

November 1, 2023

Mr. Adam Morgan  
Assistant Env. Engineer, DER  
NYSDEC Region 8  
6274 East Avon700 Delaware Avenue  
Avon, New York 14414  
[adam.morgan@dec.ny.gov](mailto:adam.morgan@dec.ny.gov)

Re: Corrective Measure Work Plan for  
Former Days Inn Site, NYSDEC Site No. 851054  
23 Riverside Drive, Corning, New York 14830

Dear Mr. Morgan:

On behalf of our client, Fitzpatrick Holdings Inc. (Fitzpatrick), and as requested by the New York State Department of Environmental Conservation (NYSDEC), Roux Environmental Engineering and Geology, D.P.C. (Roux) has prepared this Corrective Measures Work Plan (CMWP) for the Former Days Inn Site, NYSDEC No. 851054, 23 Riverside Drive, Corning, New York (Site).

The existing Site Management Plan<sup>1</sup> (SMP) for the Site requires that a site-wide inspection be completed at a minimum of once per year to verify that the institutional and engineering controls established for the Site remain in place and are operating as intended; and be documented in a Periodic Review Report (PRR). Since the Site entered into site management in 2017, these requirements have not been met. Therefore, this CMWP has been requested by NYSDEC to require that:

- A comprehensive inspection of the entire site and cover system;
- Identify if any breaches of the cover system have been made;
- Confirm that all institutional and engineering controls (IC/EC) are in place; and
- Preparation of a combined Corrective Measure (CM) and PRR with a certification of the current IC/EC.

In addition to the NYSDEC requirements above, the existing SMP will be updated to reflect the work completed at the Site after its approval in 2017 and associated contact information.

Roux will attempt to coordinate the Site inspection with NYSDEC, at a mutually convenient time to evaluate the IC/ECs that are in place. We request that Institutional and Engineering Control Certification Form (IC/EC Form) be provided by NYSDEC prior to the inspection.

If corrective actions are required based on the inspection and completion of the IC/EC Form, Roux will notify Fitzpatrick, and/or its representatives (Essex Hotel Management, LLC) to discuss any deficiencies and the corrective actions that may be required to establish compliance, in addition to notifying NYSDEC.

A combined Corrective Measures and PRR will be prepared to document implementation of the CMWP and CMs, if needed. The PRR will also summarize site history, remedial activities, effectiveness of the remedial program, compliance with SMP requirements, and provide recommendations, as needed. The CM/PRR will be submitted to NYSDEC for review and approval.

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<sup>1</sup> "Site Management Plan, Former Days Inn Site, NYSDEC Site Number 851054, 23 Riverside Drive, Corning, New York". April 2017.

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Please contact me by telephone at 716-856-0599 or by email at cboron@rouxinc.com if you have any questions or require additional information.

Sincerely,

ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.

A handwritten signature in blue ink that reads "Cliff Boron". The signature is written in a cursive, flowing style.

Christopher Boron, P.G.  
Principal Geologist

A handwritten signature in blue ink that reads "Cliff Boron". The signature is written in a cursive, flowing style.