



## Agreement to Remove Vapor Mitigation System

Property Owner(s): SMG Development LLC

Address of Property: 200 North Main Street, Perry, NY 14530

I am the owner of the property listed above. In April 2011, a New York State Department of Environmental Conservation (DEC) approved sub-slab depressurization vapor mitigation system was installed in the structure on my property to address existing exposures due to vapor intrusion (VI) of chlorinated and non-chlorinated solvents.

I hereby request that the DEC approves the removal of the sub-slab depressurization system, including all mechanical and electrical components (e.g., blower, piping, wiring, alarms) from the structure.

Note that Environmental Conservation Law Section 27-2405 (Tenant Notification Law) directs property owners or owners' agents to provide fact sheets and notices of public meetings to all tenants and occupants of structures for which test results exceed DOH indoor air guidelines or OSHA standards, and, upon request, to make test results available within 15 days of the owner's receipt of the results. In addition, when a property is subject to an engineering control to mitigate indoor air contamination or is subject to ongoing monitoring, the Tenant Notification Law requires an owner or owner's agent to provide prospective tenants with fact sheets and, upon request, test results prior to the signing of a lease or rental agreement. Notice that the property has been tested for indoor air contamination must appear prominently in the lease or rental agreement.

Information regarding property owners' obligations regarding indoor air contamination associated with VI is available on DEC's website:

<http://www.dec.ny.gov/regulations/55739.html>

Fact sheets are available on the New York State Department of Health's website:

<http://www.health.ny.gov/environmental/indoors/air/contaminants/>

Adem Gullo  
Signature

8/9/23  
Date