RCRA PART 373 PERMIT

EXECUTIVE SUMMARY/FACILITY FACT SHEET

Former Wyeth Pharmaceuticals Site
EPA ID No. NYD002081396
DEC Permit No. 5-0928-00017/00175

Rouses Point, New York
Clinton County

1.0 FACILITY PERMIT AND GENERAL INFORMATION

Permittee Name (Property Owner):	ERS Rouses Point, LLC
Permittee Name (CA Operator)	Wyeth Pharmaceuticals, LLC
Facility Name:	Former Wyeth Pharmaceuticals Site
Facility Location:	64 Maple Street, Rouses Point, NY 12979
EPA ID No.:	NYD002081396
DEC Permit No.:	5-0928-00017/00175
DEC DER No.:	510018
Facility Size:	78.6 acres
Facility Latitude/Longitude:	Latitude: 44.98861679; Longitude: -73.37083944
Commercial/Non-Commercial TSDF:	Non-Commercial (Corrective Action Only)
Facility Contact (Property Owner):	Mark A. Haynes mark@ers-investors.com (413) 348-0886
Facility Contact (CA Operator):	Eric Gaulin Eric.Gaulin@pfizer.com (908) 901-7463
DEC Contact/Responsible Permit Writer:	Cecia Bicknell cecia.bicknell@dec.ny.gov 518-402-8652
Initial/Renewal Permit:	Renewal
Permit Type (Yes/No): Operating Corrective Action Post-Closure Care	 No Yes No
Permit Term (5 or 10 years):	10 Years
Estimated Costs: Closure	 $0.00

Corrective Action Post-Closure Care Total	$5,180,000 $0.00 $5,180,000
On-site Environmental Monitor(s):	Not Applicable

Facility Background

The Former Wyeth Pharmaceuticals Site (Facility) contained two operational units, the Main Plant and the Chemical Development (ChemD) Plant. The Main Plant and ChemD Plant operated as semi-autonomous units, although much of the infrastructure was shared between the two plants including steam, process wastewater treatment facilities, and hazardous waste storage.

The Main Plant (located primarily on the eastern portion of the Facility) included approximately one (1) million square feet of manufacturing and supporting infrastructure space. This portion of the Facility was previously owned by Wyeth and sold to Akrimax Manufacturing, LLC in 2006, who then leased the plant back to Wyeth (later acquired by Pfizer) for pharmaceutical manufacturing operations. Pfizer re-acquired the Main Plant portion of the facility from Akrimax in 2011. Previous operations at the Main Plant included the manufacturing, primary processing and packaging of over-the-counter and prescription pharmaceuticals. Production operations at the Main Plant ceased in December 2017. The Main Plant facility included the manufacturing buildings, boiler house, air treatment buildings, and general Facility grounds including the undeveloped portions of the Facility.

The ChemD Plant (located on the western portion of the Facility) was owned and operated by Pfizer until 2018 and included approximately 120,000 square feet of pharmaceutical research and development and warehouse space. The ChemD Plant facility included the process wastewater treatment plant, steam stripper, tank farm, various storage buildings, the fire water system, and the greater than 90-day hazardous waste storage facility.

In November 2018, the Facility was sold to ERS Rouses Point NY LLC. A portion of the buildings were demolished prior to the sale of the property. Most of the remaining buildings have since been demolished by the current owner. The former Main Plant portion of the facility maintains an address of 64 Maple Street. The former ChemD Plant portion of the facility maintains an address of 100 Academy Street. Hence the multiple addressees listed above for the facility location. See the included tax parcel map for full area of the Part 373 Corrective Action Permit.

As of 2024, the facility no longer operates as a large quantity generator of hazardous waste as all operations at the facility ceased in 2017. Current waste generation is from remedial work associated with the Facility's Corrective Action requirements. In 2023, a large portion of the Facility's Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) were reviewed and approved by NYSDEC as requiring No Further Action. Three (3) SWMUs and two (2) AOCs still require remedial work.

Corrective Action at the Facility includes remedial activities necessary to address on-site Trichloroethene (TCE) contamination and an off-site Carbon Tetrachloride release. Cleanup

actions for the soil and groundwater are also targeting contaminant surrogates. The Facility was required to perform a PFAS investigation in 2018 for groundwater. As NYS promulgated PFAS soil guidance values in 2023, the facility is required to perform a soil investigation to complete data gaps. Pending the conclusion of this investigation, the Department shall make determinations on any necessary further actions.

2.0 RCRA PERMITTED UNITS

There are no hazardous waste management units (HWMU) permitted to operate at the facility. All previously permitted HWMUs have been closed in accordance with state and federal regulations.

3.0 CORRECTIVE ACTION SUMMARY

The following table summarizes the ongoing corrective action activities occurring at the facility:

SWMU/AOC Designation	**Corrective Action Steps Completed**	**Remaining Activity to be Completed**
SWMU-7D: Process Sewers – Buildings 18 (GLATT 1) and 27 (PAL 4) (formerly defined as part of SMWU-7)	Soil and groundwater sampling investigation completed in 2019 to address TCE contamination	Monitored Natural Attenuation and In-situ Chemical Reduction Controls
SWMU-10: North Field	PFAS groundwater Sampling	Supplementary PFAS Investigation for soil and groundwater
SWMU-16: Former Fire Fighting Training Areas 3 and 4	PFAS groundwater Sampling	Supplementary PFAS Investigation for soil and groundwater
AOC-1: Former PCB-Containing Transformer – Staining on Concrete Pad	PCB investigation determined the Site has residual contamination.	Institutional Controls – Easement (to be established)
AOC-11: Off-Site Carbon Tetrachloride Plume	Corrective Measures implemented and completed in 2016 to address off-site contamination of Carbon Tetrachloride near Rouses Point Elementary School	Monitored Natural Attenuation and reassessment of contamination and remedy

4.0 SITE MANAGEMENT

The facility has an NYSDEC-approved:

Yes	No	
☐	☒	Post-Closure Plan - Not Applicable
☐	☒	Groundwater Monitoring Program - Formal program to be required under Permit
☐	☒	Site Management Plan – To be required under Permit

4.1 Institutional Controls

The Facility is managed under this Permit as well as site restrictions directed by Soil Cleanup Objectives to Commercial Use. Additionally, an environmental easement is being required in this the Permit.

4.2 Engineering Controls

Numerous engineering controls are in place at the facility to prevent future exposure to contamination and/or restrict the further migration of contamination. These engineering controls are as follows:

- Overburden cover at the former Main Plant footprint: A concrete slab, which measures approximately 320 feet by 160 feet, was left in place following the demolition of the Main Plant to restrict additional surface water infiltration over the TCE source area at SWMU-7D: Process Sewer. As it is acting as a control barrier to reduce plume migration and mitigate potential exposure from rising soil vapors, the concrete slab must be retained until and unless it is evaluated for modifications for future re-development of the property. Due to the reported TCE exceedances and the recalcitrant nature of chlorinated compounds and their by-products, an In-Situ Chemical Reduction (ISCR) remedy is being used for soil treatment to address the contamination in this area. It is anticipated that evaluation of the slab will not be done until after the ISCR injections.

- Long-term Groundwater Monitoring Program: The facility currently has a long-term program designed to monitor concentrations, fate and transport of contaminants in the groundwater. It has a network of off- and on-site monitoring wells connected to the upper and lower zones of the overburden.

- Off-site Soil Vapor Intrusion Program: Resident homes impacted with TCE and/or Carbon Tetrachloride and surrogates will continue the use of Sub-Slab Depressurization System until non-detections are consistently reported and approved by the Department, and/or at the request of the residents.

5.0 ISSUES AND CONCERNS

The following sections describe any potential issues or concerns for the facility related to its hazardous waste permit. Additionally, it includes information on any major changes made between the last issued permit and this renewal permit.

5.1 Environmental Risk Assessment

The Facility was evaluated as part of a 2015 RCRA Corrective Action Environmental Indicators USEPA CA725 Current Human Exposures Under Control and CA750 Migration of Contaminated Groundwater Under Control. Based on these reviews, it was determined that contamination at the Facility did not pose imminent danger to human health or the environment, but that corrective action was required to control risks to health and environment.

Corrective action programs have been implemented to clean up, restrict migration of, and prevent exposure to contamination.

5.2 Climate Leadership and Community Protection Act (CLCPA)

Pursuant to the requirements of Section 7(2) of the CLCPA, during its review of the permit renewal application the DEC has taken into consideration information regarding the facility's consistency with the CLCPA.

5.3 Climate Risk and Resilience Act (CRRA)

The Facility has demonstrated to the DEC that future physical climate risk, not limited to sea-level rise, storm surge and flood, was considered during the permit renewal process. The DEC has made a tentative assessment that the Facility is not at risk of adverse climate change impacts due to extreme weather events, and no additional actions are necessary at this time to improve the resiliency at the facility.

5.4 Environmental Justice (EJ)

The Facility is located near a mapped Environmental Justice community. The project was reviewed in accordance with Commissioner’s Policy (CP)-29. A public participation plan was developed and a fact sheet outlining the project will be mailed to the community within 0.5 miles of the project. It was determined a public participation meeting was not required since this renewal application will no longer be an operational permit and will only allow for remediation of the hazardous materials.

5.5 Unresolved Issues and Concerns

There are no unresolved issues or concerns with the Facility.

5.6 Compliance Schedule Items

The Permittee has not proposed to incorporate any items into the Permit renewal.

5.7 Public Participation

The draft RCRA Part 373 Renewal Permit (Permit) will have a 45-day public notice comment period. Renewal Application documents and the draft RCRA Part 373 Renewal Permit as well as other pertinent documents are accessible at DEC Info Locator (Index of /data/DecDocs/510018 (ny.gov)),or at the facility's electronic repository (https://rpupdate.com/document-repository/index.html). If no comments are received, the draft Permit shall be issued as final. If comments are received, they shall be address in either a Response to Comments document or a direct response letter to the commentor(s).

5.8 Significant Permit Modifications

The Permittee closed all hazardous waste management units (HWMU), prior to expiration and State Administration Procedure Act (SAPA)-extension of the Facility Permit being renewed herewith. As such, the Facility is subject only to Corrective Action permitting and the Department has made minor modifications to the Permit to remove HWMU content, update formatting, implement any new regulatory requirements and address technical concerns raised during the renewal process.

5.9 Upcoming Remedial Activities

Various RCRA remedial activities associated with soil-vapor intrusion, soil and groundwater will be performed and covered under this Permit. There are no anticipated closures of any operating units during the life of this Permit. Remaining SWMUs and AOCs will be retained until cleanup goals are achieved.

Figure 1 – Facility Location

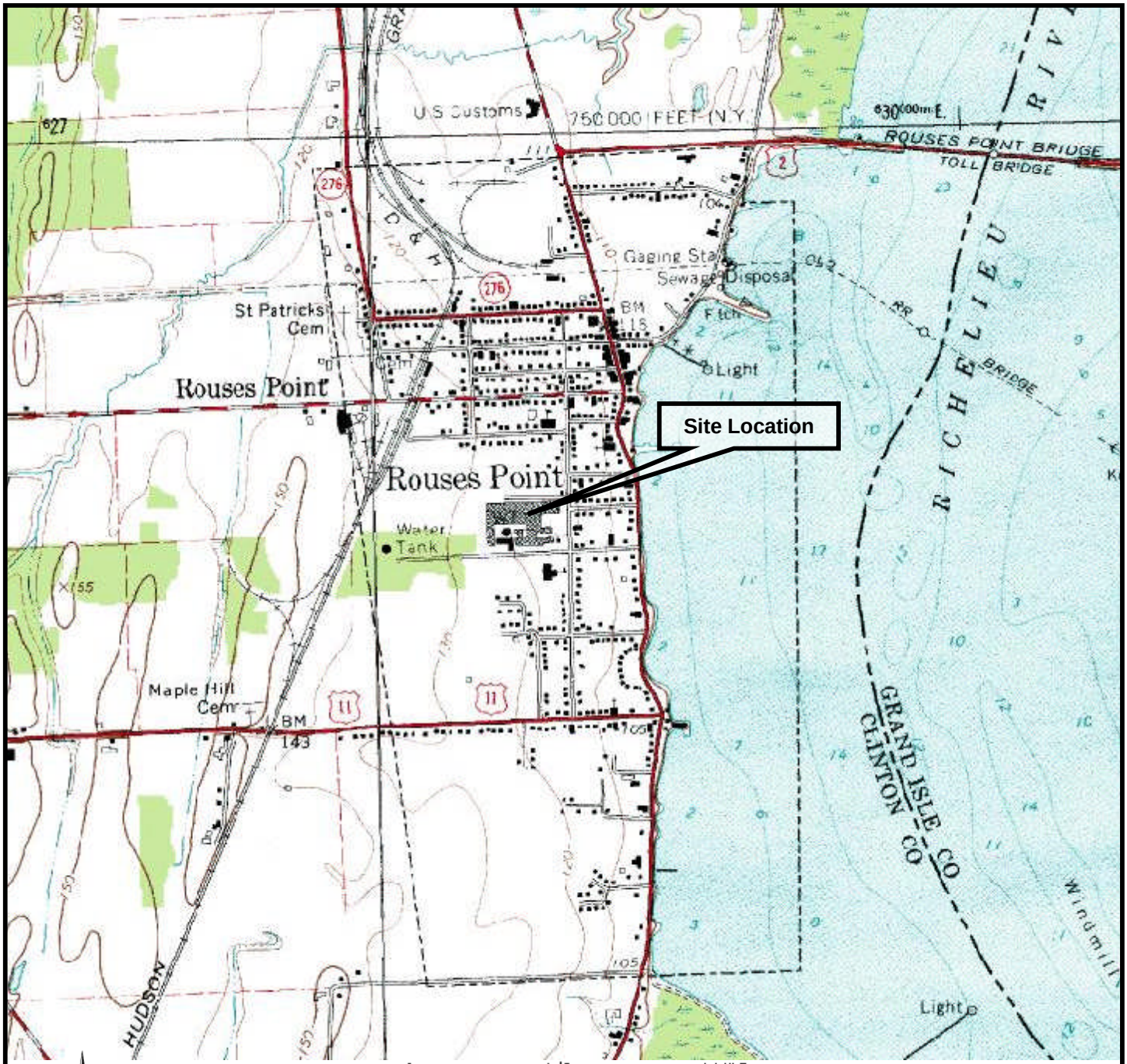


Figure 1-1 SITE LOCATION MAP
Wyeth Pharmaceuticals LLC
Rouses Point, NY

Woodard & Curran
COMMITMENT & INTEGRITY DRIVE RESULTS

Figure 2 – Rouses Point, NY Site Boundary Map

Parcels Number: 20.14-1-3.3, 20.14-1-3.1, 20.14-1-5, 20.14-1-27 and 20.14-1-28

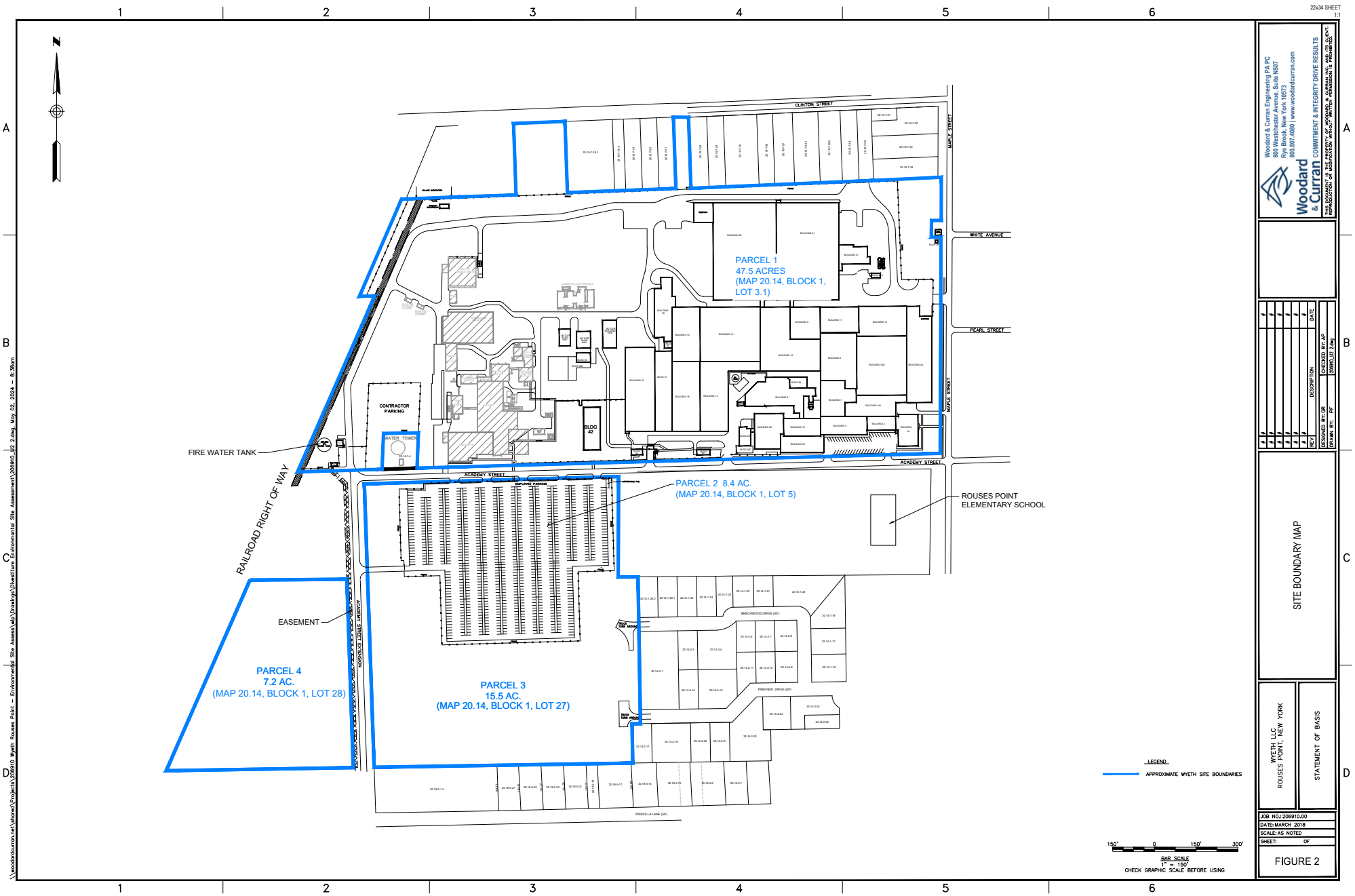
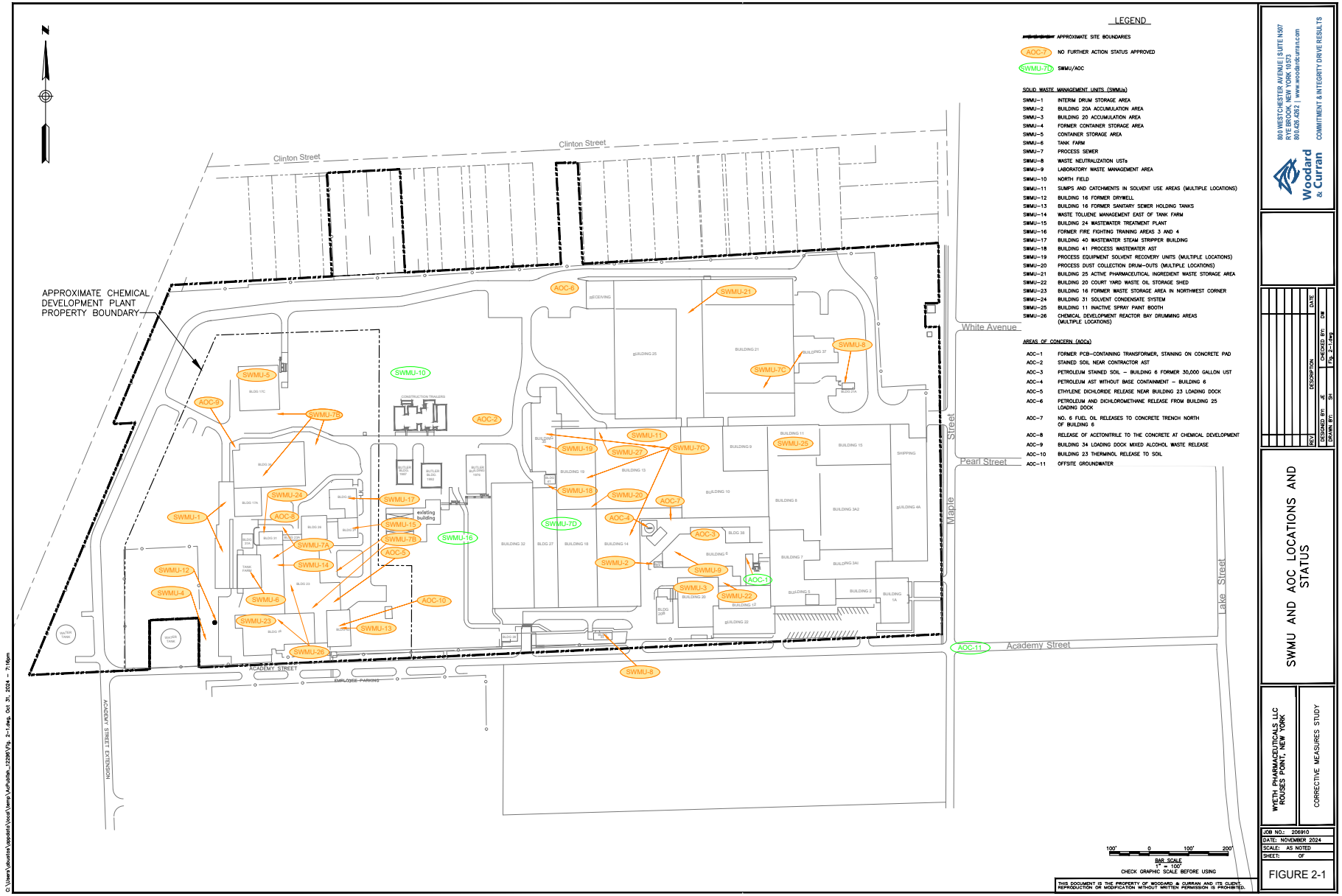


Figure 3 – Facility SWMUs and AOCs



ACRONYMS

Acronyms for Part 373 Permit/Process

A
AFFF - Aqueous Film Forming Foam
AOC - Administrative Order on Consent
AOC - Areas of Concern
AST - Aboveground Storage Tank

B
bgs - below ground surface

C
CA – Corrective Action
CAP - Corrective Action Plan
CBI - Confidential Business Information
CLCPA - Climate Leadership and Community Protection Act
CMI - Corrective Measures Implementation
CMS - Corrective Measures Study
CO - Consent Order
COCs - Constituents of Concerns
CPP - Citizen Participation Plan
CPT - Comprehensive Performance Test
CQA - Construction Quality Assurance
CRRA - Community Risk and Resiliency Act

D
DAR - Division of Air Resources
DEC - Department of Environmental Conservation
DER - Division of Environmental Remediation
Department - Department of Environmental Conservation
DIR(s) - Document(s) Incorporated by Reference
DMM - Division of Materials Management
DOH - NYS Department of Health
DOW - Division of Water
DR - Deed Restriction
DUSR - Data Usability Summary Report

E
EC - Emergency Coordinator
EC - Engineering Control
ECL - Environmental Conservation Law
ED - Emergency Director
EDS - Electronic Document Standards
EE - Environmental Easement
ELAP - Environmental Laboratory Approval Program

F
FER - Final Engineering Report
FS - Feasibility Study

G
GOL - General Obligations Law
GW - Groundwater
GWM - Groundwater Monitoring
GWMP - Groundwater Monitoring Program

H
HHERA - Multi-pathway Human Health and Ecological Risk Assessment
HHRA - Multi-pathway Human Health Risk Assessment
Hr - Hour
HWM - Hazardous Waste Management
HWMU - Hazardous Waste Management Unit

I
IC - Institutional Control
ICM - Interim Corrective Measures
ISCO - In-Situ Chemical Oxidation
ISCR - In-Situ Chemical Reduction
ISMP - Interim Site Management Plan

J

K

L
LDR - Land Disposal Restrictions
LQG – Large Quantity Generator

M
MCL - Maximum Contaminant Level
µg/L - micrograms per liter, in water
mg/kg - milligrams per kilogram, in soil
MNA - Monitored Natural Attenuation
MSL - Mean Sea Level
MTBE - Methyl Tert-Butyl Ether

N
NFA - No Further Action
NFPA - National Fire Protection Association
NYCRR - New York Codes, Rules & Regulations
NYSDEC - New York State Department of Environmental Conservation
NYSDOH - New York State Department of Health

O
O&M - Operation & Maintenance
OGC - Office of General Counsel
OM&M - Operation, Maintenance & Monitoring
OSHA - Occupational Safety & Health Administration
OU - Operating Unit
OU - Operable Unit (under Corrective Action or 6NYCRR Part 375)

P
P&ID - Process and Instrumentation Drawing/Diagram
PCBs - Polychlorinated Biphenyls
PCE - Tetrachloroethene
PDF - Portable Document Format
PFAS - Per- and Polyfluoroalkyl Substance(s)PHC - Principal Hazardous Constituents
POC - Point of Compliance
POHC - Principal Organic Hazardous Constituent
PPB - Parts per billion
PPM - Parts per million
PR - Preliminary Review
PR/VSI - Preliminary Review/Visual Site Inspection
PRR - Periodic Review Report

Q
QAPP - Quality Assurance Project Plan
QA/QC - Quality Assurance/Quality Control

R
RA - Remedial Action
RCRA - Resource Conservation & Recovery Act
RD - Remedial Design
RD/RA - Remedial Design/Remedial Action
RFA - RCRA Facility Assessment
RFI - RCRA Facility Investigation
RI - Remedial Investigation
ROD - Record of Decision
RP - Remedial Plan
RP - Responsible Party
RPL - Real Property Law
RSO - Remedial System Optimization
RTC(s) - Response(s) to TNOIA Comments

S
SAP - Sampling and Analysis Plan
SAPA - State Administrative Procedures Act
SAR -Sampling and Analysis Report

SB - Statement of Basis
SC - Site Characterization
SCG - Standard Criteria or Guidance
SCADA - Supervisory Control And Data Acquisition
SCOs – Soil Cleanup Objectives
SEQR - State Environmental Quality Review
SLERA - Screening Level Ecological Risk Assessment
SM - Site Management
SMP - Site Management Plan
SPDES - State Pollutant Discharge Elimination System
SSDSs - Sub Slab Depressurization System
SWMU - Solid Waste Management Unit
SV - Sampling Visit
SVOCs - Semi-Volatile Organic Compounds

T
TCE - Trichloroethene
TOGS - NYSDEC's Division of Water's Technical and Operational Guidance Series
TNOIA(s) - Technical Notice(s) of Incomplete Application
TSDF - Treatment, Storage & Disposal Facility

U
UIC - Underground Injection Control
UL - Underwriters Laboratories
USDA - United States Department of Agriculture
USDOT - United States Department of Transportation
USEPA - United States Environmental Protection Agency
UV - Ultraviolet

V
VOCs – Volatile Organic Compounds
VSI - Visual Site Inspection

W
WAP - Waste Analysis Plan

X

Y

Z

MODULE I
General Conditions

MODULE I
GENERAL CONDITIONS

The Permittee shall operate, monitor, and maintain the facility described herein, in compliance with the provisions of the New York State Environmental Conservation Law (ECL) Article 27, Title 9, Section 27-0900 et seq., the Federal Resource Conservation and Recovery Act (RCRA), including the Hazardous and Solid Waste Amendments of 1984 (HSWA) and the approved Permit application as further modified through Permit conditions set herein.

The Permittee is hereby authorized to operate only the hazardous waste management units identified in this Permit. This Permit does not authorize the operation of any other units.

A. EFFECT OF PART 373 PERMIT

1. This Permit consists of the general and special conditions contained in this and the attached Modules, including the Attachments and documents incorporated by reference; and the applicable requirements of the New York State Environmental Conservation Law (ECL) Article 27, Title 9, Section 27-0900 et seq., and the following regulations:

   6 NYCRR 370 - Hazardous Waste Management System-General;

   6 NYCRR 371 - Identification and Listing of Hazardous Wastes;

   6 NYCRR 372 - Hazardous Waste Manifest System and Related Standards for Generators, Transporters and Facilities;

   6 NYCRR 373 - Hazardous Waste Management Facilities;

   6 NYCRR 374 - Management of Specific Hazardous Waste;

   6 NYCRR 376 - Land Disposal Restrictions;

   6 NYCRR 621 - Uniform Procedures; and,

   6 NYCRR 624 - Permit Hearing Procedures.

   The applicable regulations or requirements would be those which are in effect prior to final issuance of this Permit.

2. **All documents and reports required by this Permit must be certified pursuant to conditions established in Subpart 373-1.4(a)(5)(iv) and Condition O.4 of this Module and submitted in accordance with requirements set forward in Conditions O and W of this Module. Additionally, unless specifically exempted in this Permit, all information (e.g., documents and reports) required to be submitted by the Permittee must be approved by DEC. DEC does not require certain plans, documents or reports to be certified. The Permittee should verify if certification is required prior to submittal to the DEC**.

3. The following Guidance and Policy Documents are potentially relevant to this Permit. The Permittee shall consider applicable Department guidance when conducting

activities required by this Permit.

DAR-1 Guidelines for the Control of Toxic Ambient Air Contaminants

DEP 23-1 Permitting and Disadvantaged Communities

DER-10 Technical Guidance for Site Investigation and Remediation

DER-13 Strategy For Evaluating Soil Vapor Intrusion at Remedial Sites in New York

DER-23 Citizen Participation Handbook for Remedial Programs

DER-31 Green Remediation

DER-33 Institutional Controls: A Guide to Drafting and Recording Institutional Controls

PFAS Guidance: Sampling, Analysis, and Assessment of PFAS (revised April 2023)

TOGS 1.1.1 Ambient Water Quality Standards And Guidance Values And Groundwater Effluent Limitations

4. The following Commissioner Policies are potentially relevant to this Permit. The Permittee shall consider applicable Department policies when conducting activities required by this Permit.

CP-29 Environmental Justice and Permitting

CP-39 Use of Enforcement Discretion for Discarded Mercury-containing Equipment

CP-43 Groundwater Monitoring Well Decommissioning

CP-44 Natural Resource Damages

CP-45 Procedure to Demonstrate Compliance with Financial Test Requirements (for financial assurance)

CP-51 Soil Cleanup Guidance

5. Compliance with this Permit during its term constitutes compliance, for purposes of enforcement, with 6 NYCRR Parts 370 through 374 and 376 except for the following requirements not included in the Permit:

   a. requirements which become effective by statute, including amendments thereto;

   b. requirements which are promulgated under 6 NYCRR 376 restricting the placement of hazardous wastes in or on the land;

   c. requirements which are promulgated under 6 NYCRR 373-2 regarding leak detection systems for new and replacement surface impoundment, waste pile, and landfill units, and lateral expansions of surface impoundment, waste pile,

and landfill units. The leak detections system requirements include double liners, CQA programs, monitoring, action leakage rates, and response action plans, and will be implemented through the procedures of 6 NYCRR 373-1.7 for major modifications; or

d. requirements which are promulgated under 6 NYCRR 373 3.27, 373 3.28, and 373 3.29, limiting air emissions.

6. The Permittee is authorized manage hazardous waste in the permitted units identified in accordance with the conditions of this Permit. Any storage, treatment or disposal of hazardous waste not authorized by this Permit is prohibited unless exempt under 6 NYCRR Part 373 1.1(d). Issuance of this Permit does not authorize any injury to persons or property, any invasion of other private rights, or any infringement of federal, State or local laws or regulations.

7. The Permittee is authorized to manage only hazardous wastes which are generated at the Permittee's facility.

8. The Permittee is required to conduct corrective action in accordance with the conditions of this Permit.

9. The Permittee must submit plans, reports, specifications, implementation schedules and any subsequent amendments to those documents required by this Permit to the Department for review and comment. Following its review of a document, if the document requires formal Department approval (as determined by the Department), the Department may either approve the document as submitted or issue comments on the submittal. If the Department issues comments on the document, subsequent activities for the document must proceed in accordance with the following schedule:

   a. Meeting between the Permittee and the Department to discuss the document comments, if requested by the Permittee or deemed necessary by the Department; and,

   b. Submission of a revised document to the Department for approval within thirty (30) calendar days of the above-described meeting. (If the above referenced meeting is determined not to be necessary, the Permittee must submit a revised document for Department approval, according to a schedule specified by the Department, not to exceed forty-five (45) calendar days of the Permittee's receipt of comments from the Department).

   c. If the submission is not revised to the Department's satisfaction, the Department may revise the document and send the Permittee a notice of intent to modify the Permit to incorporate the revised document into the Permit, pursuant to 6 NYCRR 621.13.

10. All plans, reports, specifications and schedules required by the terms of this Permit, and all subsequent amendments to those documents, are incorporated by reference into this Permit when written approval is issued by the DEC pursuant to 6 NYCRR 621.11, or 6 NYCRR 621.13. Upon incorporation, the provisions of each such document will

be binding upon the Permittee and have the same legal force and effect as the requirements of this Permit.

11. The Respondent must place the submittal within the Facility's document repository within fifteen (15) days of receipt of the Department's approval.

12. Informal advice, guidance, suggestion, or comment by the DEC must not be construed as relieving the Permittee of the Permittee's obligation to obtain such formal approvals as may be required by this Permit. The Permittee consents to and agrees not to contest the authority and jurisdiction of the DEC to enter into or enforce this Permit.

13. The Permittee must also comply with the following:

    6 NYCRR 373-1.1(f) – Uniform Procedures

    6 NYCRR 373-1.1(g) – Enforcement

    6 NYCRR 373-1.1(h) – Severability

14. The Permittee must maintain a current and complete paper copy or electronic copy on electronic storage device (or equivalent device) of this Permit, including all Modules, Attachments and documents incorporated by reference, in at least one location at the Facility for review by the DEC upon request.

15. For any Environmental Monitor(s) assigned to the Facility, the Permittee must maintain a complete set of paper copies of all submittals required by this Permit in the office of the Environmental Monitor or as otherwise directed by the Environmental Monitor(s) as per **Condition T.2** of this Module.

16. In the event of a discrepancy between this Permit and any regulation, order on consent, other permit, or plans, reports, specifications, and schedules submitted pursuant to this Permit, the more stringent requirement applies, as determined by the Department.

B. PERMIT DOCUMENTS

The Permittee's Hazardous Waste Part A Permit Application is attached to and incorporated by reference into this Permit. The Permit Application documents listed below are also incorporated by reference into this Permit. These documents are made part of this Permit, are binding upon the Permittee and have the same legal force and effect as the requirements of this Permit. The following documents are considered part of this Permit:

Modules

I	General Conditions
II	Corrective Action Requirements
III	RESERVED
IV	RESERVED

V RESERVED

VI RESERVED

VII RESERVED

VIII RESERVED

IX RESERVED

X RESERVED

XI Groundwater Monitoring

XII RESERVED

XIII Scheduled Dates

Attachments

A. EPA Part A Application and Facility Description with overall Renewal Application Certification required per 6 NYCRR Part 373-1.4(a)(5)(iv)

B. RESERVED

C. RESERVED

D. RESERVED

E. RESERVED

F. RESERVED

G. RESERVED

H. RESERVED

I. RESERVED

J. Other Laws

K. On-going Corrective Action, Statement of Basis, and Financial Assurance Documents

L. RESERVED

M. Permit Modification Log

N. RESERVED

Document(s) Incorporated by Reference

1. Solid Waste Management Unit (SWMU) and Area of Concern (AOC) Assessment Report dated September 1, 2006 and NYSDEC approval letter dated October 17, 2006.

2. Engineering Evaluation of Select Solid Waste Management Units (SWMUs) Report and NYSDEC approval letter dated April 27, 2010.

3. Corrective Measures Study Report Rev 3 dated November 7, 2024 and NYSDEC approval letter dated November 15, 2024.

Footnotes:

1. Each document referenced by this footnote includes the above dated original submission and any subsequent Department approved document revisions.

Proposed modifications to this Permit, including modifications to the Permit Application documents incorporated into this Permit, shall be addressed according to 6 NYCRR 373-1.7. The Permittee shall place a revision date on all pages of the proposed Permit modification application.

The Permittee must provide and maintain a log of all modifications made to this Permit, including modifications made to the Permit Application documents that are made part of this Permit. The log shall contain at a minimum the following information regarding an approved modification: (1) the name of the specific document being modified (e.g., contingency plan, security requirements, hazardous waste unit operations, etc.); (2) the effective date of the modification to the Permit; (3) the pertinent pages, sections, and/or attachments of the Permit and Permit Application documents subject to the modifications; (4) the revision date of the modifications; and (5) a brief statement regarding the nature of the modifications. The Permittee shall place the log at the beginning of this Permit along with a copy of the Department's approval letters, when applicable. The Permittee must replace the pages, sections, and/or attachments in the Permit and Permit Application with the modified pages, sections, and/or attachments.

C. DEFINITIONS

1. For the purposes of this Permit, the terms used herein shall have the same meanings as those provided in 6 NYCRR 370 through 376, and the terms defined in this Permit, unless this Permit specifically states otherwise. Where the terms are not otherwise defined, the meanings associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industry meaning of the term.

2. The following additional terms used in this Permit are defined as such:

   a. Action Levels. For the purposes of this Permit, "action levels" are hazardous constituent concentrations for a specific environmental medium which if exceeded indicate a potential threat to human health or the environment. The exceedance of action levels may trigger further investigations, studies and corrective measures. Where available, action levels are based on appropriate promulgated standards established for a specific environmental medium. When promulgated standards are not available, action levels can be media-specific hazardous constituent concentrations derived from non-promulgated human health risk data or environmental risk data with the latter levels being protective of aquatic life or wildlife. An action level may be set at the background level for a hazardous constituent for which data are inadequate to set a human health or environmental health-based level. The action levels for groundwater are the more stringent of the following for each compound or constituent: 6 NYCRR 703.5, New York State

Department of Health's Drinking Water Standards and the United States Environmental Protection Agency's Maximum Contaminant Levels (MCLs).

b. Areas of Concern (AOC). Pursuant to the authority granted by 6 NYCRR 373 1.6(c)(2), an "area of concern" has been defined for purposes of this Permit to mean an area at the facility, or an off-site area, which is not at this time known to be a solid waste management unit (SWMU), where hazardous waste and/or hazardous constituents are present, or are suspected to be present, as a result of a release from the facility. The term shall include areas of potential or suspected contamination as well as actual contamination. Such area(s) may require study and a determination of what, if any, corrective action may be necessary. All Permit references to and conditions for SWMUs shall apply to areas of concern.

c. Contamination. The presence of any hazardous constituent in a concentration which exceeds the naturally occurring concentration of that constituent in areas which should not be affected by the operations of the facility.

d. Corrective Action. For the purposes of this Permit, "corrective action" is a process that includes all activities related to the investigation, characterization and cleanup of a release of hazardous wastes or hazardous constituents from a solid waste management unit (SWMU) at a permitted or interim status treatment, storage and disposal facility (TSDF) to any environmental medium. The "corrective action" process includes all activities necessary to protect human health and the environment for all releases of hazardous waste or hazardous constituents at the facility, regardless of the time at which waste was placed in the unit. Corrective action may address releases to air, soil, surface water sediment, groundwater, or soil vapor. See Module II of this Permit for a more detailed discussion of the corrective action process.

e. DEC. New York State Department of Environmental Conservation

f. DER. Division of Environmental Remediation.

g. Environment or environmental media. "Environment" or "environmental media" means any water; water vapor; land, including land surface or subsurface; air; and, fish, wildlife, biota and all other natural resources.

h. Extent of Contamination. The horizontal and vertical area in which the concentrations of hazardous constituents in the environmental media being investigated are above the naturally occurring concentration of that constituent in areas which should not be affected by the operations of the facility.

i. Hazardous Constituents. For the purposes of this Permit, "hazardous constituents" are those constituents listed in Appendix 23 of 6 NYCRR 371 or any constituent listed in Appendix 33 of 6 NYCRR 373 2.

j. Permittee. For the purposes of this Permit, "Permittee" herein refers to the party(ies) subject to this Permit. In addition, refer to **Conditions S.2 and S.3** of this Module.

k. Priority Pollutant. Pursuant to 6 NYCRR 750 1.2(a)(67), "priority pollutant" means those pollutants listed in 40 CFR 122, Appendix D (see 6 NYCRR 750 1.24) as Organic Toxic Pollutants (volatiles, acid compounds, base/neutral compounds and pesticides), Metals, Cyanide and Total Phenols.

l. Qualified Professional Engineer. A person who by reason of his/her professional education and practical experience is granted a license by the New York State Education Department's Office of the Professions to practice professional engineering.

m. Release. For purposes of this Permit, "release" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment of any hazardous waste, including hazardous constituents, unless expressly authorized under the terms of this Permit or otherwise permitted under law (e.g., SPDES permitted discharges).

n. Solid Waste Management Unit (SWMU). For purposes of this Permit, a "solid waste management unit" includes any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of hazardous or solid wastes. Such units include any area at the facility at which solid wastes have been routinely and systematically released. These units include certain areas associated with production processes that have become contaminated as a result of routine and systematic releases.

o. Unit. Includes, but is not limited to, any landfill, surface impoundment, waste pile, land treatment unit, incinerator, injection well, tank, container storage area, wastewater treatment unit, elementary neutralization unit, or recycling unit.

D. GENERAL PERMIT CONDITIONS [6 NYCRR 373-1.6]

1. 6 NYCRR 373-1.6 provide conditions applicable to all Part 373 Permits which are therefore incorporated into this Permit. The provisions are incorporated into and made enforceable under this Permit.

2. Oral Reports: The Permittee must orally report any noncompliance that may endanger health or the environment within 24 hours from the time the Permittee becomes aware of the circumstances. This noncompliance includes, but is not limited to:

   a. Information concerning release of any hazardous waste(s), hazardous constituents(s) or emerging contaminant(s) that may cause an endangerment to public drinking water supplies; and

   b. Any information of a release or discharge of hazardous waste(s), hazardous constituents(s) or emerging contaminant(s) or of a fire or explosion from the hazardous waste management (HWM) facility, which could threaten the environment or human health outside the facility.

The oral reports must be made to the DEC using the New York State 24-hour oil and hazardous material spill notification number (800) 457-7362 and the National Response Center using its 24-hour number (800) 424-8802, or any designated telephone numbers which may subsequently replace those listed above. The Permittee must also provide such oral reports to DEC staff that are on-site at the time of, or subsequent to, a reportable incident. The information reported must include that listed at 6 NYCRR 373-1.6(a)(12)(vi)('b') and 6 NYCRR 373-2.4(g)(4)(ii).

For a fire, explosion or release to the environment, the Permittee must also comply with the reporting requirements in **Condition L.3** of this Module.

3. Entry Upon Facility:

   a. The Permittee must allow, pursuant to 6 NYCRR 373-1.6(a)(9), entry upon the Facility (or areas in the vicinity of the Facility which may be under the control of the Permittee) at reasonable times by any duly designated officer or employee of the United States Environmental Protection Agency (USEPA), the DEC or any State agency having jurisdiction with respect to matters addressed pursuant to this Permit, and by any agent, consultant, contractor or other person so authorized by the DEC, upon presenting identification, for inspecting, sampling, copying records that must be maintained by this Permit, testing, and any other activities necessary to evaluate the Permittee's compliance with this Permit.

   b. Upon request, the Permittee must: (i) provide the DEC with suitable workspace at the Facility, including access to a telephone, to the extent available; and, (ii) allow the DEC full access to all records relating to matters addressed by this Permit. Raw data must be provided to the DEC upon request.

   c. In the event the Permittee is not the owner of the Facility property and is unable to obtain any authorization from third-party property owners necessary to provide access, the Permittee must immediately notify the Department and provide any requested assistance in obtaining such authorizations.

   d. The DEC shall have the right to take its own photographs, samples and scientific measurements and to obtain split samples, duplicate samples or both, as necessary to evaluate the Permittee's compliance with this Permit. The DEC shall make the results available to the Permittee in accordance with DEC policy.

4. Reservation of Rights

   a. Nothing contained in this Permit shall be construed as barring, diminishing, adjudicating, or in any way affecting any of the DEC's rights or authorities, including, but not limited to, the right to require performance of further investigations and/or response action(s), the right to, at any time, issue a notice of intent to modify, suspend or revoke this Permit in accordance with 6 NYCRR

621.13 and/or to exercise any summary abatement powers with respect to any person, including the Permittee.

b. Except as otherwise provided in this Permit, the Permittee specifically reserves all rights and defenses under applicable law, and further reserves all rights respecting the enforcement of this Permit, including the rights to notice, to be heard, to appeal, and to any other due process. The existence of this Permit or the Permittee's compliance with it shall not be construed as an admission of liability, fault, wrongdoing, or breach of standard of care by the Permittee, and shall not give rise to any presumption of law or finding of fact, or create any rights, or grant any cause of action, which shall inure to the benefit of any third party.

E. PERMIT MODIFICATION AND PERMIT TRANSFER [6 NYCRR 373-1.7 and 621]

1. Proposed modifications to this Permit, including modifications to the Attachments and documents incorporated by reference into this Permit, must be addressed in accordance with 6 NYCRR 373-1.7 and 621.

2. The Permittee must contact the DEC (or its representative) with respect to any and all proposed permit modifications requested by the Permittee. The DEC shall make the determination as to whether a proposed permit modification is a minor or major modification in accordance with 6 NYCRR 373-1.7. For the purposes of this Permit, as described in **Condition E.2.a** of this Module, the DEC will entertain proposed administrative modifications to this Permit that would not otherwise be required to follow the requirements of **Conditions E.2.b and/or E.2.c** of this Module. Administrative changes generally include in-kind replacements or minor updates to plans attached to this Permit or incorporated by reference. **However, the DEC must determine whether any and all changes are administrative modifications to this Permit**.

   a. For modifications determined by the DEC to be administrative, the Permittee shall make the change in the Permittee's copy of all affected Attachment(s) and/or document(s) incorporated by reference. Submittal to the DEC of a change that the DEC has determined is administrative in nature is not necessary. However, at the time of Permit renewal, the Permittee must incorporate all administrative changes into this Permit. The Permittee must record all administrative changes in the Permit Modification Log provided as **Attachment M** of this Permit in accordance with **Condition E.3** of this Module. **Note:** The DEC reserves the right to have its project manager, environmental monitor and/or permit writer request proposed administrative changes in writing by the Permittee's submission of a cover letter, written description of the proposed administrative modification and a clean copy of the modified affected pages for the DEC's review and approval.

   b. For modifications determined by the DEC to be minor pursuant to 6 NYCRR 373-1.7(c) and 40 CFR 270.42(a), the Permittee must receive written approval from the DEC before implementing the modification into this Permit, and subsequently follow the requirements of 6 NYCRR 373-1.7, 6 NYCRR Part 621 and DEC guidance for minor modifications.

c. For modifications determined by the DEC to be major, the Permittee must treat the modification as a new application in accordance with 6 NYCRR 621.11 and follow the applicable requirements of 6 NYCRR 621.

3. The Permittee must maintain a log of all modifications requested and made to this Permit, including modifications made to the Attachments and documents incorporated by reference into this Permit. The log must conform to the DEC-approved format presented in **Attachment M** of this Permit and must be submitted with each modification request. The log must be filled out in its entirety, except for the issuance date. Upon issuance of each Permit modification, the Permittee must place the updated log in **Attachment M** of this Permit along with a copy of the DEC's approval letters, when applicable, and replace all affected pages in the Modules, Attachments and/or documents incorporated by reference with the modified pages.

4. The DEC may at any time, at its discretion, modify this Permit under the terms of 6 NYCRR 621.13 in accordance with the requirements contained therein.

5. Permit Transfer: The Permittee must process all changes in Facility ownership and/or operational control in accordance with the requirements of 6 NYCRR 373-1.7(a), including the timeframes specified therein. Prior to undertaking a change in Facility ownership and/or operational control, the Permittee must provide written notification to the DEC and receive written approval from the DEC to allow transfer of this Permit. The Permittee must demonstrate to the DEC's satisfaction that the prospective transferee will be able to comply with all applicable laws and regulations, Permit conditions, financial assurance and other requirements to which the Permittee is subject. The written notification must include the identity of the transferee and of the nature and proposed date of the conveyance, and must notify the transferee in writing, with a copy to the DEC, of the applicability of this Permit including the corrective action program, as appropriate. The DEC will determine whether transfer of this Permit is acceptable and will require either a minor or major modification.

F. EXPIRATION AND CONTINUATION OF PERMITS [6 NYCRR 373-1.8]

1. Requests for continuation of this Permit must be submitted in accordance with 6 NYCRR 373-1.8 and 621.11.

2. No sooner than one (1) year and no later than 180 calendar days before the expiration of this Permit, the Permittee must provide the DEC with a report regarding the matters identified in ECL 27-0913(3) occurring within two years of the date of the report. The report must include any such matters involving the permitted Facility, all other facilities owned or operated by the Permittee and any duly incorporated parent or subsidiary managing hazardous wastes within the United States. The Permittee must supply such documents and pertinent details regarding the matters in the report as may be requested by the DEC.

3. The Permittee must schedule a "Pre-Application" meeting with the DEC at least 270 calendar days prior to the expiration date of this Permit. Renewal applications with a significant change (as defined at 6 NYCRR 373-1.10(a)(1)) are subject to the requirements of 6 NYCRR 373-1.10.

4. Complete applications for permit renewal must be submitted at least 180 calendar days before the expiration date of this Permit pursuant to 6 NYCRR 373-1.8(b).

5. At any time during the review of the renewal application, the DEC may request that the Permittee submit any additional information in writing which is necessary for determining the completeness of the application. Failure to provide such information by the date specified in the request may be grounds for denial of the application and the extension allowed pursuant to Section 401(2) of the State Administrative Procedures Act.

G. TERMINATION OF PERMIT ACTIVITIES (Reserved in case facility hazardous waste operations change)

1. Should the Permittee cease the hazardous waste management activities allowed by this Permit prior to the expiration of this Permit, then, pursuant to 6 NYCRR 373-1.6(d), the Permittee must continue to comply with the applicable closure, post-closure and corrective action conditions and requirements stipulated in this Permit.

2. If the Permittee certifies closure of all hazardous waste management units at the Facility, and the DEC accepts these closure certifications during the term of this Permit, and post-closure care or corrective action is determined to be necessary by the DEC, the Permittee may request to enter into another enforceable commitment document which is appropriate, pursuant to Environmental Conservation Law (ECL) Section 71-2727(3) in lieu of this permit. The Permittee must enter into the appropriate enforceable commitment prior to the expiration of this Permit, or submit a renewal application as required by **Condition F. 4** of this Module.

H. FACILITY OPERATION

1. In accordance with 6 NYCRR 373-2.3(b), the facility must be designed, constructed, maintained and operated to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste(s) or hazardous waste constituents to air, soil, surface water or groundwater that could threaten human health or the environment.

2. The Permittee must at all times construct, operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee as designed in accordance with this Permit.

3. The Permittee must inspect the Facility to prevent malfunctions and deterioration, operator errors, and discharges that may cause or lead to the release of hazardous waste(s) or hazardous waste constituents to the environment, or a threat to human health pursuant to 6 NYCRR 373-2.2(g).

I. COMPLIANCE SCHEDULE

1. The Permittee must complete any activities referenced in **Condition A of Module XIII** this Permit within the timeframes set forth therein and in accordance with 6 NYCRR 373-1.6(d).

2. The Permittee must submit reports in a DEC-approved format no later than 14 days following each interim and the final compliance date that summarize the status of each of the activities listed in this Permit. These reports must be signed and certified pursuant to 373-1.6(a)(11) and 373-1.4(a)(5).

J. WASTE ANALYSIS [6 NYCRR 373-2.2(e)]

1. The Permittee must perform general waste analysis in accordance with the requirements of 6 NYCRR 373-2.2(e) and this Permit.

2. All laboratories utilized for the analysis of any closure, post-closure and/or corrective action samples must be certified under the New York State Department of Health's Environmental Laboratory Approval Program (ELAP). Any laboratory tests or sample analyses for which the commissioner of the New York State Department of Health (NYSDOH) issues certificates of approval must be performed by a laboratory certified to perform such tests or analyses pursuant to the NYSDOH Environmental Laboratory Approval Program.

K. PERSONNEL TRAINING PROGRAM [6 NYCRR 373-2.2(h)] (Reserved in case facility hazardous waste operations change)

1. The Permittee must conduct personnel training in accordance with 6 NYCRR 373-2.2(h)(1), (2) and (3), and this Permit.

2. The Permittee must maintain training documents in accordance with 6 NYCRR 373-2.2(h)(4) and (5), and this Permit.

L. PREPAREDNESS AND PREVENTION, CONTINGENCY PLAN AND EMERGENCY PROCEDURES [6 NYCRR 373-2.3 and 2.4]

1. The Permittee must comply with the preparedness and prevention requirements in accordance with 6 NYCRR 373-2.3 and this Permit.

2. The Permittee must comply with contingency plan and emergency procedure requirements in accordance with 6 NYCRR 373-2.4 and this Permit.

3. Reporting of Fires, Explosions or Releases to the Environment

   a. Oral Reports: For fires, explosions or releases which could threaten human health or the environment outside of the facility, the Facility's Emergency Coordinator must immediately notify the DEC (using the New York State 24-hour oil and hazardous material spill notification number (518) 457-7362) and the local governmental official designated as the on-scene coordinator for that governmental

area. This notification must be made in accordance with, and include the information required by 6 NYCRR 373-2.4(g)(4)(ii).

b. Written Report: For any fire, explosion or release to the environment, except if the release is less than or equal to one (1) pound and immediately cleaned up, the Permittee must, within fifteen (15) calendar days of the incident, submit a written report to the DEC in accordance with, and include the information required by 6 NYCRR 373-2.4(g)(10).

M. WASTE REDUCTION REQUIREMENTS

1. The Permittee must comply with the requirements of Article 27, Title 9, Section 27-0908 of the ECL and 6 NYCRR 373-2.5(c)(2)(ix) relative to waste reduction requirements.

N. REQUIREMENTS FOR RECORDING AND REPORTING OF MONITORING RESULTS [6 NYCRR 373-1.6(b)]

1. The Permittee must comply with the recording, reporting and monitoring requirements listed in this Permit.

2. The Permittee must install, use and maintain monitoring equipment, utilize the approved methods, and report monitoring results as specified in this Permit, and 6 NYCRR 373-2.

O. DATA AND DOCUMENT STANDARDS

1. All analytical data required by this Permit, as well as all analytical data requested by the Department, must be submitted to the DEC in the standardized format in accordance with the DEC's Electronic Data Deliverable guidance (i.e., NYSDEC EQuIS™ database) within 30 days of receipt from the laboratory (see http://www.dec.ny.gov/chemical/62440.html). The Permittee may obtain Category A deliverables for routine sampling activities. At decision points where determinations of final actions are taken, the Permittee must obtain Category B deliverables and have all closure, post-closure and corrective action data validated by a third party prior to submission to the DEC. The individual performing the third-party validation must prepare a Data Usability Summary Report (DUSR) consistent with the guidelines of the DEC's DER-10. The DUSR must be submitted with the report containing the data in accordance with **Condition O.2** of this Module. The data deliverable submitted to the DEC must include the results of the data validation.

2. The Permittee must deliver to the DEC preliminary or final reports, specifications or drawings prepared pursuant to this Permit in an electronic format that complies with the DEC's Electronic Document Standards (EDS) or as otherwise directed by the DEC. All final documents are to be submitted in an electronic format that complies with the most recent DER EDS. Until such time as the DEC establishes an EDS, final documents are to be submitted as a PDF document (see Requirements For Submittal Of Electronic Documents - NYSDEC). Also, the Permittee must, at the request of the DEC, provide

electronic versions of technical documents in MS Word and/or MS Excel, and plan drawings and/or other site drawings in AutoCAD, or other format suitable to the DEC.

3. In addition to electronic copies, the Permittee must provide paper copies of any document (e.g., reports, plans, data, specifications, drawings, etc.) requested by the Department in paper format or as may be specified in paper format in **Condition W** of this Module.

4. All Permit Applications and Reports required by this permit and other information requested by the DEC must be signed in accordance with the provisions of 6 NYCRR Part 373-1.4(a)(5), and include the following statement required by 373-1.4(a)(5)(iv): "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

P. FINANCIAL ASSURANCE

1. The Permittee must comply with all of the applicable requirements of 6 NYCRR 373-2.8 and this Permit. The definitions contained in 6 NYCRR 373-2.8(b) are applicable to the financial requirements within this Permit.

2. The Permittee must comply with this Permit and 6 NYCRR 373-2.6(l) for meeting the financial assurance requirements for corrective action for releases from any solid waste management unit located at the Facility, regardless of the time the waste was placed in the unit.

3. The Permittee must adjust for inflation all cost estimates required by 6 NYCRR 373-2.6(l), 373-2.8 and this Permit annually, and provide additional financial assurance for this adjustment in accordance with 6 NYCRR 373-2.8 and **Condition P.6**. These adjustments must be independent of any requests to decrease cost estimates, unless the DEC has previously approved such a decrease (i.e., the inflationary adjustment must be made separately from any unapproved request for a decrease in the cost estimate). In addition, the total amount of any post-closure cost estimate must be established and maintained throughout the life of this Permit in at least the amount derived by multiplying the annual post-closure cost estimate by a minimum of 30 years unless the DEC has approved a decrease in the post-closure care period for a unit or the Facility in accordance with 6 NYCRR 373-2.7(g)(1)(ii).

4. The Department-approved closure, post-closure and corrective action cost estimates are in **Attachment K** of this Permit. These cost estimates must be adjusted annually for inflation in accordance with **Conditions P.3 and P.6** of this Module.

5. The Permittee must obtain approval in writing from the DEC prior to any reduction in the approved cost estimates and for any changes to the instrument(s) and/or

mechanism(s) (e.g., type of instrument(s) and/or mechanism(s), the issuing company(ies)/institution(s) and/or a reduction in the dollar amount(s)).

6. Corrective Action Cost Estimates: For any and all corrective actions required under the authority of this Permit for any Solid Waste Management Units, both final and interim, the Permittee must submit for the DEC's approval, written estimates, in current dollars, which reflect all costs involved in implementing corrective action through DEC-approved completion. Such estimates must reflect the cost of hiring a third party to perform the corrective action in accordance with 6 NYCRR 373-2.8(e)(1)(i). For the final corrective measure(s), the Permittee must provide such estimates with the submission of the Corrective Measures Implementation (CMI) work plan. For Interim Corrective Measures (ICM) requiring work plans, the Permittee must provide such estimates with the submission of each ICM work plan required by this Permit.

7. Short-Term Corrective Measures: For financial assurance of final or interim corrective measures for any Solid Waste Management Units required by DEC-approved work plans where the implementation schedule in the approved work plan(s) indicates anticipated completion of said action(s) within one (1) year, the Permittee must provide the DEC with a letter certifying that the Permittee has sufficient liquid financial resources to perform and complete the approved corrective measure(s) based on the DEC-approved cost estimate(s) required by **Condition P.6** of this Module. This letter must include a certification in accordance with 6 NYCRR 373-1.4(a)(5) and must be provided for the DEC's acceptance with the Permittee's submission of a final or interim corrective measures work plan(s). If the DEC notifies the Permittee that the certification is not acceptable, the Permittee must establish financial assurance for corrective measures in accordance with the requirements of financial assurance for Long-Term Corrective Measures as specified in **Condition P.8** of this Module within sixty (60) days of said notification. If the corrective action(s) are not completed within one year of the initial certification, the Permittee may request and the DEC, at its discretion, may approve up to a one (1) year extension of the certification. If the corrective action(s) has not been completed to the DEC's satisfaction at the end of the first year or a DEC-approved extension, the Permittee must, within sixty (60) days, provide financial assurance in accordance with the requirements of financial assurance for Long-Term Corrective Measures as specified in **Condition P.8** of this Module.

8. Long-Term Corrective Measures: For final or interim corrective measures required for any Solid Waste Management Units by a DEC-approved work plan(s) where the implementation schedule in the approved work plan(s) indicates that the anticipated completion of the final or interim corrective action(s) will take longer than one (1) year, the Permittee must establish and maintain a DEC-approved financial assurance instrument(s) in accordance with 6 NYCRR 373-2.8(f). This financial assurance must be equal to the current dollar amount of the most recent DEC-approved final or interim corrective measures cost estimate(s) required by **Condition P.6** of this Module. The DEC-approved financial assurance must be one, or an allowable combination, of the financial assurance instruments, specified in 6 NYCRR 373-2.8(f)(1) through (4) and these instruments must be issued by an entity, or entities, that are legally and fiscally separate and distinct from the Permittee and any parent or subsidiary thereof. If the Permittee chooses to use either 6 NYCRR 373-2.8(f)(2) or (3) (or a combination thereof), the Permittee must revise or establish a Standby Trust Fund in accordance

with said regulations. The Permittee must submit the instrument(s), for the DEC's approval, no later than sixty (60) days after the DEC's approval of corrective measures work plan(s), or as required by the requirements of financial assurance for Short-Term Corrective Measures as specified in **Condition P.7** of this Module.

9. For any Permit modification request pertaining to the Closure Plan or Post-Closure Plan provided as **Attachment I.** of this Permit involving an increase in cost, the Permittee must also submit a revised cost estimate, in current dollars, which includes the increase in these costs with appropriate third-party justification. For any new or modified corrective measure required by this Permit and submitted by the Permittee subsequent to the issuance of this Permit which involves an increase in the cost of corrective action, the Permittee must also submit for DEC approval, a revised cost estimate, in current dollars, which includes the cost increase associated with implementing the corrective measure with appropriate third-party justification.

10. Within sixty (60) calendar days of a modification of this Permit or DEC approval of a new or modified corrective measure involving an increase in a cost estimate, the Permittee must establish additional financial assurance to cover the amount of the increase in the cost estimate in accordance with the requirements of 6 NYCRR 373-2.8.

11. The Permittee must maintain the DEC-approved financial assurance instruments for closure, post-closure, corrective action, and third-party liability coverage. Changes in existing financial assurance instruments or replacement of existing financial assurance instruments must be approved by the DEC. The Permittee must provide annual evidence to the DEC within thirty (30) calendar days prior to the anniversary on which the initial approved financial assurance instrument was established, that all required instruments have been maintained and not allowed to lapse.

12. Within sixty (60) calendar days after any increase in the approved cost estimate, the Permittee must, in accordance with 6 NYCRR 373-2.8, either:

    a. Revise one or more of the DEC approved financial assurance instrument(s) to increase the instrument(s) amount by at least the amount of the increase in the approved cost estimate and submit the revised instrument(s) for DEC approval; or

    b. Submit an additional financial assurance instrument, or instruments from the allowable instrument types specified in 6 NYCRR 373-2.8 with an amount equal to at least the amount of the increase in the approved cost estimate and submit the additional instrument(s) for DEC approval.

13. If the Permittee elects to replace any instrument with new financial assurance instrument(s) as specified by 6 NYCRR 373-2.8, the new instruments must be issued by an entity, or entities, that are legally and fiscally separate and distinct from the Permittee and any parent or subsidiary thereof. Also, if applicable, any replacement instruments pertaining to post-closure and corrective action must be worded in accordance with 6 NYCRR 373-2.8(j) except that the words "post-closure and corrective action" must be substituted for the words "post-closure" in any such replacement instrument.

Q. COMMUNICATIONS

1. The Permittee must transmit all communications pursuant to this Permit to the DEC via electronic delivery to the recipients specified in **Conditions O and W of this Module**. All deliverables must be transmitted in a DEC-approved format as specified in **Condition O** of this Module.

2. If requested by the DEC in lieu of or in addition to an electronic deliverable, the Permittee must transmit the requested written communications pursuant to this Permit to the DEC by United States Postal Service, by private courier service or by hand delivery to the following address:

   Supervisor, HW Corrective Action & Post Closure
   Division of Materials Management
   New York State Department of Environmental Conservation
   625 Broadway
   Albany, NY 12233-7256

3. The Permittee must submit additional copies of the specific deliverables identified in **Condition W of this Module** to the addresses and agencies listed therein.

R. PENALTIES

1. Permittee's Obligations

   a. The Permittee's failure to comply with any term of this Permit constitutes a violation of this Permit and the ECL. Nothing herein abridges the Permittee's right to contest any allegation that it has failed to comply with this Permit.

   b. Payment of any penalties must not in any way alter the Permittee's obligations under this Permit.

S. MISCELLANEOUS

1. The paragraph headings set forth in this Permit are included for convenience of reference only and must be disregarded in the construction and interpretation of any provisions of this Permit.

2. If there are multiple parties subject to this Permit, except where stated otherwise, the term "Permittee" must be read in the plural, the obligations of each such party under this Permit are joint and several, and the insolvency of or failure by any Permittee to implement any obligations under this Permit must not affect the obligations of the remaining Permittee(s) under this Permit.

3. If the Permittee is a partnership, the obligations of all general partners (including limited partners who act as general partners) under this Permit are joint and several and the insolvency or failure of any general partner to implement any obligations under this Permit must not affect the obligations of the remaining partner(s) under this Permit.

4. In any administrative or judicial action to enforce a condition of this Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Permit.

5. Whenever materials or equipment are specified or described in this Permit using the name of a proprietary item or the name of a particular supplier, the naming of the item is intended to establish the type, function, quality, performance and design criteria required. In all cases, unless the name is followed by words indicating that "no 'or equal' or substitution is allowed" or similar language, materials or equipment of other suppliers may be accepted by the DEC if sufficient information is submitted by the Permittee to allow the DEC to determine that the material or equipment proposed is equivalent or equal to that named. Requests for review of "or equal" or substitute items of material and equipment will not be accepted by the DEC from anyone other than the Permittee. If the Permittee wishes to furnish or use an "or equal" or substitute item of material or equipment, the Permittee must make written application to the DEC for acceptance thereof, certifying that the proposed "or equal" or substitute will perform the same functions and achieve the same results called for by the general design, be similar and of equal substance and quality to that specified, and be suited to the same use as that specified.

6. The Permittee may submit a written request to the DEC for a clarification on compliance with any condition in this Permit. Any such request must be submitted at least 30 calendar days prior to the date on which the Permittee must comply with the condition identified in the clarification request. In response, the DEC will provide the Permittee with a written clarification, detailing what constitutes compliance with the identified Permit condition. This clarification process shall in no way relieve the Permittee from the obligation to comply with all the terms and conditions of this Permit.

7. All data, information, and records concerning, created for or maintained by the Permittee for the operation, investigation or remediation of the facility and any contamination that has emanated from the facility, shall be preserved and made available to the DEC upon request, except for attorney-client privilege or work product protection doctrine material(s). The Permittee shall use its best efforts to insure that all employees of the Permittee and all persons, including contractors and subcontractors who engage in activities under this Permit, are made reasonably available to, and cooperate with the DEC if information, whether written or oral, is sought.

T. REQUIREMENTS FOR AN ON-SITE DEC ENVIRONMENTAL MONITOR

1. Number of DEC Environmental Monitors assigned to Facility: **Zero (0)**

2. The Permittee shall fund environmental monitoring services to be performed by or on behalf of the Department. These monitoring services will include, but not be limited to, the scope of work in an annual environmental monitoring work plan which is incorporated by reference and enforceable under this permit.

3. The Permittee shall provide to the Department on an annual basis the funds necessary to support the activities set forth in the annual environmental monitoring work plan. The sum to be provided will be based on the annual budgeted amount and is subject to

annual revision. Subsequent annual payments shall be made for the duration of this Permit or until the environmental monitoring services are no longer necessary, whichever comes first. 3. The Permittee shall be billed annually, prior to the start of each State Fiscal Year (SFY) (April 1). If this Permit is to first become effective subsequent to April 1, the initial bill will be for an amount sufficient to meet the anticipated cost of the environmental monitoring services through the end of the current SFY.

4. The DEC may revise the required payment on an annual basis to include all costs of environmental monitoring services to the DEC. The annual revision may take into account factors such as inflation, salary increases, changes in the fringe benefits rate, changes in operating hours and procedures, changes in non-personal service costs (including travel, training, sampling and analytical, and equipment costs, etc.), and changes in the need for and level of Environmental Monitors services and supervision of such Environmental Monitor(s). Upon written request by the Permittee, the DEC shall provide that entity with a written explanation of the basis for any modification. If such a revision is required, the DEC will notify the Permittee of such a revision no later than 60 calendar days in advance of any such revision.

5. Prior to making its annual payment, the Permittee will receive and have an opportunity to review an annual work plan that the DEC will undertake during the year.

6. Payments are to be in advance of the period in which they will be expended. Payments shall be made in full within 30 calendar days of written notice by the DEC that a payment is due. The notice from the Department to the Permittee will provide information regarding to whom payments should be made payable and the address to which payments should be sent.

7. Failure to make the required payments is a violation of this Permit. The DEC reserves all rights to take appropriate action to enforce the above payment provisions.

8. The environmental monitor shall, when present at any of the Permittee facilities, abide by all of the Permittee health and safety and operational requirements and policies, if such requirements and policies exist and provided they are not inconsistent with Department policies and labor management contracts, and further provided, however, that this shall not be construed as limiting the environmental monitor's powers as otherwise provided for by law and shall not result in the environmental monitor being afforded less protection than otherwise provided to the environmental monitor by State and Federal health and safety requirements..

9. The environmental monitor shall receive from the Permittee all general and site-specific safety training which is normally given to new facility/site employees for all areas of the facility or site. Upon selection of the environmental monitor, the Permittee shall immediately furnish to the environmental monitor any facility/site health and safety and operational requirements and policies. Within five (5) days of any revision to the facility/site health and safety and operational requirements and policies, the Permittee shall furnish to the environmental monitor the health and safety and operational requirements and policies.

10. The environmental monitor shall be permitted to use environmental monitoring and data collection devices (e.g., photo ionization detectors, cameras, video recording devices, computers, cell phones, etc.) deemed necessary by the Department to evaluate and document observed conditions. Copies of the data or images collected from areas where confidentiality is a concern shall be provided to the Permittee upon their request. The Permittee may request the data and images be considered confidential information if appropriate.

11. It will remain the responsibility of the Permittee to contact the Spill Hotline or any Division within the Department regarding any required notification of any spill, release, exceedances etc. Notification to the environmental monitor will not be considered sufficient to replace any required notifications.

12. The environmental monitor's office space in a building is to be kept in good operating condition, including water-tightness, lighting, appropriate heating and cooling, electrical power, telephone service and prompt snow removal. Adequate parking shall be provided for the monitor.

U. Specific Conditions (Reserved in case facility hazardous waste operations change)

1. The Permittee must make reasonable attempts to organize training events for local fire companies or departments, and to also arrange inspections of the Facility by these entities. During each inspection the Permittee shall solicit recommendations from the fire company or department concerning minimum suggested inventories for firefighting and safety equipment to be maintained at the facility. A report of each inspection, including any and all recommendations made by fire company or department inspectors and the Permittee's plans for addressing these recommendations, must be submitted to the DEC by the Permittee within seven (7) calendar days of each inspection.

2. The Permittee must make a copy of the Emergency Response Plan containing and inventory sheet listing the amount and location of all emergency equipment available on-site, to all employees involved in emergency response.

3. Upon notification by the Permittee of any partial closure of a unit or portion thereof, or of final closure of the Facility, the DEC will determine at the time of said closures whether additional samples, sampling points, sampling techniques/methods and/or sample analysis (i.e., in addition to Closure Plan requirements in **Attachment I** of this Permit) will be necessary to verify the effectiveness of decontamination or removal of components, equipment, structures and contaminated soils. These determinations will be based upon the past history of operating practices and types of wastes handled at the unit/Facility and on the closure regulations and other requirements in effect at the time of closure of the unit/Facility. The operating record, the record of spills, the types of waste released, location of spills and the condition of any secondary containment systems will also provide data to be used in these determinations. Also, at the time of said closures, the DEC will determine whether more restrictive and/or additional criteria (i.e., more restrictive than, or in addition to Closure Plan criteria in **Attachment I** of this Permit) will be necessary to verify the effectiveness of decontamination or removal of components, equipment, structures and contaminated soils, based on the

DEC's regulatory cleanup standards in effect at the time of said closures.

4. If the DEC determines that additional sampling and analysis or more restrictive and/or additional criteria are necessary at the time of unit/Facility closure, the DEC shall send the Permittee a notice of intent to modify this Permit in accordance with 6 NYCRR 621 to incorporate these requirements into the Permit. In the event the DEC issues such a notice of intent, the Permittee will be restricted from issuing a certification of closure for the unit/facility in accordance with 6 NYCRR 373-2.7(f), until the associated 6 NYCRR 621 Permit modification process is completed and any associated closure requirement(s) that might result from this modification process are satisfied.

V. PUBLIC PARTICIPATION (INCLUDING 6 NYCRR 373-1.10)

1. Information Repository (6 NYCRR 373-1.10(c))

   The Permittee shall establish and maintain an Information Repository at https://rpupdate.com/document-repository/index.html. The Permittee shall provide the DEC with thirty (30) calendar days' notice of any change to the location of the repository. The Permittee will continue to maintain the information repository for the life of the Permit or until otherwise notified by the DEC.

   The repository shall contain a copy of the final approved Part 373 Permit application, approved documents such as plans, reports, other relevant documents, the Part 373 Permit Executive Summary/Fact Sheet, public notices pertaining to the Part 373 Permit, copies of correspondence including enclosures and attachments from the effective date of the Permit between the DEC and the Permittee pertaining to the Permit or to compliance. Certain portions of the permit, and other information within the repository, may be redacted as necessary to protect national security or due to public sensitivity.

   The Permittee shall provide a written notice of the availability of the information repository to all individuals on the facility mailing list within one month from the effective date of this Permit (except to those previously notified within 1 year prior to the effective date of the Permit) and to all individuals on the facility mailing list one year before the expiration date of this Permit.

2. Other public participation activities to consider maintaining good community relations:

   a. Public Meetings

   b. Citizens Advisory Group Meeting

W. PLANS, REPORTS, SPECIFICATIONS, IMPLEMENTATION SCHEDULES AND OTHER SUBMITTALS

Submittals required by the Permit must be provided to the DEC and other identified Agencies as listed below. The list below identifies the DEC/Agencies staff, by title, that must receive submissions and indicates the types of submissions each must receive. At any time during the life of this Permit, the DEC may designate alternate titles or addresses to receive submissions (different than those indicated below), and direct the Permittee to

make submissions to the alternate title or address. The list below also indicates whether the submission must be a paper or electronic copy. Where electronic copies are indicated, the submission must be in a form as required by **Condition O** of this Module. Submissions of electronic copies may be by e-mail or other methods acceptable to the DEC. Appropriate email addresses will be provided to the Facility at Permit issuance and whenever there is a staffing or email address change.

1. One (1) electronic copy of all submittals to:

   Project Manager, HW Corrective Action & Post Closure
   Bureau of Hazardous and Waste and Radiation Management
   New York State Department of Environmental Conservation
   625 Broadway, 9th Floor
   Albany, NY 12233-7256

   Supervisor, HW Corrective Action & Post Closure
   Bureau of Hazardous and Waste and Radiation Management
   New York State Department of Environmental Conservation
   625 Broadway, 9th Floor
   Albany, NY 12233-7256
   P373Permitting@dec.ny.gov

   Regional Materials Management Engineer
   New York State Department of Environmental Conservation
   222 Golf Course Road
   Warrensburg, NY 12885

   and

   Manager, Land and Redevelopment Programs Branch
   Land, Chemicals & Redevelopment Division
   U.S. Environmental Protection Agency, Region II
   290 Broadway [25th floor]
   New York, NY 10007-1866

2. One (1) paper copy and one (1) electronic copy of all financial assurance documents to:

   Project Manager, HW Corrective Action & Post Closure
   Bureau of Hazardous and Waste and Radiation Management
   New York State Department of Environmental Conservation
   625 Broadway
   Albany, NY 12233-7256

3. One (1) electronic copy of all waste reduction documents to:

   Pollution Prevention Unit
   Division of Materials Management
   New York State Department of Environmental Conservation
   625 Broadway

Albany, NY 12233-7253
pollutionprevention@dec.ny.gov

4. One (1) paper copy of all modification requests pertaining to this Permit to:

   Regional Permit Administrator
   Division of Environmental Permits
   New York State Department of Environmental Conservation
   1115 NYS RTE 86,
   PO Box 296
   Ray Brook, NY 12977

5. Where additional DEC staff are copied on the above submittals, the Permittee shall submit these copies electronically. In addition, the Permittee shall provide hard copies of any of the above submittal(s) when specifically requested by the Department.

MODULE II
Corrective Action Requirements

MODULE II
CORRECTIVE ACTION REQUIREMENTS

A. APPLICABILITY

1. Statute and Regulations: Article 27, Title 9, Section 27-0913, and 6 NYCRR 373-2.6(l) requires corrective action, including corrective action beyond the Facility boundary where necessary to protect human health and the environment, for all releases of hazardous wastes, including hazardous constituents listed in Appendix 23 of 6 NYCRR 371 or Appendix 33 of 6 NYCRR 373-2 as well as any hazardous substances in 6 NYCRR Part 597 (defined together as constituents), from any solid waste management unit (SWMU) at a storage, treatment or disposal facility that has ever sought a 6 NYCRR Part 373 or a federal RCRA permit, regardless of the time at which waste was placed in such unit. Pursuant to 6 NYCRR 373-1.6(c)(2), the Department may impose Permit Conditions as the Department determines necessary to protect human health and the environment (e.g., areas of concern (AOCs) as defined in **Module I** of this Permit).

2. **All documents and reports required by this Permit must be certified pursuant to conditions established in Subpart 373-1.4(a)(5)(iv) and Condition O.4 of Module I and submitted in accordance with requirements set forward in Conditions O and W of Module I. Additionally, unless specifically exempted in this Permit, all information (e.g., documents and reports) required to be submitted by the Permittee must be approved by DEC. DEC does not require certain plans, documents or reports to be certified. The Respondent should verify if certification is required prior to submittal to the DEC.**

3. Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs): The Permittee must initiate and complete the corrective action process for all SWMUs and AOCs at the Facility. The conditions of this Module apply to:

   a. All the SWMUs and AOCs as listed in **Table 1 of the SWMU/AOC Current Conditions Report in Attachment K** of this Module individually or in combinations.

   b. Any additional SWMU(s) and AOC(s) identified during the course of groundwater monitoring, field investigations, environmental audits or other means as described in **Condition C** below.

   c. All SWMUs and AOCs located on-site and/or off-site are identified in **Table 1** of the **SWMU/AOC Current Conditions Report in Attachment K** as SWMUs/AOCs requiring Further Corrective Action or No Further Action.

   d. The Permittee need not undertake corrective action at any SWMU(s) and/or AOC(s) identified as No Further Action in **Table 1 of the SWMU/AOC Current Conditions Report in Attachment K** provided there is no evidence of the release(s) of hazardous waste(s), constituent(s) from the SWMU(s) and/or AOC(s) threatening human health or the environment.

e. A determination of No Further Action shall not preclude the DEC from modifying this Permit in accordance with 6 NYCRR 621.13 in order to require further investigations, studies, monitoring, or corrective measures, if new information, subsequent analysis or new contamination indicates the release(s) or likelihood of release(s) that could pose a threat to human health or the environment.

NOTE: If the SWMU/AOC Current Conditions Report was submitted prior to issuance of this Permit, then it is included in **Attachment K** with the abovementioned table (**Table 1**) as required. If it is listed as an item to be submitted following Permit issuance under the Schedule of Deliverables (**Module XIII, Condition B**), then the abovementioned table (**Table 1**) must be included in the document as required. Upon the DEC's acceptance of said report, it will automatically be included in **Attachment K**.

B. STANDARD CONDITIONS FOR CORRECTIVE ACTION

1. The Permittee must perform any and all corrective action specified by **Condition A.3** of this Module and all conditions in this Permit.

2. The Permittee must follow the requirements for groundwater protection as specified in **Module XI** of this Permit, including any groundwater sampling and analysis plan which may be required therein.

3. The Permittee and its consultants/contractors performing corrective action activities must demonstrate completion of appropriate training in accordance with the Department-approved personnel training plan in this Permit and follow all applicable health and safety plans.

4. Work Plans. All work plans submitted pursuant to this Module shall include:

   a. Quality Assurance/Quality Control protocols to ensure that data generated is valid and supported by documented procedures;

   b. Other plans (e.g., Quality Assurance Project Plan (QAPP)), specifications and protocols, as applicable;

   c. A schedule for starting specific tasks, completing the work and submitting progress and final reports; and

   d. Plans for the treatment, storage, discharge or disposal of wastes to be generated by activities described therein.

5. Quality Assurance/Quality Control. Any laboratory to be used pursuant to sampling required by this Module must be approved by the DEC prior to implementation. Certification by the New York State Department of Health (DOH) Environmental Laboratory Approval Program (ELAP) in the relevant analytical services is required. All laboratory deliverables must be submitted in accordance with **Condition O.1 of Module I.**

6. Health/Safety Plans. The Permittee shall develop, according to applicable Federal, State and local requirements, and submit to the DEC, health and safety plans that will be implemented to ensure that the health and safety of project personnel, plant personnel and the general public are protected. These plans are not subject to approval by the DEC.

7. Guidance Documents. When preparing the submissions described in this Permit Module, the Permittee shall take account of applicable guidance documents issued by the DEC and U.S. Environmental Protection Agency in a manner reflecting reasonable technical considerations.

8. Prior Submissions. The Permittee may have already submitted portions of information, plans, or reports required by this Permit Module and its Appendices to the DEC pursuant to the terms of previous applications, consent orders, or plans. For those items the Permittee contends were submitted to the DEC, the Permittee may cite the specific document(s) it believes adequately addresses each of the individual items requested by this Permit Module and its Attachments. The references, by document(s) shall be placed in the appropriate sections of the submissions that require the referenced information and data. If the DEC determines that it does not possess any of the referenced information, plans, or reports that the Permittee claims were previously submitted, the DEC will notify the Permittee and the Permittee shall submit the referenced documents within the time frame specified within the notification.

9. Compliance Schedule For Reporting And Submissions.

    a. The Permittee shall submit, to the DEC, signed progress reports, as specified in approved work plans pursuant to this Permit, of all activities (i.e., SWMU Assessment, Interim Measures, RCRA Facility Investigation, Corrective Measures Study) conducted pursuant to the provisions of the Corrective Action Compliance Schedules of this Permit Module, beginning no later than thirty (30) calendar days after the Permittee is first required to begin implementation of any requirement herein. These reports shall contain:

        i. A description of the work completed during the reporting periods;

        ii. Summaries of all findings made during the reporting period;

        iii. Summaries of all changes made during the reporting period;

        iv. Summaries of all contacts made with representatives of the local community and public interest groups during the reporting period;

        v. Summaries of all problems or potential problems encountered during the reporting period and actions taken to rectify problems;

        vi. Changes in personnel conducting or managing the corrective action activities during the reporting period;

vii. Projected work for the next reporting period; and

viii. Copies of daily reports, inspection reports, laboratory/monitoring data, etc., generated during the reporting period.

b. Upon request, copies of other relevant reports and data not identified in **Condition B.9.a** above shall be made available to the DEC.

c. The DEC may require the Permittee to conduct new or more extensive assessments, investigations, or studies, based upon information provided in the progress reports referred to in **Condition B.9.a** above, or upon other supporting information.

d. All work plans, reports, studies, designs and schedules required by the conditions of this Permit Module and its appendices are upon approval of the DEC, incorporated into this Permit by reference and become an enforceable part of this Permit. Any noncompliance with such approved work plans, reports, studies, designs and schedules shall constitute noncompliance with this Permit. Extensions of the specified final compliance dates for submissions may be granted by the DEC in accordance with the major permit modification procedures stipulated in **Module I** of this Permit.

10. Compliance with Governmental Requirements: During investigative activities, interim corrective measures and final corrective measures (including, but not limited to, equipment decommissioning, excavation and unit demolition) required by this Module, the Permittee must ensure that the transportation, treatment, storage, discharge, and disposal of all contaminated materials generated as a result of such activities (including, but not limited to, soil, sediments, liquids, tanks, pipes, pumps, rubble, debris and structural materials) are performed in an environmentally sound manner pursuant to all applicable federal, State and local requirements, and in a way that is protective of human health and the environment. Nothing in this Module shall be construed to require the Permittee to proceed in a manner which is in violation of any such requirements.

11. Notifications:

a. Groundwater Contamination: If at any time the Permittee discovers that hazardous constituents in groundwater released from the Facility have migrated beyond the Facility boundary in concentrations that exceed action levels in the DEC's TOGS 1.1.1 (ambient values) and EPA's MCLs (see **Condition C.2(a) of Module I**). The Permittee must, within fifteen (15) calendar days of discovery, provide written notice to the DEC.

b. Air Contamination: If at any time the Permittee discovers that hazardous constituents in air have been released from a SWMU or AOC at the Facility, and have or are migrating to areas beyond the Facility boundary in concentrations that exceed action levels in the DEC's DAR-1, and that residences or other places at which continuous, long-term human exposure to such constituents might occur are located within such areas (see DER-13), the Permittee must immediately initiate all

appropriate actions necessary to mitigate the release to concentrations below the action levels or cease operation immediately. In addition, the Permittee must:

i. Immediately initiate any actions that might be necessary to provide notice to all individuals who have been, may have been or may become exposed to the released constituents; and

ii. Provide written notification to the DEC within fifteen (15) calendar days of such discovery.

c. Residual Contamination: If hazardous wastes or hazardous constituents are located within or have been released from SWMUs or AOCs and will remain in or on the land, including groundwater, after the term of this Permit has expired, the Permittee must record, an environmental easement and/or restrictive covenant to run with the land in favor of the State in accordance with **Condition F.2** of this Module or in some other instrument acceptable to the DEC which is normally examined during title search that will, in perpetuity, notify any potential purchaser of the property, of the types, concentrations and locations of such hazardous wastes or hazardous constituents.

d. Newly Discovered SWMUs and AOCs: The Permittee must notify the DEC, in writing, of any additional SWMUs and AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits or other means within fifteen (15) calendar days of discovery. Thereafter, the Permittee must proceed with the assessment, investigation, evaluation and remediation of the SWMU and/or AOC as set forth in **Condition C** of this Module.

e. Newly Discovered Releases: The Permittee must notify the DEC, in writing, of any release(s) of hazardous wastes, including hazardous constituents, discovered during the course of groundwater monitoring, field investigations, environmental audits, or other activities no later than fifteen (15) calendar days of discovery. Such newly discovered release(s) may be from newly identified unit(s)/area(s), from unit(s)/area(s) for which, based on the findings of the RCRA Facility Assessment (RFA), the DEC had previously determined that no further investigation was necessary, or from unit(s)/area(s) investigated as part of a RCRA Facility Investigation (RFI). Based on the information provided in the notification, the DEC shall determine the need for further investigation of the release(s). If the DEC determines that such investigations are needed, the DEC shall, by written notification, require the Permittee to prepare an RFI Work Plan in accordance with **Condition D** of this Module. The DEC may, at its discretion, also require the Permittee to prepare an Interim Corrective Measures (ICM) Work Plan.

f. Emerging Contaminants: The DEC will notify the Permittee, in writing, of any additional investigations for emerging contaminants that may be necessary for the facility's SMWUs and AOCs. Once notified, the Permittee will have 30 calendar days to prepare and submit a schedule for the investigation to DEC. Once the DEC approves the schedule, the Permittee must proceed with the assessment, investigation, evaluation and remediation of the SWMU and/or AOC as set forth therein.

12. Determination of No Further Action

a. Based on the results of a RFA or a RFI for a particular SWMU or AOC, or combination of SWMUs and/or AOCs, and any other relevant information, the Permittee may submit an application to the DEC for a permit modification in accordance with **Section E of Module I**, 6 NYCRR 373-1.7(b) and 621 to terminate the subsequent corrective action requirements of this Module for the subject SWMU(s) or AOC(s). The permit modification application must contain information demonstrating:

i. Hazardous waste or hazardous constituents are not detected in any applicable environmental media; or

ii. Hazardous waste or hazardous constituents which have been detected are below background concentrations (pre-released conditions); or

iii. Hazardous waste or hazardous constituents which have been detected do not pose a threat to human health or the environment.

iv. The permit modification application must also include the information required in 6 NYCRR 373-1, 373-2 and 621.4(n).

b. If, based upon review of the Permittee's request for a permit modification, the results of the RFI, and other information, including comments received during the forty-five (45) calendar day public comment period required for major permit modifications, the DEC determines that the release(s) or the suspected release(s) investigated are either non-existent or do not pose a threat to human health or the environment, the DEC may grant the requested modification.

c. A determination of no further action shall not preclude the DEC from modifying this Permit in accordance with 6 NYCRR 621.13 in order to implement the following actions:

i. Require the Permittee to perform such investigations as necessary to comply with the requirements of this Module if new information or subsequent analysis indicates that there are, or are likely to be, releases from SWMUs/AOCs/operable units that may pose a threat to human health or the environment; and/or,

ii. Require continual or periodic monitoring of environmental media, if necessary, to protect human health and the environment, when site-specific circumstances indicate the release(s) of hazardous waste(s), including hazardous constituents, are likely to occur from any SWMU(s) and/or AOC(s) and/or operable units.

13. SWMU/AOC Current Conditions Report. With the completion of remedial requirements at a SWMU/AOC or when requested by the Department, the Permittee shall submit to the Department an updated **SWMU/AOC Current Conditions Report in Attachment K** providing current information regarding the status of

investigations or remedial work for all SWMUs and AOCs. The report must include, at a minimum, information regarding physical and operational description, waste types/characteristics, any known or suspected releases, and current status of corrective action, including beginning and completion dates of each applicable phase.

C. SCHEDULE FOR ASSESSMENT OF NEWLY IDENTIFIED OR DISCOVERED SWMUs AND AOCs

The information required herein must be submitted in accordance with the Newly Discovered SWMUs and AOCs Assessment Schedule as outlined in **Table II-1** of this Module.

1. Notification of Assessment: The Permittee must notify the DEC, in writing, of any additional SWMU(s) and/or AOC(s) not listed in the **SWMU/AOC Current Conditions Report, or its Table, in Attachment K**, which are identified during the course of groundwater monitoring, field investigations, environmental audits, or other means. For new units managing solid waste only, or for other new unit(s), the Permittee may seek clarification from the Department as to whether the unit constitutes a SWMU requiring notification under this permit condition. Once such notification has been made, a newly installed SWMU (i.e., new use with no history of release) will receive a determination of no further action and will be processed by the Department as a notification. Should a subsequent release occur at such a unit, then the full notification, assessment and reporting procedures of this Module will apply.

2. SWMU/AOC Assessment Report: The Permittee must submit a SWMU/AOC Assessment Report to be included in **Attachment K**. This report must provide, at a minimum, the following information for each newly identified SWMU/AOC:

    a. Type of unit/area;

    b. Location of each unit/area on a topographic map of appropriate scale;

    c. Dimensions, capacities, and structural descriptions of the unit/area (supply available engineering drawings);

    d. Function of unit/area;

    e. Dates that the unit/area was operated;

    f. Description of the wastes that were placed or spilled at the unit/area;

    g. Description of any known releases from the unit/area (to include groundwater data, soil analyses, air monitoring data, and/or surface water/sediment data);

    h. The results of any sampling and analysis required for the purpose of determining whether releases of hazardous wastes, including hazardous constituents, have occurred, are occurring, or are likely to occur from the unit/area;

i. Whether this unit/area, individually or in combination with other units/areas listed in the **SWMU/AOC Current Conditions Report in Attachment K**, is a significant source of contaminant release; and

j. Proposed status (i.e., No Further Action/Supplemental Investigation/ Further Action).

3. SWMU/AOC Sampling and Analysis Plan: If determined necessary. the Permittee must submit to the DEC for approval a plan for sampling and analysis of specific environmental media including, but not limited to, groundwater, land surface and subsurface strata, surface water/sediment or air, as necessary to determine whether a release of hazardous waste, including hazardous constituents , from such unit(s) and/or area(s) has occurred, is likely to have occurred, or is likely to occur. The SWMU/AOC Sampling and Analysis Plan must demonstrate that the sampling and analysis program, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste, including hazardous constituents, from the newly discovered SWMU(s) and/or AOC(s) to the environment.

4. Subsequent Assessment Actions: Following submission of the SWMU/AOC Assessment Sampling and Analysis Plan set forth in **Condition C.3** of this Module, the Department may either approve the Sampling and Analysis Plan as submitted or issue comments on the Plan. If approved, the Permittee must implement sampling in accordance with **Table II-1**. If comments are issued, then subsequent activities for the Sampling and Analysis Plan shall proceed in accordance with **Condition A.9 of Module I** of this Permit.

5. SWMU/AOC Sampling and Analysis Report: The Permittee must follow the reporting requirements in the approved Plan and submit a SWMU/AOC Sampling and Analysis Report to the DEC. The Sampling and Analysis Report must describe all results obtained from the implementation of the approved Sampling and Analysis Plan.

6. Assessment Conclusions: Based on the results of the SWMU/AOC Sampling and Analysis Report, the DEC shall determine the need for further investigations at the specific unit(s) covered in the SWMU/AOC Assessment Report. If the DEC determines that such investigations are needed, the DEC shall, by written notification, require the Permittee to prepare and submit for approval a RFI Work Plan. In addition, the DEC may, at its discretion, require the Permittee to submit a Corrective Measures Study (CMS) or an Interim Corrective Measures (ICM) Work Plan if either is deemed necessary by the DEC to safeguard human health and the environment. Any additional activities required by the DEC must be undertaken in accordance with **Condition D** of this Module.

D. CORRECTIVE ACTION REQUIREMENTS

1. RCRA Facility Investigation: The Permittee must conduct, or have conducted, a RCRA Facility Investigation (RFI) to the determinate the nature and extent of known and suspected releases of hazardous constituents in groundwater and soil, originating from any location at the Facility, including a SWMU and/or AOC, as identified in **Table 1 of the SWMU/AOC Current Conditions Report in Attachment K**, and to gather

data to support the Corrective Action Plan (CAP). The Permittee must conduct all items associated with the RFI in accordance with schedule specified in **Table II-2** (RCRA Facility Investigation Schedule) of this Module and must address both on-site and off-site contamination**.**

a. The Permittee must submit, or have submitted, a RFI work plan to the DEC for the SWMU(s) and/or AOC(s) identified in **Table 1 of the SWMU/AOC Current Conditions Report in Attachment K**.

b. The RFI Work Plan shall include:

   i. A Project Management Plan detailing a discussion of the technical approach to the investigation, schedules, and milestone reports;

   ii. A Quality Assurance Project Plan to establish and document all sampling and monitoring procedures;

   iii. A Data Management Plan to track investigation data and results; and

   iv. A Health and Safety Plan for safe conduct of corrective action activities.

c. Along with RFI Work Plan, the Permittee shall include a section for a Description of Current Conditions. The section shall include, at a minimum:

   i. Background information gathered during previous investigations or inspections and other relevant data;

   ii. Nature, extent, and rate of migration of contamination, if known; and

   iii. Past or current activities at the Facility.

d. Any proposed RFI Work Plan must be submitted for the DEC's review and approval/acceptance, and must include, at a minimum, a chronological description of the anticipated activities, a schedule for performance of those activities, and sufficient detail to allow the DEC to evaluate that RFI Work Plan.

e. All work plans prepared pursuant to this Module must be certified in accordance with 6 NYCRR 373-1.4(a)(5) and **Condition A.2** of this Module. Additionally, work plans must also be certified by an independent Professional Engineer registered in New York State.

2. <u>RFI Implementation</u>

a. Upon approval of an RFI Work Plan by the DEC, the Permittee must implement such work plan in accordance with schedule specified in **Table II-2** of this Module. The Permittee shall present data of adequate technical quality to support the contention that no further action is required, or the development and evaluation of corrective measures alternatives presented in the CAP. RFI Implementation shall consist of:

i. Characterization of the environmental setting at the Facility, including the hydrogeology, soils, surface water, sediment, and air;

ii. Source characterization of all waste management areas at the Facility, including the nature of the unit and the type of waste place in the unit as described by chemical and physical characteristics;

iii. Contamination characterization, including analysis of hazardous waste or hazardous constituents from SWMUs and/or AOCs and the effects of such hazardous waste or hazardous constituents on environmental media; and

iv. Potential receptor identification describing the potential for human and environmental impact from contaminant exposure from the Facility.

b. The DEC must be notified at least 7 days in advance of, and be allowed to attend, any field activities to be conducted under a DEC-approved work plan, as well as any pre-bid meetings, job progress meetings, substantial completion meeting and inspection, and final inspection and meeting.

c. During all field activities conducted under a DEC-approved work plan, the Permittee must have, on-site, a representative who is qualified to supervise the activities undertaken. Such representative may be an employee, or a consultant retained to perform such supervision.

d. The Permittee shall prepare an analysis and summary of the RFI(s) including results. This task, designated as Investigation Analysis, shall be included in the RFI Report. The objective of Investigation Analysis shall be to ensure that the investigation data are sufficient in quality and quantity to describe the nature and extent of contamination, potential threat to human health and the environment, and to produce the CAP. Investigation Analysis shall consist of:

i. Data analysis of the type and extent of contamination at each SWMU and/or AOC including sources and migration pathways; and

ii. Protection standards for environmental media must be compared to pre-released conditions, or other relevant protection standard.

e. Any final RFI report or final engineering report that includes construction activities must include “as built” drawings showing any changes made to the remedial design or the IRM.

f. The Permittee shall submit a schedule of activities and reports, to the DEC as required by **Table II-2** of this Module.

g. All final reports and final engineering reports prepared pursuant to this Module must be certified in accordance with 6 NYCRR 373-1.4(a)(5) and **Condition A.2** of this Module by the Permittee and an independent Professional Engineer registered in New York State.

3. Compliance Schedule for Interim Corrective Measures (ICMs)

a. If at any time it is determined by the DEC that a release or, based on site-specific circumstances, a threatened release of hazardous wastes, including hazardous constituents from a SWMU, an AOC or a combination of SWMUs and/or AOCs poses a significant and immediate threat to human health or the environment, or that such condition jeopardizes the Permittee's ability to comply with any governmental permit, a focused interim corrective measures study shall be submitted to the DEC for approval within 30 calendar days of notice of such a determination. This study shall consider, among other relevant factors, the character, the extent, direction, the rate of release, the proximity to population, the exposure pathways, the effects of delayed action, and the evaluations of appropriate ICM(s) or the selection of a pragmatic and presumptive ICM. Upon approval of the study by the DEC, the Permittee shall implement the required ICM as specified by the DEC. Should a selected ICM involve an engineered action (e.g., pump and treat), then its design, implementation schedule and subsequent construction completion certification shall require approvals by the DEC. Nothing herein precludes the Permittee from taking immediate action to address the conditions described herein and promptly notifying the DEC.

b. In the event the Permittee discovers a release or based on site-specific circumstances, a threatened release of hazardous waste, including hazardous constituents, from a SWMU, an AOC, or a combination of SWMUs and/or AOCs, that poses a significant and immediate threat to human health or the environment, the Permittee shall identify interim corrective measures to mitigate this threat. The Permittee shall immediately summarize the nature and magnitude of the actual or potential threat and the nature of the ICM being considered and notify the DEC. Within 30 calendar days of notifying the DEC, the Permittee shall submit to the DEC, for approval, a focused CMS and follow the progression of events identified in **Conditions D.4, D.5 and D.6** below as well as **Table II-3** of this Module.

c. The following factors may be considered by the Department or Permittee in determining the need for interim corrective measures:

i. Time required to develop and implement a final corrective measure:

ii. Actual or potential exposure of human and environmental receptors:

iii. Actual and potential contamination of groundwater and sensitive ecosystems;

iv. Concentration of hazardous constituents in soils that have the potential to migrate to the air, groundwater or surface water; and

v. Other situations that may pose threats to human health and the environment.

4. Corrective Measures Study (CMS)

   a. Should a CMS be required, the DEC shall notify the Permittee in writing. This notice shall identify the hazardous constituent(s) which have exceeded the action level(s) as well as those which have been determined to threaten human health and the environment given site-specific exposure conditions or due to additive exposure risk. The notification shall specify target cleanup levels for hazardous constituents detected in each medium of concern and may also specify corrective measure alternatives to be evaluated by the Permittee during the CMS.

   b. The DEC may require a Corrective Measures Study under the following conditions:

      i. If the concentrations of hazardous constituents in environmental media exceed their corresponding individual cleanup levels; or

      ii. If the concentrations of hazardous constituents in environmental media do not exceed their corresponding individual cleanup levels, but additive exposure risk due to the presence of multiple constituents is not protective of human health; or

      iii. If the concentrations of hazardous constituent in environmental media do not exceed corresponding individual cleanup levels, but still pose a threat to human health or the environment, given site-specific exposure conditions.

   c. The Permittee shall submit to the DEC for review and approval a CMS for all SWMUs and/or AOCs that have been identified to have a release of hazardous waste or hazardous constituents, in accordance with the schedule specified in **Table II-3** (Corrective Measure Study Schedule) of this Module.

   d. The CMS shall include:

      i. Identification and Development of the Corrective Measure Alternative or Alternatives:

         (1) Description of Current Situation

         (2) Establishment of Corrective Action Objectives

         (3) Screening of Corrective Measures Technologies

         (4) Identification of the Corrective Measure Alternative or Alternatives

      ii. Evaluation of the Corrective Measure Alternative or Alternatives:

         (1) Technical/Environmental/Human Health/Institutional

         (2) Cost Estimate

iii. Justification and Recommendation of the Corrective Measure or Measures

(1) Technical

(2) Human Health

(3) Environmental

iv. Target cleanup levels;

v. Provide a detailed description of the corrective measures evaluated and include an evaluation of how each corrective measure alternative meets the standards;

vi. Schedule for implementation of the corrective action(s) according to the timeframe and schedule contained in **Table II-3** of this Module;

vii. The Permittee in conjunction with the DEC shall establish site specific objectives for the corrective action. These objectives shall be based on public health and environmental criteria, information gathered during the RFI, EPA and New York State guidance, and the requirements of any applicable federal and state statutes. At a minimum, all corrective actions concerning groundwater releases from regulated units must be consistent with, and as stringent as, those required under 6 NYCRR 373-2.6; and

viii. Contain any additional information to support the DEC in the corrective measure selection decision-making process.

e. Upon approval of the CMS, the Permittee shall implement the corrective action(s) according to the schedule as approved in the CMS. The approved schedule for the CMS shall be incorporated in **Table II-3** of this Module.

f. The Permittee shall furnish or retain all personnel, materials, and services necessary for the implementation of the CMS.

5. Corrective Measures Selection: The DEC shall review and respond in writing to each corrective action submittal (e.g., plans, studies, reports, schedules, written submittals, etc.) that the Permittee makes pursuant to this Permit Module in accordance with **Condition A.9 of Module I** of this Permit.

a. Under **Condition D.4** of this Module and any further evaluations of additional corrective measures under this study, the DEC shall select the corrective measure(s) that at a minimum will meet the following standards:

i. Be protective of human health and the environment;

ii. Attain media target cleanup levels selected by the DEC during the corrective measures selection process;

iii. Control the source(s) of release(s) so as to reduce or eliminate, to the maximum extent practicable, further releases of hazardous waste, including hazardous constituents, that might pose a threat to human health and the environment; and

iv. Meet all applicable waste management requirements.

b. In selecting the corrective measure(s) which meets the standards for corrective measures established under **Condition D.5.a** of this Module, the DEC shall consider the following evaluation factors, as appropriate:

i. Long-term reliability and effectiveness. Any potential corrective measure(s) may be assessed for the long-term reliability and effectiveness it affords, along with the degree of certainty that the corrective measure(s) will prove successful. Factors that shall be considered in this evaluation include:

(1) Magnitude of residual risks in terms of amounts and concentrations of hazardous waste, including hazardous constituents, remaining following implementation of the corrective measure(s), considering the persistence, toxicity, mobility and propensity to bioaccumulate of such hazardous wastes, including hazardous constituents:

(2) The type and degree of long-term management required, including monitoring and operation and maintenance;

(3) Potential for exposure of humans and environmental receptors to remaining hazardous wastes, including hazardous constituents, considering the potential threat to human health and the environment associated with excavation, transportation, re-disposal or containment;

(4) Long-term reliability of the engineering and institutional controls, including uncertainties associated with land disposal of untreated hazardous wastes, including hazardous constituents, and their residuals; and

(5) Potential need for replacement of the corrective measure(s).

ii. Reduction of toxicity, mobility or volume. A potential corrective measure(s) may be assessed as to the degree to which it employs treatment that reduces toxicity, mobility or volume of hazardous and/or mixed wastes, including hazardous constituents. Factors that shall be considered in such assessments include:

(1) The treatment processes the corrective measure(s) employs and materials it would treat;

(2) The amount of hazardous and/or mixed wastes, including hazardous constituents, that would be destroyed or treated;

(3) The degree to which the treatment is irreversible;

(4) The residuals that will remain following treatment, considering the persistence, toxicity, mobility and propensity to bioaccumulate of such hazardous and/or mixed wastes, including hazardous constituents; and

(5) All concentration levels of hazardous and/or mixed waste, including hazardous constituents, in each medium that the corrective measure(s) must achieve to be protective of human health and the environment.

iii. The short-term effectiveness of a potential corrective measure(s) may be assessed considering the following:

(1) Magnitude of reduction of existing risks;

(2) Short-term risks that might be posed to the community, workers, or the environment during implementation of such a corrective measure(s), including potential threats to human health and the environment associated with excavation, transportation, and re-disposal or containment; and

(3) Time until full protection is achieved.

iv. Implementability. The ease or difficulty of implementing a potential corrective measure(s) may be assessed by considering the following types of factors:

(1) Degree of difficulty associated with constructing the technology;

(2) Expected operational reliability of the technologies;

(3) Need to coordinate with and obtain necessary approvals and permits from other agencies;

(4) Availability of necessary equipment and specialists;

(5) Available capacity and location of needed treatment, storage and disposal services; and

(6) Requirements for removal, decontamination, closure, or post- closure of units, equipment, devices or structures that will be used to implement the corrective measure(s).

v. Cost. The types of costs that may be assessed include the following:

(1) Capital costs;

(2) Operation and maintenance costs;

(3) Net present value of capital and operation and maintenance costs; and

(4) Potential future corrective measure costs.

c. The DEC shall select the final corrective measure(s) based on the information submitted by the Permittee in the RFI Report, the Corrective Measures Study (CMS), and/or other documents or reports. The proposed remedy shall be set forth in a draft Statement of Basis (SB) prepared by the DEC for the Facility.

d. The selected remedy(ies) will be public noticed. The public will have the opportunity to review the reports and documents associated with the selected remedy(ies). Additionally, the public has the opportunity to comment on these and the proposed selected remedy(ies). The selected remedy(ies) could be modified based on comments received.

e. Once the SB has been finalized and incorporated into this Permit pursuant to 6 NYCRR 621.13 and **Condition D.6** below, the Permittee must submit a Corrective Measures Implementation (CMI) Work Plan that provides for the development and implementation of final plans and specifications for implementing the remedial alternative set forth in this Permit (i.e., in the SB). This CMI Work Plan must, unless otherwise provided in writing by the DEC, be submitted in accordance with the schedule specified in in **Table II-3** of this Module. The Permittee must commence implementation of the CMI Work Plan, in accordance with the schedule specified in **Table II-3** of this Module.

f. Once the selected remedy(ies) has been implemented, the Permittee must oversee the remedy effectiveness and performance in accordance with the schedule specified in **Table II-3** of this Module.

6. Permit Modification for Corrective Measures:

a. Based on the CMS, the DEC will select the corrective measure(s), prepare the draft SB, and initiate a permit modification to this Permit, pursuant to 6 NYCRR 373-1.7(b) and 6 NYCRR 621.14, which includes a forty-five (45) day public comment period for the SB and the permit modification. The permit modification will specify the selected corrective measure(s) and include, at a minimum the following:

i. Description of all technical features of the corrective measure(s) that are necessary for achieving the standards for corrective measures established under **Condition D.5.a** of this Module, including length of time or which compliance must be demonstrated at specified points of compliance.

ii. All media cleanup standards for hazardous constituents, selected by the DEC, that the corrective measure(s) must achieve to be protective of human health and the environment.

iii. All requirements for achieving compliance with these cleanup standards.

iv. All requirements for complying with the standards for management of wastes.

v. Requirements for removal, decontamination, closure or post-closure of units, equipment, devices or structures that will be used to implement the corrective measure(s).

vi. A schedule for initiating and completing all major technical features and milestones of the corrective measure(s); and

vii. Requirements for submission of reports and other information.

b. Once the final Statement of Basis has been issued, is automatically incorporated in its entirety into this Permit.

7. Modification of Compliance Schedules

a. If at any time the Permittee determines that modification of any Compliance Schedule of this Permit Module is necessary because such schedules cannot be met, the Permittee must:

i. Notify the DEC in writing within fifteen (15) calendar days of such determination;

ii. Provide an explanation why the current schedule cannot be met; and

iii. Propose the date by which the Compliance Schedule can be met.

b. The DEC shall notify the Permittee in writing of the final decision regarding the Permittee's proposed modification to the Compliance Schedule.

c. Modification(s) to the Compliance Schedule pursuant to this procedure does not constitute a reissuance of this Permit.

d. All other modifications to this Permit Module must be made in accordance with **Module I** of this Permit.

8. Reporting Requirements

a. The Permittee shall submit to the DEC, when applicable, written progress reports of all activities conducted after the effective date of the approved CMS. The Permittee shall submit the first progress report in accordance with the schedule specified in **Table II-3** of this Module.

b. The progress reports shall contain:

i. A description of the work completed;

ii. Summaries of all the finding and all raw data;

iii. Summaries of all problems encountered during the reporting period and actions taken or to be taken to rectify problems; and

iv. Projected work for the next period.

c. The Permittee shall maintain copies of the reports, drilling logs and data at the facility or in another approved location (i.e., electronic repository) during the effective period of this Permit.

E. INACCESSIBLE SWMUS

If, based on, the RCRA Facility Assessment/RCRA Facility Investigation and subsequent documentation, the DEC has determined that there is a potential for release of hazardous waste and/or constituents from any inaccessible SWMU(s)/AOC(s) at the Facility, they will be identified in **Table 1 of the SWMU/AOC Current Conditions Report in Attachment K** as requiring further action.

For the above area(s), the Permittee shall submit to the DEC for approval a schedule for the preparation of a RCRA Facility Investigation Work Plan, no later than one-hundred and eighty (180) calendar days prior to the date when the SWMU(s) is anticipated to become accessible for such an investigation. Accessibility to the SWMU(s) shall be considered achievable when the impediment (e.g., buildings, structures, utilities) is demolished, abandoned, or is altered in a manner that would allow access to the SWMU(s). All such work shall proceed in accordance with the approved schedule.

Following submission of the RFI Work Plan set forth in this condition, subsequent activities for the Plan shall proceed in accordance with schedule specified in **Table II-2** of this Module.

F. OTHER REQUIREMENTS

1. Groundwater Requirements. Any Groundwater Monitoring Program that is required as part of this permit, shall be submitted as part of the Groundwater Monitoring Requirement in accordance with **Condition C of Module XI** of this Permit.

2. Environmental Easement

a. If a Statement of Basis (SB), or other approved work plan, for the Facility relies upon one or more institutional and/or engineering controls, the Permittee (or the owner of the Facility) must submit to the DEC for approval an environmental

easement and/or restrictive covenant to run with the land in favor of the State which must be:

i. created and recorded pursuant to ECL Article 71, Title 36;

ii. in a form and manner as prescribed by the DEC;

iii. in compliance with General Obligations Law (GOL) 5 703(1) and ECL 71 3605(2); and,

iv. recordable pursuant to Real Property Law (RPL) 291.

b. Upon acceptance of the environmental easement and/or restrictive covenant by the State, the Permittee must comply with the requirements of **Condition F.2** of this Module.

c. Agents, employees or other representatives of the State may enter and inspect the property burdened by an environmental easement with reasonable prior notice to the property owner, to assure compliance with the restrictions identified by the environmental easement.

d. If the SB provides for no action other than implementation of one or more institutional controls, the Permittee must cause an environmental easement to be recorded under the provisions of **Condition F.2.a** of this Module.

e. If the Permittee does not cause such environmental easement to be recorded in accordance with **Condition F.2.a** of this Module, the DEC may file an Environmental Notice on the Facility.

3. Dispute Resolution

a. The Permittee may submit a written Notice of Dispute to the DEC related to the DEC's action on any of the Permittee's corrective action submittals required by or related to this Permit Module. Any such notices must be made within 15 days of receiving the DEC correspondence which is the basis of the dispute and must be directed to the designated individual as defined in **Condition F.3.a.iii** below. Such a notice must contain specific information describing the Permittee's position and including any relevant supporting documentation. The designated individual shall render a written decision and furnish a copy thereof to the Permittee. This written decision shall be the final DEC determination, unless the Permittee files a written appeal of that decision with the designated appeal individual within 20 days of receipt of that decision.

i. Upon receipt of the written appeal pursuant to **Condition F.3.a** of this Module, the designated appeal individual will review the record and decision. The designated appeal individual will take one of the following actions, with written notice to the Permittee:

(1) remand the matter to the program staff for further negotiation or information if it is determined that the matter is not ripe for review;

(2) determine that there is no need for further action, and that the determination of the designated individual is confirmed; or

(3) make a determination on the records as it exists.

ii. The decision of the designated appeal individual shall be the final DEC decision and represent the DEC's determination to proceed in accordance with **Condition F.3.b** of this Module.

iii. The designated individual to:

(1) hear disputes is a bureau director in the DEC's Division of Materials Management; and,

(2) to review dispute decisions is the assistant director of the DEC's Division of Materials Management.

b. In the event that the DEC issues a final decision in accordance with **Condition F.3.a.ii** above, the DEC shall, pursuant to 6 NYCRR 621.13, send to the Permittee a notice of intent to modify this Permit with regard to the DEC's final decision in order to safeguard human health and the environment.

c. Upon receipt of a notice of intent from the DEC, the Permittee must act in accordance with 6 NYCRR 621.13(d) or the DEC's action will become effective on the date specified in the notice of intent. In the event that the Permittee acts in accordance with 6 NYCRR 621.13(d) within the specified timeframe, the procedure for permit modification will continue in accordance with 6 NYCRR 621.13.

4. Required Authorizations

a. The Permittee must use best efforts to obtain all Facility access, permits, easements, approvals, institutional controls, and/or authorizations necessary to perform the Permittee's obligations under this Permit, including all DEC-approved work plans and the schedules contained therein. If, despite the Permittee's best efforts, any access, permits, easements, approvals, institutional controls, or authorizations cannot be obtained, the Permittee must promptly notify the DEC and include a summary of the steps taken. The DEC may, as it deems appropriate and within its authority, assist the Permittee in obtaining same.

b. If an interest in property is needed to implement an institutional control required by a work plan and such interest cannot be obtained, the DEC may require the Permittee to modify the work plan to reflect changes necessitated by the Permittee's inability to obtain such interest. Within 15 days of receipt of such notice, the Permittee must elect in writing to either: a) modify the work plan as requested by the DEC within 45 days, or b) invoke dispute resolution in accordance with **Condition F.3** of this Module.

5. Green Remediation

   a. As part of the DEC's initiative, the Permittee must make best efforts to implement green remediation practices in the performance of the requirements of the Work, including but not limited to performance of a RCRA Facility Investigation, Corrective Measures Study, Interim Corrective Measure, Corrective Measures Implementation and Post-Closure/Effectiveness Evaluations to maximize to the extent practicable, sustainability, reduce energy and water usage, promote carbon neutrality, promote materials reuse and recycling, and protect and preserve land resources.

   b. The Permittee must make best efforts to utilize concepts and techniques presented in the New York State Department of Environmental Conservation - DEC Program Policy DER-31/Green Remediation, most recent edition.

6. Institutional Measures

   In order to minimize the impacts of the soil and groundwater contamination on the surrounding community the Permittee must:

   a. Restrict public access to the facility.

   b. Place a formal notification on approval of an environmental easement and/or restrictive covenant, or on some other instrument which is normally examined during title search, that will in perpetuity notify any potential purchaser of the property that:

      i. the land has been used to manage hazardous waste; and

      ii. its use is restricted under 6 NYCRR Part 373-2.7, as if it were a "hazardous waste disposal facility."

7. System Down Time

   If a remedial system is installed it shall be operated on a continuous basis. If any part of the system is inoperable (down) for a period of more than 3 days consecutively or for 5 days in a rolling 30-day period, the Permittee shall notify the DEC. The notification shall include a plan for restoring system operation as soon as possible.

8. Modifications of Remedial Systems

   If, after review of the performance monitoring data, the DEC determines that the design or operation of the Remedial System is not sufficient to achieve the remedial criteria, the DEC may require Permittee to modify the design or operation of the system so as to achieve the remedial criteria. Alternatively, the DEC may require, in accordance with **Condition D.5.f** of this Module, that the Permittee investigate and evaluate the use of a different corrective measure for remediation. If necessary, the DEC or the

Permittee may seek modification of this Permit pursuant to 40 CFR 270.41 or 270.42 and 124.5 to implement modification to the existing Corrective Measure Remedy.

Table II-1: Newly Discovered SWMUs and AOCs Assessment Schedule

Activity	Due Date[1]
Notification of Assessment	Fifteen (15) calendar days of discovery
SWMU/AOC Assessment Report	Within thirty (30) days of notifying the DEC
SWMU/AOC Sampling and Analysis Plan Submittal	Within sixty (60) days from submission of SWMU/AOC Assessment Report
SWMU/AOC Sampling and Analysis Plan Subsequent Assessment Actions, if necessary	• Meeting with the DEC • Submission of a revised Plan withing thirty (30) after the above-described meeting
SWMU/AOC Sampling and Analysis Plan Implementation	Within thirty (30) days of SWMU/AOC Sampling and Analysis Plan approval
SWMU/AOC Sampling and Analysis Report	Within thirty (30) calendar days of receipt by the Permittee of validated analytical data
Assessment Conclusions	If DEC determines that such investigations are needed, DEC shall, by written notification, require the Permittee to prepare and submit for approval a RCRA Facility Investigation Work Plan.

Footnotes:

1. Due Date changes may be made with written approval from the Department.

Table II-2: RCRA Facility Investigation Schedule

Activity	Due Date[1]
Submit Draft RFI work plan and schedule	Within ninety (90) calendar days from submission of the SWMU/AOC Sampling and Analysis Report
Subsequent Assessment Actions, if necessary	• Meeting with the DEC • Submission of a revised Plan withing thirty (30) after the above-described meeting
Begin RCRA Facility Investigation according to the approved RFI work plan and schedule	Within fifteen (15) days following written approval by the DEC
Submit RFI Report	Within thirty (30) calendar days of receipt by the Permittee of validated analytical data
Assessment Conclusions	If the DEC determines that remedies are needed, the DEC shall, by written notification, require the Permittee to prepare and submit for approval a Corrective Measure Study (CMS) Work Plan.

Footnotes:
1. Due Date changes may be made with written approval from the Department.

Table II-3: RCRA Corrective Measure Study Schedule

Activity	Due Date[1]
Submittal of CMS	Within one hundred and eighty (180) calendar days after receiving the written notification from DEC of the requirement for a CMS. Following completion of the CMS, the DEC will select the corrective measure(s) from the corrective measure alternatives evaluated in the CMS.
Subsequent Assessment Actions, if necessary	• Meeting with the DEC. • Submission of a revised CMS withing thirty (30) after the above-described meeting.
Submit CMS Final Report	Within ninety (90) calendar days of the DEC's approval of any draft/revised draft CMS.
Statement of Basis and Permit Modification – Public Participation	Forty-five (45) calendar days for public notice. The public will have forty-five (45) calendar to review the selected remedy(ies) and submit comments
Responsiveness Summary	Within sixty (60) calendar days of the close of the public comment period, the DEC shall provide a response for all the public comments received on the selected remedy(ies).
Permit Modification Approval	The final SB and permit modification shall become effective thirty (30) days after service of notice of the approval, unless another date is specified.
Submittal of the Corrective Measures Implementation (CMI) Work Plan	Within one hundred twenty (120) days of the effective date of the Permit modification.
Implementation of CMI Work Plan	The Permittee must commence implementation of the CMI Work Plan within thirty (30) days of the DEC's approval of such work plan.
CMI Construction	As specified in approved CMI Work Plan
CMI Construction Report	Within ninety (90) calendar days following completion of construction
Progress Reports	As required, but the first shall be submitted within ninety (90) calendar days after the CMI Work Plan is approved
Corrective Measures (Progress) Effectiveness and Performance Reports	Triennially, after 3 calendar years of its construction.

Footnotes:
1. Due Date changes may be made with written approval from the Department.

MODULE III

RESERVED

MODULE IV
RESERVED

MODULE V
RESERVED

MODULE VI
RESERVED

MODULE VII
RESERVED

MODULE VIII

RESERVED

MODULE IX
RESERVED

MODULE X
RESERVED

MODULE XI
Groundwater Monitoring

MODULE XI
GROUNDWATER MONITORING

A. APPLICABILITY

1. Statute and Regulations: Article 27, Title 9, Section 27-0913, 6 NYCRR Sections 373-1.5(a), 373-2.6(a). 373-2.6(c), 373-2.6(h) and 373-3.6(b), as well as unit specific regulations requiring groundwater monitoring, including all measures beyond the Facility boundary where necessary to protect human health and the environment, for all releases of hazardous wastes, including hazardous constituents listed in Appendix 23 of 6 NYCRR Part 371 or Appendix 33 of 6 NYCRR 373-2 as well as any hazardous substances in 6 NYCRR Part 597 (defined together as constituents), from any land-based unit under post-closure care or any solid waste management unit (SWMU) regardless of the time at which waste was managed or placed in such unit. Pursuant to 6 NYCRR 373-1.6(c)(2) and **Condition F.1 of Module II**, the Department may impose Permit conditions as the Department determines necessary to protect human health and the environment (such as Areas of Concern (AOCs). The conditions of this Module are applicable to all groundwater monitoring programs required pursuant to this Permit.

2. **All documents and reports required by this Permit must be certified pursuant to conditions established in Subpart 373-1.4(a)(5)(iv) and Condition O.4 of Module I and submitted in accordance with requirements set forward in Conditions O and W of Module I. Additionally, unless specifically exempted in this Permit, all information (e.g., documents and reports) required to be submitted by the Permittee must be approved by DEC. DEC does not require certain plans, documents or reports to be certified. The Permittee should verify if certification is required prior to submittal to the DEC.**

B. STANDARD CONDITIONS

1. Other regulatory programs: Sites and activities potentially impactful to the Facility's Groundwater Monitoring Program (GWMP) will be subject to this Module when the nature and extent of contamination and/or complexity of the issues warrant this determination.

2. Policies and Guidance Documents: The Permittee shall consider applicable Policies and Guidance Documents listed in **Conditions A.3 and A.4 of Module I** when conducting activities required by this Permit.

3. Groundwater Contamination: Groundwater notifications must be followed pursuant to **Condition B.11 of Module II**.

4. Groundwater Monitoring Period: When groundwater monitoring is required, the Permittee shall plan for a perpetual 30-year monitoring period for post closure or corrective action.

5. Groundwater Protection Standard: The Permittee must ensure that Groundwater Protection Standards are being met throughout the Site and, specifically, at any Point

of Compliance or that remedial actions are taken to reduce contaminant levels to meet standards. The Facility's full listing of Constituents of Concerns (COCs) and their corresponding concentration limits are listed in **Table XI-1**. The COCs for which the Facility is required to perform groundwater monitoring sampling as well as their frequency may be found in the Facility's Groundwater Monitoring Program (GWMP).

6. Point of Compliance: The Permittee must ensure any Point(s) of Compliance (POC) is described in the Corrective Measures Study (CMS) as well as clearly delineated and represented in a Facility GWMP well map. Additionally, POCs must be listed in the GWMP as well as shown in a figure attached thereto.

7. Nothing in this Module shall be construed to require the Permittee to proceed in a manner which is in violation of any Permit conditions. The Permittee shall comply with all applicable requirements of this Permit as well as **Conditions A.5, P.1 and R.1 of Module I and B.10 of Module II**.

8. The Permittee is responsible to comply with all federal, state and local regulations in reference to Primary, Principal and Sole-Source Aquifer designations.

9. The Permittee is required to maintain and/or submit records in accordance with 6 NYCRR 373-1.4 and as described in either **Condition N of Module I** or in this Module.

10. A permit modification(s) is required when specific changes to groundwater monitoring plans, programs and wells, as listed in 6 NYCRR 373-1.7, 40 CFR 270.42 or as determined by the Department, are made. Permit modifications must be made in accordance with the regulations and **Condition E of Module I** of this Permit.

C. GROUNDWATER MONITORING PLAN(S) AND PROGRAM

A facility may have an overall Groundwater Monitoring Program (GWMP) for a sitewide GWM system or may have GWM Plans for multiple areas. When combined these GWM Plans provide the sitewide GWMP.

1. The Permittee must design, implement, and maintain a groundwater monitoring program/plan as required under this Permit and the applicable regulations. The program/plan shall discuss, at a minimum, the following:

   a. Proper identification and management of contaminated groundwater.

   b. Identification and description of the uppermost aquifer and aquifers hydraulically interconnected as established in Subpart 373-1.5(3)(iii) and (3)(v).

   c. A description of Facility activities.

   d. A list of adjacent properties and/or roadways to north, south, east and west and adjacent property types (residential, agricultural, etc.); nearby wetlands/water bodies, private drinking water wells on adjacent properties, and existing wells on the Facility (including irrigation, private, monitoring) and location; an aerial site

map to demonstrate site layout (additional site maps may be necessary to show water bodies and existing well locations, utilities, etc.); and a written description of site layout (location of entrance, mulch piles, etc.)

e. A history of the Facility, prior uses specifically any land-based RCRA units and their capacity, known spills or activities that may impact water quality or indicate a potential presence of specific contaminants known point source.

f. A description of the surface and subsurface characteristics of the Facility, including geology, hydrogeology, and depth to groundwater. Identify any sources of contamination, possible migration pathways, and actual or potential receptors of contaminants on or through air, soil, bedrock, sediment, groundwater, surface water, utilities, and structures at the contaminated Facility, without regard to property boundaries.

g. Aquifer characteristics and hydrogeologic units to identify groundwater flow paths and rates including hydraulic conductivity, hydraulic gradient, effective porosity, aquifer thickness, degree of saturation, stratigraphy, degree of fracturing and secondary porosity of soils and bedrock, aquifer heterogeneity, groundwater discharge, and groundwater recharge areas.

h. A combined use of direct and indirect techniques to produce an efficient and complete characterization to define the geology of the Facility including an identification of:

   i. The seasonal/temporal naturally and artificially induced (e.g., off-site production well pumping, agricultural use) variation in groundwater flow. The Permittee should take into consideration atypical seasonal changes with potential groundwater direction shift. The GWMP and reports must include a minimum discussion on hydraulic gradient, sustained well yield, hydraulic conductivity, permeability and an estimated of the rate of groundwater and contaminant flow in the aquifer with formulas.

   ii. Potential effluent zones to surface water and public drinking water supply intake infrastructure.

   iii. Engineering controls including trenches, liners, cover systems, and aquifer controls (e.g., lowering the water table). These shall be evaluated under design and failure conditions to estimate their long-term residual performance.

   iv. Assessment and estimation of microbiological degradation which may attenuate target compounds or cause transformation of compounds potentially forming harmful chemical species.

2. The Permittee must include, but is not limited to, the following for site characterization figures:

a. An inventory of their monitoring well network for both off-site and on-site wells. This inventory must also include the laboratory analyses of subsurface samples.

b. Geophysical techniques.

c. Structure contour maps.

d. Cross-sections

e. Groundwater modeling.

f. Topographic maps (1":200' scale) that show all features required by Subpart 373-1.5(a)(2)(xix), including:

i. Map scale.

ii. Aerial photography.

iii. Location of the operational units within the hazardous waste facility as well as any area where hazardous waste is treated, stored, or disposed including equipment clean up areas.

D. GROUNDWATER MONITORING SYSTEMS

1. The Permittee must observe requirements as established, but not limited to, those found in Subparts 373-2.6 and 373-3.6.

2. Groundwater Level Measurements: The Permittee must measure and report the elevation of the potentiometric surface in all monitoring wells and/or piezometers within the off-site and on-site monitoring well network identified in the GWMP or the appropriate Groundwater Monitoring Report (GWMR).

a. Water level measurements must have been collected within a 24-hour period. Within thirty (30) days of completing these measurements, the Permittee shall use the water level data to evaluate the direction and rate of groundwater flow. The facility must specify any other situations in which all measurements need to be taken within a short time interval as is the case of tidally influenced aquifers, impacts from impoundments, pumping charges and dischargers (including artesian wells if existing), stressed aquifers by production wells, recharge due to sudden precipitation, etc.

b. Piezometers must be re-surveyed as required in the Facility's GWMP to determine the extent of subsidence or rise in the ground surface.

c. In cases where immiscible contamination is found during the characterization, water level should be adjusted to reflect true elevation.

d. Information gaps such as unidentified extraction wells in the vicinity, changes in seasonal precipitation causing groundwater plume shifting, formerly inaccessible areas, etc.

e. Assess off-site or on-site well pumping as it may affect both the rate and direction of groundwater flow.

Additionally, the Permittee must provide, and keep current, a Facility map showing the locations of the GWM wells as discussed in **Conditions B.5, B.6 and D.6** of this Module.

3. Description of Wells: The Permittee must maintain an inventory of their monitoring well network for both off-site and on-site wells. This inventory must also include the status (active/inactive), purpose, type (e.g., upgradient/downgradient, compliance, monitoring, piezometers, replacement wells, etc.), depth and location of these wells. If at any time, another type of well(s) is found in the premises of the facility (e.g., extraction, artesian, emergency use, etc.), the Permittee must obtain and report their status and capacity to the DEC. The Permittee may coordinate efforts to obtain this information with local authorities and/or DEC. The Permittee is responsible for notifying the DEC on all changes in their well network, including but not limited to decommissioning, abandonment, and unreported wells. The Permittee is responsible to update this inventory in the annual GWMR with a revision every five (5) years.

4. Monitoring Well Designations: The Permittee must ensure adequate placement of monitoring wells. This placement must include upgradient and downgradient monitoring wells relative to active and closed hazardous waste management units, solid waste management units and areas of concern at the Facility. Additionally, this placement must include screening of detection monitoring wells for the interception of predicted pathways of migration. The number of wells that shall be required shall be determined by DEC as the number necessary to achieve the performance objectives.

5. Plume Assessment Wells: The appropriately designated monitoring wells listed in the GWMP or GWMR shall be used to monitor the contaminant plume movement and to assess the effectiveness of the Post Closure Care or Corrective Action Program.

6. Documentation of Monitoring Wells: The Permittee must maintain an updated inventory of groundwater monitoring well information including but not limited to:

   a. Date/time of original construction. Additionally, the inventory must include any well redevelopment or replacement information.

   b. Well identification number. Wells must be properly identified in the administrative record as well as physically on the well protective casing, cover or flush mount.

   c. Well type (e.g. background, sampling, point of compliance, etc.)

   d. Well location ($\pm$0.5 ft)

i. Coordinates must be submitted in latitude/longitude coordinate system with a precision as required by DEC guidance.

ii. The permittee must include a conversion factor or system whenever using Easting and Northing.

e. Well development method and date.

f. Unit(s) monitored.

g. Bore hole diameter and well casing diameter.

h. Casing materials.

i. Well depth (± 0.1 ft, must be the well bottom).

j. Ground elevation (± 0.01ft relative to mean sea level (MSL)).

k. Top-of-Riser elevation (± 0.01 ft).

l. Screened interval (ft. relative MSL).

m. Turbidity reported in a quantitative and measurable method (e.g., <5 NTUs).

n. Drilling and lithological logs.

o. Monitored zone.

p. Detailed drawing of well (include dimensions).

All depth or elevations may be reported in ft BGS (below ground surface), ft AMSL (above mean sea level) or ft BTOC (below top of casing). Whatever system is used must be consistent across all GWM systems/plans/program for the Facility. All documentation must include the necessary definitions, units or acronyms used therein.

If requested by DEC, the Permittee must provide a copy of the Monitoring Well documentation within five (5) business days.

E. WELL LOCATION, INSTALLATION AND CONSTRUCTION

The Permittee must submit a written proposal to install and maintain a groundwater monitoring system a minimum of forty-five (45) days prior to planned installation. The Permittee must design all groundwater monitoring system(s) such that they comply with all applicable regulations and requirements. The Permittee may not install any wells without DEC approval, including any proposed replacement well(s).

1. The Permittee shall ensure that all wells are designed, installed, and maintained such that groundwater samples are representative of the true water quality. Additionally,

the wells shall be designed, installed and monitored in such a manner to prevent interconnection between different hydrologic units.

2. The Permittee must ensure the use of adequate construction materials that are durable enough to resist chemical and physical degradation and do not interfere with the quality of groundwater samples. Specific well components that are of concern include well casings, well screens, filter packs, and annular seals or backfills.

3. The Permittee must ensure the drilling method used minimizes disturbance of the surface and subsurface materials. Any method used should not contaminate these materials as well as groundwater or surface water. Emerging contaminants, chemicals or materials characterized by a perceived, potential, or real threat to human health or the environment or by a lack of published health standards, should be considered when selecting these materials.

4. The Permittee must maintain documentation on the design and construction of the wells. Otherwise, a placement of a monitoring well will be considered inadequate for groundwater monitoring if no documentation is provided to the DEC.

5. The Permittee shall measure total well depth annually and redevelop any monitoring well when sediment has entered the well and accumulated to a depth of one foot; or the accumulated sediment blocks ten percent of the screen length, whichever is less. The Permittee must notify DEC within fifteen (15) days of any need to redevelop a well or any sediment accumulation above ten (10) percent.

6. The Permittee must submit a written plan for any well abandonment or decommissioning a minimum of forty-five (45) days prior to implementation. The Permittee may not decommission any wells without DEC approval. The Permittee must follow DEC's well decommissioning policy per **Condition A.4 of Module I**.

F. WELL MAINTENANCE

1. The Permittee is responsible to maintain the GWM system and ensure that all monitoring points yield representative samples of high integrity. During each sampling event the wells to be sampled shall be visually inspected for integrity. Any well found to be damaged beyond usability, blocked or broken, or that fails to recharge properly, shall be repaired, abandoned or replaced, if necessary, in accordance with the conditions of this Permit. Additionally, if the Permittee, or their contractor, observes any cracking or frost heaving of grout at any well, repairs shall be made and the top of the inner well casing will be resurveyed to ensure accurate definition of groundwater elevations. All repairs or replacements shall be completed prior to the next scheduled sampling event.

2. The Permittee shall perform inspection activities within one hundred eighty (180) days of the effective date of this Permit, and every three (3) years after the initial inspection. These inspections shall evaluate the exterior conditions and accessible parts of GWM wells as mentioned in **Condition F.1** above as well as assessing well performance and effectiveness in the GWMP (i.e., well screen depth versus plume locations, etc). The

Permittee shall report observations and maintenance actions in both an initial report and the Triennial Well Inspection Report as listed in **Table C of Module XIII**.

3. The Permittee shall maintain an inventory of all existing and historical wells throughout the facility and at off-site locations associated with the GWMP.

G. SAMPLING AND ANALYSIS PROCEDURES

1. The Permittee must ensure that the frequency of sample collection and the wells to be sampled are in accordance with the Groundwater Monitoring Schedule established in the GWMP or GWMR. The Permittee shall monitor groundwater quality throughout the compliance period to demonstrate conformance with the GWMP.

   a. The Permittee must prepare and submit a Sampling and Analysis Plan (SAP) and its corresponding Sampling and Analysis Report (SAR) to DEC pursuant to **Conditions C.3 and C.5 of Module II**, as may be necessary. Any new groundwater monitoring requirements necessary based on any new SAP or SAR would subsequently be incorporated into the GWMP.

   b. Any required SAP must include provisions for measurement of static water elevations in each well prior to each sampling event. A change in hydrologic conditions may necessitate modification to the design of the groundwater monitoring system.

2. Proposed sampling frequencies shall be submitted by the Permittee as part of the Permit application. The sampling frequency is determined on a case-by-case scenario and should reflect site-specific hydrogeological conditions. The minimum sampling is determined by the Department as defined in the GWMP and per Subparts 373-2.6(h), (i) and (j).

3. Unless specified in the Permit and/or approved modifications to the GWMP, the Permittee must include all active wells in sampling activities. Monitoring wells can only be removed from sampling activities only after the review and approval of DEC.

4. The Permittee shall report water level data with the groundwater quality analytical results as specified in **Condition C** above and within a collection time within twenty-four (24) hour time span.

5. The Permittee must collect field data parameters during sampling activities to obtain pH, temperature, redox potential, dissolved oxygen, specific conductance, etc. Other field measurements may be required yet not limited to such as purged water collected and screened with photoionization detectors (PID) or organic vapor meters.

6. The Permittee shall take into account other indicator parameters additional to established hazardous constituents as described in Subpart 373-2.6(i) or as may be determined by the Department on a case-by-case basis.

7. The Permittee must note and report the presence of immiscible layers: Non-Aqueous Phase Liquids (NAPLs), and Dense Non-Aqueous Phase Liquids (DNAPLs) not detected in the aqueous phase.

8. The Permittee must use the following techniques and procedures when obtaining and analyzing groundwater samples from the groundwater monitoring wells established in the GWMP. The GWMP and GWMR must include a discussion at a minimum with the following requirements:

    a. Sampling procedures;

    b. Sample collection quality assurance/quality control (QA/QC);

    c. Sample preservation;

    d. Chain of Custody; and

    e. Sampling Shipment.

9. Sample Analysis. Samples shall be analyzed based on most current USEPA Hazardous Waste Test Methods SW-846, using the most recent and stringent procedure at the time of analysis, unless the Department approves a different methodology prior to sampling. These samples must be analyzed by a laboratory with a NYS Environmental Laboratory Approval Program (ELAP) certification.

10. The Permittee is responsible to sample any wastes or other materials that may be generated as part of the GWMP and to ensure it is disposed of in accordance with all applicable regulations.

11. The GWMP should include provisions for measurement of static water elevations in each well prior to each sampling event.

12. The Permittee must report the presence of hazardous waste constituents that are consistently present in the monitoring wells exceeding established groundwater protection standards. DEC may require the Permittee to perform additional sampling and install additional wells to determine the horizontal and vertical extent of any contamination.

13. Inability to Obtain Samples. If the Permittee knows that a well may not provide representative samples, may not provide accurate piezometric values, may be damaged, or is inaccessible due to obstructions, the Permittee shall within seven (7) days of such knowledge notify DEC, in writing, of the problem and proposed remedy. Within fourteen (14) days of such knowledge, the Permittee shall attempt to remedy the problem and, when appropriate, sample or re-sample the well. Within twenty-one (21) days of such knowledge, the Permittee shall, through written notice to the DEC, provide information which describes the nature of the problem.

14. The Permittee must include a section with detailed procedures for evacuating wells in their GWMP (e.g., low-flow vs high-flow techniques, use of dedicated equipment, purging times, etc.). The Permittee must provide a written report to DEC within fourteen (14) days whenever a well cannot be sampled due to water table conditions, sediment built up, etc.

15. Insufficient groundwater for sampling. The Permittee must report wells with a history of pumping dry and discuss with DEC the order of sampling COCs. On wells in which the water table has lowered to consider the well dry and no longer adequate for sampling, DEC will make the determination on whether the well should be retained in the GWMP or replaced.

16. The Permittee is responsible for the characterization of all Investigation Derived Waste (IDW) generated during sampling activities. Characterization may include Toxicity Characteristics Leaching Procedure (TCLP) analysis. The Permittee shall treat, store and/or dispose of all IDW, including contaminated groundwater, in accordance with all applicable federal, state and local requirements.

17. At the request of the DEC, the Permittee shall allow the DEC and/or its authorized representatives to collect samples or splits of any samples collected by the Permittee pursuant to the requirements of this Permit. Similarly, at the request of the Permittee, the DEC will allow the Permittee or the Permittee's authorized representatives to take splits or duplicates of any samples collected by the DEC. The Permittee shall provide appropriate management of or disposal of purge water whenever samples are collected by the DEC.

18. Laboratory Reporting: As stated in **Condition G.9** above, all samples must be analyzed by an ELAP-certified laboratory. Additionally, the Permittee must provide DEC with ASP Category B deliverables for sample results in accordance with **Condition O.1 of Module I**. An associated Data Usability Summary Report (DUSR) must be prepared by a qualified and approved data validator and submitted along with all results.

19. Change in Analytical Laboratory: Whenever the Permittee changes analytical contractors, the Permittee shall submit to the Department, within thirty (30) days of such a change, a copy of the new laboratory's New York State ELAP certification to be included in the permit application. This certification must state the expiration date, analytical test methods and parameters for which the laboratory is certified.

20. The Permittee is required to report the concentrations of any newly detected hazardous constituents found during analysis to the DEC in writing within **seven (7) days** after receipt of analytical data. The Permittee must immediately incorporate these new constituents into the GWMP when the presence of new hazardous constituents is confirmed by resampling. If the Permittee chooses not to resample, the original detections will be considered valid detections, and the hazardous constituents must be added to the GWMP.

21. The Permittee must use the appropriate statistical procedure to evaluate groundwater monitoring data for each hazardous constituent detected as established in Subpart 373-2.6(h)(8) and Subpart 373-2.6(h)(9) or otherwise approved by the Department.

H. GROUNDWATER MONITORING PROGRAM TERMINATION CRITERIA

1. Request for Termination: The Permittee may submit a request for Termination of the Groundwater Monitoring Program whenever the Permittee determines that the cleanup in all or part of the on-site area/aquifer is achieving the Termination Criteria. The termination request must provide information that the Permittee's GWMP has met all groundwater protection standards set forth in monitoring parameters in **Table XI-1** for an appropriate number of consecutive sampling episodes determined by the DEC.

2. Termination Monitoring: Following a request for termination of the Groundwater Monitoring Program, the Permittee shall conduct Termination Monitoring to demonstrate that Termination Criteria continue to be achieved. At least 60 days prior to commencing Termination Monitoring, the Permittee shall submit a Termination Monitoring Plan for DEC review. That plan will describe the area (or wells) for which Termination Monitoring is proposed, and the monitoring plan, including wells, which will be used to determine whether the Termination Criteria have been achieved. The Permittee may proceed with the Termination Monitoring Program, without DEC approval, at their own risk. Only those results which conform to a DEC-approved Termination Monitoring Plan shall be accepted by the Department.

3. Basis for Termination: The basis for the DEC's determination of whether the groundwater monitoring for a particular well or area can be terminated shall be if DEC concurs that the **Table XI-1** groundwater protection standards have been met for three (3) years of sampling for Termination Monitoring.

I. GROUNDWATER WELL DECOMMISSIONING OR REPLACEMENT

1. The Permittee is responsible to submit a Permit modification request, in accordance with **Condition B.10** above, including a well decommissioning plan for any on plugging, capping and abandonment of a GWMP well at the Facility. Once approved by the DEC and implemented, the Permittee must submit a GWM well decommissioning report to DEC for review and approval. All wells in the GWMP shall be decommissioned in accordance with **Condition A.4 of Module I** of this Permit. Once a well is decommissioned, the Permittee must update the GWMP or maintain changes in the GWMR to remove said well(s).

2. The Permittee must submit a Permit modification request, in accordance with **Condition B.10** above, including a work plan for any well replacement proposal. The Permittee must receive DEC approval prior to a well replacement installation. The new well should retain the same vertical and horizontal characteristics as well as the original well as well as the screen depth should be at the same stratigraphic unit. DEC will review this on a case-by-case scenario.

TABLE XI-1
Groundwater Protection Standards
Site Specific Parameters

Constituent	**Concentration Limit, µg/L (micrograms per liter)**
Acetone	50
Acrylonitrile	5
Benzene [(1)]	1
Bromodichloromethane	50
Bromoform	50
Carbon tetrachloride [(1)]	5
Chloroethane	5
Chloroform [(1)]	7
Dichlorodifluoromethane	5
1,2-Dichloroethane (1,2-DCA) [(1)]	0.6
1,1-Dichloroethene	5
cis-1,2-Dichloroethene [(1)]	5
trans-1,2-Dichloroethene	5
1,2-Dichloropropane	1
2,2-Dichloropropane	5
Ethylbenzene	5
Hexachlorobutadiene	0.5
Naphthalene	10
Tetrachloroethene (TCE) [(1)]	5
Tetrahydrofuran	50
Toluene	5
1,1,2-Trichloroethane	1
Trichloroethene	5
Trichlorofluoromethane	5
1,2,3-Trimethylbenzene	5
Vinyl chloride [(1)]	2
Methyl tert-butyl ether (MTBE) [(1)]	0.93[(2)]
1,4-Dioxane	0.35
Perfluorooctane Sulfonic acid (PFOS)	0.0027
Perfluorooctanoic acid (PFOA)	0.0067

Footnotes:

1. This list contains all known Constituents of Concern (COCs) for the Facility, however, the Facility is currently subject to groundwater monitoring requirements for these particular COCs. Additional information may be found in the GWMP or GWMR.

2. MTBE is regulated under Groundwater Protections established in Part 375 Environmental Remedial Programs Table 375-6.8(b) Restricted Use Soil Cleanup Objectives. Units are expressed in µg/K (micrograms per kilogram).

MODULE XII
RESERVED

MODULE XIII

Scheduled Dates

MODULE XIII
SCHEDULED DATES

A. COMPLIANCE SCHEDULE

The Permittee must complete the following activities within the scheduled timeframes indicated in the following table in accordance with 6 NYCRR 373-1.6(d):

Item No.	Item	Requirement	Compliance Date[1]
1.	Not Applicable		

Footnotes:
1. The Permittee must comply with the reporting requirements of 6 NYCRR 373-1.6(d)(1)(iii) for each interim date and the final compliance date.

B. SCHEDULE OF DELIVERABLES

The Permittee must complete the activities indicated in the following table within the scheduled timeframes from the effective date of the Permit:

Item No.	Item	Requirement	Deliverable Date[1]
1.	Draft Site Management Plan (SMP)	Submit a draft SMP prepared in accordance with Modules I and II as well as DER-10 (https://extapps.dec.ny.gov/fs/programs/der/templates/smptemplate1.docx). The SMP must be a comprehensive document, must consider and include all site management activities for the entire Facility, and must describe how the Permittee will manage the Facility to achieve remedial goals and objectives for the entire Facility as a whole.	Within 180 days of the effective date of this Permit.
2.	Final SMP	Submit a final SMP acceptable to the Department prepared in accordance with DER-10.	Within 45 days of the NYSDEC approval of the draft SMP.
3.	SWMU/AOC Current Conditions Assessment Report	Module II, Condition B.13	Within 90 days of the effective date of this Permit.
4.	Supplemental PFAS Sampling Work Plan schedule submittal for SWMU 10	Module II, Condition A.1 and B.11.f	Within 120 days of the effective date of this Permit.

Item No.	Item	Requirement	Deliverable Date[1]
5.	Supplemental PFAS Sampling Work Plan schedule submittal for SWMU-16	Module II, Condition A.1 and B.11.f	Within 120 days of the effective date of this Permit.
6.	Groundwater Monitoring Plan/Program Update	Module XI, Condition D.6	Within 120 days of the effective date of this Permit.
7.	Initial Well Inspection Report	Module XI, Condition F.2	Within 180 days of the effective date of this Permit

Footnotes:
1. Deliverable Date changes may be made with written approval from the Department.

C. ROUTINE REPORTING

The Permittee must submit the following routine reports to the Department by the indicated due date in accordance with the requirements of this Permit (Note: the table below is intended to serve as a guide for certain routine reporting required by this Permit. However, the Permittee is still obligated to comply with all applicable regulations cited in this Permit and all conditions and requirements contained in the Modules, Attachments and documents incorporated by reference into this Permit, regardless of whether they are or are not listed in the table below.):

Item No.	Item	Frequency	Due Date[1]	Requirement
1.	Hazardous Waste Manifest Reporting	On-going	10 days of receipt	6 NYCRR 373-2.5(b)(1)(i)
2.	Annual Report	Annually	March 1	6 NYCRR 373-2.5(e)
3.	Hazardous Waste Reduction Plan Update/Report	Annually, if necessary	July 1	ECL 27-0908 and Module I, Condition M
4.	SWMU/AOC Current Conditions Assessment Report	With the completion of remedial requirements at a SWMU/AOC or when requested by DEC.	Within 30 days of remedial completion or DEC request.	Module II, Condition B.13

Item No.	Item	Frequency	Due Date[1]	Requirement
5	Corrective Action Cost Estimate Adjusted for Inflation	Annually	60 days prior to anniversary date of establishment of financial instrument	6 NYCRR 373-2.8(c)(2), 6 NYCRR 373-2.8(e)(2) and Module I, Condition O.3
6.	Evidence that Financial Assurance Instruments have been maintained and not lapsed	Annually	30 days prior to anniversary of initial approval	Module I, Condition O.11
7.	Well Inspection Report	Triennially	Three years after submittal of the Initial Report	Module XI, Condition F.2
8.	Groundwater Monitoring Reports	Annually, or as per approved GWMPs	March 1 or as per approved GWMPs	Module XI, Conditions C and D
9.	Groundwater Monitoring Well Inventory	Every 5 years, or when wells are modified	Dependent on activity	Module XI, Condition D.3 and Condition I

Footnotes:
1. Routine Date changes may be made with written approval from the Department.

ATTACHMENT A
Part A Application

United States Environmental Protection Agency
RCRA SUBTITLE C SITE IDENTIFICATION FORM

1. Reason for Submittal (Select only one.)

☐	Obtaining or updating an EPA ID number for on-going regulated activities (Items 10-17 below) that will continue for a period of time.
☐	Submitting as a component of the Hazardous Waste Report for _____ (Reporting Year)
	☐ Site was a TSD facility, a reverse distributor, and/or generator of ≥ 1,000 kg of non-acute hazardous waste, > 1 kg of acute hazardous waste, or > 100 kg of acute hazardous waste spill cleanup in **one or more months of the reporting year** (or State equivalent LQG regulations)
☐	Notifying that regulated activity is no longer occurring at this Site
☐	Obtaining or updating an EPA ID number for conducting Electronic Manifest Broker activities
☑	Submitting a new or revised Part A (permit) Form

2. Site EPA ID Number

N	Y	D	0	0	2	0	8	1	3	9	6

3. Site Name

Former Wyeth Pharmaceutical Site

4. Site Location Address

Street Address **64 Maple Street**		
City, Town, or Village **Rouses Point**		County **Clinton**
State **NY**	Country **USA**	Zip Code **12979**
Latitude	Longitude	☐ Use Lat/Long as Primary Address

5. Site Mailing Address ☐ Same as Location Street Address

Street Address **66 Hudson Boulevard East**		
City, Town, or Village **New York**		
State **NY**	Country **USA**	Zip Code **10001**

6. Site Land Type

☑ Private ☐ County ☐ District ☐ Federal ☐ Tribal ☐ Municipal ☐ State ☐ Other

7. North American Industry Classification System (NAICS) Code(s) for the Site (at least 5-digit codes)

A. (Primary)	C.
B.	D.

8. Site Contact Information ☐ Same as Location Address

First Name **Christopher**	MI **J**	Last Name **Clark**
Title **Vice President, Wyeth Pharmaceuticals LLC**		
Street Address **c/o Pfizer Inc., 66 Hudson Boulevard East**		
City, Town, or Village **New York**		
State **NY**	Country **USA**	Zip Code **10001**
Email **Christopher.J.Clark@pfizer.com**		
Phone **212-733-5997**	Ext	Fax

9. Legal Owner and Operator of the Site

A. Name of Site's Legal Owner ☐ Same as Location Address

Full Name **ERS Rouses Point, LLC**	Date Became Owner (mm/dd/yyyy) **11/2/2018**

Owner Type: ☑ Private ☐ County ☐ District ☐ Federal ☐ Tribal ☐ Municipal ☐ State ☐ Other

Street Address **390 N. Broadway, Suite 130**		
City, Town, or Village **Jericho**		
State **NY**	Country **USA**	Zip Code **11753**
Email **mark@ers-investors.com**		
Phone **(631) 434-1900**	Ext	Fax
Comments **Email and Phone are for Mark A. Haynes, Managing Partner**		

B. Name of Site's Legal Operator ☐ Same as Location Address

Full Name **ERS Rouses Point, LLC**	Date Became Operator (mm/dd/yyyy) **11/2/2024**

Operator Type: ☑ Private ☐ County ☐ District ☐ Federal ☐ Tribal ☐ Municipal ☐ State ☐ Other

Street Address **390 N. Broadway, Suite 130**		
City, Town, or Village **Jericho**		
State **NY**	Country **USA`**	Zip Code **11753**
Email **mark@ers-investors.com**		
Phone **(413) 348-0886**	Ext	Fax
Comments **Email and Phone are for Mark A. Haynes, Managing Partner**		

10. Type of Regulated Waste Activity (at your site)

Mark "Yes" or "No" for all current activities (as of the date submitting the form); complete any additional boxes as instructed.

A. Hazardous Waste Activities

☑ Y ☐ N	1. Generator of Hazardous Waste—If "Yes", mark only one of the following—a, b, c		
	☐	a. LQG	-Generates, in any calendar month, 1,000 kg/mo (2,200 lb/mo) or more of non-acute hazardous waste (includes quantities imported by importer site); or - Generates, in any calendar month, or accumulates at any time, more than 1 kg/mo (2.2 lb/mo) of acute hazardous waste; or - Generates, in any calendar month or accumulates at any time, more than 100 kg/mo (220 lb/mo) of acute hazardous spill cleanup material.
	☑	b. SQG	100 to 1,000 kg/mo (220-2,200 lb/mo) of non-acute hazardous waste and no more than 1 kg (2.2 lb) of acute hazardous waste and no more than 100 kg (220 lb) of any acute hazardous spill cleanup material.
	☐	c. VSQG	Less than or equal to 100 kg/mo (220 lb/mo) of non-acute hazardous waste.
☑ Y ☐ N	2. Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). If "Yes", provide an explanation in the Comments section. *Note: If "Yes", you MUST indicate that you are a Generator of Hazardous Waste in Item 10.A.1 above.*		
☐ Y ☑ N	3. Treater, Storer or Disposer of Hazardous Waste—Note: Part B of a hazardous waste permit is required for these activities.		
☐ Y ☑ N	4. Receives Hazardous Waste from Off-site		
☐ Y ☑ N	5 Recycler of Hazardous Waste		
	☐	a. Recycler who stores prior to recycling	
	☐	b. Recycler who does not store prior to recycling	
☐ Y ☑ N	6. Exempt Boiler and/or Industrial Furnace—If "Yes", mark all that apply.		
	☐	a. Small Quantity On-site Burner Exemption	
	☐	b. Smelting, Melting, and Refining Furnace Exemption	

B. Waste Codes for Federally Regulated Hazardous Wastes. Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g. D001, D003, F007, U112). Use an additional page if more spaces are needed.

F002						

C. Waste Codes for State Regulated (non-Federal) Hazardous Wastes. Please list the waste codes of the State hazardous wastes handled at your site. List them in the order they are presented in the regulations. Use an additional page if more spaces are needed.

11. Additional Regulated Waste Activities (NOTE: Refer to your State regulations to determine if a separate permit is required.)

A. Other Waste Activities

☐ Y ☑ N	1. Transporter of Hazardous Waste—If "Yes", mark all that apply.
☐	a. Transporter
☐	b. Transfer Facility (at your site)
☐ Y ☑ N	2. Underground Injection Control
☐ Y ☑ N	3. United States Importer of Hazardous Waste
☐ Y ☑ N	4. Recognized Trader—If "Yes", mark all that apply.
☐	a. Importer
☐	b. Exporter
☐ Y ☑ N	5. Importer/Exporter of Spent Lead-Acid Batteries (SLABs) under 40 CFR 266 Subpart G—If "Yes", mark all that apply.
☐	a. Importer
☐	b. Exporter

B. Universal Waste Activities

☐ Y ☑ N	1. Large Quantity Handler of Universal Waste (you accumulate 5,000 kg or more) - If "Yes" mark all that apply. Note: Refer to your State regulations to determine what is regulated.
☐	a. Batteries
☐	b. Pesticides
☐	c. Mercury containing equipment
☐	d. Lamps
☐	e. Aerosol Cans
☐	f. Other (specify) _____
☐	g. Other (specify) _____
☐ Y ☑ N	2. Destination Facility for Universal Waste Note: A hazardous waste permit may be required for this activity.

C. Used Oil Activities

☐ Y ☑ N	1. Used Oil Transporter—If "Yes", mark all that apply.
☐	a. Transporter
☐	b. Transfer Facility (at your site)
☐ Y ☑ N	2. Used Oil Processor and/or Re-refiner—If "Yes", mark all that apply.
☐	a. Processor
☐	b. Re-refiner
☐ Y ☑ N	3. Off-Specification Used Oil Burner
☐ Y ☑ N	4. Used Oil Fuel Marketer—If "Yes", mark all that apply.
☐	a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burner
☐	b. Marketer Who First Claims the Used Oil Meets the Specifications

D. Pharmaceutical Activities

☐ Y ☑ N	1. Operating under 40 CFR Part 266, Subpart P for the management of hazardous waste pharmaceuticals—if "Yes", mark only one. Note: See the item-by-item instructions for definitions of healthcare facility and reverse distributor.
☐	a. Healthcare Facility
☐	b. Reverse Distributor
☐ Y ☑ N	2. Withdrawing from operating under 40 CFR Part 266, Subpart P for the management of hazardous waste pharmaceuticals. Note: You may only withdraw if you are a healthcare facility that is a VSQG for all of your hazardous waste, including hazardous waste pharmaceuticals.

12. Eligible Academic Entities with Laboratories—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR Part 262, Subpart K.

☐ Y ☑ N	A. Opting into or currently operating under 40 CFR Part 262, Subpart K for the management of hazardous wastes in laboratories— If "Yes", mark all that apply. Note: See the item-by-item instructions for definitions of types of eligible academic entities.
☐	1. College or University
☐	2. Teaching Hospital that is owned by or has a formal written affiliation with a college or university
☐	3. Non-profit Institute that is owned by or has a formal written affiliation with a college or university
☐ Y ☑ N	B. Withdrawing from 40 CFR Part 262, Subpart K for the management of hazardous wastes in laboratories.

13. Episodic Generation

☐ Y ☑ N	Are you an SQG or VSQG generating hazardous waste from a planned or unplanned episodic event, lasting no more than 60 days, that moves you to a higher generator category. If "Yes", you must fill out the Addendum for Episodic Generator.

14. LQG Consolidation of VSQG Hazardous Waste

☐ Y ☑ N	Are you an LQG notifying of consolidating VSQG Hazardous Waste Under the Control of the Same Person pursuant to 40 CFR 262.17(f)? If "Yes", you must fill out the Addendum for LQG Consolidation of VSQG hazardous waste.

15. Notification of LQG Site Closure for a Central Accumulation Area (CAA) (optional) OR Entire Facility (required)

☑ Y ☐ N	LQG Site Closure of a Central Accumulation Area (CAA) or Entire Facility.
	A. ☐ Central Accumulation Area (CAA) or ☑ Entire Facility
	B. Expected closure date: _____ mm/dd/yyyy
	C. Requesting new closure date: _____ mm/dd/yyyy
	D. Date closed : 12/31/2019 mm/dd/yyyy ☑ 1. In compliance with the closure performance standards 40 CFR 262.17(a)(8) ☐ 2. Not in compliance with the closure performance standards 40 CFR 262.17(a)(8)

16. Notification of Hazardous Secondary Material (HSM) Activity

☐ Y ☑ N	Are you notifying under 40 CFR 260.42 that you will begin managing, are managing, or will stop managing hazardous secondary material under 40 CFR 260.30, 40 CFR 261.4(a)(23), (24), (25), or (27)? If "Yes", you must fill out the Addendum to the Site Identification Form for Managing Hazardous Secondary Material.

17. Electronic Manifest Broker

☐ Y ☑ N	Are you notifying as a person, as defined in 40 CFR 260.10, electing to use the EPA electronic manifest system to obtain, complete, and transmit an electronic manifest under a contractual relationship with a hazardous waste generator?

18. Comments (include item number for each comment)

All pharmaceutical operations at the facility ceased in 2017 and all permitted waste storage units have been taken out of service. Ongoing corrective actions are currently being undertaken at the Site.

19. Certification I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations. **Note: For the RCRA Hazardous Waste Part A permit Application, all owners and operators must sign (see 40 CFR 270.10(b) and 270.11).**

Signature of ~~legal owner, operator or authorized representative~~	Date (mm/dd/yyyy) **1/27/2025**
Printed Name (First, Middle Initial Last) **Mark A. Haynes**	Title **Managing Partner**
Email **mark@ers-investors.com**	

Signature of ~~legal owner, operator or authorized representative~~ GENERATOR	Date (mm/dd/yyyy) 02/05/2025
Printed Name (First, Middle Initial Last) CHRISTOPHER J. CLARK	Title VICE PRESIDENT, WYETH ~~PHARMACEUTICALS~~, LLC
Email christopher.j.clark@pfizer.com	

United States Environmental Protection Agency

HAZARDOUS WASTE PERMIT PART A FORM

1. Facility Permit Contact

First Name	**Christopher**	MI	**J**	Last Name	**Clark**
Title	**Vice President, Wyeth Pharmaceuticals LLC**				
Email	**Christopher.J.Clark@pfizer.com**				
Phone	**212-733-5997**	Ext		Fax	

2. Facility Permit Contact Mailing Address

Street Address	**66 Hudson Boulevard East**	
City, Town, or Village	**New York**	
State **NY**	Country **USA**	Zip Code **10001**

3. Facility Existence Date (mm/dd/yyyy)

2/4/1926

4. Other Environmental Permits

A. Permit Type	B. Permit Number	C. Description
R	**5-09281-17-175**	**NYSDEC Part 373 Permit**

5. Nature of Business

ERS Rouses Point, LLC currently owns and operates the facility. ERS Rouses Point, LLC uses the facility for warehousing and light manufacturing. Wyeth Pharmaceuticals LLC (formerly Wyeth Pharmaceuticals Inc.) previously owned the facility and operated a pharmaceutical manufacturing and research facility at this location, including offices, laboratories, a research area, and production areas for prescription, over-the-counter, and some investigational drugs. Additional production-related areas included receiving, packaging, shipping, maintenance, boiler house, wastewater treatment, and hazardous waste storage. All pharmaceutical production operations and waste generation at the facility ceased in 2017.

6. Process Codes and Design Capacities

Line Number		A. Process Code			B. Process Design Capacity (1) Amount	B. Process Design Capacity (2) Unit of Measure	C. Process Total Number of Units	D. Unit Name

7. Description of Hazardous Wastes (Enter codes for Items 7.A, 7.C and 7.D(1))

Line No.		A. EPA Hazardous Waste No.				B. Estimated Annual Qty of Waste	C. Unit of Measure	D. Processes (1) Process Codes								D. Processes (2) Process Description (if code is not entered in 7.D1))
1		F	0	0	2											Remedial Cleanup Acti

8. Map

Attach to this application a topographical map, or other equivalent map, of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all spring, rivers, and other surface water bodies in this map area. See instructions for precise requirements.

9. Facility Drawing

All existing facilities must include a scale drawing of the facility. See instructions for more detail.

10. Photographs

All existing facilities must include photographs (aerial or ground-level) that clearly delineate all existing structures; existing storage, treatment, and disposal areas; and sites of future storage, treatment, or disposal areas. See instructions for more detail.

11. Comments

The purpose of this form is to update Site address, contact information, and hazardous waste activities.

ATTACHMENT B
RESERVED

ATTACHMENT C
RESERVED

ATTACHMENT D
RESERVED

ATTACHMENT E
RESERVED

ATTACHMENT F
RESERVED

ATTACHMENT G
RESERVED

ATTACHMENT H
RESERVED

ATTACHMENT I
RESERVED

ATTACHMENT J

Other Laws

ATTACHMENT J
OTHER LAWS

The Facility holds a permit that was issued pursuant to the Resource Conservation & Recovery Act and the New York State Environmental Conservation Law. This permit is identified in Section 4 - Other Environmental Permits of **Attachment A** of this Permit.

Other laws applicable or potentially applicable to site operations include the Clean Water Act, the Clean Air Act, the Safe Drinking Water Act, the Federal Insecticide, Fungicide, Rodenticide Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and the Superfund Amendments and Reauthorization Act of 1986.

ATTACHMENT K

On-going Corrective Action, Statement of Basis, and Other Documents

DRAFT
Statement of Basis

FOR

Wyeth Pharmaceuticals, LLC
Town of Rouses Point, Clinton County

NYSDEC Permit No.: 5-0928-00017/00175
DER Site No.: 510018
USEPA RCRA ID No.: NYD000707901

NEW YORK STATE | Department of Environmental Conservation

Prepared by:
Division of Materials Management
New York State Department of Environmental Conservation

July 16, 2025

Table of Contents

ACRONYMS

A
AFFF - Aqueous Film Forming Foam
AOC - Areas of Concern
AST - Aboveground Storage Tank

B
bgs - below ground surface

C
CMI - Corrective Measures Implementation
CMS - Corrective Measures Study
COCs - Constituents of Concerns
CPP - Citizen Participation Plan

D
DEC - Department of Environmental Conservation
DER - Division of Environmental Remediation
Department - Department of Environmental Conservation
DMM - Division of Materials Management
DOH - NYS Department of Health

E
ECL - Environmental Conservation Law
EDS - Electronic Document Standards
EE - Environmental Easement
ELAP - Environmental Laboratory Approval Program

F
FER - Final Engineering Report
FS - Feasibility Study

G
GW - Groundwater
GWM - Groundwater Monitoring
GWMP - Groundwater Monitoring Program

H

I
ICM - Interim Corrective Measures
ISCO - In-Situ Chemical Oxidation
ISCR - In-Situ Chemical Reduction
ISMP - Interim Site Management Plan

J

K

L
LDR - Land Disposal Restrictions

M
MCL - Maximum Contaminant Level
µg/L - micrograms per liter, in water
mg/kg - milligrams per kilogram, in soil
MNA - Monitored Natural Attenuation
MSL - Mean Sea Level
MTBE - Methyl Tert-Butyl Ether

N
NYCRR - New York Codes, Rules & Regulations
NYSDEC - New York State Department of Environmental Conservation
NYSDOH - New York State Department of Health

O
O&M - Operation & Maintenance
OGC - Office of General Counsel
OM&M - Operation, Maintenance & Monitoring
OSHA - Occupational Safety & Health Administration
OU - Operating Unit
OU - Operable Unit (under Corrective Action or 6 NYCRR Part 375)

P
PCBs - Polychlorinated Biphenyls
PDF - Portable Document Format
PFAS - Per- and Polyfluoroalkyl substances
ppb - Parts per billion
ppm - Parts per million
PPP – Public Participation Plan
PR - Preliminary Review
PR/VSI - Preliminary Review/Visual Site Inspection
PRR - Periodic Review Report

Q
QAPP - Quality Assurance Project Plan
QA/QC - Quality Assurance/Quality Control

R
RA - Remedial Action
RCRA - Resource Conservation & Recovery Act

RD - Remedial Design
RD/RA - Remedial Design/Remedial Action
RFA - RCRA Facility Assessment
RFI - RCRA Facility Investigation
RI - Remedial Investigation
ROD - Record of Decision
RP - Remedial Plan
RP - Responsible Party
RPL - Real Property Law
RSO - Remedial System Optimization
RTC(s) - Response(s) to TNOIA Comments

S
SAP - Sampling and Analysis Plan
SAPA - State Administrative Procedures Act
SAR -Sampling and Analysis Report
SB - Statement of Basis
SC - Site Characterization
SCG - Standard Criteria or Guidance
SCOs – Soil Cleanup Objectives
SEQR - State Environmental Quality Review
SLERA - Screening Level Ecological Risk Assessment
SM - Site Management
SMP - Site Management Plan
SPDES - State Pollutant Discharge Elimination System
SSDSs - Sub Slab Depressurization System
SWMU - Solid Waste Management Unit
SV - Sampling Visit
SVOCs - Semi-Volatile Organic Compounds

T
TOGS - NYSDEC's Division of Water's Technical and Operational Guidance Series
TSDF - Treatment, Storage & Disposal Facility

U
UIC - Underground Injection Control
USDA - United States Department of Agriculture
USDOT - United States Department of Transportation
USEPA - United States Environmental Protection Agency

V
VOCs – Volatile Organic Compounds
VSI - Visual Site Inspection

W
WAP - Waste Analysis Plan

X

Y

Z

NEW YORK STATE

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Materials Management

STATEMENT OF BASIS

Wyeth Pharmaceuticals, LLC
64 Maple Street, Rouses Point, Clinton County
NYSDEC Permit No.: 5-0928-00017/00175
DER UIS No. 510018
EPA ID No. NYD002081396

July 16, 2025

SECTION 1: INTRODUCTION

The New York State Department of Environmental Conservation (Department or NYSDEC) has determined that hazardous wastes and/or hazardous constituents were released into the environment at the Former Wyeth Pharmaceuticals Site located at 64 Maple Street in Rouses Point, New York (the "Facility"). The Department, in consultation with the New York State Department of Health (NYSDOH), is proposing final corrective measures for this Facility. The Facility is owned by ERS Rouses Point, LLC and is operated for this corrective action by Wyeth Pharmaceuticals, LLC. The proposed corrective measures for this Facility are intended to attain the cleanup objectives identified for the protection of public health and the environment. This Statement of Basis (SB) summarizes the contaminant investigations which were performed at the site, identifies the proposed corrective measures, presents the other alternatives considered, explains the reasons for selecting the proposed remedy, and solicits public involvement in the selection of corrective measures.

The purpose of this SB is to describe the proposed Final Corrective Measures for this facility and provide an opportunity for the public to be informed of and to participate in the development of the remedial program(s) for the Facility. Public input on all potential remedial alternatives, and on the information that supports the alternatives, is an important contribution to the corrective measure selection process. The Department may modify the proposed remedy or select another remedy based on new information and/or public comments. While the SB summarizes and highlights key information from the Resource Conservation & Recovery Act (RCRA) Facility Investigations (RFI)[1] and the Corrective Measures Study

[1] RCRA Facility Investigation activities for the subject Facility are detailed in the September 1, 2006 SWMU/AOC Assessment Report (which includes a summary of the final 1992 NYSDEC RCRA Facility Assessment (RFA)), April

(CMS) Report, it is not a substitute for these documents. The RFI and CMS Report and the administrative record are more complete sources of information regarding the corrective measures.

After the public comment period has ended and all comments have been reviewed and considered, the NYSDEC will either implement the proposed Final Corrective Measures or modify the Final Corrective Measures for the facility based on the comments received. Implementation of the Final Corrective Measures will be accomplished through issuance of the renewed 6 New York Codes, Rules & Regulations (NYCRR) Part 373 Hazardous Waste Management Permit.

SECTION 2: CITIZEN PARTICIPATION

The Department has selected the proposed Final Corrective Measures. The proposed corrective measures were selected because the Department believes that when completed, the remedial activities will be protective of human health and the environment. The Department encourages the public to review and comment on all of the corrective measure alternatives described in this document and on any additional options not previously identified and/or studied. Public input on all potential remedial alternatives, and on the information that supports the alternatives, is an important contribution to the corrective measure selection process. The Department may modify the proposed remedy or select another remedy based on new information and/or public comments. Therefore, the public is encouraged to review and comment on the proposed remedy identified herein. The Department will address all comments received during the public comment period in the Response to Comments document (RTC). The preferred remedy in the SB is a preliminary determination. Should another option be selected as the remedy based upon public comment, new information, or a re-evaluation of existing information, any significant differences from this SB will be explained the in RTC. The RTC will be sent to each person who submits written comments and/or who requests such notice.

A public comment period has been set from:

July 16, 2025 to September 2, 2025

In lieu of, or in addition to the submission of written comments, any interested person may request a public hearing. Any request for a public hearing must be in writing and must state the nature of the issues proposed to be raised in the hearing.

All comments and/or requests for a public hearing must be submitted no later than **September 2, 2025**.

Erin Donhauser
NYSDEC
P.O. Box 296
1115 NYS Route 86
Ray Brook, NY 12977-0296
dep.r5@dec.ny.gov

5, 2007 Sampling and Analysis Report (SAR), March 12, 2010 Engineering Evaluation of Select SWMUs Report, June 25, 2010 Supplemental SAR, April 2016 Chemical Development Pilot Plant SAR revised September 2023, April 2019 Former Main Plant SAR revised October 2023, and/or the December 2020 Supplemental Former Main Plant SAR revised December 2023.

Document Availability

This document summarizes information that can be found in greater detail in the administrative record for the Facility. The administrative record contains many reports, including investigations and sampling results which the Department used to select the proposed final corrective measures. A list of all reports is referenced in **Appendix A** of this SB. Copies of the CMS Report as well as other reports, a Fact Sheet, the Public Notice and the draft Part 373 Hazardous Waste Management Permit for this facility are available for review at the following repositories:

The Facility's online repository is available at https://rpupdate.com/document-repository/index.html and information is also available on DEC Info Locator at Index of /data/DecDocs/510018 (ny.gov) or at D E C | DER | Environmental Remediation Databases Home.

Receive Site Citizen Participation Information by Email: Please note that the Department's Division of Materials Management (DMM) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about impacted sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State's Part 373 Hazardous Waste Management Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html.

SECTION 3: FACILITY BACKGROUND

Facility Description and History

Location: The Facility is located at the intersection of Maple Street (east of the Facility) and Academy Street (south of the Facility) in the Village of Rouses Point, NY. Railroad tracks border the property along the west side. The facility is approximately 800 feet west of the northern end of Lake Champlain/Richelieu River. The Facility includes land within the Village of Rouses Point and the Town of Champlain.

Historical Operations: The Facility formally contained two operational plants, the Main Plant and the Chemical Development Plant. The Main Plant and Chemical Development Plant operated as semi-autonomous units, although much of the infrastructure was shared between the two plants including steam, process wastewater treatment facilities, and hazardous waste storage.

The Main Plant (located primarily on the eastern portion of the Facility) included approximately 1 million square feet of manufacturing and supporting infrastructure space. This portion of the Facility was previously owned by Wyeth Pharmaceuticals, LLC (formerly Wyeth Pharmaceuticals Inc.; Wyeth) and sold to Akrimax Manufacturing, LLC (Akrimax) in 2006, who then leased the plant back to Wyeth for pharmaceutical manufacturing operations. Wyeth re-acquired the Main Plant portion of the Facility from Akrimax in 2011. Operations at the Main Plant formerly included the manufacturing, primary processing and packaging of over-the-counter and prescription pharmaceuticals. Production operations at the Main Plant ceased in December 2017. The Main Plant facility included the manufacturing buildings, boiler house, air treatment buildings, and general Facility grounds including the undeveloped portions of the Facility.

The Chemical Development Plant (located on the western portion of the Facility) was owned and operated by Wyeth until 2018 and included approximately 120,000 square feet of pharmaceutical research and development and warehouse space. The Chemical Development Plant facility included the process wastewater treatment plant, steam stripper, tank farm, various storage buildings, the fire water system, and the greater than 90-day hazardous waste storage facility.

In November 2018, the Facility was sold to ERS Rouses Point LLC. A portion of the buildings were demolished prior to the sale of the property. Most of the remaining buildings have since been demolished by the current owner. The former Main Plant portion of the Facility maintains an address of 64 Maple Street. The former Chemical Development Plant portion of the Facility maintains an address of 100 Academy Street.

Topographically, the Facility is generally flat, sloping gently to the east from the railroad tracks to Maple Street.

Current Zoning: The Facility is zoned I-2, Industrial

Operable Units: The Facility maintains a 6 NYCRR Part 373 Hazardous Waste Management Permit (NYSDEC Permit # 5-0928-00017/00175) for Corrective Action, which does not use the term "Operable Units" but instead uses the RCRA nomenclature of Solid Waste Management Units SWMUs) and Areas of Concern (AOCs) when discussing areas where there were/are releases that need remediation.

Geology and Hydrogeology: The soils are mapped by the United States Department of Agriculture (USDA) Soil Conservation Service as Malone gravelly loam with 0 to 3 percent slopes. Malone gravelly loam is described by the USDA as a very deep, somewhat poorly drained, loamy soil found in high lime glacial till. Permeability is moderate in the surface soil, and moderately slow to slow in the subsoil.

The surficial geology consists primarily of glacial till. Till commonly consists of poorly sorted, generally non-stratified mixtures of grain-sizes ranging from clay to boulders. Based on observations from the soil boring and test pit excavation logs, it appears that the generalized soil lithology for the shallow, unconsolidated overburden underlying the Facility includes three primary stratigraphic units as follows:

- Upper till unit – consists of a brown to gray, medium dense to dense, fine to coarse sand with little silt and varying amounts of clay, gravel, cobbles, and boulders.
- Lower till unit – consists of a dense to very dense sand and silt with lower amounts of clay and a higher percentage of cobbles and boulders.
- Undifferentiated silt and clay – consist of a stiff gray to brown clay and silt with trace to some fine to medium gravel.

Hydrogeologic conditions have been evaluated in detail through the installation and monitoring of overburden groundwater monitoring wells and through the completion of a groundwater flow model with particle tracking.

Groundwater can be found in limited quantities in the lower of two glacial till layers. There is an upper till unit consisting of medium dense to dense soils with low permeability which does not yield significant groundwater. The lower till unit appears to be the more significant water bearing unit and the primary unit through which groundwater flows. The upper till unit is likely representative of vadose zone-type conditions and the lower unit is more likely representative of the regional groundwater flow conditions. Based on the observations made during drilling of bedrock wells, the bedrock at the Facility is solid, competent and does not readily transmit water. The bedrock is mapped as the Stony Point Shale, a black, fissile, carbonaceous, calcareous shale. The depth to bedrock ranges from 18 feet in the northeast to 35 feet in the southwest.

Recharge to the groundwater flow system is likely to originate primarily in unpaved portions of the area upgradient of the Facility and in some of the drainage swales on and around the Facility. Groundwater discharges to the Lake Champlain/Richelieu River. There are several closed contour drainage swales on the

Facility which likely serve as areas of enhanced recharge to the flow system during wet times of the year. In **Exhibit A**, a Facility location map is attached as **Figure 1-1** (from the CMS Report, see **Exhibit F**) and a Facility map is attached as **Figure 2** (this figure was modified from the Solid Waste Management Unit/Area of Concern (SWMU/AOC) Assessment Report, see **Exhibit F**).

SECTION 4: REGULATORY OVERVIEW

Department issued 6 NYCRR Part 373 Hazardous Waste Management Permits include requirements for Corrective Action (see 6 NYCRR 373-2.6) as well as the RCRA Hazardous Waste Cleanup Program. This requires owners and/or operators of facilities that applied to treat, store or dispose of hazardous waste to investigate and, when appropriate, remediate releases of hazardous wastes and/or constituents to the environment. In relation to this Facility, the Department issued a Part 373 Hazardous Waste Management Permit 5-0928-00017/00175 to Wyeth on March 9, 2009. That permit was subsequently modified to a Corrective Action Permit on September 29, 2014. A Part 373 Permit Renewal Application Package for the Permit was submitted to the Department on September 4, 2018, and the permit expiration was extended by the Department pursuant to Section 401(2) of the State Administrative Procedures Act. As such, the conditions of the 2009 permit, as may have been modified, remain in effect until the new Part 373 Permit is issued. The public comment period for the Draft Part 373 Permit coincides with the SB public comment period.

SECTION 5: RCRA FACILITY INVESTIGATION (RFI)

Corrective Action activities began with investigations at the Facility that may have been impacted by hazardous wastes and/or hazardous constituents. Based on the results of investigations, the Department has determined that hazardous wastes and/or hazardous constituents were released at the Facility. The impact of releases of hazardous wastes and/or hazardous constituents at the Facility were characterized and evaluated.

The analytical data collected for the Facility includes data for soil, soil vapor, indoor air, and groundwater.

The data have identified contaminants of concern. A "contaminant of concern" (COC) is a hazardous constituent that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Based on the results, the Department determined that corrective measures were required to address some of the areas investigated. The RFI Reports contain a full discussion of the data. The nature and extent of impacts and environmental media requiring action are summarized in **Exhibit A**.

The COCs identified at this Facility are considered to be primarily related to Wyeth's historic operations and include volatile organic compounds (VOCs) and polychlorinated biphenyls (PCBs).

As noted in **Exhibit A**, certain COCs detected at the Facility were above the proposed cleanup objectives for soil, groundwater, soil vapor, and indoor air.

5.1: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the Facility. Environmental impacts may include existing and potential future exposure pathways. The RFI Reports present a more detailed discussion of any existing and potential impacts from the Facility.

Summary of Soil Investigations: Several areas identified as containing soil with concentrations of PCBs, VOCs, and/or semi-volatile organic compounds (SVOCs) above Unrestricted Soil Cleanup Objectives (SCOs) have been addressed through the implementation of Department approved Interim Corrective Measure (ICM) programs (see **Section 6**) involving soil excavation, confirmation sampling, and post-removal groundwater monitoring. There are seven isolated areas remaining with concentrations above the Unrestricted SCOs for PCBs and VOCs in addition to the SMWU-7D area. Except for the trichloroethene impacts associated with SWMU-7D, the residual impacted soil is limited and isolated. Additional information is included in **Exhibit A**.

Summary of Groundwater Investigations: COCs reported as detected in groundwater both at the Facility and off-site to the east-southeast that were the focus of the CMS included chlorinated VOCs. The primary COCs detected at the Facility were trichloroethene, 1,2-dichloroethane, and cis-1,2-dichloroethene and the primary COC detected in the downgradient/off-site groundwater was carbon tetrachloride. Based on the data collected, it appears that these COCs historically emanated from the Facility and do not appear to represent a current or ongoing source of a release.

VOCs have been reported as detected in on-site and off-site groundwater monitoring wells screened in the upper till and lower till units, with higher overall constituent concentrations reported in the lower till. Several chlorinated VOCs (primarily carbon tetrachloride, trichloroethene, 1,2-dichloroethane, and cis-1,2-dichloroethene) were reported as detected at concentrations above NYSDEC groundwater quality standards primarily around the Facility and extending off-site to the east-southeast of the Facility. Additional information is included in **Exhibit A**.

Per- and Polyfluoroalkyl substances (PFAS) were detected at the center of the Facility where aqueous film forming foam (AFFF) may have been used as part of firefighting training activities. Past investigations in groundwater determined concentrations are low and decreased to the east of the Facility. The extent of PFAS in groundwater, and soil, is not fully delineated and has been identified as a data gap. A supplemental investigation will be developed and implemented to complete this information.

Summary of Soil Vapor Investigations: VOCs were reported as detected in sub-slab vapor samples collected from three sampling events at the Main Plant from December 2008 to November 2009 and at the Chemical Development Plant in 2011. Indoor air samples were collected concurrently with collocated sub-slab vapor samples. Several constituents (primarily trichloroethene and carbon tetrachloride) were detected at concentrations above one or more NYSDOH guidance values for sub-slab vapor, primarily located in the eastern portion of the Main Plant. In general, low to non-detect concentrations of VOCs were reported in the indoor air samples. Based on the results of these investigations, no further investigation was proposed at the time regarding soil vapor intrusion at the Main Plant or at the Chemical Development Plant. The Facility has since transitioned from a large manufacturing facility to a mostly open lot with three original buildings remaining, with the Chemical Development facility demolished in 2015 and most of the Main Plant buildings demolished in 2019.

Several vapor intrusion investigation activities including sub-slab soil vapor sampling, indoor air sampling, and outdoor air sampling were conducted at off-site properties in 2008, 2009, 2019, and 2020 to evaluate the potential for vapor intrusion into indoor air at several off-site locations. These investigations primarily focused on residential properties to the east and southeast of the Facility, though the 2019 to 2020 investigation also included properties to the north and south of the Facility.

Based on the results of these investigation activities, soil vapor mitigation systems in the form of sub-slab depressurization systems (SSDSs) were installed as corrective measures to address the potential for

exposures via the soil vapor intrusion pathway at several off-site properties to the east and southeast. No mitigation measures were required for properties to the north and south.

Additional information is included in **Exhibit A**.

5.2: Summary of Human Exposure Pathways

This human exposure assessment identified potential ways in which people may be exposed to COCs detected at the Facility. Chemicals can enter the body through three major pathways (breathing, touching, or swallowing). This is referred to as *exposure.*

Exposure to groundwater: Groundwater at the Facility and off-site locations to the east-southeast of the Facility has been impacted by VOCs. The Facility and off-site property owners are not currently using the groundwater for drinking water or non-potable water. The groundwater at the Facility and in the vicinity of Rouses Point is not a principal or primary aquifer as defined by the NYSDEC and the aquifer is non-productive and therefore is not used for human consumption. The Village of Rouses Point provides water to the Facility and to off-site properties from Lake Champlain. No public or private drinking water wells are known to be in Rouses Point or within 1-mile downgradient of the Facility.

Exposure to soil vapor: Prior to demolition of the buildings, low to non-detect concentrations of VOCs were found in indoor air samples at the former manufacturing buildings at the Facility, and soil vapor intrusion was not found to be a major contributor to indoor air quality at the Facility. Only carbon tetrachloride was detected above the most stringent NYSDOH indoor air screening level; however, outdoor air samples contained similar concentrations of carbon tetrachloride indicating a potential background contribution. Methylene chloride was also detected at concentrations above the NYSDOH air guideline value at two locations where active use of methylene chloride was observed. If new buildings are to be built at the Facility, vapor intrusion must be re-evaluated.

Based on the vapor assessment described in **Exhibit A**, soil vapor mitigation systems were installed at 37 off-site properties to the east-southeast of the Facility to prevent the indoor air quality from being affected by the contamination in soil vapor beneath the buildings. Based on the results of the Vapor Intrusion Investigation sampling summarized in the 2018-2019 Off-Site Soil Vapor Mitigation System OM&M Report, four properties were identified as no longer requiring a SSDS as either a requirement or precautionary measure. In September 2021 with concurrence from the homeowners, two of these four off-site soil vapor mitigation systems were deenergized and removed. The property owners for the remaining two properties selected to keep their soil vapor mitigation systems in operation following Wyeth's offer to remove them, and therefore responsibility of maintenance and electrical costs have transferred to the owner. The soil vapor mitigation systems at the remaining 33 properties will be maintained and monitored in accordance with previously approved work plans until such time it is determined that they are no longer required.

Exposure to soil: For surface soils, there are limited complete pathways remaining at the Facility, as a majority of the site is covered with remaining buildings or former building foundations. Additionally, surface soil reported as containing COCs above media cleanup standards proposed for the Facility was removed as part of previous remedial action activities, then replaced with clean fill to further mitigate the potential for exposure. Detections of PCBs above the soil cleanup standards in surface soil were presented in one sample in SWMU-10 and one sample in AOC-1. The concentrations for both of these samples are below the Industrial Use SCO of 25 mg/kg. Exposure to soil with concentrations exceeding SCOs will be managed through a Site Management Plan (SMP) approved by the Department and an Environmental Easement. The SMP will have soil management requirements for any excavation done to prevent contact

with any residual contamination remaining on-site. Aside from this, no additional corrective measures are being required at this time.

For the subsurface soil, a potential pathway exists for future construction workers to come into contact with subsurface soil containing COCs in SWMU-7D. Other previously identified on-site areas with soil COCs have been addressed through the ICMs summarized in **Section 6**.

5.3: Summary of Ecological Exposure Pathways

The screening level ecological risk assessment in the form of a Fish & Wildlife Resource Impact Analysis was conducted and the results are summarized in Appendix D of the CMS Report. Based on this assessment, the concentrations of constituents detected in the downgradient wells are not expected to present a potential for adverse effects to the aquatic resources of Lake Champlain. Constituents detected in the easternmost downgradient wells have low bioaccumulation potential and the maximum concentrations of all detected constituents were well below ecological benchmark values.

5.4: Summary of the Remediation Objectives

The remediation objectives for the corrective measures have been established through a remedy selection process. The goals of the corrective measures are to protect public health and the environment and achieve unrestricted use of the Facility to the extent feasible. Media cleanup standards are presented in **Exhibit B**.

The remedial action objectives for this Facility are:

Groundwater

- Prevent direct contact with or ingestion of groundwater with Facility-related COC levels above drinking water standards for potable water[2].
- Prevent inhalation of volatile COCs from impacted groundwater to occupied buildings.
- Prevent the discharge of groundwater impacted by Facility-related COCs to surface water.

Soil

- Prevent ingestion/direct contact with Facility-related COCs in soil.
- Prevent inhalation exposure from potential volatilization of Facility-related COCs in soil.
- Remove/reduce potential source(s) of groundwater or surface water impact to allow natural attenuation and the assimilative capacity of the aquifer to further reduce residual concentrations of Facility-related COCs in groundwater.

Soil Vapor, Sub-Slab Vapor, and Indoor Air

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings with engineering controls (e.g., sub-slab depressurization systems, vapor barriers).

[2] Although groundwater is classified as GA, the aquifer is non-productive and therefore is not used for human consumption. The only potentially potable water is surface water - Lake Champlain/Richelieu River.

SECTION 6: INTERIM CORRECTIVE MEASURES (ICMs)

If at any time during an investigation, it becomes apparent that corrective actions should be taken to immediately address the spread of COCs, ICMs must be taken. The design emphasis is to construct an ICM as close to a permanent system or final remedy as possible. The Department has determined that the ICMs provided herein are protective of human health and the environment and could serve as part of the Final Corrective Measures at the Facility.

Based on conditions observed during the RFI, the following ICMs have been completed at the Facility:

SWMU-6: Tank Farm: An ICM at SWMU-6 involving soil and concrete excavation was conducted in 2008 concurrently with SWMU-7A process sewer removal and soil excavation activities at the truck containment pad for the tank farm. Approximately 300 tons of soil and 100 tons of decontaminated concrete from the truck containment pad was excavated and transported off-site for disposal or as beneficial use landfill material. Post excavation confirmation soil sample analytical results indicated that the concentrations of VOCs detected in nine of 18 soil samples were below established NYSDEC Unrestricted Use SCOs in 6 NYCRR Subpart 375-6.8(a). Based on the results of the ICM activities, no further action was recommended with regard to soil investigation or remedial excavation activities for the truck containment pad at SWMU-6 in the ICM Completion Report dated May 28, 2010. The NYSDEC concurred with the no further action recommendation in a letter dated August 26, 2010.

In 2011, operations at the Chemical Development Plant no longer necessitated operation of the hazardous waste storage tanks that comprised SWMU-6. Therefore, required hazardous waste management unit closure activities were conducted as documented in the Rinsate Sample Collection Report (dated September 23, 2011) for the decontamination and decommissioning of hazardous waste storage tanks T 1005, T-1008, and ST-1, ancillary piping, the tank containment area (tank farm), and truck containment pad. All constituents in final rinsate samples for components that remain as part of the tank systems and containment areas were below applicable criteria (NYSDEC GA groundwater criteria plus background concentrations). Based on the results, the Tank Farm was placed in a non-regulated "caretaker" (inactive) status. The Part 373 Permit No. 5-0928-00017/00175 underwent Minor Modification relieving requirements associated with active status of these decommissioned components as outlined in the correspondence from Wyeth of August 1, 2011 and as documented in the modified permit issued on December 27, 2011.

The Tank Farm and the regulated units were never put back into service by Wyeth following decontamination and decommissioning activities in 2011. The containments were cleaned again with final rinsate samples collected as documented in the Tank Farm Final Closure Report (dated January 24, 2014). The closure report was approved by NYSDEC on March 19, 2014. Following demolition activities in 2014/2015, additional soil samples were collected beneath the former buildings/structures and an NFA for the entire SWMU-6 was approved by NYSDEC in a letter dated May 9, 2023.

SWMU-7A: Process Sewer (North and West Sides-Chemical Development Plant): The ICM at SMWU-7A was conducted from June 2008 to December 2009 and consisted of the following primary activities: soil excavation, exterior process sewer piping removal and abandonment, collection and analysis of post-excavation confirmatory soil samples, site restoration, excavated materials management and disposal, and community air monitoring. Approximately 5,200 tons of excavated

soil (which included decontaminated Duriron and fiberglass piping) from SWMU-7A was transported off-site for disposal. Approximately 2,100 tons of soil was reused for backfill at SWMU-7A. Relevant excavated materials were decontaminated (steam cleaned) and size reduced, with approximately 280 tons of concrete and 30 tons of asphalt shipped to a local landfill to be used as beneficial use landfill material. In addition, approximately 0.5 tons of stainless-steel piping was shipped off-site for recycling.

VOCs (including tentatively identified compounds) were detected in 31 of 43 soil samples analyzed. Of the 31 samples where VOCs were detected, six samples were above the established Subpart 375-6.8(a) Unrestricted Use SCOs. No VOC concentrations were above established Subpart 375-6.8(b) Restricted Use – Residential SCOs. Based on the results of the post-excavation confirmation soil sampling, no further action was recommended with regard to soil investigation or excavation activities for SWMU-7A in the ICM Completion Report dated May 14, 2010. The NYSDEC concurred with the no further action recommendation in a letter dated June 3, 2010.

SWMU-10: North Field Fire Fighting Training Area 2: The ICM at SWMU-10 consisted of excavation of the former firefighting training structure and surrounding soil in 2007. Approximately 190 tons of soil and concrete were excavated and transported off-site for disposal. The analytical results of the post-excavation confirmation soil sampling indicate that the elevated concentrations of VOCs and SVOCs previously detected in soil and groundwater in 2006 were mostly removed. Following ICM soil excavation activities, concentrations of benzene and methyl tert-butyl ether (MTBE) were detected in soil at the base and east and west sidewalls above NYSDEC Unrestricted Use SCOs (6 NYCRR Subpart 375-6.8 (a)) at between 10 and 11 feet below ground surface (bgs); however, the benzene and MTBE concentrations were below NYSDEC Restricted Use – Residential SCOs (6 NYCRR Subpart 375-6.8(b)). No concentrations of SVOCs remained in soil above established SCOs.

The surface soil sampling analytical results from around the perimeter of the ICM excavation indicated several SVOCs below established SCOs. Total PCBs in one surface soil sample was above the NYSDEC Unrestricted Use SCO only, while a second surface soil sample was slightly above the NYSDEC Restricted Use – Residential SCO. Similar to the post excavation soil sampling results, the total chromium concentrations in surface soil appeared to be within typical background ranges and did not appear to be related to the SWMU 10 release. No further action was recommended for SWMU-10 in the ICM Completion Report dated March 19, 2010 (revised April 29, 2010). In a letter dated May 12, 2010, the NYSDEC concurred with the no further action recommendation at the time, NYSDECs approval letter noted that further action may be required "pending final site disposition" (i.e., an Environmental Easement will be required to allow for Restricted Use SCOs to be utilized). Based on the review of the Main Plant SAR in 2023, NYSDEC has rejected the no further action request based on the PFAS data gap. A supplemental PFAS investigation will be completed for SMWU-10.

SWMU-14: Waste Toluene Management East of Tank Farm: The ICM involving soil excavation was conducted concurrently with SWMU-7A process sewer excavation activities in 2009 as the two SWMUs were co-located. Approximately 13 tons of soil was excavated and transported off-site for disposal. The analytical results of the post-excavation confirmation soil sampling indicate that the elevated concentrations of VOCs previously detected in soil in 2006 and 2007 at SWMU-14 were removed. The concentrations of acetone, MTBE, and toluene detected in post-excavation confirmation soil samples collected from the base of the excavation at 10 feet bgs were below all established NYSDEC Unrestricted Use SCOs in 6 NYCRR Subpart 375-6.8(a). Additional soil in the vicinity of the SWMU 14 release area was excavated from underneath and around the perimeter

of the overhead solvent pipe rack as part of SWMU-7A ICM work. A 2006 excavation of approximately 12 tons of soil from the SWMU 14 release area had been previously conducted as part of a spill response.

Based on the results of the ICM activities, no further action was recommended with regard to soil investigation or remedial excavation activities for SWMU-14 in the ICM Completion Report dated May 21, 2010. The NYSDEC concurred with the no further action recommendation in a letter dated June 17, 2010.

AOC-4: Petroleum Aboveground Storage Tank (AST) Without Base Containment (Building 6): An ICM involving soil excavation was conducted in 2008 following removal of the 60,000-gallon petroleum aboveground storage tank (AST) and prior to construction of a replacement AST. Approximately 130 tons of soil was excavated and transported off-site for disposal. The analytical results of the post-excavation confirmation soil sampling indicated that all VOC and SVOC concentrations were below established NYSDEC Unrestricted Use SCOs in 6 NYCRR Subpart 375-6.8(a). Based on the results of the ICM activities, NYSDEC concurred in a letter dated July 21, 2010 that no further action was necessary with regard to soil investigation or remedial excavation activities for AOC-4.

AOC-11: Off-Site Groundwater: Based on field conditions and the results from a 2011 bench-scale testing/field pilot study (refer to CMS Report), an In-Situ Chemical Oxidation (ISCO) program was initiated as an ICM in the Maple/Academy Streets intersection (primary treatment area) to reduce volatile organic compounds (VOCs) in off-site groundwater. Between August and November 2013, two (2) ISCO ICM events (Events I and II) were conducted in the primary treatment area using Modified Fenton's Reagent (MFR) and Activated Sodium Persulfate. Based on the 2013 ISCO ICM treatment program results, two (2) ISCO ICM events (Events III and IV) were conducted in the primary treatment area using MFR and Activated Sodium Persulfate between July and August 2016. Based on recent groundwater monitoring results (2023), the Department has determined that an evaluation to determine if performing additional ISCO events is warranted.

SECTION 7: CORRECTIVE MEASURES STUDY (CMS)

Potential final corrective action measures for the Facility were identified, screened, and evaluated in the CMS Report Revision 3 dated November 7, 2024. The CMS Report also provided a summary of past investigations and ICMs in order to determine Final Correctives Measures or No Further Action for specific SMWUs/AOCs at the Site. To be selected, the proposed final corrective measures must be protective of human health and the environment, be cost-effective, comply with other statutory requirements, and utilize permanent solutions, alternative technologies, or resource recovery technologies to the maximum extent practicable. The final corrective action measures for the Facility must address potential routes of exposure to humans and the environment and attain the cleanup objectives identified for the Facility, which are presented in **Exhibit B**. In its determination of a Final Corrective Measure, the Department also considers if the measure is technically and economically feasible.

A summary of the corrective measure alternatives that were considered for the Facility is presented in **Exhibit C**. A summary of the Proposed Corrective Measure Alternatives Costs is included as **Exhibit D**.

7.1: Evaluation of Corrective Measure Alternatives

A detailed discussion of the evaluation criteria and comparative analysis is included in the CMS Report.

The general performance standards for corrective measures that must be satisfied for an alternative to be considered for selection are listed below.

1. Protection of Human Health and the Environment. This criterion is an overall evaluation of each alternative's ability to protect public health and the environment.

2. Achieve Cleanup Objectives for the Contaminated Media. – This criterion evaluates the ability of alternatives to achieve the cleanup objectives established for the Facility.

3. Remediate the Sources of Releases. – This criterion evaluates the ability of the alternatives to reduce or eliminate to the maximum extent possible further releases.

4. Comply with Standards for Management of Wastes. – This criterion evaluates how alternatives assure that management of wastes during corrective measures is conducted in a protective manner.

The next five selection criteria are used to compare the positive and negative aspects of each of the remedial alternatives.

5. Long-term Effectiveness and Permanence. This criterion evaluates the long-term effectiveness of the remedial alternatives after implementation. If wastes or treated residuals remain on-site after the selected remedy has been implemented, the following items are evaluated: 1) the magnitude of the remaining risks, 2) the adequacy of the engineering and/or institutional controls intended to limit the risk, and 3) the reliability of these controls.

6. Reduction of Toxicity, Mobility or Volume. Preference is given to alternatives that permanently and significantly reduce the toxicity, mobility or volume of the wastes at the Facility.

7. Short-term Impacts and Effectiveness. The potential short-term adverse impacts of the remedial action upon the community, the workers, and the environment during the construction and/or implementation are evaluated. The length of time needed to achieve the cleanup objectives is also estimated and compared against the other alternatives.

8. Implementability. The technical and administrative feasibility of implementing each alternative are evaluated. Technical feasibility includes the difficulties associated with the construction of the remedy and the ability to monitor its effectiveness. For administrative feasibility, the availability of the necessary personnel and materials is evaluated along with potential difficulties in obtaining specific operating approvals, access for construction, institutional controls, and so forth.

9. Cost-Effectiveness. Relative costs are estimated for each alternative. Although cost-effectiveness is the last balancing criterion evaluated, where two or more alternatives have met the requirements of the other criteria, it can be used as the basis for the final decision.

SECTION 8: ELEMENTS of the PROPOSED CORRECTIVE MEASURE(S)

The basis for the Department's proposed corrective measures is set forth in **Exhibit E**.

The estimated cost to implement the remedy is $5,180,000 based on a 30-year remedy. The cost to construct the remedy is estimated to be $1,200,000 and the estimated average annual cost is $75,000.

The elements of the proposed corrective measures are as follows:

Corrective Measure for Soil

Alternative S2: In Situ Chemical Reduction Injections. In situ chemical reduction (ISCR) would target areas and depth intervals with soil concentrations above 50 percent of the Commercial SCOs for trichloroethene in SWMU-7D. The Department chose a cleanup target of 50 percent of the Commercial SCO value to be protective to public health at off-site property(ies) for any possible soil vapor intrusion. The conceptual design assumed 30 injection points over the three areas shown with target depths ranging from 6 to 24 feet bgs depending on the area. A conceptual design (**Figure 8-1** from the CMS) is attached in **Exhibit F**.

Implementing this alternative would require:

- Implementing an Environmental Easement limiting the Facility to commercial use;
- Developing a SMP;
- Submitting an Underground Injection Control (UIC) permit;
- Completing bench or pilot scale testing;
- Completing pre-design investigation;
- Mobilizing, operating, and subsequently demobilizing injection materials and equipment (e.g., injection equipment, direct push drilling equipment, ISCR reagent(s), water);
- Management of generated treatment residuals (e.g., groundwater and ISCR reagents);
- Restoration of concrete slab; and
- Soil verification sampling.

Corrective Measure for Groundwater

Alternative GW1: Institutional Controls and Monitored Natural Attenuation. This alternative consists of institutional controls and monitored natural attenuation in groundwater. This alternative also includes an environmental easement and the potential implementation of a waiver based on technical impracticability and assessment of the overall environmental benefit of remediation. This alternative would pose a low environmental impact from remedial processes where no active remediation is needed. A groundwater monitoring plan would be developed to evaluate the continued effectiveness of the natural processes.

Remediation for carbon tetrachloride via ISCO (Alternative GW2) in areas that are not attenuating in a reasonable timeframe would be considered in the future to facilitate cessation of the need for vapor mitigation systems. Evaluation criteria for additional ISCO would be specified in the groundwater monitoring plan.

Corrective Measure for Soil Vapor

The potential for VOCs to migrate from the subsurface to indoor air of on-site buildings via soil vapor intrusion will be evaluated if new buildings are constructed on the Facility. Sub-slab depressurization systems may be installed on newly constructed buildings should soil vapor intrusion evaluation/sampling indicate that mitigation is warranted. Alternately, as a proactive measure, sub-slab depressurization systems may be installed on newly constructed buildings.

Operation of off-site soil vapor mitigation systems will continue until such time as they are no longer required following consultation with NYSDOH and NYSDEC. Routine inspections and maintenance

activities will be conducted as specified in the Operations, Maintenance & Monitoring (OM&M) Plan for the off-site soil vapor mitigation systems.

STATEMENT OF BASIS

Exhibits A through E

Wyeth Pharmaceuticals, Inc.
64 Maple Street, Rouses Point, Clinton County
EPA ID No. NYD002081396
DER UIS No. 510018

July 16, 2025

EXHIBIT A: NATURE AND EXTENT OF CONTAMINATION

This section describes the findings of the RCRA Facility Investigations for all environmental media that were evaluated. As described in **Section 5** of the SB, samples were collected from various environmental media to characterize the nature and extent of impacts at the Facility.

A.1 SWMU(s)/AOC(s)

As described in the CMS Report, SWMUs and AOCs were identified at the Facility and are/were potentially impacting groundwater, soil, and/or soil vapor.

A SWMU includes any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of hazardous or solid wastes. Such units include any area at the Facility where solid wastes have been routinely and systematically released. An AOC is an area at the Facility, or an off-site area, which is not at the time known to be SWMU, where hazardous wastes and/or constituents are present or are suspected to be present as a result of a release from the Facility. Solid wastes are defined in 6 NYCRR Part 371.1(c) and hazardous wastes are defined in 6 NYCRR Part 371.1(d).

A total of 30 SWMUs[3] and 11 AOCs have been identified at the Facility. The NYSDEC was notified of the presence of the 36 SWMUs/AOCs per the requirements of the Part 373 permit in July 2006 and one additional SWMU in 2013. Per discussions with NYSDEC, off-site groundwater has been identified as AOC-11 in 2023. The locations of the majority of the SWMUs and AOCs (including those SWMUs and AOCs where no further action has been achieved as a result of previous investigation activities) are depicted on **Figure 2-1** of the CMS Report (see **Exhibit F**).

The status of SWMUs/AOCs are provided to NYSDEC on or about March 4 of each calendar year per the requirements of the Part 373 permit. To date, No Further Action status has been approved for 27 SWMUs and 9 AOCs by NYSDEC. A total of 3 SWMUs and 2 AOCs remain with an active status to continue with remedial activities. The table summarizing the status of SWMUs/AOCs that was provided in the report dated March 4, 2024 is appended to this exhibit. Additionally, a listing of the SWMUs/AOCs and their status is also contained in Table 1 of the SWMU/AOC Current Conditions Report included in Attachment K of the Part 373 Permit. SWMU-7D will be addressed in the remedy selection process (see **Exhibit E**).

A.2 Groundwater

Routine groundwater monitoring is currently conducted annually at the Facility. Impacts are present in two areas:

- Carbon tetrachloride and associated daughter products have been identified off-site in the vicinity of the intersection of Maple Street and Academy Street immediately southeast of the Facility. The source and release mechanism for this area is not known, however, it is suspected to be associated with former sewer systems and/or preferential pathways along utility corridors.

- Trichloroethene and associated daughter products as well as 1,2-dichloroethane have been identified on-site associated with SWMU-7D. The release mechanism is believed to be associated

[3] Including the four subparts of SWMU-7.

with a historical process piping and subsequent shallow migration under former Buildings 18 and 27.

Detected Constituents	Concentration Range Detected (ppb)[a,b]	SCG[c] (ppb)	Frequency Above SCG [b]
VOCs			
Benzene	1.3	1	1 of 39
Carbon tetrachloride	0.36 – 3,200	5	3 of 39
Chloroform	0.44 – 570	7	2 of 39
1,2-dichloroethane	1 – 840	0.6	9 of 39
Methyl-tert-butyl ether (MTBE)	0.42 – 1.9	10	0 of 39
cis-1,2-dichloroethene	3 – 9,700	5	8 of 39
trans-1,2-dichloroethene	1.2 – 8.7	5	2 of 39
Trichloroethene	0.49 – 41,000	5	5 of 39
Vinyl chloride	13 – 17	2	2 of 39

a. ppb: parts per billion, which is equivalent to micrograms per liter, µg/L, in water.
b. based on the results from the 37 monitoring wells from 2022 groundwater monitoring event.
c. SCG: Standard Criteria or Guidance - Ambient Water Quality Standards and Guidance Values (TOGS 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).

VOCs have been reported as detected in on-site and off-site groundwater monitoring wells screened in the upper till and lower till units, with higher overall constituent concentrations found in the lower till. Certain chlorinated VOCs (primarily carbon tetrachloride, trichloroethene, 1,2-dichloroethane, and cis-1,2-dichloroethene) were reported as detected at concentrations above NYSDEC groundwater quality standards primarily around the Facility and extending off-site to the east-southeast.

Based on the findings of the RFI and CMS, VOCs have been detected in groundwater. The COCs which will drive the remediation of groundwater to be addressed by the remedy selection process are primarily carbon tetrachloride, trichloroethene, 1,2-dichloroethane, and cis-1,2-dichloroethene.

A.3 Soil

COCs for soil at the Facility are considered to be primarily related to the historic operation of SWMUs and AOCs and include VOCs and PCBs as referenced in previously submitted reports. Several areas containing soil impacts have been addressed through the implementation of approved ICM programs (see **Section 6**) involving soil excavation, confirmation sampling, and groundwater monitoring. Except for SWMU-7D, the residual impacted soil is limited and isolated. **Figure 4-1** from the CMS is attached (see **Exhibit F**) to show the soil concentrations in SWMU-7D. Other detections above Unrestricted Use SCOs are presented on figures in Appendix F of the CMS.

Detected Constituents	Maximum Concentration Detected (ppm)[a]	Unrestricted SCO[b] (ppm)	Number of Samples Above Unrestricted SCO	Restricted - Commercial Use SCO [c] (ppm)	Number of Samples Above Commercial SCO
VOCs					
Acetone	1.1	0.05	6	500	0
Benzene	0.48	0.06	6	44	0
1,1-Dichloroethene	2	0.33	1	500	0
Methylene chloride	1.4	0.05	13	500	0
MTBE	6.2	0.93	2	500	0
Toluene	34	0.7	1	500	0
Vinyl chloride	0.16	0.02	3	13	0
1,2-dichloroethane	50	0.02	40	30	1
cis-1,2-dichloroethene	87	0.25	46	500	0
trans-1,2-dichloroethene	6.4	0.19	21	5000	0
Tetrachloroethene	1.9	1.3	1	150	0
Trichloroethene	660	0.47	93	200	3
PCBs					
Total PCBs	1.4	0.1	2	1	1

a. ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;
b. SCO: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.
c. SCO: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Public Health for Commercial Use.

A.4 Soil Vapor

The evaluation of the potential for soil vapor intrusion resulting from the presence of soil or groundwater impacts was evaluated by the sampling of sub-slab soil vapor under structures, and indoor air inside structures. At this Facility, due to the presence of buildings in the impacted area, a full suite of samples were collected to evaluate whether soil vapor intrusion was occurring.

VOCs were detected in sub-slab vapor samples collected from three sampling events at the Main Plant from December 2008 to November 2009 and at the Chemical Development facility from January to March 2011. Several constituents (primarily trichloroethene and carbon tetrachloride) were detected at concentrations above one or more NYSDOH screening levels for sub-slab vapor, primarily located in the eastern portion of the Main Plant facility and in the southern and eastern portions of the Chemical Development facility. In general, low to non-detect concentrations of VOCs were found in indoor air samples. These samples were collected concurrently with collocated sub-slab vapor samples, which contained higher concentrations of VOCs. Based on the results of these investigations, no further investigation was proposed at the time

regarding soil vapor intrusion at the Main Plant or at the Chemical Development Plant. The Facility has since transitioned from a large manufacturing facility to a mostly open lot with three original buildings remaining, with the Chemical Development facility demolished in 2015 and most of the Main Plant buildings demolished in 2019.

Several vapor intrusion investigation activities including sub-slab soil vapor sampling, indoor air sampling, and outdoor air sampling were conducted in 2008, 2009, 2019, and 2020 in order to evaluate the potential for vapor intrusion into indoor air at several off-site locations. These investigations primarily focused on residential properties and a school to the east and southeast of the Facility, though the 2019 to 2020 investigation also included properties to the north and south of the Facility.

Based on the results of these investigation activities, measures to address sub-slab soil vapor were initiated at several off-site properties consisting of the installation of soil vapor mitigation systems in the form of SSDSs. The locations of properties currently containing mitigation systems, including the location of properties where no further action has been achieved in conjunction with the NYSDEC/NYSDOH, has not been shared as it contains private personal information. Any mitigation systems are managed according to the NYSDEC/NYSDOH approved OM&M Plan dated May 2009 (revised July 1, 2009 and March 15, 2010 or as revised).

Recent vapor intrusion investigation activities conducted in 2019 and 2020 provide additional clarity into the presence/absence of concentrations of COCs in soil vapor and appear to correlate with the concentrations of COCs detected in groundwater. The results of these investigation activities were summarized in the June 2020 Vapor Intrusion Investigation Sampling and Analysis Report and in the 2018-2019 Off-Site Soil Vapor Mitigation System OM&M Report, dated June 2020.

Based on the findings of the RFI and CMS, the presence of VOCs in groundwater has resulted in the presence of COCs in soil vapor. The COCs which will drive the mitigation of soil vapor to be addressed by the remedy selection process are trichloroethene and carbon tetrachloride.

EXHIBIT B: SUMMARY OF THE CLEANUP OBJECTIVES

The goal for the corrective measure program is to achieve unrestricted use of the Facility to the extent feasible. At a minimum, the corrective measure(s) shall eliminate or mitigate all significant threats to public health and the environment presented by the impacts identified at the Facility through the proper application of scientific and engineering principles.

The established cleanup objectives for this Facility are:

Constituents of Concern[a]	Soil Cleanup Objective[b] (in ppm)	Groundwater Cleanup Objective[c] (ppb)[d]
Volatile Organic Compounds		
Acetone	500	50
Benzene	44	1
Carbon tetrachloride	22	5
Chloroform	350	7
1,1-dichloroethene	500	5
1,2-dichloroethane	30	0.6
cis-1,2-dichloroethene	500	5
trans-1,2-dichloroethene	500	5
Methylene chloride	500	5
Methyl-tert-butyl ether (MTBE)	500	10
Tetrachloroethene	150	5
Toluene	500	5
Trichloroethene	200	5
Vinyl chloride	13	2
Polychlorinated biphenyls (PCBs)		
Polychlorinated biphenyls (PCBs)	1	0.09

a. Constituents of concern listed based on soil constituents of concern identified in CMS as PFAS is still being investigated their status as COC(s) are as yet undetermined.
b. Recommended Soil Cleanup Objectives - NYSDEC Restricted Use – Commercial; ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil.
c. NYS Groundwater Standards (6 NYCRR Part 700), Division of Water TOGS
d. ppb: parts per billion, which is equivalent to micrograms per liter, µg/L, in water.

EXHIBIT C: DESCRIPTION OF REMEDIAL ALTERNATIVES

The following alternatives were considered based on the cleanup objectives (see **Exhibit B**) to address the impacted media identified at the Facility as described in **Exhibit A**.

Soils: Based on current documentation and the goals of the Corrective Action program, to be protective of human health and the environment, options for remediation of soils were considered and developed, as presented below:

Alternative S1: Excavation and Off-site Disposal. Excavation would remove areas with soil concentrations above Commercial SCOs, from three areas totaling approximately 1,500 cubic yards. Excavation would extend to approximately 25 feet bgs in two locations and 20 feet bgs in one location. It is assumed that the top 10 feet of soil will be suitable for reuse on-site based on VOC concentrations. Conceptual remediation areas are depicted on CMS **Figure 6-1** (see **Exhibit F**).

The estimated capital cost for Alternative S1 is $1,990,000. The cost range based on a -30 to +50 percent range of accuracy is $1,400,000 to $3,000,000.

Alternative S2: In Situ Chemical Reduction Injections. In situ chemical reduction (ISCR) would target areas and depth intervals with soil concentrations above 50 percent of the Commercial SCOs. It is assumed 19 injection points over the three areas shown on CMS **Figure 6-2** (see **Exhibit F**) with target depths ranging from 10 to 24 feet bgs depending on the area.

The estimated capital cost for Alternative S2 is $1,200,000. The 30-year cost range based on a -30 to +50 percent of accuracy is $2,420,000 to $5,180,000.

Alternative S3: Soil Mixing with ISCR. Soil mixing would treat areas with soil concentrations above Commercial SCOs, from three areas totaling approximately 1,800 square feet. It is assumed that the top 10 feet of soil would be excavated and stockpiled on site to enable soil mixing and that this material would be suitable for reuse on-site for backfill. Soil mixing would extend to approximately 25 feet bgs in two locations and 20 feet bgs in one location. Conceptual remediation areas are the same as the excavation areas as shown on **Figure 6-1**.

The estimated capital cost for Alternative S3 is $1,300,000. The cost range based on a 30 to +50 percent of accuracy is $910,000 to $1,950,000.

The comparative analysis for soils is presented in Table 7-1 from the CMS Report.

Groundwater: Based on current documentation and the goals of the Corrective Action program, to be protective of human health and the environment, options for remediation of groundwater were considered and developed, as presented below:

Alternative GW1: Institutional Controls and Monitored Natural Attenuation. This alternative consists of institutional controls and monitored natural attenuation in groundwater. This alternative also includes potential implementation of a waiver based on technical impracticability and assessment of the overall environmental benefit of remediation. This alternative would pose a low environmental impact from remedial processes where no active remediation is needed. A groundwater monitoring plan would be developed to evaluate the continued effectiveness of the

natural processes. The cost estimate for this alternative is included in the recommended corrective action (Section 8.4).

Alternative GW2: In Situ Chemical Oxidation (ISCO). This alternative would include the introduction of an oxidizing chemical to react with and eliminate VOCs in groundwater. The chemical would be introduced to the subsurface by injection. This alternative has been previously completed on-site as part of an ICM. The chemical mixture for oxidation (oxidant and supporting chemistry) would need to consider overall environmental benefit of constituent removal verses chemical addition to the subsurface. This alternative is minimally invasive with chemicals applied in situ as a batch, has minimal site and community disturbance, would have minimal energy usage, and would have negligible waste generation, during application only. The cost estimate for this alternative is expected to be more than Alternative GW1.

Alternative GW3: Enhanced Biological Remediation. This alternative would include the introduction of reagents and/or chemical supplements below the water table to enhance natural biological degradation of VOCs in groundwater. The chemicals would be introduced to the subsurface by injection. This alternative would require pilot testing to confirm site-specific applicability. The chemical mixture for bioremediation would need to consider overall environmental benefit of constituent removal verses chemical addition to the subsurface. This alternative is minimally invasive with chemicals applied in-situ as a batch, has minimal site and community disturbance, would have minimal energy usage, and would have negligible waste generation, during application only. The cost estimate for this alternative is expected to be more than Alternative GW1.

The comparative analysis for groundwater is presented in Table 7-2 from the CMS Report.

EXHIBIT D: CORRECTIVE MEASURE ALTERNATIVE COSTS

Corrective Measure Alternative	Capital Cost ($) [a, b]	Annual Costs ($) [c]	Total Present Worth ($) [d]
Alternative S1: Excavation and Off-site Disposal	$1,990,000	$75,000 [e]	$3,150,000
Alternative S2: In Situ Chemical Reduction Injections	$1,200,000	$75,000 [e]	$3,450,000
Alternative S3: Soil Mixing with ISCR	$1,300,000	$75,000 [e]	$2,460,000
Alternative GW1: Institutional Controls and Monitored Natural Attenuation	NA	$75,000	$1,160,000

a. Capital costs for soil alternatives were based on conceptual designs that were developed based on areas of soil exceeding the Commercial SCOs for comparison purposes. The cost for the proposed final remedy (Exhibit E), and as shown herein for Alternative S2, addresses the areas of soil exceeding 50 percent of the Commercial SCOs.
b. Capital costs for the Alternative GW1 were included in the soil alternatives.
c. Annual costs include long-term groundwater monitoring and operation of the vapor mitigations systems.
d. Present Worth was calculated by adding the capital cost to the present worth of the annual costs computed for the expected duration of the operation of the remedy (30 years) using a 5% interest rate.
e. Cost included for Alternative GW1 to allow for calculation of present worth for the soil alternatives.

EXHIBIT E: SUMMARY OF THE PROPOSED FINAL CORRECTIVE MEASURE(S)

The Department is proposing Alternative S2, ISCR Injections and Alternative GW1, institutional controls and monitored natural attenuation as the final corrective measure(s) SWMU-7D and AOC-11 at this Facility, with continued operation of the off-site vapor mitigation systems as well as that an evaluation for if performing remediation or additional ISCO events is warranted for AOC-11. The elements of this alternative are described in **Section 8**.

Basis for Selection

The proposed final corrective measures are based on the results of the RFI, CMS and the evaluation of alternatives.

Soils

The recommended remedial alternative for soil is Alternative S2, ISCR Injections. A conceptual design (**Figure 8-1**, see **Exhibit F**) is attached to this exhibit. The primary reasons for selecting this approach include:

- Most cost-effective remedial alternative that will still achieve corrective action objectives;
- Enhances natural attenuation processes and reduces overall time to cleanup criteria at the Facility; and
- Remedial alternative that most aligns with EPAs Green and Sustainable Remediation goals.

Groundwater

The recommended remedial alternative for groundwater is Alternative GW1, institutional controls and monitored natural attenuation. The ISCR injections to treat soil in the SWMU-7D area are expected to create reducing geochemical conditions in the aquifer that will enhance the processes involved with natural attenuation of VOC mass in the groundwater; therefore, monitored natural attenuation was selected as the groundwater alternative. Remediation via ISCO (Alternative GW2) in areas that are not attenuating in a reasonable timeframe will be considered in the future to facilitate cessation of the need for vapor mitigation systems based on evaluation criteria that will be specified in the groundwater monitoring plan.

The primary reasons for selecting these alternatives are discussed below.

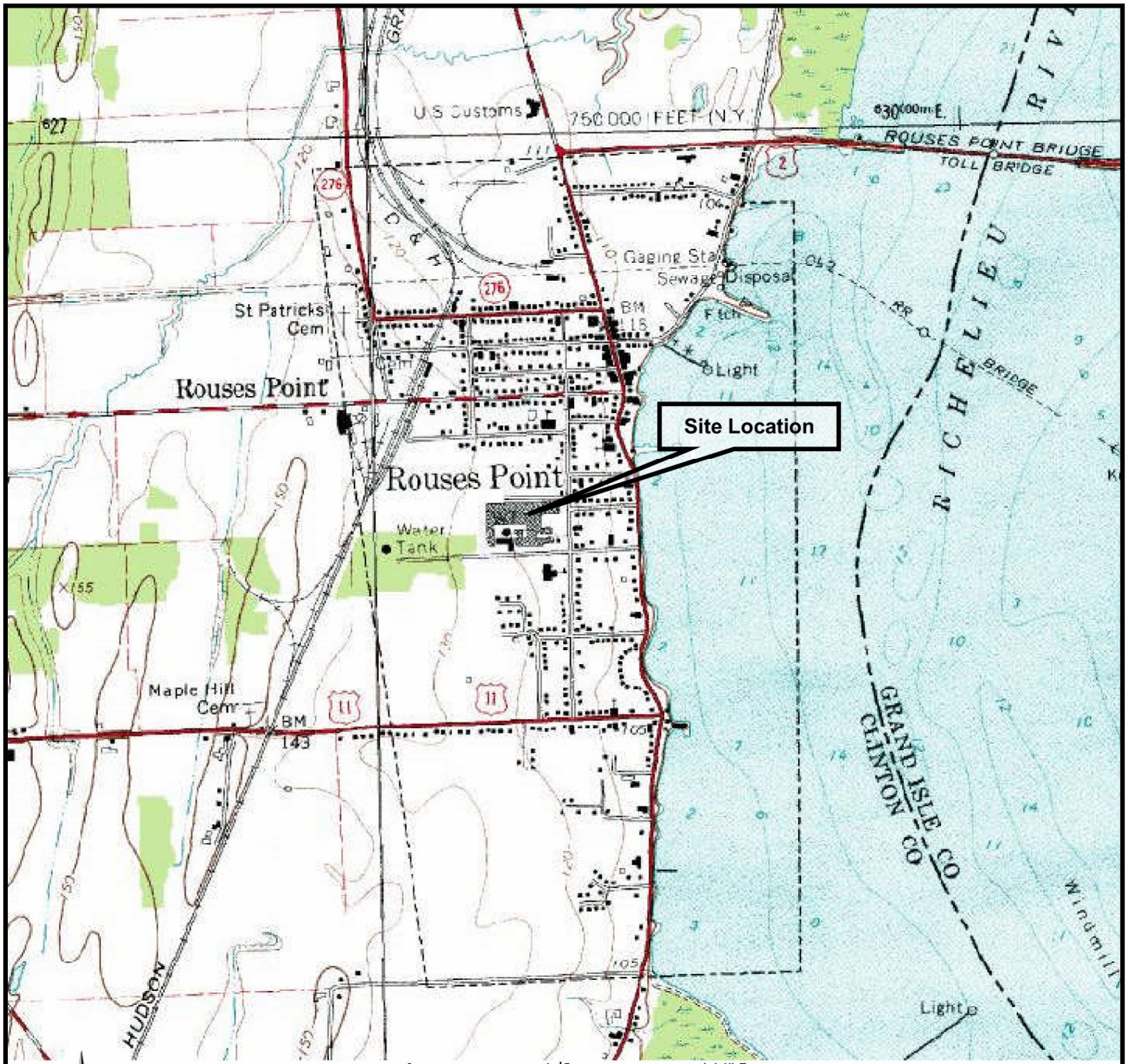
- Groundwater at the Facility and at off-site locations is not used for drinking water or other potable uses;
- The groundwater to soil vapor intrusion pathway has been and will continue to be evaluated and mitigated as necessary at off-site locations as described in the CMS Report;
- The screening level ecological risk assessment has demonstrated that the concentrations of constituents detected in the downgradient wells are not expected to present a potential for adverse effects to the aquatic resources of Lake Champlain/Richelieu River; and
- On-going monitoring has demonstrated that concentrations of carbon tetrachloride (addressed under an ICM) in groundwater have remained steady and downgradient concentrations have remained stable or have been reduced by the ICM and active natural attenuation mechanisms present at the Facility.

Soil Vapor

The potential for VOCs to migrate from the subsurface to indoor air of on-site buildings via soil vapor intrusion will be evaluated if new buildings are constructed on the Facility. Sub-slab depressurization systems may be installed on newly constructed buildings should soil vapor intrusion evaluation/sampling indicate that mitigation is warranted.

Operation of off-site soil vapor mitigation systems will continue until such time as they are no longer required following consultation with NYSDOH and NYSDEC. Routine inspections and maintenance activities will be conducted as specified in the Operations, Maintenance & Monitoring (OM&M) Plan for the off-site soil vapor mitigation systems.

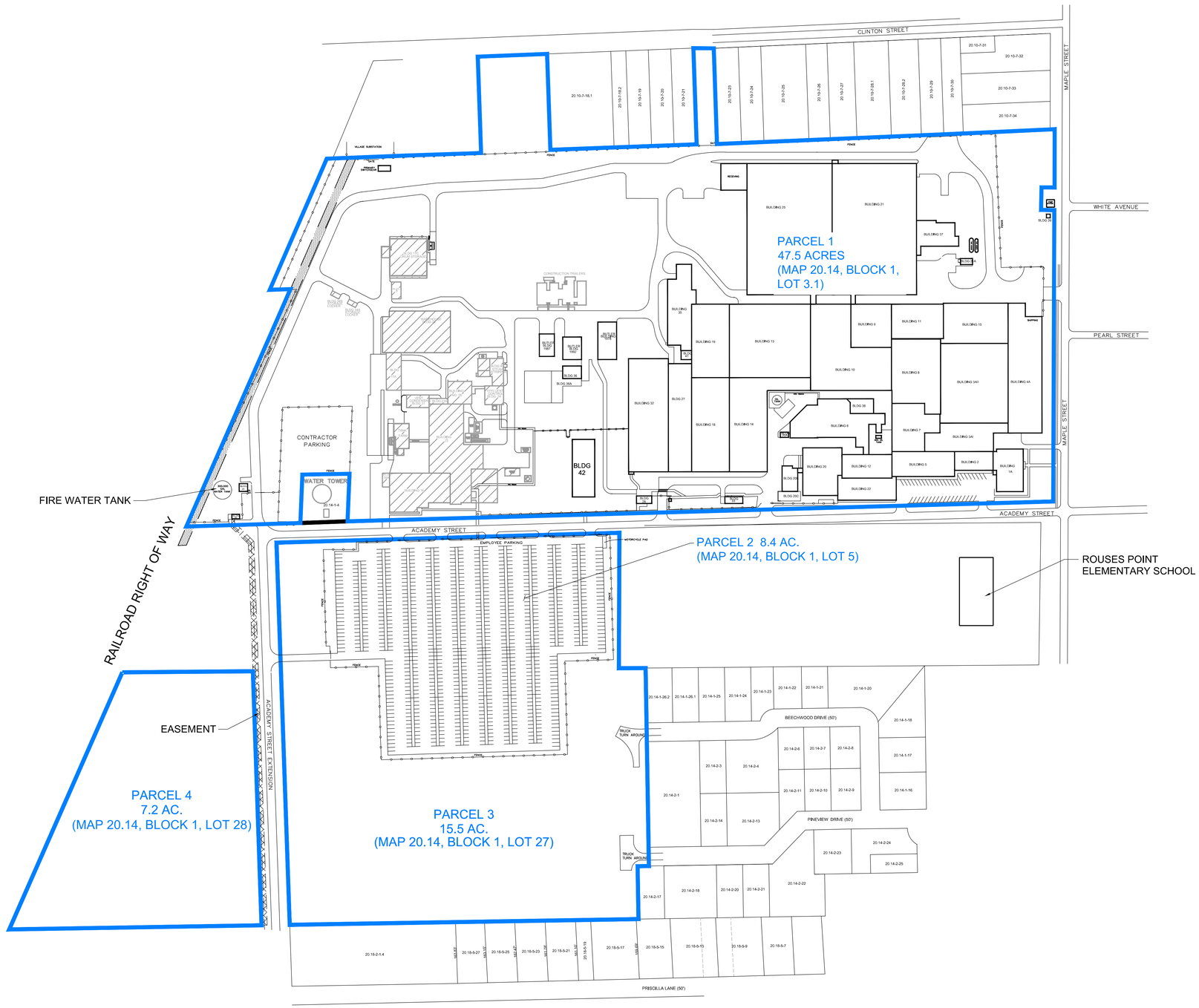
EXHIBIT F: FIGURES



QUADRANGLE LOCATION

Figure 1-1 SITE LOCATION MAP
Wyeth Pharmaceuticals LLC
Rouses Point, NY

Woodard & Curran
COMMITMENT & INTEGRITY DRIVE RESULTS



Woodard & Curran Engineering PA PC
800 Westchester Avenue, Suite N507
Rye Brook, New York 10573
800.807.4080 | www.woodardcurran.com

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REV.	DESCRIPTION	DATE
TBD	TBD	TBD

DESIGNED BY: GR
DRAWN BY: PF
CHECKED BY: AP
206910_U2 2.dwg

SITE BOUNDARY MAP

WYETH LLC
ROUSES POINT, NEW YORK

STATEMENT OF BASIS

JOB NO.: 206910.00
DATE: MARCH 2018
SCALE: AS NOTED
SHEET: OF

FIGURE 2

LEGEND

- APPROXIMATE SITE BOUNDARIES
- AOC-7 NO FURTHER ACTION STATUS APPROVED
- SWMU-7D SWMU/AOC

SOLID WASTE MANAGEMENT UNITS (SWMUs)

SWMU-1	INTERIM DRUM STORAGE AREA
SWMU-2	BUILDING 20A ACCUMULATION AREA
SWMU-3	BUILDING 20 ACCUMULATION AREA
SWMU-4	FORMER CONTAINER STORAGE AREA
SWMU-5	CONTAINER STORAGE AREA
SWMU-6	TANK FARM
SWMU-7	PROCESS SEWER
SWMU-8	WASTE NEUTRALIZATION USTs
SWMU-9	LABORATORY WASTE MANAGEMENT AREA
SWMU-10	NORTH FIELD
SWMU-11	SUMPS AND CATCHMENTS IN SOLVENT USE AREAS (MULTIPLE LOCATIONS)
SWMU-12	BUILDING 16 FORMER DRYWELL
SWMU-13	BUILDING 16 FORMER SANITARY SEWER HOLDING TANKS
SWMU-14	WASTE TOLUENE MANAGEMENT EAST OF TANK FARM
SWMU-15	BUILDING 24 WASTEWATER TREATMENT PLANT
SWMU-16	FORMER FIRE FIGHTING TRAINING AREAS 3 AND 4
SWMU-17	BUILDING 40 WASTEWATER STEAM STRIPPER BUILDING
SWMU-18	BUILDING 41 PROCESS WASTEWATER AST
SWMU-19	PROCESS EQUIPMENT SOLVENT RECOVERY UNITS (MULTIPLE LOCATIONS)
SWMU-20	PROCESS DUST COLLECTION DRUM-OUTS (MULTIPLE LOCATIONS)
SWMU-21	BUILDING 25 ACTIVE PHARMACEUTICAL INGREDIENT WASTE STORAGE AREA
SWMU-22	BUILDING 20 COURT YARD WASTE OIL STORAGE SHED
SWMU-23	BUILDING 16 FORMER WASTE STORAGE AREA IN NORTHWEST CORNER
SWMU-24	BUILDING 31 SOLVENT CONDENSATE SYSTEM
SWMU-25	BUILDING 11 INACTIVE SPRAY PAINT BOOTH
SWMU-26	CHEMICAL DEVELOPMENT REACTOR BAY DRUMMING AREAS (MULTIPLE LOCATIONS)

AREAS OF CONCERN (AOCs)

AOC-1	FORMER PCB-CONTAINING TRANSFORMER, STAINING ON CONCRETE PAD
AOC-2	STAINED SOIL NEAR CONTRACTOR AST
AOC-3	PETROLEUM STAINED SOIL – BUILDING 6 FORMER 30,000 GALLON UST
AOC-4	PETROLEUM AST WITHOUT BASE CONTAINMENT – BUILDING 6
AOC-5	ETHYLENE DICHLORIDE RELEASE NEAR BUILDING 23 LOADING DOCK
AOC-6	PETROLEUM AND DICHLOROMETHANE RELEASE FROM BUILDING 25 LOADING DOCK
AOC-7	NO. 6 FUEL OIL RELEASES TO CONCRETE TRENCH NORTH OF BUILDING 6
AOC-8	RELEASE OF ACETONITRILE TO THE CONCRETE AT CHEMICAL DEVELOPMENT
AOC-9	BUILDING 34 LOADING DOCK MIXED ALCOHOL WASTE RELEASE
AOC-10	BUILDING 23 THERMINOL RELEASE TO SOIL
AOC-11	OFFSITE GROUNDWATER

BAR SCALE
1" = 100'
100' 0 100' 200'
CHECK GRAPHIC SCALE BEFORE USING

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COMMITMENT & INTEGRITY DRIVE RESULTS

REV	DESCRIPTION	DESIGNED BY: JE	DRAWN BY: SH	CHECKED BY: DW	DATE
				Fig. 2-1.dwg	

SWMU AND AOC LOCATIONS AND STATUS

WYETH PHARMACEUTICALS LLC
ROUSES POINT, NEW YORK

CORRECTIVE MEASURES STUDY

JOB NO.: 206910
DATE: NOVEMBER 2024
SCALE: AS NOTED
SHEET: OF

FIGURE 2-1

C:\Users\vbautos\appdata\local\temp\AcPublish_12296\Fig. 2-1.dwg, Oct 31, 2024 - 7:16pm

TCE-SB11	
Depth	TCE
5	1.7J
8	< 4.9
9	< 4.1
14	< 4.4
17	< 4.3
21	< 4.3

19-2704-1-01	
Depth	TCE
1.5-2'	< 4.7

7-2701-1-02	
Depth	TCE
4-5'	12

TCE-SB03	
Depth	TCE
7	6600
11	< 92
15	110000
19	75000
22	110000

7-2701-1-03	
Depth	TCE
4-5'	< 5.1
0.0	< 4.9

11-2705-1-01	
Depth	TCE
9.5'	< 4.9

TCE-SB10	
Depth	TCE
8	< 4.3
12	< 4.3
18	< 4.4
22	53000

11-1801C-01	
Depth	TCE
6-7'	< 5.1

19-1801C-01	
Depth	TCE
1.5-2'	< 5.2

7-1801C-01	
Depth	TCE
4'	5.6 UJ

TCE-SB09	
Depth	TCE
5	< 5.0
5	< 4.4
8	< 4.2
12	< 4.6
14	< 4.4
22	94J

TCE-SB02	
Depth	TCE
7	1800
11	1.0J
14	50000
16	120000
16 DUP	110000
19	230000
23	3.9J

7-1801-1-09	
Depth	TCE
1	4.7J
7	2300
13	2800
15	67000
21	170000
23	12000

7-2701-1-01	
Depth	TCE
4.5-5'	51

TCE-SB04	
Depth	TCE
5	5700
10	4700
10	91000
18	1100
21	71000

7-2701-1-04	
Depth	TCE
3-4'	3.5 J

7-2702-1-03	
Depth	TCE
4	130
8 DUP	120
8	3500
12	47000
16	3700

7-2702-1-01	
Depth	TCE
3-4'	2000

7-2702-1-07	
Depth	TCE
3	120
10	69000
23	18000

TCE-SB12	
Depth	TCE
5	2800
8	8100
9	24000
10	35000
11	12000
11	7700
16	< 4.7
18	< 5.0
23	< 4.1

7-2702-1-06	
Depth	TCE
5	3.9J

7-2702-1-05	
Depth	TCE
4	6100
9	150000
10	79000
18	110000
23	660000

7-2702-1-08B	
Depth	TCE
5	6400
7	30000

7-2702-1-08A	
Depth	TCE
4	1300
6	110000
12	220000
14	110000E
18	183000E
25	188000

TCE-SB13	
Depth	TCE
4	65000
6	65000
9	56000
10	52000
12	2.3J
16	2400
18	< 4.9
21	< 5.6

TCE-SB05	
Depth	TCE
6	36000
6	33000
8	44000
9	37000
10	37000
12	< 2100
15	110000
19	150000
23	190000

TCE-SB01	
Depth	TCE
7	650
9	60000
12	69000
17	63000
21	56000

TCE-SB06	
Depth	TCE
9	3600
12	510
18	150000
20	50000
23	640

TCE-SB14	
Depth	TCE
7	< 4.5
9	< 4.5
13	31000
15	31000
18	< 7.1

7-1801-1-08	
Depth	TCE
2	1200
9	45000
9 DUP	50000
12	80000
19	30000
22	57000
24	21000

7-1801-1-07	
Depth	TCE
5	300
8	28000
11	30000
19	< 4.1
23	< 1800

TCE-SB07	
Depth	TCE
4	< 4.3
9	< 4.1
12	< 4.5
17	< 4.1
21	< 4.3

7-1801-1-01	
Depth	TCE
5'	1100
6'	1400

7-1801-1-03	
Depth	TCE
5	760
8	12000
17	< 4.1
19	< 4.5
21	< 4.8
23	< 4.8

7-1801-1-10	
Depth	TCE
3	73
7	82
15	68000

7-1801-1-04	
Depth	TCE
1	280
8	40000
8	40000

TCE-SB08	
Depth	TCE
5	< 4.3
9	< 4.5
11	< 61
14	45J
21	1600

7-1801-1-02	
Depth	TCE
2'	740
4.5'	720
6.5'	4200

7-1801-1-11	
Depth	TCE
3	1.0J
12	8400

7-1801-1-05	
Depth	TCE
2	160
7	14000
14	56000E

7-1801-1-06B	
Depth	TCE
1	1.3J

7-1801-1-06A	
Depth	TCE
5	20
9	< 4.9
17	< 4.3
17 DUP	< 4.2
22	< 5.2

TCE-SB15	
Depth	TCE
5	< 4.3
8	< 4.6
12	< 4.5
17	< 4.5
21	150

-11 -10 -09 -12 -01 -08 -05 -06 -07 -13 -14 -15 -04 -03 -02

19-2704-1-01 (1.5-2')
RM 2704-1
RM 2705-1
SWMU-11 PAL-4 SUMP (PUMPED TO BLDG. 41)
11-2705-1-01 (9.5')
FD (DOES NOT DRAIN TO SUMP)
7-2701-1-03 (4-5')
2701-1-CO-2 (LEAK DETECTION SYSTEM)
7-2701-1-01 (4.5-5')
7-2701-1-02 (4-5')
2701-1-CO-1 (LEAK DETECTION SYSTEM)
RM 2703-1
BUILDING 27
RM 2701-1
RM 2702-1
7-2702-1-03
7-2702-1-04 (3-4')
7-2702-1-07
2702-1-CO-1 (LEAK DETECTION SYSTEM)
7-2702-1-01 (3-4')
7-2702-1-02
7-2702-1-04
2701-1-CO-3 (LEAK DETECTION SYSTEM)
7-2702-1-06
7-2702-1-05
MW-40S
7-2702-1-8B
7-2702-1-8A
MW-40
11-1801C-01 (6-7')
RM 1801C-1
GLYCOL SPILL AREA
SWMU-11 GLATT-1 SUMP PUMPED TO BLDG. 41)
1801C-1-TR-1
19-1801C-01 (1.5-2')
RM 1801D-1
FD (DOES NOT DRAIN TO SUMP)
RM 1801B-1
7-1801C-01 (4')
RM 1801E-1
7-1801-1-09
BUILDING 18
RM 1803-1
7-1801-1-01 (5')
7-1801-1-01 (6')
7-1801-1-03
7-1801-1-08
7-1801-1-10
RM 1804A-1
7-1801-1-04
7-1801-1-02 (2')
7-1801-1-02 (4.5')
7-1801-1-02 (6.5')
7-1801-1-05
7-1801-1-11
RM 1801-1
RM 1804-1
7-1801-1-06A
7-1801-1-06B

BUILDING 18 AND 27 INVESTIGATION AREA

KEY MAP

LEGEND

- 2018 MAIN PLANT SWMU INVESTIGATION SOIL BORING
- 2019 SUPPLEMENTAL INVESTIGATION SOIL BORING
- 2020 SUPPLEMENTAL INVESTIGATION SOIL BORING
- AREA OF CONCERN (AOC) SWMU 7 AREA

Exceeds NYSDEC Unrestricted Use Soil Cleanup Objectives (6 NYCRR Part 375-6.8(a)) and Exceeds NYSDEC Protection of Groundwater Objectives (6 NYCRR Part 375-6.8(b))
Exceeds NYSDEC Restricted Use Soil Cleanup Objectives - Residential (6 NYCRR Part 375-6.8(b))
Exceeds NYSDEC Restricted Use Soil Cleanup Objectives - Commercial (6 NYCRR Part 375-6.8(b))

0 6' 12'
SCALE IN FEET

STATEMENT OF BASIS, Wyeth Pharmaceuticals, LLC
DER Site No.: 510018, USEPA RCRA ID No.: NYD002081396

Woodard & Curran Engineering PA PC
800 Westchester Avenue, Suite N507
Rye Brook, New York 10573
800.807.4080 | www.woodardcurran.com

REV	DESCRIPTION	DATE

DESIGNED BY: GR
DRAWN BY: MRM
CHECKED BY: ZS
FIGURE_6_&BLDG 18_27 T7.dwg

BUILDING 18 AND 27 AREA
TCE CONCENTRATIONS

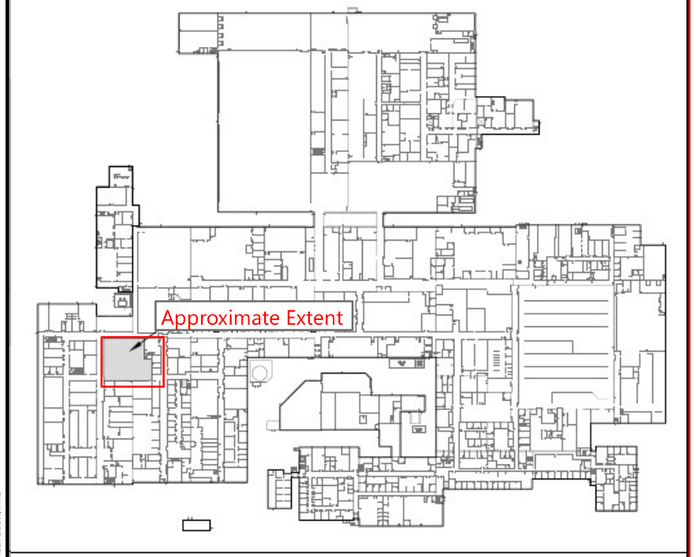
WYETH PHARMACEUTICALS LLC
ROUSES POINT, NEW YORK

MAIN PLANT SWMU 2020
SUPPLEMENTAL INVESTIGATION

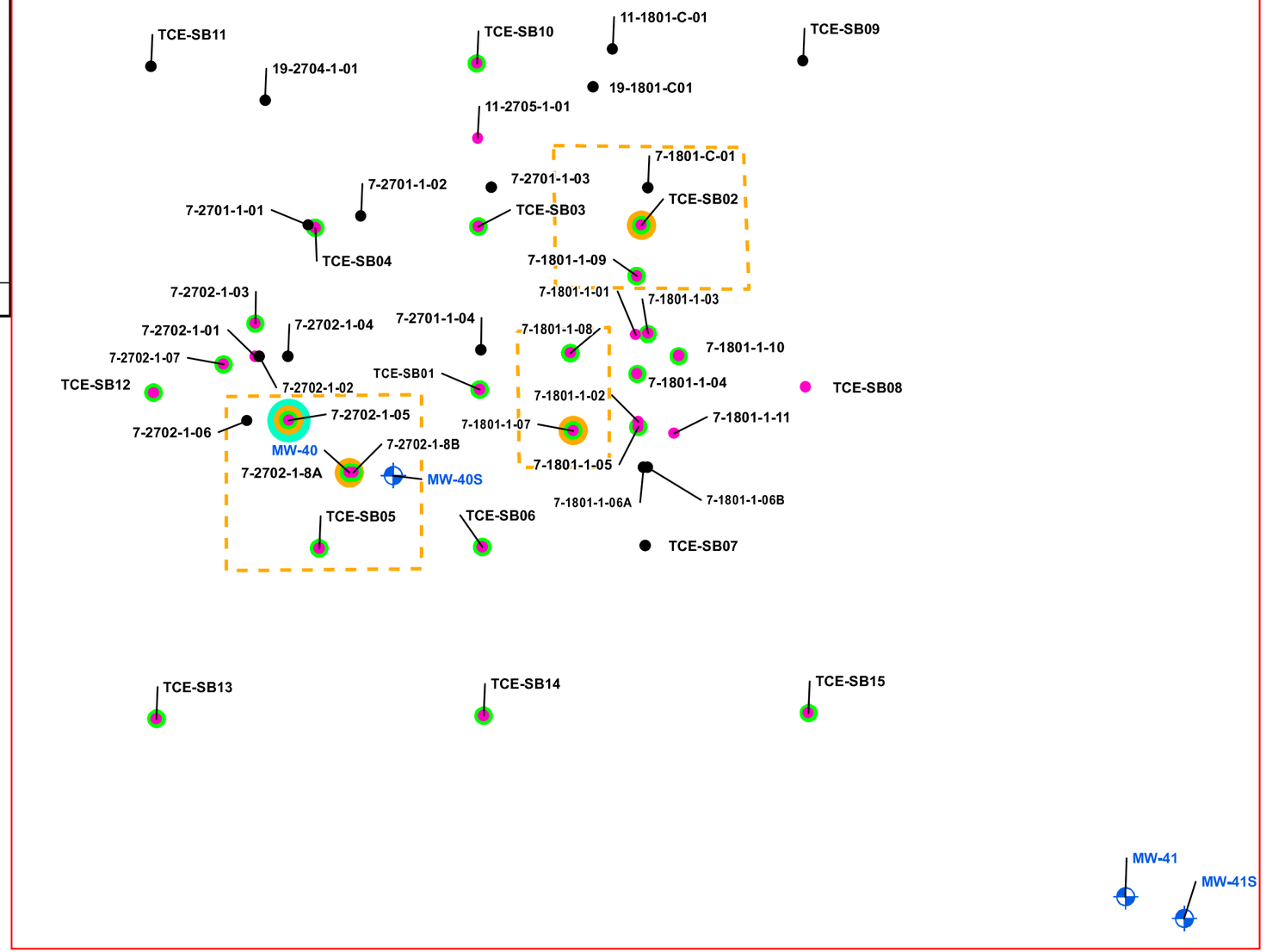
JOB NO: 206910.23
DATE: NOVEMBER 2020
SCALE: 1" = 6'
SHEET: 1 OF 1

FIGURE 4-1

\\woodardcurran.net\shared\Projects\206910 Wyeth Rouses Point - Environmental Site Assess\wip\RCRA\Main Plant SWMU SAP\B18_27 Supplemental Work\Figures\CAD\FIGURE 3-BLDG 18_27 TCE Areas.dwg, Nov 03, 2020 - 8:29pm PFILLMORE



KEY MAP



Conceptual Plan for Alternative S1 Excavation and Disposal

Former Buildings 18 and 27
Wyeth
Rouses Point, NY

Figure 6-1

N

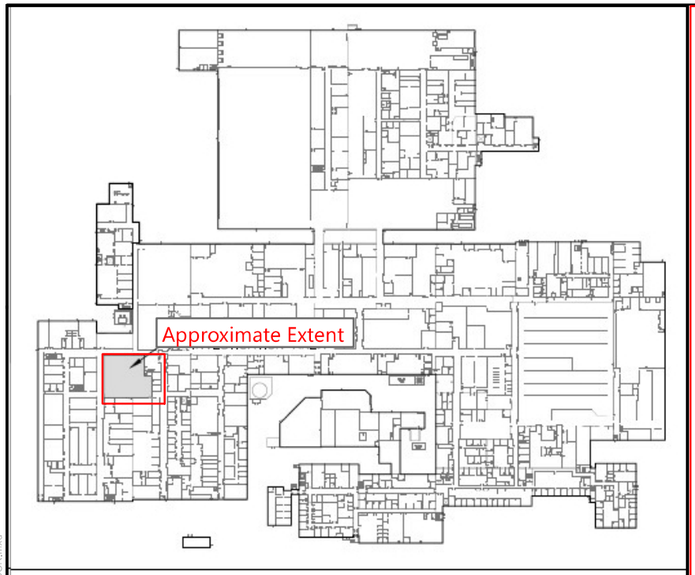
- Approximate Excavation Area
- Soil Borings with No Concentrations Above Unrestricted Use Standards
- Soil Borings with Concentrations Above Unrestricted Use Standards
- Soil Concentration Above Residential and Restricted Residential Standards
- Soil Concentration Above Restricted Use Commercial Standards
- Soil Concentration Above Restricted Use Industrial Standards
- Monitoring Well

0 10 20 Feet

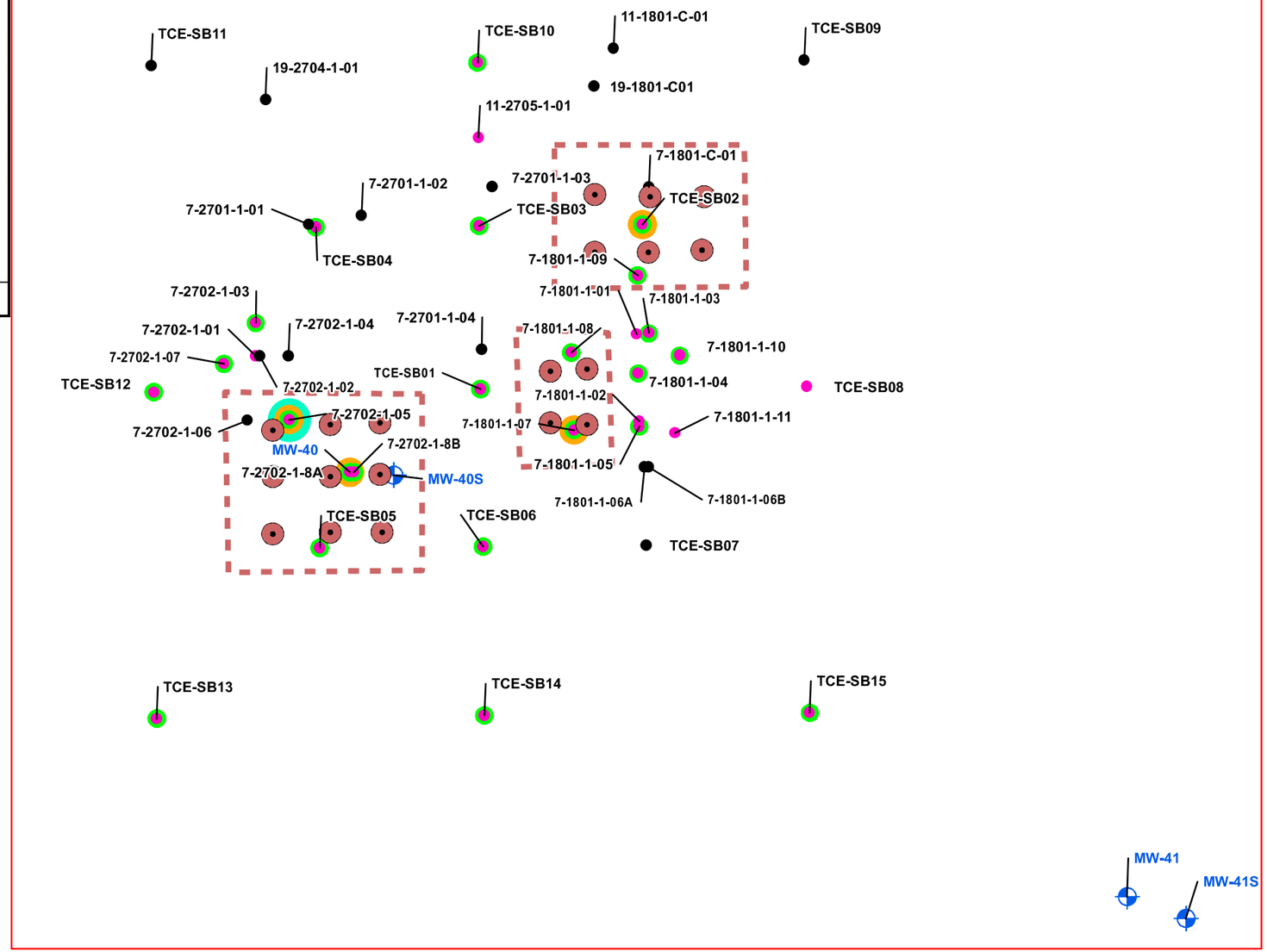
Woodard & Curran

Project #: 206910
Map Created: September 2022

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. Data Sources: ESRI



KEY MAP



Conceptual Plan for Alternative S2 - In Situ Chemical Reduction

Former Buildings 18 and 27
Wyeth
Rouses Point, NY

Figure 6-2

N

- Proposed Injection Location
- Approximate Injection Areas
- Soil Borings with No Concentrations Above Unrestricted Use Standards
- Soil Borings with Concentrations Above Unrestricted Use Standards
- Soil Concentration Above Residential and Restricted Residential Standards
- Soil Concentration Above Restricted Use Commercial Standards
- Soil Concentration Above Restricted Use Industrial Standards
- Monitoring Well

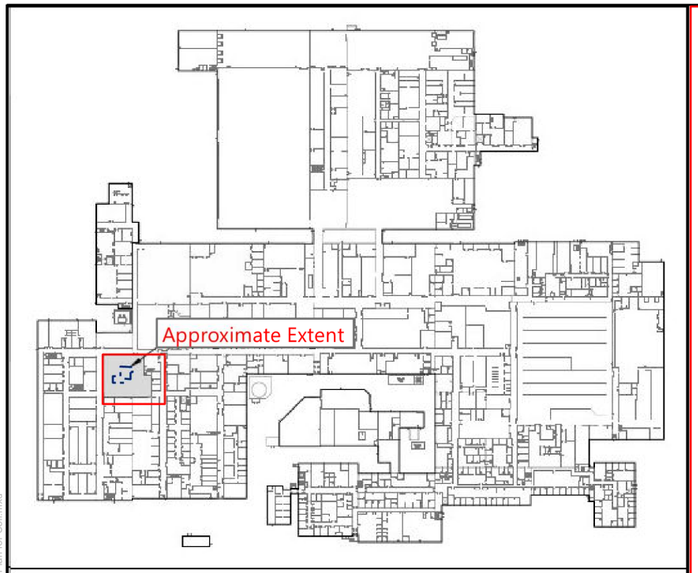
0 10 20 Feet

Woodard & Curran

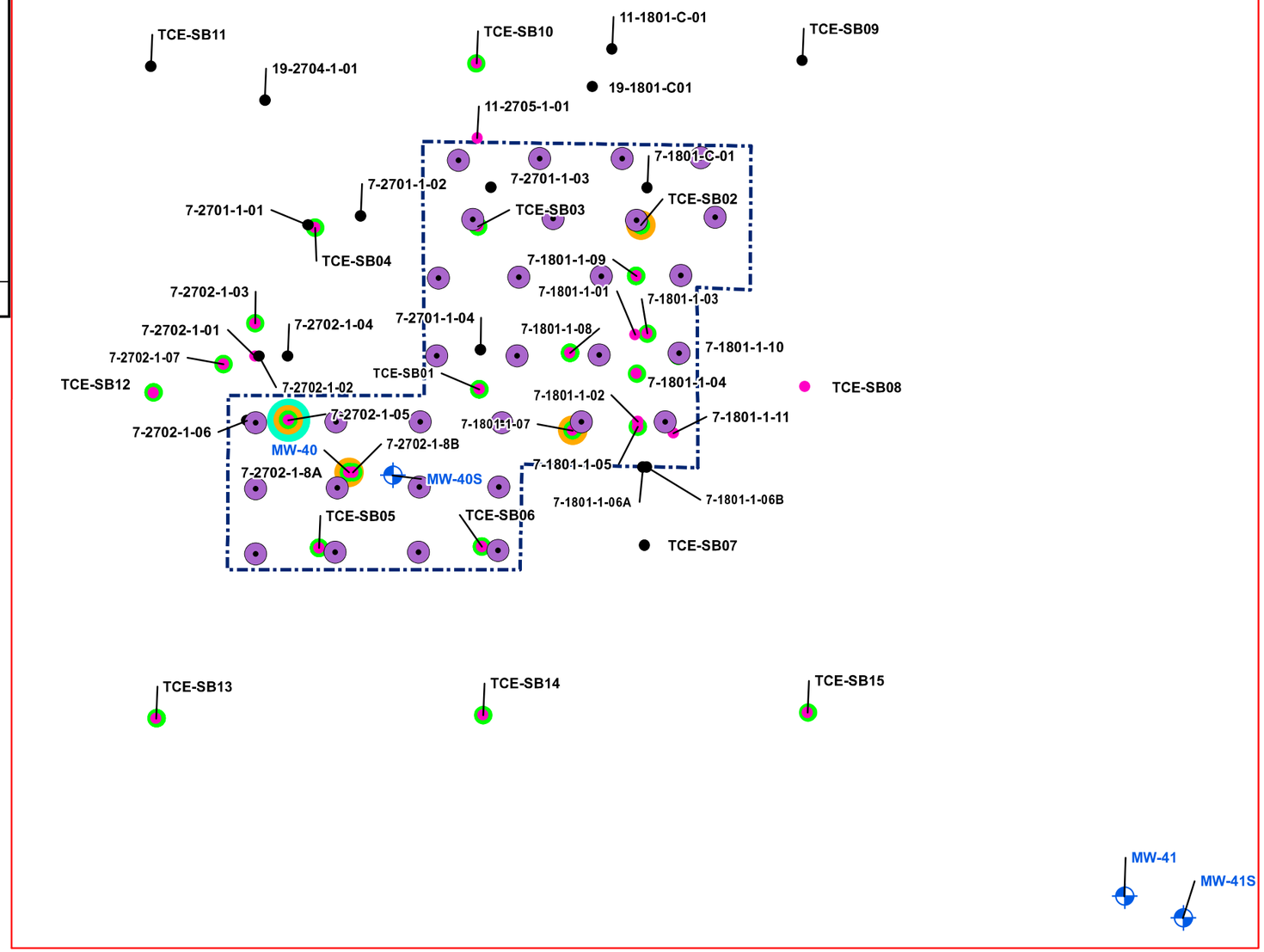
Project #: 206910
Map Created: September 2022

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. Data Sources: ESRI

Figure Exported: 9/21/2022 By: nkelsall\cas Using: \\woodardcurran.net\shared\Projects\206910 Wyeth Rouses Point - Environmental Site Assess\wip\GIS\Project Files\2021.09 TCE Area FS\Figure 6-2 Alt S2 ISCR.mxd



KEY MAP



Conceptual Plan for Soil Recommended Corrective Measure

Former Buildings 18 and 27
Wyeth
Rouses Point, NY

Figure 8-1

N

- Approximate Treatment Area
- Proposed Injection Location
- Soil Borings with No Concentrations Above Unrestricted Use Standards
- Soil Borings with Concentrations Above Unrestricted Use Standards
- Soil Concentration Above Residential and Restricted Residential Standards
- Soil Concentration Above Restricted Use Commercial Standards
- Soil Concentration Above Restricted Use Industrial Standards
- Monitoring Well

0 10 20 Feet

Woodard & Curran

Project #: 206910
Map Created: February 2024

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. Data Sources: ESRI

Figure Exported: 2/14/2024 By: kfarrbek Using: \\woodardcurran.net\shared\Projects\206910 Wyeth Rouses Point - Environmental Site Assess\wip\GIS\Project Files\2021.09 TCE Area FS\Figure 8-1 Conceptual Plan for Soil.mxd

APPENDIX A: ADMINISTRATIVE RECORD

Administrative Record

Wyeth Pharmaceuticals Inc. Rouses Point
64 Maple Street, Rouses Point, Clinton County
EPA ID No. NYD002081396

July 16, 2025

Reference Number	Title	Document Date	NYSDEC Response
Reference 1 - Identification and Initial Investigation of SWMUs/AOCs			
1A	Final SWMU/AOC Notification; Wyeth Pharmaceuticals	7/21/2006	
1B	Solid Waste Management Unit (SWMU) and Area of Concern (AOC) Assessment Report; Woodard & Curran (W&C)	9/1/2006	NYSDEC comments dated 9/26/2006 Response to Comments submitted to NYSDEC dated 10/9/2006 NYSDEC Approval Letter dated 10/17/2006
1C	Solid Waste Management Unit (SWMU) & Area of Concern (AOC) Sampling and Analysis Report; W&C [Includes Appendix A: Engineering Evaluation Workplan]	4/5/2007	Sampling and Analysis Report: NYSDEC comments dated 5/8/2007 Response to Comments and Revisions submitted to NYSDEC dated 6/29/2007 NYSDEC Approval Letter dated 7/17/2007 Engineering Evaluation Workplan: NYSDEC Approval Letter dated 5/8/2007
1D	Engineering Evaluation of Select Solid Waste Management Units (SWMUs) Report; W&C	3/12/2010	NYSDEC Approval Letter dated 4/27/2010
Reference 2 - SWMU-10 Interim Corrective Measure			
2A	Interim Corrective Measure Workplan, SWMU-10; W&C	6/15/2007	NYSDEC Approval Letter dated 7/17/2007
2B	Interim Corrective Measure Completion Report, SWMU-10; W&C	3/19/2010 Rev 1 - 4/29/2010	NYSDEC Approval Letter dated 5/12/2010
Reference 3 - Supplemental Investigation			
3A	Supplemental Sampling & Analysis Plan (SAP); W&C	6/29/2007	NYSDEC Approval Letter dated 7/17/2007
3B	Supplemental Sampling & Analysis Plan (SAP) Addendum 1; W&C	9/27/2007	Verbal Approval 10/2007; field overview 10/18/07
3C	Supplemental Sampling & Analysis Plan (SAP) Addendum 2; W&C	9/2/2008	NYSDEC Approval Letter dated 9/16/2008
3D	Supplemental Sampling and Analysis Plan Addendum No.3; W&C	6/21/2010	NYSDEC Approval Letter dated 6/24/2010
3E	Supplemental Sampling & Analysis Report (SAR); W&C	6/25/2010 Rev 1 - 9/10/2010	NYSDEC Comment Letter dated 7/30/2010

Reference Number	Title	Document Date	NYSDEC Response
Reference 4 - SWMU-7 and SWMU-14 Interim Corrective Measure			
4A	Interim Corrective Measure (ICM) Workplan, SWMU-7 Process Sewer (Chem D) & SWMU-14 Waste Toluene Management Area; W&C;	6/13/2008	NYSDEC Conditional Approval Letter dated 6/9/2008
4B	ICM Workplan Addendum No. 1, SWMU-7 Process Sewer (Chem D); W&C	5/28/2009	NYSDEC Approval Letter dated 6/2/2009
4C	ICM Workplan Addendum No.2, SWMU-7 Process Sewer (Chem D); W&C	8/21/2009	NYSDEC Approval Letter dated 8/24/2009
4D	ICM Completion Report, SWMU-7 Process Sewer, North and West Sides (Chem D); W&C	5/14/2010	NYSDEC Approval Letter dated 6/3/2010
4E	ICM Completion Report, SWMU-14 Waste Toluene Management East of Tank Farm; W&C	5/21/2010	NYSDEC Approval Letter dated 6/17/2010
Reference 5 - Permit 5-0928-00017/00175 Documents			
5A	6 NYCRR Part 373 Permit, DEC Permit Number 5-0928-00017/00175	3/4/2009	Final permit issued by NYSDEC on 3/4/2009
5B	Minor Permit Modification Application, 6 NYCRR Part 373 Permit, DEC Permit No. 5-0928-00017/00175	6/29/2009	Permit modification issued by NYSDEC on 6/30/2009
5C	Request for Minor Permit Modification of Hazardous Waste Management Permit No. 5-0928-00017/00175; Wyeth	8/1/2011	NYSDEC Approval Letter dated 12/27/2011
5D	Request for Minor Permit Modification of Hazardous Waste Management Permit No. 5-0928-00017/00175; Wyeth	11/22/2011	NYSDEC Approval Letter dated 12/27/2011
5E	Request for Major Permit Modification for Corrective Measures; Wyeth	2/8/2013	NYSDEC Response dated 3/29/2013
5F	Request for Minor Modification for Permit #5-0928-00017/00175 to update Table 1 in Attachment XI to include <90 day storage area; Wyeth	12/17/2013	
5G	Request for Minor Permit Modification of Hazardous Waste Management Permit No. 5-0928-00017/00175; Wyeth	2/13/2014	NYSDEC Approval Letter dated 2/14/2014
5H	Request for Minor Permit Modification of Hazardous Waste Management Permit No. 5-0928-00017/00175; Wyeth	8/4/2014	NYSDEC Approval Letter dated 10/3/2014
Reference 6 - 2008-2009 Off-Site Vapor Intrusion Investigation			
6A	Vapor Intrusion Investigation Workplan; W&C	2/8/2008	NYSDEC Approval Letter dated 2/15/2008 Response to Comments submitted to NYSDEC 2/20/2008
6B	Vapor Intrusion Investigation Workplan, Addendum No.1; W&C	8/19/2008	NYSDEC Approval Letter dated 8/21/2008
6C	Vapor Intrusion Investigation Work Plan Addendum No.2; W&C	12/10/2008	NYSDEC Approval Letter dated 12/30/2008
6D	Vapor Intrusion Investigation Work Plan Addendum No.3; W&C	5/20/2009	NYSDEC Approval Letter dated 5/29/2009

Reference Number	Title	Document Date	NYSDEC Response
Reference 7 - Off-Site Soil Vapor Mitigation System Completion Reports			
7A	Off-Site Soil Vapor Mitigation System Completion Report; W&C	May 2009	NYSDEC Comment Email dated 6/22/2009 Response to Comments Email submitted to NYSDEC submitted 7/27/2009
7B	Off-Site Soil Vapor Mitigation System Completion Report No.2; W&C	4/20/2010	
7C	Off-Site Soil Vapor Mitigation System Completion Report No.3; W&C	8/1/2017	
Reference 8 - Off-Site Soil Vapor Mitigation System OM&M Reports			
8A	Off-Site Soil Vapor Mitigation System Operations, Maintenance & Monitoring (OM&M) Plan; W&C	May 2009 Rev 1 - July 2009 Rev 2 - 3/15/2010	NYSDEC Comment Letter dated 3/3/2009 NYSDEC Approval Letter dated 6/26/2009 NYSDEC Approval Letter dated 3/23/10
8B	2009-2010 Off-Site Soil Vapor Mitigation System OM&M Report; W&C	3/22/2010	NYSDEC Approval Letter dated 4/19/2010
8C	2010-2015 Off-Site Soil Vapor Mitigation System OM&M Report; W&C	1/28/2016	
8D	2016-2017 Off-Site Soil Vapor Mitigation System OM&M Report; W&C	3/30/2018	
8E	2018-2019 Off-Site Soil Vapor Mitigation System OM&M Report; W&C	6/25/2020	
8F	2020-2021 Off-Site Soil Vapor Mitigation System OM&M Report; W&C	3/1/2022 Rev 1 – 10/24/2024	NYSDEC Comment Letter dated 6/12/2025 Pending final NYSDEC approval
8G	2022-2023 Off-Site Soil Vapor Mitigation System OM&M Report; W&C	11/20/2024	NYSDEC Comment Letter dated 6/12/2025 Pending final NYSDEC approval
Reference 9 - On-Site Vapor Intrusion Investigation - Main Plant			
9A	Vapor Intrusion Investigation Workplan - Main Plant; W&C	11/2/2009	NYSDEC Approval Letter dated 11/12/2009
Note: results of these investigation activities were reported in the 9/10/2010 SAR			
Reference 10 - On-Site Vapor Intrusion Investigation - Chemical Development Pilot Plant			
10A	Vapor Intrusion Investigation Workplan - Chemical Development Pilot Plant; W&C	10/15/2010	NYSDEC Approval Letter dated 11/3/2010
10B	Vapor Intrusion Investigation Report - Chemical Development Pilot Plant; W&C	9/23/2011	
Reference 11 - SWMU-6 Interim Corrective Measure			
11A	ICM Completion Report, SWMU-6 Tank Farm (Truck Containment Pad); W&C	5/28/2010	NYSDEC Approval Letter dated 8/26/2010
Reference 12 - AOC-4 Interim Corrective Measure			
12A	ICM Completion Report, AOC-4 Petroleum AST Without Base Containment; W&C	6/4/2010	NYSDEC Approval Letter dated 7/21/2010

Reference Number	Title	Document Date	NYSDEC Response
Reference 13 - Corrective Measures Study			
13A	Corrective Measures Study Work Plan; W&C	10/8/2010 Rev 1 - 12/9/2010	NYSDEC Comments dated 11/9/2010 NYSDEC Approval Letter dated 12/20/2010
13B	In-Situ Chemical Oxidation (ISCO) Pilot Study Work Plan; W&C	7/7/2011	NYSDEC Email dated 8/4/2011
13C	Fact Sheet for Corrective Measure Study; NYSDEC	March 2013	
13D	Corrective Measures Study Report; W&C	3/29/2013 Rev 1 - 9/26/2022 Rev 2 - 2/20/2024 Rev 3 – 11/07/2024	NYSDEC Approval Letter dated 11/15/2024
13E	Focused Feasibility Study and Corrective Measures Study Addendum, Buildings 18 & 27; W&C	11/5/2021	NYSDEC Comment Letter dated 6/2/2022 *report not revised content incorporated into CMS
Reference 14 - CMS Progress Reports			
14A	Corrective Measures Study Progress Report No. 1; W&C	2/25/2011	
14B	Corrective Measures Study Progress Report No. 2; W&C	6/3/2011	
14C	Corrective Measures Study Progress Report No. 3; W&C	9/22/2011	
14D	Corrective Measures Study Progress Report No. 4; W&C	12/22/2011	
14E	Corrective Measures Study Progress Report No. 5; W&C	9/1/2012	
14F	Corrective Measures Study Progress Report No. 6; W&C	12/14/2012	
14G	2013-2014 Annual Progress Report for RCRA Corrective Action Activities; W&C	4/9/2014	
14H	2014-2015 Annual Progress Report for RCRA Corrective Action Activities; W&C	9/18/2015	
14I	2015-2016 Annual Progress Report for RCRA Corrective Action Activities; W&C	2/8/2017	
14J	2017 Annual Progress Report for RCRA Corrective Action Activities; W&C	3/21/2018	
14K	2018 Annual Progress Report for RCRA Corrective Action Activities; W&C	3/19/2019	
14L	2019 Annual Progress Report for RCRA Corrective Action Activities; W&C	5/8/2020	
14M	2020 Annual Progress for RCRA Corrective Action Activities; W&C	5/10/2021	
14N	2021 Annual Progress for RCRA Corrective Action Activities; W&C	4/14/2022	
Reference 15 - Groundwater Monitoring Program Reports			

Reference Number	Title	Document Date	NYSDEC Response
15A	2020 Groundwater Monitoring Program Evaluation Report; W&C	7/24/2020	
15B	2021 Annual Groundwater Monitoring Program Report; W&C	7/26/2021 Addendum dated 9/7/2023	NYSDEC Comment Letter dated 6/1/2022 Response to Comments dated 7/8/2022 Pending NYSDEC Approval
15C	2022 Annual Groundwater Monitoring Program Report; W&C	10/3/2023	NYSDEC Comment Letter dated 2/15/2022 Response to Comments dated 6/12/2024 NYSDEC Approval Letter dated 6/13/2025
15D	2023 Annual Groundwater Monitoring Program Report; W&C	8/15/2024	NYSDEC Approval Letter dated 5/19/2025
Reference 16 - Tank Farm Closure			
16A	Rinsate Sample Collection Plan, Decontamination and Decommissioning of Tanks T-1005, T-1008 and ST-1; W&C	5/4/2011	NYSDEC Approval Letter dated 5/13/2011
16B	Rinsate Sample Locations, Decontamination and Decommissioning of Tanks T-1005, T-1008 and ST-1; W&C	6/13/2011	NYSDEC Approval Letter dated 7/7/2011
16C	Rinsate Sample Collection Report, Decontamination and Decommissioning of Tanks T-1005, T-1008 and T-1009 (ST-1); W&C	9/23/2011	NYSDEC Approval Letter dated 12/27/2011
16D	Notice of Final Receipt of Waste for Tanks T1005, T1008, and ST-1 - Permit 5-0928-00017/00175; Wyeth	11/5/2013	
16E	Final Tank Farm Containment and Truck Pad Rinsate Sample Collection Plan; W&C	11/22/2013	
16F	Tank Farm Final Closure Report; W&C	1/29/2014	NYSDEC Approval Letter dated 3/19/2014
Reference 17 - ISCO ICM			
17A	ISCO Interim Corrective Measure (ICM) Recommendation Letter; NYSDEC	3/29/2013	Not applicable
17B	ISCO ICM Work Plan; W&C	6/5/2013	NYSDEC Approval Letter dated 7/1/2013
17C	2014 ISCO ICM Work Plan; W&C	7/11/2014	NYSDEC Approval Email dated 7/28/2014
17D	Request to Reauthorize the 2014 ISCO ICM Work Plan; W&C	6/10/2016	NYSDEC Approval Email dated 6/21/2016
Reference 18 - Building 17C			
18A	Revised Final Rinsate Sample Collection Plan - Building 17C (Container Storage Building); W&C	1/21/2014 Rev 1 - 2/25/2014	NYSDEC Approval Letter dated 3/6/2014
18B	Building 17C (Container Storage Building) Final Closure Report; Wyeth	6/3/2014	NYSDEC Approval Letter dated 7/23/2014
Reference 19 - Chemical Development Pilot Plant Investigation			

Reference Number	Title	Document Date	NYSDEC Response
19A	Solid Waste Management Unit Sampling & Analysis Plan - Chemical Development Pilot Plant; W&C	9/18/2014 Rev 1 - 12/1/2014	NYSDEC Email 12/10/2014
19B	Addendum to the Chemical Development Pilot Plant Solid Waste Management Unit Sampling & Analysis Plan; W&C	9/22/2015	NYSDEC Email dated 10/5/2015
19C	Solid Waste Management Unit Sampling & Analysis Report - Chemical Development Pilot Plant; W&C	4/8/2016 Rev 1 - 9/7/2023	NYSDEC Approval Letters dated 5/9/2023
19D	Letter Response to NYSDEC Re: 2016 Solid Waste Management Unit and Sampling Analysis Report Chemical Development Pilot Plant	9/8/2023	NYSDEC Approval Letter dated 10/6/2023
Reference 20 - Main Plant Investigation			
20A	Solid Waste Management Unit & Area of Concern Sampling & Analysis Plan - Main Plant; W&C	8/26/2015 Rev 1 - 3/7/2018 Rev 2 - 9/20/2023	NYSDEC Comment Email dated 11/29/2017 NYSDEC Comment Email dated 5/9/2018 NYSDEC Approval Letter dated 11/16/2023
20B	Solid Waste Management Unit and Area of Concern Sampling & Analysis Report, Former Main Plant; W&C	4/19/2019 Rev 1 - 10/30/2023	NYSDEC Approval Letter dated 11/28/2023
Reference 21 - SWMU-18 Notification			
21A	Newly Identified SWMU/AOC Notification: SWMU-18 Tank T36-2; W&C	5/18/2018	
21B	Newly Identified SWMU/AOC Assessment Report: SWMU-18 Tank T36-2; W&C	6/15/2018	
Reference 22 - PFAS Sampling			
22A	PFAS Sampling and Analysis Plan; W&C	6/18/2018	NYSDEC Approval Email dated 8/6/2018
22B	PFAS Sampling and Analysis Report; W&C	12/20/2018	
Reference 23 - 2019 Off-Site Vapor Intrusion Investigation			
23A	2019 Off-Site Vapor Intrusion Investigation Work Plan; W&C; 4/17/2019	4/17/2019	NYSDEC Approval Email dated 9/23/2019
23B	Vapor Intrusion Investigation Sampling and Analysis Report; W&C	6/17/2020	
Reference 24 - Supplemental Main Plant Investigation			
24A	Addendum to the Proposed Supplemental Actions included in the April 2019 Main Plant SWMU/AOC SAR; W&C	10/3/2019 Rev 1 - 10/30/2023	NYSDEC Response dated 11/28/2023
24B	Supplemental Main Plant SWMU/AOC Sampling & Analysis Report; W&C	12/29/2020 Rev 1 - 12/29/2023	NYSDEC Response dated 2/8/2024

ATTACHMENT L
RESERVED

ATTACHMENT M
Permit Modification Log

ATTACHMENT M
PERMIT MODIFICATION LOG

The permit may be modified for causes as allowed under 6 NYCRR 373-1.7 and 621.14. Modification shall be requested in writing as required by 6 NYCRR 621.13 and 621.14. Requests for modifications shall be submitted to designees as specified in **Condition W of Module I.**

An application for permit modification is processed pursuant to 6 NYCRR Part 621 and 373-1.7. Applications for minor modifications listed under 373-1.7(c) may be processed without being treated as a new application. For any other modification not explicitly listed as major under 373-1.7(d) or minor modification, the permittee may submit a request for permit modification and request that it be classified and administered as a modification under Part 373-1.7(c)(15). This request must include information supporting the requested classification. The Department shall determine whether the request qualifies to be administered as a modification or an application for a new permit in accordance with Part 621 – Uniform Procedures. In making this determination, the Department shall consider the degree to which the proposed changes are similar to those listed as minor modification under 373-1.7(c), the Federal Regulations under 40 CFR 270.42 and the following criteria:

Minor modifications apply to minor changes that keep the permit current with routine changes to the facility or its operation. These changes do not substantially alter the permit conditions or reduce the capacity of the facility to protect human health and the environment.

Revision #	Affected permit modules, attachments, and/or documents incorporated by reference	Modified page number(s)		Permit modification request date	Permit modification issuance date	The nature of the modifications
		Old	New			

ATTACHMENT N

RESERVED