City of Ogdensburg
Department of Planning & Development

Director
Andrea L. Smith

330 Ford Street - Room 11
Ogdensburg, New York 13669
http://www. ogdensburg.org

May 1, 2014

NYS Department of Environmental Remediation
Robert W. Schick, P.E., Director
625 Broadway
Albany, NY 12233-7011

RE: Former Diamond International Paper Mill
Site No: E645027
SAC No.: C302615

Dear Director Schick:

Enclosed you will find a copy of the COC and recording receipt from the St. Lawrence County Clerk. The COC has been place in the City's document repository for the project.

If you have any questions or concerns, feel free to contact this office.

Sincerely,

Andrea L. Smith
Director

Enclosures

RECEIVED
MAY 05 2014
Division of
Environmental Remediation

T: (315) 393-7150 E: asmith@ogdensburg.org F: (315) 393-7401

RECEIVED
MAY 05 2014
Division of
Environmental Remediation

ST LAWRENCE COUNTY – STATE OF NEW YORK

MARY LOU RUPP, COUNTY CLERK
48 COURT STREET, CANTON, NEW YORK 13617

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

Recording:

Pages	0.00
Recording Fee	0.00
Cultural Ed	0.00
Records Management - Coun	0.00
Records Management - Stat	0.00
Total:	0.00

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

INSTRUMENT #: R-2014-00004854

Receipt#: 2014433315
Clerk: STAFF
Rec Date: 04/18/2014 09:21:51 AM
Doc Grp: RP
Descrip: MISCELLANEOUS RECORDING
Num Pgs: 4

Party1: OGDENSBURG CITY
Party2: FORMER DIAMOND INTERNATIONAL PAPER MILL SITE

Record and Return To:

CITY OF OGDENSBURG
330 FORD STREET
OGDENSBURG NY 13669

MaryLou Rupp

Mary Lou Rupp
St Lawrence County Clerk

WARNING***
** Information may change during the verification process and may not be reflected on this page.

NOTICE OF CERTIFICATE OF COMPLETION
Environmental Restoration Program
Pursuant to 6 NYCRR Part 375-1.9(d)

Former Diamond International Paper Mill Site, Site ID No. E645027
Pearl Street, City of Ogdensburg, New York 13669, Tax Map Identification Number(s) Section 59.021 Block 4 Lot (s) 1.12 and 1.13

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to 6 NYCRR Part 375 to City of Ogdensburg for a parcel approximately 15.58 acres in size located on Pearl Street in the City of Ogdensburg, St. Lawrence County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the State Assistance Contract, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 56, Title 5 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ✓ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ✓ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ✓ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

PLEASE TAKE NOTICE, provided that the Certificate is complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 56-0509. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 56-0509. The liability limitation shall be subject to all rights reserved to the State by ECL Section 56-0509 and any other applicable provision of law.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for St. Lawrence County as Receipt No. 2013390865 on March 18, 2013.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in ECL Section 56-

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4 Pages
Mary Lou Rupp, St Lawrence County Clerk

0509. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in ECL Section 56-0509. The liability limitation shall be subject to all rights reserved to the State by ECL Section 56-0509 and any other applicable provision of law.

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the Certificate may be only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

PLEASE TAKE NOTICE, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations.

PLEASE TAKE NOTICE, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 6 located at 317Washington Street, Watertown, New York 13601 by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

City of Ogdensburg

By: John M. Pinkerton

Title: City Manager

Date: 4/14/2014

STATE OF NEW YORK) SS:
COUNTY OF)

On the 14th day of April, in the year 2014, before me, the undersigned, personally appeared John M. Pinkerton, 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.

Jennifer K. Ashley

Signature and Office of individual taking acknowledgment

JENNIFER K. ASHLEY
Notary Public, State of New York
Qualified in St. Lawrence County
No. 01AS4957820
My Commission Expires October 23, 2017

Please record and return to:
City of Ogdensburg, City Hall
330 Ford Street
Ogdensburg, New York 13669

STATE OF NEW YORK)
)ss:
COUNTY OF ST. LAWRENCE)

Andrea L. Smith, being duly sworn, deposes and says:

That she is the Director of Planning and Development for the City of Ogdensburg, New York with an office and mailing address at 330 Ford Street, Room 11, Ogdensburg, NY 13669.

That she makes this affidavit in support of a request for an exemption from payment of taxes and fees.

That the City of Ogdensburg is presenting, for filing the attached Notice of Certificate of Completion as a requirement of participation in the New York State Department of Environmental Conservation - Environmental Restoration Program.

Whereas the New York State Department of Environmental Conservation and the City of Ogdensburg are tax exempt entities,

Therefore, it is respectfully requested that the County Clerk of St. Lawrence County record the document and furnish any copies or certifications thereof without demand for payment of any recording tax or filing fees.

Andrea L. Smith

Andrea L. Smith, Director
City of Ogdensburg
Department of Planning and Development

Subscribed and sworn to before me the 17th day of April, 2014.

Jennifer K. Ashley

Notary Public
Commission expires: 10/23/17

JENNIFER K. ASHLEY
Notary Public, State of New York
Qualified in St. Lawrence County
No. 01AS4957820
My Commission Expires October 23, 2017

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