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**New York State Department of Environmental Conservation  
Division of Environmental Remediation, 12<sup>th</sup> Floor**

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Denise M. Sheehan  
Commissioner

June 29, 2006

Mr. Robert Gottschall  
Director and President  
Yonkers Alexander Street Redevelopment, Inc.  
1 Ridge Hill, Suite 105  
Yonkers, New York 10710

Dear Mr. Gottschall:

Re: Halstead Quinn/ATI Tank Farm Environmental Restoration Project Site  
Site No. B00193-3

The New York State Department of Environmental Conservation has evaluated the request by Yonkers Alexander Street Redevelopment, Inc. (YASR) to beneficially use soil from a 20,000+ cubic yard soil pile located on one of the City's properties, Yonkers Waterfront parcels H&I, as backfill for the Halstead Quinn/ATI Tank Farm site. NYSDEC is pleased to approve this request subject to the following conditions:

- The parcels H&I soil cannot be used in the top two feet of cover at the Halstead Quinn/ATI Tank Farm site in vegetated areas. Soils used in the top two feet must comply with NYSDEC's Technical and Administrative Guidance Memorandum (TAGM) 4046;
- Trucks transporting this soil must be securely covered;
- The new owner of the Halstead Quinn/ATI Tank Farm must be willing to accept the use of this soil as fill, and;
- Any excess soil remaining at the parcels H&I site must be properly disposed of off-site in accordance with 6 NYCRR Part 360.

On completion of soil placement at the Halstead Quinn/ATI Tank Farm, a report of the volume of soil used as backfill must be sent to myself and:

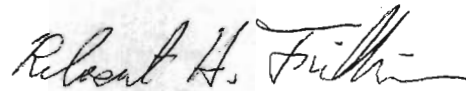
Thomas J. Lynch, PE  
Bureau of Solid Waste, Reduction & Recycling  
Division of Solid & Hazardous Materials  
625 Broadway, 9th Floor  
Albany, NY 12233-7253

Robert J. Stanton, PE  
NYSDEC Region 3  
21 South Putt Corners Rd  
New Paltz, NY 12561

In addition, YASR must notify the above addressees of any change of owner responsible for management of the Yonkers Waterfront parcels H&I soils. The reference for this Beneficial Use Determination is BUD No. 875-3-60, "Yonkers Alexander Street Redevelopment, Inc."

The NYSDEC looks forward to continuing to work with YASR, the City of Yonkers, and the site developers to return the Halstead Quinn/ATI Tank Farm property to productive use. Please contact me at (518) 402-9768 if you have any questions.

Sincerely,



Robert H. Filkins  
Project Manager  
Bureau of Eastern Remedial Action  
Division of Environmental Remediation

cc: T. Dugan (YASR)  
L. Shaw (Knauf Shaw LLP)

cc: R. Cozzy/file  
S. Ervolina  
D. Smith  
K. Prather - S&HM  
T. Lynch - S&HM  
R. Stanton - Reg. 3