

Iroquois Gas/Westwood Pharmaceutical

Site No. 915141A, Operable Unit No.1
Plant Site Remediation by
Westwood-Squibb

Site No. 915141B, Operable Unit No.2
Scajaquada Creek Site Remediation by
National Fuel

Operable Unit No. 1:	Phase I - groundwater remediation Phase II - site capping and drainage improvements
Operable Unit No. 2:	Phase I - creek bank sheet pile wall Phase II - creek sediment remediation

CHRONOLOGY

1989	Site listed on New York State Inactive Hazardous Waste Site Registry as a Class "2" site.
November 13, 1989	Notice of liability letter sent by NYSDEC to Westwood
November 1989 to October 1990	Negotiations between NYSDEC and Westwood for Westwood to perform a Remedial Investigation/Feasibility Study ("RIFS") for site and adjacent Scajaquada Creek. Westwood develops plan but refuses to implement.
December 27, 1990	State of New York sues Westwood in Federal Court, Western District to perform RIFS and remediation.
February 1991	Westwood sues National Fuel via third party complaint.
June 17, 1991 Westwood	New York State moves for summary judgment against Westwood
March 24, 1992	Westwood enters into Partial Consent Decree with New York State to perform RIFS.

March 1992 to June 1993	RIFS field work performed.
August 12, 1993 as a defendant.	New York State amends complaint and adds National Fuel
September 10, 1993	National Fuel files answer to New York State complaint.
February 1994	RIFS Final Report approved by NYSDEC.
March 28, 1994	Record of Decision issued by NYSDEC.
April 1994 to June 1995	Negotiations among National Fuel, Westwood and NYSDEC for the development and approval of Statement of Work for each operable unit.
June 19, 1995	NYSDEC approved the Statement of Work for the Remedial Design/Remedial Action (RD/RA) for Scajaquada Creek (Operable Unit No. 2) to be performed by National Fuel.
June 28, 1995	NYSDEC approved the Statement of Work for the remedial design and construction (RD/RA) of the plant site. (Operable Unit No. 1) to be performed by Westwood.
July 7, 1995	US District Court issued the RD/RA Consent Decree for the Westwood plant site and NFG creek site. (Operable Unit Nos. 1 and 2 respectively).
October 12, 1995	Westwood submitted draft Pre-Design Investigation Report for the plant site. (Operable Unit No. 1)
November 28, 1995	RETEC (NFG consultant) requested six weeks extension in the completion of the RD - revised completion date August 29, 1996. (Operable Unit No. 2)
January 11, 1996	RETEC submitted Pre-Design Investigation Report. (Operable Unit No. 2)
February 15, 1996	Westwood submitted a Preliminary (30%) Design Report for the plant site. (Operable Unit No. 1)
March 20, 1996	RETEC submitted modifications to the Conceptual RD. (Operable Unit No. 2)
April 11, 1996	Due to the fundamental changes in the conceptual design

proposed by RETEC for creek remediation and the expected delay in resolving these issues, NYSDEC asked NFG to keep the design and installation of sheet pile wall on a fast track. (Phase I of Operable Unit No. 2). The sheet pile wall separates the plant site from the creek site and enabled Westwood to complete ground the water remediation project in the plant area (Operable Unit No. 1)

May 15, 1996 Westwood submitted the final Pre-Design Investigation Report for the plant site. (Operable Unit No. 1)

July 15, 1996 Westwood submitted the Pre-Final (90%) Design Report for the plant site. Westwood to implement the site remedy in two phases. Phase I will include ground water/NAPL extraction and treatment. Phase II will include site capping and construction of surface drainage facilities. (Phase I and Phase II of Operable Unit No. 1)

August 26, 1996 NYSDEC approved the final design of the sheet pile wall. (Phase I of Operable Unit No. 2)

October 23, 1996 RETEC submitted the revised Conceptual RD for remediation of Scajaquada Creek. (Phase II of Operable Unit No. 2)

November 8, 1996 NFG commences Installation of the sheet pile wall. (Phase I of Operable Unit No. 2)

December 20, 1996 Westwood submitted the Final RD/RA Design Report for groundwater remediation. (Phase I of Operable Unit No. 1)

December 15, 1996 NFG completes installation the sheet pile wall. (Phase I of Operable Unit No. 2)

December 27, 1996 NYSDEC rejected the Conceptual RD for Scajaquada Creek remediation as it did not meet the requirements of the Record of Decision. (Phase II of Operable Unit No. 2)

December 30, 1996 NYSDEC approved the Westwood Design Report for groundwater remediation. (Phase I of Operable Unit No. 1)

January 15, 1997 Letter from NFG attorney (Bob Glanville) to NYSDEC indicating NFG may invoke the Dispute Resolution Clause of the Consent Decree due to disagreement on conceptual design issues. The letter also stated a willingness to continue discussions with NYSDEC. (Phase II of Operable Unit No. 2)

February 24, 1997 Westwood commenced installation of groundwater system. (Phase I of Operable Unit No. 1)

June 6, 1997 Westwood submitted the Design Report for site capping. (Phase II of Operable Unit No. 1)

July 15, 1997 Westwood completed construction and commenced operation of the groundwater/ NAPL extraction and treatment system. (Phase I of Operable Unit No. 1)

August 1, 1997 NYSDEC approved the Westwood Design Report for site capping. (Phase II of Operable Unit No. 1)

August 12, 1997 Westwood commenced construction of plant site capping and drainage control. (Phase II of Operable Unit No. 1)

September 18, 1997 Westwood submitted the Engineer's Certification and As Built drawings of the ground water/NAPL system. (Phase I of Operable Unit No. 1)

October 7, 1997 Meeting with NFG, NYSDEC and RETEC to resolve the major disagreements on conceptual design for Scajaquada Creek remediation. (Phase II of Operable Unit No. 2)

October 13, 1997 Letter from NFG attorney to NYSDEC proposing further discussion between RETEC and NYSDEC engineers to resolve conceptual design issues. (Phase II of Operable Unit No. 2)

October 15, 1997 Design meeting between RETEC, NFG and NYSDEC to resolve conceptual design issues. (Phase II of Operable Unit No. 2)

November 18, 1997 RETEC submitted a draft Preliminary (30%) Design Report for Scajaquada Creek remediation. (Phase II of Operable Unit No. 2)

November 20, 1997 Design meeting between RETEC, NFG and NYSDEC to resolve conceptual design issues. (Phase II of Operable Unit No. 2)

December 24, 1997 NYSDEC letter to NFG and RETEC establishing final acceptable design concepts and necessary changes to the Preliminary (30%) Design Report. (Phase II of Operable Unit No. 2)

December 30, 1997 Westwood completed the plant site capping project and submitted the Engineer's certification and As Built drawings. (Phase II of Operable Unit No. 1)

February 4, 1998 Westwood submitted the Final Operation & Maintenance Manual for the Phase I and Phase II installations. (Operable Unit No. 1)

February 10, 1998 NYSDEC approved the Final Completion Report of the Westwood remedial project. (Phases I & II of Operable Unit No. 1)

March 9, 1998 RETEC submitted revised second draft of the Preliminary (30%) Design Report. (Phase II of Operable Unit No. 2)

March 13, 1998 RETEC letter to Wendel (City consultant) for coordination in the construction of the bicycle path and the Scajaquada Creek remediation project. (Phase II of Operable Unit No. 2)

March 30, 1998 RETEC submitted Pre-Final (90%) Design Report for Scajaquada Creek. (Phase II of Operable Unit No. 2)

April 1, 1998 NYSDEC review comments on the Pre-Final (90%) Design Report for Scajaquada creek sent to RETEC. (Phase II of Operable Unit No. 2)

April 28, 1998 NYSDEC re-classified the Westwood Plant site to "4"/site is in long-term operation and maintenance. (Phases I & II of Operable Unit No. 1)

April 30, 1998 Additional NYSDEC comments including F/W comments sent to RETEC on Pre-Final (90%) Design Report. (Phase II of Operable Unit No. 2)

May 15, 1998 Meeting with the City, Wendel, City contractor, RETEC and NYSDEC regarding the construction of bicycle path and the Scajaquada Creek remediation project.

May 18, 1998 RETEC response to the NYSDEC comments on Pre-Final (90%) Design Report. (Phase II of Operable Unit No. 2)

May 19, 1998 Letter from NFG attorney to the City attorney regarding bicycle path construction.

May 22, 1998 NYSDEC letter to RETEC on the RETEC response to NYSDEC comments.