January 16, 2025

Mr. Muammar Hermanstyne
Conifer Realty
1000 University Avenue, Suite 500
Rochester, New York 14607

RE: Summary of Environmental Conditions Letter
125 Bath Street, Ballston Spa, New York 12020
LaBella Project No. 2250232

Dear Mr. Hermanstyne,

LaBella Associates, D.P.C. (LaBella) is pleased to submit this Summary of Environmental Conditions Letter for the Former Haight/American Hide property, located at 125 Bath Street, Village of Ballston Spa, Saratoga County, New York (herein referred to as the "Site"). This Letter is intended to summarize known environmental conditions as reported during the Site's successful completion of the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP Site Code : C546055).

LaBella understands that Conifer plans to redevelop the Site for multi-family residential use and final redevelopment plans will incorporate the findings of a geotechnical survey. This Letter also summarizes the means and methods to uphold the Site Management Plan (SMP), Institutional Controls (ICs), Engineering Controls (ECs), and reporting requirements stipulated in the Environmental Easement granted to the NYSDEC. maintain

SITE DESCRIPTION

The Site is a 6.052-acre, vacant commercial/manufacturing property identified on the Saratoga County tax map as Section 216.32, Block 1, Lot 96.2. According to historical information, the Site was first developed for industrial purposes in circa 1881. The Haight and Company, American Hide & Leather, and Howes Leather tannery facilities operated on-site between 1887 until 1960. The property was subsequently operated as a commercial laundry and garment warehousing facility by Angelica Textile Services, Inc. (fka Linen Systems for Hospitals, Inc.) until 2011.

An approximately 80,000 square-foot, vacant commercial/warehouse structure and the foundation ruins of the Former Haight/American Hide facilities are located along the eastern and southern/western portions of the Site, respectively. The Site is bounded by residential properties to the north and east (across Bath Street); Gordan Creek to the south, and; wooded land with a recreational bike path to the west.

ENVIRONMENTAL SUMMARY

Interim Remedial Measures

Environmental contamination was first discovered after an extended rainfall event in July 2010. Spill No. 1004405 was reported upon discovery of petroleum product emanating from beneath paved parking lot surfaces near a former 100,000-gallon No. 6 fuel oil above ground storage tank (AST). Approximately 3,390 tons of petroleum contaminated soil (PCS) was excavated for off-site disposal between 2010 and 2013. PCS removal activities included performance of an Interim Remedial Measure (IRM) in the summer of 2013, after the Site was accepted into the BCP in January 2013. Spill Number 1004405 was remediated under the Brownfield Cleanup Agreement (BCA) and the Spill listing was issued a closed status in March 2019.

Additional IRM work associated with the demolition of former tannery/manufacturing buildings was completed in 2017. The demolition IRM included Remedial Investigation (RI) below six (6) condemned structures, located along the western-central and southern portions of the Site. The demolition IRM work zone consisted of approximately 2.5-acres and included asbestos abatement, closure of abandoned petroleum bulk storage (PBS) infrastructure (PBS ID: 5-229474), and demolition activities.

Based on the separate IRMs, the Site was divided into three operable units (OUs) as follows:

- OU-1: the Site (in its entirety);
- OU-01A: the PCS excavation area; and,
- OU-01B: the building demolition area.

Upon completion of IRMs, no other contaminated materials were removed from the Site. Remedial areas are indicated on the attached Site Features Map.

Remedial Action

Based on RI results, an Alternative Analysis Report & Remedial Action Work Plan (AAR & RAWP) report was issued for the Site in August 2019. The RAWP was implemented in support of the selected Remedy, Track 4, which is provided for Restricted Use with site-specific Soil Cleanup Objectives (SCOs). Restricted Residential Use SCOs (RRUSCOs) were established for the Site, which allows for multi-family residential development.

The selected remedy consisted of implementation of an EC and ICs, which are described in subsequent sections of this letter. No additional remedial activities were performed. A Final Engineering Report (FER), Revised SMP, and Certificate of Completion were issued for the Site in December 2019. Pursuant to New York State Environmental Conservation Law (ECL), Article 71, Title 36, an Environmental Easement was granted to the NYSDEC in July 2019. The Environmental Easement stipulates that a SMP is implemented to prevent human exposure to contamination remaining on-site (see below).

REMAINING CONTAMINATION

As noted above, remediation at the Site was conducted via IRMs and consisted of the removal of approximately 3,390 tons of PCS and the demolition/abatement of several structures, including PBS infrastructure. Impacted soil and groundwater remain at the Site and are managed via EC/ICs; this remaining contamination is summarized below.

Soil

Metals, polycyclic aromatic hydrocarbons ([PAHs], a subset of semi-volatile organic compounds [SVOCs]), and one polychlorinated biphenyl (PCB) were detected above RRUSCOs in soils remaining on-site. Residual soil contaminants of concern consist of the following:

PAHs	Metals	PCB
Benzo(a)anthracene	Arsenic	Aroclor 1254
Benzo(a)pyrene	Barium	
Benzo(b)fluoranthene	Cadmium	
Benzo(k)fluoranthene	Chromium	
Chrysene	Copper	
Dibenzo(a,h)anthracene	Lead	
Indeno(1,2,3-cd)pyrene	Mercury	

Contaminants levels exceed RRUSCOs in subsurface soil and fill materials located beneath the composite cover system (see ECs subsection below). According to available information, subsurface soil/fill contamination is predominately located beneath the former manufacturing structures' concrete floor slabs and foundations or are contained in a network of abandoned concrete vaults and drains. Subsurface soil/fill contamination at the remaining portions of the Site are located beneath a geotextile demarcation layer and soil cover.

Groundwater

Metals, PAHs, and one volatile organic compound (VOC) were detected above NYSDEC Part 703 groundwater quality standards. Residual groundwater contaminants of concern consist of the following:

PAHs	Metals		VOC
Benzo(a)anthracene	Aluminum	Beryllium	Trichlorofluoromethane
Benzo(b)fluoranthene	Cadmium	Chromium	
Benzo(k)fluoranthene	Copper	Iron	
Chrysene	Lead	Magnesium	
Indeno(1,2,3-cd)pyrene	Manganese	Mercury	
	Sodium		

Remaining groundwater contaminants typically consisted of low-level exceedances of groundwater quality standards.

INSTITUTIONAL CONTROLS

The Environmental Easement requires implementation, maintenance, and documentation of ICs established for the Site. ICs consist of: 1) adherence to the SMP and Environmental Easement, and; 2) groundwater and land use restrictions. The ICs are described as follows:

- Use of the Site is limited to restricted-residential, commercial, and industrial uses;
- On-site groundwater use is subject to approval by the NYSDEC and local permitting (if applicable);
- All ECs must be operated, maintained, and inspected according to the SMP. EC inspections will be performed annually and reported in a Periodic Review Report (PRR) in accordance with applicable NYSDEC regulations. Note that this includes the cover system and could include any sub-slab depressurization systems (SSDSs) if they are installed as part of future construction. Other data and pertinent information will be

reported to the NYSDEC as specified in the SMP (see below);
- Future activities that will disturb remaining contamination must be pre-approved by the NYSDEC and performed according to the SMP;
- Operation, maintenance, monitoring, inspection, and reporting of any physical or mechanical component of the Remedy must be performed according to the SMP;
- Agriculture and vegetable gardens are prohibited at the Site; and,
- Access to the Site must be provided (with reasonable notice) to agents, employees, or other representatives of the State of New York in accordance with the Environmental Easement.

ENGINEERING CONTROLS

ECs implemented at the Site consist of a composite cover system and perimeter fencing. The Site-wide composite cover system is intended to prevent human exposures to contaminants remaining in surface and near-surface soil and historic fill materials. The cover system is shown on the attached Site Features Map and consists of the following:

- Concrete building slabs and foundations;
- Asphalt and gravel covered access drives and parking areas; and,
- A minimum two-foot-thick layer of certified clean soil cover (with topsoil in vegetated areas) or rip rap installed above a geotextile demarcation layer.

No other ECs were installed under the selected Remedy. Upon completion of ground intrusive work (including the geotechnical survey and Site redevelopment), the composite cover system must be repaired, re-installed, maintained, and inspected in accordance with the SMP.

Note that although the SMP does not specify assessment of soil vapor intrusion (SVI) and/or associated mitigation via installation of a SSDS, if other agencies (e.g., NYS Homes and Community Renewal) require SSDSs, the NYSDEC or NYSDOH may require a work plan for installation, documentation of OM&M through PRRs and potentially pre-occupancy testing.

SUMMARY OF SITE MANAGEMENT PLAN REQUIREMENTS

While each Site and development project are unique, the remaining subsections describe *typical* requirements for SMP compliance during redevelopment. Note that the below subsections do not constitute a complete list of the requirements set forth in the SMP, Environmental Easement, Brownfield Cleanup Agreement, etc., but instead are designed to act as a concise list for convenient reference and to emphasize select requirements most likely to have significant impact on the redevelopment project. The SMP, Environmental Easement and all other relevant documents should be thoroughly reviewed prior to and throughout any future construction work at the Site. Further, these documents should be included with bid documents provided to potential contractors to aid in accurate bidding of the redevelopment project and to avoid potential non-compliance issues.

Notification (SMP Section 5.2.1)

Previously undocumented chemical impacts or undocumented buried waste must be reported to the NYSDEC within 2 hours of discovery.
NYSDEC notifications will be submitted by the property owner or designated/responsible parties as follows:

- A 60-day notice of any proposed changes in Site use;
- A 10-day notice of any proposed ground-intrusive activities;

- Within 24-hours of discovery of previously unidentified chemical impacts or buried waste;
- Within 48-hours of any damage or defect to the Engineering Controls;
- Within 48-hours of any emergency that impacts the Engineering Controls; and,
- Within 45 days of any emergency event response action.

Excavation Plan (SMP Section 5.2)

The geotechnical survey and Site redevelopment activities must be performed according to the Excavation Plan (EP). In addition, a Site-specific Community Air Monitoring Plan (CAMP) and Health and Safety Plan (HASP) must be prepared and implemented to ensure the safe performance of ground intrusive work activities. The owner, associated, and/or assigned parties will be responsible for compliance with the EP, CAMP, and HASP. Safe performance of required activities must be documented and reported per the SMP (see below).

Although not anticipated, mechanical processing of historic fill and/or impacted soil must be pre-approved by the NYSDEC and is otherwise prohibited. Waste or similar sources of contamination identified during work activities must be surveyed by a New York State licensed surveyor and reported per the SMP. As built engineering drawings must be similarly reported.

Soil Management Practices (SMP Sections 5.2.2-5.2.9)

Soil and/or historic fill materials disturbed, generated, or otherwise encountered during work activities must be inspected and managed by, or under direct supervision of, a Qualified Environmental Professional (QEP). Fieldwork personnel must be Hazardous Waste Operations and Emergency Response (HAZWOPER) certified according to Occupational Safety and Health Administration (OSHA) standards 29 CFR 1910.120 and 1926.65. These practices are described as follows:

1) Screening: Subsurface materials will be continuously screened for visual, olfactory, and instrument-based evidence of impairment. Materials generated during work activities must be segregated according to field evidence of contamination and/or existing environmental data.
2) Stockpiling: Soil stockpiles must be placed on and beneath polyethylene sheeting (minimum 6-milimeter thickness). Berms must be installed to prevent migration of surface runoff.
3) Material excavation and load-out: Ingress and egress points must be established, inspected, and maintained during redevelopment activities. Off-site migration of contaminated material will be prevented by 1) installation of a decontamination pad; 2) lining and covering truck beds, and; 3) inspecting all trucks leaving the Site for unsecured material (including tires). Loaded vehicles leaving the Site must be manifested, placarded, and permitted in accordance with Federal, State, and local regulations.
4) Material Transport and Disposal Off-Site: All material generated at the Site must be transported directly to a NYSDEC Part 360 permitted disposal facility by NYSDEC Part 364 licensed haulers.
5) Fluids Management: Discharges of dewatering fluids (not anticipated) are not permitted and must be chemically tested prior to off-site disposal.
6) Backfill From Off-Site Sources: Imported soil must be certified clean material with corresponding laboratory data demonstrating conformance with applicable regulations.

CAMP (SMP Section 5.2.12-5.2.14)

A site-specific CAMP will be implemented to: 1) monitor levels of VOCs and dust generated during ground intrusive activities; 2) mitigate fugitive dust and VOCs from migrating off-site, and; 3) control nuisance odors emanating from the work areas. The CAMP is summarized as follows:

1) Dust Monitoring: CAMP stations will be installed upwind and downwind locations during ground intrusive work activities. CAMP stations will be equipped with a TSI Dust Track II (or comparable equipment) and properly calibrated photoionization detectors (PIDs).
2) Fugitive Dust and VOC mitigation: CAMP stations will continuously monitor dust and VOC levels. Dust suppression (i.e., wetting methods) will be implemented whenever dust or VOC levels exceed applicable action levels.
3) Odor Control: If nuisance odors are detected at the Site boundary, or if complaints are received, specific odor control methods must be implemented.

CONCLUSION

Remediation at the Site consisted of the removal of approximately 3,390-tons of PCS, the removal of PBS infrastructure and the demolition/abatement of several structures. Much of the investigation and remediation work was performed under the NYSDEC BCP and a COC was issued by the NYSDEC for the Site in August 2019. A Track 4 cleanup was completed to Restricted Residential SCOs.

Although a COC was issued, residual contamination is present at the Site in soil and groundwater. The majority of known residual contamination is present in the form of historic fill under building slabs; however, as with any property with long-term industrial use, additional, localized impacts could be encountered during redevelopment work. In addition, as part of and subsequent to redevelopment of the property, the requirements summarized in this letter must be implemented to remain in compliance with the SMP, Environmental Easement, BCA, etc. Adequate planning (e.g., waste profiling, import/export sampling, etc.) during the pre-development process is essential to avoid costly delays during construction. Further, Conifer should be aware that the Site will still be subject to the SMP, Environmental Easement, BCA, etc. following redevelopment. Among other items, these requirements include long-term OM&M of controls at the Site and submission of PRRs.

We appreciate the opportunity to serve your professional environmental needs and look forward to working with you toward a successful completion of this project. If you have any questions, please contact me directly at (518) 885-5383.

Respectfully submitted,

LABELLA ASSOCIATES, D.P.C.

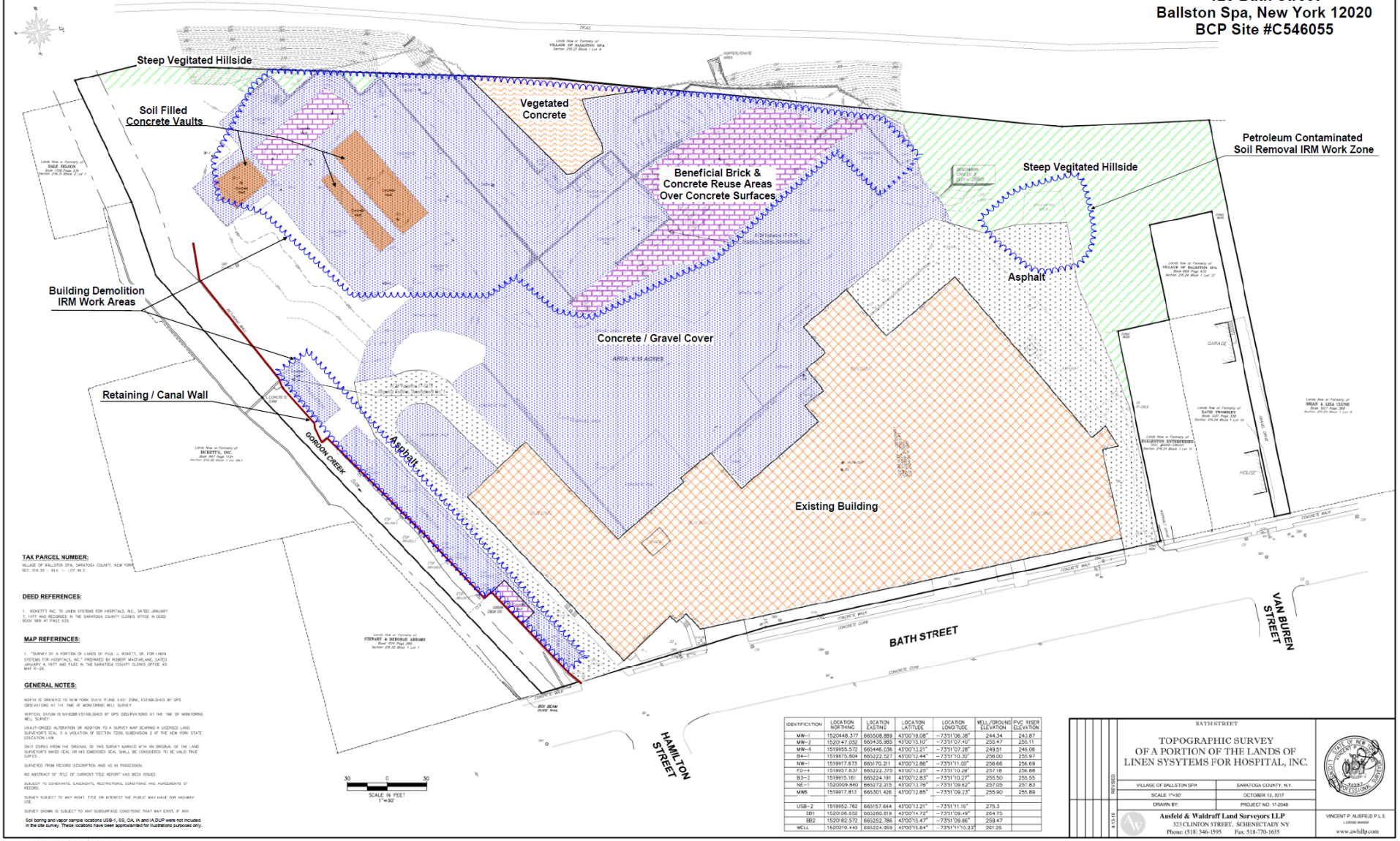
Adam Atkinson
Sr. Project Manager

Attachment
Site Features Map

JG

Figure 2

Existing Cap & Cover Surfaces
Former Haight / American Hide
125 Bath Street
Ballston Spa, New York 12020
BCP Site #C546055



IDENTIFICATION	LOCATION NORTHING	LOCATION EASTING	LOCATION LATITUDE	LOCATION LONGITUDE	WELL/GROUND ELEVATION	PVC RISER ELEVATION
MW-1	1520448.377	665508.889	43°00'18.08"	-73°31'06.38"	244.34	243.87
MW-2	1520147.052	665435.985	43°00'15.10"	-73°31'07.40"	255.47	255.11
MW-4	1519955.572	665446.036	43°00'13.21"	-73°31'07.28"	249.51	249.06
B4-1	1519875.804	665222.527	43°00'12.44"	-73°31'10.30"	256.00	255.97
NW-1	1519917.673	665170.211	43°00'12.86"	-73°31'11.00"	256.66	256.69
FD-1	1519937.637	665222.375	43°00'13.05"	-73°31'10.29"	257.18	256.88
B3-2	1519915.161	665224.191	43°00'12.83"	-73°31'10.27"	255.50	255.55
NE-1	1520309.960	665272.215	43°00'13.76"	-73°31'09.62"	257.05	257.63
MW6	1519917.813	665301.426	43°00'12.85"	-73°31'09.23"	255.90	255.89
USB-2	1519952.762	665157.644	43°00'13.21"	-73°31'11.15"	275.3	
DD1	1520106.552	665280.619	43°00'14.72"	-73°31'09.49"	264.75	
BB2	1520282.572	665252.786	43°00'15.47"	-73°31'09.86"	259.47	
WELL	1520019.449	665224.959	43°00'15.84"	-73°31'11'0.23"	261.25	

Source:
Site Management Plan, Northeastern Environmental Technologies Corp. August 12, 2019, Revised December 17, 2019

Accessed online at:
https://extapps.dec.ny.gov/data/DecDocs/C546055/

LaBella
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NYSDEC
BCP ID: C546055

Former Haight / American Hide
125 Bath Street
Village of Balston Spa
Saratoga County, New York
12020

LaBella Project No: 2250232

Site Features Map