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February 22, 2010

Ms. Suzanne Clary, President
Jay Heritage Center
210 Boston Post Road
Rye, NY 10580

Re: **Soil Sampling Results**
Jay Property
210 Boston Post Road, Rye, New York
FPM File No. 1016g-10-01

Dear Suzanne:

FPM Group (FPM) has completed soil sampling at the above-referenced property (site) in accordance with our January 29, 2009 proposal. The work was performed on February 2, 2010 and included soil sampling to assess the chemical quality of dumped soils with associated debris. Publicly-available aerial photographs were also reviewed to assess the appropriate extent of dumped soil. The scope of work and results are described in the following sections. A site plan is attached showing the sampling locations.

We understand that the subject property is intended to be used for organic community gardens and that the property is adjacent to a wildlife preserve. Our assessment has been conducted with this land use in mind.

Sampling Procedures and Results

Soil was collected from several discrete locations within each general area of dumped soil and composited into a single composite sample to provide a general characterization of the soil in each targeted area. The targeted areas documented in this report include two areas of fill (CS-3 and CS-4) which were reportedly placed by Westchester County in January 2010. The sampling results are documented below; the sampling locations are shown on Figure 1.

Each sample to be analyzed was containerized and shipped under chain-of-custody procedures to a New York State Department of Health-approved laboratory for analysis. The collected samples were analyzed for Target Compound List volatile organic compounds (VOCs), semi-volatile organic compounds-base neutral fraction (SVOCs), Resource Conservation and Recovery Act metals, pesticides, and polychlorinated biphenyls (PCBs). The results are compared to the New York State Department of Environmental Conservation (NYSDEC) Part

375 Soil Cleanup Objectives (SCOs) for unrestricted use. Each of the sampled areas is further discussed below.

Please note that the SCOs for unrestricted use are applicable for sites which have no use restrictions imposed and are formulated to be protective of human health, groundwater and ecological resources. Any land use is considered suitable on soils that meet the NYSDEC unrestricted SCOs.

Fill Material Samples

Two composite samples, CS-3 and CS-4, were collected from fill material reportedly brought to the site by Westchester County in January 2010. The CS-3 (Playland Pile) sample was obtained from an approximate 10-cubic-yard pile and CS-4 (Swimming Pool Pile) was obtained from fill that has been placed into an abandoned swimming pool in the northwestern portion of the site. The fill material in both piles was generally similar and was noted to contain soil, concrete, brick, rock, metal debris, and other undistinguishable materials. The retrieved samples were visually examined and screened with a calibrated photoionization detector (PID) to detect organic vapors prior to compositing. No staining, odors, or PID responses were evident.

The summarized laboratory results are shown in Table 1; the complete laboratory report is included in Attachment A. SVOCs, metals, and pesticides were noted in each of the samples. One VOC, acetone, which is a common laboratory contaminant, was noted in CS-4. No PCBs were detected in either of the samples. In sample CS-3, which was collected from the Playland soil pile, metals including arsenic, chromium and lead, and pesticides including 4,4'-DDE, 4,4'-DDT and chlordane were noted to be at levels above the NYSDEC SCOs for unrestricted use. In sample CS-4, which was collected from fill placed in an in-ground swimming pool, several SVOCs, including benzo(a)pyrene, benzo(k)fluoranthene and chrysene, and metals, including arsenic, chromium and lead, and pesticides, including 4,4'-DDD, 4,4'-DDE, 4,4'-DDT and chlordane, were noted to be at levels above the NYSDEC SCOs for unrestricted use.

Historical Aerial Photographs

To evaluate the potential extent of reported dumping, publicly-available aerial photography (Historical Aerials, Microsoft Research Maps and Google Earth) was reviewed for 1966, 1976, 1994, 2005 and 2007. Copies of the 1994 and 2007 aerial photographs are included in Attachment B. The aerial photographs were reviewed for evidence of deforestation, excavation, soils piles, earth moving equipment, etc. No apparent signs of excavation, filling or dumping were evident. This information suggests that the areas of dumped soil are limited in extent.

Summary and Recommendations

Based on the sampling data, the materials brought to the site for filling contain SVOCs, metals, and pesticides in exceedance of the NYSDEC SCOs for unrestricted use. These materials should be properly removed and disposed if the areas are to be used for their intended purpose.

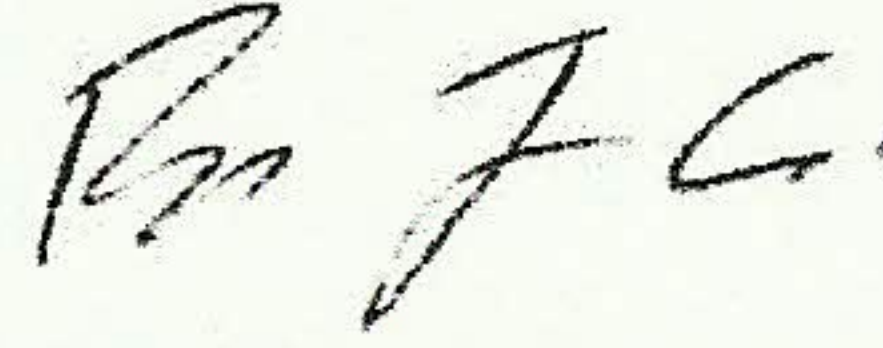
Ms. Suzanne Clary

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February 22, 2010

Should you have any questions, please do not hesitate to contact us at (631) 737-6200.

Very truly yours,



Ben T. Cancemi
Senior Hydrogeologist



Stephanie O. Davis
Senior Hydrogeologist
Department Manager

BTC/SOD:tac
Attachments

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TABLE 1
SOIL CHEMICAL ANALYTICAL DATA
JAY PROPERTY
210 BOSTON POST ROAD, RYE, NEW YORK

Location	Playland Pile	Swimming Pool Pile	NYSDEC Soil Cleanup Objectives for Unrestricted Use (Part 375)
Sample No.	CS-3	CS-4	
TCL Volatile Organic Compounds (ug/kg)			
Acetone	ND	27.8 B	50
Base-Neutral Semivolatile Organic Compounds (ug/kg)			
Anthracene	122 J	1,580	100,000
Benzo(a)anthracene	334 J	915	1,000
Benzo(a)pyrene	303 J	1,060	1,000
Benzo(b)fluoranthene	319 J	922	1,000
Benzo(k)fluoranthene	318 J	1,270	800
Bis(2-ethylhexyl)phthalate	153 J	308 J	-
Chrysene	730	1,020	1,000
Fluoranthene	948	1,910	100,000
Fluorene	ND	206 J	30,000
Indeno(1,2,3-cd)pyrene	ND	180 J	500
Phenanthrene	563	1,700	100,000
Pyrene	887	2,600	100,000
RCRA Metals (mg/kg)			
Arsenic	32.2	37.6	13
Barium	131	113	350
Cadmium	1.48	1.19	2.5
Chromium	34.3	41.5	30
Lead	372	387	63
Selenium	ND	ND	3.9
Silver	ND	ND	2
Mercury	ND	ND	0.18
Pesticides (ug/kg)			
4,4'-DDD	ND	32.6	3.3
4,4'-DDE	18.5	204	3.3
4,4'-DDT	32.0	151	3.3
Chlordane, total	618	574	94

Notes:

All samples collected February 2, 2010.

Only detected parameters are reported on this table.

See laboratory report for complete data.

NYSDEC = New York State Department of Environmental Conservation

Bold/boxed values exceed NYSDEC Unrestricted Soil Cleanup Objectives.

ug/kg = micrograms per kilogram

RCRA = Resource Conservation & Recovery Act

J = Estimated concentration exceeding the Method Detection Limit but below the Reporting Limit.

ND = Not Detected

- = Not established

mg/kg = milligrams per kilogram

FPM



SAMPLING KEY

CS-3 COMPOSITE SAMPLE LOCATION WITH APPROXIMATE GRAB SAMPLE LOCATIONS (FEBRUARY 2010).

APPROXIMATE SCALE: 0' 200' 400' 800'
SCALE: 1" = 400'

FPM GROUP
FIGURE 1 SITE PLAN JAY PROPERTY 210 BOSTON POST ROAD RYE, NEW YORK, 10580
Drawn By: HC Checked By: ATM Date: 2/4/10