Former J& L Steel Site

ST. LAWRENCE COUNTY

CLIFTON, NEW YORK

SITE MANAGEMENT PLAN

NYSDEC Site Number: 645029

USEPA ID # [Z2BF-FPN: E14202]

Prepared for:

St. Lawrence County

48 Court Street

Canton, New York 13617-1169

(315) 379-2276

Prepared by:

NYSDEC – Region 6

207 Genesee Street, Utica, NY 13502

(315) 793-2554

Revisions to Final Approved Site Management Plan:

Revision No.	Date Submitted	Summary of Revision	NYSDEC Approval Date

DECEMBER 2025

CERTIFICATION STATEMENT

I Kelly Hale certify that I am currently a NYS registered professional engineer or Qualified Environmental Professional as in defined in 6 NYCRR Part 375 and that this Site Management Plan was prepared in accordance with all applicable statutes and regulations and in substantial conformance with the DER Technical Guidance for Site Investigation and Remediation (DER-10) and Green Remediation (DER-31).

Kelly Hale
_____ [QEP]

12/2/25 DATE

Table of Contents

TABLE OF CONTENTS (Continued)

List of Tables

List of Figures (after Resources)

List of Appendices

List of Acronyms

AS	Air Sparging
ASP	Analytical Services Protocol
BCA	Brownfield Cleanup Agreement
BCP	Brownfield Cleanup Program
BMP	Best Management Practice
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CAMP	Community Air Monitoring Plan
C/D	Construction and Demolition
CFR	Code of Federal Regulation
CLP	Contract Laboratory Program
COC	Certificate of Completion
CO2	Carbon Dioxide
CP	Commissioner Policy
DER	Division of Environmental Remediation
DUSR	Data Usability Summary Report
EC	Engineering Control
ECL	Environmental Conservation Law
ELAP	Environmental Laboratory Approval Program
ERP	Environmental Restoration Program
EWP	Excavation Work Plan
GHG	Greenhouse Gas
GWE&T	Groundwater Extraction and Treatment
HASP	Health and Safety Plan
IC	Institutional Control
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
NYCRR	New York Codes, Rules and Regulations
O&M	Operation and Maintenance
OM&M	Operation, Maintenance and Monitoring
OSHA	Occupational Safety and Health Administration
OU	Operable Unit
P.E. or PE	Professional Engineer
PFAS	Per- and Polyfluoroalkyl Substances
PID	Photoionization Detector
PRP	Potentially Responsible Party
PRR	Periodic Review Report
QA/QC	Quality Assurance/Quality Control
QAPP	Quality Assurance Project Plan
QEP	Qualified Environmental Professional
RAO	Remedial Action Objective
RAWP	Remedial Action Work Plan
RCRA	Resource Conservation and Recovery Act
RI/FS	Remedial Investigation/Feasibility Study
ROD	Record of Decision

RP	Remedial Party
RSO	Remedial System Optimization
SAC	State Assistance Contract
SCG	Standards, Criteria and Guidelines
SCO	Soil Cleanup Objective
SMP	Site Management Plan
SOP	Standard Operating Procedures
SOW	Statement of Work
SPDES	State Pollutant Discharge Elimination System
SSD	Sub-slab Depressurization
SVE	Soil Vapor Extraction
SVI	Soil Vapor Intrusion
TAL	Target Analyte List
TCL	Target Compound List
TCLP	Toxicity Characteristic Leachate Procedure
USEPA	United States Environmental Protection Agency
UST	Underground Storage Tank
VCA	Voluntary Cleanup Agreement
VCP	Voluntary Cleanup Program

ES EXECUTIVE SUMMARY

The following provides a brief summary of the controls implemented for the Site, as well as the inspections, monitoring, maintenance and reporting activities required by this Site Management Plan:

Site Identification: 645029 - J&L Steel Site, Clifton, NY

Institutional Controls:	1. The property may be used for commercial and industrial use.
	2. All Engineering Controls must be operated and maintained as specified in this SMP.
	3. All future activities on the property that will disturb any soils or residual contamination must be conducted in accordance with this SMP.
	4. The use of the groundwater underlying the property is prohibited and will require re-evaluation prior to any potential future use.
	5. Access to the property shall be permitted in order to evaluate the continued maintenance of any and all controls.
	6. All ECs must be inspected at a frequency and in a manner defined in the SMP.
Engineering Controls:	1. Cover system
	2. Vapor Barrier
	3. Slab-On-Grade Construction
	4. Sub-Slab Depressurization System (SSDS)

Inspections:	Frequency
1. Cover inspection	Annually
Monitoring:	
1. Soil Vapor Intrusion Evaluation for New Buildings	As needed
Maintenance:	
1. Cover System	As needed
Reporting:	
1. Cover System repair	Annually
2. Periodic Review Report	Annually

1.0 INTRODUCTION

1.1 General

This Site Management Plan (SMP) is a required element of the remedial program for the former J&L Steel Site located in the Town of Clifton, New York (hereinafter referred to as the "Site"), designated as Parcel D in accordance with the site surveys. See Figure 1. The Site is currently in the New York State (NYS) Inactive Hazardous Waste Disposal Site Remedial Program, Site No. 645029, which is administered by New York State Department of Environmental Conservation (NYSDEC or Department). This Site is also part of the Spills program under code 8706728 for the petroleum related contamination. This SMP will primarily discuss the responsibilities of the Site regarding code 645029 and the remedial work completed. The remaining impacts from the spill will be discussed wholistically as it impacts the future use of the Site but the monitoring and maintenance for the spill related activities are not included in this SMP.

St. Lawrence County entered into an Order on Consent, on August 7, 2013, with the NYSDEC to remediate the site. A figure showing the site location and boundaries of this site is provided in Figures 1 and 2. The boundaries of the site are more fully described in the metes and bounds site description that is part of the Environmental Easement provided in Appendix D.

After completion of the remedial work, some contamination was left at this site, which is hereafter referred to as "remaining contamination". Institutional and Engineering Controls (ICs and ECs) have been incorporated into the site remedy to control exposure to remaining contamination to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the St. Lawrence County Clerk, requires compliance with this SMP and all ECs and ICs placed on the site.

This SMP was prepared to manage remaining contamination at the site until the Environmental Easement is extinguished in accordance with ECL Article 71, Title 36. This

plan has been approved by the NYSDEC, and compliance with this plan is required by the grantor of the Environmental Easement and the grantor's successors and assigns. This SMP may only be revised with the approval of the NYSDEC.

It is important to note that:

- This SMP details the site-specific implementation procedures that are required by the Environmental Easement. Failure to properly implement the SMP is a violation of the Environmental Easement; and
- Failure to comply with this SMP is also a violation of Environmental Conservation Law, 6 NYCRR Part 375 and the Order on Consent (Index #W6-1172-05-13; Site #645029) for the site, and thereby subject to applicable penalties.

All reports associated with the site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State. A list of contacts for persons involved with the site is provided in Appendix A of this SMP.

This SMP was prepared by the Department, on behalf of St. Lawrence County, in accordance with the requirements of the NYSDEC's DER-10 ("Technical Guidance for Site Investigation and Remediation"), dated September 2025, and the guidelines provided by the NYSDEC. This SMP addresses the means for implementing the ICs and/or ECs that are required by the Environmental Easement for the site.

1.2 Revisions and Alterations

Revisions and alterations to this plan will be proposed in writing to the NYSDEC's project manager. The NYSDEC can also make changes to the SMP or request revisions from the remedial party. Revisions will be necessary upon, but not limited to, the following occurring: a change in media monitoring requirements, upgrades to or shutdown of a

remedial system, post-remedial removal of contaminated sediment or soil, or other significant change to the site conditions. All approved alterations must conform with Article 145 Section 7209 of the Education Law regarding the application of professional seals and alterations. For example, any changes to as-built drawings must be stamped by a New York State Professional Engineer. In accordance with the Environmental Easement for the site, the NYSDEC project manager will provide a notice of any approved changes to the SMP, and append these notices to the SMP that is retained in its files.

1.3 Notifications

Notifications will be submitted by the property owner to the NYSDEC, as needed, in accordance with NYSDEC's DER – 10 for the following reasons:

1. 60-day advance notice of any proposed changes in site use that are required under the terms of the Order on Consent, 6 NYCRR Part 375 and/or Environmental Conservation Law.

2. 7-day advance notice of any field activity associated with the remedial program.

3. 15-day advance notice of any proposed ground-intrusive activity pursuant to the Excavation Work Plan. If the ground-intrusive activity qualifies as a change of use as defined in 6 NYCRR Part 375, the above mentioned 60-day advance notice is also required.

4. Notice within 48 hours of any damage or defect to the foundation, structures or EC that reduces or has the potential to reduce the effectiveness of an EC, and likewise, any action to be taken to mitigate the damage or defect.

5. Notice within 48 hours of any non-routine maintenance activities.

6. Verbal notice by noon of the following day of any emergency, such as a fire; flood; or earthquake that reduces or has the potential to reduce the effectiveness of ECs in place at the site, with written confirmation within 7 days that includes

a summary of actions taken, or to be taken, and the potential impact to the environment and the public.

7. Follow-up status reports on actions taken to respond to any emergency event requiring ongoing responsive action submitted to the NYSDEC within 45 days describing and documenting actions taken to restore the effectiveness of the ECs.

Any change in the ownership of the site or the responsibility for implementing this SMP will include the following notifications:

8. At least 60 days prior to the change, the NYSDEC will be notified in writing of the proposed change. This will include a certification that the prospective purchaser/Remedial Party has been provided with a copy of the Order on Consent, and all approved work plans and reports, including this SMP.

9. Within 15 days after the transfer of all or part of the site, the new owner's name, contact representative, and contact information will be confirmed in writing to the NYSDEC.

Table 1 on the following page includes contact information for the above notifications. The information on this table will be updated as necessary to provide accurate contact information. A full listing of site-related contact information is provided in Appendix A.

Table 1: Notifications*

Name	**Contact Information**	**Required Notification****
Kelly Hale, NYSDEC Project Manager	315-235-0332, Kelly.hale@dec.ny.gov	All Notifications
Jacqueline Smith-Gagnon, NYSDEC Regional Hazardous Waste Engineer	315-785-2403, Jacqueline.smith-gagnon@dec.ny.gov	All Notifications
David Storandt, NYSDEC Regional Spills Engineer	315-785-2513, david.storandt@dec.ny.gov	All Notifications
Kelly Lewandowski, NYSDEC Site Control	518-402-9569 kelly.lewandowski@dec.ny.gov	Notifications 1 and 8

* Note: Notifications are subject to change and will be updated as necessary.

** Note: Numbers in this column reference the numbered bullets in the notification list in this section.

2.0 SUMMARY OF PREVIOUS INVESTIGATIONS AND REMEDIAL ACTIONS

2.1 Site Location and Description

The Site is located in Clifton, St. Lawrence County, New York and is identified as Section 214 Block 4 and Lot 22-1 on the St. Lawrence County Tax Map (see Figure 2). Located approximately two miles east of the Village of Star Lake in the Little River headwaters. The Little River drains into the Oswegatchie River about four miles downgradient of the Site. The Oswegatchie River drains the sub-watershed and discharges into the St. Lawrence River at Ogdensburg, NY. The site is an approximately 40.42-acre area and is bounded by NYS Route 3, to the south, a historic mine which is flooded to the north, route 60 to the east, and a stone mine to the west (see Figures 1 and 2). The boundaries of the site are more fully described in Appendix D –Environmental Easement. The owner of the site parcel(s) at the time of issuance of this SMP is St. Lawrence County.

This SMP pertains to parcel D and the remediation completed as part of site code 645029. Additional remediation has been completed under site code E645029 on parcels A, B, and C (see Figure 2). This work was completed under the Environmental Restoration Program (ERP) and the necessary documents associated can be found at: https://extapps.dec.ny.gov/data/DecDocs/E645029/

2.2 Physical Setting

2.2.1 Land Use

The Site consists of the following: several large manufacturing buildings, some building foundations, remedial garage and equipment, the Little River and a railroad bisects the property. Former buildings and former parking areas have been regraded for future development. The Site is zoned commercial and industrial and is currently vacant. Site occupants include NYSDEC Spill Response for petroleum LNAPL recovery operations.

The properties adjoining the Site are primarily commercial and industrial vacant properties.

2.2.2 Geology

2.2.2.1 Surficial Geology

In general the following geologic units are found across the Site.

- Fill Material
- Marsh Mat
- Glacial River Deposits

The fill materials on the Site are all placed by human activity and can be made up of the following types of materials:

- Tan tailings (cover material): brown, tan and orange clayey silt to fine sand, with some rounded rock fragments. The tailings are generally loose and dry. Less than 2 feet thick.
- Building Debris: crushed concrete and brick in varying sizes, with rebar and steel structural components, nails, bolts, etc. This material is compacted and below grade and filled in with clean sand and soil. Anywhere from 5 to 15 feet thick in the location of former Site buildings.
- Black Tailings: black, medium to coarse grain tailings, with some rounded pebbles. Tailings have weakly to well-developed horizontal bedding lines, relatively dense, and moist to damp. Less than 10 feet thick.
- Boulders: mine waste (boulders) and with other fill (i.e., clay, silt sand and cobbles). The boulders ranges from 2 to 13 feet thick.
- Mixed River Deposits and Green Tailings: dark gray to gray, clayey silt to fine sand, with pebbles and cobbles. The mixed material is poorly sorted, dense, soft wet or moist mud.

The marsh mat on the Site is the remnants of an old marshland and is made up of the following materials:

- Marsh Mat: dense mat of decomposing roots, grasses, reeds, branches and twigs. Under the marsh mat is a black to dark gray, organic-rich clay. The marsh mat acts

as a confining unit where it is found. The marsh mat is not consistent site-wide and has localized holes/penetrations where it is found. The moisture content of the marsh mat ranges from dry to saturated. The marsh mat is less than 4 feet thick were found.

The glacial rivers deposits on the Site are all placed by nature and can be made up of the following types of materials:

- Overbank Deposits: black to light gray, clayey silt to fine sand with organic matter (i.e. wood fragments, roots, grass, reeds, etc.). The overbank deposits can be up to 5 feet thick when found.
- Glacial River Sand and Gravel: the glacial river sand and gravel deposits is made of the three distinct units below:
    - Upper Sand: spotted, light gray to dark gray and tan to white, silt to coarse sand
    - Channel Deposits: coarse gravels mixed with sand
    - Lower Sand: spotted, light gray to dark gray and tan to white, silt to coarse sand

2.2.2.2 Bedrock Geology

The following section provides a summary of the geologic conditions within the Site. Additional information can be found in the document repositories.

Bedrock geology of the Adirondack region of New York State where the Site is located is made up of metamorphic rocks which have made through high temperatures and pressures at depths of up to 30 kilometers (19 miles) in the earth's crust. This deformation occurred approximately 1.1 billion years ago when the earth's crust was compressed during a continent-to-continent collision.

The Benson Mines bedrock is located in an area that has been more intensely folded than the rest of the central Adirondacks. The gneiss folds offered an easy pathway for dissolved magnetite grains and concentrated them into ore bodies.

The quartz magnetite gneiss of the Benson Mines is above ground in a band about 1,000 feet wide and nearly three miles long between Benson Mines and the village of Newton Falls. The ore body appears as rusty brown with coarse grains of magnetite.
Most of the Benson Mines property to the south of the ore body, in the vicinity of NY Route 3, bedrock is made up of hornblende syenite gneiss and hornblende granite gneiss. The hornblende syenite gneiss makes a long, linear body about 1,000 feet wide south of the ore body, moving southwest between the Little River and Star Lake. The dark mineral in the rock is hornblende, which gives this medium to coarse-grained rock a dark grey color.

2.2.2.3 Hydrogeology

The site is in the Oswegatchie sub-watershed within the St. Lawrence River Watershed. The Oswegatchie sub-watershed is further separated into ten third-order sub-watersheds that include the site's Little River drainage (NYSDEC, 2009).

The Little River is a tributary to the East Branch of the Oswegatchie River. The headwaters of the tributary are located approximately three miles upgradient of the site in an intermountain meadow. The Little River is characterized by shallow and fast-moving waters that are punctuated by broad open marshlands. The Little River discharges into the channel of the Oswegatchie River about four miles downgradient of the site. The drainage is filled with glacier river deposits, but in the site vicinity the glacial river sediments are covered by mine waste, tailings and/or assorted fill material associated with the Benson Mine and/or J&L ore processing facility (Leonard and Buddington, 1964). At the site, the Little River is restricted to a man-made channel but was an open marshland prior to development. The filling of the marshland began in the 1890s, with the construction of the Carthage-Adirondack Railroad on the J&L site. During the construction of the railyard, a bypass canal was engineered through the site and the Little River was permanently re-

routed to the present-day channel. Groundwater is typically encountered between five and ten feet below ground surface (bgs) in the south plain area of the site. Where the marsh mat geological unit is found, groundwater is divided into an upper and lower unit.

Currently groundwater flows predominantly north towards the Little River and may be influenced by the 200-foot recovery trench located along the embankment of the Little River directly north of the former Sintering Area. The second flow direction likely follows the former course of the Little River, which was filled during the 1940s. This flow trend begins in the vicinity of the former above ground storage tanks and spirals westerly until it connects with the present course of the Little River in the area just upstream of an existing multi-culvert bridge.

Surface water runoff at the site primarily drains north to the Little River. The steep slopes in the Sintering Area direct runoff from the Main Processing Area north towards the Little River. The area south of the Ore Crushing Area slopes toward the Little River. A groundwater contour map is shown in Figure 3.

2.3 Investigation and Remedial History

The following narrative provides a remedial history timeline and a brief summary of the available project records to document key investigative and remedial milestones for the Site. Full titles for each of the reports referenced below are provided in Section 8.0 – References.

Late 1980's Preliminary Site Assessment

The site was first investigated in response to an oil sheen which was reported on the Little River on November 7, 1987. Staff from the NYSDEC subsequently investigated areas along the Little River to locate the source of the sheen. Oil was observed to be seeping from the embankment of the Little River in the area of the Benson Mines facility. To limit the seepage of oil into the Little River, Fourth Coast Pollution Control installed a 200-foot-long oil recovery trench along the Little River in 1988. Oil and water from the trench were

pumped from a vertical well to an open pit located near the former AST area for Benson Mines. (CDM 2009) In the late 1980s, the NYSDEC completed a preliminary site investigation, which identified a significant concentration of mobile fuel oil near the former ASTs and sintering furnaces (Atlantic Testing Laboratories, 1989). The volume of fuel oil released from 1941 to 1978 has not been determined.

Site Characterization Investigation (2012)

A site characterization investigation was conducted during 2012 under the guidance of NYSDEC to further assess potential contamination at the site. Several tasks were conducted to complete this assessment including:

- On-site building evaluation;
- Asbestos investigation;
- Petroleum product survey and assessment;
- Evaluation of the petroleum product recovery system that operated between 1993 and 1999;
- Groundwater investigation;
- Surface soil sampling (including off-site transformer locations);
- Little River surface water and sediment investigation; and

Based on the 2012 site investigation results, supplemental investigation activities were conducted in 2013 to determine if there was ongoing discharge of petroleum into the Little River and if other site contaminants were comingled with the petroleum plume and impacting the Little River. Further site investigation activities were conducted at the site in September 2015 and included the following:

- Additional inspection of pipeline tunnels;
- Visual inspection of suspected asbestos disposal area;
- Building sub-slab soil sampling;
- Building drain sampling; and
- Surface soil sampling.

The results of the efforts of these investigation activities are presented in The Site Characterization Report for the Former J&L Steel Site (Parsons, 2016). The remaining discussion in this section will only pertain to the remedial investigations conducted under the State Super Fund site code 645029 and not the spill 8706728 which is still being managed separately by the Department.

Demolition of Site Structures (2017)

Demolition of the remaining site structures was initiated by the Development Authority of the North Country (DANC), St. Lawrence County, the St. Lawrence County IDA, and the Town of Clifton in the fall of 2017. Demolition activities completed to date include the removal of structures, slabs, and foundations of all major structures on the site. Within building footprints, foundation excavations were backfilled with crushed concrete or nearby fill. Figure 2 displays the locations of the demolition activities.

PCB Interim Remedial Measure (2018)

The site characterization investigation identified several PCB "hot spots" where PCB soil concentrations exceeded the Soil Cleanup Objectives (SCOs) for commercial land use of 1 mg/kg. The PCB hot spots were further delineated during an initial pre-design investigation (PDI) effort completed in September 2016 and a supplemental PDI conducted in May 2017. Based on the results of the PCB PDI, an Interim Remedial Measure (IRM) was implemented from October 2018 through December 2018 to remove PCB-impacted soil from six locations on the site. Figure 4 shows the approximate locations of the PCB removal. Detailed metes and bounds of the PCB removal can be found in the 2019 IRM report by Parsons.

2.4 Remedial Action Objectives

The Remedial Action Objectives (RAOs) for the Site were not defined in the Consent Order.

2.5 Remaining Contamination

The PCBs removed as part of the 645029 remediation have met the soil cleanup guidance of 1 ppm. The following sections will briefly discuss the future mitigation as a protective measure to human health and the environment, is required as part of the Engineering Controls for the Site.

The remaining contamination at the site is primarily related to spill 8706728. This spill is being managed by the DEC Spill Response division in Region 6. The Spills team, as well as their contractor requires access to the site to manage the ongoing systems in place (see section 5 for more details).

3.0 INSTITUTIONAL AND ENGINEERING CONTROL PLAN

3.1 General

Since remaining contamination exists at the site, Institutional Controls (ICs) and Engineering Controls (ECs) are required to protect human health and the environment. This IC/EC Plan describes the procedures for the implementation and management of all IC/ECs at the site. The IC/EC Plan is one component of the SMP and is subject to revision by the NYSDEC project manager.

This plan provides:

- A description of all IC/ECs on the site;
- The basic implementation and intended role of each IC/EC;
- A description of the key components of the ICs set forth in the Environmental Easement;
- A description of the controls to be evaluated during each required inspection and periodic review;
- A description of plans and procedures to be followed for implementation of IC/ECs, such as the implementation of the Excavation Work Plan (EWP) (as provided in Appendix B) for the proper handling of remaining contamination that may be disturbed during maintenance or redevelopment work on the site; and
- Any other provisions necessary to identify or establish methods for implementing the IC/ECs required by the site remedy, as determined by the NYSDEC project manager.

3.2 Institutional Controls

A series of ICs is required by the Environmental Easement to: (1) implement, maintain and monitor Engineering Control systems; (2) prevent future exposure to remaining contamination; and, (3) limit the use and development of the site to commercial and industrial uses only. Adherence to these ICs on the site is required by the Environmental Easement and will be implemented under this SMP. ICs identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement. The IC boundaries are the property boundaries and are shown on Figure 2. These ICs are:

- The property may be used for: commercial and industrial use;
- All ECs must be operated and maintained as specified in this SMP;
- All ECs must be inspected at a frequency and in a manner defined in the SMP;
- The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the St. Lawrence County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;
- Groundwater and other environmental or public health monitoring must be performed as defined in this SMP;
- Data and information pertinent to site management must be reported at the frequency and in a manner as defined in this SMP;
- All future activities that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in this SMP;

- Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in this SMP;

- Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement;

- The potential for vapor intrusion must be evaluated for any buildings developed in the area within the IC boundaries noted on Figure 5, and any potential impacts that are identified must be monitored or mitigated;

- Vegetable gardens and farming on the site are prohibited; and

- An evaluation shall be performed to determine the need for further investigation and remediation should large scale redevelopment occur, if any of the existing structures are demolished, or if the subsurface is otherwise made accessible.

- Unless prior written approval by the NYSDEC, or if the NYSDEC shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens (hereinafter referred to as "the Relevant Agency"), is first obtained, there shall be no construction, use, or occupancy of the property that results in the disturbance or excavation of soil within the property that threatens the integrity of the site cover system, or which results in unacceptable human exposure to contaminated soils or groundwater.

- In the event that a SSDS system is installed, it shall be operated and maintained, whether such system is passive or becomes active, in accordance with the Operation and Maintenance Plan.

- In accordance with a periodic time frame determined by the NYSDEC, inspections of all Institutional Controls and Engineering Controls will be performed to confirm that they remain in place and continue to be complied

with. Following such an inspection, certifications shall be made and a Periodic Review Report (PRR) will be provided to the NYSDEC.

The Institutional Controls may not be discontinued without an amendment to this SMP, or extinguishment of the Institutional Control, upon approval of the NYSDEC.

3.3 Engineering Controls

3.3.1 Existing Cover

Exposure to remaining contamination at the site is prevented by a cover system placed over the site. This cover system is comprised existing site soil and degraded concrete building slabs. The Excavation Work Plan (EWP) provided in Appendix B outlines the procedures required to be implemented in the event the cover system is breached, penetrated or temporarily removed. Procedures for the inspection of this cover are provided in the Monitoring and Sampling Plan included in Section 4.0 of this SMP. Any work conducted pursuant to the EWP must also be conducted in accordance with the procedures defined in a Health and Safety Plan (HASP) and associated Community Air Monitoring Plan (CAMP) prepared for the site and provided in Appendix E. Any breach of the site's cover system must be overseen by a Professional Engineer (PE) who is licensed and registered in New York State or a qualified person who directly reports to a PE who is licensed and registered in New York State. As part of the site cover, the perimeter fencing should be maintained and repaired as needed to prevent any exposure to human health.

3.3.2 Slab on Grade Construction

As a proactive measure in an effort to minimize the potential for vapor migration from the subsurface into the buildings, each building or building expansion will be built without a

basement within the limits of Figure 5. The slab-on-grade construction will reduce the potential for vapor migration into the first floor of the building.

3.3.3 Vapor Barrier

A vapor barrier will be placed below the slab of each newly constructed building or building expansion constructed on the parcel, as a proactive, precautionary measure within the limits of Figure 5. The soil vapor barrier shall be designed and installed to meet the NYSDEC and New York State Department of Health (NYSDOH) requirements for vapor intrusion mitigation and shall be approved and/or certified by a licensed professional engineer. The vapor barrier will include a polyethylene or similar membrane designed to retard vapors. The vapor barrier will mitigate the potential for VOCs from migrating into the building(s).

3.3.4 Sub-Slab Depressurization System

For newly constructed buildings, a passive sub-slab ventilation system will be installed below each of the building slabs and associated vapor barriers, as a proactive, precautionary measure, in an effort to provide a mitigative pathway to manage potential vapor that may accumulate beneath the vapor barriers within the limits of Figure 5. Structures that do not fall under this requirement include buildings not intended for long term occupancy (e.g. garages, storage units) and temporary buildings with ventilated or exposed foundations (e.g. work trailers). The system shall be designed and installed to meet the NYSDEC and NYSDOH requirements for vapor intrusion mitigation and shall be approved and/or certified by a licensed professional engineer. This system will be installed for passive operation with the ability to be retrofitted for active use, if required by NYSDEC). The passive sub-slab ventilation system shall be operated and maintained in accordance with Operation and Maintenance Plan to be prepared by the NYSDEC or the SSDS installation firm. To the extent the NYSDEC requires an active system or the property owner, in their discretion wishes to make the system active, the system shall be converted from a passive

system to an active system, and shall be operated and maintained in accordance with the Operation and Maintenance Plan.

3.3.5 Criteria for Completion of Remediation/Termination of Remedial Systems

Generally, remedial processes are considered completed when monitoring indicates that the remedy has achieved the remedial action objectives identified by the decision document. The framework for determining when remedial processes are complete is provided in Section 6.4 of NYSDEC DER-10. Unless waived by the NYSDEC, confirmation samples of applicable environmental media are required before terminating any remedial actions at the site. Confirmation samples require Category B deliverables and a Data Usability Summary Report (DUSR).

As discussed below, the NYSDEC may approve termination of a groundwater monitoring program. When a remedial party receives this approval, the remedial party will decommission all site-related monitoring, injection and recovery wells as per the NYSDEC CP-43 policy.

The remedial party will also conduct any needed site restoration activities, such as asphalt patching and decommissioning treatment system equipment. In addition, the remedial party will conduct any necessary restoration of vegetation coverage, trees and wetlands, and will comply with NYSDEC and United States Army Corps of Engineers regulations and guidance. Also, the remedial party will ensure that no ongoing erosion is occurring on the site.

3.3.5.1 Site Cover

The composite cover system is a permanent control and the quality and integrity of this system will be inspected at defined, regular intervals in accordance with this SMP in perpetuity.

3.3.5.2 Slab on Grade Construction

Any new building or building expansion within the area of Figure 5 will be constructed using slab on grade building techniques. In the event that monitoring data indicate that below grade construction is a viable option, a proposal to discontinue the slab on grade construction requirement will be will be submitted to the NYSDEC.

3.3.5.3 Vapor Barrier and Sub-Slab Depressurization System (SSDS)

Any new building or building expansion within the area of Figure 5 will require the installation of a SSDS mitigation system, which shall include a soil vapor barrier and a passive sub-slab ventilation system that is capable of being converted to an active system. Once installed, the operation of such SSDS mitigation system will not be discontinued unless prior written approval is granted by the NYSDEC. In the event that monitoring data indicate that the vapor barrier and SSDS system is no longer required, a proposal to discontinue the vapor barrier installation and SSDS installation/operation will be submitted to the NYSDEC.

4.0 MONITORING PLAN

4.1 General

This Monitoring Plan describes the measures for evaluating the overall performance and effectiveness of the remedy. This Monitoring Plan may only be revised with the approval of the NYSDEC project manager.

This Monitoring Plan describes the methods to be used for:

- Evaluating site information periodically to confirm that the remedy continues to be effective in protecting public health and the environment;
- Preparing the necessary reports for the various monitoring activities.

To adequately address these issues, this Monitoring Plan provides information on:

- Annual inspection and periodic certification.

Reporting requirements are provided in Section 7.0 of this SMP.

4.2 Site-wide Inspection

Site-wide inspections will be performed a minimum of once per year. These periodic inspections must be conducted when the ground surface is visible (i.e. no snow cover). Site-wide inspections will be performed by a qualified environmental professional as defined in 6 NYCRR Part 375, a Professional Engineer (PE) who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State. Modification to the frequency or duration of the inspections will require approval from the NYSDEC project manager. Site-wide inspections will also be performed after all severe weather conditions that may affect ECs or monitoring devices.

During these inspections, an inspection form will be completed as provided in Appendix F.
The form will compile sufficient information to assess the following:

- Compliance with all ICs, including site usage;
- An evaluation of the condition and continued effectiveness of ECs;
- General site conditions at the time of the inspection;
- Whether stormwater management systems, such as basins and outfalls, are working as designed;
- The site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection; and
- Confirm that site records are up to date.

Inspections of all remedial components installed at the site will be conducted. A comprehensive site-wide inspection will be conducted and documented according to the SMP schedule, regardless of the frequency of the Periodic Review Report. The inspections will determine and document the following:

- Whether ECs continue to perform as designed;
- If these controls continue to be protective of human health and the environment;
- Compliance with requirements of this SMP and the Environmental Easement, and;
- If site records are complete and up to date.

Reporting requirements are outlined in Section 7.0 of this plan.

Inspections will also be performed in the event of an emergency. If an emergency, such as a natural disaster or an unforeseen failure of any of the ECs occurs that reduces or has the potential to reduce the effectiveness of ECs in place at the site, verbal notice to the NYSDEC project manager must be given by noon of the following day. In addition, an inspection of the site will be conducted within 5 days of the event to verify the effectiveness of the IC/ECs implemented at the site by a qualified environmental professional, as defined in 6 NYCCR Part 375. Written confirmation must be provided to the NYSDEC project manager within 7 days of the event that includes a summary of actions taken, or to be taken, and the potential impact to the environment and the public. The remedial party will submit follow-up status reports to the NYSDEC within 45 days of the event on actions taken to respond to any emergency event requiring ongoing responsive action, describing and documenting actions taken to restore the effectiveness of the ECs.

4.2.1 Site Cover Monitoring

The site cover system as discussed in Section 1.4 consists of the following components:

- Existing buildings;
- Existing site soils.

Monitoring, inspection and maintenance requirements for the cover are discussed in the following subsections of this SMP.

Based upon the findings of periodic inspections, the maintenance needs of the cover system will be evaluated and corrective actions will be taken when necessary. A summary of the key potential maintenance issues for inspection and the respective corrective actions is provided below for each component of the cover system.

4.2.2 Existing Buildings

The existing buildings cover within the area of Figure 2 consists of concrete building foundations (buildings without basements). A brief summary of the key potential maintenance issues for inspection and the respective corrective actions for these covers are provided below.

- *Significant Cracks (1-inch or Greater) or Delamination Observed:* These deficiencies will be sealed or repaired.
- *Gaps or Seal Leaks in Joints:* These deficiencies will be resealed or repaired.

4.2.3 Existing Site Soils

The existing site soils are primarily made up of crushed bedrock material, sandy soils and native material. Based the maintenance needs of the evaluated and corrective actions will be taken when necessary. Photographic documentation will be used during the inspections in an effort to evaluate any changes to the surfaces from the previous inspection. A brief summary of the key potential maintenance issues for inspection and the respective corrective actions for these covers are provided below:

- *Signs of Disturbance to soil Areas:* Photos will be used and compared to previous inspections in an effort to determine if signs of soil disturbance exist. These deficiencies will be addressed on an individual basis, as required.

5.0 OPERATION AND MAINTENANCE PLAN

5.1 General

The site remedy does not rely on any mechanical systems, such as groundwater treatment systems, sub-slab depressurization systems or air sparge/soil vapor extraction systems to protect public health and the environment. Therefore, the operation and maintenance of such components is not included in this SMP. This SMP pertains only to the PCB remediation completed, the additional ICs and ECs that are mentioned in this SMP are related to the potential development and future use of the property.

As for the ongoing use of this site for vehicles should be limited to the existing roadways. Should a roadway need to be expanded or replaced the NYSDEC should be provided with plans for review. Please refer to Figures 4 and 7 to see where remediation has occurred to exclude these sections from being roadways in the future.

As mentioned, there is an active spill on the property generally south of the Little River that is being managed by NYSDEC Spill Response program under spill number 8706728. The planning and maintenance of this project is not the requirement of this SMP, however, it should be noted that the recirculation of petroleum-contact groundwater into infiltration trenches is ongoing. Any planned construction or soil disturbances in this area should be coordinated with DEC Spill Response prior to work. NYSDEC shall maintain equipment and infrastructure necessary for ongoing petroleum remediation.

The infiltration trenches were constructed along the southerly elevated portion of the spill study area and parcel boundary. Recovery well oil collection infrastructure is to the north along the southern shore of the Little River. These trenches and recovery wells are essential to managing and mitigating the petroleum products in the subsurface. Therefore, the trenches will be an existing feature at the site until they are no longer needed.

Maintenance of these trenches may involve additional excavation and material handling that will be covered in an annual excavation workplan (EWP) for the site. This EWP will comply with the requirements set forth in this SMP and will use a similar template to the EWP in Appendix B. More pertaining to the Spill reporting is in Section 7 of this SMP.

6.0 PERIODIC ASSESSMENTS/EVALUATIONS

6.1 Climate Change Vulnerability Assessment

Increases in both the severity and frequency of storms/weather events, an increase in sea level elevations along with accompanying flooding impacts, shifting precipitation patterns and wide temperature fluctuation, resulting from global climactic change and instability, have the potential to significantly impact the performance, effectiveness and protectiveness of a given site and associated remedial systems. Vulnerability assessments provide information so that the site and associated remedial systems are prepared for the impacts of the increasing frequency and intensity of severe storms/weather events and associated flooding.

This section provides a current vulnerability assessment that evaluates the vulnerability of the site and/or engineering controls to severe storms/weather events and associated flooding. This section also identifies vulnerability assessment updates that will be conducted for the site in Periodic Review Reports.

This assessment should include, but not be limited to, a discussion of potential vulnerabilities to be assessed during periodic reviews such as the following:

- Site Drainage and Storm Water Management: Identify areas of the site which may flood during severe rain events due to insufficient groundwater recharge capabilities or inadequate storm water management systems.

- Erosion: Identify any evidence of erosion at the site or areas of the site which may be susceptible to erosion during periods of severe rain events. Evaluate whether erosion is occurring on sediment caps.

- High Wind: Identify areas of the site and/or remedial system which may be susceptible to damage from the wind itself or falling objects, such as trees or utility structures during periods of high wind.

- Drought: Identify if drought conditions are a concern that may lead to wildfires or decreased groundwater elevations, which may impact site management activities.

- Electricity: Identify the susceptibility of the site/remedial system to power loss and/or dips/surges in voltage during severe weather events, including lightning strikes, and the associated impact on site equipment and operations.

- Spill/Contaminant Release: Identify areas of the site and/or remedial system which may be susceptible to a spill or other contaminant release due to storm-related damage caused by flooding, erosion, high winds, loss of power etc.

- Wildfires: Identify the risk of wildfires in the immediate area and how resulting damage could impact the site (power and vegetation loss, increased erosion etc.)

6.2 Green Remediation Evaluation

NYSDEC's DER-31 Green Remediation requires that green remediation concepts and techniques be considered during all stages of the remedial program including site management, with the goal of improving the sustainability of the cleanup and summarizing the net environmental benefit of any implemented green technology. This section provides an environmental footprint analysis of the remedy, as implemented at the time of this SMP. This section of the SMP also provides a summary of green remediation evaluations to be completed for the site during site management and reported in Periodic Review Reports (PRRs).

6.2.1 Building Operations

Structures including buildings and sheds will be operated and maintained to provide for the most efficient operation of the remedy, while minimizing energy, waste generation and water consumption.

- Heating/cooling systems and temperature set-points;
- Building skin, insulation and building use and occupancy;
- Ventilation;
- Lighting and plug loads; and
- Grounds and property management.

6.2.2 Frequency of System Checks, Sampling and Other Periodic Activities

Transportation to and from the Site, use of consumables in relation to visiting the Site in order to conduct system checks and/or collect samples, and shipping samples to a laboratory for analyses have direct and/or inherent energy costs. The schedule and/or means of these periodic activities have been prepared so that these tasks can be accomplished in a manner that does not impact remedy protectiveness but reduces expenditure of energy or resources.

6.2.3 Metrics and Reporting

As discussed in Section 7.0 and as shown in Appendix F – Site Management Forms, information on energy usage, solid waste generation, transportation and shipping, water usage and land use and ecosystems will be recorded to facilitate and document consistent implementation of green remediation during site management and to identify corresponding benefits. A set of metrics has been developed and will be evaluated over time to ensure that green remediation actions are achieving the desired results.

7.0. REPORTING REQUIREMENTS

7.1 Site Management Reports

All site management inspection, maintenance and monitoring events will be recorded on the appropriate site management forms provided in Appendix F. These forms are subject to NYSDEC revision. All site management inspection, maintenance, and monitoring events will be conducted by a qualified environmental professional as defined in 6 NYCRR Part 375, a Professional Engineer (PE) who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State.

All applicable inspection forms and other records, including media sampling data and system maintenance reports, generated for the site during the reporting period will be provided in electronic format to the NYSDEC in accordance with the requirements of Table 2 and summarized in the Periodic Review Report.

Table 2: Schedule of Inspection Reports

Task/Report	Reporting Frequency*
Periodic Review Report	Annually, or as otherwise determined by the NYSDEC

* The frequency of events will be conducted as specified until otherwise approved by the NYSDEC project manager.

All interim monitoring/inspections reports will include, at a minimum:

- Date of event or reporting period;
- Name, company, and position of person(s) conducting monitoring/inspection activities;

- Description of the activities performed;
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents noted (included either on the checklist/form or on an attached sheet);
- Copies of all field forms completed (e.g., well sampling logs, chain-of-custody documentation);
- Any observations, conclusions, or recommendations; and
- A determination as to whether contaminant conditions have changed since the last reporting event.

Routine maintenance event reporting forms will include, at a minimum:

- Date of event;
- Name, company, and position of person(s) conducting maintenance activities;
- Description of maintenance activities performed;
- Any modifications to the system;
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents noted (included either on the checklist/form or on an attached sheet); and
- Other documentation such as copies of invoices for maintenance work, receipts for replacement equipment, etc., (attached to the checklist/form).

Non-routine maintenance event reporting forms will include, at a minimum:

- Date of event;
- Name, company, and position of person(s) conducting non-routine maintenance/repair activities;
- Description of non-routine activities performed;
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents (included either on the form or on an attached sheet); and
- Other documentation such as copies of invoices for repair work, receipts for replacement equipment, etc. (attached to the checklist/form).

7.2 Periodic Review Report

A Periodic Review Report (PRR) will be submitted to the NYSDEC project manager beginning sixteen (16) months after the Environmental Easement is issued. After submittal of the initial Periodic Review Report, the next PRR shall be submitted annually to the NYSDEC project manager or at another frequency as may be required by the NYSDEC project manager. In the event that the site is subdivided into separate parcels with different ownership, a single Periodic Review Report will be prepared that addresses the site described in Appendix D -Environmental Easement. The report will be prepared in accordance with NYSDEC's DER-10 and submitted within 30 days of the end of each certification period. Media sampling results will also be incorporated into the Periodic Review Report. The report will include:

- Identification, assessment and certification of all ECs/ICs required by the remedy for the site.
- Results of the required annual site inspections, fire inspections and severe condition inspections, if applicable.

- Description of any change of use, import of materials, or excavation that occurred during the certifying period.

- All applicable site management forms and other records generated for the site during the reporting period in the NYSDEC-approved electronic format, if not previously submitted.

- Identification of any wastes generated during the reporting period, along with waste characterization data, manifests, and disposal documentation.

- A summary of any discharge monitoring data and/or information generated during the reporting period, with comments and conclusions.

- A site evaluation, which includes the following:

  - The compliance of the remedy with the requirements of the site-specific IRM;

  - The operation and the effectiveness of all treatment units, etc., including identification of any needed repairs or modifications;

  - Any new conclusions or observations regarding site contamination based on inspections or data generated by the Monitoring Plan for the media being monitored;

  - Recommendations regarding any necessary changes to the remedy and/or Monitoring Plan;

  - An update to the climate change vulnerability assessment if site or external conditions have changed since the previous assessment, and recommendations to address vulnerabilities.

  - A summary of the Green Remediation evaluation, including a quantitative and qualitative overview of a site's environmental impacts and recommendations to improve the remedy's environmental footprint.

The PRR will include the completed Summary of Green Remediation Metrics form provided in Appendix F.

– The overall performance and effectiveness of the remedy.

7.2.1 Certification of Institutional and Engineering Controls

Following the last inspection of the reporting period, a [qualified environmental professional as defined in 6 NYCRR Part 375 or Professional Engineer licensed to practice and registered in New York State will prepare, and include in the Periodic Review Report, the following certification as per the requirements of NYSDEC DER-10:

"*For each institutional or engineering control identified for the site, I certify that all of the following statements are true:*

- *The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;*
- *The institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by the Department;*
- *Nothing has occurred that would impair the ability of the control to protect the public health and environment;*
- *Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;*
- *Access to the site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control;*

- *If a financial assurance mechanism is required under the oversight document for the site, the mechanism remains valid and sufficient for the intended purpose under the document;*

- *Use of the site is compliant with the environmental easement;*

- *The engineering control systems are performing as designed and are effective;*

- *To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program and generally accepted engineering practice; and*

- *The information presented in this report is accurate and complete.*

I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, [name], of [business address], am certifying as [Owner/Remedial Party or Owner's/Remedial Party's Designated Site Representative] for the site."

"I certify that the New York State Education Department has granted a Certificate of Authorization to provide Professional Engineering services to the firm that prepared this Periodic Review Report."

The signed certification will be included in the Periodic Review Report.

The Periodic Review Report will be submitted, in electronic format, to the NYSDEC project manager. The Periodic Review Report may also need to be submitted in hard-copy format if requested by the NYSDEC project manager.

7.3 Corrective Measures Work Plan

If any component of the remedy is found to have failed, or if the periodic certification cannot be provided due to the failure of an institutional or engineering control or failure to conduct site management activities, a Corrective Measures Work Plan will be submitted to the NYSDEC project manager for approval. This plan will explain the failure and provide the details and schedule for performing work necessary to correct the failure. Unless an emergency condition exists, no work will be performed pursuant to the Corrective Measures Work Plan until it has been approved by the NYSDEC project manager.

7.4 Ongoing Spill Access and Reporting

NYSDEC Spill Response is managing the active spill on the property as mentioned in this SMP. As part of this, the NYSDEC and their contractor requires access to manage and mitigate the petroleum spill. The site owner shall allow the storage of associated equipment and materials for spill maintenance. NYSDEC and contract staff shall maintain right of access to the site for ongoing spill maintenance.

As mentioned in Section 5, the petroleum remediation EWP will be submitted by the current Site petroleum remediation contractor to NYSDEC Spills for review by April 15 of each year. The EWP will discuss the scope of work for that season. This should include the area in which any trench maintenance shall occur, how much material handling is anticipated, if any additional trenches are needed that breach the existing cover system. Upon the annual submission of this EWP the need for a community air monitoring program will be evaluated.

Any discharge that occurs on the Site must be reported within 2 hours to the NYS Spill Hotline (1-800-457-7362).

8.0 REFERENCES

Consent and Administrative Settlement, executed August 7, 2013, In the Matter of a Settlement Relating to the J&L Steel Inactive Hazardous Waste Disposal Site by Settling Respondent St. Lawrence County, Index # W6-1172-05-13, Site # 645029, August 2013.

Agreement, executed August 8, 2013, In the Matter of the Investigation and Remediation of the former J&L Steel Site and the Issuance of Liability Release to St. Lawrence County, August 2013.

Parsons, Inc., 2016. Site Characterization Report for the Former J&L Steel Site, Clifton, New York, August 2016.

Parsons, Inc. 2016. Former J&L Steel Site – Clifton, NY (Site # 645029), Pre-Design Investigation, December 2016.

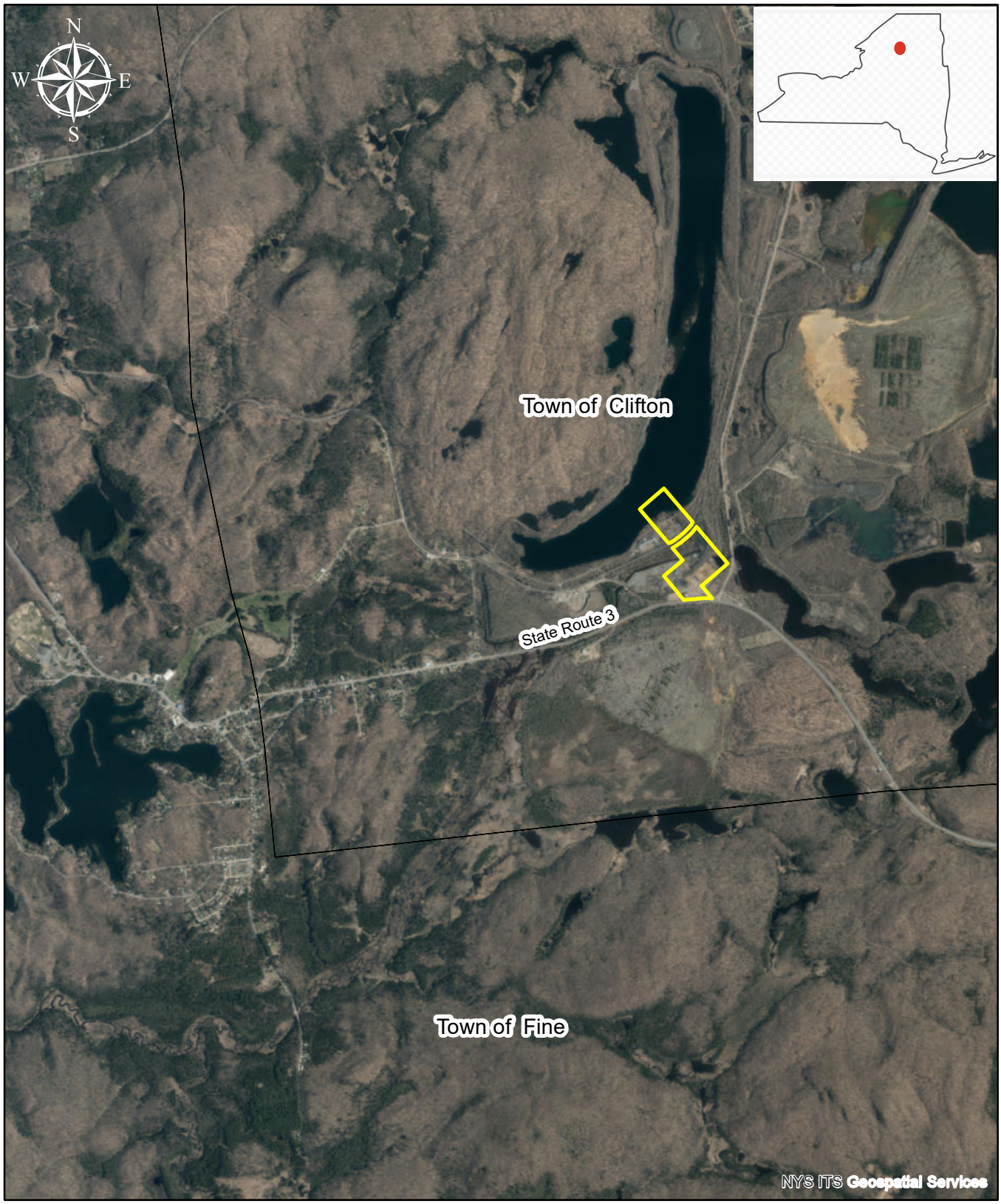
Parsons, Inc., 2019. Final PCB IRM Construction Completion Report, J&L Steel Site, 4669 Route 3, Star Lake, New York, NYSDEC Site Number: 645029, December 2019.

6 NYCRR Part 375, Environmental Remediation Programs. December 14, 2006.

NYSDEC DER-10 – "Technical Guidance for Site Investigation and Remediation".

NYSDEC, 1998. Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1. June 1998 (April 2000 addendum).

Figure 1. Site Location



Legend

645029 - Tax Boundary J&L

Miles
0 0.25 0.5 1 1.5 2

Figure 2 Site Features and Boundaries

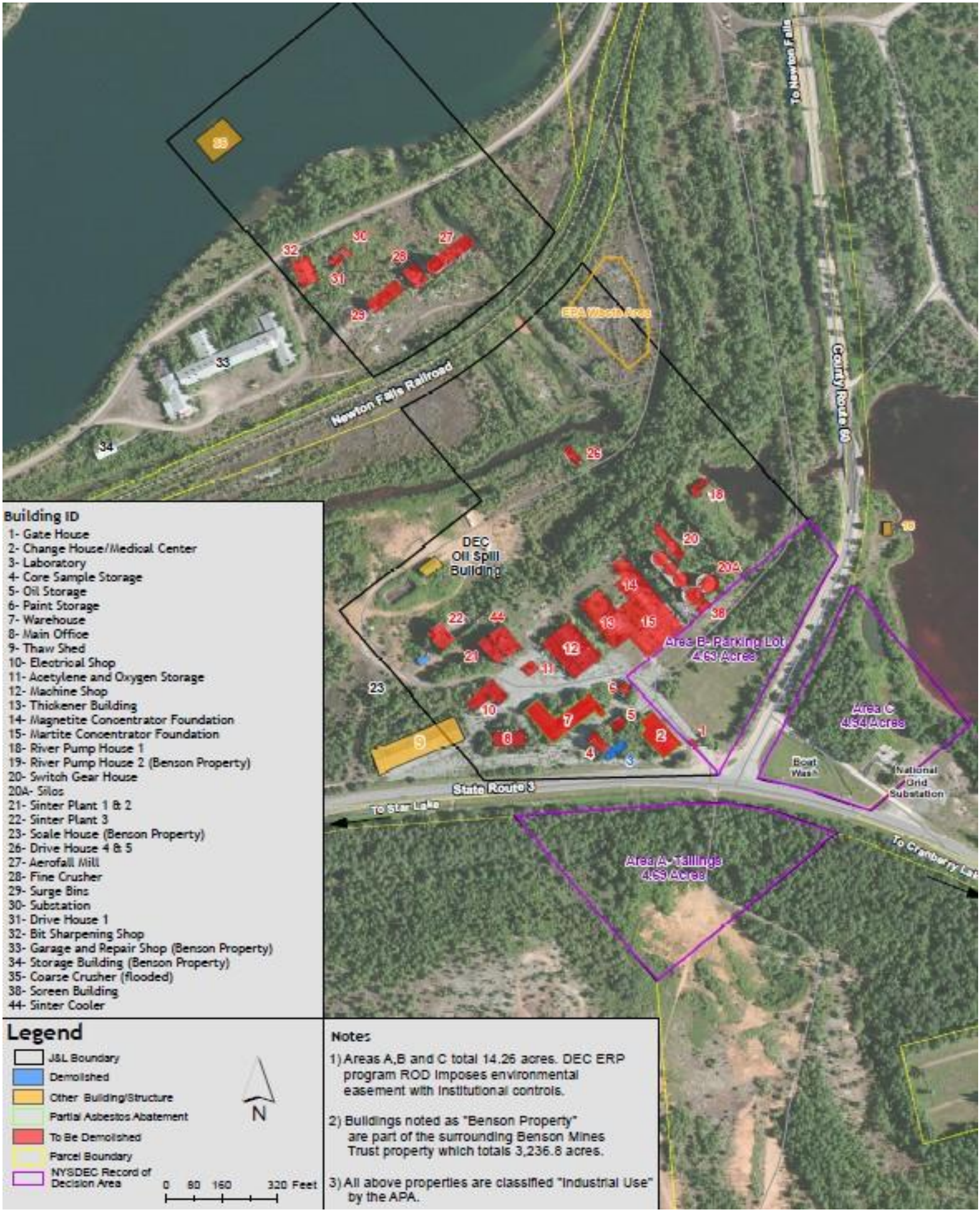
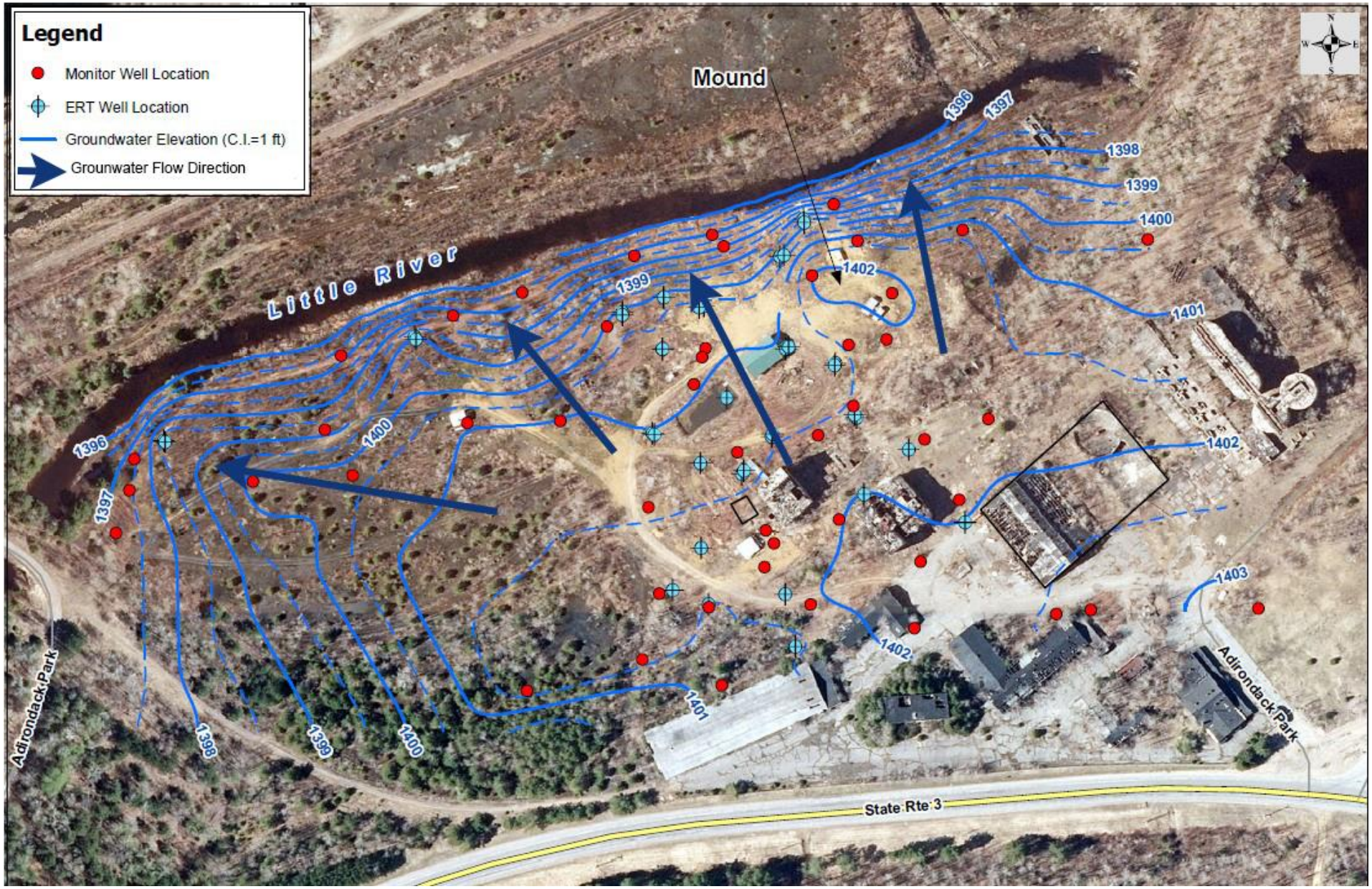


Figure 3
Groundwater Flow Map



ORIGINAL SAMPLE	ORIGINAL SAMPLE RESULT (0–6")	PDI LOCATION	0–2"	2–12"	SUPPLEMENTAL LOCATION	0–2"	2–12"
AOC3B	2500	AOC3B–A	0.857	0.1069	AOC3B–E	ND	ND
		AOC3B–B	2220	4.979	AOC3B–F	0.0207 J	ND
		AOC3B–C	1.2366	0.266	AOC3B–G	ND	ND
		AOC3B–D	1.164	0.0251	AOC3B–H	ND	0.35

ORIGINAL SAMPLE	ORIGINAL SAMPLE RESULT (0–6")	PDI LOCATION	0–2"	2–12"	SUPPLEMENTAL LOCATION	0–2"	2–12"
SS–57	2.4	SS–57–A	0.137	0.342	SS–57–C	0.115	ND
		SS–57–B	1.61	0.0226			

ORIGINAL SAMPLE	ORIGINAL SAMPLE RESULT (0–6")	PDI LOCATION	0–2"	2–12"
SS–45	4.1	SS–45–A	0.0584	0.0301

ORIGINAL SAMPLE	ORIGINAL SAMPLE RESULT (0–6")	PDI LOCATION	0–2"	2–12"
SS–60	1.1	SS–60–A	0.0712	0.114
		SS–60–B	0.2345	0.2992
		SS–60–C	2.26	0.364
		SS–60–D	ND	0.0231

ORIGINAL SAMPLE	ORIGINAL SAMPLE RESULT (0–6")	PDI LOCATION	0–2"	2–12"
SS–40	5.3	SS–40–A	0.0402	0.0316
		SS–40–B	ND	0.0352

ORIGINAL SAMPLE	ORIGINAL SAMPLE RESULT (0–6")	PDI LOCATION	0–2"	2–12"
MPASS7	2.1	MPASS7–A	0.16	0.143
		MPASS7–B	0.87	0.166

LEGEND:

- PREVIOUS SAMPLE LOCATIONS WHERE TOTAL PCB CONCENTRATIONS ARE BELOW THE 6NYCRR PART 375 COMMERCIAL SCOs.
- PDI SAMPLE LOCATIONS
- SUPPLEMENTAL PDI SAMPLE LOCATIONS
- EXCEEDS 6 NYCRR COMMERCIAL SOIL CLEANUP OBJECTIVE OF 1 mg/kg
- EXCAVATION AREA
- TSCA EXCAVATION
- STOCKPILE AREA
- SUPPORT/EQUIPMENT LAYDOWN AREA

NOTES:

1. ALL CONCENTRATIONS SHOWN IN mg/kg
2. ND NOT DETECTED
3. J LABORATORY ESTIMATED VALUE
4. ANALYTICAL DATA COMPARED TO 6NYCRR COMMERCIAL SOIL CLEANUP OBJECTIVES.

200 100 0 200 400

SCALE: 1"=200'

FIGURE 4

NEW YORK STATE OF OPPORTUNITY Department of Environmental Conservation

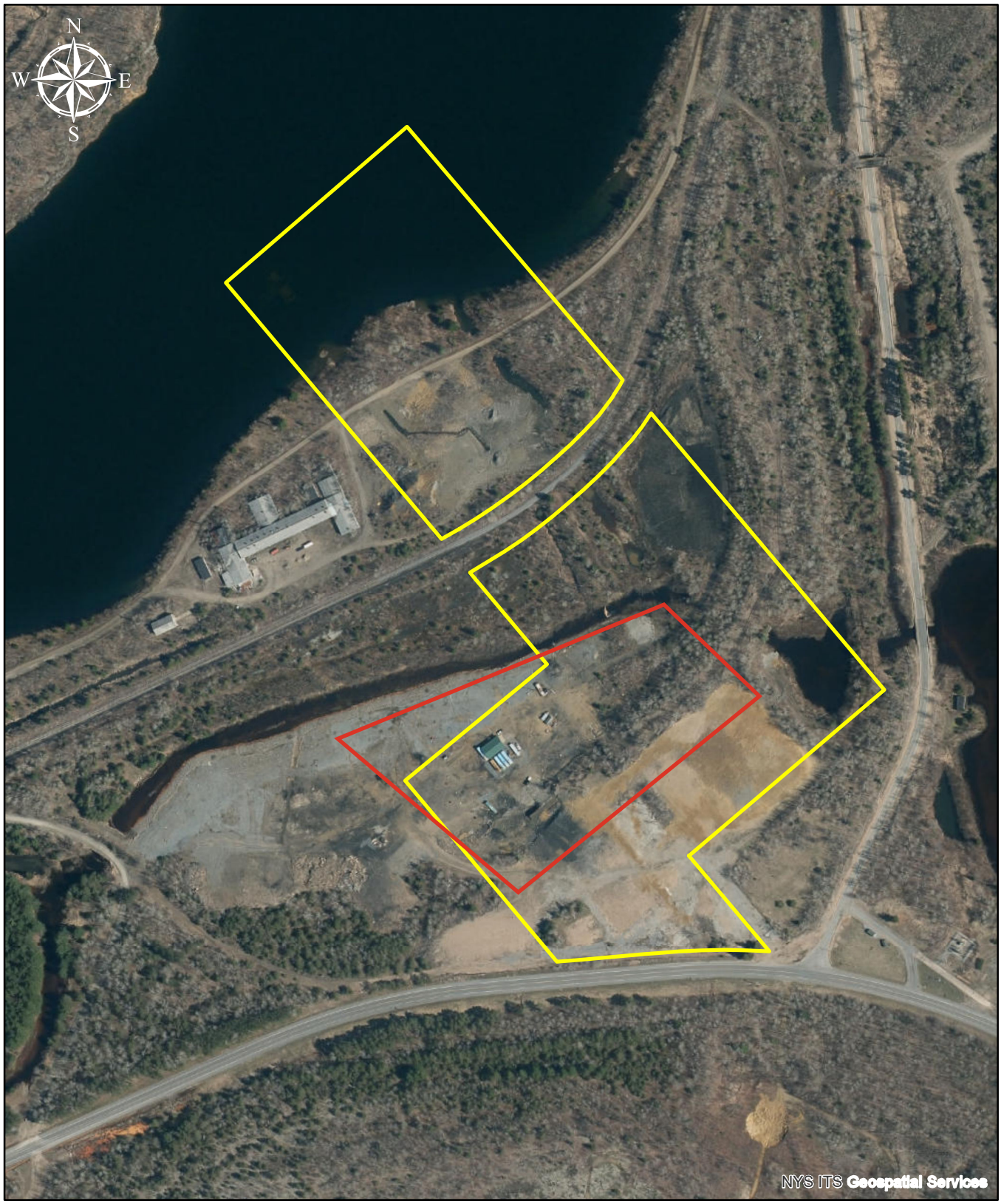
Former J&L Steel IRM

DELINEATED PCB HOT SPOTS

PARSONS
301 PLAINFIELD ROAD, SUITE 350, SYRACUSE, N.Y. 13212, PHONE: 315–451–9560

FILE NAME: P:\NYSDEC PROGRAM\447415 WA #3 J&L STEEL SITE CHARACTERIZATION\10.0 TECHNICAL CATEGORIES\10.1 CAD – GIS\FIGURES\FER\447415–FER–001.DWG
PLOT DATE 4/3/2018 PLOTTED BY DUSSO

Figure 5. Area of Soil Vapor Intrusion Concern



Legend

645029 - Tax Boundary J&L

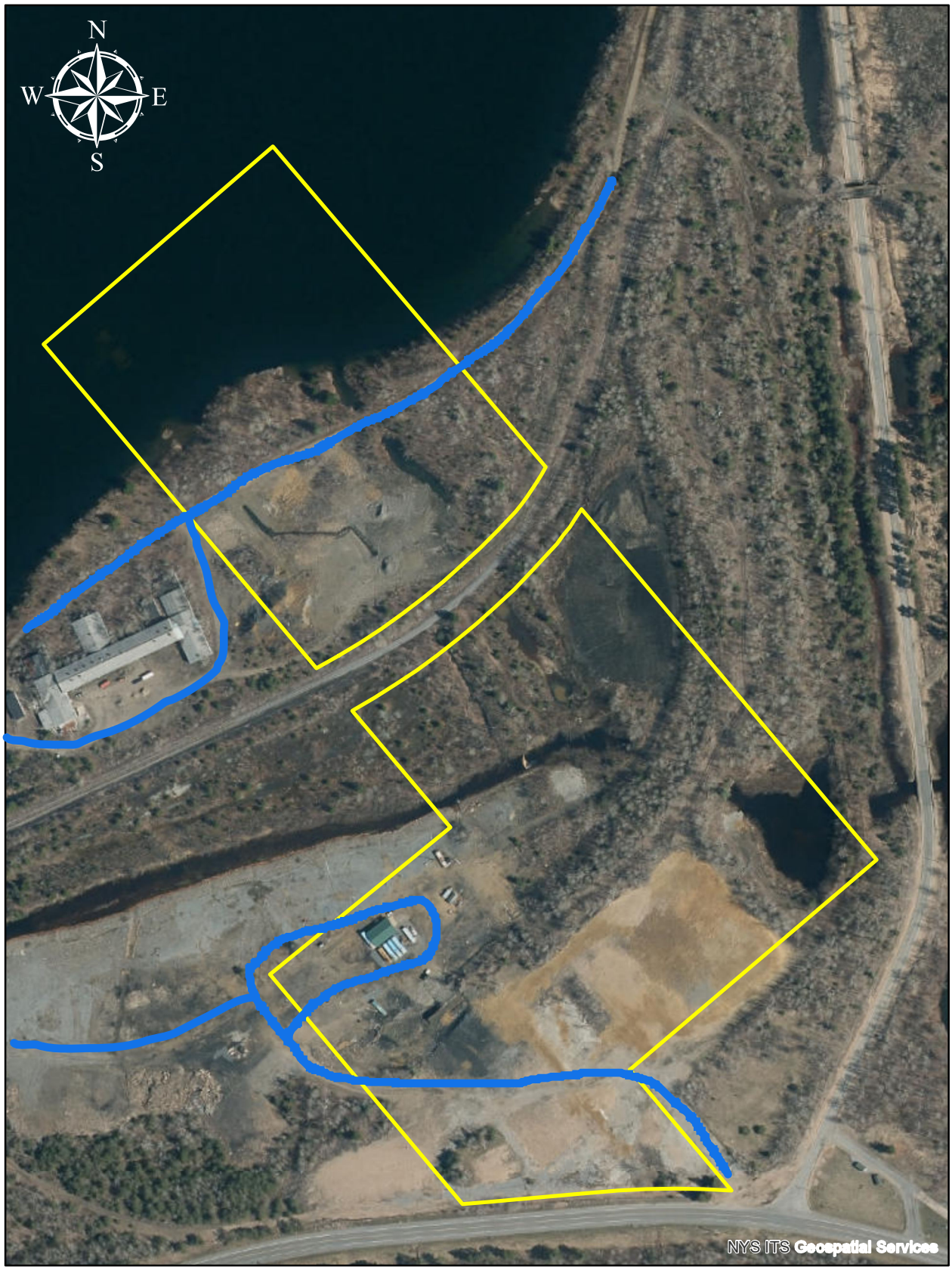
Area for SSDS

Feet

0 150 300 600 900 1,200

Figure 6. Hospital Travel Route

Figure 7. Suggested Designated Driving Areas



Legend

645029 - Tax Boundary J&L

Suggested roadways - avoid cover system disturbance

0 125 250 500 750 1,000 Feet

APPENDIX A – LIST OF SITE CONTACTS

Name	Phone/Email Address
St. Lawrence County, Property Owner	315-379-2292
David Storandt, Regional Spills Engineer	315-785-2524; David.Storandt@dec.ny.gov
Kelly Hale, Project Manager	315-235-0332; Kelly.hale@dec.ny.gov
Jacqueline Smith-Gagnon, Regional Remediation Engineer	315-785-2403; Jacqueline.smith-gagnon@dec.ny.gov
Gary Bowitch, Remedial Party Attorney	518-527-2232; gbowitch@bowitchlaw.com

APPENDIX B – EXCAVATION WORK PLAN (EWP)

B-1 NOTIFICATION

At least 15 days prior to the start of any activity that is anticipated to encounter remaining contamination or breach or alter the site's cover system, the site owner or their representative will notify the NYSDEC contacts listed in the table below. Table 1 includes contact information for the above notification. The information on this table will be updated as necessary to provide accurate contact information. A full listing of site-related contact information is provided in Appendix A.

Table 1: Notifications*

Name	**Contact Information**
Kelly Hale, NYSDEC Project Manager	315-235-0332 Kelly.hale@dec.ny.gov
Jacqueline Smith-Gagnon, NYSDEC Regional Hazardous Waste Engineer	315-785-2403 Jacqueline.smith-gagnon@dec.ny.gov
David Storandt, NYSDEC Regional Spills Engineer	315-785-2513 david.storandt@dec.ny.gov
Kelly Lewandowski, NYSDEC Site Control	518-402-9569 kelly.lewandowski@dec.ny.gov

* Note: Notifications are subject to change and will be updated as necessary.

This notification will include:

- A detailed description of the work to be performed, including the location and areal extent of excavation, plans/drawings for site re-grading, intrusive

elements or utilities to be installed below the soil cover, estimated volumes of contaminated soil to be excavated, any modifications of truck routes, and any work that may impact an engineering control;

- 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, and submittals (e.g., reports) to the NYSDEC documenting the completed intrusive work;
- A summary of the applicable components of this EWP;
- A statement that the work will be performed in compliance with this EWP, 29 CFR 1910.120 and 29 CFR 1926 Subpart P;
- A copy of the contractor's health and safety plan (HASP), in electronic format, if it differs from the HASP provided in Appendix E of this SMP;
- Identification of disposal facilities for potential waste streams;
- Identification of sources of any anticipated backfill, along with the required request to import form and all supporting documentation including, but not limited to, chemical testing results; and
- A groundwater handling plan for treatment and discharge of groundwater.

The NYSDEC project manager will review the notification and may impose additional requirements for the excavation that are not listed in this EWP. The alteration, restoration and modification of engineering controls must conform with Article 145 Section 7209 of the Education Law regarding the application professional seals and alterations.

B-2 SOIL SCREENING METHODS

Visual, olfactory and instrument-based (e.g. photoionization detector) soil screening will be performed during all excavations into known or potentially contaminated material (remaining contamination) or a breach of the cover system. A qualified environmental professional as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State will perform the screening. 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, after issuance of the COC.

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 as soil beneath a cover or if the material can be used as cover soil. Further discussion of off-site disposal of materials and on-site reuse is provided in Section B-6, and B-7 of this Appendix.

B-3 SOIL STAGING METHODS

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 NYSDEC.

B-4 MATERIALS EXCAVATION AND LOAD-OUT

A qualified environmental professional as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State will oversee all invasive work and the excavation and load-out of all excavated material.

The owner of the property and remedial party (if applicable) and its contractors are responsible for safe execution of all invasive and other work performed under this Plan.

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 SMP is posed by utilities or easements on the site. A site utility stakeout will be completed for all utilities prior to any ground intrusive activities at 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). Trucks transporting contaminated soil must have either tight-fitting opaque covers that are secured on the sides and/or back, or opaque covers that are locked on all sides.

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 until the activities performed under this section are complete. 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. Material accumulated from the street cleaning and egress cleaning activities will be disposed off-site at a permitted landfill facility in accordance with all applicable local, State, and Federal regulations.

B-5 MATERIALS TRANSPORT OFF-SITE

All transport of materials will be performed by licensed haulers in accordance with appropriate local, State, and Federal regulations, including 6 NYCRR Part 364. Haulers will be appropriately licensed and trucks properly placarded.

Material transported by trucks exiting the site will be secured with either tight-fitting opaque covers that are secured on the sides and/or back, or opaque covers that are locked on all sides. Loose-fitting canvas-type truck covers will be prohibited. If loads contain wet material capable of producing free liquid, truck liners will be used.

Truck transport routes are as follows: Stay on designated roadways within the property, use major highways/ roads when leaving property. Figure 7 from the SMP illustrates preferred roadways on-site. All trucks loaded with site materials will exit the vicinity of the site using only these approved truck routes. This is the most appropriate route and takes into account:

- limiting transport through residential areas and past sensitive sites;
- use of city mapped truck routes;
- prohibiting off-site queuing of trucks entering the facility;
- limiting total distance to major highways;
- promoting safety in access to highways; and
- 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.

B-6 MATERIALS DISPOSAL OFF-SITE

All material excavated and removed from the site will be treated as contaminated and regulated material and will be transported and disposed off-site in a permitted facility in accordance with all local, State and Federal regulations. If disposal of material from this site is proposed for unregulated off-site disposal (i.e. clean soil removed for development purposes), a formal request with an associated plan will be made to the NYSDEC project manager. Unregulated off-site management of materials from this site will not occur without formal NYSDEC project manager approval.

Off-site disposal locations for excavated soils will be identified in the pre-excavation notification. This will include estimated quantities and a breakdown by class of disposal facility if appropriate, (e.g. hazardous waste disposal facility, solid waste landfill, petroleum treatment facility, C&D debris recovery facility). Actual disposal quantities and associated documentation will be reported to the NYSDEC in the Periodic Review Report. This documentation will include, but will not be limited to: waste profiles, test results, facility acceptance letters, manifests, bills of lading and facility receipts.

Non-hazardous historic fill and contaminated soils taken off-site will be handled consistent with 6 NYCRR Parts 360, 361, 362, 363, 364 and 365. Material that does not meet Unrestricted SCOs is prohibited from being taken to a New York State C&D debris recovery facility (6 NYCRR Subpart 361-5 registered or permitted facility).

B-7 MATERIALS REUSE ON-SITE

The qualified environmental professional, as defined in 6 NYCRR Part 375, will ensure that procedures defined for materials reuse in this SMP are followed and that unacceptable material (i.e. contaminated) does not remain on-site. Contaminated on-site material, including historic fill and contaminated soil, that is acceptable for reuse on-site will be placed below the demarcation layer or impervious surface, and will not be reused within the cover system or within landscaping berms. Contaminated on-site material may only be used beneath the site cover as backfill for subsurface utility lines with prior approval from the DEC project manager.

Proposed materials for reuse on-site must be sampled for full suite analytical parameters including per- and polyfluoroalkyl substances (PFAS) and 1,4-dioxane. The sampling frequency will be in accordance with DER-10 Table 5.4(e)10 unless prior approval is obtained from the NYSDEC project manager for modification of the sampling frequency. The analytical results of soil/fill material testing must meet the site use criteria presented in NYSDEC DER-10 Appendix 5 – Allowable Constituent Levels for Imported Fill or Soil for all constituents listed, and the NYSDEC Sampling, Analysis, and Assessment of Per- and Polyfluoroalkyl Substances (April 2023) guidance values. Approvals for modifications to the analytical parameters must be obtained from the NYSDEC project manager prior to the sampling event.

Soil/fill material for reuse on-site will be segregated and staged as described in Sections X-2 and X-3 of this EWP. The anticipated size and location of stockpiles will be provided in the 15-day notification to the NYSDEC project manager. Stockpile locations will be based on the location of site excavation activities and proximity to nearby site features. Material reuse on-site will comply with requirements of NYSDEC DER-10 Section 5.4(e)4. Any modifications to the requirements of DER-10 Section 5.4(e)4 must be approved by the NYSDEC project manager.

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

B-8 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 off-site at a permitted facility 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 NYSDEC.

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.

B-9 COVER SYSTEM RESTORATION

After the completion of soil removal and any other invasive activities the cover system will be restored. The existing cover system is comprised of a minimum of existing site soil and concrete buildings. A demarcation layer, consisting of orange snow fencing material, white geotextile or equivalent material, will be replaced to provide a visual reference to the top of the remaining contamination zone, the zone that requires adherence to special conditions for disturbance of remaining contaminated soils defined in this SMP. If the type of cover system changes from that which exists prior to the excavation (i.e., a soil cover is replaced by asphalt), this will constitute a modification of the cover element of the remedy and the upper surface of the remaining contamination. A figure showing the modified surface will be included in the subsequent Periodic Review Report and in an updated SMP. The

alteration, restoration and modification of engineering controls must conform with Article 145 Section 7209 of the Education Law regarding the application professional seals and alterations.

B-10 BACKFILL FROM OFF-SITE SOURCES

All materials proposed for import onto the site will be approved by the qualified environmental professional, as defined in 6 NYCRR Part 375, and will be in compliance with provisions in this SMP prior to receipt at the site. A Request to Import/Reuse Fill or Soil form, which can be found at http://www.dec.ny.gov/regulations/67386.html, will be prepared and submitted to the NYSDEC project manager allowing a minimum of 5 business days for review. A copy of the form is presented in Appendix G.

Material from industrial sites, spill sites, other environmental remediation sites, or potentially contaminated sites will not be imported to the site.

All imported soils will meet the backfill and cover soil quality standards established in 6 NYCRR 375-6.7(d) and DER-10 Appendix 5 for Commercial or Industrial Use. Soils that meet 'general' fill requirements under 6 NYCRR Part 360.13, but do not meet backfill or cover soil objectives for this site, will not be imported onto the site without prior approval by NYSDEC project manager. Soil material will be sampled for the full suite of analytical parameters, including PFAS and 1, 4-dioxane. 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.

B-11 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 NYSDEC. 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 identified in the SMP 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.

B-12 EXCAVATION CONTINGENCY PLAN

If underground tanks or other previously unidentified contaminant sources are found during post-remedial subsurface excavations or development related construction, excavation activities will be suspended until sufficient equipment is mobilized to address the condition. The NYSDEC project manager will be promptly notified of the discovery.

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 (including 1,4-dioxane), TCL pesticides and PCBs, and PFAS], unless the site history and previous sampling results provide sufficient justification to limit the list of analytes. In this case, a reduced list of analytes will be proposed to the NYSDEC project manager for approval prior to sampling. Any tanks will be closed as per NYSDEC regulations and guidance.

Identification of unknown or unexpected contaminated media identified by screening during invasive site work will be promptly communicated by phone within two hours to NYSDEC's Project Manager. Reportable quantities of petroleum product will also be reported to the NYSDEC spills hotline. These findings will be also included in the Periodic Review Report.

B-13 COMMUNITY AIR MONITORING PLAN (CAMP)

A generic CAMP to be followed is as a separate appendix to this EWP. Please find the CAMP in appendix G.

B-14 ODOR CONTROL PLAN

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. NYSDEC and NYSDOH will be notified of all odor events and of any other complaints about the project. Implementation of all odor controls, including the halt of work, is the responsibility of the remedial party's Remediation Engineer, and any measures that are implemented will be discussed in the Periodic Review Report.

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 close 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.

B-15 DUST CONTROL PLAN

Particulate monitoring must be conducted according to the Community Air Monitoring Plan (CAMP) provided in Appendix G. If particulate levels at the site exceed the thresholds listed in the CAMP or if airborne dust is observed on the site or leaving the site, the dust suppression techniques listed below will be employed. The remedial party will also take measures listed below to prevent dust production on the site.

A dust suppression 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.

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B-16 OTHER NUISANCES

A plan for rodent control will be developed and utilized by the contractor prior to and during site clearing and site grubbing, and during all remedial work.

A plan will be developed and utilized by the contractor for all remedial work to ensure compliance with local noise control ordinances.

APPENDIX C

RESPONSIBILITIES of

OWNER and REMEDIAL PARTY

The responsibilities for implementing the Site Management Plan ("SMP") for the J&L Steel Site for Parcel D (see survey metes and bounds description) are divided between the property owner(s) and the NYSDEC, as defined below. The property owner(s) is currently listed as: **St. Lawrence County** (the "Owner").

Solely for the purposes of this document and based upon the facts related to a 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 the NYSDEC, if NYSDEC is carrying out remediation or site management.

Nothing in 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.

Property Owner's Responsibilities:

1. The Owner shall follow the provisions of the SMP as they relate to future construction and excavation at the property.

2. The Owner shall grant access to the property to the NYSDEC and its agents for the purposes of performing activities required under the SMP and any additional remedial actions or interim remedial measures as necessary.

3. In the event some action or inaction by the Owner adversely impacts the property, the Owner must notify the NYSDEC in accordance with the time frame indicated in the Notifications Section 2.4.2 and coordinate the necessary corrective actions with the NYSDEC. The Owner shall submit Notifications to the NYSDEC for the following reasons:

- 60-day advance notice of any proposed changes in use for the parcel, as required under 6 NYCRR Part 375, and/or Environmental Conservation Law. The foregoing notice shall include a copy of the Owner's plans for the proposed change in use.

- 7-day advance notice of any proposed ground-intrusive activities.

- Notice within 48-hours of any damage or defect to the foundations, structures or engineering controls that reduces or has the potential to reduce the effectiveness of Engineering Controls and likewise any action to be taken to mitigate such damage or defect.

- Verbal notice by noon of the following day of any emergency, such as a fire, flood, or earthquake, that reduces or has the potential to reduce the effectiveness of Engineering Controls in place, with written confirmation within 7 days that includes a summary of actions taken, or to be taken, and the potential impact to the environment and the public.

- Follow-up status reports on actions taken in response to any emergency event requiring an on-going response action shall be submitted to the NYSDEC within 45 days of such event and shall describe and document actions taken to restore the effectiveness of the ECs.

4. The Owner must notify the NYSDEC of any change in ownership of the property (identifying the tax map numbers in any correspondence) and provide contact information for the new owner of the property. 6 NYCRR Part 375 contains notification requirements applicable to any construction or activity changes and changes in ownership. Among the notification requirements is the following:

- Sixty (60) days prior written notification must be made to the NYSDEC.

- Notification is to be submitted to the NYSDEC Division of Environmental Remediation's Site Control Section.

- Notification requirements for a change in use are detailed in Section 2.4 of the SMP.

- A 60-Day Advance Notification Form and Instructions are found at http://www.dec.ny.gov/chemical/76250.html.

5. The Owner will be responsible for completion of the following as per the applicable Section(s) of the SMP:

- In the event that a new building is constructed, the Owner will ensure the new building includes the installation a soil vapor barrier and a passive SSDS. The design and installation shall be approved and/or certified by a licensed professional engineer; documentation of such approval/certification shall be promptly provided to the NYSDEC. The Owner shall ensure the building owner/operator shall also operate and maintain the passive and active SSDS, to the extent required.

- In the event that data indicate that an SSDS system is no longer required or not required, a proposal to discontinue the SSDS will be submitted by the Owner following receipt of RP written approval to the NYSDEC (Section 2.2);

- If defects or damage to any component of the Institutional or Engineering Controls are identified, the Owner will notify the NYSDEC;

- The Owner shall comply with the Excavation Work Plan and will ensure that site development activities will not interfere with, or otherwise impair or compromise, the engineering controls described in this SMP;

- Adhere to the notification requirements as specified in the SMP;

- Adhere to the Health and Safety Plan, Community Air Monitoring Plan, Quality Assurance Project Plan, Hazard Identification Plan as outlined in the SMP (Appendices D, F, G and E, respectively); and

- Prepare, as necessary, a site specific Stormwater Pollution Prevention Plan as summarized in the SMP as required to complete their respective work scopes.

6. In accordance with the tenant notification law, within 15 days of receipt, the Owner must supply a copy of any vapor intrusion data that is produced with respect to structures and that exceeds NYSDOH or OSHA guidelines on the property, whether produced by the NYSDEC or Owner, to the tenants on the property. The Owner must otherwise comply with the tenant and occupant notification provisions of Environmental Conservation Law Article 27, Title 24.

7. Future property owners, RPs, and their respective successors and assigns are required to carry out the activities set forth above as per the SMP and Institutional Controls.

APPENDIX D – ENVIRONMENTAL EASEMENT

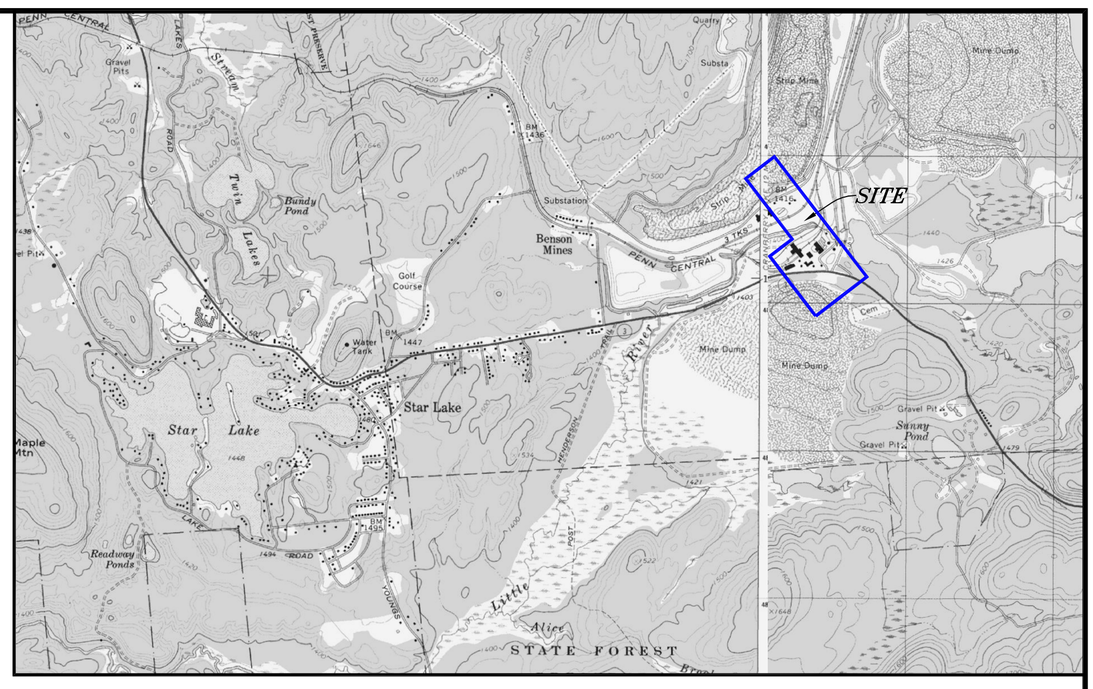
Only signed copies from the original of this survey marked with an original of the land surveyor's inked or embossed seal shall be considered to be valid true copies.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, subdivision 2, of the New York State Education Law.

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law. The engineering and institutional controls for this Easement are set forth in the Site Management Plan (SMP). A copy of the SMP must be obtained by any party with an interest in the property. The SMP can be obtained from NYS Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@dec.ny.gov.

Any intrusive activity within the metes and bounds of the County parcel will require a NYSDEC notification.

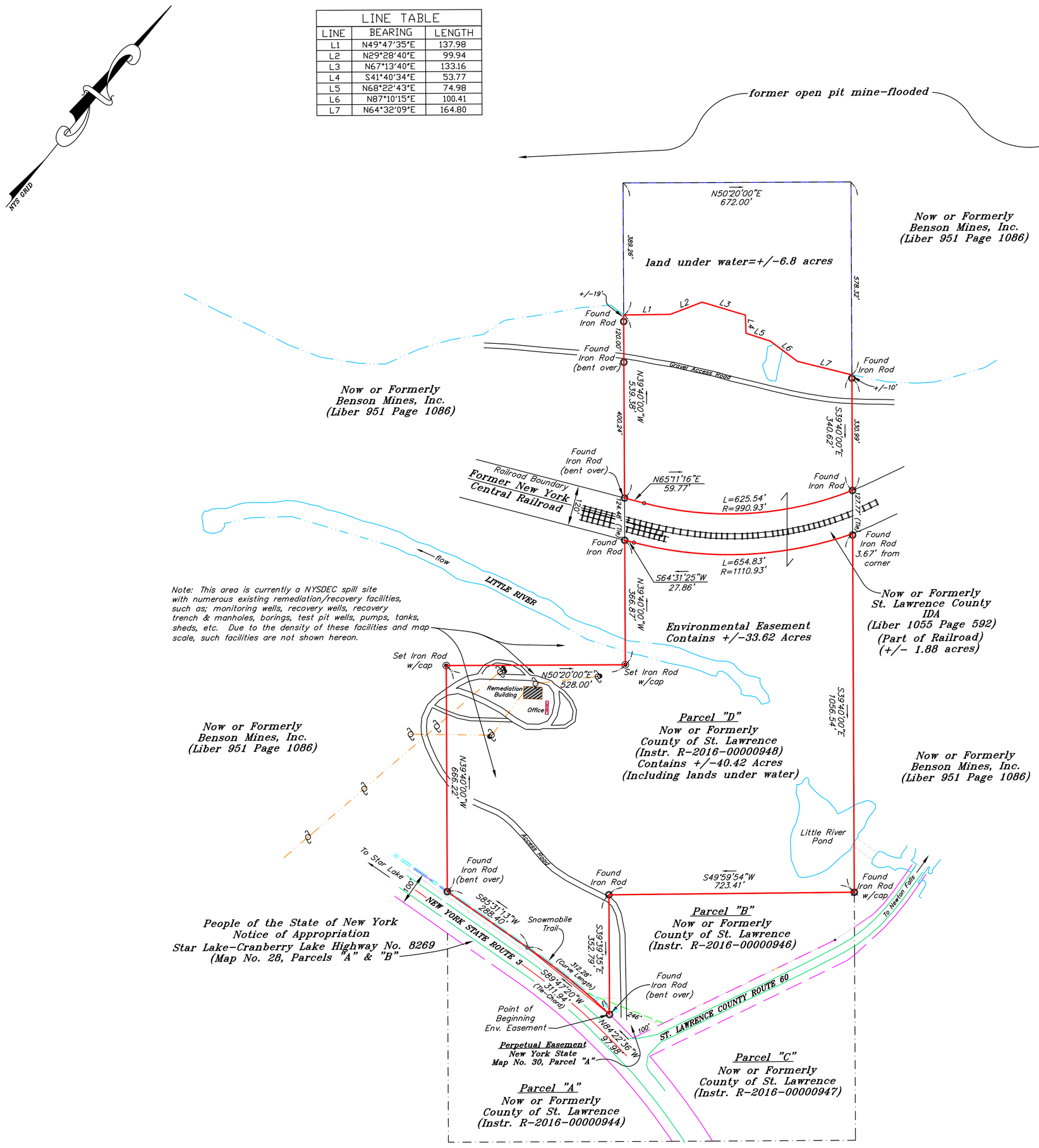
THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION OR IT'S AGENTS MAY ACCESS THE ENVIRONMENTAL EASEMENT AREA AS SHOWN HEREON THROUGH ANY EXISTING STREET ACCESS.



SITE LOCATION MAP

USGS OSWEGATCHIE & NEWTON FALLS QUADS
Not to Scale

LINE TABLE		
LINE	BEARING	LENGTH
L1	N49°47'35"E	137.98
L2	N29°28'40"E	99.94
L3	N67°13'40"E	133.16
L4	S41°40'34"E	53.77
L5	N68°22'43"E	74.98
L6	N87°10'15"E	100.41
L7	N64°32'09"E	164.80



ENVIRONMENTAL EASEMENT
Part of Parcel D

All that tract or parcel of land situate northerly of New York State Route 3, and westerly of County Route 60, in the Town of Clifton, County of St. Lawrence and State of New York, bounded and described as follows:

Beginning at an iron rod in the northerly boundary of NYS Route 3 at the southwesterly corner of Parcel "B" of a subdivision of the 54 acre parent parcel, this iron rod being located North 84 degrees 22 minutes 36 seconds West a distance of 97.98 feet from an iron rod at the intersection of the northerly boundary of New York State Route 3 with the westerly boundary of County Route 60, and proceeding on a NYS Grid bearing the following courses;

thence southwesterly along the northerly boundary of NYS Route 3, concentric with and 50 feet distant from the centerline thereof, on a curve to the left, 312.28 feet to a point, this course having a tie-chord bearing of **South 89 degrees 47 minutes 20 seconds West** and a tie-chord distance of **311.94 feet**;

thence continuing along the northerly boundary of NYS Route 3 **South 85 degrees 31 minutes 13 seconds West** a distance of **288.40 feet** to an iron rod;

thence **North 39 degrees 40 minutes 00 seconds West** along a southwesterly boundary of a parcel now or formerly County of St. Lawrence (Instr. 2014-00004457) and a northeasterly boundary of a parcel now or formerly Benson Mines, Inc. (Liber 951 Page 1086) a distance of **666.22 feet** to an iron rod;

thence **North 50 degrees 20 minutes 00 seconds East** along a northwesterly boundary of lands of County of St. Lawrence and a southeasterly boundary of Benson Mines, Inc. a distance of **528.00 feet** to an iron rod;

thence **North 39 degrees 40 minutes 00 seconds West** along a southwesterly boundary of lands of County of St. Lawrence and northeasterly boundary of lands now or formerly Benson Mines, Inc. a distance of **366.87 feet** to a point in the apparent southerly boundary of the former New York Central Railroad, being now or formerly St. Lawrence County Industrial Development Agency (Liber 1055 Page 592);

thence continuing across the former New York Central Railroad, being now or formerly St. Lawrence County Industrial Development Agency (Liber 1055 Page 592) **North 39 degrees 40 minutes 00 seconds West** a distance of **124.48 feet** to an iron rod in the apparent northerly boundary of the former New York Central Railroad;

thence continuing **North 39 degrees 40 minutes 00 seconds West** along a southwesterly boundary of lands of County of St. Lawrence and a northeasterly boundary of lands now or formerly Benson Mines, Inc. a distance of **539.38 feet** to a point at the approximate bounds of the flooded mine pit;

thence through lands now or formerly County of St. Lawrence, along the approximate southerly bounds of the flooded mine pit the following seven courses:

1) North 49 degrees 47 minutes 35 seconds East a distance of 137.98 feet to a point,
2) North 29 degrees 28 minutes 40 seconds East a distance of 99.94 feet to a point,
3) North 67 degrees 13 minutes 40 seconds East a distance of 133.16 feet to a point,
4) South 41 degrees 40 minutes 34 seconds East a distance of 53.77 feet to a point,
5) North 68 degrees 22 minutes 43 seconds East a distance of 74.98 feet to a point,
6) North 87 degrees 10 minutes 15 seconds East a distance of 100.41 feet to a point;
7) North 64 degrees 32 minutes 09 seconds East a distance of 164.80 feet to a point in the northeasterly boundary of lands of County of St. Lawrence;

thence **South 39 degrees 40 minutes 00 seconds East** along a northeasterly boundary of lands of County of St. Lawrence and a southwesterly boundary of lands now or formerly Benson Mines, Inc. a distance **of 340.62 feet** to an iron rod in the apparent northerly boundary of the former New York Central Railroad, being now or formerly St. Lawrence County Industrial Development Agency (Liber 1055 Page 592);

thence continuing across the former New York Central Railroad, being now or formerly St. Lawrence County Industrial Development Agency (Liber 1055 Page 592) **South 39 degrees 40 minutes 00 seconds East** a distance of **127.77 feet** to a point in the apparent southerly boundary of the former New York Central Railroad;

thence continuing **South 39 degrees 40 minutes 00 seconds East** along a northeasterly boundary of lands of County of St. Lawrence and a southwesterly boundary of lands now or formerly Benson Mines, Inc. a distance of **1056.54 feet** to an iron rod at the northerly corner of Parcel "B" of a subdivision of the 54 acre parent parcel;

thence **South 49 degrees 59 minutes 54 seconds West** along the northwesterly boundary of subdivision Parcel "B" a distance of **723.41 feet** to an iron rod at the westerly corner of said subdivision Parcel "B";

thence **South 39 degrees 39 minutes 35 seconds East** along the southwesterly boundary of subdivision Parcel "B" a distance of **352.79 feet** to the Point of Beginning of this description.

EXCEPTING therefrom all that portion of the former New York Central Railroad, now or formerly St. Lawrence County Industrial Development Agency (Liber 1055 Page 592), and being a strip of land 120 feet in width centered on the railroad tracks crossing said lands of County of St. Lawrence, and containing 1.88 acres more or less.

Containing **33.62 Acres** of land more or less, as prepared by Ronald E. Towne, L.S. 050331 of WCT Surveyors, P.C. Bearings are referenced to New York State Grid North.

Being a portion of a parcel of land formerly conveyed by Dongrove Holdings Limited, by Kevin Felt as County Treasurer of the County of St. Lawrence to the County of St. Lawrence by deed dated April 7, 2014 and recorded in the St. Lawrence County Clerk's Office as Instrument 2014-00004457.

LEGEND

- *CENTERLINE*
- *HIGHWAY BOUNDARY*
- *HIGHWAY EASEMENT*
- *ADJOINER BOUNDARY LINE*
- *ENVIRONMENTAL EASEMENT BOUNDARY*
- *CHAIN LINK FENCE*
- *APPROXIMATE EDGE OF WATER*
- *UTILITY LINE AND POLE*
- *GUY WIRE*
- *ANGLE POINT*
- *FOUND 5/8" IRON ROD*
- *FOUND 5/8" IRON ROD W/PLASTIC CAP STAMPED "WILHELM CHATELLE TOWNE SURVEYORS"*
- *SET 5/8" IRON ROD W/PLASTIC CAP STAMPED "WILHELM CHATELLE TOWNE SURVEYORS"*

GRAPHIC SCALE

200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

GRAPHIC SCALE

60 0 60 120 240

(METRIC)
1:2400

NOTES:

1) *This map is based on a field survey completed in January–February 2021 by WCT Surveyors, P.C., with significant snow cover.*
2) *North arrow and bearings shown hereon are based on New York State Grid North as determined by GPS observations in June 2000.*
3) *As of the date of this survey, the subject parcel was listed on St. Lawrence County Real Property Tax Rolls as owned by the County of St. Lawrence.*
4) *Parcel A, B, C & D are a subdivision of the 54 acre parent parcel now or formerly the County of St. Lawrence.*
5) *The approximate bounds of the flooded mine pit shown hereon within Parcel "D" is as determined from a field survey of the approximate high water line.*
6) *Locations of underground utilities are not shown hereon, and are not part of this survey.*
7) *This survey was completed without benefit of an Abstract of Title and is subject to the facts such may disclose.*
8) *No Title Report was provided to the surveyor for this property.*

REFERENCE MAPS:

1) *Map of "Plan Showing Parcel of Land to be Conveyed to Jones and Laughlin Ore Company by War Assets Administration", dated 10–31–1946, filed in Envelope 2B in the St. Lawrence County Clerk's Office.*
2) *People of the State of New York, Notice of Appropriation, Highway No. 8269, Map No. 28, Parcels "A" & "B", filed in Envelope 3A in the St. Lawrence County Clerk's Office.*
3) *People of the State of New York, Notice of Appropriation, Highway No. 8269, Map No. 29, Parcels "A" & "B", and Map No. 30, Parcels "A" & "B", filed in Envelope 3B in the St. Lawrence County Clerk's Office.*
4) *"Disposition Map Showing Lands Belonging To Dongrove Holdings Limited", dated 8–30–96, prepared by HARZA NORTHEAST, filed in Envelope 335B in the St. Lawrence County Clerk's Office.*
5) *Map of "ALTA/ACSM Land Title Survey of Former Jones & Laughlin Ore Company Site" prepared by WCT Surveyors, P.C., File No. 113–223, dated March 24, 2014.*

SURVEYOR'S CERTIFICATION:

To: 1) The People of the State of New York acting through their Commissioner of the Department of Environmental Conservation.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes no items of Table A thereof. The field work was completed on February 04, 2021, and added to on November 20, 2024.

Date of Plat or Map: March 02, 2021, Revised November 25, 2024.

Ronald E. Towne November 25, 2024

Ronald E. Towne, Licensed Surveyor No. 050331

STATE OF NEW YORK · RONALD EDWARD TOWNE · 050331 · LICENSED LAND SURVEYOR

PREPARED BY

WCT SURVEYORS, P.C.

971 Judson Street Road, Canton, N. Y. 13617
Voice: 315/379–7630 Fax: 315/379–7631 Email: wcts@slic.com

ALTA/ACSM LAND TITLE SURVEY OF FORMER JONES & LAUGHLIN STEEL COMPANY SITE ENVIRONMENTAL EASEMENT MAP PREPARED FOR ST. LAWRENCE COUNTY & NYSDEC

SITUATE IN: TOWN OF CLIFTON, COUNTY OF ST. LAWRENCE, STATE OF NEW YORK

DATE: March 02, 2021 *SCALE: 1 inch = 200 feet*
TAX MAP ID # 214.000–04–22.1 *FILE # 121–021*

REV 1: November 25, 2025, removed flooded mine pit from Environmental Easement.

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made this 12th day of December, 2024, between Owner, St. Lawrence County, having an office at 48 Court Street, Canton, County of St. Lawrence, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee"), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 4669 SH 3 in the Town of Clifton, County of St. Lawrence and State of New York, known and designated on the tax map of the County Clerk of St. Lawrence as tax map parcel number: Section 214.000 Block 4 Lot 22, being the same as that property conveyed to Grantor by deed dated January 7, 2016 and recorded in the St. Lawrence County Clerk's Office in Instrument No. R-2016-00000948. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 33.62 +/- acres, and is hereinafter more fully described in the Land Title Survey dated March 2, 2021, and last revised on November 25, 2024, prepared by Ronald Edward Towne, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Order on Consent Index Number: W6-1172-05-13, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the St. Lawrence County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a

defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to:

Site Number: 645029
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

11. Consistency with the SMP. To the extent there is any conflict or inconsistency between the terms of this Environmental Easement and the SMP, regarding matters specifically addressed by the SMP, the terms of the SMP will control.

Remainder of Page Intentionally Left Blank

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

St. Lawrence County:

By: _____

Print Name: David Forsythe

Title: Chair Date: 12/9/24

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF St. Lawrence)

On the 9 day of December, in the year 2024, before me, the undersigned, personally appeared David Forsythe, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Kelly Sue BigWarfe
Notary Public - State of New York

KELLY SUE PEARSON BIGWARFE
Notary Public, State of New York
No. 01PE6213525
Qualified in St. Lawrence County
My Commission Expires November 9, 2025

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting by and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 12th day of December in the year 2024 before me, the undersigned, personally appeared Andrew O. Guglielmi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public - State of New York

Cheryl A. Salem
Notary Public State of New York
Registration No. 01SA0002177
Qualified in Albany County
My Commission Expires March 3, 2027

SCHEDULE "A" PROPERTY DESCRIPTION

ENVIRONMENTAL EASEMENT
Part of Parcel D
All that tract or parcel of land situate northerly of New York State Route 3, and westerly of County Route 60, in the Town of Clifton, County of St. Lawrence and State of New York, bounded and described as follows:

Beginning at an iron rod in the northerly boundary of NYS Route 3 at the southwesterly corner of Parcel "B" of a subdivision of the 54 acre parent parcel, this iron rod being located North 84 degrees 22 minutes 36 seconds West a distance of 97.98 feet from an iron rod at the intersection of the northerly boundary of New York State Route 3 with the westerly boundary of County Route 60, and proceeding on a NYS Grid bearing the following courses;

thence southwesterly along the northerly boundary of NYS Route 3, concentric with and 50 feet distant from the centerline thereof, on a curve to the left, 312.28 feet to a point, this course having a tie-chord bearing of South 89 degrees 47 minutes 20 seconds West and a tie-chord distance of 311.94 feet;

thence continuing along the northerly boundary of NYS Route 3 South 85 degrees 31 minutes 13 seconds West a distance of 288.40 feet to an iron rod;

thence North 39 degrees 40 minutes 00 seconds West along a southwesterly boundary of a parcel now or formerly County of St. Lawrence (Instr. 2014-00004457) and a northeasterly boundary of a parcel now or formerly Benson Mines, Inc. (Liber 951 Page 1086) a distance of 666.22 feet to an iron rod;

thence North 50 degrees 20 minutes 00 seconds East along a northwesterly boundary of lands of County of St. Lawrence and a southeasterly boundary of Benson Mines, Inc. a distance of 528.00 feet to an iron rod;

thence North 39 degrees 40 minutes 00 seconds West along a southwesterly boundary of lands of County of St. Lawrence and northeasterly boundary of lands now or formerly Benson Mines, Inc. a distance of 366.87 feet to a point in the apparent southerly boundary of the former New York Central Railroad, being now or formerly St. Lawrence County Industrial Development Agency (Liber 1055 Page 592);

thence continuing across the former New York Central Railroad, being now or formerly St. Lawrence County Industrial Development Agency (Liber 1055 Page 592) North 39 degrees 40 minutes 00 seconds West a distance of 124.48 feet to an iron rod in the apparent northerly boundary of the former New York Central Railroad;

thence continuing North 39 degrees 40 minutes 00 seconds West along a southwesterly boundary of lands of County of St. Lawrence and a northeasterly boundary of lands now or formerly Benson Mines, Inc. a distance of 539.38 feet to a point at the approximate bounds of the flooded mine pit;

thence through lands now or formerly County of St. Lawrence, along the approximate southerly bounds of the flooded mine pit the following seven courses:
1) North 49 degrees 47 minutes 35 seconds East a distance of 137.98 feet to a point,
2) North 29 degrees 28 minutes 40 seconds East a distance of 99.94 feet to a point,
3) North 67 degrees 13 minutes 40 seconds East a distance of 133.16 feet to a point,
4) South 41 degrees 40 minutes 34 seconds East a distance of 53.77 feet to a point,
5) North 68 degrees 22 minutes 43 seconds East a distance of 74.98 feet to a point,
6) North 87 degrees 10 minutes 15 seconds East a distance of 100.41 feet to a point;
7) North 64 degrees 32 minutes 09 seconds East a distance of 164.80 feet to a point in the northeasterly boundary of lands of County of St. Lawrence;

thence South 39 degrees 40 minutes 00 seconds East along a northeasterly boundary of lands of County of St. Lawrence and a southwesterly boundary of lands now or formerly Benson Mines, Inc. a distance of 340.62 feet to an iron rod in the apparent northerly boundary of the former New York Central Railroad, being now or formerly St. Lawrence County Industrial Development Agency (Liber

1055 Page 592);

thence continuing across the former New York Central Railroad, being now or formerly St. Lawrence County Industrial Development Agency (Liber 1055 Page 592) South 39 degrees 40 minutes 00 seconds East a distance of 127.77 feet to a point in the apparent southerly boundary of the former New York Central Railroad;

thence continuing South 39 degrees 40 minutes 00 seconds East along a northeasterly boundary of lands of County of St. Lawrence and a southwesterly boundary of lands now or formerly Benson Mines, Inc. a distance of 1056.54 feet to an iron rod at the northerly corner of Parcel "B" of a subdivision of the 54 acre parent parcel;

thence South 49 degrees 59 minutes 54 seconds West along the northwesterly boundary of subdivision Parcel "B" a distance of 723.41 feet to an iron rod at the westerly corner of said subdivision Parcel "B";

thence South 39 degrees 39 minutes 35 seconds East along the southwesterly boundary of subdivision Parcel "B" a distance of 352.79 feet to the Point of Beginning of this description.

EXCEPTING therefrom all that portion of the former New York Central Railroad, now or formerly St. Lawrence County Industrial Development Agency (Liber 1055 Page 592), and being a strip of land 120 feet in width centered on the railroad tracks crossing said lands of County of St. Lawrence, and containing 1.88 acres more or less.

Containing 33.62 Acres of land more or less, as prepared by Ronald E. Towne, L.S. 050331 of WCT Surveyors, P.C. Bearings are referenced to New York State Grid North.

Being a portion of a parcel of land formerly conveyed by Dongrove Holdings Limited, by Kevin Felt as County Treasurer of the County of St. Lawrence to the County of St. Lawrence by deed dated April 7, 2014 and recorded in the St. Lawrence County Clerk's Office as Instrument 2014-00004457

March 1, 2021

Finance Committee: 2-22-2021

RESOLUTION NO. 56-2021

AUTHORIZING THE CHAIR TO SIGN AND TRANSFER A UTILITY EASEMENT FOR A PORTION OF THE FORMER J&L SITE TO NATIONAL GRID

By Mr. Acres, Chair, Finance Committee

WHEREAS, the County of St. Lawrence is the record title owner of 54 + acres of land in the Town of Clifton formerly owned by the Jones and Laughlin Steel Company and commonly referred to as the 'J&L Site' having taken title through tax foreclosure proceeding in 2014, and

WHEREAS, the County of St. Lawrence, along with the Town of Clifton and Town of Fine, desire to see one of the few Adirondack Park Industrial properties returned to productive use, and

WHEREAS, the County of St. Lawrence subdivided the original single lot into four (4) separate and distinct lots, and

WHEREAS, National Grid, an electric utility provider, servicing both the Town of Fine and the Town of Clifton maintains an electric substation on one of the proposed separate and distinct lots (Parcel 'C') as a part of the site referred to as the J&L Site, and

WHEREAS, in 2015, St. Lawrence County granted to National Grid a permanent easement to continue to operate their substation on Parcel 'C' indefinitely, and

WHEREAS, in 2019, as a part of potential redevelopment of the Site, St. Lawrence County granted a five (5) year option to purchase the J&L Site to Benson Mines, Inc., and

WHEREAS, Benson Mines, Inc. and National Grid have determined that in order to further develop the J&L Site an additional permanent easement is required allowing power lines to be routed over the parcels to and from the National Grid substation and to the main parcel still owned by the County,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign and transfer a utility easement for a portion of the J&L Site to National Grid, upon approval of the County Attorney.

STATE OF NEW YORK)
) ss:
COUNTY OF ST. LAWRENCE)

I, Kelly S. Pearson, Deputy Clerk of the St. Lawrence County Board of Legislators, **DO HEREBY CERTIFY** that I have compared this Resolution No. 56-2021 Entitled "Authorizing the Chair to Sign and Transfer a Utility Easement for a Portion of the Former J&L Site to National Grid", adopted March 1, 2021, with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

Kelly S. Pearson
Kelly S. Pearson, Deputy Clerk
St. Lawrence County Board of Legislators
March 2, 2021

TP-584.2 (10/96)

Recording Office Time Stamp

Real Estate Transfer Tax Return For Public Utility Companies' and Governmental Agencies' Easements and Licenses

This form may only be used by public utility companies regulated by the Public Service Commission and governmental agencies for the recording of easements and licenses where the consideration for the grant of such easement or license is $500.00 or less.

Name of grantee (public utility company or governmental agency)

Federal employer identification number *(if applicable)*

Address of grantee

Name and telephone number of person to contact

Name(s) of Grantor Of Easement or License	Address of Property	Consideration Given For Easement or License
1. St. Lawrence County	4669 SH 3, Clifton, NY	$0.00
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

If more than fifteen conveyances are to be recorded, attach a schedule of such other conveyances.

Signature of Grantee

I certify that the grantee is a public utility regulated by the Public Service Commission or is a governmental agency and the grantee of the easements and/or licenses above; that it is true to the best knowledge of the grantee that the granting of each such easement and/or license is exempt from Real Estate Transfer Tax imposed by Article 31 of the Tax Law by reason that each such conveyance is for a consideration of five hundred dollars or less and/or the conveyance is being made to a governmental agency.

NYS Department of Environmental Conservation
Name of grantee

Andrew Hemmerich
Signature of partner, officer of corporation, governmental official, etc.

Director of Environmental Remediation
Title

AFFIDAVIT OF POSTING

BE IT RESOLVED, that the **County of St. Lawrence** hereby establishes the following resolution "Authorizing the Chair to Sign All Documents Necessary for the Sale of Real Property Known as the Former J&L Site for Economic Development and Job Creation" and submitted by these members to the clerk of this body:

Finance Committee: 10-28-2024

RESOLUTION NO. 329-2024

AUTHORIZING THE CHAIR TO SIGN ALL DOCUMENTS NECESSARY FOR THE SALE OF REAL PROPERTY KNOWN AS THE FORMER J&L SITE FOR ECONOMIC DEVELOPMENT AND JOB CREATION

By Mr. Gennett, Chair, Finance Committee
Co-Sponsored by Mr. Denesha, District 6

WHEREAS, St. Lawrence County is the record title owner of 54+ acres of land in the Town of Clifton, formerly owned by the Jones and Laughlin Steel Company and commonly referred to as the "J&L Site", and

WHEREAS, St. Lawrence County, along with the Town of Clifton and Town of Fine, would like to see this Adirondack Park industrial classified property returned to productive use, and

WHEREAS, in 2019, the County agreed to issue an option to purchase the former J&L Site to Benson Mines, and

WHEREAS, one of the primary concerns of the County regarding the Site has been the re-establishment of an economically viable operation at the former J&L Site that will establish not only jobs but revitalization for the southeastern portion of the County, and

WHEREAS, as a condition of the issued option, Benson Mines was required to submit proof of job creation and development of the site satisfactory to the Board of Legislators, and

WHEREAS, the County has received letters from two developers, Astro Aggregates and New York State Energy and Research Development Authority (NYSERDA), that would establish permanent employment at the former J&L Site, and

WHEREAS, pursuant to the letters, Astro Aggregates would develop a facility at the former mine and begin shipment of approximately 3,000 rail cars of materials annually, utilizing the rail spur developed by the St. Lawrence County Industrial Development Agency, and

WHEREAS, separately, NYSERDA has secured a solar developer who anticipates construction of an initial 12 MWH solar facility, requiring 50-75 jobs for construction and five (5) permanent jobs for maintenance to support the area, and

WHEREAS, construction is set to commence on both projects in 2025 with continued expansion proposed through 2027, and

WHEREAS, as a result of the successful completion of the requirements of the Option Agreement, Benson Mines has agreed, in principle, to pay the remaining sum of money in the amount of $165,000 to the County to consummate the sale, and

WHEREAS, Benson Mines has agreed that the sale is necessary for completion of separate agreements between Benson Mines and the third parties for the redevelopment of the property, and

WHEREAS, the lot was previously subdivided and an easement was conveyed to the Town of Clifton to establish an aquatic invasive species boat washing station, and

WHEREAS, as a part of the process of environmental remediation, the County has also conveyed an environmental easement on the property to the New York State Department of Environmental Conservation (NYSDEC), and

WHEREAS, as a part of any agreement for the sale of the land, Benson Mines understands and agrees that it will be required to assume the rights and obligations of the County under a Consent Order with the NYSDEC and the responsibilities of the County to permit and not interfere with the further environmental remediation efforts of NYSDEC,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign all documents necessary for the sale of real property known as the J&L Site to Benson Mines for economic development and job creation, upon approval of the County Attorney.

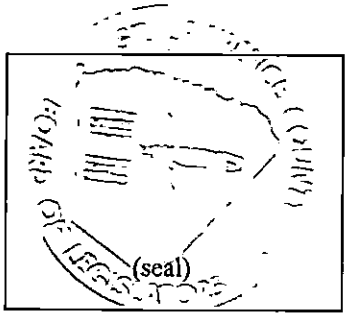
I, Kelly S. Bigwarfe, Deputy Clerk of the governing board of the St. Lawrence County Board of Legislators of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 4th day of November, 2024, on file as part of the minutes of such meeting and that same is a true copy thereof and the whole of such original.

I further certify that the full Board consists of fifteen (15) members and that 93.33% of such members were present at such meeting, and that fourteen (14) of such members voted in favor of the above resolution, and one (1) was absent.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of St. Lawrence County Board of Legislators on this 18th day of December, 2024

Kelly S. Bigwarfe
(Signature)

AFFIDAVIT OF POSTING: I, Kelly S. Bigwarfe, being duly sworn, deposes and says that the posting of the Resolution began on November 5, 2024 and continued for at least 30 days. That the resolution was available to the public on the St. Lawrence County Website at www.stlawco.gov



ST. LAWRENCE COUNTY
OFFICE OF THE COUNTY ATTORNEY

COUNTY ATTORNEY

STEPHEN D. BUTTON

ASSISTANT COUNTY ATTORNEYS

DAVID F. HUBER
KEITH S. MASSEY, JR.
CHRISTINE N. LABBATE
MATTHEW J. KLIMASAUSKAS
MEGAN R. WHITTON
COLIN S. LOOMIS

RISK MANAGER / COMPLIANCE OFFICER

JODY C. WENZEL

CONFIDENTIAL SECRETARY

MICHELE A. ZERA

PARALEGALS

LORETTA HOUSE
CORALEE BARRETT

December 18, 2024

Office of the General Counsel
Attention: Cheryl A. Salem
625 Broadway
14th Floor
Albany, NY 12233-1500

RE: Recorded Environmental Easement and Certified Municipal Notices
Site Name: Former J & L Steel Site
Site No.: 645029

Dear Ms./Mrs. Salem:

Enclosed please find a copy of the recorded easement and certified copies of the municipal notices.

If you have any further questions or concerns relating to this matter, please contact our office at (315) 379-2269.

Sincerely,

Coralee Barrett

Coralee Barrett, Paralegal
St. Lawrence County Attorney's Office
48 Court Street
Canton, NY 13617
315-379-2269
Direct Extension: 2484
Email: cbarrett@stlawco.gov

MAIN OFFICE
48 COURT STREET
CANTON, NY 13617
(315) 379-2269 OFFICE
(315) 379-2254 FAX

APPENDIX E – GENERIC CAMP & HEALTH AND SAFETY PLAN

Appendix 1A
New York State Department of Health
Generic Community Air Monitoring Plan

Overview

A Community Air Monitoring Plan (CAMP) requires real-time monitoring for volatile organic compounds (VOCs) and particulates (i.e., dust) at the downwind perimeter of each designated work area when certain activities are in progress at contaminated sites. The CAMP is not intended for use in establishing action levels for worker respiratory protection. Rather, its intent is to provide a measure of protection for the downwind community (i.e., off-site receptors including residences and businesses and on-site workers not directly involved with the subject work activities) from potential airborne contaminant releases as a direct result of investigative and remedial work activities. The action levels specified herein require increased monitoring, corrective actions to abate emissions, and/or work shutdown. Additionally, the CAMP helps to confirm that work activities did not spread contamination off-site through the air.

The generic CAMP presented below will be sufficient to cover many, if not most, sites. Specific requirements should be reviewed for each situation in consultation with NYSDOH to ensure proper applicability. In some cases, a separate site-specific CAMP or supplement may be required. Depending upon the nature of contamination, chemical- specific monitoring with appropriately-sensitive methods may be required. Depending upon the proximity of potentially exposed individuals, more stringent monitoring or response levels than those presented below may be required. Special requirements will be necessary for work within 20 feet of potentially exposed individuals or structures and for indoor work with co-located residences or facilities. These requirements should be determined in consultation with NYSDOH.

Reliance on the CAMP should not preclude simple, common-sense measures to keep VOCs, dust, and odors at a minimum around the work areas.

Community Air Monitoring Plan

Depending upon the nature of known or potential contaminants at each site, real-time air monitoring for VOCs and/or particulate levels at the perimeter of the exclusion zone or work area will be necessary. Most sites will involve VOC and particulate monitoring; sites known to be contaminated with heavy metals alone may only require particulate monitoring. If radiological contamination is a concern, additional monitoring requirements may be necessary per consultation with appropriate DEC/NYSDOH staff.

Continuous monitoring will be required for all ground intrusive activities and during the demolition of contaminated or potentially contaminated structures. Ground intrusive activities include, but are not limited to, soil/waste excavation and handling, test pitting or trenching, and the installation of soil borings or monitoring wells.

Periodic monitoring for VOCs will be required during non-intrusive activities such as the collection of soil and sediment samples or the collection of groundwater samples from existing monitoring wells. “Periodic” monitoring during sample collection might reasonably consist of taking a reading upon arrival at a sample location, monitoring while opening a well cap or

overturning soil, monitoring during well baling/purging, and taking a reading prior to leaving a sample location. In some instances, depending upon the proximity of potentially exposed individuals, continuous monitoring may be required during sampling activities. Examples of such situations include groundwater sampling at wells on the curb of a busy urban street, in the midst of a public park, or adjacent to a school or residence.

VOC Monitoring, Response Levels, and Actions

Volatile organic compounds (VOCs) must be monitored at the downwind perimeter of the immediate work area (i.e., the exclusion zone) on a continuous basis or as otherwise specified. Upwind concentrations should be measured at the start of each workday and periodically thereafter to establish background conditions, particularly if wind direction changes. The monitoring work should be performed using equipment appropriate to measure the types of contaminants known or suspected to be present. The equipment should be calibrated at least daily for the contaminant(s) of concern or for an appropriate surrogate. The equipment should be capable of calculating 15-minute running average concentrations, which will be compared to the levels specified below.

1. If the ambient air concentration of total organic vapors at the downwind perimeter of the work area or exclusion zone exceeds 5 parts per million (ppm) above background for the 15-minute average, work activities must be temporarily halted and monitoring continued. If the total organic vapor level readily decreases (per instantaneous readings) below 5 ppm over background, work activities can resume with continued monitoring.

2. If total organic vapor levels at the downwind perimeter of the work area or exclusion zone persist at levels in excess of 5 ppm over background but less than 25 ppm, work activities must be halted, the source of vapors identified, corrective actions taken to abate emissions, and monitoring continued. After these steps, work activities can resume provided that the total organic vapor level 200 feet downwind of the exclusion zone or half the distance to the nearest potential receptor or residential/commercial structure, whichever is less - but in no case less than 20 feet, is below 5 ppm over background for the 15-minute average.

3. If the organic vapor level is above 25 ppm at the perimeter of the work area, activities must be shutdown.

4. All 15-minute readings must be recorded and be available for State (DEC and NYSDOH) personnel to review. Instantaneous readings, if any, used for decision purposes should also be recorded.

Particulate Monitoring, Response Levels, and Actions

Particulate concentrations should be monitored continuously at the upwind and downwind perimeters of the exclusion zone at temporary particulate monitoring stations. The particulate monitoring should be performed using real-time monitoring equipment capable of measuring particulate matter less than 10 micrometers in size (PM-10) and capable of integrating over a period of 15 minutes (or less) for comparison to the airborne particulate action level. The equipment must be equipped with an audible alarm to indicate exceedance of the action level. In addition, fugitive dust migration should be visually assessed during all work activities.

1. If the downwind PM-10 particulate level is 100 micrograms per cubic meter (mcg/m^3) greater than background (upwind perimeter) for the 15-minute period or if airborne dust is observed leaving the work area, then dust suppression techniques must be employed. Work may continue with dust suppression techniques provided that downwind PM-10 particulate levels do not exceed 150 mcg/m^3 above the upwind level and provided that no visible dust is migrating from the work area.

2. If, after implementation of dust suppression techniques, downwind PM-10 particulate levels are greater than 150 mcg/m^3 above the upwind level, work must be stopped and a re-evaluation of activities initiated. Work can resume provided that dust suppression measures and other controls are successful in reducing the downwind PM-10 particulate concentration to within 150 mcg/m^3 of the upwind level and in preventing visible dust migration.

3. All readings must be recorded and be available for State (DEC and NYSDOH) and County Health personnel to review.

December 2009

Appendix 1B
Fugitive Dust and Particulate Monitoring

A program for suppressing fugitive dust and particulate matter monitoring at hazardous waste sites is a responsibility on the remedial party performing the work. These procedures must be incorporated into appropriate intrusive work plans. The following fugitive dust suppression and particulate monitoring program should be employed at sites during construction and other intrusive activities which warrant its use:

1. Reasonable fugitive dust suppression techniques must be employed during all site activities which may generate fugitive dust.

2. Particulate monitoring must be employed during the handling of waste or contaminated soil or when activities on site may generate fugitive dust from exposed waste or contaminated soil. Remedial activities may also include the excavation, grading, or placement of clean fill. These control measures should not be considered necessary for these activities.

3. Particulate monitoring must be performed using real-time particulate monitors and shall monitor particulate matter less than ten microns (PM10) with the following minimum performance standards:

(a) Objects to be measured: Dust, mists or aerosols;
(b) Measurement Ranges: 0.001 to 400 mg/m3 (1 to 400,000 :ug/m3);
(c) Precision (2-sigma) at constant temperature: +/- 10 :g/m3 for one second averaging; and +/- 1.5 g/m3 for sixty second averaging;
(d) Accuracy: +/- 5% of reading +/- precision (Referred to gravimetric calibration with SAE fine test dust (mmd= 2 to 3 :m, g= 2.5, as aerosolized);
(e) Resolution: 0.1% of reading or 1g/m3, whichever is larger;
(f) Particle Size Range of Maximum Response: 0.1-10;
(g) Total Number of Data Points in Memory: 10,000;
(h) Logged Data: Each data point with average concentration, time/date and data point number
(i) Run Summary: overall average, maximum concentrations, time/date of maximum, total number of logged points, start time/date, total elapsed time (run duration), STEL concentration and time/date occurrence, averaging (logging) period, calibration factor, and tag number;
(j) Alarm Averaging Time (user selectable): real-time (1-60 seconds) or STEL (15 minutes), alarms required;
(k) Operating Time: 48 hours (fully charged NiCd battery); continuously with charger;
(l) Operating Temperature: -10 to 50^{o} C (14 to 122^{o} F);
(m) Particulate levels will be monitored upwind and immediately downwind at the working site and integrated over a period not to exceed 15 minutes.

4. In order to ensure the validity of the fugitive dust measurements performed, there must be appropriate Quality Assurance/Quality Control (QA/QC). It is the responsibility of the remedial party to adequately supplement QA/QC Plans to include the following critical features: periodic instrument calibration, operator training, daily instrument performance (span) checks, and a record keeping plan.

5. The action level will be established at 150 ug/m3 (15 minutes average). While conservative,

this short-term interval will provide a real-time assessment of on-site air quality to assure both health and safety. If particulate levels are detected in excess of 150 ug/m3, the upwind background level must be confirmed immediately. If the working site particulate measurement is greater than 100 ug/m3 above the background level, additional dust suppression techniques must be implemented to reduce the generation of fugitive dust and corrective action taken to protect site personnel and reduce the potential for contaminant migration. Corrective measures may include increasing the level of personal protection for on-site personnel and implementing additional dust suppression techniques (see paragraph 7). Should the action level of 150 ug/m3 continue to be exceeded work must stop and DER must be notified as provided in the site design or remedial work plan. The notification shall include a description of the control measures implemented to prevent further exceedances.

6. It must be recognized that the generation of dust from waste or contaminated soil that migrates off-site, has the potential for transporting contaminants off-site. There may be situations when dust is being generated and leaving the site and the monitoring equipment does not measure PM10 at or above the action level. Since this situation has the potential to allow for the migration of contaminants off-site, it is unacceptable. While it is not practical to quantify total suspended particulates on a real-time basis, it is appropriate to rely on visual observation. If dust is observed leaving the working site, additional dust suppression techniques must be employed. Activities that have a high dusting potential--such as solidification and treatment involving materials like kiln dust and lime--will require the need for special measures to be considered.

7. The following techniques have been shown to be effective for the controlling of the generation and migration of dust during construction activities:

(a) Applying water on haul roads;
(b) Wetting equipment and excavation faces;
(c) Spraying water on buckets during excavation and dumping;
(d) Hauling materials in properly tarped or watertight containers;
(e) Restricting vehicle speeds to 10 mph;
(f) Covering excavated areas and material after excavation activity ceases; and
(g) Reducing the excavation size and/or number of excavations.

Experience has shown that the chance of exceeding the 150ug/m3 action level is remote when the above-mentioned techniques are used. When techniques involving water application are used, care must be taken not to use excess water, which can result in unacceptably wet conditions. Using atomizing sprays will prevent overly wet conditions, conserve water, and provide an effective means of suppressing the fugitive dust.

8. The evaluation of weather conditions is necessary for proper fugitive dust control. When extreme wind conditions make dust control ineffective, as a last resort remedial actions may need to be suspended. There may be situations that require fugitive dust suppression and particulate monitoring requirements with action levels more stringent than those provided above. Under some circumstances, the contaminant concentration and/or toxicity may require additional monitoring to protect site personnel and the public. Additional integrated sampling and chemical analysis of the dust may also be in order. This must be evaluated when a health and safety plan is developed and when appropriate suppression and monitoring requirements are established for protection of health and the environment.

APPENDIX F
SITE MANAGEMENT FORMS

Summary of Green Remediation Metrics for Site Management

Site Name: _____ Site Code: _____
Address: _____ City: _____
State: _____ Zip Code: _____ County: _____

Initial Report Period (Start Date of period covered by the Initial Report submittal)
Start Date: _____

Current Reporting Period
Reporting Period From: _____ To: _____

Contact Information
Preparer's Name: _____ Phone No.: _____
Preparer's Affiliation: _____

I. Energy Usage: Quantify the amount of energy used directly on-site and the portion of that derived from renewable energy sources.

	Current Reporting Period	**Total to Date**
Fuel Type 1 (e.g. natural gas (cf))		
Fuel Type 2 (e.g. fuel oil, propane (gals))		
Electricity (kWh)		
Of that Electric usage, provide quantity:		
Derived from renewable sources (e.g. solar, wind)		
Other energy sources (e.g. geothermal, solar thermal (Btu))		

Provide a description of all energy usage reduction programs for the site in the space provided on Page 3.

II. Solid Waste Generation: Quantify the management of solid waste generated on-site.

	Current Reporting Period (tons)	**Total to Date (tons)**
Total waste generated on-site		
OM&M generated waste		
Of that total amount, provide quantity:		
Transported off-site to landfills		
Transported off-site to other disposal facilities		
Transported off-site for recycling/reuse		
Reused on-site		

Provide a description of any implemented waste reduction programs for the site in the space provided on Page 3.

III. Transportation/Shipping: Quantify the distances travelled for delivery of supplies and lab-supplied bottles, shipping of laboratory samples, and the removal of waste.

	Current Reporting Period (miles)	**Total to Date (miles)**
Standby Engineer/Contractor		
Laboratory Courier/Delivery Service (bottle and sample delivery)		
Waste Removal/Hauling		

Provide a description of all mileage reduction programs for the site in the space provided on Page 3. Include specifically any local vendor/services utilized that are within 50 miles of the site.

IV. Water Usage: Quantify the volume of water used on-site from various sources.

	Current Reporting Period (gallons)	**Total to Date (gallons)**
Total quantity of water used on-site (not including treated water)		
Of that total amount, provide quantity:		
Public potable water supply usage		
Surface water usage		
On-site groundwater usage		
Collected or diverted storm water usage		

Provide a description of any implemented water consumption reduction programs for the site in the space provided on Page 3.

V. Land Use and Ecosystems: Quantify the amount of land and/or ecosystems disturbed and the area of land and/or ecosystems restored to a pre-development condition (i.e. Green Infrastructure).

	Current Reporting Period (acres)	**Total to Date (acres)**
Land disturbed		
Land restored		

Provide a description of any implemented land restoration/green infrastructure programs for the site in the space provided on Page 3.

Description of green remediation programs reported above (Attach additional sheets if needed)
Energy Usage:
Waste Generation:
Transportation/Shipping:
Water usage:
Land Use and Ecosystems:
Recommendations/Other:

CONTRACTOR CERTIFICATION
I, _____ (**Name**) do hereby certify that I am _____ (**Title**) of _____ (**Contractor Name**), which is responsible for the work documented on this form. According to my knowledge and belief, all of the information provided in this form is accurate and the site management program complies with the DER-10, DER-31, and CP-49 policies. _____ **Date** **Contractor**

APPENDIX G
REQUEST TO IMPORT/REUSE FILL MATERIAL FORM

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Request to Import/Reuse Fill or Soil

This form is based on the information required by DER-10, Section 5.4(e) and 6NYCRR Part 360.13. Use of this form is not a substitute for reading the applicable regulations and Technical Guidance document.

SECTION 1 – SITE BACKGROUND

Site Name:

Site Number:

The allowable site use is: Choose an item

Have Ecological Resources been identified? Choose an item

Is this soil originating from the site? Choose an item

How many cubic yards of soil will be imported/reused? Choose an item

If greater than 1000 cubic yards will be imported, enter volume to be imported:

SECTION 2 – MATERIAL OTHER THAN SOIL

Is the material to be imported gravel, rock or stone? Choose an item

Does it contain less than 10%, by weight, material that passes a size 100 sieve? Choose an item

Is this virgin material from a permitted mine or quarry? Choose an item

Is this material recycled concrete or brick from a DEC registered processing facility? Choose an item

SECTION 3 - SAMPLING

Provide a brief description of the number and type of samples collected in the space below:

Example Text: 5 discrete samples were collected and analyzed for VOCs. 2 composite samples were collected and analyzed for SVOCs, Inorganics & PCBs/Pesticides.

If the material meets requirements of DER-10 section 5.4(e)5 (other material), no chemical testing needed.

SECTION 3 CONT'D - SAMPLING

Provide a brief written summary of the sampling results or attach evaluation tables (compare to DER-10, Appendix 5):

Example Text: Arsenic was detected up to 17 ppm in 1 (of 5) samples; the allowable level is 16 ppm.

If Ecological Resources have been identified use the "If Ecological Resources are Present" column in Appendix 5.

SECTION 4 – SOURCE OF FILL

Name of person providing fill and relationship to the source:

Name and address of fill source:

Location where fill was obtained:

Identification of any state or local approvals as a fill source:

If no approvals are available, provide a brief history of the use of the property that is the fill source:

Provide a list of supporting documentation included with this request:

The information provided on this form is accurate and complete.

_____ _____

Signature Date

_____

Print Name

_____

Firm