# PAN AMERICAN TANNERY FULTON COUNTY, NEW YORK Interim Site Management Plan

NYSDEC Site Number: B00175

### **Prepared for:** CITY OF GLOVERSVILLE 3 FRONTAGE ROAD GLOVERSVILLE, NEW YORK 12078

### Prepared by: C.T. MALE ASSOCIATES ENGINEERING, SURVEYING, ARCHITECTURE & LANDSCAPE ARCHITECTURE, D.P.C 50 Century Hill Drive Latham, New York 12110

### **Revisions to Final Approved Site Management Plan:**

Revision #	Submitted Date	Summary of Revision	DEC Approval Date

### **DECEMBER 2014**

### CERTIFICATIONS

I, Jeffrey A. Marx, PE, certify that I am currently a NYS registered professional engineer as defined in 6 NYCRR Part 375 and that this Site Management Plan was prepared in accordance with applicable statutes and regulations and in substantial conformance with the DER Technical Guidance for Site Investigation and Remediation (DER-10).

12/29/2019



082100

NYS Professional Engineer #

Date

Signature

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# SITE MANAGEMENT PLAN

## 1.0 INTRODUCTION AND DESCRIPTION OF REMEDIAL PROGRAM

#### **1.1 INTRODUCTION**

This document is required as an element of the remedial program at Pan American Tannery (hereinafter referred to as the "Site") under the New York State (NYS) Environmental Restoration Program (ERP) administered by New York State Department of Environmental Conservation (NYSDEC). The Site was remediated in accordance with State Assistance Contract (SAC) #C302586, Site #B00175, which was executed on October 1, 2004 and last amended on September 28, 2012 (Amendment #3).

#### 1.1.1 General

The City of Gloversville entered into a SAC, with the NYSDEC to remediate a 4.8 acre property located at 312 – 316 West Fulton Street in City of Gloversville, New York. This SAC required the Remedial Party, City of Gloversville, to investigate and remediate contaminated media at the Site. A figure showing the Site location and boundaries of this 4.8-acre "Site" or "area subject to this plan" is provided in Figures 1 and 2, respectively. The boundaries of the Site are more fully described in the metes and bounds Site description that is part of the Environmental Easement. The Metes and Bounds Site description is also provided as Appendix A.

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

This SMP was prepared by C.T. Male Associates Engineering, Surveying, Architecture & Landscape Architecture, D.P.C., on behalf of the City of Gloversville, in accordance with the requirements in NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation, dated May 2010, and the guidelines provided by NYSDEC. This SMP addresses the means for implementing the Institutional Controls (ICs) and Engineering Controls (ECs) that are required by the Environmental Easement for the Site.

#### 1.1.2 Purpose

The Site contains contamination in soil and/or fill materials after completion of the remedial action. Engineering Controls have been incorporated into the Site remedy to control exposure to remaining contamination during the use of the Site to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Fulton County Clerk, will require compliance with this SMP and all ECs and ICs placed on the Site. The ICs place restrictions on Site use, and mandate operation, maintenance, monitoring and reporting measures for all ECs and ICs. This SMP specifies the methods necessary ensure compliance with all ECs and ICs required by the Environmental Easement for contamination that remains at the Site. This plan has been approved by the NYSDEC, and compliance with this plan is required by the grantor of the Environmental Easement and the grantor's successors and assigns. This SMP may only be revised with the approval of the NYSDEC.

This SMP provides a detailed description of all procedures required to manage remaining contamination at the Site after completion of the Remedial Action, including: (1) implementation and management of all Engineering and Institutional Controls; (2) operation and maintenance of the surface cover system; (4) and performance of periodic inspections, certification of results, and submittal of Periodic Review Reports. To address these needs, this SMP includes three plans: (1) an Engineering and Institutional Control Plan for implementation and management of EC/ICs; (2) a Monitoring Plan for implementation of Site Monitoring; (3) an Operation and Maintenance Plan for the surface cover system.

This plan also includes a description of Periodic Review Reports for the periodic submittal of data, information, recommendations, and certifications to NYSDEC.

It is important to note that:

- This SMP details the Site-specific implementation procedures that are required by the Environmental Easement. Failure to properly implement the SMP is a violation of the environmental easement, which is grounds for revocation of the Certificate of Completion (COC);
- Failure to comply with this SMP is also a violation of Environmental Conservation Law, 6NYCRR Part 375 and the SAC (Site #302586) for the Site, and thereby subject to applicable penalties.

#### 1.1.3 Revisions

Revisions to this plan will be proposed in writing to the NYSDEC's project manager. In accordance with the Environmental Easement for the Site, the NYSDEC will provide a notice of any approved changes to the SMP, and append these notices to the SMP that is retained in its files.

#### **1.2 SITE BACKGROUND**

#### **1.2.1** Site Location and Description

The Site is located in the City of Gloversville, County of Fulton, New York and is identified as Block 2 and Lot 17.5 on the City of Gloversville Tax Map 148.008. The Site is an approximately 4.8-acre area bounded by open marsh land formerly known as West Pond to the north, West Fulton Street and residential parcels to the south, commercial use and vacant land to the east, and residential parcels to the west (see Figure

2). The boundaries of the Site are more fully described in Appendix A – Metes and Bounds.

#### 1.2.2 Site History

Historically, the Site was comprised of six buildings of various size used for tanning operations that were abandoned by the previous property owner (Otto Geisler Company then Gloversville Leather Corporation). The City of Gloversville took ownership of the property as a result of unpaid taxes. The tannery facility operated from at least 1912 until the mid-1990's as primarily a re-tanning and finishing facility.

Upon taking title of the property, the City of Gloversville investigated and remediated the Site under the New York State Environmental Restoration Program (ERP). No other subsurface investigative or remedial activities are reported to be performed at the Pan American Tannery Site outside the ERP.

#### 1.2.3 Geologic Conditions

The surface geology of the Site is mapped as Kame and Kame Moriane. The Site soils generally composed of granular fill materials overlying native soils comprised of brown fine sand and silt, brown sand and gravel, and brown to fine coarse sand. Depth to bedrock was not identified within the remedial investigation of the Site. The depth of groundwater at the Site ranges from approximately 1 to 9 feet below the Site's ground surface, and generally flows north toward Mill Creek.

#### **1.3 SUMMARY OF REMEDIAL INVESTIGATION FINDINGS**

A Remedial Investigation (RI) was performed to characterize the nature and extent of contamination at the Site. The results of the RI are described in detail in the following reports:

 Remedial Investigation Report, Pan American Tannery, prepared by C.T. Male Associates, November 2011. Generally, the RI determined that arsenic, copper, benzene and a few semivolatile organic compounds were the contaminants of concern within the Site's soil and groundwater. Metals contamination (arsenic, chromium, copper, mercury and zinc) was also identified in sediment off-Site on the lands north of the Site (Mill Creek). PCBs and pesticides were tested for but not detected above SCGs in soil, sediment or groundwater.

Below is a summary of Site conditions when the RI was performed in 2008:

#### 1.3.1 Soil

Surface soil samples were collected both on-site and off-site during the RI and subsurface samples were collected on Site. Surface soil samples were collected from a depth of 0 to 2 inches to assess direct human exposure. Subsurface soil samples were collected from various depth intervals between 2 to 11 feet to assess soil contamination impacts. RI findings documented the presence of inorganic and SVOC surface soil contamination on Site, inorganic subsurface soil contamination above SCGs on Site, and inorganic surface soil contamination above SCGs off-site. Figure 2 presents the nature and extent of surface and subsurface soil contamination on-site.

The main contaminants of concern on-site include inorganic contamination, specifically arsenic and copper. Arsenic was detected in three (3) surface soil samples as high as 252 milligrams per kilogram (mg/kg) or parts per million (ppm) and in eight (8) subsurface soil samples as high as 750 ppm. Copper was detected in one (1) surface sample at 1,040 ppm, and another subsurface sample at 788 ppm. Elevated SVOC contamination was detected in one surface soil sample. The results for that sample included benzo(a)anthracene 25 benzo(a)pyrene 19 at ppm, at ppm, benzo(b)fluoroanthene at 26 ppm, dibenz(a,h)anthracene at 3 ppm, and indeno(1,2,3)cd)pyrene at 10 ppm.

Table 1.3.1-1 below presents a summary of the on Site surface soil analytical data that exceed the Unrestricted Soil Cleanup Objective (SCO) values found in Part 375-6.8 (a) along with a comparison of the analytical data to the Restricted Commercial SCOs found in Part 375-6.8 (b) for each individual contaminant. Table 1.3.1-2 presents a summary of the on Site subsurface soil analytical data that exceed the Unrestricted SCOs found in Part 375-6.8 (a) along with a comparison of the analytical data to the Restricted Commercial SCOs found in Part 375-6.8 (b) for each individual contaminant.

Table 1.3.1-1 – Surface Soil Analytical Summary					
Detected	Concentration	Unrestricted	Frequency	Restricted	Frequency
Constituents	Range	SCG <sup>b</sup>	Exceeding	Commercial	Exceeding
	Detected	(ppm)	Unrestricted	Use SCG <sup>c</sup>	Commercial
	(ppm) <sup>a</sup>		SCG	(ppm)	Use SCG
SVOCs					
Benzo(a)	25	1	1 of 11	5.6	1 of 11
anthracene					
Benzo(a)	19	1	1 of 11	1	1 of 11
pyrene					
Benzo(b)	26	1	1 of 11	5.6	1 of 11
fluoroanthene					
Dibenz(a,h)	3	0.33	1 of 11	0.56	1 of 11
anthracene					
Indeno(1,2,3-	10	0.5	1 of 11	5.6	1 of 11
cd) pyrene					
Inorganics					
Arsenic	17.5 to 252	13	3 of 11	16	3 of 11
Copper	1,040	50	1 of 11	270	1 of 11

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

c - SCG: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Public Health for Commercial Use, unless otherwise noted.

Table 1.3.1-2 – Subsurface Soil Analytical Summary						
Detected Concentration Unrestricted Frequency Restricted Frequency						
Constituents	Range	SCG <sup>b</sup>	Exceeding	Commercial	Exceeding	
	Detected	(ppm)	Unrestricted	Use SCG <sup>c</sup>	Commercial	
	(ppm) <sup>a</sup>		SCG	(ppm)	Use SCG	
Inorganics						
Arsenic	22.8 to 750	13	8 of 22	16	8 of 11	
Copper	1,040	50	1 of 13	270	1 of 13	

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

c - SCG: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Public Health for Commercial Use, unless otherwise noted.

#### 1.3.2 Site-Related Groundwater

Table 1.3.2-1 presents a summary of the on Site analytical data for groundwater. Groundwater samples were collected from overburden monitoring wells to assess groundwater conditions on-Site. The results indicate low level VOC contamination and inorganic contamination above SCGs in the Site's groundwater. In terms of VOC contamination, benzene was detected in two (2) of nine (9) samples and isopropylbenzene was detected in one (1) of nine (9) samples, above its SCG. Several inorganic compounds were detected in the groundwater, including arsenic, aluminum, antimony, chromium, iron and manganese. Aluminum, antimony, iron and manganese are all naturally occurring and therefore not considered to be indicative of Site contamination. The single chromium groundwater exceedance is considered an anomaly as chromium was not detected above SCGs in on Site surface or subsurface soils. Arsenic was detected in two (2) of none (9) groundwater samples above its SCG of 25 ppm, at 37.8 and 352 ppm. The two arsenic detections above SCGs, although not indicative of a Site wide contamination, identifies arsenic as a contaminant of concern. Figure 3 presents the nature and extent of the groundwater contamination on the Site.

Table 1.3.2-1 – Groundwater Analytical Summary					
Detected Constituents	Concentration Range Detected	SCG <sup>b</sup>	Frequency		
	(ppb) <sup>a</sup>	(ppb)	Exceeding SCG		
VOCs					
Benzene	1.4 to 1.8	1	2 of 9		
Isopropylbenzene	8.8	5	1 of 9		
Inorganics					
Aluminum	163 to 7,720	100	6 of 9		
Antimony	14.8	3	1 of 9		
Arsenic	37.8 to 352	25	2 of 9		
Chromium	298	50	1 of 9		
Iron	560 to 55,900	300	8 of 9		
Manganese	353 to 1,210	300	7 of 9		

a - ppb: parts per billion, which is equivalent to micrograms per liter, ug/L, in water;

b - SCG: Standard Criteria or Guidance - Ambient Water Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).

#### 1.3.3 Site-Related Soil Vapor Intrusion

A soil vapor intrusion survey was not conducted on the Site during the RI.

#### 1.3.4 Underground Storage Tanks

One (1) underground storage tank was identified on the Site during the RI. The tank was located along the western boundary of the paved entrance off of West Fulton Street, just north of the former water storage tank building. The tank was 500 gallons in capacity and was believed to formerly contain gasoline. In 2007, this tank was permanently closed by removal as part of the interim remedial measures completed at the Site. End point closure soil samples collected as part of the tank closure activities meet applicable SCGs but nuisance petroleum odors remaining in subsurface soil where the tank had existed.

#### **1.4 SUMMARY OF REMEDIAL ACTIONS TO BE PERFORMED**

The Site shall be remediated in accordance with the NYSDEC-approved Remedial Design Work Plan dated February 2014.

The following is a summary of the Remedial Actions to be performed at the Site:

- Construction and maintenance of a cover system consisting of asphalt, concrete, or vegetated soil to prevent human exposure to remaining contaminated soil/fill remaining at the Site;
- 2. Execution and recording of an Environmental Easement to restrict land use and prevent future exposure to any contamination remaining at the Site.
- 3. Development and implementation of a Site Management Plan for long term management of remaining contamination as required by the Environmental Easement, which includes plans for: (1) Institutional and Engineering Controls, (2) monitoring, (3) operation and maintenance and (4) reporting;

Remedial activities will be completed by the City of Gloversville when remediation grant money is made available from NYSDEC.

#### 1.4.1 Removal of Contaminated Materials from the Site

Numerous containers and types of waste materials (hazardous and non-hazardous) were removed during the Interim Remedial Measures completed at the site. Brief descriptions of the wastes removed are as follows:

<u>Tank Liquids:</u> A total of 4,664 gallons of No. 6 fuel oil were removed and transported to United Oil Recovery for disposal.

<u>Steel:</u> Empty steel 55-gallon drums and the cleaned, decommissioned 500-gallon steel storage tank were removed and transported to T.A. Predel & Co. Inc. for recycling.

<u>Non-hazardous Waste:</u> Wastes including oily sludge, oily debris, methyl isomyl ketone, and dry powder fire extinguishers were removed and transported to Cycle Chem, Inc. or Wheelabrator Hudson Falls, LLC for disposal. One roll-off container of empty plastic and cardboard drums was removed and transported to Fulton County Landfill for disposal as construction and demolition material. Fluorescent light tubes and fluorescent light-related ballasts were removed and transported to Veolia Environmental Services Technical Solutions for disposal.

<u>Hazardous Waste:</u> Wastes including aerosols, mineral spirits, petroleum distillates, methyl ethyl ketone, hypochlorite solution, sodium hydroxide and aluminum chloride solution were removed and transported to Cycle Chem, Inc. for disposal. Electrical transformers containing PCBs were removed and transported to Transformer Service, Inc. for disposal. Spent acid batteries were removed and transported to Veolia Environmental Services Technical Solutions for disposal.

#### 1.4.2 Site-Related Treatment Systems

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

#### 1.4.3 Remaining Contamination

The remaining contamination at the Site is similar to what was identified by the RI and described in Section 1.3 of this SMP. The only deviation from this would be during Site grading for future implementation of the remedial action, whereby some Site soils may be excavated/graded and relocated to achieve more suitable final grades after

installation of surface cover system. This would likely occur in the area north and west of the paved parking in the northwest quadrant of the Site where those soils would be cut twelve inches and relocated to the central low lying areas of the Site where the main tannery formerly existed. These soils were placed to help reduce the steep incline between the upper and lower tiers of the Site. Regardless of final deposition, all fill soils and native soils beneath the cover system (when installed) are to be considered contaminated unless sampling is performed to document otherwise. When remediated, a demarcation layer will be installed between the cover system and existing Site fill and/or native soils to show the start of the remaining contamination. The fabric demarcation layer will be generally present 12 inches below grade in select areas of the Site. A demarcation is not and will not be located beneath the asphalt pavement or in areas where contamination was not detected during the RI. Refer to the Excavation Work Plan (Appendix B) requirements for guidance for disturbance and handling of remaining contamination.

Utilizing data collected as part of the RI, Figure 4 was prepared to show locations of remaining contamination, demarcation fabric and various surface cover types. In addition, there were two areas of the Site where organic vapors were detected above background although testing of the soil meets applicable SCGs. Excavation of soils in these areas may exhibit nuisance characteristics temporarily and require more precautions when removing and replacing under the soil cover in accordance with this SMP.

# 2.0 ENGINEERING AND INSTITUTIONAL CONTROL PLAN

#### 2.1 INTRODUCTION

#### 2.1.1 General

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

#### 2.1.2 Purpose

This plan provides:

- A description of all EC/ICs on the Site;
- The basic implementation and intended role of each EC/IC;
- A description of the key components of the ICs set forth in the Environmental Easement;
- A description of the features to be evaluated during each required inspection and periodic review;
- A description of plans and procedures to be followed for implementation of EC/ICs, such as the implementation of the Excavation Work Plan for the proper handling of remaining contamination that may be disturbed during maintenance or redevelopment work on the Site; and
- Any other provisions necessary to identify or establish methods for implementing the EC/ICs required by the Site remedy, as determined by the NYSDEC.

#### 2.2 ENGINEERING CONTROLS

#### 2.2.1 Engineering Control Systems

#### 2.2.1.1 Soil Cover

Exposure to remaining contamination in soil/fill at the Site is prevented by a soil cover system placed over the Site. This cover system is comprised of a minimum of 12 inches of clean soil. Existing site covers, including the paved access roads on-site and existing building foundations will be maintained similar to the soil cover. New asphalt pavement, concrete-covered sidewalks, and concrete building slabs will also suffice as a acceptable soil cover. The Excavation Work Plan that appears in Appendix B outlines the procedures required to be implemented in the event the cover system is breached, penetrated or temporarily removed, and any underlying remaining contamination is disturbed. Procedures for the inspection and maintenance of this cover are provided in the Monitoring Plan included in Section 4 of this SMP.

#### 2.2.2 Criteria for Completion of Remediation/Termination of Remedial Systems

Generally, remedial processes are considered completed when effectiveness monitoring indicates that the remedy has achieved the remedial action objectives identified by the decision document. The framework for determining when remedial processes are complete is provided in Section 6.6 of NYSDEC DER-10.

#### 2.2.2.1 Composite Cover System

The composite cover system is a permanent control and the quality and integrity of this system will be inspected at defined, regular intervals in perpetuity.

#### 2.3 INSTITUTIONAL CONTROLS

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

- Compliance with the Environmental Easement and this SMP by the Grantor and the Grantor's successors and assigns;
- Engineering Controls must be operated and maintained as specified in this SMP;
- Engineering Controls on the Controlled Property must be inspected at a frequency and in a manner defined in the SMP.
- Data and information pertinent to Site Management of the Site must be reported at the frequency and in a manner defined in this SMP;

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

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

- The property may only be used for Restricted Commercial and Industrial use provided that the long-term Engineering and Institutional Controls included in this SMP are employed.
- The property may not be used for a higher level of use, such as Unrestricted or Restricted Residential use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;
- Future activities on the property that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- The use of the groundwater underlying the property as a source of potable or process water is prohibited without treatment rendering it safe for intended use;

- The potential for vapor intrusion must be evaluated for any buildings developed in the area noted on Figure 2, and any potential impacts that are identified must be monitored or mitigated;
- Vegetable gardens and farming on the property are prohibited; and
- The Site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Site are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Site at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

#### 2.3.1 Excavation Work Plan

The Site will be remediated for restricted Commercial and Industrial use. Any future intrusive work that will penetrate the soil cover or cap, or encounter or disturb the remaining contamination, including any modifications or repairs to the existing cover system will be performed in compliance with the Excavation Work Plan (EWP) that is attached as Appendix B to this SMP. Any work conducted pursuant to the EWP must also be conducted in accordance with the procedures defined in a Health and Safety Plan (HASP) and Community Air Monitoring Plan (CAMP) prepared for the Site. Prior to the commencement of any intrusive work, the contractor shall prepare for DEC approval, a HASP and CAMP that is in current compliance with DER-10, and 29 CFR 1910, 29 CFR 1926, and all other applicable Federal, State and local regulations. The HASP and CAMP will be submitted with the notification provided in Section B-1 of the EWP. Any intrusive construction work will be performed in compliance with the EWP, HASP and CAMP, and will be included in the periodic inspection and certification reports submitted under the Site Management Reporting Plan (See Section 5).

The Site owner and associated parties preparing the remedial documents submitted to the State, and parties performing this work, are completely responsible for the safe performance of all intrusive work, the structural integrity of excavations, proper disposal of excavation de-water, control of runoff from open excavations into remaining contamination, and for structures that may be affected by excavations (such as building foundations and bridge footings). The Site owner will ensure that Site development activities will not interfere with, or otherwise impair or compromise, the engineering controls described in this SMP.

#### 2.3.2 Soil Vapor Intrusion Evaluation

Prior to the construction of any enclosed structures located over areas that contain remaining contamination and the potential for soil vapor intrusion (SVI) has been identified (see Figure 2), an SVI evaluation will be performed to determine whether any mitigation measures are necessary to eliminate potential exposure to vapors in the proposed structure. Alternatively, an SVI mitigation system may be installed as an element of the building foundation without first conducting an investigation. This mitigation system will include a vapor barrier and passive sub-slab depressurization system that is capable of being converted to an active system.

Prior to conducting an SVI investigation or installing a mitigation system, a work plan will be developed and submitted to the NYSDEC and NYSDOH for approval. This work plan will be developed in accordance with the most recent NYSDOH "Guidance for Evaluating Vapor Intrusion in the State of New York". Measures to be employed to mitigate potential vapor intrusion will be evaluated, selected, designed, installed, and maintained based on the SVI evaluation, the NYSDOH guidance, and construction details of the proposed structure.

Preliminary (unvalidated) SVI sampling data will be forwarded to the NYSDEC and NYSDOH for initial review and interpretation. Upon validation, the final data will be transmitted to the agencies, along with a recommendation for follow-up action, such as mitigation. SVI sampling results, evaluations, and follow-up actions will also be summarized in the next Periodic Review Report.

#### 2.4 INSPECTIONS AND NOTIFICATIONS

#### 2.4.1 Inspections

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

- Engineering Controls continue to perform as designed;
- Engineering Controls continue to be protective of human health and the environment;
- Compliance with requirements of this SMP and the Environmental Easement; and
- Site records are complete and up to date.

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

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

#### 2.4.2 Notifications

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

- 60-day advance notice of any proposed changes in Site use that are required under the terms of the State Assistance Contract, 6 NYCRR Part 375, and/or Environmental Conservation Law.
- 7-day advance notice of any proposed ground-intrusive activities pursuant to the Excavation Work Plan.
- Notice within 48-hours of any damage or defect to the foundation, structures or engineering control that reduces or has the potential to reduce the effectiveness of an Engineering Control and likewise any action to be taken to mitigate the damage or defect.
- Verbal notice by noon of the following day of any emergency, such as a fire, flood, or earthquake that reduces or has the potential to reduce the effectiveness of Engineering Controls in place at the Site, with written confirmation within seven (7) days that includes a summary of actions taken, or to be taken, and the potential 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 and shall describe and document actions taken to restore the effectiveness of the ECs.

Any change in the ownership of the Site or the responsibility for implementing this SMP will include the following notifications:

- At least 60 days prior to the change, the NYSDEC will be notified in writing of the proposed change. This will include a certification that the prospective purchaser has been provided with a copy of the State Assistance Contract, and NYSDEC work plans and reports, including this SMP
- Within 15 days after the transfer of all or part of the Site, the new owner's name, contact representative, and contact information will be confirmed in writing.

#### 2.5 CONTINGENCY PLAN

Emergencies may include injury to personnel, fire or explosion, environmental release, or serious weather conditions.

Above grade drums and known underground storage tanks have been remediated during the IRMs completed for the site. Buried drums and additional underground storage tanks are not expected to be present. If drums or tanks are found during ground intrusive work, excavation activities must cease and the Site owner and/or remedial party must notify NYSDEC prior to continuing. The drums and tanks shall be handled, removed and cleaned by appropriately trained personnel in accordance with all applicable federal, state and local regulations. Soils surrounding the tanks and drums shall be assessed for impacts in accordance with applicable NYSDEC guidance and regulation documents (i.e., Petroleum Bulk Storage, 6 NYCRR Part 375, CP-51, etc.).

#### 2.5.1 Emergency Telephone Numbers

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

Medical, Fire, and Police:	911
Dig Safely New York One Call Center:	811 (At least 2 days notice prior to excavation, but no more than 10 days notice)
Poison Control Center:	(800) 222-1222

 Table 2.5.1-1: Emergency Contact Numbers

National Response Center (for reporting oil, chemical, radiological, biological and etiological discharges into the environment anywhere in the United States):	(800) 424-8802
NYSDEC Spills Hotline (report petroleum spill incident within two hours of discovery):	(800) 457-7362

#### Table 2.5.1-2: Contact Numbers

Name and Affiliation	Contact Information
Property Owner City of Gloversville Kevin Jones – DPW Director	(518) 773-4557 dwpdir@cityofgloversville.com
NYSDEC Alicia Purzycki	(518) 623-1200 alicia.purzycki@dec.ny.gov
Qualified Environmental Professional C.T. Male Associates Jeffrey A. Marx, PE	(518) 786-7400 j.marx@ctmale.com

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

2.5.2	Map and	Directions	to Nearest	Health	Facility
	map and	Directions	to rearest	incartin	1 acting

Site Lo	ocation:	Pan American Tannery 312 West Fulton Street Gloversville, New York	
Neares	t Hospital Name:	Nathan Littauer Hospital	
Hospital Location:		99 East State Street	
Hospital Telephone:		(518) 725-8621	
Directi	ons to the Hospital:		
1.	Left out of Site onto V	West Fulton Street	
2.	2. Go 0.2 mile & take first Right onto SI		
3.	Go 0.9 miles & take I	Left onto North Main Stree	
	G 1 0 11 0 1 T		

- et
- Go 1.3 miles & take Right onto East State Street 4.
- 5. 0.7 miles to the Hospital on the Left
- Total Distance: ~ 3.1 Miles
- Total Estimated Time: ~ 9 Minutes

See Next Page for Map Showing Route from the Site to the Hospital:



#### 2.5.3 Response Procedures

As appropriate, the fire department and other emergency response group will be notified immediately by telephone of the emergency. The emergency telephone number list is found at the beginning of this Contingency Plan (Table 2.5.1-1). If the site becomes occupied, the list will also get posted prominently at the Site and made readily available to site personnel at all times.

Petroleum spills must be reported to NYSDEC unless they meet <u>all</u> of the following criteria:

- The spill quantity is known to be less than 5 gallons; and
- The spill is contained and under the control of the spiller; and
- The spill has not and will not reach the State's water or any land; and
- The spill is cleaned up within 2 hours of discovery.

A spill is considered to have not impacted land if it occurs on a paved surface such as asphalt or concrete. A spill in a dirt or gravel parking lot is considered to have impacted land and is reportable.

### **3.0 SITE MONITORING PLAN**

#### 3.1 INTRODUCTION

#### 3.1.1 General

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

#### 3.1.2 Purpose and Schedule

This Monitoring Plan describes the methods to be used for:

- Evaluating Site information periodically to confirm that the remedy continues to be effective in protecting public health and the environment; and
- Preparing the necessary reports for the various monitoring activities.

To address these issues, this Monitoring Plan provides information on:

- Reporting requirements; and
- Annual inspection and periodic certification.

Annual monitoring of the performance of the remedy will be conducted for the first four (4) years. The frequency thereafter will be determined by NYSDEC.

#### **3.2 COVER SYSTEM MONITORING**

The cover system monitoring will consist of Site visit, traversing the entire Site and observing for a visual breakdown of the vegetative soil cover or asphalt/concrete paved surface resulting from erosion by natural elements such as wind and water. Conditions such as stressed vegetation, animal burrows, pavement cracking/heaving/patching, and exposure of demarcation fabric would be the focus of the Site visit. Surface drainage features and steep slopes should also be viewed for erosion or other manmade alterations (utility repair and installation) causing surface condition compromise.

Photographs documenting the conditions at composite cover system are required for reporting. The cover system monitoring will be performed by a Qualified Environmental Professional approved by NYSDEC. The cover system types within the Site are identified in Figure 4. A complete list of components to be observed is provided in the Site-Wide Inspection Form, presented in Appendix C.

#### 3.3 SITE-WIDE INSPECTION

Site-wide inspections will be performed on a regular schedule at a minimum of once a year for the first four (4) years and then at a lesser frequency approved by NYSDEC. Site-wide inspections will also be performed after all severe weather conditions that may affect Engineering Controls or monitoring devices. During these inspections, an inspection form will be completed (Appendix C). The form will compile sufficient information to assess the following:

- Compliance with all ICs, including Site usage;
- An evaluation of the condition and continued effectiveness of ECs;
- General Site conditions at the time of the inspection;
- The Site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection; and
- Confirm that Site records are up to date.

#### **3.4 MONITORING REPORTING REQUIREMENTS**

Forms and any other information generated during regular monitoring events and inspections will be kept on file on-Site. All forms, and other relevant reporting formats used during the monitoring/inspection events, will be (1) subject to approval by NYSDEC and (2) submitted at the time of the Periodic Review Report, as specified in the Reporting Plan of this SMP.

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

- Date of event;
- Personnel conducting sampling;
- Description of the activities performed; and
- Any observations, conclusions, or recommendations.

Data will be reported in hard copy or digital format as determined by NYSDEC.

### 4.0 OPERATION AND MAINTENANCE PLAN

#### 4.1 INTRODUCTION

The Site remedy does not rely on any mechanical systems, such as sub-slab depressurization systems or air sparge/soil vapor extraction systems to protect public health and the environment. Therefore, the operation and maintenance of such components is not included in this SMP.

### 5.0 INSPECTIONS, REPORTING AND CERTIFICATIONS

#### 5.1 SITE INSPECTIONS

#### 5.1.1 Inspection Frequency

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

#### 5.1.2 Inspection Forms, Sampling Data, and Maintenance Reports

All inspections and monitoring events will be recorded on the appropriate forms for their respective system which are contained in Appendices C. Additionally, a general Site-wide inspection form will be completed during the Site-wide inspection (see Appendix C for blank forms. These forms are subject to NYSDEC revision.

Applicable inspection forms and other records generated for the Site during the reporting period will be provided in electronic format in the Periodic Review Report.

#### 5.1.3 Evaluation of Records and Reporting

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

- EC/ICs are in place, are performing properly, and remain effective;
- The Monitoring Plan is being implemented;
- Operation and maintenance activities are being conducted properly; and, based on the above items,
- The Site remedy continues to be protective of public health and the environment and is performing as designed in the RAWP and FER.

# 5.2 CERTIFICATION OF ENGINEERING AND INSTITUTIONAL CONTROLS

After the last inspection of the reporting period, a qualified environmental professional or Professional Engineer licensed to practice in New York State as defined in NYSDEC DER-10 will prepare the following certification:

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

- The inspection of the Site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this Site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any Site management plan for this control;
- Access to the Site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control;
- Use of the Site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the Site remedial program and generally accepted engineering practices; and
- The information presented in this report is accurate and complete.
- I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, [name], of

[business address], am certifying as [Owner or Owner's Designated Site Representative] for the Site.

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

#### 5.3 PERIODIC REVIEW REPORT

A Periodic Review Report will be submitted to the Department every fifth year, beginning fifteen months after the Certificate of Completion is issued. In the event that the Site is subdivided into separate parcels with different ownership, a single Periodic Review Report will be prepared that addresses the Site described in Appendix A (Metes and Bounds). The report will be prepared in accordance with NYSDEC DER-10 and submitted within 30 days of the end of each certification period. Media sampling results will also incorporated into the Periodic Review Report. The report will include:

- Identification, assessment and certification of all ECs/ICs required by the remedy for the Site;
- Results of the required annual Site inspections and severe condition inspections, if applicable;
- All applicable inspection forms and other records generated for the Site during the reporting period in electronic format;
- A Site evaluation, which includes the following:
  - The compliance of the remedy with the requirements of the Site-specific RAWP, ROD or Decision Document;
  - The operation and the effectiveness of all treatment units, etc., including identification of any needed repairs or modifications;
  - Any new conclusions or observations regarding Site contamination based on inspections or data generated by the Monitoring Plan for the media being monitored;
  - Recommendations regarding any necessary changes to the remedy and/or Monitoring Plan; and

• The overall performance and effectiveness of the remedy.

The Periodic Review Report will be submitted, in hard-copy format, to the NYSDEC Central Office and Regional Office in which the Site is located, and in electronic format to NYSDEC Central Office, Regional Office and the NYSDOH Bureau of Environmental Exposure Investigation.

#### 5.4 CORRECTIVE MEASURES PLAN

If any component of the remedy is found to have failed, or if the periodic certification cannot be provided due to the failure of an institutional or engineering control, a corrective measures plan will be submitted to the NYSDEC for approval. This plan will explain the failure and provide the details and schedule for performing work necessary to correct the failure. Unless an emergency condition exists, no work will be performed pursuant to the corrective measures plan until it is approved by the NYSDEC.



XREFS: NONE



XREFS: NONE



XREFS: NONE





APPENDIX A – Metes and Bounds

#### DESCRIPTION LANDS NOW OR FORMERLY OF PAN AMERICAN TANNING CORPORATION 312 WEST FULTON STREET CITY OF GLOVERSVILLE, COUNTY OF FULTON, STATE OF NEW YORK

All that certain tract, piece or parcel of land situate in the City of Gloversville, County of Fulton, State of New York, lying Northwesterly of West Fulton Street, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the division line between the lands now or formerly of Pan American Tanning Corporation as described in Book 538 of Deeds at Page 813 on the North and lands now or formerly of Clayton A. Coon and Janet A. Coon as described in Book 740 of Deeds at Page 37 on the South with the Northwesterly street boundary of West Fulton Street as established as a three rod right-of-way (49.5 feet); thence from said point of beginning along said division line North 67 deg. 40 min. 40 sec. West 166 .56 feet to its point of intersection with the division line between the lands of said Pan American Tanning Corporation on the Northwest and lands of said Coon on the Southeast; thence along said division line South 43 deg. 34 min. 38 sec. West 8.00 feet to its point of intersection with the division line between the lands of said Pan American Tanning Corporation on the Northeast and lands now or formerly of William J. Morse as described in Book 969 of Deeds at Page 138 on the Southwest; thence along said division line North 46 deg. 25 min. 22 sec. West 13.82 feet to its point of intersection with the division line between the lands of said Pan American Tanning Corporation on the Northwest and lands of said Morse on the Southeast; thence along said division line the following two (2) courses: 1) South 60 deg. 47 min. 17 sec. West 50.00 feet to a point; and 2) South 56 deg. 51 min. 15 sec. West 61.30 feet to its point of

DESCRIPTION L/N/F OF PAN AMERICAN TANNING CORP. PAGE - 2

intersection with the division line between the lands of said Pan American Tanning Corporation on the Southwest and lands of said Morse on the Northeast; thence along said division line South 44 deg. 56 min. 56 sec. East 68.50 feet to its point of intersection with the division line between the lands of said Pan American Tanning Corporation on the Northwest and lands now or formerly of Jay L. Hadcock and Rebecca L. Hadcock as described in Book 784 of Deeds at Page 187 on the Southeast; thence along said division line South 41 deg. 16 min. 23 sec. West 66.00 feet to it point of intersection with the division line between the lands of said Pan American Tanning Corporation on the Southwest and lands of said Hadcock on the Northeast; thence along said division line South 44 deg. 56 min. 56 sec. East 50.51 feet to its point of intersection with the common division line between lands of said Pan American Tanning Corporation on the Northwest and lands now or formerly of Ronald Anderson and Susan Anderson as described in Book 659 of Deeds at Page 203 and lands now or formerly of Robert F. Cole and Jeanie A. Cole as described in Book 937 of Deeds at Page 308 on the Southeast; thence along said common division line the following two (2) courses: 1) South 47 deg. 04 min. 25 sec. West 49.32 feet to a point; and 2) South 52 deg. 46 min. 17 sec. West 49.00 feet its point of intersection with the division between the lands of said Pan American Tanning Corporation on the Northeast and the lands now or formerly of Edward D. Fox and Jacqueline E. Fox as described in Book 757 of Deeds at Page 309 on the Southwest; thence along said division line North 44 deg. 34 min. 54 sec. West 64.65 feet to its point of intersection with the division line between the lands of said Pan American Tanning

DESCRIPTION L/N/F OF PAN AMERICAN TANNING CORP. PAGE - 3

Corporation on the Northwest and lands of said Fox on the Southeast; thence along said division line South 55 deg. 04 min. 51 sec. West 53.75 feet to its point of intersection with the division line between the lands of said Pan American Tanning Corporation on the Northeast and lands now or formerly of Michael A. Rose and Suzanne E. Rose as described in Book 648 of Deeds at Page 124 on the Southwest; thence along said division line North 32 deg. 38 min. 19 sec. West 21.66 feet to its point of intersection with the division line between the lands of said Pan American Tanning Corporation on the Northwest and lands now or formerly of said Rose on the Southeast; thence along said division line South 63 deg. 38 min. 12 sec. West 62.52 feet to its point of intersection of the division line between the lands now or formerly of said Pan American Tanning Corporation on the Northeast and lands now or formerly of Arlene R. Smith as described in Book 704 of Deeds at Page 84 on the Southwest; thence along said division line North 30 deg. 53 min. 33 sec. West 246.38 feet to its point of intersection with the division line between the lands of said Pan American Tanning Corporation on the East and lands now or formerly of Rovel Aqua, Inc. on the West, said point also being the top of bank of the West Mill Pond; thence along said division line and said top of bank North 13 deg. 26 min. 05 sec. East 59.03 feet to its point of intersection with the division line between the lands of said Pan American Tanning Corporation on the Southeast and South and lands now or formerly of said Rovel Aqua, Inc. on the Northwest and North; thence along division line and said top of bank of the West Mill Pond the following fifteen (15) courses: 1) North 49 deg. 01 min. 12 sec. East 20.86 feet to a point; 2) North

DESCRIPTION L/N/F OF PAN AMERICAN TANNING CORP. PAGE - 4

63 deg. 55 min. 34 sec. East 76.07 feet to a point; 3) South 88 deg. 49 min. 00 sec. East 80.79 feet to a point; 4) North 65 deg. 26 min. 19 sec. East 134.56 feet to a point; 5) North 62 deg.03 min. 25 sec. East 90.95 feet to a point; 6) North 79 deg. 41 min. 09 sec. East 112.50 feet to a point; 7) North 65 deg. 49 min. 46 sec. East 23.79 feet to a point; 8) North 81 deg. 42 min. 42 sec East 28.25 feet to a point; 9) North 66 deg. 13 min. 02 sec. East 89.22 feet to a point; 10) North 74 deg. 34 min. 42 sec. East 43.93 feet to a point; 11) North 65 deg. 55 min. 05 sec East 16.07 feet to a point; 12) North 75 deg. 47 min. 31 sec. East 22.96 feet to a point; 13) North 62 deg. 02 min. 21 sec. East 68.33 feet to a point; 14) North 31 deg. 52 min. 00 sec. East 17.82 feet to a point; and 15) North 09 deg. 10 min. 37 sec. East 15± feet to a point; thence in a generally Easterly direction along the division line between the lands of said Pan American Tanning Corporation on the South and along the lands now or formerly of Van Tent Pole Company as described in Book 926 of Deeds at Page 99 on the North (said division line should be established by a boundary line agreement) to a point on the Northerly street boundary of said West Fulton Street, tie course for the above being North 85 deg. 41 min. 19 sec. East 377± feet; thence along said Northerly street boundary South 83 deg. 52 min. 36 sec. West 53± feet to a point of curvature on the Northwesterly street boundary of said West Fulton Street; thence along said Northwesterly street boundary the following two (2) courses: 1) Southwesterly along a curve to the left of radius 500.00 feet, an arc length of 396.47 feet and a chord bearing of South 61 deg. 09 min. 39 sec. West 386.16 feet to a point of

DESCRIPTION L/N/F OF PAN AMERICAN TANNING CORP. PAGE - 5

tangency; and 2) South 38 deg. 26 min. 41 sec. West 284.32 feet to the point or place of

beginning.

Subject to any easements, restrictions or covenants of record.

C.T. MALE ASSOCIATES, P.C. James F. Cook, PLS Æ ÜF NE

September 28, 2004 JFC/kl/tas C.T. Male Project No. 04.9109 APPENDIX B – Excavation Work Plan

### **APPENDIX B – EXCAVATION WORK PLAN**

#### **B-1 NOTIFICATION**

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

Alicia Purzycki, P.E. Environmental Engineer 2 New York State Department of Environmental Conservation Region 5 232 Golf Course Road Warrensburg, New York 12885 alicia.purzycki@dec.ny.gov

This notification will include:

- A detailed description of the work to be performed, including the location and areal extent, plans for Site re-grading, intrusive elements or utilities to be installed below the soil cover, estimated volumes of contaminated soil to be excavated and any work that may impact an engineering control,
- A summary of environmental conditions anticipated in the work areas, including the nature and concentration levels of contaminants of concern, potential presence of grossly contaminated media, and plans for any pre-construction sampling;
- A schedule for the work, detailing the start and completion of all intrusive work,
- A summary of the applicable components of this Excavation Work Plan (EWP),
- A statement that the work will be performed in compliance with this EWP and 29 CFR 1910.120,
- A copy of the contractor's health and safety plan, in electronic format,
- Identification of disposal facilities for potential waste streams,
- Identification of sources of any anticipated backfill, along with all required chemical testing results.

#### **B-2 SOIL SCREENING METHODS**

Visual, olfactory and instrument-based soil screening will be performed by a qualified environmental professional during all remedial and development excavations into known or potentially contaminated material (remaining contamination). Soil screening will be performed regardless of when the invasive work is done and will include all excavation and invasive work performed during development, such as excavations for foundations and utility work, after issuance of the Certificate of Completion (COC).

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

#### **B-3** STOCKPILE METHODS

Stockpiles of imported clean soil (i.e., soil from above the demarcation layer)will be continuously encircled with a berm and/or silt fence to mitigate stormwater runoff/sediment transport. Hay bales or other acceptable erosion and sediment control devices/methods will be used as needed near catch basins, surface waters and other discharge points in accordance with applicable stormwater regulations.

Stockpiles of existing soil/fill will be kept covered at all times with appropriately anchored tarps. Stockpiles will be routinely inspected and damaged tarp covers will be promptly replaced.

Stockpiles of existing soil/ill and imported clean soil will be inspected at a minimum once each week and after every storm event. Results of inspections will be recorded in a logbook and maintained at the Site and available for inspection by NYSDEC.

#### **B-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.

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The owner of the property and its contractors are solely responsible for safe execution of all invasive and other work performed under this Plan.

The presence of utilities and easements on the Site will be investigated by the owner of the property and/or its contractor. It will be determined by the qualified environmental profession whether a risk or impediment to the planned work under this SMP is posed by utilities or easements on the Site.

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

A truck wash or other sediment removing devices/methods will be operated on-Site. The qualified environmental professional will be responsible for ensuring that all outbound trucks will be washed at the truck wash or by other measures before leaving the Site until the activities performed under this section are complete.

Locations where vehicles enter or exit the Site shall be inspected daily for evidence of off-Site soil tracking.

The qualified environmental professional will be responsible for ensuring that all egress points for truck and equipment transport from the Site are free of dirt and other materials derived from the Site during intrusive excavation activities. Cleaning of the adjacent streets will be performed as needed to maintain a clean condition with respect to Site-derived materials, returning the cleaned up material to the Site.

#### **B-5 MATERIALS TRANSPORT OFF-SITE**

Transport of existing site 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.

Existing soil material transported by trucks or roll-off containers exiting the Site will be secured with tight-fitting covers. Loose-fitting canvas-type truck covers will be

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prohibited. If loads contain wet material capable of producing free liquid, truck liners will be used.

All trucks or components thereof that come into contact with existing site soils beneath the cover system will be washed prior to leaving the Site. Truck wash waters will be collected and disposed of off-Site in an appropriate manner.

Truck transport routes are to be considered prior to future development. Appropriate route takes into account: (a) limiting transport through residential areas and past sensitive Sites; (b) use of city mapped truck routes; (c) prohibiting off-Site queuing of trucks entering the facility; (d) limiting total distance to major highways; (e) promoting safety in access to highways; and (f) overall safety in transport.

Trucks will be prohibited from stopping and idling in the neighborhood outside the project Site. Egress points for truck and equipment transport from the Site will be kept clean of dirt and other materials during Site remediation and development.

Queuing of trucks will be performed on-Site in order to minimize off-Site disturbance. Off-Site queuing will be prohibited.

#### **B-6 MATERIALS DISPOSAL OFF-SITE**

Soil/fill/solid waste excavated from below the surface cover materials below the demarcation layer, if removed from the Site will be treated as contaminated and regulated material and will be transported and disposed in accordance with all local, State (including 6 NYCRR Part 360) and Federal regulations. If disposal of soil/fill from this Site is proposed for unregulated off-Site disposal (i.e. clean soil removed for development purposes), a formal request with an associated plan will be made to the NYSDEC. Unregulated off-Site management of materials from this Site will not occur without formal NYSDEC approval.

Off-Site disposal locations for excavated soils will be identified in the preexcavation notification. This will include estimated quantities and a breakdown by class of disposal facility if appropriate, i.e. hazardous waste disposal facility, solid waste landfill, petroleum treatment facility, C/D recycling facility, etc. Actual disposal quantities and associated documentation will be reported to the NYSDEC in the Periodic Review Report. This documentation will include: waste profiles, test results, facility acceptance letters, manifests, bills of lading and facility receipts.

Non-hazardous historic fill and contaminated soils taken off-Site will be handled, at minimum, as a Municipal Solid Waste per 6 NYCRR Part 360-1.2. Material that does not meet Track 1 unrestricted SCOs is prohibited from being taken to a New York State recycling facility (6 NYCRR Part 360-16 Registration Facility).

#### **B-7 MATERIALS REUSE ON-SITE**

Chemical criteria for on-Site reuse of material have been approved by NYSDEC and are listed in NYSDEC DER-10 and 6 NYCRR Part 375. The qualified environmental professional will document that procedures defined for materials reuse in this SMP are followed and that unacceptable material does not remain on-Site. Contaminated on-Site material, including historic fill and contaminated soil, that is acceptable for re-use on-Site will be placed below the demarcation layer or impervious surface, 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 sampled for asbestos 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 will not be reused on-Site.

#### **B-8 FLUIDS MANAGEMENT**

Liquids to be removed from the Site, including excavation dewatering and groundwater monitoring well purge and development waters, will be handled, transported and disposed in accordance with applicable local, State, and Federal regulations. Dewatering, purge and development fluids will not be recharged back to the land surface or subsurface of the Site, but will be managed off-Site.

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Discharge of water generated during large-scale construction activities to surface waters (i.e. a local pond, stream or river) will be performed under a SPDES permit.

#### **B-9 COVER SYSTEM RESTORATION**

If the cover system is breached for soil removal and any other invasive activities the cover system will be restored in a manner that complies with the Record of Decision. The demarcation layer, consisting of geotextile filter fabric orange snow fencing material or equivalent material will be replaced to provide a visual reference to the top of the 'Remaining Contamination Zone', the zone that requires adherence to special conditions for disturbance of remaining contaminated soils defined in this SMP. If the type of cover system changes from that which exists prior to the excavation (i.e., a soil cover is replaced by asphalt), (possibly "as shown on Figure 4) this will constitute a modification of the cover element of the remedy and the upper surface of the 'Remaining Contamination. A figure showing the modified surface shall be included in the subsequent Periodic Review Report and in any updates to the SMP.

#### **B-10 BACKFILL FROM OFF-SITE SOURCES**

Materials proposed for import onto the Site will be approved by the qualified environmental professional and will be in compliance with provisions in this SMP, DER-10 and 6 NYCRR Part 375 prior to receipt at the Site.

The source of the imported backfill will be documented. Backfill from industrial sites, spill sites, or other environmental remediation Sites or potentially contaminated sites will not be imported to the Site.

Imported soils will meet the backfill and cover soil quality standards established in 6 NYCRR 375-6.7(d). Based on an evaluation of the land use, protection of groundwater and protection of ecological resources criteria, the resulting soil quality standards for imported backfill are listed in Appendix 5 of DER-10, under the commercial use column. Soils that meet 'exempt' fill requirements under 6 NYCRR 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 NYSDEC. Solid waste will not be imported onto the Site.

Imported backfill shall be deemed clean by analytical testing. Imported backfill will be analyzed according to the following schedule:

Recommended Number of Soil Samples for Soil Imported to the Site			
Contaminant	Volatile Organic	Semi-volatile Organic Compounds,	
Containmaint	Compounds	Inorganics & PCBs/Pesticides	
Imported Backfill Quantity in Cubic	Discrete Samples	Composite Samples	Discrete
Yards			Samples/Composites
0-50	1	1	3-5 Discrete samples
51 - 100	2	1	from different
101 - 200	3	1	locations in the fill
201 - 300	4	1	being provided will
301 - 400	4	2	compromise a
401 - 500	5	2	composite sample
501 - 800	6	2	for analysis
801 - 1,000	7	2	
> 1,000	Add an additional two volatile organic compound discrete samples		
	and one composite sample for each additional 1,000 cubic yards or consult with NYSDEC		

#### **B-11 STORMWATER POLLUTION PREVENTION**

Prior to implementing any Site disturbance greater than one acre, a Stormwater Pollution Prevention Plan (SWPPP) will be prepared in accordance with the regulations for erosion and sediment controls and water quantity/quality controls. This will provide guidance to the contractor doing the construction activities. With the preparation of the SWPPP comes a requirement for submitting a Notice of Intent (NOI) to NYSDEC upon completion of the SWPPP to document the project exists and gain permit coverage. The NOI will be completed with direction and input from the Site owner and/or remedial party. In addition to the SWPPP, Erosion and Sediment Control (ESC) plans will be designed and prepared as applicable for implementing the construction activity in accordance with the stormwater regulations.

For implementing construction activities with disturbance with less than one acre, erosion and sediment controls (i.e., silt fencing, hay bales, etc.) will be installed around the down gradient perimeter of the work areas and around temporary stockpiles of excavated soil and imported backfill. Erosion and sediment controls will be observed once a week, and corrective actions shall begin within one business day of contractor notification of deficiencies. Deficiencies include removal of accumulated sediments against silt fence, undercutting or erosion of the silt fence, and uncontrolled discharge off-site of turbid water. Corrective action shall be completed within a reasonable time frame. Results of inspections will be recorded in a logbook and maintained at the Site and available for review by NYSDEC.

#### **B-12 CONTINGENCY PLAN**

If underground tanks, buried drums or other previously unidentified contaminant sources are found during post-remedial subsurface excavations or development related construction, excavation activities will be suspended until NYSDEC is notified and properly trained personnel and equipment are mobilized to address the condition.

Sampling will be performed on tank or drum contents, sediment and surrounding soils, etc., as necessary, to determine the nature of the material and proper disposal method. Chemical analysis will be performed for full a full list of analytes (TAL metals; TCL volatiles and semi-volatiles, TCL pesticides and PCBs), or by the disposal facility's requirements, unless the Site history and previous sampling results provide a sufficient justification to limit the list of analytes. In this case, a reduced list of analytes will be proposed to the NYSDEC for approval prior to sampling.

Identification of unknown or unexpected contaminated media identified by screening during invasive Site work will be promptly communicated by phone to NYSDEC's Project Manager. Reportable quantities of petroleum product will also be reported to the NYSDEC spills hotline. These findings will be also included in the periodic reports prepared pursuant to Section 5 of the SMP.

#### **B-13 COMMUNITY AIR MONITORING PLAN**

A Community Air Monitoring Plan (CAMP) will be prepared and submitted to the NYSDEC for approval prior to any planned Site disturbance. The CAMP will be followed for any ground intrusive work in general accordance with the New York State Department of Health Generic CAMP dated June 2000, which is appended as Appendix E of this SMP.

Monitoring for particulate dust will be conducted during all ground intrusive activities based on generally prevailing wind conditions. These locations will be adjusted on a daily or more frequent basis based on actual wind directions to provide an upwind and at least one downwind monitoring station.

All readings must be recorded and be available for State (DEC and DOH) personnel to review. Exceedances of action levels listed in the CAMP will be reported to NYSDEC and NYSDOH Project Managers.

#### **B-14 ODOR CONTROL PLAN**

Nuisance odors were not encountered during the implementation of the remedy and during the disturbance of existing Site soils. Therefore, an odor control plan is not needed for future excavation at the Site. If nuisance odors are observed during future Site excavation work, actions should be implemented to mitigate off-site impacts from odors.

If needed, the odor control plan should be capable of controlling emissions of nuisance odors off-Site and on-Site, if there are residents or tenants on the property. Specific odor control methods to be used on a routine basis could include a) limiting the area of open excavations; (b) shrouding open excavations with tarps and other covers; and (c) using foams to cover exposed odorous soils. If odors cannot be controlled by the previous means, additional measures to control the odor may include (a) direct load-out of soils for off-site disposal; (b) use of chemical odorants in spray or misting systems; and (c) implement monitoring of odors in surrounding neighborhoods.

If nuisance odors are identified at the Site boundary, or if odor complaints are received, work will be halted and the source of odors will be identified and corrected. Work will not resume until all nuisance odors have been abated. NYSDEC and NYSDOH will be notified of odor events and odor complaints about the project. Implementation of odor controls, including the halt of work, is the responsibility of the property owner's Remediation Engineer, and any measures that are implemented will be discussed in the Periodic Review Report.

If nuisance odors develop during intrusive work that cannot be corrected, or where the control of nuisance odors cannot otherwise be achieved due to on-Site conditions or close proximity to sensitive receptors, odor control will be achieved by sheltering the excavation and handling areas in a temporary containment structure equipped with appropriate air venting/filtering systems.

#### **B-15 DUST CONTROL PLAN**

A dust suppression plan that addresses dust management during invasive on-Site work will include, at a minimum, the items listed below:

- Dust suppression will be achieved through the use of a dedicated on-Site water truck for road wetting. The truck will be equipped with a water cannon capable of spraying water directly onto off-road areas including excavations and stockpiles.
- Clearing and grubbing of larger sites will be done in stages to limit the area of exposed, unvegetated soils vulnerable to dust production.
- Gravel will be used on roadways to provide a clean and dust-free road surface.

• On-Site roads will be limited in total area to minimize the area required for water truck sprinkling.

## APPENDIX C – Site-wide Inspection Form

50 Century Hill Drive, Latham, NY 12110 518.786.7400 FAX 518.786.7299 www.ctmale.com



### FORMER PAN AMERICAN TANNERY (B00175) SITE MANAGEMENT PLAN (SMP) INSPECTION FORM

Date of Inspection	
Personnel Performing Inspection	
Weather Conditions	
Institutional Controls (List)	Site Management Plan Implementation
	Groundwater Use Restriction Without Treatment
	Use Restriction (Commercial and Industrial)
	Vegetable Garden and Farming Prohibition
Engineering Controls (List)	Soil Cover System

This SMP Inspection Form shall be utilized to document the observations on 4.8 acres of land located at 312 – 316 West Fulton Street in the City of Gloversville, Fulton County, New York. These observations are to confirm the following:

- The institutional control and/or engineering control employed at this Site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any SMP for this control;

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- Access to the Site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control;
- Use of the Site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;

General Surface Condition		
Has the overall condition of the cover system changed from the previous inspection? If Yes, provide detail below and identify on Site Plan	Yes 🗌	No 🗌
Is there evidence that the site been disturbed for utility repair or construction?	Yes	No
If Yes, provide detail below and identify on Site Plan		

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### <u>Groundwater Use</u>

Is there evidence of groundwater use? If Yes, provide detail below	Yes	No 🗌
If groundwater use is occurring, is there treatment? If Yes, provide type of treatment below	Yes	No 🗌
If groundwater treatment is occurring, did NYSDEC and NYSDOH approve such treatment? If Yes, provide detail on their approval below	Yes 🗌	No 🗌

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#### <u>Site Use</u>

Is there evidence of site use for activities not allowed by the commercial use ERP definition? If Yes, provide detail below	Yes 🗌	No 🗌
Is there evidence of site use for gardening or farming on-site? If Yes, provide detail below	Yes 🗌	No 🗌

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Sub-slab Depressurization System (SSDS)		
Are there any buildings constructed or SSDSs installed? If Yes, provide detail below	Yes 🗌	No 🗌
Is the system operating in passive or active mode? If active, describe condition of fans and record any relevant data being collected to document pressure differential.	Active	Passive