



Global Operations, Environment, Health & Safety

1 Plastics Avenue
Pittsfield, MA 01201

May 15, 2019

Patricia Simmons Pierre
Remedial Project Manager
USEPA
290 Broadway, 20th Floor
New York, New York 10007-1866

RE: Malta Rocket Fuel Area Site, Subsurface Drum Management Plan

Dear Ms. Pierre,

In accordance with the May 2018 Explanation of Significant Difference (ESD) for the former Malta Rocket Fuel Area Test Station Site (Site), and EPA's determination that institutional controls (ICs) are needed to ensure the protectiveness of the remedy, attached is a Subsurface Drum Management Plan (SDMP) that EPA requested GE prepare for review and approval. Once approved, the SDMP will be put in place as an IC and implemented whenever intrusive activities are conducted at the Site.

Please contact me if you have any questions about the enclosed report.

Very truly yours,

Matthew Calacone

Mathew Calacone
Senior Project Manager – Environmental Remediation

Enclosure

cc: Mike Noel, Tetra Tech

**SUBSURFACE DRUM MANAGEMENT PLAN
FOR INTRUSIVE ACTIVITIES ASSOCIATED WITH SITE DEVELOPMENT
MALTA ROCKET FUEL AREA SUPERFUND SITE
May 15, 2019**

In the May 2018 Explanation of Significant Difference (ESD) for the former Malta Rocket Fuel Area Test Station Site (Site), the United States Environmental Protection Agency (USEPA) determined that institutional controls (ICs) are needed to ensure the protectiveness of the remedy. Specifically, USEPA requested that a USEPA-approved Subsurface Drum Management Plan (SDMP) be put in place and implemented whenever intrusive activities are conducted at the Site. The SDMP provides for: 1) the performance of an electromagnetic survey in any area of the Site where soil disturbance is planned; 2) in areas where anomalies are identified, the excavation of any buried drums and/or containers and associated soils; 3) the sampling and analysis of drum content, soil, and groundwater (if encountered); and 4) the treatment and/or off-site disposal of containers, soil and groundwater. The division of responsibilities for ICs between Site Owner and Remedial Party (RP) are provided in Appendix A.

Site Background

The former Test Station is located off Plains Road in the towns of Malta and Stillwater, New York and includes approximately 165 acres of developed land (referenced figure attached). The Test Station was established in 1945 by the U.S. Government and was owned by the New York State Energy Research and Development Authority until 1984 when it was sold to Wright Malta Corporation. Wright Malta Corporation sold the former Test Station to the Luther Forest Technology Campus Economic Development Corporation (LFTCEDC). The Test Station area and portions of the recently developed surrounding areas comprise the Site. Due to the discovery of chlorinated volatile organic compounds (CVOCs) in groundwater and other contaminants of concern in soils, in July 1987, the USEPA listed the Site on the National Priorities List. Subsequently, at the New York State Department of Environmental Conservation's (NYSDEC's) request, the USEPA took the lead for the Site and has been overseeing the remediation program work in accordance with a 1996 Record of Decision (ROD) issued by USEPA and a 1998 judicial Consent Decree, Civ. Action No. 98-CV-0014. In USEPA's 1999 5-year review, which included the "Site Close-Out Report", USEPA determined that the Remedial Party had constructed the remedy in accordance with the remedial design plans and specifications and that the remaining response action at the site consists of long-term operation, maintenance, and monitoring (OM&M).

Active redevelopment of the Site has occurred. In 2004, LFTCEDC purchased more than 1400 acres of property, including the Test Station property and surrounding areas, and in 2009, began the first phase of the construction of the Luther Forest Technology Campus. GlobalFoundries, the first company to occupy the Luther Forest Technology Campus, has already redeveloped a portion of the Site. It is anticipated that the entire Malta Rocket Fuel Area Site will eventually be encompassed by the technology campus and due diligence activities by prospective purchasers and/or tenants, and development activities by the current owner, have in the past involved intrusive activities on the Site.

In June 2011, evidence of buried drums was discovered during the excavation and grading of soils for a GlobalFoundries parking lot on the Test Station property. In response, approximately 60

drums/containers and surrounding soils were sampled and removed for proper off-Site disposal. In May 2014, during preconstruction activities associated with another GlobalFoundries parking lot on the Test Station property, an area of buried drums and debris was discovered. Due to concerns about the potential for buried munitions and other military items, an electromagnetic survey was conducted in the planned construction area. The survey found some anomalies and an investigation of the area was performed in May 2016. Subsequently, approximately 60 drums and containers and 34 stainless steel cylinders were excavated. The drums and containers were sampled and properly disposed of off-Site. Since the contents of the cylinders were unknown, they were destroyed on-site by controlled detonation in a remote area.

This SDMP was developed to facilitate redevelopment activities at the Site and includes the following components:

1. Written notification to USEPA and potentially affected parties fourteen (14) days prior to initiation of work
2. Modification of the Site Owner's Site-Specific Health and Safety Plan, to include the protocol to be followed if suspected explosive materials are encountered,
3. Performance of an electromagnetic survey in any area of the Site where intrusive activities are planned,
4. Procedures for excavation and removal of any buried drums or containers and associated soils in areas where anomalies are identified during the electromagnetic survey or by a review of historical documents,
5. Collection of drum/container content samples, soil samples, and groundwater samples to the extent necessary to define the effect of the discovered drums and containers on the environment,
6. Proper off-site disposal of any discovered drums and containers as hazardous or solid waste by licensed transporters and at licensed disposal facilities, and
7. Preparation of a written report including a photo log summarizing the activities performed under the SDMP.

Notification

Notification is to be provided to USEPA and any potentially affected parties at least fourteen (14) days prior to the start of work by owner/developer. The contact information for USEPA is provided below.

Patricia Simmons Pierre
Remedial Project Manager
USEPA
290 Broadway, 20th Floor
New York, New York 10007-1866
e-mail: pierre.patricia@epa.gov

The USEPA will direct other notifications, where necessary, so that all knowledgeable parties may assure compliance with the site institutional controls. The Site Owner or USEPA, or its designee, will provide to the party doing any intrusive work a written document listing the site institutional controls in place. The site owner shall give this SDMP to any future owners to whom any portion of the site is sold.

The notification for intrusive activity work will include:

- A detailed description of the work to be performed, including the planned electromagnetic survey work; location and aerial extent of excavation, plans/drawings for site re-grading, intrusive elements or utilities to be installed below grade, estimated volumes of soil to be excavated and any work that may impact an engineering control;
- a figure indicating the location of the proposed excavation and construction, of sufficient detail so that the area of disturbance can be found relative to prior subsurface discoveries at the site;
- A summary of environmental conditions anticipated to be encountered in the work areas, including the nature and concentration levels of contaminants of concern, potential presence of grossly contaminated media, and plans for any pre-construction sampling;
- A schedule for the work, detailing the start and completion of all intrusive work;
- A summary of the applicable components of this SDMP;
- A statement that the work will be performed in compliance with this SDMP and 29 CFR 1910.120;
- A copy of the contractor's health and safety plan (HASP), in electronic format, if it differs from the site owners HASP referenced in this SDMP;
- Identification of disposal facilities for potential waste streams; and
- Identification of sources of any anticipated backfill, along with all required chemical testing results.

The owner/developer will assure receipt (written record) of this complete SDMP by USEPA and obtain written or email confirmation of approval of this SDMP from USEPA prior to the start of intrusive work. Any party conducting intrusive work shall review this SDMP and Appendix A hereto.

Modification of Site Health and Safety Plan

The owner/developer's contractor will modify the current HASP to include the protocol to be followed if suspected explosive materials are encountered or provide an original HASP which incorporates all health and safety activities related to its scope of work. All owner/developer personnel and contractors will be OSHA HAZWOPER trained and will follow the HASP during all field activities.

Unless otherwise approved in advance by USEPA, the SDMP process includes the following:

Electromagnetic Survey

Prior to any subsurface intrusive activities, an electromagnetic survey will be conducted of the Site area to be disturbed. The owner/developer will identify the electromagnetic survey provider and include the provider qualifications as an attachment to this SDMP. Methods of electromagnetic detection may include use of a metal detector, magnetometer or ground penetrating radar capable of detecting buried ferrous objects. The survey will include detection sweeps on a minimum 10-foot grid pattern in the north-south and east-west directions. The electromagnetic survey provider report will identify any anomalies and any debris footprints found. A New York State licensed land surveyor will collect horizontal data (using NAD 83) and vertical data (using NAVD 88

databases) to develop an accurate site map of the proposed disturbed area mapping the results of the initial and any supplemental electromagnetic surveys.

Upon receiving the survey data, either an AutoCAD or GIS drawing will be prepared/updated, which will include the electromagnetic survey findings and the extent of the proposed excavation area. Following the USEPA's review and approval of the electromagnetic survey findings, in conjunction with USEPA approval of the proposed disturbance/excavation area scope of work, excavation activities may proceed.

Excavation and Removal of Buried Drums and Containers

Based upon the findings of the electromagnetic survey, any suspect drum/container anomalies identified will be excavated by the owner/developer and placed in a staging area for visual inspection, photographic documentation, and sampling of the contents, if applicable. The staging area location will be identified on the SDMP figure and approved by the USEPA. Preparation of the staging area and containment methods will be described in the SDMP attachments.

Soil Screening

During excavations, visual, olfactory and instrument-based (e.g. photoionization detector) soil screening will be performed by a qualified environmental professional during all excavations into known or potentially contaminated material. Soil screening will be performed when invasive work is done and will include all excavation and invasive work performed during development, such as excavations for foundations and utility work. Soils will be segregated based on previous environmental data and screening results into material that requires off-site disposal and material that requires testing to determine if the material can be reused on-site.

Soil Staging

In the instance that contaminated soils are encountered, they will be separated and stockpiled for waste classification and proper disposal by the owner/developer. Soil stockpiles will be continuously encircled with a berm and/or silt fence. Hay bales will be used as needed near catch basins, surface waters and other discharge points. Stockpiles will be kept covered at all times with appropriately anchored tarps. Stockpiles will be routinely inspected, and damaged tarp covers will be promptly replaced. Stockpiles will be inspected at a minimum once each week and after every storm event. Results of inspections will be recorded in a logbook and maintained at the site and available for inspection by the USEPA.

Stormwater Pollution Prevention

Barriers and hay bale checks will be installed and inspected once a week and after every storm event. Results of inspections will be recorded in a logbook and maintained at the site and available for inspection by the USEPA. All necessary repairs shall be made immediately. Accumulated sediments will be removed as required to keep the barrier and hay bale check functional. All undercutting or erosion of the silt fence toe anchor shall be repaired immediately with appropriate backfill materials. Manufacturer's recommendations will be followed for replacing silt fencing damaged due to weathering.

Erosion and sediment control measures shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving

waters. Silt fencing or hay bales will be installed around the entire perimeter of the construction area.

Excavation Contingency Plan

If underground tanks or other previously unidentified contaminant sources are found during subsurface excavations or development related construction, excavation activities will be suspended until enough equipment is mobilized to address the condition.

Sampling will be performed on product, sediment and surrounding soils, etc. as necessary to determine the nature of the material and proper disposal method. Chemical analysis will be performed for a full list of analytes (TAL metals; TCL volatiles and semi-volatiles, TCL pesticides and PCBs), unless the site history and previous sampling results provide enough justification to limit the list of analytes. In this case, a reduced list of analytes will be proposed to USEPA for approval prior to sampling.

Identification of unknown or unexpected contaminated media identified by screening during invasive site work will be promptly communicated by phone to the USEPA Remedial Project Manager. Reportable quantities of petroleum product will also be reported to the USEPA spills hotline.

Community Air Monitoring Plan

A figure shall be prepared by the owner/developer showing the location of air sampling stations based on generally prevailing wind conditions. These locations will be adjusted on a daily or more frequent basis based on actual wind directions to provide an upwind and at least two downwind monitoring stations. Exceedances of action levels will be reported to USEPA on the day of exceedance. All data is to be reported in the final report for the excavation activity.

Odor Control Plan

This odor control plan is capable of controlling emissions of nuisance odors off-site. If nuisance odors are identified at the site boundary, or if odor complaints are received, work will be halted, and the source of odors will be identified and corrected. Work will not resume until all nuisance odors have been abated. USEPA will be notified of all odor events within one day of the odor event and notified of any other complaints about the project.

All necessary means will be employed to prevent on- and off-site nuisances. At a minimum, these measures will include: (a) limiting the area of open excavations and size of soil stockpiles; (b) shrouding open excavations with tarps and other covers; and (c) using foams to cover exposed odorous soils. If odors develop and cannot be otherwise controlled, additional means to eliminate odor nuisances will include: (d) direct load-out of soils to trucks for off-site disposal; (e) use of chemical odorants in spray or misting systems; and, (f) use of staff to monitor odors in surrounding neighborhoods.

If nuisance odors develop during intrusive work that cannot be corrected, or where the control of nuisance odors cannot otherwise be achieved due to on-site conditions or proximity to sensitive receptors, odor control will be achieved by sheltering the excavation and handling areas in a temporary containment structure equipped with appropriate air venting/filtering systems.

Dust Suppression Plan

A fugitive dust and particulate monitoring plan that addresses dust management during invasive on-site work will include, at a minimum, the items listed below:

- Dust suppression will be achieved using a dedicated on-site water truck for road wetting. The truck will be equipped with a water cannon capable of spraying water directly onto off-road areas including excavations and stockpiles.
- Clearing and grubbing of larger sites will be done in stages to limit the area of exposed, unvegetated soils vulnerable to dust production.
- Gravel will be used on roadways to provide a clean and dust-free road surface.
- On-site roads will be limited in total area to minimize the area required for water truck sprinkling.

Other Nuisances

Any contractor performing work under the SDMP shall ensure compliance with local noise and lighting control ordinances.

Collection of Drum/Container Content Samples, Soils Samples, and Groundwater Samples

Samples collected from the drums/containers will be sent to an USEPA approved laboratory for full TAL/TCL and PCB analysis. The number of samples submitted for laboratory analyses will be determined by the different waste types, waste volumes, and requirements of the disposal facilities. All completed waste profiles and disposal facility approvals will be provided to USEPA and others as designated by USEPA prior to off-site disposal.

Soil borings will be completed at the base of the excavation following removal of the drums/containers. The number and locations of soil borings will be determined, in consultation with USEPA, following the completion of drum/container removal. A Geoprobe® rig or other applicable soil sampling equipment will be utilized to advance dual tube samplers downward, thus reducing potential of collapsing sands, which are the dominant soil type in this area. The proposed boring locations will be reviewed and approved by USEPA prior to the commencement of drilling activities. Soil samples will be collected in continuous 4-foot intervals from the base of excavation until the water table is encountered (i.e., 0-4 feet, 4-8 feet, 8-12 feet below ground surface or bgs, etc.).

Samples will be extruded into a clear plastic sleeve to minimize the loss of VOCs, screened with a PID for VOCs, inspected for visual evidence of soil staining, and characterized and logged by a qualified environmental professional. A sample from each interval will be sent to the environmental laboratory for analysis. In the event soil staining or elevated PID readings are detected in soil samples, a water sample will be collected at that boring location. Samples will be sent to an approved laboratory for full TAL/TCL and PCB analysis. Additionally, quality control samples will be collected for each media sampled (1 duplicate, 1 MS/MSD, and 1 equipment rinse blank). All data will be reviewed by an independent validator, unless directed otherwise by USEPA.

An exclusion zone with decontamination pad will be erected before the proposed soil boring investigation commences. All required safety procedures will be provided in the HASP before the investigation commences. All equipment that comes into contact with the subsurface will be

properly decontaminated and all soil cuttings, purge water and decontamination water will be containerized until lab results are obtained and the contents identified. Open boreholes will be filled with bentonite upon completion.

Off-Site Disposal

Drums/containers found to contain hazardous waste will be disposed of by the entity performing or directing the work at an USEPA licensed facility. All equipment that comes into contact with the potentially contaminated materials will be properly decontaminated and all decontamination water will be containerized until lab results are obtained and the water quality characterized. Materials that are determined not to contain hazardous waste will be properly disposed as solid waste. In the event that soil is found to be impacted by hazardous substances above site cleanup objectives applicable to the contemplated commercial/industrial use of the property, such soil will be removed and disposed of at a licensed facility. The excavated areas will be backfilled with surrounding native material or clean fill, as needed. If contamination is found in the groundwater above site cleanup objectives that is not consistent with the constituents and concentrations of contaminants already present at the Site, then the results will be discussed with USEPA and other affected parties.

Materials Excavation and Loadout

A qualified environmental professional or person under their supervision will oversee all invasive work and the excavation and load-out of all excavated material. The presence of utilities and easements on the site will be investigated by the qualified environmental professional. It will be determined whether a risk or impediment to the planned work under this SDMP is posed by utilities or easements on the site.

Loaded vehicles leaving the site will be appropriately lined, tarped, securely covered, manifested, and placarded in accordance with appropriate Federal, State, local, and NYSDOT requirements (and all other applicable transportation requirements). A truck wash will be operated on-site, as appropriate. The qualified environmental professional will be responsible for ensuring that all outbound trucks will be washed at the truck wash before leaving the site. Truck wash waters will be collected and disposed of off-site in an appropriate manner. Locations where vehicles enter or exit the site shall be inspected daily for evidence of off-site soil tracking.

The qualified environmental professional will be responsible for ensuring that all egress points for truck and equipment transport from the site are clean of dirt and other materials derived from the site during intrusive excavation activities. Cleaning of the adjacent streets will be performed as needed to maintain a clean condition with respect to site-derived materials.

Materials Transport Off-Site

All transport of materials will be performed by licensed haulers in accordance with appropriate local, State, and Federal regulations. Upon confirmation that off-site disposal is required, truck transport routes will be furnished to USEPA for approval. All trucks loaded with site materials will exit the vicinity of the site using only USEPA-approved truck routes. The most appropriate route will consider: (a) limiting transport through residential areas and past sensitive sites; (b) use of city mapped truck routes; (c) prohibiting off-site queuing of trucks entering the facility; (d) limiting total distance to major highways; (e) promoting safety in access to highways; and (f) overall safety in transport. Trucks will be prohibited from stopping and idling in the neighborhood

outside the project site. Egress points for truck and equipment transport from the site will be kept clean of dirt and other materials during site remediation and development. Queuing of trucks will be performed on-site in order to minimize off-site disturbance. Off-site queuing will be prohibited.

Fluids Management

All liquids to be removed from the site, including but not limited to, excavation dewatering, decontamination waters and groundwater monitoring well purge and development waters, will be handled, transported and disposed in accordance with applicable local, State, and Federal regulations. Dewatering, purge and development fluids will not be recharged back to the land surface or subsurface of the site, and will be managed off-site, unless prior approval is obtained from USEPA. Discharge of water generated during large-scale construction activities to surface waters (i.e. a local pond, stream or river) will be performed under a SPDES permit.

Materials Reuse On-Site

A qualified environmental professional will ensure that procedures defined for materials reuse in this SDMP are followed and that unacceptable material does not remain on-site. Contaminated on-site material, that is acceptable for reuse on-site, will be placed below an impervious surface, and will not be reused within a cover soil layer, within landscaping berms, or as backfill for subsurface utility lines.

Any demolition material proposed for reuse on-site will be sampled for asbestos and the results will be reported to the USEPA for acceptance. Concrete crushing or processing on-site will not be performed without prior USEPA approval. Organic matter (wood, roots, stumps, etc.) or other solid waste derived from clearing and grubbing of the site will not be reused on-site.

Backfill from Off-Site Sources

All materials proposed for import onto the site will be approved by the qualified environmental professional. Material from industrial sites, spill sites, or other environmental remediation sites or potentially contaminated sites will not be imported to the site.

Solid waste will not be imported onto the site. Trucks entering the site with imported soils will be securely covered with tight fitting covers. Imported soils will be stockpiled separately from excavated materials and covered to prevent dust releases.

Summary Report Preparation

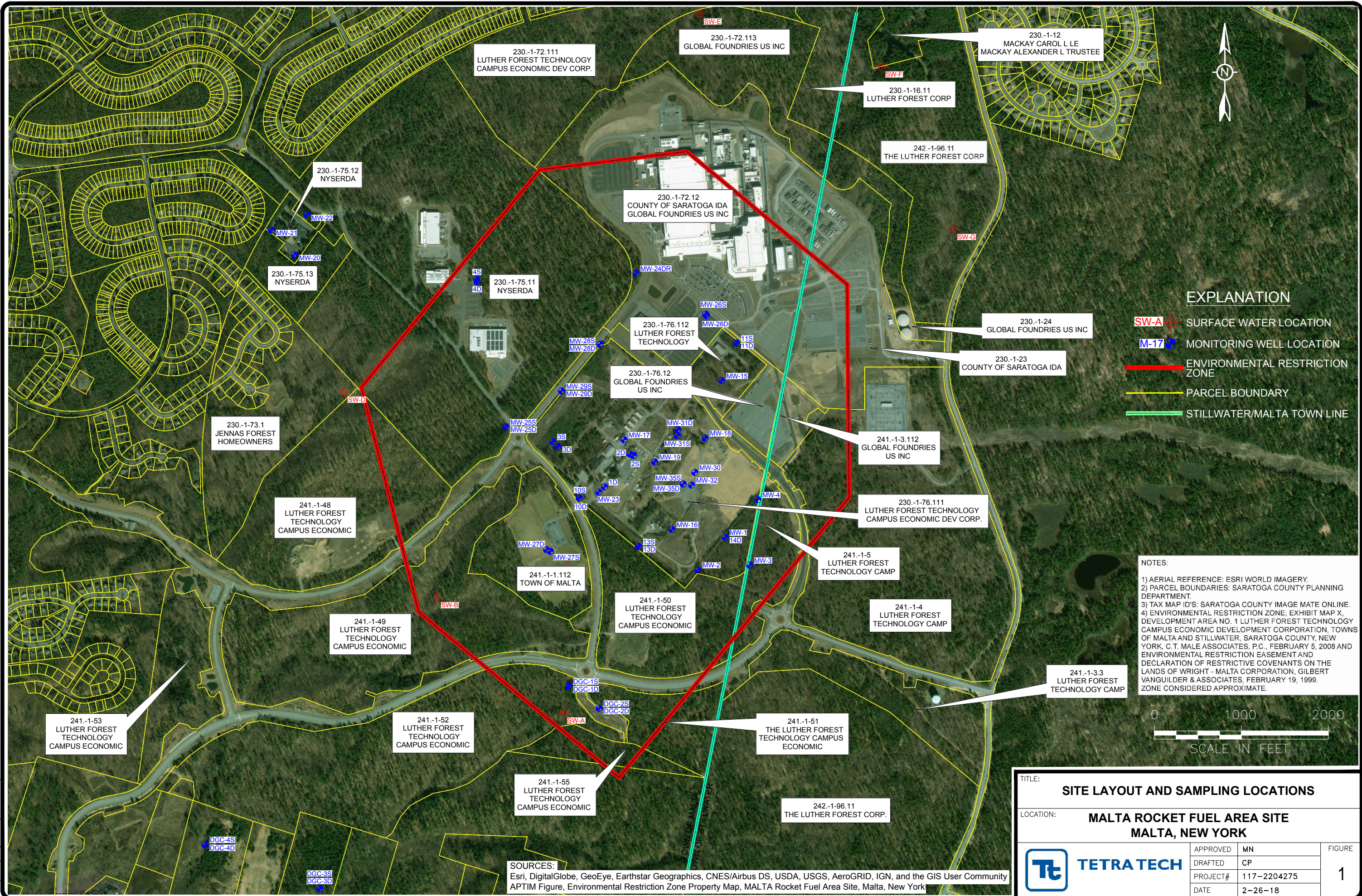
A report will be prepared to summarize the methodology and completed work. The report will include:

- Summary of completed work,
- Field notes, logs, forms, photographs and relevant data generated during the excavation/disturbance and sampling activities
- Summary tables for all analyses (field and analytical)
- A Site map showing the excavation, the soil borings measured and recorded from relevant Site features shown on the survey
- Copies of laboratory analytical forms
- Digitized laboratory analytical data for direct input into site GIS database (i.e., Excel®), if required, and

- Copies of all disposal documentation

The report will be submitted at the conclusion of the work to USEPA contacts provided above with a copy of the report provided to the Remedial Party.

S:\CAD\GEOMALTA\2-23-18\SITE LAYOUT AND SAMPLING LOCATIONS.DWG



TITLE: SITE LAYOUT AND SAMPLING LOCATIONS			
LOCATION: MALTA ROCKET FUEL AREA SITE MALTA, NEW YORK			
	APPROVED	MN	FIGURE 1
	DRAFTED	CP	
	PROJECT#	117-2204275	
	DATE	2-26-18	

APPENDIX A

Division of Responsibilities

RESPONSIBILITIES of SITE OWNER and REMEDIAL PARTY

The responsibilities for implementing the Subsurface Drum Management Plan (“SDMP”) for the Malta Rocket Fuel Area Site (the “Site”), are divided between the site owner(s) and a Remedial Party, as defined below. The term site owner shall be deemed to include any developer, prospective purchaser or tenant conducting intrusive work at the Site. The site owner currently is:

Luther Forrest Technology Campus Economic Development Center (LFTCEDC)
519 Broadway
Saratoga Springs NY 12866

Solely for the purposes of this document and based upon the facts related to this particular site and the remedial program being carried out, the term Remedial Party (“RP”) refers to any of the following: certificate of completion holder, volunteer, applicant, responsible party, and, in the event the U.S Environmental Protection Agency (“USEPA”) is carrying out remediation or site management, the USEPA and/or an agent acting on its behalf. The RP under the Consent Decree is:

General Electric Company
1 River Road
Schenectady, NY 12345

Nothing on this page shall supersede the provisions of an Environmental Easement, Consent Order, Consent Decree, agreement, or other legally binding document that affects rights and obligations relating to the site.

Site Owner’s Responsibilities

- 1) The owner shall implement and follow the provisions of the SDMP as they relate to future construction and excavation at the site and any other intrusive activities associated with the redevelopment of the Site.
- 2) In accordance with a periodic time frame determined by the USEPA, the owner shall periodically certify, in writing, that all Institutional Controls described herein remain in place and continue to be complied with. The owner shall provide a written certification to the RP, upon the RP’s request, in order to allow the RP to include the certification in any reports that the RP must submit to USEPA under the Consent Decree.
- 3) In the event the site is removed from the NPL, the owner remains bound by the Environmental Easement, and shall submit, upon request by the USEPA, a written certification that the Environmental Easement is still in place and has been complied with.
- 4) The owner shall grant access to the site to the RP and the USEPA and its agents for the purposes of performing activities required under the SDMP and assuring compliance with the SDMP.

5) The owner is responsible for assuring the security of the remedial components located on its property to the best of its ability. In the event that damage to the remedial components or vandalism is evident, the owner shall notify the site's RP and the USEPA.

6) In the event some action or inaction by the owner adversely impacts the site, the owner must (i) notify the site's RP and the USEPA and (ii) coordinate the performance of necessary corrective actions with the RP.

7) The owner must notify the RP and the USEPA of any change in ownership of the site property (identifying the tax map numbers in any correspondence) and provide contact information for the new owner of the site property/ies. Such notification shall be provided sixty days prior to transfer of title. The owner shall provide a copy of the SDMP to the new owner.

8) If the site remedy requires the installation, operation, and/or maintenance of an on-site vapor intrusion mitigation system, the owner or the tenant, upon agreement with the owner, shall operate the system, pay for the utilities for the system's operation, and report any maintenance issues to the RP and the USEPA, until such time as the USEPA deems the vapor mitigation system unnecessary.

9) If the site remedy requires the installation, operation, and/or maintenance of a drinking water treatment system, the owner shall operate the drinking water treatment system, pay for the utilities and report any maintenance issues to the RP and the USEPA, until such time as the USEPA deems the drinking water treatment system unnecessary.

Remedial Party Responsibilities

1) The RP must follow the SDMP provisions regarding any construction and/or excavation it undertakes at the site.

2) The RP shall continue to report to the USEPA all activities required for remediation, operation, maintenance and monitoring under the Consent Decree. Nothing herein shall be deemed to alter reporting required under the Consent Decree.

3) Before accessing the site property to undertake a specific activity, the RP shall provide the owner advance notification that shall include an explanation of the work expected to be completed. The RP shall provide to (i) the owner, upon the owner's request, (ii) the USEPA, and (iii) other entities, if required by the SDMP, a copy of any data generated during the site visit and/or any final report produced.

4) If the USEPA determines that an update of the SDMP is necessary, the RP shall update the SDMP and obtain final approval from the USEPA. Within 5 business days after USEPA approval, the RP shall submit a copy of the approved SMP to the owner(s).

5) The RP shall notify the USEPA and the owner of any changes in RP ownership and/or control and of any changes in the operation, maintenance, and monitoring of and reporting with respect to any remedial system (Engineering Controls) mandated under the Consent Decree.

6) The RP shall notify the USEPA of any damage to or modification of remedial systems as required of the SDMP.

7) Where there is any change in use, change in ownership or change in the remediation program for the Site, the RP shall notify the site owner and USEPA.

Appendix B

SITE OWNERS HEALTH & SAFETY PLAN (to be developed by Site Owner)