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Submitted to:

**Cayuga Indian Nation
P.O. Box 11
Versailles, New York 14168**

PHASE I ENVIRONMENTAL SITE ASSESSMENT

**Vacant Parcel, High Street
Town of Springport, New York**

Project Number: 40212

April 2009

April 28, 2009

Mr. Clint Halftown
Cayuga Indian Nation
P.O. Box 11
Versailles, NY 14168

Re: Phase I Environmental Site Assessment
Vacant Parcel, High Street,
Cayuga County Tax Map No.85.00-1-28.1
Town of Montezuma, New York
AKRF Project Number 40212

Dear Mr. Halftown:

AKRF, Inc. is pleased to submit this Phase I Environmental Site Assessment Report for the above-referenced site. This report includes the findings of a site inspection, an evaluation of available historical information, the interpretation of selected federal and state environmental databases, and a review of selected Cayuga County records. AKRF, Inc. met the requirements of American Society for Testing and Materials (ASTM) as established by ASTM Standard E1527-05 unless noted otherwise in Section 7: "Limitations".

We appreciate the opportunity to provide you with our services. If you should have any questions or comments regarding the enclosed report, please do not hesitate to contact us.

Sincerely,
AKRF, Inc.

Marc S. Godick, LEP
Senior Vice President

Kerry Gallagher
Environmental Scientist

Enc.

EXECUTIVE SUMMARY

AKRF, Inc. (AKRF) was retained by the Cayuga Indian Nation of New York to perform a Phase I Environmental Site Assessment of a vacant parcel located in the Town of Montezuma, Cayuga County, New York. The Property consisted of an unfenced, undeveloped parcel approximately 0.018-acres in size, legally defined as Cayuga County Tax Map Parcel No.85.00-1-28.1. The Property was located in a predominantly rural area and was abutted by the termination of High Street (a dead end street) followed by residences and undeveloped land to the north and west, the New York State Thruway to the south and southeast and residences and undeveloped land to the east and northeast.

This assessment revealed no evidence of Recognized Environmental Conditions. A summary of pertinent findings is as follows:

- The property comprised a vacant wooded lot. Historical land use maps, the regulatory database search and previous environmental studies at the Property and adjacent areas indicated that the Property has historically been undeveloped vacant land surrounded by some residences and agricultural or vegetated land.
- One pole-mounted transformer was located on a utility pole adjacent to the northwest corner of the subject Property. There is a potential for the transformers to have utilized PCB-containing fluids. Any release of oil due to transformer failure would spill to the underlying ground surface. There were no areas of stained soil or stressed vegetation beneath the transformers.
- According to data compiled in 2008 by the Bureau of Radiation Protection, a division of the New York State Department of Health, Cayuga County has one of the higher average levels of basement radon measurements in New York State at 4.37 picocuries/liter, above the USEPA recommended action level of 4.0 picocuries/liter.

Recommendations:

- A subsurface (Phase II) investigation is not recommended at this time, however if future on-site development requires subsurface disturbance, soil (and groundwater if dewatering were to be required) would need to be managed in accordance with applicable local, state and federal requirements. If any unforeseen fuel oil tanks or evidence of contaminated soil (stains or odors) are encountered during site development, these materials (and all other materials requiring off-site disposal) should be disposed of in accordance with applicable federal, state and local regulations.
- Radon levels would need to be tested in accordance with applicable regulations for any future on-site development.

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1.0 INTRODUCTION

AKRF, Inc. (AKRF) was retained by The Cayuga Nation of New York to perform a Phase I Environmental Site Assessment of a vacant parcel located in the Town of Montezuma, Cayuga County, New York. The Property consisted of an unfenced, undeveloped parcel approximately 0.018-acres in size, legally defined as Cayuga County Tax Map parcel No.85.00-1-28.1. The Property was located in a predominantly rural area and was abutted by the termination of High Street (a dead end street) followed by residences and undeveloped land to the north and west, the New York State Thruway to the south and southeast and residences and undeveloped land to the east and northeast.

The scope of services for this assessment included the following:

The scope of services for this assessment was in conformance with ASTM Standard E1527-05 (*Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*), with any exceptions to, or deletions from, this practice described in Section 7.0: "Limitations and Data Gaps." AKRF's scope addressed the ASTM scope by conducting the following:

- Observations of the Property (reconnaissance) were made to identify potential sources or indications of hazardous substances, including: aboveground storage tanks (ASTs); underground storage tanks (USTs); tank vents and fill ports; transformers and other items that could contain polychlorinated biphenyls (PCBs), drums or areas where hazardous materials were used, stored, or disposed; stained surfaces and soils; stressed vegetation, leaks, odors. In addition, where possible, neighboring properties were viewed, but only from public rights-of-way, to identify similar concerns.
- Readily available geological and groundwater (hydrogeological) information were evaluated to assist in determining the potential for contamination migration within, from and onto the Property.
- Historical topographic maps and aerial photographs for the Property and adjacent properties were reviewed to evaluate historic land uses.
- The following federal regulatory databases were reviewed to determine the regulatory status of the Property and properties within the ASTM-specified radii: National Priority List (NPL); Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS); Emergency Response Notification System (ERNS); Toxic Chemical Release Inventory System (TRIS); the Permit Compliance System of Toxic Wastewater Discharges (WWD); the Air Discharge Facilities Index (ADF) the USEPA Civil Enforcement Docket. The federal listing of facilities which are subject to corrective action under the Resource Conservation and Recovery Act (CORRACTS) is discussed with the State databases of RCRA listings.
- The following state regulatory databases were reviewed to determine the regulatory status of the Property and properties within the ASTM-specified radii, hazardous material spills (SPILLS); Resource Conservation and Recovery Act Notifiers (RCRA); Chemical Bulk Storage (CBS); Solid Waste Facilities (SWF); Petroleum Bulk Storage (PBS); State Inactive Hazardous Waste Disposal Sites (SHWS); Major Oil Storage Facilities (MOSF); Historic Utility Sites; Environmental Restoration Program (ERP); Voluntary Cleanup Program (VCP); and Brownfield Cleanup Program (BCP).
- A review of pertinent local (obtained at the County Clerk's Office of Cayuga County, NY) and online records for the Property was conducted.

In addition to the ASTM Scope items, AKRF's scope (unless noted in Section 7.0) included:

- A state database of radon concentrations was used to determine whether indoor radon levels in the area (data are by county) generally comply with United States Environmental Protection Agency (USEPA) guidelines.

2.0 PHYSICAL SITE DESCRIPTION

Visual inspection of the site and adjacent areas was performed on March 20, 2009 by Kerry Gallagher of AKRF. At the time of the inspection, the weather was sunny and approximately 40 °F, the visibility good. The site was inspected for the presence of stained surfaces and soils, stressed vegetation, storage tanks, drums, leaking pipes, transformers, suspect asbestos-containing materials, suspect lead-containing paint, and any other evidence of hazardous material usage and storage on-site. Photographs documenting the site inspection are included in Appendix A.

2.1 General Site Conditions

The Property consisted of a triangular-shaped, unfenced, undeveloped vacant parcel approximately 0.018-acres in size, located in the Town of Montezuma, New York and was legally defined as Cayuga County Tax Map Parcel No.85.00-1-28.1. The Property was located in a predominantly rural area and was abutted by the termination of High Street (a dead end street) followed by residences and undeveloped land to the north and west, the New York State Thruway to the south and residences and undeveloped land to the east. The Property was occupied entirely by wooded land with dense tree cover. No vehicular entrances were noted. No solid waste, debris or evidence of illegal dumping activity was noted throughout the property. No evidence of material releases, i.e. stained surfaces, oil sheen, odors or stressed vegetation were noted at the property and no other significant observations were made.

2.2 Topography and Hydrogeology

The surface topography is relatively level. Based on reports compiled by the U.S. Geological Survey Montezuma, New York Quadrangle, the Property lies at an elevation of approximately 425 feet above the National Geodetic Vertical Datum of 1929 (an approximation of mean sea level). Groundwater most likely flows in a northwesterly direction toward the Seneca River, located approximately ½-mile to the northwest. However, actual groundwater flow at the site can be affected by many factors including subsurface openings or obstructions such as basements, bedrock geology, area pumping of groundwater, and other factors beyond the scope of this study.

2.3 Storage Tanks

2.3.1 Underground Storage Tanks (USTs)

During the site inspection, no evidence, such as vent pipes, fill caps, or concrete patches, was observed that would indicate past or present underground storage tanks (USTs) being located at the Property. There were no records of USTs identified during a review of local Cayuga County files. Off-site USTs are discussed in Section 4.2.2.

2.3.2 Aboveground Storage Tanks (ASTs)

No evidence, such as concrete foundations, containment walls, pedestals, or steel support structures, was observed during the site visit to indicate that aboveground storage tanks (ASTs) were located on-site either at the time of the inspection or in the past. A review of the State regulatory records did not cite any ASTs for the subject property. There were

no records of ASTs identified during a review of local Cayuga County files. Off-site ASTs are discussed in Section 4.2.2.

2.4 Polychlorinated Biphenyls (PCBs)

Prior to 1979, polychlorinated biphenyls (PCBs) were widely used for their cooling properties in electrical equipment such as transformers, capacitors, switches and voltage regulators. One pole-mounted transformer was located on a utility pole adjacent to the northwest corner of the subject Property. There is a potential for the transformers to have utilized PCB-containing fluids. Any release of oil due to transformer failure would spill to the underlying ground surface. There were no areas of stained soil or stressed vegetation beneath the transformers.

2.5 Lead-Based Paint

The use of lead-based paint in commercial structures was severely restricted by the Consumer Products Safety Commission in 1977. The use of lead-based paint in commercial structures was severely restricted by the Consumer Products Safety Commission in 1977. Lead-based paint is potentially hazardous when in a deteriorating condition (i.e. chipped, broken, crumbling, pulverized); lead is potentially harmful to humans, particularly children, if ingested, inhaled or otherwise absorbed.

The Property comprised vacant land and no painted surfaces were observed on-site.

2.6 Utilities

The Property was vacant; no utilities were operational during the site inspection.

2.7 Waste Management and Chemical Handling

No waste generation was observed at the Property.

2.8 Radon

Radon is a colorless, odorless gas produced by the radioactive decay of certain elements. The most common sources of radon are igneous and metamorphic rocks containing uranium (such as pitchblende), granite, shale, or phosphate, as well as soils or sediments derived from these parent materials. Radon may also be found in soils contaminated with certain industrial wastes (such as uranium or phosphate mine tailings) or in earth-derived building products which include industrial wastes that contain phosphate slag. In areas where the potential for radon accumulation is high, special ventilation systems may offset potential health hazards.

According to data compiled in 2008 by the Bureau of Radiation Protection, a division of the New York State Department of Health, Cayuga County has one of the higher average levels of basement radon measurements in New York State at 4.37 picocuries/liter, above the USEPA recommended action level of 4.0 picocuries/liter.

2.9 Asbestos-Containing Materials (ACM)

Asbestos, a known human carcinogen, is a generic name assigned to a group of naturally occurring minerals exhibiting high tensile strength and possessing excellent fire resistance and insulating properties. These minerals include chrysotile, amosite, crocidolite, actinolite, tremolite, and anthophyllite. Asbestos is commonly found as a component of building materials including: thermal system insulation (TSI), pipe insulation, spray-applied fireproofing, spray- or trowel-applied surfacing materials, vinyl asbestos floor tiles and sheeting, plaster, sheetrock/joint

compound, ceiling tiles, fire door fill, roofing materials, thermal gaskets, mastics, caulks and a range of other products.

Building materials containing greater than one percent asbestos are considered to be asbestos-containing materials (ACM). ACM are classified as friable or non-friable. Friable ACM are those which can be crumbled, pulverized, or reduced to powder when dry by hand or other mechanical pressure. Friable ACM, such as thermal system insulation and spray-applied fireproofing, are generally associated with a higher risk of releasing asbestos fibers than non-friable ACM, such as vinyl floor tiles and built-up roofing materials.

The Property was undeveloped; no suspect ACM was observed on-site.

3.0 ADJACENT LAND USE

The property was abutted by residences to the north and south, New York State Route 90 followed by residences to the east, and by an abandoned railroad bed and vacant land to the west. The surrounding property was primarily occupied by residential structures, agricultural land and wooded areas.

4.0 PROPERTY HISTORY AND RECORDS REVIEW

4.1 Prior Ownership and Usage

4.1.1 Historical Maps

Historical Sanborn Insurance map coverage was unavailable for the Property and surrounding area. Historical U.S. Geological Survey Topographic maps covering the Property were viewed online for evidence of prior land usage. Specifically, U.S. Geological Survey Topographic maps from 1899, 1954, and 1976 were reviewed. Historical maps of the subject Property are included in Appendix B and as Figure 1.

1899

The Property was shown as vacant undeveloped land. A portion of the Seneca Canal and an unnamed road traversed the southern portion of the site in a southwest to northeast orientation. The surrounding properties were undeveloped.

1954

The Property was shown as vacant undeveloped land. High Street abutted the northern portion of the Property. A residence was shown north of the Property across High Street. The Thruway abutted the southern portion of the Property. Additional residences were located further north and east of the Property.

1976

The Property remained undeveloped as shown on the 1954 map. High Street abutted the northern portion of the Property. No further significant changes were shown on-site or in the surrounding areas.

To summarize, the Property was undeveloped since at least 1899. The surrounding properties were mainly vacant with some residential development noted. No industrial usage was noted on site or in the surrounding area.

4.1.2 Historical Aerial Photographs

Aerial photographs of the Property and adjacent areas dating to 1938, included ones from a previous environmental investigation, were reviewed (discussed further in Section 6.0). Specifically, aerial photographs from 1938, 1954, 1963, 1978, 1990, 1995, 2003, and 2007 were reviewed and are summarized below. Historical aerial photographs of the subject Property are included in Appendix B and as Figure 2.

1938

The Property comprised vacant agricultural land and was located adjacent to High Street. The surrounding area comprised agricultural uses with few residences.

1954 and 1963

The Property is similar to the 1938 photograph but with the New York State Thruway located to the south.

1978, 1990, 1995, 2003, and 2007

The Property comprised undeveloped wooded land. The surrounding properties were largely undeveloped agricultural land, residential properties or wooded areas. The NYS Thruway abutted the site to the south. Photographs are consistent with the current use of the Property.

To summarize, historical aerial photographs indicated that the Property was agricultural land from 1938 to at least 1963. The Property was noted as being undeveloped wooded land from the 1978 to 2007 photographs, consistent with its current configuration. No standing water was depicted on-site and no evidence of dumping and/or industrial use was evident in any of the aerial photographs.

4.1.3 Property Tax Files and Zoning Records

Electronic information provided by the Cayuga County Tax Assessor's Office identified the Property as Tax Map Parcel No. 85.00-1-28.1. The Property is zoned for residential use by the Town of Montezuma Zoning Department.

4.1.4 Recorded Land Title Records

The Cayuga County Property Description Report indicates the property was transferred from Jesse C. Fegley to Chester Helmer in 1992, from Chester Helmer to the County of Cayuga in May 2004, from the County of Cayuga to Betty Radford in September 2004, and from Betty Radford to The Cayuga Indian Nation of New York in April 2005. Documentation from the Cayuga County Clerk's office is included in Appendix C.

4.2 Regulatory Review

Toxics Targeting, Inc. of Ithaca, New York, was contracted to obtain information regarding the regulatory status of the property and the surrounding area. This information included records from databases maintained by the USEPA and New York State Department of Environmental Conservation (NYSDEC). AKRF reviewed these records to identify the use, generation, storage, treatment and/or disposal of hazardous material and chemicals, or releases of such materials which may impact the Property. All applicable regulatory databases meet ASTM guidelines

requesting utilization of information within 90 days' receipt from the appropriate agency. Copies of the pertinent sections of the Toxics Targeting, Inc. report are included in Appendix C.

4.2.1 Federal Review

The federal databases searched included the National Priority List (NPL); Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS); Emergency Response Notification System (ERNS); Toxic Chemical Release Inventory System (TRIS); the Permit Compliance System of Toxic Wastewater Discharges (WWD); the USEPA Civil Enforcement Docket.; and the Air Discharge Facilities (ADF) The federal listing of facilities which are subject to corrective action under the Resource Conservation and Recovery Act (CORRACTS) is discussed with the State databases of RCRA listings.

National Priority List (NPL)

The NPL is the USEPA's database of some of the most serious uncontrolled or abandoned hazardous waste sites identified for probable remedial action under the Superfund Program. NPL sites can pose a significant risk of stigmatizing surrounding properties and thus impacting property values.

No NPL sites were identified within one-mile of the Property.

Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS)

CERCLIS is a compilation of sites which the USEPA has investigated, or plans to investigate, pursuant to the Superfund Act of 1980 (CERCLA). As such, some of these sites may ultimately present concerns and others may not (but could still pose a perceived threat, thus affecting property values).

No CERCLIS sites were identified within a 1/2-mile of the Property.

Emergency Response Notification System (ERNS)

This federal database, compiled by the Emergency Response Notification System, records and stores information on certain reported releases of petroleum and other potentially hazardous substances.

The Property was not listed as a potential ERNS site in the regulatory database.

Toxic Chemical Release Inventory System (TRIS)

The TRIS contains information reported by a variety of industries on their annual estimated releases of certain chemicals.

No TRIS sites were identified within 1/8-mile of the Property.

Permit Compliance System of Toxic Wastewater Discharge (WWD)

This database includes certain sites which discharge wastewater containing potentially hazardous chemicals.

No WWD facilities were reported within 1/8-mile of the Property.

United States Environmental Protection Agency Civil Enforcement Docket

This database tracks civil judiciary cases filed on behalf of the USEPA by the Department of Justice.

No facilities were listed in the USEPA's Civil Enforcement Docket within 1/8-mile of the Property.

Air Discharge Facilities (ADF) Index

This federal database includes information on certain air emission sources.

No ADF facilities were identified within a 1/8-mile radius of the Property.

4.2.2 State Review

The state records reviewed included listings of hazardous material spills; Resource Conservation and Recovery Act (RCRA) Notifiers; Chemical Bulk Storage (CBS); Solid Waste Facilities (SWF); Petroleum Bulk Storage (PBS); State Inactive Hazardous Waste Disposal Sites (SHWS); State Hazardous Substance Waste Disposal Sites (SHSWDS); Major Oil Storage Facilities (MOSF); Brownfield Sites; Historic Utility Sites.; Environmental Restoration Program (ERP) sites; Voluntary Cleanup Program (VCP) sites and Brownfield Cleanup Program (BCP) sites.

New York SPILLS Database

This database includes releases reported to the NYSDEC, including tank test failures (for USTs only) and tank failures.

Two closed status spills were reported within a 1/2-mile radius of the Property.

- A spill was reported at Chapman Road in May 1995, located approximately 1,500 feet west-southwest of the Property. The incident was reported to be due to vandalism and involved the release of approximately 30 gallons of kerosene in a drainage ditch. The spill was cleaned and achieved a closed regulatory status. Based on distance and nature of the release, it is not anticipated to have affected the Property.
- The remaining spill incident was reported in September 1986 and involved an unknown amount of petroleum released on soil at a private residence located at Chapman and High Street. NYSDEC reported waste oil/used oil was observed on the driveway and in the street. Clean-up for the spill was reported to have ended in January 1988. Given its distance (over 2,500 feet from the Property) in an inferred crossgradient groundwater flow location, the spills case is not anticipated to have affected environmental conditions at the Property.

Resource Conservation and Recovery Act (RCRA) Notifiers Listings

This database lists sites that have filed notification forms regarding hazardous waste activity, including: treatment, storage and disposal facilities (TSDs); small-quantity generator (SQG) and large-quantity generators (LQG); and transporters regulated under RCRA. The discussion below includes any CORRACTS listings of facilities which are subject to corrective action under RCRA.

No CORRACTS facilities were identified within a one-mile radius of the Property. No RCRA TSD facilities were identified within a ½-mile radius of the Property. No RCRA Generators/Transporters were reported within a ⅛-mile radius of the Property.

Chemical Bulk Storage (CBS) Database

The CBS lists facilities that store regulated non-petroleum substances in aboveground tanks with capacities greater than 185 gallons and/or in underground tanks of any size.

No CBS facilities are listed within ⅛-mile of the Property.

Solid Waste Facilities (SWF)

This database includes a listing of landfills, incinerators, transfer stations, recycling centers, and other sites which manage solid waste.

No Solid Waste Facilities were identified within a ½-mile radius of the Property.

Petroleum Bulk Storage (PBS) Database

This database lists facilities that registered having either aboveground or underground petroleum tanks with total storage exceeding 1,100 gallons. Facilities with more than 400,000 gallons appear on the Major Oil Storage Facilities (MOSF) database instead.

No PBS facilities were identified within a ⅛-mile radius of the Property.

State Inactive Hazardous Waste Disposal Site (SHWS) Registry

This program (also known as State Superfund) lists information regarding a variety of sites likely requiring cleanup.

No State Inactive Hazardous Waste Disposal Sites were reported within a one-mile radius of the Property.

State Hazardous Substance Waste Disposal Site (SHSWDS) Study

This database tracks certain sites that were not listed on SHWS, but may still require investigation and/or cleanup.

No SHSWDS were identified within a one-mile radius of the Property.

Major Oil Storage Facilities (MOSF) Database

These facilities have petroleum storage of 400,000 gallons or more.

No Major Oil Storage Facilities were listed within ⅛-mile of the Property.

Historic Utility Sites

This is an inventory of selected power generating facilities, manufactured gas plants and storage facilities, utility maintenance yards and other gas and electric utility sites identified in various historical documents, maps and annual reports from 1898 to 1950.

No Historic Utility Sites were listed within ⅛-mile of the Property.

Environmental Restoration Program

These sites (which are generally municipally-owned) are receiving New York State funding for site investigation and/or remediation. Some sites in this program have

known contamination, whereas others have not had sufficient investigation to determine whether contamination is present.

No ERP sites were listed within ½-mile of the Property.

Voluntary Cleanup Program

The Voluntary Cleanup Program is a NYSDEC program for investigation and/or remediation of (generally) privately-owned sites. Some sites have known contamination, whereas others have not had sufficient investigation to determine whether contamination is present.

No VCP facilities were listed within ½-mile of the Property.

Brownfield Cleanup Program

This NYSDEC program is the successor to the Voluntary Cleanup Program. Again, some sites have known contamination, whereas others have not had sufficient investigation to determine whether contamination is present.

No BCP sites were listed within ½-mile radius of the Property.

4.2.3 Local Review

County Clerk's Office

Personnel interviewed at the Cayuga County Town Clerk's office did not provide information in addition to recorded documents for the Property (included in Appendix C).

4.2.4 Additional Record Sources

To enhance the search, ASTM requires that additional local records be checked when, in judgment of the environmental professional, such records are: 1) reasonably ascertainable; 2) useful, accurate and complete in light of the objective of the records review; and 3) are obtained in initial ESAs. These records include:

- Local Brownfields Lists
- Local Lists of Landfill/solid waste disposal sites
- Local Lists of Hazardous Waste/Contaminated Sites
- Local Land Records (for activity use limitations)
- Records of emergency release reports
- Records of contaminated public wells

Sources for these records may include:

- Department of Health/Environmental Division
- Building Permit/Inspection Department
- Local/Regional Pollution Control Agency
- Local/Regional Water Quality Agency
- Local Electric Utility (for PCB records)

In AKRF's judgment, no such additional local records (beyond those described in the immediately preceding section) are pertinent for the Property.

5.0 USER-PROVIDED INFORMATION

In preparing this Phase I ESA, AKRF requested that the client provide any pertinent information regarding the Property, specifically:

- The reason for performing the Phase I ESA;
- Whether they were aware of any pertinent current or historic activities at or near the Property, including but not limited to: hazardous substances or petroleum, waste management practices, filling or disposal drains, septic/sewer systems, and potable and non-potable wells;
- Owner and occupant information and whether they were aware of any previous Phase I ESAs or other potentially pertinent reports, plans or information;
- Whether any *environmental liens* or *activity and land use limitations* are in place or filed or recorded against the Property or whether there was pending, threatened, ongoing or past violations, litigation or enforcement action relevant to hazardous substances or petroleum products;
- Whether they had any specialized knowledge or experience related to the Property or nearby properties (e.g., specialized knowledge of the chemicals used by this type of business);
- Whether the (anticipated) purchase price reflects that the Property is or could be contaminated; and
- Whether they were aware of commonly known or reasonably ascertainable information about environmental conditions of the Property including current/past uses of the Property and adjacent properties.

Ms. B.J. Radford, Chief Operating Officer for the Cayuga Indian Nation, provided pertinent information related to the site's historical use. According to Ms Radford, this Phase I Environmental Site Assessment was being performed to evaluate the site as part of due diligence related to its proposed fee-to-trust acquisition. Ms. Radford provided previous environmental studies conducted on the Property, discussed further in Section 6.0. Ms. Radford was not aware of any environmental liens or activity use limitations on the Property. To the extent that pertinent additional information was provided, it has been summarized elsewhere in this report.

6.0 PREVIOUS STUDIES

The following reports were provided to AKRF for review:

Phase I Environmental Site Assessment, Vacant Parcel Cayuga County Tax Map No.85.00-1-28.1, Montezuma, NY, Synapse Risk Management, LLC, October 2005

In October 2005, Synapse Risk Management, LLC (SRM) conducted a Phase I Environmental Site Assessment at the Property. The site consisted of an undeveloped wooded parcel with no established access points. SRM noted no surface water features on the site. No Recognized Environmental Conditions were identified by SRM as a result of the assessment and no recommendations for further study were warranted by SRM.

7.0 LIMITATIONS AND DATA GAPS

This assessment met the requirements of the American Society for Testing and Materials (ASTM) as established by ASTM Standard E1527-05 at the time it was performed, with the following limitations and data gaps:

- Visibility of the Property was limited during the reconnaissance by dense vegetation and, as such, portions of the site were not able to be inspected for staining, presence of wells or catch basins, or other features.
- Interviews and user provided information were limited to those discussed in Section 5.0. To the extent that interviews were not conducted with the list of interviewees cited in the ASTM Standard (past and present owners, operators, and occupants of the Property and local government officials), AKRF does not believe that this represents a significant data gap likely to result in additional or significantly changed recognized environmental conditions or conclusions.
- The Property area history was not conducted in five-year intervals. However, sufficient information about the history of the site and surrounding area could be obtained from the available historical aerial photographs, local records, and interviews, and this data gap is not likely to alter the conclusions of this report.
- In the judgment of AKRF, none of these limitations or data gaps are likely to have affected the ability to identify Recognized Environmental Conditions (RECs).

8.0 CONCLUSIONS AND RECOMMENDATIONS

AKRF, Inc. (AKRF) was retained by the Cayuga Indian Nation of New York to perform a Phase I Environmental Site Assessment of a vacant parcel located in the Town of Montezuma, Cayuga County, New York. The Property consisted of an unfenced, undeveloped parcel approximately 0.018-acres in size, legally defined as Cayuga County Tax Map Parcel No.85.00-1-28.1. The Property was located in a predominantly rural area and was abutted by the termination of High Street (a dead end street) followed by residences and undeveloped land to the north and west, the New York State Thruway to the south and southeast and residences and undeveloped land to the east and northeast.

This assessment revealed no evidence of Recognized Environmental Conditions. A summary of pertinent findings is as follows:

- The property comprised a vacant wooded lot. Historical land use maps, the regulatory database search and previous environmental studies at the Property and adjacent areas indicated that the Property has historically been undeveloped vacant land surrounded by some residences and agricultural or vegetated land.
- One pole-mounted transformer was located on a utility pole adjacent to the northwest corner of the subject Property. There is a potential for the transformers to have utilized PCB-containing fluids. Any release of oil due to transformer failure would spill to the underlying ground surface. There were no areas of stained soil or stressed vegetation beneath the transformers.
- According to data compiled in 2008 by the Bureau of Radiation Protection, a division of the New York State Department of Health, Cayuga County has one of the higher average levels of basement radon measurements in New York State at 4.37 picocuries/liter, above the USEPA recommended action level of 4.0 picocuries/liter.

Recommendations:

- A subsurface (Phase II) investigation is not recommended at this time, however if future on-site development requires subsurface disturbance, soil (and groundwater if dewatering were to be required) would need to be managed in accordance with applicable local, state and federal requirements. If any unforeseen fuel oil tanks or evidence of contaminated soil (stains or odors) are encountered during site development, these materials (and all other materials requiring off-site disposal) should be disposed of in accordance with applicable federal, state and local regulations.
- Radon levels would need to be tested in accordance with applicable regulations for any future on-site development.

9.0 SIGNATURE PAGE

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312

I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Property for which the assessment was performed. I have performed all the appropriate inquiries in conformance with standards and practices set forth in 40 CFR Part 312.

Marc S. Godick, LEP
Senior Vice President

Kerry Gallagher
Environmental Scientist

10.0 QUALIFICATIONS

The purpose of this assessment was to convey a professional opinion about the potential presence or absence of contamination, or possible sources of contamination on the Property, and to identify existing and/or potential environmental problems associated with the Property including *Recognized Environmental Conditions* as defined in ASTM Standard E1527-05, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*.

The assessment was performed in accordance with customary principles and practices in the environmental consulting industry, and in accordance with the above-referenced ASTM Standard, except as noted otherwise in Section 7.0. It should only be used as a guide in determining the possible presence or absence of hazardous materials on the Property at the time of the reconnaissance, as it is based upon the review of readily available records relating to both the Property and the surrounding area, as well as a visual reconnaissance of current conditions.

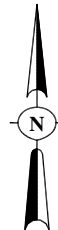
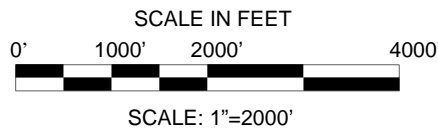
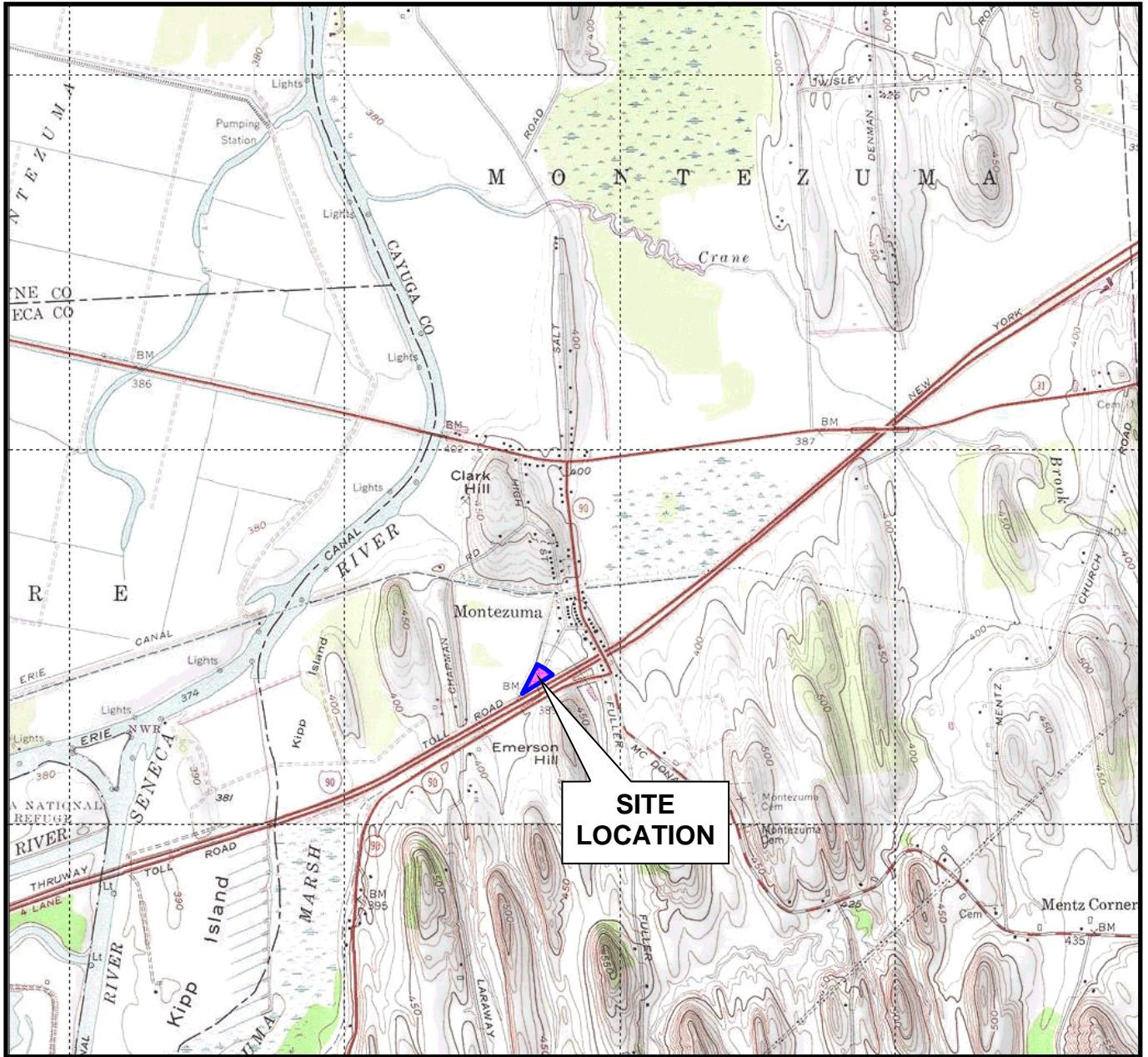
This Phase I Assessment is not, and should not be construed as, a guarantee, warranty, or certification of the presence or absence of hazardous substances, which can be made only with testing, and contains no formal plans or recommendations to rectify or remediate the presence of any hazardous substances which may be subject to regulatory approval. This report is not a regulatory compliance audit.

This report is based on services performed by AKRF, Inc. professional staff and observation of the Property and its surroundings. We represent that observations made in this assessment are accurate to the best of our knowledge, and that no findings or observations concerning the potential presence of hazardous substances have been withheld or amended. The research and reconnaissance have been carried to a level that meets accepted industry and professional standards. Nevertheless, AKRF and the undersigned shall have no liability or obligation to any party other than the Cayuga Indian Nation of New York State and AKRF's obligations and liabilities to the above, is limited to fraudulent statements made, or grossly negligent or willful acts or omissions.

11.0 REFERENCES

1. New York State Department of Health, Office of Public Health, "Environmental Radiation," *Short Term Basement Radon Measurements by County* October 2008.
2. Toxics Targeting, Inc., "Montezuma – High Street, Montezuma, New York 13140," *Regulatory Radius Search*, February 20, 2009.
3. U.S. Geological Survey; *Auburn Quadrangle*; 7.5 minute Series (Topographic); Scale 1:24,000; 1976.
4. U.S. Geological Survey; *Weedsport Quadrangle*; 15 minute Series (Topographic); Scale 1:24,000; 1902 via <http://historical.mytopo.com/>.
5. U.S. Geological Survey; *Weedsport Quadrangle*; 15 minute Series (Topographic); Scale 1:24,000; 1954 via <http://historical.mytopo.com/>.
6. Synapse Risk Management, LLC, *Phase I Environmental Site Assessment, Vacant Parcel, Cayuga County Tax Map No.85.00-1-28.1, Montezuma, NY*, October 2005.

FIGURES



SOURCE:
7.5 MINUTE SERIES USGS TOPOGRAPHIC MAP
QUADRANGLE: MONTEZUMA, NY 1976

**HIGH STREET
MONTEZUMA, NEW YORK**

PROJECT SITE LOCATION



Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

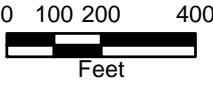
SCALE
as shown

FIGURE
1

©2009 AKRF, Inc. Environmental Consultants Q:\Westchester Data\Hot Projects\40212_Cayuga Indian Nation EIS\2009 ESAs\Phase I Reports\High Street - Montezuma\Figures\Fig 2 Site Plan Montezuma_high_street.mxd



Source: NYS Clearing House
Aerial Photo 2007



Legend

 High Street Project Site Boundary



<p>HIGH STREET MONTEZUMA, NEW YORK</p>		<p>DATE 4.12.09</p>
<p>SITE PLAN DETAIL</p>	<p>Environmental Consultants 440 Park Avenue South, New York, N.Y. 10016</p>	<p>PROJECT No. 40212</p> <p>FIGURE 2</p>

APPENDIX A
PHOTOGRAPHIC DOCUMENTATION



Photograph 1: Pole-type transformer along wooded area.

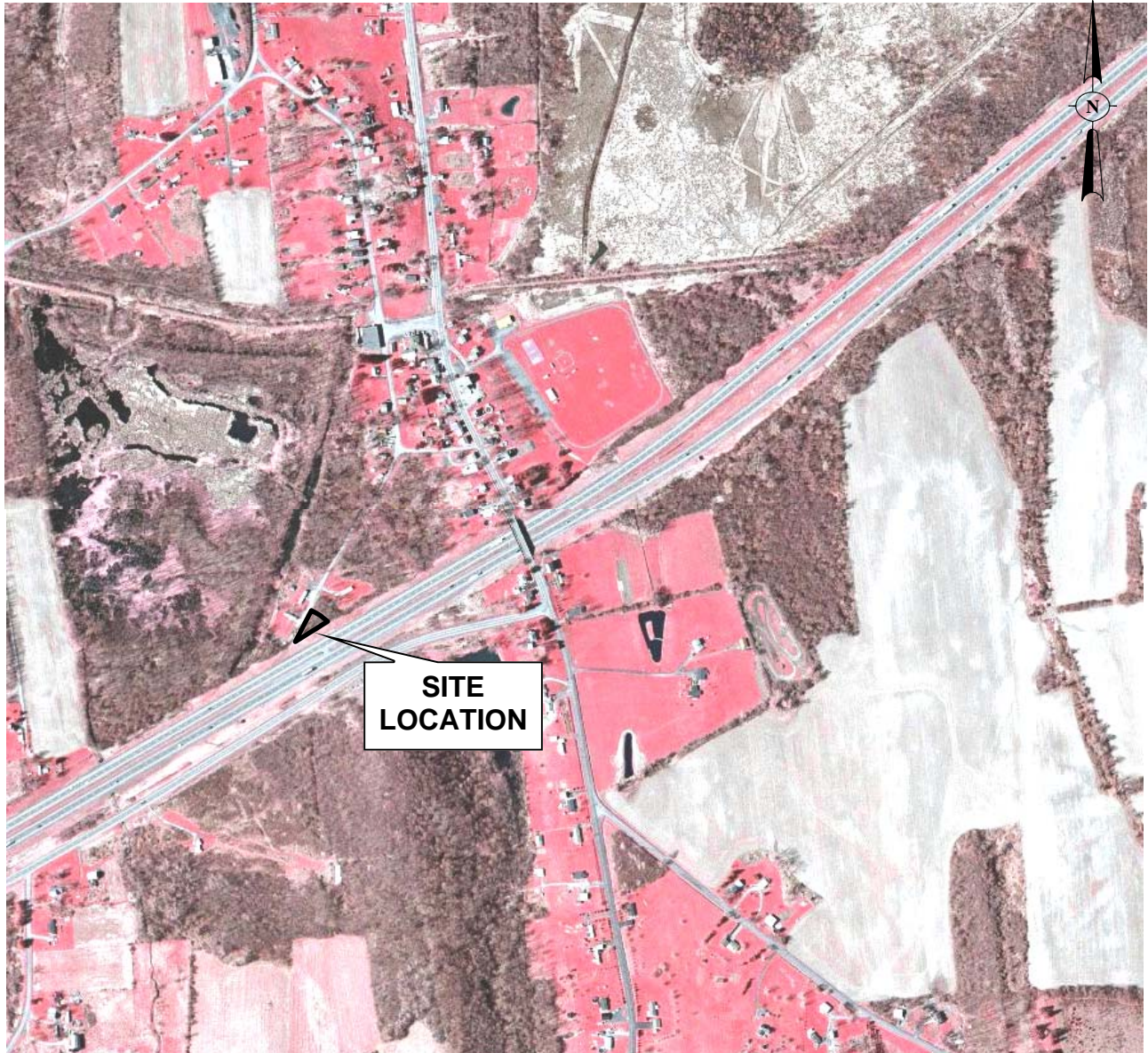


Photograph 2: Utility box near transformer in wooded area.



Photograph 3: Roadway along wooded parcel.

APPENDIX B
HISTORICAL MAPS / AERIAL PHOTOGRAPHS



SOURCE:
AERIAL PHOTO from NYS
GIS Clearinghouse 2003

LEGEND:

—— PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

2003 AERIAL PHOTO



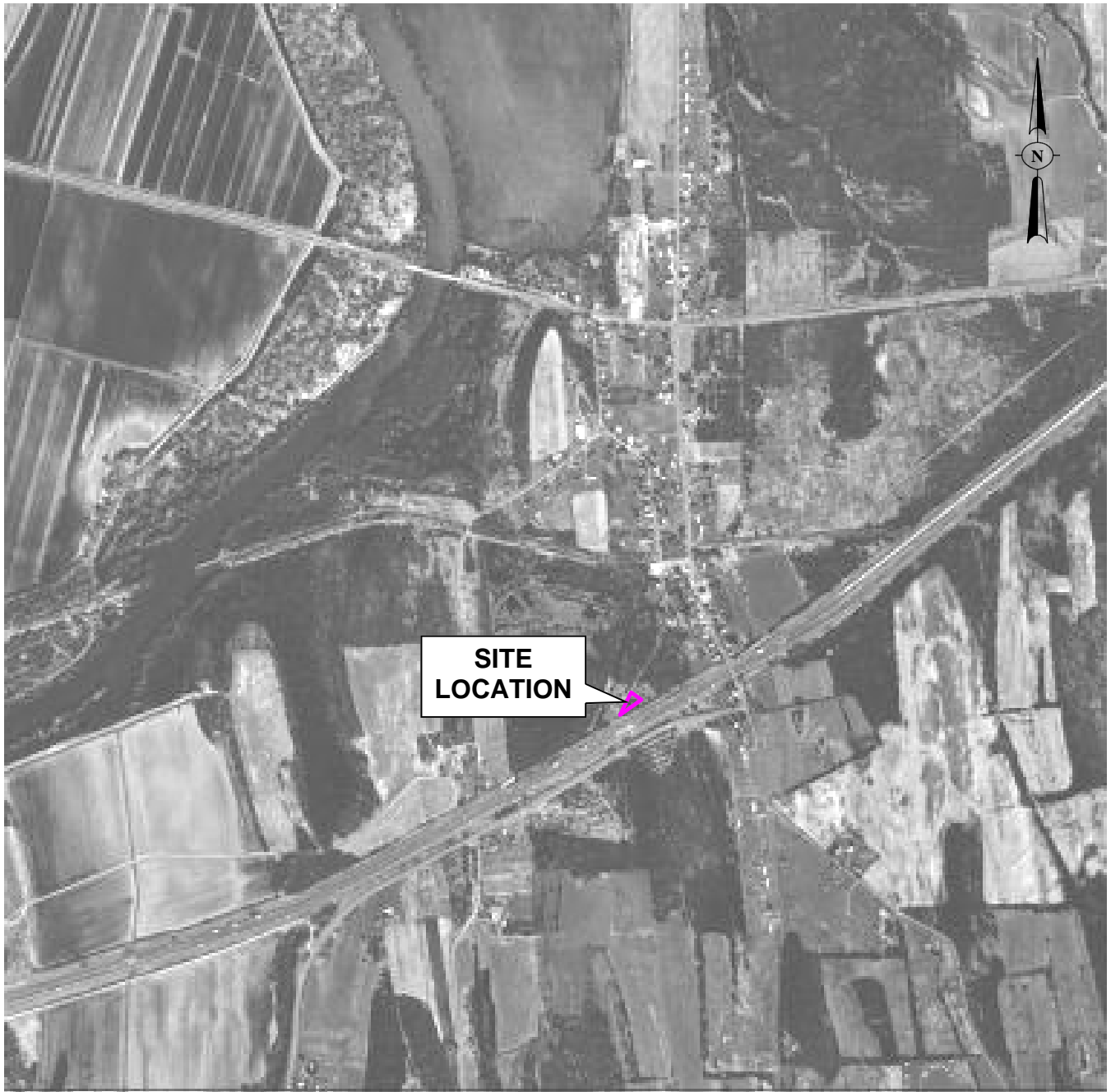
Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-



SOURCE:
USGS AERIAL PHOTO 1995

LEGEND:
— PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

1995 AERIAL PHOTO



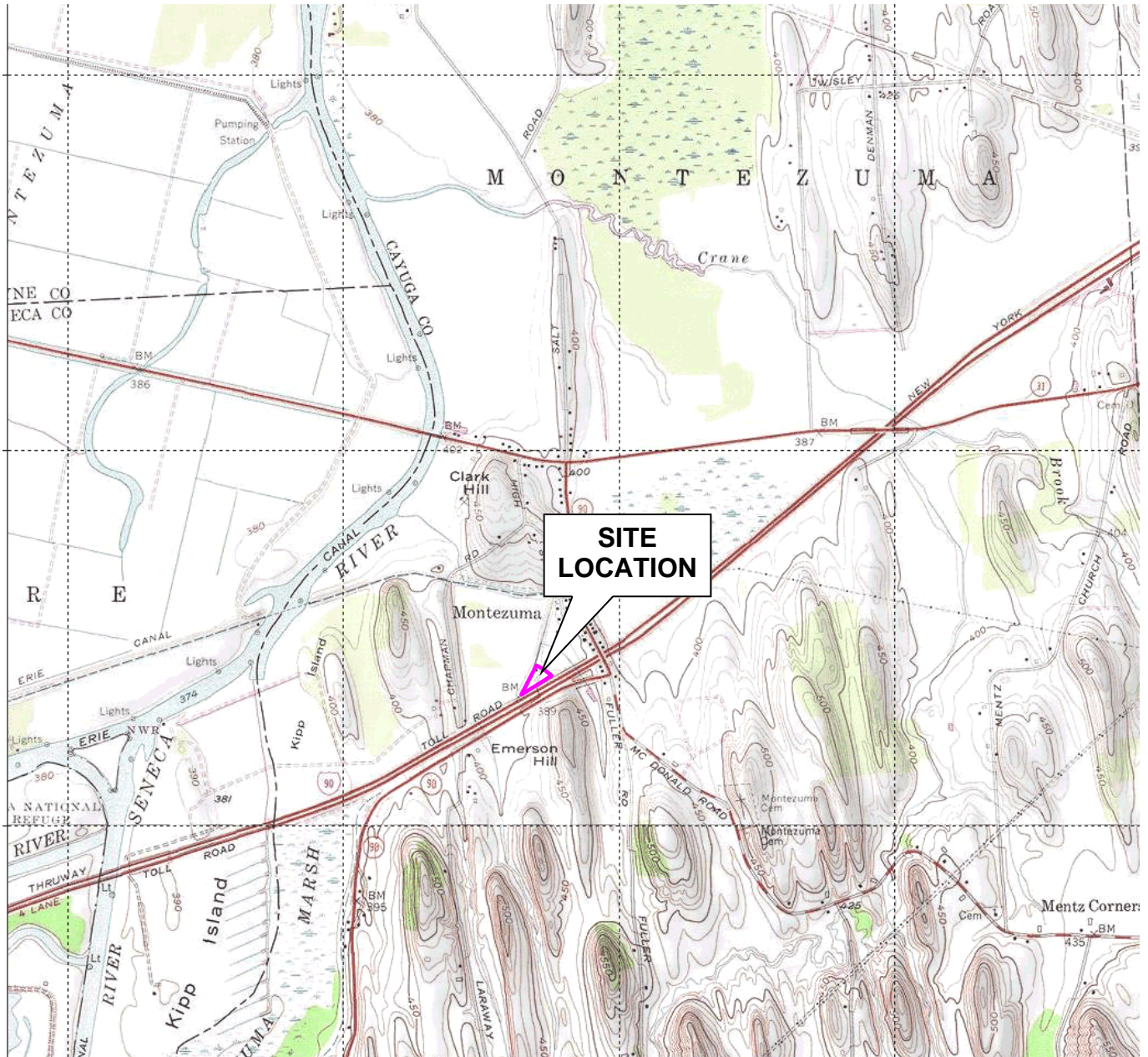
Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-



SOURCE:
7.5 MINUTE SERIES USGS TOPOGRAPHIC MAP
QUADRANGLE: MONTEZUMA, NY 1976

LEGEND:

—— PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

1976 TOPOGRAPHIC MAP



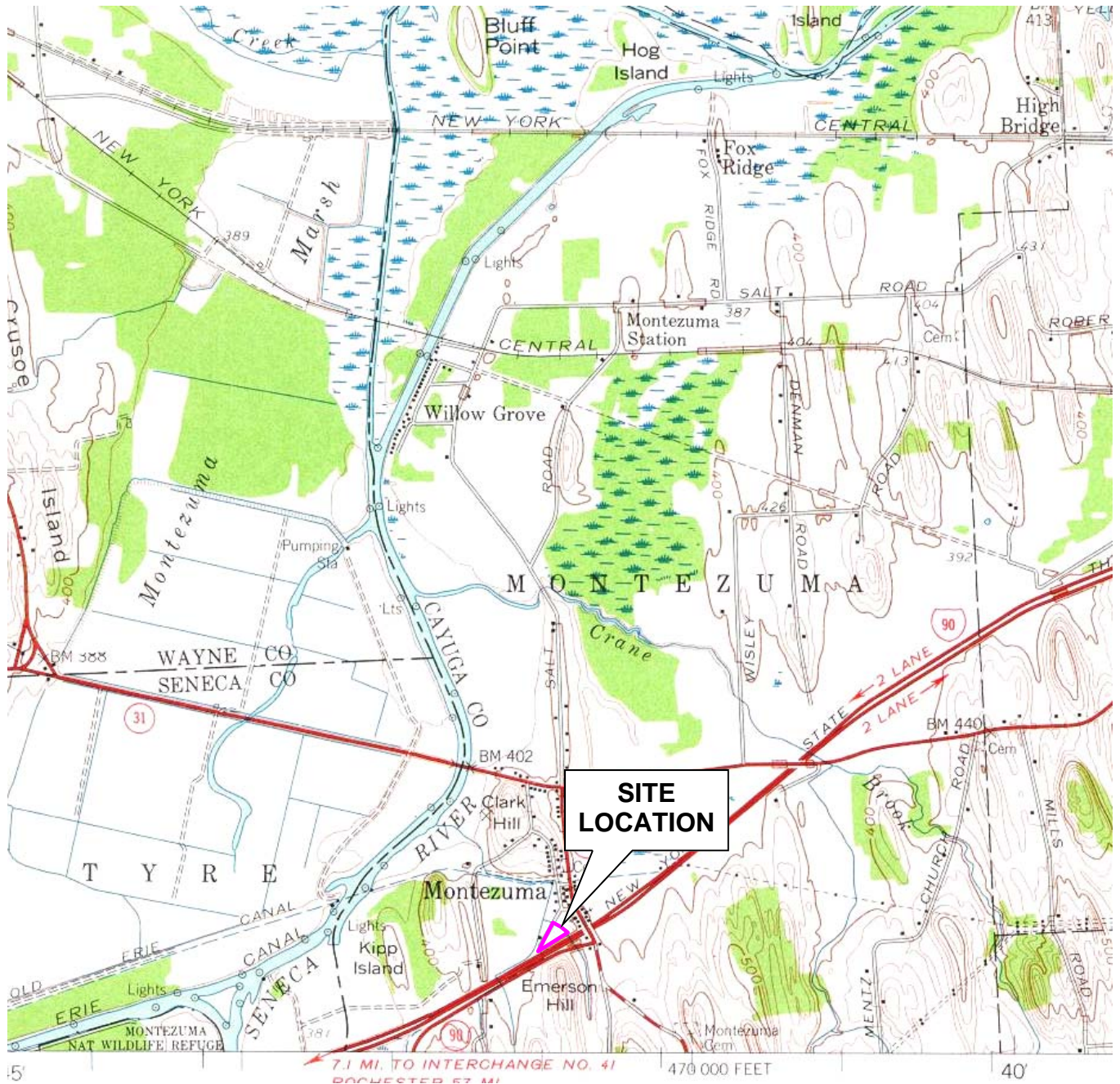
Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-



SOURCE:
7.5 MINUTE SERIES USGS TOPOGRAPHIC MAP
QUADRANGLE: WEEDSPORT, NY 1954

LEGEND:

—— PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

1954 TOPOGRAPHIC MAP



Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-



SOURCE:
15 MINUTE SERIES USGS TOPOGRAPHIC MAP
QUADRANGLE: WEEDSPORT, NY Reprinted 1938 Surveyed 1899

LEGEND:

 PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

1899 TOPOGRAPHIC MAP



Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

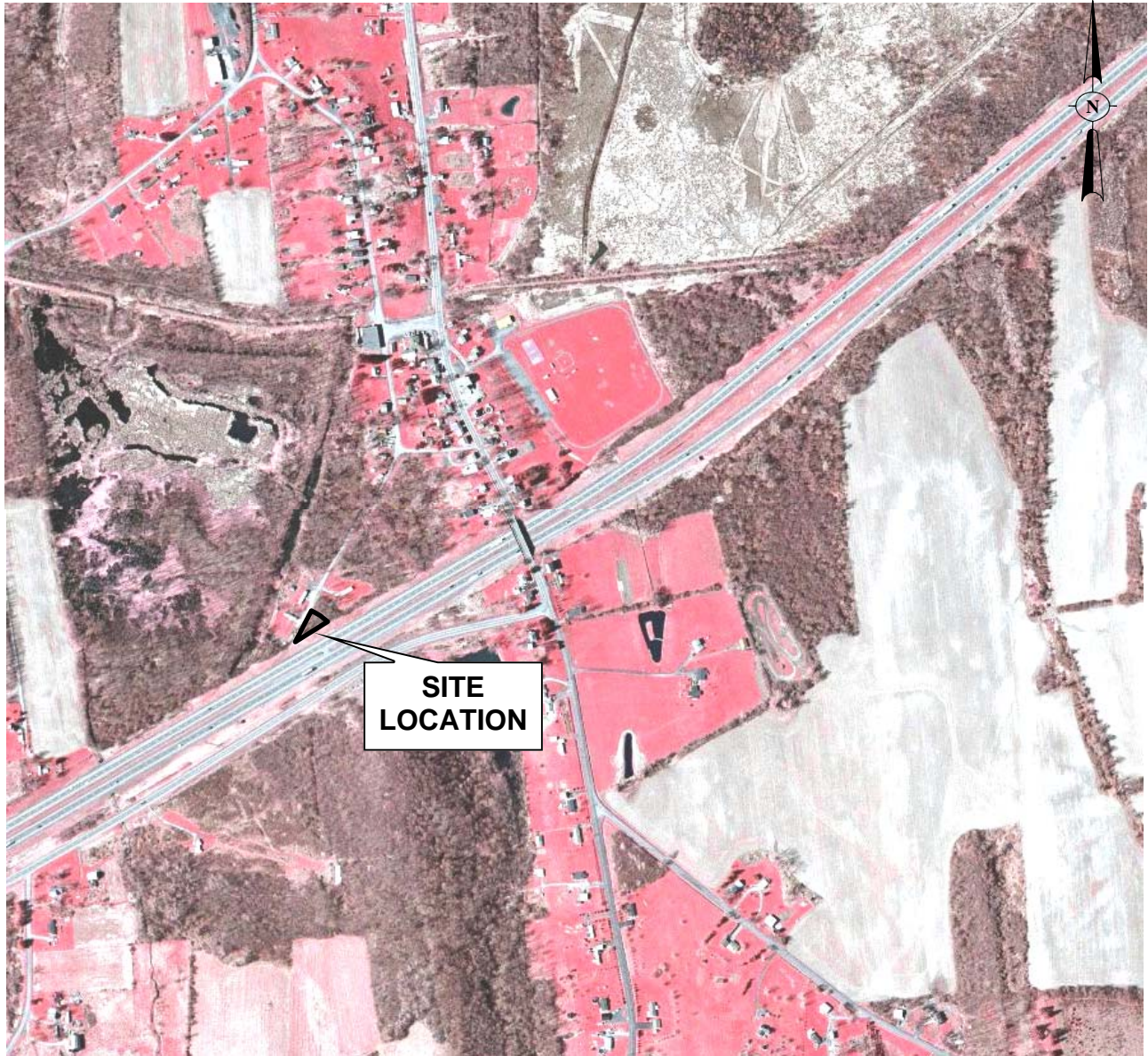
DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-

APPENDIX C
LOCAL RECORDS



SOURCE:
AERIAL PHOTO from NYS
GIS Clearinghouse 2003

LEGEND:

—— PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

2003 AERIAL PHOTO



Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-



SOURCE:
USGS AERIAL PHOTO 1995

LEGEND:
— PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

1995 AERIAL PHOTO



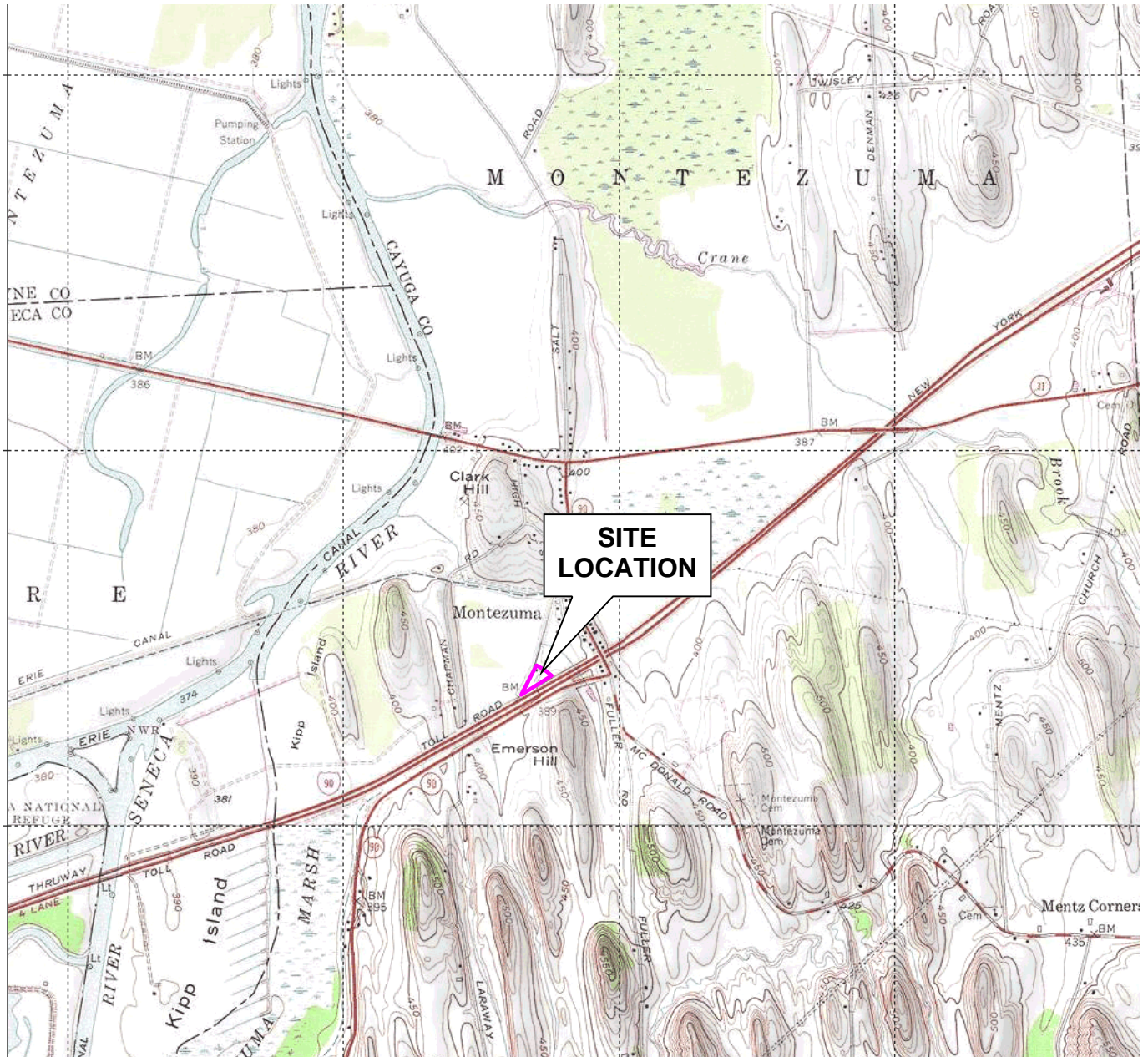
Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-



SOURCE:
7.5 MINUTE SERIES USGS TOPOGRAPHIC MAP
QUADRANGLE: MONTEZUMA, NY 1976

LEGEND:

—— PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

1976 TOPOGRAPHIC MAP



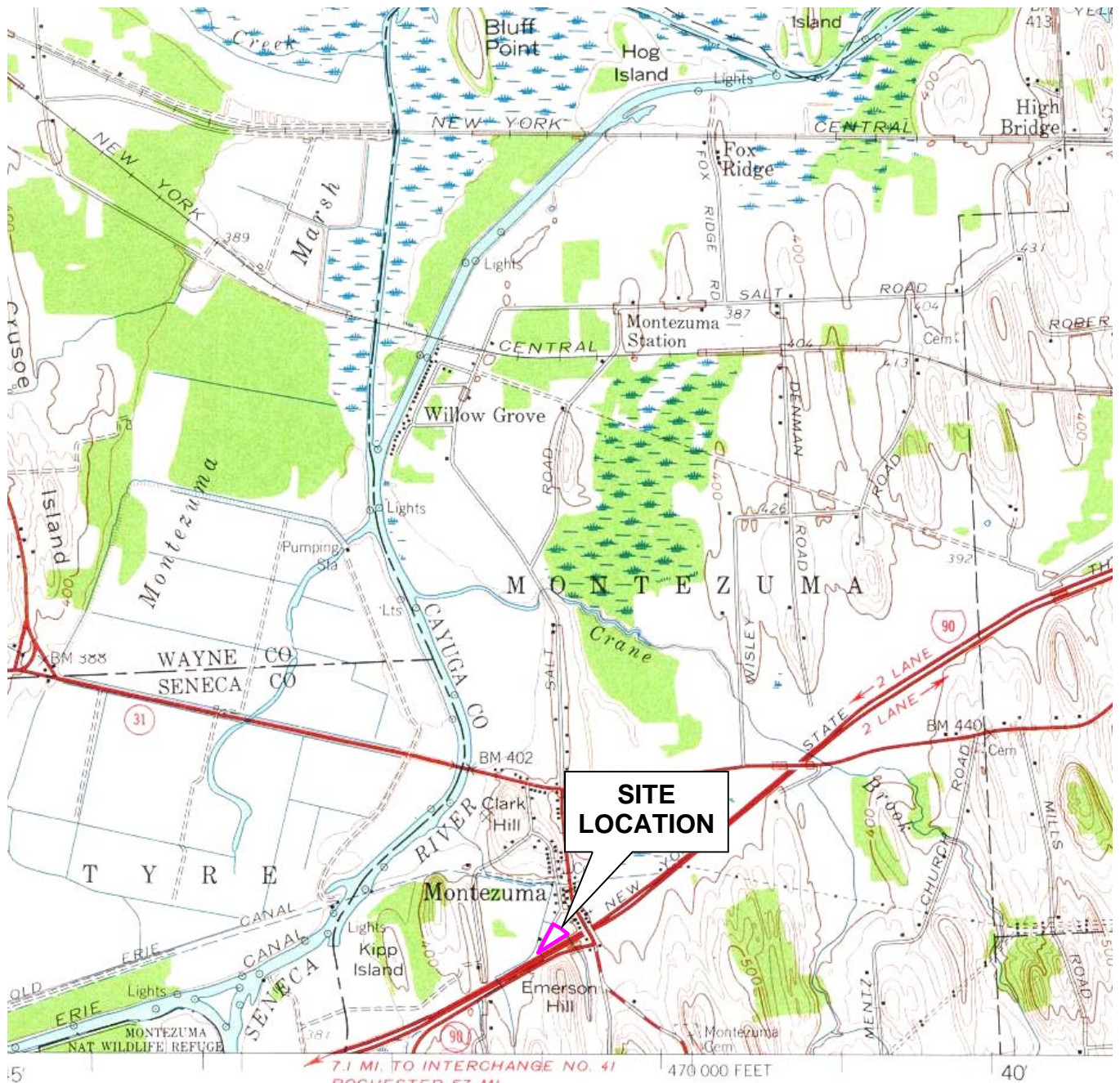
Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-



SOURCE:
7.5 MINUTE SERIES USGS TOPOGRAPHIC MAP
QUADRANGLE: WEEDSPORT, NY 1954

LEGEND:

—— PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

1954 TOPOGRAPHIC MAP



Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-



SOURCE:
15 MINUTE SERIES USGS TOPOGRAPHIC MAP
QUADRANGLE: WEEDSPORT, NY Reprinted 1938 Surveyed 1899

LEGEND:

— PROJECT SITE BOUNDARY

**HIGH STREET
MONTEZUMA, NEW YORK**

1899 TOPOGRAPHIC MAP



Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
4.12.09

PROJECT No.
40212

SCALE
nts

FIGURE
-



Property Description Report For: High St, Municipality of Montezuma

*No Photo
Available*

		Status:	Active
		Roll Section:	Taxable
		Swis:	054000
		Tax Map ID #:	85.00-1-28.1
		Property Class:	323 - Vacant rural
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	323 - Vacant rural
		Zoning Code:	H
		Neighborhood Code:	00100
Land Assessment:	2008 - \$1,000	Total Assessment:	2008 - \$1,000
Total Acreage/Size:	35 x 23	School District:	Port Byron
Full Market Value:	2008 - \$1,087	Legal Property Desc:	
Deed Book:	1215	Deed Page:	293
Grid East:	787691	Grid North:	1095445

Area

Living Area:	0 sq. ft.	First Story Area:	0 sq. ft.
Second Story Area:	0 sq. ft.	Half Story Area:	0 sq. ft.
Additional Story Area:	0 sq. ft.	3/4 Story Area:	0 sq. ft.
Finished Basement:	0 sq. ft.	Number of Stories:	0

Structure

Building Style:	0	Bathrooms (Full - Half):	0 - 0
Bedrooms:	0	Kitchens:	0
Fireplaces:	0	Basement Type:	0
Porch Type:	0	Porch Area:	0.00
Basement Garage Cap:	0	Attached Garage Cap:	0.00 sq. ft.
Overall Condition:	0	Overall Grade:	
Year Built:			

Owners

of New York The Cayuga
Indian Nation
P.O. Box 11
Versailles NY 14168-011

Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book	Deed Page
4/26/2005	\$0	323 - Vacant rural	Land Only	Radford, Betty	No	No	No	1215	293
9/30/2004	\$1,200	323 - Vacant rural	Land Only	County of Cayuga	No	No	No	1191	62
5/26/2004	\$1	311 - Res vac land	Land & Building	Helmer, Chester	No	No	Yes	1172	210
6/12/1992	\$700	310 - Res vac land	Land Only	Fegley, Jesse C	Yes	Yes	No	852	97

Utilities

Sewer Type:	None	Water Supply:	None
Utilities:	None	Heat Type:	0
Fuel Type:	0	Central Air:	No

Improvements

Structure	Size	Grade	Condition	Year
-----------	------	-------	-----------	------

Land Types

Type	Size
Residual	35 x 23

Special Districts for 2008

Description	Units	Percent	Type	Value
East Cayuga Res whol	0	0		0
Montezuma fire dist	0	0		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
------	-------------	--------	----------	----------	--------	--------	--------	-------

B. MCCARTHY
SEE MAP
76-312

CONC. MON.

185'
185'

STA 756116
STA 756135

SURVEY BASE LINE N 59° 58' E

STA 759194

185'

CONC. MON.

HEAVY BRUSH
1.07 AC

FORMERLY

316.0'
N 59° 58' E

CARRIE

MAP 19
PARCEL 20

CONC. MON.

185'
154 ACS

STA 763110

PLAT OF SURVEY
MADE FOR

JOHN H. MAHAR & WIFE

LOT 4 TOWN OF MONTEZUMA

CAYUGA Co. NEW YORK

OCTOBER 5, 1978 SCALE 1"=100'

HIGH STREET

*Dist
Noted*

156.02'

59800-23"

246.37'

1208.59-37"

452.32'

25802-23"

Prepared by: CAYUGA COUNTY ASSESSMENT & TAX DEPT. #CGRE01472
 Map-Check TEMPFILE 4/04/94 13:39:51 Factor: 1.0000000

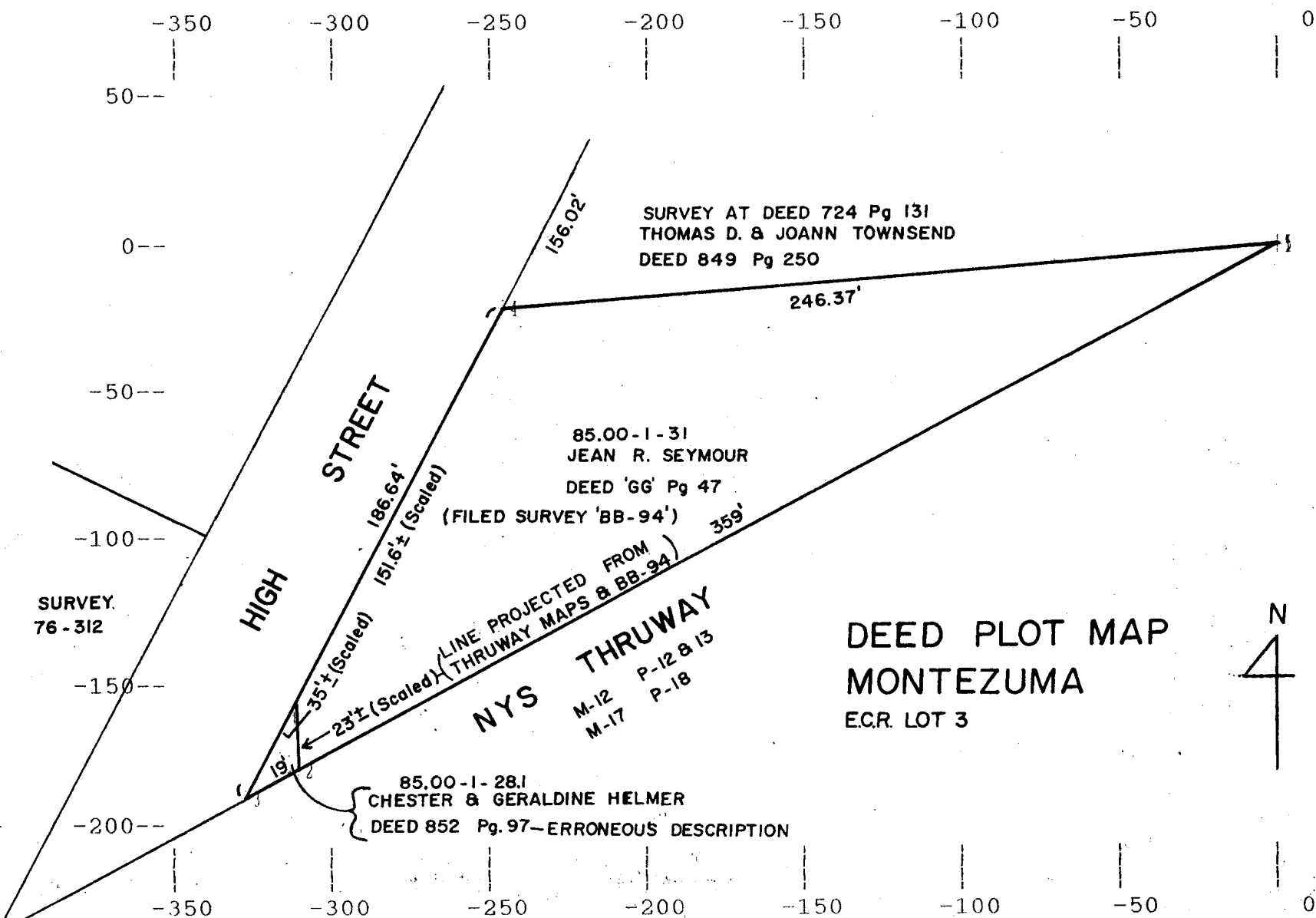
Correct Ending Coordinates, North: 0.00000 East: 0.00000
 Ending Coordinates, North: 0.00570 East: 0.00488
 Error, N: 0.00570 E: 0.00488 Total: 0.00750 Brg: S 40-35-04.8 W
 Distance Traversed: 811.01000 Closure: 108120

No Adjustment

Bearing	Distance	North	East	Elevation	Pt.No.
		0.00000	0.00000	0.0000	1
S 59-58-00.0 W	359.00000	-179.68085	-310.79864	0.0000	2
S 59-58-00.0 W	19.00000	-189.19042	-327.24759	0.0000	3
N 26-00-00.0 E	186.64000	-21.43950	-245.43000	0.0000	4
N 85-00-23.0 E	246.37000	0.00570	0.00488	0.0000	5

Sq. Feet: 19709 Acres: 0.45246

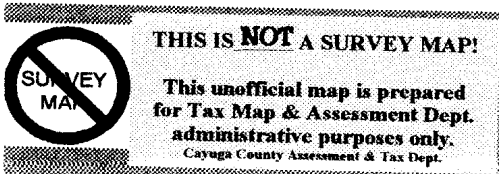
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 Job: TEMPFILE H.Scale: 1 in. = 50 ft. V.Scale: 1 in. = 50 ft. Page: 1



This is NOT a Survey Map!

This map is for general reference only, Pursuant to Cayuga County Tax Mapping and Real Property Tax Administration purposes. This map was not prepared by a licensed land surveyor or civil engineer. (NYS Attorney General Informal Opinion No. 85-42 States: 'A county clerk may record a map or plot plan attached to a deed even though it is not certified by a licensed surveyor.)

Bernard J. Corcoran
 Sr. Tax Map Technician

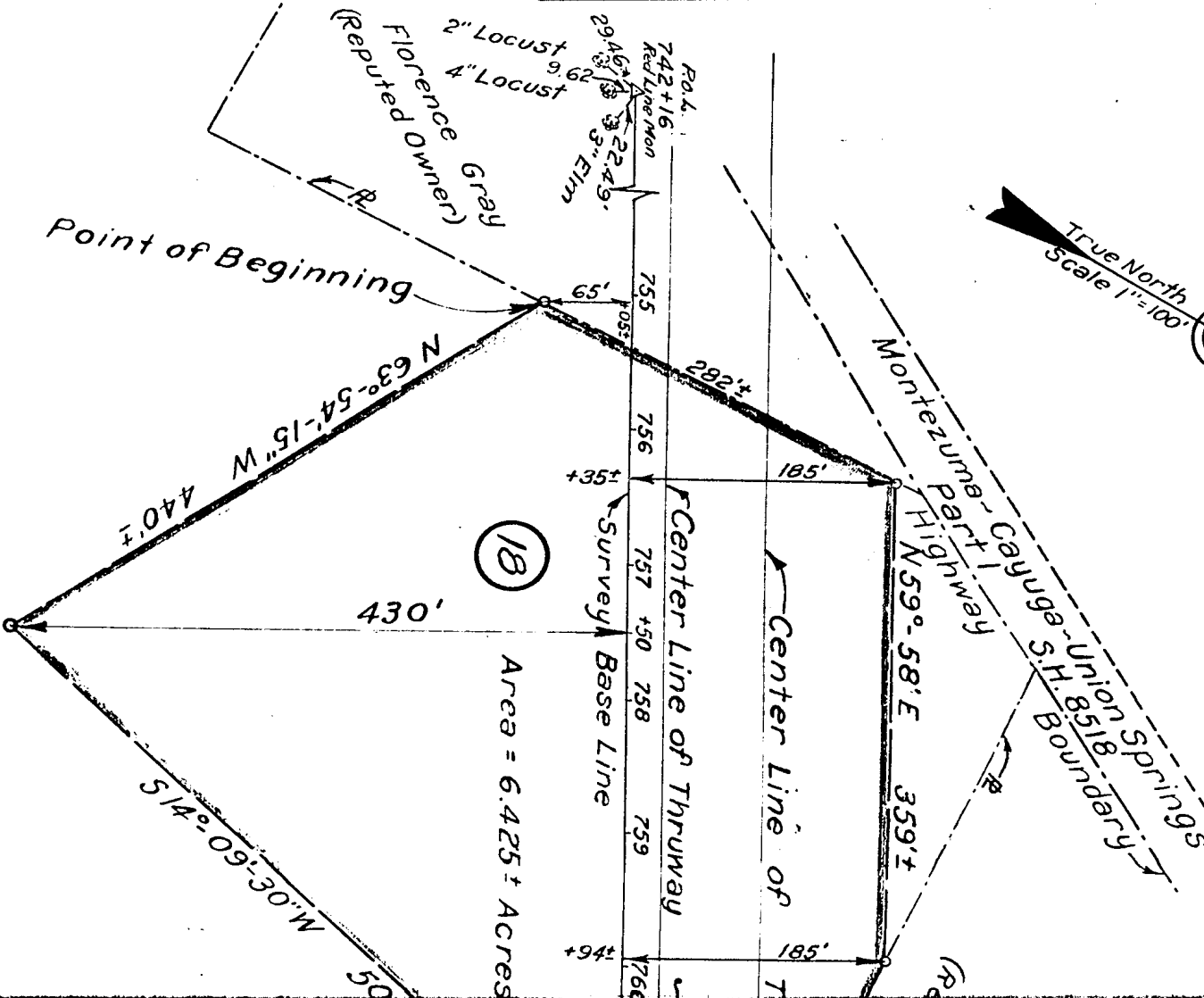
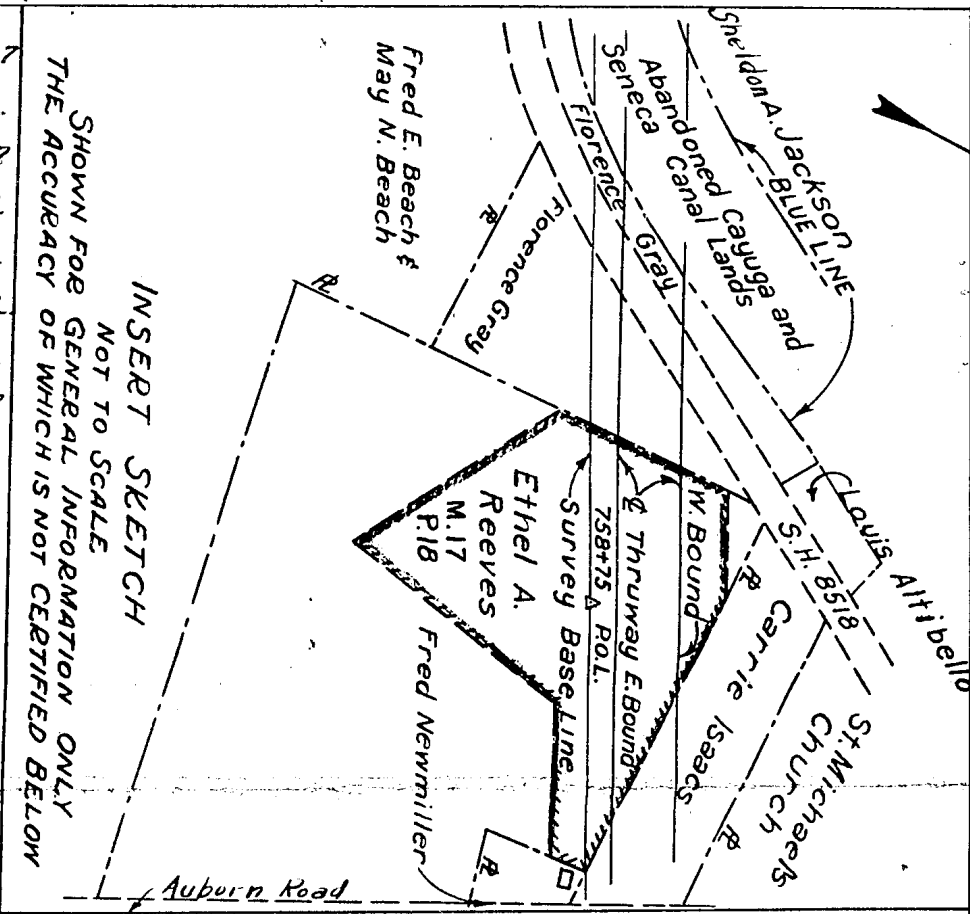


Layout by J. F. Schaudel Date 12-11-47
Checked by E. J. McLaughlin Date 3-11-47
Computed by A. H. Chalkin Date 5-6-47
Checked by C. Fick Date 5-6-47
Described by A. H. Chalkin Date 5-6-47
Checked by H. Brown Date 5-6-47
Traced by Harold A. Smith Date 6/18/47
Checked by J. B. McMahon Date 9-12-47
Typed by Lillian Redger Date 7/6/47
Checked by Harold A. Smith Date 7/2/47

Prepared by New York State Department of
Public Works. Survey notes on file at
District Office No. 3 located at
Syracuse, N. Y.

C.C. - D. - L "V" P 186, 297

INSERT SKETCH
NOT TO SCALE
SHOWN FOR GENERAL INFORMATION ONLY
THE ACCURACY OF WHICH IS NOT CERTIFIED BELOW



NY'S THRUWAY
Appropriation MAP
FOLDER G2
MAP # 17
PARCEL # 18
CAYUGA COUNTY CLERK'S OFFICE

FILED
EAYUGA COUNTY
AUG 14 1955
CLERK'S OFFICE

Paul E. Killian, Inc., 80 Malden Lane, Albany 7, N. Y.

BB-94

VISIT OF SURVEY

Mode for

DONALD A. REEVES

On Part of Lots 2-6-4 - E.C.R. Town of Montezuma

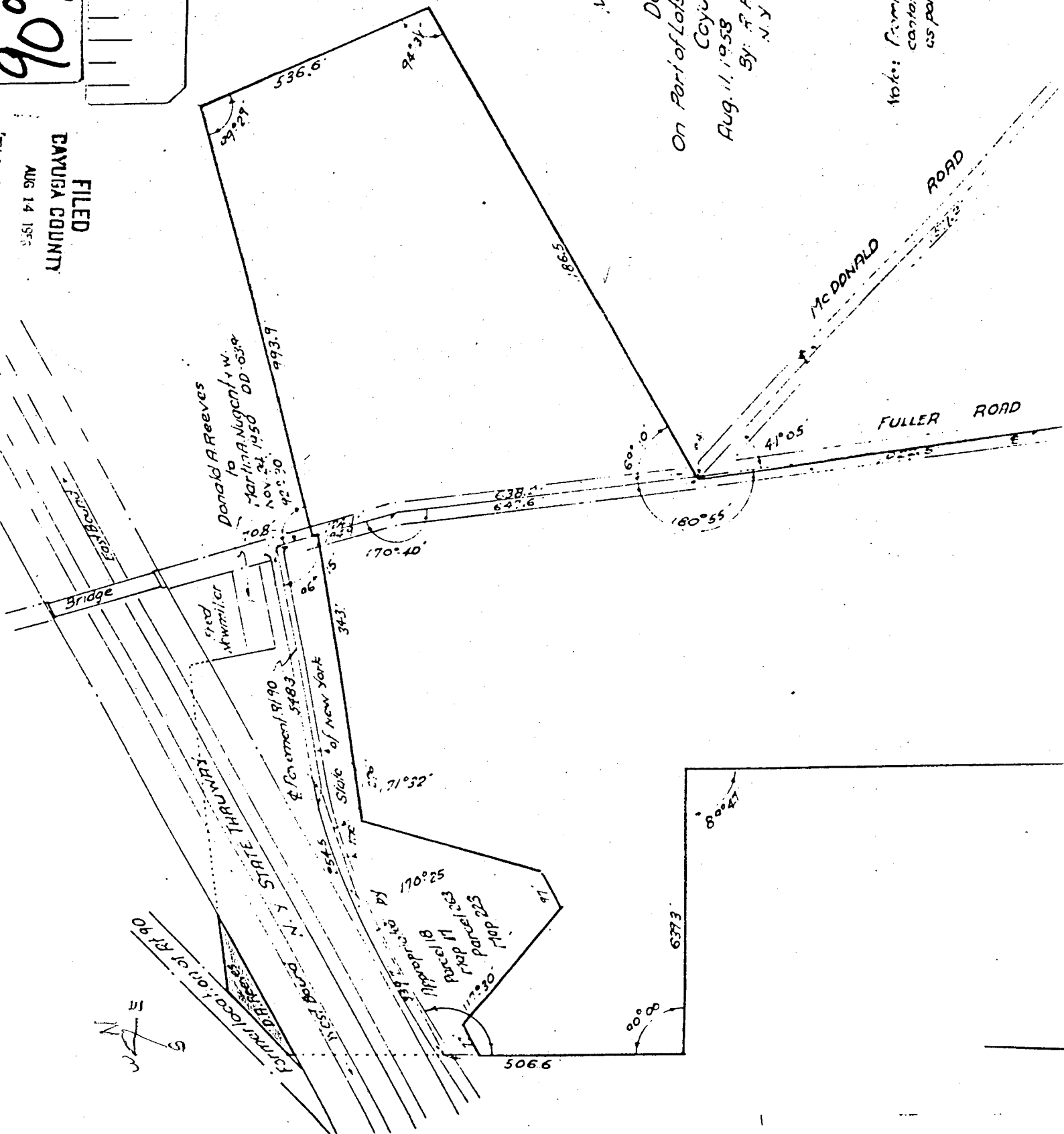
Cayuga County, N. Y.

Aug. 11, 1958

Score 100.00.

By: J. P. McHenry, Jr.

N.Y. Lic # 21654

[illegible]

FOR COUNTY USE ONLY

C1. SWIS Code

054000

C2. Date Deed Recorded

10/15/04
Month Day Year

C3. Book

1191

C4. Page

62

REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK

STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217

RP-5217 Rev 3/97



PROPERTY INFORMATION

1. Property Location

STREET NUMBER

STREET NAME

Montezuma

VILLAGE

ZIP CODE

2. Buyer Name

LAST NAME / COMPANY

FIRST NAME

LAST NAME / COMPANY

FIRST NAME

3. Tax Billing Address
Indicate where future Tax Bills are to be sent
if other than buyer address (at bottom of form)

LAST NAME / COMPANY

FIRST NAME

STREET NUMBER AND STREET NAME

CITY OR TOWN

STATE

ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed

1

of Parcels OR

Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

4A. Planning Board with Subdivision Authority Exists

☐

4B. Subdivision Approval was Required for Transfer

☐

4C. Parcel Approved for Subdivision with Map Provided

☐

5. Deed Property Size

35.00

x 23.00

OR

ACRES

6. Seller Name

LAST NAME / COMPANY

FIRST NAME

LAST NAME / COMPANY

FIRST NAME

7. Check the box below which most accurately describes the use of the property at the time of sale:

- A ☐ One Family Residential
B ☐ 2 or 3 Family Residential
C ☒ Residential Vacant Land
D ☐ Non-Residential Vacant Land

- E ☐ Agricultural
F ☐ Commercial
G ☐ Apartment
H ☐ Entertainment / Amusement

- I ☐ Community Service
J ☐ Industrial
K ☐ Public Service
L ☐ Forest

Check the boxes below as they apply:

8. Ownership Type is Condominium

☐

9. New Construction on Vacant Land

☐

10A. Property Located within an Agricultural District

☐

10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

☐

SALE INFORMATION

11. Sale Contract Date

Month Day Year

12. Date of Sale / Transfer

9/30/04
Month Day Year

13. Full Sale Price

1200000

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale

000

15. Check one or more of these conditions as applicable to transfer:

- A ☐ Sale Between Relatives or Former Relatives
B ☐ Sale Between Related Companies or Partners in Business
C ☐ One of the Buyers is also a Seller
D ☒ Buyer or Seller is Government Agency or Lending Institution
E ☒ Deed Type not Warranty or Bargain and Sale (Specify Below)
F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
G ☐ Significant Change in Property Between Taxable Status and Sale Dates
H ☐ Sale of Business is Included in Sale Price
I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
J ☐ None

Quit Claim Deed

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken

04

17. Total Assessed Value (of all parcels in transfer)

1000000

18. Property Class

3.23

19. School District Name

Port Byron

20. Tax Map Identifier(s) / Roll Identifier(s) (If more than four, attach sheet with additional identifiers)

85.00-1-28.1

Cayuga County Office of
Real Property Services
160 Genesee St. 5th Floor
Auburn, NY 13021

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER

BUYER SIGNATURE

DATE

STREET NUMBER

STREET NAME (AFTER SALE)

CITY OR TOWN

STATE

ZIP CODE

SELLER

SELLER SIGNATURE

DATE

BUYER'S ATTORNEY

LAST NAME

FIRST NAME

AREA CODE

TELEPHONE NUMBER

NEW YORK STATE
COPY

FOR COUNTY USE ONLY

C1. SWIS Code

C2. Date Deed Recorded

C3. Book

C4. Page

REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK

STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217

RP-5217 Rev 3/97



PROPERTY INFORMATION

1. Property Location

High Street

Town Of Montezuma

2. Buyer Name

THE CAYUGA INDIAN NATION OF NEW YORK

3. Tax Billing Address

Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

THE CAYUGA INDIAN NATION OF NEW YORK
CLINT HARTOWN, PO Box 11, Versailles

N.Y. 14168-0011

4. Indicate the number of Assessment Roll parcels transferred on the deed

of Parcels OR Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

- 4A. Planning Board with Subdivision Authority Exists ☐
4B. Subdivision Approval was Required for Transfer ☐
4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size

35.00 x 23.00 OR

6. Seller Name

Radford

Betty

7. Check the box below which most accurately describes the use of the property at the time of sale:

- A ☐ One Family Residential E ☐ Agricultural I ☐ Community Service
B ☐ 2 or 3 Family Residential F ☐ Commercial J ☐ Industrial
C ☒ Residential Vacant Land G ☐ Apartment K ☐ Public Service
D ☐ Non-Residential Vacant Land H ☐ Entertainment / Amusement L ☐ Forest

Check the boxes below as they apply:

8. Ownership Type is Condominium ☐
9. New Construction on Vacant Land ☐
10A. Property Located within an Agricultural District ☐
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date

N/A

12. Date of Sale / Transfer

4/26/05

13. Full Sale Price

0.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale

0.00

15. Check one or more of these conditions as applicable to transfer:

- A ☐ Sale Between Relatives or Former Relatives
B ☐ Sale Between Related Parties in Business
C ☐ One of the Buyers is also a Seller
D ☐ Buyer or Seller is a Government Agency or Lending Institution
E ☒ Deed Type is Mortgage, Lien and Sale (Specify Below)
F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
G ☐ Significant Change in Property Between Sale Dates
H ☐ Sale of Business is Included in Sale Price
I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
J ☐ None

Quitclaim

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken

04

17. Total Assessed Value (of all parcels in transfer)

1000

18. Property Class

3.2.3

19. School District Name

PORT BYRON Schools

20. Tax Map Identifier(s) / Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

85.00-1-28.1

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER

BUYER SIGNATURE

DATE

The Cayuga Indian Nation of New York
PO BOX 11, CLINT HARTOWN

STREET NUMBER

STREET NAME (AFTER SALE)

Versailles

NY

14168-0011

CITY OR TOWN

STATE

ZIP CODE

SELLER

SELLER SIGNATURE

DATE

Betty Radford

BUYER'S ATTORNEY

LAST NAME

FIRST NAME

BEUCHER SARAH LEWIS

AREA CODE

TELEPHONE NUMBER

315 422-1391

NEW YORK STATE

COPY

APPENDIX D
REGULATORY RECORDS REVIEW

TOXICS TARGETING

PHASE I

ENVIRONMENTAL DATABASE REPORT

**MONTEZUMA - HIGH STREET
MONTEZUMA, NY 13140**

FEBRUARY 20, 2009

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Who is Covered

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What We Won't Cover

Toxics Targeting, Inc. has not and can not verify the accuracy, correctness or completion of the information contained in this Report. Information is obtained from government agencies, site owners, and other sources, and errors are common in such information. Because Toxics Targeting, Inc. can not control the accuracy of the information contained in this Report, or the uses which may be made of the information, TOXICS TARGETING, INC. DISCLAIMS LIABILITY TO ANYONE FOR ANY EVENTS ARISING OUT OF THE USE OF THE INFORMATION. TOXICS TARGETING, INC. SHALL NOT BE LIABLE FOR ANY DAMAGE CAUSED BY THIS REPORT, WHETHER DIRECT OR INDIRECT, AND WHETHER OR NOT TOXICS TARGETING, INC. HAS BEEN ADVISED OF OR HAS KNOWLEDGE OF THE POSSIBILITY OF SUCH DAMAGES. TOXICS TARGETING, INC. EXPRESSLY DISCLAIMS ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE. Some jurisdictions do not allow the exclusion or limitation of incidental or consequential damages, so the above exclusion or limitation may not apply to you.

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The period of warranty coverage is ninety days from the date of purchase of this Report. There shall be no warranty after the period of coverage. ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR PARTICULAR USE SHALL HAVE NO GREATER DURATION THAN THE PERIOD OF WARRANTY STATED HERE, AND SHALL TERMINATE AUTOMATICALLY UPON THE EXPIRATION OF SUCH PERIOD. Some jurisdictions do not allow limitations on how long an implied warranty lasts, so the above exclusion or limitation may not apply to you.

PLEASE REFER TO PAGES ONE AND FOUR FOR A DESCRIPTION OF SOME OF THE LIMITATIONS OF THIS ENVIRONMENTAL REPORT.

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Introduction

Toxics Targeting has combined environmental database searches, extensive regulatory analysis and sophisticated mapping techniques to produce your *Environmental Report*. It checks for the presence of 21 categories of government-reported toxic sites and provides detailed, up-to-date information on each identified site. The findings of your report are presented in an easy-to-understand format that:

1. ***Maps*** the approximate locations of selected government-reported toxic sites identified on or near a specified target address.
2. ***Estimates*** the distance and direction between the target address and each identified toxic site.
3. ***Reports*** air and water permit non-compliance and other regulatory violations.
4. ***Profiles*** some aspects of the usage, manufacture, storage, handling, transport or disposal of toxic chemicals at individual sites.
5. ***Summarizes*** some potential health effect information and drinking water standards for selected chemicals reported at individual sites.

The Three Sections Of Your Report

The first section highlights your report's findings by summarizing identified sites according to: **a)** distance intervals, **b)** direction, **c)** proximity to the target address and **d)** individual site categories. In addition, the locations of all identified toxic sites are illustrated on individual maps for each radius search distance used in your report. A close-up map illustrates the locations of all identified toxic sites, at the shortest radius search distance used in your report. Finally, a map of tax parcels and a table of selected information about those parcels are included.

The second section of your report contains *Toxic Site Profiles* that provide detailed information on each identified toxic site. The information in each *Toxic Site Profile* varies according to its source. Some toxic site categories have extensive information, some have limited information. All the information is updated on a regular basis.

The third section of the report contains appendices that identify: **1)** on-site spills reported to the national Emergency Response Notification System (ERNS), **2)** various toxic sites that cannot be mapped due to incomplete or erroneous addresses or other mapping problems, **3)** codes that characterize hazardous wastes reported at various facilities, **4)** methods used to map toxic sites identified in your report and **5)** information sources used in your report.

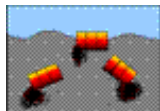
How to Use Your Report

- Check Table One to see the number of identified sites by distance intervals.
- Check Table Two to see identified sites sorted by direction.
- Check Table Three to see identified sites sorted by site categories.
- Check Table Four to see identified sites ranked by proximity to the target address.
- Use Table Five to get info for the subject parcel and every parcel found on the Tax Parcel Map
- Refer to the various maps to see the locations of identified toxic sites. Refer to the *Toxic Site Profile* and *Appendix* sections for additional information.

Toxic Site Databases Analyzed In Your Report

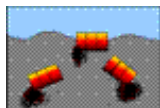
Search Radius

One-Mile



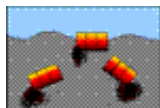
1) ***National Priority List for Federal Superfund Cleanup***: a listing of sites known to pose environmental or health hazards that are being investigated or cleaned up under the Federal Superfund program.

Half-Mile



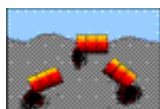
2) ***Delisted National Priority List Sites***: a listing of NPL sites that have been removed from the National Priority List.

One-Mile



3) ***New York Inactive Hazardous Waste Disposal Site Registry***: a state listing of sites that can pose environmental or public health hazards requiring investigation or clean up.

One-Mile



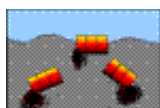
4) ***New York Inactive Hazardous Waste Disposal Site Registry Qualifying***: a state listing of sites that qualify for possible inclusion to the NYDEC Inactive Haz. Waste Disposal Site Registry.

One-Mile



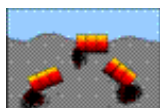
5) ***RCRA Corrective Action Activity (CORRACTS)***: waste facilities with RCRA corrective action activity reported by the USEPA.

Half-Mile



6) ***CERCLIS*** (Comprehensive Environmental Response, Compensation and Liability Information System): a federal listing of Non-NFRAP sites that can pose environmental or public health hazards requiring investigation or clean up.

Half-Mile



7) ***CERCLIS NFRAP***: a federal listing of CERCLIS sites that have no further remedial action planned.

Half-Mile



8) ***New York State Brownfield Cleanup Sites***: a listing of sites that are abandoned, idled or under-used industrial and commercial sites where expansion or redevelopment is complicated by real or perceived environmental contamination.

Half-Mile



9) ***New York Solid Waste Facilities Registry***: active and inactive landfills, incinerators, transfer stations or other solid waste management facilities.

Half-Mile



10) ***New York and Federal Hazardous Waste Treatment, Storage or Disposal Facilities***: sites reported by the NYS manifest system and the USEPA's Resource Conservation and Recovery Act Information System (RCRIS). Also includes the following database:

- ***RCRA violations***: waste facilities with violations reported by the USEPA pursuant to the Resource Conservation and Recovery Act..

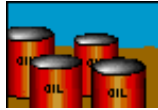
Half-Mile



11) ***Toxic Spills: active and inactive or closed*** spills reported to state environmental authorities, including *remediated* and *unremediated* leaking underground storage tanks. This database includes the following categories:

- Tank Failures
- Tank Test Failures
- Unknown Spill Cause or Other Spill Causes
- Miscellaneous Spill Causes

Quarter-Mile



12) ***New York State Major Oil Storage Facilities:*** sites with more than a 400,000-gallon capacity for storing petroleum products.

Quarter-Mile



13) ***New York and Local Petroleum Bulk Storage Facilities:*** sites with more than a 1,100-gallon capacity for storing petroleum products.

Quarter-Mile



14) ***New York and Federal Hazardous Waste Generators and Transporters:*** sites reported by the NYS manifest system and the USEPA's Resource Conservation and Recovery Act Information System (RCRA). Also includes the following database:

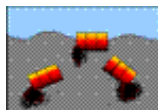
- ***RCRA violations:*** waste facilities with violations reported by the USEPA pursuant to the Resource Conservation and Recovery Act.

Quarter-Mile



15) ***New York Chemical Bulk Storage Facilities:*** sites storing hazardous substances listed in 6 NYCRR Part 597 in aboveground tanks with capacities of 185 gallons or more and/or underground tanks of any size

Half-Mile



16) ***New York Hazardous Substance Disposal Site Draft Study:*** a state listing of sites contaminated with toxic substances that can pose environmental or public health hazards. These sites are not eligible for state clean up funding programs.

Quarter-Mile



17) ***Federal Toxic Release Inventory Facilities:*** discharges of selected toxic chemicals to air, land, water or treatment facilities.

Quarter-Mile



18) ***Federal Air Discharges:*** Air pollution point sources monitored by U.S. EPA and/or state and local air regulatory agencies.

Quarter-Mile



19) ***Federal Permit Compliance System Toxic Wastewater Discharges:*** permitted toxic wastewater discharges.

Quarter-Mile



20) ***Federal Civil and Administrative Enforcement Docket:*** judiciary cases filed on behalf of the U. S. Environmental Protection Agency by the Department of Justice.

Property only



21) ***ERNS: Federal Emergency Response Notification System Spills:*** a listing of federally reported spills.

Limitations Of The Information In Your Report

The information presented in your *Environmental Report* has been obtained from various local, state and federal government agencies. Please be aware that: **1)** additional information on individual sites may be available, **2)** newly discovered sites are continually reported and **3)** all map locations are approximate. As a result, this report is intended to be the **FIRST STEP** in the process of identifying and evaluating possible environmental threats to specific properties and can only serve as a guide for conducting on-site visits or additional, more detailed toxic hazard research.

Toxics Targeting tries to ensure that the information in your report is presented accurately and with minimal alteration. The only systematic changes that are made correct obvious address errors in order to allow sites to be mapped. Any address changes that are made are noted in the map information section at the top of each corresponding *Toxic Site Profile*. Since the information presented in your report is not edited, please be aware that it can contain reporting errors or typographical mistakes made by the site owners/operators or government agencies that produced the information. Please be aware of some other limitations of the information in your report:

- The map used by *Toxics Targeting* is the same one used by the U. S. Census. While the map is generally accurate, no map is perfect. In addition, *Toxics Targeting's* mapping methods estimate where toxic site addresses are located if the address is not specifically designated on the Census map. **FOR THESE REASONS, ALL MAP LOCATIONS OF ADDRESSES AND REPORTED TOXIC SITES SHOULD BE CONSIDERED APPROXIMATE AND SHOULD BE VERIFIED BY ON-SITE VISITS;**
- **UNDISCOVERED, UNREPORTED OR UNMAPPABLE TOXIC SITES MIGHT NOT BE IDENTIFIED BY THIS REPORT'S CHECK OF 21 TOXIC SITE CATEGORIES. TOXIC SITES REPORTED IN OTHER GOVERNMENT DATABASES MIGHT ALSO EXIST. FOR THESE REASONS, YOUR REPORT MIGHT NOT IDENTIFY ALL THE TOXIC SITES THAT EXIST IN THE AREA IT SEARCHES;**
- The appendix of your report contains a listing of sites that could not be mapped due to incomplete or erroneous address information or other mapping problems. This listing includes unmappable toxic sites in zip code areas within one mile of the target address as well as toxic sites without zip codes reported in the same county. **IF YOU WOULD LIKE INFORMATION ON ANY OF THE LISTED SITES, PLEASE CONTACT TOXICS TARGETING AND REFER TO THE SITE ID NUMBER.**
- Some toxic sites identified in your report may be classified as **known hazards**. Most of the toxic sites identified in your report involve **potential hazards** related to the on-site use, manufacture, handling, storage, transport or disposal of toxic chemicals. Some of the toxic sites identified in your report may be the addresses of parties responsible for toxic sites located elsewhere. **YOU SHOULD ONLY CONCLUDE THAT TOXIC HAZARDS ACTUALLY EXIST AT A SPECIFIC SITE WHEN GOVERNMENT AUTHORITIES MAKE THAT DETERMINATION OR WHEN THAT CONCLUSION IS FULLY DOCUMENTED BY THE FINDINGS OF AN APPROPRIATE SITE INVESTIGATION UNDERTAKEN BY LICENSED PROFESSIONALS;**
- Compass directions and distances are approximate. Compass directions are calculated from the subject property address to the mapped location of each identified toxic site. The compass direction does not necessarily refer to the closest property boundary of an identified toxic site. The compass direction also can vary substantially for toxic sites that are located very close to the subject property address.
- The information presented in your report is a summary of the information that *Toxics Targeting* obtains from government agencies on reported toxic sites. **YOU MAY BE ABLE TO OBTAIN ADDITIONAL INFORMATION ABOUT REPORTED SITES WITH THE FREEDOM OF INFORMATION REQUEST FORM LETTERS THAT ARE PROVIDED ON THE INSIDE OF THE BACK COVER.**

Section One:

Report Summary

- *Table One: Number of Identified Toxic Sites By Distance Interval*
- *Table Two: Identified Toxic Sites By Direction*
- *Table Three: Identified Toxic Sites By Category*
- *Table Four: Identified Toxic Sites By Proximity*
- *Map One: One-Mile Radius Map*
- *Map Two: Half-Mile Radius Map*
- *Map Three: Quarter-Mile Radius Map*
- *Map Four: Quarter-Mile Radius Close up Map*

NUMBER OF IDENTIFIED SITES BY DISTANCE INTERVAL

Database Searched	0 - 100 ft	100 ft - 1/8 mi	1/8 mi - 1/4 mi	1/4 mi - 1/2 mi	1/2 mi - 1 mi	Site Category Totals
ASTM-Required 1 Mile Search						
National Priority List (NPL) Sites	0	0	0	0	0	0
NYS Inactive Hazardous Waste Disposal Site Registry	0	0	0	0	0	0
NYS Inactive Haz Waste Disposal Site Registry Qualifying	0	0	0	0	0	0
RCRA Corrective Action (CORRACTS) Sites	0	0	0	0	0	0
ASTM-Required 1/2 Mile Search						
Delisted National Priority List (NPL) Sites	0	0	0	0	Not searched	0
CERCLIS Superfund Non-NFRAP Sites	0	0	0	0	Not searched	0
CERCLIS Superfund NFRAP Sites	0	0	0	0	Not searched	0
Brownfields Sites						
Voluntary Cleanup Program	0	0	0	0	Not searched	0
Environmental Restoration Program	0	0	0	0	Not searched	0
Brownfield Cleanup Program	0	0	0	0	Not searched	0
NYSDEC Solid Waste Facilities / Landfills	0	0	0	0	Not searched	0
RCRA Hazardous Waste Treatment, Storage, Disposal Sites	0	0	0	0	Not searched	0
NYS Toxic Spills						
Active Tank Failures	0	0	0	0	Not searched	0
Active Tank Test Failures	0	0	0	0	Not searched	0
Active Spills - Unknown / Other Causes	0	0	0	0	Not searched	0
Active Spills - Miscellaneous Causes	0	0	0	0	Not searched	0
Closed Tank Failures	0	0	0	0	Not searched	0
Closed Tank Test Failures	0	0	0	0	Not searched	0
Closed Spills - Unknown / Other Causes	0	0	0	0	Not searched	0
Closed Spills - Miscellaneous Causes	0	0	0	2	Not searched	2
ASTM-Required Property & Adjacent Property (1/4 Mile Search)						
NYS Major Oil Storage Facilities	0	0	0	Not searched	Not searched	0
Local & State Petroleum Bulk Storage Sites	0	0	0	Not searched	Not searched	0
RCRA Hazardous Waste Generators & Transporters	0	0	0	Not searched	Not searched	0
NYS Chemical Bulk Storage Sites	0	0	0	Not searched	Not searched	0
Emergency Response Notification System (ERNS)	0	Not searched	Not searched	Not searched	Not searched	0
Institutional Controls / Engineering Controls (IC/EC)	See databases for NPL, CERCLIS, Inactive Hazardous Waste Disposal Site Registry and Brownfield Sites.					
ASTM-Required Databases Distance Interval Totals	0	0	0	2	0	2

NOTE: Table continues on next page.

Non-ASTM Databases 1/2 Mile Search

Hazardous Substance Waste Disposal Sites	0	0	0	0	Not searched	0
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Non-ASTM Databases 1/4 Mile Search

Toxic Release Inventory Sites (TRI)	0	0	0	Not searched	Not searched	0
-------------------------------------	---	---	---	--------------	--------------	---

Permit Compliance System (PCS) Toxic Wastewater Discharges	0	0	0	Not searched	Not searched	0
--	---	---	---	--------------	--------------	---

Air Discharges	0	0	0	Not searched	Not searched	0
----------------	---	---	---	--------------	--------------	---

Civil & Administrative Enforcement Docket Facilities	0	0	0	Not searched	Not searched	0
--	---	---	---	--------------	--------------	---

Non-ASTM Databases Distance Interval Totals	0	0	0	0	Not Searched	0
--	----------	----------	----------	----------	---------------------	----------

<i>Distance Interval Totals</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>2</i>	<i>0</i>	<i>2</i>
--	-----------------	-----------------	-----------------	-----------------	-----------------	-----------------

Identified Toxic Sites by Direction

Montezuma - High Street
Montezuma, NY 13140

* Compass directions can vary substantially for sites located very close to the subject property address.

Sites less than 100 feet from subject property sorted by distance

Map Id#	Site Name	Site Street	Approximate Distance & Direction From Property	Toxic Site Category
No sites found less than 100 feet from subject property				

Sites between 100 ft and 660 ft from the subject property sorted by direction and distance

Map Id#	Site Name	Site Street	Approximate Distance & Direction From Property	Toxic Site Category
No sites found between 100 feet and 660 feet				

Sites equal to or greater than 660 ft from subject property sorted by direction and distance

Map Id#	Site Name	Site Street	Approximate Distance & Direction From Property	Toxic Site Category
2	CHESTER HELMER	CHAPMAN AND HIGH STREET	2552 feet to the N	Closed Status Spill (Misc. Spill Cause)
1	END CHAPMAN RD. MONTEZUMA	JACKSON FARMS, INC	1463 feet to the WSW	Closed Status Spill (Misc. Spill Cause)

Identified Toxic Sites by Category

Montezuma - High Street
Montezuma, NY 13140

* Compass directions can vary substantially for sites located very close to the subject property address.

Closed Status Spills (Miscellaneous Spill Causes) -- Total Sites - 2			Database searched at 1/2 MILE - ASTM required search distance: 1/2 Mile	
MAP ID	FACILITY ID	FACILITY NAME	FACILITY STREET	DISTANCE & DIRECTION
1	9416446	END CHAPMAN RD. MONTEZUMA	JACKSON FARMS, INC	1463 feet to the WSW
2	8604081	CHESTER HELMER	CHAPMAN AND HIGH STREET	2552 feet to the N

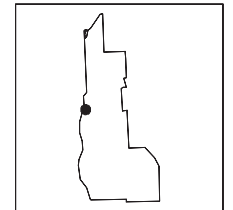
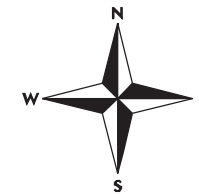
Identified Toxic Sites by Proximity

Montezuma - High Street, Montezuma, NY 13140

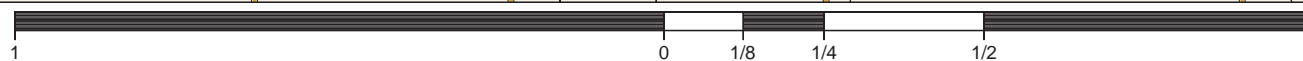
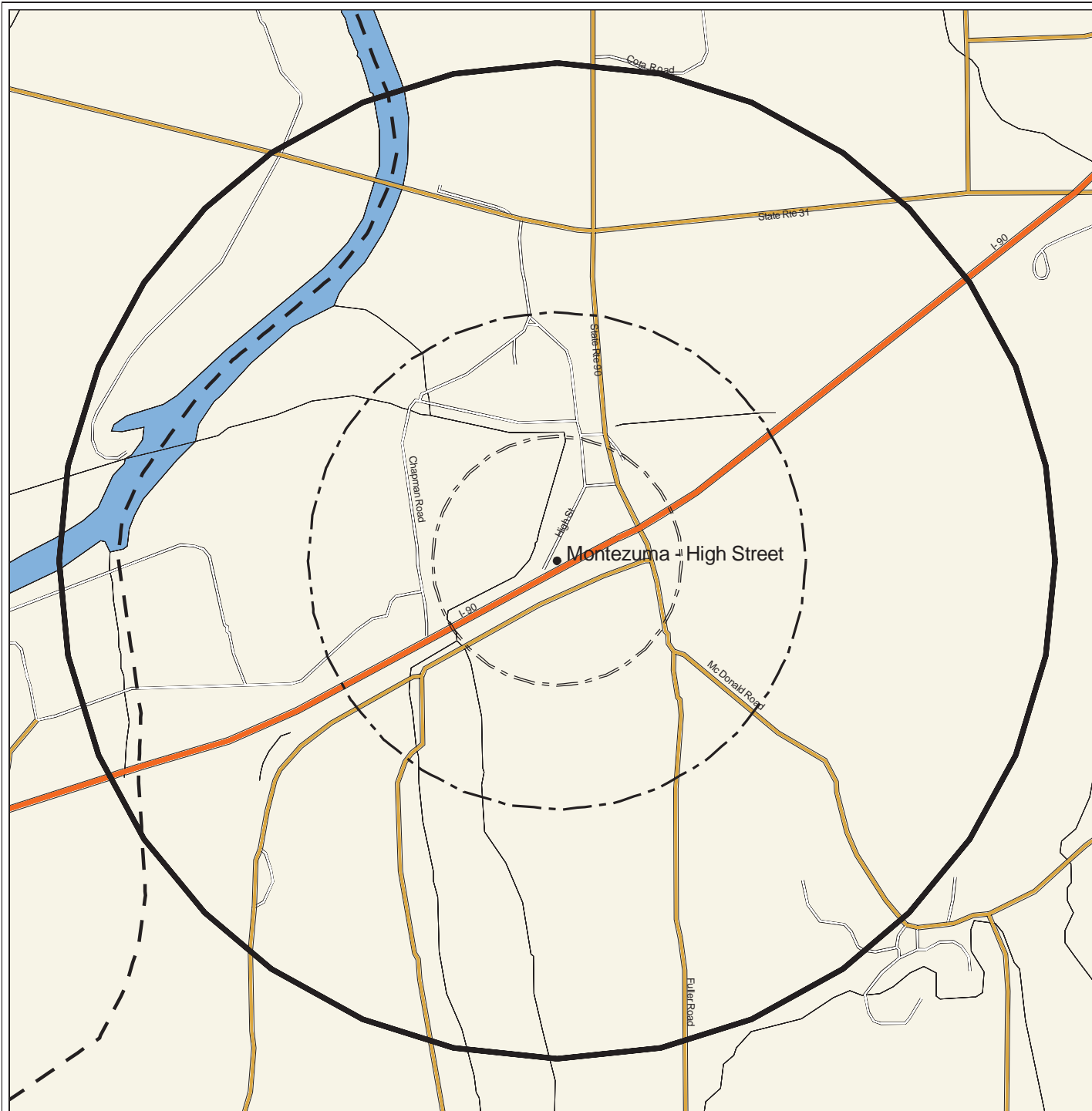
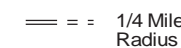
* Compass directions can vary substantially for sites located very close to the subject property address.

Map Id#	Site Name	Site Street	Approximate Distance & Direction From Property	Toxic Site Category
1	END CHAPMAN RD. MONTEZUMA	JACKSON FARMS, INC	1463 feet to the WSW	Closed Status Spill (Misc. Spill Cause)
2	CHESTER HELMER	CHAPMAN AND HIGH STREET	2552 feet to the N	Closed Status Spill (Misc. Spill Cause)

Toxics Targeting 1 Mile Radius Map Montezuma - High Street Montezuma, NY 13140

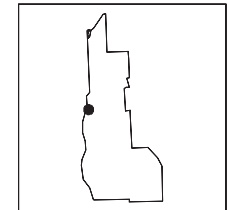
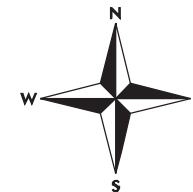


Cayuga County



Distance in Miles

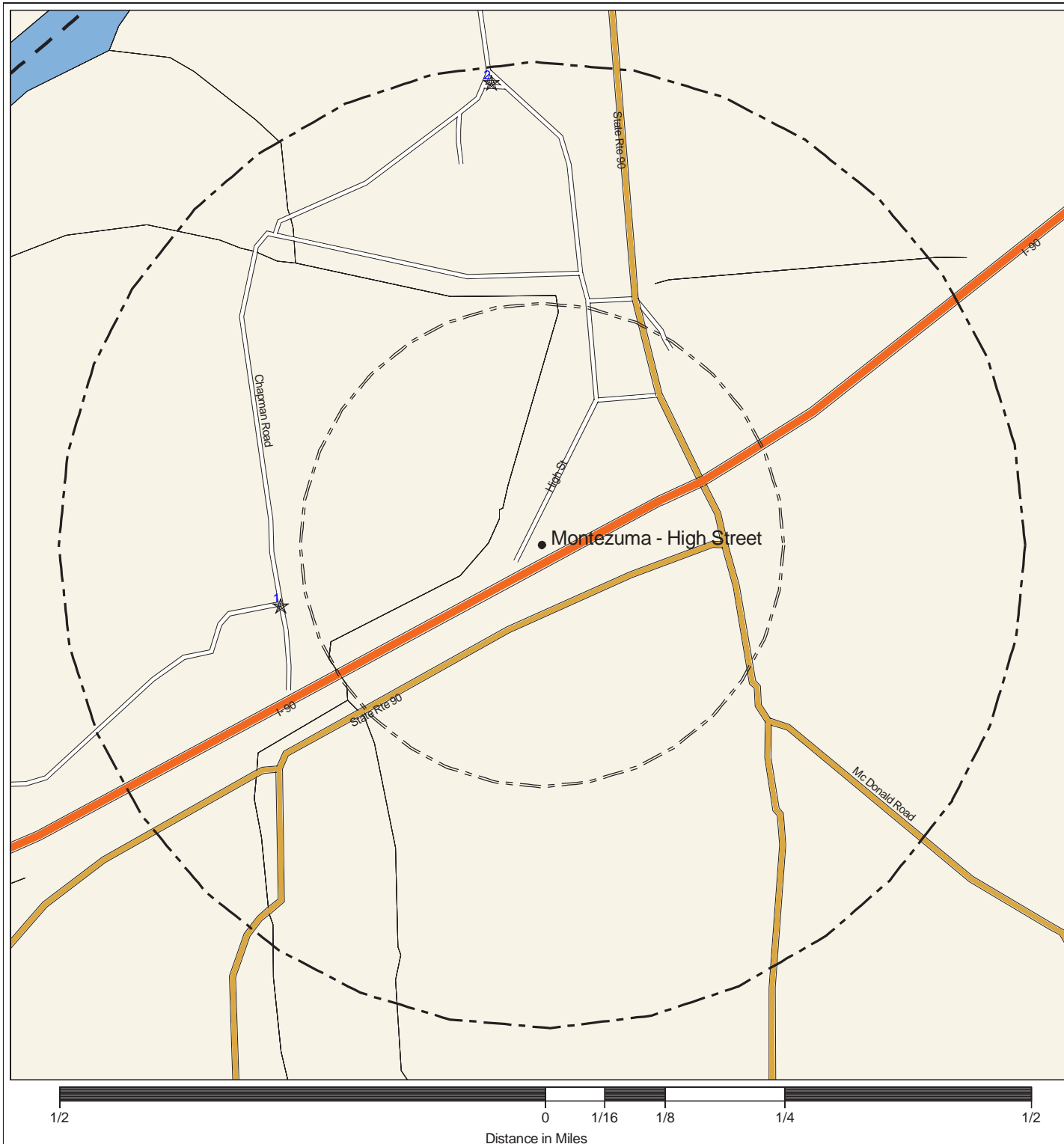
Toxics Targeting 1/2 Mile Radius Map Montezuma - High Street Montezuma, NY 13140



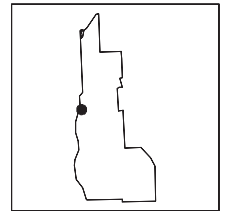
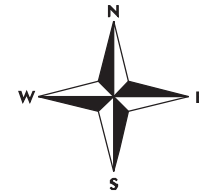
Cayuga County

- Delisted NPL Site
- CERCLIS Superfund Non-NFRAP Site
- CERCLIS Superfund NFRAP Site
- Hazardous Waste Treater, Storer, Disposer
- Hazardous Substance Waste Disposal Site
- Solid Waste Facility
- Brownfields Site
- Hazardous Material Spill

- Site Location
- County Border
- 1 Mile Radius
- 1/4 Mile Radius
- Waterbody
- Railroad Tracks
- 1/2 Mile Radius
- 1/8 Mile Radius



Toxics Targeting 1/4 Mile Radius Map Montezuma - High Street Montezuma, NY 13140



Cayuga County

Montezuma - High Street

Main St

Nugent Road

High St

I-90

State Rte 90

State Rte 90

Major Oil Storage Facility

Chemical Storage Facility

Toxic Release

Wastewater Discharge

Enforcement Docket Facility

Air Release

Petroleum Bulk Storage Facility

Hazardous Waste Generator, Transp.

Site Location

County Border

1/4 Mile Radius

Waterbody

Railroad Tracks

1/8 Mile Radius

1/4

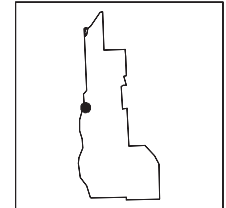
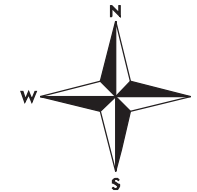
0

1/8

1/4

Distance in Miles

Toxics Targeting 1/4 Mile Closeup Map Montezuma - High Street Montezuma, NY 13140



Cayuga County

- | | |
|---|--|
| National Priority List (NPL) * | Delisted NPL Site ** |
| CERCLIS Superfund Non-NFRAP Site ** | CERCLIS Superfund NFRAP Site ** |
| Inactive Hazardous Waste Disposal Registry Site * | Inact. Haz Waste Disp. Registry Qualifying * |
| Hazardous Waste Treater, Storer, Disposer ** | RCRA Corrective Action Facility * |
| Hazardous Substance Waste Disposal Site ** | Solid Waste Facility ** |
| Major Oil Storage Facility *** | Brownfields Site ** |
| Chemical Storage Facility *** | Hazardous Material Spill ** |
| Toxic Release *** | Petroleum Bulk Storage Facility *** |
| Wastewater Discharge *** | Hazardous Waste Generator, Transp. *** |
| Enforcement Docket Facility *** | Air Release *** |

Site Location

Waterbody

County Border

Railroad Tracks

1/4 Mile Radius

1/8 Mile Radius

* 1 Mile Search Radius
*** 1/4 Mile Search Radius

** 1/2 Mile Search Radius

Montezuma - High Street

Main St

Nugent Road

High St

I-90

State Rte 90

1/4

0

1/8

1/4

Distance in Miles

Section Two: Toxic Site Profiles

The heading of each *Toxic Site Profile* refers to the site's map location and details:

- The facility name, address, city, state, and zip code (This information does not appear in the headings for Inactive Hazardous Waste Disposal Sites).
- Any changes that were made to a site's address in order to map its location.
- The site mapping method that was used (see ***How Sites are Located***, at the end of this section for more information).

Toxic Site Profiles summarize information provided by site owners or operators and government agencies regarding various toxic chemical activities reported at each site, such as:

- Whether chemicals were stored, produced, transported, discharged or disposed of.
- The name of chemicals and their Chemical Abstract Series (CAS) numbers;
- The amount of chemicals and the units (gallons/pounds) the chemical was measured in.
- Whether the site or storage tanks at the site are currently active or inactive.
- Special codes used by government agencies to regulate hazardous waste activities at some sites
(A complete description of the codes follows the profiles section).

For selected individual chemicals reported at various toxic sites, some potential health effect summary information appears below the site profile. Each potential health effect summary identifies chemicals by name and by Chemical Abstract Series (CAS) Number. An "x" under each potential health effect heading indicates positive toxicity testing results reported by the National Institute of Occupational Safety and Health's Registry of Toxic Effects of Chemical Substances (RTECS). Some chemicals (mostly appearing in profiles of Hazardous Waste facilities), are reported as mixtures, and RTECS health effect information is only available for individual chemicals. In addition, RTECS only provides information on approximately 100,000 common chemicals. Consequently, the absence of potential health effect summary information for a particular chemical identified in a Toxic Site Profile does not necessarily mean that the chemical does not pose potential health effects.

The Maximum Contaminant Level (MCL) in drinking water allowed for selected chemicals is also noted. In most cases, the only applicable MCL has been set by the New York State Department of Health (NYSDOH). Where NYSDOH has not set an MCL, the federal standard, if one exists, is listed and is marked by an asterisk.

Presented below are column headings that describe the health effect definitions used in RTECS and applicable New York State and federal drinking water standards. Reference sources for information presented in this section are also provided.

ACUTE TOX: **Acute Toxicity:** Short-term exposure to this chemical can cause lethal and non-lethal toxicity effects not included in the following four categories.

TUMOR TOX: **Tumorigenic Toxicity:** The chemical can cause an increase in the incidence of tumors.

MUTAG TOX: **Mutagenic Toxicity:** The chemical can cause genetic alterations that are passed from one generation to the next.

REPRO TOX: **Reproductive toxicity:** May signify one of the following effects: maternal effects, paternal effects, effects on fertility, effects on the embryo or fetus, specific developmental abnormalities, tumorigenic effects, or effects on the newborn (only positive reproductive effects data for mammalian species are referenced)

IRRIT TOX: **Primary Irritant:** The chemical can cause eye or skin irritation

MCL: **Drinking Water Standard - Maximum Contaminant Level** (MCL) listed under Drinking Water Supplies, 10 NYCRR Part 5, Subparts 1.51(f),(g), and (h) for NYDOH MCL's and under the Safe Drinking Water Act, 40 CFR 141, Subparts B and G, (* indicates value for total trihalomethanes) for federal MCL's.

Reference Source for Toxicity Information: Registry of Toxic Effects of Chemical Substances (RTECS), NIOSH (on-line database); For further information, contact: NIOSH, 4676 Columbia Parkway, Cincinnati, OH, 45226, 800/35-NIOSH.

Reference Source for Drinking Water Standards: New York State Department of Health, Bureau of Toxic Substances Assessment, 2 University Place, Room 240, Albany, NY 12203, 518/458-6373.

U.S. Environmental Protection Agency, Office of Drinking Water, 401 M St SW, Mailstop WH-556, Washington, DC, 20460, 202/260-5700.

Inactive Hazardous Waste Disposal Site Classifications: 1 -- Causing or presenting an imminent danger of causing irreversible or irreparable damage to the public health or the environment -- immediate action required;

2 -- Significant threat to the public health or environment -- action required;

3 -- Does not Present a significant threat to the environment or public health -- action may be deferred;

4 -- Site properly closed --requires continued management;

5 -- Site properly closed, no evidence of present or potential adverse impact -- no further action required;

2a -- This temporary classification has been assigned to sites where there is inadequate data to assign them to the five classifications specified by law.

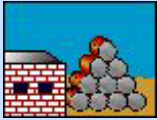
D1, 2, 3 -- Delisted Site (1: hazardous waste not found; 2: remediated; 3: consolidated site or site incorrectly listed)



NO NATIONAL PRIORITIES LIST (NPL) SITES IDENTIFIED WITHIN 1 MILE SEARCH RADIUS



NO INACTIVE HAZ WASTE DISPOSAL REGISTRY OR REGISTRY-QUALIFYING SITES IDENTIFIED WITHIN 1 MILE SEARCH RADIUS



NO RCRA CORRECTIVE ACTION SITES IDENTIFIED WITHIN 1 MILE SEARCH RADIUS



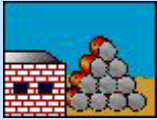
NO CERCLIS SUPERFUND SITES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO BROWNFIELDS SITES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO SOLID WASTE FACILITIES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO HAZARDOUS WASTE TREATMENT/STORAGE/DISPOSERS IDENTIFIED WITHIN THE 1/2 MILE SEARCH RADIUS



NO ACTIVE TANK FAILURES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO ACTIVE TANK TEST FAILURES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO ACTIVE UNKNOWN CAUSE SPILLS AND OTHER CAUSE SPILLS IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO ACTIVE HAZARDOUS SPILLS - MISC. SPILL CAUSES - EQUIPMENT FAILURE, HUMAN ERROR, TANK OVERFILL, DELIBERATE SPILL, TRAFFIC ACCIDENT, HOUSEKEEPING, ABANDONED DRUM, AND VANDALISM - IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS.



NO CLOSED STATUS TANK FAILURES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO CLOSED STATUS TANK TEST FAILURES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO CLOSED STATUS UNKNOWN CAUSE SPILLS AND OTHER CAUSE SPILLS IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



CLOSED STATUS HAZARDOUS SPILLS - MISC. SPILL CAUSES - EQUIPMENT FAILURE, HUMAN ERROR, TANK OVERFILL, DELIBERATE SPILL, TRAFFIC ACCIDENT, HOUSEKEEPING, ABANDONED DRUM, AND VANDALISM - IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS.

Please Note: * - Compass directions can vary substantially for sites located very close to the subject property address.

Map Identification Number 1 **END CHAPMAN RD. MONTEZUMA**
JACKSON FARMS, INC

MONTEZUMA, NY

Spill Number: 9416446

Close Date: 05/05/1995
TT-Id: 520A-0225-745

MAP LOCATION INFORMATION

Site location mapped by: MANUAL MAPPING (5)
Approximate distance from property: 1463 feet to the WSW

ADDRESS CHANGE INFORMATION

Revised street: NO CHANGE
Revised zip code: 13117

Source of Spill: COMMERCIAL/INDUSTRIAL
Notifier Type: Affected Persons
Caller Name: TOM BADMAN
DEC Investigator: MENASH

Spiller: UNKNOWN
Notifier Name:
Caller Agency: NY STATE POLICE
Contact for more spill info:

Spiller Phone:
Notifier Phone:
Caller Phone: (315) 255-2766
Contact Person Phone:

Spill Class: KNOWN RELEASE WITH MINIMAL POTENTIAL FOR FIRE OR HAZARD;DEC RESPONSE;UNKNOWN RP;CORRECTIVE ACTION TAKEN

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards		Penalty Recommended	
03/17/1995	05/05/1995	DELIBERATE	UNKNOWN		YES	
Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
KEROSENE	PETROLEUM	30.00	GALLONS	0.00	GALLONS	SURFACE WATER

Caller Remarks:

VANDELS SHOT OUT 250 GAL SKID AT END OF FARM FIELD. CONTENTS WENT INTO DRAINAGE DITCH CONTENTS OF WHICH ARE REGULARLY PUMPED INTO SENECA RIVER.

DEC Investigator Remarks:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "MN"

05/01/95: PIN FUNDS NOT USED. AGWAY INSURANCE REPRESENTING JACKSON FARMS INC. TOOK OVER RESPONSIBILITY FOR CLEAN UP COSTS.

Map Identification Number 2
CHESTER HELMER
CHAPMAN AND HIGH STREET

MONTEZUMA, NY

Spill Number: 8604081

Close Date: 01/15/1988
TT-Id: 520A-0225-744

MAP LOCATION INFORMATION

Site location mapped by: MANUAL MAPPING (3)
Approximate distance from property: 2552 feet to the N

ADDRESS CHANGE INFORMATION

Revised street: CHAPMAN / HIGH STREET
Revised zip code: 13117

Source of Spill: PRIVATE DWELLING
Notifier Type: Other
Caller Name:
DEC Investigator: TSSUOZZO

Spiller: CHESTER HELMER
Notifier Name:
Caller Agency:
Contact for more spill info:

Spiller Phone: (776) 538-
Notifier Phone:
Caller Phone:
Contact Person Phone:

Spill Date	Date Cleanup Ceased	Cause of Spill	Meets Cleanup Standards		Penalty Recommended	
09/23/1986	01/15/1988	DELIBERATE	UNKNOWN		NO	
Material Spilled	Material Class	Quantity Spilled	Units	Quantity Recovered	Units	Resource(s) Affected
WASTE OIL/USED OIL	PETROLEUM	0	UNKNOWN	0	UNKNOWN	SOIL

Caller Remarks:

MR. ALLEN LAIRD HIGHWAY SUP'T. OF TOWN MONTAZUMA NOTIFIED DEC. THIS IS THE 3RD INCIDENT. MR HELMER HAS BEEN WARNED PRIOR TO THIS INCIDENT

DEC Investigator Remarks:

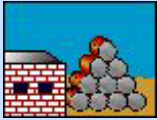
Prior to Sept, 2004 data translation this spill Lead_DEC Field was "TS"
/ / : OWNER NOT HOME. FOUND OIL IN DRIVEWAY & ON ROAD. TOOK SAMPLE (IN OUR LAB).



NO OIL STORAGE FACILITIES LARGER THAN 400,000 GALLONS IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS



NO PETROLEUM BULK STORAGE FACILITIES LESS THAN 400,000 GALLONS IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS



NO HAZARDOUS WASTE GENERATORS/TRANSPORTERS IDENTIFIED WITHIN THE 1/4 MILE SEARCH RADIUS



NO CHEMICAL STORAGE FACILITIES IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS



NO HAZARDOUS SUBSTANCE WASTE DISPOSAL SITES IDENTIFIED WITHIN 1/2 MILE SEARCH RADIUS



NO TOXIC AIR, LAND AND WATER RELEASES IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS



NO WASTEWATER DISCHARGES IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS



NO AIR DISCHARGE FACILITIES IDENTIFIED WITHIN 1/4 MILE SEARCH RADIUS



NO CIVIL & ADMINISTRATIVE ENFORCEMENT DOCKET FACILITIES IDENTIFIED WITHIN THE 1/4 MILE SEARCH RADIUS

U.S. EPA EMERGENCY RESPONSE NOTIFICATION SYSTEM (ERNS)
AT THE LOCATION OR POTENTIALLY AT THE LOCATION OF
Montezuma - High Street
Montezuma, NY 13140

* Any ERNS Spills listed below are NOT mapped in this report *

ONSITE ERNS (A count of these spills can be found in the distance interval table):
THIS SITE IS NOT FOUND IN THE ERNS DATABASE

POTENTIALLY ONSITE ERNS:
THIS SITE IS NOT FOUND IN THE ERNS DATABASE

Unmappable facilities for 'Cayuga' County

NPL/CERCLIS/NYSDEC Inactive Haz. Waste or Reg. Qual. Sites

FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
NY2143609335	MONTEZUMA NATIONAL WILDLIFE REFUGE	3395 ROUTE 5/20 EAST	SENECA FALLS	UNKNOWN
706012	CAYUGA COUNTY GROUNDWATER CONTAMINATION	IN THE AREA OF NYS ROUTE 90	UNION SPRINGS	UNKNOWN
NYN000204289	CAYUGA GROUNDWATER CONTAMINATION SITE	STATE ROUTE 326	UNION SPRINGS	UNKNOWN

Solid Waste Facilities

FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
06L01	OMNI GROUP FARMS INC.			UNKNOWN
06L20	ADM CORN SWEETNERS			UNKNOWN
06L70	ANHEUSER-BUSCH CO. SITE 1			UNKNOWN
06S03	CONQUEST SLF (T)	R.D #2	PORT BYRON	13140
06S07	MENTZ SLF (T)	MAIN STREET	PORT BYRON	13140

Hazardous Spills - MISC. SPILL CAUSES - Active

FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
0807139	BREAD AND BUTTER STORE	RD#3 STATE STREET		UNKNOWN

Hazardous Spills - TANK FAILURES - Closed

FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
9310962	BW INN	BW INN		UNKNOWN
9515730	LITTLE GIANT RESORTS	MCDONALD RD	MONTEZUMA	13117
9408378	PELKEY	PELKEY RES	PORT BYRON	13140
9400949	BENNETT'S TRAILER PARK	28 CORNER ROAD	PORT BYRON	13140
9013231	PORT BYRON WWTP	PORT BYRON WWTP	PORT BYRON	13140
9003987	BRUNS RESIDENCE	RD# 2	PORT BYRON	13140
8910695	DERBY RESIDENCE	CENTERPORT	PORT BYRON	13140

Hazardous Spills - TANK TEST FAILURES - Closed

FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
9011573	CAYUGA CO BULK SERVICE	RT 90	CAYUGA	13034
8901006	MONTEZUMA MARINA	MONTEZUMA MARINA	MONTEZUMA	13117
8900302	MOUTEZUMA MARINA	MOUTEZUMA MARINA	MONTEZUMA	13117
9009393	PORT BYRON THRUWAY	RT 90	PORT BYRON	13140
0601309	EXXON MOBIL - PORT BYRON SERVICE AREA	I-90 EASTBOUND	PORT BYRON	13140

Hazardous Spills - UNKNOWN CAUSE OR OTHER CAUSES - Closed

FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
9004394	C & C MARINA	C&C MARINA		UNKNOWN
8707180	TALLMADGE TIRE	TALLMADGE TIRE		UNKNOWN
8606915	VOID -DUPLICATE OF 866894			UNKNOWN
9413784	BEACON BAY MARINA	BEACON BAY MARINA	CAYUGA	13034
0105851	CAYUGA LAKE	1831 HONOCO LAKE RD	CAYUGA	13034
9800605	PRIVATE RD	6 LAKESHORE DR	CAYUGA (V)	13034
9807071	SHOTWELL STREET	SAME	PORT BYRON	13140
9807070	SHOTWELL STREET	SAME	PORT BYRON	13140
9701898	RT 31 (UTICA ST)	ROCK RYE BAR	PORT BYRON	13140
9507184	NORTON CO.	THRUWAY	PORT BYRON	13140
9209587	MOBIL OIL THRUWAY	MOBIL STATION	PORT BYRON	13140
9113181	PORT BYRON SEWAGE PLANT	SEWAGE TREATMENT PLANT	PORT BYRON	13140
8600580		THRUWAY AT MOBIL STATION	PORT BYRON-MENTZ	13140

Hazardous Spills - MISC. SPILL CAUSES - Closed

FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
9614219	CAYUGA LAKE	RT 90 CAYUGA	CAYUGA	13034

9411227	CAYUGA BULK SERVICE	ROUTE 90 BOX 496	CAYUGA	13034
8901868	SYSTEMS 55 TRUCKING	NYS THRUWAY MP 313.9 EAST	MONTEZUMA	13117
8710715	NYS THRUWAY; MONTEZUMA	NYS THRUWAY M.P. 311.6	MONTEZUMA	13117
8707212	THRUWAY (MONTEZUMA)	MILE MARKER 310.5	MONTEZUMA	13117
8700475	FULLER ROAD	FULLER ROAD	MONTEZUMA	13117
0711407	NYS TRHUWAY	MM 311.7 WESTBOUND	MONTEZUMA	13117
8602098	CHESTER HELMER	HIGH ST.	MONTEZUMA (V)	13117
0707163	RAILCAR	MILE POST QC315.37	PORT BYRAN	13140
9807036	RT.31 AND	1 MILE OUT OF VILLAGE	PORT BYRON	13140
9306471	DC DONALD RD	RD 1 MC DONALD RD	PORT BYRON	13140
8700476	PORT BYRON SEWAGE PLANT	OFF GREEN ST. NEAR THRUWY	PORT BYRON	13140
8400529	THRUWAY 313.7 MI. POST	THRUWAY	PORT BYRON	13140
7580519	NYS THRUWAY-MP #311	NYS THRUWAY	PORT BYRON	13140
0811140	THRUWAY PORT BYRON REST AREA	THRUWAY EASTBOUND MM310	PORT BYRON	13140
0712435	OHARA HOME	960 MCDONALD ROAD	PORT BYRON	13140
0605102	YELLOW TRANSPORTATION	I-90 WBND	PORT BYRON	13140
0507536	PORT BYRON	310 EAST PORT BYRON AREA	PORT BYRON	13140
Petroleum Bulk Storage Facilities				
FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
7-129216	TOWN OF MENTZ	(OLD PORT BYRON CENTRAL SCHOOL)	PORT BYRON	13140
7-141453	PORT BYRON SERVICE AREA	NYS THRUWAY MP 310.2E	PORT BYRON	13140
7-600630	PHIL'S COFFEE CUP	N.W. CORNER OF FULLER RD. AND RT.38	PORT BYRON	13140
Hazardous Waste Generation or Transport Facilities				
FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
NYD986912723	NYSDOT	ROUTE 90 TO CAYUGA	CAYUGA	13034
NYN7000000028	TOWN OF SPRINGPORT	R.D. #1, BOX 814A	CAYUGA	13034
NYP000790048	NYSDEC-SPILLS	789 CAYUGA CREEK	CAYUGA	UNKNOWN
NYD986953909	NYSDOT	GUARD GATE	CAYUGA LAKE	13034
NYD986988558	NYSDOT	MILE POST #307.74	E SYRACUSE	13140
NYD986891158	NEW YORK STATE THRUWAY AUTHORITY	MILE MARKER 307	EAST SYRACUSE	13140
NYD986957405	MOBIL OIL CORPORATION	NYSTW PT BYRON REST AREA	PORT BYRON	13140
NYN00007A186	C.A. MCBRIDE	BOX 337	PORT BYRON	13140
NYN00007A279	MINLEY TRUCKING & CONSTRUCTION COMPANY	P O BOX 56	PORT BYRON	13140
NYW0000027464	NEW YORK STATE THRUWAY AUTHORITY	SYRACUSE DIV.	PORT BYRON	13140
NYD986986750	NEW YORK STATE THRUWAY AUTHORITY	307.33 #10	SYRACUSE	13140
Wastewater Discharges				
FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
NY0025241	CAYUGA (V) WPCF	ROUTE 90	CAYUGA	13034
Air Releases				
FACILITY ID	FACILITY NAME	STREET	CITY	ZIP
3601100002	BEACON MILLING INC	OFFICE	CAYUGA	13034
3601100013	ADM CORN SWEETNERS	BEET PLANT ROAD	MONTEZUMA	13140

Hazardous waste codes presented in individual Toxic Information Profiles are defined below.

Source: U. S. Environmental Protection Agency

How Toxic Site Locations Are Mapped

Toxics Targeting maps toxic site locations on a computerized version of the U. S. Census map using addresses and map coordinates provided by site owners/operators or government agencies. In order to allow site locations to be verified independently, the information used to map each site is presented in the first section of each *Toxic Site Profile*, along with a description of the mapping technique used and any address corrections that were made in order to locate toxic sites with incomplete or inadequate site location information. The mapping process is explained below.

Map Identification Number: 12

Site Name: Acme World Manufacturing, Inc.

Site Address: 55 Main Street

Anytown, NY 11797

MAP LOCATION INFORMATION

Site location mapped by:

Address Matching

1) Most toxic sites are mapped by matching addresses provided by site owners/operators or government agencies with locations on a computerized version of the U. S. Census map. These site locations are identified "address-matched."

Note: Some sites have an address match location and a map coordinate location. Both locations are mapped because they can be equally correct.

or Map Coordinate

2) Some toxic sites are located using map coordinates provided by site owners/operators or government agencies. These site locations are identified "map coordinate." Map coordinates for Toxics Wastewater Discharges, Toxic Release Inventory sites and Major Oil Storage Facilities should be considered suspect.

or Manual Mapping

or Site Visit

3) Incomplete addresses or map coordinates require some site locations to be determined by commercial street maps (manual mapping), site visits, map coordinates from other databases and address location services. Application of any of these methods is identified accordingly.

ADDRESS CHANGE INFORMATION

Revised Street: NO CHANGE

Revised zip code: NO CHANGE

4) Site addresses are sometimes corrected to eliminate obvious errors that prevent sites from being mapped. All address corrections are noted here.

Information Source Guide

Toxics Targeting's Environmental Reports contain government and other information compiled on 18 categories of reported known or potential toxic sites. Each toxic site database is described below with information detailing a) the source of the information, b) the date when each database is covered to and c) when *Toxics Targeting* obtained the information..

1) **National Priority List for Federal Superfund Cleanup:** Toxic sites nominated for cleanup under the Federal Superfund program. Annual compilation of special two-page detailed profiles of NPL sites. Also includes delisted NPL sites.

ASTM required.* Fannie Mae required.**

Source: U. S. Environmental Protection Agency.¹

Data attributes updated from: 2/3/2009.

Data obtained by Toxics Targeting: 2/3/2009.

New Facilities updated through: 2/3/2009.

Data obtained by Toxics Targeting: 2/3/2009.

2) **Inactive Hazardous Waste Disposal Site Registry:** New York State database that maintains information and aids decision making regarding the investigation and cleanup of toxic sites. The Registry's data includes two-page profiles noting site name, ID number, description, classification, cleanup status, types of cleanup, owner information, types and quantities of contaminants, and assessment of health and environmental problems. Also included are sites that qualify for possible inclusion on the Registry. These Registry Qualifying sites may or may not be on the Site Registry.

ASTM required.* Fannie Mae required.**

Source: New York State Department of Environmental Conservation.²

Data attributes updated through: 9/02/2008.

Data obtained by Toxics Targeting: 9/02/2008.

New Facilities updated to: 9/02/2008.

Data obtained by Toxics Targeting: 9/02/2008.

3) **Corrective Action Activity (CORRACTS):** U. S. Environmental Protection Agency database of hazardous facilities regulated pursuant to the Resource Conservation and Recovery Act (RCRA).

ASTM required.* Fannie Mae required.**

Source: U. S. Environmental Protection Agency¹

Data attributes updated through: 6/25/2008.

Data obtained by Toxics Targeting: 6/27/2008.

New facilities updated through: 6/25/2008.

Data obtained by Toxics Targeting: 6/27/2008.

4) **CERCLIS:** Toxic sites listed in the Federal Comprehensive Environmental Response, Compensation and Liability Information System. No Further Remedial Action Planned (NFRAP) sites are also included.

ASTM required.* Fannie Mae required.**

Source: U. S. Environmental Protection Agency.¹

Data attributes updated through: 1/09/2008.

Data obtained by Toxics Targeting: 3/12/2008.

New Facilities updated through: 1/09/2008.

Data obtained by Toxics Targeting: 3/12/2008.

5) **Brownfield Programs:** NYS programs for sites that are abandoned, idled or under-used industrial and/or commercial sites where expansion or redevelopment is complicated by real or perceived environmental contamination.

ASTM required.*

Source: New York State Department of Environmental Conservation.²

Data attributes updated through: 9/02/2008.

Data obtained by Toxics Targeting: 9/02/2008.

New Facilities updated to: 9/02/2008.

Data obtained by Toxics Targeting: 9/02/2008.

- (a) Brownfield Cleanup Program (BCP)
- (b) Voluntary Cleanup Program (VCP)
- (c) Environmental Restoration Program (ERP)

6) **Solid Waste Facilities:** NYS database of solid waste facilities, including, but not limited to, landfills, incinerators, transfer stations, recycling centers.

ASTM required.* Fannie Mae required.**

Source: New York State Department of Environmental Conservation.²

Data updated to: 12/31/2001.

Data obtained by Toxics Targeting: 3/16/2002.

7) **RCRA Hazardous Waste Treatment, Storage or Disposal Facility Databases:**

(a) **Manifest Information:** New York State database of hazardous waste facilities and shipments regulated by the DEC's Bureau of Hazardous Waste Facility Compliance pursuant to NYS Law and the Resource Conservation and Recovery Act (RCRA).

ASTM required.* Fannie Mae required.**

Source: New York State Department of Environmental Conservation.²

New facilities updated through: 6/25/2008.

New facilities obtained by Toxics Targeting: 6/27/2008.

Manifest transactions data updated to: 6/25/2008.

Manifest transactions data obtained by Toxics Targeting: 6/27/2008.

(b) **RCRA Notifier & Violations Information:** U. S. Environmental Protection Agency database of hazardous facilities regulated pursuant to the Resource Conservation and Recovery Act (RCRA).

ASTM required.* Fannie Mae required.**

Source: U. S. Environmental Protection Agency¹

New facilities updated through: 6/25/2008.

Data obtained by Toxics Targeting: 6/27/2008.

Data attributes updated through: 6/25/2008.

Data obtained by Toxics Targeting: 6/27/2008.

8) **Spills Information Database:** Spills reported to the DEC as required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from Petroleum Bulk Storage Regulations) or 6 NYCRR Section 595.2 (from Chemical Bulk Storage Regulations). The database includes *active* and *closed* spills reported on or before 1/21/2009. ASTM required.* Fannie Mae.** Source: NYS Department of Environmental Conservation.²

Spill attribute data through: 1/21/2009
New spills through: 1/21/2009

Spill attribute data obtained by Toxics Targeting: 1/21/2009
New spills data obtained by Toxics Targeting: 1/21/2009

Active spills: paperwork not completed.

Closed spills: paperwork completed.

Both active and closed spills may or may not have been cleaned up (see Date Cleanup Ceased in spill profiles).

9) **Major Oil Storage Facilities:** NYS database of facilities licensed pursuant to Article 12 of the Navigation Law, 6 NYCRR Parts 610 and 17 NYCRR Part 30, such as onshore facilities or vessels, with petroleum storage capacities equal to or greater than four hundred thousand gallons. **Tank and other data withheld by NYSDEC as of 4/1/2002.** ASTM required.* Fannie Mae required.** Source: New York State Department of Environmental Conservation.²

Data updated through: 11/21/2008.

Data obtained by Toxics Targeting: 11/21/2008.

10) **Petroleum Bulk Storage Facilities:** Local and State databases of aboveground and underground petroleum storage facilities with a combined storage capacity over 1,100 gallons.

ASTM required.* Fannie Mae required.**

Source: NYS Department of Environmental Conservation.²

All New York Counties except Cortland, Nassau, Rockland, Suffolk, and Westchester:

New facilities updated through: 4/2/2007.

Data obtained: 4/5/2007.

Individual tank data updated through: 4/2/2007.

Data obtained by Toxics Targeting: 4/5/2007.

Cortland County:

Source: Cortland County Health Department⁷

Data updated through: 7/15/2004

Data obtained by Toxics Targeting: 7/23/2004

Nassau County:

Heat producing products and other products with less than 1,000 gallons storage capacity:

Source: Nassau County Department of Health.³

Data updated through: 4/1/2001.

Data obtained by Toxics Targeting: 1/2/2002.

Generally non-heat producing products with more than 1,000 gallons storage capacity:

Source: Nassau County Fire Marshal.⁴

Data updated through: 9/27/1996 for mapped sites; 03/21/2000 for on-site checks.

Rockland County:

Source: Rockland County Department of Health.⁵

Data updated through: 4/13/2004.

Data obtained by Toxics Targeting: 4/16/2004.

Suffolk County:

Source: Suffolk County Department of Health Services.⁶

Data updated through: 6/21/2005.

Data obtained by Toxics Targeting: 7/12/2006.

Westchester County:

Source: NYS Department of Environmental Conservation.²

Data updated through: 10/1/1998

11) **RCRA Hazardous Waste Generators and/or Transporters Databases:**

(a) **Manifest Information:** New York State database of hazardous waste facilities and shipments regulated by the NYS Department of Environmental Conservation's Bureau of Hazardous Waste Facility Compliance pursuant to New York State Law. ASTM required.* Fannie Mae required.** Source: New York State Department of Environmental Conservation.²

New facilities updated through: 6/25/2008.

New facilities obtained by Toxics Targeting: 6/27/2008.

Manifest transactions data updated to: 6/25/2008.

Manifest transactions data obtained by Toxics Targeting: 6/27/2008.

(b) **RCRA Notifier & Violations Information:** U. S. Environmental Protection Agency database of hazardous facilities regulated pursuant to the Resource Conservation and Recovery Act (RCRA).

ASTM required.* Fannie Mae required.**

Source: U. S. Environmental Protection Agency¹

New facilities updated through: 6/25/2008.

Data obtained by Toxics Targeting: 6/27/2008.

Data attributes updated through: 6/25/2008.

Data obtained by Toxics Targeting: 6/27/2008.

12) **Chemical Bulk Storage Facilities**: New York State database of facilities compiled pursuant to 6NYCRR Part 596 that store regulated substances listed in 6NYCRR Part 597 in aboveground tanks with capacities greater than 185 gallons and /or in underground tanks of any size. **Tank and other data withheld by NYSDEC as of 4/1/2002.**

ASTM required.* Fannie Mae required.**

Source: New York State Department of Environmental Conservation.²

Data updated through: 11/21/2008.

Data obtained by Toxics Targeting: 11/21/2008.

13) **Hazardous Substance Waste Disposal Site Study**: NYS database of waste disposal sites that may pose threats to public health or the environment, but could not be remediated using monies from the Hazardous Waste Remedial Fund.

Source: New York State Department of Environmental Conservation.²

Data updated to: 5/16/2000.

Data obtained by Toxics Targeting: 5/16/2000.

14) **Toxic Release Inventory (TRI)**: Federal database of manufacturing facilities required under Section 313 of the Federal Emergency Planning and Community Right-to-Know Act to report releases to the air, water and land of any specifically listed toxic chemical. See Fannie Mae requirement** below.

Source: U. S. Environmental Protection Agency.¹ / NYS Department of Environmental Conservation²

Data updated through: 3/8/2004.

Data obtained by Toxics Targeting: 3/25/2004

15) **Toxic Wastewater Discharges (Permit Compliance System)**: Federal database of discharges of wastewater to surface waters and groundwaters. See Fannie Mae requirement** below. Source: U. S. Environmental Protection Agency.¹

Data updated through: 6/17/2004.

Data obtained by Toxics Targeting: 7/19/2004.

16) **Air Discharge Facilities**: EPA AIRS database containing address information on each air emission facility and the type of air pollutant emission it is. Compliance information is also provided on each pollutant as well as the facility itself.

See Fannie Mae requirement** below.

Source: U. S. Environmental Protection Agency¹

Data updated through: 11/24/1999.

Data obtained by Toxics Targeting: 1/6/2000

17) **Civil Enforcement & Administrative Docket**: This database is the U. S. EPA's system for tracking administrative and civil judiciary cases filed on behalf of the agency by the Department of Justice. Fannie Mae required.**

Source: U. S. Environmental Protection Agency.¹

New Sites through: 10/14/1999.

Data updated through: 10/14/1999.

Data obtained by Toxics Targeting: 11/18/1999.

18) **Emergency Response Notification System (ERNS)**: Federal database of spills compiled by the Emergency Response Notification System. On-site searches only.

ASTM required.* See Fannie Mae requirement** below.

Source: U. S. Environmental Protection Agency.¹

Data updated through: 1/31/2000.

Data obtained by Toxics Targeting: 2/15/2000

* American Society of Testing Materials: Standard Practice on Environmental Site Assessments: Phase I Environmental Site Assessment Process (E1527-05).

** Fannie Mae's Part X Environmental Hazards Management Procedures specify 1.0 mile searches for "any state or Federal list of hazardous waste sites (e.g. CERCLIS, HWDMS etc.)." Searches for the property and adjacent properties are specified for "chemical manufacturing plants," "obvious high risk neighbors engaging in storing or transporting hazardous waste, chemicals or substances" and "...any documented or visible evidence of dangerous waste handling... (e.g. stressed vegetation, stained soil, open or leaking containers, foul fumes or smells, oily ponds, etc)." Searches for property and adjacent properties can include sites up to a quarter mile away (W. Hayward, Director, Multi-Family Business Planning and Control, Fannie Mae, personal communication, 5/94).

¹U. S. Environmental Protection Agency, 290 Broadway, NY, NY 10007-1866.

²NYS Department of Environmental Conservation, 625 Broadway, Albany, NY 12233.

³Nassau County Department of Health, Bureau of Land Resources Management, 240 Old Country Road, Mineola, NY 11501.

⁴Nassau County Fire Commission, Office of the Fire Marshal, 899 Jerusalem Avenue, P. O. Box 128, Uniondale, NY 11553.

⁵Rockland County Department of Health, The Dr. Robert Yeager Health Center, Building D, Sanitorium Road, Pomona, NY 10970.

⁶Suffolk County Department of Health, Hazardous Materials Management, 15 Horseblock Place, Farmingville, NY 11738-1220.

⁷Cortland County Department of Health, 60 Central Avenue, Cortland, NY 13045-2746