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Appendix B

Site Management Plan

Former J.T. Baker Site
Penn Yan, New York
NYSDEC Site ID #8-62-001

July 24, 2014

ARCADIS

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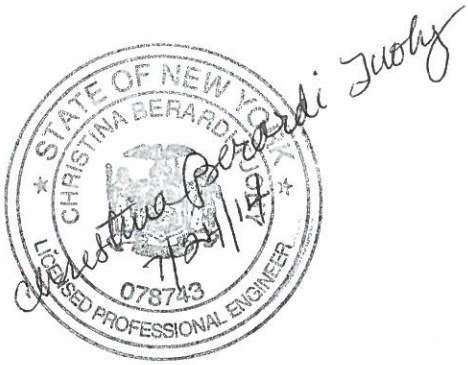

Appendix B
Site Management Plan

Former J.T. Baker Site
Penn Yan, New York
NYSDEC Site ID #8-62-001

Prepared for:
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1. Introduction

ARCADIS of New York, Inc. (ARCADIS) on behalf of Mallinckrodt Baker, Inc. and Friends of the Outlet, Inc. (Friends) has prepared this Site Management Plan (SMP) for the Former J.T. Baker Site located in Penn Yan, New York (New York State Department of Environmental Conservation [NYSDEC] site ID #8-62-001 hereafter referred to as "the Site"). The SMP and attached Operation, Maintenance and Monitoring (OM&M) plan only applies to the portion of the site included within the Environmental Easement (EE) as defined in the ALTA/ASCM Survey (ALTA Survey)The Site is currently owned by Friends. The SMP is Appendix B of the Construction Completion Report (CCR), which summarizes the remediation activities pursuant to Order on Consent and Administrative Settlement (OC), Index # B8-0483-95-10A, dated May 25, 2007. This document was prepared in accordance with the requirements in the NYSDEC draft DER-10 Technical Guidance for Site Investigation and Remediation, dated December 2002 (DER-10). A description of the purpose of the SMP, site background information and previous remedial actions is provided below.

Two primary remedial actions were completed at the Site, including work conducted during 1999 pursuant to OC No. B8-0483-95-10, dated March 16, 1999, and work conducted between 2007 and 2009 pursuant to OC No. B8-0483-95-10A, dated May 25, 2007. The Site contains remaining contamination from the two remedial actions at levels consistent with the intended future use of the Site. The purpose of the SMP is to address the means for managing the remaining contamination at the Site through implementation of the Institutional Controls (ICs) and Engineering Controls (ECs) that are required by the Deed Restriction and EE for the Site. An IC is any non-physical means of enforcing a restriction on the use of real property that limits human and environmental exposure, restricts the use of groundwater, and provides notice to potential owners, operators, or members of the public. An IC also prevents actions that would interfere with the effectiveness of a remedial program or with the effectiveness and/or integrity of the operation, maintenance, or monitoring activities at or pertaining to a remedial site. An EC is any physical barrier or method employed to actively or passively contain, stabilize, or monitor contamination, restrict the movement of contamination to ensure the long-term effectiveness of a remedial program, or eliminate potential exposure pathways to contamination.

1.1 Site Location and Background

The overall Site occupies approximately 27.9 acres along the north side of Keuka Lake Outlet (Outlet) at the intersection of Outlet Road and Mays Mills Road, in Milo and Torrey Townships, Yates County, New York (Figure 1-CCR). The overall Site consists of three separate parcels described on Figure FA-1. The first parcel, approximately 18.2

acres in size, extends from the intersection of Mays Mills and Outlet Roads to the most northeastern portion of the overall Site and contains the West Disposal Area. The second parcel, 2.6 acres in size, is recorded in the same deed as the first parcel, contains all of the existing buildings on the Site and is bordered by the Outlet and the third parcel. The third parcel is an approximate 7.1 acre portion of a 5.7 mile long parcel, which is a former rail bed and is bordered by the intersection of Mays Mills Road and Outlet Road to the west, the first parcel to the north and the Outlet or the second parcel to the south. The Outlet is an easterly flowing Class C stream which drains Keuka Lake to Seneca Lake. Property along the Outlet, including the Site, was acquired by Friends for development as a recreation area/hiking trail. A hiking trail currently borders the Outlet, occupying the now abandoned canal towpath and subsequent railroad (the third parcel).

The Site was a carbon disulfide manufacturing facility from 1900 to 1966 and then sold in 1968. After 1968, the Site was used for wholesale tire recapping and sales. Most of the plant buildings remain in place, though some of the process equipment (notably the heavy-gauge tanks) were dismantled and sold. Carbon disulfide was manufactured by reacting charcoal with sulfur vapor at extremely high temperatures within brick (chromium containing) lined furnaces. Process wastes, consisting primarily of coal, cinders and ash, with lesser, variable amounts of crystalline and/or powdery sulfur, generated during the period of carbon disulfide manufacturing were deposited in two discrete areas referred to as the East Disposal Area and the West Disposal Area. The waste from the East Disposal Area was consolidated into the West Disposal Area during the previous remedial activities at the Site. The furnace containing building (structure 1), furnace, and loose chromium containing refractory bricks and other miscellaneous debris were removed from the Site during the most recent remedial action, in addition, soil removal and other building demolition was carried out (see the CCR for details).

1.2 Remedial Action Objectives

Based on the future intended use for the parcel, the Restricted-Residential soil cleanup objective was approved by the NYSDEC to be the restoration goal as part of the work completed under OC No. B8-0483-95-10A, May 25, 2007. This restoration goal for soils at the Site is consistent with the current Site owner's concurrence to file an environmental land use restriction for the future use of the parcel.

Accordingly, the following remedial action objectives were established for the Site (ARCADIS 2008):

Public Health Protection

- Prevent human ingestion/direct contact with soils impacted with chromium.
- Prevent inhalation of dust containing chromium.

Environmental Protection

- Prevent biota ingestion/direct contact with soils impacted with chromium.
- Prevent erosion/stormwater runoff of soils impacted with chromium.

As described in the Engineering Report Interim Remedial Measures (IRM) (ARCADIS 1999) and the CCR (ARCADIS 2009), cover systems were installed in the West Disposal Area and the former Structure 6 excavation area to address the public health and environmental protection remedial action objectives referenced above. Accordingly, the Site is currently in a state where there are no significant exposure routes.

1.3 Description of Previous Remedial Actions

The two primary remedial actions completed at the Site include work conducted during 1999 pursuant to OC No. B8-0483-95-10, and work conducted between 2007 and 2009 pursuant to OC No. B8-0483-95-10A. A brief description of the two primary actions is described below.

The first remedial action was an IRM conducted in the summer of 1999 pursuant to OC No. B8-0483-95-10. The IRM consisted of the following activities as defined in the Engineering Report (ARCADIS 1999):

- Excavation of the East Disposal Area for consolidation of the waste material into the West Disposal Area;
- Consolidation of the waste material footprint in the West Disposal Area;
- Installation of a soil cover system over the consolidated West Disposal Area;

- Construction of appropriate stormwater management controls in the West Disposal Area which discharge stormwater flows to the Outlet; and,

- Partial excavation along the Outlet bank to increase flood capacity near the West Disposal Area

- Supplemental to the IRM, loose furnace bricks from the former outdoor furnace area were collected and disposed off-site. The existing hiking trail was re-graded with clay and topsoil upon removal of the loose furnace bricks to provide a safe slope and clear path for the hiking trail.

The second remedial action was completed under OC Index # B8-0483-95-10A between 2007 and 2009. The remedial action consisted of the following activities as defined in the Furnace Removal Work Plan (ARCADIS 2006a):

- Characterization, removal, and disposal of the loose bricks located within Structure 6.

- Characterization, removal, and disposal of several tanks.

- Demolition and removal of Structure 1 to access and remove the furnace in a safe manner.

- Structures 2 and 4 demolition and removal.

- Limited soil excavation in response to a small fuel spill caused by removal of an aboveground storage tank.

- Structure 6 demolition and removal.

- Former Structure 6 soil excavation and soil cover system installation.

Although the remedial actions successfully met the action objectives of the respective OC's, residual contamination remains at the Site. The residual contamination is consistent with the intended use of the property. However, ICs and ECs have been established to ensure protection of the public. The following sections describe the ICs and ECs.

2. Engineering and Institutional Control Plan

This section of the SMP provides the Engineering and Institutional Control Plan (EC/IC Plan) for the Site.

2.1 Engineering Control Components

This section provides a summary of engineering control systems installed at the Site that will be maintained as a part of the long term operation, maintenance, and monitoring for the Site. EC components include cover systems, vegetation and stormwater conveyance structures. The cover systems are briefly described in the following sections and are described in detail in the Engineering Report (ARCADIS 1999) and the CCR (ARCADIS 2009).

2.1.1 Cover Systems

Two cover systems remain at the Site and are intended to eliminate exposure to the public as referenced in Section 1.2.

The cover system in the West Disposal Area (Figure FA-1) was placed during the summer of 1999 and consists of a common borrow material foundation layer, barrier soils and vegetative soil (clay and topsoil). Clay was used for both the common borrow and barrier soil components. The clay had a hydraulic conductivity of 9.1×10^{-9} centimeters per second (cm/sec) when compacted to 90 percent of the maximum density. The clay was compacted in 1-foot thick lifts with a final depth which varied between one and three feet thick. The topsoil was applied in a single, 6-inch thick, un-compacted lift. Additional details of the materials used and testing performed to ensure proper installation is summarized in the Engineering Report (ARCADIS 1999).

The cover system at the former Structure 6 excavation area was placed during the spring of 2009, (Figure 2-CCR). The cover system consists of a two to four foot thick layer of imported compacted certified clean common borrow material. Orange snow fence was placed at the base of the former Structure 6 excavation limits to serve as a demarcation barrier above the remaining potentially chromium impacted soil. The excavation was then backfilled with the cover system described above up to a depth of approximately 0.5 feet below the desired final ground surface, followed by the placement of imported topsoil up to the final desired ground surface. Additional details of the materials used and testing performed to ensure proper installation are summarized in the CCR (ARCADIS 2009).

2.1.2 Vegetation

The topsoil layer in the West Disposal Area was constructed to support vegetative growth over the surface. Vegetation in the West Disposal Area has been established since the first remedial action at the Site was completed and is maintained by the current Site owner. The vegetation stabilizes the ground surface preventing erosion and sedimentation thereby maintaining the cover system. This area will be mowed a minimum of once per year to ensure that woody plants do not become established.

The former Structure 6 excavation area received topsoil and was mulched and seeded as a part of the second remedial action. Subsequent site visits were completed and confirmed that vegetation was established in all areas. This area will be mowed a minimum of once per year to ensure that woody plants do not become established.

2.1.3 Stormwater Conveyance

The final grade in the West Disposal Area was configured to promote sheet-flow runoff, and to divert runoff to the perimeter ditches, which ultimately discharge to the Outlet. Run-on diversion ditches along the northern perimeter of the disposal area direct stormwater runoff from the up-slope areas around the Site. A run-off diversion ditch along the southern perimeter of the Site collects run-off from the closed area and run-on from the northern perimeter ditches. Two, 18-inch diameter by 160-feet long corrugated metal pipe culverts divert the run-off from the diversion ditches around the West Disposal Area to the Outlet. The culverts are equipped with riprap at the inlet, and riprap, splash pads, and flap gates (to prevent backflow) at the Outlet. They cross beneath the access road and the hiking trail and above an 18-inch diameter culvert that services the Crooked Lake Canal and Outlet. The stormwater conveyance structures are maintained by the current Site owner.

2.2 Institutional Control Components

ICs are actions, such as legal controls, that help minimize the potential for human exposure to contamination by ensuring appropriate land or resource use. There are three primary components to the ICs incorporated at the Site,

- Excavation/Soil Management Plan (ESoMP),
- Deed Restriction/EE and
- Contingency Plan.

Adherence to the ICs at the Site is required under the Deed Restriction/EE and will be implemented under this SMP. A copy of the executed EE is included in Attachment A.

2.2.1 Excavation and Soil Management Plan

In the event that future intrusive work is required that will disturb soils or materials beneath the existing cover systems, the work will be performed in compliance with the ESoMP as described in Section 3. Intrusive work (if any) must also be conducted in accordance with procedures defined in a site-specific Health and Safety Plan (HASP) and Community Air Monitoring Plan (CAMP). The HASP (ARCADIS 2006b) provided in the Furnace Removal Workplan (ARCADIS 2006a), may be utilized during these activities. However, this plan should be reviewed for consistency with the proposed intrusive activity. The generic CAMP from the NYSDEC website has been provided here as Attachment B. This generic CAMP should be reviewed for consistency with the proposed intrusive activity. In addition, intrusive work (if any) must be certified as compliant with the ESoMP (Section 3) and included in the periodic inspection and certification reports submitted under the Site Management Reporting Plan (See Section 5).

2.2.2 Deed Restriction and Environmental Easement Activities

A Deed Restriction/EE will act as the mechanism for imposing and enforcing the ICs. The key elements of the Deed Restriction/EE are the provisions which limit the use of the property and which require the long-term inspection and maintenance of the ECs. The current and expected future use of the site is for public recreation. For details of the deed restriction/EE see Attachment A.

The Deed Restriction/EE is included as Attachment A and will be in effect until the Site no longer requires ECs and ICs. The Site will be used for passive recreation (e.g., hiking, biking and canoeing) provided that the long-term ECs and ICs included in this SMP are employed.

2.2.3 Contingency Plan

A Contingency Plan is required as a part of the SMP in the event of an emergency at the Site. Emergencies may include discovery of new impacted areas, injury to personnel, fire or explosion, environmental release, or serious weather conditions. The following sections provide emergency telephone numbers and a map and directions to an emergency health facility.

2.2.3.1 Emergency Telephone Numbers

In the event of any environmentally related situation or unplanned occurrence requiring assistance the current Site owner or current Site owner's representative(s) should

contact the appropriate party from the contact list below (Table 1). For emergencies, appropriate emergency response personnel should be contacted. Prompt contact should also be made to a qualified environmental professional if appropriate. This emergency contact list must be maintained in an easily accessible location at the Site. Additional site-specific emergency response procedures may be found in the HASP (ARCADIS 2006b).

Table 1: Emergency Contact Numbers

Medical, Fire, and Police:	911
One Call Center:	(800) 962-7962 (3-day notice required)
Poison Control Center:	(800) 222-1222
Pollution Toxic Chemical Oil Spills:	(800) 424-8802
Spills Hotline	(800) 457-7362
NYSDEC, Kelly Cloyd, Ph. D.	(585) 226-2466
Mallinckrodt – Baker, Bryan Turner-agent for	203 796-4333
Friends, Dan Spence	(585) 334-1310
Friends, Tim Hansen	(315) 246-3694
Friends, Carl Kratochvil	(315) 536-7779
Friends, Dave Roddy	585-749-8229

* Note: Emergency contact numbers are subject to change and will be updated whenever a change in personnel occurs

2.2.3.2 Map and Directions to Emergency Health Facility

Site Location: Former J.T. Baker Facility, Ridge Road, Penn Yan, New York

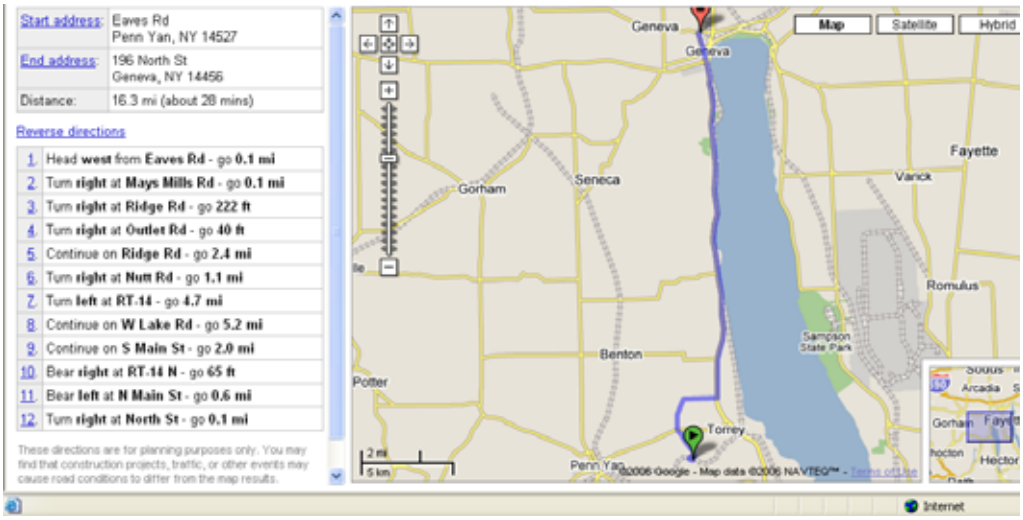
Nearest Hospital Name: Geneva General Hospital

Hospital Location: 196 North Street, Geneva, New York

Hospital Telephone: (315) 787-4000

Directions to the Hospital:

Depart Site onto Outlet Road (i.e., right turn steeply uphill). Stay left on Outlet Road and it turns into Ridge Road. Take Ridge Road North to Route 54, turn right onto Route 54 East. Take Route 54 East to State Route 14, make left at light onto State Route 14 North. Proceed North on State Route 14 to Geneva (approximately 13 miles). At the first traffic light, proceed straight ahead to the Geneva General Hospital (196 North Street). Total Distance: 16.5 miles. Total Estimated Time: 30 minutes



2.3 Inspections and Notifications

An Operation and Maintenance (O&M) Plan (ARCADIS 1998) was prepared to provide a plan for the inspection, maintenance and monitoring of the work completed under OC No. B8-0483-95-10 for the initial maintenance period of five (5) years. However, some of the elements required in the O&M Plan (ARCADIS 1998) are no longer applicable while new work elements are required as a result of remedial action under OC No. B8-0483-95-10A. Accordingly, a revised OM&M Plan is provided as Attachment C and is a plan for the inspection, maintenance and monitoring of the Site which will be in effect until the Site no longer requires ICs and ECs. Inspections and notifications will be performed in accordance with the OM&M Plan. A general description of the inspection and notification procedures is provided below.

2.3.1 Inspections

Inspections of all systems installed on-site will be conducted at the frequency specified in the OM&M Plan schedule. The inspections will determine and document the following:

- Whether ECs continue to perform as designed.
- If these controls continue to be protective of human health and the environment.
- If compliance with requirements of this SMP and the Deed Restriction/EE is being achieved.
- If the Site records are complete and up to date.
- If change has occurred, or is needed, to the Site.

If an emergency, such as a natural disaster or an unforeseen failure of any of the ECs occurs, an inspection of the Site will be conducted to evaluate the effectiveness of the ECs/ICs implemented at the Site by a qualified environmental professional (as determined by the NYSDEC).

2.3.2 Notifications

Notifications are to be submitted by the property owner(s) or their representative to the NYSDEC on an as-needed basis for the following reasons:

- 60-day advance notice of any proposed changes in site use that are consistent with the terms of the OC.
- 10-day advance notice of any proposed ground-intrusive activities in the West Disposal Area and the former Structure 6 excavation area.
- Notice within 48-hours of any damage or defect that reduces the effectiveness of ECs and likewise any action taken to mitigate the damage or defect.
- Notice within 48-hours of any emergency, such as a fire, flood, or earthquake that reduces or has the potential to reduce the effectiveness of ECs in place at the Site, including a summary of action taken and the impact to the environment and the public.

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 of the response and shall describe and document actions taken to restore the effectiveness of the ECs.

3. Excavation/Soil Management Plan

Any future intrusive work that will penetrate, encounter or disturb materials below the West Disposal Area and/or the former Structure 6 excavation area cover systems, and any modifications or repairs to the existing cover systems will be performed in compliance with this ESoMP. Intrusive work must also be conducted in accordance with procedures defined in a site-specific HASP and CAMP. The HASP (ARCADIS 2006b) provided in the Furnace Removal Workplan (ARCADIS 2006a), and the generic CAMP (Attachment B) may be utilized during these activities. Prior to the start of work, the HASP and the CAMP should be reviewed for consistency with the proposed work. Any necessary addendums should be completed prior to the start of work. A summary of any intrusive work will be included in the periodic inspection and certification reports submitted under the Site Management Reporting Plan, as described in Section 5.

3.1 Notification

As described in Section 2.3.2, the property owner(s) or their representative will notify the NYSDEC at least 10 days prior to the start of any activity that is reasonably anticipated to encounter materials beneath the existing cover systems.

The notification will include:

- A detailed description of the work to be performed, including the location and aerial extent, plans for site re-grading, intrusive elements or utilities to be installed below the soil cover, or any work that may impact an engineering control.

- A summary of environmental conditions anticipated in 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 statement that the work will be performed in compliance with this ESoMP and 29 CFR 1910.120.

- A copy of the contractor's HASP, in electronic format. The HASP will meet, at a minimum, the requirements set forth in the existing HASP (ARCADIS 2006b) for the Site.

- Identification of disposal facilities for potential waste streams; and,

- Identification of sources of any anticipated backfill, along with all required testing results confirming that the backfill soil quality meets applicable standards.

3.2 Soil Screening

Visual and instrument-based soil screening will be performed by a qualified environmental professional during all excavations and invasive work into known or potentially contaminated material.

Soils will be segregated based on previous environmental data and screening results and collectively this information will be used to separate 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.

3.3 Stockpile Methods

Section 4.3 of the NYSDEC approved Furnace Removal Workplan (ARCADIS 2006a) describes appropriate stockpiling methodology for site soils. Section 4.5.1 of the Furnace Removal Workplan discusses that every effort should be made to arrange for live loading of excavated materials, especially when the materials are hazardous, so as to minimize soil stockpiles. When required, soil stockpiles will be continually encircled with a berm and/or silt fence. Temporary signage, to route pedestrian traffic around excavation activities, will be installed as needed. Hay bales will be used as needed near catch basins, surface waters and other discharge points.

Stockpiles will be kept covered 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 inspection will be recorded in a log book and maintained at the Site and available for inspection by the NYSDEC.

3.4 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 Site owner and contractors working at the Site will be responsible for safe execution of any work at the Site including any invasive activities. Utility and easement locations will be identified and marked out prior to start of work. Erosion and sedimentation and stormwater management controls will be emplaced as needed, as described in Section 4.3.2 of the Furnace Removal Workplan (ARCADIS 2006a), or in a similar fashion depending on the proposed activities. However, specific load-out procedures and routes should be evaluated on a case-by-case basis. A potentially applicable methodology for truck load out is described in the Furnace Removal Work Plan (ARCADIS 2006a).

3.5 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.

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 Site owner and any contractors will be responsible for safe execution of any work. The Furnace Demolition Plan addendum (ARCADIS 2007) details provide a decontamination pad detail that may be used for load out trucks. Depending on the scope of the proposed work, an alternate “dry” decontamination procedure involving the use of polyethylene covered truck beds may be used at the discretion of the NYSDEC. The qualified environmental professional will be responsible for ensuring that all outbound traffic will be decontaminated prior to leaving the Site.

3.6 Materials Disposal Off-Site

All soil/waste excavated and removed from the Site will be treated as contaminated and regulated material and will be transported and disposed of in accordance with all local, State (including 6 NYCRR Part 360) and Federal regulations. If disposal of material from the Site is proposed for unregulated off-site disposal (i.e., clean fill removed for development purposes), a formal request will be made to the NYSDEC. All waste materials will be characterized in accordance with the accepting waste disposal facility requirements. Unregulated off-site management of materials from the Site will not occur without formal NYSDEC approval.

3.7 Materials Re-Use On-Site

The qualified environmental professional will ensure that procedures defined for materials reuse in the SMP are followed and unacceptable material does not remain on-site. Contaminated materials, including historic fill material and contaminated soil that is acceptable for re-use on-site will be placed below the demarcation layer (former Structure 6 excavation area) or impervious surface (West Disposal Area), and will not be reused within a cover soil layer, within landscaping berms or as backfill for subsurface utility lines. Any demolition material proposed for reuse on-site will be characterized and the results will be reported to the NYSDEC for acceptance. Concrete crushing or processing on-site will not be performed without prior NYSDEC approval. Organic matter (wood, roots, stumps, etc.) or other solid waste derived from clearing and grubbing of the Site from within the Deed Restricted/EE areas will not be reused on-site without prior written NYSDEC approval.

3.8 Fluids Management

All liquids to be removed from the Site, which could include excavation dewatering and stormwater from within excavation areas, will be handled, characterized, transported and disposed of in accordance with all local, State and Federal regulations. Discharge of water generated during large-scale construction activities to surface waters (i.e., a local pond, stream or river) will require the filing and issuance of a State Pollutant Discharge Elimination System (SPDES) permit.

3.9 Cover System Restoration

After the completion of any invasive activities that disturb either of the two existing cover systems, the cover system will be restored in-kind. Specifically, the former Structure 6 excavation area and West Disposal Area will be restored in-kind (see Section 2.1.1 for description of cover systems).

If the type of cover system changes from that which exists prior to the excavation (i.e., a soil cover is replaced by asphalt), this will constitute a modification of the cover element of the remedy and the upper surface of the “remaining contamination”. The Site owner or their representative will obtain NYSDEC concurrence. A figure depicting the modified surface will be included in the subsequent periodic review report and any updates to the SMP.

3.10 Backfill from Off-Site Sources

All materials proposed for import onto the Site will be approved by the qualified environmental professional and the NYSDEC and will be in compliance with provisions in this SMP, applicable regulations (6NYCRR 375-6.7(d)) and DER-10 guidance (NYSDEC 2010) prior to receipt at the Site.

All imported soils will meet applicable backfill and cover soil quality standards (6NYCRR 375-6.7(d)). Materials from industrial sites, spill sites or other environmental remediation sites or potentially contaminated sites will not be imported to the Site. Soils that meet "exempt" fill requirements under 6NYCRR Part 360, but do not meet backfill or cover soil objectives for this Site, will not be imported onto the Site without prior approval by the NYSDEC. If the contractor designates a source as "virgin" soil, it shall be further documented in writing to be native soil material from areas not having supported any known prior industrial or commercial development or agricultural use. Virgin soil should be subject to collection of one representative composite sample per source. The sample should be analyzed for target compound list (TCL) volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides, polychlorinated bi-phenols (PCBs), arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver and cyanide. The soil will be acceptable for use as backfill provided that all parameters meet the soil cleanup objectives for the Site.

Trucks entering the Site with imported fill will be securely covered with tight fitting covers. Imported soils will be stockpiled separately from excavated materials and covered to prevent dust releases.

3.11 Stormwater Pollution Prevention

Erosion and sediment (E&S) controls will be emplaced before excavation activities begin to control surface runoff within any disturbed areas and to minimize the potential for sediment-laden run-off to discharge from the Site.

In general, the minimum E&S controls will consist of the installation and maintenance of perimeter silt fence. Straw bales may be used in conjunction with silt fence if additional protection is deemed necessary. In addition to silt fence, all surge (temporary stockpiled) material will be covered with polyethylene sheeting when not actively in-use and during all storm events and all these measures will be maintained throughout the project. E&S control target areas are described in Section 4.3.2 of the Furnace Removal Work Plan (ARCADIS 2006a). However, project specific E&S target areas should be identified prior to all proposed work.

3.12 Contingency Plan

If previously unidentified contaminant sources are found during subsurface excavations or development related construction, excavation activities will be suspended immediately and the NYSDEC notified.

Excavation activities will be put on hold until the unidentified contaminant source is characterized and managed to the satisfaction of the NYSDEC.

3.13 Community Air Monitoring Plan and Dust and Odor Control Plan

The generic CAMP (Attachment B) should be reviewed and modified as appropriate, with NYSDEC approval, to establish methods and action levels for air monitoring and dust and odor control measures for all future intrusive work.

4. Operation, Maintenance and Monitoring Plan

As referenced previously, the current OM&M Plan was prepared and is included herein (Attachment C) to replace the former OM&M Plan (ARCADIS 1998). The OM&M plan provides a plan for the inspection, maintenance and monitoring of the Site which will be in effect until the Site no longer requires ICs and ECs. In addition, the current OM&M Plan describes the measures for evaluating the performance and effectiveness of the implemented ECs to prevent exposure to contamination at the Site. The current OM&M Plan may only be revised with the approval of the NYSDEC.

Implementation of the OM&M Plan will be the responsibility of the Site owner. Descriptions of the OM&M Plan elements are given below.

4.1 Engineering Control Operation and Maintenance

The West Disposal Area and former Structure 6 excavation area will be maintained as described in the OM&M Plan. Cover system inspections for both areas will include an assessment of the vegetative cover, evidence of uneven settlement, evidence of ponding, and evidence of physical disturbance. Currently, the West Disposal Area and former Structure 6 excavation area are covered with vegetation (e.g., grass).

OM&M for the cover systems also includes a grass cover mowing schedule (these areas will be mowed a minimum of once per year to ensure that woody plants do not become established) and inspections for impacts to the groundwater monitoring wells (to be abandoned) and stormwater conveyance structures.

4.2 Maintenance Reporting Requirements

Completed forms and any other information generated during regular operation and maintenance events will be kept on file on-site. All blank forms, and other relevant reporting formats used during the monitoring/inspection events, will be: (1) subject to approval by the NYSDEC and (2) completed and submitted at the time of the Five-Year Site Management Reports, as specified in the OM&M Plan.

4.3 Contingency Plan

Section 2.2.3 includes a contingency plan in the event of any environmentally related situation or unplanned occurrence. If previously unidentified contaminant sources are found during subsurface excavations or development related construction, excavation activities will be suspended immediately and the NYSDEC notified.

5. Site Management Reporting Plan

A Five-Year Site Management Report will be submitted to the NYSDEC by March 31 of the calendar year following the reporting period. The Site Management Report will be prepared in accordance with DER-10 (NYSDEC 2010).

This Five-Year Site Management Report will include the following:

- Identification of all ECs/ICs.
- An evaluation of the EC/IC Plan and the OM&M Plan for adequacy in meeting remedial goals.
- Assessment of the continued effectiveness of all ICs and ECs for the Site.
- Results of the required periodic site inspections.
- All deliverables generated during the reporting period, as specified in Section 2 EC/IC Plan, Section 4 OM&M Plan.

Any issues that may develop will be brought to the attention of the NYSDEC as they occur and the annual inspection reports will be sent to the NYSDEC annually. However, a report containing an evaluation of the annual reports and the certification would be submitted to the NYSDEC every 5 years. The Site Management Reporting Plan is subject to NYSDEC review and comment.

5.1 Certification of Engineering and Institutional Controls

Inspection of the ECs/ICs will occur at a frequency described in the OM&M Plan. After the last inspection of the reporting period, a Professional Engineer licensed to practice in New York State will sign and certify the following:

- On-site ECs/ICs are unchanged from the previous certification period.
- The on-site ECs/ICs remain in-place and effective.
- The systems are performing as designed.
- Nothing has occurred that would impair the ability of the controls to protect public health and the environment.
- Nothing has occurred that would constitute a violation or failure to comply with any operation and maintenance plan for such controls.
- Access is available to the Site by the NYSDEC to evaluate continued maintenance of such controls.
- Site usage is compliant with the Deed Restriction/EE.

The signed certification will be included in the Five-Year Site Management Report.

6. References

ARCADIS Geraghty & Miller, Inc. 1998. Operation and Maintenance Plan, Former J.T. Baker Site, Penn Yan, New York. June, 1998.

ARCADIS Geraghty & Miller, Inc. 1999. Engineering Report, Interim Remedial Measures, Former J.T. Baker Site, Penn Yan, New York. October 22, 1999.

ARCADIS of New York, Inc. 2006a. Furnace Removal Work Plan, Former J.T. Baker Site, Penn Yan, New York. July 24, 2006.

ARCADIS of New York, Inc. 2006b. Site Specific Health and Safety Plan, Furnace Removal Work Plan, Former J.T. Baker Site, Penn Yan, New York. July 24, 2006.

ARCADIS of New York, Inc. 2006c. Community Air Monitoring Plan, Furnace Removal Work Plan, Appendix B, Former J.T. Baker Site, Penn Yan, New York. July 24, 2006.

ARCADIS of New York, Inc. 2007. Decontamination Pad Detail and Electronic Version of Workplan and Response Letter – Former J.T. Baker Site. March 5, 2007.

ARCADIS of New York, Inc. 2008. Recommended Soil Management Strategy for Area Adjacent to Structure 6, Former J.T. Baker Site, Penn Yan, New York. June 16, 2008.

New York State Department of Environmental Conservation. 1999. Order on Consent and Administrative Settlement Index #B8-0483-95-10, Site #8-62-001. March 16, 1999.

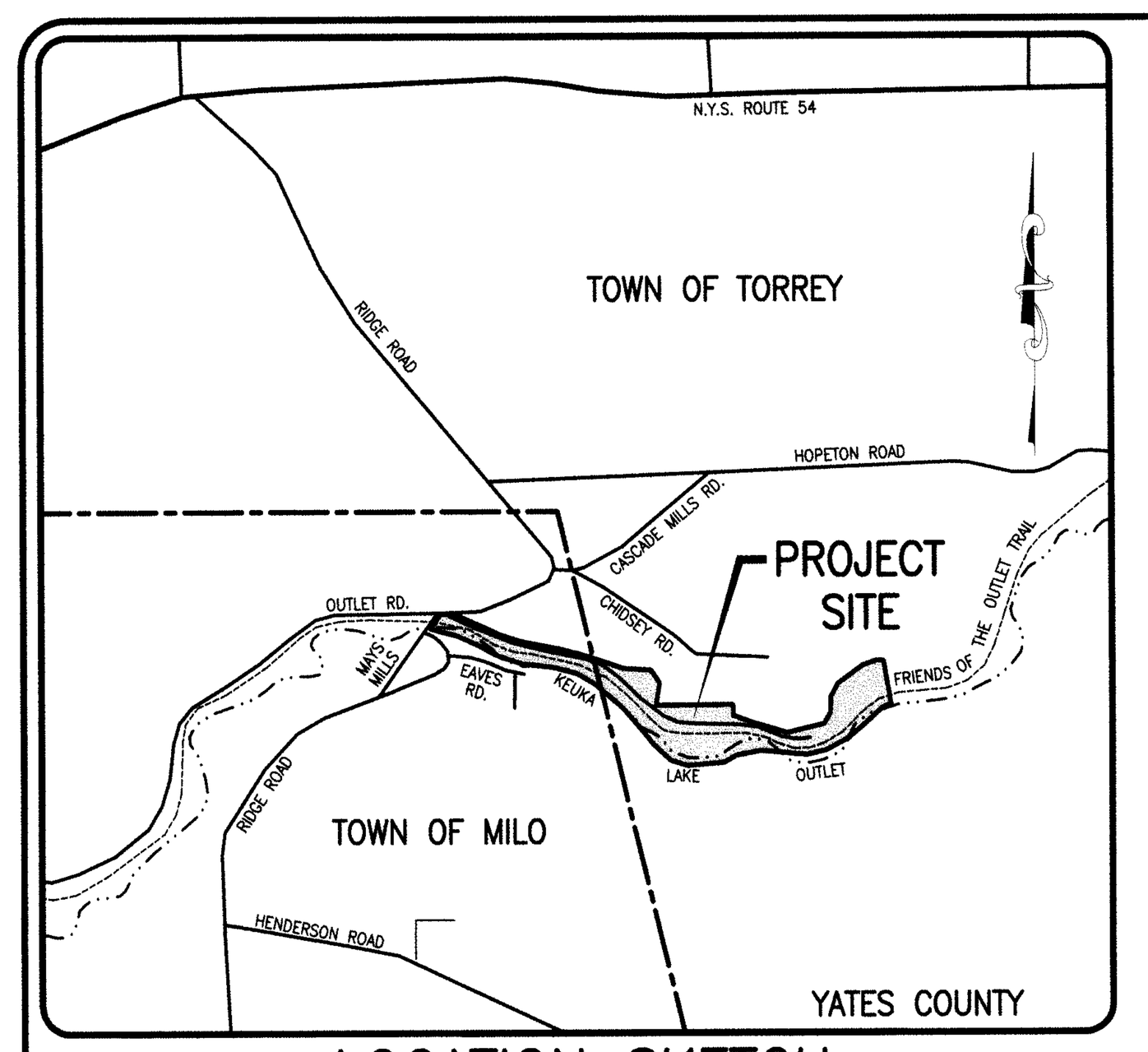
New York State Department of Environmental Conservation. 2002. Draft DER-10 Technical Guidance for Site Investigation and Remediation. December 2002.

New York State Department of Environmental Conservation. 2007. Order on Consent and Administrative Settlement Index #B8-0483-95-10A, Site #8-62-001. May 25, 2007.

New York State Department of Environmental Conservation. 2010. DER-10 Technical Guidance for Site Investigation and Remediation. May 2010.

ARCADIS

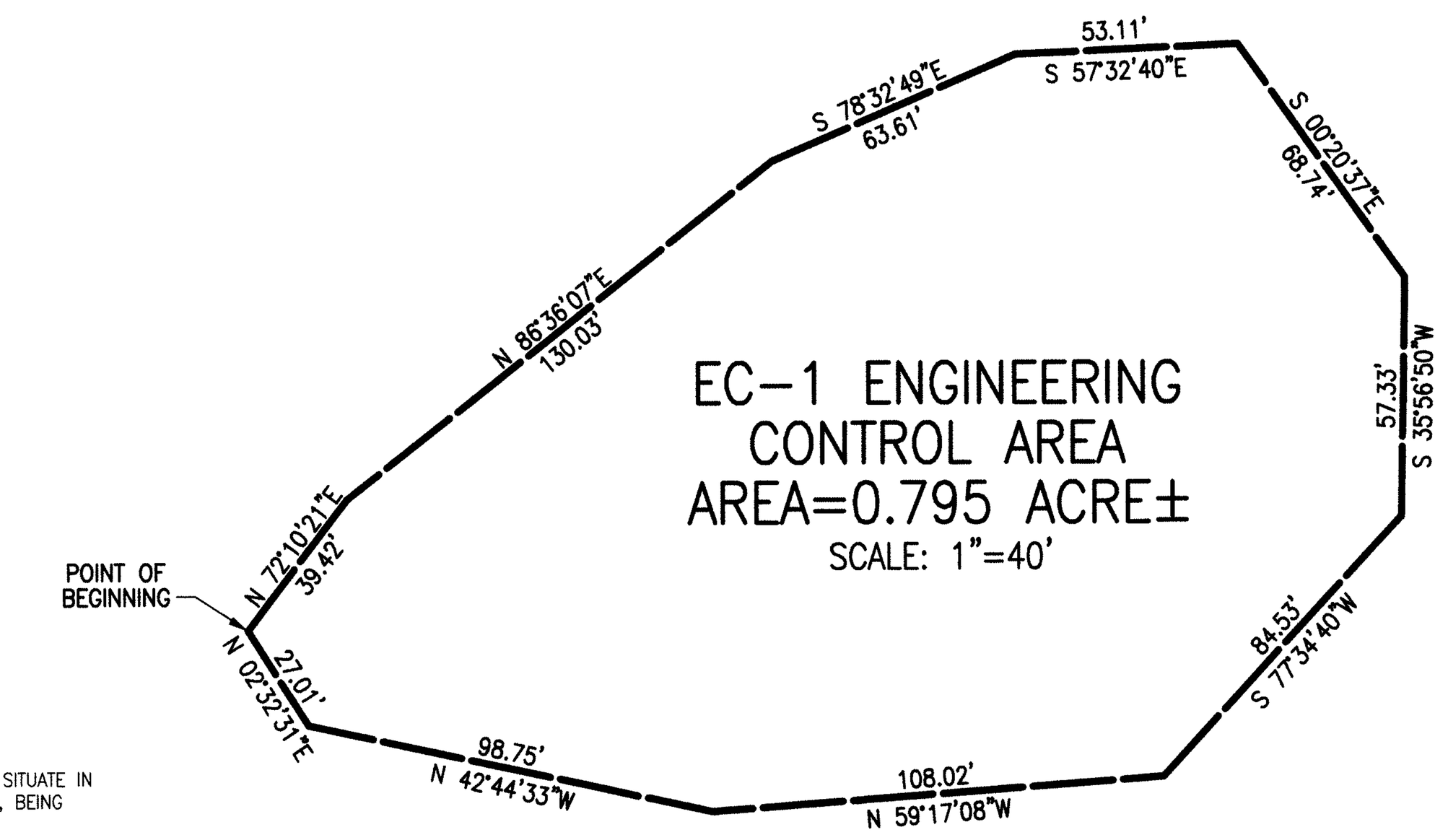
Figures

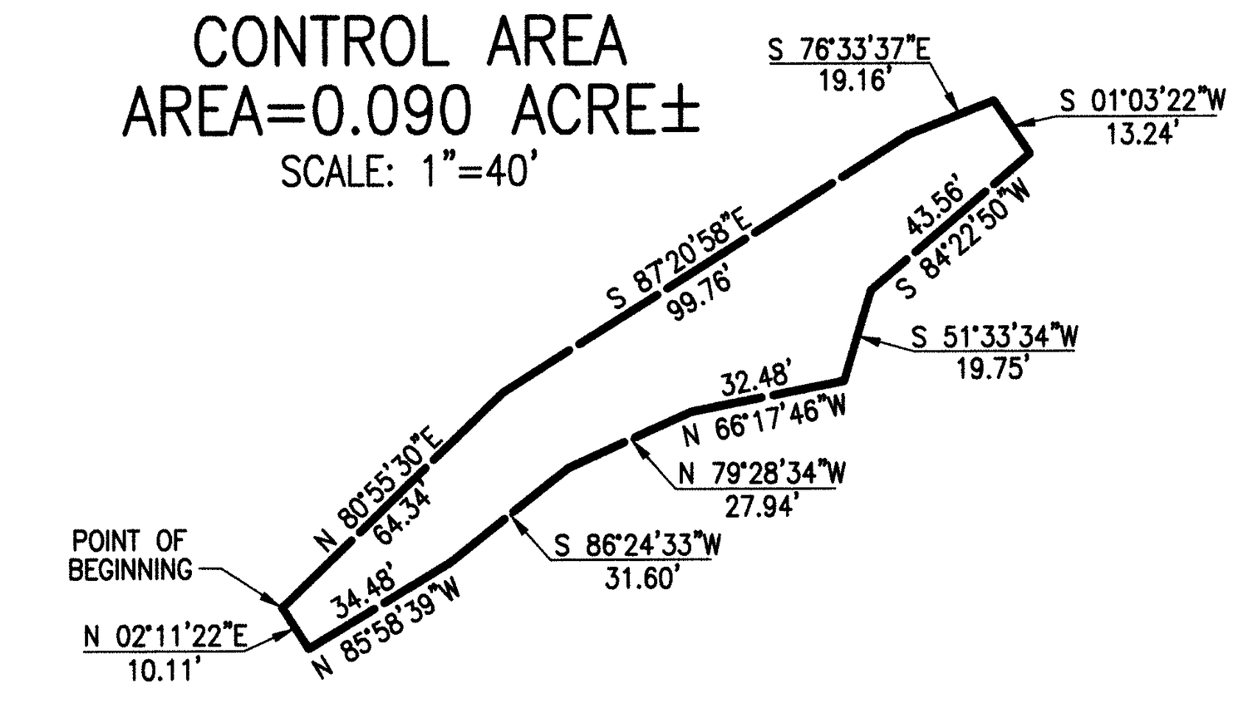


LOCATION SKETCH
(NOT TO SCALE)

LEGEND

	PROPERTY LINE/LEASE PARCEL LINE
	RIGHT-OF-WAY LINE
	EASEMENT LINE
	CENTERLINE ROAD
	FENCE LINE
	EDGE OF WOODS OR VEGETATION
OE, OT, OC	OVERHEAD ELECTRIC, TELEPHONE & CABLE LINE
SA	SANITARY SEWER LINE, MANHOLE & CLEANOUT
ST	STORM DRAINAGE LINE, MANHOLE & INLET
W	WATER LINE, HYDRANT AND WATER VALVE
	UTILITY POLE, GUY, LIGHT POLE & LAMP





DESCRIPTION OF ENVIRONMENTAL EASEMENT AREA (SURVEYORS DESCRIPTION OF PREMISES)

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 27.886 ACRES, MORE OR LESS, SITUATE IN THE TOWN OF MILO AND THE TOWN OF TORREY, COUNTY OF YATES, STATE OF NEW YORK, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE BETWEEN THE LANDS NOW OR FORMERLY OF FRIENDS OF THE OUTLET, INC., AS DESCRIBED BY A DEED RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 391, AT PAGE 255, ON THE SOUTH AND THE LANDS NOW OR FORMERLY OF IVAN OBERHOLTZER AND ESTHER OBERHOLTZER, ON THE NORTH, SAID POINT BEING THE NORTHWEST CORNER OF THE SAID LANDS OF FRIENDS OF THE OUTLET, INC.; THENCE ALONG SAID DIVISION LINE THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1) SOUTH 72°28'39" EAST, A DISTANCE OF 222.56 FEET TO A POINT; THENCE
2) SOUTH 56°13'39" EAST, A DISTANCE OF 297.32 FEET TO A POINT; THENCE
3) SOUTH 77°15'49" EAST, A DISTANCE OF 113.93 FEET TO A POINT; THENCE
4) SOUTH 86°01'49" EAST, A DISTANCE OF 398.54 FEET TO A POINT; THENCE
5) SOUTH 72°24'49" EAST, A DISTANCE OF 153.19 FEET TO A POINT; THENCE
6) SOUTH 57°37'29" EAST, A DISTANCE OF 188.95 FEET TO A POINT ON THE DIVISION LINE BETWEEN THE SAID LANDS OF FRIENDS OF THE OUTLET, INC. ON THE SOUTH AND THE LANDS NOW OR FORMERLY OF MARGOT MARTENS, KLAAS U. MARTENS, JR. AND JAN W. MARTENS, AS DESCRIBED BY A DEED RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 291 OF DEEDS, AT PAGE 271 ON THE NORTH; THENCE ALONG SAID DIVISION LINE THE FOLLOWING EIGHTEEN (18) COURSES AND DISTANCES:
7) SOUTH 87°52'59" EAST, A DISTANCE OF 261.56 FEET TO A POINT; THENCE
8) SOUTH 87°23'49" EAST, A DISTANCE OF 236.91 FEET TO A POINT; THENCE
9) SOUTH 36°11'29" EAST, A DISTANCE OF 131.90 FEET TO A POINT; THENCE
10) SOUTH 07°17'31" WEST, A DISTANCE OF 197.59 FEET TO A POINT; THENCE
11) NORTH 88°01'41" EAST, A DISTANCE OF 663.01 FEET TO A POINT; THENCE
12) SOUTH 02°25'19" EAST, A DISTANCE OF 91.07 FEET TO A POINT; THENCE
13) SOUTH 59°09'49" EAST, A DISTANCE OF 180.15 FEET TO A POINT; THENCE
14) SOUTH 86°44'09" EAST, A DISTANCE OF 184.50 FEET TO A POINT; THENCE
15) SOUTH 73°38'59" EAST, A DISTANCE OF 131.94 FEET TO A POINT; THENCE
16) NORTH 74°51'11" EAST, A DISTANCE OF 329.87 FEET TO A POINT; THENCE
17) NORTH 27°13'51" EAST, A DISTANCE OF 112.88 FEET TO A POINT; THENCE
18) NORTH 00°00'39" WEST, A DISTANCE OF 131.61 FEET TO A POINT; THENCE
19) NORTH 26°03'01" EAST, A DISTANCE OF 128.43 FEET TO A POINT; THENCE
20) NORTH 52°47'01" EAST, A DISTANCE OF 131.86 FEET TO A POINT; THENCE
21) NORTH 51°02'01" EAST, A DISTANCE OF 132.00 FEET TO A POINT; THENCE
22) NORTH 68°47'31" EAST, A DISTANCE OF 131.47 FEET TO A POINT; THENCE
23) SOUTH 87°58'09" EAST, A DISTANCE OF 57.86 FEET TO A POINT; THENCE
24) SOUTH 11°44'09" EAST, A DISTANCE OF 440.57 FEET TO A POINT ON THE DIVISION LINE BETWEEN THE SAID LANDS OF FRIENDS OF THE OUTLET, INC. ON THE NORTH AND OTHER LANDS NOW OR FORMERLY OF FRIENDS OF THE OUTLET, INC., ON THE SOUTH; THENCE ALONG SAID DIVISION LINE THE FOLLOWING TWENTY-THREE (23) COURSES AND DISTANCES:
25) SOUTH 80°56'53" WEST, A DISTANCE OF 116.86 FEET TO A POINT; THENCE
26) SOUTH 53°44'20" WEST, A DISTANCE OF 125.06 FEET TO A POINT; THENCE
27) SOUTH 42°35'31" WEST, A DISTANCE OF 196.22 FEET TO A POINT; THENCE
28) SOUTH 43°53'42" WEST, A DISTANCE OF 268.23 FEET TO A POINT; THENCE
29) SOUTH 61°52'27" WEST, A DISTANCE OF 139.03 FEET TO A POINT; THENCE
30) SOUTH 70°55'27" WEST, A DISTANCE OF 139.55 FEET TO A POINT; THENCE
31) NORTH 89°18'08" WEST, A DISTANCE OF 143.98 FEET TO A POINT; THENCE
32) NORTH 59°51'51" WEST, A DISTANCE OF 250.16 FEET TO A POINT; THENCE
33) NORTH 68°54'09" WEST, A DISTANCE OF 96.57 FEET TO A POINT; THENCE
34) SOUTH 03°04'51" WEST, A DISTANCE OF 19.59 FEET TO A POINT; THENCE
35) SOUTH 84°18'01" WEST, A DISTANCE OF 110.00 FEET TO A POINT; THENCE
36) SOUTH 57°33'01" WEST, A DISTANCE OF 115.00 FEET TO A POINT; THENCE
37) SOUTH 83°48'01" WEST, A DISTANCE OF 320.00 FEET TO A POINT; THENCE
38) NORTH 74°16'59" WEST, A DISTANCE OF 150.00 FEET TO A POINT; THENCE
39) NORTH 48°31'59" WEST, A DISTANCE OF 200.00 FEET TO A POINT; THENCE
40) NORTH 40°36'59" WEST, A DISTANCE OF 210.00 FEET TO A POINT; THENCE
41) NORTH 48°00'09" WEST, A DISTANCE OF 133.55 FEET TO A POINT; THENCE
42) NORTH 47°03'13" WEST, A DISTANCE OF 424.72 FEET TO A POINT; THENCE
43) NORTH 64°07'58" WEST, A DISTANCE OF 184.80 FEET TO A POINT; THENCE
44) NORTH 78°57'38" WEST, A DISTANCE OF 563.24 FEET TO A POINT; THENCE
45) NORTH 67°09'34" WEST, A DISTANCE OF 136.18 FEET TO A POINT; THENCE
46) NORTH 57°27'26" WEST, A DISTANCE OF 296.92 FEET TO A POINT; THENCE
47) NORTH 64°21'58" WEST, A DISTANCE OF 107.69 FEET TO A POINT; THENCE
48) NORTH 89°24'12" WEST, A DISTANCE OF 201.41 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF MAYS MILLS ROAD; THENCE
49) NORTH 34°27'40" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 33.25 FEET TO A POINT; THENCE
50) NORTH 59°42'21" EAST, CONTINUIING ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 139.81 FEET TO THE POINT OF BEGINNING; THENCE

SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD.

DESCRIPTION OF ENGINEERING CONTROL AREA EC-1

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 0.795 ACRE, MORE OR LESS, SITUATE IN THE TOWN OF TORREY, COUNTY OF YATES, STATE OF NEW YORK, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE DIVISION LINE BETWEEN THE LANDS NOW OR FORMERLY OF FRIENDS OF THE OUTLET, INC., AS DESCRIBED BY A DEED FILED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 391 OF DEEDS, AT PAGE 255 ON THE SOUTH AND THE LANDS NOW OR FORMERLY OF MARGOT MARTENS, KLAAS U. MARTENS, JR. AND JAN W. MARTENS, AS DESCRIBED BY A DEED RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 291 OF DEEDS, AT PAGE 271 ON THE NORTH, SAID POINT BEING THE SOUTHWEST CORNER OF HE SAID LANDS OF MARTENS; THENCE

1) SOUTH 87°52'59" EAST, ALONG SAID DIVISION LINE, A DISTANCE OF 171.08 FEET TO A POINT; THENCE
2) SOUTH 02°07'01" WEST, THROUGH THE SAID LANDS OF FRIENDS OF THE OUTLET, INC. ALONG A LINE PERPENDICULAR TO THE LAST COURSE, A DISTANCE OF 32.56 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING THROUGH THE SAID LANDS OF FRIENDS OF THE OUTLET, INC., THE FOLLOWING TEN (10) COURSES AND DISTANCES:
3) NORTH 72°10'21" EAST, A DISTANCE OF 39.42 FEET TO A POINT; THENCE
4) NORTH 86°36'07" EAST, A DISTANCE OF 130.03 FEET TO A POINT; THENCE
5) SOUTH 78°32'49" EAST, A DISTANCE OF 63.61 FEET TO A POINT; THENCE
6) SOUTH 57°32'40" EAST, A DISTANCE OF 53.11 FEET TO A POINT; THENCE
7) SOUTH 00°20'37" EAST, A DISTANCE OF 68.74 FEET TO A POINT; THENCE
8) SOUTH 35°56'50" WEST, A DISTANCE OF 57.33 FEET TO A POINT; THENCE
9) SOUTH 77°34'40" WEST, A DISTANCE OF 84.53 FEET TO A POINT; THENCE
10) NORTH 59°17'08" WEST, A DISTANCE OF 108.02 FEET TO A POINT; THENCE
11) NORTH 42°44'33" WEST, A DISTANCE OF 98.75 FEET TO A POINT; THENCE
12) NORTH 02°32'31" EAST, A DISTANCE OF 27.01 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD.

DESCRIPTION OF ENGINEERING CONTROL AREA EC-2

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 0.090 ACRE, MORE OR LESS, SITUATE IN THE TOWN OF TORREY, COUNTY OF YATES, STATE OF NEW YORK, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE DIVISION LINE BETWEEN THE LANDS NOW OR FORMERLY OF FRIENDS OF THE OUTLET, INC., AS DESCRIBED BY A DEED FILED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 391 OF DEEDS, AT PAGE 255 ON THE SOUTH AND THE LANDS NOW OR FORMERLY OF MARGOT MARTENS, KLAAS U. MARTENS, JR. AND JAN W. MARTENS, AS DESCRIBED BY A DEED RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 291 OF DEEDS, AT PAGE 271 ON THE NORTH, SAID POINT BEING THE SOUTHERLY CORNER OF THE SAID LANDS OF MARTENS; THENCE

1) NORTH 88°01'41" EAST, ALONG SAID DIVISION LINE, A DISTANCE OF 237.34 FEET TO A POINT; THENCE
2) SOUTH 01°58'19" EAST, ALONG A LINE PERPENDICULAR TO THE PREVIOUS COURSE, A DISTANCE OF 310.95 TO THE POINT OF BEGINNING; THENCE CONTINUING THOUGH THE SAID LANDS OF FRIENDS OF THE OUTLET, INC. THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:
3) NORTH 80°55'30" EAST, A DISTANCE OF 64.34 FEET TO A POINT; THENCE
4) SOUTH 87°20'58" EAST, A DISTANCE OF 99.76 FEET TO A POINT; THENCE
5) SOUTH 76°33'37" EAST, A DISTANCE OF 19.16 FEET TO A POINT; THENCE
6) SOUTH 01°03'22" WEST, A DISTANCE OF 13.24 FEET TO A POINT; THENCE
7) SOUTH 84°22'50" WEST, A DISTANCE OF 43.56 FEET TO A POINT; THENCE
8) SOUTH 51°33'34" WEST, A DISTANCE OF 19.75 FEET TO A POINT; THENCE
9) NORTH 66°17'46" WEST, A DISTANCE OF 32.48 FEET TO A POINT; THENCE
10) NORTH 79°28'34" WEST, A DISTANCE OF 27.94 FEET TO A POINT; THENCE
11) SOUTH 86°24'33" WEST, A DISTANCE OF 31.60 FEET TO A POINT; THENCE
12) NORTH 85°58'39" WEST, A DISTANCE OF 34.48 FEET TO A POINT; THENCE
13) NORTH 02°11'22" EAST, A DISTANCE OF 10.11 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD.

DESCRIPTION RECORDED IN LIBER 391 OF DEEDS, AT PAGE 255

ALL THAT CERTAIN PLOT, PIECE, OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE TOWNS OF TORREY AND MILO, COUNTY OF YATES, AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF THE NEW YORK CENTRAL RAILROAD, PENNSYLVANIA DIVISION, PENN YAN BRANCH, SAID POINT BEING 50.00 FEET AT 90° FROM A POINT IN THE CENTER LINE OF SAID RAILROAD BEING EASTERLY 105.10 FEET FROM THE INTERSECTION OF THE CENTER LINE OF SAID RAILROAD AND THE CENTER LINE OF MAYS MILLS ROAD; THENCE N 72° 49' 20" E 57.21 FEET TO A POINT; THENCE S 59° 21' 40" E 222.56 FEET TO AN EXISTING IRON PIPE; THENCE S 43° 06' 40" E 297.32 FEET TO AN EXISTING IRON PIPE; THENCE S 64° 08' 50" E 113.93 FEET TO AN EXISTING IRON PIPE; THENCE S 72° 54' 50" E 398.54 FEET TO A POINT; THENCE S 59° 17' 50" E 153.19 FEET TO AN EXISTING IRON PIPE; THENCE S 44° 30' 30" E 188.95 FEET TO AN EXISTING IRON PIPE, THENCE S 74° 46' 00" E 261.56 FEET TO AN EXISTING IRON PIPE; THENCE S 74° 16' 50" E 236.91 FEET TO AN EXISTING IRON PIPE; THENCE S 23° 04' 30" E 131.90 FEET TO AN EXISTING IRON PIPE; THENCE S 20° 24' 30" W 197.59 FEET TO AN EXISTING IRON PIPE; THENCE S 78° 51' 20" E 663.01 FEET TO AN EXISTING IRON PIPE; THENCE S 10° 41' 40" W 91.07 FEET TO AN EXISTING IRON PIPE; THENCE S 46° 02' 50" E 180.15 FEET TO AN EXISTING IRON PIPE; THENCE S 73° 37' 10" E 184.50 FEET TO AN EXISTING IRON PIPE; THENCE S 60° 32' 00" E 131.94 FEET TO AN EXISTING IRON PIPE; THENCE N 87° 58' 10" E 329.87 FEET TO AN EXISTING IRON PIPE; THENCE N 40° 20' 50" E 112.88 FEET TO AN EXISTING IRON PIPE; THENCE N 13° 06' 20" E 131.61 FEET TO AN EXISTING IRON PIPE; THENCE N 39° 10' 00" E 128.43 FEET TO AN EXISTING IRON PIPE; THEN N. 65° 54' 00" E 131.86 FEET TO AN EXISTING IRON PIPE; THENCE N 64° 09' 00" E 132.00 FEET TO A POINT; THENCE N 81° 54' 30" E 131.47 FEET TO AN EXISTING IRON PIPE; THENCE S 74° 51' 10" E 57.86 FEET TO AN EXISTING IRON PIPE; THENCE S 1° 22' 50" W PASSING THROUGH AN IRON PIPE 238.89 FEET A TOTAL DISTANCE OF 383.86 FEET TO A POINT IN THE NORTH LINE OF SAID NEW YORK CENTRAL RAILROAD, PENNSYLVANIA DIVISION, PENN YAN BRANCH. (THE SAID COURSES HERETOFORE MENTIONED ARE ALL INTENDED TO BE ALONG A LINE AGREED ON BETWEEN GEORGE H. CHIDSEY, AGNES AND CECIL DIXON AND THE J.T. BAKER CHEMICAL COMPANY AS THE SAID LINE IS NOW MARKED BY EXISTING IRON STAKES); THENCE IN A GENERAL WESTERLY DIRECTION ALONG THE NORTH LINE OF SAID NEW YORK CENTRAL RAILROAD SAID LINE DESCRIBED BY TIE LINES AS FOLLOWS: S 86° 47' 00" W 113.31 FEET, S 76° 39' 20" W 101.00 FEET, S 63° 20' 50" W 208.06 FEET, S 58° 39' 30" W 211.50 FEET, S 67° 30' 10" W 188.87 FEET, S 87° 47' 30" W 107.93 FEET, N 72° 47' 20" W 175.95 FEET, N 54° 24' 00" W 135.15 FEET, N 51° 30' 00" W 144.25 FEET, N 60° 32' 00" W 110.95 FEET, N 70° 34' 30" W 175.75 FEET, N 75° 10' 00" W 223.50 FEET, N 71° 05' 10" W 187.11 FEET, N 57° 31' 40" W 88.25 FEET, N 43° 41' 50" W 143.15 FEET, N 35° 15' 20" W 57.74 FEET, N 33° 48' 30" W 287.08 FEET, N 38° 22' 10" W 175.84 FEET, N 49° 05' 00" W 199.24 FEET; N 60° 32' 30" W 209.35 FEET, N 66° 16' 40" W 326.70 FEET, N 64° 25' 00" W 148.09 FEET; N 49° 35' 00" W 203.87 FEET, N 44° 27' 50" 276.55 FEET, N 67° 44' 40" W 160.18 FEET, ACCORDING TO AN AGREEMENT BETWEEN J.T. BAKER CHEMICAL COMPANY AND THE NEW YORK CENTRAL RAILROAD AS RECORDED IN LIBER 168 OF DEEDS, AT PAGE 62, AND TO THE POINT OF BEGINNING, COMPRISING AN AREA 18.155 ACRES OF LAND ACCORDING TO A SURVEY BY C. NEWTON GOWDY, L.S., ON DECEMBER 28, 1967.

EXCEPTING AND RESERVING ANY RIGHTS THAT THE COUNTY OF YATES MAY HAVE OVER 49.5 FEET RIGHT-OF-WAY PORTIONS OF WHICH ARE LOCATED ACROSS THIS PROPERTY AS SHOWN ON MAPS ON THE NEW YORK CENTRAL RAILROAD.

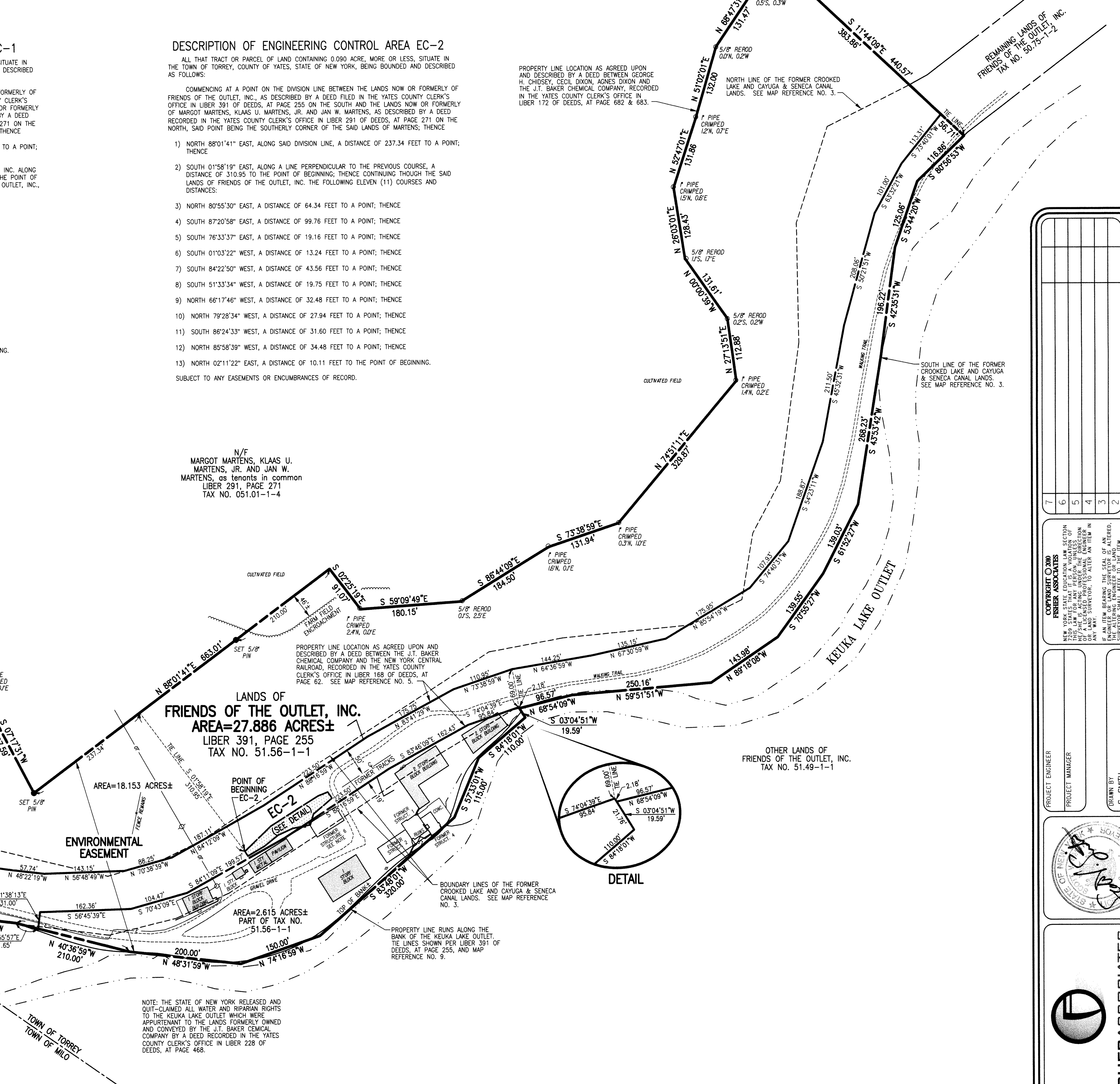
ALSO CONVEYING PARCEL OF LAND IN THE TOWN OF TORREY, SAID PARCEL BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF THE NEW YORK CENTRAL RAILROAD, PENNSYLVANIA DIVISION, PENN YAN BRANCH, AT A POINT BEING S 38° 30' 00" W 69.00 FEET FROM A POINT AT THE WEST END OF THE LINE ALONG THE NORTH LINE OF SAID RAILROAD BEING DESCRIBED AS N 51° 30' 00" W 144.25 FEET IN THE ABOVE DESCRIBED PARCEL OF LAND; THENCE S 16° 11' 50" W 21.76 FEET TO A POINT; THENCE WESTERLY ALONG THE NORTH BANK OF THE EXISTING KEUKA LAKE OUTLET SAID LINE BEING DESCRIBED BY THE FOLLOWING TIE LINES; N 82° 35' W 110.00 FEET, S 70° 40' W 115.00 FEET, N 83° 05' W 320 FEET, N 61° 10' W 150.00 FEET, N 35° 25' W 200.00 FEET, N 27° 30' W 210.00 FEET TO A POINT IN THE NORTH BANK OF SAID KEUKA LAKE OUTLET, THENCE S 25° 49' 10" E 41.65 FEET TO A POINT; THENCE N 54° 45' 00" E 31.00 FEET TO A POINT IN THE SOUTH LINE OF SAID RAILROAD; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID RAILROAD BEING DESCRIBED BY THE FOLLOWING TIE LINES: S 43° 38' 40" E 162.36 FEET, S 57° 36' 10" E 104.47 FEET, S 71° 04' 10" E 199.57 FEET; S 75° 10' 00" E 223.50 FEET, S 70° 39' 10" E 162.43 FEET AND S 60° 57' 40" E 95.84 FEET TO THE POINT OF BEGINNING, COMPRISING AN AREA OF 2.615 ACRES OF LAND, ACCORDING TO A SURVEY BY C NEWTON GOWDY, L.S., ON DECEMBER 28, 1967. SAID LANDS BEING A PORTION OF THE PREMISES CONVEYED TO J.T. BAKER CHEMICAL COMPANY AS RECORDED IN LIBER 156 OF DEEDS, AT PAGE 598.

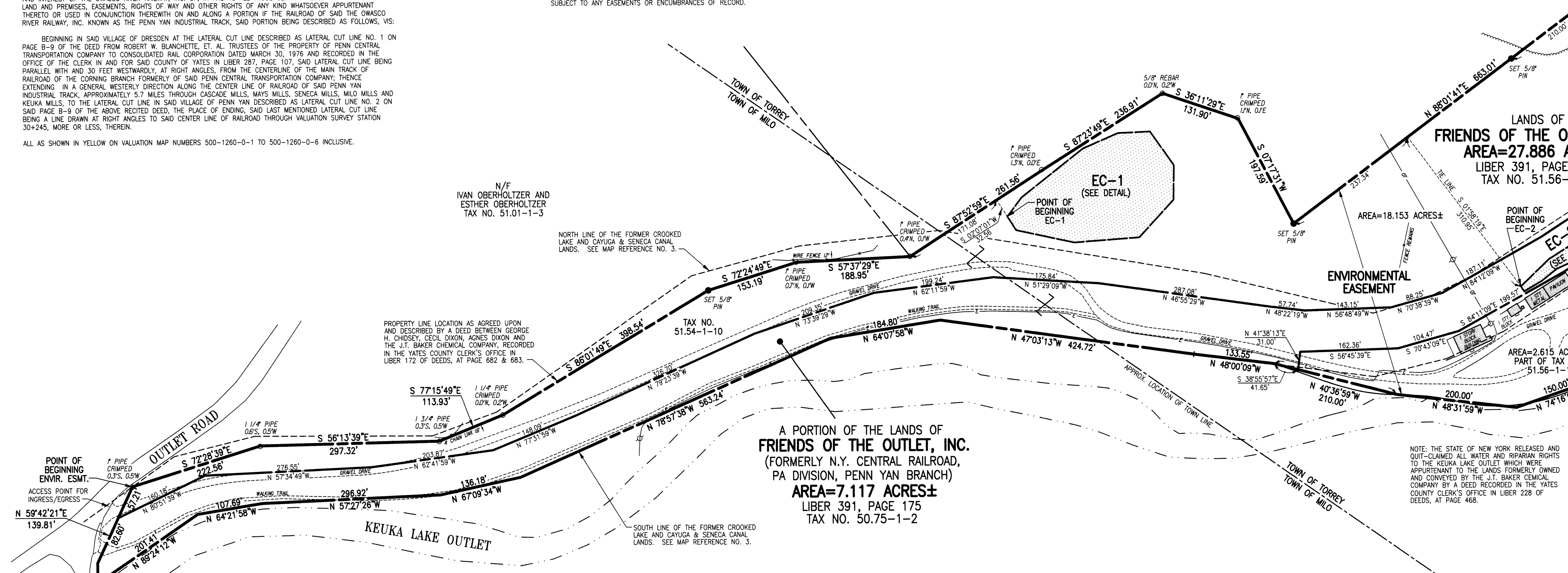
DESCRIPTION RECORDED IN LIBER 391 OF DEEDS, AT PAGE 175

ALL THAT PROPERTY SITUATE IN THE VILLAGE OF DRESDEN, THE TOWN OF TORREY AND IN THE VILLAGE OF PENN YAN, THE TOWN OF MILO, ALL IN THE COUNTY OF YATES AND THE STATE OF NEW YORK, BEING ALL THE RIGHT, TITLE AND INTEREST OF THE OWASCO RIVER RAILWAY, INC. OF, IN AND TO ALL THOSE CERTAIN PIECES OR PARCELS OF LAND AND PREMISES, EASEMENTS, RIGHTS OF WAY AND OTHER RIGHTS OF ANY KIND WHATSOEVER APPURTENANT THERETO OR USED IN CONJUNCTION THEREWITH ON AND ALONG A PORTION IF THE RAILROAD OF SAID THE OWASCO RIVER RAILWAY, INC. KNOWN AS THE PENN YAN INDUSTRIAL TRACK, SAID PORTION BEING DESCRIBED AS FOLLOWS, VIS:

BEGINNING IN SAID VILLAGE OF DRESDEN AT THE LATERAL CUT LINE DESCRIBED AS LATERAL CUT LINE NO. 1 ON PAGE B-9 OF THE DEED FROM ROBERT W. BLANCHETTE, ET. AL. TRUSTEES OF THE PROPERTY OF PENN CENTRAL TRANSPORTATION COMPANY TO CONSOLIDATED RAIL CORPORATION DATED MARCH 30, 1976 AND RECORDED IN THE OFFICE OF THE CLERK IN AND FOR SAID COUNTY OF YATES IN LIBER 287, PAGE 107, SAID LATERAL CUT LINE BEING PARALLEL WITH AND 30 FEET WESTWARDLY, AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF RAILROAD OF THE CORNING BRANCH FORMERLY OF SAID PENN CENTRAL TRANSPORTATION COMPANY; THENCE EXTENDING IN A GENERAL WESTERLY DIRECTION ALONG THE CENTER LINE OF RAILROAD OF SAID PENN YAN INDUSTRIAL TRACK, APPROXIMATELY 5.7 MILES THROUGH CASCADE MILLS, MAYS MILLS, SENECA MILLS, MILO MILLS AND KEUKA MILLS, TO THE LATERAL CUT LINE IN SAID VILLAGE OF PENN YAN DESCRIBED AS LATERAL CUT LINE NO. 2 ON SAID PAGE B-9 OF THE ABOVE RECITED DEED, THE PLACE OF ENDING, SAID LAST MENTIONED LATERAL CUT LINE BEING A LINE DRAWN AT RIGHT ANGLES TO SAID CENTER LINE OF RAILROAD THROUGH VALUATION SURVEY STATION 30+245, MORE OR LESS, THEREIN.

ALL AS SHOWN IN YELLOW ON VALUATION MAP NUMBERS 500-1260-0-1 TO 500-1260-0-6 INCLUSIVE.





NOTE: THE STATE OF NEW YORK RELEASED AND QUIT-CLAIMED ALL WATER AND RIPARIAN RIGHTS TO THE KEUKA LAKE OUTLET WHICH WERE APPURTENANT TO THE LANDS FORMERLY OWNED AND CONVEYED BY THE J.T. BAKER CEMICAL COMPANY BY A DEED RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 228 OF DEEDS, AT PAGE 468.

SURVEY NOTES:

1. COORDINATES AND BEARINGS SHOWN HEREON ARE REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83/96, USING GPS PROCEDURES AND THE NYSDOT CORS NETWORK.
2. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988.
3. UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM FIELD LOCATIONS VISIBLE AT THE TIME OF SURVEY AND/OR UTILITY COMPANY RECORD MAPPING, THE LOCATIONS OF ALL UNDERGROUND UTILITIES SHOULD BE STAKED BY THE RESPECTIVE UTILITY COMPANY PRIOR TO ANY CONSTRUCTION.
4. PREMISES SHOWN HEREON LIES WITHIN FLOOD ZONE A – AREAS OF FLOODING WITH NO BASE FLOOD ELEVATIONS DETERMINED, PER FLOOD INSURANCE RATE MAP FOR THE TOWN OF TORREY, YATES COUNTY, NEW YORK HAVING COMMUNITY PANEL NUMBER 3609966 0010 B, DATED DECEMBER 3, 1987.
5. PREMISES SHOWN HEREON LIES WITHIN LIES WITHIN ZONE AC-AGRICULTURAL CONSERVATION IN THE TOWN OF MILO AND ZONE LC-LAND CONSERVATION IN THE TOWN OF TORREY HAVING THE FOLLOWING ZONING REQUIREMENTS:

   TOWN OF MILO ZONING REQUIREMENTS:
   FRONT YARD SETBACK: 50 FEET MINIMUM
   SIDE YARD SETBACK: 25 FEET MINIMUM
   REAR YARD SETBACK: 50 FEET MINIMUM
   MINIMUM LOT SIZE: 20,000 SQ. FT. (0.459 ACRE)

   TOWN OF TORREY ZONING REQUIREMENTS:
   FRONT YARD SETBACK: 50 FEET MINIMUM
   SIDE YARD SETBACK: 25 FEET MINIMUM ONE SIDE, 20 FEET MINIMUM ON OPPOSITE SIDE
   REAR YARD SETBACK: 50 FEET MINIMUM
   MINIMUM LOT SIZE: 80,000 SQ. FT. (1.836 ACRES)

6. PREMISES SHOWN HEREON IS SUBJECT TO THE FOLLOWING EASEMENTS OR AGREEMENTS:
   A) ANY RIGHTS THAT THE COUNTY OF YATES MAY HAVE RESERVED FROM THE NEW YORK CENTRAL RAILROAD OVER A 49.5 FEET WIDE RIGHT-OF-WAY LOCATED WITHIN THE PREMISES, AS REFERENCED IN LIBER 227 OF DEEDS, AT PAGE 369.
   B) EASEMENT TO NEW YORK TELEPHONE COMPANY FOR A UTILITY POLE ANCHOR, RECORDED IN THE YATES COUNTY CLERK'S OFFICE LIBER 433 OF DEEDS, AT PAGE 249.
   C) ORDER OF CONSENT ISSUED BY THE COMMISSIONER OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 13 OF MISCELLANEOUS RECORDS, AT PAGE 268.
   D) TERMS, CONDITIONS AND RESTRICTIONS CONTAINED WITHIN A DEED FROM NEW YORK STATE ELECTRIC AND GAS TO FRIENDS OF THE OUTLET, INC., RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 383 OF DEEDS, AT PAGE 651.
   E) TERMS AND CONDITIONS CONTAINED WITHIN A 50 FEET WIDE RIGHT-OF-WAY EASEMENT TO EMPIRE STATE PIPELINE COMPANY, LLC AND ST. CLAIRE PIPELINE COMPANY, LLC, RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 567 OF DEEDS, AT PAGE 11. (IS NOT LOCATED WITHIN PREMISES SHOWN HEREON)
7. THE LOCATIONS OF FORMER STRUCTURES 1, 2, 4 & 6 WERE PLOTTED USING MAP REFERENCE NUMBER 10.

REFERENCES:

1. AN ABSTRACT OF TITLE PREPARED BY MONROE TITLE, A STEWART COMPANY, HAVING ORDER NUMBER 528656, DATED DECEMBER 29, 2009.
2. AN ABSTRACT OF TITLE PREPARED BY MONROE TITLE, A STEWART COMPANY, HAVING ORDER NUMBER 532884, DATED DECEMBER 29, 2009.
3. PLAN SET ENTITLED "CROOKED LAKE AND CAYUGA & SENECA CANALS," PREPARED BY HOLMES HUTCHINSON ENGINEERS DATED SEPTEMBER 5, 1834.
4. A MAP ENTITLED "PLAN OF LAND OF KLAAS U. MARTENS, JR., JAN W. MARTENS & PAUL A. MARTENS," PREPARED BY DWIGHT I. LAFLER, L.S. DATED FEBRUARY 22, 1990 AND FILED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 11A OF MAPS, AT PAGE 283.
5. A MAP ENTITLED "PLAN OF LANDS TO BE CONVEYED BY J.T. BAKER CHEMICAL CO.," PREPARED BY C. NEWTON GOWDY, L.S. HAVING JOB NUMBER 4212, DATED DECEMBER 28, 1967 AND FILED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 8 OF MAPS, AT PAGE 117.
6. A MAP ENTITLED "FORMER J.T. BAKER SITE – PROPERTY LINE LOCATION," PREPARED BY HARZA NORTHEAST HAVING PROJECT NUMBER 15257, DATED JUNE 23, 1999.
7. A MAP ENTITLED "PLAN OF LAND OWNED BY J.T. BAKER CHEMICAL COMPANY (TAYLOR CHEMICAL DIV.)" REPAPERED BY JOHN STARK, L.S., DATED JUNE 10, 1955 AND FILED IN THE YATES COUNTY CLERK'S OFFICE.
8. DEED FROM THE OWASCO RIVER RAILWAY, INC. TO THE COUNTY OF YATES RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 305 OF DEEDS, AT PAGE 147.
9. A MAP ENTITLED "PLAN OF LANDS SHOWING LINE TO BE AGREED UPON BETWEEN J.T. BAKER CHEMICAL CO. AND N.Y.S. ELECTRIC & GAS," PREPARED BY C. NEWTON GOWDY, L.S. HAVING JOB NUMBER 4212, DATED DECEMBER 28, 1967.
10. A MAP ENTITLED "MAP OF AN INSTRUMENT SURVEY AND PARTIAL TOPOGRAPHIC SURVEY OF A PORTION OF LANDS OWNED BY FRIENDS OF THE OUTLET, INC. FORMERLY J.T. BAKER CHEMICAL COMPANY," PREPARED BY DAVID W. ANDERSON, L.S., DATED JUNE 22, 2006.

CERTIFICATION:

WE: FISHER ASSOCIATES, P.E., L.S., P.C., CERTIFY TO THE STATE OF NEW YORK THAT THIS MAP WAS PREPARED MARCH 24, 2010 FROM THE NOTES OF AN INSTRUMENT SURVEY COMPLETED BY US ON DECEMBER 4, 2009 USING REFERENCES AND EVIDENCE SHOWN HEREON.

WE FURTHER CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1-6, 7A, 7B(1), 7B(2), 7B(3), 8-10, 11A, 11B, 12-15, AND 18 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA & NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, WE FURTHER CERTIFY THAT IN OUR PROFESSIONAL OPINION, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

THIS MAP IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES THAT AN ABSTRACT OF TITLE UPDATED FROM DECEMBER 29, 2009 MAY SHOW.

BY: [signature] DATE: MARCH 24, 2010
SCOTT V. SMITH, N.Y.S.P.L.S. NO. 050561

UTILITY SERVICE PROVIDERS:

NYSEG – GAS & ELECTRIC SERVICE
PHONE: (315) 789-8779
www.nyseg.com

FRONTIER CITIZENS – TELEPHONE SERVICE
PHONE: (607) 674-7650
www.citizenscommunications.com

VERIZON – TELPHONE SERVICE
PHONE: (315) 453-8121
www.verizon.com

TIME WARNER CABLE – CABLE TV SERVICE
PHONE: (585) 756-1000
www.timewarnercable.com

7			
6			
5			
4			
3			
2			
1	REVISED PER COMMENTS FROM ARCADIS	3/24/10	SVS
	REVISIONS	DATE	BY

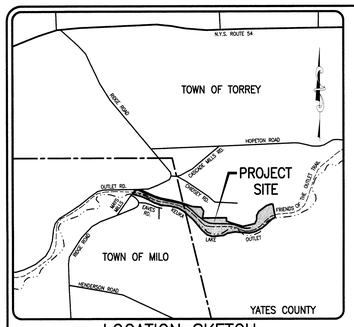
PROJECT ENGINEER
PROJECT MANAGER
DRAWN BY: S. SMITH
SCALE: 1" = 100'
ISSUE DATE: 2/22/10

FISHERASSOCIATES
135 Calkins Road, Rochester, NY 14623
Phone: 585-334-1310

PROJECT: PROCTER AND GAMBLE
FORMER LANDS OF J. T. BAKER CHEMICAL COMPANY
TOWN OF MILO AND TOWN OF TORREY
YATES COUNTY, NEW YORK

TITLE OF DRAWING: ALTA/ACSM LAND TITLE SURVEY SHEET 1 OF 2

PROJECT NUMBER: 092026
DRAWING NUMBER: FA-1
SHEET 1 OF 2



LOCATION SKETCH
(NOT TO SCALE)

LEGEND

- PROPERTY LINE/LEASE PARCEL LINE
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- CENTERLINE ROAD
- FENCE LINE
- EDGE OF WOODS OR VEGETATION
- OE, OT, OC — OVERHEAD ELECTRIC, TELEPHONE & CABLE LINE
- SA — SANITARY SEWER LINE, MANHOLE & CLEANOUT
- ST — STORM DRAINAGE LINE, MANHOLE & INLET
- W — WATER LINE, HYDRANT AND WATER VALVE
- UTILITY POLE, GUY, LIGHT POLE & LAMP

50 0 50 150
SCALE: 1" = 50'

GRID NORTH

N/F
MARGOT MARTENS, KLAAS U. MARTENS, JR. AND JAN W. MARTENS, as tenants in common
LIBER 291, PAGE 271
TAX NO. 051.01-1-4

LANDS OF
FRIENDS OF THE OUTLET, INC.
AREA=27.886 ACRES±
LIBER 391, PAGE 255
TAX NO. 51.56-1-1

A PORTION OF THE LANDS OF
FRIENDS OF THE OUTLET, INC.
(FORMERLY N.Y. CENTRAL RAILROAD, PA DIVISION, PENN YAN BRANCH)
AREA=7.117 ACRES±
LIBER 391, PAGE 175
TAX NO. 50.75-1-2

DETAIL

OTHER LANDS OF
FRIENDS OF THE OUTLET, INC.
TAX NO. 51.49-1-1

OTHER LANDS OF
FRIENDS OF THE OUTLET, INC.
TAX NO. 50.75-1-3

ENVIRONMENTAL EASEMENT
AREA=18.153 ACRES±

AREA=2.615 ACRES±
PART OF TAX NO.
51.56-1-1

EC-1
(SEE SHEET 1)

EC-2
(SEE SHEET 1)

KEUKA LAKE OUTLET

APPROX. LOCATION OF TOWN LINE

TOWN OF TORREY
TOWN OF MILO

BUILDING INFORMATION:

BUILDING	AREA (1st FL.)	ROOF ELEV.
A	2635± SQ. FT.	545.9'±
B	4505± SQ. FT.	559.4'±
C	4002± SQ. FT.	557.9'±
D	986± SQ. FT.	550.9'±
E	797± SQ. FT.	550.9'±
F	280± SQ. FT.	547.9'±
G	1600± SQ. FT.	555.3'±

SURVEY NOTES:

1. COORDINATES AND BEARINGS SHOWN HEREON ARE REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83/96, USING GPS PROCEDURES AND THE NYSDOT CORS NETWORK.
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4. PREMISES SHOWN HEREON LIES WITHIN FLOOD ZONE A – AREAS OF FLOODING WITH NO BASE FLOOD ELEVATIONS DETERMINED, PER FLOOD INSURANCE RATE MAP FOR THE TOWN OF TORREY, YATES COUNTY, NEW YORK HAVING COMMUNITY PANEL NUMBER 3609966 0010 B, DATED DECEMBER 3, 1987.
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   TOWN OF MILO ZONING REQUIREMENTS:
   FRONT YARD SETBACK: 50 FEET MINIMUM
   SIDE YARD SETBACK: 25 FEET MINIMUM
   REAR YARD SETBACK: 50 FEET MINIMUM
   MINIMUM LOT SIZE: 20,000 SQ. FT. (0.459 ACRE)

   TOWN OF TORREY ZONING REQUIREMENTS:
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   REAR YARD SETBACK: 50 FEET MINIMUM
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   B) EASEMENT TO NEW YORK TELEPHONE COMPANY FOR A UTILITY POLE ANCHOR, RECORDED IN THE YATES COUNTY CLERK'S OFFICE LIBER 433 OF DEEDS, AT PAGE 249.
   C) ORDER OF CONSENT ISSUED BY THE COMMISSIONER OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 13 OF MISCELLANEOUS RECORDS, AT PAGE 288.
   D) TERMS, CONDITIONS AND RESTRICTIONS CONTAINED WITHIN A DEED FROM NEW YORK STATE ELECTRIC AND GAS TO FRIENDS OF THE OUTLET, INC., RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 383 OF DEEDS, AT PAGE 651.
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UTILITY SERVICE PROVIDERS:

NYSEG – GAS & ELECTRIC SERVICE
PHONE: (315) 789-8779
www.nyseg.com

FRONTIER CITIZENS – TELEPHONE SERVICE
PHONE: (607) 674-7650
www.citizenscommunications.com

VERIZON – TELPHONE SERVICE
PHONE: (315) 453-8121
www.verizon.com

TIME WARNER CABLE – CABLE TV SERVICE
PHONE: (585) 756-1000
www.timewarnercable.com

REFERENCES:

1. AN ABSTRACT OF TITLE PREPARED BY MONROE TITLE, A STEWART COMPANY, HAVING ORDER NUMBER 528656, DATED DECEMBER 29, 2009.
2. AN ABSTRACT OF TITLE PREPARED BY MONROE TITLE, A STEWART COMPANY, HAVING ORDER NUMBER 532884, DATED DECEMBER 29, 2009.
3. PLAN SET ENTITLED "CROOKED LAKE AND CAYUGA & SENECA CANALS," PREPARED BY HOLMES HUTCHINSON ENGINEERS DATED SEPTEMBER 5, 1834.
4. A MAP ENTITLED "PLAN OF LAND OF KLAAS U. MARTENS, JR., JAN W. MARTENS & PAUL A. MARTENS," PREPARED BY DWIGHT I. LAFLER, L.S. DATED FEBRUARY 22, 1990 AND FILED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 11A OF MAPS, AT PAGE 283.
5. A MAP ENTITLED "PLAN OF LANDS TO BE CONVEYED BY J.T. BAKER CHEMICAL CO.," PREPARED BY C. NEWTON GOWDY, L.S. HAVING JOB NUMBER 4212, DATED DECEMBER 28, 1987 AND FILED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER B OF MAPS, AT PAGE 117.
6. A MAP ENTITLED "FORMER J.T. BAKER SITE – PROPERTY LINE LOCATION," PREPARED BY HARZA NORTHEAST HAVING PROJECT NUMBER 15257, DATED JUNE 23, 1998.
7. A MAP ENTITLED "PLAN OF LAND OWNED BY J.T. BAKER CHEMICAL COMPANY (TAYLOR CHEMICAL DIV.)" REPAIRERD BY JOHN STARK, L.S., DATED JUNE 10, 1955 AND FILED IN THE YATES COUNTY CLERK'S OFFICE.
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9. A MAP ENTITLED "PLAN OF LANDS SHOWING LINE TO BE AGREED UPON BETWEEN J.T. BAKER CHEMICAL CO. AND N.Y.S. ELECTRIC & GAS," PREPARED BY C. NEWTON GOWDY, L.S. HAVING JOB NUMBER 4212, DATED DECEMBER 28, 1987.
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CERTIFICATION:

WE, FISHER ASSOCIATES, P.E., L.S., P.C., CERTIFY TO THE STATE OF NEW YORK THAT THIS MAP WAS PREPARED MARCH 24, 2010 FROM THE NOTES OF AN INSTRUMENT SURVEY COMPLETED BY US ON DECEMBER 4, 2009 USING REFERENCES AND EVIDENCE SHOWN HEREON.

WE FURTHER CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1–6, 7A, 7B(1), 7B(2), 7B(3), 8–10, 11A, 11B, 12–15, AND 18 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA & NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, WE FURTHER CERTIFY THAT IN OUR PROFESSIONAL OPINION, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

THIS MAP IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES THAT AN ABSTRACT OF TITLE UPDATED FROM DECEMBER 29, 2009 MAY SHOW.

BY: _____ DATE: MARCH 24, 2010
SCOTT V. SMITH, N.Y.S.P.L.S. NO. 050561

NO.	DATE	BY
1	3/24/10	SVS
2	REVISED PER COMMENTS FROM ARCADIS	

PROJECT ENGINEER
PROJECT MANAGER
DRAWN BY: SVS
CHECKED BY: SVS
SCALE: 1" = 50'
ISSUE DATE: 2/23/10

FISHER ASSOCIATES
185 Alexander Road, Rochester, NY 14623
Phone: 585-334-3910

PROJECT
PROCTER AND GAMBLE
FORMER LANDS OF J. T. BAKER CHEMICAL COMPANY
TOWN OF MILO AND TOWN OF TORREY
YATES COUNTY, NEW YORK

TITLE OF DRAWING
ALTA/ACSM LAND TITLE SURVEY SHEET 2 OF 2

PROJECT NO.
092026

DRAWING NO.
FA-2
SHEET 2 OF 2

Attachment A

Deed Restriction / Environmental Easement

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

THIS INDENTURE made this 20th day of June, 2014, between Owner(s) Friends of the Outlet, Inc., having an office at 2019 Ridge Road, Penn Yan, New York 14527, with a mailing address of P.O. Box 65, Dresden, New York 14441, c/o Valmond Roddy (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 in the Towns of Torrey and Milo, Yates County, New York, known and designated on the tax map of the County of Yates as tax map parcel numbers: 50.75-1-2, 51.54-1-10, and 51.56-1-1, being the same as that property conveyed to Grantor by deeds dated November 4, 1996 and May 9, 1996, and recorded in the Yates County Clerk's office in Liber 391, Page 175 and Liber 391, Page 255. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 12.783 ± acres, and is hereinafter more fully described in the ALTA/ACSM Land Title Survey dated February 22, 2010, and revised on March 24, 2010, July 20, 2011, and August 19, 2011, prepared by Scott V. Smith, PLS, Fisher Associates, P.E., L.S., P.C., 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 human 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 Orders on Consent Number B8-0483-95-10 and B8-0483-95-10A, 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 potential 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, and lessees and any person using the Controlled Property.

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

Restricted Residential as described in 6 N.Y.C.R.R. Part 375-1.8(g)(2)(ii)

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

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

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

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

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

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

B. The Controlled Property shall not be used for residential purposes as defined in 6 N.Y.C.R.R. Part 375-1.8(g)(2)(i), 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 successor and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Regional Remediation Engineer
NYSDEC – Region 8
Division of Environmental Remediation
6274 E. Avon-Lima Rd.
Avon, NY 14414-9519
Phone: (585) 226-5349

or

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 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 annually, or such time as NYSDEC may allow, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3);
(2) the institutional controls and/or engineering controls employed at such site:
(i) are in-place;
(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format;
(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 Controlled 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 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 its 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 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 No: 8-62-001
Office of General Counsel
NYSDEC
625 Broadway
Albany, New York 12233-1500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 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.

Friends of the Outlet, Inc:

By: Valmond D Roddy

Title: President Date: 8-3-13

Grantor's Acknowledgment

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

On the 3rd day of Aug, in the year 20 13, before me, the undersigned, personally appeared Valmond D. Roddy, 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 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.

Margaret Hayes
Notary Public - State of New York

MARGARET A. HAYES
Notary Public, In the State of New York
Monroe County, N.Y.
Commission Expires July 31, 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 Remediation

Grantee's Acknowledgment

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

On the 20th day of June, in the year 2014, before me, the undersigned, personally appeared Dale A. Desnoyers, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as Commissioner of the State of New York Department of Environmental Conservation, and that by his 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, 2016

Schedule "A" Property Description

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 12.783 ACRES, MORE OR LESS, SITUATE IN THE TOWN OF MILO AND THE TOWN OF TORREY, COUNTY OF YATES, STATE OF NEW YORK, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF LANDS OF FRIENDS OF THE OUTLET, INC., AS DESCRIBED BY A DEED RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 391, AT PAGE 255, AT ITS INTERSECTION WITH THE DIVISION LINE BETWEEN LANDS OF IVAN OBERHOLTZER AND ESTHER OBERHOLTZER, ON THE WEST AND LANDS NOW OR FORMERLY OF MARGOT MARTENS, KLAAS U. MARTENS, JR. AND JAN W. MARTENS, AS DESCRIBED BY A DEED RECORDED IN THE YATES COUNTY CLERK'S OFFICE IN LIBER 291 OF DEEDS, AT PAGE 271 ON THE NORTH; THENCE ALONG SAID NORTHERLY LINE AND THE DIVISION LINE BETWEEN SAID LANDS OF FRIENDS OF THE OUTLET, INC ON THE SOUTH AND SAID LANDS OF MARTENS ON THE NORTH THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

1) SOUTH 87°52'59" EAST, A DISTANCE OF 261.56 FEET TO A POINT; THENCE,
2) SOUTH 87°23'49" EAST, A DISTANCE OF 236.91 FEET TO A POINT; THENCE,
3) SOUTH 36°11'29" EAST, A DISTANCE OF 131.90 FEET TO A POINT; THENCE,
4) SOUTH 07°17'31" WEST, A DISTANCE OF 197.59 FEET TO A POINT; THENCE,
5) NORTH 88°01'41" EAST, A DISTANCE OF 421.01 FEET TO A POINT; THENCE,
6) SOUTH 66°23'26" EAST, THROUGH SAID LANDS OF FRIENDS OF THE OUTLET, INC., A DISTANCE OF 436.96 FEET TO A POINT, THENCE
7) SOUTH 06°38'13" WEST, CONTINUING THROUGH SAID LANDS, A DISTANCE OF 215.58 FEET TO A POINT IN THE SOUTHERLY LINE OF LANDS OF FRIENDS OF THE OUTLET, INC., AS DESCRIBED IN LIBER 391 OF DEEDS, AT PAGE 175; THENCE,
8) SOUTH 03°04'51" WEST, THROUGH SAID LANDS OF FRIENDS OF THE OUTLET, INC. ALONG A PARCEL LINE, SAID PARCEL BEING A PORTION OF THE LANDS DESCRIBED IN LIBER 391 OF DEEDS, AT PAGE 255 (SOUTHERLY ONE OF TWO PARCELS), A DISTANCE OF 21.76 FEET TO A POINT ON THE SOUTHEASTERLY CORNER OF THE LAST MENTIONED PARCEL; THENCE, THE FOLLOWING EIGHT (8) COURSES AND DISTANCES THROUGH SAID LANDS OF FRIENDS OF THE OUTLET, INC. AND ALONG THE SOUTHERLY PARCEL LINES AS DESCRIBED IN LIBER 391 OF DEEDS, AT PAGE 255 AND 391 AT PAGE 175:
9) SOUTH 84°18'01" WEST, A DISTANCE OF 110.00 FEET TO A POINT; THENCE,
10) SOUTH 57°33'01" WEST, A DISTANCE OF 115.00 FEET TO A POINT; THENCE,
11) SOUTH 83°48'01" WEST, A DISTANCE OF 320.00 FEET TO A POINT; THENCE,
12) NORTH 74°16'59" WEST, A DISTANCE OF 150.00 FEET TO A POINT; THENCE,
13) NORTH 48°31'59" WEST, A DISTANCE OF 200.00 FEET TO A POINT; THENCE,
14) NORTH 40°36'59" WEST, A DISTANCE OF 210.00 FEET TO A POINT; THENCE,
15) NORTH 48°00'09" WEST, A DISTANCE OF 133.55 FEET TO A POINT; THENCE,
16) NORTH 47°03'13" WEST, A DISTANCE OF 424.72 FEET TO A POINT; THENCE,

17) NORTH 09°45'47" EAST, THROUGH SAID LANDS OF FRIENDS OF THE OUTLET, INC. AS DESCRIBED IN LIBER 391 OF DEEDS, AT PAGE 175 AND IN LIBER 391 OF DEEDS, AT PAGE 255, A DISTANCE OF 116.92 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD.

Attachment B

Generic Community Air Monitoring Plan

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

Overview

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

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

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

Community Air Monitoring Plan

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

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

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

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

VOC Monitoring, Response Levels, and Actions

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

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

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

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

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

Particulate Monitoring, Response Levels, and Actions

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

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

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

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

December 2009

Appendix 1B
Fugitive Dust and Particulate Monitoring

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

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

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

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

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

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

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

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

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

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

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

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

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

Attachment C

Operation, Maintenance and Monitoring Plan

ARCADIS
Infrastructure · Water · Environment · Buildings

Imagine the result

Mallinckrodt-Baker, Inc. and Friends of the Outlet, Inc.

Attachment C

Operation, Maintenance, and Monitoring Plan

Former J.T. Baker Site
Penn Yan, New York
NYSDEC Site ID #8-62-001

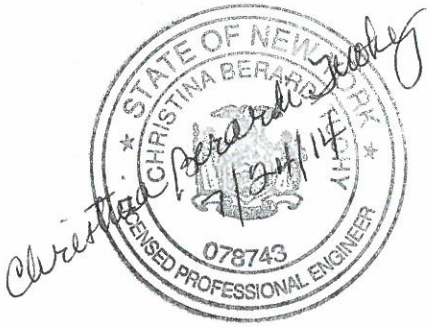
July 24, 2014

ARCADIS

Kenneth Zegel, P.E.
Senior Engineer

Michael Wolfert
Project Director

Christina Berardi Tuohy, P.E.
Principal Engineer
License Number 078743-1, New York



Attachment C
Operation, Maintenance, and Monitoring Plan

Former J.T. Baker Site
Penn Yan, New York
NYSDEC Site ID #8-62-001

Prepared for:
Mallinckrodt-Baker, Inc. and Friends of the Outlet, Inc.

Prepared by:
ARCADIS
Two Huntington Quadrangle
Suite 1S10
Melville
New York 11747
Tel 631.249.7600
Fax 631.249.7610

Our Ref.:
NY001447.0007.00001

Date:
July 24, 2014

ARCADIS

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Operation, Maintenance and Monitoring Plan

Former J.T. Baker Site
Penn Yan, New York
NYSDEC Site ID #8-62-001

1. Introduction

ARCADIS of New York, Inc. (ARCADIS) on behalf of Mallinckrodt Baker, Inc. and Friends of the Outlet, Inc. (Friends has prepared this Operation, Maintenance and Monitoring (OM&M) Plan for the Former J. T. Baker Site (Site) as Attachment C of the Site Management Plan (SMP). Friends are the Site owner. This OM&M Plan was prepared to replace the existing Operation and Maintenance (O&M) Plan (ARCADIS 1998).

The existing O&M Plan (ARCADIS 1998) was prepared to provide a plan for the inspection, maintenance and monitoring of the work completed under Order on Consent and Administrative Settlement (OC) No. B8-0483-95-10 for the initial maintenance period of five (5) years. However, some of the elements required in the O&M Plan (ARCADIS 1998) are no longer applicable while new work elements are required as a result of remedial action under OC No. B8-0483-95-10A. Accordingly, this revised OM&M Plan provides for the inspection, maintenance and monitoring of the Site which will be in effect until the Site no longer requires Institutional Controls (ICs) and Engineering Controls (ECs). An IC is any non-physical means of enforcing a restriction on the use of real property that limits human and environmental exposure, restricts the use of groundwater, and provides notice to potential owners, operators, or members of the public. An IC also prevents actions that would interfere with the effectiveness of a remedial program or with the effectiveness and/or integrity of the operation, maintenance, or monitoring activities at or pertaining to a remedial site. An EC is any physical barrier or method employed to actively or passively contain, stabilize, or monitor contamination, restrict the movement of contamination to ensure the long-term effectiveness of a remedial program, or eliminate potential exposure pathways to contamination. Inspections and notifications will be performed in accordance with the OM&M Plan.

Specifically this OM&M Plan provides for the inspection, maintenance and monitoring of the Site throughout the maintenance period for the remaining engineering controls (ECs) that were installed pursuant to OC No. B8-0483-95-10, March 16, 1999, (NYSDEC 1999) and work conducted and ECs installed between 2007 and 2009 pursuant to OC No. B8-0483-95-10A, May 25, 2007 (NYSDEC 2007). The OM&M Plan will be implemented by the Site owner and shall be in effect until the Site no longer requires Institutional Controls (ICs) or ECs.

1.1 Previous Remedial Actions

The Interim Remedial Measures (IRM) Engineering Report, prepared by ARCADIS (ARCADIS 1999), summarizes the work completed during the first remedial action completed in 1999 pursuant to OC No. B8-0483-95-10, the CCR (ARCADIS 2009) provides a description of the second remedial action completed between 2007 and 2009 pursuant to OC No. B8-0483-95-10A. The following paragraphs briefly describe the ECs that are covered under this OM&M Plan.

1.1.1 West Disposal Area Engineering Control

The West Disposal Area encompasses approximately 75,000 square feet (1.72 acres) (see Figures FA-1 and FA-2 from the SMP). This area is bordered on the north and east by a steep hill sloping toward the Site, on the west by the Site access road and on the south by the hiking trail, which parallels Keuka Lake Outlet (Outlet). The West Disposal Area cover system, which consists of a common borrow foundation layer, barrier soils and vegetative soil (clay and topsoil), was designed and installed to protect the public and wildlife from the residual waste as described in the Engineering Report (ARCADIS 1999). The final grades in the West Disposal Area were designed to eliminate ponding of water currently characteristic of the Site, promote sheet-flow runoff, and divert runoff to perimeter ditches which ultimately discharge to the Outlet.

1.1.2 Former Structure 6 Excavation Area Engineering Control

The former Structure 6 excavation area encompasses approximately 4,000 square feet bordered on the north by the hiking trail and a steep hill sloping toward the Site, and on the south by the former Structure 6 location (see Figures FA-1 and FA-2 from the SMP). The former Structure 6 excavation area cover system, which consists of a two to four foot thick layer of compacted certified clean common borrow, was designed and installed to protect the public and wildlife from soil that contains chromium above the Restricted-Residential soil cleanup objective provided in 6 NYCRR Part 375, as described in the CCR (ARCADIS 2009).

2. Inspections

To monitor the integrity of the ECs remaining at the Site, an inspector will perform regularly scheduled Site inspections of the West Disposal Area and associated stormwater conveyance system and the former Structure 6 excavation area. As groundwater monitoring of the Site has been completed and the monitoring wells will be

abandoned, inspections will also be made of the abandoned wells. The Site owner will be responsible for Site inspections. This inspector will be a person who is familiar with the Site and is capable of performing the observations and making the determinations specified in the Site Inspection Log. Inspection observations will be recorded on a Site Inspection Log (see Attachment 1), with copies of all logs kept on file on-site for the OM&M period. A summary and schedule for any necessary maintenance activities will be included on the completed inspection logs.

In addition, to assess the ECs and ICs the inspector must:

- Note any changes to the ECs and ICs from the previous period.
- Ensure that the key elements of the Deed Restriction/EE, which limit the use of the property and which require the long-term inspection and maintenance of the ECs, are being carried out. The Deed Restriction/EE is provided in Attachment A of the SMP.
- Make an assessment as to whether the ECs and ICs are in place and effective, and
- Determine if anything has occurred to impair the ability of the controls to protect the public health and environment.

2.1 West Disposal Area

The following sections describe the items which will be inspected at the West Disposal Area to ensure the effectiveness of the EC.

2.1.1 Vegetation

Inspection of the vegetation will include visual observations to determine if any of the following conditions exist:

- Areas of erosion and/or inadequate vegetative coverage;
- Areas of physical disturbance;
- Defined areas of dead or stressed vegetation.

In the event that deficiencies are identified, the deficiencies will be evaluated and the necessary actions will be taken as discussed in Section 3.

2.1.2 Final Cover System

Inspection of the final cover system will include visual observations of the West Disposal Area vicinity to determine if any of the following conditions exist:

- Areas of Erosion;
- Settlement or subsidence;
- Physical disturbance including indications of animal, rodent, or insect disturbance;
- Growth of seedlings of trees or shrubs on the cover system; and
- Exposed waste materials.

In the event that deficiencies are identified, the deficiencies will be evaluated and the necessary actions will be taken as discussed in Section 3.

2.1.3 Stormwater Conveyance System

Inspection of the drainage system (runoff conveyance channels, flap gates and culverts) will include visual observations to determine if of any of the following conditions exist:

- Areas of erosion;
- Excessive accumulation of silt;
- Settlement or subsidence;
- Loose or missing riprap;
- Clogging of drainage outlets, or culverts along cover system perimeter;
- Corrosion and/or deterioration of culverts and flap gates; and,

- Lack of full function and operation of flap gates.

In the event that deficiencies are identified, the deficiencies will be evaluated and the necessary actions will be taken as discussed in Section 3.

2.1.4 Groundwater Monitoring System

Inspection of the abandoned groundwater monitoring wells will be conducted. However, if land subsidence around former wells is observed during the other inspection periods, the Site owner will be contacted to perform the appropriate maintenance.

In the event that deficiencies are identified, the deficiencies will be evaluated and the necessary actions will be taken as discussed in Section 3.

2.1.5 Frequency

Inspections in the West Disposal Area will be conducted annually and following major construction activities or storm (periodic) events (i.e., 10-year storm event [4 inches of rain or equivalent in 24 hour period] or a larger storm).

2.2 Former Structure 6 Excavation Area

The following sections describe the items which will be inspected in the former Structure 6 excavation area to ensure the effectiveness of the EC.

2.2.1 Vegetation

Inspection of the vegetation will include visual observations to determine if any of the following conditions exist:

- Areas of erosion and/or inadequate vegetative coverage;
- Physical disturbance including indications of animal, rodent, or insect disturbance; and
- Defined areas of dead or stressed vegetation.

In the event that deficiencies are identified, the deficiencies will be evaluated and the necessary actions will be taken as discussed in Section 3.

2.2.2 Final Cover System

Inspection of the final cover system will include visual observations of the former Structure 6 excavation area vicinity to determine if any of the following conditions exist:

- Areas of erosion;
- Settlement or subsidence;
- Physical disturbance including indications of animal, rodent, or insect disturbance;
- Growth of seedlings of trees or shrubs on the cover system; and
- Exposed demarcation layer (orange snow fence).

In the event that deficiencies are identified, the deficiencies will be evaluated and the necessary actions will be taken as discussed in Section 3.

2.2.3 Frequency

Inspections in the former Structure 6 excavation area will be conducted annually and following major construction activities or storm (periodic) events (i.e., 10-year storm event [4 inches of rain or equivalent in 24 hour period] or a larger storm.

3. Maintenance Procedures

Based upon the visual observations during inspections and/or periodic observations, the repair and maintenance needs of the final cover system, vegetation, stormwater conveyance system, and abandoned groundwater monitoring wells will be identified. If a problem is identified during the course of the annual site inspections and/or periodic observations, the situation will be evaluated and the necessary actions will be taken. The method and results of the actions will be recorded in the inspection logs. Intrusive construction work must also be conducted in accordance with the procedures defined in the Excavation/Soil Management Plan (ESoMP) in the SMP, the Site-Specific Health and Safety Plan (HASP) (ARCADIS 2006a) and the generic Community Air Monitoring Plan (CAMP). The HASP and CAMP may be utilized during these activities. However,

the plans should be reviewed for consistency with the proposed intrusive activity. The following sections describe the preventative and corrective maintenance procedures for the West Disposal Area and former Structure 6 excavation area.

3.1 Final Cover System

The West Disposal Area and former Structure 6 excavation area have been designed to prevent erosion. This is accomplished through the maintenance of the vegetative cover and the system of run-off ditches and culverts used to divert surface water. Eroded portions of the West Disposal Area and former Structure 6 excavation area cover systems, or those areas where surface cracking has occurred due to desiccation or settlement, will be repaired promptly by adding fill material capable of supporting vegetative growth. The area will be repaired to attain the approved final elevation and will be reseeded. Any bare or sparse vegetation area on the cover system will be reseeded during each appropriate seeding period. Interim stabilization of eroded areas, until vegetation is reestablished could include the use of geotextile, silt fences, erosion mat, and/or straw bales. More permanent measures, including diversion structures, sodding, mulching, or riprapping may also be necessary.

Visual inspection of the cover for excessive damage due to burrowing animals will consist of traversing the cover in an organized grid pattern to discover large holes and/or mounds at the surface. If an animal is removed, the burrow will be inspected. The soil that has been burrowed will then be replaced to its original condition.

Settlement depressions in the final cover system will be repaired promptly when identified. Repairs will include regrading, the addition of fill material, and revegetation as necessary to prevent the ponding of surface water on the cover. Depressions will be backfilled to the approved final elevation with on-site soil fill material and reseeded.

3.2 Vegetation

The seed mixture utilized during the remedial actions exhibits low maintenance characteristics. However, mowing may periodically be necessary (minimum of once per year to ensure that woody plants do not become established) in the West Disposal Area to access inspection items such as abandoned groundwater monitoring wells. Grass cover height should generally be maintained between 12 and 24 inches. The grass mowing may begin in late March or early April, after the last frost, and continue through the summer until late October or early November, after the first frost.

Routine inspection of the vegetative cover on the EC areas will provide indications of grass growth, thickness and overall health. In areas of limited growth, the topsoil may be analyzed and measured for nutrient value, acidity, and depth. Isolated reseeding may be necessary. If problems persist with the maintenance of the grass cover, consultation with the local USDA or Soil Conservation Service (SCS) personnel for possible solutions may be employed; these could include adjustment of the seed mixture or fertilization schedules.

3.3 Stormwater Diversion Ditches

Maintenance of the West Disposal Area drainage system will include routine inspections of the run-on diversion ditch and run-off diversion ditch. The ditches will be inspected to ascertain the degree of erosion, loss of integrity, accumulation of debris and sediment, and other obstructions to flow. Siltation will be removed periodically as necessitated by the degree of accumulation and restriction of flow. Any damage to vegetated linings of these facilities will be replaced with suitable sod, and the ditches will be returned to the original design dimensions.

3.4 Culverts and Flap Gates

The two 18-inch diameter corrugated metal pipe culverts in the West Disposal Area will be visually inspected to determine possible adverse structural or operational deficiencies. Any accumulation of debris and sediment will be removed. Severely corroded, blocked, or unserviceable culverts will be replaced. The flap gates will be visually inspected for corrosion and deterioration, and actuated to assure appropriate operation.

4. Personnel

A representative of the Site owner will carry out the OM&M of the West Disposal Area and the former Structure 6 excavation area. They will be responsible for conducting site inspections, implementation of any maintenance or remedial measures warranted as indicated by the inspections and monitoring, and reporting as specified in this OM&M plan.

5. Records & Reports

Generating and maintaining a written record of the condition of both the West Disposal Area and the former Structure 6 excavation area is required. This section lists the

various types of records to be maintained throughout the OM&M period. All of the Site records will be kept on file on-site until the Site no longer requires ECs and ICs.

Any issues that may develop will be brought to the attention of the NYSDEC as they occur and the annual inspection reports will be sent to the NYSDEC annually. However, a report containing an evaluation of the annual reports and the certification would be submitted to the NYSDEC every 5 years. The start of the first five year period will begin upon approval of this OM&M plan by the NYSDEC. The five year review report will summarize all of the inspection and maintenance activities conducted, and will be submitted to the NYSDEC and will include:

- A summary of the Site inspections.
- A description of any activities that were completed or are necessary for the continued operation of the remedies.
- A description of any proposed activities at the Site.
- A description of any maintenance activities that were conducted at the Site during the reporting period, and
- Confirmation that the remedies continue to be effective for the protection of public health and the environment.

6. References

ARCADIS Geraghty & Miller, Inc. 1998. Operation and Maintenance Plan, Former J.T. Baker Site, Penn Yan, New York. June, 1998.

ARCADIS Geraghty & Miller, Inc. 1999. Engineering Report, Interim Remedial Measures, Former J.T. Baker Site, Penn Yan, New York. October 22, 1999.

ARCADIS of New York, Inc. 2006a. Site Specific Health and Safety Plan, Furnace Removal Work Plan, Former J.T. Baker Site, Penn Yan, New York. July 24, 2006.

ARCADIS of New York, Inc. 2006b. Community Air Monitoring Plan, Furnace Removal Work Plan, Appendix B, Former J.T. Baker Site, Penn Yan, New York. July 24, 2006.

ARCADIS of New York, Inc. 2009. Construction Completion Report, Former J.T. Baker Site, Penn Yan, New York. October, 2009.

New York State Department of Environmental Conservation. 1999. Order on Consent and Administrative Settlement Index #B8-0483-95-10, Site #8-62-001. March 16, 1999.

New York State Department of Environmental Conservation. 2007. Order on Consent and Administrative Settlement Index #B8-0483-95-10A, Site #8-62-001. May 25, 2007.

ARCADIS

Attachment 1

Site Inspection Log

Site:_____

Site Inspection Log - Engineering Systems

ITEM	EXAMPLES OF TYPES OF PROBLEMS	TRIGGER LEVEL (if applicable)	STATUS*	OBSERVATIONS	DATE AND NATURE OF REPAIRS/ MAINTENANCE
Former Structure 6 Excavation Area					
Vegetation	Inadequate protective vegetation (where applicable); fertilization needed; areas of erosion	Greater than 10% of area devoid of vegetation (600 square feet).			
Cover Material	Settlement; subsidence; erosion; failure to maintain 3 to 5 percent slope; exposed waste materials. Evidence of physical disturbance.	Ponding over more than 25% of area.			
West Disposal Area					
Vegetation	Inadequate protective vegetation (where applicable); fertilization needed; growth of seedlings, trees and shrubs.	Greater than 10% of area (7,500 square feet) devoid of vegetation; greater than 10% coverage by seedlings.			
Cover Material	Settlement; subsidence; erosion; failure to maintain 3 to 5 percent slope; exposed waste materials. Evidence of physical disturbance.	Ponding over more than 25% of area (18,750 square feet).			
Run-off Conveyance Channels	Obstruction to flow; bank erosion; deterioration; excessive siltation; inadequate protective vegetation; loose riprap or missing riprap.	Any clogging or obstructions to flow; greater than 10% of area (600 square feet) devoid of vegetation.			
Culverts	Corrosion; deterioration; siltation; blockage; clogging.	Any clogs or deterioration that affects structural integrity or flow.			
Flap Gates	Leakage; deterioration; malfunction.	Any leakage; any corrosion or deterioration that affects structural integrity; inoperability.			
Site Wide					
Abandoned Groundwater Monitoring Wells	Land subsidence	Land subsidence.			

* Acceptable or Unacceptable Inspecting Personnel:_____ Date of Inspection:_____

Weather:_____

Site:_____

Site Inspection Log - Engineering/Institutional Controls

Have there been any changes since the last inspection? If yes, note the changes.			
Former Structure 6 Excavation Area	**Yes**	**No**	
Cover System			
West Disposal Area			
Cover System			
Run-off Conveyance Channels			
Culverts			
Flap Gates			
Are the following in place and effective? If no, make note of conditions.			
Former Structure 6 Excavation Area	**Yes**	**No**	
Cover System			
West Disposal Area			
Cover System			
Run-off Conveyance Channels			
Culverts			
Flap Gates			
Has anything occured to the following engineering controls to impair their ability? If yes, make note of conditions.			
Former Structure 6 Excavation Area	**Yes**	**No**	
Cover System			
West Disposal Area			
Cover System			
Run-off Conveyance Channels			
Culverts			
Flap Gates			
Is there housing, vegetable gardening and/or groundwater use in the former Structure 6 excavation area or the West Disposal Area?			
Has any excavation activity occurred in the former Structure 6 excavation area and/or the West Disposal Area?			

Inspecting Personnel:_____ Date of Inspection:_____

Weather:_____