

49396  
JUL 26 1990  
SAPERSTON & DAY, P.C.

DOUGLAS J. DAY  
FRANK J. LAGIONE  
FREDERICK A. WOLF  
ROGER B. SIMON  
GARY L. MUCCI  
TRICIA T. SEMMELHACK  
RICHARD J. DAY  
LAWRENCE A. SCHULZ  
SAMUEL GOLDBLATT  
ROBERT E. SCOTT  
CHARLES C. SWANEKAMP  
WILLIAM A. LUNDQUIST  
JAMES W. GRESSENS  
DANIEL M. DARRAGH  
DENNIS R. MCCOY  
CHARLES G. HUMPHREY  
MARTIN J. CLIFFORD  
JOSEPH M. SCHNITTER  
MARK C. DONADIO  
BRAD F. RANDACCIO

LAWRENCE J. GALLICK  
JOHN L. KIRSCHNER  
NEIL A. GOLDBERG  
THOMAS F. SEGALLA  
BENJAMIN J. ANDREWS  
THOMAS C. BAILEY  
NEIL J. KATZ  
ROBERT L. BESANCENEY  
WILLIAM G. GANDY  
ROBERT W. MICHALAK  
TIMOTHY C. CASHMORE  
EDWARD M. GRIFFITH, JR.  
RAYMOND L. FINK  
DAVID C. FIELDING  
BRUCE S. ZEFTEL  
THOMAS S. GILL  
BRIAN N. LEWANDOWSKI  
LAURENCE D. BEHR  
CHERYL A. POSSENTI  
DANIEL P. JOYCE

COUNSEL TO THE FIRM  
HOWARD T. SAPERSTON, SR.  
MORTON MENDELSON

ATTORNEYS AT LAW  
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ONE FOUNTAIN PLAZA  
BUFFALO, NEW YORK 14203-1486  
716-856-5400  
FAX: 716-856-0139

July 24, 1990

NATHAN OSTROFF  
JOHN W. STEINBACH  
PAUL A. PETERS  
MARY E. ROCHE  
JO ANNE GOULD  
ANTHONY J. PIAZZA  
RONALD A. SIPOS  
RAYMOND N. MCCABE  
CHARLES P. CERONE  
JULIE P. APTER  
MAUREEN R. L. MUSSENDEN  
JUDITH TREGIER SHELTON  
JAMES H. COSGRIFF, III  
KENNETH W. AFRICANO  
ALBERT J. D'AQUINO  
CATHERINE T. WETTLAUER  
PATRICIA LEWANDOWSKI  
STEPHEN L. SARUFFI  
PAMELA S. DISILVESTRI  
RICHARD T. SARAF  
MELANIE COLLINS TISDALE  
THOMAS F. KNAB  
HARRY E. WERNER  
LISA G. MASSARO

ARTHUR F. HOLZ\*  
VINCENT P. HAUBER  
GARY J. O'DONNELL  
LOUIS C. FESSARO  
THOMAS B. CRONMILLER  
THOMAS J. BARNES  
THOMAS E. LIPTAK  
ELLEN G. YOST  
WILLIAM C. ALTREUTER  
RICHARD A. GALBO  
MARGARET LILLIS SNAJCZUK  
MICHAEL H. ARNOLD  
LINDA CALLAHAN LAING  
KENNETH M. ALWEIS  
HOLLY SALOP WALLACE  
ROBERT L. GALBRAITH, JR.  
ROY A. MURA  
ROGER F. COMINSKY  
CATHERINE HABERMEHL  
WILLIAM F. CUMMINGS\*\*  
TERRANCE P. FLYNN  
JAMES A. LOWERY, III  
PAULA A. DAMI  
PETER L. POWERS

Chief, Site Compliance Branch  
Emergency & Remedial Response Division  
United States Environmental Protection Agency  
Region II  
26 Federal Plaza  
Room 747  
New York, New York 10278  
Attn: Project Office, Niagara County Refuse  
Wheatfield Site

\* ADMITTED TO PRACTICE IN CALIFORNIA ONLY  
\*\* ADMITTED TO PRACTICE IN PENNSYLVANIA ONLY

Chief, New York Super Fund Branch  
Office of Regional Counsel  
United States Environmental Protection Agency  
Region II  
26 Federal Plaza  
Room 437  
New York, New York 10278  
Attn: Niagara County Refuse Site Attorney BORUS

Bureau of Case Management  
Division of Hazardous Waste Management  
New York State Department of Environmental Conservation  
50 Wolf Road  
Albany, New York 12233  
Attn: Niagara County Refuse Case Manager

Re: Administrative Order on Consent  
Index No. II CERCLA - 90209

Gentlemen:

Enclosed herewith, pursuant to paragraph 37 of the above-referenced Order on Consent, are Certificates of Insurance evidencing the coverage maintained by Conestoga-Rovers & Associates Limited, the general contractor engaged by the Respondents to

304527

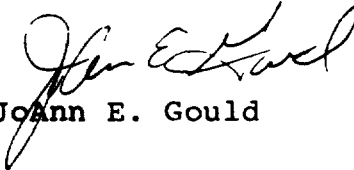
SAPERSTON & DAY, P. C.

Page 2  
July 24, 1990

implement the Remedial Investigation at the Niagara County Refuse Site, and Empire Soils Investigations, Inc., the subcontractor hired to drill the groundwater monitoring wells. Conestoga-Rovers professional errors and emissions coverage has been increased to one million dollars, double that evidenced by the enclosed certificate. The revised certificate will be forwarded to you upon receipt.

Please advise if anything further is required in this regard.

Very truly yours,



Joann E. Gould

JEG:ff  
cc: Richard Frankowski

304528

**Name of Insurer**

PAFCO INSURANCE COMPANY LIMITED  
 212 King Street West  
 Suite 500  
 TORONTO, Ontario  
 M5H 1K5

**Certificate of Insurance**

INCLUDING ADDITIONAL INSURED

This is to certify to:

TOWN OF WHEATFIELD  
 CITY OF NORTH TONAWANDA  
 NIAGARA MOHAWK POWER CORPORATION  
 WHEATFIELD PROPERTIES  
 (AS PER ATTACHED)

that policies of insurance as herein described have been issued to the Insured named below and are in force at this date.

Name of Insured — CONESTOGA-ROVERS & ASSOCIATES LIMITED

Address of Insured — 651 Colby Drive  
 WATERLOO, Ontario  
 N2V 1C2

Location and Operations to which this Certificate applies — RE: PROJECT NO. 2677 (NIAGARA COUNTY REFUSE SITE)  
 (AS PER ATTACHED)

Kind of Policy	Policy Number	Expiry Date			Limits of Liability	
		D	M	Y		
Commercial General Liability	C615200	30	04	91	Bodily Injury and Property Damage Liability Aggregate Limit \$ NOT APPLICABLE	
Products and/or Completed Operations Included <input type="checkbox"/> Excluded <input checked="" type="checkbox"/>					Each Occurrence Limit \$ 5,000,000.	Personal Injury Limit \$ 5,000,000.
					Tenants' Legal Liability Limit \$ 1,000,000. Any one Premises	Medical Expense Limit \$ 25,000. Any one Person
Automobile Liability					Bodily Injury and Property Damage Combined	
All owned vehicles <input type="checkbox"/> *Specific vehicles only <input type="checkbox"/> Standard Non-Owned <input type="checkbox"/> Hired vehicles <input type="checkbox"/> Leased vehicles <input type="checkbox"/>					*Describe Specific Vehicles	
Umbrella Excess Liability					Bodily Injury and Property Damage Liability Aggregate Limit \$	
					Each Occurrence Limit \$	Retained Limit each Occurrence \$
Other (describe) <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					SPECIAL EXCLUSION : THE POLICY WILL NOT COVER BODILY INJURY OR PROPERTY DAMAGE RESULTING FROM THE RENDERING OF OR FAILURE TO RENDER PROFESSIONAL SERVICES	

**Note:**

The insurance afforded is subject to the terms, conditions and exclusions of the applicable policy. This Certificate is issued as a matter of information only and confers no rights on the holder and imposes no liability on the insurer. The insurer will endeavour to mail to the holder of this Certificate 30 (THIRTY) days written notice of any material change in or cancellation of these policies, but assumes no responsibility for failure to do so.

Date JULY 11, 1990

TERREN LINDEN  
 LACKNER MCLENNAN INSURANCE INC.  
 Authorized Representative

304529

ATTACHED TO AND FORMING PART OF CERTIFICATE OF INSURANCE:  
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IT IS UNDERSTOOD AND AGREED THAT THE FOLLOWING ARE INCLUDED  
AS ADDITIONAL INSURED UNDER THE GENERAL LIABILITY POLICY  
BUT ONLY IN RESPECT OF THE OPERATIONS OF CONESTOGA-ROVERS &  
ASSOCIATES LIMITED AS DESCRIBED BELOW:

PROJECT DESCRIPTION:  
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PROJECT REFERENCE NO. 2677

LOCATION: NIAGARA COUNTY REFUSE SITE

SCOPE OF WORK: REMEDIAL INVESTIGATION INCLUDING DRILLING OF  
MONITORING WELLS, COLLECTING OF SURFACE WATER  
AND SURFACE SEDIMENT SAMPLES, GEOPHYSICAL  
SURVEY AND RELATED INVESTIGATIVE ACTIVITIES.

ADDITIONAL INSURED:  
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TOWN OF WHEATFIELD  
2728 NIAGARA FALLS BLVD.  
NIAGARA FALLS, NEW YORK  
U.S.A. 14304

(ATTENTION: ROBERT J. O'TOOLE)

CITY OF NORTH TONAWANDA  
2616 PAYNE AVENUE  
TONAWANDA, NEW YORK  
U.S.A. 14120

(ATTENTION: JEFFERY MIS)

NIAGARA MOHAWK POWER CORPORATION  
535 WASHINGTON STREET  
BUFFALO, NEW YORK  
U.S.A. 14203

(ATTENTION: CARL REISIG)

WHEATFIELD PROPERTIES  
10800 BROOKPARK ROAD  
CLEVELAND, OHIO  
U.S.A. 44130

(ATTENTION: NEIL BRENNAN)

  
LACKNER McLENNAN INSURANCE INC.

-----  
AUTHORIZED REPRESENTATIVE

304530222

**Qcord****CERTIFICATE OF INSURANCE**

ISSUE DATE (MM/DD/YY)

5/12/89

PRODUCER

Cert. Ref. 001

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**COMPANIES AFFORDING COVERAGE**

COMPANY LETTER	A	PROFESSIONAL CASUALTY INSURANCE INC.
COMPANY LETTER	B	
COMPANY LETTER	C	
COMPANY LETTER	D	
COMPANY LETTER	E	

INSURED

Conestoga-Rovers & Associates Limited  
 Conestoga Rovers & Associates Inc.,  
 CRA Holdings Inc.,  
 651 Colby Drive, Waterloo,  
 Ontario N2V 1C2, CANADA

**COVERAGES**

THIS IS TO CERTIFY THAT POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES.

CO -2	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIABILITY LIMITS IN THOUSANDS	
					EACH OCCURRENCE	AGGREGATE
GENERAL LIABILITY	COMPREHENSIVE FORM				BODILY INJURY	\$
	PREVISE OPERATIONS				PROPERTY DAMAGE	\$
	UNDERGROUND				BI & PD COMBINED	\$
	EXPLOSION & COLLAPSE HAZARD					
	PRODUCTS COMPLETED OPERATIONS					
	CONTRACTUAL					
AUTOMOBILE LIABILITY	INDEPENDENT CONTRACTORS				PERSONAL INJURY	\$
	BROAD FORM PROPERTY DAMAGE					
	PERSONAL INJURY					
	ANY AUTO				BODILY INJURY PER PERSON	\$
	ALL OWNED AUTOS (PRIV. PASS.)				ACCIDENT INJURY PER ACCIDENT	\$
	ALL OWNED AUTOS (OTHER THAN PRIV. PASS.)				PROPERTY DAMAGE	\$
EXCESS LIABILITY	HIRING AUTOS				BI & PD COMBINED	\$
	NON-OWNED AUTOS					
	DAMAGE LIABILITY					
	UMBRELLA FORM				BI & PD COMBINED	\$
	OTHER THAN UMBRELLA FORM					\$
WORKERS' COMPENSATION AND EMPLOYERS LIABILITY					STATUTORY	
					\$	EACH ACCIDENT
					\$	DISEASE POLICY LIMIT
					\$	DISEASE EACH EMPLOYEE
OTHER	Engineers Professional Liability	PCI001	10/1/88	10/1/89	\$500 per Claim and Aggregate	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

304531

**CERTIFICATE HOLDER**

Niagara County Refuse Site,  
 RP Committee  
 c/o Saperson & Day  
 1 Fountain Plaza,  
 Buffalo, New York 14203

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY OR AGENT THEREOF (BARRADOS).

AUTHORIZED REPRESENTATIVE

**AMORID. CERTIFICATE OF INSURANCE**

ISSUE DATE (MM/DD/YY)

7/12/90

**PRODUCER**

ROLLINS BURDICK HUNTER OF MN, INC. THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW

45 South Seventh Street - Suite 2108  
Minneapolis, MN 55402-1602

**COMPANIES AFFORDING COVERAGE****INSURED**

HIH USA INC.  
EMPIRE SOILS INVESTIGATIONS INC.  
ATTN: Staria-Dixon  
119 West South Street  
Groton, NY 13073

COMPANY LETTER A	Home Insurance Company
COMPANY LETTER B	Ins. Co. of Pennsylvania
COMPANY LETTER C	Affiliated FM
COMPANY LETTER D	Evanston Insurance Company
COMPANY LETTER E	

**COVERAGES**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	ALL LIMITS IN THOUSANDS
	GENERAL LIABILITY				GENERAL AGGREGATE : 2,000
A X	COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR. OWNER'S & CONTRACTOR'S PROT X Includes Broad Form * Excludes Professional, Pollution, & Asbestos Liability	GLR 909 6463	10-1-89	10-1-90	PRODUCTS-COMPOSITE AGGREGATE : 2,000 PERSONAL & ADVERTISING INJURY : 1,000 EACH OCCURRENCE : 1,000 FIRE DAMAGE (Any one fire) : 250 MEDICAL EXPENSE (Any one person) : 5
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT : 1,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE
A X	ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS GARAGE LIABILITY	BAF 159659 BA4 075650-NY & NJ Only	10-1-89	10-1-90	
	EXCESS LIABILITY				EACH OCCURRENCE : 10,000 AGGREGATE : 10,000
B X	OTHER THAN UMBRELLA FORM	UML4689-5363	10-1-89	10-1-90	
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY	WC F 99 01 33 WC F 99 01 34 NJ WC F 99 01 35 CA	10-1-89	10-1-90	STATUTORY : (EACH ACCIDENT) 1,000 (DISEASE—POLICY LIMIT) 1,000 (DISEASE—EACH EMPLOYEE)
	OTHER				
C	Property	EB888	10-1-89	10-1-90	All Risk Including
D	Errors & Omissions Liability-Asbestos Consulting & Testing	BJ100673	09-27-89	10-1-90	Flood and EQ 1,000 Each Claim 1,000 Aggregate

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS**

Conestoga Rovers & Associates, Ltd is named additional insured except respects Errors & Omissions coverage through Evanston Ins. Co. Policy No. BJ100673  
Monitoring Well Installation, Niagara County Refuse Site, Wheatfield, NY

304532

**CERTIFICATE HOLDER**

Conestoga Rovers & Associates, Ltd  
651 Colby Drive  
Waterloo Ontario  
CANADA N2V 1C2

Attn: Ed Roberts, P.Eng.

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

*Ed Roberts*