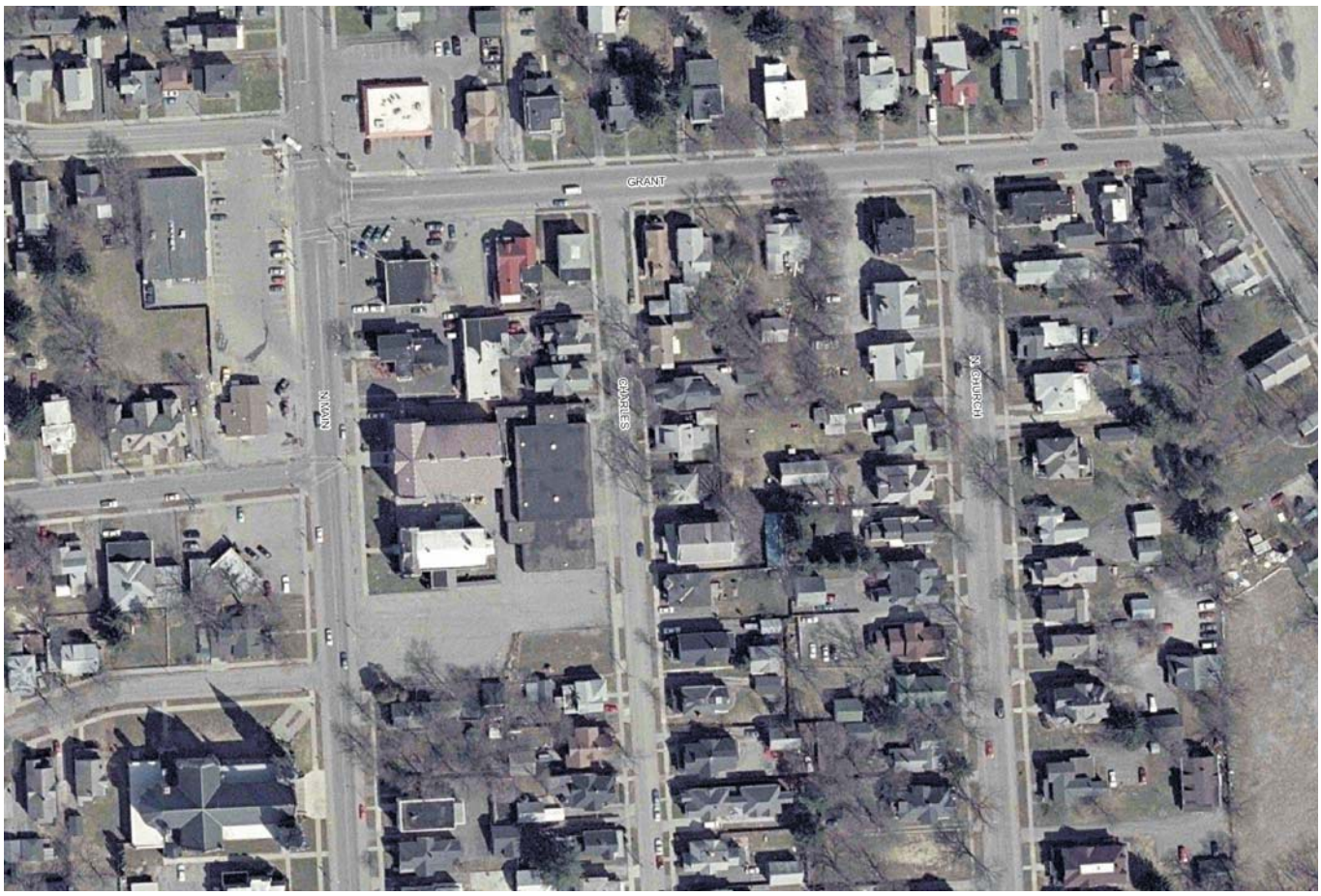
NYSEG

New York State Electric & Gas Corporation

Cortland Remote Holder
Site #712012
Cortland, New York

SITE MANAGEMENT PLAN
JULY 2012



Prepared For:
New York State Electric & Gas Corporation
James A. Carrigg Center
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URS

URS Corporation - New York

Cortland Remote Holder

CORTLAND, NEW YORK

Site Management Plan

NYSDEC Site Number: 712012

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1.0 INTRODUCTION AND DESCRIPTION OF REMEDIAL PROGRAM

1.1 INTRODUCTION

The report is prepared for NYSEG's former off-site gasholder site (located in the City of Cortland, Cortland County, New York) associated with the Homer former Manufactured Gas Plant (MGP) site (located in the Village of Homer, Cortland County, New York). This document is required as an element of the remedial program at 43 and 45 Charles Street Site (hereinafter referred to as the "Site") under the New York State (NYS) Inactive Hazardous Waste Disposal Site Remedial Program administered by New York State Department of Environmental Conservation (NYSDEC). The site was remediated in accordance with an Order on Consent Index # DO-0002-9309, Site # 712012 which was executed on March 30, 1994 and modified on subsequent dates including March 26, 2007.

1.1.1 General

NYSEG entered into an Order on Consent with the NYSDEC to remediate two residential lots at 43 and 45 Charles Street located in the City of Cortland, Cortland, New York. This Order on Consent required the Remedial Party, NYSEG, to investigate and remediate contaminated media at the site. A figure showing the site location and extent of the properties is provided in Figure 1. The boundaries of the site are more fully described in the metes and bounds site description (Appendix A) that is part of the Environmental Easement (Appendix B).

After completion of the remedial work described in the Remedial Design Work Plan (URS, October 2010), some contamination was left in the subsurface at this site, which is hereafter referred to as 'remaining contamination." This Site Management Plan (SMP) was prepared to manage remaining contamination at the site until the Environmental Easement is extinguished in accordance with ECL Article 71, Title 36. All reports associated with the site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State.

This SMP was prepared by URS Corporation, on behalf of NYSEG, in accordance with the requirements in NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation, dated May, 2010, and the guidelines provided by NYSDEC. This SMP addresses

the means for implementing the Institutional Controls (ICs) and Engineering Controls (ECs) that are required by the Environmental Easement for the site.

1.1.2 Purpose

The site contains contamination left after completion of the remedial action. Engineering Controls have been incorporated into the site remedy to control exposure to remaining contamination during the use of the site to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Cortland County Clerk, will require compliance with this SMP and all ECs and ICs placed on the site. The ICs place restrictions on site use, and mandate operation, maintenance, monitoring and reporting measures for all ECs and ICs. This SMP specifies the methods necessary to ensure compliance with all ECs and ICs required by the Environmental Easement for contamination that remains at the site. 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.

This SMP provides a detailed description of all procedures required to manage remaining contamination at the site after completion of the Remedial Action, including: (1) implementation and management of all Engineering and Institutional Controls; and (2) performance of periodic inspections, certification of results, and submittal of Periodic Review Reports.

To address these needs, this SMP includes three plans: (1) an Engineering and Institutional Control Plan for implementation and management of EC/ICs; (2) a Monitoring Plan for implementation of Site Monitoring; (3) an Operation and Maintenance Plan for implementation of remedial collection, containment, treatment, and recovery systems (including, where appropriate, preparation of an Operation and Maintenance Manual for complex systems).

This plan also includes a description of Periodic Review Reports for the periodic submittal of data, information, recommendations, and certifications to 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, which is grounds for revocation of the Certificate of Completion (COC);

- Failure to comply with this SMP is also a violation of Environmental Conservation Law, 6NYCRR Part 375 and the Order on Consent, (Index # DO-0002-9309; Site #712012) for the site, and thereby subject to applicable penalties.

1.2 SITE BACKGROUND

1.2.1 Site Location and Description

The site is located in the City of Cortland, Cortland County, New York and is identified as Section 86.42 Block 2 and Lots 28 and 29 on the City of Cortland Tax Map. The site encompasses two residential lots at 43 and 45 Charles Street. The properties are bounded on the north, east and south by residences, and Charles Street runs north/south along the western side of the Site (see Figure 2). The boundaries of the site are more fully described in Appendix A – Metes and Bounds.

1.2.2 Site History

In 1858, the Homer & Cortland Gas Light Company (H&CGL) constructed and operated a manufactured gas plant (MGP) at what is now 216 South Main Street (Route 11) in the Village of Homer, Cortland County, New York. Coal gas and carbureted water gas were produced at the MGP from 1858 until 1935. In 1867 H&CGL acquired property to construct a 22,000 cubic foot gasholder at the Charles Street site as part of a distribution network for the MGP. The former tank was called a remote holder where gas was stored but not produced. Sanborn maps from 1915 and 1926 indicate the gasholder was no longer present and houses located at 43 and 45 Charles Street were constructed. In 2007 NYSEG acquired the properties located at 43 and 45 Charles Street from the previous owners. The onsite buildings were demolished to ground level in December 2009.

1.2.3 Geologic Conditions

A pre-remediation overburden cross-section, which runs west to east through the site, is presented as Figure 3. Soils consist primarily of clayey silt with cobbles, gravel and fill material. The fill material consists of ash, bricks, firebrick, coal, glass, bottles, and cinders and extends to approximately 10 to 13 feet below ground surface (bgs). A thin darkly stained silt and ash layer (0.2 to 1.0 foot thick) was present from 9 to 12 feet bgs in some borings, and exhibited a slight

odor. Odors observed ranged from a musty decay-like odor, to a mild to moderate naphthalene-like odor typical of MGP sites. Beneath this unit was gray brown silty sand and gravel. Groundwater at the site was observed at a depth of about 14 to 15 feet bgs. A low horizontal gradient of approximately 0.002 foot/foot was indicated, with flow towards the east.

1.3 SUMMARY OF REMEDIAL INVESTIGATION FINDINGS

A Remedial Investigation (RI) was performed to characterize the nature and extent of contamination at the site. The results of the RI are described in detail in the Remedial Investigation Report prepared by URS, March 2009, and summarized below.

Soil

Surface and subsurface soil samples were collected at the site during the RI. Surface soil samples exceeded unrestricted use soil cleanup objectives (SCOs) for polycyclic aromatic hydrocarbons (PAHs) and metals. The PAHs and metals that exceeded their SCOs in onsite surface soil samples were benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)-anthracene, indeno(1,2,3-cd)pyrene, lead and mercury. Subsurface soil samples were collected from a depth of 2 to 20 feet bgs to assess soil contamination impacts to ground-water. The primary soil contamination associated with the former remote gasholder is within the darkly stained silt and ash layer found in subsurface soil at depths ranging from 9 to 12 feet bgs. Results indicated that soil exceeded the unrestricted and restricted residential SCOs for VOCs, SVOCs and metals. The primary soil contaminants present are PAHs as indicated on Table 1.

Groundwater

No site related contaminants were detected in the first round of groundwater sampling. During a second round of sampling, low levels of site related contaminants (PAHs) were determined to be likely due to soil particles entrained in the groundwater sample from a turbid groundwater monitoring well. Groundwater contaminants were not found in downgradient wells, indicating that the remote holder has not resulted in the contamination of groundwater (Table 2).

Soil Vapor Intrusion

Residences were present on the properties at 43 and 45 Charles Street. Sub-slab soil vapor and indoor air monitoring found that VOCs were present at levels that were consistent with

homes not affected by environmental contamination. NYSDEC and NYSDOH determined that no action was needed at that time to address the potential for soil vapor intrusion in the two residences. The residences were demolished in 2009. No remediation was determined to be necessary for soil vapor intrusion.

1.4 SUMMARY OF REMEDIAL ACTIONS

The site was remediated in accordance with the NYSDEC-approved Remedial Design Work Plan dated October 2010. The following is a summary of the Remedial Actions performed at the site:

1. Excavation of soil/fill to a depth of 2 feet across the entire surface of the site and placement of a demarcation layer;
2. Placement of a cover system comprised of backfill within the exposed building foundations and backfill and topsoil within the excavated area to the existing grade.
3. Construction and maintenance of a soil cover system to existing grade consisting of a minimum of 18 inches of backfill and 6 inches of topsoil sufficient to sustain vegetation shown to prevent human exposure to remaining contaminated soil/fill remaining at the site. In areas where a concrete sidewalk is present, 20 inches of backfill will be overlain by 4 inches of concrete. The proposed Remediation Plan is presented on Figure 2.
4. Execution and recording of an Environmental Easement to restrict land use and prevent future exposure to any contamination remaining at the site.
5. Implementation of Institutional Controls listed in Section 2.3.
6. Development and implementation of a Site Management Plan for long term management of remaining contamination as required by the Environmental Easement, which includes plans for: (1) Institutional and Engineering Controls; (2) monitoring; and (3) reporting.

Remedial activities were started in December 2010 and completed at the site in May 2011.

1.4.1 Removal of Contaminated Materials from the Site

Figures showing the site topographic contours and cross-section prior to excavation are shown in Figures 2 and 3, respectively. A minimum of two feet of soil was removed from the site area encompassing the two residential lots. The existing onsite asphalt, sidewalks and roadside curb were removed. Charles Street was saw cut along the length of the curbing to facilitate curb removal. The area where excavation was performed is shown in Figure 4.

Approximately 910 tons of material was removed from the site for offsite disposal. A summary of excavated materials disposed as RCRA non-hazardous MGP remediation waste at Seneca Meadows Landfill (soil, concrete, blacktop) is presented in Table 3. A total of 27 roll-offs were transported to Seneca Meadows Landfill.

1.4.2 Site-Related Treatment Systems

No long-term treatment systems were installed as part of the site remedy.

1.4.3 Remaining Contamination

The site remedy required excavation of two feet of soil from the site. A demarcation layer (orange snow fencing) was placed over the excavation surface prior to backfilling with materials meeting Part 375-6 restricted residential use criteria. Contamination remains in the soil below the depth of the demarcation layer across the majority of the site. However, the thin silt and ash layer present from 9 to 12 feet bgs presents the highest concentration of MGP-related waste. Contaminant levels presented in Table 1 are considered representative of remaining contaminated soil.

2.0 ENGINEERING AND INSTITUTIONAL CONTROL PLAN

2.1 INTRODUCTION

2.1.1 General

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

2.1.2 Purpose

This plan provides:

- A description of all EC/ICs on the site;
- The basic implementation and intended role of each EC/IC;
- A description of the key components of the ICs set forth in the Environmental Easement;
- A description of the features to be evaluated during each required inspection and periodic review;
- A description of plans and procedures to be followed for implementation of EC/ICs, such as the implementation of the Excavation Work Plan 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 EC/ICs required by the site remedy, as determined by the NYSDEC.

2.2 ENGINEERING CONTROLS

2.2.1 Engineering Control System – Cover

Exposure to remaining contamination in soil/fill at the site is prevented by a cover system placed over the excavated area of the site. This cover system is comprised of a minimum of 24 inches of clean soil or 20 inches of clean soil covered by a concrete sidewalk. The Excavation Work Plan that appears in Appendix C outlines the procedures required to be implemented in the event the cover system is breached, penetrated or temporarily removed, and any underlying remaining contamination is disturbed. Procedures for the inspection and maintenance of this cover are provided in the Monitoring Plan included in Section 3 of this SMP.

2.2.2 Criteria for Completion of Remediation/Termination of Remedial Systems

Generally, remedial processes are considered completed when effectiveness 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 6.6 of NYSDEC DER-10.

2.3 INSTITUTIONAL CONTROLS

A series of Institutional Controls is required by the ROD to: (1) implement, maintain and monitor Engineering Control systems; (2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and (3) limit the use and development of the site to restricted residential uses only. Adherence to these Institutional Controls on the site is required by the Environmental Easement and will be implemented under this Site Management Plan. These Institutional Controls are:

- Compliance with the Environmental Easement and this SMP by the Grantor and the Grantor's successors and assigns;
- All Engineering Controls must be maintained as specified in this SMP;
- All Engineering Controls on the Controlled Property must be inspected at a frequency and in a manner defined in the SMP; and

- Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in this SMP.

Institutional Controls identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement.

The site has a series of Institutional Controls in the form of site restrictions. Adherence to these Institutional Controls is required by the Environmental Easement. Site restrictions that apply to the Controlled Property are:

- The property may only be used for restricted residential use provided that the long-term Engineering and Institutional Controls included in this SMP are employed;
- The property may not be used for a higher level of use, such as unrestricted use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- Vegetable gardens and agriculture on the property are prohibited; and
- The site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

2.3.1 Excavation Work Plan

The site has been remediated for restricted residential use. Any future intrusive work that will penetrate the soil cover, or encounter or disturb the remaining contamination, including any modifications or repairs to the existing cover system will be performed in compliance with the

Excavation Work Plan (EWP) that is attached as Appendix C to this SMP. Any work conducted pursuant to the EWP must also be conducted in accordance with procedures defined in a Health and Safety Plan (HASP) and Community Air Monitoring Plan (CAMP) prepared for the site. A sample HASP and CAMP are attached as Appendix D to this SMP that is in current compliance with DER-10, and 29 CFR 1910, 29 CFR 1926, and all other applicable Federal, State and local regulations. An Emission Response Plan is included as Figure 5. Based on future changes to State and federal health and safety requirements, and specific methods employed by future contractors, the HASP and CAMP will be updated and re-submitted with the notification provided in Section D-1 of the EWP. Any intrusive construction work will be performed in compliance with the EWP, HASP and CAMP, and will be included in the periodic inspection and certification reports submitted under the Site Management Reporting Plan (See Section 5).

The site owner and associated parties preparing the remedial documents submitted to the State, and parties performing this work, are completely responsible for the safe performance of all intrusive work, the structural integrity of excavations, proper disposal of excavation dewater, control of runoff from open excavations into remaining contamination. The site owner will ensure that site development activities will not interfere with, or otherwise impair or compromise, the engineering controls described in this SMP.

2.4 INSPECTIONS AND NOTIFICATIONS

2.4.1 Inspections

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

- Whether Engineering Controls 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;
- If site records are complete and up to date; and
- Changes, or needed changes, to the soil cover system.

Inspections will be conducted in accordance with the procedures set forth in the Monitoring Plan of this SMP (Section 3). The reporting requirements are outlined in the Periodic Review Reporting section of this plan (Section 5).

If an emergency, such as a natural disaster or an unforeseen failure of the soil cover system occurs, an inspection of the site will be conducted within 5 days of the event to verify the effectiveness of the EC/ICs implemented at the site by a qualified environmental professional as determined by NYSDEC.

2.4.2 Notifications

Notifications will be submitted by the property owner to NYSDEC as needed for the following reasons:

- 60-day advance notice of any proposed changes in site use that are required under the terms of the Order on Consent, 6NYCRR Part 375, and/or Environmental Conservation Law;
- 15-day advance notice of any proposed ground-intrusive activities pursuant to the Excavation Work Plan;
- Notice within 48-hours of any damage or defect to the soil and/or concrete cover that reduces or has the potential to reduce the effectiveness of other Engineering Controls and likewise any action to be taken to mitigate the 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 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; and
- Follow-up status reports on actions taken to respond to any emergency event requiring ongoing responsive action shall be submitted to the NYSDEC within 45 days and shall describe and document 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:

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

2.5 CONTINGENCY PLAN

Emergencies may include injury to personnel, fire or explosion, environmental release, or serious weather conditions. The objectives during any emergency shall be to protect human health and safety and then the environment. A qualified environmental professional or Site Safety Officer will determine the best course of action for dealing with the emergency and possible follow-up requirements that may result from implementing those actions (e.g., erosion of soil cover due to severe weather conditions, injury to site inspection workers).

2.5.1 Emergency Telephone Numbers

In the event of any environmentally related situation or unplanned occurrence requiring assistance the Owner or Owner's representative(s) should contact the appropriate party from the contact list below. For emergencies, appropriate emergency response personnel should be contacted. Prompt contact should also be made to the NYSEG Project Manager. These emergency contact lists must be maintained in an easily accessible location at the site.

Table 4: Emergency Contact Numbers

Medical, Fire, and Police:	911
One Call Center:	(800) 272-4480 (3 day notice required for utility markout)
Poison Control Center:	(800) 222-1222
Pollution Toxic Chemical Oil Spills:	(800) 424-8802
NYSDEC Spills Hotline	(800) 457-7362

Table 5: Other Contact Numbers

NYSEG Project Manager – Tracy Blazicek, CHMM	(607) 762-8839

* Note: Contact numbers subject to change and should be updated as necessary

2.5.2 Map and Directions to Nearest Health Facility

A map showing the route from the site to the nearest emergency medical facility is shown on Figure 6.

Site Location: 43 and 45 Charles Street, Cortland, New York

Nearest Hospital Name: Cortland Regional Medical Center

Hospital Location: 134 Homer Avenue

Hospital Telephone: (607) 756-3500

Directions to Emergency Facility: to reach emergency facility from the site, head north on Charles Street to Grant Street, turn left onto Grant Street and head west to US 11/NY 41 North Main Street. Turn right onto North Main Street. Veer left and continue on North Main Street. Turn right onto Homer Avenue. Cortland Regional Medical Center is located on the left.

Total Distance: 0.5 miles

Total Estimated Time: less than 2 minutes.

2.5.3 Response Procedures

As appropriate, the fire department and other emergency response group will be notified immediately by telephone of the emergency. The emergency telephone number list is found at the beginning of this Contingency Plan (Table 4).

Contingency Procedures for Fire/Explosion

When fire or explosion appear imminent or have occurred, all normal activity in affected areas will cease. The Project Emergency Coordinator (PEC) will make an assessment of the

potential risk and severity of the situation to decide whether the emergency event will or will not be readily controllable with existing portable fire extinguishers or site equipment and materials at hand. Firefighting will not be done at the risk to site workers. Local fire departments will be contacted in all situations in which fires and/or explosions have occurred. The following steps will be taken for localized fire:

- contact local fire departments;
- move all personnel to an upwind location at a safe distance away;
- determine if fire is within onsite personnel capabilities to attempt initial fire fighting;
- determine if smoke and/or fumes from fire are potentially impacting off-site areas;
- if the fire is not impacting off-site areas and is within onsite personnel capabilities, utilize most appropriate means of extinguishing fire (e.g., fire extinguishers, water, covering with soil); and
- once fire is extinguished, containerize and properly dispose of any spilled material, runoff, or soil.

If the situation appears uncontrollable and poses a direct threat to human life, fire departments will be contacted and the Emergency Evacuation Procedures will be implemented. If the chances of an impending explosion are high, the entire area within a 1,000-foot radius of the fire source will be evacuated. The PEC will alert personnel when all danger has passed, as determined by the chief fire fighter from the responding fire department. All equipment used in the emergency will be cleaned and refurbished as soon as possible after the emergency has passed so that it will be ready for use in the event of any future emergency.

Contingency Procedures for Spills or Material Releases

If a hazardous waste spill or material release or process upset resulting in probable vapor release is identified, the PEC will immediately assess the magnitude and potential seriousness of the spill or release based upon:

- MSDS for the material spilled or released;
- source of the release or spillage of hazardous material;
- an estimate of the quantity released and the rate at which it is being released;
- the direction in which the spill or air release is moving;

- personnel who may be or may have been in contact with the material, or air release, and possible injury or sickness as a result;
- potential for fire and/or explosion resulting from the situation; and
- estimates of area under influence of the release.

If the spill or release is determined to be within the onsite emergency response capabilities, the PEC will ensure implementation of the necessary remedial action. If the accident is beyond the capabilities of the operating crew, all personnel not involved with the emergency response activity will be evacuated from the immediate area and the appropriate emergency response group(s) will be contacted.

Contingency Procedures for Severe Weather

When severe weather occurs, such as a tornado is sighted in the area, when a tornado warning has been issued, or when a lightning storm occurs, the information will be immediately relayed to the PEC. In the case of a tornado sighting, the PEC will then institute emergency shutdown procedures, and all personnel will be directed to proceed indoors after completing appropriate shutdown procedures. In the case of a tornado warning, or lightning storm, the PEC will have operations stopped and direct all personnel to stand by for emergency procedures. Other types of weather or weather induced conditions (e.g., hurricane or flooding) for which long range prediction is available may also require positive action as identified herein.

When the severe weather has passed, the PEC will direct personnel to inspect onsite equipment to ensure its readiness for operation prior to restarting operations.

If an inspection indicates a fire, explosion, or release has occurred as the result of a severe weather condition, the procedures for those events will be followed.

Contingency Procedures for Physical Injury to Workers

Regardless of the nature and degree of the injury, the PEC will be apprised of **all** injuries requiring first aid of any kind. A report of the injury or incident will be completed as required by the NYSEG Health and Safety Plan. Upon notification that a worker has been injured, the PEC will immediately determine the severity of the accident, and whether the victim can be safely moved from the incident site. Appropriate medical assistance will be summoned immediately.

Minor injuries sustained by workers will be treated onsite using materials from the first aid kits. Whenever possible such treatment will be administered by trained personnel in a "clean zone". Examples of minor injuries include small scrapes and blisters. Minor injuries would not be expected to trigger implementation of the contingency plan.

Major injuries sustained by workers will require professional medical attention at a hospital. The PEC will immediately summon an ambulance and contact the hospital to which the injured worker will be transported. The PEC will notify the NYSEG manager as soon as practical. The hospital and ambulance should be advised of:

- the nature of the injury;
- whether the injured worker will be decontaminated prior to transport;
- when and where the injury was sustained; and
- the present condition of the injured worker (e.g., conscious, breathing).

Contingency Procedures for Chemical Injury to Workers

Injuries involving hazardous chemicals or symptoms of severe chemical overexposure will automatically trigger implementation of the contingency plan. Upon notification that a chemical injury has been sustained or severe symptoms of chemical exposure are being experienced, the PEC will notify the hospital and ambulance of the occurrence. The PEC will provide, to the extent possible, the following information:

- the nature of the injury (e.g., eyes contaminated);
- the chemical(s) involved;
- the present condition of the injured worker (e.g., conscious, breathing);
- whether the injured worker will be decontaminated prior to transport; and
- when and where the injury was sustained.

Steps will immediately be taken to remove the victim from the incident site using whatever personal protective equipment (PPE) and safety equipment is necessary. Rescuers will check for vital signs and, if possible, remove contaminated outer clothing. If the victim's eyes have been contaminated, personnel trained in administering first aid will flush the victim's eyes with eyewash solution until the emergency response team arrives.

Details on the nature of the contaminant and methods for treating exposure or injury can be obtained from the MSDSs or Occupational Health Guidelines as provided in the NYSEG Health and Safety Plan.

3.0 SITE MONITORING PLAN

3.1 INTRODUCTION

3.1.1 General

The Monitoring Plan describes the measures for evaluating the performance and effectiveness of the remedy to reduce or mitigate contamination at the site, the soil cover system, and all affected site media identified below. This Monitoring Plan may only be revised with the approval of NYSDEC.

3.1.2 Purpose and Schedule

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; and
- Annual inspection and periodic certification.

Annual monitoring of the performance of the remedy will be conducted for the first 10 years. The frequency thereafter will be determined by the NYSDEC. The integrity of the soil cover system will be inspected annually and as needed if emergency conditions warrant, determining if the remedy continues to be effective in achieving remedial goals.

3.2 COVER SYSTEM MONITORING

3.2.1 Cover System Monitoring

The cover system consists of 6 inches of clean topsoil overlying a minimum of 18 inches of backfill across the surface of the entire site, except within the public sidewalk area where the 4 inch concrete thickness overlies a minimum of 20 inches of backfill. Grass present across the site, which reduces soil erosion, is part of the soil cover system. A demarcation layer of orange snow fencing was placed on the excavated surface, a minimum depth of two feet bgs. An as-built drawing showing the extent of the soil cover system is shown on Figure 4.

3.2.2 Fencing

If fencing is warranted at the site it will be erected and maintained in compliance with all applicable City codes and/or zoning requirement that apply to such fences. Any installed fencing will be inspected and maintained on the same inspection schedule as for the existing soil cover system.

3.2.3 Vegetation

Inspection of existing vegetation (grass, shrubs, trees) will be conducted on the same inspection schedule as for the existing soil cover system. Grass, as part of the soil cover system, will be mowed and maintained. Vegetation will be replaced in kind, as necessary.

3.2.4 Inspection Schedule

Inspections will be conducted annually. Inspection frequency is subject to change with the approval of the NYSDEC. Unscheduled inspections and/or sampling may take place when a suspected failure of the soil cover system has been reported or an emergency occurs that is deemed likely to affect the operation of the system. Monitoring deliverables for the soil cover system are specified in this Plan.

3.2.5 General Cover System Inspection

A visual inspection of the cover system will be conducted. The integrity of the cover system will be monitored for erosion, need for repairs, and vandalism.

A complete list of components to be checked is provided on the Inspection Forms presented in Appendix E. If any portion of the cover system is damaged or eroded, maintenance and repair will be performed immediately. Vegetation will be replaced as necessary.

3.3 MEDIA MONITORING PROGRAM

There is no media monitoring included in the site remedy.

3.4 SITE-WIDE INSPECTION

Site-wide inspections will be performed on a regular schedule at a minimum of once a year. Site-wide inspections will also be performed after all severe weather conditions that may

affect Engineering Controls or monitoring devices. During these inspections, the inspection forms provided in Appendix E will be completed. 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;
- The site management activities being conducted; and
- Confirm that site records are up to date.

3.5 REPORTING REQUIREMENTS

Forms and any other information generated during regular inspections will be kept on file with NYSDEC. All forms, and other relevant reporting formats used during the inspection events, will be: (1) subject to approval by NYSDEC; and (2) submitted at the time of the Periodic Review Report.

The inspection results will be reported to NYSDEC on a periodic basis in the Periodic Review Report. The report will include, at a minimum:

- Date of event;
- Personnel conducting the inspection;
- Description of the activities performed;
- Copies of all field forms completed (e.g., inspection checklists, etc.);
- A figure illustrating any tree or shrub removal, damaged or eroded areas of the soil cover system; and
- Any observations, conclusions, or recommendations.

4.0 OPERATION AND MAINTENANCE PLAN

4.1 INTRODUCTION

The site remedy does not rely on any mechanical systems, such as 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.

5.0 INSPECTIONS, REPORTING AND CERTIFICATIONS

5.1 SITE INSPECTIONS

5.1.1 Inspection Frequency

All inspections will be conducted at the frequency specified in the schedules provided in Section 3 Monitoring Plan of this SMP. At a minimum, a site-wide inspection will be conducted annually. Inspections of remedial components will also be conducted whenever a severe condition has taken place, such as an erosion or flooding event that may affect the ECs.

5.1.2 Inspection Forms, Sampling Data, and Maintenance Reports

Inspection forms will be completed during the site-wide inspection (see Appendix E). These forms are subject to NYSDEC revision.

All applicable inspection forms and other records, including all maintenance reports, generated for the site during the reporting period will be provided in electronic format in the Periodic Review Report.

5.1.3 Evaluation of Records and Reporting

The results of the inspection will be evaluated as part of the EC/IC certification to confirm that the:

- EC/ICs are in place, are performing properly, and remain effective; and
- The site remedy continues to be protective of public health and the environment and is performing as designed in the Work Plan and FER.

5.2 CERTIFICATION OF ENGINEERING AND INSTITUTIONAL CONTROLS

After the last inspection of the reporting period, a qualified environmental professional will prepare the following certification:

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 system (soil cover system) is performing as designed and is 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;
- The information presented in this report is accurate and complete; and
- 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 the Owner's Designated Site Representative for the site.

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

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

- The institutional 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 information presented in this report is accurate and complete; and
- 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 the Owner's Designated Site Representative for the site.

5.3 PERIODIC REVIEW REPORT

A Periodic Review Report will be submitted to the Department every fifth year, beginning eighteen months after the Certificate of Completion or equivalent document is issued. 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 A (Metes and Bounds). The report will be prepared in accordance with NYSDEC DER-10 and submitted within 45 days of the end of each certification period. 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 and severe condition inspections, if applicable;
- All applicable inspection forms and other records generated for the site during the reporting period in electronic format; and
- A site evaluation, which includes the following:

- The compliance of the remedy with the requirements of the ROD;
- The effectiveness of the cover system and/or fencing including identification of any needed repairs or modifications;
- Recommendations regarding any necessary changes to the remedy and/or Inspection Schedule; and
- The overall performance and effectiveness of the remedy.

The Periodic Review Report will be submitted, in hard-copy and/or electronic format as required, to the NYSDEC Central Office and the NYSDOH Bureau of Environmental Exposure Investigation.

5.4 CORRECTIVE MEASURES 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, a corrective measures plan will be submitted to the NYSDEC 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 plan until it is approved by the NYSDEC.

TABLES

Table 1
Soil Analytical Summary from ROD

Detected Constituents	Concentration Range Detected (ppm)[a]	Unrestricted SCG[b] (ppm)	Frequency Exceeding Unrestricted SCG	Restricted Residential SCG[c] (ppm)	Frequency Exceeding Restricted Residential SCG
Metals					
Arsenic	2.3-2.5	13	2/74	16	2/74
Barium	23.9-404	350	1/74	400	1/74
Cadmium	ND-4.2	2.5	1/74	4.3	0/74
Chromium, trivalent	5.8-77	30	1/74	180	0/74
Copper	7.3-72.9	50	1/26	270	0/26
Lead	3.6-3320	63	29/74	400	3/74
Total Mercury	ND-2.3	0.18	16/74	0.81	2/74
SVOCs					
Dibenzofuran	ND-200	7	8/93	59	3/93
Acenaphthene	ND-230	20	3/93	100	1/93
Acenapthylene	ND-150	100	2/93	100	2/93
Anthracene	ND-620	100	4/93	100	4/93
Benzo(a)anthracene	ND-670	1	38/93	1	38/93
Benzo(a)pyrene	ND-410	1	36/93	1	36/93
Benzo(b)fluoranthene	ND-610	1	39/93	1	39/93
Benzo(g,h,i)perylene	ND-140	100	2/93	100	2/93
Benzo(k)fluoranthene	ND-200	0.8	27/93	3.9	12/93
Chrysene	ND-650	1	36/93	3.9	18/93
Dibenz(a,h)anthracene	ND-69	0.33	30/93	0.33	30/93
Fluoranthene	NA-150	100	6/93	100	6/93
Fluorene	ND-370	30	5/93	100	2/93
Indeno(1,2,3-cd)pyrene	ND-160	0.5	40/93	0.5	40/93
Naphthalene	ND-160	12	6/93	100	2/93
o-Cresol	ND-0.94	0.33	2/74	100	0/74
p-Cresol	ND-4.9	0.33	4/74	100	0/74
Phenanthrene	ND-1000	100	7/93	100	7/93
Phenol	ND-2.4	0.33	2/74	100	0/74
Pyrene	ND-1000	100	6/93	100	6/93
VOCs					
Acetone	ND-0.088	0.05	1/63	100	0/63
Benzene	ND-.12	0.06	1/76	4.8	0/76
Ethylbenzene	ND-53	1	1/76	41	1/76
Xylene (mixed)	ND-640	0.26	1/76	100	1/76

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;
b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.
c - SCG: Part 375-6.8(b), Restricted Residential Soil Cleanup Objectives.

Table 2
Groundwater Analytical Summary from ROD

Detected Constituents	Concentration Range Detected (ppb)[a]	SCG[b] (ppb)	Frequency Exceeding Restricted Residential SCG
SVOCs			
Benzo(a)anthracene	0.27	0.002	1/2
Benzo(a)pyrene	0.27	ND	1/2
Benzo(b)fluoranthene	0.27	0.002	1/2
Indeno(1,2,3-cd)pyrene	0.34	0.002	1/2

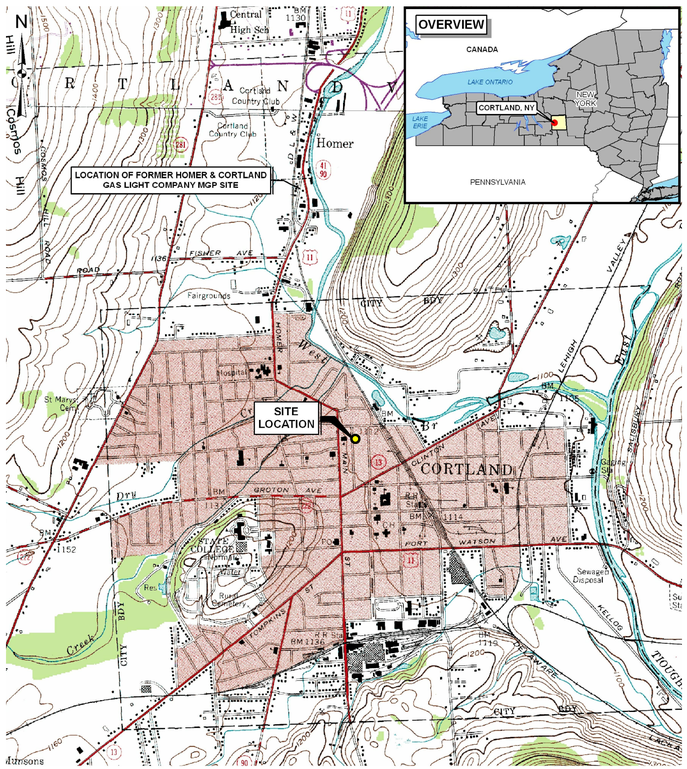
a - ppb: parts per billion, which is equivalent to micrograms per Liter, ug/L, in water.
b - SCG: Standard Criteria or Guidance - Ambient Wate Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).

TABLE 3
CORTLAND REMOTE HOLDER SITE
CHARLES STREET SITE
RCRA NON-HAZARDOUS MGP REMEDIATION WASTE
SHIPPED TO SENECA MEADOWS LANDFILL

SHIP DATE	NYSEG MANIFEST	TRANSPORTER	TRUCK NUMBER	ESTIMATED TONNAGE
12/13/2010	CHA-RW-10-01	R. Galusha Transport, LLC	12	35.00
12/14/2010	CHA-RW-10-02	R. Galusha Transport, LLC	12	35.00
12/14/2010	CHA-RW-10-03	R. Galusha Transport, LLC	17	35.00
12/14/2010	CHA-RW-10-04	R. Galusha Transport, LLC	5	35.00
12/14/2010	CHA-RW-10-05	R. Galusha Transport, LLC	12	35.00
12/14/2010	CHA-RW-10-06	R. Galusha Transport, LLC	17	35.00
12/14/2010	CHA-RW-10-07	R. Galusha Transport, LLC	5	35.00
12/15/2010	CHA-RW-10-08	R. Galusha Transport, LLC	17	35.00
12/15/2010	CHA-RW-10-09	R. Galusha Transport, LLC	5	35.00
12/15/2010	CHA-RW-10-10	R. Galusha Transport, LLC	12	35.00
12/15/2010	CHA-RW-10-11	R. Galusha Transport, LLC	6	35.00
12/15/2010	CHA-RW-10-12	R. Galusha Transport, LLC	5	35.00
12/15/2010	CHA-RW-10-13	R. Galusha Transport, LLC	12	35.00
12/15/2010	CHA-RW-10-14	R. Galusha Transport, LLC	6	35.00
12/16/2010	CHA-RW-10-15	R. Galusha Transport, LLC	5	35.00
12/16/2010	CHA-RW-10-16	R. Galusha Transport, LLC	12	35.00
12/16/2010	CHA-RW-10-17	R. Galusha Transport, LLC	1	35.00
12/16/2010	CHA-RW-10-18	R. Galusha Transport, LLC	3	35.00
12/16/2010	CHA-RW-10-19	R. Galusha Transport, LLC	1	35.00
12/16/2010	CHA-RW-10-20	R. Galusha Transport, LLC	1	35.00
12/17/2010	CHA-RW-10-21	R. Galusha Transport, LLC	3	35.00
12/20/2010	CHA-RW-10-22	R. Galusha Transport, LLC	3	35.00
12/20/2010	CHA-RW-10-23	R. Galusha Transport, LLC	1	35.00
12/20/2010	CHA-RW-10-24	R. Galusha Transport, LLC	12	35.00
12/20/2010	CHA-RW-10-25	R. Galusha Transport, LLC	17	35.00
12/20/2010	CHA-RW-10-26	R. Galusha Transport, LLC	15	35.00
5/3/2011	CHA-RW-11-27	Clean Harbors Environmental Services Inc.	4255	17.00
			TOTAL (TONS)	910.00

FIGURES

LOCATION MAP



SOURCE: USGS 7.5 Minute Quadrangles - Cortland, NY - 1955 and Homer, NY - 1988.

2,000 0 2,000 Feet

LEGEND - EXISTING

- CATCH BASIN
- CHAINLINK FENCE
- CONTOUR (1119)
- GAS LINE (G)
- GATE
- HYDRANT
- PROPERTY LINE (P)
- RIGHT–OF–WAY (R.O.W.)
- PIEZOMETER (PZ–02)
- SANITARY MANHOLE
- SANITARY SEWER (SAN)
- SPOT ELEVATION (1114.8)
- STORM SEWER (ST)
- STRUCTURE, DRIVEWAY, SIDEWALK
- SURVEY CONTROL PIN (PIN)
- TREE
- UTILITY POLE (UP)
- WATERLINE (W)
- WATER VALVE/CURB BOX
- WOOD FENCE
- FENCE (x)

LEGEND - PROPOSED

- CATCH BASIN
- CONCRETE
- RESTORED AC PAVEMENT
- CLEAN FILL LIMITS
- DEMARCATION LAYER
- TREE

ABBREVIATIONS

AC	ASPHALT CONCRETE
CB	CATCH BASIN
CONC	CONCRETE
ELEV	ELEVATION
FT	FEET
HSE	HOUSE
HYD	FIRE HYDRANT
INV	INVERT
MH	MANHOLE
N	NORTH
NO	NUMBER
OHW	OVERHEAD WIRE
PZ	PIEZOMETER
ROW	RIGHT–OF–WAY
S	SOUTH
SAN	SANITARY
TEL	TELEPHONE
TYP.	TYPICAL
S	SOUTH
UK	UNKNOWN
UP	UTILITY POLE
W	WEST

GENERAL NOTES

1. THE LOCATION OF UTILITIES SHOWN ARE APPROXIMATE AND ALL UTILITIES MAY NOT BE SHOWN.
2. PROPERTY SURVEY WAS PROVIDED BY REAGAN LAND SURVEYING ON AUGUST 20, 2010. ELEVATION SURVEY PROVIDED BY NYSEG ON 5/21/2010. SURVEY CONTROL IS BASED UPON NAD 83, NYS PLANE CENTRAL, U.S.FEET VERTICAL AND NORTH AMERICAN VERTICAL DATUM (NGVD 88).
3. EXISTING GASLINE AND R.O.W. LOCATIONS PROVIDED BY NYSEG. EXISTING WATERLINE AND STORM SEWER LOCATIONS OBTAINED FROM CITY OF CORTLAND RECORD PLAN INFORMATION.

NO.	MADE BY	APPROVED BY	DATE	DESCRIPTION

REVISIONS

DESIGNED BY: EWK
DRAWN BY: RAL
CHECKED BY: AMM
PROJ. ENGR. CWP

URS Corporation
New York
77 Goodell Street, Buffalo, New York 14203
(716)856-5636 - (716)856-2545 fax

JOB NO. 11176383

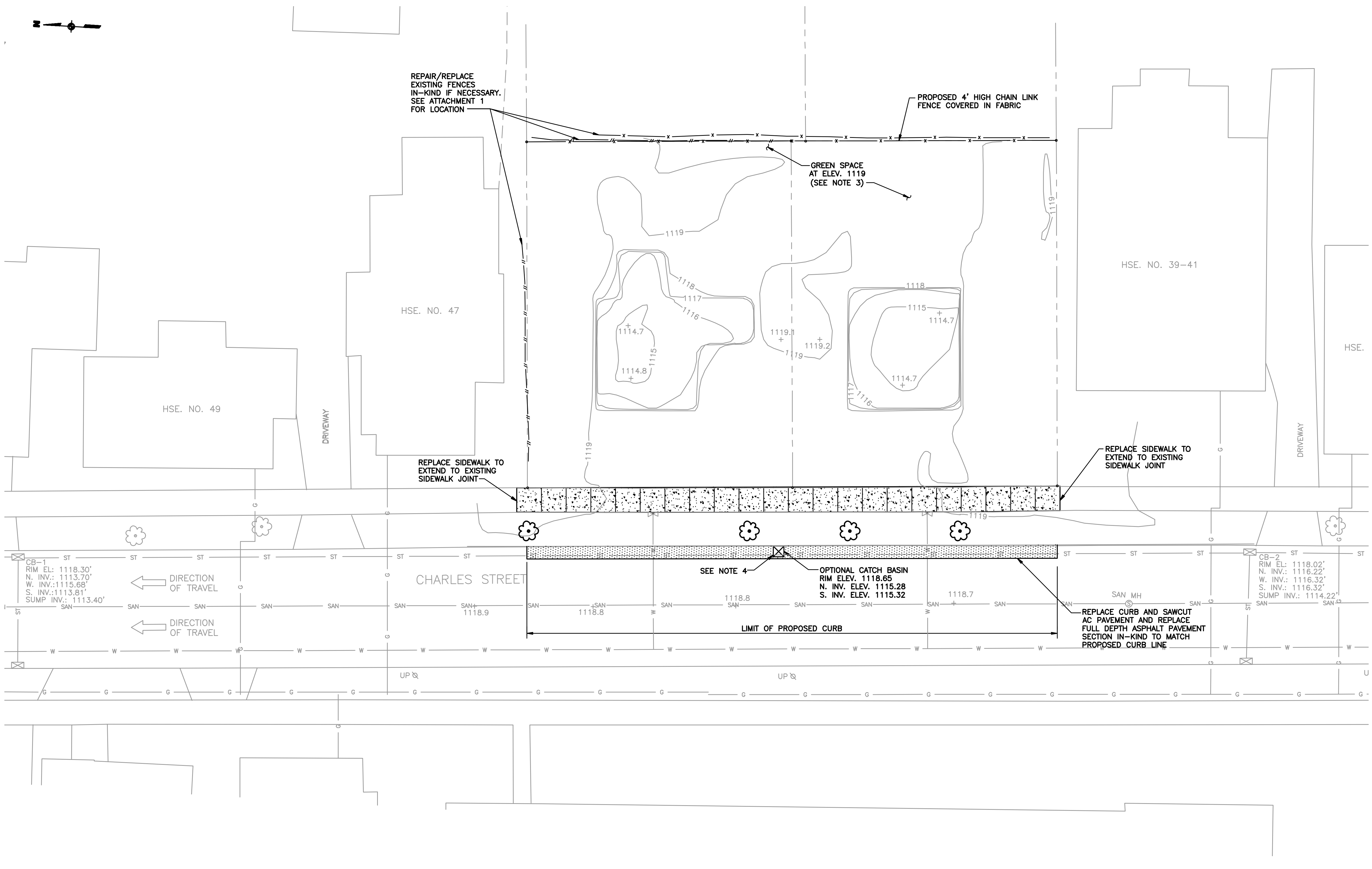
CORTLAND REMOTE HOLDER
CITY OF CORTLAND
CORTLAND COUNTY, NEW YORK

SITE MANAGEMENT PLAN

SITE LOCATION MAP

Scale: AS SHOWN | Date: JUNE 2011 | FIGURE 1

N:\11174305.000000\CAD\SMP\FIGURE 1.dwg 9/27/11 – 2 RAL



LEGEND:

- REPLACED CONCRETE SIDEWALK
- OPTIONAL CATCH BASIN
- PLANTED TREE

NOTES:

1. INSTALL CONSTRUCTION FENCING AT SIDEWALK EXCAVATION LIMITS WITH "SIDEWALK CLOSED" SIGNS (R9-9).
2. OPEN EXCAVATION WITHIN CHARLES STREET WILL BE COVERED OVERNIGHT.
3. APPROXIMATE GROUND SURFACE ELEVATION 1119'.
4. OPTIONAL - INSTALL NEW CATCH BASIN AND RECONNECT TO EXISTING 12" CONC. STORM SEWER.

10' 0 10'
SCALE IN FEET

N:\11174305.00000\CAD\SMP\FIGURE 2.dwg, 1:2, 6/7/11 -1-RAL

WARNING
IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON OTHER THAN WHOSE SEAL APPEARS ON THIS DRAWING, TO ALTER IN ANY WAY AN ITEM ON THIS DRAWING. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

NO.	MADE BY	APPROVED BY	DATE	DESCRIPTION

REVISIONS

DESIGNED BY: EWK
DRAWN BY: RAL
CHECKED BY: AMM
PROJ. ENGR. CWP

URS Corporation
New York
77 Goodell Street, Buffalo, New York 14203
(716)856-5636 - (716)856-2545 fax

JOB NO. 11176383

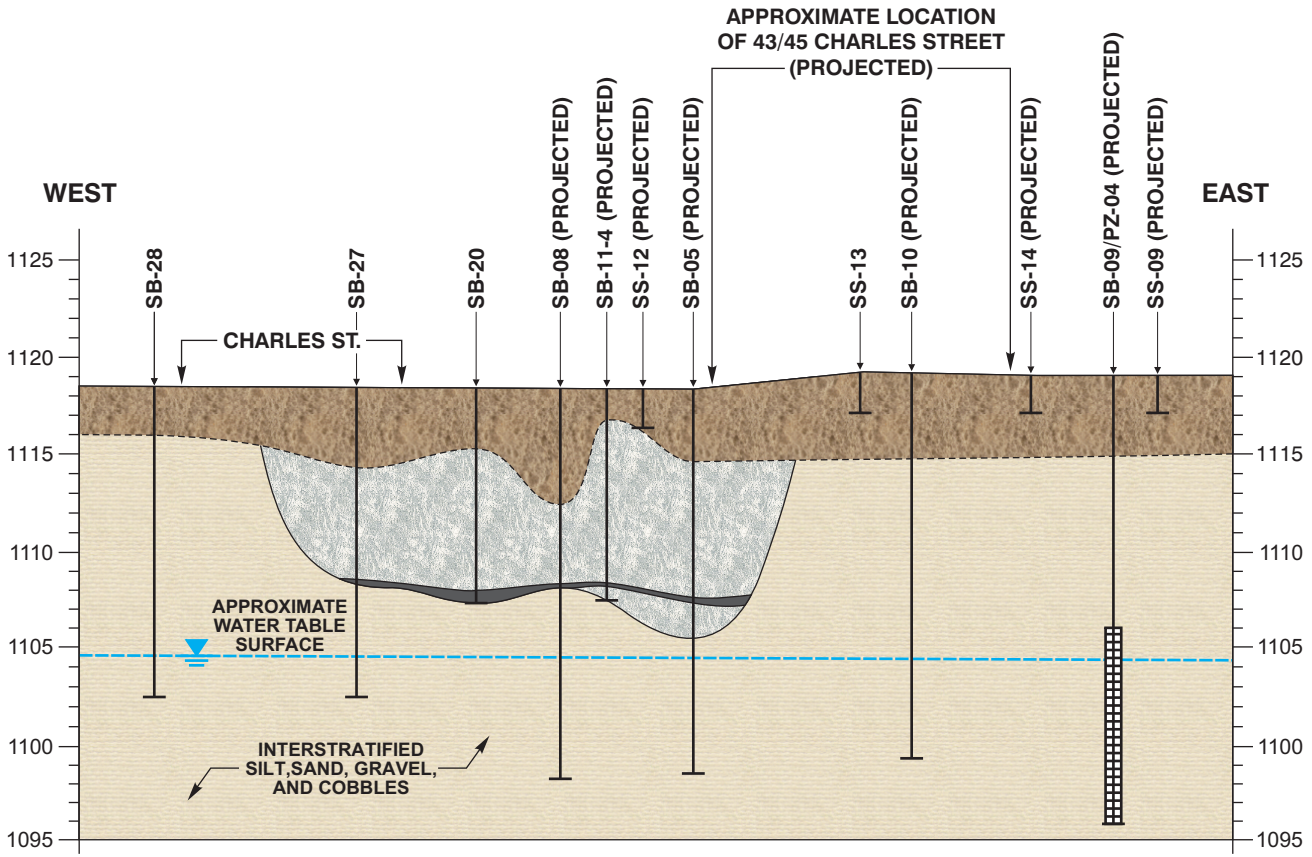
CORTLAND REMOTE HOLDER
CITY OF CORTLAND
CORTLAND COUNTY, NEW YORK

SITE MANAGEMENT PLAN

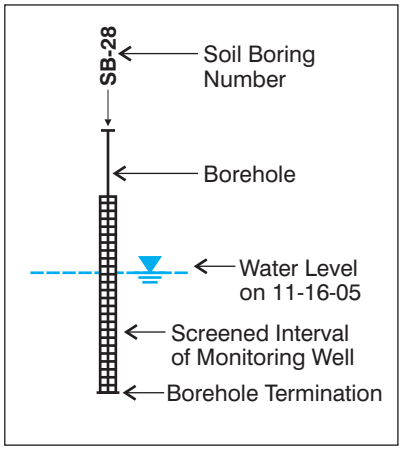
PROPOSED REMEDIATION PLAN

Scale: AS SHOWN | Date: JUNE 2011 | FIGURE 2

AG20582-11174305-051211-GCM



Horizontal Scale: 1" = 20'
Vertical Scale: 1" = 10'



Very darkly stained Ash and Silt with mild to moderate odor typically associated with MGP sites.

Reworked Silt, Sand, Gravel, and Cobbles with minor amounts of urban fill material

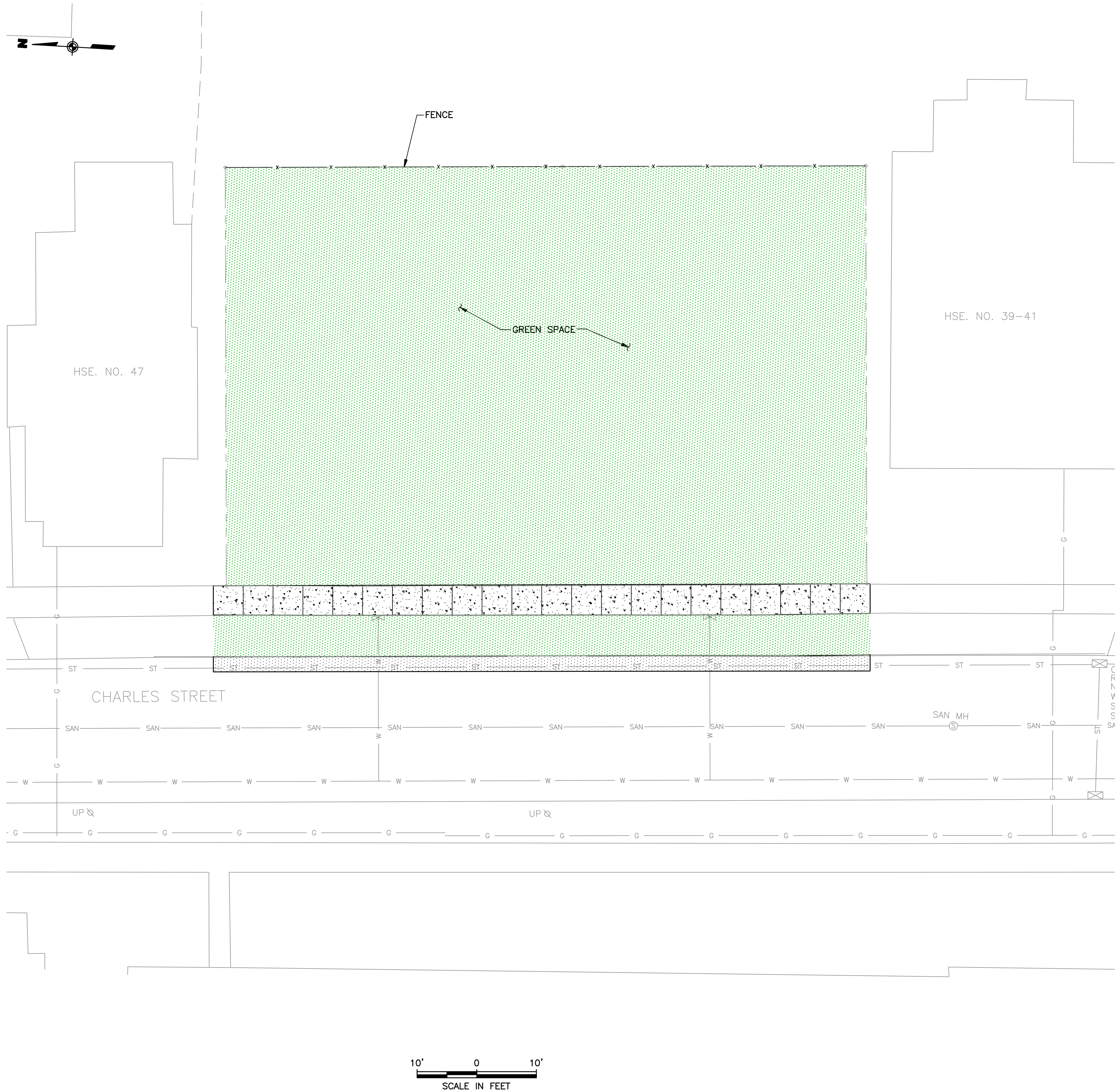
Fill (Ash and Cinders)

Interstratified Silt, Sand, Gravel, and Cobbles

URS

NYSEG-CORTLAND REMOTE HOLDER
PRE-REMEDIATION GEOLOGIC CROSS SECTION WEST-EAST

FIGURE 3



LEGEND:

- EXCAVATED AREA COVERED WITH CONCRETE SIDEWALK
- EXCAVATED AREA COVERED WITH GRASS AREA
- EXCAVATED AREA COVERED WITH AC PAVEMENT IN CHARLES STREET

NOTE:
THIS AS-BUILT DRAWING REFLECTS THE ENGINEERING CONTROLS OF THE SOIL AND CONCRETE COVER. VEGETATION ENHANCEMENTS (i.e. PLANTS, TREES) ARE NOT SHOWN.

N:\11174305.00000\CAD\SMP\FIGURE 4.dwg, 1:1, 9/27/11 -1-RAL

WARNING
IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON OTHER THAN WHOSE SEAL APPEARS ON THIS DRAWING, TO ALTER IN ANY WAY AN ITEM ON THIS DRAWING. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

NO.	MADE BY	APPROVED BY	DATE	DESCRIPTION

REVISIONS

DESIGNED BY: EWK
DRAWN BY: RAL
CHECKED BY: AMM
PROJ. ENGR. CWP

URS Corporation
New York
77 Goodell Street, Buffalo, New York 14203
(716)856-5636 - (716)856-2545 fax

JOB NO. 11176383

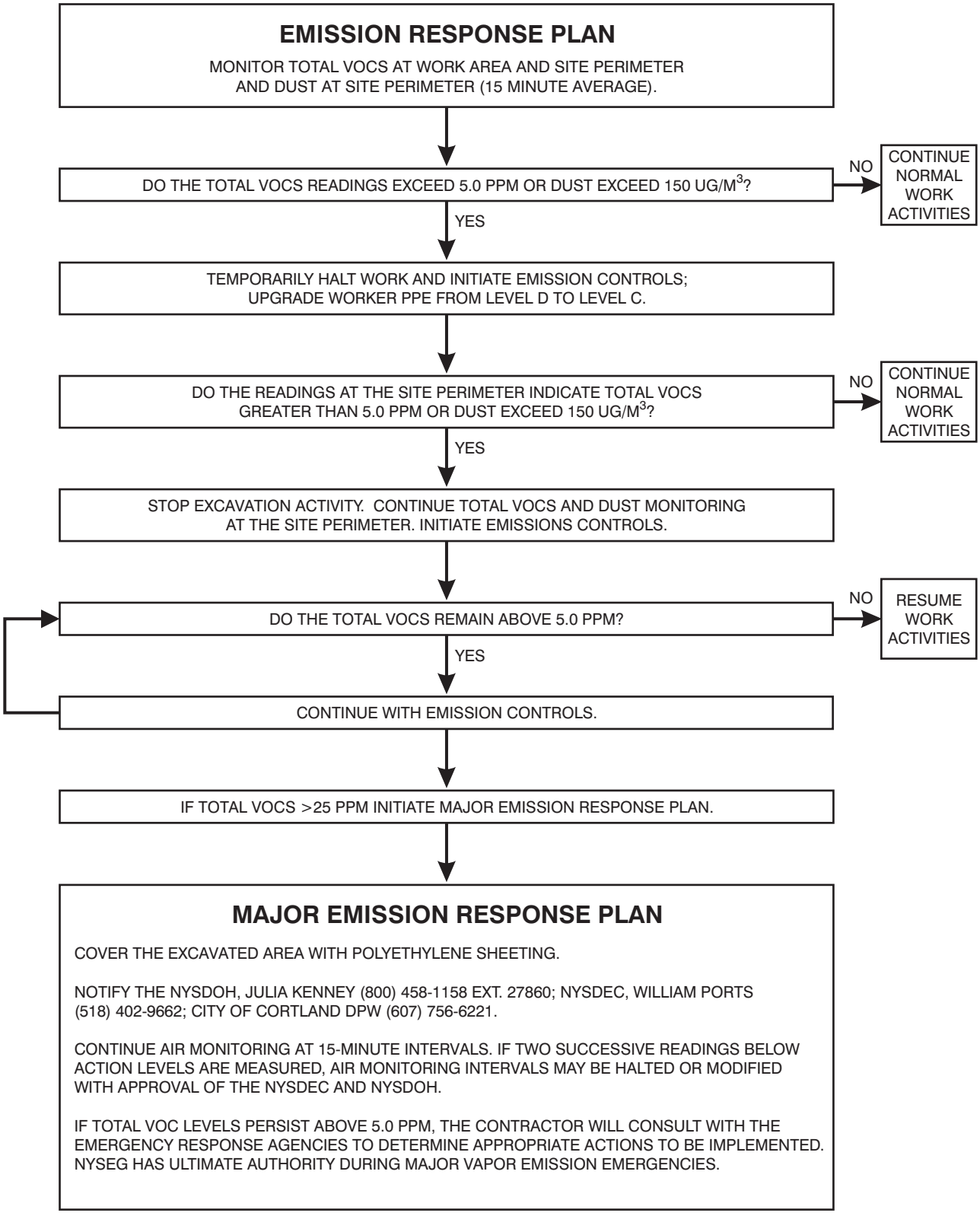
CORTLAND REMOTE HOLDER

CITY OF CORTLAND
CORTLAND COUNTY, NEW YORK

SITE MANAGEMENT PLAN

AS-BUILT REMEDIATION PLAN

Scale: AS SHOWN | Date: JUNE 2011 | FIGURE 4

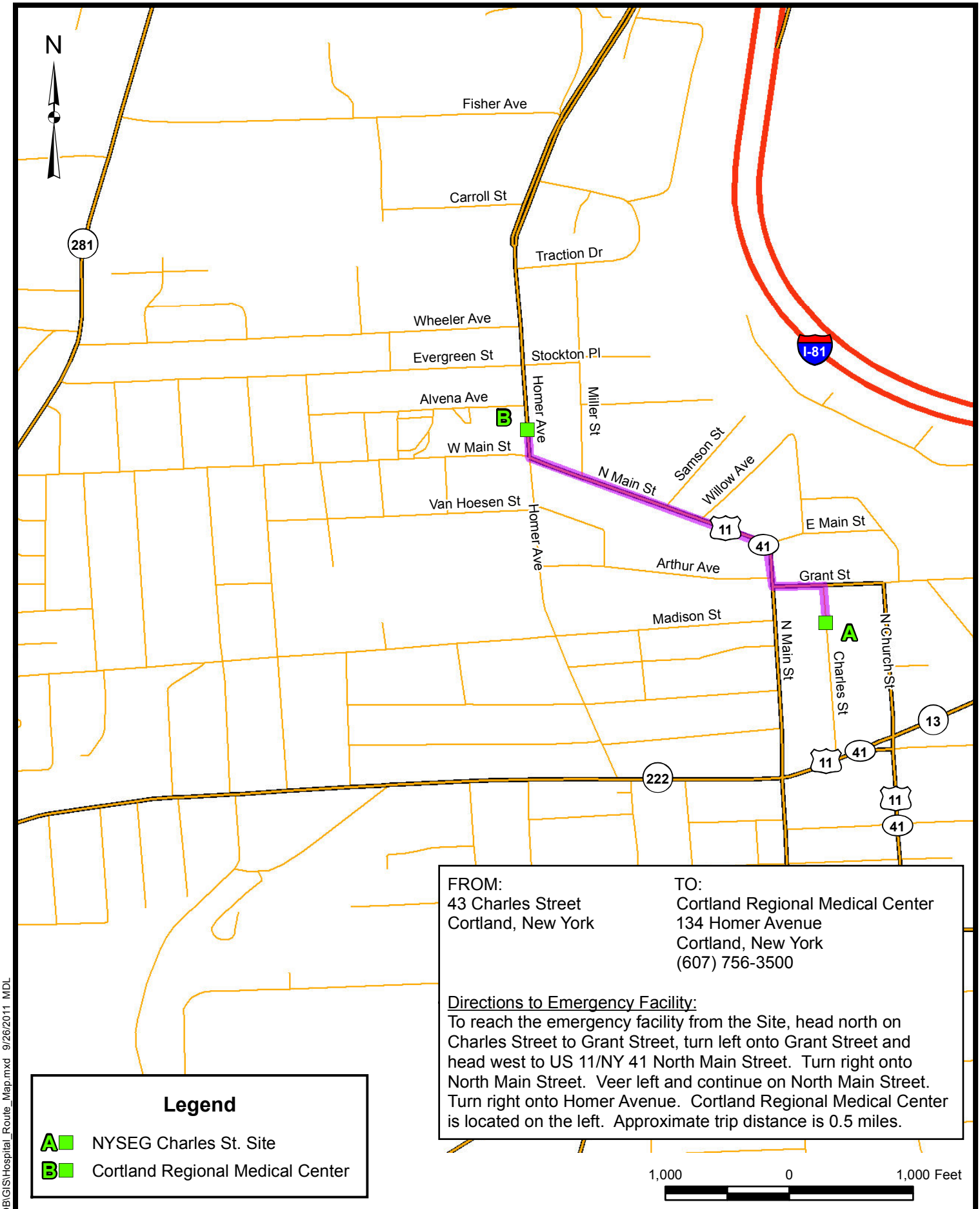


AG20583-111743O5-051211-GCM

URS

EMISSION RESPONSE PLAN

FIGURE 5



N:\11174305.00000\DB\GIS\Hospital_Route_Map.mxd 9/26/2011 MDL

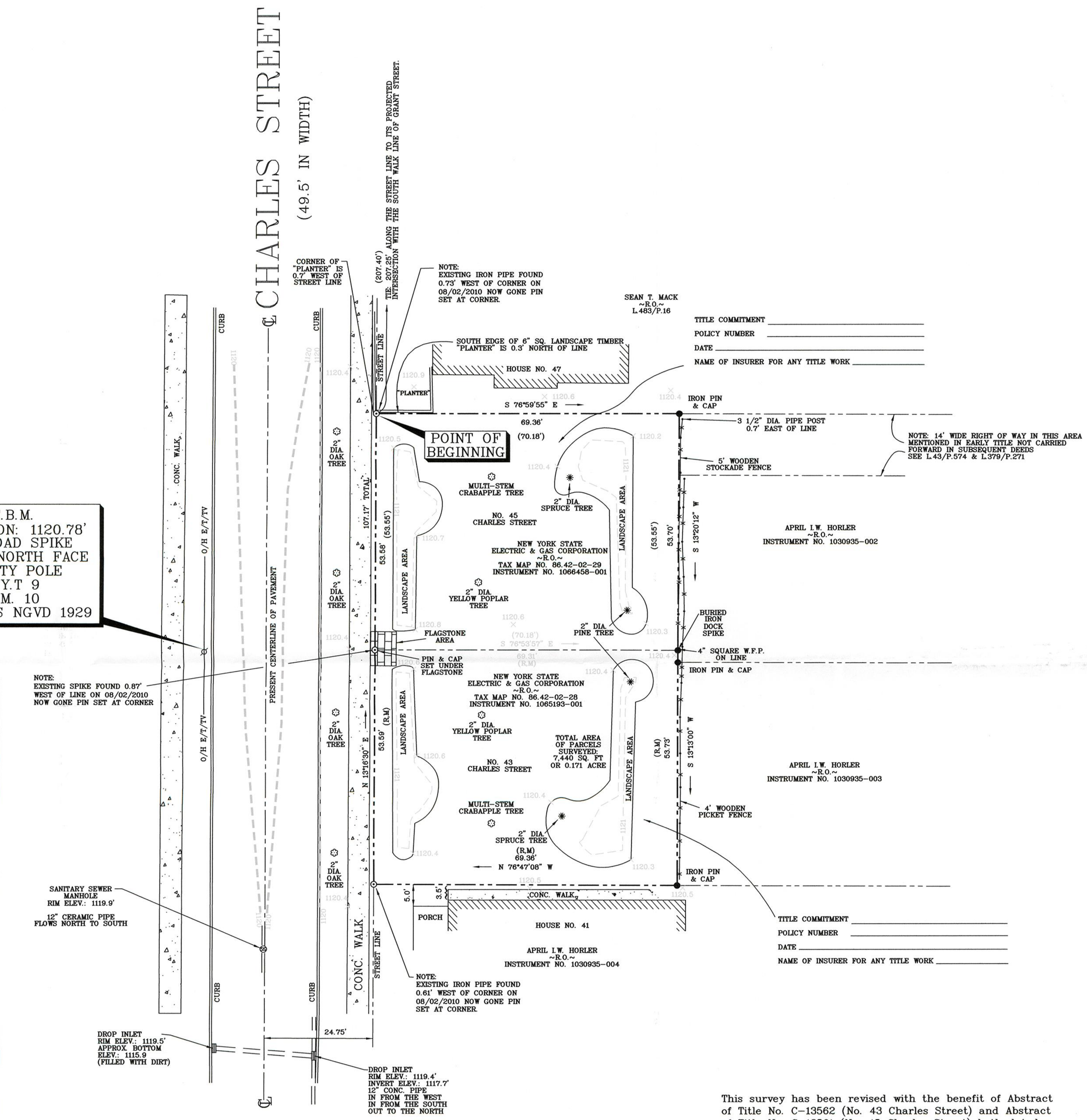
URS

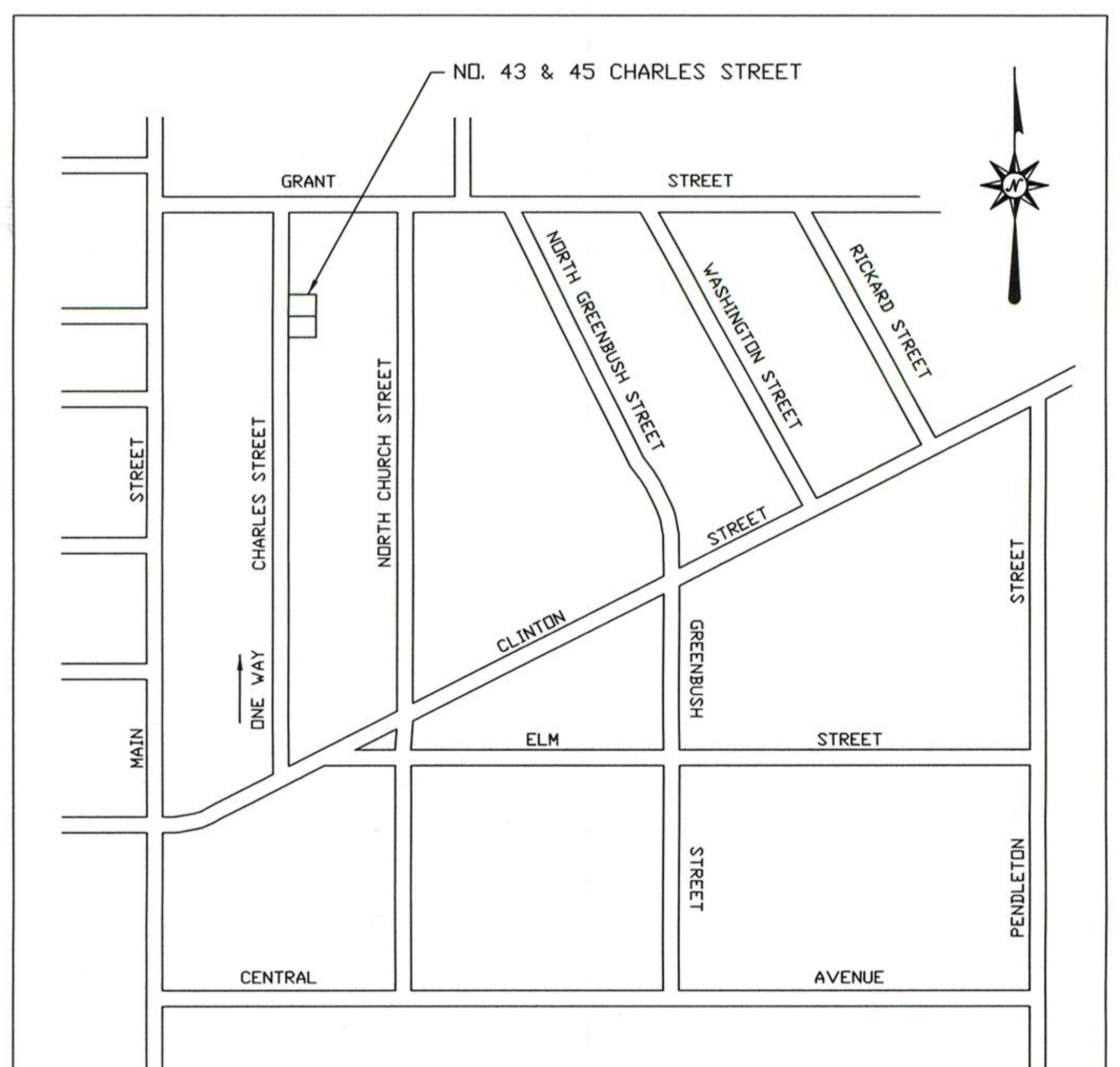
MAP OF ROUTE FROM SITE TO NEAREST EMERGENCY MEDICAL FACILITY

FIGURE 6

APPENDIX A

SURVEY, METES AND BOUNDS





LOCATION MAP
SCALE: 1"=400'

ALTA/ACSM LAND TITLE SURVEY

NO. 43 & 45 CHARLES STREET
CITY OF CORTLAND ~ COUNTY OF CORTLAND
STATE OF NEW YORK
TAX MAP NO. 86.42-02-28 (No. 43 Charles Street)
INSTRUMENT NO. 1065193-001
TAX MAP NO. 86.42-02-29
INSTRUMENT NO. 1066458-001 (No. 45 Charles Street)
(CURRENT OWNER : NEW YORK STATE ELECTRIC & GAS CORPORATION)

"NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY"

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 the Easement are set forth in more detail 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 may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, N.Y. 12233 or at derweb@gw.dec.state.ny.us.

ENVIRONMENTAL EASEMENT AREA ACCESS

THE DEC OR THEIR AGENT MAY ACCESS THE ENVIRONMENTAL EASEMENT AREA AS SHOWN HEREON THROUGH ANY EXISTING STREET ACCESS OR BUILDING INGRESS/EGRESS ACCESS POINT

TITLE COMMITMENT ____________
POLICY NUMBER ____________
DATE ____________
NAME OF INSURER FOR ANY TITLE WORK ____________

TITLE COMMITMENT ____________
POLICY NUMBER ____________
DATE ____________
NAME OF INSURER FOR ANY TITLE WORK ____________

This survey has been revised with the benefit of Abstract of Title No. C-13562 (No. 43 Charles Street) and Abstract of Title No. C-13561 (No. 45 Charles Street) both dated June 9, 2011 Prepared by CORTLAND ABSTRACT, INC.

ENVIRONMENTAL EASEMENT AREA DESCRIPTION LANDS OF NEW YORK ELECTRIC & GAS CORPORATION

Environmental Easement Area Description Reference Instrument No. 1065193-001 (No. 43 Charles Street) and Instrument No. 1066458-001 (No. 45 Charles Street)

ALL that tract or parcel of land, situate in the City of Cortland, County of Cortland and State of New York, bounded and described according to a Survey Map prepared by Reagan Land Surveying, Michael J. Reagan, P.L.S., dated 08/20/2010, as follows:

BEGINNING at a point in the east street line of Charles Street, said point being located 207.25' southerly as measured along said street line, from its projected intersection with the south walk line of Grant Street, said point also being located S76°-59'-55"E, a distance of 0.73' from an existing iron pipe and running thence on the following courses and distances;

1.) S76°-59'-55"E, a distance of 69.36' to an existing iron pin and cap;

2.) S13°-20'-12"W, a distance of 53.70' to an existing buried dock spike;

3.) S13°-13'-00"W, a distance of 53.73' to an existing iron pin and cap;

4.) N76°-47'-08"W, a distance of 69.36' to a point in the east street line of Charles street. Said point being located S76°-47'-08"E, a distance of 0.61' from an existing iron pipe;

5.) N13°-16'-30"E, along the east street line of Charles Street, at 53.59' passing 0.87' east of an existing spike, for a total distance of 107.17' to the POINT OR PLACE OF BEGINNING.

CONTAINING 7,440 square feet, or 0.171 acre of land, more or less.

SUBJECT TO any easements, rights and/or restrictions of record.

LEGEND:

●	EXISTING IRON MONUMENT AS SHOWN
⊙	SET 3/4" REBAR AND SURVEY CAP
Ø	UTILITY POLE
R.O.	REPUTED OWNER
(....)	RECORD DISTANCE
(R,M)	RECORD DISTANCE, MEASURED DISTANCE
O/H	OVERHEAD UTILITIES
—x—	FENCE
W.F.P.	WOODEN FENCE POST
1120.6 ×	SPOT ELEVATION

NOTES:

1.) ELEVATION DATUM IS NGVD 1929

2.) ALL ELEVATIONS ARE IN FEET.

3.) UNDERGROUND UTILITIES NOT LOCATED BY THIS SURVEY. UNDERGROUND UTILITIES MAY EXIST ON THE SITE. UNDERGROUND UTILITIES MUST BE FIELD MARKED BY OTHERS TO DETERMINE THEIR EXACT LOCATION AND/OR EXISTENCE. (CALL DIG SAFELY 811)

4.) CURRENT USE AND LOCATION OF GAS PIPELINE AND EASEMENT MENTIONED IN L.43/P.574 AND L.43/P.577 NOT LOCATED OR VERIFIED BY THIS SURVEY.

0' 15' 30' 45'

GRAPHIC SCALE
1"=15'

REFERENCE MAPS:

- "SURVEY MAP NO. 43 & 45 CHARLES STREET..." MADE BY REAGAN LAND SURVEYING, DATED 8/20/2010.
- "SURVEY MAP NO. 43 CHARLES STREET..." MADE BY REAGAN LAND SURVEYING, DATED 1/29/2004.
- "MAP SHOWING LANDS OF STELLA J. GIBBONS..." MADE BY MILTON A. GREENE, P.L.S., DATED 2/18/1998.

.DWG FILE 2011174B

REAGAN LAND SURVEYING
P.O. Box 1124
Dryden, New York 13053
Phone/Fax (607) 844-8837

NOTE: Any revisions to this map must comply with section 7209, Subdivision 2 of the New York State Education Law. All certifications hereon are valid for this map and copies thereof only if said map or copies bear the embossed seal of the licensed land surveyor whose signature appears hereon. This map is not valid when used in conjunction with a "Survey Affidavit" or "Certificate of No-Change".

Date Surveyed: 8/2011	Drawn By: A. P.	Scale: 1"=15'	Job No.: 11-174

I hereby certify to : NEW YORK STATE ELECTRIC & GAS CORPORATION; THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH ITS COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION; STEWART TITLE INSURANCE COMPANY;
This is to certify that this map or plat and the survey of which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items---------- of Table A thereof. the field work was completed on August 2, 2011.

Signed: [signature] Dated: AUG. 2, 2011

PROFESSIONAL LAND SURVEYOR · MICHAEL JOHN REAGAN · NO. 049892 · STATE OF NEW YORK

SCHEDULE "A" PROPERTY DESCRIPTION

ALL that tract or parcel of land, situate in the City of Cortland, County of Cortland, and State of New York, bounded and described according to a Survey Map prepared by Reagan Land Surveying, Michael J. Reagan, P.L.S., dated 08/20/2010, as follows:

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5.) N13°-16'-30"E, along the east street line of Charles Street, at 53.59' passing 0.87' east of an existing spike, for a total distance of 107.17' to the POINT OR PLACE OF BEGINNING.

CONTAINING 7,440 square feet, or 0.171 acre of land, more or less.

SUBJECT TO any easements, rights and/or restrictions of record.

APPENDIX B

ENVIRONMENTAL EASEMENTS

CORTLAND COUNTY – STATE OF NEW YORK

ELIZABETH LARKIN, COUNTY CLERK
46 GREENBUSH ST, SUITE 105, CORTLAND, NEW YORK 13045

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH

INSTRUMENT #: 2013-04673

Receipt#: 201379418
Clerk: SH
Rec Date: 09/09/2013 01:58:33 PM
Doc Grp: RP
Descrip: UTILITY EASEMENT
Num Pgs: 11
Rec'd Frm: NYS ELECTRIC & GAS CORP

Party1: NEW YORK STATE ELECTRIC & GAS CORPORATION
Party2: PEOPLE OF THE STATE OF NEW YORK
Town: CITY OF CORTLAND

Recording:

Cover Page	0.00
Per Page Fee	0.00
Cultural Ed	0.00
Records Management - Coun	0.00
Records Management - Stat	0.00
TP584-2 (Public Utilities	0.00
Sub Total:	0.00

Transfer Tax

Transfer Tax	0.00
Sub Total:	0.00
Total:	0.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 152
Standard Transfer Tax
Consideration: 0.00

Total: 0.00

Record and Return To:

NEW YORK STATE ELECTRIC & GAS CORP
1387 ITHACA/DRYDEN ROAD
ITHACA NY 14850-9861

Elizabeth Larkin
Cortland County Clerk

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

THIS INDENTURE made this 26th day of August, 2013, between Owner(s) New York State Electric & Gas Corporation, having an office at 18 Link Drive, Binghamton, County of Broome, 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 43 and 45 Charles Street in the City of Cortland, County of Cortland and State of New York, known and designated on the tax map of the County Clerk of Cortland as tax map parcel numbers: Section 86.42 Block 2 Lots 28 and 29, being the same as that property conveyed to Grantor by deed dated August 31, 2007 and recorded in the Cortland County Clerk's Office in Instrument No. 1066458-001, and deed dated July 31, 2007 and recorded in the Cortland County Clerk's Office in instrument No. 1065193-001. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 0.171 +/- acres, and is hereinafter more fully described in the Land Title Survey dated August 2, 2011 prepared by Reagan Land Surveying, 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: D0-0002-9309, 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:
Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), 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 Cortland 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;

B. The Controlled Property shall not be used for raising livestock or producing animal products for human consumption, 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 b 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: 712012
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.

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

New York State Electric & Gas Corporation

By: _____

Print Name: Franklyn Reynolds

Title: Vice President – General Services Date: 3.30.12

By: _____ (Control)

Print Name: Tamara Feck

Title: Manager - Projects Date: 3-28-12

Grantor's Acknowledgment

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

On the 30th day of March, in the year 20 12 before me, the undersigned, personally appeared **Franklyn Reynolds**, 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.

_____
Notary Public - State of New York

ANNA M. SABERS
Notary Public, State of New York
No. 01SA6072590
Qualified in Monroe County
Commission Expires April 08, 20 14

Grantor's Acknowledgment

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

On the 28th day of MARCH, in the year 2012, before me, the undersigned, personally appeared **Tamara Feck**, 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.

Christina K Sardou
Notary Public - State of New York

CHRISTINA K. SARDOU
Notary Public, State of New York
Genesee County
Registration No. 01SA6015061
Commission Expires: October 19, 2014

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: _____

Robert W. Schick, ~~Acting~~ Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the 26th day of August, in the year 2013, before me, the undersigned, personally appeared Robert Schick, 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

David J. Chiusano
Notary Public, State of New York
No. 01CH5032146
Qualified in Schenectady County
Commission Expires August 22, 2014

SCHEDULE "A" PROPERTY DESCRIPTION

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APPENDIX C

EXCAVATION WORK PLAN

APPENDIX C – EXCAVATION WORK PLAN

C-1 NOTIFICATION

At least 15 days prior to the start of any activity that is anticipated to encounter remaining contamination, the site owner or their representative will notify the Department. Currently, this notification will be made to:

Mr. William Ports, P.E.
NYSDEC – Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7017

This notification will include:

- A detailed description of the work to be performed, including the location and areal extent, plans for site re-grading, intrusive elements or utilities to be installed below the soil cover, estimated volumes of contaminated soil to be excavated and any work that may impact the soil cover system;
- A summary of environmental conditions anticipated in the work areas, including the nature and concentration levels of contaminants of concern, potential presence of grossly contaminated media, and plans for any pre-construction sampling;
- A schedule for the work, detailing the start and completion of all intrusive work;
- A summary of the applicable components of this EWP;
- A statement that the work will be performed in compliance with this EWP and 29 CFR 1910.120;
- A copy of the contractor's health and safety plan, in electronic format, if it differs from the HASP provided by NYSEG;
- Identification of disposal facilities for potential waste streams; and
- Identification of sources of any anticipated backfill, along with all required chemical testing results to meet Part 375 restricted residential use criteria.

C-2 SOIL SCREENING METHODS

Visual, olfactory and instrument-based soil screening will be performed by a qualified environmental professional during all remedial and development excavations into known or potentially contaminated material (remaining contamination). Soil screening will be performed regardless of when the 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 Certificate of Completion.

Soils will be segregated based on previous environmental data and screening results into material that requires off-site disposal, material that requires testing, material that can be returned to the subsurface, and material that can be used as cover soil.

C-3 STOCKPILE METHODS

Soil stockpiles will be continuously encircled with a berm and/or silt fence. Hay bales will be used as needed near catch basins 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 NYSDEC.

C-4 MATERIALS EXCAVATION AND LOAD OUT

A qualified environmental professional or person under their supervision will oversee all invasive work and the excavation and load-out of all excavated material.

The owner of the property and its contractors are solely 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.

Loaded vehicles leaving the site will be appropriately lined, tarped, securely covered, manifested, and placarded in accordance with appropriate Federal, State, local, and NYSDOT requirements (and all other applicable transportation requirements).

A truck wash will be operated. 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.

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.

C-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 tight-fitting covers. Loose-fitting canvas-type truck covers will be prohibited. If loads contain wet material capable of producing free liquid, truck liners will be used.

All trucks will be washed prior to leaving the site. Truck wash waters will be collected and disposed of off-site in an appropriate manner.

The truck transport route is as follows. Trucks will enter Charles Street from Clinton Street (south) and proceed in a northerly direction only. Once loaded, the truck will turn east (right) onto Grant Street, turn south (right) onto N. Church Street, and proceed to Clinton Street where trucks will follow signs for NYS Routes 11/13. All trucks loaded with site materials will exit the vicinity of the site using only this approved truck route. This is the most appropriate route and takes into account: (a) limiting transport through residential areas and past sensitive sites; (b) use of city mapped truck routes; (c) one-way streets; (d) limiting total distance to major highways; (e) promoting safety in access to highways; and (f) overall safety in transport.

Trucks will minimize 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.

C-6 MATERIALS DISPOSAL OFF-SITE

All soil excavated and removed from the site will be treated as contaminated and regulated material and will be transported and disposed in accordance with all local, State (including 6NYCRR Part 360) and Federal regulations. 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, i.e. hazardous waste disposal facility, solid waste landfill, C/D recycling facility, etc. Actual disposal quantities and associated documentation will be reported to the NYSDEC in the Periodic Review Report. This documentation will include: 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, at minimum, as a Municipal Solid Waste per 6NYCRR Part 360-1.2. Material that does not meet Track 1 unrestricted SCOs is prohibited from being taken to a New York State recycling facility (6NYCRR Part 360-16 Registration Facility).

C-7 FLUIDS MANAGEMENT

All liquids to be removed from the site, including excavation dewatering, will be handled, transported and disposed in accordance with applicable local, State, and Federal regulations. Dewatering fluids will not be recharged back to the land surface or subsurface of the site, but will be managed off-site.

C-8 COVER SYSTEM RESTORATION

After the completion of soil removal and any other invasive activities, the cover system will be restored in a manner that complies with the Record of Decision. The demarcation layer, consisting of orange snow fencing material 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 Site Management Plan. If the type of cover system changes from that which exists (i.e., a soil

cover is replaced by concrete or 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 any updates to the SMP.

C-9 BACKFILL FROM OFF-SITE SOURCES

All materials proposed for import onto the site will be approved by the qualified environmental professional and will be in compliance with provisions in this SMP prior to receipt at the site. All imported soils will meet the backfill and cover soil quality standards established in 6NYCRR 375-6 for restricted residential use criteria. Material from industrial sites, spill sites, or other environmental remediation sites or potentially contaminated sites will not be imported to 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.

C-10 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 NYSDEC. All necessary repairs shall be made immediately.

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

C-11 CONTINGENCY PLAN

Emergencies may include injury to personnel, fire or explosion, environmental release, or serious weather conditions. The objectives during any emergency shall be to protect human health and safety and then the environment. A qualified environmental professional or Site Safety Officer will determine the best course of action for dealing with the emergency and possible follow-up requirements that may result from implementing those actions (e.g., erosion of soil cover due to severe weather conditions, injury to site inspection workers, discovery of an unknown source of contamination during future excavation activities that may require remediation).

Identification of unknown or unexpected contaminated media identified during invasive site work will be promptly communicated by phone to NYSDEC's Project Manager. These findings will be also included in the periodic reports prepared pursuant to Section 5 of the SMP. Soil sampling will be performed as necessary to determine the nature of the material and proper disposal method. Chemical analysis will be performed for a full list of TAL metals and TCL volatiles and semi-volatiles.

C-12 COMMUNITY AIR MONITORING PLAN

Community Air Monitoring will be consistent with the guidance provided in the NYSDOH Generic Community Air Monitoring Plan obtained in Appendix 1A of DER-10, Generic Community Air Monitoring Plan. Monitoring will be conducted for VOCs and particulates during intrusive activities. Emission action levels are shown on SMP Figure 5.

Due to the presence of residences to the north, east, and south, and a school across Charles Street to the west, fixed air monitoring stations will be located along all four sides of the site perimeter, and at the school property. Exceedances of action levels listed in the CAMP will be reported to NYSDEC and NYSDOH Project Managers. A CAMP is provided in Appendix D.

C-13 ODOR, VAPOR, AND DUST CONTROL PLAN

This odor, vapor and dust control plan is capable of controlling potential emissions of odors, vapor and/or dust that may arise as a result of onsite excavation and handling activities. Specific odor, vapor, and dust control methods are to be used as part of the Community Air

Monitoring Plan on a routine basis will include direct measurements of VOCs and total suspended particulates. Action levels for emissions are presented on SMP Figure 5.

All necessary means will be employed to prevent onsite and off-site odors, vapors and dust. At a minimum, these measures will include: (a) limiting the excavation size and the surface area of exposed contaminated soil; (b) covering contaminated soil with polyethylene sheeting; and (c) using foams to cover exposed odorous soils. 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 property owner, and any measures that are implemented will be discussed in the Periodic Review Report. If necessary, excavation and soil handling may be conducted in a temporary containment structure equipped with appropriate air venting/filtering systems.

C-14 OTHER NUISANCES

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

APPENDIX D

HEALTH AND SAFETY PLAN AND COMMUNITY AIR MONITORING PLAN

APPENDIX D

HEALTH AND SAFETY PLAN AND
COMMUNITY AIR MONITORING PLAN
NYSEG – CORTLAND REMOTE HOLDER SITE
CORTLAND, NEW YORK

HEALTH AND SAFETY PLAN

Emergency Excavation*:* Immediate excavation activities are necessary to protect human health, the environment or major property damage (Attachment A).

1.0 Site Description

1.1 Site Location and Description

The site is located in the City of Cortland County of Cortland, New York. The site encompasses two residential lots at 43 and 45 Charles Street. The properties are bounded on the north, east and south by residences, and Charles Street runs north/south along the western side of the Site. The site is owned by NYSEG and presently contains a two-foot soil cover system vegetated with grass and trees. This Site Management Plan is designed and written with the knowledge that NYSEG owns and controls the site and the activities that occur upon it. This Site Management Plan will have to be revised to reflect any future changes in ownership.

A remedial investigation was completed in 2009. A thin darkly stained silt and ash layer (0.2 to 1.0 foot thick) was present from 9 to 12 feet bgs in some borings, and exhibited a slight odor. Odors observed ranged from a musty decay-like odor, to a mild to moderate naphthalene-like odor typical of MGP sites. In 2010 a minimum of two feet of soil was excavated from the site, and clean imported soil (backfill and 6 inches of topsoil) was placed over the entire site to prevent direct exposure to potentially contaminated subsurface soils.

1.2 Potential MGP Residues

Despite the fact that the site is associated with an MGP, it never produced gas. The site was used to store gas as part of the gas distribution network associated with an MGP in the Village of Homer, located approximately 3 miles to the north. MGP byproducts which present a potential public safety and environment concern that are or may be present at the site are:

Darkly Stained Silt and Ash – Residues from the operation of the former remote gas holder include the thin darkly stained silt and ash layer found at an approximate depth of the bottom of the former gas holder. The naphthalene-like odor observed is typical of MGP by-products. The primary soil contaminants in the layer are polycyclic aromatic hydrocarbons (PAHs) which can present a risk to human health.

2.0 OVERVIEW OF PRECAUTIONS TO ENSURE THE SAFETY OF HUMAN HEALTH AND THE ENVIRONMENT

The following precautions must be considered for any excavation work on this remote holder site which is associated with an MGP site. The applicability and extent of each precaution will need to be determined based upon the actual work location and depth of excavation.

Workers should proceed with caution at all depths and evaluate soil handling, personal protective equipment, equipment decontamination and backfilling requirements based on the guidance provided below. In all circumstances, workers should err on the side of caution and treat any suspected contamination as possible MGP waste.

- **Notification** to NYSEG's Compliance Department and New York State Department of Environmental Conservation (NYSDEC) as soon as practical, preferably prior to excavation (see Contact List). Staff of the Compliance Department will make the notification to NYSDEC.

- **Personal Hygiene**, at a minimum, should consist of workers washing hands prior to leaving area of excavation, smoking, eating, drinking and/or using toilets. Eating and/or drinking are not permitted in the vicinity of the excavation. Smoking is not permitted anywhere on the property.

- **Personal Protective Equipment (PPE)**, at minimum, workers should don long sleeve shirt, long pants, work boots and work gloves. If soil is stained or coal tar is visible, then workers should don rubber boots, tyvek suits or rain suits and nitrile or other chemical resistant inner gloves.

- **OSHA 40-Hour Hazardous Waste Operator (HAZWOPER)** trained workers will be required to perform excavation in highly contaminated areas. (This requirement will be determined by NYSEG's Compliance Department and NYSDEC and exceptions will be granted for emergency work.)

- **Air Monitoring** is required for worker and community safety for volatile organic compounds (VOCs) and dust if excavations encounter heavily contaminated soils. Exception will be granted for emergency work. The NYSDOH's Community Air Monitoring Plan shall be followed. This plan is included in this document.

- **Soil Handling**. Contaminated or stained soil should be handled to minimize contaminating adjacent areas. Contaminated or stained soil should be placed on polyethylene sheeting (poly) or in either 55-gallon drums or waste wranglers. If sidewall and bottom of excavation is heavily stained, then the excavation should be lined with poly prior to workers entering excavation.

- **Dewatering Excavation**. Water that contains sheen should not be discharged to storm sewers. Contaminated or stained water should be placed in storage containers (i.e. 55-gallon drums or larger containers).

- **Dust Control** should be accomplished by wetting soil with water.

- **Equipment Decontamination**, prior to leaving the work area, soil that has accumulated on equipment should be removed. Contaminated equipment will require washing prior to leaving the area of excavation. Washing should be conducted over the open excavation (at the conclusion of excavating contaminated soils and prior to the equipment contacting clean backfill materials). Wash water should be allowed to infiltrate the soil in the open excavation. At no time shall rinse water or contaminated soil removed from equipment be allowed to contact surface soils or clean backfill material.

- **Personnel Decontamination**, at a minimum, should consist of removing soil from footwear and removing any clothing with coal tar on it prior to leaving area of excavation. Workers should wash hands prior to leaving area of excavation, smoking, eating, drinking and/or using toilets.

- **Material Storage**. Bulk soil and containerized waste materials (i.e., soil, water, PPE and poly) should be placed in a designated area at the site. NYSEG's Compliance Department will be responsible for coordinating disposal.

- **Backfilling Requirements**. Soils that are not contaminated or stained may be used for backfill. Those soils should be placed back into the excavation first. If additional soils are required to bring the excavation back to grade, they should be clean material imported from a non-contaminated site.

CONTACT LIST

NYSEG: Primary
Mr. Tracy L. Blazicek: Compliance Department
NYSEG
Corporate Drive, Kirkwood Industrial Park, P.O. Box 5224
Binghamton, New York 13902-5224
Office Phone: (607) 762-8839
After Hours Phone: (607) 237-5325
E-mail: tlblazicek@nyseg.com

NYSDEC: Mr. William Ports: Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233-7014
Office Phone: (518) 402-9662
E-mail: wfports@gw.dec.state.ny.us

ATTACHMENT A

EMERGENCY EXCAVATION PROTOCOL

For the Cortland Remote Holder Site

Emergency Excavation: Immediate excavation activities are necessary to ensure the safety of human health, the environment or major property damage.

PROCEDURES IN ORDER OF IMPORTANCE

1. **Do not endanger your own life. Survey the situation before taking any action.** Take whatever action is necessary to ensure the safety of human health and the environment.

2. **Personal Hygiene**, at a minimum, should consist of workers washing hands prior to leaving area of excavation, smoking, eating, drinking and/or using toilets. Eating and/or drinking are not permitted in the vicinity of the excavation. Smoking is not permitted anywhere on the property.

3. **Personal Protective Equipment (PPE)**, at minimum, workers should don long sleeve shirt, long pants, work boots and work gloves. If soil is stained or coal tar is visible, then workers should don rubber boots, tyvek suits or rain suits and nitrile or other chemical resistant inner gloves.

4. **Soil Handling**. Contaminated or stained soil should be handled to minimize contaminating adjacent areas. Contaminated or stained soil should be placed on polyethylene sheeting (poly) or in either 55-gallon drums or waste wranglers. If sidewall and bottom of excavation is heavily stained, then the excavation should be lined with poly prior to workers entering excavation.

5. **Dewatering Excavation**. Water that contains sheen should not be discharged to storm sewers. Contaminated or stained water should be placed in storage containers (i.e. 55-gallon drums or larger containers).

6. **Equipment Decontamination**, prior to leaving the work area, soil that has accumulated on equipment should be removed. Contaminated equipment will require washing prior to leaving the area of excavation. Washing should be conducted over the open excavation (at the conclusion of excavating contaminated soils and prior to the equipment contacting clean backfill materials). Wash water should be allowed to infiltrate the soil in the open excavation. At no time shall rinse water or contaminated soil removed from equipment be allowed to contact surface soils or clean backfill material.

7. **Personnel Decontamination**, at a minimum, should consist of removing soil from footwear and removing any clothing with coal tar on it prior to leaving area of excavation. Workers should wash hands prior to leaving area of excavation, smoking, eating, drinking and/or using toilets.

8. **Material Storage**. Bulk soil and containerized waste materials (i.e., soil, water, PPE and poly) should be placed in a designated area at the site. NYSEG's Compliance Department will coordinate disposal.

9. **Backfilling Requirements**. Soils that are not contaminated or stained may be used for backfill. Those soils should be placed back into the excavation first. If additional soils are

required to bring the excavation back to grade, they should be clean material imported from a non-contaminated site.

10. **Notify NYSEG Compliance Department as soon as practical after emergency is under adequate control. NYSEG Compliance Department will notify NYSDEC Division of Environmental Remediation.**

Primary Contact: Tracy L. Blazicek
Normal working hours phone: (607) 762-8839

After hours phone: (607) 237-5325
E-mail: tlblazicek@nyseg.com

COMMUNITY AIR MONITORING PLAN

Real-time air monitoring for volatile organic compounds will be conducted at the perimeter of the Exclusion Zone during the drilling program as follows:

- Volatile organic compounds and dust particulates will be monitored at the downwind perimeter of the exclusion zone on a continuous basis. If total organic vapor levels exceed 5 parts per million (ppm) above background, work activities will be halted and monitoring continued under the provisions of a Vapor Emission Response Plan. All readings will be recorded and be available for NYSDEC and NYSDOH personnel to review if requested.

- If particulate levels at the downwind station exceed particulate levels at the upwind station by more than 100 micrograms per cubic meter (mcg/m^3), work activities will be halted and appropriate dust suppression measures will be employed. All readings will be recorded and be available for NYSDEC and NYSDOH personnel to review if requested.

Vapor Emission Response Plan

If the ambient air concentration of total organic vapors at the downwind perimeter of the Work Area or Exclusion Zone exceed 5 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 will resume with continued monitoring. If the organic vapor levels are greater than 5 ppm over background but less than 25 ppm over background at the perimeter of the Exclusion Zone, activities can resume provided the organic vapor level 200 feet downwind of the Exclusion Zone or half the distance to the nearest residential or commercial structure, whichever is less, is below 5 ppm over background.

If the organic vapor level is above 10 ppm at the perimeter of the Exclusion Zone, activities must be shut down. When work shutdown occurs, downwind air monitoring as directed by the Site HSO will be implemented to ensure that vapor emission does not impact the nearest residential or commercial structure at levels exceeding those specified in the Major Vapor Emission Response Plan.

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

Major Vapor Emission Response Plan

If any organic vapor levels greater than 5 ppm over background are identified 200 feet downwind from the Exclusion Zone or half the distance to the nearest residential or commercial property, whichever is less, all work activities will be halted.

If, following the cessation of work activities, or as the result of an emergency, organic vapor levels persist above 5 ppm above background 200 feet downwind from the Exclusion Zone or half the distance to the nearest residential or commercial property, then the air quality will be monitored within 20 feet of the perimeter of the nearest residential or commercial structure (20-foot zone).

If efforts to abate the emission source are unsuccessful and organic vapor levels approaching 5 ppm persist for more than 30 minutes in the 20-foot zone, then the Major Vapor Emission Response Plan shall automatically be placed into effect. Also, the Major Vapor Emission Response Plan shall be immediately placed into effect if 20-foot zone organic vapor levels are greater than 10 ppm above background.

Upon activation of the Major Vapor Emission Response Plan, the following activities will be undertaken:

- All Emergency Response authorities will immediately be contacted by the Site HSO and advised of the situation.

- Air monitoring will be conducted at 30 minute intervals within the 20-foot zone. If two successive readings below action levels are measured, air monitoring may be halted or modified by the Site HSO.

Particulate Monitoring, Response Levels and Actions

Particulate concentrations will be monitored continuously at the upwind and downwind perimeters of the exclusion zone at temporary particulate monitoring stations. The particulate monitoring will 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 will be equipped with an audible alarm to indicate exceedances of the action level. In addition, fugitive dust migration will be visually assessed during all work activities.

If the downwind PM-10 particulate is 100 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 will be employed. Work may continue with dust suppression techniques provided that either of the downwind stations report PM-10 particulate levels do not exceed 150 mcg/m^3 above the up wind level and provided that no visible dust is migrating from the work area.

If, after implementation of dust suppression techniques, downwind PM-10 particulate levels are greater than 150 mcg/m^3 above the up wind level, work will be stopped and a re-evaluation of activities initiated. Work will 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 above the upwind level and preventing visible dust migration.

All readings will be recorded and available for NYSDEC and NYSDOH personnel to review.

APPENDIX E

INSPECTION FORMS

SITE MANAGEMENT PLAN - APPENDIX E

CORTLAND REMOTE HOLDER SITE – POST CLOSURE

NYSDEC SITE NO. 712012

SITE-WIDE INSPECTION FORM Page 1 of 2

Date: _____ **Inspector:** _____

Weather: _____ **Signature:** _____

Temperature: _____ **Company:** _____

Season: Winter Spring Summer Fall
(Circle One)

Item Inspected	Maintenance Needed (Y/N)	Comments	Inspector's Initials
Soil Cover Area			
Concrete Cover Area			
Asphalt Cover Area			
Fencing			
Other Items: (Specify)			
Other Items: (Specify)			

SITE MANAGEMENT PLAN - APPENDIX E

CORTLAND REMOTE HOLDER SITE

NYSDEC SITE NO. 712012

EC COVER SYSTEM INSPECTION FORM Page 2 of 2

MINIMUM CHECKLIST FOR ROUTINE INSPECTIONS

Component	Item	Area Checked	Condition
Soil Cover System and Vegetation	Obvious subsidence, depressions, or cracks Evidence of ponded water/adequate drainage Signs of erosion Evidence of breaching soil Animal burrows Other:		
Trees and Vegetation	Grass mowed Trees pruned (staked if necessary) Stressed/diseased trees or vegetation Other:		
Concrete/Asphalt Cover System	Evidence of subsidence, depressions, or cracks Other:		
Fencing	Sections in need of repair Signs of vandalism Other:		