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A CITIZEN'S GUIDE TO PCB PROBLEMS IN WEST GLENS FALLS, NY

Junkyard

Luzerne Road

Massachusetts Ave

Vermont Ave

Central Ave

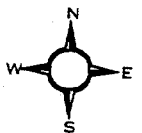
Ohio Ave

Connecticut Ave

Rhode Island Ave

Junkyard

-  HOMES
-  BUILDING FOOTPRINT
-  PCB EXCAVATION AREA
-  JUNKYARDS
-  STREETS



50 0 50 100 FEET

A Citizen's Guide To PCB Problems In West Glens Falls, NY

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Introduction

This Citizen Guide provides maps, monitoring data and other information about a neighborhood in West Glens Falls, NY where residents have been exposed to high PCB (polychlorinated biphenyls) levels for more than 20 years. That neighborhood is near two General Electric factories that manufactured electrical capacitors containing PCB oils. Homes reportedly became contaminated when residents took apart discarded capacitors to recover copper and drained PCBs on the ground.

PCBs are a class of chemical compounds that persist for long periods of time when released in the environment. They can cause a wide variety of toxic effects and are associated with one of the nation's landmark pollution problems: General Electric Corporation's contamination of a 200-mile stretch of the Hudson River with more than one million pounds of PCBs.

In April 2001, Toxics Targeting, Inc. released a Citizen's Guide to General Electric's Legacy of PCB-Contaminated Factories, Dumps, Oil Spills and Dredge Spoil Sites in the Upper Hudson River Basin. That Citizen's Guide compiled extensive government information regarding environmental and health effects of PCBs dumped by GE into the Hudson River as well as on land in the Upper Hudson Basin. It is available without charge at www.toxicstargeting.com.

In the course of compiling information for its Guide, Toxics Targeting was told by the New York State Department of Environmental Conservation (DEC) that the agency had recently removed PCB-contaminated soils from around private homes in the Upper Hudson area. The agency refused, however, to disclose where those clean up activities had taken place.

After its Citizen's Guide was released, Toxics Targeting was contacted by people whose homes or families were associated with the DEC's PCB clean up. Those residents provided much of the information compiled herein.

A Citizen's Guide to PCB Problems in West Glens Falls, NY

This Guide contains:

1. A letter to the DEC Commissioner outlining PCB concerns in West Glens Falls and requesting immediate action to safeguard public health;
2. A map of the neighborhood where the PCB problems have been identified;
3. A New York State Department of Health (DOH) Luzerne Road Residential Soil Contamination Fact Sheet, 9/00;
4. A New York State DOH Luzerne Road Blood Serum PCB Sampling Program Fact Sheet, 3/01;
5. A letter and agreement from the DEC for the use and occupancy of residential PCB-contaminated properties that were cleaned up;
6. Informational Materials from the DOH regarding the PCB blood sampling program;
7. Profiles and maps of four West Glens Falls PCB sites included in the Inactive Hazardous Waste Disposal Site Registry: Luzerne Road Site; West Glens Falls PCB Disposal Site; Glens Falls Landfill and the Sherman/Luzerne site.

TOXICS TARGETING, INC.

215 NORTH CAYUGA STREET, ITHACA, NEW YORK, 14850 TEL: 607/273-7464 FAX: 607/277-8290
WEB: WWW.TOXICSTARGETING.COM EMAIL: TOXTARG@TOXICSTARGETING.COM

July 10, 2001

Honorable Erin Crotty
Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1011

Greetings:

I write to ask you to take immediate action to safeguard the health of hundreds of residents of West Glens Falls, NY who have been exposed to high PCB (polychlorinated biphenyls) levels for more than 20 years. This neighborhood is near two General Electric factories that manufactured electrical capacitors containing PCB oils. Homes reportedly became contaminated when residents took apart discarded capacitors to recover copper and drained PCBs on the ground.

According to the Department of Environmental Conservation's (DEC) own information, the agency failed to resolve pollution problems in this neighborhood (aka Queensbury, NY) for more than two decades. As Commissioner, you should direct your staff to undertake the comprehensive measures outlined in this letter without further delay. You also should work closely with local, state and federal environmental and public health authorities, especially the US Environmental Protection Agency and the National Centers for Disease Control.

High-Level PCB Contamination Has Posed Serious Public Health Threat

Homes in West Glens Falls (see map) have been contaminated by PCBs at more than 500 times the surface soil clean up standard of one part per million (ppm). See attached Department of Health Luzerne Road Residential Soil Contamin on Fact Sheet, 9/00, page 3.

Women of child-bearing age, young children and other residents have PCBs in their blood at concentrations up to 12 times the New York drinking water standard of 0.5 parts per billion. See attached Lucerne Road Blood Serum PCB Sampling Program, 3/01.

Local residents exhibit multiple symptoms of PCB poisoning reported in the scientific literature, including persistent skin eruptions, disfigured nails and neurological impairments.

Investigate and Clean up Contaminated Homes and PCB Disposal Sites

In 1979, high PCB levels were identified around seven homes and a junkyard. Pursuant to an emergency declaration by the Commissioner of Health, a total of 13,000 cubic yards of PCB-contaminated dirt was excavated and entombed in a "containment cell" built at the junkyard.

The clean up of the residential areas was incomplete and left high PCB levels in soil. As a result, people lived for more than 20 year in homes with up to 3,500 ppm of PCBs in their backyards. When the contamination was identified in 1999, the State Health Department reported "We aren't entirely sure..." where those PCBs came from. See 9/00 Fact Sheet, page 3.

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Honorable Commissioner Crotty, page two

In the fall of 2000, DEC returned to West Glens Falls and removed approximately 4,000 cubic yards of contamination from a total of eight homes. That clean up also had major flaws. Groundwater polluted with PCBs was not removed. Areas underneath homes were not excavated where capacitors had been discovered while basements were being dug. Residents also reported PCB dumping problems at many homes that were not included in the clean up.

The original remediation of the junkyard and the construction of the seven-acre containment cell were similarly insufficient. PCBs remain in the junkyard's unsaturated soils at concentrations up to 62,000 ppm. The containment cell reportedly leaks PCBs into groundwater that is spreading east-southeast at a rate of 1.1 feet/day. See attached DEC profiles for Luzerne Road site and West Glens Falls PCB Disposal Site.

Even though the DEC classifies those sites as a "Significant threat to the public health or environment -- action required," the PCB hazards have not been cleaned up. In addition, the DEC reports that the burying of PCB wastes in the containment cell is considered a "temporary remedy." See 9/00 Fact Sheet, page 3. Given those considerations, you should promptly develop and implement a permanent solution to the problems posed by those sites.

You should also address PCB hazards posed by the Glens Falls Landfill adjacent to the former junkyard and the containment cell. That site is also classified as a "Significant threat to the public health or environment -- action required." See attached DEC profile.

Conduct Health Effects Survey

Despite the long-term exposure of residents to PCBs, the presence of PCBs in their blood and multiple symptoms associated with possible PCB exposure, no public health survey has been conducted of West Glens Falls residents. A rigorous epidemiologic assessment should be undertaken immediately to determine whether those people are experiencing PCB-induced disease and whether additional public health protections are warranted.

Identify the Full Extent of PCB Contamination

According to DEC records, approximately 22 homes in West Glens Falls were analyzed for PCBs. Based on that assessment, PCBs were excavated over a half square mile area bordered by Sherman Avenue, Luzerne Road/Indiana Avenue and Rhode Island/Central/Massachusetts Avenues. Since hundreds of homes in that large residential area have not been analyzed for PCBs, they should now be tested to identify the full scope of the problem. In addition, there are at least four junkyards that also should be tested for PCBs.

Investigate Past Dumping Practices

Residents report that in addition to dismantling discarded capacitors, capacitors were often burned to facilitate the recovery of copper by melting solder connections. The burning of PCBs is documented to release dioxins and dibenzofurans into the environment. If such releases occurred, even trace level exposures to these pollutants could pose extremely grave public health risks. The potential implications of this reported practice should be investigated.

List Contaminated Homes in the Inactive Hazardous Waste Disposal Site Registry

Even though PCBs have been identified at eight homes in West Glens Falls, not one of those residences is listed in the New York State Inactive Hazardous Waste Disposal Site Registry (C. Condon, 60 Rhode Island Avenue; Shippey, 64 Rhode Island Avenue; Condon 58

Honorable Commissioner Crotty, page three

Rhode Island Avenue; T. Harrington, 59 Massachusetts Avenue; M. Mabb, 53 Massachusetts Avenue; R. Clarke, Indiana and Luzerne and a property on Sherman Avenue).

At least three other residences with PCB contamination problems in the Upper Hudson area are listed in the Registry (James F. Hanks/ID #546026, Doetsch Residence/ID #558012 and Gilbert Shortsleeves/ID #558011). The eight West Glens Falls residences should be listed as well, along with all other PCB-contaminated homes that may be identified in the future.

Require GE to Provide Full Disclosure of Past Waste Disposal Practices

General Electric is required to disclose past hazardous waste disposal practices pursuant to Section 103(c) of the 1980 Comprehensive Environmental Response, Compensation and Liability Act as well as the 1983 New York State Community Right to Know Executive Order. Given that GE failed to disclose capacitor disposal practices in West Glens Falls, the company should provide all available dumping information to the U. S. Environmental Protection Agency and the DEC, respectively, without further delay. See DEC Luzerne/Sherman site profile.

Hold GE Liable for Clean Up of PCB Problems Caused by Improper Disposal Practices

The cost of cleaning up the PCB problems in West Glens Falls should not be borne by taxpayers who did not create the problem. GE should be held financially liable for all PCB contamination problems that its improper waste disposal practices caused.

Release 12/20/00 "Dredge Spoils Investigation" Report

I would like to reiterate my 3/30/01 request that your agency comply with the Freedom of Information Law and release a 12/20/00 study of environmental and public health concerns associated with improper disposal of PCB-contaminated dredge spoils, homes potentially polluted with PCBs and roads sprayed with PCB oils. That "Dredge Spoils Investigation in the Upper Hudson Valley" study reportedly identifies extensive PCB problems that may require further investigation and clean up. I urge you to release that report immediately.

Conclusion

The public health concerns expressed in this letter regarding West Glens Falls potentially impact hundreds of New Yorkers who were exposed to high PCB levels for more than 20 years. Given the scope of this potential threat to public health, I urge you to take all appropriate action to address the matters specified in this letter.

I also ask you to take appropriate actions in other areas of the Hudson River Drainage Basin that may be similarly contaminated with PCBs.

I look forward to your timely reply to my requests.

Yours truly,

Walter Hang
President

EXCAVATED AREA OF PCB CONTAMINATED SOILS IN WEST GLENS FALLS, FALL 2000

SOURCE : NYSDEC

WEST GLENS FALLS PCB DISPOSAL SITE ★

LUZERNE ROAD SITE ★

GLENS FALLS LANDFILL ★

Junkyard

Luzerne Road

Marshall Pond
Residence

Shippey Residence

Clark Condon
Residence

Katina Condon
Residence

Harrington Residence

Mabb Residence

Massachusetts Ave

Vermont Ave

New Hampshire Ave

Maine Ave

East Ave

Ohio Ave

Central Ave

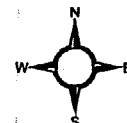
Connecticut Ave

Rhode Island Ave

Junkyard

- ★ HAZARDOUS DUMP SITES
- 🏠 HOMES
- ▭ BUILDING FOOTPRINTS
- ▨ PCB EXCAVATION AREA
- ▩ JUNKYARDS
- STREETS

500 0 500 FEET



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FACT SHEET

Luzerne Road Residential Soil Contamination

September 2000

Prepared by:



STATE OF NEW YORK
DEPARTMENT OF HEALTH
Center for Environmental Health
Flanigan Square, 547 River Street
Troy, New York 12180 - 2216

Background

In 1979, soils containing PCBs were detected on several properties located near and on Luzerne Road in Queensbury, NY. The primary area of contamination, reportedly used as a scrap yard by a previous owner, is listed on the NYS Registry of Inactive Hazardous Waste Sites and is currently under investigation by the New York State Department of Environmental Conservation (NYSDEC). It is believed that soils became contaminated with PCB-laden oils when discarded electrical capacitors were dismantled to salvage copper. While most of this activity took place at the scrap yard, nearby residents also dismantled capacitors in their yards. Contaminated soils were subsequently identified and removed from the yards of seven residences. At that time, PCBs were not found in the private water supply wells located near the site.

In July 1999, the NYSDEC began a detailed environmental study of the Luzerne Road waste site. As part of this study, residential soils were re-tested to determine the effectiveness of the earlier soil removal. In total, over 250 samples were collected from the surface and deeper, subsurface soil of twenty-two residential properties. The investigation found contaminated soils on six of the properties:

- Four of the residences had elevated PCB levels in the *surface* soil. Most of the surface contamination was confined to one residence on Rhode Island Avenue, with some spillover onto three neighboring properties. This yard also contained PCB contamination of deeper, subsurface soils.
- Elevated PCB levels were also found in the *subsurface* soil of two additional residences located some distance away on Indiana and Sherman Avenue.

Total PCB levels in the surface soil range from less than 1 part per million (ppm) to 135 ppm, with one sample containing 539 ppm. In the subsurface soil samples, total PCBs range from less than one ppm to 92 ppm, with one sample containing 1,560 ppm.

Additionally, the two known private wells in the area were tested for possible contamination. PCBs were not detected in the water samples taken from these wells.

Next Steps

- (1) The NYSDEC will remove soil from the six residential properties that have PCB in the surface or subsurface soil. Contaminated soil will be disposed of properly, replaced with clean soil, and the yard surfaces restored (grass seed planted, fencing replaced, etc.) The remaining soil will be tested to help determine if any contamination has been missed. Soil removal is scheduled to begin on September 6th and take approximately four weeks to complete.
- (2) The New York State Department of Health (NYSDOH) will offer a blood test to people whose yards contain PCB contaminated soil. This test will determine the level of PCBs present in the blood. The test results will then be compared with PCB blood levels in the general population. Nearly everyone has been exposed to some PCBs because they are found throughout the environment. This means that everyone will have low, but measurable levels of PCBs in their blood.
- (3) Shortly after the PCBs have been removed from the residential properties, a summary of the clean up effort will be provided.

Questions & Answers

- **What are PCBs?**

PCBs are a large group of man-made chemicals. Because of their excellent insulating and nonflammable properties, PCBs were widely used as coolants and lubricants in electrical and other commercial products. PCBs are very persistent chemicals and are extremely resistant to decomposition. Although PCBs have not been manufactured in the United States since 1977, their continued presence in old commercial products and their persistence in the environment have resulted in low level exposure to the general population.

- **At what level of soil contamination is clean up required?**

The New York State guidance level for clean up of PCBs in residential surface soil is one part per million (ppm). One part per million means there is one part of a substance for every million parts of the water or soil in which it is measured. Any surface soil with a concentration of PCBs greater than 1 ppm requires removal. The New York State guidance level for clean up of PCBs in subsurface soil (greater than one foot deep) is 10 ppm.

- **Why is DEC investigating the Luzerne Road scrap yard again, more than twenty years after the first cleanup?**

When PCBs were first detected in 1979, the NYSDEC acted quickly to reduce the immediate threat from the contaminated soils. Soils at the residential properties and at the site itself were excavated. The properties were backfilled with clean soils to minimize human exposure. The 13,000 cubic yards of contaminated soil were put in a clay-lined underground disposal area, called a containment cell, constructed on the property adjacent to 53 Luzerne Road. While these actions served to eliminate the immediate concern, they were, nonetheless, considered to be a temporary remedy.

Over the ensuing years, the NYSDEC has routinely monitored the Luzerne Road site. The current detailed investigation will define the extent of the contamination, evaluate possible actions to clean up the site and, out of these, propose a permanent remedy.

- **Weren't the PCBs removed from the residential yards twenty years ago? If so, where did the PCBs found in 1999 come from?**

We aren't entirely sure, but we believe that these PCBs are not from a new source of contamination. PCBs previously buried deep in the soil may have been brought closer to the surface of residential yards during subsequent excavation work.

- **How will you know if the PCBs are completely removed during this clean up?**

During excavation, samples from the sides and bottom of the excavated areas will be analyzed to confirm the removal of contaminated soils. Two types of soil testing will be conducted: a PCB screening test will be used at the excavation site to guide the clean up activity. In addition, a percentage of the samples will be tested in a laboratory to help identify any remaining contaminated soils that need to be removed from the property.

- **Could PCBs be in the water supply? Should I have my water tested?**

We do not believe drinking water needs to be tested. The area is serviced predominantly by a public water system. When the Queensbury Water District tested for PCBs last November, none were detected in the water. In addition, PCBs have not been found in recent tests of the two known private wells in the area. PCBs are not very soluble in water; they have a tendency to adhere to soil particles and not move readily into groundwater.

- **What are the health effects of PCBs?**

As with all chemicals, the nature and extent of health effects are related to the amount of chemical exposure. Information on the health effects of PCBs is obtained primarily from studies with animals and investigations of people who have been exposed for long periods to high levels – either in the workplace, or by eating large amounts of contaminated fish.

PCBs affect the skin, liver, and the nervous, immune and reproductive systems of animals exposed to high doses. It also reduces the birth weight and changes the behavior of offspring born to animals exposed before, during and after pregnancy. Some types of PCBs cause cancer in laboratory animals exposed to high levels over their lifetime.

Human effects reported after exposures to high PCB levels include skin, eye and respiratory tract irritations, headaches, digestive disturbances and liver damage. Whether PCBs cause cancer in humans is unknown. There may be a link between a mother's increased exposure to PCBs and slight effects on her child's birth weight, short-term memory and learning. Recent studies suggest that women who eat contaminated fish have slightly shorter menstrual cycles and take longer to get pregnant. However, the women in these studies were also exposed to other chemicals and the effects of these chemicals on them and their children are not understood.

The uptake of PCBs associated with these residential soils is likely to be limited and the risk of experiencing health effects is low. However, we cannot rule out that people may have some, although difficult to detect, increase in the amount of PCBs in their bodies.

- **How might I come in contact with PCBs?**

Nowadays, exposure to PCBs happens mostly from eating contaminated foods. However, background levels (the low levels typically found in the environment) can be found in indoor and outdoor air, in water and on soil surfaces. When soil is contaminated, people can have contact with PCBs while gardening or working in the soil or when eating vegetables grown in the soil. Small children are more likely to be exposed because they play in the soil and put dirty fingers in the mouth while playing.

- **Will there be a health and safety plan to protect the community during the clean up?**

Yes. The health and safety plan requires that the contractor take certain precautions to protect the public and workers during the soil removal. Air monitoring will be conducted to check for PCBs that may become airborne during work activities. In addition, the contractor will measure dust levels during soil removal and take measures to minimize the movement of dust. A polyethylene sheet will be placed against the house to act as a barrier. All work areas will be clearly marked during the clean up and safety fences will be placed around all work zones during off-hours. Potential emergency responders (such as police and fire agencies) will be notified prior to the start of the excavation. Residents of affected properties and neighboring residents will be notified of precautions to take to minimize potential exposures (i.e. close windows, doors, air conditioning vents, cover pools and furniture, etc.) Under some circumstances, temporary relocation of residents during portions of the clean up may be necessary.

For More Information

If you have any health related questions, contact Maureen Schuck or Mark VanDeusen at the toll-free Environmental Health Information Line 1-800-458-1158, extension 2-7530.

For more information about the environmental investigation and clean up, contact David Tromp at (518) 457-5637 or Anthony Karwiel at (518) 457- 9280 from the Department of Environmental Conservation.

INFORMATION SHEET

Luzerne Road Blood Serum PCB Sampling Program

March 2001

Prepared by



STATE OF NEW YORK
DEPARTMENT OF HEALTH

Center for Environmental Health
Flanigan Square
547 River Street
Troy, New York 12180-2216

10.10389

Background

In 1979, soils containing PCBs were detected on several properties near and on Luzerne Road in Queensbury, NY. The soils became contaminated with PCB-laden oils when discarded electrical capacitors were dismantled to salvage copper. Contaminated soils were subsequently identified and removed from the yards of seven residences. In July 1999, the NYSDEC began a detailed environmental study of the Luzerne Road waste site. As part of this study, residential soils were re-tested to determine the effectiveness of earlier soil removal. The investigation found contaminated soils on six of the twenty-two residential properties tested. In the fall of 2000, the NYSDEC removed soil from these six properties. Additionally, in response to concerns of exposure to PCBs, the New York State Department of Health (NYSDOH) offered a blood serum test to current and past residents of these six homes. This report presents the results of that blood serum testing.

Why We Measure PCBs in Serum

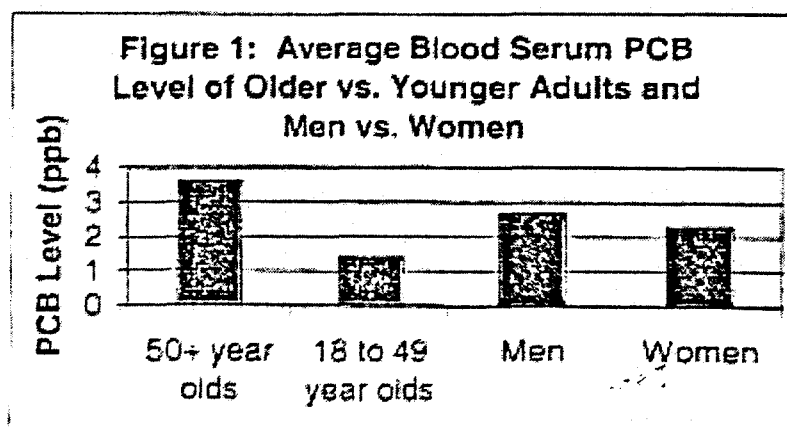
PCBs are a large group of very stable man-made chemicals that dissolve in fat. Since they are not readily broken down or excreted, they tend to accumulate in body fat. Since blood serum contains fat such as cholesterol and triglycerides, blood serum PCB levels are a good indicator of overall exposure to PCBs.

Luzerne Road Residents Blood Serum PCB Results

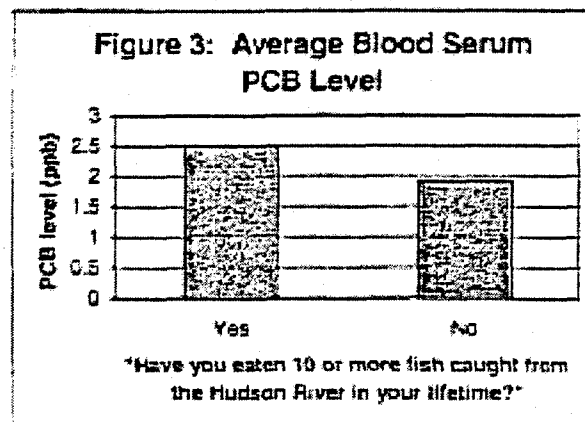
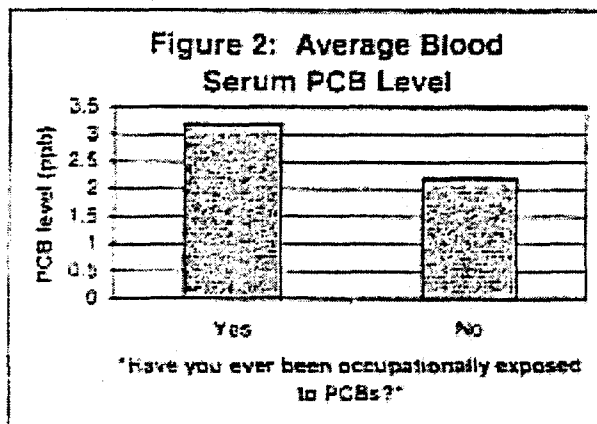
Blood serum samples were collected from 18 residents, including three under 16 years of age. All but one of the people who gave a blood sample were interviewed regarding residential, occupational, and sport-caught fish consumption histories. Table 1 shows the average level and range of levels for adults and children. As expected, adults have higher levels than do children, with an average value about three times higher in adults than in children.

Table 1: Blood Serum PCB levels in parts per billion (ppb)			
	# of people	Average	Range
Adults	15	2.4	0.3 to 6.3
Children	3	0.8	0.3 to 1.3

This difference continues when comparing older adults (50+ years old) to younger adults (18-49 years old). Figure 1 shows a comparison of the averages for older and younger adults, with older adults having an average blood serum PCB level more than two and a half times higher than younger adults.



Men and women also show some difference in average blood serum PCB levels, with men having a slightly higher average. Figure 2 shows a comparison for people with occupational exposure vs. people without occupational exposure. Figure 3 shows a comparison between people who have consumed fish caught from the Hudson River 10 or more times in their lifetime vs. people who have not. In both cases, people with one of these sources of exposure have higher PCB levels than those who do not.



Conclusions

In general, all people have some measurable level of PCBs in their blood. Studies of populations with only background exposure to these chemicals indicate that the average level in adults is somewhere between 2 and 4 ppb, with individual values ranging from 0.5 to 10 ppb. All of the adults within this investigation fell within what is considered background range. Although there have been fewer studies of children, those that do exist suggest an average to be between 1 and 2 ppb. All three participants under the age of 16 had serum PCB values below 1.4 ppb.

Blood serum PCB levels in this population show the same patterns seen in other studies: men have higher levels than women, older people have higher levels than younger people, people who eat sport-caught fish from PCB-contaminated water bodies have higher levels than non-consumers, and occupationally exposed people have higher levels than those who do not have occupational exposures to PCBs. The results of this sampling program do not indicate that persons living in a home with PCB-contaminated yard soil on or near Luzerne Road had levels of PCBs in their blood that were above those found in the general population.

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Construction Services, Room 267
50 Wolf Road, Albany, New York 12233-7010
Phone: (518) 457-9280 • FAX: (518) 457-7743
Website: www.dec.state.ny.us



SEP 13 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas and Betty Harrington
59 Massachusetts Avenue
West Glens Falls, New York 12804

Dear Mr. and Mrs. Harrington:

Re: Luzerne Road Site
Site No. 5-57-010
Thomas Harrington
59 Massachusetts Avenue Residence
Queensbury (T), Warren County

The Department of Environmental Conservation is preparing to excavate and dispose of contaminated soil and sod at your residence. To accommodate this remedial action your fences will be dismantled and the swing set/playground apparatus will be dismantled and removed until the project is completed. Once the project is completed the fencing and playground will be reinstalled. There is one mature red maple tree in the area to be excavated. Care will be taken when working around this tree in order to allow it to remain in place. If the tree has to be removed, it will be replaced with a immature crimson king red maple.

If you disagree with anything in this letter, please contact me at (518) 457-9280 within seven (7) days of receipt of this letter.

Sincerely,

A handwritten signature in black ink that reads 'Anthony Karwiel'.

Anthony Karwiel
Project Manager
Central Field Services Section
Bureau of Construction Services
Division of Environmental Remediation

10.10392

New York State Department of Environmental Conservation

AGREEMENT
for
TEMPORARY USE AND OCCUPANCY OF PRIVATE PROPERTY
FOR PURPOSES PURSUANT TO ENVIRONMENTAL CONSERVATION LAW
ARTICLE 27

This agreement made this 31st day of August, 2000 between Thomas M. and Betty H. Harrington hereinafter referred to as "owner", and the COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR THE PEOPLE OF THE STATE OF NEW YORK, hereinafter referred to as "the Department," pursuant to the above cited law.

WITNESSETH:

WHEREAS, the owner represents as follows:

Thomas M. and Betty H. Harrington, residing at R.D. #3, Massachusetts Avenue, West Glens Falls, County of Warren and State of New York, as Tenants by entirety.

(a) That the owner owns the real property described above and on the attached sketch map, or some right, title or interest therein, which property is described briefly as follows:

See attached deed and survey map

(b) That said ownership consists of the following interest in said property and title to which was acquired by the owner at the time and in the manner following.

See attached deed

(c) That said property is free and clear of all leases, tenancies, easements, contracts of sale, (except)

WHEREAS said property was, or will be, entered upon and occupied by the Department, its representatives, employees, agents or contractors, for the performance of work thereon for one or more of the purposes set forth in Environmental Conservation Law Article 27, and particularly for the purpose of PCB contaminated soil excavation and disposal.

NOW THEREFORE, the parties hereto agree as follows:

1. As consideration for this agreement, the Department will pay to owner one dollar (\$1.00), payment of which is waived.

2. The owner will permit entry on and use of the property by the Department, its agents, employees, contractors and representatives from the date hereof until November 30, 2000. Such right of entry includes the right to:

- a) operate a work area;
- b) remove therefrom any material excavated;
- c) placement of fencing to secure;
- d) conduct air, water or soil samples or analyses;
- e) remove air, water or soil samples;
- f) carry on any activity necessary for the completion of the PCB contaminated soil excavation and disposal of work together with the rights at all times during the duration of this agreement of ingress, egress and regress by the State of New York, its employees, agents contractors and/or representatives for the purposes connected with the above work for

3. The Department covenants that all work to be performed hereunder will be done at no cost or expense to the owner; provided, however, this does not constitute a waiver of any rights the Department may have to recover such cost from any responsible party, pursuant to relevant provisions of statutory or common law.

4. Prior to the termination of this agreement, the Department, at its cost and expense, will restore the property to its former condition, by reseedling and revegetating but not including replacement of large trees.

5. The Department's contractor has comprehensive general liability insurance for the activities conducted on this site. The Department will cooperate with the owner in pursuing with the insurer any claim that may arise.

THIS AGREEMENT shall inure the benefit of and bind the distributees, legal representatives, successors and assigns of the parties.

In witness whereof, this agreement has been executed on the day and date first above written.

Thomas H. Livingston
Owner

New York State Department of
Environmental Conservation

by Richard D. Hansen
its DIRECTOR OF MANAGEMENT & BUDGET



STATE OF NEW YORK DEPARTMENT OF HEALTH

Flanigan Square, 547 River Street, Troy, New York 12180-2216

Anna C. Novello, M.D., M.P.H., Dr.P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

October 24, 2000

Re: Blood Sampling
Luzerne Road
Site #557010
(T) Queensbury, Warren County

Dear Resident:

We are offering blood tests free of charge to residents whose yards contain polychlorinated biphenyl's (PCB) contaminated soils in the area of the Luzerne Road inactive hazardous waste site in Queensbury. Individual blood results will be compared with PCB levels found in the general population and can be used to show whether or not individuals have been unusually exposed to PCBs in the past. Please read the enclosed consent form for additional information.

Dates & Times Blood will be Drawn:

8:30 – 10:00 A.M. on Tuesday, October 31,
Wednesday, November 1 and Thursday,
November 2, 2000.

Blood Collection Location:

Warren County Health Services (Attn: Ms. Pat Auer)
Warren County Municipal Center
(518) 761-6580 (Call for appointment – ask for Nancy)

Directions:

Exit 20 on the Northway. At light turn right. Turn into County Municipal Center on left. When entering the County Municipal Center, turn right. Health Services is corner office on the right (behind Dept. of Motor Vehicles).

10.10395

Special Instructions:

The night before blood is collected, participants must not eat any food or drink any liquid except water after 10:00 P.M. On the morning of the blood collection, the participant should not use tobacco in any form.

If you wish to participate you must call the above number at the County Health Department to schedule an appointment. Please bring the enclosed consent form with you to the appointment. At that time I'll discuss it with you and answer any questions that you have, then ask you to sign it.

If you have any questions before the appointment, please call me at 1-800-458-1158, ext 27890.

Sincerely,

Maureen E. Schuck

Maureen E. Schuck

Public Health Specialist II

Bureau of Environmental Exposure Investigation

Enclosure

F:\BEE\EASTERN\MAUREEN\LETTERS\557010b.doc

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF HAZARDOUS WASTE REMEDIATION
INACTIVE HAZARDOUS WASTE DISPOSAL SITE INFORMATION

CLASSIFICATION CODE: 2

REGION: 5

SITE CODE: 557010

EPA ID: NYD986972586

CLASSIFICATION CODE DESCRIPTION:

Significant threat to the public health or environment - action required.

NAME OF SITE: Luzerne Road Site

STREET ADDRESS: Luzerne Road

TOWN/CITY: Queensbury

ZIP: 12801

COUNTY: Warren

SITE TYPE: Dump-X Structure- Lagoon- Landfill-X Treatment Pond-

ESTIMATED SIZE: 9 Acres

SITE OWNER/OPERATOR INFORMATION:

CURRENT OWNER(S):

NAME..... City of Glens Falls

ADDRESS... City Hall - 42 Ridge Street, Glens Falls, NY 12801

NAME..... FLR Partnership

ADDRESS... 22 Overlook Drive, Queensbury, NY 12801

OWNER DURING DISPOSAL:

NAME..... Arnold Alkes

OPERATOR(S) DURING DISPOSAL:

NAME..... NYSDEC

ADDRESS... 50 Wolf Road, Albany, NY 12233

NAME..... Arnold Alkes

ADDRESS... Queensbury, NY 12801

HAZARDOUS WASTE DISPOSAL PERIOD: from about 1958 to about 1968

SITE DESCRIPTION:

The site is adjacent to the Glens Falls Landfill Site ID No. 557003, and is defined as the area to the rear of a parcel identified as 53 Luzerne Road. This area of the 53 Luzerne Road property was used as a junk yard in the past where capacitors containing PCBs were scrapped and buried. This former junk yard covered approximately 300 square feet in area. Some of the discarded capacitors and approximately 13,000 cubic yards of contaminated soil were removed from the site in 1979 and secured in a designed PCB disposal cell adjacent to the site. The designed disposal cell was constructed pursuant to USEPA rule and regulations under an emergency declaration made by the Commissioner of the NYS Department of Health. Soil samples collected from the former junk yard area in 1991 revealed that a significant degree of PCB contamination remained at the site. PCB concentrations ranged between 209 and 62,000 ppm in the unsaturated soils and between 1,000 and 11,000 ppm in the saturated soils at the site. PCB contamination has also been identified in the groundwater in the vicinity of this site. A supplemental investigation was completed in 1996 and revealed that the unsaturated soils at the site were contaminated with PCBs at levels ranging between 20 and 1,300 ppm and that the groundwater was contaminated with PCBs at levels ranging between 0.85 and 1,100 ppb. The applicable groundwater standard is 0.1 ppb. Site inspections are made on a quarterly basis at the designed PCB disposal cell adjacent to the site.

CONFIRMED HAZARDOUS WASTE DISPOSED:

TYPE	QUANTITY
PCBs (B007)	unknown

10.10397

ANALYTICAL DATA AVAILABLE FOR: Air- Surface Water- Groundwater-X Soil-X Sediment-
APPLICABLE STANDARDS EXCEEDED IN: Groundwater-X Drinking Water- Surface Water- Air-

GEOTECHNICAL INFORMATION:

SOIL/ROCK TYPE: Sand.
GROUNDWATER DEPTH: Range: 15 to 20 feet.

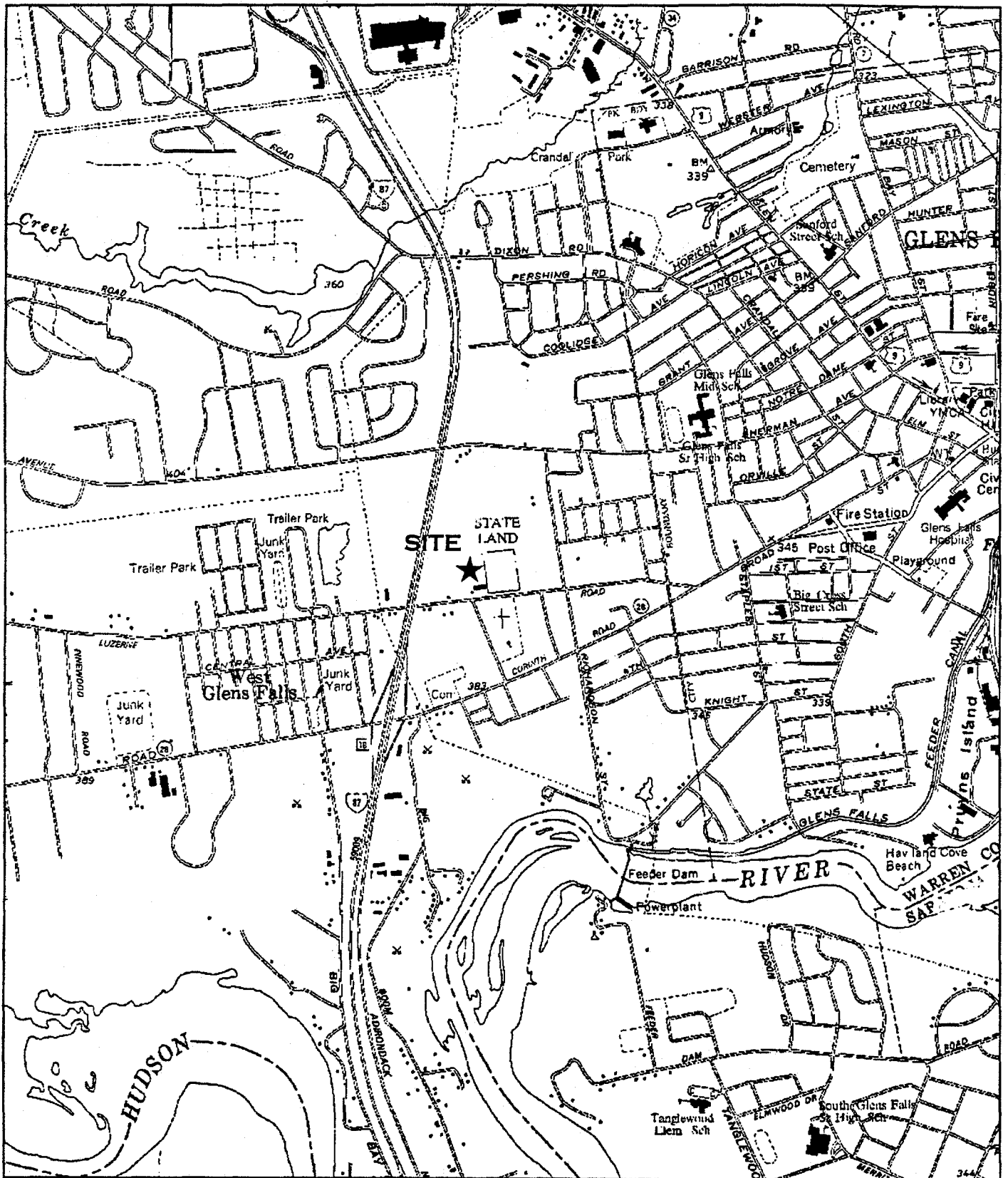
LEGAL ACTION: Type: Consent Order -RI/FS State-X Federal-
STATUS: Negotiation in Progress-X Order Signed-
REMEDIAL ACTION: Proposed- Under Design- In Progress- Completed-X
NATURE OF ACTION: Soil removal. PCB-secure landfill created.

ASSESSMENT OF ENVIRONMENTAL PROBLEMS:

PCB compounds have contaminated the groundwater in the vicinity of this site. This PCB contamination is attributable to leakage from the adjacent PCB disposal cell.

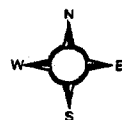
ASSESSMENT OF HEALTH PROBLEMS:

The 1999 investigation of residential soils confirms that the 1979 excavation of PCB contaminated soils was adequate in most yards. However, soil excavation is needed at one residential property with PCB contaminated surface soil. Additional sampling of some residential soils in the area is proposed. Construction of a fence is proposed on a portion of the site to reduce the chance that trespassers will come in contact with PCBs at the surface. Exposures to contaminated groundwater are not expected because the area is served by public water.



SITE LOCATION MAP

MAP ID - SITE CODE - SITE NAME
12-557010-LUZERNE ROAD SITE



0 1 MILES

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF HAZARDOUS WASTE REMEDIATION
INACTIVE HAZARDOUS WASTE DISPOSAL SITE INFORMATION

SITE CODE: 557003
EPA ID: NYD980506620

CLASSIFICATION CODE: 2
CLASSIFICATION CODE DESCRIPTION:

REGION: 5

Significant threat to the public health or environment - action required.

NAME OF SITE: Glens Falls Landfill
STREET ADDRESS: Luzerne Road
TOWN/CITY: Queensbury

ZIP: 12801

COUNTY: Warren

SITE TYPE: Dump- Structure- Lagoon- Landfill-X Treatment Pond-

ESTIMATED SIZE: 15 Acres

SITE OWNER/OPERATOR INFORMATION:

CURRENT OWNER(S):

NAME.....: City of Glens Falls
ADDRESS...: City Hall - 42 Ridge Street, Glens Falls, NY 12801

OWNER DURING DISPOSAL:

NAME.....: City of Glens Falls

OPERATOR(S) DURING DISPOSAL:

NAME.....: City of Glens Falls
ADDRESS...: City Hall - 42 Ridge Street, Glens Falls, NY 12801

HAZARDOUS WASTE DISPOSAL PERIOD: from 1961 to 1977

SITE DESCRIPTION:

This site is a closed municipal landfill that was operated by the City of Glens Falls for approximately 16 years. The landfill received primarily municipal waste, but is alleged to have received some PCB capacitors from private haulers. The quantity of wastes, including those designated as hazardous waste, brought to the landfill for disposal is not known. Environmental investigations have been completed at this site and have confirmed the presence of PCBs (Aroclor 1016) at 62 ppb in the groundwater downgradient of the site. The existing environmental conditions at the site were evaluated during another investigation completed in 1996. Environmental sampling done in conjunction with this investigation confirmed the presence of PCBs in the shallow groundwater immediately adjacent to the landfill. The PCB compounds were found in ten of the eighteen samples collected and the concentrations ranged between 0.1 and 3.0 ppb. The applicable standard for PCBs in groundwater is 0.09 ppb. This landfill site, the Luzerne Road Site (577010) and the designed PCB disposal cell adjacent to the Luzerne Road site, all contribute to the PCB contamination of the local groundwater in downgradient areas.

CONFIRMED HAZARDOUS WASTE DISPOSED:

TYPE	QUANTITY
Confirmed: Ink Sludge (D001)	5 tons
Suspected: PCBs (B007)	unknown

ANALYTICAL DATA AVAILABLE FOR:	Air-	Surface Water-	Groundwater-X	Soil-X	Sediment-
APPLICABLE STANDARDS EXCEEDED IN:	Groundwater-X	Drinking Water-	Surface Water-	Air-	

GEOTECHNICAL INFORMATION:

SOIL/ROCK TYPE: Sand.
GROUNDWATER DEPTH: Range: 10 to 15 feet.

10.10400

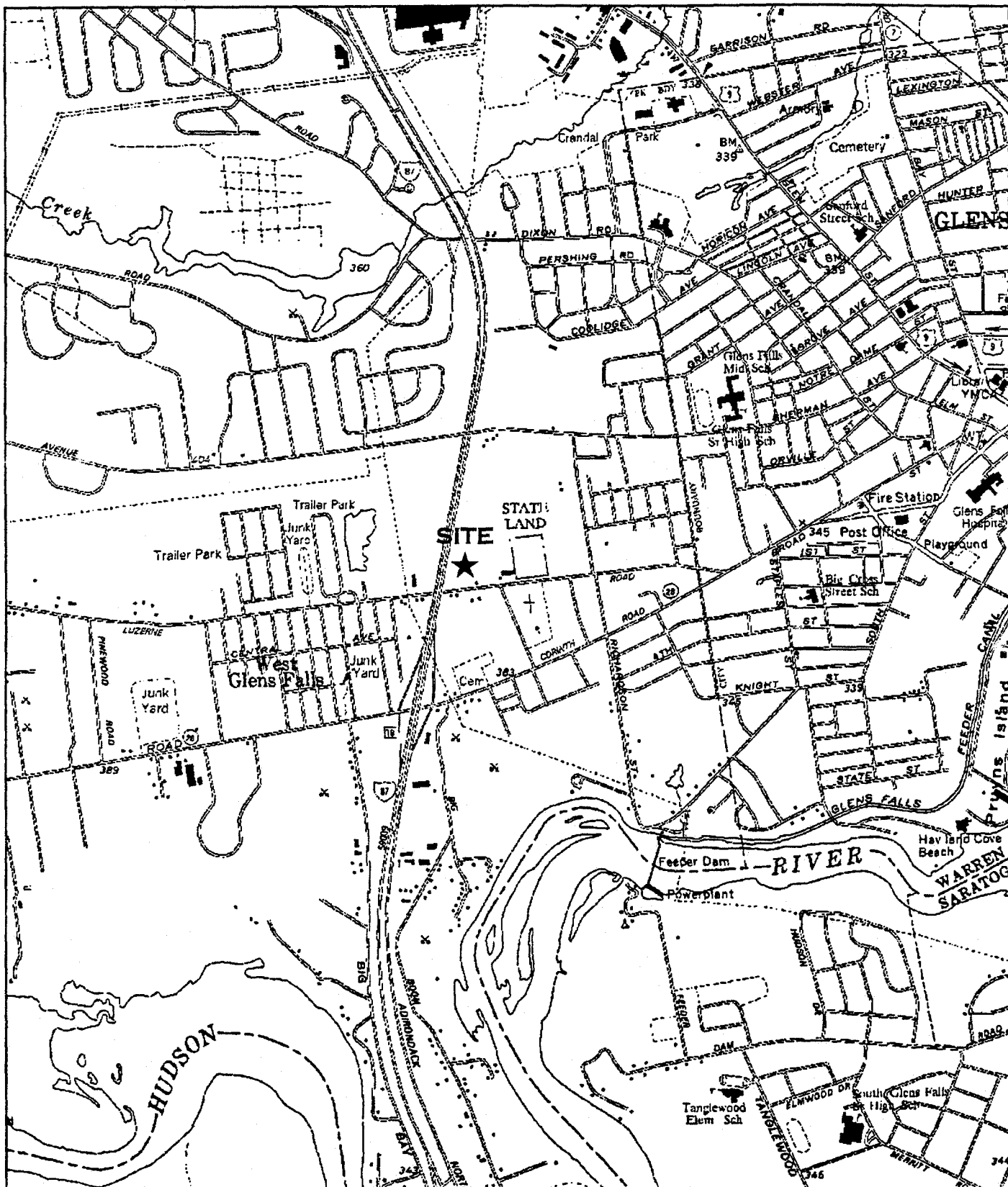
LEGAL ACTION:	Type:	State-	Federal-
STATUS:	Negotiation in Progress-	Order Signed-	
REMEDIAL ACTION:	Proposed- Under Design-	In Progress-	Completed-
NATURE OF ACTION:			

ASSESSMENT OF ENVIRONMENTAL PROBLEMS:

Groundwater contamination by PCBs has been confirmed in areas immediately adjacent to this site. The identified contamination in these areas is attributable to the site and exceeds the applicable groundwater standard. Environmental investigations have also confirmed that the PCB contamination is migrating away from this site toward the east-southeast at an estimates velocity of 1.1 feet per day.

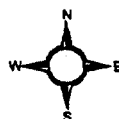
ASSESSMENT OF HEALTH PROBLEMS:

The site is not fenced and there are numerous active dirt bike trails on-site. The adequacy of the present cap is suspect. Trespass may provide a route of exposure to contaminants by way of inhalation or direct contact. Access to this site needs to be restricted.



SITE LOCATION MAP

MAP ID - SITE CODE - SITE NAME
 14-557003 - GLENS FALLS LANDFILL



0 1 MILES

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF HAZARDOUS WASTE REMEDIATION
INACTIVE HAZARDOUS WASTE DISPOSAL SITE INFORMATION

CLASSIFICATION CODE: D3
CLASSIFICATION CODE DESCRIPTION:

REGION: 5

SITE CODE: 557001
EPA ID: NYD980534978

Delisted site - consolidated site or site incorrectly listed

NAME OF SITE: West Glens Falls PCB Disposal Site
STREET ADDRESS: Luzerne Road
TOWN/CITY: Queensbury

ZIP: 12801

COUNTY: Warren

SITE TYPE: Dump- Structure- Lagoon- Landfill-X Treatment Pond-

ESTIMATED SIZE: 7 Acres

SITE OWNER/OPERATOR INFORMATION:

CURRENT OWNER(S):

NAME.....: City of Glens Falls
ADDRESS...: City Hall - 42 Ridge Street, Glens Falls, NY 12801

OWNER DURING DISPOSAL:

NAME.....: City of Glens Falls

OPERATOR(S) DURING DISPOSAL:

NAME.....: NYSDEC
ADDRESS...: 50 Wolf Road, Albany, NY 12233

HAZARDOUS WASTE DISPOSAL PERIOD: from Oct. 1979 to Nov. 1979

SITE DESCRIPTION:

This site is a chemical waste landfill constructed pursuant to EPA rules and regulations under an emergency declaration by the Commissioner of the Department of Health. PCB capacitors and contaminated soil were excavated from a residential area and placed in the chemical waste landfill under supervision of the DEC and DOH. Site has five monitoring wells and a leachate collection system. A leak detection system was also installed to assure that leachate did not leak from the facility. Impervious clay was brought in and was used as a liner to help prevent contaminants from leaking out. A new synthetic membrane cap was installed in 1986. A monthly water sampling event and inspection is performed by DEC personnel. This site is now tracked as an operable unit of site 557 010 - Luzerne Road.

CONFIRMED HAZARDOUS WASTE DISPOSED:

TYPE

QUANTITY

PCBs

13000 cubic yards

ANALYTICAL DATA AVAILABLE FOR:
APPLICABLE STANDARDS EXCEEDED IN:

Air-X
Groundwater-

Surface Water-X
Drinking Water-

Groundwater-X
Surface Water-

Soil-
Air- Sediment-

GEOTECHNICAL INFORMATION:

SOIL/ROCK TYPE: sand
GROUNDWATER DEPTH:

LEGAL ACTION:
STATUS:
REMEDIAL ACTION:

Type:
Negotiation in Progress-
Proposed- Under Design-

State-
Order Signed-
In Progress- Completed-

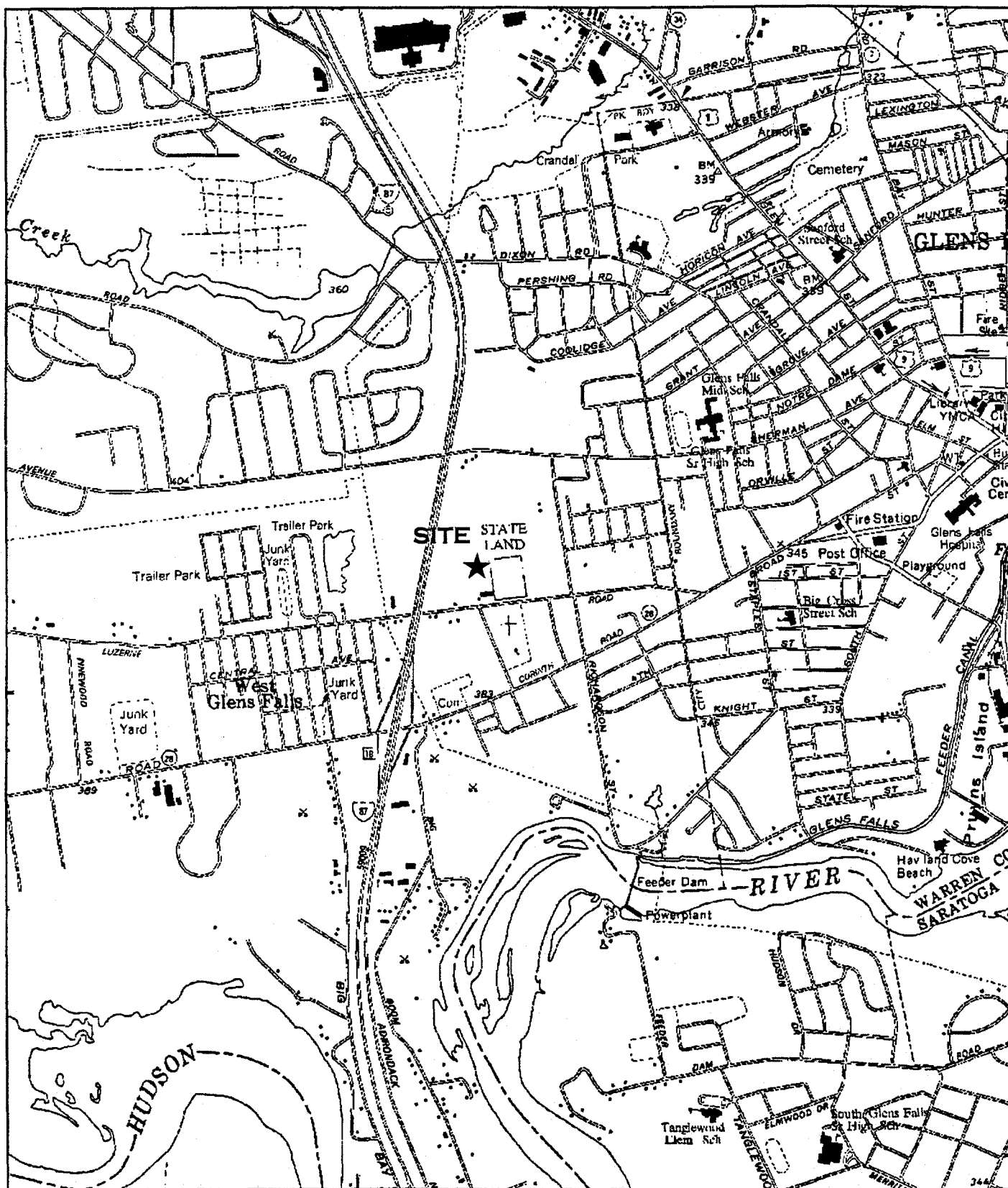
10.10403

NATURE OF ACTION: secure land burial

ASSESSMENT OF ENVIRONMENTAL PROBLEMS:

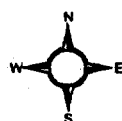
Continuing monitoring and maintenance of the site assures that the PCB wastes remain contained and are not being released to the environment.

ASSESSMENT OF HEALTH PROBLEMS:



SITE LOCATION MAP

MAP ID - SITE CODE - SITE NAME
 13 - 557001 - WEST GLENS FALLS PCB DISPOSAL SITE



0 1 MILES

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF HAZARDOUS WASTE REMEDIATION
INACTIVE HAZARDOUS WASTE DISPOSAL SITE INFORMATION

CLASSIFICATION CODE: D2
CLASSIFICATION CODE DESCRIPTION:
Delisted site - remediated

REGION: 5

SITE CODE: 557015
EPA ID:

NAME OF SITE: Sherman / Luzerne
STREET ADDRESS: Luzerne Road
TOWN/CITY: Queensbury

ZIP: 12804

COUNTY: Warren

SITE TYPE: Dump-X Structure- Lagoon- Landfill- Treatment Pond-

ESTIMATED SIZE: 1 Acre

SITE OWNER/OPERATOR INFORMATION:

CURRENT OWNER(S):

NAME.....: Robert Clark
ADDRESS...: RD 3 Van Deusen Road, Queensbury, NY 12801

OWNER DURING DISPOSAL:

NAME.....:

OPERATOR(S) DURING DISPOSAL:

NAME.....:

ADDRESS...:

HAZARDOUS WASTE DISPOSAL PERIOD: from Unknown to Unknown

SITE DESCRIPTION:

The site is located between Sherman Avenue and Luzerne Road in the Town of Queensbury approximately 600 feet north of Luzerne Road and 6000 feet west of the Adirondack Northway. Cores from stripped capacitors were found in a cleared area several acres in size. The capacitor cores appeared to have originated from an area 25 feet in diameter and are now spread over a 100 foot x 200 foot area. Each core had a dark stain surrounding it in the soil and there was a PCB odor in that area. The capacitor cores were unearthed during clearing and earth-moving activities. The cores observed are typical of five gallon PCB units. Intact, one gallon size capacitors are also present at the site. Past sampling results revealed PCBs in soils of up to 25,000 ppm and PCB within the liquids were estimated to be nearly 100%. A Record of Decision was signed on March 31, 1997 and called for the delineation and removal of the PCB contaminated soils at the site. The ROD also called for the excavated soils to be shipped to an acceptable disposal facility and the excavated areas to be back-filled, graded and seeded. The Remedial Action has been completed in accordance with the ROD.

CONFIRMED HAZARDOUS WASTE DISPOSED:

TYPE

QUANTITY

PCBs (B005 and B007)

unknown

ANALYTICAL DATA AVAILABLE FOR:	Air-	Surface Water-	Groundwater-	Soil-X	Sediment-
APPLICABLE STANDARDS EXCEEDED IN:	Groundwater-	Drinking Water-	Surface Water-	Air-	

GEOTECHNICAL INFORMATION:

SOIL/ROCK TYPE:

GROUNDWATER DEPTH: 15 feet below the surface.

10.10406

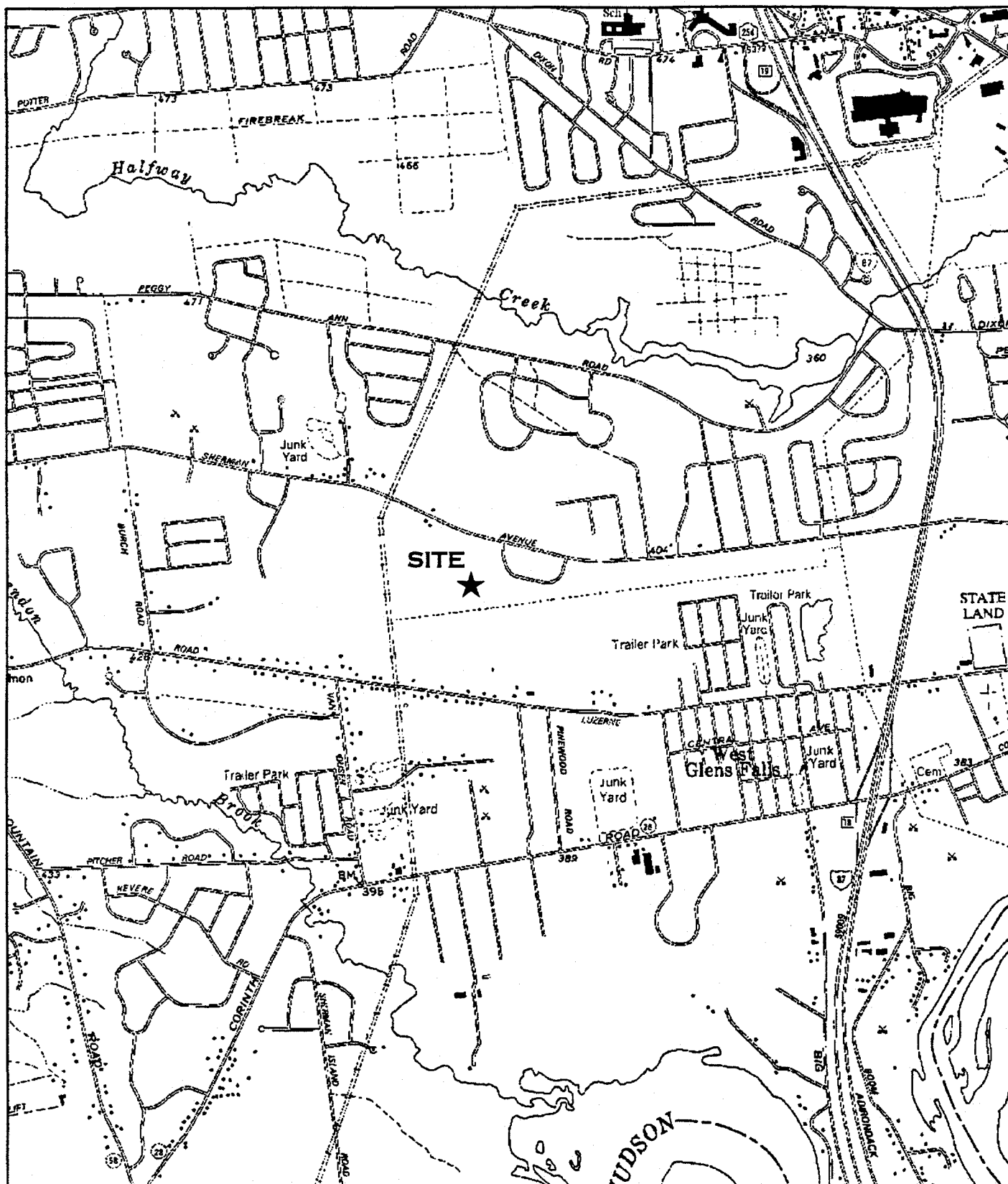
LEGAL ACTION:	Type:	State-	Federal-
STATUS:	Negotiation in Progress-	Order Signed-	
REMEDIAL ACTION:	Proposed-X Under Design-	In Progress-	Completed-
NATURE OF ACTION:	Contaminated soil removal.		

ASSESSMENT OF ENVIRONMENTAL PROBLEMS:

Disposal of PCBs has been confirmed at this site and wastes were exposed at the ground surface. Remediation of this site is complete. There are no environmental problems remaining at this site associated with the disposal of hazardous wastes.

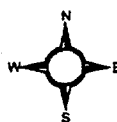
ASSESSMENT OF HEALTH PROBLEMS:

Soil sampling has confirmed the presence of PCBs at the ground surface. The area near the site is used by off-road vehicles. However, the removal of contaminated soils has eliminated potential exposures to PCB material. The area is served by public water. Two homes identified as still using wells have been sampled and no contamination was detected.



SIET LOCATION MAP

MAP ID - SITE CODE - SITE NAME
 11-557015-SHERMAN / LUZERNE



0 1 MILES