APPENDIX

J. Soil Management Plan (SMP)

New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau D, 12th Floor
625 Broadway, Albany, New York 12233-7013
Phone: (518) 402-9676 • **Fax:** (518) 402-9020
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Joe Martens
Commissioner

February 12, 2015

Mr. Charles Brooks, P.E.
C&S Engineers, Inc.
499 Col. Eileen Collins Blvd
Syracuse, NY 13212-3903

Re: Amphitheater Soil Management Plan

Dear Mr. Brooks:

The Onondaga Lakeview Amphitheater Project Soil Management Plan submitted on February 12, 2015 to comply with the change of use for the Solvay Wastebeds 1-8 Site (Inactive Hazardous Waste Site #734081) has been reviewed by the New York State Department of Environmental Conservation. Based on our review the Soil Management Plan is approved. Please send final copies of this document to the site distribution.

In addition, approval to commence rough grading activities as requested in the letter dated February 11, 2015 from Mathew J. Simone of Gilbane to you (attached) is granted. If you have any questions or need additional information, please contact me at 518-402-9796.

Sincerely,

Tracy A. Smith

Tracy A. Smith
Project Manager

ecc: J. Gregg, NYSDEC
D. Hesler, NYSDEC
J. Heath, Esq.
C. Waterman
M. Simone, Gilbane
M.B. Primo, Onondaga Cnty.
R. Nunes, USEPA
H. Warner, NYSDEC
T. Joyal, Esq.
B. Palladine, C&S
T. Roger, Gilbane
M. Sergott, NYSDOH
J. Shenandoah
A. Lowry
B. Duclos, C&S
A. Wixson, Onondaga Cnty.

SOIL MANAGEMENT PLAN
Lakeview Amphitheater Project
Geddes, Onondaga County, NY

Prepared for:

Onondaga County

Prepared by:

Gilbane Building Company
221 South Warren Street, Suite 210
Syracuse, New York 13202

February 2015

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1. INTRODUCTION

The objective of this Soil Management Plan (SMP) is to describe procedures for handling, staging, transporting, and disposing of impacted material during ground intrusive Amphitheater construction project activities.

The Amphitheater Project site (the Site) is underlain by Wastebed 1-8 (Solvay Waste) generated as a result of the production of soda ash by the Solvay Process Company. In addition, ten other sub-sites around the lake are potential sources of contamination. Contaminants of concern identified in the soil and groundwater within the Wastebed 1-8 area include heavy metals, volatile organics and semi-volatile organic compounds. Specific contaminants include benzene, toluene, ethylbenzene and xylene (BTEX) compounds; polycyclic aromatic hydrocarbons (PAH's); inorganics; and pesticides. Ground-intrusive excavation associated with Project construction activities will generate spoils material that will require proper handling procedures for reuse or disposal. The project is also expected to generate groundwater from construction dewatering operations that will be contaminated and will require pre-treatment for suspended solids removal prior to discharge. Water resulting from construction activities at the Site will be transported to and treated at the Honeywell Willis/Semet Groundwater Treatment Plant in accordance with a Honeywell special use permit for treatment or other approved and permitted water treatment facility.

Goals of this plan include providing details on the handling, transport, staging and general management of materials excavated on site and how materials will be classified including identification of wastes which are hazardous in accordance with 40 CFR 261 and 6NYCRR 371 for which handling and disposal will be the responsibility of the Onondaga County (the Owner).

Additional goals of the Plan are to detail both the handling and transport of materials excavated at the Site and management of the on-site spoils area. Site restoration details including placing a cover, seeding and planting will be submitted in a separate document. A separate document will also be submitted addressing institutional controls requirements in the December 2014 ROD.

2. POTENTIAL RECEPTORS

Potential receptors are all contractors conducting work on the Site including Gilbane construction workers, the Honeywell remediation team, Onondaga County personnel, and visitors.

3. WASTE CLASSIFICATION

All waste material, including Solvay Waste will be classified into one of the five following categories based on definitions included within 6NYCRR Part 360 and 6NYCRR Part 371.

- Exempt Construction/Demolition Debris (C/D)
- Construction/Demolition Debris
- Non-Hazardous Solid Waste
- Hazardous Waste
- Asbestos Containing Materials (ACM)

These categories are briefly described below based on New York State regulations and the New York State Department of Environmental Conservation (NYSDEC) guidance documents.

3.1. EXEMPT CONSTRUCTION/DEMOLITION DEBRIS (C/D)

The term "Exempt" is used in 6NYCRR Part 360-7.1 relative to those landfills that accept only recognizable, uncontaminated concrete and concrete products, asphalt pavement, brick, glass, soil and rock. Such landfills are exempt from the permit requirements of 6NYCRR Part 360. The term "Uncontaminated" means C&D debris that is not mixed or commingled with other solid waste at the point of generation, processing or disposal, and that is not contaminated with spills of a petroleum product, hazardous waste or industrial waste. Contamination from spills of a petroleum product does not include asphalt or concrete pavement that has come into contact with petroleum products through normal vehicle use of the roadway.

3.2. CONSTRUCTION/DEMOLITION DEBRIS

This material is defined as uncontaminated solid waste resulting from construction, remodeling, repair and demolition of utilities, structures and roads; and uncontaminated solid waste resulting from land clearing. Such waste includes but is not limited to bricks, concrete and other masonry

materials, soil, rock, wood (including painted, treated and coated wood and wood products), land clearing debris, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles and other roof coverings, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes, empty buckets ten gallons or less in size and having not more than one inch of residue remaining on the bottom, electrical wiring and components containing no hazardous liquids, and pipe and metals incidental to any of the above. Specifically excluded from this category are the following types of materials: asbestos waste, garbage, corrugated container board, electrical fixtures containing hazardous liquids such as fluorescent light ballasts or transformers, fluorescent lights, carpeting, furniture, appliances, tires, drums containers larger than ten gallons, any containers having more than one inch of residue remaining on the bottom and fuel tanks. It is not anticipated that these materials are present at the Site.

3.3. INDUSTRIAL SOLID WASTE

Waste materials not included in the above definition or those specifically excluded such as tires, appliances, carpeting, transformers, and containers larger than ten gallons and fuel tanks would be considered industrial or commercial solid waste. The Solvay Waste material that underlies the Wastebed portions of the Site would also be considered industrial solid waste. Industrial solid wastes may be further categorized as hazardous or non-hazardous waste.

3.4. HAZARDOUS SOLID WASTE

Hazardous wastes are those included in 40 CFR Part 261, *Identification and Listing of Hazardous Waste* and the corresponding New York State regulations (6NYCRR Part 371) if they meet any of the following four conditions:

1. The waste exhibits any of the four characteristics of a hazardous waste: ignitability, corrosivity; reactivity; or toxicity or
2. The waste is specifically listed as being hazardous in one of the tables in the regulations and has not been excluded, or
3. The waste is a mixture of a listed hazardous waste (No. 2, above) and a non-hazardous waste.
4. The solid waste contains 50 ppm (mg/kg) or more, on a dry weight basis, of polychlorinated biphenyls (PCBs)

Designation of a spoil material as a listed hazardous waste or mixture containing a listed hazardous waste may require information regarding the origin and/or previous usage of the material with the exception of PCB containing solid wastes within New York State. Given the nature of the Site and the information that may be available on the origin of the waste materials present, determination of a hazardous waste classification for excavated materials will be based primarily on the characteristics of the waste and/or PCB content.

3.5. ASBESTOS CONTAINING MATERIAL (ACM)

The presence of ACM on existing underground utilities that may be encountered during earthwork invokes OSHA requirements on employee training and awareness. In addition, a certified asbestos handler who is employed by a licensed asbestos abatement firm in accordance with the New York State Department of Labor (NYSDOL) requirements must perform any commercial disturbance, handling, or removal of ACM in New York State. Furthermore, USEPA and NYSDEC regulate fugitive asbestos containing particulate, which may be released to the atmosphere during a removal project. Disposal of friable ACM is restricted by the DEC and requires special procedures in designated landfill areas; landfilling of non-friable ACM is not regulated as a special waste by the DEC but some landfills (and incinerators) exclude these types of materials. It is not anticipated that ACM is present at the Site.

4. ENVIRONMENTAL REQUIREMENTS

4.1. REGULATIONS

Gilbane shall comply with applicable federal, state, municipal, and local regulations including, but not limited to, the following:

1. U.S. Environmental Protection Agency (EPA), including Title 40, Code of Federal Regulations.
2. Occupational Safety and Health Administration (OSHA), including Title 29, Code of Federal Regulations, and Parts 1910 and 1926, OSHA, U.S. Department of Labor.
3. State of New York Rules and Regulations, including 6 NYCRR Part 360, 364, and 370-373 regarding management of non-hazardous solid waste, transportation of waste, and hazardous waste management.
4. Transportation regulations, including U.S. Department of Transportation regulations, including Title 29 Parts 171 and 172 and New York State Department of Transportation rules and regulations.

5. Applicable federal, state, and local government regulations.
6. Onondaga County Department of Water Environment Protection Procedures Governing Acceptance and Treatment of Groundwater and Other Contaminated Waste.

4.2. EMPLOYEE TRAINING REQUIREMENTS

All personnel working on-site shall comply with OSHA training requirements in accordance with 29 CFR 1910.120 and shall be familiar with the provisions of the Gilbane Site Health and Safety Plan (Gilbane HASP 2014). Appropriate PPE shall be worn at all times in accordance with the Gilbane HASP 2014.

4.3. DISPOSAL ACTIVITIES

Gilbane shall be responsible for transporting the waste material generated during construction activities to the designated on-site area for spoils. In addition this spoils pile will be maintained by providing daily dust control.

The Owner shall be responsible for transporting all waste materials requiring off-site disposal in accordance with all current federal, state and local regulations, and the Contract Documents.

Gilbane shall provide a disposal report at the conclusion of the work which will include a certification letter stating that any and all impacted materials removed from the Site were disposed of in accordance with all current federal, state and local regulations, and the Contract Documents. Attachments to the disposal report shall include laboratory analysis, waste characterization profiles, manifests, bills of lading, and weigh tickets and a summary of total volumes of waste transported to each permitted disposal facility. The disposal report will also be submitted to the NYSDEC.

5. WASTE IDENTIFICATION PROCEDURES

5.1. NOTIFICATION

In accordance with these requirements the initial responsibility for identifying wastes will be with Gilbane during performance of the construction activities. Gilbane shall cease work in the area immediately and notify the Owner's Representative who will also notify the NYSDEC when material is encountered which Gilbane believes may not meet the definition of

uncontaminated native soils, C&D, or non-hazardous Solvay Waste. Gilbane personnel shall be familiar with the identification of such materials and shall not handle them until the material has been classified in the field into one of the categories identified above. Identifications will be made using physical characteristics such as color, consistency, staining, and odor. Equipment such as a photoionization detector may be used to identify contamination as well. Sampling to determine whether or not the waste is hazardous will be conducted by the Owner as outlined in Section 5.3 of this Plan.

5.2. INITIAL RESPONSE

Upon notification that Gilbane has encountered suspect materials, the Owner's Representative will inspect the suspect materials and provide all reporting in accordance with this plan. Based on this inspection and a review of other available information, a determination will be made as to whether the material can be considered C&D debris, non-hazardous solid waste or potential Hazardous Waste.

The Owner's Representative's initial inspection will include visual and olfactory observation, screening with a photo ionization detector (PID), and other appropriate field testing methods. A sample form has been included at the conclusion of the Soil Management Plan.

5.3. WASTE CHARACTERIZATION

If the Owner's Representative determines that the suspect materials may be a non-hazardous industrial solid waste other than Solvay Waste or potential hazardous waste, further laboratory analysis and characterization will be completed by the Owner.

The Owner shall perform waste sampling and characterization in accordance with the requirements of this Section and potentially the requirements of an approved disposal facility.

Appropriate sampling and analytical testing requirements will be determined within 24 hours of the initial site inspection. Characterization of suspect materials shall typically consist of collecting one composite site sample from the staged material, unless there is material staged separately based on elevated VOC readings or gross contamination which will require a separate sample. In addition, one discrete sample will be collected for VOC analysis for every composite

site sample collected. The discrete sample shall be obtained from a depth of 6-inches or greater below the staged material surface. Honeywell is currently using this approach for materials staged at this location. Laboratory analyses will include:

Constituent	Total	TCLP
VOC	8260B	1311 / 8260B
SVOC	8270C	1311 / 8270C
Mercury	7471A	1311 / 7470A
Metals	6010A	1311 / 6010A
PCB	8082A	1311 / 8082A
Pesticides	8081B	1311 / 8082B

Ignitability	1010	--
Reactivity (cyanide & sulfide)	7.3.3.2 and 7.3.4.1	--
Corrosivity	9045C	--
Percent Moisture	D2216	--

Analytical results will be submitted to NYSDEC and Honeywell for informational purposes. If the materials are characterized as non-hazardous, they will remain on-site. Final disposition of these materials will be coordinated by the Owner with Honeywell and NYSDEC. If the materials are determined to be hazardous waste, the will be shipped off-site and disposed at an approved, NYSDEC permitted and licensed facility. The Owner will have the option to have impacted materials handled and disposed of by a third party under the Owner's direction or direct Gilbane to complete the work.

5.4. WASTE HANDLING, STAGING, AND DISPOSAL

The goal of these procedures is to properly handle the various types of materials encountered during site excavation and grading in such a manner as to minimize the cross contamination of clean materials, minimize tracking of contaminants to uncontaminated areas and to minimize generation of dust on the Site.

5.4.1. Handling and Staging

Spoils meeting the definition of Exempt C&D may be used as fill on-site when and where approved by the Owner's Representative and NYSDEC Solvay Waste which does not exhibit any evidence of contamination will be placed in the designated spoils area as permanent fill (estimated as a total of 75,000 cubic yards for all phases, per the Narrative on the Performance of the Site Work). Prior to placing final cover over these spoils, representative samples will be collected and analyzed for the parameters listed in Section 5.3 to document material characteristics. A sample frequency of once per every 5000 cubic yards will be utilized. This data will be submitted to NYSDEC and Honeywell for review prior to placing final cover on the spoils area.

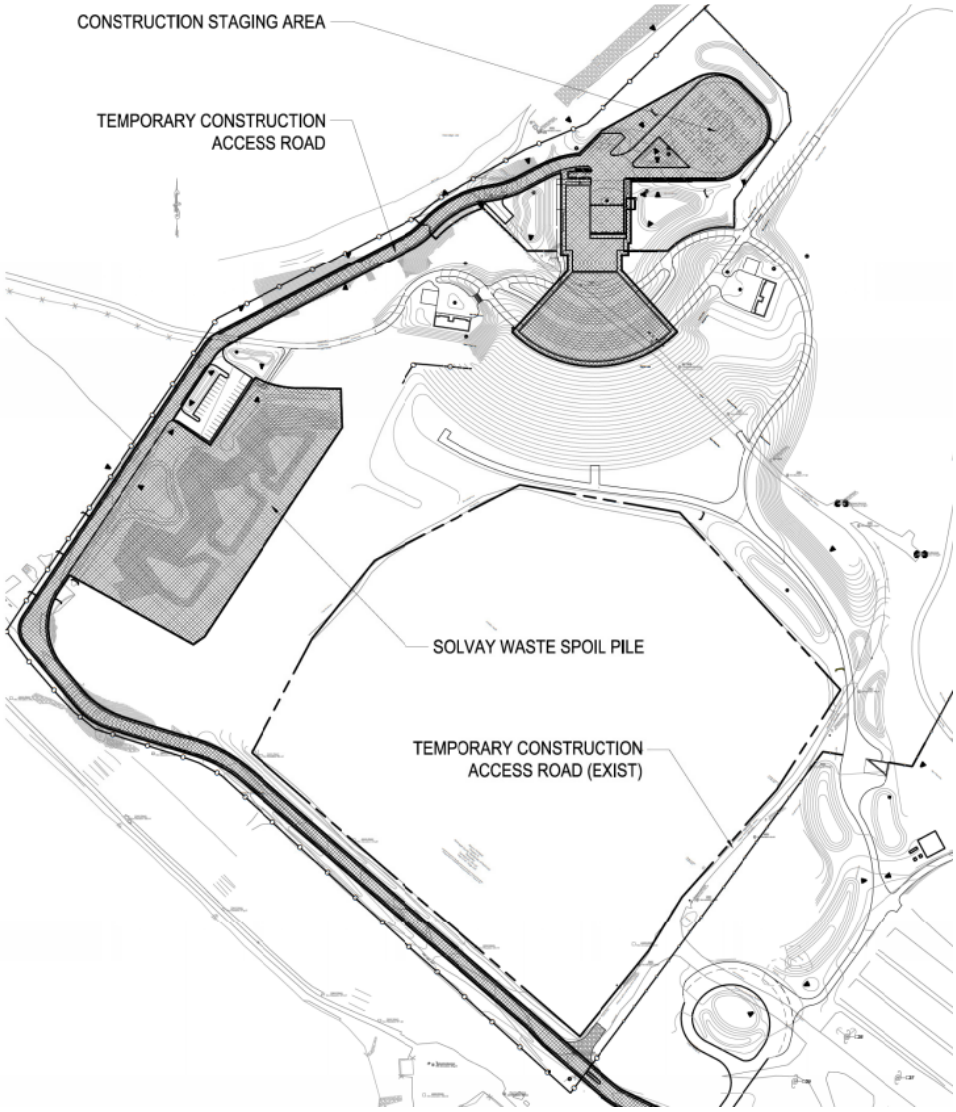
In the event that suspect impacted materials are encountered during construction activities, Gilbane will transport the materials to a pre-determined on-site material staging area(s) approved by the NYSDEC to properly contain the suspect materials [proposed location is identified on the following page]. Those suspect materials shall remain within the staging area(s) until receipt of waste characterization and transportation for final disposition is arranged. The suspect material containment pad shall be of suitable size to contain the anticipated quantities of impacted materials generated during construction activities. The impacted material containment areas(s) shall be constructed to meet the following minimum requirements:

1. The suspect materials shall be placed onto an impermeable liner (minimum of 10 mil poly) that is of sufficient strength and thickness to prevent puncture during use. The placement of impacted materials into the staging area shall be performed such that it does not involve any equipment or procedures that may jeopardize the integrity of the underlying impermeable liner.
2. An 18-inch high gravel berm shall be constructed around the perimeter of the containment area to provide containment of liquids that may drain from the impacted materials, and to divert runoff around the staging area. The impermeable liner shall be placed within and extend up and over the berm and shall be anchored beyond the outside perimeter of the berm to prevent displacement.
3. The staging area shall be sloped (where practical) and equipped with a sump (if possible based upon Site conditions) to collect liquids that may drain from the impacted materials or resulting from a precipitation event. Gilbane shall monitor the containment area for the accumulation of liquids and shall maintain a liquid free condition by periodically pumping or vacuuming all liquids that accumulate within the staging area. Following removal and collection, the liquids shall be containerized, sampled, and characterized

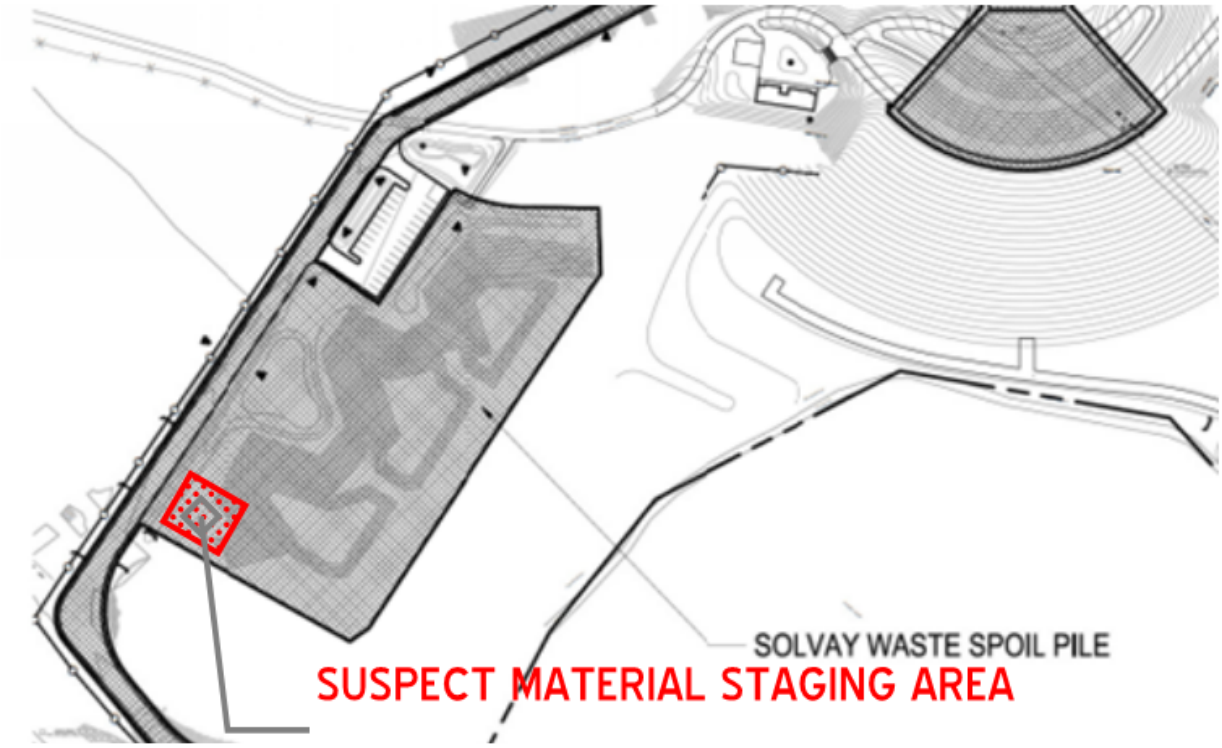
prior to being transported to the Honeywell Willis/Semet Groundwater Treatment Plant in accordance with a Honeywell special use permit for treatment or other approved and permitted water treatment facility. As limited flow capacity is available at the plant Gilbane shall provide on-site storage and equalization prior to discharge.

4. The containment area shall be continuously covered with polyethylene sheeting which has a minimum thickness of 10-mil, except while materials are being actively placed within or removed from the staging area. The polyethylene sheeting shall be maintained watertight for the duration of the material staging activities and shall be securely anchored to prevent displacement.
5. Gilbane shall inspect the containment area(s) weekly, fill out the Inspection Forms (Attachment B) and shall promptly correct any deficiencies.

The following diagram details the Solvay waste area designated as the as the spoil pile:



The following diagram details the designated staging area for suspect materials located on-site:



Moving impacted material off-site (except for disposal at an approved facility as authorized in advance by the Owner), or relocating impacted material to another location within the Site, is strictly prohibited unless authorized by the NYSDEC and Owner's Representative. The Owner will have the option to have impacted materials handled and remediated by a third party under the Owner's direction or direct Gilbane to complete the work.

Material stockpiles shall be protected with erosion and sediment control features, including silt fencing, in accordance with these specifications. Such features shall be removed and disposed of appropriately at the end of construction.

5.4.2 Disposal

Impacted material generated on-site during construction that is determined to be non-hazardous industrial solid waste shall be managed on-site or in the case of hazardous waste, disposed of at

an appropriate permitted facility, as approved by the Owner's Representative. Disposal of such materials shall be coordinated with the Owner's Representative and NYSDEC and shall be in accordance with all applicable laws and regulations, and the Contract Documents.

6. IMPORTED MATERIALS

Any materials used for final cover in remedial areas as designated in the December 2014 ROD will consist of material which meets the requirements for soils covers and backfill in 6NYCRR Part 375-6.7(d).

Soil will be imported to the site during each of the four phases of construction outlined in the Narrative of Performance. The soil (as well as vegetative material) will be used to construct the soil covers in remedial areas designated in the December 2014 Record of Decision (ROD). The soil will also be used as excavation backfill. The soil will consist of imported material which meets the requirements for soil covers and backfill in 6 NYCRR Part 375-6.7(d). This will ensure that the material will meet the soil cleanup objectives (SCOs) for the appropriate resources that are to be protected and that the material will promote the growth and sustainability of the vegetative covers that need to be established. Sampling and testing shall be consistent with the requirements of NYSDEC DER-10 Section 5.4 (e) (10) and shall include the proposed sampling frequency as shown below.

a) Material shall be tested at the frequency of once per 500 cubic yards for two tests.

b) If the material is found to be adequate for two consecutive tests, the frequency shall be adjusted to once per 1,000 cubic yards.

c) If the material is found to be adequate for two consecutive tests at the once per, 1,000 cubic yard frequency, the frequency shall be adjusted to once per 2,000 cubic yards.

d) If material is found to be inadequate at any frequency, the testing frequency must be adjusted back to once per 500 cubic yards. Material may be tested more frequently on the recommendation of the Owner.

Gravel, rock or stone, consisting of virgin material from a permitted mine or quarry may be imported to the site without chemical testing consistent with DER-10:

Any proposed alteration of this plan specific to the project conditions and proposed sources of material will be submitted to NYSDEC for prior approval before implementation.

7. DEWATERING

Gilbane shall remove water that accumulates within active excavation areas to assist in dewatering soil and to facilitate implementation of the soil excavation activities. All water collected as a result of dewatering activities shall be discharged in accordance with these requirements. Water removed from excavations shall be discharged to the Honeywell Willis Avenue Groundwater Treatment Plant. Gilbane shall not exceed the criterion that has been authorized by the Honeywell Groundwater Discharge Permit. As limited flow capacity is available at the plant, Gilbane shall provide on-site storage and equalization prior to discharge.

It shall be Gilbane's responsibility to comply with all conditions relative to discharge as contained in the Honeywell Groundwater Discharge Permit. In no case shall dewatering flows be directly or indirectly released to surface waters or storm drains. All costs associated with maintaining permit conditions and for obtaining additional permits, and for maintaining required conditions under those permits are the responsibility of Gilbane and were included in Gilbane's bid.

It shall be Gilbane's responsibility to convey dewatering discharges to the Honeywell Force Main in a manner that is consistent with the Honeywell Groundwater Discharge Permit such that no other provisions of these Contract Documents are violated. Gilbane will immediately notify the Owner's Representative if groundwater is encountered that is suspected to be contaminated with substances other than those for which the treatment system has been designed.

8. DECONTAMINATION OF EQUIPMENT

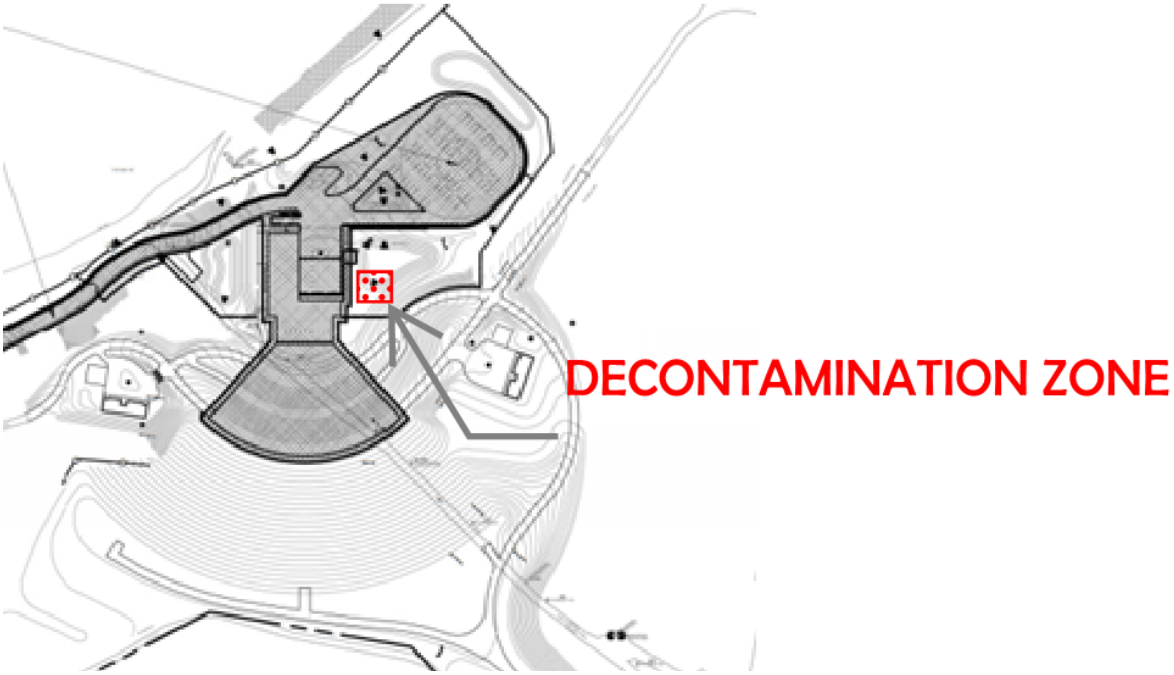
Gilbane shall perform decontamination of equipment in accordance with the following:

1. Gilbane shall provide a personal decontamination area as specified in the Gilbane HASP 2014. The personal decontamination area shall include those facilities necessary to decontaminate personnel and/or equipment involved in intrusive work on- site.
2. Gilbane shall also establish procedures for the decontamination of all vehicles and equipment that may have come into contact with impacted materials. The Engineer prior to initiation of construction activities shall review these procedures. Gilbane shall

visually inspect all vehicles and equipment after decontamination. No vehicles shall leave the Site until they have been successfully decontaminated and inspected by Gilbane. Weather and site conditions shall determine the appropriate level of decontamination effort. Current procedures utilized on-site are as follows. In dry conditions, travel over a stone base "rumble strip" followed by a brushing of the tires, panels and tailgate maybe all that is required. In inclement weather, pressure washing is required to remove site materials from the tires and vehicle including tires, mud flaps, tail gate, and under the side panels. Decontamination efforts can be minimized by selective placement of loading/staging areas and using roadways constructed of stone/fabric.

3. The equipment decontamination area shall be placed within the contamination reduction zone as identified in the Gilbane HASP 2014. Gilbane shall be responsible for constructing and maintaining the decontamination area to accommodate all loads, equipment, and migration scenarios.
4. Gilbane shall dismantle and properly dispose of all materials associated with the equipment decontamination area and shall restore the area to its original conditions at the end of construction.
5. The extent and methods of decontamination shall be at the discretion of Gilbane; however, the Owner's Representative prior to its departure from the Site shall inspect equipment and materials. The Owner's Representative reserves the right to require additional decontamination if deemed necessary.
6. Wash water generated as a result of equipment decontamination activities shall be collected, containerized, and transported to an appropriate water treatment facility. If permitted, wash water can be discharged after settling, to the Honeywell force main for subsequent treatment at the Honeywell Willis/Semet Groundwater Treatment Plant. As limited flow capacity is available at the plant, Gilbane shall provide on-site storage and equalization prior to discharge.
7. Solids and other materials generated during equipment decontamination shall not contact native soils and existing facilities, and shall be collected by Gilbane, characterized, and disposed of by Gilbane in accordance with the waste disposal requirements as detailed in this Section.
8. Personnel engaged in equipment decontamination activities shall use personal protective equipment (PPE) in accordance with the Gilbane HASP 2014.

Reference the diagram on the following page for the pre-determined decontamination zone:



9. REPORTING AND RECORD KEEPING REPORTING

Reporting and record keeping of the work performed under this Section shall be in accordance with the requirements of the Contract Documents.

10. WASTE MANIFEST SYSTEM

Gilbane shall establish a manifest system that accounts for all wastes identified in this Section. Gilbane and the Owner shall describe the manifest system in writing for review and acceptance by the Engineer. The proposed system shall demonstrate custody over all wastes from the time the waste is removed from the work area (Gilbane) until it is deposited at the approved final disposition site (Owner). A final disposal report is required in accordance the requirements of Section 3 of this SMP.

Gilbane shall provide their manifests and documents to the Owner's Representative within three working days of the removal of any wastes from the Site.

Field Identification Form
Suspect Material
Onondaga Amphitheater Project

When any worker encounters material during construction activities that may be considered suspect (different than the surrounding soil and potentially hazardous), they must stop work immediately and notify the Gilbane Superintendent/Site Safety Officer. The material should not be moved until given further instructions.

The worker and the Site Superintendent/Safety Officer will fill out this form in case suspect material is identified:

Date/Time: _____ worker/Reviewer: _____

_____

Location: *(Describe where within the Site the suspect material was found.)*

Description: (Describe all physical characteristics of the identified material (why it is different than the surrounding material: color, odor, staining, texture, etc.)

PID Readings (if needed)**:**

Actions/Follow-up/Comments: