



**ANALYTICS CORPORATION**  
 8040 VILLA PARK DRIVE, SUITE 250  
 RICHMOND, VIRGINIA 23228  
 804-264-7100 PHONE  
 800-888-8061 PHONE  
 804-264-8873 FAX  
 WWW.ANALYTICSCORP.COM

Group No. J025-092  
 Account No. 31801020  
 Report Date: 01/26/05

. BRIGHTON  
 NS MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 TONAWANDA, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY

PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Method	Analyst	Date/Time
002 SB-01B	Sample Date: 01/21/05 12:50					
	Dibenzofuran	< 1 mg/kg	1	MCL		01/25/05 21:29
	Diethylphthalate	< 1 mg/kg	1	MCL		01/25/05 21:29
	Dimethyl Phthalate	< 1 mg/kg	1	MCL		01/25/05 21:29
	Fluoranthene	< 1 mg/kg	1	MCL		01/25/05 21:29
	Fluorene	< 1 mg/kg	1	MCL		01/25/05 21:29
	Hexachlorobenzene	< 1 mg/kg	1	MCL		01/25/05 21:29
	Hexachlorobutadiene	< 1 mg/kg	1	MCL		01/25/05 21:29
	Hexachlorocyclopentadiene	< 1 mg/kg	1	MCL		01/25/05 21:29
	Hexachloroethane	< 1 mg/kg	1	MCL		01/25/05 21:29
	Indeno (1, 2, 3-cd) Pyrene	< 1 mg/kg	1	MCL		01/25/05 21:29
	N-Nitroso-Di-n-Propylamine	< 1 mg/kg	1	MCL		01/25/05 21:29
	N-Nitrosodiphenylamine	< 1 mg/kg	1	MCL		01/25/05 21:29
	Naphthalene	< 1 mg/kg	1	MCL		01/25/05 21:29
	Nitrobenzene	< 1 mg/kg	1	MCL		01/25/05 21:29
	Pentachlorophenol	< 4 mg/kg	4	MCL		01/25/05 21:29
	Phenanthrene	< 1 mg/kg	1	MCL		01/25/05 21:29
	Phenol	< 1 mg/kg	1	MCL		01/25/05 21:29
	Pyrene	< 1 mg/kg	1	MCL		01/25/05 21:29
	bis(-2-Chloroethoxy)Methane	< 1 mg/kg	1	MCL		01/25/05 21:29
	bis(-2-Chloroethyl) Ether	< 1 mg/kg	1	MCL		01/25/05 21:29
	bis(2-Chloroisopropyl) Ether	< 1 mg/kg	1	MCL		01/25/05 21:29
	bis(2-Ethylhexyl) Phthalate	< 1 mg/kg	1	MCL		01/25/05 21:29
	8260 Volatile Organics					
	1,1 Dichloroethane	< 50 ug/kg	50	MTS		01/25/05 17:30
	1,1 Dichloroethene	< 50 ug/kg	50	MTS		01/25/05 17:30
	1,1 Dichloropropene	< 50 ug/kg	50	MTS		01/25/05 17:30
	1,1,1 Trichloroethane	< 50 ug/kg	50	MTS		01/25/05 17:30



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Group No. J025-092  
Account No. 31801020  
Report Date: 01/26/05

P. BRIGHTON  
CONS MANAGEMENT CORP  
SUITE 308  
350 WEST OLD COUNTRY ROAD  
WICKSVILLE, NY 11801

Final Report

Date Received: 01/25/05 14:44  
Sample Type: 4 - Soil Sample(s)  
Project: ACADIA BROADWAY NY PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Analyst	Date/Time
002 SB-01B	Sample Date:	01/21/05 12:50			
	1,1,1,2 Tetrachloroethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,1,2 Trichloroethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,1,2,2 Tetrachloroethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,2 Dibromo-3-Chloropropane	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,2 Dibromoethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,2 Dichlorobenzene	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,2 Dichloroethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,2 Dichloropropane	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,2,3 Trichlorobenzene	< 500 ug/kg	500	MTS	01/25/05 17:30
	1,2,3 Trichloropropane	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,2,4 Trichlorobenzene	< 500 ug/kg	500	MTS	01/25/05 17:30
	1,2,4 Trimethylbenzene	36500 ug/kg	500	MTS	01/26/05 10:34
	1,3 Dichlorobenzene	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,3 Dichloropropane	< 50 ug/kg	50	MTS	01/25/05 17:30
	1,3,5 Trimethylbenzene	13000 ug/kg	500	MTS	01/26/05 10:34
	1,4 Dichlorobenzene	< 50 ug/kg	50	MTS	01/25/05 17:30
	2,2-Dichloropropane	< 50 ug/kg	50	MTS	01/25/05 17:30
	2-Butanone	< 50 ug/kg	50	MTS	01/25/05 17:30
	2-Chloroethyl Vinyl Ether	< 50 ug/kg	50	MTS	01/25/05 17:30
	2-Chlorotoluene	< 50 ug/kg	50	MTS	01/25/05 17:30
	2-Hexanone	< 50 ug/kg	50	MTS	01/25/05 17:30
	4-Chlorotoluene	< 50 ug/kg	50	MTS	01/25/05 17:30
	4-Methyl-2-Pentanone	< 50 ug/kg	50	MTS	01/25/05 17:30
	Acetone	< 250 ug/kg	250	MTS	01/25/05 17:30
	Acetonitrile	< 50 ug/kg	50	MTS	01/25/05 17:30
	Acrolein	< 50 ug/kg	50	MTS	01/25/05 17:30
	Acrylonitrile	< 50 ug/kg	50	MTS	01/25/05 17:30
	Benzene	< 50 ug/kg	50	MTS	01/25/05 17:30



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W. BRIGHTON  
 WASTE MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 WICKSVILLE, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY

PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Analyst	Analysis Date/Time
002 SB-01B	Sample Date:	01/21/05 12:50			
	Bromobenzene	< 50 ug/kg	50	MTS	01/25/05 17:30
	Bromochloromethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	Bromodichloromethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	Bromoform	< 50 ug/kg	50	MTS	01/25/05 17:30
	Bromomethane	< 500 ug/kg	500	MTS	01/25/05 17:30
	Carbon Tetrachloride	< 50 ug/kg	50	MTS	01/25/05 17:30
	Carbon disulfide	< 50 ug/kg	50	MTS	01/25/05 17:30
	Chlorobenzene	< 50 ug/kg	50	MTS	01/25/05 17:30
	Chlorodibromomethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	Chloroethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	Chloroform	< 50 ug/kg	50	MTS	01/25/05 17:30
	Chloromethane	< 500 ug/kg	500	MTS	01/25/05 17:30
	Cis-1,2 Dichloroethene	< 50 ug/kg	50	MTS	01/25/05 17:30
	Cis-1,3 Dichloropropene	< 50 ug/kg	50	MTS	01/25/05 17:30
	Dibromomethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	Dichlorodifluoromethane	< 50 ug/kg	50	MTS	01/25/05 17:30
	Ethyl methacrylate	< 50 ug/kg	50	MTS	01/25/05 17:30
	Ethylbenzene	2540 ug/kg	50	MTS	01/25/05 17:30
	Hexachlorobutadiene	< 500 ug/kg	500	MTS	01/25/05 17:30
	Iodomethane	< 500 ug/kg	500	MTS	01/25/05 17:30
	Isopropyl Ether	< 50 ug/kg	50	MTS	01/25/05 17:30
	Isopropyl benzene	1490 ug/kg	50	MTS	01/25/05 17:30
	m,p Xylene	6980 ug/kg	100	MTS	01/25/05 17:30
	Methacrylonitrile	< 50 ug/kg	50	MTS	01/25/05 17:30
	Methyl methacrylate	< 50 ug/kg	50	MTS	01/25/05 17:30
	Methyl t-Butyl Ether	< 50 ug/kg	50	MTS	01/25/05 17:30
	Methylene Chloride	< 50 ug/kg	50	MTS	01/25/05 17:30
	N-Butylbenzene	3050 ug/kg	50	MTS	01/25/05 17:30





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 WASTE MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
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Final Report

Sample Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis	Analyst	Date/Time
J02 SB-01B	Sample Date: 01/21/05 12:50					
	N-Propylbenzene	4530 ug/kg	50	MTS		01/25/05 17:30
	Naphthalene	2080 ug/kg	500	MTS		01/25/05 17:30
	O-Xylene	2010 ug/kg	50	MTS		01/25/05 17:30
	P-Isopropyltoluene	1400 ug/kg	50	MTS		01/25/05 17:30
	Sec-Butylbenzene	< 50 ug/kg	50	MTS		01/25/05 17:30
	Styrene	< 50 ug/kg	50	MTS		01/25/05 17:30
	Tert-Butylbenzene	< 50 ug/kg	50	MTS		01/25/05 17:30
	Tetrachloroethene	< 50 ug/kg	50	MTS		01/25/05 17:30
	Toluene	< 50 ug/kg	50	MTS		01/25/05 17:30
	Trans-1,2 Dichloroethene	< 50 ug/kg	50	MTS		01/25/05 17:30
	Trans-1,3 Dichloropropene	< 50 ug/kg	50	MTS		01/25/05 17:30
	Trichloroethene	< 50 ug/kg	50	MTS		01/25/05 17:30
	Trichlorofluoromethane	< 50 ug/kg	50	MTS		01/25/05 17:30
	Vinyl Chloride	< 50 ug/kg	50	MTS		01/25/05 17:30
	Vinyl acetate	< 50 ug/kg	50	MTS		01/25/05 17:30

J03 SB-02A	Sample Date: 01/21/05 13:30					
	8270 Extraction	Complt	--	TDJ		01/25/05 16:58
	Percent Moisture	14.1 %	.5	JRM		01/25/05 11:01
	Semi-volatile Organics by Method 8270					
	1,2,4-Trichlorobenzene	< 1 mg/kg	1	MCL		01/25/05 22:03
	1,2-Dichlorobenzene	< 1 mg/kg	1	MCL		01/25/05 22:03
	1,3-Dichlorobenzene	< 1 mg/kg	1	MCL		01/25/05 22:03
	1,4-Dichlorobenzene	< 1 mg/kg	1	MCL		01/25/05 22:03
	2,4,5-Trichlorophenol	< 1 mg/kg	1	MCL		01/25/05 22:03



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 Account No. 31801020  
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W. BRIGHTON  
 ENVIRONMENTAL MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 TONAWANDA, NY 11801

Final Report

Date Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY

PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis	Analyst	Date/Time
003	SB-02A	Sample Date: 01/21/05 13:30				
	2,4,6-Trichlorophenol	< 1 mg/kg	1	MCL		01/25/05 22:03
	2,4-Dichlorophenol	< 1 mg/kg	1	MCL		01/25/05 22:03
	2,4-Dimethylphenol	< 1 mg/kg	1	MCL		01/25/05 22:03
	2,4-Dinitrophenol	< 4 mg/kg	4	MCL		01/25/05 22:03
	2,4-Dinitrotoluene	< 1 mg/kg	1	MCL		01/25/05 22:03
	2,6-Dinitrotoluene	< 1 mg/kg	1	MCL		01/25/05 22:03
	2-Chloronaphthalene	< 1 mg/kg	1	MCL		01/25/05 22:03
	2-Chlorophenol	< 1 mg/kg	1	MCL		01/25/05 22:03
	2-Methylnaphthalene	< 1 mg/kg	1	MCL		01/25/05 22:03
	2-Methylphenol	< 1 mg/kg	1	MCL		01/25/05 22:03
	2-Nitroaniline	< 1 mg/kg	1	MCL		01/25/05 22:03
	2-Nitrophenol	< 1 mg/kg	1	MCL		01/25/05 22:03
	3,3'-Dichlorobenzidine	< 1 mg/kg	1	MCL		01/25/05 22:03
	3-Nitroaniline	< 2 mg/kg	2	MCL		01/25/05 22:03
	4,6-Dinitro-2-Methylphenol	< 4 mg/kg	4	MCL		01/25/05 22:03
	4-Bromophenyl-phenylether	< 1 mg/kg	1	MCL		01/25/05 22:03
	4-Chloro-3-Methylphenol	< 1 mg/kg	1	MCL		01/25/05 22:03
	4-Chloroaniline	< 1 mg/kg	1	MCL		01/25/05 22:03
	4-Chlorophenyl-phenylether	< 1 mg/kg	1	MCL		01/25/05 22:03
	4-Methylphenol	< 1 mg/kg	1	MCL		01/25/05 22:03
	4-Nitroaniline	< 1 mg/kg	1	MCL		01/25/05 22:03
	4-Nitrophenol	< 1 mg/kg	1	MCL		01/25/05 22:03
	Acenaphthene	< 1 mg/kg	1	MCL		01/25/05 22:03
	Acenaphthylene	< 1 mg/kg	1	MCL		01/25/05 22:03
	Anthracene	< 1 mg/kg	1	MCL		01/25/05 22:03
	Benzo(a) Anthracene	< 1 mg/kg	1	MCL		01/25/05 22:03
	Benzo(a) Pyrene	< 1 mg/kg	1	MCL		01/25/05 22:03
	Benzo(b) Fluoranthene	< 1 mg/kg	1	MCL		01/25/05 22:03



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Group No. J025-092  
 Account No. 31801020  
 Report Date: 01/26/05

BRIGHTON  
 NS MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 TONAWANDA, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY PO Number:

Lab	Parameter	Concentration	PQL	Analysis	Analyst Date/Time
J03	SB-02A	Sample Date: 01/21/05 13:30			
	Benzo(g,h,i)Perylene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Benzo(k)Fluoranthene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Benzoic Acid	< 4 mg/kg	4	MCL	01/25/05 22:03
	Benzyl Alcohol	< 1 mg/kg	1	MCL	01/25/05 22:03
	Butylbenzylphthalate	< 1 mg/kg	1	MCL	01/25/05 22:03
	Chrysene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Di-N-Butylphthalate	< 4 mg/kg	4	MCL	01/25/05 22:03
	Di-n-Octyl Phthalate	< 1 mg/kg	1	MCL	01/25/05 22:03
	Dibenzo(a,h)Anthracene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Dibenzofuran	< 1 mg/kg	1	MCL	01/25/05 22:03
	Diethylphthalate	< 1 mg/kg	1	MCL	01/25/05 22:03
	Dimethyl Phthalate	< 1 mg/kg	1	MCL	01/25/05 22:03
	Fluoranthene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Fluorene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Hexachlorobenzene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Hexachlorobutadiene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Hexachlorocyclopentadiene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Hexachloroethane	< 1 mg/kg	1	MCL	01/25/05 22:03
	Indeno(1,2,3-cd)Pyrene	< 1 mg/kg	1	MCL	01/25/05 22:03
	N-Nitroso-Di-n-Propylamine	< 1 mg/kg	1	MCL	01/25/05 22:03
	N-Nitrosodiphenylamine	< 1 mg/kg	1	MCL	01/25/05 22:03
	Naphthalene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Nitrobenzene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Pentachlorophenol	< 4 mg/kg	4	MCL	01/25/05 22:03
	Phenanthrene	< 1 mg/kg	1	MCL	01/25/05 22:03
	Phenol	< 1 mg/kg	1	MCL	01/25/05 22:03
	Pyrene	< 1 mg/kg	1	MCL	01/25/05 22:03
	bis(-2-Chloroethoxy)Methane	< 1 mg/kg	1	MCL	01/25/05 22:03



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Group No. J025-092  
 Account No. 31801020  
 Report Date: 01/26/05

BRIGTON  
 NS MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 WICKSVILLE, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY PO Number:

Lab	Parameter	Concentration	PQL	Analysis	Analyst Date/Time
003	SB-02A	Sample Date: 01/21/05 13:30			
	bis(-2-Chloroethyl) Ether	< 1 mg/kg	1	MCL	01/25/05 22:03
	bis(2-Chloroisopropyl) Ether	< 1 mg/kg	1	MCL	01/25/05 22:03
	bis(2-Ethylhexyl) Phthalate	< 1 mg/kg	1	MCL	01/25/05 22:03
	8260 Volatile Organics				
	1,1 Dichloroethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,1 Dichloroethene	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,1 Dichloropropene	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,1,1 Trichloroethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,1,1,2 Tetrachloroethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,1,2 Trichloroethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,1,2,2 Tetrachloroethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,2 Dibromo-3-Chloropropane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,2 Dibromoethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,2 Dichlorobenzene	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,2 Dichloroethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,2 Dichloropropane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,2,3 Trichlorobenzene	< 500 ug/kg	500	MTS	01/25/05 16:29
	1,2,3 Trichloropropane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,2,4 Trichlorobenzene	< 500 ug/kg	500	MTS	01/25/05 16:29
	1,2,4 Trimethylbenzene	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,3 Dichlorobenzene	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,3 Dichloropropane	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,3,5 Trimethylbenzene	< 50 ug/kg	50	MTS	01/25/05 16:29
	1,4 Dichlorobenzene	< 50 ug/kg	50	MTS	01/25/05 16:29
	2,2-Dichloropropane	< 50 ug/kg	50	MTS	01/25/05 16:29
	2-Butanone	< 50 ug/kg	50	MTS	01/25/05 16:29
	2-Chloroethyl Vinyl Ether	< 50 ug/kg	50	MTS	01/25/05 16:29

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SUITE 308  
50 WEST OLD COUNTRY ROAD  
TICKSVILLE, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
Sample Type: 4 - Soil Sample(s)  
Project: ACADIA BROADWAY NY PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Analyst	Analysis Date/Time
003	SB-02A	Sample Date: 01/21/05 13:30			
	2-Chlorotoluene	< 50 ug/kg	50	MTS	01/25/05 16:29
	2-Hexanone	< 50 ug/kg	50	MTS	01/25/05 16:29
	4-Chlorotoluene	< 50 ug/kg	50	MTS	01/25/05 16:29
	4-Methyl-2-Pentanone	< 50 ug/kg	50	MTS	01/25/05 16:29
	Acetone	< 250 ug/kg	250	MTS	01/25/05 16:29
	Acetonitrile	< 50 ug/kg	50	MTS	01/25/05 16:29
	Acrolein	< 50 ug/kg	50	MTS	01/25/05 16:29
	Acrylonitrile	< 50 ug/kg	50	MTS	01/25/05 16:29
	Benzene	< 50 ug/kg	50	MTS	01/25/05 16:29
	Bromobenzene	< 50 ug/kg	50	MTS	01/25/05 16:29
	Bromochloromethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	Bromodichloromethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	Bromoform	< 50 ug/kg	50	MTS	01/25/05 16:29
	Bromomethane	< 500 ug/kg	500	MTS	01/25/05 16:29
	Carbon Tetrachloride	< 50 ug/kg	50	MTS	01/25/05 16:29
	Carbon disulfide	< 50 ug/kg	50	MTS	01/25/05 16:29
	Chlorobenzene	< 50 ug/kg	50	MTS	01/25/05 16:29
	Chlorodibromomethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	Chloroethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	Chloroform	< 50 ug/kg	50	MTS	01/25/05 16:29
	Chloromethane	< 500 ug/kg	500	MTS	01/25/05 16:29
	Cis-1,2 Dichloroethene	< 50 ug/kg	50	MTS	01/25/05 16:29
	Cis-1,3 Dichloropropene	< 50 ug/kg	50	MTS	01/25/05 16:29
	Dibromomethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	Dichlorodifluoromethane	< 50 ug/kg	50	MTS	01/25/05 16:29
	Ethyl methacrylate	< 50 ug/kg	50	MTS	01/25/05 16:29
	Ethylbenzene	< 50 ug/kg	50	MTS	01/25/05 16:29
	Hexachlorobutadiene	< 500 ug/kg	500	MTS	01/25/05 16:29





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Group No. J025-092  
Account No. 31801020  
Report Date: 01/26/05

BRIGHTON  
NS MANAGEMENT CORP  
SUITE 308  
50 WEST OLD COUNTRY ROAD  
ICKSVILLE, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
Sample Type: 4 - Soil Sample(s)  
Project: ACADIA BROADWAY NY PO Number:

Lab	Parameter	Concentration	PQL	Analysis	Analyst	Date/Time
J03	SB-02A	Sample Date: 01/21/05 13:30				
	Iodomethane	< 500 ug/kg	500	MTS		01/25/05 16:29
	Isopropyl Ether	< 50 ug/kg	50	MTS		01/25/05 16:29
	Isopropyl benzene	< 50 ug/kg	50	MTS		01/25/05 16:29
	M,P Xylene	< 100 ug/kg	100	MTS		01/25/05 16:29
	Methacrylonitrile	< 50 ug/kg	50	MTS		01/25/05 16:29
	Methyl methacrylate	< 50 ug/kg	50	MTS		01/25/05 16:29
	Methyl t-Butyl Ether	< 50 ug/kg	50	MTS		01/25/05 16:29
	Methylene Chloride	< 50 ug/kg	50	MTS		01/25/05 16:29
	N-Butylbenzene	< 50 ug/kg	50	MTS		01/25/05 16:29
	N-Propylbenzene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Naphthalene	< 500 ug/kg	500	MTS		01/25/05 16:29
	O-Xylene	< 50 ug/kg	50	MTS		01/25/05 16:29
	P-Isopropyltoluene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Sec-Butylbenzene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Styrene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Tert-Butylbenzene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Tetrachloroethene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Toluene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Trans-1,2 Dichloroethene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Trans-1,3 Dichloropropene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Trichloroethene	< 50 ug/kg	50	MTS		01/25/05 16:29
	Trichlorofluoromethane	< 50 ug/kg	50	MTS		01/25/05 16:29
	Vinyl Chloride	< 50 ug/kg	50	MTS		01/25/05 16:29
	Vinyl acetate	< 50 ug/kg	50	MTS		01/25/05 16:29

J04 SB-04A Sample Date: 01/21/05 14:15





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 Account No. 31801020  
 Report Date: 01/26/05

. BRIGHTON  
 NS MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 TONAWANDA, NY 11801

Final Report

Date Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY

PO Number:

Lab	Parameter	Concentration	PQL	Analysis Analyst	Date/Time
004 SB-04A	Sample Date: 01/21/05 14:15				
	8270 Extraction	Complt	--	TDJ	01/25/05 16:58
	Percent Moisture	21.4 %	.5	JRM	01/25/05 11:01
	Semi-volatile Organics by Method 8270				
	1,2,4-Trichlorobenzene	< 1 mg/kg	1	MCL	01/25/05 22:37
	1,2-Dichlorobenzene	< 1 mg/kg	1	MCL	01/25/05 22:37
	1,3-Dichlorobenzene	< 1 mg/kg	1	MCL	01/25/05 22:37
	1,4-Dichlorobenzene	< 1 mg/kg	1	MCL	01/25/05 22:37
	2,4,5-Trichlorophenol	< 1 mg/kg	1	MCL	01/25/05 22:37
	2,4,6-Trichlorophenol	< 1 mg/kg	1	MCL	01/25/05 22:37
	2,4-Dichlorophenol	< 1 mg/kg	1	MCL	01/25/05 22:37
	2,4-Dimethylphenol	< 1 mg/kg	1	MCL	01/25/05 22:37
	2,4-Dinitrophenol	< 4 mg/kg	4	MCL	01/25/05 22:37
	2,4-Dinitrotoluene	< 1 mg/kg	1	MCL	01/25/05 22:37
	2,6-Dinitrotoluene	< 1 mg/kg	1	MCL	01/25/05 22:37
	2-Chloronaphthalene	< 1 mg/kg	1	MCL	01/25/05 22:37
	2-Chlorophenol	< 1 mg/kg	1	MCL	01/25/05 22:37
	2-Methylnaphthalene	< 1 mg/kg	1	MCL	01/25/05 22:37
	2-Methylphenol	< 1 mg/kg	1	MCL	01/25/05 22:37
	2-Nitroaniline	< 1 mg/kg	1	MCL	01/25/05 22:37
	2-Nitrophenol	< 1 mg/kg	1	MCL	01/25/05 22:37
	3,3'-Dichlorobenzidine	< 1 mg/kg	1	MCL	01/25/05 22:37
	3-Nitroaniline	< 2 mg/kg	2	MCL	01/25/05 22:37
	4,6-Dinitro-2-Methylphenol	< 4 mg/kg	4	MCL	01/25/05 22:37
	4-Bromophenyl-phenylether	< 1 mg/kg	1	MCL	01/25/05 22:37
	4-Chloro-3-Methylphenol	< 1 mg/kg	1	MCL	01/25/05 22:37
	4-Chloroaniline	< 1 mg/kg	1	MCL	01/25/05 22:37
	4-Chlorophenyl-phenylether	< 1 mg/kg	1	MCL	01/25/05 22:37

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Group No. J025-092  
Account No. 31801020  
Report Date: 01/26/05

W. BRIGHTON  
WASTE MANAGEMENT CORP  
SUITE 308  
50 WEST OLD COUNTRY ROAD  
TICKSVILLE, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
Sample Type: 4 - Soil Sample(s)  
Project: ACADIA BROADWAY NY PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis	Analyst	Date/Time
004 SB-04A	Sample Date: 01/21/05 14:15					
	4-Methylphenol	< 1 mg/kg	1	MCL		01/25/05 22:37
	4-Nitroaniline	< 1 mg/kg	1	MCL		01/25/05 22:37
	4-Nitrophenol	< 1 mg/kg	1	MCL		01/25/05 22:37
	Acenaphthene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Acenaphthylene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Anthracene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Benzo(a)Anthracene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Benzo(a)Pyrene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Benzo(b)Fluoranthene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Benzo(g,h,i)Perylene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Benzo(k)Fluoranthene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Benzoic Acid	< 4 mg/kg	4	MCL		01/25/05 22:37
	Benzyl Alcohol	< 1 mg/kg	1	MCL		01/25/05 22:37
	Butylbenzylphthalate	< 1 mg/kg	1	MCL		01/25/05 22:37
	Chrysene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Di-N-Butylphthalate	< 4 mg/kg	4	MCL		01/25/05 22:37
	Di-n-Octyl Phthalate	< 1 mg/kg	1	MCL		01/25/05 22:37
	Dibenzo(a,h)Anthracene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Dibenzofuran	< 1 mg/kg	1	MCL		01/25/05 22:37
	Diethylphthalate	< 1 mg/kg	1	MCL		01/25/05 22:37
	Dimethyl Phthalate	< 1 mg/kg	1	MCL		01/25/05 22:37
	Fluoranthene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Fluorene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Hexachlorobenzene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Hexachlorobutadiene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Hexachlorocyclopentadiene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Hexachloroethane	< 1 mg/kg	1	MCL		01/25/05 22:37
	Indeno(1,2,3-cd)Pyrene	< 1 mg/kg	1	MCL		01/25/05 22:37



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Group No. J025-092  
 Account No. 31801020  
 Report Date: 01/26/05

W. BRIGHTON  
 ENVIRONMENTAL MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 TONAWANDA, NY 11801

Final Report

Date Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY

PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Method	Analyst	Date/Time
004	SB-04A	Sample Date: 01/21/05 14:15				
	N-Nitroso-Di-n-Propylamine	< 1 mg/kg	1	MCL		01/25/05 22:37
	N-Nitrosodiphenylamine	< 1 mg/kg	1	MCL		01/25/05 22:37
	Naphthalene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Nitrobenzene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Pentachlorophenol	< 4 mg/kg	4	MCL		01/25/05 22:37
	Phenanthrene	< 1 mg/kg	1	MCL		01/25/05 22:37
	Phenol	< 1 mg/kg	1	MCL		01/25/05 22:37
	Pyrene	< 1 mg/kg	1	MCL		01/25/05 22:37
	bis(-2-Chloroethoxy)Methane	< 1 mg/kg	1	MCL		01/25/05 22:37
	bis(-2-Chloroethyl) Ether	< 1 mg/kg	1	MCL		01/25/05 22:37
	bis(2-Chloroisopropyl) Ether	< 1 mg/kg	1	MCL		01/25/05 22:37
	bis(2-Ethylhexyl) Phthalate	< 1 mg/kg	1	MCL		01/25/05 22:37
	8260 Volatile Organics					
	1,1 Dichloroethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,1 Dichloroethene	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,1 Dichloropropene	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,1,1 Trichloroethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,1,1,2 Tetrachloroethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,1,2 Trichloroethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,1,2,2 Tetrachloroethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,2 Dibromo-3-Chloropropane	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,2 Dibromoethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,2 Dichlorobenzene	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,2 Dichloroethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,2 Dichloropropane	< 50 ug/kg	50	MTS		01/25/05 17:00
	1,2,3 Trichlorobenzene	< 500 ug/kg	500	MTS		01/25/05 17:00
	1,2,3 Trichloropropane	< 50 ug/kg	50	MTS		01/25/05 17:00



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 NS MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 TONAWANDA, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY

PO Number:

Lab	Parameter	Concentration	PQL	Analysis Analyst	Analysis Date/Time
004	SB-04A	Sample Date: 01/21/05 14:15			
	1,2,4 Trichlorobenzene	< 500 ug/kg	500	MTS	01/25/05 17:00
	1,2,4 Trimethylbenzene	< 50 ug/kg	50	MTS	01/25/05 17:00
	1,3 Dichlorobenzene	< 50 ug/kg	50	MTS	01/25/05 17:00
	1,3 Dichloropropane	< 50 ug/kg	50	MTS	01/25/05 17:00
	1,3,5 Trimethylbenzene	< 50 ug/kg	50	MTS	01/25/05 17:00
	1,4 Dichlorobenzene	< 50 ug/kg	50	MTS	01/25/05 17:00
	2,2-Dichloropropane	< 50 ug/kg	50	MTS	01/25/05 17:00
	2-Butanone	< 50 ug/kg	50	MTS	01/25/05 17:00
	2-Chloroethyl Vinyl Ether	< 50 ug/kg	50	MTS	01/25/05 17:00
	2-Chlorotoluene	< 50 ug/kg	50	MTS	01/25/05 17:00
	2-Hexanone	< 50 ug/kg	50	MTS	01/25/05 17:00
	4-Chlorotoluene	< 50 ug/kg	50	MTS	01/25/05 17:00
	4-Methyl-2-Pentanone	< 50 ug/kg	50	MTS	01/25/05 17:00
	Acetone	< 250 ug/kg	250	MTS	01/25/05 17:00
	Acetonitrile	< 50 ug/kg	50	MTS	01/25/05 17:00
	Acrolein	< 50 ug/kg	50	MTS	01/25/05 17:00
	Acrylonitrile	< 50 ug/kg	50	MTS	01/25/05 17:00
	Benzene	< 50 ug/kg	50	MTS	01/25/05 17:00
	Bromobenzene	< 50 ug/kg	50	MTS	01/25/05 17:00
	Bromochloromethane	< 50 ug/kg	50	MTS	01/25/05 17:00
	Bromodichloromethane	< 50 ug/kg	50	MTS	01/25/05 17:00
	Bromoform	< 50 ug/kg	50	MTS	01/25/05 17:00
	Bromomethane	< 500 ug/kg	500	MTS	01/25/05 17:00
	Carbon Tetrachloride	< 50 ug/kg	50	MTS	01/25/05 17:00
	Carbon disulfide	< 50 ug/kg	50	MTS	01/25/05 17:00
	Chlorobenzene	< 50 ug/kg	50	MTS	01/25/05 17:00
	Chlorodibromomethane	< 50 ug/kg	50	MTS	01/25/05 17:00
	Chloroethane	< 50 ug/kg	50	MTS	01/25/05 17:00



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.BRIGHTON  
NS MANAGEMENT CORP  
SUITE 308  
50 WEST OLD COUNTRY ROAD  
WICKSVILLE, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
Sample Type: 4 - Soil Sample(s)  
Project: ACADIA BROADWAY NY PO Number:

Lab	Parameter	Concentration	PQL	Analysis	Analyst	Date/Time
004	SB-04A	Sample Date: 01/21/05 14:15				
	Chloroform	< 50 ug/kg	50	MTS		01/25/05 17:00
	Chloromethane	< 500 ug/kg	500	MTS		01/25/05 17:00
	Cis-1,2 Dichloroethene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Cis-1,3 Dichloropropene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Dibromomethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	Dichlorodifluoromethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	Ethyl methacrylate	< 50 ug/kg	50	MTS		01/25/05 17:00
	Ethylbenzene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Hexachlorobutadiene	< 500 ug/kg	500	MTS		01/25/05 17:00
	Iodomethane	< 500 ug/kg	500	MTS		01/25/05 17:00
	Isopropyl Ether	< 50 ug/kg	50	MTS		01/25/05 17:00
	Isopropyl benzene	< 50 ug/kg	50	MTS		01/25/05 17:00
	M,P Xylene	< 100 ug/kg	100	MTS		01/25/05 17:00
	Methacrylonitrile	< 50 ug/kg	50	MTS		01/25/05 17:00
	Methyl methacrylate	< 50 ug/kg	50	MTS		01/25/05 17:00
	Methyl t-Butyl Ether	< 50 ug/kg	50	MTS		01/25/05 17:00
	Methylene Chloride	< 50 ug/kg	50	MTS		01/25/05 17:00
	N-Butylbenzene	< 50 ug/kg	50	MTS		01/25/05 17:00
	N-Propylbenzene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Naphthalene	< 500 ug/kg	500	MTS		01/25/05 17:00
	O-Xylene	< 50 ug/kg	50	MTS		01/25/05 17:00
	P-Isopropyltoluene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Sec-Butylbenzene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Styrene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Tert-Butylbenzene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Tetrachloroethene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Toluene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Trans-1,2 Dichloroethene	< 50 ug/kg	50	MTS		01/25/05 17:00



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 NS MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 WICKSVILLE, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY PO Number:

Lab	Parameter	Concentration	PQL	Analysis	Analyst	Date/Time
004	SB-04A	Sample Date: 01/21/05 14:15				
	Trans-1,3 Dichloropropene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Trichloroethene	< 50 ug/kg	50	MTS		01/25/05 17:00
	Trichlorofluoromethane	< 50 ug/kg	50	MTS		01/25/05 17:00
	Vinyl Chloride	< 50 ug/kg	50	MTS		01/25/05 17:00
	Vinyl acetate	< 50 ug/kg	50	MTS		01/25/05 17:00

025-092-001 and -002 analyzed by Method 8260 had recoveries for bromofluoromethane below QC limits.

1e matrix spike analyzed by Method 8260 had recovery for the following compounds below QC limits: Benzene, Toluene, and Chlorobenzene.

1e matrix spike duplicate analyzed by Method 8260 had recovery for luene and Chlorobenzene below QC limits.

Report Limit=PQL=Practical Quantitation Limit; DL=Lowest reportable value

Abbreviations: ug/L = micrograms per liter, mg/L = milligrams per liter, ug/g = micrograms per gram, mg/kg = milligrams per kilogram, ug/wp = ug/wipe, ug/ml = micrograms per milliliter, PQL = Practical Quantitation Limit. MS = microsiemens/centimeter at 25 degrees Celsius, ppb = parts per billion.



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NS MANAGEMENT CORP  
SUITE 308  
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Final Report

Summary of Analytical Methods

Compound Name	Analytical Method	Abbreviation
.1 Dichloroethane	SW846 Method 8260B/5035	1,1 DCE
.1 Dichloroethene	SW846 Method 8260B/5035	1,1 DCENE
.1 Dichloropropene	SW846 Method 8260B/5035	1,1 DCPENE
.1,1 Trichloroethane	SW846 Method 8260B/5035	1,1,1 TCE
.1,1,2 Tetrachloroethane	SW846 Method 8260B/5035	1,1,1,2 TETCH
1,2 Trichloroethane	SW846 Method 8260B/5035	1,1,2 TCE
1,2,2 Tetrachloroethane	SW846 Method 8260B/5035	1,1,2,2 TETCH
2 Dibromo-3-Chloropropane	SW846 Method 8260B/5035	DBCP
2 Dibromoethane	SW846 Method 8260B/5035	1,2 DBE
2 Dichlorobenzene	SW846 Method 8260B/5035	1,2 DCB
2 Dichloroethane	SW846 Method 8260B/5035	1,2 DCE
2 Dichloropropane	SW846 Method 8260B/5035	1,2 DCP
2,3 Trichlorobenzene	SW846 Method 8260B/5035	1,2,3 TCB
2,3 Trichloropropane	SW846 Method 8260B/5035	1,2,3 TCP
2,4 Trichlorobenzene	SW846 Method 8260B/5035	1,2,4 TCB
2,4 Trimethylbenzene	SW846 Method 8260B/5035	1,2,4 TMB
3 Dichlorobenzene	SW846 Method 8260B/5035	1,3 DCB
3 Dichloropropane	SW846 Method 8260B/5035	1,3 DCP
3,5 Trimethylbenzene	SW846 Method 8260B/5035	1,3,5 TMB
4 Dichlorobenzene	SW846 Method 8260B/5035	1,4 DCB
2-Dichloropropane	SW846 Method 8260B/5035	2,2 DCP
Butanone	SW846 Method 8260B/5035	----
Chloroethyl Vinyl Ether	SW846 Method 8260B/5035	----
Chlorotoluene	SW846 Method 8260B/5035	2-CHLTOL
Hexanone	SW846 Method 8260B/5035	----
Chlorotoluene	SW846 Method 8260B/5035	----
Methyl-2-Pentanone	SW846 Method 8260B/5035	----
acetone	SW846 Method 8260B/5035	----
acetonitrile	SW846 Method 8260B/5035	----
acrolein	SW846 Method 8260B/5035	----
acrylonitrile	SW846 Method 8260B/5035	----
benzene	SW846 Method 8260B/5035	----





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Group No. J025-092  
 Account No. 31801020  
 Report Date: 01/26/05

W. BRIGHTON  
 WASTE MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 WICKSVILLE, NY 11801

Final Report

Date Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY PO Number:

Analytical Method - continued

004 SB-04A Sample Date: 01/21/05 14:15

Monobenzene	SW846 Method 8260B/5035	----
Monochloromethane	SW846 Method 8260B/5035	BCM
Momodichloromethane	SW846 Method 8260B/5035	BDCM
Momofom	SW846 Method 8260B/5035	----
Momomethane	SW846 Method 8260B/5035	----
Carbon Tetrachloride	SW846 Method 8260B/5035	----
Carbon disulfide	SW846 Method 8260B/5035	CARBON TET
Chlorobenzene	SW846 Method 8260B/5035	----
Chlorodibromomethane	SW846 Method 8260B/5035	CDBM
Chloroethane	SW846 Method 8260B/5035	----
Chloroform	SW846 Method 8260B/5035	----
Chloromethane	SW846 Method 8260B/5035	----
Cis-1,2 Dichloroethene	SW846 Method 8260B/5035	CIS-1,2 DCENE
Cis-1,3 Dichloropropene	SW846 Method 8260B/5035	----
Dibromomethane	SW846 Method 8260B/5035	----
Dichlorodifluoromethane	SW846 Method 8260B/5035	DCDFM
Dihyl methacrylate	SW846 Method 8260B/5035	----
Dihylbenzene	SW846 Method 8260B/5035	----
Dioxachlorobutadiene	SW846 Method 8260B/5035	HCBUTAD
Domomethane	SW846 Method 8260B/5035	----
Dopropyl Ether	SW846 Method 8260B/5035	----
Dopropyl benzene	SW846 Method 8260B/5035	IPB
p Xylene	SW846 Method 8260B/5035	----
Dithacrylonitrile	SW846 Method 8260B/5035	----
Dihyl methacrylate	SW846 Method 8260B/5035	----
Dihyl t-Butyl Ether	SW846 Method 8260B/5035	----
Dihylene Chloride	SW846 Method 8260B/5035	----
Butylbenzene	SW846 Method 8260B/5035	----
Propylbenzene	SW846 Method 8260B/5035	----
Phthalene	SW846 Method 8260B/5035	----
Xylene	SW846 Method 8260B/5035	----
Isopropyltoluene	SW846 Method 8260B/5035	P-IPT



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 Account No. 31801020  
 Report Date: 01/26/05

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 WICKSVILLE, NY 11801

Final Report

Date Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY PO Number:

Analytical Method - continued

004 SB-04A Sample Date: 01/21/05 14:15

sec-Butylbenzene	SW846 Method 8260B/5035	S-BUTYL BENZENE
styrene	SW846 Method 8260B/5035	-----
tert-Butylbenzene	SW846 Method 8260B/5035	TERT-BUTYL BEN
tetrachloroethene	SW846 Method 8260B/5035	TETACHLENE
toluene	SW846 Method 8260B/5035	-----
trans-1,2 Dichloroethene	SW846 Method 8260B/5035	TRANS-1,2 DCENE
trans-1,3 Dichloropropene	SW846 Method 8260B/5035	-----
trichloroethene	SW846 Method 8260B/5035	-----
trichlorofluoromethane	SW846 Method 8260B/5035	TCFM
vinyl Chloride	SW846 Method 8260B/5035	-----
vinyl acetate	SW846 Method 8260B/5035	-----
270 Extraction	SW846 Method 3510/3550	-----
1,2,4-Trichlorobenzene	SW846 Method 8270C	-----
1,2-Dichlorobenzene	SW846 Method 8270C	-----
1,3-Dichlorobenzene	SW846 Method 8270C	-----
1,4-Dichlorobenzene	SW846 Method 8270C	-----
1,4,5-Trichlorophenol	SW846 Method 8270C	-----
1,4,6-Trichlorophenol	SW846 Method 8270C	-----
1,4-Dichlorophenol	SW846 Method 8270C	-----
1,4-Dimethylphenol	SW846 Method 8270C	-----
1,4-Dinitrophenol	SW846 Method 8270C	-----
1,4-Dinitrotoluene	SW846 Method 8270C	-----
1,6-Dinitrotoluene	SW846 Method 8270C	-----
Chloronaphthalene	SW846 Method 8270C	-----
Chlorophenol	SW846 Method 8270C	-----
Methylnaphthalene	SW846 Method 8270C	-----
Methylphenol	SW846 Method 8270C	-----
Nitroaniline	SW846 Method 8270C	-----
Nitrophenol	SW846 Method 8270C	-----
3'-Dichlorobenzidine	SW846 Method 8270C	-----
Nitroaniline	SW846 Method 8270C	-----
2,6-Dinitro-2-Methylphenol	SW846 Method 8270C	-----

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Group No. J025-092  
Account No. 31801020  
Report Date: 01/26/05

BRIGHTON  
WASTE MANAGEMENT CORP  
SUITE 308  
50 WEST OLD COUNTRY ROAD  
ROCKSVILLE, NY 11801

Final Report

Sample Received: 01/25/05 14:44  
Sample Type: 4 - Soil Sample(s)  
Project: ACADIA BROADWAY NY PO Number:

Analytical Method - continued

104 SB-04A Sample Date: 01/21/05 14:15

-Bromophenyl-phenylether	SW846 Method 8270C	----
-Chloro-3-Methylphenol	SW846 Method 8270C	----
-Chloroaniline	SW846 Method 8270C	----
-Chlorophenyl-phenylether	SW846 Method 8270C	----
-Methylphenol	SW846 Method 8270C	----
-Nitronaniline	SW846 Method 8270C	----
-Nitrophenol	SW846 Method 8270C	----
-Benaphthene	SW846 Method 8270C	----
-Benaphthylene	SW846 Method 8270C	----
-Anthracene	SW846 Method 8270C	----
-1,2,3-Anthracene	SW846 Method 8270C	----
-1,2,3-Pyrene	SW846 Method 8270C	----
-1,2,3-Fluoranthene	SW846 Method 8270C	----
-1,2,3,4-Perylene	SW846 Method 8270C	----
-1,2,3-Fluoranthene	SW846 Method 8270C	----
-Benzoic Acid	SW846 Method 8270C	----
-Benzyl Alcohol	SW846 Method 8270C	----
-Ethylbenzylphthalate	SW846 Method 8270C	----
-Naphthalene	SW846 Method 8270C	----
-N-Butylphthalate	SW846 Method 8270C	----
-n-Octyl Phthalate	SW846 Method 8270C	----
-Benzo(a,h)Anthracene	SW846 Method 8270C	----
-Benzofuran	SW846 Method 8270C	----
-Ethylphthalate	SW846 Method 8270C	----
-Methyl Phthalate	SW846 Method 8270C	----
-Fluoranthene	SW846 Method 8270C	----
-Fluorene	SW846 Method 8270C	----
-1,2-Dichlorobenzene	SW846 Method 8270C	----
-1,2-Dichlorobutadiene	SW846 Method 8270C	----
-1,2-Dichlorocyclopentadiene	SW846 Method 8270C	----
-1,2-Dichloroethane	SW846 Method 8270C	----
-1,2,3,4-Pyrene	SW846 Method 8270C	----

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Group No. J025-092  
 Account No. 31801020  
 Report Date: 01/26/05

P. BRIGHTON  
 INS MANAGEMENT CORP  
 SUITE 308  
 150 WEST OLD COUNTRY ROAD  
 WICKSVILLE, NY 11801

Final Report

Date Received: 01/25/05 14:44  
 Sample Type: 4 - Soil Sample(s)  
 Project: ACADIA BROADWAY NY PO Number:

Analytical Method - continued

004 SB-04A Sample Date: 01/21/05 14:15

-Nitroso-Di-n-Propylamine	SW846 Method 8270C	----
-Nitrosodiphenylamine	SW846 Method 8270C	----
naphthalene	SW846 Method 8270C	----
nitrobenzene	SW846 Method 8270C	----
o-chlorophenol	SW846 Method 8270C	----
phenanthrene	SW846 Method 8270C	----
phenol	SW846 Method 8270C	----
pyrene	SW846 Method 8270C	----
is(-2-Chloroethoxy)Methane	SW846 Method 8270C	----
is(-2-Chloroethyl)Ether	SW846 Method 8270C	----
is(2-Chloroisopropyl)Ether	SW846 Method 8270C	----
is(2-Ethylhexyl)Phthalate	SW846 Method 8270C	----
Percent Moisture	SW846 3550 Sec. 7.2	% Moisture

*James A. Casto*  
 James A. Casto  
 Environmental Services

*James A. Calpin*  
 James A. Calpin, CIH  
 Laboratory Director  
 Page 28



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Group No.: J032-013  
Date: 02/25/05

PETER BRIGHTON  
CNS MANAGEMENT CORP  
SUITE 308  
550 WEST OLD COUNTRY ROAD  
HICKSVILLE, NY 11801

The following types of samples were submitted for analysis on February 01, 2005

1 - Soil Sample; 1 - Water

Attached are the results we obtained on the analysis of your samples. Any Chains-of-Custody associated with this sample group are enclosed. Also enclosed is a copy of the Sample Container Receipt Form. The Sample Container Receipt Form documents the condition of the sample upon arrival at the laboratory. The last page of this report is identified by the signature of a designated laboratory manager(s). Any reproduction of this report, except in full, is not permitted without written approval of the laboratory manager and the QA manager.

The analyses performed are based on the referenced method. For details on the analytical process refer to the Standard Operating Procedure for the referenced method. The signatures at the end of this report certify that the results are based on the referenced methods and unless otherwise noted meet the requirements of NELAC.

Unless otherwise specified all analyses of solid materials are based on dry weight.

We appreciate your confidence in allowing Analytics to be your testing laboratory. Any questions regarding this report can be addressed by calling our client services department (800-888-8061).

Thank you for your business.



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Group No. J032-013  
 Account No. 31801020  
 Report Date: 02/25/05

ETER BRIGHTON  
 NS MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 WICKSVILLE, NY 11801

\*\*\*\* FINAL REPORT \*\*\*\*

Sample Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Lab	Parameter	Concentration	PQL	Analysis Analyst	Date/Time
J01	SB-05A 6-10' Sample Date: 01/31/05 10:00				
	8270 Extraction	Complt	--	TDJ	02/11/05 13:11
	Percent Moisture	17.5 %	.5	MTS	02/04/05 09:58
	Semi-volatile Organics by Method 8270				
	1,2,4-Trichlorobenzene	< 1 mg/kg	1	MCL	02/14/05 16:40
	1,2-Dichlorobenzene	< 1 mg/kg	1	MCL	02/14/05 16:40
	1,3-Dichlorobenzene	< 1 mg/kg	1	MCL	02/14/05 16:40
	1,4-Dichlorobenzene	< 1 mg/kg	1	MCL	02/14/05 16:40
	2,4,5-Trichlorophenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	2,4,6-Trichlorophenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	2,4-Dichlorophenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	2,4-Dimethylphenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	2,4-Dinitrophenol	< 4 mg/kg	4	MCL	02/14/05 16:40
	2,4-Dinitrotoluene	< 1 mg/kg	1	MCL	02/14/05 16:40
	2,6-Dinitrotoluene	< 1 mg/kg	1	MCL	02/14/05 16:40
	2-Chloronaphthalene	< 1 mg/kg	1	MCL	02/14/05 16:40
	2-Chlorophenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	2-Methylnaphthalene	< 1 mg/kg	1	MCL	02/14/05 16:40
	2-Methylphenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	2-Nitroaniline	< 1 mg/kg	1	MCL	02/14/05 16:40
	2-Nitrophenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	3,3'-Dichlorobenzidine	< 1 mg/kg	1	MCL	02/14/05 16:40
	3-Nitroaniline	< 2 mg/kg	2	MCL	02/14/05 16:40
	4,6-Dinitro-2-Methylphenol	< 4 mg/kg	4	MCL	02/14/05 16:40
	4-Bromophenyl-phenylether	< 1 mg/kg	1	MCL	02/14/05 16:40
	4-Chloro-3-Methylphenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	4-Chloroaniline	< 1 mg/kg	1	MCL	02/14/05 16:40



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Group No. J032-013  
Account No. 31801020  
Report Date: 02/25/05

ETER BRIGHTON  
NS MANAGEMENT CORP  
SUITE 308  
50 WEST OLD COUNTRY ROAD  
TICKSVILLE, NY 11801

Final Report

Sample Received: 02/01/05 09:42  
Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
Project: E25412 PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Analyst	Date/Time
001	SB-05A 6-10' Sample Date:	01/31/05 10:00			
	4-Chlorophenyl-phenylether	< 1 mg/kg	1	MCL	02/14/05 16:40
	4-Methylphenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	4-Nitroaniline	< 1 mg/kg	1	MCL	02/14/05 16:40
	4-Nitrophenol	< 1 mg/kg	1	MCL	02/14/05 16:40
	Acenaphthene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Acenaphthylene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Anthracene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Benzo(a)Anthracene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Benzo(a)Pyrene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Benzo(b)Fluoranthene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Benzo(g,h,i)Perylene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Benzo(k)Fluoranthene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Benzoic Acid	< 4 mg/kg	4	MCL	02/14/05 16:40
	Benzyl Alcohol	< 1 mg/kg	1	MCL	02/14/05 16:40
	Butylbenzylphthalate	< 1 mg/kg	1	MCL	02/14/05 16:40
	Chrysene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Di-N-Butylphthalate	< 4 mg/kg	4	MCL	02/14/05 16:40
	Di-n-Octyl Phthalate	< 1 mg/kg	1	MCL	02/14/05 16:40
	Dibenzo(a,h)Anthracene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Dibenzofuran	< 1 mg/kg	1	MCL	02/14/05 16:40
	Diethylphthalate	< 1 mg/kg	1	MCL	02/14/05 16:40
	Dimethyl Phthalate	< 1 mg/kg	1	MCL	02/14/05 16:40
	Fluoranthene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Fluorene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Hexachlorobenzene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Hexachlorobutadiene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Hexachlorocyclopentadiene	< 1 mg/kg	1	MCL	02/14/05 16:40
	Hexachloroethane	< 1 mg/kg	1	MCL	02/14/05 16:40



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Group No. J032-013  
 Account No. 31801020  
 Report Date: 02/25/05

PETER BRIGHTON  
 ENVIRONMENTAL MANAGEMENT CORP  
 SUITE 308  
 50 WEST OLD COUNTRY ROAD  
 WICKSVILLE, NY 11801

Final Report

Report Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Method	Analyst	Date/Time
001	SB-05A 6-10' Sample Date:	01/31/05 10:00				
	Indeno (1,2,3-cd) Pyrene	< 1 mg/kg	1	MCL		02/14/05 16:40
	N-Nitroso-Di-n-Propylamine	< 1 mg/kg	1	MCL		02/14/05 16:40
	N-Nitrosodiphenylamine	< 1 mg/kg	1	MCL		02/14/05 16:40
	Naphthalene	< 1 mg/kg	1	MCL		02/14/05 16:40
	Nitrobenzene	< 1 mg/kg	1	MCL		02/14/05 16:40
	Pentachlorophenol	< 4 mg/kg	4	MCL		02/14/05 16:40
	Phenanthrene	< 1 mg/kg	1	MCL		02/14/05 16:40
	Phenol	< 1 mg/kg	1	MCL		02/14/05 16:40
	Pyrene	< 1 mg/kg	1	MCL		02/14/05 16:40
	bis(-2-Chloroethoxy) Methane	< 1 mg/kg	1	MCL		02/14/05 16:40
	bis(-2-Chloroethyl) Ether	< 1 mg/kg	1	MCL		02/14/05 16:40
	bis(2-Chloroisopropyl) Ether	< 1 mg/kg	1	MCL		02/14/05 16:40
	bis(2-Ethylhexyl) Phthalate	< 1 mg/kg	1	MCL		02/14/05 16:40
	8260 Volatile Organics					
	1,1 Dichloroethane	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,1 Dichloroethene	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,1 Dichloropropene	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,1,1 Trichloroethane	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,1,1,2 Tetrachloroethane	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,1,2 Trichloroethane	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,1,2,2 Tetrachloroethane	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,2 Dibromo-3-Chloropropane	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,2 Dibromoethane	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,2 Dichlorobenzene	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,2 Dichloroethane	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,2 Dichloropropane	< 50 ug/kg	50	MTS		02/03/05 01:13
	1,2,3 Trichlorobenzene	< 500 ug/kg	500	MTS		02/03/05 01:13





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Group No. J032-013  
Account No. 31801020  
Report Date: 02/25/05

PETER BRIGHTON  
ENVIRONMENTAL MANAGEMENT CORP  
SUITE 308  
150 WEST OLD COUNTRY ROAD  
MICKSVILLE, NY 11801

Final Report

Sample Received: 02/01/05 09:42  
Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
Project: E25412 PO Number:

Lab ID	Parameter	Concentration	PQL	Analyst	Analysis Date/Time
001	SB-05A 6-10' Sample Date:	01/31/05 10:00			
	1,2,3 Trichloropropane	< 50 ug/kg	50	MTS	02/03/05 01:13
	1,2,4 Trichlorobenzene	< 500 ug/kg	500	MTS	02/03/05 01:13
	1,2,4 Trimethylbenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	1,3 Dichlorobenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	1,3 Dichloropropane	< 50 ug/kg	50	MTS	02/03/05 01:13
	1,3,5 Trimethylbenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	1,4 Dichlorobenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	2,2-Dichloropropane	< 50 ug/kg	50	MTS	02/03/05 01:13
	2-Butanone	< 50 ug/kg	50	MTS	02/03/05 01:13
	2-Chloroethyl Vinyl Ether	< 50 ug/kg	50	MTS	02/03/05 01:13
	2-Chlorotoluene	< 50 ug/kg	50	MTS	02/03/05 01:13
	2-Hexanone	< 50 ug/kg	50	MTS	02/03/05 01:13
	4-Chlorotoluene	< 50 ug/kg	50	MTS	02/03/05 01:13
	4-Methyl-2-Pentanone	< 50 ug/kg	50	MTS	02/03/05 01:13
	Acetone	< 250 ug/kg	250	MTS	02/03/05 01:13
	Acetonitrile	< 50 ug/kg	50	MTS	02/03/05 01:13
	Acrolein	< 50 ug/kg	50	MTS	02/03/05 01:13
	Acrylonitrile	< 50 ug/kg	50	MTS	02/03/05 01:13
	Benzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Bromobenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Bromochloromethane	< 50 ug/kg	50	MTS	02/03/05 01:13
	Bromodichloromethane	< 50 ug/kg	50	MTS	02/03/05 01:13
	Bromoform	< 50 ug/kg	50	MTS	02/03/05 01:13
	Bromomethane	< 500 ug/kg	500	MTS	02/03/05 01:13
	Carbon Tetrachloride	< 50 ug/kg	50	MTS	02/03/05 01:13
	Carbon disulfide	< 50 ug/kg	50	MTS	02/03/05 01:13
	Chlorobenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Chlorodibromomethane	< 50 ug/kg	50	MTS	02/03/05 01:13



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Group No. J032-013  
Account No. 31801020  
Report Date: 02/25/05

ETER BRIGHTON  
NS MANAGEMENT CORP  
SUITE 308  
50 WEST OLD COUNTRY ROAD  
ICKSVILLE, NY 11801

Final Report

Sample Received: 02/01/05 09:42  
Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
Project: E25412 PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Analyst	Analysis Date/Time
001	SB-05A 6-10' Sample Date:	01/31/05 10:00			
	Chloroethane	< 50 ug/kg	50	MTS	02/03/05 01:13
	Chloroform	< 50 ug/kg	50	MTS	02/03/05 01:13
	Chloromethane	< 500 ug/kg	500	MTS	02/03/05 01:13
	Cis-1,2 Dichloroethene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Cis-1,3 Dichloropropene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Dibromomethane	< 50 ug/kg	50	MTS	02/03/05 01:13
	Dichlorodifluoromethane	< 50 ug/kg	50	MTS	02/03/05 01:13
	Ethyl methacrylate	< 50 ug/kg	50	MTS	02/03/05 01:13
	Ethylbenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Hexachlorobutadiene	< 500 ug/kg	500	MTS	02/03/05 01:13
	Iodomethane	< 500 ug/kg	500	MTS	02/03/05 01:13
	Isopropyl Ether	< 50 ug/kg	50	MTS	02/03/05 01:13
	Isopropyl benzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	M,P Xylene	< 100 ug/kg	100	MTS	02/03/05 01:13
	Methacrylonitrile	< 50 ug/kg	50	MTS	02/03/05 01:13
	Methyl methacrylate	< 50 ug/kg	50	MTS	02/03/05 01:13
	Methyl t-Butyl Ether	< 50 ug/kg	50	MTS	02/03/05 01:13
	Methylene Chloride	< 50 ug/kg	50	MTS	02/03/05 01:13
	N-Butylbenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	N-Propylbenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Naphthalene	< 1250 ug/kg	1250	MTS	02/03/05 01:13
	O-Xylene	< 50 ug/kg	50	MTS	02/03/05 01:13
	P-Isopropyltoluene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Sec-Butylbenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Styrene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Tert-Butylbenzene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Tetrachloroethene	< 50 ug/kg	50	MTS	02/03/05 01:13
	Toluene	< 50 ug/kg	50	MTS	02/03/05 01:13



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Final Report

Date Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Lab	Parameter	Concentration	PQL	Analysis	Analyst	Date/Time
001	SB-05A 6-10' Sample Date:	01/31/05 10:00				
	Trans-1,2 Dichloroethene	< 50 ug/kg	50	MTS		02/03/05 01:13
	Trans-1,3 Dichloropropene	< 50 ug/kg	50	MTS		02/03/05 01:13
	Trichloroethene	< 50 ug/kg	50	MTS		02/03/05 01:13
	Trichlorofluoromethane	< 50 ug/kg	50	MTS		02/03/05 01:13
	Vinyl Chloride	< 50 ug/kg	50	MTS		02/03/05 01:13
	Vinyl acetate	< 50 ug/kg	50	MTS		02/03/05 01:13
002	SB-05W Sample Date:	01/31/05 11:00				
	8270 Extraction	Complt	--	JRM		02/07/05 16:15
	Semi-volatile Organics by Method 8270					
	1,2,4-Trichlorobenzene	< 10 ug/L	10	MCL		02/23/05 07:23
	1,2-Dichlorobenzene	< 10 ug/L	10	MCL		02/23/05 07:23
	1,3-Dichlorobenzene	< 10 ug/L	10	MCL		02/23/05 07:23
	1,4-Dichlorobenzene	< 10 ug/L	10	MCL		02/23/05 07:23
	2,4,5-Trichlorophenol	< 10 ug/L	10	MCL		02/23/05 07:23
	2,4,6-Trichlorophenol	< 10 ug/L	10	MCL		02/23/05 07:23
	2,4-Dichlorophenol	< 10 ug/L	10	MCL		02/23/05 07:23
	2,4-Dimethylphenol	< 10 ug/L	10	MCL		02/23/05 07:23
	2,4-Dinitrophenol	< 40 ug/L	40	MCL		02/23/05 07:23
	2,4-Dinitrotoluene	< 10 ug/L	10	MCL		02/23/05 07:23
	2,6-Dinitrotoluene	< 10 ug/L	10	MCL		02/23/05 07:23
	2-Chloronaphthalene	< 10 ug/L	10	MCL		02/23/05 07:23
	2-Chlorophenol	< 10 ug/L	10	MCL		02/23/05 07:23
	2-Methylnaphthalene	< 10 ug/L	10	MCL		02/23/05 07:23
	2-Methylphenol	< 10 ug/L	10	MCL		02/23/05 07:23



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Report Date: 02/25/05

ETER BRIGHTON  
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SUITE 308  
50 WEST OLD COUNTRY ROAD  
ICKSVILLE, NY 11801

Final Report

Sample Received: 02/01/05 09:42  
Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
Project: E25412 PO Number:

Lab	Parameter	Concentration	PQL	Analysis	Analyst	Date/Time
J02	SB-05W	Sample Date: 01/31/05 11:00				
	2-Nitroaniline	< 10 ug/L	10	MCL		02/23/05 07:23
	2-Nitrophenol	< 10 ug/L	10	MCL		02/23/05 07:23
	3,3'-Dichlorobenzidine	< 10 ug/L	10	MCL		02/23/05 07:23
	3-Nitroaniline	< 10 ug/L	10	MCL		02/23/05 07:23
	4,6-Dinitro-2-Methylphenol	< 40 ug/L	40	MCL		02/23/05 07:23
	4-Bromophenyl-phenylether	< 10 ug/L	10	MCL		02/23/05 07:23
	4-Chloro-3-Methylphenol	< 10 ug/L	10	MCL		02/23/05 07:23
	4-Chloroaniline	< 10 ug/L	10	MCL		02/23/05 07:23
	4-Chlorophenyl-phenylether	< 10 ug/L	10	MCL		02/23/05 07:23
	4-Methylphenol	< 10 ug/L	10	MCL		02/23/05 07:23
	4-Nitroaniline	< 10 ug/L	10	MCL		02/23/05 07:23
	4-Nitrophenol	< 40 ug/L	40	MCL		02/23/05 07:23
	Acenaphthene	< 10 ug/L	10	MCL		02/23/05 07:23
	Acenaphthylene	< 10 ug/L	10	MCL		02/23/05 07:23
	Anthracene	< 10 ug/L	10	MCL		02/23/05 07:23
	Benzo(a)Anthracene	< 10 ug/L	10	MCL		02/23/05 07:23
	Benzo(a)Pyrene	< 10 ug/L	10	MCL		02/23/05 07:23
	Benzo(b)Fluoranthene	< 10 ug/L	10	MCL		02/23/05 07:23
	Benzo(g,h,i)Perylene	< 10 ug/L	10	MCL		02/23/05 07:23
	Benzo(k)Fluoranthene	< 10 ug/L	10	MCL		02/23/05 07:23
	Benzoic Acid	< 40 ug/L	40	MCL		02/23/05 07:23
	Benzyl Alcohol	< 10 ug/L	10	MCL		02/23/05 07:23
	Butylbenzylphthalate	< 10 ug/L	10	MCL		02/23/05 07:23
	Chrysene	< 10 ug/L	10	MCL		02/23/05 07:23
	Di-N-Butylphthalate	< 10 ug/L	10	MCL		02/23/05 07:23
	Di-n-Octyl Phthalate	< 10 ug/L	10	MCL		02/23/05 07:23
	Dibenzo(a,h)Anthracene	< 10 ug/L	10	MCL		02/23/05 07:23
	Dibenzofuran	< 10 ug/L	10	MCL		02/23/05 07:23



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PETER BRIGHTON  
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 50 WEST OLD COUNTRY ROAD  
 WICKSVILLE, NY 11801

Final Report

Sample Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis	Analyst	Date/Time
002	SB-05W	Sample Date: 01/31/05 11:00				
	Diethylphthalate	< 10 ug/L	10	MCL		02/23/05 07:23
	Dimethyl Phthalate	< 10 ug/L	10	MCL		02/23/05 07:23
	Fluoranthene	< 10 ug/L	10	MCL		02/23/05 07:23
	Fluorene	< 10 ug/L	10	MCL		02/23/05 07:23
	Hexachlorobenzene	< 10 ug/L	10	MCL		02/23/05 07:23
	Hexachlorobutadiene	< 10 ug/L	10	MCL		02/23/05 07:23
	Hexachlorocyclopentadiene	< 10 ug/L	10	MCL		02/23/05 07:23
	Hexachloroethane	< 10 ug/L	10	MCL		02/23/05 07:23
	Indeno (1, 2, 3-cd) Pyrene	< 10 ug/L	10	MCL		02/23/05 07:23
	N-Nitroso-Di-n-Propylamine	< 10 ug/L	10	MCL		02/23/05 07:23
	N-Nitrosodiphenylamine	< 10 ug/L	10	MCL		02/23/05 07:23
	Naphthalene	< 10 ug/L	10	MCL		02/23/05 07:23
	Nitrobenzene	< 10 ug/L	10	MCL		02/23/05 07:23
	Pentachlorophenol	< 40 ug/L	40	MCL		02/23/05 07:23
	Phenanthrene	< 10 ug/L	10	MCL		02/23/05 07:23
	Phenol	< 10 ug/L	10	MCL		02/23/05 07:23
	Pyrene	< 10 ug/L	10	MCL		02/23/05 07:23
	bis(-2-Chloroethoxy)Methane	< 10 ug/L	10	MCL		02/23/05 07:23
	bis(2-Chloroethyl) Ether	< 10 ug/L	10	MCL		02/23/05 07:23
	bis(2-Chloroisopropyl) Ether	< 10 ug/L	10	MCL		02/23/05 07:23
	bis(2-Ethylhexyl) Phthalate	< 10 ug/L	10	MCL		02/23/05 07:23
	8260 Volatile Organics					
	1,1 Dichloroethane	< 1 ug/L	1	MTS		02/03/05 16:25
	1,1 Dichloroethene	< 1 ug/L	1	MTS		02/03/05 16:25
	1,1 Dichloropropene	< 1 ug/L	1	MTS		02/03/05 16:25
	1,1,1 Trichloroethane	< 1 ug/L	1	MTS		02/03/05 16:25
	1,1,1,2 Tetrachloroethane	< 1 ug/L	1	MTS		02/03/05 16:25



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PETER BRIGHTON  
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 SUITE 308  
 550 WEST OLD COUNTRY ROAD  
 HICKSVILLE, NY 11801

Final Report

Date Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Analyst	Date/Time
002 SB-05W	Sample Date: 01/31/05 11:00				
	1,1,2 Trichloroethane	< 1 ug/L	1	MTS	02/03/05 16:25
	1,1,2,2 Tetrachloroethane	< 1 ug/L	1	MTS	02/03/05 16:25
	1,2 Dibromo-3-Chloropropane	< 5 ug/L	5	MTS	02/03/05 16:25
	1,2 Dibromoethane	< 1 ug/L	1	MTS	02/03/05 16:25
	1,2 Dichlorobenzene	< 1 ug/L	1	MTS	02/03/05 16:25
	1,2 Dichloroethane	< 1 ug/L	1	MTS	02/03/05 16:25
	1,2 Dichloropropane	< 1 ug/L	1	MTS	02/03/05 16:25
	1,2,3 Trichlorobenzene	< 10 ug/L	10	MTS	02/03/05 16:25
	1,2,3 Trichloropropane	< 5 ug/L	5	MTS	02/03/05 16:25
	1,2,4 Trichlorobenzene	< 10 ug/L	10	MTS	02/03/05 16:25
	1,2,4 Trimethylbenzene	< 1 ug/L	1	MTS	02/03/05 16:25
	1,3 Dichlorobenzene	< 1 ug/L	1	MTS	02/03/05 16:25
	1,3 Dichloropropane	< 1 ug/L	1	MTS	02/03/05 16:25
	1,3,5 Trimethylbenzene	< 1 ug/L	1	MTS	02/03/05 16:25
	1,4 Dichlorobenzene	< 1 ug/L	1	MTS	02/03/05 16:25
	2,2 Dichloropropane	< 1 ug/L	1	MTS	02/03/05 16:25
	2-Butanone	< 5 ug/L	5	MTS	02/03/05 16:25
	2-Chloroethyl Vinyl Ether	< 1 ug/L	1	MTS	02/03/05 16:25
	2-Chlorotoluene	< 1 ug/L	1	MTS	02/03/05 16:25
	2-Hexanone	< 1 ug/L	1	MTS	02/03/05 16:25
	4-Chlorotoluene	< 1 ug/L	1	MTS	02/03/05 16:25
	4-Methyl-2-Pentanone	< 5 ug/L	5	MTS	02/03/05 16:25
	Acetone	6.83 ug/L	5	MTS	02/03/05 16:25
	Acetonitrile	< 1 ug/L	1	MTS	02/03/05 16:25
	Acrolein	< 5 ug/L	5	MTS	02/03/05 16:25
	Acrylonitrile	< 1 ug/L	1	MTS	02/03/05 16:25
	Benzene	< 1 ug/L	1	MTS	02/03/05 16:25
	Bromobenzene	< 1 ug/L	1	MTS	02/03/05 16:25



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Final Report

Sample Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Analyst	Analysis Date/Time
002 SB-05W	Sample Date: 01/31/05 11:00				
	Bromochloromethane	< 5 ug/L	5	MTS	02/03/05 16:25
	Bromodichloromethane	< 1 ug/L	1	MTS	02/03/05 16:25
	Bromoform	< 1 ug/L	1	MTS	02/03/05 16:25
	Bromomethane	< 1 ug/L	1	MTS	02/03/05 16:25
	Carbon Tetrachloride	< 1 ug/L	1	MTS	02/03/05 16:25
	Carbon disulfide	< 1 ug/L	1	MTS	02/03/05 16:25
	Chlorobenzene	< 1 ug/L	1	MTS	02/03/05 16:25
	Chlorodibromomethane	< 1 ug/L	1	MTS	02/03/05 16:25
	Chloroethane	< 1 ug/L	1	MTS	02/03/05 16:25
	Chloroform	< 1 ug/L	1	MTS	02/03/05 16:25
	Chloromethane	< 1 ug/L	1	MTS	02/03/05 16:25
	Cis 1,2 Dichloroethene	< 1 ug/L	1	MTS	02/03/05 16:25
	Cis-1,3-Dichloropropene	< 1 ug/L	1	MTS	02/03/05 16:25
	Dibromomethane	< 1 ug/L	1	MTS	02/03/05 16:25
	Dichlorodifluoromethane	< 1 ug/L	1	MTS	02/03/05 16:25
	Ethyl benzene	< 1 ug/L	1	MTS	02/03/05 16:25
	Ethyl methacrylate	< 1 ug/L	1	MTS	02/03/05 16:25
	Hexachlorobutadiene	< 10 ug/L	10	MTS	02/03/05 16:25
	Iodomethane	< 5 ug/L	5	MTS	02/03/05 16:25
	Isopropyl benzene	< 1 ug/L	1	MTS	02/03/05 16:25
	M, P Xylene	< 2 ug/L	2	MTS	02/03/05 16:25
	Methacrylonitrile	< 1 ug/L	1	MTS	02/03/05 16:25
	Methyl methacrylate	< 1 ug/L	1	MTS	02/03/05 16:25
	Methyl t-Butyl Ether	< 1 ug/L	1	MTS	02/03/05 16:25
	Methylene Chloride	< 1 ug/L	1	MTS	02/03/05 16:25
	N-Butylbenzene	< 1 ug/L	1	MTS	02/03/05 16:25
	N-Propyl Benzene	< 1 ug/L	1	MTS	02/03/05 16:25
	Naphthalene	< 25 ug/L	25	MTS	02/03/05 16:25



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Final Report

Sample Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Lab ID	Parameter	Concentration	PQL	Analysis Method	Analyst	Date/Time
002	SB-05W	Sample Date: 01/31/05 11:00				
	O-Xylene	< 1 ug/L	1	MTS		02/03/05 16:25
	P-Isopropyltoluene	< 1 ug/L	1	MTS		02/03/05 16:25
	Sec-Butylbenzene	< 1 ug/L	1	MTS		02/03/05 16:25
	Styrene	< 1 ug/L	1	MTS		02/03/05 16:25
	Tert-Butylbenzene	< 1 ug/L	1	MTS		02/03/05 16:25
	Tetrachloroethene	< 1 ug/L	1	MTS		02/03/05 16:25
	Toluene	< 1 ug/L	1	MTS		02/03/05 16:25
	Trans 1,2 Dichloroethene	< 1 ug/L	1	MTS		02/03/05 16:25
	Trans-1,3-Dichloropropene	< 1 ug/L	1	MTS		02/03/05 16:25
	Trichloroethene	< 1 ug/L	1	MTS		02/03/05 16:25
	Trichlorofluoromethane	< 1 ug/L	1	MTS		02/03/05 16:25
	Vinyl Chloride	< 1 ug/L	1	MTS		02/03/05 16:25
	Vinyl acetate	< 1 ug/L	1	MTS		02/03/05 16:25

032-013-002 analyzed by Method 8260 had a pH of 7 SU.

The matrix spike/duplicate samples analyzed by method 8270 recovered below the 100% limits for 1,4-Dichlorobenzene and 1,2,4-Trichlorobenzene. The laboratory control sample had recovery of these compounds within QC limits.

The laboratory control sample analyzed by method 8270 had recovery of 4-Nitrophenol within QC limits.

Report Limit=PQL=Practical Quantitation Limit; DL=Lowest reportable value

Abbreviations: ug/L = micrograms per liter, mg/L = milligrams per liter, ug/g = micrograms per gram, mg/kg = milligrams per kilogram, ug/wp = ug/wipe, ug/ml = micrograms per milliliter, PQL = Practical Quantitation Limit. S = microsiemens/centimeter at 25 degrees Celsius, ppb = parts per billion.





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Final Report

Summary of Analytical Methods

Compound Name	Analytical Method	Abbreviation
1 Dichloroethane	SW846 Method 8260B/5035	1,1 DCE
1 Dichloroethene	SW846 Method 8260B/5035	1,1 DCENE
1 Dichloropropene	SW846 Method 8260B/5035	1,1 DCPENE
1,1 Trichloroethane	SW846 Method 8260B/5035	1,1,1 TCE
1,1,2 Tetrachloroethane	SW846 Method 8260B/5035	1,1,1,2 TETCH
1,2 Trichloroethane	SW846 Method 8260B/5035	1,1,2 TCE
1,2,2 Tetrachloroethane	SW846 Method 8260B/5035	1,1,2,2 TETCH
2 Dibromo-3-Chloropropane	SW846 Method 8260B/5035	DBCP
2 Dibromoethane	SW846 Method 8260B/5035	1,2 DBE
2 Dichlorobenzene	SW846 Method 8260B/5035	1,2 DCB
2 Dichloroethane	SW846 Method 8260B/5035	1,2 DCE
2 Dichloropropane	SW846 Method 8260B/5035	1,2 DCP
2,3 Trichlorobenzene	SW846 Method 8260B/5035	1,2,3 TCB
2,3 Trichloropropane	SW846 Method 8260B/5035	1,2,3 TCP
2,4 Trichlorobenzene	SW846 Method 8260B/5035	1,2,4 TCB
2,4 Trimethylbenzene	SW846 Method 8260B/5035	1,2,4 TMB
3 Dichlorobenzene	SW846 Method 8260B/5035	1,3 DCB
3 Dichloropropane	SW846 Method 8260B/5035	1,3 DCP
3,5 Trimethylbenzene	SW846 Method 8260B/5035	1,3,5 TMB
4 Dichlorobenzene	SW846 Method 8260B/5035	1,4 DCB
2-Dichloropropane	SW846 Method 8260B/5035	2,2 DCP
Butanone	SW846 Method 8260B/5035	----
Chloroethyl Vinyl Ether	SW846 Method 8260B/5035	----
Chlorotoluene	SW846 Method 8260B/5035	2-CHLTOL
Hexanone	SW846 Method 8260B/5035	----
Chlorotoluene	SW846 Method 8260B/5035	----
Methyl-2-Pentanone	SW846 Method 8260B/5035	----
etone	SW846 Method 8260B/5035	----
etonitrile	SW846 Method 8260B/5035	----
rolein	SW846 Method 8260B/5035	----
rylonitrile	SW846 Method 8260B/5035	----
nzene	SW846 Method 8260B/5035	----



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Account No. 31801020  
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50 WEST OLD COUNTRY ROAD  
TICKSVILLE, NY 11801

Final Report

Sample Received: 02/01/05 09:42  
Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
Project: E25412 PO Number:

Analytical Method - continued

102 SB-05W Sample Date: 01/31/05 11:00

Chlorobenzene	SW846 Method 8260B/5035	----
Chloroethane	SW846 Method 8260B/5035	BCM
Chloroform	SW846 Method 8260B/5035	BDCM
Chloromethane	SW846 Method 8260B/5035	----
Carbon Tetrachloride	SW846 Method 8260B/5035	----
Carbon disulfide	SW846 Method 8260B/5035	CARBON TET
Chlorobenzene	SW846 Method 8260B/5035	----
Chlorodibromomethane	SW846 Method 8260B/5035	CDBM
Chloroethane	SW846 Method 8260B/5035	----
Chloroform	SW846 Method 8260B/5035	----
Chloromethane	SW846 Method 8260B/5035	----
1,2-Dichloroethene	SW846 Method 8260B/5035	CIS-1,2 DCENE
1,3-Dichloropropene	SW846 Method 8260B/5035	----
Bromomethane	SW846 Method 8260B/5035	----
Chlorodifluoromethane	SW846 Method 8260B/5035	DCDFM
Ethyl methacrylate	SW846 Method 8260B/5035	----
Ethylbenzene	SW846 Method 8260B/5035	----
1,4-Dichlorobutadiene	SW846 Method 8260B/5035	HCBUTAD
Chloromethane	SW846 Method 8260B/5035	----
Propyl Ether	SW846 Method 8260B/5035	----
Propyl benzene	SW846 Method 8260B/5035	IPB
p-Xylene	SW846 Method 8260B/5035	----
Acrylonitrile	SW846 Method 8260B/5035	----
Ethyl methacrylate	SW846 Method 8260B/5035	----
Ethyl t-Butyl Ether	SW846 Method 8260B/5035	----
Ethylene Chloride	SW846 Method 8260B/5035	----
Butylbenzene	SW846 Method 8260B/5035	----
Propylbenzene	SW846 Method 8260B/5035	----
Phthalene	SW846 Method 8260B/5035	----
Xylene	SW846 Method 8260B/5035	----
Isopropyltoluene	SW846 Method 8260B/5035	P-IPT



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 Report Date: 02/25/05

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 WASTE MANAGEMENT CORP  
 SUITE 308  
 150 WEST OLD COUNTRY ROAD  
 HICKSVILLE, NY 11801

Final Report

Date Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Analytical Method - continued

002 SB-05W Sample Date: 01/31/05 11:00

sec-Butylbenzene	SW846 Method 8260B/5035	S-BUTYL BENZENE
styrene	SW846 Method 8260B/5035	----
tert-Butylbenzene	SW846 Method 8260B/5035	TERT-BUTYL BEN
tetrachloroethene	SW846 Method 8260B/5035	TETACHLENE
toluene	SW846 Method 8260B/5035	----
trans-1,2 Dichloroethene	SW846 Method 8260B/5035	TRANS-1,2 DCENE
trans-1,3 Dichloropropene	SW846 Method 8260B/5035	----
trichloroethene	SW846 Method 8260B/5035	----
trichlorofluoromethane	SW846 Method 8260B/5035	TCFM
vinyl Chloride	SW846 Method 8260B/5035	----
vinyl acetate	SW846 Method 8260B/5035	----
,1 Dichloroethane	SW846 Method 8260B/5030B	1,1 DCE
,1 Dichloroethene	SW846 Method 8260B/5030B	1,1 DCENE
,1 Dichloropropene	SW846 Method 8260B/5030B	1,1 DCPENE
,1,1 Trichloroethane	SW846 Method 8260B/5030B	1,1,1 TCE
,1,1,2 Tetrachloroethane	SW846 Method 8260B/5030B	1,1,1,2 TETCH
,1,2 Trichloroethane	SW846 Method 8260B/5030B	1,1,2 TCA
,1,2,2 Tetrachloroethane	SW846 Method 8260B/5030B	1,1,2,2 TETCH
,2 Dibromo-3-Chloropropane	SW846 Method 8260B/5030B	DBCP
,2 Dibromoethane	SW846 Method 8260B/5030B	1,2 DBE
,2 Dichlorobenzene	SW846 Method 8260B/5030B	1,2 DCB
,2 Dichloroethane	SW846 Method 8260B/5030B	1,2 DCA
,2 Dichloropropane	SW846 Method 8260B/5030B	1,2 DCP
,2,3 Trichlorobenzene	SW846 Method 8260B/5030B	1,2,3 TCB
,2,3 Trichloropropane	SW846 Method 8260B/5030B	1,2,3 TCP
,2,4 Trichlorobenzene	SW846 Method 8260B/5030B	1,2,4 TCB
,2,4 Trimethylbenzene	SW846 Method 8260B/5030B	1,2,4 TMB
,3 Dichlorobenzene	SW846 Method 8260B/5030B	1,3 DCB
,3 Dichloropropane	SW846 Method 8260B/5030B	1,3 DCP
,3,5 Trimethylbenzene	SW846 Method 8260B/5030B	1,3,5 TMB
,4 Dichlorobenzene	SW846 Method 8260B/5030B	1,4 DCB
,2 Dichloropropane	SW846 Method 8260B/5030B	2,2 DCP



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Date Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Analytical Method - continued

002 SB-05W Sample Date: 01/31/05 11:00

-Butanone	SW846 Method 8260B/5030B	----
-Chloroethyl Vinyl Ether	SW846 Method 8260B/5030B	----
-Chlorotoluene	SW846 Method 8260B/5030B	2-CHLTOL
-Hexanone	SW846 Method 8260B/5030B	----
-Chlorotoluene	SW846 Method 8260B/5030B	----
-Methyl-2-Pentanone	SW846 Method 8260B/5030B	----
acetone	SW846 Method 8260B/5030B	----
acetonitrile	SW846 Method 8260B/5030B	----
acrolein	SW846 Method 8260B/5030B	----
acrylonitrile	SW846 Method 8260B/5030B	----
aniline	SW846 Method 8260B/5030B	----
anobenzene	SW846 Method 8260B/5030B	----
anochloromethane	SW846 Method 8260B/5030B	----
anodichloromethane	SW846 Method 8260B/5030B	BCM
anomoform	SW846 Method 8260B/5030B	BDCM
anomethane	SW846 Method 8260B/5030B	----
arbon Tetrachloride	SW846 Method 8260B/5030B	----
arbon disulfide	SW846 Method 8260B/5030B	CARBON TET
lorobenzene	SW846 Method 8260B/5030B	----
lorodibromomethane	SW846 Method 8260B/5030B	----
loroethane	SW846 Method 8260B/5030B	CDBM
loroform	SW846 Method 8260B/5030B	----
loromethane	SW846 Method 8260B/5030B	----
s 1,2 Dichloroethene	SW846 Method 8260B/5030B	CIS-1,2 DCENE
s-1,3-Dichloropropene	SW846 Method 8260B/5030B	----
bromomethane	SW846 Method 8260B/5030B	----
chlorodifluoromethane	SW846 Method 8260B/5030B	----
hyl benzene	SW846 Method 8260B/5030B	----
hyl methacrylate	SW846 Method 8260B/5030B	----
xachlorobutadiene	SW846 Method 8260B/5030B	HCBUTAD
omethane	SW846 Method 8260B/5030B	----
opropyl benzene	SW846 Method 8260B/5030B	IPB



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Final Report

Date Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Analytical Method - continued

002 SB-05W Sample Date: 01/31/05 11:00

, P Xylene	SW846 Method 8260B/5030B	----
methacrylonitrile	SW846 Method 8260B/5030B	----
ethyl methacrylate	SW846 Method 8260B/5030B	----
ethyl t-Butyl Ether	SW846 Method 8260B/5030B	----
ethylene Chloride	SW846 Method 8260B/5030B	----
-Butylbenzene	SW846 Method 8260B/5030B	----
-Propyl Benzene	SW846 Method 8260B/5030B	----
naphthalene	SW846 Method 8260B/5030B	----
-Xylene	SW846 Method 8260B/5030B	----
-Isopropyltoluene	SW846 Method 8260B/5030B	----
o-Butylbenzene	SW846 Method 8260B/5030B	P-IPT
styrene	SW846 Method 8260B/5030B	S-BUTYL BENZENE
tert-Butylbenzene	SW846 Method 8260B/5030B	----
1,1-dichloroethene	SW846 Method 8260B/5030B	TERT-BUTYL BEN
toluene	SW846 Method 8260B/5030B	TETACHLENE
trans 1,2 Dichloroethene	SW846 Method 8260B/5030B	----
trans-1,3-Dichloropropene	SW846 Method 8260B/5030B	TRANS-1,2 DCENE
1,1-dichloroethene	SW846 Method 8260B/5030B	----
1,1-dichlorofluoromethane	SW846 Method 8260B/5030B	----
vinyl Chloride	SW846 Method 8260B/5030B	TCFM
vinyl acetate	SW846 Method 8260B/5030B	----
70 Extraction	SW846 Method 3510/3550	----
2,4-Trichlorobenzene	SW846 Method 8270C	----
2-Dichlorobenzene	SW846 Method 8270C	----
3-Dichlorobenzene	SW846 Method 8270C	----
4-Dichlorobenzene	SW846 Method 8270C	----
4,5-Trichlorophenol	SW846 Method 8270C	----
4,6-Trichlorophenol	SW846 Method 8270C	----
4-Dichlorophenol	SW846 Method 8270C	----
4-Dimethylphenol	SW846 Method 8270C	----
4-Dinitrophenol	SW846 Method 8270C	----
4-Dinitrotoluene	SW846 Method 8270C	----



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 SUITE 308  
 350 WEST OLD COUNTRY ROAD  
 HICKSVILLE, NY 11801

Final Report

Date Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Analytical Method - continued

002 SB-05W Sample Date: 01/31/05 11:00

, 6-Dinitrotoluene	SW846 Method 8270C	----
-Chloronaphthalene	SW846 Method 8270C	----
-Chlorophenol	SW846 Method 8270C	----
-Methylnaphthalene	SW846 Method 8270C	----
-Methylphenol	SW846 Method 8270C	----
-Nitroaniline	SW846 Method 8270C	----
-Nitrophenol	SW846 Method 8270C	----
, 3'-Dichlorobenzidine	SW846 Method 8270C	----
-Nitroaniline	SW846 Method 8270C	----
, 6-Dinitro-2-Methylphenol	SW846 Method 8270C	----
-Bromophenyl-phenylether	SW846 Method 8270C	----
-Chloro-3-Methylphenol	SW846 Method 8270C	----
-Chloroaniline	SW846 Method 8270C	----
-Chlorophenyl-phenylether	SW846 Method 8270C	----
-Methylphenol	SW846 Method 8270C	----
-Nitroaniline	SW846 Method 8270C	----
-Nitrophenol	SW846 Method 8270C	----
benzophenone	SW846 Method 8270C	----
benzophenylene	SW846 Method 8270C	----
anthracene	SW846 Method 8270C	----
benzo(a) Anthracene	SW846 Method 8270C	----
benzo(a) Pyrene	SW846 Method 8270C	----
benzo(b) Fluoranthene	SW846 Method 8270C	----
benzo(g,h,i) Perylene	SW846 Method 8270C	----
benzo(k) Fluoranthene	SW846 Method 8270C	----
benzoic Acid	SW846 Method 8270C	----
benzyl Alcohol	SW846 Method 8270C	----
benzylphenylphthalate	SW846 Method 8270C	----
benzopyrene	SW846 Method 8270C	----
-N-Butylphthalate	SW846 Method 8270C	----
-n-Octyl Phthalate	SW846 Method 8270C	----
benzo(a,h) Anthracene	SW846 Method 8270C	----



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 Account No. 31801020  
 Report Date: 02/25/05

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 HICKSVILLE, NY 11801

Final Report

Date Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Analytical Method - continued

002 SB-05W Sample Date: 01/31/05 11:00

benzofuran	SW846 Method 8270C	----
diethylphthalate	SW846 Method 8270C	----
dimethyl Phthalate	SW846 Method 8270C	----
fluoranthene	SW846 Method 8270C	----
fluorene	SW846 Method 8270C	----
hexachlorobenzene	SW846 Method 8270C	----
hexachlorobutadiene	SW846 Method 8270C	----
hexachlorocyclopentadiene	SW846 Method 8270C	----
hexachloroethane	SW846 Method 8270C	----
indeno (1, 2, 3-cd) Pyrene	SW846 Method 8270C	----
N-Nitroso-Di-n-Propylamine	SW846 Method 8270C	----
N-Nitrosodiphenylamine	SW846 Method 8270C	----
naphthalene	SW846 Method 8270C	----
nitrobenzene	SW846 Method 8270C	----
o,p-dichlorophenol	SW846 Method 8270C	----
phenanthrene	SW846 Method 8270C	----
phenol	SW846 Method 8270C	----
pyrene	SW846 Method 8270C	----
1,2-dichloroethoxy Methane	SW846 Method 8270C	----
1,2-dichloroethyl Ether	SW846 Method 8270C	----
1,2-dichloroisopropyl Ether	SW846 Method 8270C	----
1,2-dichloroethyl Hexyl Phthalate	SW846 Method 8270C	----
1,2,4-Trichlorobenzene	SW846 Method 8270C	1, 2, 4 TCB
1,3-Dichlorobenzene	SW846 Method 8270C	1, 3 DCB
1,4-Dichlorobenzene	SW846 Method 8270C	1, 4 DCB
1,2,4-Trichlorophenol	SW846 Method 8270C	2, 4, 5 TCP
1,2,6-Trichlorophenol	SW846 Method 8270C	2, 4, 6 TCP
1,4-Dichlorophenol	SW846 Method 8270C	2, 4 DCP
1,4-Dimethylphenol	SW846 Method 8270C	2, 4 DMP
1,4-Dinitrophenol	SW846 Method 8270C	2, 4 DNP
1,4-Dinitrotoluene	SW846 Method 8270C	2, 4 DNT



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Final Report

Date Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Analytical Method - continued

002 SB-05W Sample Date: 01/31/05 11:00

, 6-Dinitrotoluene	SW846 Method 8270C	2, 6 DNT
-Chloronaphthalene	SW846 Method 8270C	2-CHLNAPH
-Chlorophenol	SW846 Method 8270C	----
-Methylnaphthalene	SW846 Method 8270C	2-METHYLNAP
-Methylphenol	SW846 Method 8270C	----
-Nitroaniline	SW846 Method 8270C	----
-Nitrophenol	SW846 Method 8270C	----
, 3'-Dichlorobenzidine	SW846 Method 8270C	----
-Nitroaniline	SW846 Method 8270C	3, 3-DCBEN
, 6-Dinitro-2-Methylphenol	SW846 Method 8270C	----
-Bromophenyl-phenylether	SW846 Method 8270C	4, 6 DN-2 MP
-Chloro-3-Methylphenol	SW846 Method 8270C	4-BPPE
-Chloroaniline	SW846 Method 8270C	4-CHL-3-MP
-Chlorophenyl-phenylether	SW846 Method 8270C	----
-Methylphenol	SW846 Method 8270C	4-CPPE
-Nitroaniline	SW846 Method 8270C	----
-Nitrophenol	SW846 Method 8270C	----
benzophenone	SW846 Method 8270C	----
benzophenylene	SW846 Method 8270C	----
anthracene	SW846 Method 8270C	----
benzo (a) Anthracene	SW846 Method 8270C	BENZO (A) ANTH
benzo (a) Pyrene	SW846 Method 8270C	----
benzo (b) Fluoranthene	SW846 Method 8270C	BENZO (B) FLU
benzo (g, h, i) Perylene	SW846 Method 8270C	BENZO (G, H, I) PE
benzo (k) Fluoranthene	SW846 Method 8270C	BENZO (K) FLU
benzoic Acid	SW846 Method 8270C	----
benzyl Alcohol	SW846 Method 8270C	----
benzylbenzylphthalate	SW846 Method 8270C	BBENPHTHALATE
benzofluorene	SW846 Method 8270C	----
-N-Butylphthalate	SW846 Method 8270C	D-N-B PHTHALATE
-n-Octyl Phthalate	SW846 Method 8270C	D-N-OCTYL PHTH
benzo (a, h) Anthracene	SW846 Method 8270C	DIB (A, H) ANTH





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Final Report

Date Received: 02/01/05 09:42  
 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Analytical Method - continued

002 SB-05W Sample Date: 01/31/05 11:00

, 6-Dinitrotoluene	SW846 Method 8270C	2, 6 DNT
-Chloronaphthalene	SW846 Method 8270C	2-CHLNAPH
-Chlorophenol	SW846 Method 8270C	----
-Methylnaphthalene	SW846 Method 8270C	2-METHYLNAP
-Methylphenol	SW846 Method 8270C	----
-Nitroaniline	SW846 Method 8270C	----
-Nitrophenol	SW846 Method 8270C	----
. 3'-Dichlorobenzidine	SW846 Method 8270C	3, 3-DCBEN
-Nitroaniline	SW846 Method 8270C	----
. 6-Dinitro-2-Methylphenol	SW846 Method 8270C	4, 6 DN-2 MP
-Bromophenyl-phenylether	SW846 Method 8270C	4-BPPE
-Chloro-3-Methylphenol	SW846 Method 8270C	4-CHL-3-MP
-Chloroaniline	SW846 Method 8270C	----
-Chlorophenyl-phenylether	SW846 Method 8270C	4-CPPE
Methylphenol	SW846 Method 8270C	----
Nitronaniline	SW846 Method 8270C	----
Nitrophenol	SW846 Method 8270C	----
enaphthene	SW846 Method 8270C	----
enaphthylene	SW846 Method 8270C	----
thracene	SW846 Method 8270C	----
nzo (a) Anthracene	SW846 Method 8270C	BENZO (A) ANTH
nzo (a) Pyrene	SW846 Method 8270C	----
nzo (b) Fluoranthene	SW846 Method 8270C	BENZO (B) FLU
nzo (g, h, i) Perylene	SW846 Method 8270C	BENZO (G, H, I) PE
nzo (k) Fluoranthene	SW846 Method 8270C	BENZO (K) FLU
nzoic Acid	SW846 Method 8270C	----
nzyl Alcohol	SW846 Method 8270C	----
tylbenzylphthalate	SW846 Method 8270C	BBENPHTHALATE
rysene	SW846 Method 8270C	----
-N-Butylphthalate	SW846 Method 8270C	D-N-B PHTHALATE
-n-Octyl Phthalate	SW846 Method 8270C	D-N-OCTYL PHTH
benzo (a, h) Anthracene	SW846 Method 8270C	DIB (A, H) ANTH



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 Sample Type: 1 - Soil Sample(s); 1 - Water Sample(s)  
 Project: E25412 PO Number:

Analytical Method - continued

002 SB-05W Sample Date: 01/31/05 11:00

benzofuran	SW846 Method 8270C	----
diethylphthalate	SW846 Method 8270C	DE PHTHALATE
dimethyl Phthalate	SW846 Method 8270C	DM PHTHALATE
fluoranthene	SW846 Method 8270C	----
fluorene	SW846 Method 8270C	----
hexachlorobenzene	SW846 Method 8270C	HCB
hexachlorobutadiene	SW846 Method 8270C	HCBD
hexachlorocyclopentadiene	SW846 Method 8270C	HCCPD
hexachloroethane	SW846 Method 8270C	HCE
indeno (1,2,3-cd) Pyrene	SW846 Method 8270C	INDE (1,2,3) PY
N-Nitroso-Di-n-Propylamine	SW846 Method 8270C	N-NDPA
N-Nitrosodiphenylamine	SW846 Method 8270C	N-NDPA
naphthalene	SW846 Method 8270C	----
nitrobenzene	SW846 Method 8270C	----
o-nitrochlorophenol	SW846 Method 8270C	PCP
phenanthrene	SW846 Method 8270C	----
phenol	SW846 Method 8270C	----
pyrene	SW846 Method 8270C	----
bis (-2-Chloroethoxy) Methane	SW846 Method 8270C	BIS (2CHETH) METH
bis (2-Chloroethyl) Ether	SW846 Method 8270C	BIS (2-CE) ETHER
bis (2-Chloroisopropyl) Ether	SW846 Method 8270C	BIS (2-CHLIP) ETH
bis (2-Ethylhexyl) Phthalate	SW846 Method 8270C	BIS (2-EH) PHTH
Percent Moisture	SW846 3550 Sec. 7.2	% Moisture

*Lawrence A. Casto*  
 Lawrence A. Casto  
 Environmental Services

*James A. Calpin, CIH for*  
 James A. Calpin, CIH  
 Laboratory Director  
 Page 21

**Appendix C - Photos**

Photograph #1



Concrete Drilling for Soil Borings  
4630 Broadway, New York, NY

Photograph #2



Basement Floor Drain  
4630 Broadway, New York, NY

Photograph #3



Vent Pipe for AST  
4630 Broadway, New York, NY

Photograph #4



Fill Pipe for AST  
4630 Broadway, New York, NY

Photograph #5



Soil Boring SB-01 in Progress  
4630 Broadway, New York, NY



**Corporate Headquarters**  
550 West Old Country Road  
Suite 308  
Hicksville, New York 11801  
Tel: (516) 932-3228  
Fax: (516) 932-3288

September 28, 2005

**COPY**

Mr. Robert Scholem  
VP Property Management, CPM, CSM  
Acadia Realty Trust  
1311 Mamaroneck Avenue, Suite 260  
White Plains, New York 10605

Re: Petroleum Bulk Storage (PBS) Registration  
Site: 4650 Broadway (Sherman Ave), New York, New York  
CNS Job #: E25463

Dear Mr. Scholem,

On Thursday September 8<sup>th</sup>, 2005, CNS Management Corp. (CNS) successfully updated the status of the 5,000 gallon Aboveground Storage Tank (AST) at the above subject site to comply with the New York State Department of Environmental Conservation's (NYSDEC) 6 NYCRR Part 612: Registration of Petroleum Storage Facilities.

This update involved the submittal of the Petroleum Bulk Storage Application regarding the change of ownership status at the subject site and the posting of the Petroleum Bulk Storage Certificate at the premises. See Appendix A: NYSDEC Documents.

Additionally the New York City Fire Department (NYCFD) was contacted and on August 17<sup>th</sup>, 2005, NYCFD Inspector Tulsie John successfully inspected and updated the AST at the subject site to comply with the Rules of the City of New York, Title 3 Section 20-01. However at the time of inspection, Inspector John indicated that there were existing violations to the previous operator, Bermont Operating Corp. for the removal of two (2) previous ASTs and the installation of the current 5,000 gallon AST. Inspector John of the NYCFD issued a Violation Order (E144621). This Violation Order will need to be addressed by providing the NYCFD with a copy of the affidavit regarding the removal of the previous ASTs and a New York City Department of Buildings "Certificate of Approval" for the use and storage of fuel oil. See Appendix B: NYCFD Violation.

As per the NYSDEC's 6 NYCRR Part 613.6: *Handling and Storage of Petroleum - AST Inspections*, the owner or operator at the subject site must inspect the AST on a monthly basis, inspecting an AST involves checking the exterior surfaces of the tank, structural supports, piping, leak detection systems and valves for leaks, cracks or any deficiencies. The inspections need to be documented and include the following;

- Facility ID number
- AST number
- Date
- Findings of the inspection and details of the repairs, if any
- A statement that the inspection was conducted in accordance with the requirements in Section 613.6 of the NYSDEC's *Handling and Storage of Petroleum - AST Inspections*
- Address of the inspector
- Signature of Inspector

All inspection documentation must remain on-site for a period of 10 years.

If you have any questions or require any additional information please call me at (516) 932-3228.

Sincerely,



Peter Brighton  
Environmental Engineer

Enclosure:

NYSDEC 6 NYCRR Part 613.6: *Handling and Storage of Petroleum - AST Inspections*  
(Appendix C)

**Appendix A – NYSDEC Documents**





Return Completed Form & Fees To:  
NYSDEC - PHS Unit

6000 York State Department of Environmental Conservation  
Division of Environmental Remediation

# Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law,  
Article 17, Part 16 of ECL, 6 NYCRR 612-6.14 and 6 NYCRR, Subpart 612-6.14

Section A  
(See enclosed instructions and please be sure to complete Sections A & B)

Please Type or Print Clearly  
and Complete All Items

<p><b>PBS Number</b> 2-077656</p>	<p><b>DEC CBS Number</b> (If applicable)</p>	<p><b>DEC SPDES Number</b> (If applicable)</p>	<p><b>Transaction Type</b> (Check all that apply) NOTE: Transaction Types 1, 2 and 5 may require a fee</p> <p><input type="checkbox"/> 1) Initial/ New Facility</p> <p><input checked="" type="checkbox"/> 2) Change of Ownership</p> <p><input type="checkbox"/> 3) Substantial Tank Modification</p> <p><input type="checkbox"/> 4) Informational Correction</p> <p><input type="checkbox"/> 5) Renewal</p>	<p><b>Facility Name:</b> City of NY HR Administration</p> <p><b>Location (Not P.O. Boxes)</b> 4650 Broadway &amp; 2 Sherman Ave</p> <p><b>Location (cont.)</b></p> <p><b>City:</b> New York</p> <p><b>State:</b> NY</p> <p><b>Zip Code:</b> 10040</p> <p><b>County:</b> Manhattan</p> <p><b>Name of Operator in Facility:</b> Alex Kazchak</p> <p><b>Emergency Contact Name:</b> Tom Donahue</p> <p><b>Facility Telephone Number:</b> (914) 420-4427</p> <p><b>Emergency Telephone Number:</b> (631) 979-5483</p>	<p><b>Owner Name:</b> Acadia-PA Sherman Ave., LLC</p> <p><b>Address (Street and/or P.O.)</b> 1311 Mamaroneck Avenue, Suite 260</p> <p><b>City:</b> White Plains</p> <p><b>State:</b> NY</p> <p><b>Zip Code:</b> 10605</p> <p><b>Federal Tax ID Number:</b> 20-228-7704</p> <p><b>Type of Owner:</b> (Check only one)</p> <p><input type="checkbox"/> Private Resident</p> <p><input type="checkbox"/> State Government</p> <p><input type="checkbox"/> Local Government</p> <p><input checked="" type="checkbox"/> Federal Government</p> <p><input type="checkbox"/> Corporate/Commercial</p>	<p><b>TYPE OF PETROLEUM FACILITY</b> (Check only one)</p> <p><input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor</p> <p><input type="checkbox"/> 02=Retail Gasoline Sales</p> <p><input type="checkbox"/> 03=Other Retail Sales</p> <p><input type="checkbox"/> 04=Manufacturing</p> <p><input type="checkbox"/> 05=Utility</p> <p><input type="checkbox"/> 06=Trucking/Transportation</p> <p><input type="checkbox"/> 07=Apartment Building</p> <p><input type="checkbox"/> 08=School</p> <p><input type="checkbox"/> 09=Farm</p> <p><input type="checkbox"/> 10=Private Residence</p> <p><input type="checkbox"/> 11=Airline/Air Taxi</p> <p><input type="checkbox"/> 12=Chemical Distributor</p> <p><input type="checkbox"/> 13=Municipality</p> <p><input type="checkbox"/> 14=Refinery</p> <p><input type="checkbox"/> 15=Railroad</p> <p><input checked="" type="checkbox"/> 16=Vessel/Barge</p> <p><input type="checkbox"/> 99=Other (Specify): Parking Garage</p>	<p>I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.</p> <p><b>Name of Owner or Authorized Representative:</b> Peter Brighton</p> <p><b>Title:</b> Environmental Engineer</p> <p><b>Signature:</b> <i>Peter Brighton</i></p> <p><b>Date:</b> 8-9-05</p> <p><b>Amount Enclosed:</b> \$ 500</p>	<p><b>Attention:</b> Peter Brighton</p> <p><b>Name of Company:</b> CNS Management Corporation</p> <p><b>Address:</b> 550 W Old Country Road Suite 308</p> <p><b>Address:</b></p> <p><b>City/State/Zip Code:</b> Hicksville, New York 11801</p> <p><b>Telephone Number:</b> (516) 932-3228</p>	<p><b>Expiration Date:</b></p>	<p><b>OFFICIAL USE ONLY</b></p> <p>Page ____ of ____</p> <p>Date Received ____/____/____</p> <p>Date Processed ____/____/____</p> <p>Amount Received \$ ____</p> <p>Reviewed by: _____</p>
---------------------------------------	--	--	---	---	--	--	--	---	--------------------------------	--

**Section B - Tank Information**

(See enclosed instructions and use the key located on the bottom of this sheet to complete each item/column)

**PBS Number:**  
2-077666

**Registration Expiration Date:**

(1) Action	(2) Tank Model	(3) Piping Model	(4) Tank Number	(5) Insulation or Permanent Closure Date	(6) Capacity (Gallons)	(7) Product Stored	(8) Tank Type	(9) Tank Internal Protection	(10) Tank External Protection	(11) Tank Secondary Containment	(12) Tank Leak Detector	(13) Tank Overfill Prevention	(14) Tank Spill Prevention	(15) Tank Dispense	(16) Piping Location	(17) Piping Type	(18) Piping See Containment	(19) Piping	(20) Piping Leak Detector	(21) Last Test Date/ Testing Due Date (Underground Tanks) Last Test Date Test Date Test Date
4			2	1-00-00-0000	5,000	0002	05	00	00	01	06	00	01	00	01	01	00	00	00	00-00-00

(22) Action ID	(23) Status ID	(24) Tank Type (3)	(25) External Protection (10/18)	(26) Piping Type (17)	(27) Secondary Containment (11/19)	(28) Piping Location (2)
1. Initial Listing	1 In-service	01. Steel/Carbon Steel/Alloy	01. None	01. None	01. None	01. Aboveground
2. Add Tank	2. Temporarily out-of-service	02. Galvanized Steel Alloy	02. Painted/Asphalt Coating	01. Steel/Carbon Steel/Alloy	01. Diking (A/G)	02. Underground/On-ground
3. Close/Remove Tank	3. Closed-Removed	03. Stainless Steel Alloy	03. Original Sacrificial Anode	02. Galvanized Steel	02. Vault (w/access)	03. Aboveground/Underground
4. Information	4. Closed-In Place	04. Fiberglass Coated Steel	03. Original Impressed Current	03. Stainless Steel Alloy	03. Vault (two access)	Combination
5. Reclassify/Repair	5. Tank converted to Non-Regulated use	05. Fiberglass Reinforced Plastic (FRP)	04. Fiberglass	04. Fiberglass Carbon Steel	04. Double-Walled (D/G)	<b>Plus Leak Detection (20)</b>
		06. Fiberglass Reinforced Plastic (FRP)	05. Backfill	05. Steel Uncoated in Concrete	05. Synthetic Liner	01. None
		07. Plastic	06. Wrapped (Piping)	06. Fiberglass Reinforced Plastic (FRP)	06. Retinac Impounding Area	01. Interstitial Electronic Monitoring
		08. Equivalent Technology	07. Retinac Sacrificial Anode	07. Fiberglass Reinforced Plastic (FRP)	07. Excavation/Trench Liner System	02. Interstitial Manual Monitoring
		09. Concrete	08. Retinac Impressed Current	08. Equivalent Technology	08. Flexible Internal Liner (Bladder)	03. Vapor Well
		10. Urethane Chlor Steel	09. Urethane	09. Concrete	09. Modified Double-Walled (A/G)	04. Granular Well
		01. Other-please list.*	01. Other-please list.*	01. Flexible Piping	10. Impervious Underlayment	07. Pressurized Piping Leak Detector
			02. Interstitial Electronic Monitoring	02. High Level Alarm	11. Double Bottom (A/G)	08. Tank Top Sump (Piping)
			03. Vapor Well	03. Automatic Shut-off	09. Other-please list.*	09. Except Suction Piping
			04. Interstitial Electronic Monitoring	04. Interstitial Electronic Monitoring	01. Head Valve	09. Other-please list.*
			05. In-Tank System (ATG)	05. High Level Alarm	02. High Level Alarm	<b>DISPOSER (15)</b>
			06. Impervious Barrier/Concrete Pad (A/G)	06. Product Level Gauge (A/G)	03. Automatic Shut-off	01. None
			09. Other-please list.*	09. Other-please list.*	04. Product Level Gauge (A/G)	01. Submersible
					05. Year Vehicle	02. Suction
					01. Other-please list.*	09. Gravity

\* If other, please list on a separate sheet including Tank Number



PBS Number  
2-077666

**New York State Department of Environmental Conservation**  
**PETROLEUM BULK STORAGE CERTIFICATE**  
625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

One Hunters Point Plaza, 1st Floor  
47-40 21st Street, L.I. City, NY 11101-6454  
(718) 482-6454

TANK NUMBER	TANK LOCATION	DATE INSTALLED	TANK TYPE	CAPACITY (GALLONS)	DATE LAST TESTED	TESTING DUE DATE
003	Aboveground - in contact with impervious	10/01/1998	Steel Tank Encased in Concrete	5,000		

\* Aboveground tanks require monthly visual inspections and may need documented internal inspections as described in 6 NYCRR Part 613

**OWNER:** ACADIA-PA SHERMAN AVE., LLC  
1311 MAMARONECK AVE, SUITE 260  
WHITE PLAINS, NY 10605

**OPERATOR:** ALEX KAZCHAK  
(914) 420-4427

**EMERGENCY CONTACT:** TOM DONAHUE  
(631) 979-5483

**ISSUED BY:** Acting Commissioner  
Denise M. Sheehan

**PBS NUMBER:** 2-077666

**DATE ISSUED:** 08/31/2005

**EXPIRATION DATE:** 08/31/2010

**FEE PAID:** \$500.00

**SITE:**  
CITY OF NY HR ADMINISTRATION  
4650 BROADWAY & 2 SHERMAN AVE  
AKA 2 SHERMAN AVE  
NEW YORK, NY 10040

**MAILING CORRESPONDENCE:**

PETER BRIGHTON  
CNS MANAGEMENT CORPORATION  
550 W OLD COUNTRY ROAD  
SUITE 308  
HICKSVILLE, NY 11801

As an authorized representative of the above named facility, I affirm under penalty of perjury that the information displayed on this form is correct to the best of my knowledge. Additionally, I recognize that I am responsible for assuring that this facility is in compliance with all sections of 6 NYCRR Parts 612, 613 and 614, and applicable sections of 6 NYCRR Subpart 360-14 (used oil tanks only), not just those cited below:

- The facility must be re-registered if there is a transfer of ownership.
- The Department must be notified within 30 days prior to adding, replacing, reconditioning, or permanently closing a stationary tank.
- The facility must be operated in accordance with the code for storing petroleum, 6 NYCRR Part 613.
- Any new facility or substantially modified facility must comply with 6 NYCRR Part 614.
- This certificate must be signed and posted on the premises at all times. Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.
- Any person with knowledge of a spill, leak or discharge must report the incident to DEC within two hours (1-800-457-7362).

Signature of Representative/Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
Name and Title of Authorized Representative/Owner (Please Print) \_\_\_\_\_

**Appendix B – NYCFD Violation**

## FO-4 VIOLATION ORDER SUPPLEMENT

Account # 11357673

Date 05/17/05

VO# E 144621

As stated in the violation order we need an affidavit. The *affidavit must* include the following information:

- \* Must be on business letterhead and notarized.
- \* Must contain the name of the licensee sealing and/or removing the tank(s).
- \* The type of license, license number, and the expiration date of such license.
- \* The number, location and size of tanks.
- \* The type of product removed.
- \* State whether the system is a Permanent or Temporary seal.
- \* *The affidavit shall specifically state whether the storage system was sealed and/or removed in accordance with the guidelines described in section (c) or (d) of Title 3, RCNY Chapter 21-02.*



CROSS STREETS

Sherman Ave  
Broadway

CITY OF NEW YORK  
FIRE DEPARTMENT

A-10(D) (4/97) FD-210(43-117-P)

BATTALION \_\_\_\_\_

D.O. 07

E 144621

VIOLATION ORDER

To 4652-60  
4650 Broadway  
-1  
ROOM NO. OR FLOOR

Commercial  
TYPE OF OCCUPANCY

Acadia Pk Sherman Ave 4  
NAME OF OWNER, LESSEE, OCCUPANT, ETC.  
31351675  
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		<p>Order to close &amp; lock out of service fuel line &amp; gas system - compliance with Code Section 24-207.1 (a) &amp; (b) and 24-207.2 (a) &amp; (b) as amended. See 24-207.1 (a) &amp; (b) and 24-207.2 (a) &amp; (b) with the Dept. of Buildings issued by a person holding a certificate of license to install, alter, test or repair motor fuel systems &amp; dispensing equipment or by a person holding an air conditioning license certifying that such system meets the code. Sealed in compliance with Code Section 24-207.1 (a) &amp; (b).</p> <p><u>See 24-207.1 (a) &amp; (b) &amp; (c)</u></p>

If this order has not been complied with in 15 days of the issuance date. A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR -NUMBERING | TO 24 FOR DISMISSAL

Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order (s)

Patricia Smith NAME OF PERSON WHO RECEIVED THIS ORDER  
Inspector TITLE  
3169123000 PHONE #

7/17/01 INSPECTOR DATE  
7 UNIT

Unit Address 1270 Castle Ave Unit Telephone 718 430 0587  
Box 401 10462 0757

FPIMS Account No. 101151511 017151

Unit HQ/DO 107

AFID [ ] [ ] [ ]

ENVIRONMENTAL CONTROL BOARD  
CITY OF NEW YORK

NOTICE OF VIOLATION  
AND HEARING

VIOLATION NO. 10 9-52 49 2

SUPPLEMENTARY INFORMATION FORM

- Instructions:
1. This page is to be used if additional information is needed to explain the Rule Number or Section of Code in violation.
  2. Complete NOV before using this form.
  3. Distribution: Attach top copy to ECB copy of NOV, hand second copy to person served in the field; third copy for Department use.

Violation Rule

19.	Failure to provide to this Department, documentation issued by the New York City Department of
	Buildings, showing approval of the fuel oil burning and/or fuel oil storage equipment.
	<i>5332 fuel tank and tank</i>
	Remedy: Provide a copy of the Certificate of Approval with a copy of the PW-1-Schedule C
	(Heating and Combustion Equipment) application for the fuel oil burning and/or fuel oil storage
	equipment or discontinue storage and use of fuel oil without a permit from this Department.

I personally observed the commission of the offense(s) indicated on the attached Notice of Violation.  
 All statements made herein are affirmed under penalty of perjury. Date of Offense 05/17/01 Time 1:30 am/pm

Inspector's Tax Registry No. 295180

INSPECTOR'S SIGNATURE [Signature]







Section 246.10 (2) (b) (i) (ii) (iii) (iv) (v) (vi) (vii) (viii) (ix) (x) (xi) (xii) (xiii) (xiv) (xv) (xvi) (xvii) (xviii) (xix) (xx) (xxi) (xxii) (xxiii) (xxiv) (xxv) (xxvi) (xxvii) (xxviii) (xxix) (xxx)

Notice of Violation and Order to Correct and Certify Correction. PLEASE TAKE NOTICE that the premises cited above were inspected by the Environmental Control Board of the City of New York on the date indicated above. The Board has determined that the above named Person(s) is/are responsible for the above listed violations.

REPEAT OFFENDERS MUST appear at the hearing on the scheduled date.

Upon investigation, it has been determined by the above named Person(s) of having adequate cause to believe that the above named Person(s) is/are responsible for the above listed violations.

- Rule 1 Buckets and/or Fire Extinguishers
Rule 2 Waste Receptacles
Rule 3 No Permits
Rule 4 Quantities in Excess of Permit
Rule 5 Produce Permit and/or Record
Rule 6 Signs/Postings/Instructions
Rule 7 Labels/Marks/Tags
Rule 8 Obstructions/Accumulations
Rule 9 Adequate Egress/Alarm Space/Clearance
Rule 10 Occupancy Load Restrictions
Rule 11 General Maintenance
Rule 12 Maintenance of Sprinklers, Standpipe, Alarm, Suppression Systems
Rule 13 Fire Retardant Material
Rule 14 Fireproof Doors/Windows
Rule 15 Fireproof Partitions of Walls
Rule 16 Ventilation

Description of violation

I hereby certify that the commissioner of the above offenses to which this violation has been assigned is/are responsible for the above listed violations.

INSPECTOR'S SIGNATURE

Inspector's Tax Registry Number

PRINT NAME

**Appendix C – NYSDEC 6 NYCRR Part 613.6: Handling and Storage of Petroleum**



New York State  
Department of Environmental Conservation  
**Rules and Regulations**

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[Regulations Index](#) | [Regulations Disclaimer](#)

## 6 NYCRR Part 613

### Handling and Storage of Petroleum

(Statutory authority: Environmental Conservation Law,  
§§17-0303[3]; 17-1001, et seq.)

*[Effective 12/27/85]*

*[Amended 2/12/92]*

#### Contents:

[§613.1 General](#)

[§613.2 Bulk storage in flood plains](#)

[§613.3 Overfill prevention and secondary containment systems](#)

[§613.4 Inventory monitoring for underground storage facilities](#)

[§613.5 Underground storage facilities - testing and monitoring](#)

[§613.6 Aboveground storage facilities - inspections](#)

[§613.7 Additional testing and inspection requirements](#)

[§613.8 Reporting of spills and discharges](#)

[§613.9 Closure of out-of-service tanks](#)

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#### §613.1 General

**(a) Purpose.** The purpose of this Part is to set forth regulations for the handling and storage of petroleum in order to protect the public health, welfare and the lands and waters of the State.

**(b) Applicability.** This Part applies to all aboveground and underground petroleum storage facilities with a combined storage capacity of over eleven-hundred (1,100) gallons including all facilities registered under Part 612 of this Title. This Part also applies to those facilities licensed under Article 12 of the Navigation Law to the extent provided in Part 610. This Part does not apply to

oil production facilities and facilities regulated under the Federal Natural Gas Act.

**(c) Definitions.** The definitions found in subdivision 612.1(c) of this Title shall apply to this Part.

**(d) Severability.** If any provisions of this Part or its application to any person or circumstance is held to be invalid, the remainder of this Part and the application of that provision to other persons or circumstances will not be affected.

**(e) Access to records and facilities.**

(1) Upon reasonable notice of the commissioner or his designee, the owner or operator must allow any designated officer or employee of the Department at all reasonable times to review and to copy any books, papers, documents and records relating to recordkeeping requirements and compliance with this Part.

(2) Any designated officer or employee of the Department may, at reasonable times and upon reasonable notice, enter and inspect a facility for compliance with this Part, provided that the officer or employee is accompanied by the owner, operator or their designee.

**(f) Enforcement.** Any person who violates any of the provisions of this Part, or any order issued by the commissioner, shall be liable for the civil, administrative and criminal penalties set forth in Article 71 of the Environmental Conservation Law.

**(g) Referenced materials.** Citations used in this Part refer to the publications listed below. These publications are available for copying and inspection at the Department of Environmental Conservation, Division of Water, 50 Wolf Road, Albany, New York.

(1) "NFPA No. 30" means National Fire Protection Association, *Flammable and Combustible Liquids Code, No. 30* July 5, 1984, NFPA, Batterymarch Park, Quincy, Massachusetts, 02269. Pages 30-14, 30-15, 30-17, 30-20, 30-21.

(2) "NFPA No. 30A" means National Fire Protection Association, *Automotive and Marine Service Station Code, No. 30A*, July 5, 1984, NFPA, Batterymarch Park, Quincy, Massachusetts, 02269. Pages 30A-7 and 30A-8.

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## §613.2 Bulk storage in flood plains

Handling and Storage of Petroleum

facility in a flood plain as defined in Part 500 of this Title must be safeguarded against buoyancy and lateral movement by flood guards in accordance with operating standards set forth in NFPA 30, section 2-5.6 (see subdivision 613.1(g)), and in accordance with State and local flood plain regulations. If such guards include ballasting of tanks with water during flooding periods, tank valves and other openings must be closed and secured in a locked position in advance of the flood. Ballast water removed from the tank after the flood must not be discharged to the waters of the State if the discharge would contravene the standards of Parts 701, 702 or 703 of this Title.

[back to top of page](#)

### §613.3 Overfill prevention and secondary containment systems

**(a) Responsibility for transfer.** The operator, when on the premises or when in control of a petroleum transfer, shall be responsible for transfer activities. If the operator is not on the premises or not in control of a petroleum transfer, the carrier will be responsible for transfer activities. The operator or carrier will employ practices for preventing transfer spills and accidental discharges. Prior to the transfer, the operator or carrier must determine that the receiving tank has available capacity to receive the volume of petroleum to be transferred. The operator or carrier must monitor every aspect of the delivery and must take immediate action to stop the flow of petroleum when the working capacity of the tank has been reached or should an equipment failure or emergency occur.

#### **(b) Color coding of fill ports.**

(1) Beginning five (5) years from the effective date of these regulations, the owner or operator must permanently mark all fill ports to identify the product inside the tank. These markings must be consistent with the color and symbol code of the American Petroleum Institute which follows.

(2) The colors to be used are:

(i)	High gasoline	Red
(ii)	Middle gasoline	Blue
(iii)	Lower gasoline	White
(iv)	High unleaded gasoline	Red w/white cross

	Middle unleaded gasoline	Blue w/white cross
)	Lower unleaded gasoline	White w/black cross
ii)	Vapor recovery	Orange
iii)	Diesel	Yellow
x)	#1 fuel oil	Purple w/yellow bar
x)	#2 fuel oil	Green
xi)	Kerosene	Brown

(3) The symbols to be used are:

- (i) a circle for gasoline products and vapor recovery lines;
- (ii) hexagon for other distillates; and
- (iii) a border must be painted around fuel products containing extenders such as alcohol. The border will be black around a white symbol and white around all other colors.

(4) Monitoring wells must be permanently marked and identified as a "monitoring well".

**(c) Requirements for valves, gauges and secondary containment systems.** Within five (5) years of the effective date of these regulations, the owner must install the following.

(1) Shutoff valves for remote pumping units at motor fuel dispensers. All dispensers of motor fuel under pressure from a remote pumping system must be equipped with a shear valve (impact valve) which is located in the supply line at the inlet of the dispenser. This valve must be designed to close automatically in the event that the dispenser is accidentally dislodged from the inlet pipe. A valve meeting the standards set forth in NFPA No. 30A, section 4-3.6 (see subdivision 613.1(g)) meets the requirements of this subdivision.

(2) Shutoff valves for gravity-fed motor fuel dispensers. All tanks which cause a gravity head on a dispenser of motor fuels must be equipped with a device such as a solenoid valve which is positioned adjacent to and downstream from the operating valve required in paragraph 613.3(c)(5). The valve must be installed and adjusted so that liquid cannot flow by gravity from the tank in case of piping or dispenser hose failure. A valve meeting the standards set forth in NFPA 30A, section 2-1.7 (see subdivision 613.1(g)) meets the requirements of this

subdivision.

(3) Gauges for aboveground storage tanks

(i) All aboveground petroleum tanks must be equipped with a gauge which accurately shows the level of product in the tank. The gauge must be accessible to the carrier and be installed so it can be conveniently read.

(ii) The design capacity, working capacity and identification number of the tank must be clearly marked on the tank and at the gauge.

(iii) A high level warning alarm, a high level liquid pump cutoff controller or equivalent device may be used in lieu of the gauge required above.

(4) Check valve for pump-filled tanks. All fill pipes leading to a pump-filled petroleum tank must be equipped with a properly functioning check valve or equivalent device which provides automatic protection against backflow. A check valve is required only when the piping arrangement of the fill pipe is such that backflow from the receiving tank is possible.

(5) Operating valves for gravity-drained tank. Each tank connection through which petroleum can normally flow must be equipped with an operating valve to control the flow. A valve which meets the standards set forth in NFPA No. 30, section 2-2.71.1 (see subdivision 613.1(g)) meets the requirements of this paragraph.

(6) Secondary containment system for aboveground tanks.

(i) A secondary containment system must be installed around any aboveground petroleum storage tank which:

(a) could reasonably be expected to discharge petroleum to the waters of the state, or

(b) which has a capacity of ten thousand (10,000) gallons or more. The secondary containment system must be constructed so that spills of petroleum and chemical components of petroleum will not permeate, drain, infiltrate or otherwise escape to the groundwaters or surface waters before cleanup occurs. The secondary containment system may consist of a combination of dikes, liners, pads, ponds, impoundments, curbs, ditches, sumps, receiving tanks and other equipment capable of containing the

product stored. Construction of diking and the storage capacity of the diked area must be in accordance with NFPA No. 30, section 2-2.3.3 (see subdivision 613.1.(g)).

(ii) If soil is used for the secondary containment system, it must be of such character that any spill onto the soil will be readily recoverable and will result in a minimal amount of soil contamination.

(iii) Storm water which collects within the secondary containment system must be controlled by a manually operated pump or siphon, or a gravity drain pipe which has two manually controlled dike valves, one on each side of the dike. All pumps, siphons and valves must be properly maintained and kept in good condition. If gravity drain pipes are used, all dike valves must be locked in a closed position except when the operator is in the process of draining clean water from the diked area.

(iv) Storm water or any other discharge at a facility must be uncontaminated and free of sheen prior to discharge. Storm water which is contaminated must be treated to reduce petroleum concentration to 15 parts per million or less and to remove any visible sheen prior to discharge. Additional requirements may be imposed under 6 NYCRR Parts 751-758 for protection of the state's waters.

**(d) Maintenance of spill prevention equipment.** The owner or operator must keep all gauges, valves and other equipment for spill prevention in good working order.

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## **§613.4 Inventory monitoring for underground storage facilities**

### **(a) Inventory records**

(1) The operator of an underground storage tank must keep daily inventory records for the purpose of detecting leaks. Records must be kept for each tank (or battery of tanks if they are interconnected) and shall include measurements of bottom water levels, sales, use, deliveries, inventory on hand and losses or gains. Reconciliation of records must be kept current, must account for all variables which could affect an apparent loss or gain and must be in accordance with generally accepted practices.



(2) If the tank is unmetered or if the tank contains petroleum for consumptive use on the premises where stored, the operator may detect inventory leakage in an alternative method to paragraph 613.4(a)(1) above. This may include an annual standpipe analysis or other method acceptable to the Department.

**(b) Exemptions. No inventory monitoring is required:**

- (1) for an underground tank storing No. 5 or No. 6 fuel oil; or
- (2) where the operator can demonstrate to the satisfaction of the Department that it is technically impossible to perform inventory monitoring for the purpose of leak detection.

**(c) Maintenance of inventory records**

- (1) Inventory monitoring records must be maintained and made available for Department inspection for a period of not less than five (5) years.
- (2) Failure to maintain and reconcile such records constitutes cause for Department-ordered tests and inspections of the facility at operator expense as set forth in section 613.7.

**(d) Reporting of inventory losses.** If inventory monitoring required in subdivision 613.4(a) shows: an inventory loss; a recurring accumulation of water in the bottom of the tank during any ten-day period; apparent product losses or gains exceed three-quarters (3/4) of one (1) percent of the tank volume; or apparent losses or gains exceed seven and one-half (7.5) gallons per one-thousand (1,000) gallons delivered, the operator must initiate an investigation into the possible causes. If, within forty-eight (48) hours, the causes cannot be explained by inaccurate recordkeeping, temperature variations or other factors not related to leakage, the operator must notify the owner and the nearest regional office of the Department and must take the tank out-of-service in accordance with subdivision 613.9(a) until such cause is determined and necessary repairs or replacements are made.

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## **§613.5 Underground storage facilities - testing and monitoring**

### **(a) Periodic tightness testing.**

(1) Testing schedule

(i) The owner of any underground petroleum storage tank and connecting piping system must have the tank and pipes periodically tested for tightness as shown in Table 1, below.

(ii) Any tank and piping system which is due for an initial test within the first year of the effective date of these regulations or any tank which is of unknown age must be tested within (2) years of the effective date of these regulations.

(iii) If the tank and piping system is due for an initial test but has been tested within a five (5) year period prior to the due date in a manner consistent with criteria set forth in paragraph 613.5(a)(6), the Department may accept this test as the initial test. The test report must be sent to the Department prior to the due date for the initial test.

(iv) Retesting of all tank and piping systems must be completed no later than every five (5) years from the date of the previous test.

(v) If for any reason, testing or inspection is not performed as required in this section, the tank or piping system must be replaced in accordance with sections 614.2 through 614.5 inclusive, 614.7 and 614.14 of this Title or taken out-of-service pursuant to the requirements of section 613.9.

<b>Testing Schedule-Underground Tanks</b>		
Category A Tank	Unprotected tank	Initial test when the tank is (10) years old.  Retested every five (5) years thereafter until permanently closed.
Category B Tank	Corrosion-resistant tank	Initial test when the tank is fifteen (15) years old.

Category C Tank	Corrosion-resistant tank and pipe which have a leak monitoring system or any new tank and pipe installed in conformance with Part 614 of this Title.	Monitoring in accordance with paragraph 613.5(b)(3).  No periodic testing is required.
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(2) Exemptions. No periodic tightness test is required:

(i) on a tank and piping system storing No. 5 or No. 6 fuel oil;

(ii) on a tank and piping system which has a capacity of eleven hundred (1,100) gallons or less unless the Department determines that the tank or piping system could reasonably be expected to leak petroleum to the waters of the State;

(iii) on tanks and piping systems which are corrosion resistant and have a leak monitoring system;

(iv) on tanks and piping systems installed in conformance with the standards for new construction set forth in Part 614 of this Title; or

(v) where the size of the tank exceeds 50,000 gallons or where it is technically impossible to perform a meaningful tightness test. In this case, an alternative test or inspection which is acceptable to the Department must be conducted.

(3) Qualifications of test technicians. All tightness tests must be performed by a technician who has an understanding of variables which affect the test, is trained in the performance of the test and meets the qualifications set forth by the Department.

(4) Test reports (i) A test report must be sent by the owner or technician to the Department no later than thirty (30) days after performance of the test, except any test or inspection which shows the facility is leaking must be reported by any person with knowledge of such leak to the Department within two (2) hours of the discovery of such leak. Notification must be made by calling the telephone hotline (518) 457-7362.

(ii) All test reports must be in a form satisfactory to the Department and must include the following information:

- (a) facility registration number,
- (b) identification number used on the application form required in subdivision 612.2(f) of this Title for tank and piping system tested,
- (c) date of test,
- (d) results of test,
- (e) test method,
- (f) certification by the technician that test complies with criteria for a tightness test in paragraph 613.5(a)(6),
- (g) statement of technician's qualifications,
- (h) address of technician, and
- (i) signature of technician.

(iii) A copy of the test report(s) must be maintained by the owner of the facility for a least five (5) years.

(5) Repair, replacement and closure of leaking systems. Any part of the storage facility which is not tight must be promptly emptied, replaced or repaired in accordance with Part 614 of this Title or taken out-of-service in accordance with section 613.9.

(6) Criteria for tightness test. A tightness test is a test acceptable to the Department which will determine if a tank and piping system is tight or not tight. The test must be capable of detecting a tank or piping leak as small as five-hundredths (0.05) of a gallon in one-hour accounting for variables such as vapor pockets, thermal expansion of product, temperature stratification, groundwater level, evaporation, pressure and end deflection.

**(b) Monitoring of corrosion-resistant tanks and pipes.**

(1) The owner or operator of any corrosion-resistant underground tank or pipe which is exempt from tightness testing under subparagraph 613.5(a)(2)(iii), must monitor all cathodic protection and leak detection systems.

(2) The adequacy of a cathodic protection system must be monitored at least annually. If at any time the system fails to

provide the necessary electrical current to prevent corrosion, the cathodic protection system must be restored within thirty (30) days. Any tank or pipe with a non-working cathodic protection system will be considered unprotected and must be tested for tightness within one (1) year and retested every five (5) years thereafter until the tank is permanently closed.

(3) The owner or operator must monitor for traces of petroleum at least once per week. All monitoring systems must be inspected monthly. Monitoring systems must be kept in proper working order. If at any time the monitoring system fails to function effectively, it must be repaired within thirty (30) days. Any tank or piping system with a non-working monitoring system must be tested for tightness within one (1) year and retested every five (5) years thereafter until the tank is permanently closed.

(4) Monitoring records for cathodic protection and leak detection systems must be maintained on the premises for a period of at least one (1) year.

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## **§613.6 Aboveground storage facilities - inspections**

**(a) Monthly inspections.** The owner or operator of an aboveground storage facility must inspect the facility at least monthly. This must include:

- (1) inspecting exterior surfaces of tanks, pipes, valves and other equipment for leaks and maintenance deficiencies;
- (2) identifying cracks, areas of wear, corrosion and thinning, poor maintenance and operating practices, excessive settlement of structures, separation or swelling of tank insulation, malfunctioning equipment and structural and foundation weaknesses; and
- (3) inspecting and monitoring all leak detection systems, cathodic protection monitoring equipment, or other monitoring or warning systems which may be in place at the facility.

### **(b) Ten-year inspection**

- (1) Schedule.
  - (i) In addition to monthly inspections required above, the

- owner or operator must perform a detailed inspection as described in paragraph 613.6(b)(3) below, of any aboveground tank with a capacity of ten thousand (10,000) gallons or more, or any tank with a capacity less than ten thousand (10,000) gallons which could reasonably be expected to discharge petroleum to the waters of the State. The initial inspection must be performed when the tank is ten (10) years old, or within five (5) years of the effective date of these regulations, whichever comes later.
  - (ii) Any tank which is of an unknown age must be inspected within five (5) years of the effective date of these regulations.
  - (iii) If a tank is due for an initial inspection but has previously been inspected in a manner consistent with the criteria set forth in paragraph 613.6(b)(3) within a ten (10) year period prior to the due date, the Department may accept this previous inspection.
  - (iv) Reinspection of all tanks is required no later than ten (10) years from the date of the previous inspection.
- (2) Exemptions. Ten-year inspections are not required for:
  - (i) tanks which are entirely aboveground, such as tanks on racks, cradles or stilts;
  - (ii) tanks storing No. 5 or No. 6 fuel oil; or
  - (iii) Tanks installed in conformance with the standards for new construction set forth in sections 614.8 through 614.11 inclusive, of this Title.
- (3) Requirements for ten-year inspections. A ten (10) year inspection must consist of a tightness of the tank and connecting underground pipes or an inspection which consists of the following:
  - (i) cleaning the tank and difficult to reach areas within the tank in accordance with generally accepted practices;
  - (ii) removal, transportation and disposal of sludge in a manner consistent with all applicable state and federal laws;
  - (iii) inspecting the tank shell for soundness and testing all welds and seams on the tank bottom for porosity and

- tightness. The test must be consistent with generally accepted industry testing and inspection practices. This may include one or a combination of the following: a tightness test, an air pressure, hydrostatic or vacuum test, a penetrant dye test, a non-destructive test to detect thinning of the tank or hammering to detect weak areas;
- (iv) visual inspection of the internal surfaces of the tank and difficult to reach areas for corrosion or failure;
- (v) inspection of internal coatings for any signs of failure of the coating system such as cracks, bubbles, blisters, peeling, curling or separation; and
- (vi) a tightness test of any connecting underground pipes.

**(c) Inspection reports.**

(1) Reports for each monthly inspection and ten-year inspection must be maintained and made available to the Department upon request for a period of at least ten (10) years.

(2) The reports must include the following information:

- (i) facility registration number,
- (ii) identification number for tank inspected,
- (iii) date of inspection,
- (iv) results of inspection including a report on the need for repair,
- (v) certification by the inspector that the inspection has been performed in a manner consistent with requirements of section 613.6,
- (vi) address of inspector, and
- (vii) signature of inspector.

**(d) Repair of equipment deficiencies.** If any inspection reveals a leak, a tank or equipment deficiency, a deficiency in monitoring equipment, excessive thinning of the tank shell which would indicate structural weakness when the tank is filled with petroleum, or any other deficiency which could result in failure of the facility to function properly or store and contain the product in storage, remedial measures must be promptly taken to eliminate the leak or

deficiency.

**(e) Uninspected facilities.** If any portion of a facility is not inspected as required, the uninspected portion of the facility must be taken out-of-service pursuant to the requirements of section 613.9.

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### **§613.7 Additional testing and inspection requirements**

When a leak of petroleum is suspected or appears probable, or where tests or inspections have not been performed, or where accurate inventory records are not kept and reconciled as required in section 613.4, the Department may order the owner or operator to inspect and to test the tanks or equipment for tightness and structural soundness. If the owner or operator fails to conduct such tests and inspections within ten (10) days, the Department may conduct inspections or tests for tightness or structural soundness. The expenses of conducting such tests as ordered by the Department shall be paid by the facility owner.

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### **§613.8 Reporting of spills and discharges**

Any person with knowledge of a spill, leak and discharge of petroleum must report the incident to the Department within two (2) hours of discovery. The results of any inventory record, test or inspection which shows a facility is leaking must be reported to the Department within two (2) hours of the discovery. Notification must be made by calling the telephone hotline (518) 457-7362.

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### **§613.9 Closure of out-of-service tanks**

#### **(a) Closure of tanks temporarily out-of-service**

(1) Storage tanks or facilities which are temporarily out-of-service for thirty (30) or more days must be closed as follows:

(i) All products must be removed from the tank and piping system to the lowest draw-off point. Any waste product removed from the tank must be disposed of in accordance



- with all applicable state and federal requirements. Tanks must be protected from floatation in accordance with good engineering practices.

- (ii) All manways must be locked or bolted securely and fill lines, gauge openings or pump lines must be capped or plugged to prevent unauthorized use or tampering.

(2) Storage tanks or facilities which are temporarily out-of-service are subject to all requirements of this Part and Part 612 of this Title including, but not limited to, periodic tightness testing, inspection, registration and reporting requirements.

**(b) Closure of tanks permanently out-of-service.**

(1) Any tank or facility which is permanently out-of-service must comply with the following:

- (i) Liquid and sludge must be removed from the tank and connecting lines. Any waste products removed must be disposed of in accordance with all applicable state and federal requirements.

- (ii) The tank must be rendered free of petroleum vapors. Provisions must be made for natural breathing of the tank to ensure that the tank remains vapor free.

- (iii) All connecting lines must be disconnected and removed or securely capped or plugged. Manways must be securely fastened in place.

- (iv) Aboveground tanks must be stenciled with the date of permanent closure

- (v) Underground tank(s) must either be filled to capacity with a solid inert material (such as sand or concrete slurry) or removed. If an inert material is used, all voids within the tank must be filled.

- (vi) Aboveground tanks must be protected from floatation in accordance with good engineering practice.

(2) Storage tanks or facilities which have not been closed pursuant to paragraph 613.9(b)(1) above, are subject to all requirements of this Part and Part 612 of this Title including but not limited to periodic tightness testing, inspection, registration and reporting requirements.

**(c) Reporting of out-of-service tanks.** The owner of a tank or facility which is to be permanently closed must notify the Department within thirty (30) days prior to permanent closure of the tank or facility pursuant to the requirements of subdivision 612.2(d) of this Title.

**(d) Used tanks.**

(1) Tanks which are removed and do not meet the standards for new tanks set forth in sections 614.3 or 614.9 cannot be reinstalled for the purpose of petroleum storage.

(2) If a tank meets the standards for new tanks, it may be reinstalled for petroleum storage if after thorough cleaning and inspection, internally and externally, it is found to be structurally sound and free of pin holes, cracks, structural damage or excessive corrosion or wear. Such tanks must be reinstalled and tested in accordance with requirements of this Part and Part 614 of this Title.

(3) If a tank is to be disposed of as junk, it must be retested for petroleum vapors, rendered vapor free if necessary, and punched with holes to make it unfit for storage of liquids.

**(e) Financial assurances.** Forms of surety or financial assurances may be required by the Department to ensure proper closure of facilities. The amount of such financial assurances will be set by the Department. Any requirement of financial assurances must be accompanied by a finding by the Department of the public interest and shall set forth the reasons for requiring such financial assurances.

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**Appendix D – Photographs**

Photograph #1



Vent Line  
Parking Garage  
4650 Broadway, New York, NY

Photograph #2



Fill Line  
Parking Garage  
4650 Broadway, New York, NY

Photograph #3



5,000 Gallon AST  
Parking Garage  
4650 Broadway, New York, NY

Photograph #4



Gauge  
Parking Garage  
4650 Broadway, New York, NY



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# **Asbestos Operations & Maintenance Manual**

**For**

**4650 Broadway  
New York, New York  
CNS Job #A25817**

**Prepared For:**

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October 1, 2005

**COPY**

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## 1.0 INTRODUCTION

This Asbestos Operations and Maintenance (O&M) Program provides The Property Program Manager with guidelines for conducting maintenance activities in those building areas where asbestos-containing-materials (ACM) are located throughout 4650 Broadway in New York City, New York. This program adopts regulations set forth in the Rules and Regulations of the City of New York Title 15 Chapter 1, the New York State Department of Labor Industrial Code Rule 56 (ICR56) asbestos regulations and guidelines from the United States Environmental Protection Agency (EPA) Managing Asbestos in Place - A Building Owner's Guide to an Operations and Maintenance Program for Asbestos Containing Materials, and Occupational Safety and Health Administration (OSHA) Hazardous Communication regulations.

This manual is intended to provide a basis for implementation of the O&M program based on subject site asbestos survey results, location, condition of any ACM found to exist and questionnaire findings regarding the subject site operations. These guidelines mitigate exposure to existing asbestos materials by in-house maintenance staff, outside vendors, sub-contractors or tenants who may impact the identified asbestos outlined within Appendix D.

The primary purpose of the O&M program is the protection of the health and safety of building occupants and staff through monitoring and communication of potential hazards associated with asbestos exposure. The goals of this program include the periodic monitoring of the condition of known ACM over time, the minimization of fiber release episodes by minimizing disturbance of ACM, and abatement of asbestos in accordance with Federal NESHAP regulations and the regulations enforced by the New York City Department of Environmental Protection and the New York State Department of Labor.

### 1.1 ASBESTOS MANAGEMENT TEAM:

CORPORATE PROGRAM MANAGER (CPM): The CPM (*Joseph Hogan*) is responsible for Operations and Maintenance Program development and implementation.

ACCOUNT EXECUTIVE: The Account Executive is responsible for communication between consultants for CNS MANAGEMENT /database services and filing projects.

PROPERTY PROGRAM MANAGER (PPM): PPM (*Mr. Robert Scholem*) is responsible for daily program management at the site.

ASBESTOS CONSULTANT: CNS Management Corp. is certified to assist the CPM in the effectuation of this O&M Program. CNS Management is available to perform building surveys, assess conditions of ACM, test and monitor airborne fiber concentration levels, coordinate ACM emergency procedures, conduct asbestos awareness training, aid in the implementation of the O&M program, and provide asbestos abatement design and monitoring services, as required. CNS Management can perform training to the Property Program Manager and staff on-site employees of the owner thereby minimizing the risks caused by the presence of ACM at the subject site through proper execution of the O&M program. CNS Management will assist the CPM to establish company asbestos policies, procedures, and guidelines and the implementation and enforcement for this O&M program at the corporate level.

ASBESTOS ABATEMENT CONTRACTORS: Asbestos Abatement Contractors are responsible for all asbestos clean up, repair and abatement in accordance with all federal and New York State & New York City regulations.

Building superintendents will be directed not to engage in any activity, which will disturb ACM. Cleanup and maintenance of ACM will be conducted only by qualified and licensed asbestos abatement contractors.

Building staff will temporarily stop any activity and notify their supervisor when their work will potentially disturb ACM. The supervisor will notify CNS Management to determine the appropriate response actions.





CNS Management will coordinate all emergency response to asbestos fiber release episodes, scheduled asbestos abatement, and/or other O&M activities throughout the property.

## 1.2 O&M PROGRAM ELEMENTS:

In order to be effective this O&M Program requires the implementation of the following basic elements:

- Conducting surveys for ACM and removing ACM prior to any planned disturbance in accordance with Rules and Regulations of the City of New York Title 15 Chapter 1, the New York State Department of Labor ICR56 and National Emissions Standards for Hazardous Air Pollutants (NESHAPS), 40 CFR Part 61 Subpart M.
- Conducting surveys for friable ACM in currently occupied properties constructed prior to 1980 that have suspect friable ACM (for example, pipe insulation and spray applied fireproofing). Friable asbestos containing pipe insulation and spray applied fireproofing were identified within first floor. Non-friable ACM floor tiles on the first and second floor offices, and built-up roofing, duct and wall tar and cooling tower fill were identified on the roof.
- Confirming the existence of ACM by testing and removing or otherwise abating the existing ACM prior to any planned disturbance (for example, pipe insulation and spray applied fireproofing). Friable asbestos containing pipe insulation and spray applied fireproofing were identified within first floor. Non-friable ACM floor tiles on the first and second floor offices, and built-up roofing, duct and wall tar and cooling tower fill were identified on the roof.
- Implementing operations and maintenance ("O&M") programs in accordance with applicable laws, to manage and periodically assess the condition of ACM at the subject site where friable ACM has been identified.
- Minimizing disturbance of ACM through employee awareness training and hazard communication practices.
- Informing and notifying building staff, vendors and sub-contractors of potential hazards associated with their work activities within the subject site in accordance with applicable federal, state, and local laws and regulations. As required by OSHA 29 CFR 1926.1101, all staff persons who work in the subject site shall be trained in awareness of asbestos which includes the location, condition and general health concerns associated with asbestos exposure. In addition, all outside contractors who work in properties that contain friable ACM will be notified, in writing, by the Account Executives of ACM and made aware of their obligations to their employees.
- Superintendents, maintenance and other building staff who perform routine maintenance or custodial activities will be trained in Asbestos Awareness. CNS Management will conduct awareness seminars. They serve to expand on relevant information while allowing attendees to raise questions.
- Property Program Managers will provide notification to employees, tenants and outside contractors regarding asbestos-related repair or abatement activities occurring within the building as required by applicable laws and regulations.

### **1.3 EMERGENCY RESPONSE PROCEDURES:**

As long as ACM is present in the property, a fiber release episode could occur if the ACM is inadvertently disturbed. Building staff will be trained to immediately report to the Program Manager the presence of suspect asbestos containing debris on the floor, water or physical damage to the ACM, or any other evidence of a fiber release. Upon notice of an ACM release episode. The Property Program Manager will conduct the following procedures:

- Evaluate the extent of ACM damage;
- Cordon contaminated areas against entry by unauthorized personnel;
- Coordinate response clean-up by certified asbestos contractor and personnel;
- Isolate the contaminated area by sealing doors and vents with polyethylene sheeting and duct tape and shutting off or modifying air handling system or any other notification appropriate to restrict access or prevent exposure in other areas of the property;
- Post a warning sign outside the contaminated area; and
- Contact CNS Management.

If significant damage or delamination of ACM has occurred, consider total removal of the ACM by a pre-approved abatement contractor in the affected areas and replacement with a non-asbestos containing material.

### **1.4 AREAS WITH FRIABLE ACM:**

Friable ACM (for example, pipe insulation and spray applied fireproofing). Friable asbestos containing pipe insulation and spray applied fireproofing were identified within first floor. Non-friable ACM floor tiles on the first and second floor offices, and built-up roofing, duct and wall tar and cooling tower fill were identified on the roof.

### **1.5 COMMON MAINTENANCE ACTIVITIES IMPACTING ACM:**

Examples of maintenance activities performed in the subject site, which may impact, suspect or confirmed ACM are listed below. Through site-specific training this work must be performed by taking the proper care and precautions, so as to not disturb the ACM.

*Examples of Maintenance Activities Which May Potentially Impact ACM (Hence, all precautions must be taken so as not to disturb ACM while conducting these activities.)*

- Maintaining Thermal Pipeline System; Repairing Leaking Fittings
- Removal of Overlay Carpeting; Buffing,
- Sanding, or Grinding Floor Tiles
- Duct Riser Repair or Maintenance
- Accessing Columns or Walls, Repairing Light Fixtures
- Access to Above Suspended Ceilings into plenum
- Changing Fluorescent Light Bulbs

### **1.6 NEW YORK STATE & NEW YORK CITY REGULATORY REQUIREMENTS:**

New York City – Title 15 Chapter 1 of the Rules and Regulations of the City of New York

New York State – New York State Department of Labor Industrial Code Rule 56.



## **2.0 ASBESTOS MANAGEMENT TEAM**

### **CORPORATE PROGRAM MANAGER (CPM):**

The CPM (*Joseph Hogan*) has overall responsibility for Program development and implementation. Any deviation from this program must be pre-approved by the CPM.

### **ASBESTOS CONSULTANT:**

CNS Management is used as a qualified and experienced asbestos consultant to assist the CPM and other company representatives. CNS Management is available to perform building surveys, assess conditions of ACM, test and monitor airborne fiber concentration levels, coordinate ACM emergency procedures, conduct asbestos awareness training, aid in the implementation of the O&M program, and provide asbestos abatement design and monitoring services, as required. CNS Management will train the PPM and employees and they will be responsible for minimizing the risks caused by the presence of ACM in applicable properties through proper execution of the O&M program. CNS Management will assist the CPM to establish company asbestos policies, procedures, and guidelines and the implementation and enforcement for this O&M program at the corporate level.

### **PROPERTY PROGRAM MANAGER (PPM):**

The PPM (*Mr. Robert Scholem*) is responsible for daily Program management at the site. The PPM is designated to interact with the asbestos consultant. The PPM has the implementation responsibility for the implementation of the site-specific O&M Program. The PPM must obtain approval from the CPM to make any deviations in this program.

### **ASBESTOS ABATEMENT CONTRACTORS:**

Asbestos Abatement Contractors are responsible for all asbestos clean up, repair and abatement in accordance with all federal, state and local regulations.

### 3.0 PURPOSE

The primary purpose of the O&M program is the protection of the health and safety of building occupants and maintenance staff, tenants, vendors and sub-contractors. The goals of this program include the training of house staff of the hazards to asbestos exposure, the periodic monitoring of the condition of ACM, the minimization of fiber release episodes by minimizing disturbance of ACM, and abatement of asbestos when considered necessary due to impending impact or condition of ACM. This program addresses those procedures and practices required to safely perform activities, such as:

- Monitoring of the condition of ACM;
- Performing emergency asbestos abatement; and
- Overseeing asbestos waste disposal.

This program is also designed to:

- Inform management and building staff of the presence of asbestos at the subject site and of precautions to be taken to prevent potential exposures,
- Provide proper training to building staff,
- Provide necessary safety and personal protective equipment to building staff,
- Provide proper notification to outside contractors on the presence and location of identified ACM,
- Establish schedules for periodic surveillance activities,
- Provide guidelines for response to fiber-release episodes, and
- Organize the documentation of all these activities in conformance with applicable regulations and guidelines.

## 4.0 OPERATIONS AND MAINTAINENCE PROGRAM

CNS Management will evaluate the subject site for the purpose of developing and implementing a site specific O&M program. The building staff of the subject site will be notified of ACM presence, as required by law; and, if the ACM is not required to be removed, certain employees will be trained in awareness of asbestos hazards and how to detect and report episodic incidents of damaged ACM to allow for the proper abatement and/or safe clean-up of the ACM.

The PPM will direct all building staff not to engage in any activity, which will disturb ACM. Only qualified and licensed asbestos abatement contractors will conduct cleanup and maintenance of ACM.

Building staff will temporarily stop any activity and notify their supervisor when their work will potentially disturb ACM. The supervisor will notify CNS Management to determine the appropriate response actions.

CNS Management will coordinate all emergency response to asbestos fiber release episodes, scheduled asbestos abatement, and/or other O&M activities throughout the property.

### 4.1 Program Requirements

This Program requires:

- Conducting surveys for ACM and removing ACM prior to any planned disturbance in accordance with Rules and Regulations of the City of New York Title 15 Chapter 1, the New York State Department of Labor ICR56 and National Emissions Standards for Hazardous Air Pollutants (NESHAPS), 40 CFR Part 61 Subpart M.
- Conducting surveys for friable ACM in currently occupied properties constructed prior to 1980 that have suspect friable ACM (for example, pipe insulation and spray applied fireproofing). Friable asbestos containing pipe insulation and spray applied fireproofing were identified within first floor. Non-friable ACM floor tiles on the first and second floor offices, and built-up roofing, duct and wall tar and cooling tower fill were identified on the roof.
- Confirming the existence of ACM by testing and removing or otherwise abating the existing ACM prior to any planned disturbance (for example, pipe insulation and spray applied fireproofing). Friable asbestos containing pipe insulation and spray applied fireproofing were identified within first floor. Non-friable ACM floor tiles on the first and second floor offices, and built-up roofing, duct and wall tar and cooling tower fill were identified on the roof.
- Implementing an Operations and Maintenance ("O&M") program in accordance with applicable laws, to communicate hazards and periodically assess the condition of ACM in Property buildings where friable ACM has been identified.
- Minimizing disturbance of ACM through employee awareness training and other management practices.
- Informing building staff, vendors and sub-contractors in accordance with applicable federal, state, and local laws and regulations.

### 4.2 Planned Asbestos Work in Occupied Areas

The Asbestos Survey will be utilized to assess the condition and potential hazards posed by ACM and as may otherwise be required to determine extent of ACM impact based upon the results of said survey and arising out of and in conjunction with a planned alteration ("Planned Actionable"). The PPM will strive to abate any ACM that is damaged, accessible and friable to the extent it poses an immediate health threat ("Short-Term Actionable") in accordance with applicable laws and regulations.

Abatement will be performed by a qualified and licensed contractor pre-qualified by CNS Management, prior to or in conjunction with any emergency, renovation or demolition work, which could disturb ACM.



### 4.3 Periodic ACM Surveillance/Inspection

Periodic review of the O&M Program is essential to see that the program objectives are being met. *A key feature of the review is reinspection of all ACM in the property.* The reinspection combined with ongoing reports of changes in the condition of the ACM will ensure that any damage or deterioration of the ACM will be detected and corrective action taken. Reinspection will be conducted, at a minimum, annually; and more frequently where necessary, as determined by the PPM. Friable and/or deteriorated material, such as sprayed-on ACM and highly accessible ACM, may require inspections every 6 months to determine any changes in conditions.

CNS Management will conduct the reinspections as authorized by the PPM. CNS Management can develop an inspection schedule, which will be followed annually, or until such time as all asbestos materials are removed.

Forms, which can be used to document the reassessment of materials previously determined to contain asbestos, are provided. Completed forms will be retained in the site manual with other periodic surveillance materials.

### 4.4 Emergency Response Procedures

As long as ACM remains in the property, a fiber release episode could occur if the ACM is inadvertently disturbed. Building staff will immediately report to the PPM the presence of suspect asbestos containing debris on the floor, water or physical damage to the ACM, or any other evidence of a fiber release. The PPM will conduct the following procedures:

- Evaluate the extent of ACM damage;
- Cordon contaminated areas against entry by unauthorized personnel;
- Coordinate response clean-up by certified asbestos contractor and personnel;
- Isolate the contaminated area by sealing doors and vents with polyethylene sheeting and duct tape and shutting off or modifying air handling system or any other notification appropriate to restrict access or prevent exposure in other areas of the property;
- Post a warning sign outside the contaminated area; and
- Contact CNS Management.

If significant damage or delamination of ACM has occurred, consider total removal of the ACM by a pre-approved abatement contractor in the affected areas and replacement with a non-asbestos containing material.

### 4.5 Asbestos Abatement

Abatement and disposal of ACM will be conducted in accordance with Rules and Regulations of the City of New York Title 15 Chapter 1, the New York State Department of Labor Industrial Code Rule 56 (ICR56). A third party consultant will (1) design large abatement projects, (2) observe the work quality of abatement contractors, (3) inform applicable employees of the presence of ACM prior to the abatement work being performed, (4) conduct air monitoring before, during, and after abatement projects, as appropriate, and (5) prepare and submit final abatement project reports.

Preparation of a specification or detailed scope of work will be necessary for major asbestos abatement activities. The specification shall be site-specific and detailed for a particular project or operation. Specifications will be required for all major work by abatement contractors, except for routine operations conducted under the guidance of the designated asbestos consultant. The PPM or the Account Executive will only employ qualified and licensed asbestos abatement contractors for abatement projects, independent of the asbestos consultant and the licensed laboratory.

## 4.6 Training

### 4.6.1 Training Requirements

Superintendents, maintenance and other building staff who perform routine maintenance or custodial activities that potentially disturb ACM will be trained in Asbestos Awareness. Each such employee will receive 2-hour asbestos awareness training. The training will consist of information regarding:

- Asbestos and its various uses and forms;
- Health effects associated with asbestos exposure;
- Locations of ACM identified within the building;
- Recognition of damage, deterioration, and delamination of ACM;
- The O&M program for that building; and
- Proper response to fiber release episodes.<sup>4</sup>

Custodial activities may be limited to cleaning and simple maintenance tasks where ACM may have the potential to be accidentally disturbed. Generally, custodial employees will not directly contact friable ACM but must be directed to use the proper equipment when performing custodial maintenance (for example, cleaning asbestos-containing floor tile with nonabrasive brushes). They will be aware of all relevant regulations including the local, state and those of OSHA and USEPA.

When outside contractors are hired for renovation work in the building, they must be notified of the presence of asbestos, but The PPM will also oversee the work practices to ensure that the renovation activities do not result in exposures of building occupants or employees.

### 4.6.2 Asbestos Awareness Training

As required by OSHA, all building staff personnel who work in properties that contain friable ACM will be trained on awareness of asbestos. In addition, all outside contractors who work in properties that contain friable ACM will be notified, in writing, by the Account Executives of ACM and made aware of their hazardous communication obligation to their employees.

Program Managers will provide notification to applicable employees and outside contractors regarding asbestos-related repair or abatement activities occurring within the building, as necessary and/or as required by applicable laws and regulations.

### 4.6.3 Documentation of Training

Records or certificates for each employee trained must be kept on file in the site-specific O&M manual. The records will include the trainer, the date of training, and the content of the training provided. Information regarding dates and type of training per individual will be stored on a database.

## 4.7 Notification

### 4.7.1 Regulatory Notifications

The New York City Department of Environmental Protection, the New York State Department of Labor and the EPA Region 2 office must be notified in writing 10 days prior of each scheduled asbestos abatement project and within 24-hours of any emergency asbestos abatement project. The Account Executives will ensure that the consultant designing planned project work accurately notifies the applicable agencies within the required notification period prior to initiation of work. The Account Executive will ensure that CNS Management is copied on all notifications and project documentation.

#### **4.7.2 Employee Notification**

Employers must communicate the hazards of asbestos to employees if ACM is present in their properties or if their employees will work in proximity to ACM.

#### **4.7.3 Program for Informing Building Occupants**

A notification program will be initiated. The notification program serves two primary purposes: (1) it alerts affected parties to the presence of ACM in the property, and (2) it provides basic information on avoiding the unnecessary disturbance of ACM. This notification program is based on federal EPA and OSHA requirements.

During abatement work, notification to building occupants, as necessary and/or required, and other affected individuals, including outside contractors, can be accomplished several ways. Two common methods are:

- Distributing notices/letters, or
- Holding awareness or informational seminars.

The distribution of notices is an effective means of alerting employees about the presence of asbestos. Memos or letters can be tailored to specific parties, and verification that notification was received is easily accomplished.

#### **4.7.4 Contractor Notification**

The PPM is responsible to ensure that all outside contractors who may work at the subject site are properly informed in writing using the Contractor Notification letter (Appendix C) designed by CNS Management. For all emergency project work the superintendent or the Account Executive will notify CNS Management.

### **4.8 Labeling And Signs**

As required by the regulations, The PPM will inform employees about the presence of ACM by distributing written notices, by posting signs or labels in a visible location where staff can see them.

In order to inform Maintenance, Custodial, and other personnel of potential asbestos hazards, asbestos labeling and/or signage may be necessary at the mechanical equipment rooms, HVAC rooms or other areas accessed by the staff. If easily damaged ACM are present in maintenance areas of the Property, labels will be affixed directly to the ACM or warning signs will be posted. Easily damaged ACM include thermal system insulation (TSI) materials, surfacing material, or any other friable materials.

If ACM labeling is conducted, then labels shall be affixed to all friable ACM within each mechanical or other building area that is not accessible to the public, but is accessible to maintenance, custodial, or contracted personnel.

If signage is implemented at the subject site, in addition to or in-place of localized labeling, warning signs will be posted at the entrance to mechanical rooms/areas in which employees reasonably can be expected to enter and which contain thermal system insulation material, surfacing ACM, or other friable ACM(s). This includes each mechanical or other building area that is not accessible to the public, but is accessible to maintenance, custodial, or contracted personnel. The PPM shall post signs that identify the ACM which is/are present, its/their location, and appropriate work practices which, if followed, will ensure that ACM will not be disturbed.

If required by applicable laws or regulations, The PPM will institute a labeling system to identify ACM. These labels will be prominently displayed and remain posted until ACM are removed. This labeling will serve to alert and remind building staff and outside contractors of the presence of the ACM and to avoid inadvertently disturbing the ACM.



The warning label print will be readily visible, in large letter size, or a bright color. The label will read as follows:

**CAUTION**  
**ASBESTOS**  
**CANCER AND LUNG DISEASE HAZARD**  
**DO NOT DISTURB WITHOUT**  
**PROPER TRAINING AND EQUIPMENT**

Warning signs will also be posted in areas where the airborne fiber concentrations can be reasonably expected to exceed the OSHA PEL of 0.1 f/cc. They serve to prevent unprotected individuals from entering those areas. The warning signs will read as follows:

**DANGER**  
**ASBESTOS**  
**CANCER AND LUNG DISEASE HAZARD**  
**AUTHORIZED PERSONNEL ONLY**  
**RESPIRATORS AND PROTECTIVE**  
**CLOTHING**  
**ARE REQUIRED IN THIS AREA**

During removal and repair operations warning signs will be affixed to barriers to warn any bystanders of the potential danger in the area. The signs will read as follows:

**POTENTIAL ASBESTOS**  
**HAZARD AREA**  
**DO NOT ENTER**

During asbestos remediation performed by trained personnel, the contractor shall be responsible for posting signs as required by OSHA regulations. CNS Management will be available to provide contractor assistance.

#### **4.8.1 Asbestos Sampling and Analysis**

Two types of asbestos measurements are required based on specific conditions as part of the O&M Program:

- Bulk samples, Polarized Light Microscopy (PLM), Method 40 CFR 763, Subpart F, Appendix A and EPA Method 600/M-4-82-020 to determine if asbestos is present; and transmission electron microscopy ("TEM") analysis following the procedures outlined in EPA Method 600/R-93/116.
- Air monitoring, Phased Contrast Microscopy (PCM), NIOSH Method 7400, to determine airborne fiber and asbestos fiber concentrations.

##### **Bulk Sampling**

Assessments may be necessary to clarify, update, or identify ACM in the property.

Before maintenance, renovation, or contractor work is performed in any area, a licensed consultant must be notified to determine if ACM are present. Results from the bulk material sampling assessment will be maintained and will be distributed to appropriate divisional executives and/or associates, as necessary and in accordance with applicable federal, state, and local regulations.



### Clearance Sampling

This sampling is used to determine if an area meets the regulatory criteria for clearance after a response action, renovation, or remodeling has been completed.

## 4.9 Asbestos Containing Waste Material Storage and Transportation

Asbestos-containing waste materials generated during O&M procedures will be stored and transported as follows:

- In leak-tight containers with the following warning labels.

### DANGER

#### CONTAINS ASBESTOS FIBERS AVOID CREATING DUST CANCER AND LUNG DISEASE HAZARD

- Waste will be labeled with the name and location of the property where the waste was generated, and the initial accumulation date.
- Waste will not be stored in the properties longer than 2 days from initial accumulation. These containers will be temporarily stored on the premises in a secured container or storage area, for example, a trash can with a locking top or behind a locked cage or closet.
- All waste must be stored wet.
- A licensed asbestos waste hauler shall transport all waste. A copy of this license issued by the state agency will be retained in the permanent files.
- The waste hauling vehicle will be enclosed.
- An ACM waste shipment record must accompany all waste materials transported to the USEPA-approved landfill.
- The completed waste shipment record must be received from the disposal site within 35 days of the date the waste was accepted by the initial waste hauler. If it is not received within this timeframe, The PPM must contact the transporter and/or the operator of the landfill to determine the status of the waste shipment record.
- If the completed waste shipment record is not received within 45 days, a report must be submitted to the local USEPA Regional Office responsible for administering NESHAPs regulations.

## 4.10 Record Keeping

The PPM will maintain all records associated with a fiber release episode, including asbestos abatement contractor submittals (medical information, waste shipment records, etc.), Independent Asbestos Consultant's reports (air sampling data), and a fiber release episode report. The PPM will retain all records related to the O&M Program, such as:

- The written O&M Program itself, including work practices;
- Plans and drawings;
- Assessment data (location of ACM);
- Copies of notification and warning programs;
- Description of times, dates, attendees of training programs, and all outlines and written materials disseminated;
- Copies of all permits and documentation of maintenance, renovation, and emergency response actions performed;

- Periodic ACM surveillance records, including all air sampling data and photographs;
- Bulk and air sampling reports;
- Chain of custody for laboratory samples;
- Contractor insurance forms; and
- Waste disposal permits and waste shipment records.

The Account Executive or PPM shall maintain all records associated with asbestos-related activities (for example, testing and medical records) for a period of at least 30 years.

## 5.0 WORK PRACTICES

### 5.1 Areas with Friable ACM

Friable ACM has been identified within the Subject site. Friable asbestos containing pipe insulation and spray applied fireproofing were identified within first floor.

### 5.2 Areas with Non-Friable ACM

Non-friable PACM (for example, roofing, tar and cooling tower fill) typically release fibers only when severely damaged or disturbed. Fiber releases can occur when workers drill, cut, abrade, break, or saw vinyl asbestos floor tile or any other non-friable material. General cleaning and maintenance, however, will not damage the material. USEPA has instituted recommended guidelines when stripping wax or finish coat from asbestos-containing flooring, which must be followed by the building staff. Non-friable ACM floor tiles on the first and second floor offices, and built-up roofing, duct and wall tar and cooling tower fill were identified on the roof.

### 5.3 Common Maintenance Activities Impacting ACM

Maintenance activities performed at the subject site, which may impact, suspect or confirmed ACM are listed below. This work must be performed by taking the proper care and precautions, so as to not disturb the ACM.

*Examples of Maintenance Activities Which May Potentially Impact ACM (Hence, all precautions must be taken so as not to disturb ACM while conducting these activities.)*

- Maintaining Thermal Pipeline System; Repairing Leaking Fittings
- Removal of Overlay Carpeting; Buffing.
- Sanding, or Grinding Floor Tiles
- Duct Riser Repair or Maintenance
- Accessing Columns or Walls, Repairing Light Fixtures
- Access to Above Suspended Ceilings
- Changing Fluorescent Light Bulbs

*Type of Material Being Potentially Impacted (Disturbance of these materials will be avoided while conducting work.)*

- Pipe Fitting Insulation
- Floor Tile and Mastic

As required by applicable Federal, State and/or local laws and regulations, The PPM will inform employees about the location and physical condition of ACM that may be disturbed.

### 5.4 Recommended Guidelines for Stripping Wax or Finish from Asbestos Containing Flooring

1. AVOID STRIPPING FLOORS. Stripping of floors will be done as infrequently as possible, perhaps once or twice a year or less, depending on circumstances. The frequency will be carefully considered when floor maintenance schedules or contracts are written or renewed.
2. PROPERLY TRAIN STAFF. Custodial or building staff that strips floors will be trained to operate the machines and pads and use floor care chemicals properly and safely.

3. FOLLOW APPROPRIATE WORK PRACTICES. Custodial or building staff that strips floors will follow appropriate work practices, such as those recommended here, under informed supervision. Directions from floor tile and floor wax product manufacturers on proper maintenance procedures will be consulted.
4. STRIP FLOORS WHILE WET. The floor will be kept adequately wet during the stripping operations. DO NOT perform dry stripping. Prior to machine operation, an emulsion of chemical stripper in water is commonly applied to the floor with a mop to soften the wax or finish coat. After stripping and before application of the new wax, the floor will be thoroughly cleaned while wet.
5. RUN MACHINE AT SLOW SPEED. If the machine used to remove the wax or finish coat has variable speeds, it will be run at slow speed (about 175-190 rpm) during the stripping operations.
6. SELECT THE LEAST ABRASIVE PAD POSSIBLE. USEPA recommends that the machine be equipped with the least abrasive pad possible to strip wax or finish coat from asbestos-containing floors.

DO NOT STRIP FLOORS. Stop stripping when the old surface coat is removed. Over-stripping can damage the floor and may cause the release of asbestos fibers. DO NOT operate a floor machine with an abrasive pad on unwaxed or unfinished floors.

REMEMBER: Improperly removing asbestos-containing floor coverings could result in the release of asbestos fibers. USEPA recommends that you leave asbestos-containing floor covering in place, provided the material is in good condition. However, proper maintenance procedures, such as those previously outlined, will always be followed.

## 5.5 Cleaning

Cleaning up within specific areas of the property is one of the primary objectives of the O&M Program. The PPM will retain a licensed asbestos abatement contractor (i.e., pre-qualified), approved by CNS Management to conduct initial cleaning in areas of the property where damaged friable ACM are present as soon as the O&M Program is in place and before the initiation of any response action.

In areas of the property where damaged asbestos-containing thermal system insulation or surfacing material is present, (i.e., an episodic event), The PPM will retain a pre-qualified licensed asbestos abatement contractor, approved by the CNS Management, to clean all areas in the immediate vicinity. All cleaning activities are to be recorded and included in the O&M manual.

Subsequent minor repair and routine maintenance will also be conducted by a pre-qualified and licensed asbestos abatement contractor.

### INITIAL CLEANING

When damaged friable ACM is present the asbestos abatement contractor must HEPA vacuum and, if possible, wet clean all areas in the immediate vicinity. This includes cleaning all surfaces, such as shelves, walls, light fixtures, equipment housing, and exterior of ducts, with damp cloths or a HEPA vacuum.

All mop heads, damp cloths, liquid wastes, debris, filters, or vacuum bags must be disposed as asbestos-contaminated waste.

### PERIODIC CLEANING

The determination of when/where periodic cleaning is needed is based on the rate of dust buildup. This determination will be made as part of the periodic inspection. If cleaning is necessary, a pre-qualified licensed asbestos abatement contractor will clean the areas.



The abatement contractor shall remove any debris found near friable damaged ACM using HEPA vacuum or wet methods. The contractor shall HEPA vacuum or steam clean all carpets in rooms with damaged ACM and wet wipe all surfaces in the area. If steam cleaning is used, the liquid waste generated during the process must be disposed as asbestos-contaminated waste. The contractor must dispose of debris, filters, and/or vacuum bags as asbestos-contaminated waste.

## 5.6 Work Practices for Maintenance Activities

Before conducting any maintenance or repair work that will potentially damage or disturb ACM, the PPM shall inspect the area to determine appropriate action(s). Whenever the potential for release of asbestos fibers from ACM exists (for example, sanding floor tile, repairing a pipe leak, or working above a suspended ceiling), a certified asbestos abatement contractor at a minimum, will perform all appropriate tasks to mitigate the potential for fiber releases associated with a maintenance activity or will directly perform the work procedures.

Basic O&M procedures to minimize and/or contain asbestos fibers may include wet methods, use of mini-enclosures, use of portable power tools equipped with special local ventilation attachments, and avoidance of certain activities, such as sawing, sanding, and drilling ACM.

**NOTE:** During O&M procedures, the Contractor must perform personal air monitoring. All asbestos waste (generated during these activities) must be handled in accordance with all local, state, and federal requirements and Section 4.9 herein.

Maintenance activities can be divided into three categories with regard to their potential for disturbing ACM:

### ***CONTACT WITH ACM UNLIKELY - IN-HOUSE SUPERINTENDENTS***

Maintenance activities or repairs, which can be performed without contacting or disturbing the ACM, require a little more than normal care and good workmanship and can be performed by in-house personnel. These include, but are not limited to:

- Repairing non-ACM insulated pipes or valves without disturbing other ACM.
- Routine cleaning activities

All surfaces will be isolated to remove any settled fibers in the event that ACM are disturbed. An asbestos abatement contractor will respond to the asbestos fiber release episode.

### ***CONTACT WITH ACM NOT LIKELY BUT POSSIBLE***

Maintenance activities or repairs that may have the potential to cause accidental disturbance of ACM require some precautions. This work may be performed by superintendents only if the proper precautions are instituted to minimize the potential ACM disturbance. For example, local isolation may be needed if the chance of disturbance is likely. Activities that fall into this category include, but are not limited to:

- Working on a fixture near thermal system ACM;
- Working on a fixture above suspended ceilings where asbestos-containing sprayed-on fireproofing or troweled-on acoustical material is present;
- Installation of telecommunication or electrical conduits above suspended ceiling; and
- Repairing of a pipe that is not insulated with ACM but will disturb ACM on nearby pipes.

**PLEASE NOTE:** Any pre-cleaning or isolation work required to mitigate the potential of ACM disturbance that **WILL IMPACT ASBESTOS** shall be performed by a certified abatement contractor (i.e. cleaning contaminated ceiling tile or a major repair of thermal insulating ACM).

## ***CONTACT WITH ACM LIKELY OR INTENDED - ONLY BY OUTSIDE ASBESTOS CONTRACTOR***

Maintenance activities or repairs that involve intentional small-scale manipulation or disturbance of ACM require special work practices, as outlined in this O&M manual. ACM must be removed by a pre-qualified outside abatement contractor before in-house personnel perform their duties. Personal protective equipment, including respirators and Tyvek suits, and personal air monitoring are required when ACM will be disturbed.

Typical activities include but are not limited to:

- Removing a small segment of thermal system insulation to repair a pipe leak or replace a valve; and
- Removing a small amount of surfacing ACM to install new conduits or pipe braces.

Prior to performing any maintenance activities that will disturb ACM, the PPM shall contact an Independent Asbestos Consultant to provide area air monitoring before, during, and after the ACM disturbance, if necessary.

**NOTE:** Under no circumstances will any in-house employee perform this type of small-scale work or any other abatement work. Failure to adhere to this policy will be subject to disciplinary actions.

### **5.7 Special Work Practices for Planned Renovation Work**

Future renovations may involve disturbing ACM or PACM and may also uncover building materials previously hidden that may contain asbestos. Work, such as moving walls, adding wings, and replacing heating or air-conditioning systems may involve breaking, cutting, or otherwise disturbing ACM.

All parties must be aware of potential ACM disturbance early in the project planning stage to determine appropriate actions. Partial or full removal may be necessary before renovation.

CNS Management shall develop guideline specifications or work plans in accordance with USEPA, OSHA, state, and local regulations, if necessary, for use by the asbestos abatement contractor.

CNS Management shall ensure that the asbestos abatement contractor perform all work in compliance with applicable federal, state, and local laws and regulations. CNS Management will assist in maintaining records of work, including copies of the specifications and closeout documentation provided by the Independent Consultant.

## 6.0 ASBESTOS REGULATIONS

To date, two federal agencies have been principally responsible for generating asbestos control regulations. These two agencies are the U.S. Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA). In general, OSHA extends to all private sector employers and employees under federal jurisdiction. USEPA extends to all public and private work settings under federal jurisdiction. In addition, individual states and local townships have promulgated their own regulations. The following sections highlight some of these federal and state requirements.

The Construction Industry Standard covers employees engaged in demolition and construction and the following related activities likely to involve asbestos exposure: removal, encapsulation, alteration, repair, maintenance, insulation, spill/emergency cleanup, transportation, disposal, and storage of ACM. The General Industry Standard covers all other operations where exposure to asbestos is possible, including occupant exposure to asbestos from buildings that contain ACM. In general, O&M asbestos-related work are covered by the Construction Standard.

OSHA published its final rule on asbestos in the Federal Register on August 10, 1994. The new regulations amend the general industry (1910) and construction (1926) standards issued in 1986 and add a shipyard employment standard (1915). Highlights of the general industry and construction standards follow.

To enforce its standards, OSHA is authorized to conduct workplace inspections. In addition, employees have the right to file an OSHA complaint without fear of punishment from the employer. In turn, employees have the responsibility to follow all safety and health rules. OSHA may not conduct a warrantless inspection without the employer's consent.

OSHA will issue a citation during an inspection if the compliance officer finds a standard is violated. The citation informs the employer and employees of the regulations or standard(s) alleged to have been violated and of the proposed length of time for correction. Monetary penalties may also be imposed.

The permissible exposure limit (PEL) for airborne asbestos fiber concentrations has been lowered to 0.1 fiber per cubic centimeter (f/cc) as an 8-hour time-weighted average (TWA) for all asbestos work in all industries, effective October 11, 1994. There is no action level. The excursion limit remains at 1.0 f/cc, averaged over a 30-minute sampling period.

The general industry standard regulates all activities related to asbestos, except agricultural, that are not covered by the construction and shipyard employment standards. Under this standard, employers must provide awareness training to employees who perform housekeeping activities in areas where ACM or PACM are located. They must also institute a training program for all employees who are exposed to airborne asbestos at or above the PEL and/or excursion limit and ensure that they participate in the program. The program will be presented before the initial assignment and at least annually thereafter.

OSHA has eliminated the term "small-scale short duration projects" in the construction standard. Instead OSHA classifies construction activity according to descending degree of risk. Class I work presents the greatest risk potential and Class IV, the lowest:

- Class I work involves the removal of thermal system insulation and surfacing ACM or PACM.
- Class II work involves removal of any other ACM which is not thermal system insulation or surfacing ACM.
- Class III work is defined as repair and maintenance activities where employees are likely to disturb ACM.
- Class IV is defined as maintenance and custodial activities during which employees contact ACM and PACM and activities to clean up waste and debris containing ACM and PACM.



Under the construction standard, employers must designate a "competent person" (for example, the Asbestos Consultant) who has the qualifications and authority for ensuring worker health and safety. This person must be capable of identifying existing asbestos hazards in the workplace and selecting the appropriate control strategy to reduce asbestos exposure and have the authority to take prompt corrective action. For Class I and II work, the competent person must be trained in accordance with EPA's Model Accreditation Plan (40 CFR 763) for project designer or supervisor, or its equivalent and, for Class III and IV work, must have completed training equivalent to the 16-hour O&M course developed by EPA for maintenance and custodial workers who conduct activities that will result in the disturbance of ACM. If duties are limited to activities such as changing of gaskets, a course of lesser duration may be sufficient. An annual refresher course of four hours is also required.

The competent person must be present on all construction worksites to supervise all asbestos work performed in regulated areas (an area where Class I, II, or III asbestos work is conducted, an adjoining area where debris and waste from the project may accumulate, and an area where airborne asbestos fiber concentrations exceed or have the potential to exceed the PEL), conduct frequent and regular inspections of the job sites, materials, and equipment as part of required safety and health program.

Employers must institute a training program for all workers who install asbestos-containing products and all workers who perform Class I, II, III, and IV work. Medical surveillance is required for all asbestos workers (for example, outside contractors) who engage in Class I, II, or III work for a combined total of 30 days or more a year or who are exposed above the PEL or the excursion limit of 1.0 f/cc.

Employers must communicate the hazards of asbestos to employees if ACM or PACM is present in their properties or if their employees will work with ACM.

Regulations relate to worker/supervisor training, laboratory accreditation, consulting practices (inspector, monitor, designers, and air samplers), training providers, and allied trades. Part 73 of the OSHA regulation also deals with training of O&M personnel and other Building staff.

Clearance sampling is done using NIOSH 7400 Method (PCM) using 0.01 fibers per cubic centimeter or pre-established background fiber level as clearance level. Transmission Electron Microscopy (TEM) is optional.

The New York City Department of Environmental Protection and the New York State Department of Labor require 10 days pre-project notification for all projects of regulated areas.

All records associated with asbestos work shall be maintained for 30 years.

## **6.1 National Emission Standards for Hazardous Air Pollutants (NESHAP)**

The USEPA National Emission Standards for Hazardous Air Pollutants (NESHAP, 40 CFR Part 61, Subpart M, as amended November 20, 1990) will be considered during any maintenance, renovation, or demolition activities that might disturb ACM. NESHAP's rules apply to the application, removal, and disposal of ACM. Also included in NESHAP are rules concerning manufacturing, spraying, and fabricating ACM. Some highlights of the NESHAP requirements follow.

### ***NESHAP ACM CATEGORIES***

NESHAP, as amended November 20, 1990 divides types of ACM into three categories: regulated ACMs (RACM), Category I non-friable ACM, and Category II non-friable ACM.

#### ***Regulated Asbestos-Containing Materials (RACM)***

RACM are friable ACM that contain more than 1 percent asbestos that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.

### *Category I Non-Friable ACM*

Category I non-friable ACM include asbestos gaskets, resilient floor coverings, and asphalt roofing products containing more than 1 percent asbestos that cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Category I non-friable ACM that have been made friable or subjected to sanding, grinding, cutting, or abrading are considered to be RACM.

### *Category II Non-Friable ACM*

Category II non-friable ACM include all other forms of non-friable ACM, containing more than 1 percent asbestos that are not included in Category I. Examples include Transite board such as asbestos cement siding.

Category II non-friable ACM that will be or have a high probability of becoming crumbled, pulverized, or reduced to powder are also considered to be RACM.

## **INSPECTIONS**

Inspection is required to identify all forms of asbestos present in a property prior to renovation or demolition activities. These include RACM and Category I and II non-friable ACM.

NESHAP defines demolition as the removal of a load supporting structural member of a property or intentional burning.

## **NOTIFICATIONS**

Notification must be given to the regional EPA Region 2 coordinator and the New York City Department of Environmental Protection and New York State Department of Labor 10 working days prior to demolition of a building regardless of the quantity of RACM present.

Notification must also be provided 10 working days prior to demolition for any property that does contain asbestos.

## **RENOVATION PROJECTS**

NESHAP defines renovation as altering a property or component in any way, including removal of ACM.

Notification must be given 10 working days prior to renovation if quantities greater than 160 square feet or 260 linear feet of RACM are removed.

Notification must be provided at least 10 working days before the end of the proceeding calendar year if the combined additive amount of friable RACM to be removed or stripped during planned renovations in the next calendar year is greater than 260 linear feet or 160 square feet.

## **REMOVAL REQUIREMENTS**

Removal prior to renovation/demolition is required of any RACM that will be affected by such renovation or demolition. Prior to renovation, if the activities would "break up or disturb" RACM, removal may be the only practical alternative.

Friable RACM must be removed using wet removal techniques.

With special approval from USEPA, dry removal is allowed under certain circumstances.



No visible emissions to the outside air are permitted during removal or renovation.

### ***DISPOSAL REQUIREMENTS***

No visible emissions to the outside air are allowed during collecting, packaging, transporting, or depositing ACM waste.

Wet ACM must be sealed in leak-tight containers.

Containers must be labeled with OSHA labels and provide the generator's identification and property location. A generator's number for hazardous waste is not required.

### **6.2 Other Federal Agencies**

Other federal agencies promulgating asbestos regulations include the Department of Transportation (DOT) on the transport of asbestos and the National Bureau of Standards on standards and protocols for laboratory accreditation.

### **6.3 State And Local Agencies**

The state and local agencies may have additional requirements to those of federal agencies. Therefore, state and local regulations where the property is located must be reviewed and complied. Some of the state and local agencies include, the New York City Department of Environmental Protection and the New York State Department of Labor.

### **6.4 New York City & New York State Regulatory Requirements**

New York City – Title 15 Chapter 1 of the Rules and Regulations of the City of New York.

New York State – New York State Department of Labor Industrial Code Rule 56.

## 7.0 HISTORY

Asbestos has been determined to be a naturally occurring carcinogen once used in a wide variety of building products. Asbestos-containing materials ("ACM") remain in buildings and exist in certain properties managed by The PPM. The presence of ACM within a building does not, in and of itself, pose a hazard to human health. This program is designed to control the possible health risks, which could be created if excessive asbestos fibers are released.

A naturally occurring mineral, asbestos is a fibrous hydrated silicate which possesses the unique characteristics of high tensile strength, flexibility, and chemical, electrical, and thermal resistance, and yet, is relatively inexpensive. As a consequence of these properties, the commercial use of asbestos has been exceedingly widespread and is found in products ranging from cosmetics to insulation.

The earliest recorded use of asbestos was about 2500 B.C. in Finland where the mineral was used to strengthen clay pots. More currently though, modern industrial exploitation of this silicate dates from the 1880's when it was mined in Canada and the U.S.S.R. The use of asbestos rapidly increased in England and France where the fibers were incorporated into cotton fabrics, thereby producing incombustible fabrics. However, the real growth, especially in the West, has been in the past 40 years, since the Second World War. Asbestos is still used in many products today.

There are six asbestos minerals which are used in over 1,000 commercial applications. The six asbestos minerals are as follows:

**Serpentines-** These asbestos minerals have a sheet or layered crystalline structure.

- **Chrysotile**, the only mineral in the serpentine group, is the most commonly used type of asbestos and accounts for approximately 95% of the asbestos found in buildings in the United States. Chrysotile is commonly known as "white asbestos", so named for its natural color.

**Amphiboles-** These asbestos minerals have a chain-like crystalline structure.

- **Amosite**, the second most likely type of asbestos mineral to be found in buildings, is often referred to as "brown asbestos", also due to its natural color.
- **Crocidolite**, "blue asbestos", was utilized in high temperature insulation applications.
- 

**Anthophyllite, tremolite, and Actinolite**, are extremely rare, and of little commercial value. Occasionally, they are found as contaminants in ACMs.

## 8.0 POTENTIAL HEALTH CONCERNS

### 8.1 Exposure Potential

Construction materials containing friable asbestos have been used extensively in commercial buildings, especially those built prior to 1975, although it has been found in buildings constructed in the early 1980's. Some non-friable materials (for example, floor tile, mastic, and joint compound) have been known to be contained in buildings constructed after 1980. The concern about exposure to asbestos in these buildings is based on evidence linking various respiratory diseases with intensive occupational exposure to asbestos, primarily in the shipbuilding, mining, milling, and fabricating industries.

After performing numerous assessments of asbestos fiber levels in air, the USEPA found that average asbestos levels inside buildings are essentially the same as levels outside buildings. USEPA determined that intact, undisturbed, asbestos materials do not pose a health risk and that the mere presence of asbestos in a building does not mean that the health of the building occupants is endangered.

The presence of asbestos in a building does not mean that the occupants are at risk. If ACM remain in good condition and are unlikely to be disturbed, exposure will be negligible. However, when ACM are damaged or disturbed (for example, by maintenance, repairs, or renovations conducted without proper controls), asbestos fibers can be released.

Friable ACM (those which can be crumbled, pulverized, or reduced to powder by hand pressure) present a potential source of exposure and must be carefully protected from damage or disturbance. In materials where asbestos fibers are firmly encased in a solid matrix, such as cement asbestos pipe or vinyl asbestos floor tile, there is a reduced possibility of airborne asbestos fiber exposures, except during cutting, demolition, drilling, grinding, and sanding.

Risks associated with low level, non-occupational exposure have not been well defined. As a result, USEPA has instituted measures for schools to control or eliminate exposures (AHERA regulation).

The AHERA regulation is considered "state-of-the-art" for asbestos control and is often used as a guideline by private industry. This O&M Program generally follows the guidelines issued by the AHERA regulation since they are important in limiting employee risk of asbestos exposure.

### 8.2 Potential Health Effects

The potential adverse health concerns associated with asbestos exposure have been extensively studied for many years. Results of these studies and epidemiological investigations have demonstrated that extensive and intensive inhalation of asbestos fibers may lead to increased risk of developing one or more diseases.

It is important to recognize that most people who have developed a disease as a result of asbestos exposure were asbestos workers (for example, miners, factory workers, and ship builders). These workers were frequently exposed to very high concentrations of asbestos fibers each working day with little or no protection.

Ambient levels in buildings today are typically tens of thousands times lower than those measured in the past during mining, milling, and ship building activities (USEPA, 1990). Additionally, today's workers follow specific work practices and wear appropriate personal protection, including respirators, to minimize the risk of exposure.

## ***THE RESPIRATORY SYSTEM***

The primary health concerns of asbestos are due to excessive inhalation of high concentrations of asbestos fibers. As air is breathed in, it passes through the mouth and nose into the windpipe or trachea. The trachea splits into two smaller airways called the bronchi. Each bronchus divides into smaller and smaller tubes which lead into air sacks. These air sacks are called alveoli. In these air sacks (alveoli), oxygen passes through the alveoli membrane and is absorbed into small blood vessels. Carbon dioxide and other waste gases pass out of the blood back into the alveoli where they are exhaled.

The lung is comprised of two lobes and sits in the pleural cavity. The lining of the cavity and the membranes around the lung are in contact with each other and are very moist. Like two panes of glass with a drop of water between them, these membranes slide easily across each other, but are very difficult to pull apart. Thus, as the chest cavity expands, the lungs do too, and air rushes in. If these linings (mesothelia) became damaged, one would not be able to inhale properly.

The body has several mechanisms by which it "filters" the air breathed. First, very large particles are removed in the nose and mouth. Smaller particles are caught on the mucous-coated walls of the airways. These airways have a hair-like lining (ciliated cells) which constantly beats upward. The ciliated cells sweep the particles up the airway and into the mouth where particles are either swallowed or expelled. Particles caught in the mucous are swept into the back of the mouth.

Cigarette smoking temporarily paralyzes these ciliated cells, inhibiting one of the body's natural defenses against unwanted dust. As the smoker sleeps, the hairlike cells start working again and carry large amounts of mucous into the back of the mouth. This causes the so-called "smoker's hack" in the morning. After the first cigarette or two, the cleansing mechanism is paralyzed again and the coughing stops, allowing more particles to enter into the deeper airways and cause potential damage. For this reason, smokers who are exposed to asbestos appear to be at greater risk than nonsmokers.

Even with these natural defenses of the body, some dust particles inevitably reach the tiny air sacks. When this occurs, large cells (called macrophages) attempt to engulf the article and "digest" it. For this reason, they are sometimes called the "lungs' garbage collector". However, because asbestos is a mineral fiber, the macrophages are sometimes unsuccessful. In a secondary defense mechanism, these macrophages deposit a coating on the fibers when they are unsuccessful in digesting them. This occurrence causes a series of chain reactions that ultimately result in the development of scar tissue on the lung. Where the presence of scar tissue disrupts normal respiratory function, asbestosis may develop.

## ***ASBESTOSIS***

Asbestosis is a disease characterized by fibrotic scarring of the lung. It is a restrictive disease that reduces the capacity of the lung and hampers its ability to exchange gases. The earliest symptom is coughing. Asbestosis is prevalent among workers who have been exposed to large doses of asbestos fibers over a long period of time. There is a clear dose-response relationship between asbestos exposure and development of this disease. This means that the greater the asbestos exposure, the more likely asbestosis will develop.

Asbestosis is irreversible and can progress even after exposure has ceased. As the disease progresses, shortness of breath is commonly observed along with changes in lung function, a crackling sound in the lower half of the lung, and clubbed fingers.

Although most people believe a threshold exposure level exists below which the disease does not occur, this threshold level has not yet been determined. All forms of asbestos have demonstrated the ability to cause asbestosis. Like all diseases associated with asbestos exposure, it may take many years for the disease to develop. The typical time of symptoms of diseases to appear from the time of the exposure (latency period) for asbestosis is 15 to 30 years.

## **LUNG CANCER**

There are many causes of lung cancer, of which asbestos is only one. While employees exposed to industrial concentrations of asbestos in years past have an increased risk of getting lung cancer five times the normal population, their risk is not as great as the cigarette smoker whose risk is ten times the normal. A cigarette smoker who also works with asbestos is 50 times more likely to contract lung cancer than the normal nonsmoking population. The cigarette smoking and asbestos exposure multiply the effects of each other. This is known as a synergistic effect" (Selikoff Studies, 1979).

Like asbestosis, there exists a long lag time between initial exposure and the occurrence of lung cancer which is typically 20 to 30 years. There appears to be a dose-response relationship between asbestos exposure and lung cancer although no "safe" lower exposure level has yet been determined. Again, these figures relate to past industrial situations where workers wore little or no personal protective equipment.

## **MESOTHELIOMA**

The asbestos-associated disease of greatest concern in asbestos work is probably mesothelioma, it is also the rarest. It is considered to be a marker disease for asbestos exposure. Mesothelioma is a cancer of the chest or abdominal cavity linings (mesothelium). If it occurs in the chest cavity, it is called pleural mesothelioma. If it occurs in the abdominal cavity, it is called peritoneal mesothelioma. By the time either cancer is diagnosed, it is almost always fatal and effective therapy does not currently exist.

There is no exposure threshold for mesothelioma. The exact mechanism of the disease remains unknown. Smokers do not appear to be at greater risk of getting mesothelioma nor does a dose-response relationship seem to exist between asbestos exposure and mesothelioma. Like other diseases caused by asbestos exposure, mesothelioma often takes 30-40 years after initial exposure to develop.

## **OTHER DISEASES**

Other diseases and adverse health effects have been observed in conjunction with asbestos exposure. Increased incidence of gastrointestinal cancers, including cancers of the esophagus, stomach, colon-rectum, kidney, and pancreas have been observed in populations exposed to asbestos.

Pleural plaque (thickening of the chest cavity lining) has also been observed among people exposed to asbestos. This condition does not have any symptoms nor does it require treatment.

**APPENDIX A**

**EXAMPLE OF NOTIFICATION LETTER TO TENANTS**



## ASBESTOS NOTICE TO TENANTS OF:

Property Name: \_\_\_\_\_

Tenant: \_\_\_\_\_

In response to an environmental assessment that identified **Asbestos-Containing Materials (ACM)** and/or **Presumed Asbestos-Containing Materials (PACM)** at the building, we have implemented a written Asbestos Operations and Maintenance (O&M) Program. This Program is designed to maintain all asbestos in the building in good condition and prevent conditions that could cause exposure to tenants and employees. Asbestos only presents a health hazard when fibers become airborne and are inhaled. The mere presence of ACM does not represent a health hazard. All ACM is inspected periodically and additional measures will be taken if needed to protect the health of building occupants. Cleaning and building staff are taking special precautions during their work to properly clean up any asbestos debris and to guard against disturbing ACM.

In accordance with our O&M Program, this building has been inspected for friable (easily crumbled) and non-friable materials which contain asbestos. Friable and non-friable ACM and PACM that is present in the tenant occupied or common areas of the building include the following:

Material Description	Location
<b>Friable Materials</b>	
PACM Wallboard and joint compound wall and ceiling systems	These materials are installed at the Property in areas where wall and ceiling material replacements, repairs, or renovations have been conducted.
PACM Pipe straight-section insulation materials.	Where observed, asbestos-containing pipe insulation materials are replaced with non-asbestos containing fiberglass. Nonetheless, sections of the original materials are still present; exposed in isolated areas, and concealed within fixed walls, ceilings, or chases. In tenant accessible areas of the building, these materials are generally concealed within fixed walls, ceilings, or chases.
PACM Pipe fitting (elbow, valve, joint) insulation materials.	These materials are located throughout the Property. (See the above comments for pipe straight-section insulation materials.)
<b>Non-Friable Materials</b>	
PACM 12" x 12" and ACM 9" x 9" vinyl floor tiles, sheet resilient flooring materials (linoleum), and mastics and floor backing materials under these flooring materials.	These materials are applied within some units. Multiple layers may also be present.
PACM Floor backing and mastics under parquet flooring.	These materials are located throughout the Property.

Tenants will note that the inspection of these materials throughout the building by a licensed Asbestos Inspector did not identify any imminent tenant exposure conditions. The ACM identified in and around the tenant areas can be maintained in-place through the proper implementation of an O&M Program without threat of exposure to building occupants.

As part of the O&M Program, Acadia Realty Trust is taking steps to notify the below listed persons of the presence, location and quantity of ACM and PACM at the work sites in the building:

- Prospective employers applying or bidding for work whose employees reasonable can be expected to work in or adjacent to areas containing ACM/PACM.
- Employees of the owner who will work in or adjacent to areas containing ACM/PACM.
- All employers of employees who will be performing work within or adjacent to areas containing ACM/PACM.
- Employers of employees (commercial tenants) who will occupy areas containing ACM/PACM.

Also as part of the O&M Program, we ask that all building tenants participate in the following:

- Do not disturb ACM/PACM.
- Report any evidence of disturbance or damage of ACM/PACM to The Property Program Manager (PPM).
- Report any dust or debris that might come from the ACM or suspect ACM, any change in the condition of the ACM/PACM, or any improper action (relative to ACM/PACM) of building personnel to The PPM.
- Prior to any maintenance activities, contracted maintenance activities, or other activities that may disturb any of the above-described materials or that will penetrate walls, fixed ceilings or suspended ceilings, the PPM will be notified for further instruction.

A record of inspection, more detailed descriptions of materials and locations, and a copy of our O&M Program report are available from The PPM for the building. The PPM and alternate personnel to contact for this building are as follows:

PPM: \_\_\_\_\_  
(Name) (Title)

Building staff: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Day time phone ( ) - \_\_\_\_\_

Pager ( ) - \_\_\_\_\_

24-Hour Emergency ( ) - \_\_\_\_\_

If there are any further questions regarding ACM in the building, please feel free to contact the PPM.

Please sign below and return a copy to the PPM for our records.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)



**APPENDIX B**

**VERIFICATION OF EMPLOYEE TRAINING**

**Verification of Employee Training**

Employee Name: \_\_\_\_\_

Social Security #: \_\_\_\_\_

Position: \_\_\_\_\_

Training Provider: \_\_\_\_\_

Address: \_\_\_\_\_

Training Course Title: \_\_\_\_\_

Date of Course: \_\_\_\_\_

Length of Course (Hours): \_\_\_\_\_

Was this Course?      Initial: \_\_\_\_\_ Update Training: \_\_\_\_\_

Does Course have full approval of U.S. Environmental Protection Agency? \_\_\_\_\_

Does Employee Participate in Respirator Program?      Yes \_\_\_\_\_ No \_\_\_\_\_

Does Employee Participate in Medical Surveillance Program?      Yes \_\_\_\_\_ No \_\_\_\_\_

Attach Copy of Certificate Indicating Successful Completion of Training (including appropriate examination).

Signed: \_\_\_\_\_  
(The Property Program Manager)

Date: \_\_\_\_\_



**APPENDIX C**

**GLOSSARY**

**Acoustical Plaster** Sound absorbing finishing material mill-formulated for application in areas where a reduction in sound reverberation or noise intensity is desired. These materials usually are applied in a minimum thickness of 1/2" (13 mm). The finish material is applied over gypsum plaster, plaster brown coat or other base plaster. The surface material is usually friable and has a rough surface appearance.

**Acoustic Tile** Tile-shaped blocks of sound absorbent material used for ceilings or as wall facing. May be glued to substrate or laid in a rigid grid work.

**ACM (ACBM) Asbestos-Containing Material (Asbestos-containing Building Material)**. Any material containing more than one percent asbestos.

**Adequately Wet** Adequately Wet means sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing material, then that material has not been adequately wetted. However, the absence of visible emissions is not sufficient evidence of being adequately wet.

**AHERA** Asbestos Hazard Emergency Response Act

**AIA** American Institute of Architects

**Air Monitoring** The process of measuring the fiber content of a specific volume of air.

**Amended Water** Water to which a surfactant has been added for use in wetting ACM to control asbestos fibers.

**Asbestos** Chrysotile, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, actinolite asbestos and any of these minerals that has been chemically treated and/or altered.

**Asbestos-Containing Waste Material** Mill tailings or any waste that contains commercial asbestos and is generated by a source regulated under NESHAP. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing waste and materials contaminated with asbestos including disposable equipment and clothing.

**Asbestos debris** Pieces of ACM that can be identified by color, texture, or composition, or means dust, if the dust is determined by an accredited inspector to be ACM.

**Asbestos Hazard Emergency Response Act (AHERA)** An EPA regulation published in the October 30, 1987 Federal Register covering asbestos-containing materials in schools. AHERA requires local education agencies to identify ACM in their school buildings, develop an asbestos management plan and implement this plan. An O&M program is one permitted response action, where appropriate.

**Asbestos O&M Work** Cleaning, maintenance, repair or renovation work involving asbestos containing materials where the intent of the activity is not to remove asbestos. NESHAP requires that the owner or operator of a demolition or renovation activity conduct a thorough inspection of the affected facility or part of the facility where demolition or renovation will occur.

**The Property Program Manager (PPM)** A building owner or designated representative who supervises all aspects of the facility asbestos management and control program.

**Breathing Zone** A hemisphere forward of the workers with a radius of approximately 6" to 9" (150-250 mm).

**Bridging encapsulant** An encapsulant that forms a discrete layer on the surface of an in situ asbestos matrix.

**CFR** Code of Federal Regulations

**Clerk-of-the-works** A representative of the architect or owner who oversees construction, handles administrative matters, and ensures that the construction is in accordance with the contract documents.

**Competent Person** means, in addition to the definition in 29 CFR 1926.32 (f), one who is capable of identifying existing asbestos hazards in the workplace and selecting the appropriate control strategy for asbestos exposure, who has the authority to take prompt corrective measures to eliminate them, as specified in 29 CFR 1926.32(f); in addition, for Class I and Class II work one who is specially trained in a training course which meets the criteria of EPA's Model Accreditation Plan (40 CFR part 763) for supervisor, or its equivalent and, for Class III and Class IV work, who is trained in a manner consistent with EPA requirements for training of local education agency maintenance and building staff as set forth at 40 CFR 763.92 (a)(2).

**Compliance Instruction (Compliance Directive)** Instruction issued by OSHA to establish policies and provide clarification to ensure uniform enforcement of OSHA standards.

**Concealed Suspension or Concealed Spline Ceiling System** Presents a monolithic ceiling surface, unobstructed by the cross-hatching of exposed grid members. Tiles are typically 12" x 12" (300 x 300 mm) or 12" x 24" (300 x 600 mm) with slots or kerfs cut into the edges of tiles for the purposes of accepting flat or "T" splines to support the tiles.

**Confined Space** A space that has limited openings for entry and exit, unfavorable natural ventilation and/or a space not designed for continuous worker occupancy. Examples include boilers, furnaces, pits, septic tanks, manholes, silos and utility vaults.

**Critical Barrier** One or more layers of polyethylene taped in place over openings into a work area. Openings to be covered include doors, windows, diffusers, and any other opening that could allow outside air into a work area.

**CSRF** Construction Sciences Research Foundation

**Decorative Acoustic Finish:** Finishing material mill-formulated and spray applied up to about 3/8" (10 mm) thick over gypsum wallboard. Material has a rough surface and is similar in appearance to acoustic plaster but is not designed for sound absorption.

**Delamination** Separation of one layer from another.

**Disposal Bag** Properly labeled 6 mil (0.15 mm) thick (or thicker) leak-tight plastic bags used for transporting asbestos waste from work and to disposal site.

**Drop Cloth** A layer of polyethylene on the floor of a work area to protect the floor below from contamination and to facilitate the clean-up of dust or debris generated during the work.

**EJCDC** Engineers Joint Contract Documents Committee

**EL** See Excursion Limit

**Encapsulant** A material that surrounds or embeds asbestos fibers in an adhesive matrix, to prevent release of fibers.

**Enclosure** The construction of an air-tight, impermeable, permanent barrier around asbestos-containing material to control the release of asbestos fibers into the air.

**EPA** U.S. Environmental Protection Agency

**Excursion Limit (EL)** The OSHA term used to define a maximum airborne concentration of asbestos in fibers per cubic centimeter as averaged over a sampling period of thirty minutes.

**Fiber Release** Any uncontrolled or unintentional disturbance of ACBM resulting in visible emission.

**Fireproofing** Material applied to structural elements or systems which provide increased fire resistance, usually serving no structural function. This material is typically applied using spray equipment.

**Friable Asbestos** (See "Regulated ACM").

**Glovebag** A polyethylene or polyvinyl chloride bag-like enclosure affixed around an asbestos-containing source (most often, TSD) so that the material may be removed while minimizing release of airborne fibers to the surrounding atmosphere.

**HEPA Filter** High-Efficiency Particulate Air Filter. Such filters are rated to trap at least 99.97% of all particles 0.3 microns (0.3 mm) in diameter or larger.

**HMR** Hazardous Material Rules under Dept of Transportation regulations.

**Initial Exposure Assessment** Prior to the start of any work that may disturb ACM/PACM, the PPM shall perform an assessment to determine the airborne concentrations of asbestos to which employees may be exposed. This assessment must be based on air monitoring results obtained from breathing zone air samples that are representative of the 8-hour TWA and 30-minute short term exposures of each employee. In addition, this assessment shall include consideration of all observations, information or calculations which indicated employee exposure to asbestos, including any previous monitoring conducted in the workplace, or of the operations of the employee which indicate the levels of airborne asbestos likely to be encountered on-the-job.

**MAP** EPA Interim Final Model Accreditation Plan (MAP) for asbestos abatement worker training (40 CFR Part 763, Subpart E, and Appendix C).

**Medical Surveillance** A periodic comprehensive review of a worker's health status. The required elements of an acceptable medical surveillance program are listed in the Occupational Safety and Health Administration standards for asbestos.

**Mini-Enclosure** An enclosure constructed of polyethylene sheeting used for small scale, short duration asbestos maintenance or renovation work. Mini-enclosures can be small enough to restrict entry to the asbestos work area to one worker. Appendix G to OSHA regulation 29 CFR 1926.58 discusses mini-enclosures and recommends that a change room be constructed contiguous to the mini-enclosure.

**Miscellaneous ACM** Interior asbestos-containing building material on structural components, structural members or fixtures, such as floor and ceiling tiles; does not include surfacing material or thermal system insulation.

**NEA** Negative Exposure Assessment

**Negative Exposure Assessment** A demonstration by the employer which complies with criteria in paragraph (f) (2) (iii) of 29 CFR 1926.1101, that employee exposure during an operation is expected to be consistently below the PELs.

**Negative Pressure System** A local exhaust system intended to prevent the escape of contaminated air to the surrounding environment. It utilizes HEPA filtration capable of maintaining a pressure differential with a lower pressure inside the Work Area than in any adjacent area. This system recirculates clean air and/or generates a constant flow of air from adjacent areas into the work area.

**Negative Pressure Respirator** A respirator in which the air pressure inside the respiratory-inlet covering is positive during exhalation in relation to the air pressure of the outside atmosphere and negative during inhalation in relation to the air pressure of the outside atmosphere.

**NESHAP** National Emission Standard for Hazardous Air Pollutants - EPA Rules under the Clean Air Act (40 CFR Part 61).

**NIOSH** The National Institute for Occupational Safety and Health, which was established by the Occupational Safety and Health Act of 1970. Primary functions of NIOSH are to conduct research, issue technical information, and certify respirators.

**O&M** Operations & Maintenance

**Operations & Maintenance (O&M) Program** a program of work practices to maintain ACM in good condition, ensure clean up of asbestos fibers previously released, and prevent further release by minimizing and controlling ACM disturbance or damage.

**Occupied Area** An area where personnel are present and are performing their normal activities intended for the area (such as in a typical office area from 8:00 to 5:00 p.m., Monday through Friday).

**OSHA** Occupational Health & Safety Administration.

**PAPR** Powered Air Purifying Respirator.

**Penetrating Encapsulant** An encapsulant that is absorbed by the in situ asbestos matrix without leaving a discrete surface layer.

**PELs** Permissible Exposure Limits.

**Personal Air Samples** An air sample taken with a sampling pump directly attached to the worker with the collecting filter and cassette placed in the worker's breathing zone. These samples are required by the OSHA asbestos standards and the EPA Worker Protection Rule.

**PCM** Phase Contrast Microscopy.

**Phase Contrast Microscopy (PCM)** A method of analysis using a light microscope, used to find the concentration of airborne fibers. Does not distinguish among asbestos and other fibers. Used by OSHA to find personal exposures and by EPA to find area levels for AHERA project clearance.

**Pleenum** Any space to convey air in a building or structure. The space above a suspended ceiling is often used as an air plenum. This term is also used in the work practices to refer to spaces above a ceiling not used to convey air.

**PLM** Polarized Light Microscopy.

**Polarized Light Microscopy (PLM)** A method of analysis using a light microscope to find the chemical or mineral types of samples, including the concentration of asbestos in bulk materials. Used by EPA for AHERA and NESHAP and by OSHA to see if asbestos is involved in a project.

**Project Representative** Architect's representative at the project site who assists in the administration of the construction contract.

**Protection Factor** The ratio of the ambient concentration of an airborne substance to the concentration of the substance inside the respirator at the breathing zone of the wearer. The protection factor is a measure of the degree of protection provided by a respirator to the wearer.

**RCRA** Resource Conservation and Recovery Act.

**RACM** Regulated ACM.

**Regulated ACM (RACM)** As defined by NESHAP in the November 20, 1990 Federal Register, **regulated asbestos-containing material (RACM)** means (a) Friable asbestos material, (b) Category I nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

(Note: Regulated ACM is an EPA NESHAP concept. OSHA makes no distinction between friable and non-friable asbestos).

"Cutting" means to penetrate with a sharp-edged instrument and includes sawing, but does not include shearing, slicing or punching.

"Grinding" means to reduce powder or small fragments and includes mechanical clipping or drilling.

**Friable asbestos material** means any material containing more than 1 percent asbestos as determined using the method specified under AHERA (40 CFR Part 763, Sub-part F, Appendix A, section 1, Polarized Light Microscopy) that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. If the asbestos content is less than 10 percent as determined by a method other than point counting by polarized light microscopy (PLM), verify the asbestos content by point counting using PLM.

**Category I nonfriable asbestos-containing material (ACM)** means asbestos-containing packings, gaskets, resilient floor covering and asphalt roofing products containing more than 1 percent asbestos as determined using the method specified under AHERA.

**Category II nonfriable ACM** means any material, excluding Category I nonfriable ACM, containing more than 1 percent asbestos as determined using the methods specified under AHERA, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

**Remove** For Operations and Maintenance work on ACM, "remove" refers to the removal of ACM as needed to perform a maintenance or repair O & M activity.

**Removal Encapsulant** A penetrating encapsulant specifically designed to minimize fiber release during removal of asbestos-containing materials rather than for in situ encapsulation.

**Repair** Returning damaged ACBM to an undamaged condition or to an intact state so as to prevent fiber release.

**Respirator** A device designed to protect the wearer from the inhalation of harmful particulates.

**Small-scale, Short-duration** Term formerly used by OSHA to describe O&M work activities (in the previous OSHA construction standard). This term has been superseded by the work class definitions in the current OSHA standard.



**Surfacing ACM** Asbestos-containing material that is sprayed-on, troweled-on or otherwise applied to surfaces, such as acoustical plaster on ceilings and fireproofing materials on structural member, or other materials on surfaces for acoustical, fireproofing, or other purposes.

**Survey** An asbestos survey is what EPA calls an inspection in the AHERA regulation. It consists of a visual and tactile inspection of a building to identify, quantify and assess the accessibility and condition of the ACM and suspected ACM present.

**Suspended "T" Bar Ceiling System** A false or dropped ceiling composed of acoustic tiles laid into an inverted metal "T" bar grid frame suspended by wires from building framing members.

**Surfactant** A chemical wetting agent added to water to improve penetration, thus reducing the quantity of water required for a given operation or area.

**TEM** Transmission Electron Microscopy

**Temporary Barriers** One or more layers of 6 mil polyethylene installed to isolate a work area from other portions of a facility.

**Thermal System Insulation (TSI)** Thermal system insulation - asbestos-containing material applied to pipes, fittings, boilers, breeching, tanks, ducts or other interior structural components to prevent heat loss or gain or water condensation.

**Time Weighted Average (TWA)** In air sampling, this refers to the average air concentration of contaminants during a particular time period.

**TSI** Thermal System Insulation

**Transmission Electron Microscopy (TEM)** A method of analysis using an electron microscope, used to find and analyze the concentration of airborne or bulk asbestos fibers and structures. Distinguishes among asbestos and other materials; can detect smaller asbestos fibers than does PCM. Used by EPA to find area concentrations for large AHERA project clearance.

**TSCA** Toxic Substances Control Act

**TWA** Time Weighted Average.

**Work Area** The area where asbestos-related work or removal operations are performed which is defined and/or isolated to prevent the spread of asbestos dust, fibers or debris, and entry by unauthorized personnel.

**Work Practices** Procedures designed to be followed to avoid or minimize fiber release during activities affecting ACM.

8  
**APPENDIX D**

**ASBESTOS SURVEY QUICK REFERENCE DATA & DRAWINGS**

**4650 Broadway - New York City - New York**

MATERIAL DESCRIPTION	LOCATION	ESTIMATED QUANTITY	DRAWING NUMBER	FRIABLE (YES/NO)	CONDITION	HAZARD POTENTIAL	RESPONSE ACTION
Duct and Wall Tar	Roof	1,500 SF	AS-3	No	Good	N/A	O&M
Cooling Tower Fill	Roof	192 SF	AS-3	No	Good	N/A	O&M
Asphalt Membrane/Flashing	Roof	65,189 SF	AS-3	No	Good	N/A	O&M
Pipe Insulation	1 <sup>st</sup> Floor	-	AS-1	Yes	Good	N/A	O&M
Brown 9" x 9" VFT	1 <sup>st</sup> and 2 <sup>nd</sup> floors - Office Areas	88,252 SF	AS-1 and AS-2	No	Good	N/A	O&M
Spray-on Fireproofing	1 <sup>st</sup> Floor MER	4,264 SF	AS-1	Yes	Good	N/A	O&M

N/A = Not Applicable      - = Approximate Quantities

**NOTE:** Comprehensive Asbestos Survey completed under separate cover.



MANAGEMENT CORP.  
550 W Old Country Road  
Suite 308  
Hicksville, NY 11801

**SITE:**

First Floor  
Dyckman Job Center  
4650 Broadway  
New York, NY

**PREPARED FOR:**

Acadia Realty Trust, LLC  
1311 Mammoneck Avenue  
Suite 260  
White Plains, NY 10605

**TITLE:**

Asbestos Survey

DWN BY: JL PROJ #A23747

CHK'D BY: MN DATE 01/24/05

APPROVED: CF SCALE: 1"=10'

SEAL: DWG. NO.

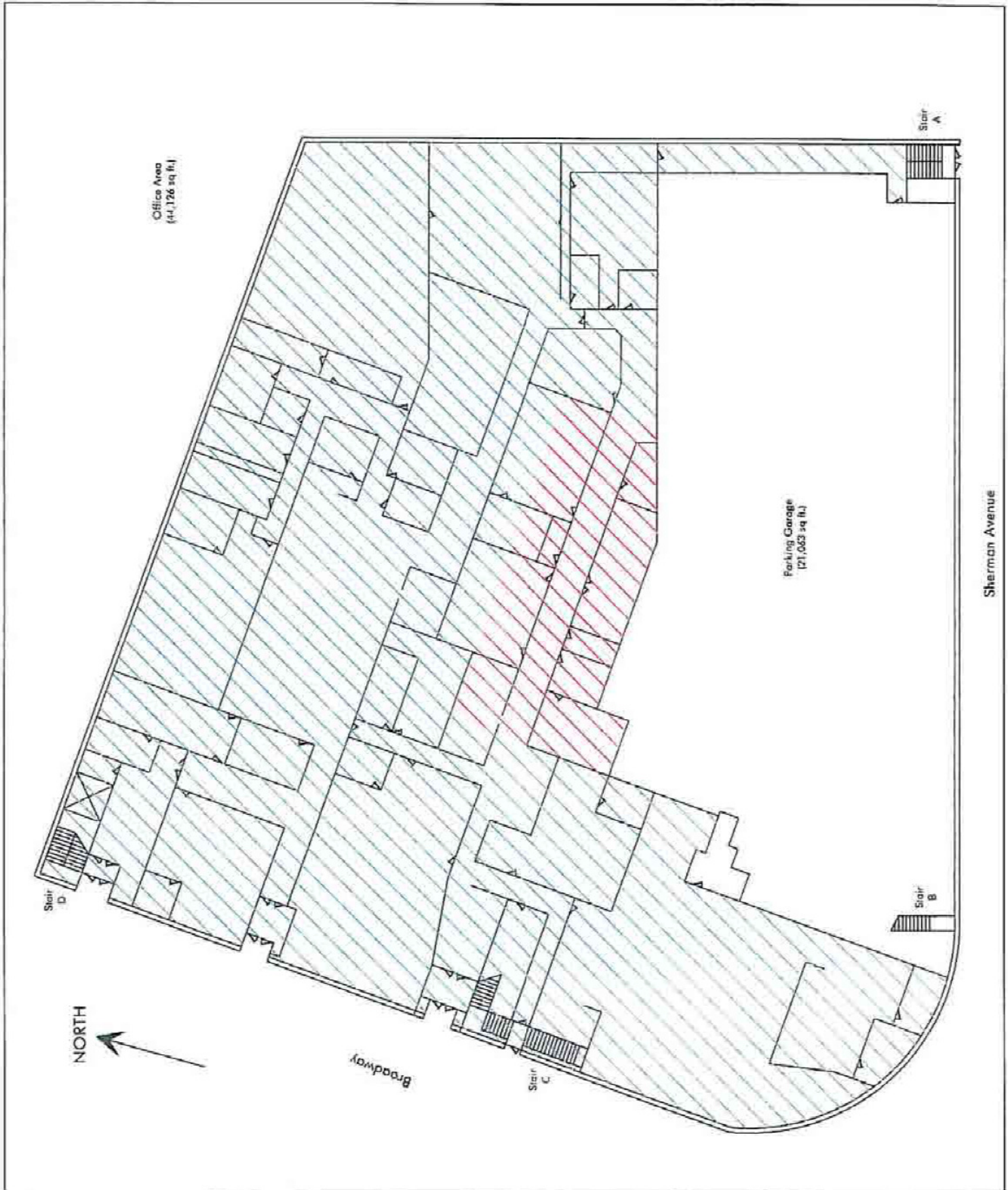
AS-1

**SYMBOLS:**

: 9" x 9" VAT with Mastic  
beneath 12" x 12"  
Vinyl Floor Tile

: Asbestos containing  
Spray-on and  
9" x 9" VAT with Mastic

**NOTES:**



Sherman Avenue

**CNS**  
MANAGEMENT CORP.

5511 W Old Country Road  
Suite 308  
Hicksville, NY 11801

**SITE:**


Dyckman Job Center  
4650 Broadway  
New York, NY

**PREPARED FOR:**  
Acadia Realty Trust, LLC  
1311 Montauk Avenue  
Suite 260  
White Plains, NY 10605

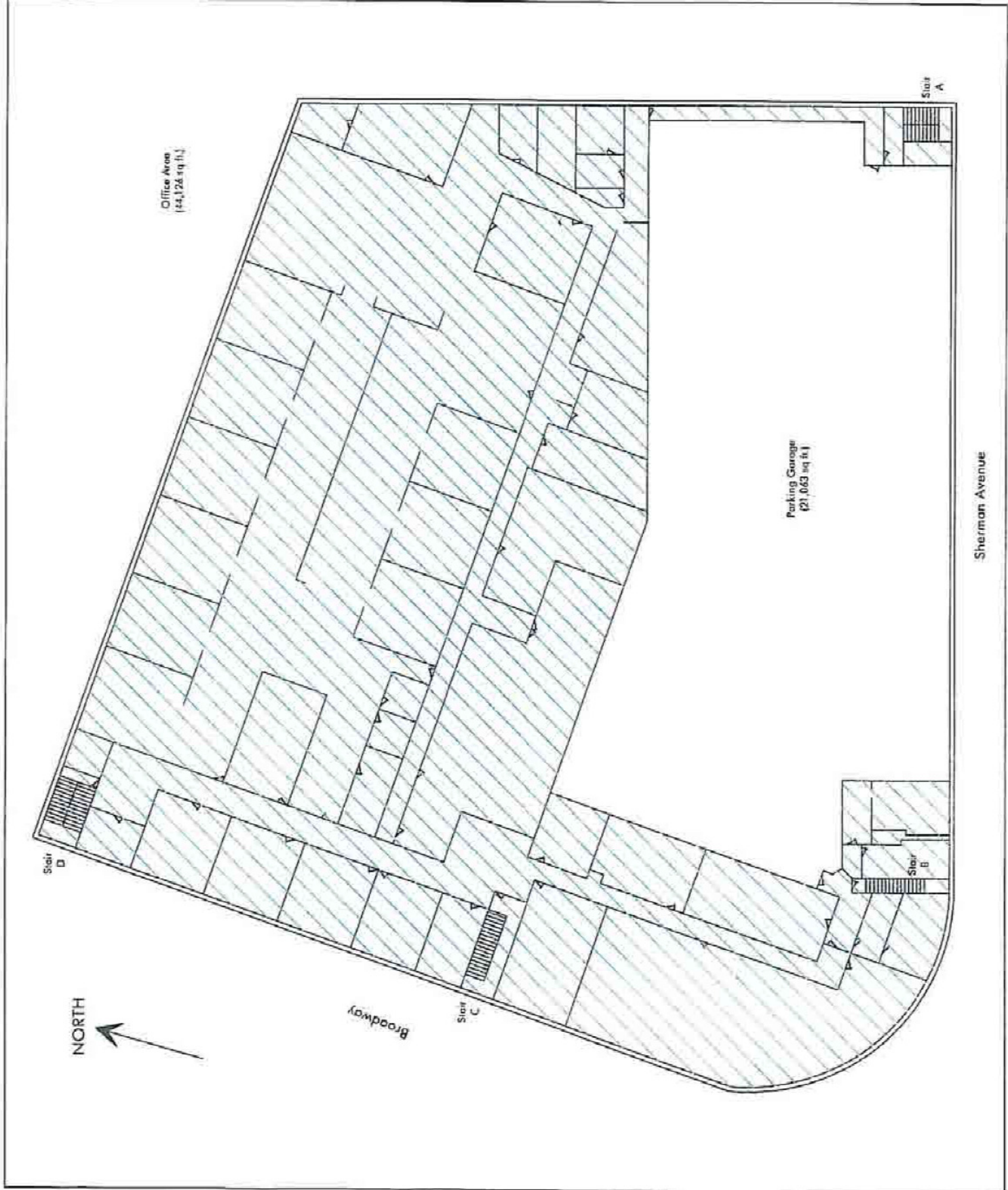
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Asbestos Survey

DWN BY: JL	PROJ #A23747
CHKD BY: MN	DATE: 01/24/03
APPROVED: CP	SCALE: 1"=40'
<b>SEAL:</b>	<b>DWG. NO. AS-2</b>

**SYMBOLS:**

 : 9" x 9" VAT with Mastic

**NOTES:**





550 W Old Country Road  
Suite 308  
Hicksville, NY 11801





**SITE:**  
Roof Level  
Dyckman Job Center  
4650 Broadway  
New York, NY

**PREPARED FOR:**  
Acadia Realty Trust, LLC  
1311 Manhattan Avenue  
Suite 260  
White Plains, NY 10605

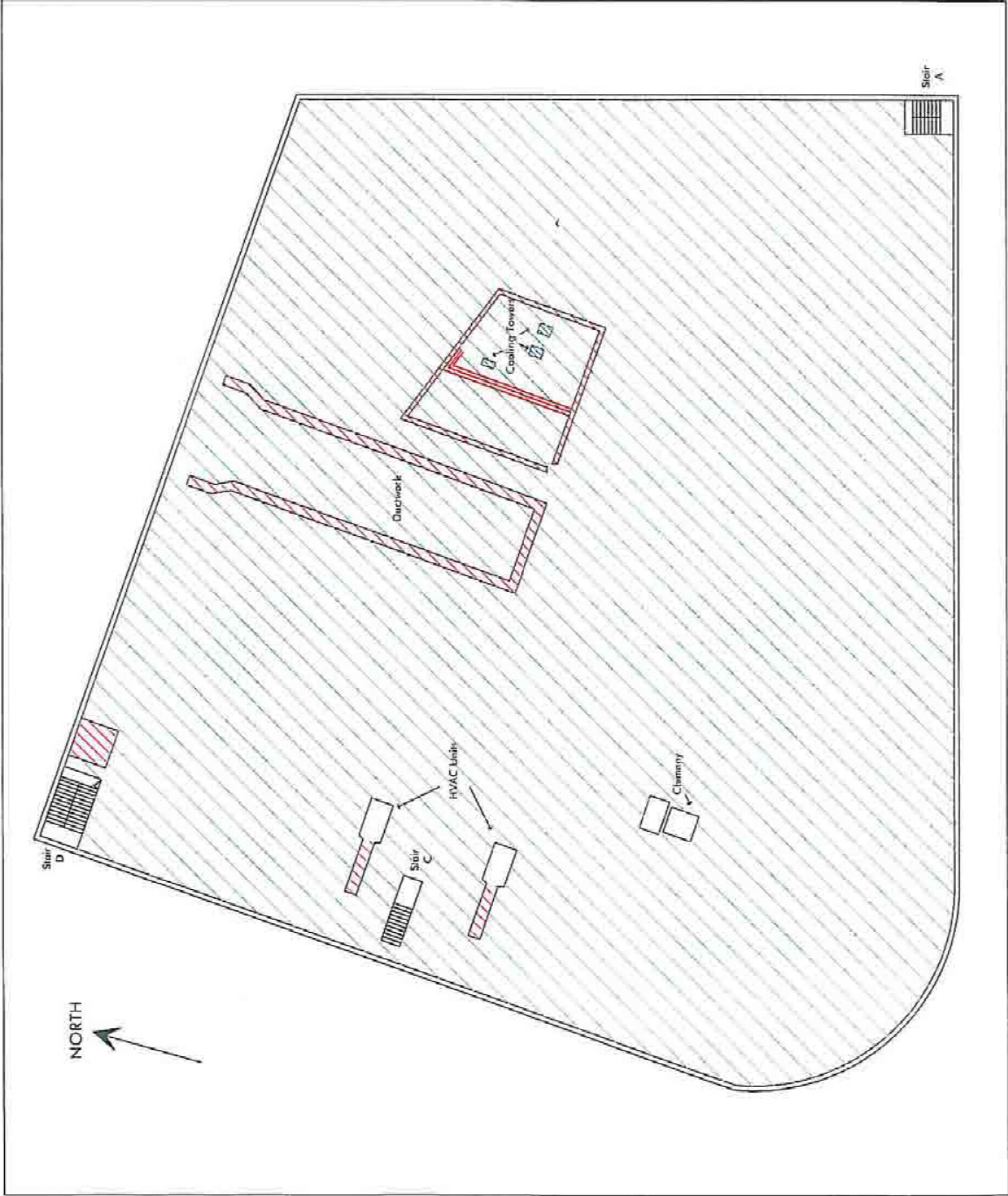
**TITLE:**  
Asbestos Survey

DWN BY: JL PROJ #/A25747  
CHKD BY: NN DATE: 01/25/05  
APPROVED: CP SCALE: 1"=10'

**SEAL:**  
**DWG. NO. AS-3**

- SYMBOLS:**
-  Asbestos Containing Roof Membrane and Flashing
  -  Asbestos Containing Tar Insulation
  -  Asbestos Containing Cooling Tower Fill and Drift Eliminator
  -  Asbestos Containing Pipe Insulation

**NOTES:**





550 W Old Country Road  
 Suite 308  
 Hicksville, NY 11801

**SITE:**  
 Parking Garage  
 Basement  
 4650 Broadway  
 New York, NY

**PREPARED FOR:**  
 Acadia Realty Trust, LLC  
 1311 Mamaroneck Avenue  
 Suite 260  
 White Plains, NY 10605

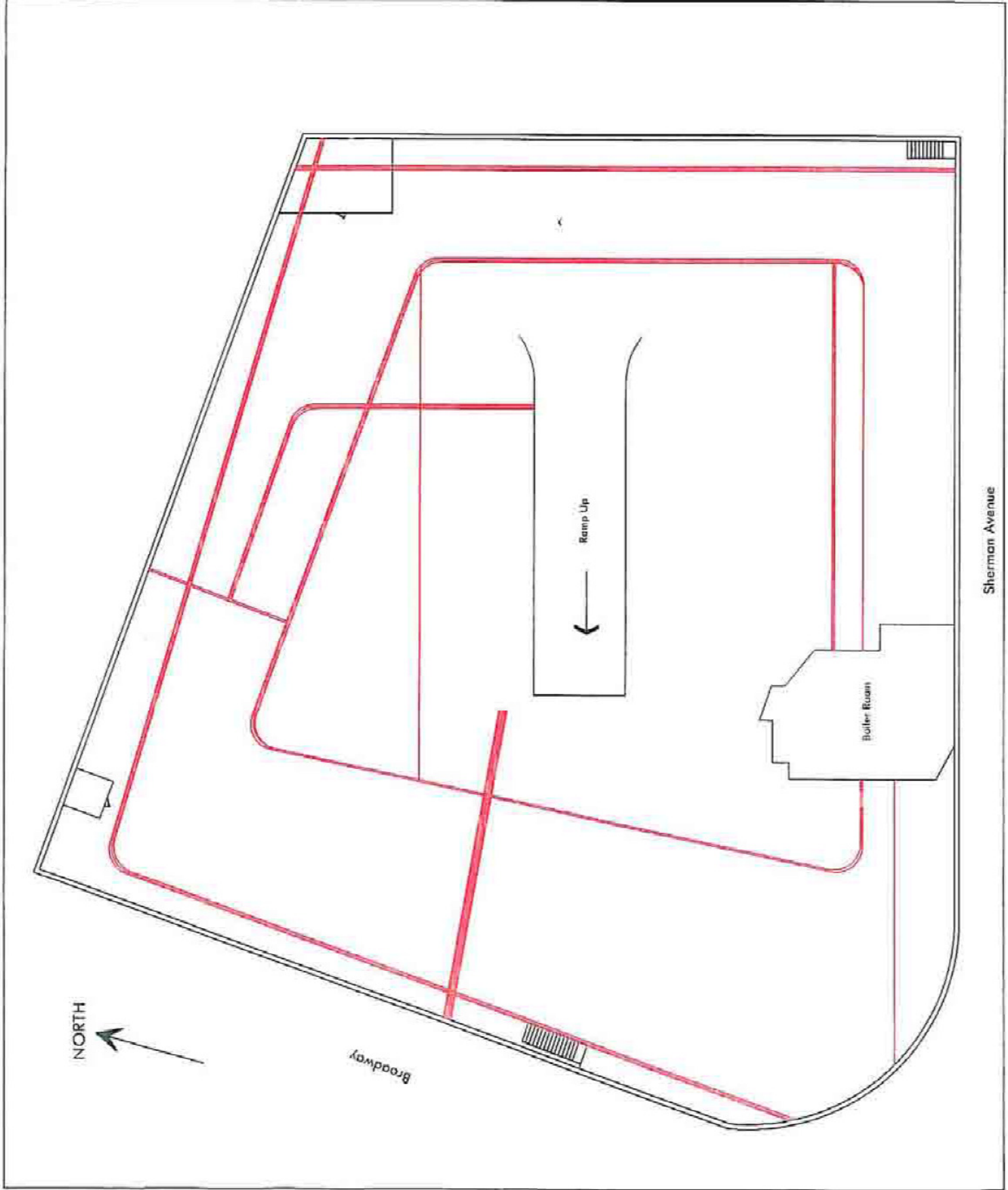
**TITLE:**  
 Asbestos Survey

DWRN BY: JL PROJ #A25747  
 CHK'D BY: PB DATE: 01/26/05  
 APPROVED: CP SCALE: 1"=40'  
**SEAL:** **DWG. NO.**

**AS-4**

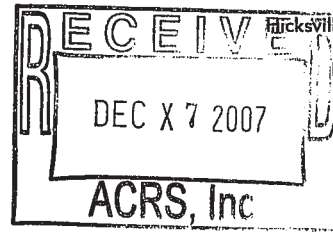
**SYMBOLS:**  
 — Asbestos Containing  
 Pipe Insulation

**NOTES:**





**Corporate Headquarters**  
550 West Old Country Road  
Suite 308  
Hicksville, New York 11801  
Tel: (516) 932-3228  
Fax: (516) 932-3288



## **ASBESTOS ABATEMENT SPECIFICATIONS**

Project Location:

**Sherman Plaza  
4650 Broadway  
New York, New York**

Prepared for:

**Acadia P/A Sherman Avenue LLC  
1311 Mamaroneck Avenue  
White Plains, New York 10605  
Attn: Mr. Michael Rossi**

**July 30, 2007**



## 1.0 INVITATION TO BID

Qualified Asbestos Removal Contractors are invited to submit bids to accomplish the removal and disposal of asbestos-containing roofing components, floor tiles, floor tile mastic, cooling tower fill, cooling tower drift eliminator, boiler insulation, spray applied fire proofing, roofing wall and duct tar as specified within the enclosed bid specifications, drawings and walkthrough.

The work is to be accomplished for Acadia-P/A Sherman Avenue LLC, ACRS Inc, and Acadia Realty LP referred to hereafter as the "Owner," The Owner is located at 1311 Mamaroneck Avenue in White Plains, New York 10605, throughout the following location:

Sherman Plaza  
4650 Broadway  
New York, New York

CNS Management Corp. (CNS) shall be the Owner's Environmental Consultant for this project. CNS shall conduct compliance inspections and monitoring of the work performed by the asbestos removal contractor. Bidder will be required to attend a Pre-Bid meeting where it is expected that they will familiarize themselves with the work. The bidders shall be given ample time to accomplish this familiarization through inspection. Failure of the bidder to do so shall not be cause for additional compensation to the contractor.

Bid Forms shall be submitted in a sealed envelope and delivered sealed before **3:00 p.m. on Friday, July 20, 2007**. Owner Bid forms with Bid Instructions are enclosed within this section.

**BID FORM**

1. The undersigned, JERRY CUBA, having familiarized themselves with the *Specifications, Drawings, Invitation to Bid, Instructions to Bidders, Bid Form, General Conditions and Walkthroughs* affecting the cost of work for:

**Owner** Acadia-P/A Sherman Avenue, LLC

**Address:** 4650 Broadway, New York, New York

And having examined the site hereby propose to furnish all material, tools, equipment and incidentals necessary to perform all work as specified, in acceptance with the **Owner** for the **Total Bid Price** of. (\$ \_\_\_\_\_).

2. The above noted Total Bid Price is to be broken down as follows:

- 1) All Federal, State, Local permits: fees, notification and variance costs.

Cost for Item # 1=\$ \$5200.00

- 2) All costs associated with removal and disposal of asbestos containing roof membrane, roof flashing, and wall and duct tar from the roof.

Cost for Item # 2=\$ 450,000

- 3) All costs associated with removal and disposal of asbestos containing cooling tower fill, drift eliminator and pipe insulation from the roof level.

Cost for Item # 3=\$ 20,000

- 4) All costs associated with removal and disposal of asbestos containing vinyl floor tiles with black mastic and pipe insulation from the 2<sup>nd</sup> floor.

Cost for Item # 4=\$ 250,000

- 5) All costs associated with removal and disposal of asbestos containing vinyl floor tiles with black mastic, pipe insulation and spray-applied fire proofing from the 1<sup>st</sup> floor.

Cost for Item # 5=\$ 300,000

- 6) All costs associated with removal and disposal of asbestos containing boiler insulation from the basement level.

Cost for Item # 6=\$ 80,000

- 7) All costs associated with removal and disposal of asbestos containing pipe insulation from the basement level.

Cost for Item # 7=\$ 300,000

3. The undersigned agrees to commence work 14 days upon bid award date and time as specified by Owner, to complete such work within the specified number of calendar day(s).

4. **The undersigned agreed that this proposal shall remain in force and effect for a period of not less than 45 calendar days following the bid opening date. It is understood and agreed that the owner reserves the right to reject any or all proposals, to waive any informal ties in bidding and to hold all proposals for the above noted period of time.**

5. Selection of Subcontractors is subject to The Owner's review prior to awarding of contract.

6. It is herewith noted that Owner will not accept any cost extras due to field conditions. It is the undersigned (Contractor) responsibility to familiarize themselves with the project during walkthroughs, specifications and drawings. Additional site visits may be pre-arranged with Owner.

7. All extra work must be written up by the Contractor in the form of a change or field order. Indicated on it must be a firm price or not to exceed time for the work. All change orders must be submitted to the Project Manager for approval prior to the commencement of work.

8. All work is to be performed during normal **work time** hours unless proper arrangements are made.

9. All construction to be executed in such a manner as not to interfere with the normal everyday operation of the mall.

10. We the contractor will comply with insurance requirements as mandated by The Owner's Risk and Insurance Department.

11. We shall remove all debris, clean and polish all surfaces and leave all the affected floors in broom swept condition.

12. Any moving of existing equipment and furniture within the space necessary to accommodate the aforementioned project will be the Contractor's responsibility

13. List of documents forming the basis of the bid package:

- Asbestos Abatement Procedures supplied by Owners Environmental Consultant
- Walkthrough provided by Owners Environmental Consultant
- Additional pre-arranged site visits and/or walkthroughs
- Specification and drawing addendums if applicable

14. Exceptions

NO TEMPORARY PROTECTION, REISULATION, REPLACEMENT, REINSTALLATION, WATER & ELECTRIC  
MUST BE AVILBLE IN THE BUILDING, ANY DOB& DOT PERMITS, SCAFFOLDING SIDEWALK BRIDGES,  
PE OR ARCHITECT,

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15. All Bid Packages are to be enclosed with the following items:

- a) The schedule that reflects calendar day's duration for the asbestos removal.
- b) Copy of insurance certificate naming **Acadia-P/A Sherman Avenue LLC** as the certificate holder and **ACRS Inc, Acadia Realty LP** and **CNS Management Corp** as additional insured.
- c) When awarded, the undersigned will be requested to submit a notarized original Indemnification Agreement.
- d) A copy of your New York State Company Asbestos License.
- e) A list of proposed waste haulers and disposal sites with permits.
- f) A list of references. These references should be for work completed within the past 18 months.
- g) When awarded, the undersigned will be requested to submit a copy of their Haz-Com, respiratory protection, emergency response and asbestos removal standard operating procedures.
- h) Material safety data sheets and Equipment Specifications for materials and machinery to be used in accomplishing all phases of work.
- i) Failure to provide the above information may cause for the dismissal of the undersigned's bid package.

16. Bid are to include the following items and related costs, but not limited to: labor, removal, disposal, permits, fees, mobilization, transportation, disposal fees, dumpsters, insurance's, taxes, tools, services, equipment, hoisting, supervision, filing fees, and any and all including incidentals to complete all required asbestos work for a complete scope. All work to conform to all state, local and all regulatory agencies, having jurisdiction, the owner(s) and their agents.

17. All unit costs and labor rates shall include all applicable taxes, overtime, overhead profit, miscellaneous tools, insurance's, benefits, etc., for a complete cost.

This bid package is submitted by:

Firm: BENJAMIN KURZBAN & SON CONTROL, INC

Date: 11/26/2007

By: (SIGNATURE) JERRY CUBA

Title: VP



---

**INSTRUCTIONS TO BIDDERS****BID FORM**

- a) All **Bids** must be submitted on the **Bid Form** furnished, herewith, which shall be completed as a formal document in its entirety.
- b) Exceptions to any of the items on the **Specifications** shall be clearly noted by the **Bidder** as exceptions.
- c) **Owner** may consider as informal any **Bid**, which contains an alteration or a departure from the **Bid Form, enclosed Specifications and Drawings** other than specified.
- d) **Bid Documents**, submitted by all **Bidders**, shall be enclosed in outer and inner envelopes, both of which shall be sealed and clearly labeled with the words, "**Bid Documents**".
- e) **Owner** will neither consider nor accept any **Bid, which** is received after the time established for the receiving of same.
- f) **Owner** reserves the right to waive any information in **Bidding** or to reject any and all **Bids**.
- g) The award of the contract will be made within five (5) days after opening of the **Bids**.
- h) The **Contract** will be based upon the completion of the work according to the **Specifications**.
- i) The **Owner** reserves the right to award all or part of the requested services to one or more contractors, to reject any or all bids, to negotiate changes in the scope of work or services to be provided, and to otherwise waive all technicalities, as the owner deems to be in their best interest.

## 2.0 Introduction

The scope of work in this document is for the removal of asbestos containing materials for the Owner at the office building located at 4650 Broadway in New York, New York. The purpose of this document is to define the asbestos abatement scope of work. Any changes to this scope shall be submitted by the bidder in writing with their bid.

Materials identified as asbestos containing within the asbestos survey are outlined in the below table by location of the asbestos containing material with an estimated quantity.

Location	Material	Quantity	Drawing	Abatement Procedure
<b>Roof Level</b>				
Roof	Roof membrane & flashing	65,189 SF	AR-3	Attachments FR & R
Roof	Wall & Duct Tar	1,500 SF	AR-3	Attachments FR & R
Roof	Cooling Tower Fill & Drift Eliminator	192 SF	AR-3	Attachment F & R
Roof	Pipe Insulation	130 LF	AR-3	Attachment T & R
<b>Basement Level</b>				
Boiler Room	Boiler Insulation	1,260 SF	AR-4	Full Containment
Parking Area	Pipe Insulation	5,010 LF	AR-4	Attachment T & R
<b>Tenant Floors</b>				
1 <sup>st</sup> Floor	9"x9" VFT with ACM black mastic under 12"x12" VFT	44,126 SF	AR-1	Attachment VA
1 <sup>st</sup> Floor	Pipe Insulation	750 LF	AR-1	Attachment VA
1 <sup>st</sup> Floor	Spray-applied fire proofing	4,264 SF	AR-1	Attachment VA
2 <sup>nd</sup> Floor	9"x9"VFT with ACM black mastic	44,126 SF	AR-2	Attachment VA
2 <sup>nd</sup> Floor	Pipe Insulation	750 LF	AR-2	Attachment VA

**All quantities are to be field verified via walkthroughs by the bidder; the bidder will not receive any change orders for additional quantities found during the project and will receive penalties for any disruption in work based upon extras and specification changes.**

### **3.0 General Conditions**

The Contractor (referred to hereafter as bidder) is solely responsible for supplying all costs and burden associated with permitting, qualified labor, materials, disposal and equipment necessary to perform the work required to successfully complete this project in compliance with this specification.

3.0.1 The bidder is required to submit the following documents with their bid package:

- a) A valid copy of the bidder's State of New York Department of Labor Company Asbestos License;
- b) A Certificate of Insurance with a minimum policy of \$5,000,000.00 general aggregate with \$5,000,000.00 for each occurrence; insurance certificates; the awarded bidder must list specific entities as additional insured and certificate holders.
- c) A copy of the bidder's Health and Safety Plan;

3.0.2 Bidder shall maintain a safe, clean and orderly work site, with the proper postings as per all Federal, State and Local Ordinances and Laws. The Bidder shall erect and maintain isolation barriers, warning signs and all other means for protection / warning to ensure maximum safety.

3.0.3 The Bidder shall not permit any condition to exist or engage in any practice that would result in a hazardous or a potentially hazardous condition for the building occupants, including but not limited to the tenants, Owner's employees, or the bidder's work force.

3.0.4 Bidder shall maintain harmonious labor throughout the project.

3.0.5 If the successful bidder fails to execute the contract within fourteen (14) days of award, the Owner, at his option may consider the bid and the acceptance of it to be null and void due to abandonment of the project by the bidder.

3.0.6 No changes in work are authorized or considered valid unless the Owner has signed a Change Order directing this change.

3.0.7 The Environmental Consultant will be on site at all times when work is in progress to assure compliance with all regulations and these specifications. The Environmental Consultant shall inspect the work at least once per work shift. The Environmental Consultant shall keep the Owner informed of the progress of the work based on his observations and will endeavor to guard the Owner against defects and deficiencies in the work.

3.0.8 Owner's property that is to remain in place shall be protected. If damaged by the Bidder, the Bidder shall, at Owner's discretion, either replace damaged items or reimburse the Owner for replacement at no cost to the Owner.

3.0.9 The Bidder may be back charged at the Owner's discretion for all costs associated with failure to meet the scheduled completion date. This cost shall include, but will not be limited to: Consultant's fees, loss of rental income, management charges, etc.

3.0.10 The Bidder shall take all precautions to protect his workmen, as per USEPA, OSHA, New York State and New York City Regulations.

- 3.0.11 The Bidder shall be responsible for payment of all royalties and licenses required to accomplish his work. The Bidder shall hold the Owner, Owner's agent and the Consultant harmless from any damages, losses, and other expenses arising from all suits or claims for violations, infringement on any patent rights or from negligence of work. The Bidder shall be responsible for notifying the Owner and/or Consultant if he has a reason to believe that a product specified a process or design is an infringement of a patent so that an alternate method / product may be considered if feasible.
- 3.0.12 The Bidder will Hold Harmless and assumes all responsibility with regard to any and all violations pertaining to the asbestos removal project(s).
- 3.0.13 Any delay caused in any part by the asbestos abatement contractor that impacts the starting the project on time, completing phasing end dates during the project and/or completing the project at it's designated end date will results in assessed penalties imposed by the owner against the asbestos abatement contractor.
- 3.0.14 The Bidder's application for final payment shall include the following items:
- a) Copy of Bidder's New York Asbestos License.
  - b) Copy of Bidder's Insurance Certificate.
  - c) Copy of Notifications and Variances.
  - d) Completed Waste Manifests.
  - e) Copy of Workers' New York State and New York City Asbestos Licenses and Medicals.
  - f) Copies of Daily Logs and Daily Sign-In/Out Sheets.
  - g) Copy of OSHA Air Sampling Results
  - h) Copy of Waste Transporter's and Landfill Permits
  - i) Copy of Landfill / Disposal Facility Manifests

The above items shall be submitted to the Consultant for verification and approval.