# **Environmental Site Assessment**

Butler Correctional Facility 14003 Westbury Cutoff Road Red Creek, New York

# November 21, 2013

OGS Contract # S5339, Project SA365, Work Order # 50, HRP Job #NEW7425.P1

# Prepared for:

NYSDOCCS FP&D 1220 Washington Avenue Albany, NY 12226-2050

This report is true and accurate to the best of the undersigned consultant's knowledge.

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# REPORT COMPLETENESS CHECKLIST

<u>Consulting Firm:</u> HRP Associates, Inc. <u>Site Address:</u> 14003 Westbury Cutoff Road <u>Report Title:</u> Phase I ESA <u>Report Date:</u> November 21, 2013

Iter	n	Included?
1.	Report complies with most recent ASTM standard.	Yes
2.	Adjoining properties are described.	Yes
3.	Utilities are described, including heating fuel source, water supply source and wastewater discharge method (sewer/septic).	Yes
4.	An estimate of the groundwater flow direction is provided.	Yes
5.	A historic chain of <b>use</b> to 1940 or first developed use is included, or "data failure" per ASTM is documented.	Yes
6.	Review of Sanborn maps or certification that there is no Sanborn coverage.	Yes
7.	Local officials (e.g.: assessor, building department) contacted for historical information.	Yes
8.	Date of the site visit provided.	Yes
9.	Inaccessible areas identified.	Yes
	Current and past operations and processes are described.	Yes
11.	Opinion on the significance of any nearby property identified on a regulatory database.	Yes
12.	Documentation of interviews with major occupants and the key site manager.	Yes
13.	Local officials, (fire department, health department, etc) interviewed or files reviewed.	Yes
14.	Conclusions include the recommended ASTM wording about RECs.	Yes
15.	There is a recommendation for each REC identified.	Yes
	The Conclusions/Recommendations Table is included with a generic cost for each recommendation.	Yes
AP	PENDICES/ATTACHMENTS	
•	Site locus using USGS topographic quadrangle as base map.	Yes
•	Figure showing site boundaries, abutters, buildings, site features, approximate scale, north arrow	Yes
•	Color photographs	Yes
•	Database report	Yes
•	Resumes of site inspector and report reviewers.	Yes
•	All other documentation to support conclusions and comply with ASTM.	Yes

This form completed by: Patrick Rodman Date: November 21, 2013

# **TABLE OF CONTENTS**

Seci	<u>iion</u>	<u>Page</u>
EXEC	UTIVE SUMMARY	i
1.0	INTRODUCTION	1
2.0	SITE AND AREA DESCRIPTION	2
3.0	CLIENT/USER PROVIDED INFORMATION	4
4.0	HISTORICAL INFORMATION	5
5.0	SITE RECONNAISSANCE	7
6.0	GOVERNMENT RECORDS REVIEW	12
7.0	PREVIOUS REPORTS	22
8.0	EXCEPTIONS AND DELETIONS	23
9.0	DATA GAPS	24
10.0	FINDINGS, CONCLUSIONS, AND OPINIONS	26
11.0	ENVIRONMENTAL PROFESSIONAL STATEMENT	29
1	List of Figures Site Location	Follows Text
2	Site Plan	Follows Text
	List of Appendices	
Α	Photographic Documentation	
В	Site Building Information	
C	Sanborn "No Coverage" letter	
D E	Aerial Photographs Topographic Maps	
F	LODOGRADNIC IMADS	
-		
G	Database Search	
G H		
_	Database Search FOIA Information	
H I J	Database Search FOIA Information Client Provided Information User Questionnaire References	
H	Database Search FOIA Information Client Provided Information User Questionnaire References Limitations on Work Product	
H I J	Database Search FOIA Information Client Provided Information User Questionnaire References	

# **ENVIRONMENTAL SITE ASSESSMENT**

#### **EXECUTIVE SUMMARY**

HRP Associates, Inc. performed a Phase I Environmental Site Assessment of the Butler Correctional Facility located at 14003 Westbury Cutoff Road in Red Creek, New York (the site or subject property). The subject site is composed of one parcel of land in the Town of Butler, Wayne County, New York. This assessment was prepared for the NYS Department of Corrections and Community Supervision (NYSDOCCS), the "Client" or "User" in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E1527-05, which also satisfies the Standards and Practices for All Appropriate Inquiries or AAI (40 CFR Part 312).

The property is currently utilized by NYSDOCCS as a minimum security prison and shock incarceration facility which is primarily vacant with the exception of three inmate dormitories. The site is situated on 49.5 contiguous acres and improved by 44 buildings including but not limited to staff housing, inmate housing units, administration building, an arsenal, guard towers, vocational classrooms, fire safety/ maintenance shop, various storage sheds, a gymnasium, and other support structures. It should be noted that the site consists of two contiguous facilities: the Butler Minimum Security A.S.A.C.T.C. Correctional Facility and the Butler Shock Incarceration Correctional Facility (S.I.C.F.). The subject property also includes a firing range at the northeast corner of the site.

The buildings that are heated onsite receive their heat via individual natural gas or propane fired boilers within each building. Drinking water is provided by the Wayne County Water and Sewer Authority and sanitary waste water is routed to the Town of Butler municipal sewer system via an onsite pump station.

No hazardous waste is currently generated at the facility. Minor amounts of waste such as empty cans of spray on lubricants, paint, and kitchen and household cleaners were collected by Safety Kleen. Waste Management collects trash from one on-site the trash compactor. Scrap metal and cardboard is collected and transported to Auburn Correctional or other facilities for recycling. Little or no material remains as it was in the process of being transported off-site at the time of the site visit, as part of the facility closure activities.

The site was developed as a correctional facility in 1989 on vacant land. The site is improved by 44 buildings (comprising approximately 183,121 square feet) which are listed in Appendix B along with their approximate date of construction, type of construction, number of stories, use, heating source, and past hazardous substance storage. The buildings reportedly range in date of construction from 1989 to 2010.

HRP obtained and reviewed available information from various files and databases maintained by state, federal, and local regulatory agencies concerning the subject



property and properties in the surrounding area from Environmental Data Resources, Inc. (EDR).

The subject site was listed on the UST/AST database for facilities with underground and aboveground storage tanks. A review of the ASTs and USTs at the subject site is provided in Section 6.12 and Appendix H. Historically, USTs were utilized by the facility for emergency generator and fueling purposes.

The subject site is listed on the Registered AST/UST List for three USTs and four ASTs and on the Spills List for the overfill of a UST at the maintenance garage (Spill # 1111107). Five gallons of gasoline spilled up and out of the fill port onto the concrete pad surface, and approximately 2-3 gallons reached the unpaved area adjacent to the pad. Op-Tech Environmental was retained to excavate the contaminated gravel material, and an area approximately 20 ft. by 15 ft. by 4 ft. deep was excavated in May 2012 and approximately 7.7 tons of contaminated soil was disposed of off-site at the Ontario County Landfill. Remaining soils were screened with a PID (readings ranged from 0.1 ppm to 12.2 ppm) and onsite DEC personnel indicated that no further action was necessary. Since the spill was remediated to satisfy the NYSDEC, HRP considers this spill to have a low risk to the environmental condition of the subject property. According to EDR, the spill was closed not meeting NYSDEC standards on May 25, 2012.

HRP has performed this Phase I Environmental Site Assessment in accordance with the Scope of Limitations of ASTM Practice E1527-05. Any exceptions to, or deletions from this practice are described in Section 9.0 of this report. This assessment has revealed evidence of recognized environmental condition in connection with the subject site that include the following:

• The operation of an outdoor shooting range (i.e. lead contamination) for at least 20 years represents a recognized environmental condition.

This assessment also revealed the following Historical REC:

• The subject property is listed on the NY Spills List. According to EDR, a spill (Spill # 1111107) was reported on December 14, 2011 after 141 gallons of gasoline was pumped into a 2,000 gallon diesel UST. Five gallons of gasoline spilled up and out of the fill port onto the concrete pad surface, and approximately 2-3 gallons reached the unpaved area adjacent to the pad. Op-Tech Environmental was retained to excavate the contaminated gravel material, and an area approximately 20 ft. by 15 ft. by 4 ft. deep was excavated in May 2012 and the soil was disposed of off-site. Remaining soils were screened with a PID and onsite DEC personel indicated that no further action was necessary. According to EDR, the spill was closed not meeting NYSDEC standards on May 25, 2012 and represents a historical REC.

No data gaps were identified which interfere with HRP's ability to identify Recognized Environmental Conditions (REC's).

However, the assessment has revealed the following Business Environmental Risks (BERs) in connection with the property:

- Three onsite USTs and 4 ASTs are listed as having active NYSDEC PBS registrations. If these USTs and ASTs will be placed out-of service due to the closure of the facility, they should be closed or temporarily closed in accordance with NYS PBS regulations.
- The use of petroleum products as part of vehicle maintenance activities over 20 + years represents a business environmental risk.

A summary of HRP's recommendations and the associated approximate costs are presented in the following table. The full report and all appendices should be reviewed in conjunction with this executive summary and the following table.

# **CONCLUSIONS/RECOMMENDATIONS TABLE**

Issue	Environmental Concern Identified? (Y/N)	Recommendation	Estimated Cost
Facility Operations	N		
USTs/ASTs	Y	If the existing USTs and ASTs will not be used as part of future operations, they should be closed or temporarily closed in accordance with NYS PBS regulations.	To be determined
Septic System	N		
Drains/Drywells	N		
Stains	N		
PCBs	N		
Asbestos	N		
Radon	N		
Lead-based paint	N		
Lead in drinking water	N		
Adjoining Properties	N		
Historical Use	N		
Regulatory Review	N		
Other Y		Conduct surficial soil sampling at shooting range to determine if elevated concentrations of lead exist onsite.	\$2,000-\$3,000

# **ENVIRONMENTAL SITE ASSESSMENT**

#### 1.0 INTRODUCTION

HRP Associates, Inc. completed a Phase I Environmental Site Assessment of Butler Correctional Facility located on 14003 Westbury Cutoff Road, Red Creek, New York. ("the Site"). This assessment was prepared for the New York State Department of Corrections and Community Supervision (NYSDOCCS), ("the Client" or "User") in general accordance with the American Society for Testing and Materials (ASTM) standard practice E1527-05, which also satisfies the Standards and Practices for All Appropriate Inquiries or AAI (40 CFR Part 312). The purpose of this Phase I ESA is to meet the provisions necessary to obtain protection from potential liability under CERCLA as an innocent landowner, a contiguous property owner, or a bona fide prospective purchaser by conducting all appropriate inquiries into the previous ownership and uses of a property.

In accordance with ASTM 1527-05, the scope of services for this assessment included interviews with government officials and the owner/occupant; a review of historical and regulatory agency records; a site reconnaissance; and preparation of this report.

The Client did not request, and HRP therefore did not include, an evaluation of other environmental issues such as PCB's in building materials; wetlands; floodplains; regulatory compliance; cultural and historic resources; industrial hygiene; health/safety; ecological resources; endangered species; indoor air quality; or high voltage power lines.

# 2.0 SITE AND AREA DESCRIPTION

The following site and area description is based on HRP's site observations and research. Topographic and hydrogeologic information is based on HRP's review of the U.S. Geological Survey Victory, New York, United States Quadrangle. Figures 1 and 2 (following the report text) depict site and area characteristics. Appendix A contains photographic documentation.

Site Address	14003 Westbury Cutoff Road, Red Creek, NY
Section-Block-Lot #	The subject property consists of one parcel:     Parcel No. 78117-00-219284
Site size	The site consists of 49.5 contiguous acres along Westbury Cutoff Road in the Town of Butler.
Owner	New York State Urban Development Corp.
Date of ownership	• 1989
# Buildings, size, construction	<ul> <li>Improved by 44 buildings of various construction types totaling 183,121 square feet. See Appendix B for a listing of each of the buildings and building specific information.</li> </ul>
Use of building(s)	<ul> <li>The subject site is currently used as two correctional facilities. Butler Correctional is located on the northern portion of the property and is a minimum security correctional facility. In addition, Butler Shock S.I.C.F. is located on the southern portion of the property.</li> </ul>
Heating	The buildings are heated by individual natural gas or propane-fired boilers. The facility also has two (2) emergency generators located in generator buildings outside the secured perimeter of the site.
Water source	<ul> <li>Drinking water is provided by the Wayne County Water and Sewer Authority.</li> </ul>
Sewer/septic	<ul> <li>The site is connected to the municipal wastewater treatment system operated by the Town of Butler.</li> </ul>
Exterior Improvements	<ul> <li>The site is improved with a parking area to the east of the Administration Building (Building 1), outside the secured area of the site. Pavement connects the site buildings. The site is also improved with sports fields and basketball courts, and a shooting range at the northeast corner of the site.</li> </ul>
On-site surface water	No surface water bodies are located onsite. Red Creek is located approximately 0.1 miles to the west of the subject site.
Manmade stormwater drainage structures	Storm water is directed via storm drains to a series of outfalls around the site perimeter.
On-site topography	The site is relatively level with local topography sloping to the west toward Red Creek.
Estimated on-site groundwater flow direction	Based on topography, HRP estimates that the groundwater flow direction on site is generally to the west towards Red Creek.
Approx. depth to groundwater	Depth to groundwater is estimated to be approximately 18 to 20 feet below grade.

# Area Description and Physical Setting

General area use	The subject site is located in a rural area of Butler, New York.
Adjoining properties	North - Vacant, wooded land. South - Westbury Lumber at 13831 Westbury Cutoff Road East - Vacant, wooded land. West - Vacant, wooded and agricultural land and several residential properties.
Area surface water	Red Creek is located 0.1 miles to the west of the subject site.
Area topography	Undulating topography generally sloping to the west.

# 3.0 CLIENT/USER PROVIDED INFORMATION

The Client provided HRP with site contact information, a site address, air and oil tank permits, building information, and a site map of the buildings. The site contact/owner also provided information to HRP during the site inspection on November 1, 2013. The User Questionnaire is provided in Appendix I. Mr. Legrete Ainsworth the facility's Maintenance Supervisor (MS) accompanied HRP representative Mr. Patrick Rodman during the site investigation. The User Questionnaire was provided by Mr. Eric Greppo (DOCCS Facilities Planning).

# 3.1 Recorded Land Title Records/Deeds

No recorded land title records were provided to HRP during our review.

# **3.2** Environmental Liens or Activity Use Limitations (AULs)

According to EDR, there are no environmental liens or activity and use limitations records on file under federal, tribal, state or local law. HRP was not provided with a chain of title for the subject site.

# **3.3** Specialized Knowledge

The user is familiar with operations at the site since the facility opened in 1989.

# 3.4 Commonly Known or Reasonably Ascertainable Information

The user is aware that the facility is used as a correctional facility with a medical unit and petroleum bulk storage registration. In addition, the owner is aware of a spill associated with the maintenance garage.

# 3.5 Valuation Reduction for Environmental Issues

The User was not aware of a Valuation Reduction for Environmental Issues.

#### 3.6 Reasons for Performing Phase I

HRP understands that the reason for performing this assessment is due to a potential site transfer.

#### 3.7 Other Questions Asked of the User in Relation to the User Questionnaire

HRP asked Mr. Ainsworth questions in regards to past usage of the site, historical spills or other contamination incidents, information regarding hazardous materials at the facility, and historical USTs on-site.



# 4.0 HISTORICAL INFORMATION

Based upon a review of available records and interviews with the site contact and town officials, as described in the following sections, HRP developed the following summary of the site and area chain-of-use.

# Site History Summary

The subject site is composed of one parcel of land on 49.5 contiguous acres (Parcel No. 78117-00-219284). The property is utilized by NYSDOCCS as the Butler A.S.A.C.T. Correctional Facility, a minimum security prison and Butler Shock Incarceration Correctional Facility (S.I.C.F.). The site was developed as a correctional facility in 1989 from undeveloped land. The site is improved by 44 buildings (comprising approximately 183,121 square feet) which are listed in Appendix B along with their approximate date of construction, type of construction, number of stories, use, heating source, and past hazardous substance storage. The buildings reportedly range in date of construction from 1989 to 2010. The facility is mostly vacant with the exception of three occupied inmate dormitories at the minimum security facility.

# **Area History Summary**

The site's vicinity is wooded and agricultural in use, with few residences nearby. The site area has historically consisted of agricultural land and orchards.

#### 4.1 Historical Sources Reviewed

#### Facility Personnel Interviews

Mr. Legrete Ainsworth provided a history of the site and historical uses of the property. This information is included throughout the report and corresponds to other historical information from other sources made available during HRP's review.

#### **Historical City Directories**

Historical city directories were available from EDR for the years 1980, 1984, 1989, 1994, 1999, 2003, 2008, and 2013. The subject site was not identified on these City Directories; however, several nearby residences were listed.

#### Sanborn Fire Insurance Maps (See Appendix C)

According to Environmental Data Resources, Inc., no Sanborn Fire Insurance maps covering the subject property were available (see Appendix C for no coverage letter).

# Aerial Photographs (See Appendix D)

Aerial photographs, provided by Environmental Data Resources, Inc. (EDR), provided the following information:



- <u>1938 1"=500".</u> The subject site appears to be vacant, partially wooded land in the 1938 aerial photograph. Surrounding properties to the south, east, and west appear to be vacant, agricultural land with what appears to be a residence to the southeast. Surrounding properties to the north consist of vacant, wooded land.
- <u>1970 and 1985</u> 1"=1,000'. The subject site appears similar to the 1938 aerial photograph, with the exception that the subject site is increasingly wooded compared to the 1938 aerial photograph and a large cleared area is located to the northwest.
- 1994 1"=500". The subject site is improved with two contiguous correctional facilities as observed during the site inspection. The medium security facility is located to the northern portion and ten buildings are located within the perimeter of this facility. Three buildings are located outside the perimeter of this portion of the facility. The minimum security facility is located in the southern portion of the site and eleven buildings are located within this area. Both areas are accessed via a paved driveway from Westbury Cutoff Road. Surrounding properties to the north, east, and west consist of vacant, wooded land. A cleared, lumber storage area is visible to the south.
- <u>2006, 2008, and 2011</u> 1"=604'. The subject and adjacent sites appear essentially the same as observed during the site inspection and the 1994 aerial photograph with the exception that a small rectangular salt shed and storage area has been constructed north of the medium security portion of the subject property.

# Topographic Maps:

Topographic maps were provided by EDR for the years of 1902, 1943, 1954, and 1978 and are attached in Appendix E. These maps show the subject site as vacant land in a sparsely populated rural area. No buildings appeared on the subject property as the topographic maps pre-date the construction of the correctional facility in 1989.

# 5.0 SITE RECONNAISSANCE

A site walkover survey was conducted on November 1, 2013 by Mr. Patrick Rodman of HRP to obtain information indicating the likelihood of identifying recognized environmental conditions in connection with the property. Mr. Legrete Ainsworth, MS, accompanied HRP during the walkover.

The following sections describe HRP's observations. Refer to Section 2.0 for a general description of site and area topography, drainage and site improvements.

# 5.1 Description of Site Buildings/Processes

Based on HRP's review of information provided by DOCCS and site observations, the following description of the current site buildings is offered. The site is improved by 44 buildings (comprising approximately 183,121 square feet) which are listed in Appendix B along with their approximate date of construction, type of construction, number of stories, use, heating source, and past hazardous substance storage. The buildings reportedly range in date of construction from the 1989 to 2010.

The 44 buildings include staff housing, inmate housing units, administration building, an arsenal, guard towers, vocational classrooms for classes such as carpentry, fire safety/maintenance shop, various storage sheds, a gymnasium, infirmary, mess hall, staff housing, and other support structures. Building construction types on-site consist of metal framing; wood framing, brick, and concrete block but consist mostly of concrete slab on grade sheet metal buildings. The buildings that are heated on-site receive their heat via individual natural gas fired boilers within each building. In addition, a shooting range is located at the northeast corner of the property.

#### Water

The facility's drinking water is supplied by the Wayne County Water and Sewer Authority. No violations were noted in the 2012 Annual Water Quality Report.

#### Wastewater

Sanitary waste water is treated by the Town of Butler. The facility has an onsite pump station for the transfer of wastes to the wastewater treatment plant.

A 2,000 gallon UST grease trap, located south of the Mess Hall (Building 8) treats discharges from the mess hall, and is periodically cleaned of grease accumulation by a contractor, who reportedly transports the material to Auburn Correctional for consolidation and disposal.

#### Solid Wastes

Trash generated on-site is placed in one trash compactor collected by Waste Management. All recycling storage occurred in the Recycling Building (Building 27). At



the time of HRP's site visit, the building was being used as storage for snow blowers, lawn mowers, metal filing cabinets and various dish washing units. No staining was observed in this building. Scrap metal and cardboard is collected and transported to Auburn Correctional or other facilities for recycling.

The Nurse and Commissary Building (Building 9) serviced the facility's inmates up until the time the inmates were moved to other facilities. Any medical waste generated was disposed of in red bags, placed in sealed and labeled cardboard boxes, and kept in a locked plastic storage shed in front of the building for collection by a contractor or transport to Auburn Correctional for consolidation. Approximately 3-4 boxes of waste were generated per year. In addition, x-ray machines located in the dental office and visitor building were equipped with a silver recovery unit to remove silver and adjust the pH prior to discharge to the sanitary sewer system. The removed silver was reportedly sent off site for recovery. Waste manifests were not available for review.

#### Chemical Storage

Generally, chemicals stored were in small quantities or the stored materials had been removed due to the facility closure. Minor amounts of waste such as empty cans of spray on lubricants and kitchen and household cleaners were collected by Safety Kleen. There was reportedly no hazardous waste generation or collection within the last 5 years and no hazardous waste manifests were available for review. Additionally, seventeen (17) pad-mounted transformers were observed throughout the site. No staining was observed near these transformers and no labels were observed indicating PCB content.

#### Petroleum Bulk Storage (PBS)

Four ASTs were observed by HRP within Butler Correctional which included the following: A 3,000 gallon diesel AST was located in a concrete vault outside the generator building (Building 14) at Butler S.I.C.F. In addition, a 185 gallon waste oil/used oil AST was observed in the vehicle maintenance building (Building 14 at ASACT) and two (2) small day tank ASTs are located in both generator buildings (MED Day - 275 gallons and MIN Day - 100 gallons). No staining was observed beneath these ASTs.

Three USTs are located onsite, a 3,000 gallon diesel UST at Building 11 for an emergency generator, and 4,000 gallon unleaded gasoline UST and 2,000 gallon diesel UST which are both located outside Building 14 - Vehicle Maintenance. See Section 6.12 for further details on past and present USTs registered to the subject site.

In addition, HRP observed three (3) 55-gallon drums of virgin motor oil in the vehicle maintenance building (Building 14). The drums were properly stored over a secondary containment unit, and no staining or evidence of spills was observed. A trench drain was observed in the vehicle maintenance area. According to as-built plans reviewed at



the facility, the trench drain discharges to the municipal sanitary sewer system. No staining was observed near this trench drain.

In addition, paint containers and adhesives were properly stored in flammable storage cabinets at the facility. No obvious evidence of oil/hazardous material mismanagement was observed during the site reconnaissance.

# Pesticides

The only reported pesticide use is periodic application by an outside contractor, who previously applied herbicide to the facility fencing one to two times per year.

# Other Miscellaneous Findings

Butler Correctional Facility maintains a firearm shooting range approximately a quarter mile (0.25) mile northeast of the facility buildings. No environmental investigations or sampling has reportedly been conducted at the shooting range.

#### 5.2 Site Observations

The table below summarizes specific items reviewed during the site visit. If obvious surficial evidence of the item was observed, a description follows.

ITEM	Observed?
Use/Storage of Hazardous Substances/Petroleum Products	Minor amounts of waste such as empty cans of spray on lubricants and kitchen and household cleaners were collected by Safety Kleen. There was reportedly no hazardous waste generation or collection within the last five years and no hazardous waste manifests were available for review. Vehicle maintenance and fueling reportedly took place at the vehicle maintenance garage (Building 14). HRP observed three (3) 55-gallon drums of virgin motor oil in the vehicle maintenance building. The drums were properly stored over a secondary containment unit, and no staining or evidence of spills was observed. Waste oil is stored in the 185 gallon AST referenced below in the AST section.
Waste Generation	Wastes generated on-site include wood and metal scrap generated as part of vocational classroom activities, solid waste, and limited amounts of medical waste and waste oil from vehicle maintenance activities. Solid Waste is removed from the site by Waste Management, and recyclable materials and medical waste are sent to Auburn Correctional Facility. Waste oil is disposed of off-site under manifest by Safety Kleen.

ITEM	Observed?
Aboveground Storage Tanks (ASTs)	Four ASTs were observed by HRP within Butler Correctional which included the following: A 3,000 gallon diesel AST was located in a concrete vault outside the generator building (Building 14) at Butler S.I.C.F. In addition, a 185 gallon waste oil/used oil AST was observed in the vehicle maintenance building (Building 14 at ASACT) and two (2) small day tank ASTs are located in both generator buildings (MED Day - 275 gallons and MIN Day - 100 gallons). No staining was observed beneath these ASTs.
Underground Storage Tanks (USTs)	Three USTs are located onsite, a 3,000 gallon diesel UST at Building 11 for an emergency generator, and 4,000 gallon unleaded gasoline UST and 2,000 gallon diesel UST which are both located outside Building 14 - Vehicle Maintenance. Fill ports for these USTs were observed to be properly labeled. See Section 6.12 for further details on past and present USTs registered to the subject site.
Odors	HRP observed no obvious odors at the subject site.
Pools of Liquid Drums/Containers	HRP observed no pools of liquid onsite.
	HRP observed three (3) 55-gallon drums of virgin motor oil in the vehicle maintenance building (Building 14). The drums were properly stored over a secondary containment unit, and no staining or evidence of spills was observed. In addition, paint containers and adhesives were properly stored in flammable storage cabinets at the facility.  No obvious evidence of oil/hazardous material mismanagement was observed during the site reconnaissance.
Potential PCB Containing Equipment	HRP observed seventeen (17) pad-mounted transformers located throughout the site. One trash compactor was observed near the recycling building. No staining was observed near this equipment. No labels indicating PCB content were observed.  In addition, fluorescent light ballasts were observed throughout the site buildings.
Stains, Corrosion	No staining was observed in accessible areas of the site.
Stressed Vegetation	No obvious evidence of stressed vegetation was noted.
Fill	HRP observed no evidence of filling.
Solid Waste Disposal	A trash compactor containing trash is located onsite near the recycling building, and the contents are collected by Waste Management. No staining was observed near this

ITEM	Observed?		
	trash compactor.		
Wastewater	The property is connected to the municipal wastewater treatment system operated by the Town of Butler.		
Wells	No evidence of wells was observed onsite.		
Septic System	No evidence of septic systems was observed onsite.		
Drains/Sumps	Floor drains were noted in several buildings, all reportedly directly connected to the municipal sewer system, including a trench drain within the vehicle maintenance building. No petroleum sheens or odors were noted at any of the drains.		
Pits, Ponds, Lagoons	No evidence of pits, ponds, or lagoons was observed onsite.		

#### 5.3 **Adjoining Properties**

North - Vacant, wooded land. South - Westbury Lumber at 13831 Westbury Cutoff Road

East - Vacant, wooded land.

West - Vacant, wooded and agricultural land and several residential properties

#### 6.0 GOVERNMENT RECORDS REVIEW

HRP obtained and reviewed available information from various files and databases maintained by state, federal, and local regulatory agencies concerning the subject property and properties in the surrounding area. The information obtained from these sources is discussed in this section of the report.

Information from standard federal and state environmental record sources was provided by Environmental Data Resources, Inc. (EDR). Data from governmental agency lists are updated and integrated into one database, which is updated as the data is released. This integrated database also contains postal service data in order to enhance address matching. Records from one government source are compared to records from another to clarify any address ambiguities. The demographic and geographic information available provides assistance in identifying and managing risk.

Regulatory information from the following database sources regarding possible recognized environmental conditions, within the ASTM E1527-05 minimum search distance from the subject property, were reviewed. Specific facilities are discussed below if determined likely that a potential recognized environmental condition has resulted at the subject property from the listed facilities. Please refer to Appendix F for the complete database search.

The following table lists pertinent environmental databases and the associated search radii. The table also lists the number of sites within each group that fall within the specified radii. This information was obtained from various state and federal database lists on October 22, 2013, through EDR. The sites identified within the various radii are discussed further below. A copy of the EDR Database is included in Appendix F. The subject site appears on the UST/AST database for USTs located at a fueling station and an emergency generator.

Source	Radius Searched (ASTM radius)	Adjoining Sites identified within radius						
Federal								
Federal NPL	1.0	0						
Federal De-listed NPL	0.5	0						
Federal CERCLIS	0.5	0						
Federal CERCLIS NFRAP	0.5	0						
Federal RCRA CORRACTS	1	0						
Federal RCRA Non- CORRACTS TSD Facilities	1	0						
Federal RCRA Generators	Site and adjacent properties only	0						
Federal Institutional/Engineering Control Registries	Site and adjacent properties only	0						
Federal ERNS	Site only	0						
Stat	e and Tribal							
Hazardous Waste Sites - State	1	0						
Hazardous Waste Sites – State and Tribal Equivalent CERCLIS	0.5	0						
Solid Waste Disposal and/or Landfill Sites (SWD/LF)	0.5							
Leaking Underground Storage Tanks (LUST)	0.5	0						
Underground Storage Tanks (UST)/Aboveground Storage Tanks (AST)	Site and adjacent properties only	1						
State and Tribal Institutional/Engineering Control Registries	1	0						
Voluntary Cleanup Sites (VCS)	0.5	0						
New York Spills List	0.5	2						
State and Tribal Brownfield Sites	0.5	0						

# 6.1 <u>Federal National Priority List (NPL)</u>

The National Priority List (NPL) is the Environmental Protection Agency's (EPA's) list of highest priority Superfund sites. The NPL consists of CERCLIS sites identified by the EPA that are eligible for clean-up funds through the Federal Superfund program.

The site, adjoining properties, and properties within a 1 mile radius of the subject property are <u>not</u> included on the National Priority List (NPL) as extracted from the U.S. Environmental Protection Agency (EPA) Superfund Program by EDR.

# 6.2 Federal De-listed NPL

The Federal De-listed NPL contains sites that have been removed from the NPL as a result of investigations and/or remediation, which have reduced the severity attributed to real or perceived contamination.

The site, adjoining properties, and properties within a 0.5 mile radius of the subject property are <u>not</u> included on the De-listed NPL, as extracted from the U.S. EPA Superfund Program by EDR.

#### 6.3 Federal CERCLIS List

CERCLIS is the EPA's database of current and potential Superfund sites currently or previously under investigation where uncontrolled releases of hazardous wastes have, or may have, occurred.

The site, adjoining properties and facilities within 0.5 miles of the subject property are <u>not</u> included on the CERCLIS list, as extracted from the U.S. EPA Superfund Program by EDR.

#### 6.4 <u>Federal CERCLIS NFRAP List</u>

As of February 1995, CERCLIS sites designated "No Further Remedial Action Planned" (NFRAP) have been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund Action or NPL consideration.

A review of the CERCLIS-NFRAP list, as provided by EDR has revealed that the site, adjoining properties and properties located within a 0.5-mile radius of the subject property are <u>not</u> listed on this database.



# 6.5 <u>Federal RCRA-CORRACTS and Non-CORRACTS TSD List</u>

CORRACTS identifies hazardous waste handlers with RCRA Corrective Action Activity. A review of the CORRACTS list, as provided by EDR, has revealed that the subject site and adjoining properties are <u>not</u> listed on these databases.

There are <u>no</u> non-CORRACTS TSD and Non-TSD sites within one mile of the subject property.

#### 6.6 Federal RCRA Generators List

The subject property and adjacent sites are <u>not</u> listed on the RCRA Generators List.

# 6.7 <u>State and Federal Institutional/Engineering Control Registries</u>

Institutional and Engineering Controls are activity and use limitations (AUL) imposed on a property to preclude or limit exposure to hazardous materials or hazardous conditions. Institutional controls are legal restrictions on the use of a property, typically included with recorded deeds or liens, while engineering controls are physical modifications to the site to reduce exposure. (i.e. hardscape, impermeable barriers, fencing, etc).

The site was <u>not</u> reported on the State and Federal Institutional/Engineering Control Registries as extracted by EDR.

#### 6.8 ERNS List

The Emergency Response Notification System (ERNS) is the EPA's database of EPA emergency response actions. The subject property is <u>not</u> included on the most recent ERNS database.

# 6.9 State/Tribal Hazardous Waste Sites (SHWS)

The SHWS records are the states' equivalent to NPL and CERCLIS. These sites may or may not already be listed on the federal NPL or CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where potentially responsible parties will pay for cleanup.

A review of the SHWS provided by EDR has revealed that the subject property is <u>not</u> listed on the State Database, and <u>no</u> State Hazardous Waste sites are located within a one-mile radius of the subject property.

# 6.10 Solid Waste Disposal and/or Landfill Facilities (SWD/LF)

Solid waste facilities records typically contain an inventory of solid waste disposal facilities or landfills in the state. These may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

A review of the SWD/LF List provided by EDR has revealed that the subject property and sites within a 0.5-mile radius of the subject property are <u>not</u> listed on the SWD/LF Database.

# 6.11 Leaking Underground Storage Tank (LUST) Sites

The Leaking Storage Tank Incident Reports (LTANKS) contains an inventory of reported leaking storage tank Incidents reported from April 1, 1986 through the most recent update. The tanks can be either aboveground (ASTs) or underground (USTs) storage tanks, and the causes of the Incidents are tank test failures, tank failures or tank overfills.

A review of the LTANKS databases provided by EDR has revealed that the subject property and sites within a 0.5 mile radius are <u>not</u> listed.

# 6.12 State Registered Underground/Aboveground Storage Tank (UST/AST) Sites

The subject property is a listed State Registered Underground or Aboveground Storage Tanks (USTs/ASTs) site identified within the search radius on the Registered Underground Storage Tanks (USTs) database. According to the database, the subject site is registered under the NYS Petroleum Bulk Storage (PBS) Program with Registration No. 8-600023 for USTs and ASTs primarily located onsite (Certificate available in Appendix H). A description of the USTs and ASTs found at the facility follows, and the NYSDEC Bulk Storage Database Report is available in Appendix G.

Tank #	AST/ UST	Install Date	Tank Type	Status	Size (gallons)	Contents	Location
				In Service			
30- 1049 A	UST	01/01/91	Steel/ Carbon Steel	In Service	2,000	Diesel	Building 14 (Fuel island outside maintenance garage)
30- 1049 B	UST	01/01/91	Steel/ Carbon Steel	In Service	4,000	Gasoline	Building 14 (Fuel island outside maintenance garage)
R053	UST	01/01/91	Steel/Carbon	In Service	3,000	Diesel	Building 11

4TK2			Steel				(ASACTC Generator building)
MED- DAY	AST	01/01/91	Steel/ Carbon Steel	In Service	275	Diesel	Building 11 (ASACTC Generator building)
MIN- CEN	AST	01/01/07	Steel/ Carbon Steel in concrete vault	In Service	3,000	Diesel	Building 14 (SICF Generator Building)
MIN- DAY	AST	01/01/07	Steel/ Carbon Steel	In Service	100	Diesel	Building 14 (SICF Generator Building)
Recy cle	AST	08/17/12	Steel/ Carbon Steel	In Service	185	Waste Oil/Used Oil	Building 14 - Maintenance
01 1			sed/Removed o				
Shock 1	UST	11/1/91	Steel in concrete vault	Diesel- removed 11/31/05	2,000	Diesel	Building 14 - Maintenance
Used Oil	AST	1/01/02	Steel in concrete vault	Closed - date unknown	100	Waste Oil/Used Oil	Building 14 - Maintenance

Site visit observations and conversations with the site contact indicate that each of these ASTs are double-walled tanks. No staining or evidence of spills was observed near any of the USTs and each of the ASTs and USTs was observed to be properly labeled. UST Shock 1 was removed in November 2005 and is discussed in Section 7.0. No adjacent sites are listed on the State Registered UST/AST List.

# 6.13 New York Spills List Sites

NY Spills is the spills information database that has collected data on spills reported to NYSDEC. The subject property is listed on the NY Spills List. According to EDR, a spill (Spill # 1111107) was reported on December 14, 2011 after 141 gallons of gasoline was pumped into a 2,000 gallon diesel UST. Five to ten gallons of gasoline spilled up and out of the fill port onto the concrete pad surface, and approximately 2-3 gallons reached the unpaved area adjacent to the pad. Op-Tech Environmental was retained to excavate the contaminated gravel material, and an area approximately 20 ft. by 15 ft. by 4 ft. deep was excavated in May 2012 and approximately 7.7 tons of contaminated soil was disposed of off-site at the Ontario County Landfill. Remaining soils were screened with a PID (readings ranged from 0.1 ppm to 12.2 ppm) and onsite DEC personel indicated that no further action was necessary. According to EDR, the spill was closed

not meeting NYSDEC standards on May 25, 2012. Since the spill was remediated to satisfy the NYSDEC, HRP considers this spill to have a low risk to the environmental condition of the subject property.

In addition, one spill site was identified within the ASTM radius of 0.5 miles. The site, JW 104 Inc. at 13824 Route 370 in Red Creek, NY is located approximately 950 feet southwest and downgradient of the subject site. This site is listed for an eight gallon diesel spill during a delivery at a service station. The spill was cleaned up not meeting DEC standards on October 30, 2012. Due to the distance from the site and minimal quantity of the spill, HRP considers this spill to pose a low risk to the environmental condition of the subject property.

# 6.14 Voluntary Cleanup Sites (VCS)

New York established the Voluntary Cleanup Program to address the environmental, legal and financial barriers that often hinder the redevelopment and reuse of contaminated properties. The program enhances private sector cleanup of Brownfields by enabling parties involved to use private funds rather than public funds. Voluntary Cleanup Sites are those sites that have voluntarily entered into an agreement with a state or local government agency to remediate a contaminated parcel(s).

The subject property is <u>not</u> listed on this database, nor are there any sites located within 0.5 miles of the site that are listed on the database.

#### 6.15 State and Tribal Brownfield Sites

Brownfields are real properties, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land and both improves and protects the environment.

A review of the Brownfields List provided by EDR revealed that the site is <u>not</u> listed on the database and there are <u>no</u> Brownfield sites within a 0.5-mile radius of the subject property.

# 6.16 Orphan Sites

Orphan sites are properties that, due to an inadequate or incomplete address in the government database or base map files, are not able to be geographically located, (i.e., mapped or geocoded). This can occur for several reasons; no street number or no street name in the address given; the street address is given only as a post office box;

or when there are inconsistencies in the address, (e.g., the street address does not exist in the zip code identified; and the street address in the record searched does not exist in the base map files).

EDR identified 7 orphan sites associated with the databases listed above in the database report. HRP reviewed the limited address information provided by EDR and performed an area reconnaissance in an attempt to locate the orphan sites. Based upon our review, none of the orphan sites referred to the subject site or adjacent sites and have been included in the above discussions.

# 6.17 <u>Summary of Database Information</u>

The subject site is listed on the Registered AST/UST List for onsite petroleum storage and on the Spills List for an overfill of a UST at the maintenance garage (Spill # 1111107). Five gallons of gasoline spilled up and out of the fill port onto the concrete pad surface, and approximately 2-3 gallons reached the unpaved area adjacent to the Op-Tech Environmental was retained to excavate the contaminated gravel pad. material, and an area approximately 20 ft. by 15 ft. by 4 ft. deep was excavated in May 2012 and approximately 7.7 tons of contaminated soil was disposed of off-site at the Ontario County Landfill. Remaining soils were screened with a PID and onsite DEC personel indicated that no further action was necessary. According to EDR, the spill was closed not meeting NYSDEC standards on May 25, 2012. Since the spill was remediated to satisfy the NYSDEC, HRP considers this spill to pose a low risk to the environmental condition of the subject property. In addition, one spill site was identified within the ASTM radius of 0.5 miles. The site, JW 104 Inc. at 13824 Route 370 in Red Creek, NY is located approximately 950 feet southwest of the subject site and is listed for an eight gallon diesel spill during a delivery at a service station. The spill was cleaned up not meeting DEC standards on October 30, 2012. However, due to the distance from the site and minimal quantity of the spill, HRP considers this spill to pose a low risk to the environmental condition of the subject property.

Seven (7) orphan sites were reviewed by HRP, and none are expected to be a significant risk to the environmental condition of the subject property due to their proximity and/or downgradient location with respect to expected ground water flow.

# 6.18 Agency File Review/Interviews

HRP contacted the Wayne County Health Department and the Town of Butler Clerk and requested information on environmental regulatory permits, inspections, spill incidents, etc. Additionally information from the US Environmental Protection Agency and the New York State Department of Environmental Conservation was requested through FOIL requests. Copies of pertinent information from these agencies are included in Appendix G, and information obtained is summarized below.

# Wayne County Health Department

HRP submitted a Freedom of Information Law (FOIL) request to the Wayne County Health Department for records they may maintain concerning on-site septic, drinking water wells, or contamination of soil and/or groundwater. A response was received indicating that no files were available.

# Town of Butler Clerks Office

HRP submitted a Freedom of Information Law (FOIL) request to the Town of Butler Clerk, Building Department, and Tax Assessor for records but limited to files pertaining to information on asbestos, lead in paint, lead in drinking water septic systems, radon, water wells, environmental assessments, environmental investigations or petroleum storage. No response was received by the date of report issuance; however, any pertinent information that changes our recommendations will be forwarded to the client upon receipt.

# **US EPA**

A FOIA request was sent on October 29, 2013 to the EPA for information on the subject site. Information requested included RCRA information, permitted/unpermitted landfills, NPDES info, inspections violations, spills, remediation activities, and PCB information regarding any past PCB inspections, storage or cleanup reports. No response was received as of the production of this report. In addition, HRP searched the USEPA Envirofacts website on November 11, 2013 and no records were found for the facility.

#### **NYSDEC**

A FOIL request was sent to the NYSDEC on October 29, 2013 for information regarding past spills, tank removals and pesticide annual reports. A response to the request has been received indicating that the NYSDEC has files available, but that they may be located at a regional office. As of the production of this report these files have not been obtained. In addition, HRP searched the NYSDEC PBS, Spills, and Remediation Sites database on November 11, 2013. The site is not listed on the Remediation Sites database. The site is listed on the Spills and PBS databases as discussed in Section 6.0.

#### NYSDOH

A FOIL request was sent to the New York State Department of Health (NYSDOH) on October 29, 2013 for information regarding past spills, tank removals and pesticide annual reports. A response to the request has been received indicating that no files are available.

#### Other Interviews

HRP interviewed various facility personnel during the site investigation on November 1, 2013. Specifically, HRP interviewed Mr. Legrete Ainsworth, the facility's Maintenance



Supervisor (MS). report.	Any information	obtained	from facilit	ty personnel	is included	in this

# 7.0 PREVIOUS REPORTS

A December 27, 2005 UST Closure report was provided by the NYSDEC, prepared by Empire State Mechanical Contractors of Palmyra, New York. The closure report describes the removal and disposal of a 2,500-gallon diesel underground storage tank (UST) that was removed from the Shock Incarceration Correctional Facility (S.I.C.F.). This tank was identified on previous registration certificates as Shock 1. The UST was removed on November 31, 2005 and the fuel contents were recycled into a different tank. Post-excavation soil samples were collected and analyzed for Volatile Organic Compounds (VOCs) and Semi Volatile Organic Compounds (SVOCs) and showed no impacts remained at the base and sidewalls of the excavation. No groundwater was encountered in the excavation.

The closure report indicated that representatives of NYSDEC Region 8 were not onsite during the removal. According to information provided by DOCCS, this information was provided to DEC on 12/27/05. This report and attachments are included as Attachment M.

# 8.0 EXCEPTIONS AND DELETIONS

HRP's general limitations on this assessment are presented in Appendix K. Densely wooded site boundaries prohibited complete site observation. In addition, access to occupied inmate dormitory interiors was not provided. HRP does not expect these limitations to affect our ability to identify recognized environmental conditions.

# 9.0 DATA GAPS

The following table lists various components of the Environmental Site Assessment (ESA) and whether sufficient information was available to evaluate those items. It is essentially a checklist indicating whether certain tasks were completed sufficient enough to close any data gaps and complete the Phase I ESA as thoroughly and completely as possible. Please see the comments for the sections that were not completed.

Requirement	Completed	Comment	
Environmental professional involved in	Yes		
planning, review, and interpretation of			
all material			
Records Review			
Chain of Title	No	Not provided.	
Aerial Photographs	Yes		
Sanborn Fire Insurance Maps	Yes	No coverage in area.	
USGS Topographic Maps	Yes		
Local Street Directories	Yes		
Building Department Records	Yes		
Zoning/Land Use Records	No	Not provided.	
Tax Assessor's Files	No	Not provided.	
Engineering Department Files	No	Not provided.	
Local Health Department Files	No	Not provided.	
Regional Health Department Files	Yes		
NYSDEC files	Yes		
Review of Prior Reports	Yes		
Environmental liens	Yes		
Purchase Price Reduction	Yes		
Specialized Knowledge	Yes		
Environmental Database Search	Yes		
Distance from property boundary	Yes		
Site Reconnaissance			
Visual inspection of facility	Yes		
Specific current and past uses of	Yes		
adjoining properties			
Interviews			
Current owner	Yes		
Current operator/site manager	Yes		
Occupants/employees	Yes		
Past owner	No	Not available.	
Past operator/site manager	No	Not available.	
Past occupants/employees	No	Not available.	
Neighboring Property Owners	No	Not available.	

Requirement	Completed	Comment
Local Fire Department/Fire Marshal	No	Not provided.
Local Health Agency	Yes	No information available.
Any additional services provided?	No	No additional services were requested as part of this investigation.
Any additional services recommended?	Yes	See executive summary.

No data gaps were identified which interfere with HRP's ability to identify Recognized Environmental Conditions (REC's).

#### 10.0 FINDINGS, CONCLUSIONS, AND OPINIONS

HRP Associates, Inc. performed a Phase I Environmental Site Assessment of the Butler Correctional Facility located at 14003 Westbury Cutoff Road in Red Creek, New York (the site or subject property). The subject site is composed of one parcel of land in the Town of Butler, Wayne County, New York. This assessment was prepared for the NYS Department of Corrections and Community Supervision (NYSDOCCS), the "Client" or "User" in accordance with the American Society for Testing and Materials (ASTM) Standard Practice E1527-05, which also satisfies the Standards and Practices for All Appropriate Inquiries or AAI (40 CFR Part 312).

The property is currently utilized by NYSDOCCS as a minimum security prison and shock incarceration facility which is primarily vacant with the exception of three inmate dormitories. The site is situated on 49.5 contiguous acres and improved by 44 buildings including but not limited to staff housing, inmate housing units, administration building, an arsenal, guard towers, vocational classrooms, fire safety/ maintenance shop, various storage sheds, a gymnasium, and other support structures. It should be noted that the site consists of two contiguous facilities: the Butler Minimum Security A.S.A.C.T.C. Correctional Facility and the Butler Shock Incarceration Correctional Facility (S.I.C.F.). The subject property also includes a firing range at the northeast corner of the site.

The buildings that are heated on-site receive their heat via individual natural gas or propane fired boilers within each building. Drinking water is provided by the Wayne County Water and Sewer Authority and sanitary waste water is routed to the Town of Butler municipal sewer system via an onsite pump station.

No hazardous waste is currently generated at the facility. Minor amounts of waste such as empty cans of spray on lubricants, paint, and kitchen and household cleaners were collected by Safety Kleen. Waste Management collects trash from one on-site the trash compactor. Scrap metal and cardboard is collected and transported to Auburn Correctional or other facilities for recycling. Little or no material remains as it was in the process of being transported off-site at the time of the site visit, as part of the facility closure activities.

The site was developed as a correctional facility in 1989 on vacant land. The site is improved by 44 buildings (comprising approximately 183,121 square feet) which are listed in Appendix B along with their approximate date of construction, type of construction, number of stories, use, heating source, and past hazardous substance storage. The buildings reportedly range in date of construction from 1989 to 2010.

HRP obtained and reviewed available information from various files and databases maintained by state, federal, and local regulatory agencies concerning the subject property and properties in the surrounding area from Environmental Data Resources, Inc. (EDR).

The subject site was listed on the UST/AST database for facilities with underground and aboveground storage tanks. A review of the ASTs and USTs at the subject site is provided in Section 6.12 and Appendix H. Historically, USTs were utilized by the facility for emergency generator and fueling purposes.

The subject site is listed on the Registered AST/UST List for three USTs and four ASTs and on the Spills List for the overfill of a UST at the maintenance garage (Spill # 1111107). Five gallons of gasoline spilled up and out of the fill port onto the concrete pad surface, and approximately 2-3 gallons reached the unpaved area adjacent to the pad. Op-Tech Environmental was retained to excavate the contaminated gravel material, and an area approximately 20 ft. by 15 ft. by 4 ft. deep was excavated in May 2012 and approximately 7.7 tons of contaminated soil was disposed of off-site at the Ontario County Landfill. Remaining soils were screened with a PID (readings ranged from 0.1 ppm to 12.2 ppm) and onsite DEC personnel indicated that no further action was necessary. Since the spill was remediated to satisfy the NYSDEC, HRP considers this spill to have a low risk to the environmental condition of the subject property. According to EDR, the spill was closed not meeting NYSDEC standards on May 25, 2012.

HRP has performed this Phase I Environmental Site Assessment in accordance with the Scope of Limitations of ASTM Practice E1527-05. Any exceptions to, or deletions from this practice are described in Section 9.0 of this report. This assessment has revealed evidence of a recognized environmental condition in connection with the subject site that includes the following:

• The operation of an outdoor shooting range (i.e. lead contamination) for at least 20 years represents a recognized environmental condition.

This assessment also revealed the following Historical REC:

• The subject property is listed on the NY Spills List. According to EDR, a spill (Spill # 1111107) was reported on December 14, 2011 after 141 gallons of gasoline was pumped into a 2,000 gallon diesel UST. Five gallons of gasoline spilled up and out of the fill port onto the concrete pad surface, and approximately 2-3 gallons reached the unpaved area adjacent to the pad. Op-Tech Environmental was retained to excavate the contaminated gravel material, and an area approximately 20 ft. by 15 ft. by 4 ft. deep was excavated in May 2012 and the soil was disposed of off-site. Remaining soils were screened with a PID and onsite DEC personel indicated that no further action was necessary. According to EDR, the spill was closed not meeting NYSDEC standards on May 25, 2012 and represents a historical REC.

No data gaps were identified which interfere with HRP's ability to identify Recognized Environmental Conditions (REC's).

However, the assessment has revealed the following Business Environmental Risks (BERs) in connection with the property:

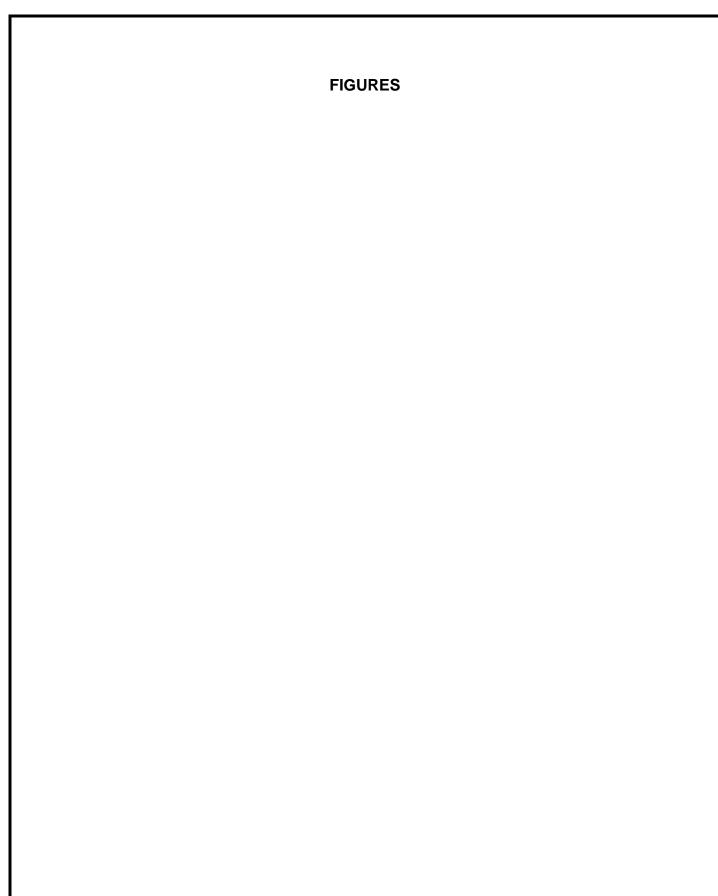
- Three onsite USTs and 4 ASTs are listed as having active NYSDEC PBS registrations. If these USTs and ASTs will be placed out-of service due to the closure of the facility, they should be closed or temporarily closed in accordance with NYS PBS regulations.
- The use of petroleum products as part of vehicle maintenance activities over 20 + years represents a business environmental risk.

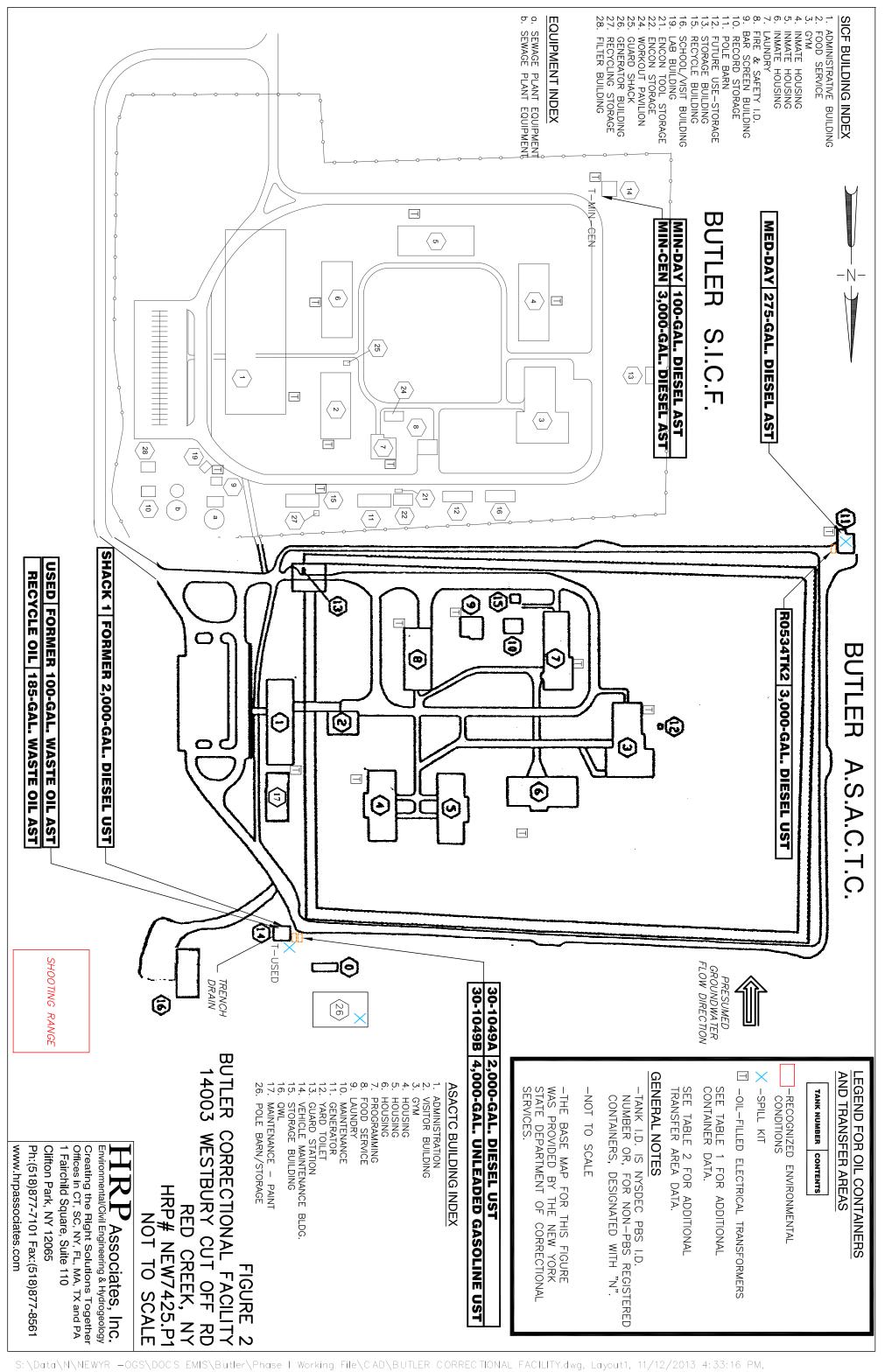
#### 11.0 ENVIRONMENTAL PROFESSIONAL STATEMENT

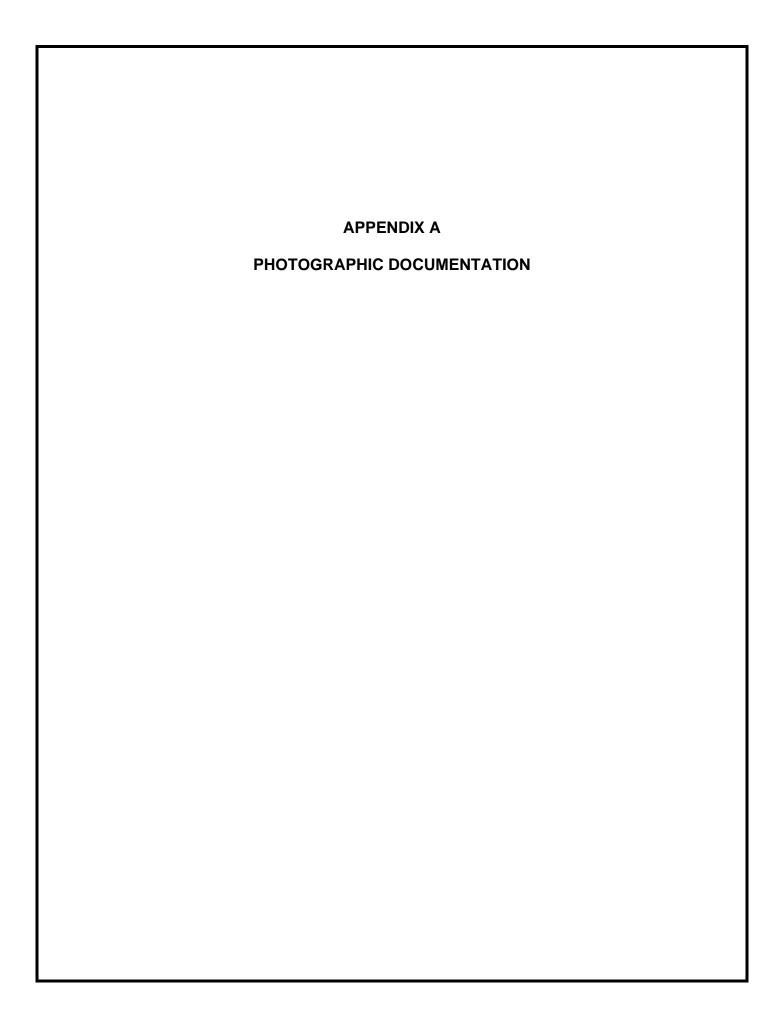
I declare that, to the best of my professional knowledge and belief, I meet the definition of *Environmental professional* as defined in 312.10 of 40 CFR 312. "I have the specific qualifications based on education, training and experience to assess a *property* of the nature, history and setting of the subject *property*. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312."

Cailyn E. Locci Project Manager

hi E. Lin







## Butler Correctional Facility, 14003 Westbury Cutoff Road, Red Creek, NY

#### Photograph of site entrance.







Photograph of vehicle maintenance building.



Photograph of Westbury Cutoff Road frontage.



Photograph of parking area and administrative building.



Photograph of fuel pumps and UST manholes near vehicle maintenance building.



#### Photograph of virgin motor oil drums.



Photograph of waste oil AST in vehicle maintenance building.



Photograph of UST for emergency generator.



Photograph of trench drain in vehicle maintenance building.



Representative photograph of dormitory.



Photograph of laundry building interior.



Photograph of trash compactor near recycling building.



Representative photograph of Butler Correctional Facility.



Photograph of shooting range.

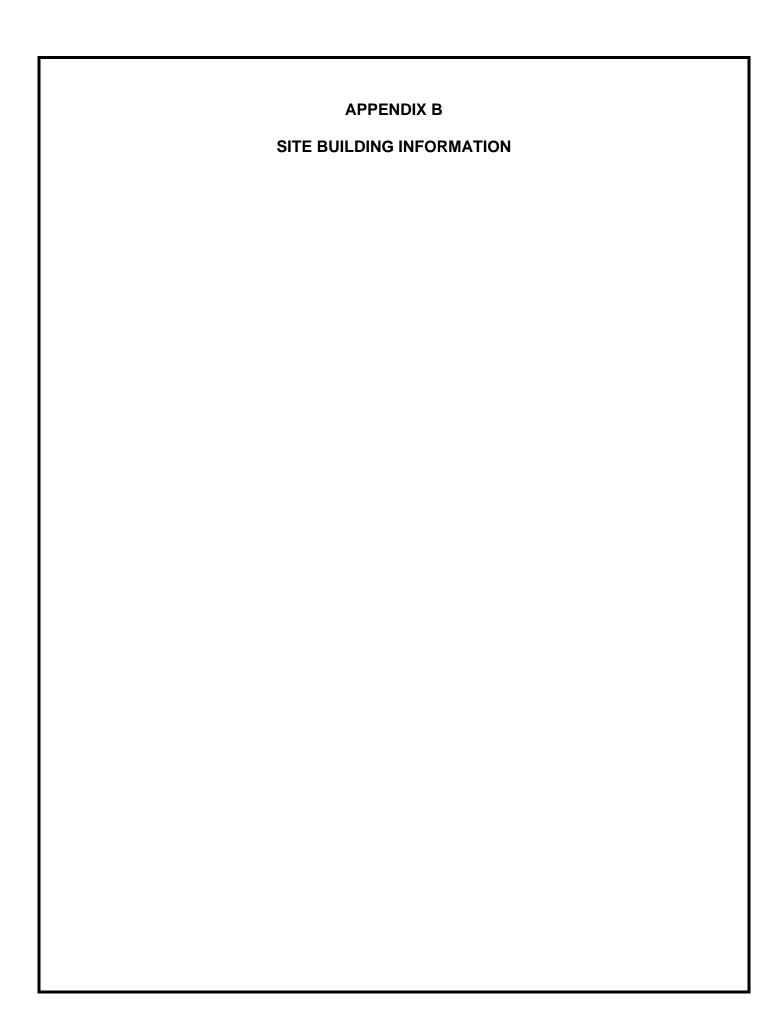


Photograph of shooting range.



Photograph of small shed at shooting range.





# Building Characteristics Inventory (BCI) 2013

									HEA'	T SYST	EM .		HEAT SOURCE	ı					NON	DATE	
BLDG# BLDG. NAME (2) I)	DOCS USEAGE CODE (3)	OCCUPANCY CLASS (4)	CONST CIASS (5)	BASEM ENT (6)	# OF FLOORS (7)	CONST MO/YR (8)	OCCUPIED MO/YR (9)	OVERALL CONDTION (10)	% % HOT STEAM Water (11) (12)	HOT EL AIR R	% % ECT VENTILA IC TION 14) (15)	% AIR COND (16)	% % % SOLA FOSSIL ELECT R (17) (18) (19)	% MAKE UP AIR (20)	ELECT SERV VOLTS (21)	ELECT SERV AMPS (22)	CENT	BLDG SQUARE FT (24)	ENERG Y USING BLDG (25)	LAST INSPECT (26)	In Use (27)
Butler Correctional F	acility											-									
001 A ADMINISTRATION (ASACTC)	100	В	IV	N	1	10/1/1990	7/1/1991	2	100			100	100	100	208	600		12,000		10/6/2011	,
001 M ADMINISTRATION (MIN)	100	В	IV	N	1	6/1/1989	10/1/1989	2	100			100	100	100	208	600		12,000		10/6/2011	
002 A VISITOR'S BUILDING (ASACTO	) 665	A-1	IV	N	1	10/1/1990	7/1/1991	2	100			100	100	100	208	400		3,500		10/6/2011	
002 M FOOD SERVICE (MIN)	620	A-1	IV	N	1	6/1/1989	10/1/1989	2	100				100	100	208	800		8,400		10/6/2011	
003 A ACTIVITIES (ASACTC)	405	A-1	IV	N	1	10/1/1990	7/1/1991	2	100				100	100	208	400		12,200		10/6/2011	
003 M PROGRAM (MIN)	320	A-1	IV	N	1	6/1/1989	10/1/1989	2	100				100	100	208	400		12,200		10/6/2011	
004 A "A" DORM (ASACTC)	205	U	IV	N	1	10/1/1990	7/1/1991	2	100				100	100	208	225		10,373		10/6/2011	
004 M HOUSING (MIN)	205	R-1	IV	N	1	6/1/1989	10/1/1989	2	100				100	100	208	225		9,700		10/6/2011	
005 A "B" DORM (ASACTC)	205	U	IV	N	1	10/1/1990	7/1/1991	2	100				100	100	208	225		10,373		10/6/2011	
005 M HOUSING (MIN)	205	R-1	IV	N	1	6/1/1989	10/1/1989	2	100				100	100	208	225		9,700		10/6/2011	
006 A "C" DORM (ASACTC)	205	U	IV	N	1	10/1/1990	7/1/1991	2	100				100	100	208	225		10,318		10/6/2011	
006 M HOUSING (MIN)	205	R-1	IV	N	1	6/1/1989	10/1/1989	2	100				100	100	208	225		9,700		10/6/2011	
007 A SCHOOL (ASACTC)	330	A-1	IV	N	1	10/1/1990	7/1/1991	2	100				100		208	400		9,800		10/6/2011	•
007 M LAUNDRY (MIN)	635	F-2	IV	N	1	6/1/1989	10/1/1989	2	100				100		208	800		2,148		10/6/2011	
008 A MESS HALL (ASACTC)	620	I-1	IV	N	1	10/1/1990	7/1/1991	2	100				100	100	208	800		8,400		10/6/2011	
008 M FIRE SAFETY (MIN)	610	F-2	IV	N	1	6/1/1989	10/1/1989	2		100			100		208	80		1,420		10/6/2011	
009 A COMMISARY/LAUNDRY (ASACTC)	635	F-2	IV	N	1	10/1/1990	7/1/1991	2	100			50	100		208	800		2,725		10/6/2011	
009 M BAR SCREENING (MIN)	740	U	IV	N	1	6/1/1989	10/1/1989	2			100		100		208	225	N	450		10/6/2011	
010 A RECORD STORAGE (ASACTC)	610	F-2	IV	N	1	10/1/1990	7/1/1991	2		100			100		208	400		1,200		10/6/2011	
010 M RECORD STORAGE (MIN)	740	U	IV	N	1	6/1/1989	10/1/1989	2			100		100		208	225		624		10/6/2011	

Tuesday, November 12, 2013

Page 1 of 3

# Building Characteristics Inventory (BCI) 2013

										HEAT SYSTEM	HE	AT SOURCE	<i>E</i>					NON	DATE	
BLDG# BLDG. NAME (1)	BLDG. NAME (2)	DOCS USEAGE CODE (3)	OCCUPANCY CLASS (4)	CONST CIASS (5)	BASEM ENT (6)	# OF FLOORS (7)	CONST MO/YR (8)	OCCUPIED MO/YR (9)	OVERALL CONDTION (10)	% % HOT % % STEAM Water HOT ELECT (11) (12) AIR RIC (13) (14)	ND SO	% % LA FOSSIL ELECT (7) (18) (19)		ELECT SERV VOLTS (21)	SERV	HEAT CENT PLANT (23)	BLDG SQUARE FT (24)	ENERG Y USING BLDG (25)	LAST INSPECT (26)	In Use (27)
	NERATOR BUILDING SACTC)	710	U	IV	N	1	10/1/1990	7/1/1991	2	100	 	100		208	400		1,400		10/6/2011	Υ
	LE BARN (ENCON) (MIN)	660	S-1		N	1	8/1/1992	8/1/1992	2	100		100		208	200		1,536		10/6/2011	Υ
	CREATION YARD TOILET SACTC)	800	U	IV	N	1	10/1/1990	7/1/1991	3	100		100		208	50		141		10/6/2011	Υ
	ORAGE (MIN)	660	S-1		N	1	6/1/1993	6/1/1993	2	100		100		208	100		2,048		10/6/2011	Υ
013 M ST	ORAGE BUILDING (MIN)	660	U		N	1	8/1/1989	8/1/1989	2		 						184		10/6/2011	Υ
014 A MO	OTOR POOL (ASACTC)	625	F-2	IV	N	1	10/1/1990	7/1/1991	2	100	 	100		208	150		2,285		10/6/2011	Υ
015 A ST	ORAGE BUILDING (ASACTC	660	S-1	V	N	1	6/16/1995	6/16/1995	3		 					N	240	1	10/6/2011	Υ
015 M PO	LE BARN, RECYCLING (MIN	) 325	S-1		N	1	6/1/1994	6/1/1994	2	100	 	100		208	200		2,615		10/6/2011	Y
016 A QW	VL (ASACTC)	415	U	V	N	1	9/1/1995	12/1/1995	2	100	 	100		208	200		2,560		10/6/2011	Y
	LE BARN SCHOOL/ SITORS (MIN)	330	S-1		N	1	8/1/1995	10/1/1995	2	100	 	100		208	200		3,040		10/6/2011	Y
017 A MA	INTENANCE BUILDING SACTC)	645	U	I and II	N	1	6/22/1995	6/22/1995	2	100	 	100		208	200	N	6,000		10/6/2011	Y
	CAPE/PURSUIT (MIN)	740	U	IV	N	1	10/1/1990	7/1/1991	2	100	 	100		208	100		303		10/6/2011	Y
021 M EN	CON TOOL STORAGE (MIN)	660	U	V	N	1	6/1/1998	6/1/1998	1		 						19		10/6/2011	Y
	LT STORAGE BLDG	030	U	I and II	N	1	12/1/2003	12/1/2003	1		 			208	100		1,200		10/6/2011	Y
	SACTC) OOTING RANGE (ASACTC)	805	U	I and II	N	1	1/1/2005	1/1/2005	2		 					N	161	1	10/6/2011	Y
024 M WC	ORKOUT PAVILLION (MIN)	410	I-1	V	N	1	1/1/2000	6/1/2000	1		 			208	20		1,770		10/6/2011	Y
025 A PA	VILLION (ASACTC)	410	U	V	N	1	5/1/2005	5/1/2005	1		 					N	151	1	10/6/2011	Y
025 M GU	IARD SHACK (MIN)	800	I-1	V	N	1	6/1/2005	6/1/2005	2	100	 	100		120	30		42		10/6/2011	<b>Y</b>
	HICLE EQUIPMENT ORAGE BUILDING (ASACTO	660	U	V	N	1	1/1/2006	7/1/2006	1		 						7,200		10/6/2011	Y
	NERATOR BUILDING (MIN)	710	U	IV	n	1	8/1/2005	10/7/2007	1	100	 	100	100	208	400		1,116		10/6/2011	Y
	UCK TRAP GUARD POST SACTC)	800	I-1	III	N	1	1/1/2010	6/1/2010	1	100	 	100		208	60	N	226		10/6/2011	Y

Tuesday, November 12, 2013

Page 2 of 3

# Building Characteristics Inventory (BCI) 2013

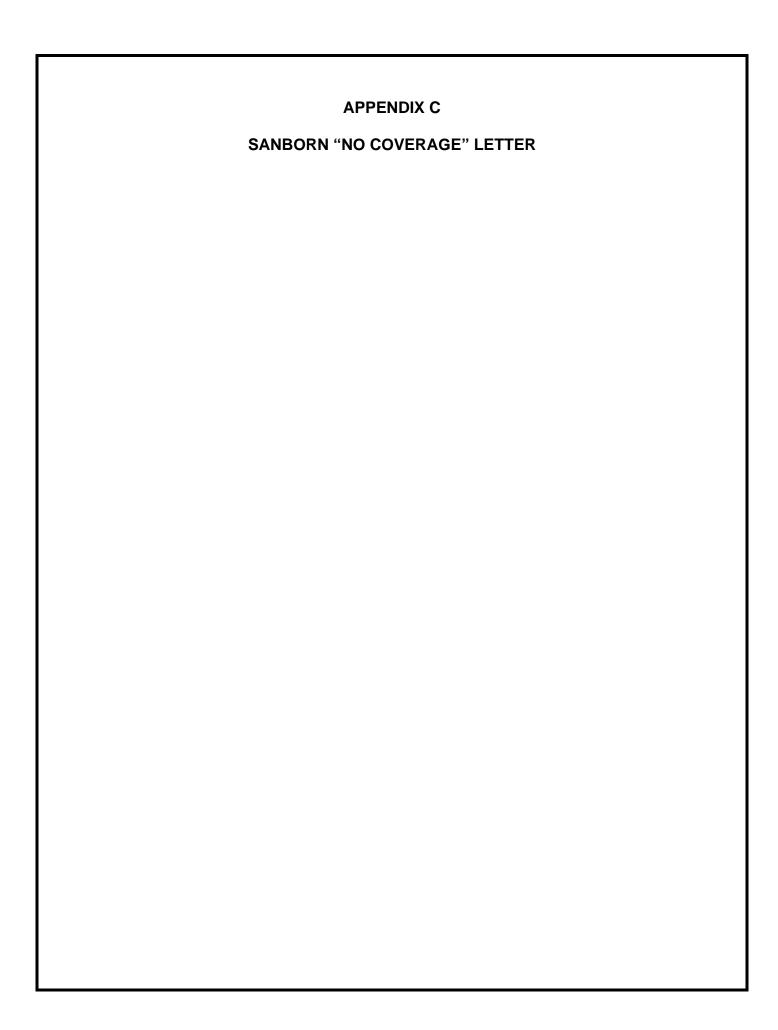
BLDG# BLDG. NAME (2) (1)	DOCS USEAGE CODE (3)	OCCUPANCY CLASS (4)	CONST CIASS (5)	BASEM ENT (6)	# OF FLOORS (7)	CONST MO/YR (8)	OCCUPIED MO/YR (9)	OVERALL CONDTION (10)	% STEAM (11)	HEAT % HOT Water (12)	% HOT	%	% VENTILA TION (15)	% AIR COND (16)	%	% A FOS	OURCE % SIL ELECT 8) (19)	% MAKE UP AIR (20)	ELECT SERV VOLTS (21)	SERV		BLDG SQUARE FT (24)	NON ENERG Y USING BLDG (25)	DATE LAST INSPECT (26)	In Use (27)
027 M RECYCLING STORAGE (MIN)	325	S-1	V	N	1	3/1/2010	6/1/2010	1											120	20		49	1	10/6/2011	Y
028 A RECYCLING STORAGE (ASACTC)	325	S-1	V	N	1	3/1/2010	6/1/2010	1											120	20	N	56		10/6/2011	Υ
028 M FILTER BUILDING (MIN)	740	U		N	1	9/1/1995	9/1/1995	2				100					100		208	50	N	1,548		10/6/2011	N
TOTAL BLDGS. HEATED ELECTOTAL AIR CONDITIONED BLA		.Y						GY USING B		IGS					44		TAL GROS	~					183,12	21	

INSPECTED BY: JOAN DALY

OVERALL CONDITION CODE (COLUMN 10) 1 = EXCELLENT 2 = GOOD 3 = FAIR 4 = POOR 5 = SCRAP

Tuesday, November 12, 2013

Page 3 of 3



# **Butler Correctional Facility**

14003 Westbury Cutoff Road Red Creek, NY 13143

Inquiry Number: 3764048.3

October 22, 2013

# Certified Sanborn® Map Report



## **Certified Sanborn® Map Report**

10/22/13

Site Name: Client Name:

Butler Correctional Facility 14003 Westbury Cutoff Road Red Creek, NY 13143 HRP Associates, Inc One Fairchild Square Clifton Park, NY 12065

EDR Inquiry # 3764048.3 Contact: Patrick Rodman



The complete Sanborn Library collection has been searched by EDR, and fire insurance maps covering the target property location provided by HRP Associates, Inc were identified for the years listed below. The certified Sanborn Library search results in this report can be authenticated by visiting www.edrnet.com/sanborn and entering the certification number. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by Sanborn Library LLC, the copyright holder for the collection.

#### Certified Sanborn Results:

Site Name: Butler Correctional Facility
Address: 14003 Westbury Cutoff Road
City, State, Zip: Red Creek, NY 13143

**Cross Street:** 

**P.O.** # NA

**Project:** Butler Correctional **Certification #** 0469-4F5B-8265

# Santon Santon

Sanborn® Library search results Certification # 0469-4F5B-8265

#### UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.

The Sanborn Library includes more than 1.2 million Sanborn fire insurance maps, which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

Library of Congress

✓ University Publications of America

▼ EDR Private Collection

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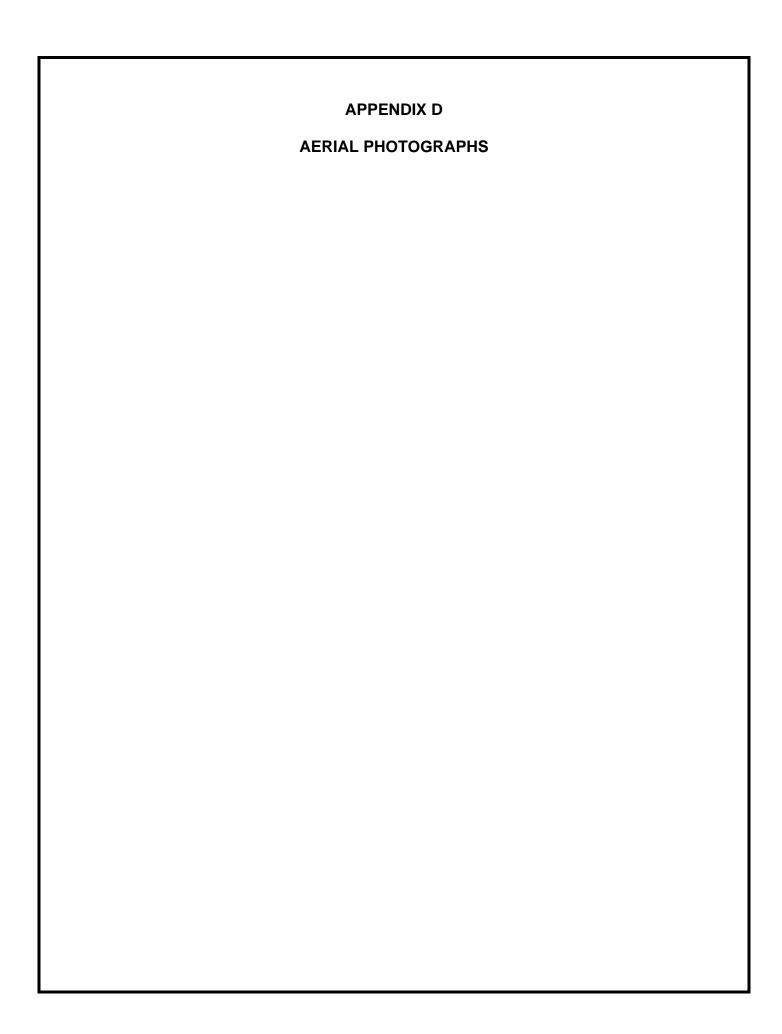
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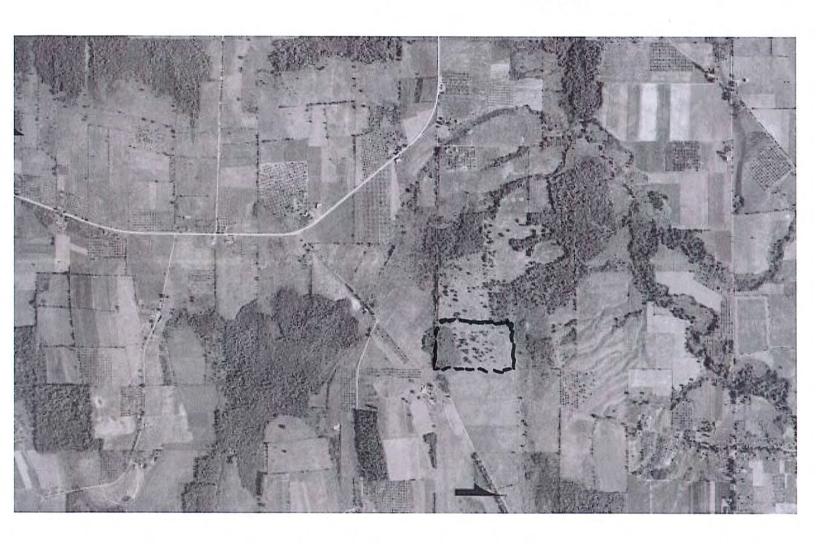
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# 



# **Butler Correctional Facility**

14003 Westbury Cutoff Road Red Creek, NY 13143

Inquiry Number: 3764048.5

October 23, 2013

# The EDR Aerial Photo Decade Package



## **EDR Aerial Photo Decade Package**

Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

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## **Date EDR Searched Historical Sources:**

Aerial Photography October 23, 2013

# **Target Property:**

14003 Westbury Cutoff Road Red Creek, NY 13143

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
1970	Aerial Photograph. Scale: 1"=1000'	Panel #: 43076-B6, Victory, NY;/Flight Date: September 02, 1970	EDR
1985	Aerial Photograph. Scale: 1"=1000'	Panel #: 43076-B6, Victory, NY;/Flight Date: April 29, 1985	EDR
1994	Aerial Photograph. Scale: 1"=500'	Panel #: 43076-B6, Victory, NY;/DOQQ - acquisition dates: April 22, 1994	EDR
2006	Aerial Photograph. Scale: 1"=500'	Panel #: 43076-B6, Victory, NY;/Flight Year: 2006	EDR
2008	Aerial Photograph. Scale: 1"=500'	Panel #: 43076-B6, Victory, NY;/Flight Year: 2008	EDR
2009	Aerial Photograph. Scale: 1"=500'	Panel #: 43076-B6, Victory, NY;/Flight Year: 2009	EDR
2011	Aerial Photograph. Scale: 1"=500'	Panel #: 43076-B6, Victory, NY;/Flight Year: 2011	EDR





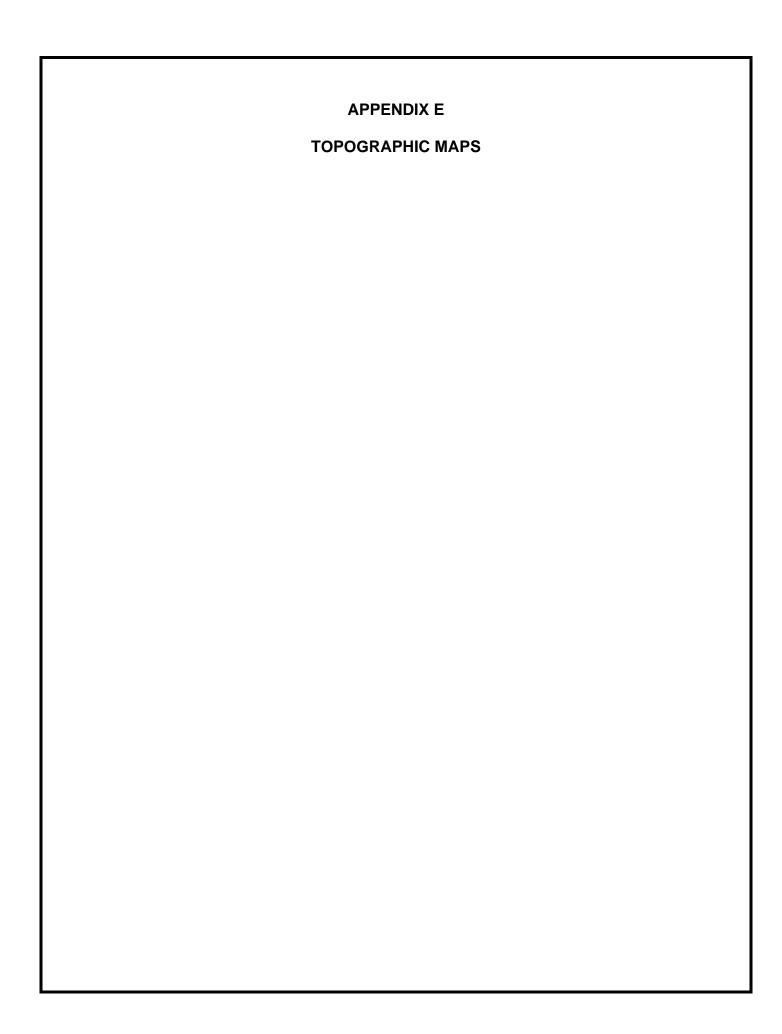












# **Butler Correctional Facility**

14003 Westbury Cutoff Road Red Creek, NY 13143

Inquiry Number: 3764048.4

October 22, 2013

# **EDR** Historical Topographic Map Report



# **EDR Historical Topographic Map Report**

Environmental Data Resources, Inc.s (EDR) Historical Topographic Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDRs Historical Topographic Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the early 1900s.

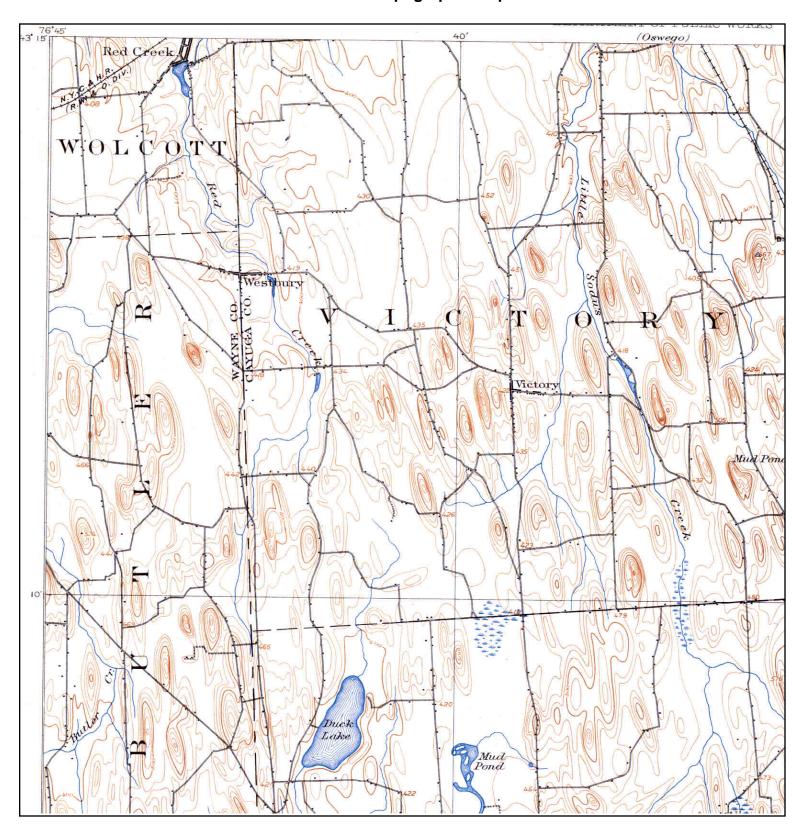
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TARGET QUAD

NAME: WEEDSPORT

MAP YEAR: 1902

SERIES: 15 SCALE: 1:62500 SITE NAME: Butler Correctional Facility
ADDRESS: 14003 Westbury Cutoff Road

Red Creek, NY 13143

LAT/LONG: 43.2213 / -76.7261

CLIENT: HRP Associates, Inc CONTACT: Patrick Rodman INQUIRY#: 3764048.4 RESEARCH DATE: 10/22/2013





TARGET QUAD

NAME: RED CREEK

MAP YEAR: 1943

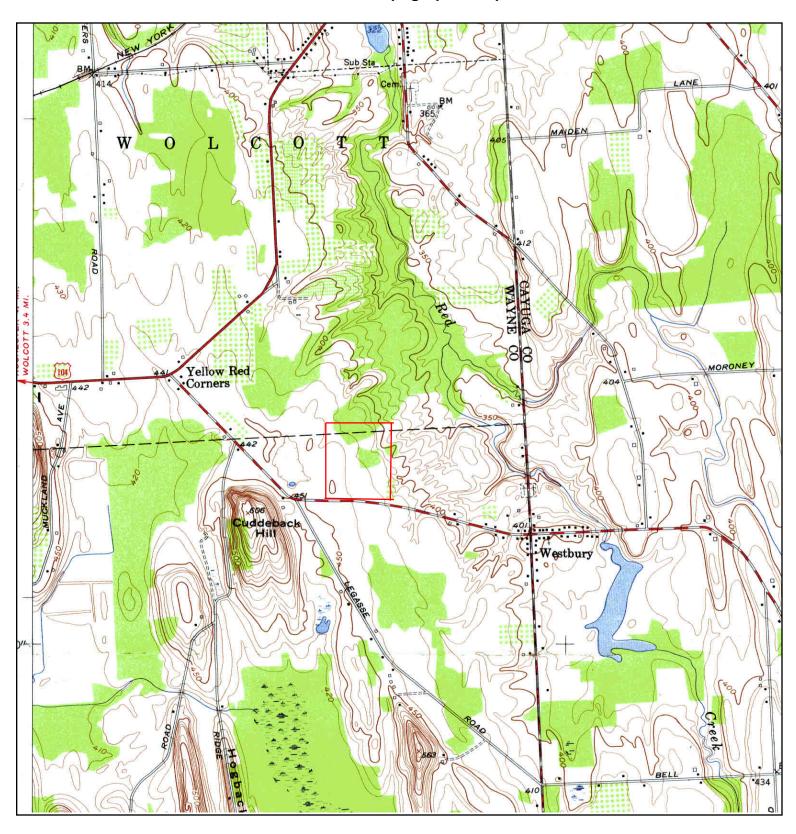
SERIES: 7.5 SCALE: 1:31680 SITE NAME: Butler Correctional Facility
ADDRESS: 14003 Westbury Cutoff Road

Red Creek, NY 13143

LAT/LONG: 43.2213 / -76.7261

CLIENT: HRP Associates, Inc CONTACT: Patrick Rodman

INQUIRY#: 3764048.4 RESEARCH DATE: 10/22/2013



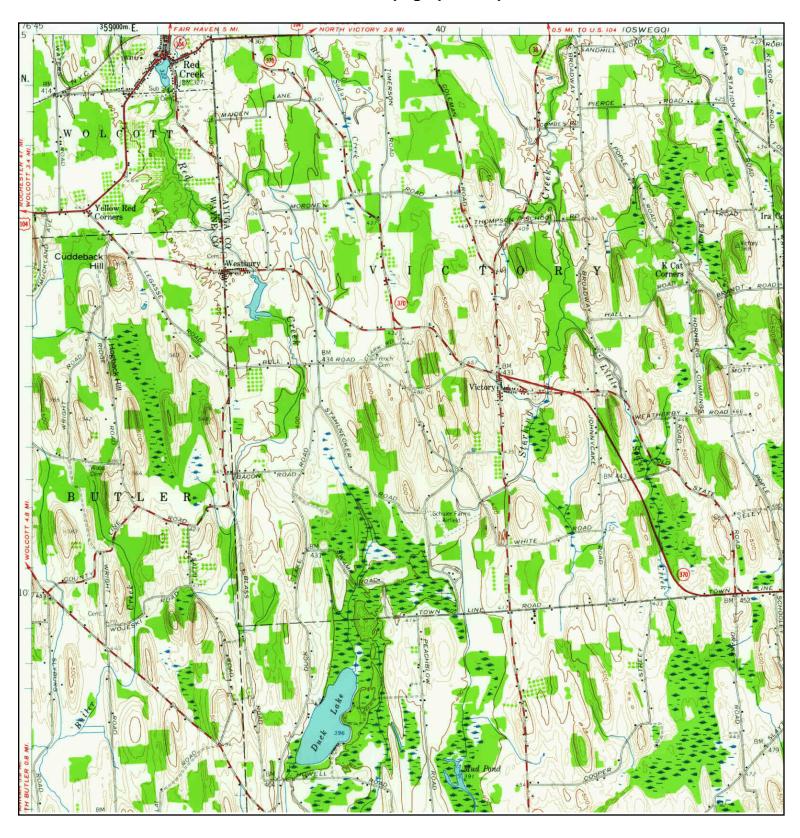


TARGET QUAD

NAME: VICTORY MAP YEAR: 1954

SERIES: 7.5 SCALE: 1:24000 SITE NAME: Butler Correctional Facility
ADDRESS: 14003 Westbury Cutoff Road

Red Creek, NY 13143 LAT/LONG: 43.2213 / -76.7261 CLIENT: HRP Associates, Inc CONTACT: Patrick Rodman INQUIRY#: 3764048.4 RESEARCH DATE: 10/22/2013





TARGET QUAD

NAME: WEEDSPORT

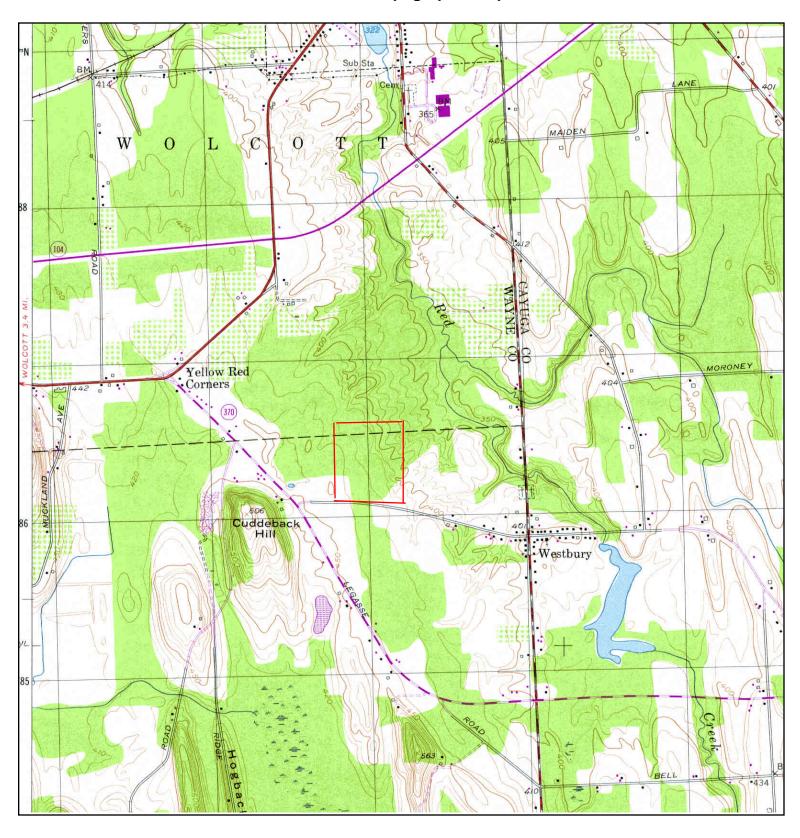
MAP YEAR: 1954

SERIES: 15 SCALE: 1:62500 SITE NAME: Butler Correctional Facility
ADDRESS: 14003 Westbury Cutoff Road

Red Creek, NY 13143

LAT/LONG: 43.2213 / -76.7261

CLIENT: HRP Associates, Inc CONTACT: Patrick Rodman INQUIRY#: 3764048.4 RESEARCH DATE: 10/22/2013





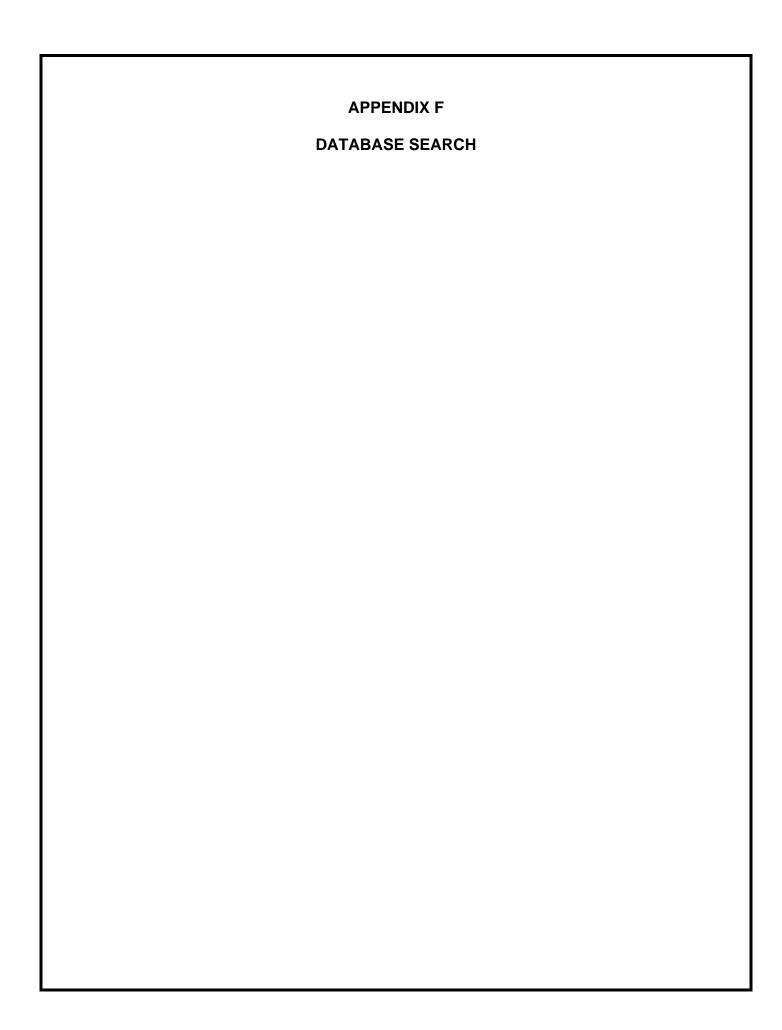
TARGET QUAD
NAME: VICTORY
MAP YEAR: 1978

PHOTOREVISED FROM: 1954

SERIES: 7.5 SCALE: 1:24000 SITE NAME: Butler Correctional Facility
ADDRESS: 14003 Westbury Cutoff Road

Red Creek, NY 13143 LAT/LONG: 43.2213 / -76.7261 CLIENT: HRP Associates, Inc CONTACT: Patrick Rodman INQUIRY#: 3764048.4

RESEARCH DATE: 10/22/2013

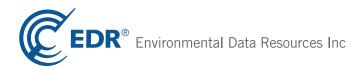


Butler Correctional Facility 14003 Westbury Cutoff Road Red Creek, NY 13143

Inquiry Number: 3764048.2s

October 22, 2013

# The EDR Radius Map™ Report with GeoCheck®



# **TABLE OF CONTENTS**

SECTION	PAGE
Executive Summary	ES1
Overview Map.	2
Detail Map.	
Map Findings Summary	<b>4</b>
Map Findings.	
Orphan Summary	<b>28</b>
Government Records Searched/Data Currency Tracking	GR-1
GEOCHECK ADDENDUM	
Physical Setting Source Addendum	A-1
Physical Setting Source Summary.	A-2
Physical Setting Source Map	A-7
Physical Setting Source Map Findings.	A-8
Physical Setting Source Records Searched	<b>A-11</b>

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### TARGET PROPERTY INFORMATION

#### **ADDRESS**

14003 WESTBURY CUTOFF ROAD RED CREEK, NY 13143

### **COORDINATES**

Latitude (North): 43.2213000 - 43° 13' 16.68" Longitude (West): 76.7261000 - 76° 43' 33.96"

Universal Tranverse Mercator: Zone 18 UTM X (Meters): 359809.1 UTM Y (Meters): 4786621.5

Elevation: 429 ft. above sea level

## USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 43076-B6 VICTORY, NY

Most Recent Revision: 1978

# **AERIAL PHOTOGRAPHY IN THIS REPORT**

Photo Year: 2011 Source: USDA

# TARGET PROPERTY SEARCH RESULTS

The target property was identified in the following records. For more information on this property see page 8 of the attached EDR Radius Map report:

Site	Database(s)	EPA ID
BUTLER CORRECTIONAL FACILITY 14003 WESTBURY CUTOFF ROAD RED CREEK, NY 13143	UST AST	N/A
BUTLER CORRECTIONAL FACILITY PO BOX 400 RED CREEK, NY	FINDS SPDES	N/A
BUTLER CORRECTIONAL 14003 WESTBURY CUT OFF ROAD RED CREEK, NY 13143	NY Spills Spill Number/Closed Date: 1111107 / 5/25/2012	N/A

#### **DATABASES WITH NO MAPPED SITES**

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

#### STANDARD ENVIRONMENTAL RECORDS

NPL LIENS..... Federal Superfund Liens

#### Federal Delisted NPL site list

Delisted NPL...... National Priority List Deletions

#### Federal CERCLIS list

# Federal CERCLIS NFRAP site List

CERC-NFRAP...... CERCLIS No Further Remedial Action Planned

## Federal RCRA CORRACTS facilities list

CORRACTS..... Corrective Action Report

#### Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF..... RCRA - Treatment, Storage and Disposal

### Federal RCRA generators list

RCRA-LQG\_\_\_\_\_\_RCRA - Large Quantity Generators RCRA-SQG\_\_\_\_\_\_RCRA - Small Quantity Generators

RCRA-CESQG...... RCRA - Conditionally Exempt Small Quantity Generator

## Federal institutional controls / engineering controls registries

US ENG CONTROLS...... Engineering Controls Sites List
US INST CONTROL...... Sites with Institutional Controls
LUCIS...... Land Use Control Information System

#### Federal ERNS list

ERNS..... Emergency Response Notification System

...... Inactive Hazardous Waste Disposal Sites in New York State

VAPOR REOPENED...... Vapor Intrusion Legacy Site List

#### State and tribal landfill and/or solid waste disposal site lists

SWF/LF..... Facility Register

## State and tribal leaking storage tank lists

...... Spills Information Database

HIST LTANKS..... Listing of Leaking Storage Tanks
INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

#### State and tribal registered storage tank lists

TANKS..... Storage Tank Faciliy Listing CBS UST..... Chemical Bulk Storage Database MOSF UST...... Major Oil Storage Facilities Database CBS AST..... Chemical Bulk Storage Database MOSF AST..... Major Oil Storage Facilities Database MOSF..... Major Oil Storage Facility Site Listing CBS...... Chemical Bulk Štorage Śite Listing 

### State and tribal institutional control / engineering control registries

ENG CONTROLS..... Registry of Engineering Controls INST CONTROL...... Registry of Institutional Controls RES DECL\_\_\_\_\_\_ Restrictive Declarations Listing

#### State and tribal voluntary cleanup sites

INDIAN VCP......Voluntary Cleanup Priority Listing VCP.....Voluntary Cleanup Agreements

#### State and tribal Brownfields sites

..... Environmental Restoration Program Listing

BROWNFIELDS..... Brownfields Site List

## ADDITIONAL ENVIRONMENTAL RECORDS

#### Local Brownfield lists

US BROWNFIELDS..... A Listing of Brownfields Sites

# Local Lists of Landfill / Solid Waste Disposal Sites

DEBRIS REGION 9...... Torres Martinez Reservation Illegal Dump Site Locations

ODI...... Open Dump Inventory

SWRCY...... Registered Recycling Facility List

SWTIRE...... Registered Waste Tire Storage & Facility List

### Local Lists of Hazardous waste / Contaminated Sites

DEL SHWS..... Delisted Registry Sites
US HIST CDL...... National Clandestine Laboratory Register

### Local Lists of Registered Storage Tanks

HIST UST..... Historical Petroleum Bulk Storage Database HIST AST..... Historical Petroleum Bulk Storage Database

#### Local Land Records

LIENS 2...... CERCLA Lien Information LIENS...... Spill Liens Information

#### Records of Emergency Release Reports

HMIRS..... Hazardous Materials Information Reporting System

NY Hist Spills\_\_\_\_\_ SPILLS Database

#### Other Ascertainable Records

CONSENT..... Superfund (CERCLA) Consent Decrees

TRIS...... Toxic Chemical Release Inventory System

TSCA...... Toxic Substances Control Act

Act)/TSCA (Toxic Substances Control Act)

HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing

SSTS..... Section 7 Tracking Systems

ICIS..... Integrated Compliance Information System

RAATS\_\_\_\_\_\_RCRA Administrative Action Tracking System

RMP..... Risk Management Plans

HSWDS..... Hazardous Substance Waste Disposal Site Inventory

UIC\_\_\_\_\_Underground Injection Control Wells

MANIFEST...... Facility and Manifest Data
DRYCLEANERS...... Registered Drycleaners
AIRS....... Air Emissions Data

E DESIGNATION..... E DESIGNATION SITE LISTING

INDIAN RESERV..... Indian Reservations

SCRD DRYCLEANERS...... State Coalition for Remediation of Drycleaners Listing

COAL ASH EPA..... Coal Combustion Residues Surface Impoundments List

Financial Assurance Information Listing

LEAD SMELTERS..... Lead Smelter Sites

2020 COR ACTION.......... 2020 Corrective Action Program List

US AIRS...... Aerometric Information Retrieval System Facility Subsystem

PCB TRANSFORMER...... PCB Transformer Registration Database

US FIN ASSUR..... Financial Assurance Information

EPA WATCH LIST..... EPA WATCH LIST

COAL ASH DOE..... Steam-Electric Plant Operation Data

### **EDR HIGH RISK HISTORICAL RECORDS**

#### **EDR Exclusive Records**

EDR MGP..... EDR Proprietary Manufactured Gas Plants EDR US Hist Auto Stat.... EDR Exclusive Historic Gas Stations EDR US Hist Cleaners... EDR Exclusive Historic Dry Cleaners

### **SURROUNDING SITES: SEARCH RESULTS**

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in **bold italics** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

# STANDARD ENVIRONMENTAL RECORDS

#### State and tribal registered storage tank lists

UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environmental Conservation's Petroleum Bulk Storage (PBS) Database

A review of the UST list, as provided by EDR, and dated 08/07/2013 has revealed that there is 1 UST site within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
J W 104 INC	13824 RTE 370	SSW 1/8 - 1/4 (0.178 mi.)	4	20

# ADDITIONAL ENVIRONMENTAL RECORDS

# Records of Emergency Release Reports

NY Spills: Data collected on spills reported to NYSDEC. is required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from PBS regs), or 6 NYCRR Section 595.2 (from CBS regs). It includes spills active as of April 1, 1986, as well as spills occurring since this date.

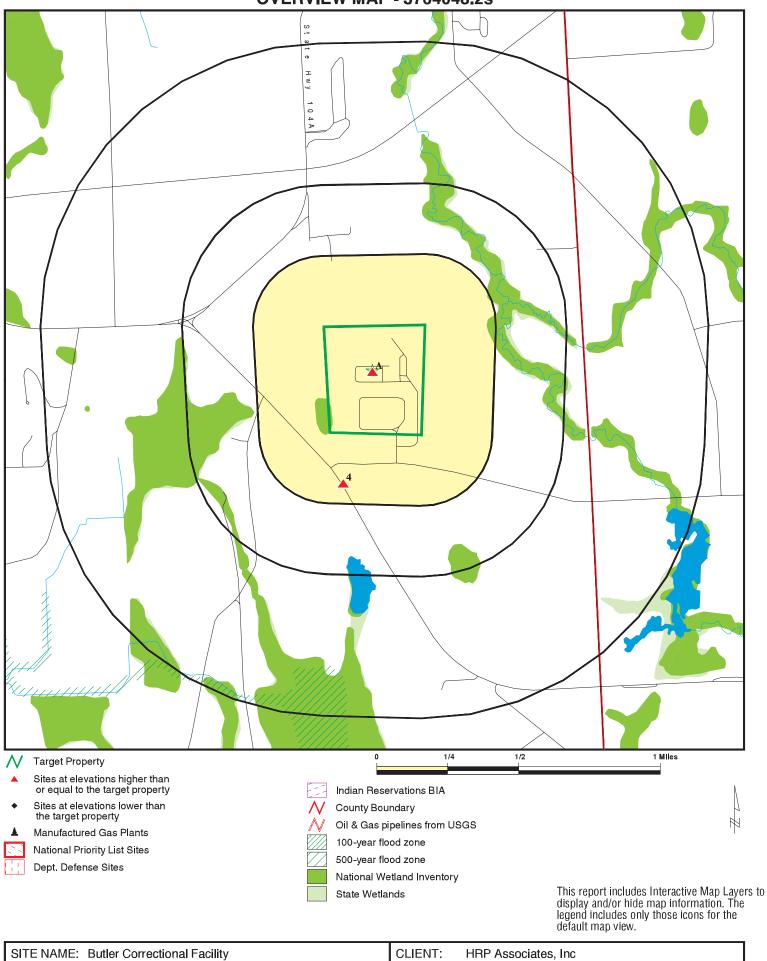
A review of the NY Spills list, as provided by EDR, and dated 08/19/2013 has revealed that there is 1 NY Spills site within approximately 0.5 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
J W 104 INC Spill Number/Closed Date: 1207536 /	<b>13824 RTE 370</b> 10/30/2012	SSW 1/8 - 1/4 (0.178 mi.)	4	20

Due to poor or inadequate address information, the following sites were not mapped. Count: 7 records.

Site Name	Database(s)
SANDY CROWNINGSHIELD	SPILLS 90
NYSDOT BIN 1093620	RCRA-LQG
SANDY CROWNINGSHIELD	NY Spills
SLURP SUPPLY COMPANY	NY Spills
SUPERIOR PLUS RED CREEK PLANT	NY Spills
WARNER RESIDENCE	NY Spills
HANSON AGGREGATES BUTLER	NY Spills

# **OVERVIEW MAP - 3764048.2s**

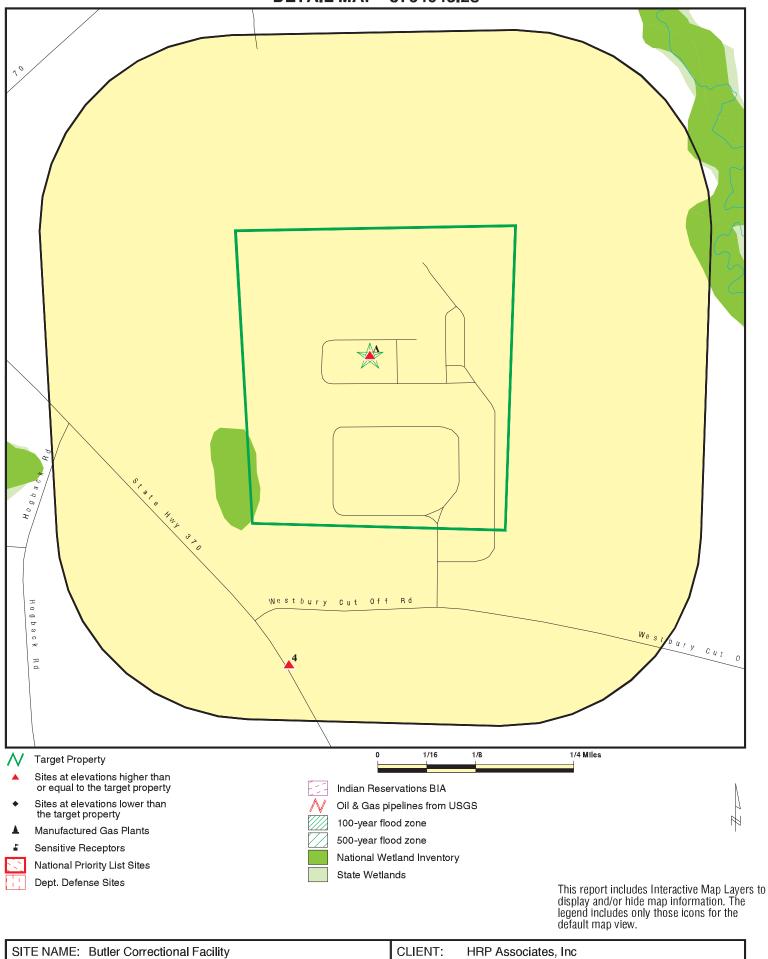


14003 Westbury Cutoff Road Red Creek NY 13143 ADDRESS:

LAT/LONG: 43.2213 / 76.7261 CLIENT: HRP Associates, Inc CONTACT: Patrick Rodman INQUIRY#: 3764048.2s

DATE: October 22, 2013 2:48 pm

**DETAIL MAP - 3764048.2s** 



14003 Westbury Cutoff Road Red Creek NY 13143 ADDRESS:

LAT/LONG: 43.2213 / 76.7261 CLIENT: HRP Associates, Inc CONTACT: Patrick Rodman INQUIRY#: 3764048.2s

DATE: October 22, 2013 2:50 pm

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	>1	Total Plotted
STANDARD ENVIRONMEN	TAL RECORDS							
Federal NPL site list								
NPL Proposed NPL NPL LIENS	1.000 1.000 TP		0 0 NR	0 0 NR	0 0 NR	0 0 NR	NR NR NR	0 0 0
Federal Delisted NPL si	te list							
Delisted NPL	1.000		0	0	0	0	NR	0
Federal CERCLIS list								
CERCLIS FEDERAL FACILITY	0.500 0.500		0 0	0 0	0 0	NR NR	NR NR	0 0
Federal CERCLIS NFRA	P site List							
CERC-NFRAP	0.500		0	0	0	NR	NR	0
Federal RCRA CORRACTS facilities list								
CORRACTS	1.000		0	0	0	0	NR	0
Federal RCRA non-COR	RRACTS TSD fa	acilities list						
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Federal RCRA generato	rs list							
RCRA-LQG RCRA-SQG RCRA-CESQG	0.250 0.250 0.250		0 0 0	0 0 0	NR NR NR	NR NR NR	NR NR NR	0 0 0
Federal institutional college engineering controls re								
US ENG CONTROLS US INST CONTROL LUCIS	0.500 0.500 0.500		0 0 0	0 0 0	0 0 0	NR NR NR	NR NR NR	0 0 0
Federal ERNS list								
ERNS	TP		NR	NR	NR	NR	NR	0
State- and tribal - equive	alent CERCLIS							
SHWS VAPOR REOPENED	1.000 1.000		0 0	0 0	0 0	0 0	NR NR	0 0
State and tribal landfill a solid waste disposal sit								
SWF/LF	0.500		0	0	0	NR	NR	0
State and tribal leaking	storage tank li	sts						
LTANKS HIST LTANKS INDIAN LUST	0.500 0.500 0.500		0 0 0	0 0 0	0 0 0	NR NR NR	NR NR NR	0 0 0

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
State and tribal register	ed storage tal	nk lists						
TANKS UST CBS UST MOSF UST AST CBS AST MOSF AST MOSF CBS INDIAN UST FEMA UST	0.250 0.250 0.250 0.500 0.250 0.250 0.500 0.500 0.250 0.250	1	0 0 0 0 0 0 0 0	0 1 0 0 0 0 0 0 0	NR NR NR O NR NR O O NR NR	NR NR NR NR NR NR NR NR NR	NR NR NR NR NR NR NR NR	0 2 0 0 1 0 0 0 0 0
State and tribal institution control / engineering co		es						
ENG CONTROLS INST CONTROL RES DECL	0.500 0.500 0.125		0 0 0	0 0 NR	0 0 NR	NR NR NR	NR NR NR	0 0 0
State and tribal voluntal	ry cleanup sit	es						
INDIAN VCP VCP	0.500 0.500		0 0	0 0	0 0	NR NR	NR NR	0 0
State and tribal Brownfi	elds sites							
ERP BROWNFIELDS	0.500 0.500		0 0	0 0	0 0	NR NR	NR NR	0 0
ADDITIONAL ENVIRONME	NTAL RECORD	<u>s</u>						
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Waste Disposal Sites	Solid							
DEBRIS REGION 9 ODI SWRCY SWTIRE INDIAN ODI	0.500 0.500 0.500 0.500 0.500		0 0 0 0	0 0 0 0	0 0 0 0	NR NR NR NR NR	NR NR NR NR NR	0 0 0 0
Local Lists of Hazardou Contaminated Sites	s waste /							
US CDL DEL SHWS US HIST CDL	TP 1.000 TP		NR 0 NR	NR 0 NR	NR 0 NR	NR 0 NR	NR NR NR	0 0 0
Local Lists of Registere	d Storage Tai	nks						
HIST UST HIST AST	0.250 TP		0 NR	0 NR	NR NR	NR NR	NR NR	0 0

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
Local Land Records								
LIENS 2 LIENS	TP TP		NR NR	NR NR	NR NR	NR NR	NR NR	0 0
Records of Emergency I	Release Repo	rts						
HMIRS NY Spills NY Hist Spills SPILLS 90 SPILLS 80	TP 0.500 0.500 0.125 0.125	1	NR 0 0 0 0	NR 1 0 NR NR	NR 0 0 NR NR	NR NR NR NR NR	NR NR NR NR NR	0 2 0 0 0
Other Ascertainable Rec	ords							
RCRA NonGen / NLR DOT OPS DOD FUDS CONSENT ROD UMTRA US MINES TRIS TSCA FTTS HIST FTTS SSTS ICIS PADS MLTS RADINFO FINDS RAATS RMP HSWDS UIC MANIFEST DRYCLEANERS SPDES AIRS E DESIGNATION INDIAN RESERV SCRD DRYCLEANERS COAL ASH PRP COAL ASH EPA Financial Assurance LEAD SMELTERS 2020 COR ACTION US AIRS PCB TRANSFORMER	0.250 TP 1.000 1.000 1.000 1.000 0.500 0.250 TP	1	O R O O O O O O R R R R R R R R R R R R	OROOOOORRRRRRRRRRRRRRRRRROROORRROOORORRORR	NR O O O O O RRRRRRRRRRRRRRRRRRRRRRRRRR	R R O O O O R R R R R R R R R R R R R R	R R R R R R R R R R R R R R R R R R R	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
EPA WATCH LIST COAL ASH DOE	TP TP		NR NR	NR NR	NR NR	NR NR	NR NR	0 0
EDR HIGH RISK HISTORICAL RECORDS								
EDR Exclusive Records								
EDR MGP EDR US Hist Auto Stat EDR US Hist Cleaners	1.000 0.250 0.250		0 0 0	0 0 0	0 NR NR	0 NR NR	NR NR NR	0 0 0

# NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

Direction Distance

Distance Elevation Site EDR ID Number

EDR ID Number

EPA ID Number

A1 BUTLER CORRECTIONAL FACILITY UST U004062178
Target 14003 WESTBURY CUTOFF ROAD AST N/A

Property RED CREEK, NY 13143

Site 1 of 3 in cluster A

Actual: 429 ft. UST: Id/Status: 8-600023 / Active

Program Type: PBS
Region: STATE
DEC Region: 8

Expiration Date: 2016/08/01 UTM X: 360226.73037 UTM Y: 4786087.334689999

Site Type: Other

Affiliation Records:

Site Id: 50829 Affiliation Type: Mail Contact

Company Name: FACILITY PLANNING

Contact Type: Not reported

Contact Name: DIRECTOR OF FACILITY PLANNING

Address1: STATE CAMPUS BLDG 2 Address2: 1220 WASHINGTON AVE

 City:
 ALBANY

 State:
 NY

 Zip Code:
 12226

 Country Code:
 001

Phone: (518) 484-5576
EMail: Not reported
Fax Number: Not reported
Modified By: MAPERSSO
Date Last Modified: 9/14/2009

Site Id: 50829

Affiliation Type: On-Site Operator

Company Name: BUTLER CORRECTIONAL FACILITY

Contact Type: Not reported

Contact Name: LEGRETE AINSWORTH

Address1: Not reported Address2: Not reported City: Not reported State: NN

Zip Code: Not reported

Country Code: 001

Phone: (315) 754-8001
EMail: Not reported
Fax Number: Not reported
Modified By: MAPERSSO
Date Last Modified: 5/9/2012

Site Id: 50829

Affiliation Type: Emergency Contact

Company Name: NYS DEPT OF CORRECTIONS

Contact Type: Not reported
Contact Name: PATTI HOWE
Address1: Not reported
Address2: Not reported
City: Not reported

State: NN

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

## **BUTLER CORRECTIONAL FACILITY (Continued)**

U004062178

Zip Code: Not reported

Country Code: 999

Phone: (315) 754-8001 EMail: Not reported Fax Number: Not reported MAPERSSO Modified By: Date Last Modified: 5/9/2012

Site Id: 50829 Affiliation Type: **Facility Owner** 

Company Name: NYS DEPT OF CORRECTIONS

Contact Type: DEPUTY SUPERINTENDENT FOR ADMINISTRATION

Contact Name: **PATTI HOWE** 

Address1: **EMPIRE STATE PLAZA** 

Address2: Not reported City: **ALBANY** State: NY Zip Code: 12242 Country Code: 001

(518) 474-3668 Phone: EMail: Not reported Fax Number: Not reported Modified By: **MAPERSSO** Date Last Modified: 5/9/2012

#### Tank Info:

Tank Number: 30-1049A Tank ID: 152886 Tank Status: In Service Material Name: In Service Capacity Gallons: 2000 Install Date: 01/01/1991 Date Tank Closed: Not reported Registered: True

Tank Location: Underground Steel/carbon steel Tank Type:

Material Code: 8000 Common Name of Substance: Diesel

NN Tightness Test Method:

Date Test: Not reported Next Test Date: Not reported Pipe Model: Not reported Modified By: **MAPERSSO** 05/09/2012 Last Modified:

#### **Equipment Records:**

K01 - Spill Prevention - Catch Basin F05 - Pipe External Protection - Jacketed

E04 - Piping Secondary Containment - Double-Walled (Underground)

D06 - Pipe Type - Fiberglass Reinforced Plastic (FRP)

G04 - Tank Secondary Containment - Double-Walled (Underground)

B04 - Tank External Protection - Fiberglass C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring

102 - Overfill - High Level Alarm

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

## **BUTLER CORRECTIONAL FACILITY (Continued)**

U004062178

A00 - Tank Internal Protection - None J02 - Dispenser - Suction Dispenser

L09 - Piping Leak Detection - Exempt Suction Piping

30-1049B Tank Number: Tank ID: 152888 Tank Status: In Service Material Name: In Service Capacity Gallons: 4000 Install Date: 01/01/1991 Date Tank Closed: Not reported Registered: True Tank Location: Underground

Tank Type: Steel/carbon steel

Material Code: 2712

Common Name of Substance: Gasoline/Ethanol

Tightness Test Method: 00

Not reported Date Test: Next Test Date: Not reported Pipe Model: Not reported Modified By: **MAPERSSO** Last Modified: 05/09/2012

**Equipment Records:** 

K01 - Spill Prevention - Catch Basin F05 - Pipe External Protection - Jacketed

D06 - Pipe Type - Fiberglass Reinforced Plastic (FRP)

G04 - Tank Secondary Containment - Double-Walled (Underground)

C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring

102 - Overfill - High Level Alarm

B04 - Tank External Protection - Fiberglass

E04 - Piping Secondary Containment - Double-Walled (Underground)

A00 - Tank Internal Protection - None J02 - Dispenser - Suction Dispenser

L09 - Piping Leak Detection - Exempt Suction Piping

R0534TK2 Tank Number: 152887 Tank ID: Tank Status: In Service Material Name: In Service Capacity Gallons: 3000 Install Date: 01/01/1991 Date Tank Closed: Not reported Registered: True Tank Location: Underground

Steel/carbon steel Tank Type: Material Code: 8000

Common Name of Substance: Diesel

Tightness Test Method: NN Date Test: 02/06/2001 Next Test Date: Not reported Pipe Model: Not reported **MAPERSSO** Modified By:

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

## **BUTLER CORRECTIONAL FACILITY (Continued)**

U004062178

Last Modified: 05/09/2012

**Equipment Records:** 

K01 - Spill Prevention - Catch Basin F05 - Pipe External Protection - Jacketed

G04 - Tank Secondary Containment - Double-Walled (Underground)

B04 - Tank External Protection - Fiberglass

E04 - Piping Secondary Containment - Double-Walled (Underground)

C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring

102 - Overfill - High Level Alarm A00 - Tank Internal Protection - None D02 - Pipe Type - Galvanized Steel J02 - Dispenser - Suction Dispenser

L09 - Piping Leak Detection - Exempt Suction Piping

AST:

STATE Region: DEC Region: Active Site Status: Facility Id: 8-600023 Program Type: **PBS** UTM X: 360226.73037 UTM Y: 4786087.3346899999

**Expiration Date:** 2016/08/01 Site Type: Other

Affiliation Records:

Site Id: 50829 Affiliation Type: Mail Contact

FACILITY PLANNING Company Name:

Contact Type: Not reported

Contact Name: DIRECTOR OF FACILITY PLANNING

STATE CAMPUS BLDG 2 Address1: 1220 WASHINGTON AVE Address2:

City: **ALBANY** State: NY Zip Code: 12226 Country Code: 001

Phone: (518) 484-5576 EMail: Not reported Fax Number: Not reported Modified By: **MAPERSSO** Date Last Modified: 9/14/2009

Site Id: 50829

On-Site Operator Affiliation Type:

**BUTLER CORRECTIONAL FACILITY** Company Name:

Contact Type: Not reported

Contact Name: LEGRETE AINSWORTH

Address1: Not reported Address2: Not reported City: Not reported State: NN

Zip Code: Not reported

Country Code: 001

Phone: (315) 754-8001 EMail: Not reported

Direction Distance

Elevation Site Database(s) EPA ID Number

## **BUTLER CORRECTIONAL FACILITY (Continued)**

U004062178

**EDR ID Number** 

Fax Number: Not reported Modified By: MAPERSSO Date Last Modified: 5/9/2012

Site Id: 50829

Affiliation Type: Emergency Contact

Company Name: NYS DEPT OF CORRECTIONS

Contact Type: Not reported
Contact Name: PATTI HOWE
Address1: Not reported
Address2: Not reported
City: Not reported
State: NN

Zip Code: Not reported Country Code: 999

Phone: (315) 754-8001
EMail: Not reported
Fax Number: Not reported
Modified By: MAPERSSO
Date Last Modified: 5/9/2012

Site Id: 50829 Affiliation Type: Facility Owner

Company Name: NYS DEPT OF CORRECTIONS

Contact Type: DEPUTY SUPERINTENDENT FOR ADMINISTRATION

Contact Name: PATTI HOWE

Address1: EMPIRE STATE PLAZA

 Address2:
 Not reported

 City:
 ALBANY

 State:
 NY

 Zip Code:
 12242

 Country Code:
 001

Phone: (518) 474-3668
EMail: Not reported
Fax Number: Not reported
Modified By: MAPERSSO
Date Last Modified: 5/9/2012

Tank Info:

Tank Number: 413137
Tank Id: 152885
Material Code: 0009
Common Name of Substance: Gasoline

**Equipment Records:** 

F00 - Pipe External Protection - None C01 - Pipe Location - Aboveground H00 - Tank Leak Detection - None

G04 - Tank Secondary Containment - Double-Walled (Underground)

B04 - Tank External Protection - Fiberglass

102 - Overfill - High Level AlarmA00 - Tank Internal Protection - NoneD02 - Pipe Type - Galvanized SteelJ02 - Dispenser - Suction Dispenser

Tank Location: 3

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

## **BUTLER CORRECTIONAL FACILITY (Continued)**

U004062178

Tank Type: Steel/Carbon Steel/Iron Tank Status: Closed - Removed Pipe Model: Not reported Install Date: 11/01/1989 Capacity Gallons: 4000

Tightness Test Method: NN Date Test: Not reported Next Test Date: Not reported Date Tank Closed: Not reported Register: True **MAPERSSO** Modified By: Last Modified: 08/14/2006 Material Name: Gasoline

Tank Number: MED-DAY Tank Id: 212191 Material Code: 8000 Common Name of Substance: Diesel

#### **Equipment Records:**

G00 - Tank Secondary Containment - None

B01 - Tank External Protection - Painted/Asphalt Coating

F00 - Pipe External Protection - None C01 - Pipe Location - Aboveground

E00 - Piping Secondary Containment - None

H00 - Tank Leak Detection - None 103 - Overfill - Automatic Shut-Off K00 - Spill Prevention - None A00 - Tank Internal Protection - None D01 - Pipe Type - Steel/Carbon Steel/Iron J02 - Dispenser - Suction Dispenser

L09 - Piping Leak Detection - Exempt Suction Piping

Tank Location:

Tank Type: Steel/Carbon Steel/Iron

Tank Status: In Service Pipe Model: Not reported Install Date: 01/01/1991 Capacity Gallons: 275 Tightness Test Method: NN

Date Test: Not reported Next Test Date: Not reported Date Tank Closed: Not reported Register: True Modified By: **MAPERSSO** Last Modified: 05/09/2012

Material Name: Diesel

MIN-CEN Tank Number: Tank Id: 216529 Material Code: 8000 Common Name of Substance: Diesel

#### **Equipment Records:**

C01 - Pipe Location - Aboveground

Direction Distance

Elevation Site Database(s) EPA ID Number

#### **BUTLER CORRECTIONAL FACILITY (Continued)**

U004062178

**EDR ID Number** 

E00 - Piping Secondary Containment - None

103 - Overfill - Automatic Shut-Off

B01 - Tank External Protection - Painted/Asphalt Coating

K01 - Spill Prevention - Catch Basin F05 - Pipe External Protection - Jacketed

G09 - Tank Secondary Containment - Modified Double-Walled

(Aboveground)

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring

A00 - Tank Internal Protection - None D01 - Pipe Type - Steel/Carbon Steel/Iron J02 - Dispenser - Suction Dispenser

L09 - Piping Leak Detection - Exempt Suction Piping

Tank Location: 3

Tank Type: Steel/Carbon Steel/Iron

Tank Status: In Service
Pipe Model: Not reported
Install Date: 01/01/2007
Capacity Gallons: 3000
Tightness Test Method: NN

Date Test:

Not reported

Next Test Date:

Not reported

Date Tank Closed:

Register:

Modified By:

MAPERSSO

Last Modified:

Material Name:

Not reported

Not reported

Not reported

Not reported

Other Ported

Diesel

Tank Number: MIN-DAY
Tank Id: 216530
Material Code: 0008
Common Name of Substance: Diesel

#### **Equipment Records:**

B01 - Tank External Protection - Painted/Asphalt Coating

F00 - Pipe External Protection - None
C01 - Pipe Location - Aboveground
E00 - Piping Secondary Containment - None

H00 - Tank Leak Detection - None 103 - Overfill - Automatic Shut-Off K00 - Spill Prevention - None A00 - Tank Internal Protection - None

D01 - Pipe Type - Steel/Carbon Steel/Iron G01 - Tank Secondary Containment - Diking (Aboveground)

J02 - Dispenser - Suction Dispenser

L09 - Piping Leak Detection - Exempt Suction Piping

Tank Location: 3

Tank Type: Steel/Carbon Steel/Iron

Tank Status: In Service
Pipe Model: Not reported
Install Date: 01/01/2007
Capacity Gallons: 100
Tightness Test Method: NN

Date Test:

Not reported

Next Test Date:

Not reported

Not reported

Not reported

Not reported

True

Direction Distance

Elevation Site Database(s) EPA ID Number

## **BUTLER CORRECTIONAL FACILITY (Continued)**

U004062178

**EDR ID Number** 

Modified By: MAPERSSO
Last Modified: 05/09/2012
Material Name: Diesel

Tank Number: RECYCLE OIL
Tank Id: 246805
Material Code: 0022

Common Name of Substance: Waste Oil/Used Oil

**Equipment Records:** 

E00 - Piping Secondary Containment - None

B01 - Tank External Protection - Painted/Asphalt Coating

C00 - Pipe Location - No Piping F00 - Pipe External Protection - None I04 - Overfill - Product Level Gauge (A/G) K01 - Spill Prevention - Catch Basin D00 - Pipe Type - No Piping

J00 - Dispenser - None

G09 - Tank Secondary Containment - Modified Double-Walled

(Aboveground)

H02 - Tank Leak Detection - Interstitial - Manual Monitoring

L00 - Piping Leak Detection - None A00 - Tank Internal Protection - None

Tank Location: 3

Tank Type: Steel/Carbon Steel/Iron

Tank Status: In Service
Pipe Model: Not reported
Install Date: 08/17/2012
Capacity Gallons: 185
Tightness Test Method: NN

Date Test:
Not reported
Next Test Date:
Not reported
Date Tank Closed:
Register:
True
Modified By:
MAPERSSO
Last Modified:
Material Name:
Not reported
Not reported
Not reported
Oil/02/2013
Waste Oil/Used Oil

Tank Number: SHOCK 1
Tank Id: 152884
Material Code: 0008
Common Name of Substance: Diesel

**Equipment Records:** 

A03 - Tank Internal Protection - Fiberglass Liner (FRP)

G04 - Tank Secondary Containment - Double-Walled (Underground)

F05 - Pipe External Protection - Jacketed C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring

102 - Overfill - High Level Alarm

B04 - Tank External Protection - Fiberglass

D10 - Pipe Type - Copper

J02 - Dispenser - Suction Dispenser

Tank Location:

Distance

Elevation Site Database(s) EPA ID Number

## **BUTLER CORRECTIONAL FACILITY (Continued)**

Fiberglass Reinforced Plastic

Tank Status:

Pipe Model:
Install Date:
Capacity Gallons:
Tightness Test Method:

Closed - Removed
Not reported
06/01/1989
2000
NN

Date Test:
Not reported
Next Test Date:
Not reported
Date Tank Closed:
11/30/2005
Register:
True
Modified By:
WLSTEVEN
Last Modified:
07/14/2006
Material Name:
Diesel

Tank Number: USED OIL
Tank Id: 230585
Material Code: 0022

Common Name of Substance: Waste Oil/Used Oil

#### **Equipment Records:**

Tank Type:

C00 - Pipe Location - No Piping F00 - Pipe External Protection - None K01 - Spill Prevention - Catch Basin L00 - Piping Leak Detection - None D00 - Pipe Type - No Piping

G00 - Tank Secondary Containment - None

J00 - Dispenser - None

E00 - Piping Secondary Containment - None

H00 - Tank Leak Detection - None B00 - Tank External Protection - None

100 - Overfill - None

A00 - Tank Internal Protection - None

Tank Location: 3 Tank Type: 8

Tank Type: Plastic
Tank Status: Closed - Removed
Pipe Model: Not reported
Install Date: 01/01/2002
Capacity Gallons: 100
Tightness Test Method: NN

Tightness Test Method: NN
Date Test: Not reported
Next Test Date: Not reported
Date Tank Closed: 08/17/2012
Register: True
Modified By: MAPERSSO
Last Modified: 01/02/2013
Material Name: Waste Oil/Used Oil

U004062178

**EDR ID Number** 

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

**A2 BUTLER CORRECTIONAL FACILITY FINDS** 1005500055 **SPDES** N/A

**Target PO BOX 400 RED CREEK, NY Property** 

Site 2 of 3 in cluster A

Actual: 429 ft.

FINDS:

Registry ID: 110009825065

Environmental Interest/Information System

US National Pollutant Discharge Elimination System (NPDES) module of the Compliance Information System (ICIS) tracks surface water permits issued under the Clean Water Act. Under NPDES, all facilities that discharge pollutants from any point source into waters of the United States are required to obtain a permit. The permit will likely contain limits on what can be discharged, impose monitoring and reporting requirements, and include other provisions to ensure that the discharge does not adversely affect water quality.

PCS (Permit Compliance System) is a computerized management information system that contains data on National Pollutant Discharge Elimination System (NPDES) permit holding facilities. PCS tracks the permit, compliance, and enforcement status of NPDES facilities.

### SPDES:

Permit Number: NY0227421

State-Region: 08

**Expiration Date:** 05/01/2010 **Current Major Minor Status:** Minor Primary Facility SIC Code: 8999 State Water Body Name: RED CK TR Limit Set Status Flag: Active Total Actual Average Flow(MGD): Not reported Total App Design Flow(MGD): Not reported

UDF1: **DMR** 

Lat/Long: 43.218833 / -76.718889 DMR Cognizant Official: JAMES MORRISSEY, SUPER

000302 UDF2: UDF3: C NY117 FIPS County Code:

Non-Gov Permit Affiliation Type Desc: **DMR Mailing Address** 

Non-Gov Permit Org Formal Name: NYS DEPT OF CORRECTIONAL SERV **BUTLER CORRECTIONAL FACILITY** Non-Gov Permit Street Address:

Non-Gov Permit Supplemental Location: PO BOX 400 Non-Gov Permit City: **RED CREEK** 

Non-Gov Permit State Code: NY Non-Gov Permit Zip Code: 13143 Non-Gov Facility Affiliation Type Desc: Mailing Address

Non-Gov Facility Org Formal Name: NYS DEPT OF CORRECTIONAL SERV Non-Gov Facility Street Address: **BUTLER CORRECTIONAL FACILITY** Non-Gov Facility Supplemental Location: 14003 WESTBURY CUTOFF RD

Non-Gov Facility City: **RED CREEK** 

Non-Gov Facility State Code: NY Non-Gov Facility Zip Code: 13143 04140101070 State Water Body:

Direction Distance Elevation

evation Site Database(s) EPA ID Number

## **BUTLER CORRECTIONAL FACILITY (Continued)**

1005500055

**EDR ID Number** 

 UDF2:
 000302

 UDF3:
 C

 FIPS County Code:
 NY117

Non-Gov Permit Affiliation Type Desc: DMR Mailing Address

Non-Gov Permit Org Formal Name: NYS DEPT OF CORRECTIONAL SERV Non-Gov Permit Street Address: BUTLER CORRECTIONAL FACILITY

Non-Gov Permit Supplemental Location: PO BOX 400
Non-Gov Permit City: RED CREEK

Non-Gov Permit State Code: NY
Non-Gov Permit Zip Code: 13143
Non-Gov Facility Affiliation Type Desc: Owner

Non-Gov Facility Org Formal Name: NYS DEPT OF CORRECTIONAL SERV Non-Gov Facility Street Address: BUTLER CORRECTIONAL FACILITY

Non-Gov Facility Supplemental Location: PO BOX 400 Non-Gov Facility City: RED CREEK

Non-Gov Facility State Code: NY
Non-Gov Facility Zip Code: 13143
State Water Body: 04140101070

 UDF2:
 000302

 UDF3:
 C

 FIPS County Code:
 NY117

Non-Gov Permit Affiliation Type Desc: Permittee

Non-Gov Permit Org Formal Name: NYS DEPT OF CORRECTIONAL SERV

Non-Gov Permit Street Address: PO BOX 400
Non-Gov Permit Supplemental Location: Not reported
Non-Gov Permit City: RED CREEK

Non-Gov Permit State Code: NY
Non-Gov Permit Zip Code: 13143
Non-Gov Facility Affiliation Type Desc: Mailing Address

Non-Gov Facility Org Formal Name: NYS DEPT OF CORRECTIONAL SERV Non-Gov Facility Street Address: BUTLER CORRECTIONAL FACILITY Non-Gov Facility Supplemental Location: 14003 WESTBURY CUTOFF RD

Non-Gov Facility City: RED CREEK

Non-Gov Facility State Code: NY
Non-Gov Facility Zip Code: 13143
State Water Body: 04140101070

 UDF2:
 000302

 UDF3:
 C

 FIPS County Code:
 NY117

Non-Gov Permit Affiliation Type Desc: Permittee

Non-Gov Permit Org Formal Name: NYS DEPT OF CORRECTIONAL SERV

Non-Gov Permit Street Address: PO BOX 400
Non-Gov Permit Supplemental Location: Not reported
Non-Gov Permit City: RED CREEK
Non-Gov Permit State Code: NY

Non-Gov Permit State Code: NY
Non-Gov Permit Zip Code: 13143
Non-Gov Facility Affiliation Type Desc: Owner

Non-Gov Facility Org Formal Name: NYS DEPT OF CORRECTIONAL SERV Non-Gov Facility Street Address: BUTLER CORRECTIONAL FACILITY

Non-Gov Facility Supplemental Location: PO BOX 400 Non-Gov Facility City: RED CREEK

Non-Gov Facility State Code: NY

Direction Distance

Distance EDR ID Number
Elevation Site EPA ID Number

**BUTLER CORRECTIONAL FACILITY (Continued)** 

1005500055

Non-Gov Facility Zip Code: 13143

State Water Body: 04140101070

A3 BUTLER CORRECTIONAL NY Spills S111456996
Target 14003 WESTBURY CUT OFF ROAD N/A

Property RED CREEK, NY 13143

#### Site 3 of 3 in cluster A

Actual: SPILLS: 429 ft. Facilit

 Facility ID:
 1111107

 DER Facility ID:
 413447

 Facility Type:
 ER

 Site ID:
 458982

 DEC Region:
 8

Spill Date: 12/14/2011

Spill Number/Closed Date: 1111107 / 5/25/2012

Spill Cause: Human Error

Spill Class: Known release with minimal potential for fire or hazard. DEC Response.

Willing Responsible Party. Corrective action taken.

SWIS: 5922
Investigator: CAHETTEN
Referred To: Not reported
Reported to Dept: 12/14/2011
CID: Not reported
Water Affected: Not reported

Spill Source: Institutional, Educational, Gov., Other

Spill Notifier: Other
Cleanup Ceased: Not reported
Cleanup Meets Std: False
Last Inspection: 5/22/2012
Recommended Penalty: False
UST Trust: False
Remediation Phase: 0

Date Entered In Computer: 12/14/2011
Spill Record Last Update: 5/25/2012
Spiller Name: Not reported
Spiller Company: SUPERIOR PLUS
Spiller Address: Not reported

Spiller City,St,Zip: NY Spiller Company: 999

Contact Name: DAN STOWELL
Contact Phone: Not reported

DEC Memo: 12/14/2011: CALLER STATES THAT 141 GALLONS OF GASOLINE WAS PUMPED

INTO A 2,000 GALLON UNDERGROUND DIESEL TANK AND 5 GALLONS SPILLED OUT OF FILLPORT. SPILL WAS TO PAD AND ALL CLEANED UP. SUPERIOR TO EMPTY TANK WITH MIXTURE OF GASOLINE AND DIESEL, UPDATING SPILLS WITH PROGRESS. COPY TO OPERATIONS. DAN STOWELL CONTACTS CH AT APPROX 1500HRS. THE SPILL ACTUALLY LEFT THE PAD AND A SMALL AMOUNT, 2-5 GALLONS, IMPACTED THE GRAVEL ADJACENT TO PAD. SUPERIOR HAS HIRED OP-TECH TO CLEAN UP THE MATERIAL FROM THE GRAVEL. OP-TECH TO SEND A FOREMAN TO THE SITE TOMORROW MORNING TO ASSESS THE SITUATION AND DETERMINE IF THE MATERIAL CAN BE RECOVERED BY HAND OR IF A MACHINE WILL HAVE TO BE BROUGHT IN TO PERFORM THE CLEANUP. THEY WILL BE COORDINATING EVERYTHING THROUGH PATRICIA HOWE, THE HEAD OF THE JAIL.05/22/12: CH INSPECTS THE SITE AND MEETS WITH BUCKY FROM VEHICLE MAINTENANCE, WHO WAS ON SITE WHEN CLEAN UP WAS DONE. BUCKY SHOWS CH

THE AREA EXCAVATED OUT. THE AREA IS APPROX 15 FT BY 20 FT BY 4 FT DEEP. BUCKY SAYS THE SOILS WERE SCREENED WITH A PID AS THEY REMOVED

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

#### **BUTLER CORRECTIONAL (Continued)**

S111456996

THEM UNTIL CLEAN SOIL WAS REACHED. THE CONTRACTOR HAULED THE SOIL AWAY FOR DISPOSAL. BASED ON SITE INSPECTION, NO FURTHER ACTION IS

NECESSARY.

Remarks: SPILL TO PAVED SURFACE AND CLEANUP COMPLETE.

Material:

Site ID: 458982 Operable Unit ID: 1209089 Operable Unit: 01 Material ID: 2206453 Material Code: 0009 Material Name: Gasoline Case No.: Not reported Material FA: Petroleum Quantity: 5 Units: Gallons

Recovered: 5 Resource Affected: Not reported

Oxygenate: False

Tank Test:

**J W 104 INC** UST U003315944 SSW 13824 RTE 370 **NY Spills** N/A 1/8-1/4 RED CREEK, NY 13143

0.178 mi. 942 ft.

UST: Relative:

Higher Id/Status: 8-600031 / Active

Program Type: **PBS** Actual: Region: STATE 452 ft. DEC Region: Expiration Date: 2016/10/10

UTM X: 359633.61583999998 UTM Y: 4786205.17459 Retail Gasoline Sales Site Type:

Affiliation Records:

Site Id: 50837

Affiliation Type: **Emergency Contact** JW 104 STORE Company Name: Contact Type: Not reported Contact Name: **ROBIN MONSOUR** Address1: Not reported

Address2: Not reported City: Not reported State: NNZip Code: Not reported

Country Code: (315) 246-7870 Phone: EMail: Not reported Fax Number: Not reported

Modified By: **MAPERSSO** Date Last Modified: 10/5/2011

Site Id: 50837

Direction Distance Elevation

evation Site Database(s) EPA ID Number

#### J W 104 INC (Continued)

U003315944

**EDR ID Number** 

Affiliation Type: **Facility Owner** JW 104 STORE Company Name: Contact Type: **SECRETARY** Contact Name: **ERIC SLACK** Address1: PO BOX 17 Address2: Not reported RED CREEK City: State: NY

Zip Code: 13143 Country Code: 001

Phone: (315) 754-8164
EMail: Not reported
Fax Number: Not reported
Modified By: MAPERSSO
Date Last Modified: 10/5/2011

Site Id: 50837 Affiliation Type: Mail Contact Company Name: **JW 104 INC** Not reported Contact Type: Contact Name: **ERIC SLACK** Address1: PO BOX 17 Address2: Not reported City: **RED CREEK** State: NYZip Code: 13143 Country Code: 001

Phone: (315) 754-8164
EMail: Not reported
Fax Number: Not reported
Modified By: MAPERSSO
Date Last Modified: 3/4/2011

Site Id: 50837

On-Site Operator Affiliation Type: Company Name: J. W. 104, INC Contact Type: Not reported Contact Name: J.W. 104, INC Not reported Address1: Not reported Address2: City: Not reported State: NY

Zip Code: Not reported

Country Code: 001

Phone: (315) 754-8164
EMail: Not reported
Fax Number: Not reported
Modified By: tfgrasek
Date Last Modified: 9/22/2008

# Tank Info:

Tank Number: 003
Tank ID: 215786
Tank Status: In Service
Material Name: In Service
Capacity Gallons: 2000

Direction Distance

Elevation Site Database(s) EPA ID Number

J W 104 INC (Continued) U003315944

Install Date: 02/01/2007
Date Tank Closed: Not reported
Registered: True
Tank Location: Underground
Tank Type: Steel/carbon steel

Material Code: 2722

Common Name of Substance: Kerosene [#1 Fuel Oil] (Resale/Redistribute)

Tightness Test Method: NN

Date Test:
Not reported
Next Test Date:
Pipe Model:
Modified By:
MAPERSSO
Last Modified:

Not reported
MAPERSSO
03/04/2011

**Equipment Records:** 

B01 - Tank External Protection - Painted/Asphalt Coating

K01 - Spill Prevention - Catch Basin I01 - Overfill - Float Vent Valve D11 - Pipe Type - Flexible Piping F05 - Pipe External Protection - Jacketed

C02 - Pipe Location - Underground/On-ground
H01 - Tank Leak Detection - Interstitial - Electronic Monitoring

E04 - Piping Secondary Containment - Double-Walled (Underground)
B02 - Tank External Protection - Original Sacrificial Anode
L01 - Piping Leak Detection - Interstitial - Electronic Monitoring
G04 - Tank Secondary Containment - Double-Walled (Underground)

A00 - Tank Internal Protection - None J02 - Dispenser - Suction Dispenser

L09 - Piping Leak Detection - Exempt Suction Piping

 Tank Number:
 003X

 Tank ID:
 154128

Tank Status: Closed - Removed Material Name: Closed - Removed

Capacity Gallons: 1000 Install Date: 10/01/1992

Date Tank Closed: 01/29/2007
Registered: True
Tank Location: Underground
Tank Type: Steel/carbon steel

Material Code: 2722

Common Name of Substance: Kerosene [#1 Fuel Oil] (Resale/Redistribute)

Tightness Test Method: NN

Date Test:
Not reported
Next Test Date:
Pipe Model:
Modified By:
Last Modified:

Not reported
WLSTEVEN
USTEVEN
02/09/2007

**Equipment Records:** 

C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring B01 - Tank External Protection - Painted/Asphalt Coating

F04 - Pipe External Protection - Fiberglass K01 - Spill Prevention - Catch Basin **EDR ID Number** 

Direction Distance Elevation

tance EDR ID Number vation Site Database(s) EPA ID Number

J W 104 INC (Continued) U003315944

D11 - Pipe Type - Flexible Piping

F05 - Pipe External Protection - Jacketed L08 - Piping Leak Detection - Tank Top Sump

G04 - Tank Secondary Containment - Double-Walled (Underground) L07 - Piping Leak Detection - Pressurized Piping Leak Detector E04 - Piping Secondary Containment - Double-Walled (Underground)

101 - Overfill - Float Vent Valve

B02 - Tank External Protection - Original Sacrificial Anode

A00 - Tank Internal Protection - None J01 - Dispenser - Pressurized Dispenser

Tank Number: 004
Tank ID: 156626
Tank Status: In Service
Material Name: In Service
Capacity Gallons: 10000
Install Date: 10/01/1997
Date Tank Closed: Not reported

Registered: True

Tank Location: Underground

Tank Type: Equivalent technology

Material Code: 0008 Common Name of Substance: Diesel

Tightness Test Method: NN

Date Test:
Not reported
Next Test Date:
Not reported
Pipe Model:
Modified By:
MAPERSSO
Last Modified:

Not reported
MAPERSSO
09/21/2006

**Equipment Records:** 

D11 - Pipe Type - Flexible Piping

F05 - Pipe External Protection - Jacketed

101 - Overfill - Float Vent Valve

F04 - Pipe External Protection - Fiberglass K01 - Spill Prevention - Catch Basin B04 - Tank External Protection - Fiberglass

G04 - Tank Secondary Containment - Double-Walled (Underground)

L07 - Piping Leak Detection - Pressurized Piping Leak Detector

A00 - Tank Internal Protection - None J01 - Dispenser - Pressurized Dispenser C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring E04 - Piping Secondary Containment - Double-Walled (Underground)

L02 - Piping Leak Detection - Interstitial - Manual Monitoring

Tank Number: 005 Tank ID: 179088 Tank Status: In Service Material Name: In Service Capacity Gallons: 10000 Install Date: 05/01/2004 Date Tank Closed: Not reported Registered: True Tank Location: Underground

Direction Distance

**EDR ID Number** Elevation Site Database(s) **EPA ID Number** 

J W 104 INC (Continued) U003315944

Tank Type: Fiberglass coated steel

2712 Material Code:

Gasoline/Ethanol Common Name of Substance:

Tightness Test Method: NN

Date Test: Not reported Next Test Date: Not reported Pipe Model: Not reported **MAPERSSO** Modified By: Last Modified: 03/04/2011

**Equipment Records:** 

F00 - Pipe External Protection - None K01 - Spill Prevention - Catch Basin 101 - Overfill - Float Vent Valve D11 - Pipe Type - Flexible Piping

C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring G04 - Tank Secondary Containment - Double-Walled (Underground) L07 - Piping Leak Detection - Pressurized Piping Leak Detector E04 - Piping Secondary Containment - Double-Walled (Underground) L02 - Piping Leak Detection - Interstitial - Manual Monitoring

B04 - Tank External Protection - Fiberglass A00 - Tank Internal Protection - None J01 - Dispenser - Pressurized Dispenser

Tank Number: 187125 Tank ID: 152994 Tank Status: In Service Material Name: In Service Capacity Gallons: 8000 Install Date: 07/01/1991 Date Tank Closed: Not reported Registered: True

Tank Location: Underground Tank Type: Steel/carbon steel

Material Code: 8000 Common Name of Substance: Diesel

NN Tightness Test Method:

Date Test: Not reported Next Test Date: Not reported Pipe Model: Not reported MAPERSSO Modified By: Last Modified: 09/21/2006

**Equipment Records:** 

D11 - Pipe Type - Flexible Piping

F05 - Pipe External Protection - Jacketed

G04 - Tank Secondary Containment - Double-Walled (Underground) L07 - Piping Leak Detection - Pressurized Piping Leak Detector

E04 - Piping Secondary Containment - Double-Walled (Underground)

L02 - Piping Leak Detection - Interstitial - Manual Monitoring B02 - Tank External Protection - Original Sacrificial Anode

C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring

A00 - Tank Internal Protection - None

Direction Distance Elevation

stance EDR ID Number evation Site Database(s) EPA ID Number

J W 104 INC (Continued) U003315944

J01 - Dispenser - Pressurized Dispenser

B01 - Tank External Protection - Painted/Asphalt Coating

F04 - Pipe External Protection - Fiberglass K01 - Spill Prevention - Catch Basin I01 - Overfill - Float Vent Valve

Tank Number: 1A Tank ID: 152993 Tank Status: In Service Material Name: In Service Capacity Gallons: 9000 Install Date: 07/01/1991 Date Tank Closed: Not reported Registered: True Tank Location: Underground

Tank Type: Steel/carbon steel

Material Code: 2712

Common Name of Substance: Gasoline/Ethanol

Tightness Test Method: NN

Date Test:
Not reported
Next Test Date:
Not reported
Pipe Model:
Modified By:
MAPERSSO
Last Modified:

Not reported
MAPERSSO
03/04/2011

**Equipment Records:** 

D11 - Pipe Type - Flexible Piping

F05 - Pipe External Protection - Jacketed

G04 - Tank Secondary Containment - Double-Walled (Underground) L07 - Piping Leak Detection - Pressurized Piping Leak Detector

E04 - Piping Secondary Containment - Double-Walled (Underground)

L02 - Piping Leak Detection - Interstitial - Manual Monitoring B02 - Tank External Protection - Original Sacrificial Anode

C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring

A00 - Tank Internal Protection - None J01 - Dispenser - Pressurized Dispenser

B01 - Tank External Protection - Painted/Asphalt Coating

F04 - Pipe External Protection - Fiberglass K01 - Spill Prevention - Catch Basin

101 - Overfill - Float Vent Valve

Tank Number: 1B 154127 Tank ID: Tank Status: In Service Material Name: In Service Capacity Gallons: 3000 Install Date: 07/01/1991 Date Tank Closed: Not reported Registered: True

Tank Location: Underground
Tank Type: Steel/carbon steel

Material Code: 2712

Common Name of Substance: Gasoline/Ethanol

Direction Distance

Elevation Site Database(s) EPA ID Number

J W 104 INC (Continued) U003315944

Tightness Test Method: NN

Date Test:

Not reported

Next Test Date:

Pipe Model:

Modified By:

Last Modified:

Not reported

MAPERSSO

MAPERSSO

03/04/2011

**Equipment Records:** 

D11 - Pipe Type - Flexible Piping

F05 - Pipe External Protection - Jacketed

G04 - Tank Secondary Containment - Double-Walled (Underground) L07 - Piping Leak Detection - Pressurized Piping Leak Detector E04 - Piping Secondary Containment - Double-Walled (Underground)

L02 - Piping Leak Detection - Interstitial - Manual Monitoring B02 - Tank External Protection - Original Sacrificial Anode

C02 - Pipe Location - Underground/On-ground

H01 - Tank Leak Detection - Interstitial - Electronic Monitoring B01 - Tank External Protection - Painted/Asphalt Coating

F04 - Pipe External Protection - Fiberglass K01 - Spill Prevention - Catch Basin I01 - Overfill - Float Vent Valve A00 - Tank Internal Protection - None J01 - Dispenser - Pressurized Dispenser

SPILLS:

 Facility ID:
 1207536

 DER Facility ID:
 424882

 Facility Type:
 ER

 Site ID:
 470594

 DEC Region:
 8

Spill Date: 10/30/2012

Spill Number/Closed Date: 1207536 / 10/30/2012

Spill Cause: Other

Spill Class: Known release with minimal potential for fire or hazard. DEC Response.

Willing Responsible Party. Corrective action taken.

SWIS: 5948
Investigator: DLTILTON
Referred To: Not reported
Reported to Dept: 10/30/2012
CID: Not reported
Water Affected: Not reported
Spill Source: Commercial Vehicle

Spill Notifier: Other Cleanup Ceased: Not reported Cleanup Meets Std: False Last Inspection: Not reported Recommended Penalty: False **UST Trust:** False Remediation Phase: O 10/30/2012 Date Entered In Computer: Spill Record Last Update: 10/30/2012

Spiller Name: ROBIN MONSTOUR
Spiller Company: MIRABITO ENERGY
Spiller Address: 13824 RTE 370
Spiller City,St,Zip: RED CREEK, NY

Spiller Company: 999

Contact Name: JEFF STONE

**EDR ID Number** 

Map ID MAP FINDINGS Direction

Distance Elevation Site

Site Database(s) EPA ID Number

J W 104 INC (Continued) U003315944

Contact Phone: (315) 858-2276

DEC Memo: Called service station where incident occurred. The manager stated

that cleanup was completed with speedi-dry.

Remarks: During delivery by caller's truck, filler hose was run over by a

customer's vehicle, breaking fitting and spilling diesel onto concrete. Most cleaned up but there is a sheen that has made it to

nearby soil. Further cleanup is underway.

Material:

Site ID: 470594 Operable Unit ID: 1220454 Operable Unit: 01 Material ID: 2219066 Material Code: 8000 Material Name: Diesel Case No.: Not reported Material FA: Petroleum

Quantity: 8
Units: Gallons
Recovered: Not reported
Resource Affected: Not reported

Oxygenate: False

Tank Test:

**EDR ID Number** 

Count: 7 records. ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
RED CREEK	S112395552	SANDY CROWNINGSHIELD	14564 RTE 104		SPILLS 90
RED CREEK		SANDY CROWNINGSHIELD	14564 RTE 104		NY Spills
RED CREEK	S102131743	SLURP SUPPLY COMPANY	ROUTE 104A MAIN STREET	13143	NY Spills
RED CREEK	S111319146	SUPERIOR PLUS RED CREEK PLANT	16668 RT 370	13143	NY Spills
RED CREEK	S102126329	WARNER RESIDENCE	ROUTE 370, BOX 103		NY Spills
RED CREEK	S105235348	HANSON AGGREGATES BUTLER	REITZ ROAD, BLDG 5465		NY Spills
WOLCOTT	1014473018	NYSDOT BIN 1093620	RTE 104 OVER RED CREEK	13143	RCRA-LQG

# **GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING**

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

**Number of Days to Update:** Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

### STANDARD ENVIRONMENTAL RECORDS

#### Federal NPL site list

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 04/26/2013 Source: EPA
Date Data Arrived at EDR: 05/09/2013 Telephone: N/A

Number of Days to Update: 62 Next Scheduled EDR Contact: 01/20/2014
Data Release Frequency: Quarterly

**NPL Site Boundaries** 

Sources

EPA's Environmental Photographic Interpretation Center (EPIC)

Telephone: 202-564-7333

EPA Region 1 EPA Region 6

Telephone 617-918-1143 Telephone: 214-655-6659

EPA Region 3 EPA Region 7

Telephone 215-814-5418 Telephone: 913-551-7247

EPA Region 4 EPA Region 8

Telephone 404-562-8033 Telephone: 303-312-6774

EPA Region 5 EPA Region 9

Telephone 312-886-6686 Telephone: 415-947-4246

EPA Region 10

Telephone 206-553-8665

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 04/26/2013 Source: EPA
Date Data Arrived at EDR: 05/09/2013 Telephone: N/A

Number of Days to Update: 62 Next Scheduled EDR Contact: 01/20/2014
Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991 Date Data Arrived at EDR: 02/02/1994 Date Made Active in Reports: 03/30/1994

Number of Days to Update: 56

Source: EPA Telephone: 202-564-4267 Last EDR Contact: 08/15/2011

Next Scheduled EDR Contact: 11/28/2011 Data Release Frequency: No Update Planned

#### Federal Delisted NPL site list

**DELISTED NPL: National Priority List Deletions** 

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 04/26/2013 Date Data Arrived at EDR: 05/09/2013 Date Made Active in Reports: 07/10/2013

Number of Days to Update: 62

Source: EPA Telephone: N/A

Last EDR Contact: 10/11/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: Quarterly

#### Federal CERCLIS list

CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System

CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 04/26/2013 Date Data Arrived at EDR: 05/29/2013 Date Made Active in Reports: 08/09/2013

Number of Days to Update: 72

Source: EPA

Telephone: 703-412-9810 Last EDR Contact: 10/18/2013

Next Scheduled EDR Contact: 12/09/2013 Data Release Frequency: Quarterly

### FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 07/31/2012 Date Data Arrived at EDR: 10/09/2012 Date Made Active in Reports: 12/20/2012

Number of Days to Update: 72

Source: Environmental Protection Agency

Telephone: 703-603-8704 Last EDR Contact: 10/11/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: Varies

#### Federal CERCLIS NFRAP site List

CERCLIS-NFRAP: CERCLIS No Further Remedial Action Planned

Archived sites are sites that have been removed and archived from the inventory of CERCLIS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

Date of Government Version: 04/26/2013 Date Data Arrived at EDR: 05/29/2013 Date Made Active in Reports: 08/09/2013

Number of Days to Update: 72

Source: EPA

Telephone: 703-412-9810 Last EDR Contact: 10/18/2013

Next Scheduled EDR Contact: 12/09/2013
Data Release Frequency: Quarterly

### Federal RCRA CORRACTS facilities list

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 07/11/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/13/2013

Number of Days to Update: 36

Source: EPA

Telephone: 800-424-9346 Last EDR Contact: 10/02/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Quarterly

### Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 07/11/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/13/2013

Number of Days to Update: 36

Source: Environmental Protection Agency

Telephone: (212) 637-3660 Last EDR Contact: 10/02/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Quarterly

### Federal RCRA generators list

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 07/11/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/13/2013

Number of Days to Update: 36

Source: Environmental Protection Agency

Telephone: (212) 637-3660 Last EDR Contact: 10/02/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Quarterly

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 07/11/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/13/2013

Number of Days to Update: 36

Source: Environmental Protection Agency

Telephone: (212) 637-3660 Last EDR Contact: 10/02/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Quarterly

RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 07/11/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/13/2013

Number of Days to Update: 36

Source: Environmental Protection Agency

Telephone: (212) 637-3660 Last EDR Contact: 10/02/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Varies

#### Federal institutional controls / engineering controls registries

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 06/17/2013 Date Data Arrived at EDR: 06/21/2013 Date Made Active in Reports: 10/03/2013 Number of Days to Update: 104 Source: Environmental Protection Agency Telephone: 703-603-0695 Last EDR Contact: 09/10/2013

Next Scheduled EDR Contact: 12/23/2013 Data Release Frequency: Varies

US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 06/17/2013 Date Data Arrived at EDR: 06/21/2013 Date Made Active in Reports: 10/03/2013 Source: Environmental Protection Agency Telephone: 703-603-0695 Last EDR Contact: 09/10/2013

Number of Days to Update: 104 Next Scheduled EDR Contact: 12/23/2013
Data Release Frequency: Varies

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 12/09/2005 Date Data Arrived at EDR: 12/11/2006 Date Made Active in Reports: 01/11/2007

Number of Days to Update: 31

Source: Department of the Navy Telephone: 843-820-7326 Last EDR Contact: 08/15/2013

Next Scheduled EDR Contact: 09/02/2013 Data Release Frequency: Varies

### Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/31/2012 Date Data Arrived at EDR: 01/17/2013 Date Made Active in Reports: 02/15/2013

Number of Days to Update: 29

Source: National Response Center, United States Coast Guard

Telephone: 202-267-2180 Last EDR Contact: 10/01/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Annually

### State- and tribal - equivalent CERCLIS

SHWS: Inactive Hazardous Waste Disposal Sites in New York State

Referred to as the State Superfund Program, the Inactive Hazardous Waste Disposal Site Remedial Program is the cleanup program for inactive hazardous waste sites and now includes hazardous substance sites

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/22/2013 Date Made Active in Reports: 09/12/2013

Number of Days to Update: 21

Source: Department of Environmental Conservation

Telephone: 518-402-9622 Last EDR Contact: 09/26/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Annually

VAPOR REOPENED: Vapor Intrustion Legacy Site List

New York is currently re-evaluating previous assumptions and decisions regarding the potential for soil vapor intrusion exposures at sites. As a result, all past, current, and future contaminated sites will be evaluated to determine whether these sites have the potential for exposures related to soil vapor intrusion.

Date of Government Version: 01/01/2013 Date Data Arrived at EDR: 02/20/2013 Date Made Active in Reports: 03/15/2013

Number of Days to Update: 23

Source: Department of Environmenal Conservation

Telephone: 518-402-9814 Last EDR Contact: 08/23/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Varies

#### State and tribal landfill and/or solid waste disposal site lists

SWF/LF: Facility Register

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 07/08/2013 Date Data Arrived at EDR: 07/10/2013 Date Made Active in Reports: 09/09/2013

Number of Days to Update: 61

Source: Department of Environmental Conservation

Telephone: 518-457-2051 Last EDR Contact: 10/07/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: Semi-Annually

### State and tribal leaking storage tank lists

LTANKS: Spills Information Database

Leaking Storage Tank Incident Reports. These records contain an inventory of reported leaking storage tank incidents reported from 4/1/86 through the most recent update. They can be either leaking underground storage tanks or leaking aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills.

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/22/2013 Date Made Active in Reports: 09/11/2013

Number of Days to Update: 20

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 09/26/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Varies

HIST LTANKS: Listing of Leaking Storage Tanks

A listing of leaking underground and aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills. In 2002, the Department of Environmental Conservation stopped providing updates to its original Spills Information Database. This database includes fields that are no longer available from the NYDEC as of January 1, 2002. Current information may be found in the NY LTANKS database. Department of Environmental Conservation.

Date of Government Version: 01/01/2002 Date Data Arrived at EDR: 07/08/2005 Date Made Active in Reports: 07/14/2005

Number of Days to Update: 6

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 07/07/2005 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 02/05/2013 Date Data Arrived at EDR: 02/06/2013 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 65

Source: EPA Region 10 Telephone: 206-553-2857 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Quarterly

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 08/27/2012 Date Data Arrived at EDR: 08/28/2012 Date Made Active in Reports: 10/16/2012

Number of Days to Update: 49

Source: EPA Region 8 Telephone: 303-312-6271 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Quarterly

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 09/12/2011
Date Data Arrived at EDR: 09/13/2011
Date Made Active in Reports: 11/11/2011

Number of Days to Update: 59

Source: EPA Region 6 Telephone: 214-665-6597 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Varies

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 12/31/2012 Date Data Arrived at EDR: 02/28/2013 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 43

Source: EPA Region 7 Telephone: 913-551-7003 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Varies

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land
A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 09/28/2012 Date Data Arrived at EDR: 11/01/2012 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 162

Source: EPA Region 1 Telephone: 617-918-1313 Last EDR Contact: 08/02/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 02/06/2013 Date Data Arrived at EDR: 02/08/2013 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 63

Source: EPA Region 4 Telephone: 404-562-8677 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Semi-Annually

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 03/01/2013 Date Data Arrived at EDR: 03/01/2013 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 42

Source: Environmental Protection Agency

Telephone: 415-972-3372 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013
Data Release Frequency: Quarterly

#### State and tribal registered storage tank lists

TANKS: Storage Tank Faciliy Listing

This database contains records of facilities that are or have been regulated under Bulk Storage Program. Tank information for these facilities may not be releasable by the state agency.

Date of Government Version: 08/07/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/09/2013

Number of Days to Update: 32

Source: Department of Environmental Conservation

Telephone: 518-402-9543 Last EDR Contact: 10/03/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Quarterly

UST: Petroleum Bulk Storage (PBS) Database

Facilities that have petroleum storage capacities in excess of 1,100 gallons and less than 400,000 gallons.

Date of Government Version: 08/07/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/09/2013

Number of Days to Update: 32

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 10/03/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: No Update Planned

CBS UST: Chemical Bulk Storage Database

Facilities that store regulated hazardous substances in underground tanks of any size

Date of Government Version: 01/01/2002 Date Data Arrived at EDR: 02/20/2002 Date Made Active in Reports: 03/22/2002

Number of Days to Update: 30

Source: NYSDEC Telephone: 518-402-9549 Last EDR Contact: 10/24/2005

Next Scheduled EDR Contact: 01/23/2006 Data Release Frequency: No Update Planned

MOSF UST: Major Oil Storage Facilities Database

Facilities that may be onshore facilities or vessels, with petroleum storage capacities of 400,000 gallons or

greater.

Date of Government Version: 01/01/2002 Date Data Arrived at EDR: 02/20/2002 Date Made Active in Reports: 03/22/2002

Number of Days to Update: 30

Source: NYSDEC Telephone: 518-402-9549 Last EDR Contact: 07/25/2005

Next Scheduled EDR Contact: 10/24/2005

Data Release Frequency: Varies

AST: Petroleum Bulk Storage

Registered Aboveground Storage Tanks.

Date of Government Version: 08/07/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/09/2013

Number of Days to Update: 32

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 10/03/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: No Update Planned

CBS AST: Chemical Bulk Storage Database

Facilities that store regulated hazardous substances in aboveground tanks with capacities of 185 gallons or greater, and/or in underground tanks of any size.

Date of Government Version: 01/01/2002 Date Data Arrived at EDR: 02/20/2002 Date Made Active in Reports: 03/22/2002

Number of Days to Update: 30

Source: NYSDEC Telephone: 518-402-9549 Last EDR Contact: 07/25/2005

Next Scheduled EDR Contact: 10/24/2005 Data Release Frequency: No Update Planned

MOSF AST: Major Oil Storage Facilities Database

Facilities that may be onshore facilities or vessels, with petroleum storage capacities of 400,000 gallons or greater.

Date of Government Version: 01/01/2002 Date Data Arrived at EDR: 02/20/2002 Date Made Active in Reports: 03/22/2002

Number of Days to Update: 30

Source: NYSDEC Telephone: 518-402-9549 Last EDR Contact: 07/25/2005

Next Scheduled EDR Contact: 10/24/2005 Data Release Frequency: No Update Planned

CBS: Chemical Bulk Storage Site Listing

These facilities store regulated hazardous substances in aboveground tanks with capacities of 185 gallons or greater, and/or in underground tanks of any size

Date of Government Version: 08/07/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/10/2013

Number of Days to Update: 33

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 10/03/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Quarterly

MOSF: Major Oil Storage Facility Site Listing

These facilities may be onshore facilities or vessels, with petroleum storage capacities of 400,000 gallons or greater.

greater.

Date of Government Version: 08/07/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/10/2013

Number of Days to Update: 33

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 10/03/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Quarterly

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 02/06/2013 Date Data Arrived at EDR: 02/08/2013 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 63

Source: EPA Region 4 Telephone: 404-562-9424 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Semi-Annually

INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 09/28/2012 Date Data Arrived at EDR: 11/07/2012 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 156

Source: EPA, Region 1 Telephone: 617-918-1313 Last EDR Contact: 08/02/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Varies

INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 08/02/2012 Date Data Arrived at EDR: 08/03/2012 Date Made Active in Reports: 11/05/2012

Number of Days to Update: 94

Source: EPA Region 5 Telephone: 312-886-6136 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 05/10/2011 Date Data Arrived at EDR: 05/11/2011 Date Made Active in Reports: 06/14/2011

Number of Days to Update: 34

Source: EPA Region 6 Telephone: 214-665-7591 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Semi-Annually

INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 12/31/2012 Date Data Arrived at EDR: 02/28/2013 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 43

Source: EPA Region 7 Telephone: 913-551-7003 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Varies

INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 08/27/2012 Date Data Arrived at EDR: 08/28/2012 Date Made Active in Reports: 10/16/2012

Number of Days to Update: 49

Source: EPA Region 8 Telephone: 303-312-6137 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013
Data Release Frequency: Quarterly

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 02/05/2013 Date Data Arrived at EDR: 02/06/2013 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 65

Source: EPA Region 10 Telephone: 206-553-2857 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Quarterly

INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 02/21/2013 Date Data Arrived at EDR: 02/26/2013 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 45

Source: EPA Region 9 Telephone: 415-972-3368 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Quarterly

FEMA UST: Underground Storage Tank Listing

A listing of all FEMA owned underground storage tanks.

Date of Government Version: 01/01/2010 Date Data Arrived at EDR: 02/16/2010 Date Made Active in Reports: 04/12/2010

Number of Days to Update: 55

Source: FEMA

Telephone: 202-646-5797 Last EDR Contact: 10/17/2013

Next Scheduled EDR Contact: 01/27/2014 Data Release Frequency: Varies

State and tribal institutional control / engineering control registries

ENG CONTROLS: Registry of Engineering Controls

Environmental Remediation sites that have engineering controls in place.

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/22/2013 Date Made Active in Reports: 09/10/2013

Number of Days to Update: 19

Source: Department of Environmental Conservation

Telephone: 518-402-9553 Last EDR Contact: 09/26/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Quarterly

INST CONTROL: Registry of Institutional Controls

Environmental Remediation sites that have institutional controls in place.

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/22/2013 Date Made Active in Reports: 09/10/2013

Number of Days to Update: 19

Source: Department of Environmental Conservation

Telephone: 518-402-9553 Last EDR Contact: 09/26/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Quarterly

RES DECL: Restrictive Declarations Listing

A restrictive declaration is a covenant running with the land which binds the present and future owners of the property. As a condition of certain special permits, the City Planning Commission may require an applicant to sign and record a restrictive declaration that places specified conditions on the future use and development of the property. Certain restrictive declarations are indicated by a D on zoning maps.

Date of Government Version: 11/18/2010 Date Data Arrived at EDR: 12/23/2010 Date Made Active in Reports: 02/11/2011

Number of Days to Update: 50

Source: NYC Department of City Planning

Telephone: 212-720-3401 Last EDR Contact: 09/27/2013

Next Scheduled EDR Contact: 01/08/2014
Data Release Frequency: No Update Planned

### State and tribal voluntary cleanup sites

INDIAN VCP R7: Voluntary Cleanup Priority Lisitng

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008 Date Data Arrived at EDR: 04/22/2008 Date Made Active in Reports: 05/19/2008

Number of Days to Update: 27

Source: EPA, Region 7 Telephone: 913-551-7365 Last EDR Contact: 04/20/2009

Next Scheduled EDR Contact: 07/20/2009

Data Release Frequency: Varies

INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 09/28/2012 Date Data Arrived at EDR: 10/02/2012 Date Made Active in Reports: 10/16/2012

Number of Days to Update: 14

Source: EPA, Region 1 Telephone: 617-918-1102 Last EDR Contact: 10/01/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Varies

VCP: Voluntary Cleanup Agreements

New York established its Voluntary Cleanup Program (VCP) to address the environmental, legal and financial barriers that often hinder the redevelopment and reuse of contaminated properties. The Voluntary Cleanup Program was developed to enhance private sector cleanup of brownfields by enabling parties to remediate sites using private rather than public funds and to reduce the development pressures on "greenfield" sites.

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/22/2013 Date Made Active in Reports: 09/12/2013

Number of Days to Update: 21

Source: Department of Environmental Conservation

Telephone: 518-402-9711 Last EDR Contact: 09/26/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Semi-Annually

### State and tribal Brownfields sites

ERP: Environmental Restoration Program Listing

In an effort to spur the cleanup and redevelopment of brownfields, New Yorkers approved a \$200 million Environmental Restoration or Brownfields Fund as part of the \$1.75 billion Clean Water/Clean Air Bond Act of 1996 (1996 Bond Act). Enhancements to the program were enacted on October 7, 2003. Under the Environmental Restoration Program, the State provides grants to municipalities to reimburse up to 90 percent of on-site eligible costs and 100% of off-site eligible costs for site investigation and remediation activities. Once remediated, the property may then be reused for commercial, industrial, residential or public use.

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/22/2013 Date Made Active in Reports: 09/10/2013

Number of Days to Update: 19

Source: Department of Environmental Conservation

Telephone: 518-402-9622 Last EDR Contact: 09/26/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Quarterly

BROWNFIELDS: Brownfields Site List

A Brownfield is any real property where redevelopment or re-use may be complicated by the presence or potential presence of a hazardous waste, petroleum, pollutant, or contaminant.

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/22/2013 Date Made Active in Reports: 09/10/2013

Number of Days to Update: 19

Source: Department of Environmental Conservation

Telephone: 518-402-9764 Last EDR Contact: 09/26/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Semi-Annually

### ADDITIONAL ENVIRONMENTAL RECORDS

### Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 06/24/2013 Date Data Arrived at EDR: 06/25/2013 Date Made Active in Reports: 08/09/2013 Number of Days to Update: 45

3 013 Source: Environmental Protection Agency

Telephone: 202-566-2777 Last EDR Contact: 09/24/2013

Next Scheduled EDR Contact: 01/08/2014 Data Release Frequency: Semi-Annually

### Local Lists of Landfill / Solid Waste Disposal Sites

ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004

Number of Days to Update: 39

Source: Environmental Protection Agency

Telephone: 800-424-9346 Last EDR Contact: 06/09/2004 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009 Date Data Arrived at EDR: 05/07/2009 Date Made Active in Reports: 09/21/2009

Number of Days to Update: 137

Source: EPA, Region 9 Telephone: 415-947-4219 Last EDR Contact: 07/26/2013

Next Scheduled EDR Contact: 11/11/2013
Data Release Frequency: No Update Planned

SWRCY: Registered Recycling Facility List A listing of recycling facilities.

Date of Government Version: 07/08/2013 Date Data Arrived at EDR: 07/10/2013 Date Made Active in Reports: 09/09/2013

Number of Days to Update: 61

Source: Department of Environmental Conservation

Telephone: 518-402-8705 Last EDR Contact: 10/07/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: Semi-Annually

SWTIRE: Registered Waste Tire Storage & Facility List A listing of facilities registered to accept waste tires.

Date of Government Version: 08/01/2006 Date Data Arrived at EDR: 11/15/2006 Date Made Active in Reports: 11/30/2006

Number of Days to Update: 15

Source: Department of Environmental Conservation

Telephone: 518-402-8694 Last EDR Contact: 10/22/2013

Next Scheduled EDR Contact: 02/03/2014 Data Release Frequency: Annually

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands

Location of open dumps on Indian land.

Date of Government Version: 12/31/1998 Date Data Arrived at EDR: 12/03/2007 Date Made Active in Reports: 01/24/2008

Number of Days to Update: 52

Source: Environmental Protection Agency

Telephone: 703-308-8245 Last EDR Contact: 07/31/2013

Next Scheduled EDR Contact: 11/18/2013 Data Release Frequency: Varies

### Local Lists of Hazardous waste / Contaminated Sites

### US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 08/06/2013 Date Data Arrived at EDR: 09/11/2013 Date Made Active in Reports: 10/03/2013

Number of Days to Update: 22

Source: Drug Enforcement Administration

Telephone: 202-307-1000 Last EDR Contact: 09/04/2013

Next Scheduled EDR Contact: 12/16/2013 Data Release Frequency: Quarterly

DEL SHWS: Delisted Registry Sites

A database listing of sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites.

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/22/2013 Date Made Active in Reports: 09/12/2013

Number of Days to Update: 21

Source: Department of Environmental Conservation

Telephone: 518-402-9622 Last EDR Contact: 09/26/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Annually

### US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 09/01/2007 Date Data Arrived at EDR: 11/19/2008 Date Made Active in Reports: 03/30/2009

Number of Days to Update: 131

Source: Drug Enforcement Administration

Telephone: 202-307-1000 Last EDR Contact: 03/23/2009

Next Scheduled EDR Contact: 06/22/2009 Data Release Frequency: No Update Planned

### Local Lists of Registered Storage Tanks

HIST UST: Historical Petroleum Bulk Storage Database

These facilities have petroleum storage capacities in excess of 1,100 gallons and less than 400,000 gallons. This database contains detailed information per site. It is no longer updated due to the sensitive nature of the information involved. See UST for more current data.

Date of Government Version: 01/01/2002 Date Data Arrived at EDR: 06/02/2006 Date Made Active in Reports: 07/20/2006

Number of Days to Update: 48

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 10/23/2006

Next Scheduled EDR Contact: 01/22/2007 Data Release Frequency: Varies

HIST AST: Historical Petroleum Bulk Storage Database

These facilities have petroleum storage capabilities in excess of 1,100 gallons and less than 400,000 gallons. This database contains detailed information per site. No longer updated due to the sensitive nature of the information involved. See AST for more current data.

Date of Government Version: 01/01/2002 Date Data Arrived at EDR: 06/02/2006 Date Made Active in Reports: 07/20/2006

Number of Days to Update: 48

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 10/23/2006

Next Scheduled EDR Contact: 01/22/2007 Data Release Frequency: No Update Planned

### Local Land Records

LIENS 2: CERCLA Lien Information

A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 02/06/2013 Date Data Arrived at EDR: 04/25/2013 Date Made Active in Reports: 05/10/2013

Number of Days to Update: 15

Source: Environmental Protection Agency

Telephone: 202-564-6023 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Varies

LIENS: Spill Liens Information

Lien information from the Oil Spill Fund.

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/20/2013 Date Made Active in Reports: 09/11/2013

Number of Days to Update: 22

Source: Office of the State Comptroller

Telephone: 518-474-9034 Last EDR Contact: 08/09/2013

Next Scheduled EDR Contact: 11/25/2013 Data Release Frequency: Varies

### Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 12/31/2012 Date Data Arrived at EDR: 01/03/2013 Date Made Active in Reports: 02/27/2013

Number of Days to Update: 55

Source: U.S. Department of Transportation

Telephone: 202-366-4555 Last EDR Contact: 10/01/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Annually

#### SPILLS: Spills Information Database

Data collected on spills reported to NYSDEC as required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from PBS regs), or 6 NYCRR Section 595.2 (from CBS regs). It includes spills active as of April 1, 1986, as well as spills occurring since this date.

Date of Government Version: 08/19/2013 Date Data Arrived at EDR: 08/22/2013 Date Made Active in Reports: 09/11/2013

Number of Days to Update: 20

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 09/26/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Varies

### HIST SPILLS: SPILLS Database

This database contains records of chemical and petroleum spill incidents. Under State law, petroleum and hazardous chemical spills that can impact the waters of the state must be reported by the spiller (and, in some cases, by anyone who has knowledge of the spills). In 2002, the Department of Environmental Conservation stopped providing updates to its original Spills Information Database. This database includes fields that are no longer available from the NYDEC as of January 1, 2002. Current information may be found in the NY SPILLS database. Department of Environmental Conservation.

Date of Government Version: 01/01/2002 Date Data Arrived at EDR: 07/08/2005 Date Made Active in Reports: 07/14/2005

Number of Days to Update: 6

Source: Department of Environmental Conservation

Telephone: 518-402-9549 Last EDR Contact: 07/07/2005 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

### SPILLS 80: SPILLS80 data from FirstSearch

Spills 80 includes those spill and release records available from FirstSearch databases prior to 1990. Typically, they may include chemical, oil and/or hazardous substance spills recorded before 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 80.

Date of Government Version: 11/02/2010 Date Data Arrived at EDR: 01/03/2013 Date Made Active in Reports: 03/07/2013

Number of Days to Update: 63

Source: FirstSearch Telephone: N/A

Last EDR Contact: 01/03/2013 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

### SPILLS 90: SPILLS90 data from FirstSearch

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 12/14/2012 Date Data Arrived at EDR: 01/03/2013 Date Made Active in Reports: 02/12/2013

Number of Days to Update: 40

Source: FirstSearch Telephone: N/A

Last EDR Contact: 01/03/2013 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

### Other Ascertainable Records

### RCRA NonGen / NLR: RCRA - Non Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 07/11/2013 Date Data Arrived at EDR: 08/08/2013 Date Made Active in Reports: 09/13/2013

Number of Days to Update: 36

Source: Environmental Protection Agency

Telephone: (212) 637-3660 Last EDR Contact: 10/02/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Varies

DOT OPS: Incident and Accident Data

Department of Transporation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 07/31/2012 Date Data Arrived at EDR: 08/07/2012 Date Made Active in Reports: 09/18/2012

Number of Days to Update: 42

Source: Department of Transporation, Office of Pipeline Safety

Telephone: 202-366-4595 Last EDR Contact: 08/05/2013

Next Scheduled EDR Contact: 11/18/2013 Data Release Frequency: Varies

### DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005 Date Data Arrived at EDR: 11/10/2006 Date Made Active in Reports: 01/11/2007

Number of Days to Update: 62

Source: USGS

Telephone: 888-275-8747 Last EDR Contact: 10/18/2013

Next Scheduled EDR Contact: 01/27/2014 Data Release Frequency: Semi-Annually

#### FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 12/31/2011 Date Data Arrived at EDR: 02/26/2013 Date Made Active in Reports: 03/13/2013

Number of Days to Update: 15

Source: U.S. Army Corps of Engineers

Telephone: 202-528-4285 Last EDR Contact: 09/10/2013

Next Scheduled EDR Contact: 12/23/2013 Data Release Frequency: Varies

### CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 06/30/2013 Date Data Arrived at EDR: 08/07/2013 Date Made Active in Reports: 10/03/2013

Number of Days to Update: 57

Source: Department of Justice, Consent Decree Library

Telephone: Varies

Last EDR Contact: 09/30/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Varies

### ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 12/18/2012 Date Data Arrived at EDR: 03/13/2013 Date Made Active in Reports: 04/12/2013

Number of Days to Update: 30

Source: EPA

Telephone: 703-416-0223 Last EDR Contact: 09/13/2013

Next Scheduled EDR Contact: 12/23/2013 Data Release Frequency: Annually

### UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 09/14/2010 Date Data Arrived at EDR: 10/07/2011 Date Made Active in Reports: 03/01/2012

Number of Days to Update: 146

Source: Department of Energy Telephone: 505-845-0011 Last EDR Contact: 05/28/2013

Next Scheduled EDR Contact: 09/09/2013 Data Release Frequency: Varies

### US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 08/01/2013 Date Data Arrived at EDR: 09/05/2013 Date Made Active in Reports: 10/03/2013

Number of Days to Update: 28

Source: Department of Labor, Mine Safety and Health Administration

Telephone: 303-231-5959 Last EDR Contact: 09/05/2013

Next Scheduled EDR Contact: 12/16/2013 Data Release Frequency: Semi-Annually

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2011 Date Data Arrived at EDR: 07/31/2013 Date Made Active in Reports: 09/13/2013

Number of Days to Update: 44

Source: EPA

Telephone: 202-566-0250 Last EDR Contact: 08/30/2013

Next Scheduled EDR Contact: 12/09/2013 Data Release Frequency: Annually

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant

site.

Date of Government Version: 12/31/2006 Date Data Arrived at EDR: 09/29/2010 Date Made Active in Reports: 12/02/2010

Number of Days to Update: 64

Source: EPA

Telephone: 202-260-5521 Last EDR Contact: 09/24/2013

Next Scheduled EDR Contact: 01/08/2014 Data Release Frequency: Every 4 Years

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009 Date Data Arrived at EDR: 04/16/2009 Date Made Active in Reports: 05/11/2009

Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances

Telephone: 202-566-1667 Last EDR Contact: 08/22/2013

Next Scheduled EDR Contact: 12/09/2013 Data Release Frequency: Quarterly

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009 Date Data Arrived at EDR: 04/16/2009 Date Made Active in Reports: 05/11/2009

Number of Days to Update: 25

Source: EPA

Telephone: 202-566-1667 Last EDR Contact: 08/22/2013

Next Scheduled EDR Contact: 12/09/2013 Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006 Date Data Arrived at EDR: 03/01/2007 Date Made Active in Reports: 04/10/2007

Number of Days to Update: 40

Source: Environmental Protection Agency

Telephone: 202-564-2501 Last EDR Contact: 12/17/2007

Next Scheduled EDR Contact: 03/17/2008 Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006 Date Data Arrived at EDR: 03/01/2007 Date Made Active in Reports: 04/10/2007

Number of Days to Update: 40

Source: Environmental Protection Agency

Telephone: 202-564-2501 Last EDR Contact: 12/17/2008

Next Scheduled EDR Contact: 03/17/2008 Data Release Frequency: No Update Planned

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/2009 Date Data Arrived at EDR: 12/10/2010 Date Made Active in Reports: 02/25/2011

Number of Days to Update: 77

Source: EPA

Telephone: 202-564-4203 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Annually

ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 07/20/2011 Date Data Arrived at EDR: 11/10/2011 Date Made Active in Reports: 01/10/2012

Number of Days to Update: 61

Source: Environmental Protection Agency

Telephone: 202-564-5088 Last EDR Contact: 10/09/2014

Next Scheduled EDR Contact: 01/27/2014 Data Release Frequency: Quarterly

PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 11/01/2012 Date Data Arrived at EDR: 01/16/2013 Date Made Active in Reports: 05/10/2013

Number of Days to Update: 114

Source: EPA

Telephone: 202-566-0500 Last EDR Contact: 10/18/2013

Next Scheduled EDR Contact: 01/27/2014 Data Release Frequency: Annually

MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 03/14/2013
Date Data Arrived at EDR: 03/20/2013
Date Made Active in Reports: 07/10/2013

Number of Days to Update: 112

Source: Nuclear Regulatory Commission

Telephone: 301-415-7169 Last EDR Contact: 09/10/2013

Next Scheduled EDR Contact: 12/23/2013 Data Release Frequency: Quarterly

RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 04/09/2013 Date Data Arrived at EDR: 04/11/2013 Date Made Active in Reports: 05/10/2013

Number of Days to Update: 29

Source: Environmental Protection Agency

Telephone: 202-343-9775 Last EDR Contact: 10/09/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: Quarterly

### FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 03/08/2013 Date Data Arrived at EDR: 03/21/2013 Date Made Active in Reports: 07/10/2013

Number of Days to Update: 111

Source: EPA

Telephone: (212) 637-3000 Last EDR Contact: 09/11/2013

Next Scheduled EDR Contact: 12/23/2013 Data Release Frequency: Quarterly

### RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995 Date Data Arrived at EDR: 07/03/1995 Date Made Active in Reports: 08/07/1995

Number of Days to Update: 35

Source: EPA

Telephone: 202-564-4104 Last EDR Contact: 06/02/2008

Next Scheduled EDR Contact: 09/01/2008 Data Release Frequency: No Update Planned

### RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 05/08/2012 Date Data Arrived at EDR: 05/25/2012 Date Made Active in Reports: 07/10/2012

Number of Days to Update: 46

Source: Environmental Protection Agency

Telephone: 202-564-8600 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013 Data Release Frequency: Varies

#### **BRS: Biennial Reporting System**

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2011 Date Data Arrived at EDR: 02/26/2013 Date Made Active in Reports: 04/19/2013

Number of Days to Update: 52

Source: EPA/NTIS Telephone: 800-424-9346 Last EDR Contact: 08/26/2013

Next Scheduled EDR Contact: 12/09/2013 Data Release Frequency: Biennially

HSWDS: Hazardous Substance Waste Disposal Site Inventory

The list includes any known or suspected hazardous substance waste disposal sites. Also included are sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites and non-Registry sites that U.S. EPA Preliminary Assessment (PA) reports or Site Investigation (SI) reports were prepared. Hazardous Substance Waste Disposal Sites are eligible to be Superfund sites now that the New York State Superfund has been refinanced and changed. This means that the study inventory has served its purpose and will no longer be maintained as a separate entity. The last version of the study inventory is frozen in time. The sites on the study will not automatically be made Superfund sites, rather each site will be further evaluated for listing on the Registry. So overtime they will be added to the registry or not.

Date of Government Version: 01/01/2003 Date Data Arrived at EDR: 10/20/2006 Date Made Active in Reports: 11/30/2006

Number of Days to Update: 41

Source: Department of Environmental Conservation

Telephone: 518-402-9564 Last EDR Contact: 05/26/2009

Next Scheduled EDR Contact: 08/24/2009 Data Release Frequency: No Update Planned

**UIC: Underground Injection Control Wells** 

A listing of enhanced oil recovery underground injection wells.

Date of Government Version: 06/07/2013 Date Data Arrived at EDR: 06/11/2013 Date Made Active in Reports: 07/10/2013

Number of Days to Update: 29

Source: Department of Environmental Conservation

Telephone: 518-402-8056 Last EDR Contact: 09/12/2013

Next Scheduled EDR Contact: 12/23/2013 Data Release Frequency: Quarterly

NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

facility.

Date of Government Version: 08/01/2013 Date Data Arrived at EDR: 08/07/2013 Date Made Active in Reports: 09/10/2013

Number of Days to Update: 34

Source: Department of Environmental Conservation

Telephone: 518-402-8651 Last EDR Contact: 08/07/2013

Next Scheduled EDR Contact: 11/18/2013 Data Release Frequency: Annually

DRYCLEANERS: Registered Drycleaners

A listing of all registered drycleaning facilities.

Date of Government Version: 07/18/2013 Date Data Arrived at EDR: 07/19/2013 Date Made Active in Reports: 09/09/2013

Number of Days to Update: 52

Source: Department of Environmental Conservation

Telephone: 518-402-8403 Last EDR Contact: 09/16/2013

Next Scheduled EDR Contact: 12/30/2013 Data Release Frequency: Varies

SPDES: State Pollutant Discharge Elimination System

New York State has a state program which has been approved by the United States Environmental Protection Agency for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Under New York State law the program is known as the State Pollutant Discharge Elimination System (SPDES) and is broader in scope than that required by the Clean Water Act in that it controls point source discharges to groundwaters as well as surface waters.

Date of Government Version: 07/15/2013 Date Data Arrived at EDR: 07/17/2013 Date Made Active in Reports: 09/09/2013

Number of Days to Update: 54

Source: Department of Environmental Conservation

Telephone: 518-402-8233 Last EDR Contact: 10/10/2013

Next Scheduled EDR Contact: 01/27/2014 Data Release Frequency: No Update Planned

AIRS: Air Emissions Data

Point source emissions inventory data.

Date of Government Version: 12/31/2011 Date Data Arrived at EDR: 08/02/2012 Date Made Active in Reports: 10/03/2012

Number of Days to Update: 62

Source: Department of Environmental Conservation

Telephone: 518-402-8452 Last EDR Contact: 07/24/2013

Next Scheduled EDR Contact: 11/11/2013
Data Release Frequency: Annually

### E DESIGNATION: E DESIGNATION SITE LISTING

The (E (Environmental)) designation would ensure that sampling and remediation take place on the subject properties, and would avoid any significant impacts related to hazardous materials at these locations. The (E) designations would require that the fee owner of the sites conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The (E) designations also include a mandatory construction-related health and safety plan which must be approved by NYCDEP.

Date of Government Version: 06/17/2013 Date Data Arrived at EDR: 06/24/2013 Date Made Active in Reports: 07/10/2013

Number of Days to Update: 16

Source: New York City Department of City Planning

Telephone: 718-595-6658 Last EDR Contact: 09/24/2013

Next Scheduled EDR Contact: 01/08/2014

Data Release Frequency: Varies

### INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2005 Date Data Arrived at EDR: 12/08/2006 Date Made Active in Reports: 01/11/2007

Number of Days to Update: 34

Source: USGS Telephone: 202-208-3710 Last EDR Contact: 10/18/2013

Next Scheduled EDR Contact: 01/27/2014 Data Release Frequency: Semi-Annually

### SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 03/07/2011 Date Data Arrived at EDR: 03/09/2011 Date Made Active in Reports: 05/02/2011

Number of Days to Update: 54

Source: Environmental Protection Agency

Telephone: 615-532-8599 Last EDR Contact: 10/21/2013

Next Scheduled EDR Contact: 02/03/2014 Data Release Frequency: Varies

US AIRS MINOR: Air Facility System Data A listing of minor source facilities.

Date of Government Version: 01/23/2013 Date Data Arrived at EDR: 01/30/2013 Date Made Active in Reports: 05/10/2013

Number of Days to Update: 100

Source: EPA

Telephone: 202-564-5962 Last EDR Contact: 09/30/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Annually

### FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 12/31/2005 Date Data Arrived at EDR: 02/06/2006 Date Made Active in Reports: 01/11/2007

Number of Days to Update: 339

Source: U.S. Geological Survey Telephone: 888-275-8747 Last EDR Contact: 10/18/2013

Next Scheduled EDR Contact: 01/27/2014

Data Release Frequency: N/A

#### EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 06/30/2013 Date Data Arrived at EDR: 08/13/2013 Date Made Active in Reports: 09/13/2013

Number of Days to Update: 31

Source: Environmental Protection Agency

Telephone: 617-520-3000 Last EDR Contact: 08/07/2013

Next Scheduled EDR Contact: 11/25/2013 Data Release Frequency: Quarterly

### US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 03/04/2013 Date Data Arrived at EDR: 03/15/2013 Date Made Active in Reports: 05/10/2013

Number of Days to Update: 56

Source: Environmental Protection Agency

Telephone: 202-566-1917 Last EDR Contact: 09/27/2013

Next Scheduled EDR Contact: 12/02/2013 Data Release Frequency: Quarterly

### 2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 11/11/2011 Date Data Arrived at EDR: 05/18/2012 Date Made Active in Reports: 05/25/2012

Number of Days to Update: 7

Source: Environmental Protection Agency

Telephone: 703-308-4044 Last EDR Contact: 08/16/2013

Next Scheduled EDR Contact: 11/25/2013 Data Release Frequency: Varies

COAL ASH: Coal Ash Disposal Site Listing
A listing of coal ash disposal site locations.

Date of Government Version: 07/08/2013 Date Data Arrived at EDR: 07/10/2013 Date Made Active in Reports: 09/09/2013

Number of Days to Update: 61

Source: Department of Environmental Conservation

Telephone: 518-402-8660 Last EDR Contact: 10/07/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: Varies

COAL ASH DOE: Sleam-Electric Plan Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2005 Date Data Arrived at EDR: 08/07/2009 Date Made Active in Reports: 10/22/2009

Number of Days to Update: 76

Source: Department of Energy Telephone: 202-586-8719 Last EDR Contact: 10/15/2013

Next Scheduled EDR Contact: 01/27/2014 Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 08/17/2010 Date Data Arrived at EDR: 01/03/2011 Date Made Active in Reports: 03/21/2011

Number of Days to Update: 77

Source: Environmental Protection Agency

Telephone: N/A

Last EDR Contact: 09/13/2013

Next Scheduled EDR Contact: 12/23/2013 Data Release Frequency: Varies

### Financial Assurance 2: Financial Assurance Information Listing

A listing of financial assurance information for hazardous waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 10/31/2008 Date Data Arrived at EDR: 11/25/2008 Date Made Active in Reports: 12/11/2008

Number of Days to Update: 16

Source: Department of Environmental Conservation

Telephone: 518-402-8712 Last EDR Contact: 10/07/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: Varies

#### Financial Assurance 1: Financial Assurance Information Listing

Financial assurance information.

Date of Government Version: 07/08/2013 Date Data Arrived at EDR: 07/10/2013 Date Made Active in Reports: 09/09/2013

Number of Days to Update: 61

Source: Department of Environmental Conservation

Telephone: 518-402-8660 Last EDR Contact: 10/07/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: Quarterly

### LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 01/29/2013 Date Data Arrived at EDR: 02/14/2013 Date Made Active in Reports: 02/27/2013

Number of Days to Update: 13

Source: Environmental Protection Agency

Telephone: 703-603-8787 Last EDR Contact: 09/24/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: Varies

### LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001 Date Data Arrived at EDR: 10/27/2010 Date Made Active in Reports: 12/02/2010

Number of Days to Update: 36

Source: American Journal of Public Health

Telephone: 703-305-6451 Last EDR Contact: 12/02/2009 Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

### US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 01/23/2013 Date Data Arrived at EDR: 01/30/2013 Date Made Active in Reports: 05/10/2013

Number of Days to Update: 100

Source: EPA

Telephone: 202-564-5962 Last EDR Contact: 09/30/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Annually

PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 04/15/2013 Date Data Arrived at EDR: 07/03/2013 Date Made Active in Reports: 09/13/2013

Number of Days to Update: 72

Source: EPA

Telephone: 202-564-6023 Last EDR Contact: 10/04/2013

Next Scheduled EDR Contact: 01/13/2014 Data Release Frequency: Quarterly

PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 02/01/2011 Date Data Arrived at EDR: 10/19/2011 Date Made Active in Reports: 01/10/2012

Number of Days to Update: 83

Source: Environmental Protection Agency

Telephone: 202-566-0517 Last EDR Contact: 08/02/2013

Next Scheduled EDR Contact: 11/11/2013

Data Release Frequency: Varies

### **EDR HIGH RISK HISTORICAL RECORDS**

### **EDR Exclusive Records**

EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A Date Data Arrived at EDR: N/A Date Made Active in Reports: N/A

Number of Days to Update: N/A

Source: EDR, Inc. Telephone: N/A Last EDR Contact: N/A

Next Scheduled EDR Contact: N/A

Data Release Frequency: No Update Planned

### EDR US Hist Auto Stat: EDR Exclusive Historic Gas Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A Date Data Arrived at EDR: N/A Date Made Active in Reports: N/A

Number of Days to Update: N/A

Source: EDR, Inc. Telephone: N/A Last EDR Contact: N/A

Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

### EDR US Hist Cleaners: EDR Exclusive Historic Dry Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A

Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A

Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

EDR US Hist Cleaners: EDR Proprietary Historic Dry Cleaners - Cole

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A

Number of Days to Update: N/A

Source: N/A
Telephone: N/A
Last EDR Contact: N/A

Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

EDR US Hist Auto Stat: EDR Proprietary Historic Gas Stations - Cole

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A

Number of Days to Update: N/A

Source: N/A Telephone: N/A Last EDR Contact: N/A

Next Scheduled EDR Contact: N/A Data Release Frequency: Varies

### **COUNTY RECORDS**

### **CORTLAND COUNTY:**

Cortland County Storage Tank Listing

A listing of aboveground storage tank sites located in Cortland County.

Date of Government Version: 08/23/2013 Date Data Arrived at EDR: 08/28/2013 Date Made Active in Reports: 09/12/2013

Number of Days to Update: 15

Source: Cortland County Health Department

Telephone: 607-753-5035 Last EDR Contact: 08/01/2013

Next Scheduled EDR Contact: 11/18/2013 Data Release Frequency: Quarterly

Cortland County Storage Tank Listing

A listing of underground storage tank sites located in Cortland County.

Date of Government Version: 08/23/2013 Date Data Arrived at EDR: 08/28/2013 Date Made Active in Reports: 09/12/2013

Number of Days to Update: 15

Source: Cortland County Health Department

Telephone: 607-753-5035 Last EDR Contact: 08/01/2013

Next Scheduled EDR Contact: 11/18/2013 Data Release Frequency: Quarterly

#### NASSAU COUNTY:

### Registered Tank Database

A listing of aboveground storage tank sites located in Nassau County.

Date of Government Version: 05/21/2003 Date Data Arrived at EDR: 05/27/2003 Date Made Active in Reports: 06/09/2003

Number of Days to Update: 13

Source: Nassau County Health Department

Telephone: 516-571-3314 Last EDR Contact: 10/07/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: No Update Planned

#### Storage Tank Database

A listing of aboveground storage tank sites located in Nassau County.

Date of Government Version: 02/15/2011 Date Data Arrived at EDR: 02/23/2011 Date Made Active in Reports: 03/29/2011

Number of Days to Update: 34

Source: Nassau County Office of the Fire Marshal

Telephone: 516-572-1000 Last EDR Contact: 08/01/2013

Next Scheduled EDR Contact: 11/18/2013 Data Release Frequency: Varies

### Registered Tank Database

A listing of underground storage tank sites located in Nassau County.

Date of Government Version: 05/21/2003 Date Data Arrived at EDR: 05/27/2003 Date Made Active in Reports: 06/09/2003

Number of Days to Update: 13

Source: Nassau County Health Department

Telephone: 516-571-3314 Last EDR Contact: 10/07/2013

Next Scheduled EDR Contact: 01/20/2014 Data Release Frequency: No Update Planned

### Storage Tank Database

A listing of underground storage tank sites located in Nassau County.

Date of Government Version: 02/15/2011 Date Data Arrived at EDR: 02/23/2011 Date Made Active in Reports: 03/29/2011

Number of Days to Update: 34

Source: Nassau County Office of the Fire Marshal

Telephone: 516-572-1000 Last EDR Contact: 08/01/2013

Next Scheduled EDR Contact: 11/18/2013 Data Release Frequency: Varies

### **ROCKLAND COUNTY:**

### Petroleum Bulk Storage Database

A listing of aboveground storage tank sites located in Rockland County.

Date of Government Version: 06/24/2013 Date Data Arrived at EDR: 06/24/2013 Date Made Active in Reports: 07/10/2013

Number of Days to Update: 16

Source: Rockland County Health Department

Telephone: 914-364-2605 Last EDR Contact: 09/10/2013

Next Scheduled EDR Contact: 12/23/2013 Data Release Frequency: Quarterly

### Petroleum Bulk Storage Database

A listing of underground storage tank sites located in Rockland County.

Date of Government Version: 06/24/2013 Date Data Arrived at EDR: 06/24/2013 Date Made Active in Reports: 07/10/2013

Number of Days to Update: 16

Source: Rockland County Health Department

Telephone: 914-364-2605 Last EDR Contact: 09/10/2013

Next Scheduled EDR Contact: 12/23/2013 Data Release Frequency: Quarterly

### SUFFOLK COUNTY:

### Storage Tank Database

A listing of aboveground storage tank sites located in Suffolk County.

Date of Government Version: 09/13/2006 Date Data Arrived at EDR: 01/11/2007 Date Made Active in Reports: 02/07/2007

Number of Days to Update: 27

Source: Suffolk County Department of Health Services

Telephone: 631-854-2521 Last EDR Contact: 08/01/2013

Next Scheduled EDR Contact: 11/18/2013 Data Release Frequency: No Update Planned

#### Storage Tank Database

A listing of underground storage tank sites located in Suffolk County.

Date of Government Version: 09/13/2006 Date Data Arrived at EDR: 01/11/2007 Date Made Active in Reports: 02/07/2007

Number of Days to Update: 27

Source: Suffolk County Department of Health Services

Telephone: 631-854-2521 Last EDR Contact: 08/01/2013

Next Scheduled EDR Contact: 11/18/2013
Data Release Frequency: No Update Planned

### WESTCHESTER COUNTY:

#### Listing of Storage Tanks

A listing of aboveground storage tank sites located in Westchester County.

Date of Government Version: 06/06/2013 Date Data Arrived at EDR: 06/07/2013 Date Made Active in Reports: 07/10/2013

Number of Days to Update: 33

Source: Westchester County Department of Health

Telephone: 914-813-5161 Last EDR Contact: 08/01/2013

Next Scheduled EDR Contact: 11/18/2013

Data Release Frequency: Varies

### Listing of Storage Tanks

A listing of underground storage tank sites located in Westchester County.

Date of Government Version: 06/06/2013 Date Data Arrived at EDR: 06/07/2013 Date Made Active in Reports: 07/10/2013

Number of Days to Update: 33

Source: Westchester County Department of Health

Telephone: 914-813-5161 Last EDR Contact: 08/01/2013

Next Scheduled EDR Contact: 11/18/2013

Data Release Frequency: Varies

### OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

### CT MANIFEST: Hazardous Waste Manifest Data

Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Date of Government Version: 07/30/2013 Date Data Arrived at EDR: 08/19/2013 Date Made Active in Reports: 10/03/2013

Number of Days to Update: 45

Source: Department of Energy & Environmental Protection

Telephone: 860-424-3375 Last EDR Contact: 08/19/2013

Next Scheduled EDR Contact: 12/02/2013
Data Release Frequency: Annually

NJ MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2011 Date Data Arrived at EDR: 07/19/2012 Date Made Active in Reports: 08/28/2012

Number of Days to Update: 40

Source: Department of Environmental Protection

Telephone: N/A

Last EDR Contact: 10/18/2013

Next Scheduled EDR Contact: 01/27/2014 Data Release Frequency: Annually

PA MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2012 Date Data Arrived at EDR: 07/24/2013 Date Made Active in Reports: 08/19/2013

Number of Days to Update: 26

Source: Department of Environmental Protection

Telephone: 717-783-8990 Last EDR Contact: 10/21/2013

Next Scheduled EDR Contact: 02/03/2014 Data Release Frequency: Annually

RI MANIFEST: Manifest information

Hazardous waste manifest information

Date of Government Version: 12/31/2012 Date Data Arrived at EDR: 06/21/2013 Date Made Active in Reports: 08/05/2013

Number of Days to Update: 45

Source: Department of Environmental Management

Telephone: 401-222-2797 Last EDR Contact: 08/23/2013

Next Scheduled EDR Contact: 12/09/2013 Data Release Frequency: Annually

VT MANIFEST: Hazardous Waste Manifest Data Hazardous waste manifest information.

Date of Government Version: 05/01/2013 Date Data Arrived at EDR: 08/14/2013 Date Made Active in Reports: 09/20/2013

Number of Days to Update: 37

Source: Department of Environmental Conservation

Telephone: 802-241-3443 Last EDR Contact: 10/21/2013

Next Scheduled EDR Contact: 02/03/2014 Data Release Frequency: Annually

WI MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2012 Date Data Arrived at EDR: 08/09/2013 Date Made Active in Reports: 09/27/2013

Number of Days to Update: 49

Source: Department of Natural Resources

Telephone: N/A

Last EDR Contact: 09/16/2013

Next Scheduled EDR Contact: 12/30/2013 Data Release Frequency: Annually

Oil/Gas Pipelines: This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines.

Electric Power Transmission Line Data Source: Rextag Strategies Corp. Telephone: (281) 769-2247

U.S. Electric Transmission and Power Plants Systems Digital GIS Data

Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

### AHA Hospitals:

Source: American Hospital Association, Inc.

Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services

Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services,

a federal agency within the U.S. Department of Health and Human Services.

**Nursing Homes** 

Source: National Institutes of Health

Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary

and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are

comparable across all states. Private Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Day Care Providers Source: Department of Health Telephone: 212-676-2444

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 2003 & 2011 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 and 2005 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Freshwater Wetlands Source: Department of Environmental Conservation

Telephone: 518-402-8961

Scanned Digital USGS 7.5' Topographic Map (DRG)

Source: United States Geologic Survey

A digital raster graphic (DRG) is a scanned image of a U.S. Geological Survey topographic map. The map images are made by scanning published paper maps on high-resolution scanners. The raster image is georeferenced and fit to the Universal Transverse Mercator (UTM) projection.

### STREET AND ADDRESS INFORMATION

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## **GEOCHECK®-PHYSICAL SETTING SOURCE ADDENDUM**

### **TARGET PROPERTY ADDRESS**

BUTLER CORRECTIONAL FACILITY 14003 WESTBURY CUTOFF ROAD RED CREEK, NY 13143

### **TARGET PROPERTY COORDINATES**

Latitude (North): 43.2213 - 43° 13′ 16.68″ Longitude (West): 76.7261 - 76° 43′ 33.96″

Universal Tranverse Mercator: Zone 18 UTM X (Meters): 359809.1 UTM Y (Meters): 4786621.5

Elevation: 429 ft. above sea level

### **USGS TOPOGRAPHIC MAP**

Target Property Map: 43076-B6 VICTORY, NY

Most Recent Revision: 1978

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principal investigative components:

- 1. Groundwater flow direction, and
- 2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

### **GROUNDWATER FLOW DIRECTION INFORMATION**

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

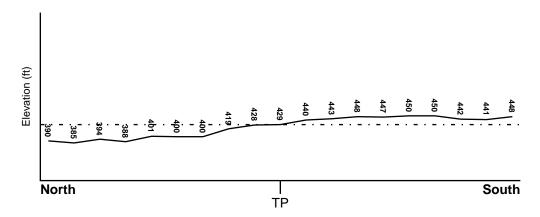
### **TOPOGRAPHIC INFORMATION**

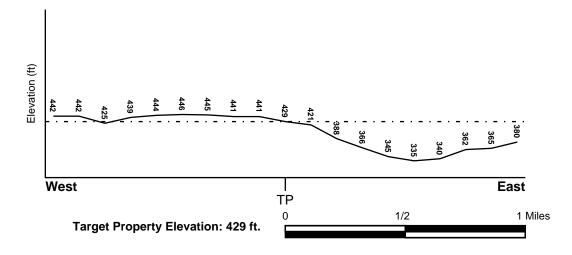
Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

### TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General ENE

### SURROUNDING TOPOGRAPHY: ELEVATION PROFILES





Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

### HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

**FEMA FLOOD ZONE** 

FEMA Flood

Target Property County

Electronic Data

WAYNE, NY

YES - refer to the Overview Map and Detail Map

Flood Plain Panel at Target Property:

3609010002C - FEMA Q3 Flood data

Additional Panels in search area:

3614450003A - FEMA Q3 Flood data

36011C - FEMA DFIRM Flood data

**NATIONAL WETLAND INVENTORY** 

NWI Electronic

**NWI Quad at Target Property** 

Data Coverage

VICTORY

YES - refer to the Overview Map and Detail Map

### HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

### Site-Specific Hydrogeological Data\*:

Search Radius: 1.25 miles Status: Not found

### **AQUIFLOW®**

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

LOCATION GENERAL DIRECTION

MAP ID FROM TP GROUNDWATER FLOW

Not Reported

### **GROUNDWATER FLOW VELOCITY INFORMATION**

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

### **GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY**

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

#### **ROCK STRATIGRAPHIC UNIT**

#### **GEOLOGIC AGE IDENTIFICATION**

Era: Paleozoic Category: Stratifed Sequence

System: Silurian

Series: Middle Silurian (Niagoaran)

Code: S2 (decoded above as Era, System & Series)

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

#### DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps. The following information is based on Soil Conservation Service STATSGO data.

Soil Component Name: PALMYRA

Soil Surface Texture: gravelly - loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep,

moderately well and well drained soils with moderately coarse

textures.

Soil Drainage Class: Well drained. Soils have intermediate water holding capacity. Depth to

water table is more than 6 feet.

Hydric Status: Soil does not meet the requirements for a hydric soil.

Corrosion Potential - Uncoated Steel: LOW

Depth to Bedrock Min: > 60 inches

Depth to Bedrock Max: > 60 inches

Soil Layer Information								
	Boundary			Classification				
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil	Permeability Rate (in/hr)	Soil Reaction (pH)	
1	0 inches	9 inches	gravelly - loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 6.00 Min: 0.60	Max: 7.30 Min: 5.60	
2	9 inches	24 inches	gravelly - loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 6.00 Min: 0.60	Max: 7.80 Min: 6.10	
3	24 inches	60 inches	very gravelly - sand	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Clean gravels, Poorly Graded Gravel.	Max: 20.00 Min: 6.00	Max: 8.40 Min: 7.40	

### OTHER SOIL TYPES IN AREA

Based on Soil Conservation Service STATSGO data, the following additional subordinant soil types may appear within the general area of target property.

Soil Surface Textures: gravelly - sandy loam

silt loam loam

fine sandy loam gravelly - silt loam extremely gravelly - sand channery - silt loam

Surficial Soil Types: gravelly - sandy loam

silt loam loam

fine sandy loam gravelly - silt loam extremely gravelly - sand channery - silt loam

Shallow Soil Types: gravelly - clay loam

very fine sandy loam

Deeper Soil Types: stratified

silt loam gravelly - loam loamy fine sand

extremely gravelly - sand

very channery - silt loam

## LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

### WELL SEARCH DISTANCE INFORMATION

DATABASE	SEARCH DISTANCE (Miles)			

Federal USGS 1.000

Federal FRDS PWS Nearest PWS within 1 mile

State Database 1.000

### FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	FROM TP	
1 2	USGS40000874941 USGS40000874882	1/2 - 1 Mile SE 1/2 - 1 Mile SE	

### FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

MAP ID WELL ID FROM TP

No PWS System Found

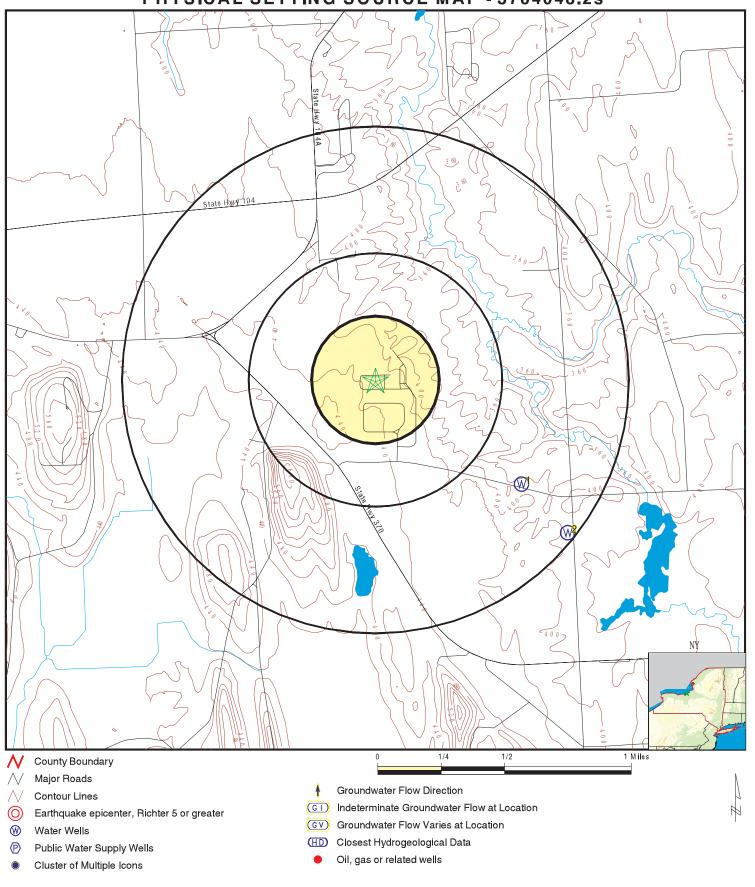
Note: PWS System location is not always the same as well location.

### STATE DATABASE WELL INFORMATION

MAP ID WELL ID LOCATION FROM TP

No Wells Found

# PHYSICAL SETTING SOURCE MAP - 3764048.2s



SITE NAME: Butler Correctional Facility 14003 Westbury Cutoff Road Red Creek NY 13143 ADDRESS:

LAT/LONG: 43.2213 / 76.7261 CLIENT: HRP Associates CONTACT: Patrick Rodman HRP Associates, Inc INQUIRY#: 3764048.2s

DATE: October 22, 2013 2:51 pm

### **GEOCHECK®- PHYSICAL SETTING SOURCE MAP FINDINGS**

Map ID Direction Distance

Elevation Database EDR ID Number

SE FED USGS USGS40000874941

1/2 - 1 Mile Lower

Org. Identifier: USGS-NY

Formal name: USGS New York Water Science Center

Monloc Identifier: USGS-431255076425401

Monloc name: WN 524 Monloc type: Well

Monloc desc: Not Reported

04140101 Drainagearea value: Not Reported Huc code: Contrib drainagearea: Not Reported Drainagearea Units: Not Reported 43.2153444 Contrib drainagearea units: Not Reported Latitude: Longitude: -76.714674 Sourcemap scale: 24000 Horiz Acc measure: 10 Horiz Acc measure units: seconds

Horiz Collection method: Interpolated from map

Horiz coord refsys: NAD83 Vert measure val: 380 Vert measure units: feet Vertacc measure val: 10

Vert accmeasure units: feet

Vertcollection method: Interpolated from topographic map

Vert coord refsys: NGVD29 Countrycode: US

Aquifername: Not Reported Formation type: Not Reported Aquifer type: Not Reported

Construction date: Not Reported Welldepth: 110

Welldepth units: ft Wellholedepth: Not Reported

Wellholedepth units: Not Reported

Ground-water levels, Number of Measurements: 1

2 SE FED USGS USGS40000874882 1/2 - 1 Mile

Org. Identifier: USGS-NY

Lower

Formal name: USGS New York Water Science Center

Monloc Identifier: USGS-431245076424101

Monloc name: WN 521
Monloc type: Well
Monloc desc: Not Reported
Huc code: 04140101

Drainagearea value: Not Reported Drainagearea Units: Not Reported Contrib drainagearea: Not Reported Contrib drainagearea units: Not Reported Latitude: 43.2125666 Longitude: -76.7110626 Sourcemap scale: 24000 seconds Horiz Acc measure: 10 Horiz Acc measure units:

Horiz Collection method: Interpolated from map

Horiz coord refsys: NAD83 Vert measure val: 390 Vert measure units: feet Vertacc measure val: 10

Vert accmeasure units: feet

Vertcollection method: Interpolated from topographic map

Vert coord refsys: NGVD29 Countrycode: US

Aquifername: Not Reported Formation type: Not Reported

# **GEOCHECK®-PHYSICAL SETTING SOURCE MAP FINDINGS**

Welldepth:

Wellholedepth:

100

Not Reported

Aquifer type: Not Reported Construction date: Not Reported

Welldepth units:

Wellholedepth units: Not Reported

Ground-water levels, Number of Measurements: 0

# GEOCHECK®- PHYSICAL SETTING SOURCE MAP FINDINGS RADON

# AREA RADON INFORMATION

State Database: NY Radon

Radon Test Results

County	Town	Num Tests	Avg Result	Geo Mean	Max Result
WAYNE	ARCADIA	107	4.59	2.94	30.5
WAYNE	BUTLER	3	1.5	1.31	2.1
WAYNE	GALEN	11	3.28	2.95	5.6
WAYNE	HURON	1	2.6	2.6	2.6
WAYNE	LYONS	70	7.14	3.78	63.6
WAYNE	MACEDON	96	6.12	2.87	44.6
WAYNE	MARION	31	4.75	2.63	29.9
WAYNE	NEWARK	4	2.6	2.39	3.8
WAYNE	ONTARIO	69	2.48	1.8	20.4
WAYNE	PALMYRA	76	5.08	3.07	38.7
WAYNE	ROSE	13	5.83	3.03	35.3
WAYNE	SAVANNAH	1	1.1	1.1	1.1
WAYNE	SODUS	17	2.41	1.66	12.4
WAYNE	WALWORTH	31	3.26	1.68	29.7
WAYNE	WILLIAMSON	40	2.55	1.45	21.3
WAYNE	WOLCOTT	11	2.45	1.48	8.5

Federal EPA Radon Zone for WAYNE County: 2

Note: Zone 1 indoor average level > 4 pCi/L.

: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.

: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for WAYNE COUNTY, NY

Number of sites tested: 36

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area	0.810 pCi/L	100%	0%	0%
Basement	1.680 pCi/L	92%	8%	0%

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

#### **TOPOGRAPHIC INFORMATION**

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Scanned Digital USGS 7.5' Topographic Map (DRG)

Source: United States Geologic Survey

A digital raster graphic (DRG) is a scanned image of a U.S. Geological Survey topographic map. The map images are made by scanning published paper maps on high-resolution scanners. The raster image is georeferenced and fit to the Universal Transverse Mercator (UTM) projection.

# HYDROLOGIC INFORMATION

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 2003 & 2011 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 and 2005 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Freshwater Wetlands

Source: Department of Environmental Conservation

Telephone: 518-402-8961

### HYDROGEOLOGIC INFORMATION

AQUIFLOW<sup>R</sup> Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

### **GEOLOGIC INFORMATION**

Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Services (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Services, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

### LOCAL / REGIONAL WATER AGENCY RECORDS

### FEDERAL WATER WELLS

PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

### STATE RECORDS

New York Public Water Wells

Source: New York Department of Health

Telephone: 518-458-6731

### OTHER STATE DATABASE INFORMATION

Oil and Gas Well Database

Department of Environmental Conservation

Telephone: 518-402-8072

These files contain records, in the database, of wells that have been drilled.

### **RADON**

State Database: NY Radon Source: Department of Health Telephone: 518-402-7556 Radon Test Results

Area Radon Information Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency

(USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor

radon levels.

### **OTHER**

Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

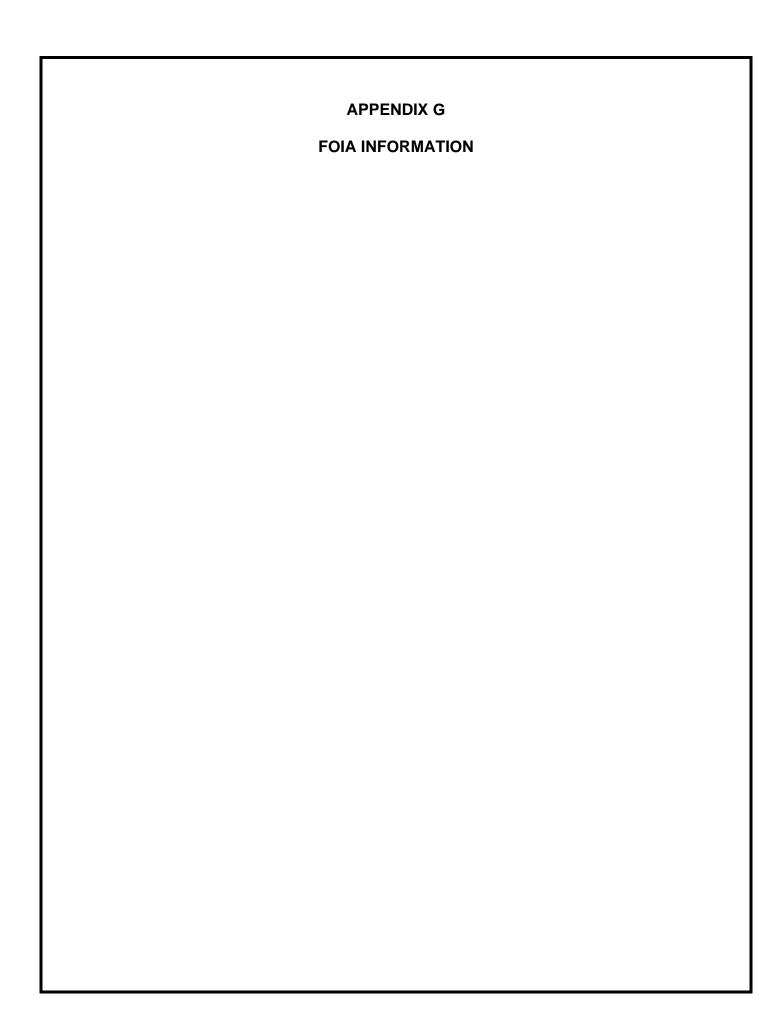
Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

# STREET AND ADDRESS INFORMATION

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Nirav R. Shah, M.D., M.P.H. Commissioner **HEALTH** 

Sue Kelly Executive Deputy Commissioner

November 20, 2013

Patrick Rodman
HRP Associates, Inc.
1 Fairchild Square, Suite 110
Clifton Park, NY 12065

FOIL #: 13-10-446

Dear Mr. Rodman:

This letter responds to your Freedom of Information Law request of October 29, 2013, in which you requested environmental records related to Butler Correctional Facility, 14003 Westbury Cutoff Road, Red Creek, NY 13143. The Bureau of Water Supply Protection advises that this address is served by the Wolcott-Butler-Huron CSA public water system, NY583007. Any violation reports for the public water system can be found at the website provided below. Additionally, you may wish to contact the Wayne County Public Health Services, as they may have information responsive to your request. Their telephone number is (315) 789-3030.

http://www.health.ny.gov/environmental/water/drinking/violations/previous\_compliance reports.htm

Should you feel that you have been unlawfully denied access to records, you may appeal such denial in writing within 30 days to the Records Access Appeals Officer, Division of Legal Affairs, Empire State Plaza, 2438 Corning Tower, Albany, New York, 12237-0026.

If you require additional information or wish to discuss this matter further, please do not hesitate to contact me at (518) 474-8734.

Sincerely,

Elizabeth A. Sullivan, Esq. Records Access Office

EAS/zel

# HRP associates, Inc.

Creating the Right Solutions Together

October 29, 2013

Robert LoCicero Records Access Office New York State Department of Health Corning Tower Room 2364 Albany, New York 12237-0044 Fax: (518) 486-9144

Sent via e-mail: foil@health.state.ny.us.

# RE: FOIL REQUEST: BUTLER CORRECTIONAL FACILITY, 14003 Westbury Cutoff Road, Red Creek, NY 13143

Dear Mr. LoCicero:

HRP Associates, Inc. is conducting a Phase I Environmental Site Assessment of the above mentioned address and respectfully requests available information under the Freedom of Information Law (FOIL). Specifically, HRP is requesting copies of any available records pertaining to environmental issues, such as site specific reports of radon, asbestos, lead paint, hazardous materials, spills of petroleum or hazardous material. In addition, records associated with any underground or aboveground storage tanks (USTs or ASTs), water supply wells or septic systems on site would be helpful.

Please notify me when this request has been processed. If you have any questions, please do not hesitate to contact HRP Associates, Inc. at (518) 877-7101 x123 or at <a href="mailto:patrick.rodman@hrpassociates.com">patrick.rodman@hrpassociates.com</a>.

Sincerely,

HRP ASSOCIATES, INC.

Patrick Rodman Senior Project Geologist

### CONNECTICUT

Corporate Headquarters 197 Scott Swamp Road Farmington, CT 06032 800-246-9021 860-674-9570 FAX 860-674-9624 99 Oronoque Lane Second Floor Stratford, CT 06614 203-380-1395 FAX 203-380-1438

### FLORIDA

2435 U.S. Highway 19 Suite 550 Holiday, FL 34691 727-942-2115 FAX 727-942-2113

#### INDIANA

7965 East 106<sup>th</sup> Street Suite 116 Fishers, IN 46038 317-570-4851 FAX 317-570-4852

#### MASSACHUSETTS

241 Boston Post Rd West First Floor Marlborough, MA 01752 508-630-0300 FAX 508-786-1901

#### **NEW YORK**

1 Fairchild Square Suite 110 Clifton Park, NY 12065 888-823-6427 518-877-7101 FAX 518-877-8561

#### **SOUTH CAROLINA**

1327 Miller Road Suite D Greenville, SC 29607 800-752-3922 864-289-0311 FAX 864-281-9846

# Jolene Lozewski Lozewsk TEXAS

5601 Bridge Street Suite 300 Fort Worth, TX 76112 817-492-7092 FAX 817-492-7001

www.hrpassociates.com





# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

# APPLICATION FOR ACCESS TO RECORDS

(See Instructions on Reverse Side)

	<ul> <li>TO THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION:         <ul> <li>I hereby apply to inspect the following records under the provisions of the Freedom of Information Law:</li> </ul> </li> </ul>
A	
P	Address of Facility or Site (if applicable)
P L	Butler Corrections/ Facility
I	14003 Westbury Catall Rd.
$\frac{1}{C}$	Ked Creek, NY
A	
N	Spill No. (if applicable) Facility ID No. (if applicable)
T	PBS No. (if applicable) $S - 600$ 023
	Other: Re & PBJ RCORDT, Spill reports, and any UST
	Closure or remediation report for the site!
	After inspection, should I desire copies of all or part of the records inspected, I will identify the records to be copied and hereb
	offer to promptly pay the established fees. (Cost of reproduction or 25¢ per page as applicable). Contact me if cost will excee
	0.1.01
	Name (Print or type) Print (2019) Telephone No. 518-877-76/Fax No. 518-877-8561
	Company (if applicable) HRI Associates E-Mail Address E-Mail Address
	Mailing Address / Fairchild Sq., Ste 110
	Clifton Park, NY 12065
	Signature Date $0/29/3$
	TO APPLICANT:
	RECORDS PROVIDED
	The reproduction costs for the records provided \$
R	Records have been (partially, fully) provided
E C	(If not provided, date when records are expected to be fully provided:)
o	RECORDS NOT AVAILABLE
R	Records cannot be located after a diligent search The Department is not the custodian for records indicated
D S	
ی	RECORDS DENIED
C	I hereby advise that access to the records, or part of the records, has been denied for the reason(s) checked below:  Specifically exempt by another statute  Unwarranted invasion of privacy
U	Specifically exempt by another statute Unwarranted invasion of privacy Would impair present or imminent contract awards or Trade secrets
S T	collective bargaining negotiations
ô	Compiled for law enforcement purposes Could endanger life or safety of any other person
D	Inter-agency or intra-agency materials that are not:  • statistical or factual tabulations or data
I	• instructions to staff that affect the public
A N	final agency policy or determinations; or
	<ul> <li>external audits, including but not limited to audits performed by the comptroller and the Federal</li> </ul>
	government
	Other exemptions (as applicable)
	Records Custodian signature Date:



Nirav R. Shah, M.D., M.P.H. Commissioner

HEALTH

Sue Kelly Executive Deputy Commissioner

October 30, 2013

Patrick C. Rodman HRP Associates, Inc. 1 Fairchild Square, Suite 110 Clifton Park, NY 12065

Re: 13-10-446

**Butler Correctional Facility** 

Dear Mr. Rodman:

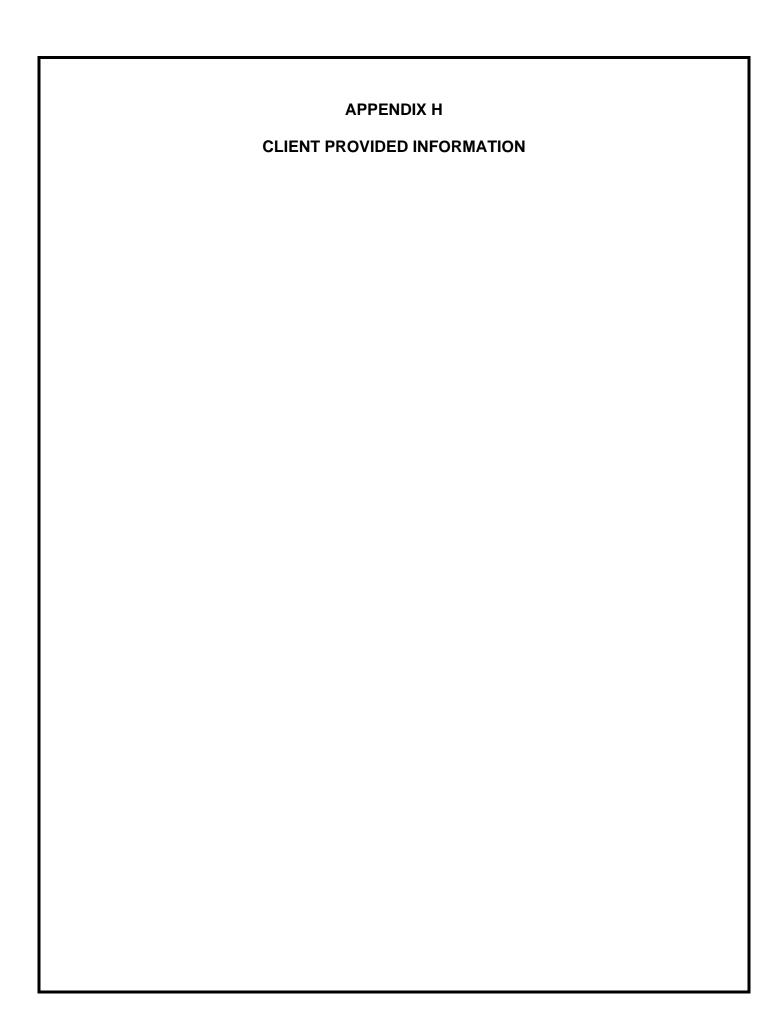
This will acknowledge receipt of your request for records under the Freedom of Information Law, received by this office on October 30, 2013.

Your request has been forwarded to the appropriate Department program area(s) to identify documents that are responsive to your request and which may be made available pursuant to all applicable provisions of the Freedom of Information Law.

A determination as to whether your request is granted or denied will be reached in approximately 20 days or we will notify you in writing if the responsible program area(s) should require additional time to locate, assemble, and review documents that may be responsive to your request.

Please note that, pursuant to Article 6 of the Public Officers Law, a charge may be applied to your request, including the actual cost of the medium used to respond to your Freedom of Information Law request and/or other related costs. When responsive records have been identified, you will be informed of any cost and how payment should be made.

> Elizabeth A. Sullivan, Esq. Records Access Office



entered 5/25

# NYSDEC REGION 8 SPILLS MANAGEMENT 6274 EAST AVON-LIMA ROAD AVON, NY 14414

DATE: 1727 27, 2017 SF	PILL#: ////07 PIN#:
SPILLNAME: Butler Corn	
LOCATION: 14003 West bu	
TOWN: Rth.	2 COUNTY: Worms
INSPECTOR and to the	COUNTY: Wayne TIME: 1242
WEATHER: Mostly Cle	75
J	
*************	*****
INSPECTION NARRATIVE (Sketch, L	Discussions, Agreements, Observations):
I next on site	w/ Bucky at the Maintenance
garage where the	overfull occured, Justin
die was to de	cliver jassen and connected
	dit the block for es sume
gravel which the	a feel our solo. Bueley
Soup be Though	lo There was my 10 gals
lost Superior	was an sete and excurated
	Sil They removed gotovel
& Sail from on	nee approx 15 to x 20 fo & 46
lay Superior o	sed meter to seren foil.
no fauther so	ten necessary
	TIMEO.
PERSONNEL:	
EQUIPMENT:	
IF CLOSING-MEETS STANDARDS:	YES/MO
* * * * * * * * * * * * * * * * * * *	************************
	COMPUTER UPDATE
INITIAL/FOLLOW-UP	SPILL PRIORITY:
DATE:	SPILL#:

From: Stowell, Dan

To: <u>Greppo, Eric C (DOCCS)</u>
Cc: <u>Sergeant, Steve; Courage, Emily</u>

Subject: Butler Correction Facility incident on 12/14/11

Date: Friday, January 06, 2012 8:26:12 AM

Mr. Greppo,

I am writing to follow up on the incident that occurred at the Butler Correctional Facility on 12/14/11. Superior Plus Energy (doing business as Griffith Energy) experienced an overfill of an underground storage tank causing a spill of gasoline/ diesel mixture to the ground surface. We believe approximately 5- 10 gallons of fuel was released during the overfill. An unintentional delivery of gasoline to the diesel tank also caused the diesel fuel to become contaminated with gasoline. We reported the spill to the New York State Department of Environmental Conservation within two hours of the spill occurring. NYSDEC assigned spill #1111107 to the incident and Mr. Carl Hettenbaugh from the NYSDEC region 8 spills unit was assigned to the case.

Once an initial response was carried out by the driver and local department management, Superior Plus hired OpTech Environmental to respond to and clean up the spill. OpTech used a small excavator to remove approximately 10 tons of petroleum impacted soil along the edge of the asphalt area next to the tank. The excavation was screened using a photoionization detector (PID) to verify the petroleum impacts were removed. The impacted soils were placed in a roll of container and removed from the site for proper disposal. Several gallons of gasoline/ diesel mixture were pumped out of the tank top sump that surround the fill pipe for the tank. The contaminated product from the diesel tank was pumped out and recycled by Superior Plus.

We will work with OpTech to generate the following documentation to submit to the NYSDEC in order to document that the petroleum impacted soil was properly cleaned up: -soil disposal receipts.

- -site hand sketch showing limits of excavation and end of excavation PID readings
- -summary letter to DEC documenting cleanup details and requesting closure of the spill number

I have had several conversations with Carl Hettenbaugh of NYSDEC to update him on how we proceeded with the cleanup. Carl can be contacted at (585) 226-2466 (will have to go to the menu and enter last name) if you would like to speak with him. Please let me know if you need any additional information and please give me a call if you would like to discuss further.

Thanks, Dan

## Dan Stowell

Corporate Environmental Manager Superior Plus Energy Services, Inc. 1870 Winton Road South, Suite 200 Rochester, NY 14618 (585) 783-2615 office (585) 261-3601 cell 1-866-998-9248 fax



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# **Spill Record**

# **Administrative Information**

**DEC Region:** 8

Spill Number: 1111107
Spill Date/Time

**Spill Date:** 12/14/2011 **Spill Time:** 11:50:00 AM

Location

Spill Name: BUTLER CORRECTIONAL

Address: 14003 WESTBURY CUT OFF ROAD

City: RED CREEK County: WAYNE

**Spill Description** 

**Material Spilled Amount Spilled Resource Affected** 

Gasoline 5.00 Gal. Impervious Surface

Cause: Human Error

Source: Institutional, Educational, Gov., Other

Waterbody:

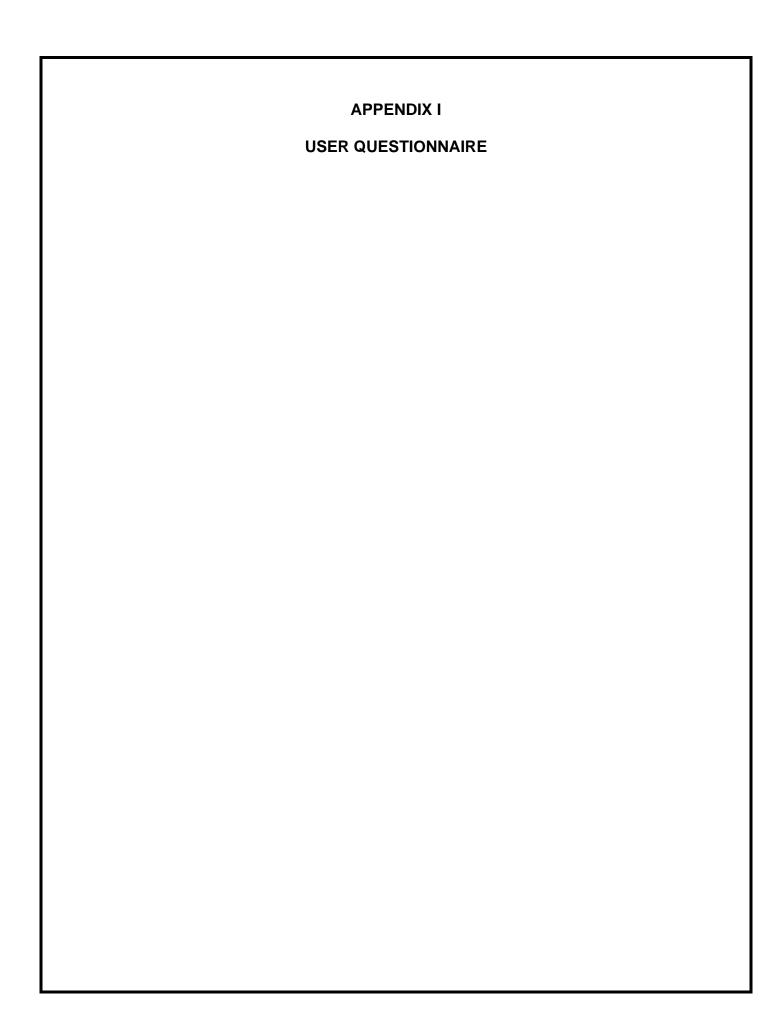
# **Record Close**

Date Spill Closed: 05/25/2012

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the Regional Office where the incident occurred.

Refine Current Search



# PHASE I ESA USER'S QUESTIONNAIRE

In order to qualify for protection from land owner liability under CERCLA as an *innocent landowner, bona fide prospective purchaser,* or *contiguous property owner,* ASTM standard practice E1527-05 and the federal AAI rule (40 CFR 312) require that the User of the Phase I ESA report provide certain information (if available) to the Environmental Professional completing the assessment. Failure to provide this information could result in a determination that "all appropriate inquiry" is not complete. Information that is not or cannot be provided to the Environmental Professional may be identified as a "data gap" in the Phase I ESA report.

Please answer the following questions as completely as possible. Attach additional pages as needed.

	Property Information.
	Property Name: BUTLER CORRECTIONAL FACILITY
	Property Address: 14001 WESTBURY WTOFF RO.  City: RED CREEK State: NY Zip: 13143
	Property Owner Name: NYS Doccs
	Environmental Cleanup Liens. Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law?  Yes  No
	If yes, describe or attach details of the lien N
1	Activity and Land Use Limitations. Are you aware of any activity and use limitations, such as engineering controls, land use restrictions, or institutional controls that are in place at the property and/or have been filed or recorded as applicable to the property as a result of environmental contamination, investigation, cleanup, or related matters?
	If yes, describe or attach details of the limitations N
	Specialized Knowledge or Experience. As the User of this ESA, do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property, such that you would have specialized knowledge about chemicals and processes used by this type of business?
	If yes, describe or attach details of your specialized knowledge or experience 102k A3
	Relationship of Purchase Price to Fair Market Value of Property. Does the purchase price being paid for this property reasonably reflect the fair market value of the property? If you conclude that there is a difference, do you have any reason to believe that the reduced purchase price may be related to contamination known or believed to be present at the property?
	Yes, I have reason to believe that the purchase price for the property has been reduced in comparison with the fair market value due to contamination known or believed to be present at the property?
	No, I have no reason to believe that the purchase price for the property has been reduced in comparison with the fair market value due to contamination known or
	believed to be present at the property?

# PHASE I ESA USER'S QUESTIONNAIRE

6.	Commonly Known or Reasonably Ascertainable Information. Are you aware of commonly known or reasonably ascertainable information about the property that would help the Environmental Professional to identify conditions indicative of releases or threatened releases of hazardous substances or petroleum products? For example:
	Do you know the past uses of the property?  Yes (describe) Only Know Past use 15 For Colrectional Facility Activities  No
	Do you know of chemicals, hazardous substances or petroleum products that are present or once were present at the property?  Yes (describe) FINALE PRODUCTS. CHEMILAS AND PETROLEUM PRODUCTS ASSOCIATED WITH THE OPERATION AND NO MAINTENANCE OF A CORRECTIONAL FACILITY.  Do you know of spills or other releases of chemicals, hazardous substances or petroleum products that have taken place at the property?  Yes (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  Yes (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  Yes (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  YES (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  YES (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  YES (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  YES (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  YES (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  YES (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  YES (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  YES (describe) CLOSED SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SPILL  YES (DESCRIPTION OF THE PRODUCTS SALL: **IIII 67 - GASOLINE SALL: **IIII 67 - GASOLINE SALL: **III 67 - GASOLINE SALL: **I
	Do you know of any environmental cleanups that have taken place at the property?  Yes (describe)
7.	The Degree of Obviousness of Contamination. E1527-05 and the federal AAI rule (40 CFR 312.31) require that the Phase I ESA consider the degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation. Based on your knowledge and experience related to the property, are there any obvious indictors that point to the presence or likely presence of contamination at the property? Yes (describe)
	No
8.	Availability of Previous Environmental Reports. Are you aware of previous environmental site assessment reports, other environmental reports, documents, correspondence, etc. concerning the property and its environmental condition?  Yes (please identify and provide copies, if available)  No
Sig	nature:
Na	me (printed):ERIC_GREPPO
Tit	e: ENVIRONMENTAL ENGINEER I
Da	te: 10/31/2013

### **APPENDIX J**

# REFERENCES

# **Published Sources**

American Society for Testing and Materials (ASTM), 2005. Standard Practice for Environmental Site Assessments: *Phase I Environmental Site Assessment Process*. ASTM, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959. 27 pp.

# **Database Listings and Other Informational Sources**

Environmental Data Resources, Inc. Database Report (dated October 22, 2013)

Aerial Photographs dated 1938, 1970, 1985, 1994, 2006, 2008, and 2011 courtesy of Environmental Data Resources, Inc.

Topographic Maps dated 1902, 1943, 1954, and 1978 for the Victory Quadrangle, courtesy of Environmental Data Resources, Inc.

NYSDEC Bulk Storage Online Database <a href="http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=4">http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=4</a>>

**EPA Drinking Water Website** 

# **Interviews with:**

- Mr. Legrette Ainsworth (Facility Maintenance Supervisor)
- Mr. Eric Greppo (NYSDOCS Technical Services)

# Town of Butler/Wayne County Interviews/Telephone Conversations:

- Wayne County Health Department
- Town of Butler Clerk

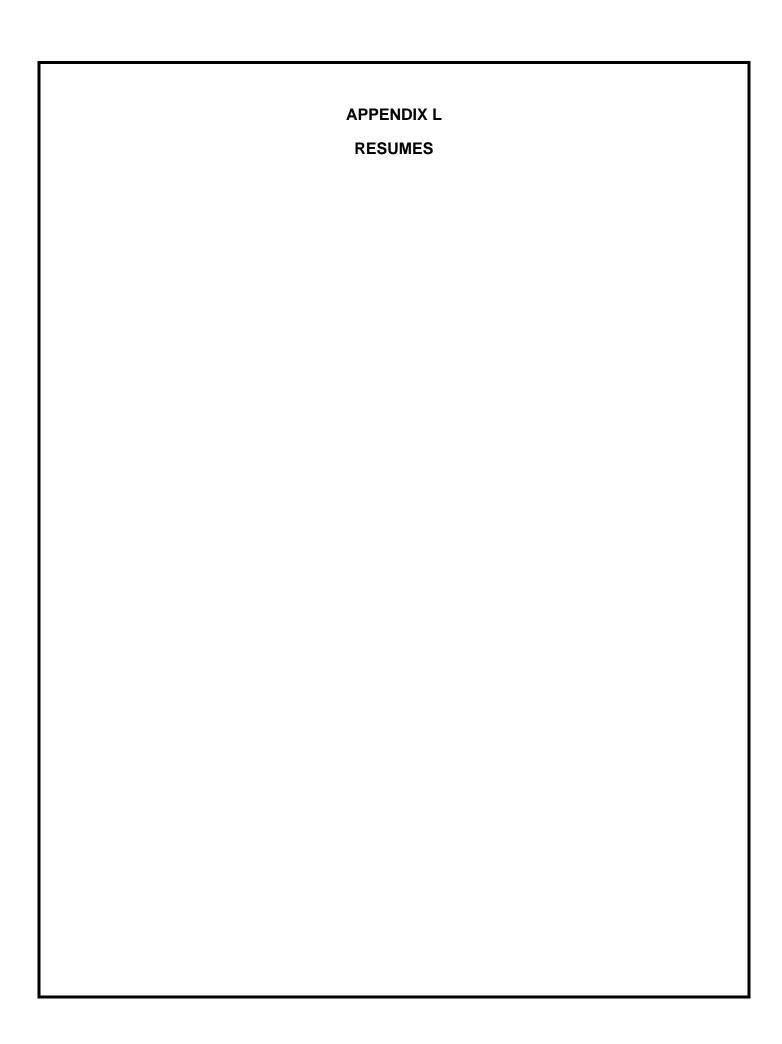
# APPENDIX K LIMITATIONS ON WORK PRODUCT

All work product and reports provided by HRP in connection with the performance of Environmental Site Contamination Assessments Phase I, Phase II, and any remediation related services, including all work performed under this Agreement for Professional Services and any follow-up work is subject to the following limitations.

- A. The observations described in the Project Report(s) are made under the conditions stated therein. The conclusions presented in the Report(s) are based solely upon the services described therein, and not on scientific tasks or procedures beyond the scope of described services or the time and budgetary constraints imposed by the Client. The work described in Project Report(s) is carried out in accordance with the Agreement for Professional Services.
- B. In preparing Project Reports, HRP relies on certain information provided by state and local officials and information and representations made by other parties referenced therein, and on information contained in the files of state and/or local agencies made available to HRP at the time of the site assessment. To the extent that such files are missing, incomplete or not provided to HRP, HRP is not responsible. Although there may be some degree of overlap in the information provided by these various sources, HRP does not attempt to independently verify the accuracy or completeness of all information reviewed or received during the course of this site assessment.
- C. Observations are made of the site and of structures on the site as indicated within the Project Report(s). Where access to portions of the site or to structures on the site is unavailable or limited, HRP renders no opinion as to the presence of potential contamination by hazardous substances, wastes or petroleum and chemical products and wastes. In addition, HRP renders no opinion as to the presence of indirect evidence relating to potential contamination by hazardous substances, wastes or petroleum and chemical products or wastes where direct observation of the interior walls, floors, or ceilings of a structure on a site is obstructed by objects or coverings on or over these surfaces.
- D. Unless otherwise specified in the Project Report(s), HRP does not perform testing or analyses to determine the presence or concentration of asbestos or polychlorinated biphenyls (PCBs), or radon at the site or in the environment of the site.
- E. The purpose of the Project Report(s) is to assess the physical characteristics of the subject site with respect to the potential presence in the site soil, ground water or surface water environment of contamination by hazardous substances, hazardous waste or petroleum and chemical products and wastes. No specific attempt is made to check the compliance of present or past owners or operators of the site with federal, state, or local laws and regulations, environmental or otherwise.
- F. If the conclusions and recommendations contained in the Project Report(s) are based in part upon the data obtained from a limited number of soil, ground water, or surface water samples obtained from widely spaced surface or subsurface explorations; then the nature and extent of variations between these explorations may not become evident until further exploration. If variations or other latent conditions then appear evident, it will be necessary

to re-evaluate the conclusions and recommendations of the Project Report(s).

- G. If water level readings are made in test pits, borings, and/or observation wells; these observations are made at the times and under the conditions stated on the test pit or boring logs or in the Project Report(s). However, it must be noted that fluctuations in the level of ground water may occur due to variations in rainfall, passage of time and other factors. Should additional data become available in the future, these data may alter the basis of conclusions and recommendations presented in the Project Report(s).
- H. Except as noted within the text of the Project Report(s), no quantitative laboratory testing is performed as part of the site assessment. Where such analyses have been conducted by an outside laboratory, HRP has relied upon the data provided, and has not conducted an independent evaluation of the reliability of these tests.
- I. If the conclusions and recommendations contained in this Project Report(s) are based, in part, upon various types of chemical data; then the conclusions and recommendations are contingent upon the validity of such data. These data (if obtained) are reviewed and interpretations made in the Project Report(s). If indicated within the Project Report(s), some of these data may be preliminary "screening" level data and should be confirmed with quantitative analyses if more specific information is necessary. Moreover, it should be noted that variations in the types and concentrations of contaminants and variations in their flow paths may occur due to seasonal water table fluctuations, past disposal practices, the passage of time, and other factors. Should additional chemical data become available in the future, these data may alter the basis of the conclusions and recommendations presented in the Project Report(s).
- J. Chemical analyses may be performed for specific parameters during the course of this site assessment, as described in the text of the Project Report(s). However, it is understood that additional chemical constituents not searched for during the current study may be present in soil, ground water, or ace water at the site.
- K. It is recommended that HRP be retained to provide further hydrogeologic and engineering services during the conduct of further exploration or the construction and/or implementation of any remedial measures recommended in HRP's Project Report(s). This is to allow HRP and the Client to observe consistency with the concepts and recommendations contained therein, and to allow the development of changes to the remedial program in the event that subsurface conditions or other conditions differ from those anticipated.



### **AREAS OF EXPERTISE**

- Environmental Site Assessments
- Remedial Investigations
- Remedial Design
- Soil Vapor Extraction
- Environmental Insurance Reimbursement

### **EDUCATION**

B.S., Geology, Tulane University, 1999

# PROFESSIONAL REGISTRATIONS/CERTIFICATIONS

"Health and Safety Operations at Hazardous Materials Sites," 40-Hour Course, August, 1999, Refreshers 2000 through 2009

American Red Cross First Aid Basics

American Red Cross Adult CPR

Ms. Locci, a Project Manager for HRP Associates, Inc., has over ten years of experience in providing environmental consulting services to various private industries, municipalities and lenders. Her current responsibilities include the implementation of environmental site assessments, site investigations and remedial design. Ms. Locci is well versed in all aspects of site investigations including soil, groundwater, vapor, bedrock, sediment and surface water sampling. In addition, Ms. Locci has a working knowledge of field instrumentation including PIDs, Air Monitors, as well as various groundwater and vapor sampling methods. Other projects completed by Ms. Locci include Remedial Investigations, Health and Safety Plans, and Phase I/II Environmental Site Assessments.

### RELEVANT EXPERIENCE

Ms. Locci has been responsible for the management and preparation of a variety of projects including:

- Client Management
- Remedial investigations at several retail gasoline service stations within New York State
- Phase I Environmental Site Assessments and Phase II and Subsurface Investigations
- Installation of soil vapor extraction systems and product recovery wells
- Environmental Insurance Reimbursement Program Management

Specific projects include:

# Client Manager - National Lending Institutions

Ms. Locci serves as primary client manager for several national lending institutions requiring Phase I Environmental Site Assessments and subsurface investigations projects. Typically within a month, manages up to 10 Phase Is and several Phase II projects at sites throughout the United States. Under this role, responsible for project execution, quality assurance, project budget and timelines and client satisfaction. Frequently utilized and managed staff from HRP's other offices and is accustomed to the challenges posed by strict deadlines in a multi-office setting.

Various NYSDEC Environmental Restoration Projects (ERP) Mohawk, NY, Mechanicville, NY and Troy, NY

These projects entailed the investigation and/or remediation of soil, groundwater, soil vapor, surface water and/or sediment affected by contamination from historical on site operations through the NYSDEC Brownfield Program. Ms. Locci handled all



project management responsibilities including project set up, budget analysis and billing, field work scheduling, report writing and sample analysis review, client communications, NYSDEC communications and public presentations.

### Various Retail Gasoline Service Stations New York

These projects entailed the investigation of soil, groundwater, bedrock, vapor, surface water and sediment affected by contamination from various gasoline service stations. Ms. Locci supervised the drilling, remedial system installation, tank pulls and sampling at these sites. In addition, responsibilities included extensive note taking, report writing and training of junior staff, as well as, close contact and communication with NYSDEC representatives.

# Residential PCB sites, Glens Falls, NY

This project entailed the characterization of soils and groundwater contaminated with PCBs from buried transformers in residential neighborhoods. Ms. Locci supervised the collection of groundwater and soil samples and conducted amino assay field tests to indicate highly contaminated areas.

# Environmental Insurance Reimbursement Program, NY, ME, NH, MA, CT, NJ, PA, MD

This project entailed creating and managing an Environmental Reimbursement Program for a national retail gasoline company. As Project Manager, Ms. Locci acted as the liaison between her client and their environmental insurance carrier. Tasks included review of all environmental reports, regulatory correspondence, invoices historical information, Petroleum Bulk Storage information, and maintenance information for the sites which were eligible for environmental reimbursement.



### **AREAS OF EXPERTISE**

Jolene Lozewski Senior Project Geologist

 Phase I Environmental Site Assessments

- Phase II Subsurface Investigations
- Proposal & Report Preparation
- Monitoring well installation and groundwater sampling
- UST removal and state required soil sampling
- Geological, Hydrogeological and Laboratory Analytical Data Interpretation
- Client Coordination & Communication

### **EDUCATION**

B.A., Earth and Environmental Science, Wesleyan University, 2005

# **CERTIFICATIONS**

Asbestos Inspector Initial, July 2010

OSHA 40-hour Hazardous Waste Operations and Emergency Response, 2005

OSHA 8-hour Annual Refresher, 2006, 2007, 2008, 2009, 2010

# PROFESSIONAL CERTIFICATIONS / EXPERIENCE

EPOC Remedial Standards Regulations - CT seminar, 8 hours, April, 2007

Aquifer Testing for Improved Hydrogeologic Site Characterization Featuring AQTESOLV and the In-Situ Level Troll, 16 hours, October, 2007 Ms. Lozewski is a Senior Project Geologist for HRP and responsible for the following:

- Phase I Environmental Site Assessments (ESA)
- Phase II Subsurface Investigations
- UST removal & associated state required soil sampling
- Interpretation of geologic, hydrogeologic, and laboratory analytical data
- Proposal and report preparation and client coordination

# **SPECIFIC EXPERIENCE**

# Phase I Environmental Site Assessments (ESAs)

Ms. Lozewski has reviewed and worked on various tasks of ESAs for commercial and sites. A Phase I Site Assessment is a historical review of a site conducted to determine if past or present site operations (e.g. storage of fuel oil) are potential sources of contamination. Specific tasks performed by Ms. Lozewski include: review of regulatory databases and information available at state and local offices, and preparation of Phase I reports in accordance with ASTM requirements and specific institutional requirements.

### Subsurface Investigation

Ms. Lozewski, in her capacity has completed the following:

- Aquifer pumping tests for various water supply investigations.
   She has monitored existing wells and nearby surface waters for potential impacts. Project tasks include sample collection, data collection, preparation of figures and graphs, and interpretation of data for determination of aquifer parameters.
- Well (monitor, recovery, production) and test boring installations and Ms. Lozewski has Interpreted data to delineate areas of contaminant release.
- Soil and soil vapor sample collection, as well as groundwater sample collection using Low-Flo sampling techniques
- ORC ®-chemical oxidation remediation technology application.



# **AREAS OF EXPERTISE**

- Phase I Environmental Site Assessments
- Phase II Subsurface Investigations
- Proposal & Report Preparation
- Monitoring well installation and groundwater samplings
- UST removal and state required soil sampling
- Geological, Hydrogeological, and Laboratory Analytical Data Interpretation
- Client Coordination & Communication

## **EDUCATION**

B.S., Natural Resources and Environmental Science, Purdue University, 2001

# PROFESSIONAL REGISTRATIONS/CERTIFICATIONS

Licensed New Jersey
Department of
Environmental Protection
Subsurface Evaluator

OSHA 40 hour HAZWOPPER certification with current 8 hour refresher

OSHA Site Supervisor certification

Mr. Rodman is a Project Geologist for HRP and responsible for the following:

- Phase I Environmental Site Assessments:
- Phase II Subsurface Investigations;
- UST removal and state required soil sampling;
- Interpretation of Geological, Hydrogeological, and Laboratory Analytical Data;
- Proposal and report preparation and client coordination.

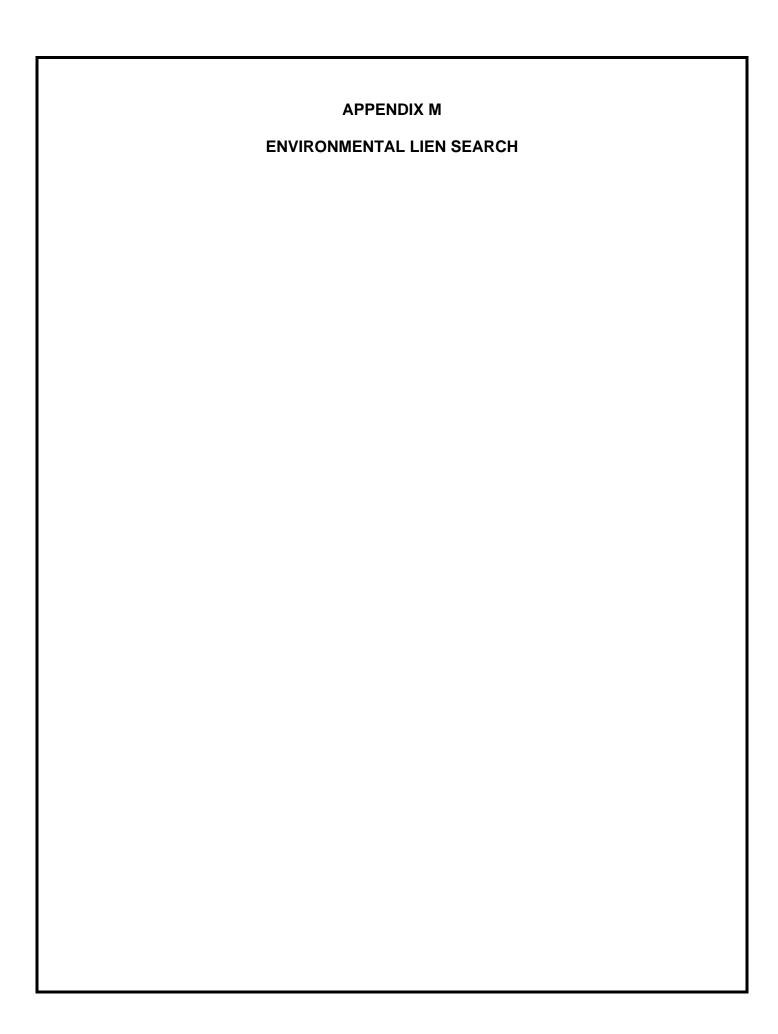
### SPECIFIC EXPERIENCE

### Phase I & II Environmental Site Assessments

Mr. Rodman prepared 100+ Phase I Environmental Site Assessments including residential, commercial, and industrial facilities. In addition, Mr. Rodman's field work experience includes: groundwater monitoring well installation oversight, soil borings, air quality monitoring, soil and groundwater sample collection, and soil vapor sampling. In addition, Mr. Rodman was in charge of construction/ excavation oversight in support of major Brownfield redevelopment site in Manhattan, New York.

Specifically, Mr. Rodman was responsible for the project management of a portfolio of petroleum clients, cost estimate and proposal preparations, client development, project invoice preparation and receivables collection, remedial investigation and remedial action field work oversight, including project coordination of sites in Connecticut and Pennsylvania, and monitoring well installation oversight, including hollow stein auger and air rotary drilling. Mr. Rodman also regulated and unregulated underground storage tank (UST) removal, had regulatory interaction and negotiation with New Jersey Department of Environmental Protection, and was involved in preparation and peer review of Remedial Investigation Reports, UST Closure Reports, Remedial Action Reports and work plans for submittal to the New Jersey Department of Environmental Protection.

Also, Mr. Rodman coordinated and implemented site and remedial investigation activities at locations throughout New Jersey and New York State. Mr. Rodman also handled soil disposal calculations and waste profiling, data management and evaluation in support of field activities, Phase I Environmental Site Assessment preparation, and cost estimate and proposal preparations.



**Butler Correctional Facility** 

14003 Westbury Cutoff Road Red Creek, NY 13143

Inquiry Number: 3764048.8

October 29, 2013

# The EDR Environmental LienSearch™ Report



# **EDR Environmental LienSearch™ Report**

The EDR Environmental LienSearch Report provides results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.

A network of professional, trained researchers, following established procedures, uses client supplied address information to:

- search for parcel information and/or legal description;
- · search for ownership information;
- research official land title documents recorded at jurisdictional agencies such as recorders' offices, registries of deeds, county clerks' offices, etc.;
- access a copy of the deed;
- search for environmental encumbering instrument(s) associated with the deed;
- provide a copy of any environmental encumbrance(s) based upon a review of key words in the instrument(s) (title, parties involved, and description); and
- provide a copy of the deed or cite documents reviewed.

Thank you for your business.

Please contact EDR at 1-800-352-0050 with any questions or comments.

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# EDR Environmental LienSearch™ Report

# TARGET PROPERTY INFORMATION

# **ADDRESS**

# **BUTLER CORRECTIONAL FACILITY**

14003 WESTBURY CUTOFF ROAD RED CREEK, NY 13143

# RESEARCH SOURCE

Source 1: Wayne County, New York

# PROPERTY INFORMATION

PROPERTY INFORMATION	
Deed 1:	
Type of Deed:	Deed
Title is vested in:	The New York State Urban Development Corporation
Title received from:	The People of the State of New York
Deed Dated:	February 1, 1989
Deed Recorded:	February 28, 1989
Book:	834
Page:	581
Legal Description:	Attached as Deed Exhibit
Legal Current Owner:	The New York State Urban Development Corporation
Property Identifiers:	78117-00-219284
Comments:	
ENVIRONMENTAL LIEN	
Environmental Lien:	Found Not Found
OTHER ACTIVITY AND USE	LIMITATIONS (AULs)
Other AUL's: Found	Not Found
COMMENTS:	

# EDR Environmental LienSearch™ Report

**DEED EXHIBIT** 

### THIS INDENTURE

Made as of the 1st day of February in the year nineteen hundred eighty-nine between THE FEOPLE OF THE STATE OF NEW YORK, acting by and through the Commissioner of Correctional Services, Thomas A. Coughlin III, whose principal office is the State Office Building Campus, Building 2, Albany, New York 12226, and the Commissioner of General Services, John C. Egan, whose principal office is the Mayor Erastus Corning II Tower, the Governor Melson A. Rockefeller Empire State Plaza, Albany, New York 12242, grantor, and the New YORK STATE URBAN DEVELOPMENT CORPORATION, a corporate governmental agency of the State of New York constituting a political subdivision and a public benefit corporation organized and existing under the laws of the State of Are having its principal office at 1515 Broadway, New York w.c 뜐 10036, grantes,

#### WITNESSETH:

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That the grantor, in consideration of One Dollar (\$1.00). . . lawful money of the United States and other good and valuable consideration paid by the grantee, and pursuant to the terms and obligations of and as authorized by the Prison Construction Act, Laws of 1983, Chapter 56, as amended, by which, among other things, the grantor has agreed to indemnify and save harmless the grantee from and against any and all liability or loss therein specified on account of any and all acts therein authorized, does hereby grant and release unto the grantee, its successors and assigns all that parcel of land with improvements thereon or to be huilt thereon, more particularly bounded and described as follows:

### BUTLER SHOCK INCARCERATION FACILITY

All that parcel of land situate in the Town of Butler, County of Wayne, State of New York lying north of Westbury Cut Off Road being more particularly described as follows:

BEGINNING at a point located at the intersection of the northerly bounds of Westbury Cut Off Road (assumed 3 rods wide) at its intersection with the property division line between lands now or formerly of Dale F. and Barbara P. Dawson on the west and

FEB 2 8 1989

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lands herein described on the east, said point of beginning being marked with a capped iron rod set (C.I.R.S.); thence N  $04^{\rm O}-06^{\rm f}-$ OB" W, along said property division line generally following a wire fenceline and stone wall a distance of 496.78 feet to a while fenceline and stone wall a distance of 496.78 feet to a point located at its intersection with the property division line between lands now or formerly of Dale F. and Barbara P. Dawson on the south and lands herein described on the north, said point being marked by an iron pipe found; thence S 87°-35'-21" W, along said division line being in part along a stone wall, a distance of 1296.93 feet to a point located at its intersection with the property division line between lands now or formerly of Warnke on the west and lands herein described on the east, said point also being the southeast corner of Great Lot 76 and marked by a being the southeast corner of Great Lot 76 and marked by a C.I.R.S.; thence N 020-371-08" W along said property division line and the property division line between lands now or formerly of Sanzotta on the west and lands herein described on the east a distance of 797.04 feet to a point, said point marked by a C.I.R.S.; thence through lands of Clarence A. Crane, Jr. and Marion I. Crane d/b/a Crane Brothers the following two (2) marion 1. Crane d/0/a Crane Brothers the following two (2)
courses and distances:
(1) N 85°-51'-37" E, a distance of 2115.37 feet to a point
marked by a C.I.R.S.;
(2) S 01°-32'-53" E, a distance of 1478.67 feet to a point
located in the aforementioned northerly bounds of Westbury
Cut Off Road; said point marked by a C.I.R.S.;

thence westerly along said bounds the following five (5) courses

and distances:

(1) N 79°-58'-01" W, a distance of 71.96 feet to a point;

(2) N 81°-17'-10" W, a distance of 401.27 feet to a point;

(3) N 83°-23'-55" W, a distance of 117.31 feet to a point;

(4) N 87°-40'-48" W, a distance of 81.76 feet to a point;

(5) S 89°-06'-43" W, a distance of 114.36 feet to the point of beginning being 49.93 acres, more or less.

Together with any right, title and/or interest of the owner(s) of the above described parcel in that portion of owner(s) of the above described parcel in that portion of Westbury Cut Off Road lying between its centerline and the above described parcel subject to any easements, restrictions and/or easements of record.

Describing a parcel of land which encompasses the Butler Shock Incarceration Facility.

All as shown on a map entitled "New York State Department of Correctional Services Description and Map for the Acquisition of Property, Wayne County, Butler Correctional Facility, Map No. Parimeter I, Parcel No. Perimeter I" dated October 19, 1988, prepared by ABD Engineers & Surveyors, and filed in the Office of the Clerk of the County of Wayne on January 26, 1989.

TOGETHER with all right, title and interest, if any, of the grantor in and to any strips and gores between the abovedescribed parcel and adjoining owners on the north, south, east and west.

TOGETHER with all right, title and interest of the grantor in and to all rivers, ponds, streams, roads, highways and the land lying within the beds of all rivers, ponds, streams, roads and highways abutting or adjoining the above-described premises.

TOGETHER with (i) an easement over the lands of the grantor for purposes of ingress and egress and (ii) an easement or easements over, under, through and across other lands of grantor for utility line purposes in connection with the operation and maintenance of the lands conveyed herein. All as more specifically set forth in a certain Fifth Amendment to Easement Agreement of even date between grantor and grantee.

TOGETHER with the appurtenances and all the estate, rights and interest of the grantor in said premises.

Subject to the rights of the Paople of the State of New York to operate and maintain existing utility lines that are needed for the operation of the Butler Shock Incarceration Facility.

Subject to all enforceable covenants, easements, and restrictions of record.

Subject to the right of the grantor to reacquire title to the lands herein conveyed as authorized by the Prison Construction Act, Laws of 1983, Chapter 56, as amended.

TO HAVE AND TO HOLD, the above-granted premises unto said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the grantor has caused its seal to be hereunto affixed and these presents to be signed by its duly authorized officers the day and year first above written.

THE PEOPLE OF THE STATE OF NEW YORK

Bv:

Thomas A. Covgbiin III Commissioner Correctional Services

First Deputy Commissioner of General Services

\$\$ :

COUNTY OF ALBANY

On the 22nd day of February, 1989, before me personally came THOMAS A. COUGHLIN III, to me known, who, being by me duly sworn, did depose and say that he is the Commissioner of Correctional Services of the State of New York, the body politic described in and which executed the foregoing instrument; that he had authority to sign the same, and he acknowledged to me that he executed the same as the act and deed of the People of the State of New York for the uses and purposes therein mentioned.

Notary Public-State of New York

GED. A. GLASSANOS Notary Public, State of New York Qualified in Alliany Gounty 89 My Commission Explise 9:30

STATE OF NEW YORK

COUNTY OF ALBANY

\$5:

On the 23rd day of February, 1989, before me personally came ROBERT B. ADAMS, to me known, who, being by me duly sworn, did depose and say that he is the Deputy Commissioner of General Services of the State of New York, the body politic described in and which executed the foregoing instrument; that he had authority to sign the same, and he acknowledged to me that he executed the same as the act and deed of the People of the State of New York for the uses and purposes therein mentioned.

Notary Public State of New York

ANTHONY MUARES
Notery Fublic, State of Novy York
Qualified in Albany County
No. 4817480
Commission Expires August 31, 19 90

APPROVED

, 1989

APPROVED as to form and manner of execution.

For the State Comptroller Land Contract No.

ROBERT ABRAMS Attorney General

By: Assistant Attorney General

RECORD AND RETURN TO:

Henry A. DeCotis, Esq. Assistant Attorney General Real Property Bureau NYS Department of Law State Capitol Albany, New York 12224

Now York State, Wayne County

al (2:42 PM., Liber 534)

of objected page of the said comments.

FOBERT C. OAKS, Waynestourny thank

10UDC 0289

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