination."

The following subsections identify the nature and extent of remaining contamination as presented in the March 2010 Record of Decision. Remaining contamination in soils are those contaminants which have exceeded soil cleanup objectives (SCOs) promulgated in 6 NYCRR Part 375 for Restricted Residential Use Sites. Remaining contamination in groundwater are those contaminants which have exceeded standards and guidance values promulgated in the Department's "Ambient Water Quality Standards and Guidance Values" and Part 5 of the New York State Sanitary Code.

Surface Soils

Contaminants identified just above SCOs included four (4) SVOCs (benzo(a)anthracene, benzo(b)fluoranthene, benzo(a)pyrene, and indeno(1,2,3-cd)pyrene) and one (1) PCB (Aroclor 1260). Five (5) metals (arsenic, barium, cadmium, copper, and lead) were also identified above SCOs. Lead was present in four (4) locations with concentrations detected at 2,410, 1,320, 960, and 469 parts per million (ppm). The SCO for lead is 400 ppm.

The contaminants of concern are located on the Controlled Property, except for one (1) slightly elevated lead level in Surface Soil Sample SS-3, located on the boundary

between the Controlled Property and its southern parcel. Refer to Figure 3 in Attachment A for detailed concentrations and their locations.

Subsurface Soils

Contaminants identified above SCOs included five (5) SVOCs (benzo(a)anthracene, benzo(b)flouranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, and dibenzo(a,h)anthracene), one (1) PCB (Aroclor 1260), and two (2) metals (cadmium and copper). Contaminant levels were above their SCOs and are located on the Controlled Property only. Refer to Figure 4 in Attachment A for detailed concentrations and their locations.

Groundwater

Two rounds of groundwater sampling were conducted, one in January 2008 and one in November 2008. Contaminants identified above standards and guidance values during the January 2008 sampling event included two (2) VOCs (benzene, 4-isopropyltoluene), five (5) SVOCs (phenol, 2-methylphenol, 4-methylphenol, pentachlorophenol, and bis (2ethylhexyl) phthalate), one (1) pesticide (alpha-chloridane), and four (4) metals (iron, manganese, selenium, and sodium).

To confirm the VOCs and SVOCs contaminant levels, a second round of groundwater samples were collected from select monitoring wells on November 12, 2008. 4-methylphenol was identified in one monitoring well at 1.7 ppb. Other monitoring wells were non-detect for contaminants detected in the January 2008 sampling event. Refer to Figure 5 in Attachment A for detailed concentrations and their locations.

Summary of IRM Costs

The IRM work was performed under subcontract with OP-TECH. The total cost for completion of the IRMs was $14,395, as detailed in the following table.

SUMMARY OF IRM COSTS				
Task	Units	Quantity	Unit Price	Cost
Mobilization and Demobilization on 9/7/2007	Each	1	$1,100.00	$1,100.00
Mobilization and Demobilization on 9/14/2007	Each	1	$790.00	$790.00
Mobilization and Demobilization (3 person crew)	Each	1	$2,000.00	$2,000.00
Transportation & Disposal - Non-Hazardous Materials	Drum	5	$200.00	$1,000.00
Transportation & Disposal - Hazardous Materials	Drum	3	$600.00	$1,800.00
Transportation & Disposal - Hazardous Soil	Ton	23	$335.00	$7,705.00
			Total	**$14,395.00**

Costs for the IRM work were not included in the original SAC amount between the Village of Saranac Lake and DEC. To compensate for the IRM costs, a SAC amendment incorporating the additional IRM costs was initiated by the Village of Saranac Lake and subsequently approved by DEC.

Institutional and Engineering Controls

Institutional and Engineering Controls placed on the Controlled Property are detailed in the March 2010 Record of Decision and June 2010 Site Management Plan, and Metes and Bounds Description on the Geomatics Map of Survey in Attachment B.

The Engineering Controls for the Controlled Property, as presented in the June 2010 Site Management Plan, include the following.

- Exposure to remaining contamination in soil/fill at the Site will be prevented by a cover system placed over the Site. Presently, a cover system has not been placed on the Controlled Property. A cover system will be installed should the Controlled Property undergo future development and/or disturbance. A cover system will not be necessary should contaminated surface soils be excavated and disposed of off-site. The cover system is comprised of one of the following; minimum of 24 inches of clean soil, asphalt pavement, concrete-covered sidewalks, and concrete building slabs.

The Institutional Controls for the Controlled Property, as presented in the June 2010 Site Management Plan, are presented below.

A series of Institutional Controls are required to: (1) implement, maintain and monitor Engineering Control systems; (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 restricted residential uses, which will also permit commercial or industrial uses, as local zoning allows. Adherence to these Institutional Controls on the Controlled Property is required by the Environmental Easement and have been implemented in the June 2010 Site Management Plan. These Institutional Controls are:

- Compliance with the Environmental Easement by the Grantor and the Grantor's successors and assigns and with all elements of the June 2010 Site Management Plan;
- All Engineering Controls must be operated and maintained as specified in the June 2010 Site Management Plan;
- Institutional Controls may not be discontinued without an amendment to or extinguishment of the Environmental Easement;
- Vegetable gardens and farming, including cattle and dairy farming, on the property are prohibited;
- The use of the groundwater underlying the property is prohibited without treatment rendering it safe for intended purpose;
- All future activities on the property that will disturb remaining contaminated material are prohibited unless they are conducted in accordance with the June 2010 Site Management Plan;
- The property may only be used for restricted residential use provided that the long-term Engineering and Institutional Controls included in the June 2010 Site Management Plan are employed. Restricted residential use limits residential use to common ownership or a single owner/managing entity of the site. Apartment buildings and condominium/town houses are allowed, single family housing is not. The Controlled Property can also be used for active recreational (park), or for commercial or industrial purposes, as local zoning allows; and
- The property may not be used for a less restrictive use, such as residential or unrestricted use without additional remediation and amendment of the Environmental Easement by the Commissioner of NYSDEC.

To ensure that the effectiveness of the Engineering and Institutional Controls are maintained, 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 the environment or that

constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

Cover System

Presently, a cover system has not been placed on the Controlled Property. A cover system will be installed should the Controlled Property undergo future development and/or disturbance. A cover system will not be necessary should contaminated surface soils be excavated and disposed of off-site. The cover system will be comprised of one of the following; minimum of 24 inches of clean soil, asphalt pavement, concrete-covered sidewalks, and concrete building slabs.

Certification

"I David W. Roecker certify that I am currently a NYS registered professional engineer, I had primary direct responsibility for the implementation of the subject construction program, and I certify that the Remedial Investigation Work Plan was implemented and that all construction activities were completed in substantial conformance with the DEC-approved Remedial Investigation Work Plan."

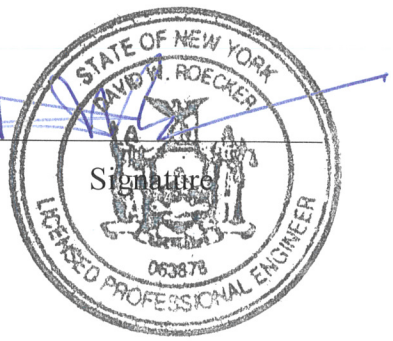
"All use restrictions, institutional controls, engineering controls and/or any operation and maintenance requirements applicable to the site are contained in an environmental easement created and recorded pursuant to ECL 71-3605 and that any affected local governments, as defined in ECL 71-3603, have been notified that such easement has been recorded."

"A Site Management Plan has been submitted for the continual and proper operation, maintenance, and monitoring of any engineering controls employed at the site including the proper maintenance of any remaining monitoring wells, and that such plan has been approved by the DEC."

063878 — NYS Professional Engineer #

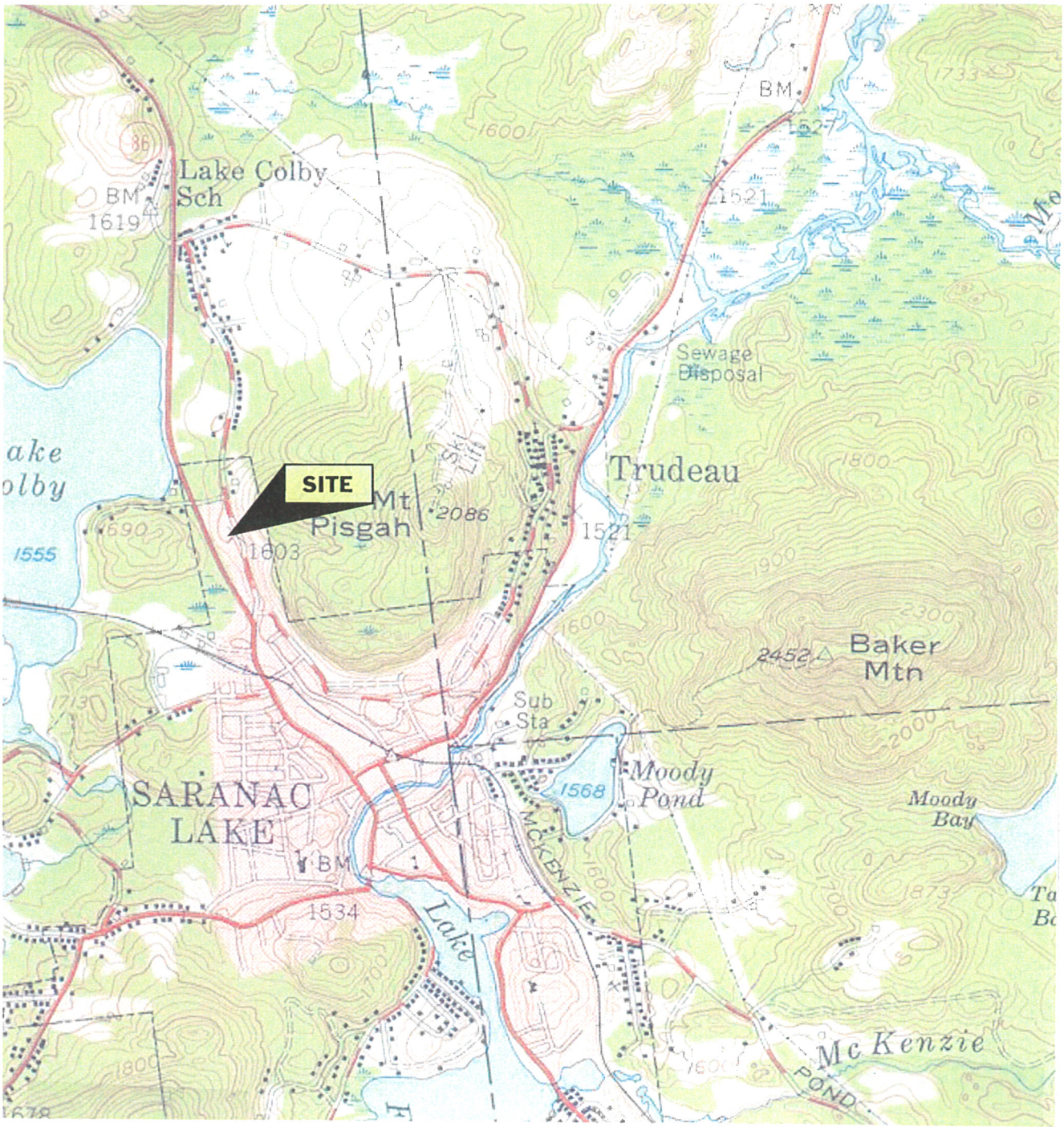
8/15/11 — Date

Signature



ATTACHMENT A

FIGURES



MAP REFERENCE
United States Geological Survey
15 Minute Series Topographic Map
Quadrangle: Saranac, NY
Date: 1955

N
W
E

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ENVIRONMENTAL SERVICES
SURVEYING
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FAX (518) 786-7299

C.T.MALE ASSOCIATES, P.C.
50 CENTURY HILL DRIVE, PO BOX 727, LATHAM, NY 12110

FIGURE 1 - SITE LOCATION MAP

400 Broadway ERP Site
Upper Broadway

VILLAGE OF SARANAC LAKE	FRANKLIN COUNTY, NY
SCALE: 1"=2,000'	
DRAFTER: SHB	
PROJECT No. 07.1092	

Map Note: Aerial Photography (One Foot Color Resolution) was Flown in Spring of 2008.

Figure 2: Site Features Map

Town of Harrietstown — Franklin County, New York

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Architecture * Building Systems Engineering * Civil Engineering *
Environmental Services * Geographic Information Services (GIS) *
Land Development * Land Surveying
FOUNDED IN 1910

Project Site
Controlled Property
Approximate Parcel Outlines

N
W
E
S

Project Number: 07.1092
Data Source: NYSGIS Clearinghouse
Projection: State Plane NAD83 NYE (feet)

Date: July 22, 2011
File: SaranacSite_Figure2.mxd
GIS: C Secor

Surface Soil Sample SS–18		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Indeno(1,2,3–cd)pyrene	0.56	0.5
Arsenic	31.4	16
Copper	1,360	270

Surface Soil Sample SS–17			
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg	SCG(6) Background mg/kg
Aluminum	148,000	No Standard	33,000
Cadmium	12	4.3	1
Copper	8,240	270	50
Lead	2,410	400	No Standard

Surface Soil Sample SS–20		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Aroclor–1260(PCB)	1.9	1

Surface Soil Sample SS–13		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Indeno(1,2,3–cd)pyrene	0.54	0.5
Barium	886	400

Surface Soil Sample SS–7		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Lead	1310	400

Surface Soil Sample SS–3		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Benzo(a)anthracene	2	1
Benzo(b)fluoranthene	3.1	1
Benzo(a)pyrene	2	1
Indeno(1,2,3–cd)pyrene	1.2	0.5
Lead	469	400

Surface Soil Sample SS–8		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Lead	960	400

BAR SCALE
60 0 30 60 120
1 inch = 60 ft.

Map Notes:

1. Topographic information shown hereon was compiled from an actual field survey conducted on January 10th & 11th, 2008.
2. Vertical datum shown hereon is an assumed base.
3. Prior to conducting this survey this geographic area accumulated approximately 12 to 18 inches of packed snow and ice. Therefore the undersigned cannot certify that some object or feature has been omitted.
4. Boundary information shown was taken from map reference no. one and does not represent a boundary survey prepared by the undersigned.
5. SCG=TOGS 1.1.1, Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations, New York State Department of Environmental Conservation, June 1998 and Addendum, April 2000.
6. ND Denotes None Detected.
7. NA Denotes Not Analyed.

Map References:

1. "Map of Survey Prepared for Saranac Lake Volunteer Fire Department" situate in Township 21, Great Tract One, Macomb's Purchase Village of Saranac Lake, Town of Harrietstown County of Franklin and State of New York prepared by Geomatics Land Surveying, PC dated November 1, 2006 Map No. 03004.

Legend:

CBS □	Catch Basin Square
CIRF o	Capped Iron Rod Found
(	Drainage End Section
DH ROCK △	Dig Hole Rock
EMTR ▽	Electric Meter
HYD ▷	Hydrant
IPF o	Iron Pipe Found
MFPOST ∘	Metal Fence Post
	Utility Pole
	Silt Fence
MW–1	Soil Boring/Monitoring Well
SW–1	Wetland Surface Water Sample
SS–1	Surface Soil Sample
TP–1	Test Pit
WS–1	Wetland Sediment Sample
TEST TRENCH 1	Test Trench

DATE		REVISIONS RECORD/DESCRIPTION	DRAFTED	CHECK	APPR.
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	9				

APPROVED: _____
DRAFTED : S.WUNSCH
CHECKED : S.BIEBER
PROJ. NO: 07.1092
SCALE : 1"=60'
DATE : JAN. 28, 2009

FIGURE 3: SURFACE SOIL CONTAMINANTS ABOVE RESTRICTED RESIDENTIAL SCGs

400 BROADWAY ERP SITE

VILLAGE OF SARANAC LAKE — FRANKLIN COUNTY, NEW YORK

C.T. MALE ASSOCIATES, P.C.
50 CENTURY HILL DRIVE, P.O. BOX 727, LATHAM, NY 12110
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ARCHITECTURE & BUILDING SYSTEMS ENGINEERING * CIVIL ENGINEERING
ENVIRONMENTAL SERVICES * SURVEY & LAND INFORMATION SERVICES

FIG-3
SHEET 1 OF 1
DWG. NO: 09–0135

CAD DWG. FILE NAME FIGURE–3.DWG

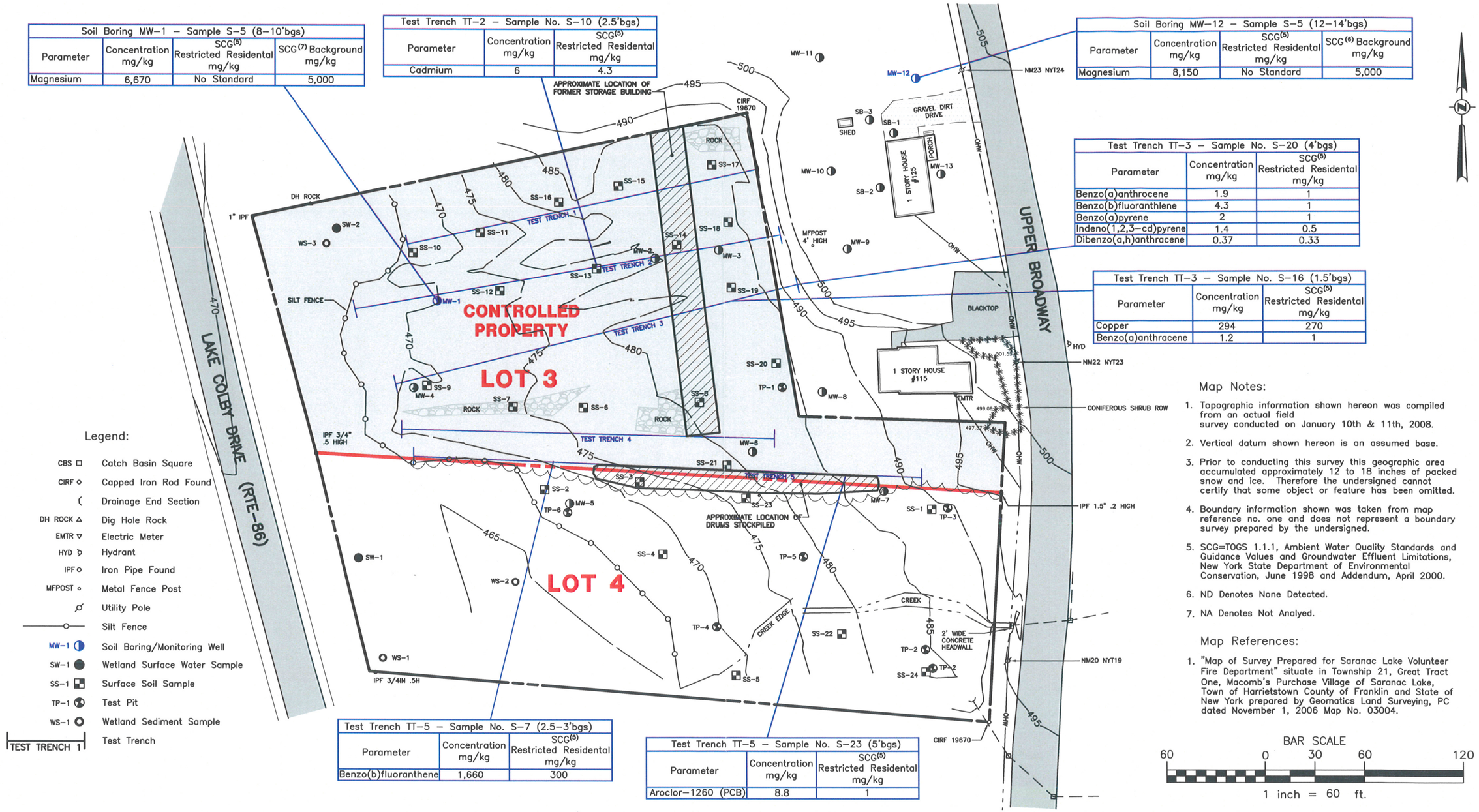
Soil Boring MW-1 – Sample S-5 (8-10'bgs)			
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg	SCG(7) Background mg/kg
Magnesium	6,670	No Standard	5,000

Test Trench TT-2 – Sample No. S-10 (2.5'bgs)		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Cadmium	6	4.3

Soil Boring MW-12 – Sample S-5 (12-14'bgs)			
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg	SCG(6) Background mg/kg
Magnesium	8,150	No Standard	5,000

Test Trench TT-3 – Sample No. S-20 (4'bgs)		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Benzo(a)anthrocene	1.9	1
Benzo(b)fluoranthlene	4.3	1
Benzo(a)pyrene	2	1
Indeno(1,2,3-cd)pyrene	1.4	0.5
Dibenzo(a,h)anthracene	0.37	0.33

Test Trench TT-3 – Sample No. S-16 (1.5'bgs)		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Copper	294	270
Benzo(a)anthracene	1.2	1



Legend:

CBS □	Catch Basin Square
CIRF ○	Capped Iron Rod Found
(	Drainage End Section
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	Utility Pole
	Silt Fence
MW-1	Soil Boring/Monitoring Well
SW-1	Wetland Surface Water Sample
SS-1	Surface Soil Sample
TP-1	Test Pit
WS-1	Wetland Sediment Sample
TEST TRENCH 1	Test Trench

Test Trench TT-5 – Sample No. S-7 (2.5-3'bgs)		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Benzo(b)fluoranthene	1,660	300

Test Trench TT-5 – Sample No. S-23 (5'bgs)		
Parameter	Concentration mg/kg	SCG(5) Restricted Residental mg/kg
Aroclor-1260 (PCB)	8.8	1

Map Notes:

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2. Vertical datum shown hereon is an assumed base.
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BAR SCALE

60 0 30 60 120

1 inch = 60 ft.

DATE	REVISIONS RECORD/DESCRIPTION	DRAFTED	CHECK	APPR.
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	9			

APPROVED: _____
DRAFTED : S.WUNSCH
CHECKED : S.BIEBER
PROJ. NO: 07.1092
SCALE : 1"=60'
DATE : JAN. 28, 2009

FIGURE 4: SUBSURFACE SOIL CONTAMINANTS ABOVE RESTRICTED RESIDENTIAL SCGs

400 BROADWAY ERP SITE

VILLAGE OF SARANAC LAKE — FRANKLIN COUNTY, NEW YORK

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FIG-4
SHEET 1 OF 1
DWG. NO: 09-0136

CAD DWG. FILE NAME:FIGURE-4.DWG

Monitoring Well MW–1			
Parameter	1/9/08 ug/1	11/12/08 ug/1	SCG(5) ug/1
Phenol	5	ND	1
2–Methylphenol	14	ND	1
4–Methylphenol	21	1.7	1
bis(2–Ethylhexyl)phthalate	7	ND	5
Manganese	8,630	NA	300
Selenium	12.3	NA	10

Monitoring Well MW–2			
Parameter	1/9/08 ug/1	11/12/08 ug/1	SCG(5) ug/1
4–Isopropyltoluene	7	NA	5
Phenol	8	ND	1
2–Methylphenol	11	ND	1
4–Methylphenol	140	ND	1
Pentachlorophenol	5	ND	1
Selenium	17.8	NA	10

Monitoring Well MW–3		
Parameter	1/9/08 ug/1	SCG(5) ug/1
Selenium	16.4	10

Monitoring Well MW–4			
Parameter	1/9/08 ug/1	11/12/08 ug/1	SCG(5) ug/1
Phenol	30	ND	1
2–Methylphenol	31	ND	1
4–Methylphenol	22	ND	1
Selenium	11.2	NA	10

Monitoring Well MW–5		
Parameter	1/9/08 ug/1	SCG(5) ug/1
Iron	22,600	300
Manganese	6,420	300
Selenium	15.1	10
Sodium	50,500	20,000

Monitoring Well MW–6		
Parameter	1/9/08 ug/1	SCG(5) ug/1
Iron	5,320	300
Manganese	2,020	300
Selenium	18.6	10
Sodium	72,400	20,000

Monitoring Well MW–7		
Parameter	1/9/08 ug/1	SCG(5) ug/1
Selenium	26.3	10

Monitoring Well MW–9			
Parameter	4/11/08 ug/1	11/12/08 ug/1	SCG(5) ug/1
Benzene	200	ND	1
Phenol	8.3	ND	1
alpha–Chlordone	0.052	NA	0.05

Map Notes:

1. Topographic information shown hereon was compiled from an actual field survey conducted on January 10th & 11th, 2008.
2. Vertical datum shown hereon is an assumed base.
3. Prior to conducting this survey this geographic area accumulated approximately 12 to 18 inches of packed snow and ice. Therefore the undersigned cannot certify that some object or feature has been omitted.
4. Boundary information shown was taken from map reference no. one and does not represent a boundary survey prepared by the undersigned.
5. SCG=TOGS 1.1.1, Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations, New York State Department of Environmental Conservation, June 1998 and Addendum, April 2000.
6. ND Denotes None Detected.
7. NA Denotes Not Analyed.

Map References:

1. "Map of Survey Prepared for Saranac Lake Volunteer Fire Department" situate in Township 21, Great Tract One, Macomb's Purchase Village of Saranac Lake, Town of Harrietstown County of Franklin and State of New York prepared by Geomatics Land Surveying, PC dated November 1, 2006 Map No. 03004.

CONTROLLED PROPERTY
LOT 3
LOT 4
LAKE COLBY DRIVE (RTE-86)
UPPER BROADWAY
APPROXIMATE LOCATION OF FORMER STORAGE BUILDING
APPROXIMATE LOCATION OF DRUMS STOCKPILED
1 STORY HOUSE #125
1 STORY HOUSE #115
GRAVEL DIRT DRIVE
BLACKTOP
CONIFEROUS SHRUB ROW
2' WIDE CONCRETE HEADWALL
CREEK
CREEK EDGE
SILT FENCE
TEST TRENCH 1
TEST TRENCH 2
TEST TRENCH 3
TEST TRENCH 4
TEST TRENCH 5
CIRF 19670
NM23 NYT24
NM22 NYT23
NM20 NYT19
IPF 1.5" .2 HIGH
IPF 3/4" .5 HIGH
1" IPF
MFPOST 4' HIGH

BAR SCALE
60 0 30 60 120
1 inch = 60 ft.

Legend:

CBS □	Catch Basin Square
CIRF ○	Capped Iron Rod Found
(	Drainage End Section
DH ROCK △	Dig Hole Rock
EMTR ▽	Electric Meter
HYD ⊳	Hydrant
IPF ○	Iron Pipe Found
MFPOST ∘	Metal Fence Post
⌀	Utility Pole
	Silt Fence
MW–1	Soil Boring/Monitoring Well
SW–1	Wetland Surface Water Sample
SS–1	Surface Soil Sample
TP–1	Test Pit
WS–1	Wetland Sediment Sample
TEST TRENCH 1	Test Trench

DATE		REVISIONS RECORD/DESCRIPTION	DRAFTED	CHECK	APPR.
	1				
	2				
	3				
	4				
	5				
	6				
	7				
	8				
	9				

APPROVED: _____
DRAFTED : S.WUNSCH
CHECKED : S.BIEBER
PROJ. NO: 07.1092
SCALE : 1"=60'
DATE : JAN. 28, 2009

FIGURE: 5 GROUNDWATER CONTAMINANTS

400 BROADWAY ERP SITE

VILLAGE OF SARANAC LAKE — FRANKLIN COUNTY, NEW YORK

C.T. MALE ASSOCIATES, P.C.
50 CENTURY HILL DRIVE, P.O. BOX 727, LATHAM, NY 12110
518.786.7400 * FAX 518.786.7299
ARCHITECTURE & BUILDING SYSTEMS ENGINEERING * CIVIL ENGINEERING
ENVIRONMENTAL SERVICES * SURVEY & LAND INFORMATION SERVICES

FIG-5
SHEET 1 OF 1
DWG. NO: 09–0137

CAD DWG. FILE NAME:FIGURE–5.DWG

ATTACHMENT B

METES AND BOUNDS SURVEY AND DESCRIPTION

ENVIRONMENTAL EASEMENT D.E.C. SITE No. E517007
METES & BOUNDS DESCRIPTION

All that certain parcel of land, being situate in Township No. 21, Great Tract One, Macomb's Purchase Village of Saranac Lake, Town of Harrietstown, County of Franklin, and State of New York; being more particularly bounded and described as follows:

Beginning at a 3/4" iron pipe found on the east bounds of NYS Route 86 (a.k.a. Broadway), said pipe also being the northwest corner of property described in a deed to the Village of Saranac Lake, recorded in Liber 805 at page 297 of deeds in the Franklin County Clerk's Office; thence

1) North 15°15'23" West along the east bounds of NYS Route 86, 147.82 feet to a point on the south line of property described in a deed to Saranac Lake Baptist Church, recorded in Liber 852 at page 132 of deeds in the Franklin County Clerk's Office; thence

2) North 78°12'00" East along the south line of said property described in Liber 852 at page 132, 36.19 feet to a drillhole found in stone, and continuing on the same course an additional distance of 270. 66 feet, for a total distance of 306.85 feet, to a 5/8" rebar set with a cap at the northwest corner of property described in a deed to Shellie & Gary Manning, recorded in Liber 781 at page 21 of deeds in the Franklin County Clerk's Office; thence

3) South 9°41'35" East along the west line of said property described in Liber 781 at page 21, and along the west line of property described in a deed to Shellie Manning, recorded in Liber 618 at page 51 of deeds in the Franklin County Clerk's Office, 185.59 feet to a 3/4" iron pipe found at the southwest corner of said property described in Liber 618 at page 51; thence

4) South 88°20'51" East along the south line of said property described in Liber 618 at page 51, 124.97 feet to a point on the west bounds of Old Lake Colby Road; thence

5) South 3°15'21" West along the west bounds of Old Lake Colby Road, 42.44 feet to a 1" iron pipe found at the northeast corner of said property described in Liber 805 at page 297; thence

6) North 86°45'10" West 415.89 feet to the beginning.

Containing 1.388 acres of land, more or less, within the above described bounds, as surveyed by Stacey L. Allott, LS of Geomatics Land Surveying, PC, November 22, 2010. Bearings are based on Magnetic North, 1964.

Being the same property described in a deed to the Village of Saranac Lake, recorded in Liber 805 at page 294 of deeds in the Franklin County Clerk's Office.

ENGINEERING/INSTITUTIONAL CONTROLS

- Restricted Residential Use covers the entire environmental easement portion of the property.
- Any future site disturbance and development will require a cover system consisting of a two-foot soil cover.
- Vegetable gardens and farming on the property are prohibited.
- Use of groundwater underlying the property is prohibited without treatment rendering it safe for the intended use.
- All future activities on the property that would disturb remaining contaminated material must be conducted in accordance with the Excavation Plan included in the SMP.

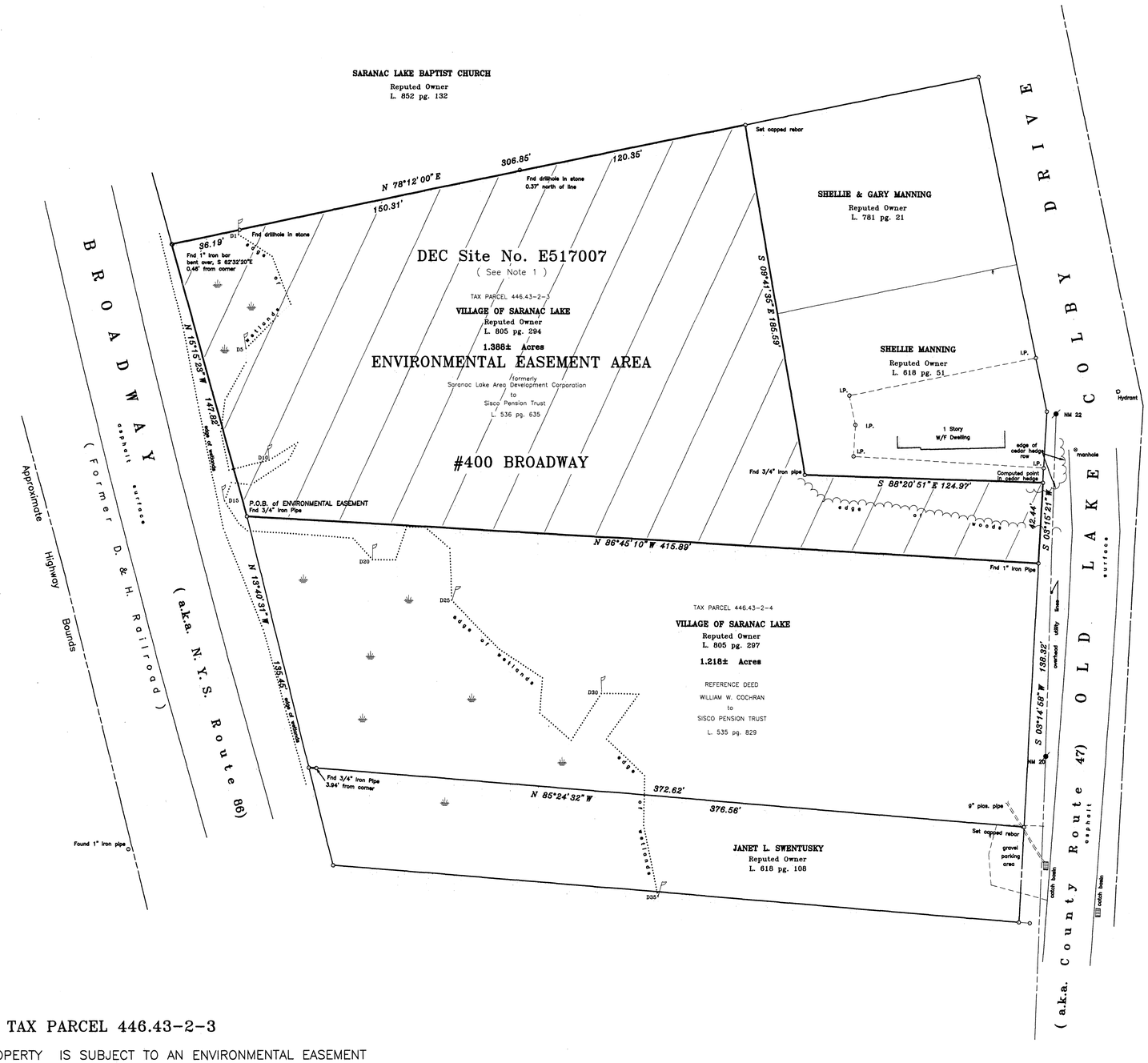
MAP REFERENCES

1. See Map entitled " MAP OF SURVEY PREPARED FOR SARANAC LAKE VOLUNTEER FIRE DEPARTMENT " prepared by Stacey L. Allott, LS of Geomatics Land Surveying, PC dated November 01, 2006.

" Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to any additional institutions or subsequent owners."

" Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid true copies. "

" Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.



NOTE FOR TAX PARCEL 446.43-2-3

1. THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 1 OF THE 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 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 .

30 0 30 60 90
1 Inch = 30 Feet

CERTIFICATIONS

I HEREBY CERTIFY TO THE FOLLOWING:

1. THE PEOPLE OF THE STATE OF NEW YORK acting through its COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
2. CHICAGO TITLE INSURANCE CO.
3. WHITEFACE TITLE, LLC
4. VILLAGE OF SARANAC LAKE

STACEY L. ALLOTT, LS #49670 11/22/10

Geomatics
LAND SURVEYING, P C
P.O. BOX 1277 SARANAC LAKE, NY

MAP OF SURVEY
PREPARED FOR
VILLAGE OF SARANAC LAKE
SITUATE IN TOWNSHIP 21, GREAT TRACT ONE, MACOMB'S PURCHASE,
VILLAGE OF SARANAC LAKE, TOWN OF HARRIETSTOWN,
COUNTY OF FRANKLIN AND STATE OF NEW YORK.

3. Revise to show add'tl notes and metes & bounds description. 1/31/11	SLA
2. Revise to show Environmental Easement. 11/22/10	SLA
1. Revise road names and misc. notes. 10/06/10	SLA
REVISIONS / DATE / BY	
COPYRIGHT	2010
CHECKED BY	SLA
DRAWN BY	NJH
DATE SURVEY	09/28/10
DATE MAP	10/06/10
SCALE IN./FT.	1"=30'
SCALE RATIO	1:360
TAX MAP NO.	446.43-2-3 446.43-2-4
MAP NO.	10050 - DEC

ATTACHMENT C

PHOTOGRAPHS

Hazardous Soils From Stockpiled 55-Gallon Drums

Aboveground Tank Carcass

55-Gallon Drums of Hazardous Waste

55-Gallon Drums of Non-Hazardous Waste

ATTACHMENT D

IRM DERIVED WASTES CHARACTERIZATION ANALYTICAL RESULTS (ELECTRONIC VERSION)

Environmental
LABORATORY SERVICES

7280 Caswell Street, Hancock Air Park, North Syracuse, NY 13212
(315) 458-8033, FAX (315) 458-0526, (800) 842-4867

Laboratory Analysis Report

OP-TECH
63 Trade St.

Plattsburgh, NY 12901
ATTN: Mr. Jake Riggins

PROJECT #: 225079
RECEIVED: 09/10/2007 @ 11:20

Site Address:
400 BROADWAY
SARANAC LAKE

CLIENT JOB NUMBER: CT MALE

TEST PERFORMED	RESULTS	UNITS	DATE/TIME PERFORMED	METHOD NUMBER	PERFORMED BY
SAMPLE #: 458053 CLIENT SAMPLE ID: GREASE WASTE (20-ball Overpack) DATE/TIME SAMPLED: 09/07/07 @ 14:34					
TCLP MERCURY	<20	UG/L	09/13/07	EPA 7470A	CRI
TCLP Mercury Prep			09/12/07	EPA 7470A	BDR
TCLP METALS (RCRA7)					
arsenic	<1	MG/L	09/12/07	EPA 6010	CRI
barium	<2	MG/L	09/12/07	EPA 6010	CRI
cadmium	<0.05	MG/L	09/12/07	EPA 6010	CRI
chromium	<0.1	MG/L	09/12/07	EPA 6010	CRI
lead	<0.5	MG/L	09/12/07	EPA 6010	CRI
selenium	<1	MG/L	09/12/07	EPA 6010	CRI
silver	<0.1	MG/L	09/12/07	EPA 6010	CRI
TCLP-Semi/Non-Volatile Prep/Extraction			09/10/07	EPA 1311	BDR
Metals Digestion			09/11/07	EPA 3010A	BDR

OP-TECH
63 Trade St.

Plattsburgh, NY 12901
ATTN: Mr. Jake Riggins

PROJECT #: 225079
RECEIVED: 09/10/2007 @ 11:20

Site Address:
400 BROADWAY
SARANAC LAKE

CLIENT JOB NUMBER: CT MALE

TEST PERFORMED	RESULTS	UNITS	DATE/TIME PERFORMED	METHOD NUMBER	PERFORMED BY
SAMPLE #: 458054 CLIENT SAMPLE ID: GREASE WASTE				**DATE/TIME SAMPLED: 09/07/07 @ 14:34**	
Semi-Volatile - PCB'S					
aroclor 1016	<1.0	MG/KG as Rec'd	09/11/07	EPA 8082	KDI
aroclor 1221	<1.0	MG/KG as Rec'd	09/11/07	EPA 8082	KDI
aroclor 1232	<1.0	MG/KG as Rec'd	09/11/07	EPA 8082	KDI
aroclor 1242	<1.0	MG/KG as Rec'd	09/11/07	EPA 8082	KDI
aroclor 1248	<1.0	MG/KG as Rec'd	09/11/07	EPA 8082	KDI
aroclor 1254	<1.0	MG/KG as Rec'd	09/11/07	EPA 8082	KDI
aroclor 1260	<1.0	MG/KG as Rec'd	09/11/07	EPA 8082	KDI
Surrogate (2,4,5,6-tetrachloro-m-xylene): 84% recovery,(decachlorobiphenyl): 41% recovery; Surrogate recovery acceptance limits are 75-125%.					
Solid Ultrasonic Extraction			09/10/07	EPA 3550B	KAL
SOLIDS, TOTAL	92	PERCENT	09/10/07	SM18 2540B	LBA

encapsulated in Poly

Environmental
LABORATORY SERVICES

7280 Caswell Street, Hancock Air Park, North Syracuse, NY 13212
(315) 458-8033, FAX (315) 458-0526, (800) 842-4667

Laboratory Analysis Report

OP-TECH
63 Trade St.

Plattsburgh, NY 12901
ATTN: Mr. Brad Idzik

PO#: LCTM-0011

PROJECT #: 225236
RECEIVED: 09/18/2007 @ 10:30

Site Address:
SARANAC LAKE -CT MALE

CLIENT JOB NUMBER: LCTM-0011

TEST PERFORMED	RESULTS	UNITS	DATE/TIME PERFORMED	METHOD NUMBER	PERFORMED BY
SAMPLE #: 458894 CLIENT SAMPLE ID:	OP-4724 WASTE CHARACTERIZATION ON ABANDONED DRUM		DATE/TIME SAMPLED: 09/14/07 @ 13:30		
Semi-Volatile - PCB'S					
aroclor 1016	<1.0	MG/KG as Rec'd	09/21/07	EPA 8082	KDI
aroclor 1221	<1.0	MG/KG as Rec'd	09/21/07	EPA 8082	KDI
aroclor 1232	<1.0	MG/KG as Rec'd	09/21/07	EPA 8082	KDI
aroclor 1242	<1.0	MG/KG as Rec'd	09/21/07	EPA 8082	KDI
aroclor 1248	<1.0	MG/KG as Rec'd	09/21/07	EPA 8082	KDI
aroclor 1254	<1.0	MG/KG as Rec'd	09/21/07	EPA 8082	KDI
aroclor 1260	<1.0	MG/KG as Rec'd	09/21/07	EPA 8082	KDI
Surrogate (2,4,5,6-tetrachloro-m-xylene): 94% recovery,(decachlorobiphenyl): 13% recovery. Surrogate recovery acceptance limits are 75-125%.					
Solid Ultrasonic Extraction			09/20/07	EPA 3550B	KAL
SOLIDS, TOTAL	83	PERCENT	09/18/07	SM18 2540B	LBA
TCLP MERCURY	<20	UG/L	09/21/07	EPA 7470A	CRI
TCLP Mercury Prep			09/20/07	EPA 7470A	BDR
TCLP METALS (RCRA7)					
arsenic	<1.0	MG/L	09/21/07	EPA 6010	CRI
barium	<2.0	MG/L	09/21/07	EPA 6010	CRI
cadmium	<0.05	MG/L	09/21/07	EPA 6010	CRI
chromium	<0.10	MG/L	09/21/07	EPA 6010	CRI
lead	<0.50	MG/L	09/21/07	EPA 6010	CRI
selenium	<1.0	MG/L	09/21/07	EPA 6010	CRI
silver	<0.10	MG/L	09/21/07	EPA 6010	CRI
TCLP-Semi/Non-Volatile Prep/Extraction			09/18/07	EPA 1311	BDR
Metals Digestion			09/20/07	EPA 3010A	BDR

Environmental
LABORATORY SERVICES

7280 Caswell Street, Hancock Air Park, North Syracuse, NY 13212
(315) 458-8033, FAX (315) 458-0526, (800) 842-4667

Tank sludge

Laboratory Analysis Report

OP-TECH
63 Trade St.

Plattsburgh, NY 12901
ATTN: Mr. Jake Riggins

PROJECT #: 225080
RECEIVED: 09/10/2007 @ 11:20

Site Address:
400 BROADWAY SITE

CLIENT JOB NUMBER: CT MALE TANK

TEST PERFORMED	RESULTS	UNITS	DATE/TIME PERFORMED	METHOD NUMBER	PERFORMED BY
SAMPLE #: 458055 CLIENT SAMPLE ID: TANK SLUDGE				**DATE/TIME SAMPLED: 09/07/07 @ 13:44**	
TCLP MERCURY	<20	UG/L	09/13/07	EPA 7471A	CRI
Mercury Prep 7471A			09/12/07	EPA 7471A	BDR
TCLP METALS (RCRA7)					
arsenic	<1	MG/L	09/12/07	EPA 6010	CRI
barium	27	MG/L	09/13/07	EPA 6010	CRI
cadmium	0.58	MG/L	09/12/07	EPA 6010	CRI
chromium	<0.1	MG/L	09/12/07	EPA 6010	CRI
lead	520	MG/L	09/13/07	EPA 6010	CRI
selenium	<1	MG/L	09/12/07	EPA 6010	CRI
silver	<0.1	MG/L	09/12/07	EPA 6010	CRI
TCLP-Semi/Non-Volatile Prep/Extraction			09/10/07	EPA 1311	BDR
TCLP Oil Digestion			09/11/07	EPA 3050B	BDR

OP-TECH
63 Trade St.

Plattsburgh, NY 12901
ATTN: Mr. Jake Riggins

PROJECT #: 225080
RECEIVED: 09/10/2007 @ 11:20

Site Address:
400 BROADWAY SITE

CLIENT JOB NUMBER: CT MALE TANK

TEST PERFORMED	RESULTS	UNITS	DATE/TIME PERFORMED	METHOD NUMBER	PERFORMED BY
SAMPLE #: 458056 CLIENT SAMPLE ID:	TANK SLUDGE			**DATE/TIME SAMPLED:**	09/07/07 @ 13:44
Semi-Volatile - PCB'S					
aroclor 1016	<4.9	MG/KG as Rec'd	09/13/07	EPA 8082	KDI
aroclor 1221	<4.9	MG/KG as Rec'd	09/13/07	EPA 8082	KDI
aroclor 1232	<4.9	MG/KG as Rec'd	09/13/07	EPA 8082	KDI
aroclor 1242	<4.9	MG/KG as Rec'd	09/13/07	EPA 8082	KDI
aroclor 1248	<4.9	MG/KG as Rec'd	09/13/07	EPA 8082	KDI
aroclor 1254	<4.9	MG/KG as Rec'd	09/13/07	EPA 8082	KDI
aroclor 1260	<4.9	MG/KG as Rec'd	09/13/07	EPA 8082	KDI
Surrogate (2,4,5,6-tetrachloro-m-xylene): 87% recovery, (decachlorobiphenyl): 66% recovery, Surrogate recovery acceptance limits are 75-125%.					
Waste Dilution for Semi-Volatile Organics			09/10/07	EPA 3580A	KAL

MITKEM CORPORATION

"Environmental Testing For The New Millennium"

November 30, 2007

C.T. Male Associates, P.C.
50 Century Hill Drive
Latham, NY 12110
Attn: Mr. Steve Bieber

RE: Client Project: 400 Broadway Site, Village of Saranac Lake, Franklin County, NY
Lab Work Order #: F1625 (TCLP)

Dear Mr. Bieber:

Enclosed please find the data report of the required analyses for the samples associated with the above referenced project. If you have any questions regarding this report, please call me.

We appreciate your business.

Sincerely,

Shirley Ng

Shirley S. Ng
Project Manager

175 Metro Center Boulevard • Warwick, Rhode Island 02886-1755
(401) 732-3400 • Fax (401) 732-3499 • www.mitkem.com

Analytical Data Package for C.T. Male Associates, P.C.

Client Project No.: 400 Broadway Site, Village of Saranac Lake, Franklin County, NY

Mitkem Work Order ID: F1625

November 30, 2007

Prepared For:

C.T. Male Associates, P.C.
50 Century Hill Drive
Latham, NY 12110
Attn: Mr. Steve Bieber

Prepared By:

Mitkem Corporation
175 Metro Center Boulevard
Warwick, RI 02886
(401) 732-3400

Client: C.T. Male Associates, P.C.

Client Project: Saranac Lake

Lab Project ID: F1625

Date samples received: 09/08/07

Project Narrative

This data report includes the analysis results for one (1) sample that was received from C.T. Male Associate, P.E. on September 8, 2007. This sample was previously on hold along with two other samples, which are still currently on hold. Analyses were performed per per discussion with the client. For reference, a copy of the Mitkem Sample Log-In form is included for cross-referencing the client sample ID and the laboratory sample ID.

Spike recoveries were within the QC limits for the laboratory control sample for TCLP metals analysis. Please note that this TCLP mercury was performed out of holding time. The holding time for TCLP mercury is twenty-eight days from collection. No other unusual occurrences were noted during sample analyses.

All pages in this report have been numbered consecutively, starting with the title page and ending with a page saying only "Last Page of Data Report".

I certify that this data package is in compliance, both technically and for completeness, for other than the conditions detailed above. Release of the data contained in this hardcopy data package has been authorized by the laboratory manager or his designee, as verified by the following signature.

Shirley Ng
Project Manager
11/30/07

Mitkem Corporation

Date: *12-Nov-07*

Client: C.T. Male Associates, P.C.
Client Sample ID: SP-3
Lab ID: F1625-01
Project: 400 Broadway, Saranac Lake, Franklin Cou
Collection Date: 09/07/07 12:40

Analyses	Result	Qual	RL	Units	DF	Date Analyzed	Batch ID
Metals by ICP			SW6010B_W				
Arsenic -- TCLP	ND		20	µg/L	1	11/07/2007 14:47	33153
Barium -- TCLP	420		200	µg/L	1	11/07/2007 14:47	33153
Cadmium -- TCLP	22		5.0	µg/L	1	11/07/2007 14:47	33153
Chromium -- TCLP	ND		20	µg/L	1	11/07/2007 14:47	33153
Lead -- TCLP	13000		200	µg/L	20	11/07/2007 14:53	33153
Selenium -- TCLP	ND		30	µg/L	1	11/07/2007 14:47	33153
Silver -- TCLP	ND		30	µg/L	1	11/07/2007 14:47	33153
Mercury by FIA			SW7470A				
Mercury -- TCLP	ND	H	0.20	µg/L	1	11/12/2007 13:23	33135

Qualifiers:

ND - Not Detected at the Reporting Limit
J - Analyte detected below quanititation limits
B - Analyte detected in the associated Method Blank
DF - Dilution Factor
S - Spike Recovery outside accepted recovery limits
R - RPD outside accepted recovery limits
E - Value above quantitation range
RL - Reporting Limit

CLIENT: C.T. Male Associates, P.C.
Work Order: F1625
Project: 400 Broadway, Saranac Lake, Franklin County

ANALYTICAL QC SUMMARY REPORT

TestCode: SW6010B_W

Sample ID: MB-33135 SampType: MBLK TestCode: SW6010B_W Prep Date: 11/7/2007 Run ID: OPTIMA3_071107B
Client ID: MB-33135 Batch ID: 33153 Units: µg/L Analysis Date: 11/7/2007 SeqNo: 717417

Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Arsenic -- TCLP	ND	20	0	0	0	0	0	0			
Barium -- TCLP	ND	200	0	0	0	0	0	0			
Cadmium -- TCLP	ND	5.0	0	0	0	0	0	0			
Chromium -- TCLP	ND	20	0	0	0	0	0	0			
Lead -- TCLP	ND	10	0	0	0	0	0	0			
Selenium -- TCLP	ND	30	0	0	0	0	0	0			
Silver -- TCLP	ND	30	0	0	0	0	0	0			

Sample ID: MB-33153 SampType: MBLK TestCode: SW6010B_W Prep Date: 11/7/2007 Run ID: OPTIMA3_071107B
Client ID: MB-33153 Batch ID: 33153 Units: µg/L Analysis Date: 11/7/2007 SeqNo: 717418

Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Arsenic	ND	20									
Barium	ND	200									
Cadmium	ND	5.0									
Chromium	ND	20									
Lead	ND	10									
Selenium	ND	30									
Silver	ND	30									

Sample ID: LCS-33153 SampType: LCS TestCode: SW6010B_W Prep Date: 11/7/2007 Run ID: OPTIMA3_071107B
Client ID: LCS-33153 Batch ID: 33153 Units: µg/L Analysis Date: 11/7/2007 SeqNo: 717419

Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Arsenic	467.5	20	455.0	0	103	80	120	0			
Barium	9365	200	9100	0	103	80	120	0			
Cadmium	230.5	5.0	227.0	0	102	80	120	0			
Chromium	917.2	20	910.0	0	101	80	120	0			
Lead	474.5	10	455.0	0	104	80	120	0			
Selenium	470.5	30	455.0	0	103	80	120	0			
Silver	1132	30	1130	0	100	80	120	0			

Qualifiers:
ND - Not Detected at the Reporting Limit
J - Analyte detected below quantitation limits
S - Spike Recovery outside accepted recovery limits
R - RPD outside accepted recovery limits
B - Analyte detected in the associated Method Blank

CLIENT: C.T. Male Associates, P.C.
Work Order: F1625
Project: 400 Broadway, Saranac Lake, Franklin County

ANALYTICAL QC SUMMARY REPORT

TestCode: SW6010B_W

Sample ID: **F1625-01ASD** SampType: **SD** TestCode: **SW6010B_W** Prep Date: **11/7/2007** Run ID: **OPTIMA3_071107B**
Client ID: **SP-3** Batch ID: **33153** Units: **µg/L** Analysis Date: **11/7/2007** SeqNo: **718656**

Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Arsenic -- TCLP	ND	100	0	0	0	0	0	0	0	10	
Barium -- TCLP	ND	1000	0	0	0	0	0	415.6	9.42	10	
Cadmium -- TCLP	ND	25	0	0	0	0	0	21.50	11.8	10	
Chromium -- TCLP	ND	100	0	0	0	0	0	0.6297	0	10	
Selenium -- TCLP	ND	150	0	0	0	0	0	7.514	0	10	
Silver -- TCLP	ND	150	0	0	0	0	0	0	0	10	

Qualifiers:
ND - Not Detected at the Reporting Limit
J - Analyte detected below quantitation limits
S - Spike Recovery outside accepted recovery limits
R - RPD outside accepted recovery limits
B - Analyte detected in the associated Method Blank

CLIENT: C.T. Male Associates, P.C.
Work Order: F1625
Project: 400 Broadway, Saranac Lake, Franklin County

ANALYTICAL QC SUMMARY REPORT

TestCode: SW7470A

Sample ID: MB-33135	SampType: MBLK	TestCode: SW7470A		Prep Date:			Run ID: FIMS1_071112A			
Client ID: MB-33135	Batch ID: 33135	Units: µg/L		Analysis Date: 11/12/2007			SeqNo: 718845			
Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Mercury -- TCLP	ND	0.20									

Sample ID: LCS-33223	SampType: LCS	TestCode: SW7470A		Prep Date:			Run ID: FIMS1_071112A			
Client ID: LCS-33223	Batch ID: 33135	Units: µg/L		Analysis Date: 11/12/2007			SeqNo: 718846			
Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Mercury	4.426	0.20	4.550	0	97.3	80	120	0			

Sample ID: LCSD-33223	SampType: LCSD	TestCode: SW7470A		Prep Date:			Run ID: FIMS1_071112A			
Client ID: LCSD-33223	Batch ID: 33135	Units: µg/L		Analysis Date: 11/12/2007			SeqNo: 718847			
Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Mercury	4.434	0.20	4.550	0	97.5	80	120	4.426	0.194	20	

Qualifiers:
ND - Not Detected at the Reporting Limit
J - Analyte detected below quantitation limits
S - Spike Recovery outside accepted recovery limits
R - RPD outside accepted recovery limits
B - Analyte detected in the associated Method Blank

Mitkem Corporation

09/Nov/07 14:41

WorkOrder: F1625

Client ID: CT_MALE
Project: 400 Broadway, Saranac Lake, Franklin County NY
Location:
Comments: e-mail results to Steve Bieber.

Case:
SDG:
PO: 07.1092

Report Level: LEVEL 2
EDD: CLF
HC Due: 11/20/07
Fax Due: 11/07/07

Sample ID	HS	Client Sample ID	Collection Date	Date Recv'd	Matrix	Test Code	Lab Test Comments	Hold	MS	SEL	Storage
F1625-01A		SP-3	09/07/2007 12:40	11/06/2007	Soil	SW6010B_W	TCLP_ICP	☐	☐	☑	A2
						SW7470A	TCLP_Hg	☐	☐	☐	A2
F1625-02A	H	SP-2	09/07/2007 11:35	11/06/2007	Soil	SW6010B_W	TCLP_ICP	☑	☐	☑	A2
F1625-03A	H	SP-4	09/07/2007 12:45	11/06/2007	Soil	SW6010B_W	TCLP_ICP	☑	☐	☑	A2

Client Rep: Shirley S Ng

MITKEM CORPORATION

175 Metro Center Boulevard
Warwick, Rhode Island 02886-1755
(401) 732-3400 • Fax (401) 732-3499
email: mitkem@mitkem.com

CHAIN-OF-CUSTODY RECORD

REPORT TO		INVOICE TO		
COMPANY CT Male Assoc	PHONE [illegible]	COMPANY Same	PHONE	LAB PROJECT #: [illegible]
NAME Steve Rener	FAX [illegible]	NAME	FAX	
ADDRESS [illegible]		ADDRESS		TURNAROUND TIME: Standard
CITY/ST/ZIP [illegible] NY [illegible]		CITY/ST/ZIP		

CLIENT PROJECT NAME:	CLIENT PROJECT #:	CLIENT P.O.#:
[illegible]	07 1092	

SAMPLE IDENTIFICATION	DATE/TIME SAMPLED	COMPOSITE	GRAB	WATER	SOIL	OTHER	LAB ID	# OF CONTAINERS	TCL VOC	TCL SVOC	TCL PCB	TCL Pesticide	TAL Metals								COMMENTS
Trip Blank TB090707	/			X			12 13	2	X												
TP-6 S-1	9/7/07 / 1025		X		X		45 14	8	X	X	X	X	X								MS/MSD collected
SP-1	9/7/07 / 1230	X			X		44 15	3	X	X	X	X	X								
SP 2	9/7/07 / 1235	X			X		45 16	3	X	X	X	X	X								HOLD
SP 3	9/7/07 / 1240	X			X		46 17	3	X	X	X	X	X								
SP-4	9/7/07 / 1245	X			X		47 18	3	X	X	X	X	X								HOLD
	/																				
	/																				
	/																				
	/																				
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	/																				

TSF#	RELINQUISHED BY	DATE/TIME	ACCEPTED BY	DATE/TIME
	[signature]	9/7/07 / 1410	[signature]	9/7/07 / [illegible]
	[signature]	/		/
		/		/

ADDITIONAL REMARKS:

COOLER TEMP: 6°C

WHITE: LABORATORY COPY YELLOW: REPORT COPY PINK: CLIENT'S COPY

00026

Last Page of Data Report

1A
VOLATILE ORGANICS ANALYSIS DATA SHEET

EPA SAMPLE NO.

SP-3

Lab Name: MITKEM CORPORATION Contract:

Lab Code: MITKEM Case No.: SAS No.: SDG No.: MF1262

Matrix: (soil/water) SOIL Lab Sample ID: F1262-17C

Sample wt/vol: 4.9 (g/mL) G Lab File ID: V1I9845

Level: (low/med) LOW Date Received: 09/08/07

% Moisture: not dec. 14 Date Analyzed: 09/21/07

GC Column: DB-624 ID: 0.25 (mm) Dilution Factor: 1.0

Soil Extract Volume:_____(mL) Soil Aliquot Volume: _____(uL)

CAS NO.	COMPOUND	CONCENTRATION UNITS: (ug/L or ug/Kg) UG/KG	Q
75-71-8	Dichlorodifluoromethane	6	U
74-87-3	Chloromethane	6	U
75-01-4	Vinyl Chloride	6	U
74-83-9	Bromomethane	6	U
75-00-3	Chloroethane	6	U
75-69-4	Trichlorofluoromethane	6	U
75-35-4	1,1-Dichloroethene	6	U
67-64-1	Acetone	6	U
74-88-4	Iodomethane	6	U
75-15-0	Carbon Disulfide	6	U
75-09-2	Methylene Chloride	2	J
156-60-5	trans-1,2-Dichloroethene	6	U
1634-04-4	Methyl tert-butyl ether	6	U
75-34-3	1,1-Dichloroethane	6	U
108-05-4	Vinyl acetate	6	U
78-93-3	2-Butanone	6	U
156-59-2	cis-1,2-Dichloroethene	6	U
590-20-7	2,2-Dichloropropane	6	U
74-97-5	Bromochloromethane	6	U
67-66-3	Chloroform	6	U
71-55-6	1,1,1-Trichloroethane	6	U
563-58-6	1,1-Dichloropropene	6	U
56-23-5	Carbon Tetrachloride	6	U
107-06-2	1,2-Dichloroethane	6	U
71-43-2	Benzene	6	U
79-01-6	Trichloroethene	6	U
78-87-5	1,2-Dichloropropane	6	U
74-95-3	Dibromomethane	6	U
75-27-4	Bromodichloromethane	6	U
10061-01-5	cis-1,3-Dichloropropene	6	U
108-10-1	4-Methyl-2-pentanone	6	U
108-88-3	Toluene	6	U
10061-02-6	trans-1,3-Dichloropropene	6	U
79-00-5	1,1,2-Trichloroethane	6	U

1A
VOLATILE ORGANICS ANALYSIS DATA SHEET

EPA SAMPLE NO.

SP-3

Lab Name: MITKEM CORPORATION Contract:

Lab Code: MITKEM Case No.: SAS No.: SDG No.: MF1262

Matrix: (soil/water) SOIL Lab Sample ID: F1262-17C

Sample wt/vol: 4.9 (g/mL) G Lab File ID: V1I9845

Level: (low/med) LOW Date Received: 09/08/07

% Moisture: not dec. 14 Date Analyzed: 09/21/07

GC Column: DB-624 ID: 0.25 (mm) Dilution Factor: 1.0

Soil Extract Volume:_____(mL) Soil Aliquot Volume: _____(uL)

CAS NO.	COMPOUND	CONCENTRATION UNITS: (ug/L or ug/Kg) UG/KG	Q
142-28-9	1,3-Dichloropropane	6	U
127-18-4	Tetrachloroethene	6	U
591-78-6	2-Hexanone	6	U
124-48-1	Dibromochloromethane	6	U
106-93-4	1,2-Dibromoethane	6	U
108-90-7	Chlorobenzene	6	U
630-20-6	1,1,1,2-Tetrachloroethane	6	U
100-41-4	Ethylbenzene	6	U
----------	m,p-Xylene	6	U
95-47-6	o-Xylene	6	U
1330-20-7	Xylene (Total)	6	U
100-42-5	Styrene	6	U
75-25-2	Bromoform	6	U
98-82-8	Isopropylbenzene	6	U
79-34-5	1,1,2,2-Tetrachloroethane	6	U
108-86-1	Bromobenzene	6	U
96-18-4	1,2,3-Trichloropropane	6	U
103-65-1	n-Propylbenzene	6	U
95-49-8	2-Chlorotoluene	6	U
108-67-8	1,3,5-Trimethylbenzene	6	U
106-43-4	4-Chlorotoluene	6	U
98-06-6	tert-Butylbenzene	6	U
95-63-6	1,2,4-Trimethylbenzene	6	U
135-98-8	sec-Butylbenzene	6	U
99-87-6	4-Isopropyltoluene	6	U
541-73-1	1,3-Dichlorobenzene	6	U
106-46-7	1,4-Dichlorobenzene	6	U
104-51-8	n-Butylbenzene	6	U
95-50-1	1,2-Dichlorobenzene	6	U
96-12-8	1,2-Dibromo-3-chloropropane	6	U
120-82-1	1,2,4-Trichlorobenzene	6	U
87-68-3	Hexachlorobutadiene	6	U
91-20-3	Naphthalene	6	U
87-61-6	1,2,3-Trichlorobenzene	6	U

1E

VOLATILE ORGANICS ANALYSIS DATA SHEET
TENTATIVELY IDENTIFIED COMPOUNDS

EPA SAMPLE NO.

SP-3

Lab Name: MITKEM CORPORATION Contract:

Lab Code: MITKEM Case No.: SAS No.: SDG No.: MF1262

Matrix: (soil/water) SOIL Lab Sample ID: F1262-17C

Sample wt/vol: 4.9 (g/mL) G Lab File ID: V1I9845

Level: (low/med) LOW Date Received: 09/08/07

% Moisture: not dec. 14 Date Analyzed: 09/21/07

GC Column: DB-624 ID: 0.25 (mm) Dilution Factor: 1.0

Soil Extract Volume: _____(mL) Soil Aliquot Volume: _____(uL)

Number TICs found: 1

CONCENTRATION UNITS:
(ug/L or ug/Kg) ug/Kg

	CAS NUMBER	COMPOUND NAME	RT	EST. CONC.	Q
1.	127-91-3	.BETA.-PINENE	12.01	12	NJ
2.					
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1B
SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

EPA SAMPLE NO.

SP-3

Lab Name: MITKEM CORPORATION Contract:

Lab Code: MITKEM Case No.: SAS No.: SDG No.: MF1262

Matrix: (soil/water) SOIL Lab Sample ID: F1262-17A

Sample wt/vol: 30.1 (g/mL) G Lab File ID: S3E5969

Level: (low/med) LOW Date Received: 09/08/07

% Moisture: 14 decanted: (Y/N) N Date Extracted: 09/14/07

Concentrated Extract Volume: 1000(uL) Date Analyzed: 09/19/07

Injection Volume: 1.0(uL) Dilution Factor: 1.0

GPC Cleanup: (Y/N) N pH: ___

CAS NO.	COMPOUND	CONCENTRATION UNITS: (ug/L or ug/Kg) UG/KG	Q	
108-95-2	Phenol	380	U	
111-44-4	bis(2-Chloroethyl)Ether	380	U	
95-57-8	2-Chlorophenol	380	U	
541-73-1	1,3-Dichlorobenzene	380	U	
106-46-7	1,4-Dichlorobenzene	380	U	
95-50-1	1,2-Dichlorobenzene	380	U	
95-48-7	2-Methylphenol	380	U	
108-60-1	2,2'-oxybis(1-Chloropropane)	380	U	
106-44-5	4-Methylphenol	380	U	
621-64-7	N-Nitroso-di-n-propylamine	380	U	
67-72-1	Hexachloroethane	380	U	
98-95-3	Nitrobenzene	380	U	
78-59-1	Isophorone	380	U	
88-75-5	2-Nitrophenol	380	U	
105-67-9	2,4-Dimethylphenol	380	U	
120-83-2	2,4-Dichlorophenol	380	U	
120-82-1	1,2,4-Trichlorobenzene	380	U	
91-20-3	Naphthalene	380	U	
106-47-8	4-Chloroaniline	380	U	
87-68-3	Hexachlorobutadiene	380	U	
111-91-1	bis(2-Chloroethoxy)methane	380	U	
59-50-7	4-Chloro-3-Methylphenol	380	U	
91-57-6	2-Methylnaphthalene	380	U	
77-47-4	Hexachlorocyclopentadiene	380	U	
88-06-2	2,4,6-Trichlorophenol	380	U	
95-95-4	2,4,5-Trichlorophenol	780	U	
91-58-7	2-Chloronaphthalene	380	U	
88-74-4	2-Nitroaniline	780	U	
131-11-3	Dimethylphthalate	380	U	
208-96-8	Acenaphthylene	43	J	L unrestricted
606-20-2	2,6-Dinitrotoluene	380	U	
99-09-2	3-Nitroaniline	780	U	
83-32-9	Acenaphthene	380	U	

1C

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

EPA SAMPLE NO.

SP-3

Lab Name: MITKEM CORPORATION Contract:

Lab Code: MITKEM Case No.: SAS No.: SDG No.: MF1262

Matrix: (soil/water) SOIL Lab Sample ID: F1262-17A

Sample wt/vol: 30.1 (g/mL) G Lab File ID: S3E5969

Level: (low/med) LOW Date Received: 09/08/07

% Moisture: 14 decanted: (Y/N) N Date Extracted: 09/14/07

Concentrated Extract Volume: 1000(uL) Date Analyzed: 09/19/07

Injection Volume: 1.0(uL) Dilution Factor: 1.0

GPC Cleanup: (Y/N) N pH: ___

CAS NO.	COMPOUND	CONCENTRATION UNITS: (ug/L or ug/Kg) UG/KG	Q	
51-28-5	2,4-Dinitrophenol	780	U	
100-02-7	4-Nitrophenol	780	U	
132-64-9	Dibenzofuran	380	U	
121-14-2	2,4-Dinitrotoluene	380	U	
84-66-2	Diethylphthalate	380	U	
7005-72-3	4-Chlorophenyl-phenylether	380	U	
86-73-7	Fluorene	380	U	
100-01-6	4-Nitroaniline	780	U	
534-52-1	4,6-Dinitro-2-methylphenol	780	U	
86-30-6	N-Nitrosodiphenylamine (1)	380	U	
101-55-3	4-Bromophenyl-phenylether	380	U	
118-74-1	Hexachlorobenzene	380	U	
87-86-5	Pentachlorophenol	780	U	
85-01-8	Phenanthrene	170	J	
120-12-7	Anthracene	62	J	< UNRESTRICTED
86-74-8	Carbazole	380	U	
84-74-2	Di-n-butylphthalate	270	J	NO STANDARD
206-44-0	Fluoranthene	400		< UNRESTRICTED
129-00-0	Pyrene	290	J	< UNRESTRICTED
85-68-7	Butylbenzylphthalate	380	U	
91-94-1	3,3'-Dichlorobenzidine	380	U	
56-55-3	Benzo(a)anthracene	200	J	< UNRESTRICTED
218-01-9	Chrysene	220	J	< UNRESTRICTED
117-81-7	bis(2-Ethylhexyl)phthalate	580		NO STANDARD
117-84-0	Di-n-octylphthalate	380	U	
205-99-2	Benzo(b)fluoranthene	290	J	< UNRESTRICTED
207-08-9	Benzo(k)fluoranthene	90	J	
50-32-8	Benzo(a)pyrene	190	J	
193-39-5	Indeno(1,2,3-cd)pyrene	140	J	
53-70-3	Dibenzo(a,h)anthracene	40	J	
191-24-2	Benzo(g,h,i)perylene	170	J	

(1) - Cannot be separated from Diphenylamine

1F

EPA SAMPLE NO.

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET
TENTATIVELY IDENTIFIED COMPOUNDS

SP-3

Lab Name: MITKEM CORPORATION Contract:

Lab Code: MITKEM Case No.: SAS No.: SDG No.: MF1262

Matrix: (soil/water) SOIL Lab Sample ID: F1262-17A

Sample wt/vol: 30.1 (g/mL) G Lab File ID: S3E5969

Level: (low/med) LOW Date Received: 09/08/07

% Moisture: 14 decanted: (Y/N) N Date Extracted: 09/14/07

Concentrated Extract Volume: 1000(uL) Date Analyzed: 09/19/07

Injection Volume: 1.0(uL) Dilution Factor: 1.0

GPC Cleanup: (Y/N) N pH: ___

Number TICs found: 12

CONCENTRATION UNITS:
(ug/L or ug/Kg) ug/Kg

	CAS NUMBER	COMPOUND NAME	RT	EST. CONC.	Q
1.		UNKNOWN	8.46	200	J
2.		UNKNOWN	9.47	300	J
3.	85-44-9	PHTHALIC ANHYDRIDE	9.55	1500	NJ
4.	1000144-07-3	1R,2C,3T,4T-TETRAMETHYL-CYCL	10.80	400	NJ
5.	2156-97-0	DODECYL ACRYLATE	12.00	250	NJ
6.	3564-54-3	17-NORKAUR-15-ENE, 13-METHYL	13.27	200	NJ
7.		UNKNOWN	13.59	310	J
8.		UNKNOWN	13.81	380	J
9.		UNKNOWN	14.32	440	J
10.	511-15-9	2-PHENANTHRENOL, 4B,5,6,7,8,	14.42	600	NJ
11.	297-03-0	CYCLOTETRACOSANE	14.77	340	NJ
12.		UNKNOWN	15.53	640	J
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FORM 1
PESTICIDE ORGANICS ANALYSIS DATA SHEET

CLIENT SAMPLE NO.

SP-3

Lab Name: MITKEM CORPORATION Contract:

Lab Code: MITKEM Case No.: SAS No.: SDG No.: MF1262

Matrix: (soil/water) SOIL Lab Sample ID: F1262-17A

Sample wt/vol: 30.1 (g/mL) G Lab File ID: E4D7056F

% Moisture: 14 decanted: (Y/N) N Date Received: 09/08/07

Extraction: (SepF/Cont/Sonc) SONC Date Extracted: 09/10/07

Concentrated Extract Volume: 5000(uL) Date Analyzed: 09/22/07

Injection Volume: 1.0(uL) Dilution Factor: 1.0

GPC Cleanup: (Y/N) Y pH: ___ Sulfur Cleanup: (Y/N) Y

CAS NO.	COMPOUND	CONCENTRATION UNITS: (ug/L or ug/Kg) UG/KG	Q
319-84-6	alpha-BHC	2.0	U
319-85-7	beta-BHC	2.0	U
319-86-8	delta-BHC	2.0	U
58-89-9	gamma-BHC (Lindane)	2.0	U
76-44-8	Heptachlor	2.0	U
309-00-2	Aldrin	2.0	U
1024-57-3	Heptachlor epoxide	2.0	U
959-98-8	Endosulfan I	2.0	U
60-57-1	Dieldrin	3.8	U
72-55-9	4,4'-DDE	3.8	U
72-20-8	Endrin	3.8	U
33213-65-9	Endosulfan II	3.8	U
72-54-8	4,4'-DDD	3.8	U
1031-07-8	Endosulfan sulfate	3.8	U
50-29-3	4,4'-DDT	12	P
72-43-5	Methoxychlor	20	U
53494-70-5	Endrin ketone	3.8	U
7421-93-4	Endrin aldehyde *	25	& 12 per Res
5103-71-9	alpha-Chlordane	2.0	U
5103-74-2	gamma-Chlordane	2.0	U
8001-35-2	Toxaphene	200	U

FORM 1
PCB ORGANICS ANALYSIS DATA SHEET

CLIENT SAMPLE NO.

SP-3

Lab Name: MITKEM CORPORATION Contract:

Lab Code: MITKEM Case No.: SAS No.: SDG No.: MF1262

Matrix: (soil/water) SOIL Lab Sample ID: F1262-17A

Sample wt/vol: 30.1 (g/mL) G Lab File ID: E1G0232F

% Moisture: 14 decanted: (Y/N) N Date Received: 09/08/07

Extraction: (SepF/Cont/Sonc) SONC Date Extracted: 09/10/07

Concentrated Extract Volume: 10000 (uL) Date Analyzed: 09/20/07

Injection Volume: 1.0 (uL) Dilution Factor: 1.0

GPC Cleanup: (Y/N) N pH: ___ Sulfur Cleanup: (Y/N) Y

CAS NO.	COMPOUND	CONCENTRATION UNITS: (ug/L or ug/Kg) UG/KG	Q
12674-11-2	------Aroclor-1016	38	U
11104-28-2	------Aroclor-1221	38	U
11141-16-5	------Aroclor-1232	38	U
53469-21-9	------Aroclor-1242	38	U
12672-29-6	------Aroclor-1248	38	U
11097-69-1	------Aroclor-1254	38	U
11096-82-5	------Aroclor-1260 *	460	∠ Rest. Res.

FORM I PCB

U.S. EPA - CLP

1

EPA SAMPLE NO.

INORGANIC ANALYSIS DATA SHEET

SP-3

Lab Name: Mitkem Corporation Contract: 07.1092

Lab Code: MITKEM Case No.: SAS No.: SDG No.: MF1262

Matrix (soil/water): SOIL Lab Sample ID: F1262-17

Level (low/med): MED Date Received: 09/08/2007

% Solids: 86.0

Concentration Units (ug/L or mg/kg dry weight): MG/KG

CAS No.	Analyte	Concentration	C	Q	M	
7429-90-5	Aluminum	3170			P	NS
7440-36-0	Antimony	3.2		N	P	NS
7440-38-2	Arsenic *	16.8			P	> COMM F Ind of 16 *
7440-39-3	Barium	27.0			P	L UNREST
7440-41-7	Beryllium	0.29			P	L UNREST.
7440-43-9	Cadmium	2.4		*E	P	L UNREST.
7440-70-2	Calcium	825			P	NS
7440-47-3	Chromium *	7.0		*	P	L COMMERCIAL * RESIDENTIAL
7440-48-4	Cobalt	5.0		E	P	NS
7440-50-8	Copper	16.6			P	L UNREST
7439-89-6	Iron	21800			P	NS
7439-92-1	Lead *	321		*	P	L REST. RES
7439-95-4	Magnesium	1010			P	NS
7439-96-5	Manganese	137			P	L UNREST.
7439-97-6	Mercury	0.0053	B		CV	L UNREST.
7440-02-0	Nickel	6.1		E	P	L UNREST.
7440-09-7	Potassium	194			P	NS
7782-49-2	Selenium	0.15	U		P	L UNREST.
7440-22-4	Silver	0.046	U		P	L UNREST.
7440-23-5	Sodium	22.0	B		P	NS
7440-28-0	Thallium	1.6			P	NS
7440-62-2	Vanadium	6.9			P	NS
7440-66-6	Zinc	105			P	L UNREST.

Comments:

ATTACHMENT E

IRM DERIVED WASTES DISPOSAL DOCUMENTATION (ELECTRONIC VERSION)

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST	1. Generator ID Number NYR000153197	2. Page 1 of 1	3. Emergency Response Phone 800-225-6750	4. Manifest Tracking Number 000272678 FLE

5. Generator's Name and Mailing Address: Village of Saranac Lake, 400 Broadway, Saranac Lake, NY 12983
Generator's Site Address (if different than mailing address)
Generator's Phone: 518 891-4150

6. Transporter 1 Company Name: ~~OP-TECH Environmental Services, Inc.~~ U.S. EPA ID Number: ~~NYD986980753~~

7. Transporter 2 Company Name: BUFFALO FUEL CORP U.S. EPA ID Number: NYR000045724

8. Designated Facility Name and Site Address: ~~CWM Chemical Services, LLC~~ PO Box 200, 1550 Balmer Road, Model City, NY 14107 U.S. EPA ID Number: NYD049836679
Facility's Phone: ~~716-754-8231~~

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
X	1. RQ, Hazardous Waste, Solid, N.O.S. (Cadmium) 9, NA3077, PGIII (ERG# 171) (D008)	1	CM	25	Y	D008
	2.					
	3.					
	4.					

14. Special Handling Instructions and Additional Information
9a-1) NY296696
81624563 Recd 46000P

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: [illegible] Signature: MARTIN MURPHY Month 5 Day 21 Year 08

TRANSPORTER INT'L

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials
Transporter 1 Printed/Typed Name: JOHN GIBSBEN Signature: [signature] Month 5 Day 21 Year 08
Transporter 2 Printed/Typed Name: Signature: Month Day Year

DESIGNATED FACILITY

18. Discrepancy
18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
18b. Alternate Facility (or Generator) Manifest Reference Number: U.S. EPA ID Number
Facility's Phone:
18c. Signature of Alternate Facility (or Generator) Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. H132 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a
Printed/Typed Name: Michelle Flesch Signature: [signature] Month 05 Day 22 Year 08

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

W/E-5-31-08

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST	1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number
	NYR000153197	1	800-225-6750	000272699 FLE

5. Generator's Name and Mailing Address: Village of Saranac Lake, 400 Broadway, Saranac Lake, NY 12983
Generator's Site Address (if different than mailing address):
Generator's Phone: 518.891.4150

6. Transporter 1 Company Name: OP-TECH Environmental Services, Inc.
U.S. EPA ID Number: NYD986980753

7. Transporter 2 Company Name:
U.S. EPA ID Number:

8. Designated Facility Name and Site Address: CWM Chemical Service, Inc., PO Box 200, 1550 Balmer Road, Model City, NY 14107
Facility's Phone: (716) 754-8451
U.S. EPA ID Number: NYD049836679

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
X	1. RQ Hazardous Waste, Liquid, N.O.S.(Lead) 9, NA3082, PGIII(ERG#171)(D008)	3	DM	800	P	D008	T	
	2.							
	3.							
	4.							

14. Special Handling Instructions and Additional Information
9a-1) NY296741

15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: Martin Murphy
Signature:
Month: 5 Day: 21 Year: 08

INT'L

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

TRANSPORTER

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name: Ryan Dumont
Signature:
Month: 5 Day: 21 Year: 08

Transporter 2 Printed/Typed Name:
Signature:
Month: Day: Year:

DESIGNATED FACILITY

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator)
U.S. EPA ID Number:
Facility's Phone:

18c. Signature of Alternate Facility (or Generator)
Month: Day: Year:

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1.	2.	3.	4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name:
Signature:
Month: Day: Year:

W/E-5-31-08

ATTENTION SHIPPERS!

FREIGHT CHARGES ARE PREPAID ON THIS BILL OF LADING UNLESS MARKED COLLECT.

STRAIGHT BILL OF LADING

ORIGINAL — NOT NEGOTIABLE

Shipper No. LCTM00011

Carrier No. 6A-166

Page 1 of 1

OP-TECH ENVIRONMENTAL SERVICES, INC (Name of carrier) (SCAC)

Date 5/21/08

On Collect on Delivery shipments, the letters "COD" must appear before consignee's name or as otherwise provided in Item 430, Sec.1.

TO:

Consignee OP-TECH ENVIRONMENTAL SERVICES, INC

Street 370 RT. 34

City WAVERLY State NY Zip Code

FROM:

Shipper VILLAGE OF SARANAC LAKE

Street 400 BROADWAY ST.

City SARANAC LAKE State NY Zip Code 12983

24 hr. Emergency Contact Tel. No. 800-225-6750

Route

Vehicle Number 538

No. of Units & Container Type	HM	BASIC DESCRIPTION Proper Shipping Name, Hazard Class UN or NA Number, Packing Group or UN or NA Number, Proper Shipping Name, Hazard Class, Packing Group	TOTAL QUANTITY (Weight, Volume, Gallons, etc.)	WEIGHT (Subject to Correction)	RATE	CHARGES (For Carrier Use Only)
3 DM		NON DOT, NON EPA REGULATED LIQUIDS (ONLY WATER)	600 lbs			
		PROFILE : 1258 Bobbi Chase 5-28-08				

PLACARDS TENDERED: YES ☐ NO ☒

Note — (1) Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property, as follows: "The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding _____ per _____."
(2) Where the applicable tariff provisions specify a limitation of the carrier's liability absent a release or a value declaration by the shipper and the shipper does not release the carrier's liability or declare a value, the carrier's liability shall be limited to the extent provided by such provisions. See NMFC Item 172.
(3) Commodities requiring special or additional care or attention in handling or stowing must be so marked and packaged as to ensure safe transportation. See Section 2(e) of Item 360, Bills of Lading, Freight Bills and Statements of Charges and Section 1(a) of the Contract Terms and Conditions for a list of such articles.

I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name and are classified, packed, marked, and labelled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations.

Signature

REMIT C.O.D. TO: ADDRESS

COD Amt: $

C.O.D. FEE: PREPAID ☐ COLLECT ☐ $

Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:
The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.

(Signature of Consignor)

TOTAL CHARGES $

FREIGHT CHARGES
FREIGHT PREPAID except when box at right is checked ☐ Check box if charges are to be collect

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of, said property over all or any portion of said route to destination and as to each party at any time interested in all or any said property, that every service to be performed hereunder shall be subject to all the bill of lading terms and conditions in the governing classification on the date of shipment.
Shipper hereby certifies that he is familiar with all the lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

SHIPPER VILLAGE OF SARANAC LAKE

PER on Behalf of S.L CT Male

CARRIER OP-TECH ENVIRONMENTAL SERVICES, INC

PER

DATE 5/21/08

1

Permanent post-office address of shipper.

W/E-5-31-08

ATTENTION SHIPPERS! FREIGHT CHARGES ARE PREPAID ON THIS BILL OF LADING UNLESS MARKED COLLECT.

STRAIGHT BILL OF LADING

ORIGINAL — NOT NEGOTIABLE

Shipper No. LCTMech1

Carrier No. GA-166

Page 1 of 1 OP-TECH ENVIRONMENTAL SERVICES, INC (Name of carrier) (SCAC) Date 5/20/08

On Collect on Delivery shipments, the letters "COD" must appear before consignee's name or as otherwise provided in Item 430, Sec.1.

TO:
Consignee OP-TECH ENVIRONMENTAL SERVICES
Street 370 RT. 34
City WAVERLY State NY Zip Code

FROM:
Shipper VILLAGE OF SARANAC LAKE
Street 40 BROADWAY
City SARANAC LAKE State NY Zip Code 12983
24 hr. Emergency Contact Tel. No. 800.225.6750

Route

Vehicle Number 538

No. of Units & Container Type	HM	BASIC DESCRIPTION: Proper Shipping Name, Hazard Class UN or NA Number, Packing Group or UN or NA Number, Proper Shipping Name, Hazard Class, Packing Group	TOTAL QUANTITY (Weight, Volume, Gallons, etc.)	WEIGHT (Subject to Correction)	RATE	CHARGES (For Carrier Use Only)
1 DM		NON DOT, NON EPA REGULATED WASTE	200 lbs			
		(WASTE GREASE)				
1 CF		NON DOT NON EPA REGULATED WASTE (WASTE GREASE)	200 lbs			
1 DM		Non Dot, Non EPA Regulated Waste	200 lbs			
		(debris, poly)				
		PROFILE: 1235				

PLACARDS TENDERED: YES ☐ NO ☑

Note — (1) Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property, as follows: "The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding _____ per _____."
(2) Where the applicable tariff provisions specify a limitation of the carrier's liability absent a release or a value declaration by the shipper and the shipper does not release the carrier's liability or declare a value, the carrier's liability shall be limited to the extent provided by such provisions. See NMFC Item 172.
(3) Commodities requiring special or additional care or attention in handling or stowing must be so marked and packaged as to ensure safe transportation. See Section 2(e) of Item 360, Bills of Lading, Freight Bills and Statements of Charges and Section 1(a) of the Contract Terms and Conditions for a list of such articles.

I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name and are classified, packed, marked and labelled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations.

_____ Signature

REMIT C.O.D. TO: ADDRESS

COD Amt: $

Subject to Section 7 of the conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:
The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.

_____ (Signature of Consignor)

C.O.D. FEE: PREPAID ☐ COLLECT ☐ $

TOTAL CHARGES $

FREIGHT CHARGES
FREIGHT PREPAID except when box at right is checked ☐ Check box if charges are to be collect

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of, said property over all or any portion of said route to destination and as to each party at any time interested in all or any said property, that every service to be performed hereunder shall be subject to all the bill of lading terms and conditions in the governing classification on the date of shipment.
Shipper hereby certifies that he is familiar with all the lading terms and conditions in the governing classification and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

SHIPPER VILLAGE OF SARANAC LAKE
PER _____ on Behalf of S.L. C.T. M46

CARRIER OP-TECH ENVIRONMENTAL SERVICES, INC
PER _____
DATE 5/21/08

1

Permanent post-office address of shipper.

ATKINSON'S SCRAP METAL, INC.

BUYERS OF SCRAP METAL
RT. 22B • MORRISONVILLE, NY 12962
(518) 643-2749 • F.I.N. #7102452

CUSTOMER'S ORDER NO. DATE

NAME Ol-Tech PHONE NO.

ADDRESS

SOLD BY	CASH	CHECK	CHARGE	C.O.D.	ON ACCT.	PAID OUT	MDSE. RETD.

QUAN.	DESCRIPTION	PRICE	AMOUNT
~~GROSS~~	~~36480 lb~~		
	TIME 14:17		
TARE	33600 lb (TRH)		
	DATE 09 11 07		
~~NET~~	~~2880 lb (NETO)~~		
	1.44 TONS		
	- 500 lb Dirt	2380	
		1.19 Ton	
	Tin @ .110	TAX	
REC'D. BY		TOTAL	130 90

All claims and returned goods MUST be accompanied by this bill.

101065 Thank You PRINTED IN U.S.A.

Attn: Jake

ATTACHMENT F

ENVIRONMENTAL EASEMENT

FRANKLIN COUNTY – STATE OF NEW YORK

WANDA D. MURTAGH COUNTY CLERK
P.O. BOX 70, 355 W. MAIN ST, STE 248, MALONE, NEW YORK 12953

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH

RECEIPT NO. : 201194968

Clerk: LH
Instr #: 2011-1158
Rec Date: 03/04/2011 02:25:15 PM
Doc Grp: RP
Descrip: EASEMENT
Num Pgs: 10
Rec'd Frm: CHARLES J NOTH

Party1: SARANAC LAKE VILLAGE OF
Party2: N Y S PEOPLE OF
Town: HARRIETSTOWN

Recording:

Cover Page	0.00
Recording Fee	0.00
Cultural Ed	0.00
Records Management - Coun	0.00
Records Management - Stat	0.00
Sub Total:	0.00
Transfer Tax	
Transfer Tax	0.00
Sub Total:	0.00
Total:	0.00

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

***** Transfer Tax *****

Transfer Tax# : 880

Consideration: 0.00
Transfer Tax: 0.00

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

Record and Return To:

CHARLES J NOTH
145 PARK AVE
STE 1
SARANAC LAKE NY 12983

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

THIS INDENTURE made this 17th day of February, 2011, between Owner(s) Village of Saranac Lake, having an office at 3 Main Street, Saranac Lake, NY 12983, (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 400 Upper Broadway in the Village of Saranac Lake, County of Franklin and State of New York, known and designated on the tax map of the County Clerk of Franklin as tax map parcel numbers: Section 446.43 Block 2 Lot 3, being the same as that property conveyed to Grantor by deed dated June 6, 2002 and recorded in the Franklin County Clerk's Office in Book 805 at Page 294 comprising approximately 1.388 ± acres, and hereinafter more fully described in the Land Title Survey dated September 28, 2010, revised October 6, 2010, November 22, 2010 and January 31, 2011 prepared by Stacy L. Allott, LS # 49670, which will be attached to the Site Management Plan. The property description and survey (the "Controlled Property") 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 human health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of State Assistance Contract Number: C303219, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement")

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

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

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

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

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

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

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

(5) 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;

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

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

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

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

B. The Controlled Property shall not be used for Residential purposes, 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:

NYSDEC – Region 5
Division of Environmental Remediation
1115 NYS Route 86, P.O. Box 296
Ray Brook, NY 12977-0296,
Phone: (518) 897-1227

or

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 annually, or such time as NYSDEC may allow, 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 b the NYSDEC and that all controls are in the Department-approved format; and

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

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

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

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

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

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

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

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

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

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a

defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

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

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

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

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

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

Parties shall address correspondence to:

Site Number: E 517007
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

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

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

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

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

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

Grantor: Village of Saranac Lake

By: Clyde Rabideau

Print Name: Clyde Rabideau

Title: MAYOR Date:

Grantor's Acknowledgment

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

Christine M. Krehbiel
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01KR6232436
Qualified in Franklin County
Commission expires December 13, 2014

On the 7th day of February in the year 20 11, before me, the undersigned, personally appeared Clyde Rabideau, 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.

Christine M. Krehbiel
Notary Public - State of New York

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: _____
Dale A. Desnoyers, Director
Division of Remediation

Grantee's Acknowledgment

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

On the 17th day of February in the year 2011, before me, the undersigned, personally appeared Dale Desnoyers 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

Address: 400 Upper Broadway, Saranac Lake, NY
Franklin County
Tax Map: 446.43-2-3

EASEMENT D.E.C. SITE No. E517007
METES & BOUNDS DESCRIPTION

All that certain parcel of land, being situate in Township No. 21, Great Tract One, Macomb's Purchase, Village of Saranac Lake, Town of Harrietstown, County of Franklin, and State of New York: being more particularly bounded and described as follows:

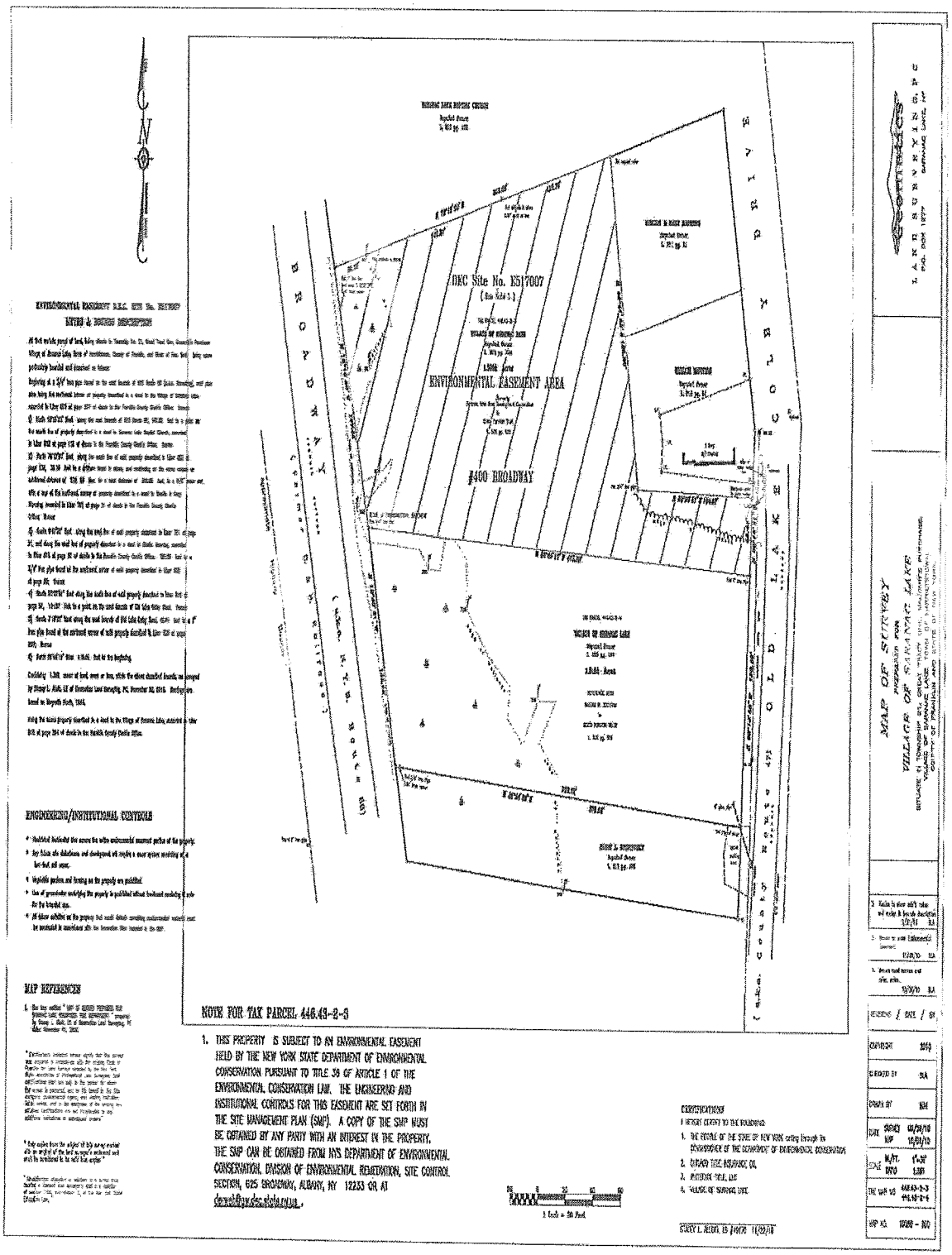
Beginning at a 3/4" pipe found on the east bounds of NYS Route 86 (a.k.a. Broadway), said pipe also being the northwest corner of property described in a deed to the Village of Saranac Lake, recorded in Liber 805 at page 297 of deeds in the Franklin County Clerk's Office; thence

1) North 15°15'23" West along the east bounds of NYS Route 86, 147.82 feet to a point on the south line of property described in a deed to Saranac Lake Baptist Church, recorded in Liber 852 at page 132 of deeds in the Franklin County Clerk's Office; thence
2) North 78°12'00" East along the south line of said property described in Liber 852 at page 132, 36.19 feet to a drillhole found in stone, and continuing on the same course an additional distance of 270.66 feet, for a total distance of 306.85 feet, to a 5/8" rebar set with a cap at the northwest corner of property described in a deed to Shellie & Gary Manning, recorded in Liber 781 at page 21 of deeds in the Franklin County Clerk's Office; thence
3) South 9°41'35" East along the west line of said property described in Liber 781 at page 21, and along the west line of property described in a deed to Shellie Manning, recorded in Liber 618 at page 51 of deeds in the Franklin County Clerk's Office, 185.59 feet to a ¾" iron pipe found at the southwest corner of said property described in Liber 618 at page 51; thence
4) South 88°20'51" East, along the south line of said property described in Liber 618 at page 51, 124.97 to a point on the west bounds of Old Lake Colby Road; thence
5) South 3°15'21" West along the west bounds of Old Lake Colby Road, 42.44 feet to a 1" iron pipe found at the southeast corner of said property described in Liber 805 at page 297; thence
6) North 86°45'10" West 415.89 feet to the beginning.

Containing 1.388 acres of land, more or less, within the above described bounds, as surveyed by Stacey L. Allott, LS of Geomatics Land Surveying, PC, November 22, 2010. Bearings are based on Magnetic North, 1964.

Being the same property described in a deed to the Village of Saranac Lake, recorded in Liber 805 at page 294 of deeds in the Franklin County Clerk's Office.

SURVEY


NOTE FOR TAX PARCEL 446.49-2-3
1. THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 1 OF THE 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 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.
ENGINEERING/INSTITUTIONAL CONTROLS
MAP REFERENCES
MAP OF SURVEY
VILLAGE OF SARANAC LAKE
1 inch = 50 Feet