



November 19, 2008

CONECO Project No. C873.1

CIVIL DESIGN & LAND PLANNING

SURVEYING

GEOTECHNICAL ENGINEERING

ENVIRONMENTAL CONSULTING

REGULATORY COMPLIANCE & PERMITTING

New York State Department of Environmental Conservation
Division of Environmental Enforcement
Bureau of Superfund and Brownfield Restoration, 14th Floor
625 Broadway
Albany, New York 12233-1500

RECEIVED

NOV 20 2008

Remedial Bureau C
Division of Environmental Remediation

Re: **2nd Annual Certification**

Agreement Index No. W3-0851-99-05

VCP Site No. V00213

Commercial Property: 500 Mamaroneck Avenue, Harrison, NY

Deborah Christian, Acting Chief:

On behalf of 500 Mamaroneck Avenue, L.P. and Viviane Paris, LLC, Coneco Engineers & Scientists (CONECO) is please to submit this **2nd Annual Certification** for the property located at 500 Mamaroneck Avenue in Harrison, New York, hereinafter referred to as the "Site".

In accordance with the terms of the Voluntary Agreement, Attachment C, entered into between the New York State Department of Environmental Conservation (the "Department") and 500 Mamaroneck Avenue Associates (the "Volunteer"), and as part of the Site Remedy the NYDEC requires that an annual inspection and certification be provided, stating that the Site engineering controls are in place and effective.

The Site Remedy contained in the Remedial Action Plan Final Report (Report) prepared by Environmental Resources Management dated January 2005, and submitted to the NYDEC and approved by the NYDEC, consists of institutional and engineering controls. The engineering controls consist of the existing asphalt parking lots and landscaping and vegetative cover over the "southern berm" and the "northwest section." The engineering controls, specifically the existing asphalt pavement, acts as a protective barriers to ensure no direct exposure to residual lead and polyaromatic hydrocarbons (PAHs) in the historical underlying fill material associated with the formed Harrison Incinerator, which operated at the Site from approximately 1954 to 1980.

The Site Management Plan of the Report includes a Soil Management Plan, which ensures that engineering controls including the existing asphalt paved parking lots and vegetative cover are in place, maintained and effective in preventing direct contact by workers and/or occupants of the Site building, with the historical impacted fill material located beneath the asphalt pavement and vegetative areas designated in the Remedial Action Plan.

SITE DESCRIPTION:

The Site is located on the east side of Mamaroneck Avenue, approximately 2,000-feet south of Union Avenue in Harrison, Westchester County, New York. The approximately 34.5-acre Site, roughly rectangular in shape, is improved with a five-story office building, and has approximately 985-feet of frontage along Mamaroneck Avenue. A Site Locus Plan and Site Plan are attached as Figure 1-1 and Figure 1-2, respectively.

Approximately 14-acres of the Site have been improved with an office building having a footprint of 1.5-acres, 9-acres of bituminous asphalt paved parking areas (north and south of the Site structure), and an undeveloped portion of the Site to the east which serves as a "buffer area" for adjacent residential properties. The Site is serviced by municipal water and sewer.

ANNUAL CERTIFICATION:

As part of this 2nd Annual Certification, CONECO Senior Project Engineer, Michael Feldman, and W&M Properties, Inc. Building Engineer, Norbert Ostaszewski, have performed semi-annual inspections of the Site.

Mr. Ostaszewski performed Site inspections on May 14, 2008 and November 14, 2008. Mr. Feldman performed Site inspections on June 14, 2008 and November 14, 2008.

For all of the Site inspections a Remedy Inspection Form (Table 8-2) was completed for each inspection, (see Attachment 3). In addition, Site photographs of the *engineering controls* at the Site including the asphalt paved parking areas, landscaped areas, and Southern Berm are included as Attachment B.

In addition to the semi-annual inspections performed by the Site Building Engineer and his staff, daily inspections are performed to ensure that there are no problems with the engineering controls at the Site including the asphalt paved parking areas, landscaped areas, and Southern Berm. These daily inspections are performed by Building Engineer Norbert Ostaszewski, or one or more of his staff.

Asphalt Pavement

Observed Problem Areas:

No problem areas were identified during 2008 Site inspections.

During the October 2007 inspection, cracks and depressions were observed in the northern portion of the Site asphalt paved areas. These deficiencies were noted and Corrective Action was recommended to repave the northern parking lot. **The entire northern parking lot was repaved with bituminous asphalt in August 2007 by AIKLER Asphalt Pavement Company, Inc. of the Bronx, New York.** Observations made by CONECO on December 13, 2007 found the deficient areas of the northern asphalt paved parking lot were corrected by the new pavement.

The entire south parking lot was repaved with bituminous asphalt in spring 2008 by AIKLER Asphalt Pavement Company. Small cracks in the driveway areas on the western side of the Site observed in October 2007 were sealed in the spring of 2008 and no cracks were observed during the semi-annual inspections performed in June and November 2008.

Corrective Action:

No Corrective action was recommended.

Landscaped Areas

Observed Problem Areas:

No problem areas and/or deficiencies were observed in the landscaped areas across the entire Site during the 2008 June and November semi-annual inspections. No bare spots, erosion rivulets, washouts or soil slides were observed.

Corrective Action:

No Corrective action was recommended.

Vegetative Slopes along Southern Berm

Observed Problem Areas:

No problem areas and/or deficiencies were observed along both the north and south side of the Southern Berm during the June and November semi-annual inspections performed in June and November 2008. No bare spots, erosion rivulets, washouts or soil slides were observed.

Corrective Action:

No Corrective action was recommended.

It is CONECO Engineers and Scientists (CONECO) opinion that the Site Engineering Controls for the year 2007 are in place and effective.

If you have any questions or require additional information, please contact the undersigned at (860) 659-8558.

Sincerely,
Coneco Engineers & Scientists



Michael C. Feldman
Principal/Senior Engineer

Cc: David Crosby, Project Manager, NYDEC
Gerrit Blauvelt, W&M Properties, Inc, Director Property Management.
Patrick Philbin, W&M Properties, Inc., Property Manager.

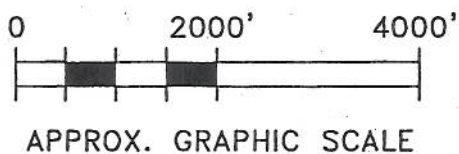
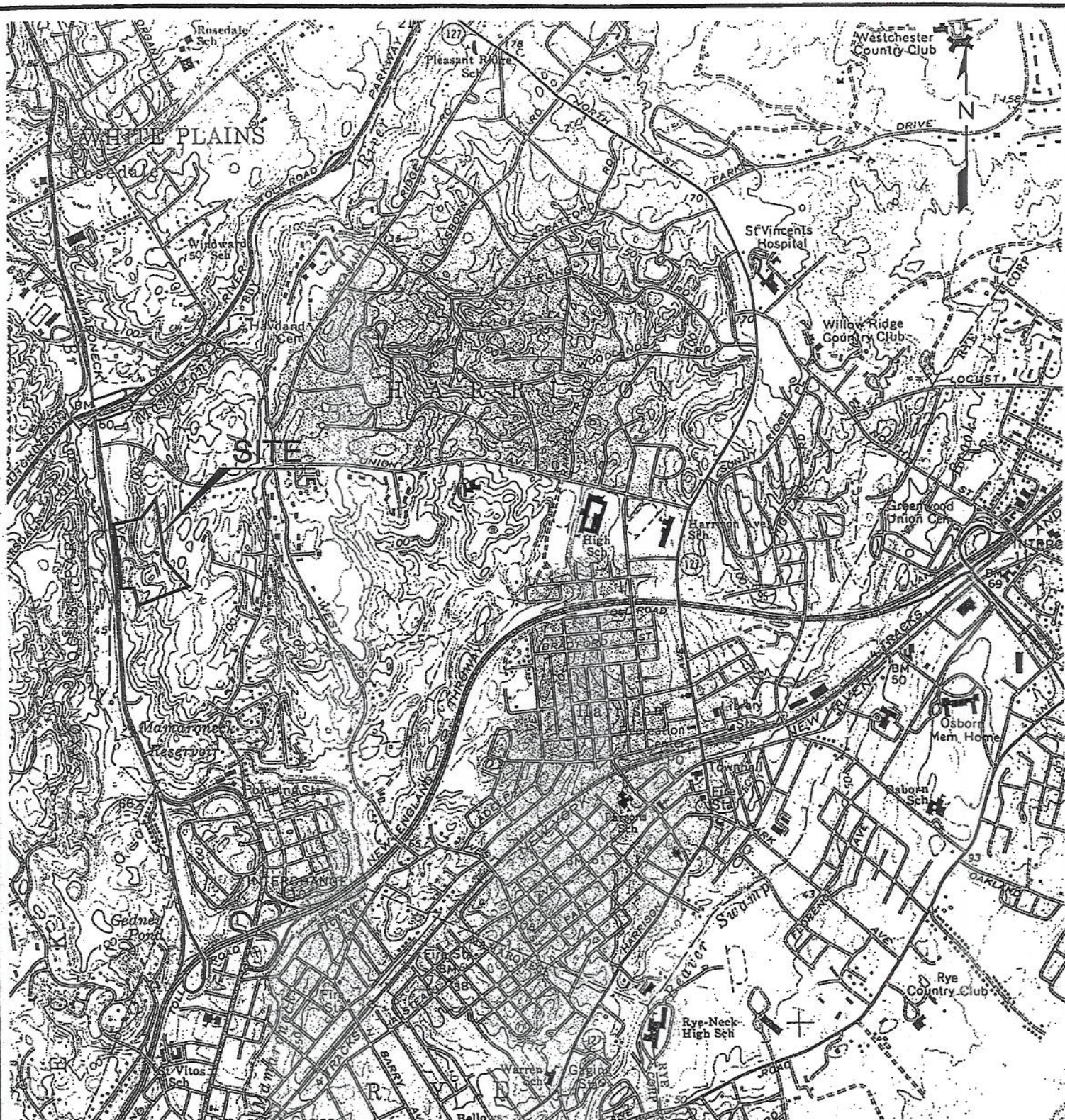
FIGURES:

Figure 1-1: Site Locus Plan	Tab 1
Figure 1-2: Site Plan	Tab 2

ATTACHMENTS:

Appendix A: Remedy Inspection Forms.....	Tab 3
Appendix B: Site Photographs.....	Tab 4
Voluntary Agreement (Index No. W3-0851-99-05)	Tab 5
Enclosure 1: NYDEC Site Management Periodic Review Report Notice Institutional & Engineering Controls Certification Form	Tab 6

FIGURES



TITLE

SITE LOCATION MAP 500 MAMARONECK AVENUE HARRISON, NY

PREPARED FOR

500 MAMARONECK AVE. ASSOCIATES



Environmental Resources Management

SCALE

GRAPHIC

FIGURE

DATE

1-1

DRAWN:

Y.S.

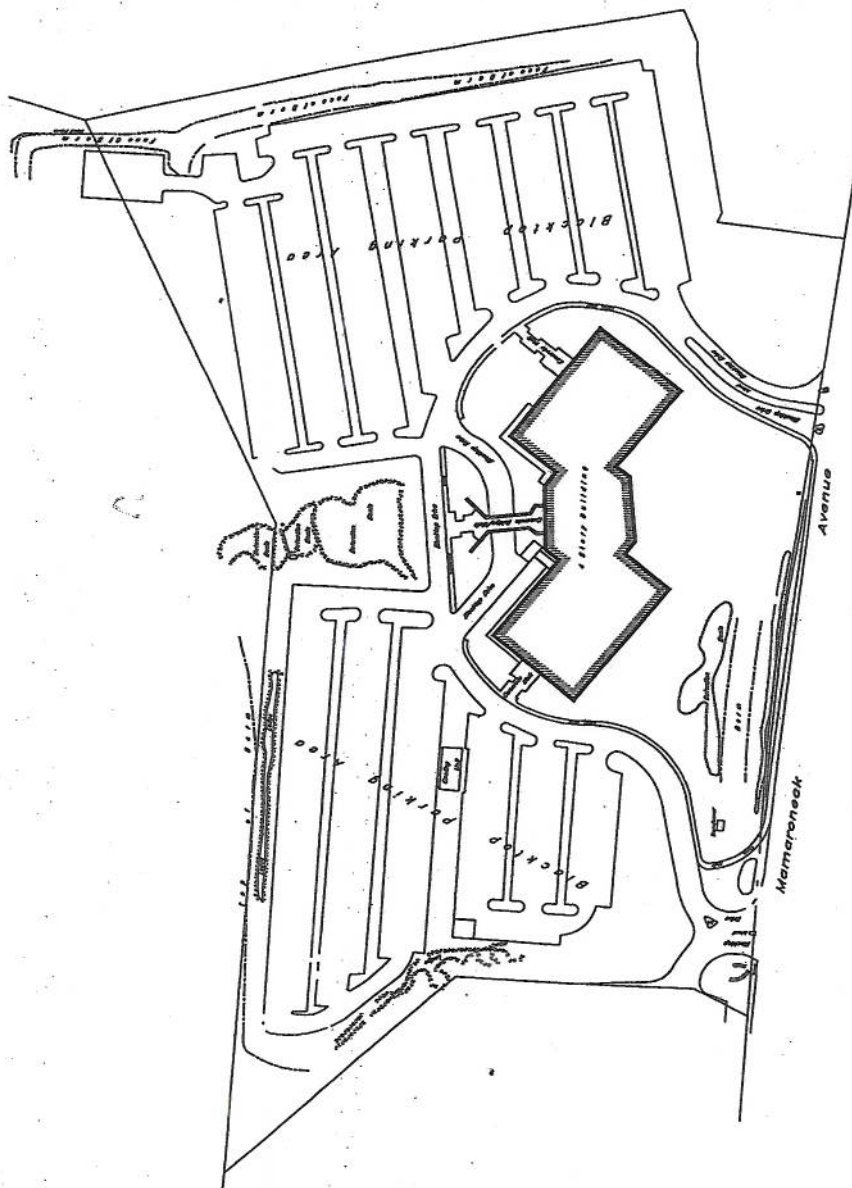
JOB NO.:

X8101.00

FILE NAME:

X810100025

10/08/02



APPROXIMATE GRAPHIC SCALE

TITLE

SITE PLAN 500 MAMARONECK AVENUE

PREPARED FOR
500 MAMARONECK AVENUE ASSOCIATES

SCALE	GRAPHIC	DATE	PROJECT
1" = 40'	GRAPHIC	5/25/02	1-2
1" = 40'	GRAPHIC	5/25/02	1-2

ATTACHMENT A

SITE REMEDY INSPECTION FORM

Table 8-2

Remedy Inspection Form

500 Mamaroneck Avenue, Harrison, NY

DATE(S) OF INSPECTION: 05/14/2008

Note the location(s) of any the inspection findings described below on Figure 1-1 (attached).

	Yes	No	Corrective Action Needed?
<u>Asphalt Cover</u>			
Are there any cracks in the asphalt cover?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any surface water ponding on the asphalt cover?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there any evidence of settlement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Specify Correction Actions Needed:	<u>South side cracks scheduled to be filled out.</u>		

	Yes	No	Corrective Action Needed?
<u>Landscaped Areas</u>			
Are there any visible bare spots?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are there any erosion rivulets?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is there evidence of any washouts or soil slides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Specify Correction Actions Needed:			

	Yes	No	Corrective Action Needed?
<u>Vegetative Slopes Along the Southern Berm</u>			
Are there any extensive visible bare spots?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are there any erosion rivulets?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is there evidence of any washouts or soil slides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Specify Correction Actions Needed:			

cc: Managing Office

Attach a copy of Figure 1-1

05/14/2008
Robert Osterwald

Table 8-2

Remedy Inspection Form

500 Mamaroneck Avenue, Harrison, NY

DATE(S) OF INSPECTION: 11/14/08

Note the location(s) of any the inspection findings described below on Figure 1-1 (attached).

	Yes	No	Corrective Action Needed?
<u>Asphalt Cover</u>			
Are there any cracks in the asphalt cover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is there any surface water ponding on the asphalt cover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is there any evidence of settlement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Specify Correction Actions Needed:	<u>Cracks on south side of parking lot were filled out.</u>		

	Yes	No	Corrective Action Needed?
<u>Landscaped Areas</u>			
Are there any visible bare spots?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are there any erosion rivulets?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is there evidence of any washouts or soil slides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Specify Correction Actions Needed:			

	Yes	No	Corrective Action Needed?
<u>Vegetative Slopes Along the Southern Berm</u>			
Are there any extensive visible bare spots?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are there any erosion rivulets?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is there evidence of any washouts or soil slides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Specify Correction Actions Needed:			

cc: Managing Office

Attach a copy of Figure 1-1

11/14/2008
Robert Ostrowski

Table 8-2

Remedy Inspection Form

500 Mamaroneck Avenue, Harrison, NY

DATE(S) OF INSPECTION: June 14, 2008

Note the location(s) of any the inspection findings described below on Figure 1-1 (attached).

Asphalt Cover

Are there any cracks in the asphalt cover?

Yes

☐

No

☒Corrective Action
Needed?☐

Is there any surface water ponding on the asphalt cover?

☐☒☐

Is there any evidence of settlement?

☐☒☐

Specify Correction Actions Needed:

Northern Paved Parking Lot repaved August 2007
Southern Paved Parking Lot repaved Spring 2008

Yes

No

Corrective Action
Needed?Landscaped Areas

Are there any visible bare spots?

☐☒☐

Are there any erosion rivulets?

☐☒☐

Is there evidence of any washouts or soil slides?

☐☒☐

Specify Correction Actions Needed:

All Landscaped Areas in excellent condition

Yes

No

Corrective Action
Needed?Vegetative Slopes Along the Southern Berm

Are there any visible bare spots?

☐☒☐

Are there any erosion rivulets?

☐☒☐

Is there evidence of any washouts or soil slides?

☐☒☐

Specify Correction Actions Needed:

cc: Managing Office

Attach a copy of Figure 1-1

Conaco Engineers + Scientists
Michael C. Feldman
Principal / Senior Engineer
6/14/08

DRAFT

Table 8-2

Remedy Inspection Form

500 Mamaroneck Avenue, Harrison, NY

DATE(S) OF INSPECTION: November 14, 2008

Note the location(s) of any the inspection findings described below on Figure 1-1 (attached).

Asphalt Cover

Are there any cracks in the asphalt cover?
Is there any surface water ponding on the asphalt cover?
Is there any evidence of settlement?
Specify Correction Actions Needed:

Yes	No	Corrective Action Needed?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Landscaped Areas

Are there any visible bare spots?
Are there any erosion rivulets?
Is there evidence of any washouts or soil slides?
Specify Correction Actions Needed:

Yes	No	Corrective Action Needed?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Vegetative Slopes Along the Southern Berm

Are there any visible bare spots?
Are there any erosion rivulets?
Is there evidence of any washouts or soil slides?
Specify Correction Actions Needed:

Yes	No	Corrective Action Needed?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

cc: Managing Office

Attach a copy of Figure 1-1

Cunoco Engineers & Scientists
Michael C. Feldman
MICHAEL C. FELDMAN
Principal / Senior Engineer
11/14/08

ATTACHMENT B

SITE PHOTOGRAPHS



Northern Parking Lot, Paved August 2007, Excellent Condition.



Catch Basin Repaired, Northern Parking Lot.



Northwest Landscaped area, Excellent Condition.



North Parking Area, Paved Aug. 2007, Excellent Condition, View looking North.



Sealed Pavement Cracks, Western Driveway, Repaired Spring 2008.



Spring 2008 Repaved Pavement, Southwest corner of Site.



Southern Berm, Excellent Condition, View looking West.



Southern Berm, View looking East.



Sealed Pavement Cracks, Southwest Driveway, Repaired Spring 2008.



South Parking Lot, Repaved Spring 2008, Excellent Condition, View looking North.

ATTACHMENT C

VOLUNTARY AGREEMENT (Index No. W3-0851-99-05)

New York State Department of Environmental Conservation

Division of Environmental Enforcement

Bureau of Superfund and Brownfield Restoration, 14th Floor

625 Broadway, Albany, New York 12233-1500

Phone: (518) 402-2794 • FAX: (518) 402-8541

Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

500 Mamaroneck Avenue Associates
% Schluman Realty
500 Mamaroneck Avenue
Harrison, New York 10525

Re: 500 Mamaroneck Ave. VCP Site No. V00213,
Mamaroneck Avenue Associates ("Volunteer"),
Agreement Index No. W3-0851-99-05

Attention: Douglas A. Ramsay

Release and Covenant Not to Sue

Unless otherwise specified in this letter, all terms used in this letter shall have the meaning assigned to them under the terms of the Voluntary Agreement entered into between the New York State Department of Environmental Conservation (the "Department") and 500 Mamaroneck Avenue Associates ("Volunteer"), Index No. W3-0851-99-05 (the "Agreement").

The Department is pleased to report that the Department is satisfied that the Agreement's Work Plan, covering the remediation of the Site, located at 500 Mamaroneck Avenue in the Town of Harrison, State of New York, Tax Map Tax Block, 482 and lot no. 8, has been successfully implemented.

The Department and the Trustee of New York State's natural resources ("Trustee"), therefore, hereby release, covenant not to sue, and shall forbear from bringing any action, proceeding, or suit against Volunteer, Volunteer's partners and Volunteer's insurer to the extent of Volunteer's liability at the Site, and Volunteer's lessees and sublessees and Volunteer's successors and assigns and their respective secured creditors, for the further investigation and remediation of the Site, and for natural resources damages, based upon the release or threatened release of Covered Contamination, provided that (a) timely payments of the amounts specified in Paragraph VI of the Agreement continue to be or have been made to the Department, (b) appropriate notices and deed restrictions have been recorded in accordance with Paragraphs IX and X of the Agreement, and (c) Volunteer and/or Volunteer's lessees, sublessees, successors, or assigns promptly commence and diligently pursue to completion the Department-approved O&M Plan, if any. Nonetheless, the Department and the Trustee hereby reserve all of their respective rights concerning, and such release, covenant not to sue, and forbearance shall not extend to any further investigation or remedial action the Department deems necessary:

- due to off-Site migration of petroleum, irrespective of whether the information available to Volunteer and the Department at the time of the development of the Work Plan disclosed the existence or potential existence of such off-Site migration;
- due to environmental conditions related to the Site that were unknown to the Department at the time of its approval of the Work Plan which indicate that Site conditions are not sufficiently protective of human health and the environment for the Contemplated Use;
- due to information received, in whole or in part, after the Department's approval of the final engineering report, which indicates that the activities carried out in accordance with the Work Plan are not sufficiently protective of human health and the environment for the Contemplated Use;
- due to Volunteer's failure to implement the Agreement to the Department's satisfaction; or
- due to fraud committed, or mistake made, by Volunteer in demonstrating that the Site-specific cleanup levels identified in, or to be identified in accordance with, the Work Plan were reached.

Additionally, the Department and the Trustee hereby reserve all of their respective rights concerning, and any such release, covenant not to sue, and forbearance shall not extend to:

- Volunteer if Volunteer causes a, or suffers the, release or threat of release, at the Site of any hazardous substance (as that term is defined at 42 USC 9601[14]) or petroleum (as that term is defined in Navigation Law § 172[15]), other than Covered Contamination; or if Volunteer causes a, or suffers the use of the Site to, change from the Contemplated Use to one requiring a lower level of residual contamination before that use can be implemented with sufficient protection of human health and the environment; nor to
- any of Volunteer's lessees, sublessees, successors, or assigns who causes a, or suffers the, release or threat of release, at the Site of any hazardous substance (as that term is defined at 42 USC 9601[14]) or petroleum (as that term is defined in Navigation Law § 172[15]), other than Covered Contamination, after the effective date of the Agreement; who causes a, or suffers the use of the Site to, change from the Contemplated Use to one requiring a lower level of residual contamination before that use can be implemented with sufficient protection of human health and the environment; or who is otherwise a party responsible under law for the remediation of the Existing Contamination independent of any obligation that party may have respecting same established resulting solely from the Agreement's execution.


Notwithstanding the above, however, with respect to any claim or cause of action asserted by the Department, the one seeking the benefit of this release, covenant not to sue, and forbearance shall bear the burden of proving that the claim or cause of action, or any part thereof, is attributable solely to Covered Contamination.

Notwithstanding any other provision in this release, covenant not to sue, and forbearance,

- if with respect to the Site there exists or may exist a claim of any kind or nature on the part of the New York State Environmental Protection and Spill Compensation Fund against any party, nothing in this release shall be construed, or deemed, to preclude the State of New York from recovering such claim.
- except as provided in Subparagraph I.G of the Agreement and in this letter, nothing contained in the Agreement or in this letter shall be construed as barring, diminishing, adjudicating, or in any way affecting any of the Department's or Trustee's rights (including, but not limited to, nor exemplified by, the right to recover natural resources damages) with respect to any party, including Volunteer.
- nothing contained in this letter shall prejudice any rights of the Department or Trustee to take any investigatory or remedial action it may deem necessary if Volunteer fails to comply with the Agreement or if contamination other than Existing Contamination or Covered Contamination is encountered at the Site.
- nothing contained in this letter shall be construed to prohibit the Commissioner or his duly authorized representative from exercising any summary abatement powers.
- nothing contained in this letter shall be construed to affect the Department's right to terminate the Agreement at any time during its implementation if Volunteer fails to comply substantially with the Agreement's terms and conditions.

In conclusion, the Department is pleased to be part of this effort to return the Site to productive use of benefit to the entire community.

ALEXANDER B. GRANNIS, COMMISSIONER
NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION AND
TRUSTEE OF NEW YORK STATE'S
NATURAL RESOURCES

By: 
Deborah Christian, Acting Chief
Bureau of Superfund and Brownfield Restoration

ATTACHMENT D

**ENCLOSURE 1:
NYDEC SITE MANAGEMENT PERIODIC REVIEW NOTICE
INSTITUTIONAL and ENGINEERING CONTROLS CERTIFICATION
FORM**



Enclosure 1
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form



	Site Details	Box 1
Site No.	V00213	
Site Name	500 Mamaroneck Avenue	
Site Address:	500 Mamaroneck Avenue	Zip Code: 10528
City/Town:	Harrison	
County:	Westchester	
Current Use:		
Intended Use:	Industrial	

- | Verification of Site Details | | Box 2 | |
|--|--|-------------------------------------|-------------------------------------|
| | | YES | NO |
| 1. Are the Site Details above, correct? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If NO, are changes handwritten above or included on a separate sheet? | | <input type="checkbox"/> | |
| 2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment since the initial/last certification? | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If YES, is documentation or evidence that documentation has been previously submitted included with this certification? | | <input type="checkbox"/> | |
| 3. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property since the initial/last certification? | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If YES, is documentation or evidence that documentation has been previously submitted included with this certification? | | <input type="checkbox"/> | |
| 4. Has a change-of-use occurred since the initial/last certification? | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If YES, is documentation or evidence that documentation has been previously submitted included with this certification? | | <input type="checkbox"/> | |
| 5. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), has any new information revealed that assumptions made in the Qualitative Exposure Assessment for offsite contamination are no longer valid? | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If YES, is the new information or evidence that new information has been previously submitted included with this Certification? | | <input type="checkbox"/> | |
| 6. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), are the assumptions in the Qualitative Exposure Assessment still valid (must be certified every five years)? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If NO, are changes in the assessment included with this certification? | | <input type="checkbox"/> | |

SITE NO. V00213

Box 3

Description of Institutional Control

Control Certification

YES NO

W&M Properties of Connecticut, Inc

500 Mamaroneck Avenue

Deed Restriction

S_B_L Image:

Ground Water Use Restriction

Soil Management Plan



Box 4

Description of Engineering Control

Control Certification

YES NO

W&M Properties of Connecticut, Inc

500 Mamaroneck Avenue

Deed Restriction

S_B_L Image:

Cover System



Attach documentation if IC/ECs cannot be certified or why IC/ECs are no longer applicable.
(Also see instructions)

Control Description for Site No. V00213

The property is restricted to commercial landuse.

Use as a day care, child care, or medial care facility (other than out-patient care) is restricted.

Maintain the cover / cap system idnetified in the RAWP.

Groundwater is not to be used for potable purposes unless the relevant agency provides written premissions except that the groundwater may be used for decorative fountains, waterfalls and other similar purposes consistent with the current use.

Compliance with the Site Management Plan for any work intrusive work conducted at the soil cover areas.

Annual certification that the engineering and institutional controls are in place.

Control Certification Statement

For each Institutional or Engineering control listed above, I certify by checking "Yes" that all of the following statements are true:

- (a) the Institutional Control and/or Engineering Control employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
- (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
- (c) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
- (d) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control.
- (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

IC/EC CERTIFICATIONS
SITE NO. V00213

Box 5

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 2 and/or 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Gerrit Blaurelt Sr. at 200 First Stamford Pl. Stamford CT
print name print business address 06902

am certifying as _____ (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Gerrit Blaurelt Sr.
Signature of Owner or Remedial Party Rendering Certification

11/18/08
Date

Box 6

QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) SIGNATURE

I certify that all information and statements in Box 4 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I MICHAEL C. FELDMAN at Conoco Engineers & Scientists Corp.
print name print business address
90 National Drive, Glastonbury, CT 06033

am certifying as a Qualified Environmental Professional for the _____

(Owner or Remedial Party) for the Site named in the Site Details Section of this form.

Michael C. Feldman
Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering
Certification

Stamp (if Required)

11/18/08
Date