Site Management Plan

Former Boiler House Property
NYSDEC Site No. B00197

US Route 4 and Best Avenue
Town of Stillwater
Saratoga County, New York

May 2009

Chazen Project No. 30201.14

Prepared For:

Department of Environmental Conservation

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6 NYCRR	Title 6 (Environmental Conservation) of New York Codes, Rules, and Regulations
ACM	Asbestos Containing Material
CAMP	Community Air Monitoring Plan
CFR	Code of Federal Regulations
COC	Certificate of Completion
DER	Division of Environmental Remediation
EC	Engineering Control
ECL	Environmental Conservation Law
ELAP	Environmental Laboratory Approval Program
EP	Excavation Plan
ERP	Environmental Restoration Program
GC	Gas Chromatograph
HASP	Health and Safety Plan
IC	Institutional Control
IRM	Interim Remedial Measure
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
NYSDOT	New York State Department of Transportation
PCB	Polychlorinated Biphenyl
PCS	Petroleum Contaminated Soil
PRAP	Proposed Remedial Action Plan
RAWP	Remedial Action Work Plan
RI	Remedial Investigation
ROD	Record of Decision
SAC	State Assistance Contract
SCO	Soil Cleanup Objective
SMP	Site Management Plan
SVI	Soil Vapor Intrusion
TAL	Target Analyte List
TCL	Target Compound List

1.0 INTRODUCTION AND DESCRIPTION OF REMEDIAL PROGRAM

1.1 INTRODUCTION

This document is required as an element of the remedial program at the Former Boiler House Property (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) C302647, Site #B00197.

1.1.1 General

The Town of Stillwater entered into a SAC with the NYSDEC to remediate a 1.23 acre property located at the intersection of NYS Route 4 and Best Ave. in the Town of Stillwater, Saratoga County, New York. The SAC required the Town of Stillwater to investigate and remediate contaminated media at the site. A map showing the site location and boundaries of this 1.23-acre site is provided in Figure 1. The boundaries of the site are more fully described in the metes and bounds site description that accompanies the Environmental Easement, Appendices A and B, respectively.

After completion of the remedial work described in the Record of Decision, 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 at the site in perpetuity or until extinguishment of the Environmental Easement in accordance with ECL Article 71, Title 36. Remedial action work on the site began in April 2004 and was completed in September 2008. 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 The Chazen Companies, on behalf of the Town of Stillwater, in accordance with the requirements in NYSDEC's "DER-10 Technical Guidance for Site Investigation and Remediation," dated December 2002, 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 remaining contamination after completion of the remedial actions. Engineering Controls have been incorporated into the site remedy to provide proper management of remaining contamination in the future to ensure protection of public health and the environment. An Environmental Easement will be granted to the NYSDEC and recorded with the Saratoga County Clerk that provides an enforceable legal instrument to ensure 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 Actions, including: (1) implementation and management of all Engineering and Institutional Controls and (2) performance of periodic inspections, certification of results, and submittal of Periodic Review Reports.

To address these needs, this SMP includes an Engineering and Institutional Control Plan for implementation and management of EC/ICs, which includes a reporting plan for the 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 Environmental Conservation Law and 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, 6NYCRR Part 375 and the SAC #C302647 Site #B00197) for the site, and thereby subject to applicable penalties.

At the time this SMP was prepared, the SMP and all site documents related to Remedial Investigation and Remedial Action were maintained at the NYSDEC Region 5 office in Ray Brook, New York. The approved SMP will also be available at the Stillwater Town Hall and the Stillwater Free Library.

1.2 SITE BACKGROUND

1.2.1 Site Location and Description

The site is located in the Town of Stillwater, Saratoga County, New York and is identified as Block 1 and Lot 9014 on the Town of Stillwater Tax Map. The site is a 1.23-acre area bounded by industrial property to the north, Best Avenue to the south, U.S. Route 4 to the east, and East Street to the west (see Figure 1). The boundaries of the site are more fully described in Appendix A – Metes and Bounds.

1.2.2 Site History

The site was developed circa 1918 as a boiler house for the surrounding pulp and paper mill complex. The boiler house was used to supply steam to the surrounding manufacturing buildings. Historic maps indicate that the mill was active from the late 1800s until the mid-1970s. While pulp and paper mill operations are known to have remained generally consistent through the years, the mill was owned and operated by several companies including the Hudson River Water Power and Paper Co., The Duncan Co., West Virginia Pulp & Paper Co. (later known as Westvaco, Inc.), and the Saratoga Board Mills. The boiler house was leased-out for a short period of time in the 1980s to an automotive and boat repair business. The site has been unused since the auto repair operation abandoned the site in the 1980s.

Currently, the properties surrounding the boiler house site consist of the following: To the east, there is a New York State Electric and Gas hydroelectric facility. To the south, former paper mill property has been redeveloped as DeCresente Distributing, W.A. Patenaude & Sons Construction, and the Price Chopper Plaza. To the west, the Town maintains a public park and farther west are private residences. To the north, former paper mill buildings are occupied by the Polyset Company, Inc.

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 – February 2009

  Volume 1 - Details the site setting, site history, investigative methods, results, qualitative exposure assessment, and conclusions.

  Volume 2 - Data Tables

  Volume 3 - Ground-Penetrating Radar Survey Report as provided by Subsurface, Inc.

  Volume 4 - Interim Remedial Measures Report detailing activities completed as IRMs.

  Volume 5 - Asbestos Abatement Report as provided by Alpine Environmental Services, Inc.

  Volume 6 - Demolition Report detailing the activities undertaken to raze the boiler house structures.

  Volume 7 - Data Usability Report as provided by Dataval, Inc.

Generally, the RI determined that metals, SVOCs, and PCBs were present in the unconsolidated sediments on the site. The unconsolidated materials consisted largely of urban fill which may have contained metals concentrations greater than NYSDEC Unrestricted Soil Cleanup Objectives from the time it was emplaced. Some of the fill

was determined to be impacted with petroleum compounds and PCBs as a result of releases occurring on the site during paper mill operations.

Below is a summary of site conditions when the RI was performed between 2004 and 2008:

1.3.1 Soil

Surface and subsurface soil was evaluated for adverse impacts resulting from historic site operations. Samples of soil were submitted to analytical laboratories to determine the concentrations of constituents of concern.

Shallow surface soil (0-0.5 ft.) samples were collected on the boiler house property primarily to evaluate for impacts from lead and asbestos due to building degradation. Additional samples were also evaluated for VOCs, SVOCs, and Target Analyte List (TAL) metals. Sample locations where results exceeded the SCOs are indicated in Figure 2. No surface soil samples were impacted with ACM.

Subsurface unconsolidated materials consisted primarily of fill (clay, silt, sand, gravel, brick, coal, and ash). This miscellaneous fill material was prevalent throughout the boiler house site from the surface grade to the top of bedrock. Adverse soil impacts that were noted based on field observations existed primarily in the 3-4 feet above the bedrock surface. A black petroleum substance resembling No. 6 fuel oil was noted in this interval in borings installed in the northeast area of the site, and in a small area near the southern AST. Figure 3 indicates soil sample analytical results exceeding the SCOs before Interim Remedial Measures were implemented.

1.3.2 On-Site and Off-Site Groundwater

Offsite groundwater quality was not evaluated as part of the RI. On-site, six monitoring wells were installed in the shallow, unconsolidated sediments, and two monitoring wells were installed into shallow bedrock. The monitoring wells were developed and sampled at least 24 hours after construction. Groundwater samples were collected from each well and were submitted to a NYSDOH ELAP-certified environmental laboratory. Results exceeding NYSDEC ambient groundwater quality standards are indicated in Figure 4. All groundwater results reflect conditions prior to implementing IRMs.

1.3.3 On-Site and Off-Site Soil Vapor

Offsite soil vapor was not evaluated as part of the RI. On-site soil gas samples were collected for field analysis by gas chromatography (GC) and for laboratory analysis by EPA Method TO-15.

Soil gas was sampled using discrete-interval sampling techniques. A one-inch diameter soil gas probe with a 2-ft. screened interval was advanced using a Geoprobe® drilling rig to two depths; a shallow depth (typically 2 to 4 feet below ground surface) and a depth just above zone of saturation (typically 7 to 9 feet below the ground surface).

At three locations, soil gas samples were collected in summa-type, pre-evacuated, stainless steel canisters for laboratory analysis. Locations were selected based on portable GC soil gas screening results which indicated potential elevations of vapor levels in these areas, and to provide spatially-distributed site coverage. The laboratory soil gas samples were collected for analysis using the same discrete-interval soil gas probe as described in Section 2.3.1.

No soil gas analytical result exceeded NYSDOH guidance values. Some compounds that were detected at elevated levels in soil gas do not have NYSDOH guidance values. These detections warrant further evaluation if a structure is constructed on the site for occupancy.

1.3.4 Underground Structures

All buildings and other above-grade structures present on the site at the beginning of the RI were demolished. Underground structures that are known to be remaining include the building foundations, boiler foundations, concrete railroad pier foundations, and concrete foundations for the two smokestacks. As part of the demolition project, all foundations were lowered to a minimum of two feet below the final surface elevation.

Additional underground structures include portions of the historic stormwater drainage system at the southern end of the site which formerly connected to the municipal stormwater system.

1.4 SUMMARY OF REMEDIAL ACTIONS

The site was remediated in accordance with the NYSDEC-approved Site Investigation Work Plan dated April 2004 and through additional Interim Remedial Measures completed during the RI.

The following is a summary of the Remedial Actions performed at the site:

1. In June 2004, Optech Environmental Services completed the product removal and tank cleaning of the on-site 16,000-gallon fuel oil AST as an IRM.
2. On July 14, 2004, Optech Environmental Services completed the product inventory and disposal of drums and other small containers found throughout the building as an IRM.
3. On July 20, 2004, a Chemcept, Inc. high-hazard unit decommissioned three compressed gas cylinders found on the site property as an IRM.
4. During the period from April 2005 through November 2005, the boiler house was abated of asbestos and mechanically demolished.
5. From October 27 through November 1, 2005, 422 tons of petroleum-contaminated soil (PCS) exceeding the restricted residential SCOs listed in Table 1 were removed to the bedrock surface depth from the sub-slab areas of the boiler house and were disposed of at the ESMI facility in Fort Edwards, New York as an IRM.
6. In October, November, and December 2006, TCC observed the removal of 3,825 tons of petroleum- and PCB-contaminated soil and coal ash waste exceeding the restricted residential SCOs listed in Table 1, to bedrock; as well as the backfilling, grading, and seeding of the site as an IRM.
7. Following the 2006 soil removal, a soil cover consisting of clean sand and gravel and silt loam topsoil was constructed as an engineering control to prevent human exposure to contaminated urban/industrial fill remaining at depth throughout the site.

8. On June 24, 2008, TCC observed the removal of approximately 125 cubic yards of surface soil from the post-IRM drainage swale area on the northeast corner of the site. The shallow excavation was backfilled with clean, imported sand and gravel from a local quarry and reseeded. Excavated soil was taken to the ESMI soil treatment/recycling facility in Fort Edwards, New York for disposal.
9. Execution and recording of an Environmental Easement was completed in 2009 to restrict land use and prevent future exposure to any contamination remaining at the site.
10. Development and implementation of this Site Management Plan for long term management of remaining contamination as required by the Environmental Easement was completed. This plan provides for: (1) Institutional and Engineering Controls, (2) monitoring, and (3) reporting;

1.4.1 Removal of Contaminated Materials from the Site

A list of the soil cleanup objectives (SCOs) for this project is shown in Table 1. Figure 5 is a map indicating areas where excavations were performed.

1.4.2 Quality of Backfill Placed in Excavated Areas

Backfill material originating on site was used to fill the petroleum contaminated soil (PCS) excavations. The backfill material included surface soil and crushed bricks and concrete from the demolition. Imported fill and topsoil was used to complete the site cover. Laboratory results verified that imported cover materials met the NYSDEC standards.

1.4.3 On-Site and Off-Site Treatment Systems

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

1.4.4 Remaining Contamination

Figure 5 summarizes the analytical results for soil remaining at depth on the site which exceeds the SCOs for restricted residential use after completion of Remedial Actions. Site surface soil was shown by sampling and analysis to meet the soil cleanup objectives with the exception of one sample location. One compound was detected in a surface soil confirmation sample which exceeded the soil cleanup objective. Benzo(b)fluoranthene, a semi-volatile compound, was detected at a concentration of 1.175 parts per million (ppm) at location SS-2. The SCO for this compound is 1 ppm.

1.4.5 Engineering and Institutional Controls

Since remaining contamination is present in fill materials at depth on this site, Engineering Controls and Institutional Controls have been implemented to protect public health and the environment for the applicable future use. The Controlled Property has the following Engineering Controls:

1. A cover system consisting of two feet of clean soil (i.e., fill generated on site during demolition, clean imported fill, and clean imported top soil) was placed over all excavated areas. In areas where no excavation occurred, up to six inches of clean, imported topsoil was placed over the site to establish vegetation, and for the remainder of the site, a crushed rock parking lot was emplaced. Figure 6 indicates the cover thickness across the site.

A series of Institutional Controls are required to implement, maintain and monitor these Engineering Controls. The Environmental Easement requires compliance with these Institutional Controls, to ensure that:

- All Engineering Controls must be maintained as specified in this SMP;
- All Engineering Controls on the Site must be inspected and certified at a frequency and in a manner defined in this SMP;

- Groundwater, soil vapor, and other environmental or public health monitoring must be performed as defined in this SMP;
- Data and information pertinent to Site Management for the Controlled Property must be reported at the frequency and in a manner defined in this SMP;

In addition, the Environmental Easement places the following restrictions on the property:

- Vegetable gardens and farming on the property are prohibited;
- Use of groundwater underlying the property is prohibited without treatment, if necessary, to render it safe for the intended use;
- All future activities on the property that would disturb remaining contaminated material must be conducted in accordance with the Excavation Plan included in this SMP (Section 2.4);
- The potential for vapor intrusion must be evaluated for any buildings developed on the site that will be occupied, and any potential impacts that are identified must be mitigated;
- The property may be used for restricted-residential use as defined in 6NYCRR Part 375-1.8(g)(2)(ii), provided that the long-term Engineering and Institutional Controls described in the SMP remain in use.

These EC/ICs are designed to:

- Prevent exposures to any contaminated environmental media present on the site.

2.0 ENGINEERING AND INSTITUTIONAL CONTROL PLAN

2.1 INTRODUCTION

2.1.1 General

Remedial activities completed at the site were conducted in accordance with the NYSDEC-approved "Site Investigation Work Plan" (April 2004) for the Former Boiler House Property. The remedial goals included attainment of Soil Cleanup Objectives (SCOs) for on-site soils for restricted residential use. The SCOs were approved by NYSDEC and are listed in Table 1. A summary of the remedial strategies and EC/ICs implemented at the site are as follows:

Since remaining contaminated soil 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

The purpose of this Plan is to provide:

- A description of all EC/ICs on the site;
- The basic operation and intended role of each implemented EC/IC;
- A description of the key components of the ICs created as stated in the Environmental Easement;
- A description of the features that should be evaluated during each periodic inspection and compliance certification period;
- A description of plans and procedures to be followed for implementation of EC/ICs, such as the implementation of an Excavation Plan for the safe

handling of remaining contamination that may be disturbed during maintenance or redevelopment work on the site;

- Any other provisions necessary to identify or establish methods for implementing the EC/ICs required by the site remedy, as determined by the NYSDEC; and
- A description of the reporting requirements for these controls.

2.2 ENGINEERING CONTROLS

2.2.1 Engineering Control Systems

2.2.1.1 Soil Cover System

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 24 inches of clean soil and/or crushed rock over previously remediated portions of the site (Figure 6). The Excavation Plan that appears in Section 2.4 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, the remedial processes will be considered to be completed when effectiveness monitoring indicates that the remedy has achieved the remedial action objectives identified by the decision document. The specific determination of when the following remedial processes are complete will be made in compliance with Section 6.6 of NYSDEC DER-10.

2.2.2.1 Soil Cover System

The soil 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 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 residential 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 by the Grantor and the Grantor's successors and assigns with all elements of this SMP;
- All Engineering Controls must be maintained as specified in this SMP;
- All Engineering Controls on the Controlled Property must be inspected and certified at a frequency and in a manner defined in the SMP.
- Data and information pertinent to Site Management for the Controlled Property must be reported at the frequency and in a manner defined in this SMP;

Institutional Controls 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:

- Vegetable gardens and farming, including cattle and dairy farming, on the property are prohibited;
- The use of the groundwater underlying the property is prohibited without treatment rendering it safe for the intended purpose;
- All future activities on the property that will disturb remaining contaminated material are prohibited unless they are conducted in accordance with this SMP;

- The potential for vapor intrusion must be evaluated for any buildings developed on the site that will be occupied, and any potential impacts that are identified must be mitigated;
- The property may only be used for restricted residential use provided that the long-term Engineering and Institutional Controls included in this SMP are employed.
- The property may not be used for a less restrictive use, such as unrestricted use, without additional remediation and amendment of the Environmental Easement by the Commissioner of NYSDEC.
- 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 Controlled Property 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 Controlled Property 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 Soil Vapor Intrusion Evaluation

Prior to the construction of any enclosed structures on site, a soil vapor intrusion (SVI) evaluation will be performed to determine whether any mitigation measures are necessary to eliminate potential exposure to volatile organic vapors in the proposed structure. Alternatively, an SVI mitigation system will 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. Validated SVI data will be transmitted to the property owner within 30 days of validation.

SVI sampling results, evaluations, and follow-up actions will also be summarized in the next Periodic Review Report.

2.4 EXCAVATION PLAN

The site remedy allows for restricted residential use. Any future intrusive work that will penetrate, encounter or disturb the remaining contamination, and any modifications or repairs to the existing cover system will be performed in compliance with this Excavation Plan (EP). Intrusive construction work 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. Based on future changes to State and Federal health and safety requirements, and specific methods employed by future contractors, the HASP and CAMP will be updated and re-submitted with the notification provided in Section 2.4.1 below. Any intrusive construction work will be performed in compliance with the EP, HASP, and CAMP, and will be included in the periodic inspection and certification reports submitted under the Site Management Reporting Plan (See Section 2.6).

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 invasive work, the structural integrity of excavations, and for

structures that may be affected by excavations (such as building foundations and bridge footings).

Mechanical processing of historic fill and contaminated soil on-site is prohibited.

2.4.1 Notification

At least 10 days prior to the start of any activity that is reasonably anticipated to encounter remaining contamination, the site owner or their representative will notify the Department. Currently, this notification will be made to:

Mr. Michael McLean
New York State Department of Environmental Conservation
P.O. Box 296
1115 NYS Route 86
Ray Brook, NY 12977

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, or 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 statement that the work will be performed in compliance with this EP 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.

2.4.2 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 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.

2.4.3 Stockpile Methods

Soil stockpiles will be continuously encircled with a berm and/or silt fence. Hay bales will be used as needed near catch basins, surface waters and other discharge points.

Stockpiles 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 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.

2.4.4 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 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 qualified environmental professional. It will be determined whether a risk or impediment to the planned work under this SMP is posed by utilities or easements on the site.

A truck wash will be operated on-site if necessary based on site conditions. The qualified environmental professional will be responsible for ensuring that all outbound trucks will be washed at the truck wash before leaving the site until the activities performed under this section are complete.

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).

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 transported from the site are clean 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.

2.4.5 Materials Transported Off-Site

All transport of materials will be performed by licensed haulers in accordance with appropriate local, State, and Federal regulations, including 6NYCRR Part 364. Haulers will be appropriately licensed and trucks properly placarded.

Material transported by trucks exiting the site will be secured with tight-fitting covers. Loose-fitting canvas-type truck covers will be prohibited. If loads contain wet material capable of producing free liquid, truck liners will be used.

If necessary, trucks 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 will be identified that will: (a) limit transport through residential areas and past sensitive sites; (b) use city-mapped truck routes; (c) minimize off-site queuing of trucks entering the facility; (d) limit total distance to major highways; and (e) promote safety in access to highways.

Loaded 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.

Due to limited available space at the site, some off-site queuing of trucks may be necessary. The number and duration of trucks lined up outside the site entrance will be minimized through efficient scheduling and staging at a remote location.

2.4.6 Materials Disposal Off-Site

All soil excavated from the site outside the area with two-feet of imported cover materials, and soil beneath the areas with two-feet of imported cover materials, should be stockpiled and sampled to determine contaminant concentrations. These areas are defined in Figure 6. One soil sample per 100 cubic yards of excavated material will be submitted to an ELAP-certified laboratory for analysis and tested by USEPA Method 8270 for total concentrations of polyaromatic hydrocarbon compounds and USEPA Methods 6010 and 7470 for total concentrations of the TAL metals.

Material meeting the Restricted Residential SCOs may be returned to the subsurface. Material determined to be contaminated above Restricted Residential usage concentrations will be transported and disposed in accordance with all local, State (including 6NYCRR 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 pre-excavation 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 pursuant to 6NYCRR Part 360-1.2. Material that does not meet the lower of the SCOs for residential use or groundwater protection will not be taken to a New York State recycling facility (6NYCRR Part 360-16 Registration Facility) without a beneficial use determination issued by NYSDEC.

2.4.7 Materials Reuse On-Site

Chemical criteria for on-site reuse of material have been approved by NYSDEC and are listed in Table 1. The qualified environmental professional will ensure 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.

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.

2.4.8 Fluids Management

All 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.

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.

2.4.9 Cover System Restoration

After the completion of soil removal and any other invasive remedial activities the cover system will be restored in a manner that complies with the Record of Decision. A demarcation layer will be placed 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 Site Management Plan. 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. A figure showing the modified surface will be included in the subsequent Periodic Review Report and in any updates to the Site Management Plan.

2.4.10 Backfill from Off-Site Sources

All 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, applicable regulations (6NYCRR 375-6.7(d)), and guidance (DER-10) prior to receipt at the site. Material from industrial sites, spill sites, or other environmental remediation sites or potentially contaminated sites will not be imported to the site.

All imported soils will meet the backfill and cover soil quality standards established in 6NYCRR 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 Table 1. 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.

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

2.4.11 Stormwater Pollution Prevention

Barriers and hay bale checks will be installed and inspected once a week and after every storm event during construction activities at the site. Results of inspections will be recorded in a logbook and maintained at the site and available for inspection by NYSDEC. All necessary repairs shall be made immediately.

Accumulated sediments will be removed as required to keep the barrier and hay bale check functional.

All undercutting or erosion of the silt fence toe anchor shall be repaired immediately with appropriate backfill materials.

Manufacturer's recommendations will be followed for replacing silt fencing damaged due to weathering.

Erosion and sediment control measures identified in the SMP shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters

Silt fencing or hay bales will be installed around the entire perimeter of the remedial construction area.

2.4.12 Contingency Plan

If underground tanks or other previously unidentified contaminant sources are found during post-remedial subsurface excavations or development related construction,

excavation activities will be suspended until sufficient equipment is mobilized to address the condition.

Sampling will be performed on product, sediment, surrounding soils, etc., as necessary to determine the nature of the material and proper disposal method. Chemical analysis will be performed for a full list of analytes (TAL metals; TCL volatiles and semi-volatiles, TCL pesticides, and PCBs), 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 daily and periodic electronic media reports.

2.4.13 Odor Control Plan

This odor control plan is capable of controlling emissions of nuisance odors off-site. 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 all odor events and of any other complaints about the project. Implementation of all 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.

All necessary means will be employed to prevent on- and off-site nuisances. At a minimum, these measures will include: (a) limiting the area of open excavations and size of soil stockpiles; (b) shrouding open excavations with tarps and other covers; and (c) using foams to cover exposed odorous soils. If odors develop and cannot be otherwise controlled, additional means to eliminate odor nuisances will include: (d) direct load-out

of soils to trucks for off-site disposal; (e) use of chemical odorants in spray or misting systems; and, (f) use of staff to monitor odors in surrounding neighborhoods.

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.

2.4.14 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 though 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.

2.4.15 Other Nuisances

A plan will be developed and utilized by the contractor for all remedial work to ensure compliance with local noise control ordinances.

2.5 INSPECTIONS AND NOTIFICATIONS

2.5.1 Periodic Inspections

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

- Whether Engineering Controls continue to perform as designed;
- If these controls continue to be protective of human health and the environment;
- Compliance with requirements of this SMP and the Environmental Easement;
- Changes, or needed changes, to the remedial or monitoring system;

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 below in the Site Management Reporting Plan (Section 2.6).

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.

2.5.2 Notifications

Notifications will be submitted by the property owner to the NYSDEC as needed 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 (SAC), 6NYCRR Part 375, and/or Environmental Conservation Law.
- 10-day advance notice of any proposed ground-intrusive activities.
- 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 Engineering Controls in

place at the site, including 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.

Notifications will be made to NYSDEC (currently Mr. Michael McLean, P.E. in the Region 5 Ray Brook office). In the event that NYSDEC develops a centralized notification system, that system will be used instead.

2.5.3 Evaluation 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 site remedy continues to be protective of public health and the environment and is performing as designed.

2.6 REPORTING PLAN

2.6.1 Introduction

A Periodic Review Report will be submitted to NYSDEC every year, beginning one year after the Certificate of Completion is issued.

This report will include the following:

- Identification of all EC/ICs required by the ROD for the site;
- An assessment of the effectiveness of all Institutional and Engineering Controls for the site;
- Results of the required annual site inspections and severe condition inspections, if any;

- A compilation of all deliverables generated during the reporting period, as specified in Section 2 EC/IC Plan; and
- Certification of the EC/ICs.

2.6.2 Periodic Review Report

A Periodic Review Report will be submitted every year, beginning one year after the Certificate of Completion is issued. The report will be submitted within 45 days of the end of each certification period. The report will include:

- EC/IC certification stating that:
    - On-site ECs/ICs are unchanged from the previous certification;
    - They remain in place and are effective;
    - Nothing has occurred that would impair the ability of the controls to protect the public health and environment;
    - Access is available to the site by NYSDEC and NYSDOH to evaluate continued maintenance of such controls; and
    - Site use is compliant with the environmental easement.
- All applicable inspection forms and other records generated for the site during the reporting period;

The Periodic Review Report will be submitted, in hard-copy and electronic format, to the NYSDEC Regional Office located closest to the site.

A copy of an example Periodic Review Report for this site is provided in Appendix C of this SMP.

Table 1

Soil Cleanup Objectives for the Site

TABLE 1
6 NYCRR Part 375
Restricted Residential Soil Cleanup Objectives

Metals	**mg/kg**
Arsenic	16
Barium	400
Beryllium	72
Cadmium	4.3
Chromium, hexavalent	110
Chromium, trivalent	180
Copper	270
Total Cyanide	27
Lead	400
Manganese	2,000
Total Mercury	0.81
Nickel	310
Selenium	180
Silver	180
Zinc	10,000

TABLE 1
6 NYCRR Part 375
Restricted Residential Soil Cleanup Objectives

PCBs/Pesticides	mg/kg
2,4,5-TP Acid (Silvex)	100
4,4'-DDE	8.9
4,4'-DDT	7.9
4,4'- DDD	13
Aldrin	0.097
alpha-BHC	0.48
beta-BHC	0.36
Chlordane (alpha)	4.2
delta-BHC	100
Dibenzofuran	59
Dieldrin	0.2
Endosulfan I	24
Endosulfan II	24
Endosulfan sulfate	24
Endrin	11
Heptachlor	2.1
Lindane	1.3
Polychlorinated biphenyls	1

TABLE 1
6 NYCRR Part 375
Restricted Residential Soil Cleanup Objectives

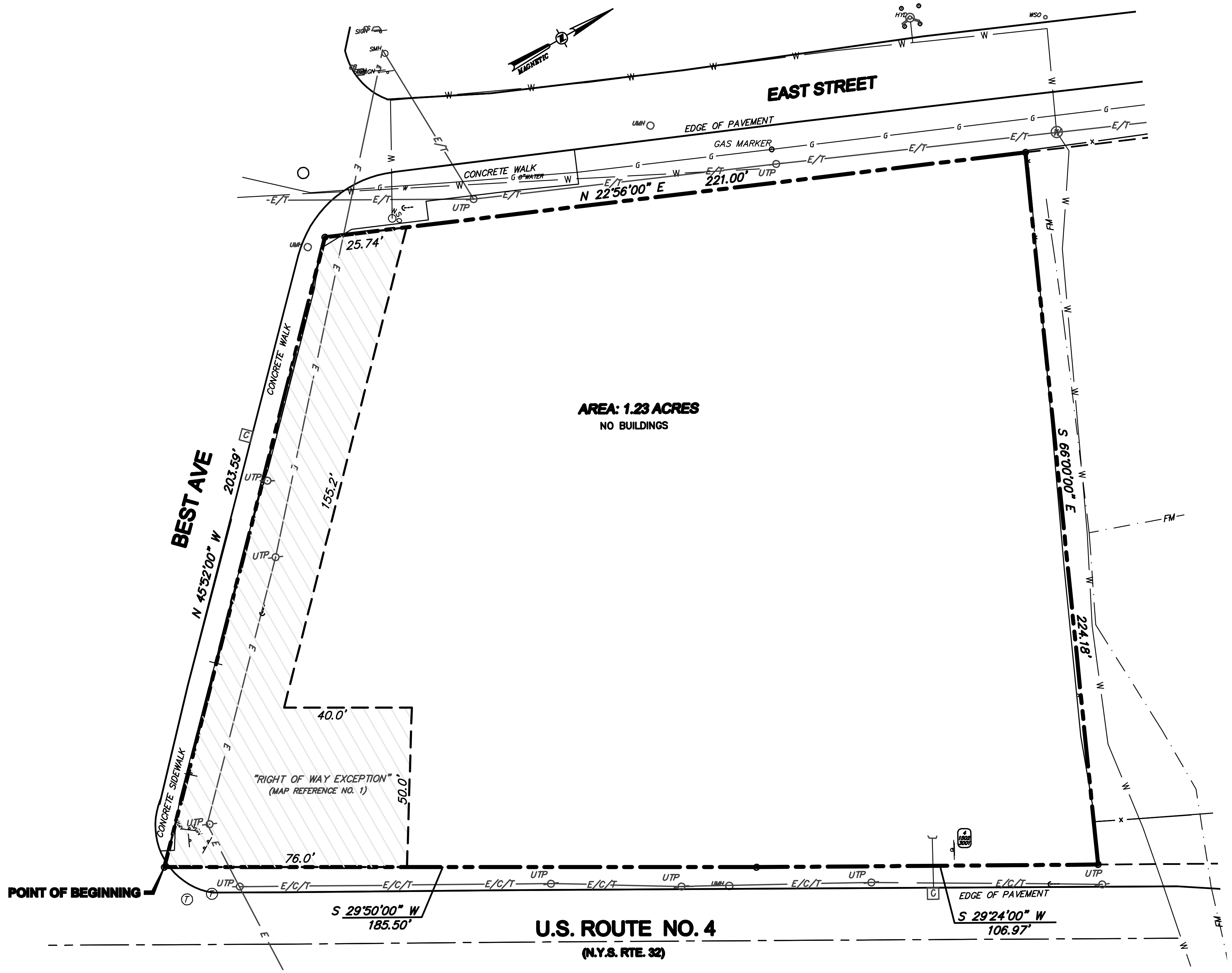
Semivolatiles	**mg/kg**
Acenaphthene	100
Acenapthylene	100
Anthracene	100
Benz(a)anthracene	1
Benzo(a)pyrene	1
Benzo(b)fluoranthene	1
Benzo(g,h,i)perylene	100
Benzo(k)fluoranthene	3.9
Chrysene	3.9
Dibenz(a,h)anthracene	0.33
Fluoranthene	100
Fluorene	100
Indeno(1,2,3-cd)pyrene	0.5
m-Cresol	100
Naphthalene	100
o-Cresol	100
p-Cresol	100
Pentachlorophenol	6.7
Phenanthrene	100
Phenol	100
Pyrene	100

TABLE 1
6 NYCRR Part 375
Restricted Residential Soil Cleanup Objectives

Volatiles	mg/kg
1,1,1-Trichloroethane	100
1,1-Dichloroethane	26
1,1-Dichloroethene	100
1,2-Dichlorobenzene	100
1,2-Dichloroethane	3.1
cis-1,2-Dichloroethene	100
trans-1,2-Dichloroethene	100
1,3-Dichlorobenzene	49
1,4-Dichlorobenzene	13
1,4-Dioxane	13
Acetone	100
Benzene	4.8
Butylbenzene	100
Carbon tetrachloride	2.4
Chlorobenzene	100
Chloroform	49
Ethylbenzene	41
Hexachlorobenzene	1.2
Methyl ethyl ketone	100
Methyl tert-butyl ether	100
Methylene chloride	100
n-Propylbenzene	100
sec-Butylbenzene	100
tert-Butylbenzene	100
Tetrachloroethene	19
Toluene	100
Trichloroethene	21
1,2,4-Trimethylbenzene	52
1,3,5- Trimethylbenzene	52
Vinyl chloride	0.9
Xylene (mixed)	100

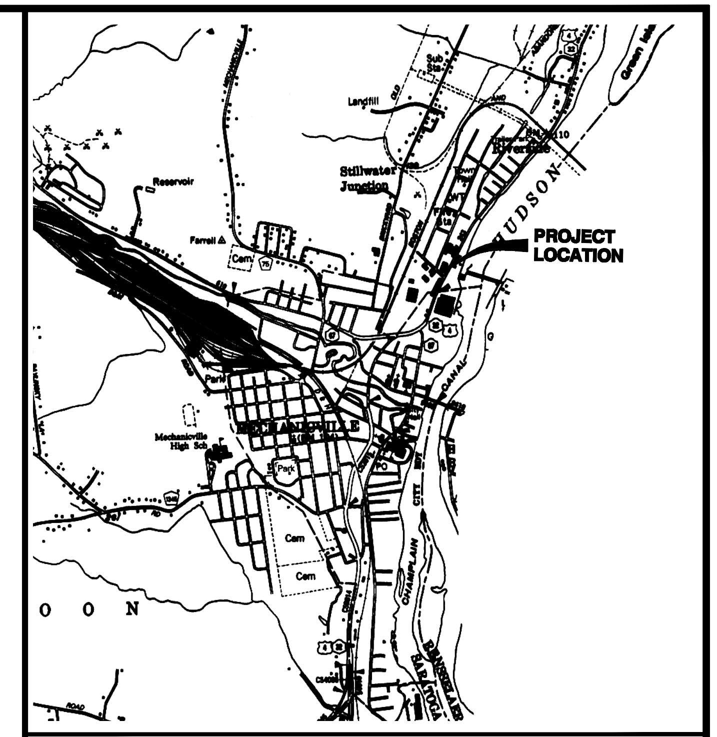
Figure 1

Map of Site and Site Boundaries



LEGEND:

- UTILITY POLE
- GAS VALVE
- WATER VALVE
- HYDRANT
- ONE POST SIGN
- TWO POST SIGN
- OVERHEAD CABLE LINES
- OVERHEAD TELEPHONE LINES
- OVERHEAD ELECTRIC LINES
- UNKOWN MANHOLE
- UTILITY POLE WITH LIGHT
- MONITORING WELL
- BORING LOCATION



SITE LOCATION PLAN: 1"=2000'

PROPERTY DESCRIPTION:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE AND BEING IN THE TOWN OF STILLWATER, COUNTY OF SARATOGA, AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED AT THE INTERSECTION FORMED BY THE WESTERLY LINE OF U.S. ROUTE NO. 4 WITH THE NORTHERLY LINE OF BEST AVENUE; THENCE FROM SAID POINT OF BEGINNING AND ALONG SAID NORTHERLY LINE OF BEST AVENUE, NORTH 45°52'00" WEST, 203.59 FEET TO A POINT BEING THE INTERSECTION FORMED BY SAID NORTH LINE OF BEST AVENUE WITH THE EASTERLY LINE OF EAST AVENUE; THENCE IN A NORTHERLY DIRECTION AND ALONG SAID EAST LINE OF EAST STREET, NORTH 22°56'00" EAST, 221.00 FEET TO A POINT; THENCE IN AN EASTERLY DIRECTION AND ALONG THE SOUTHERLY LINE OF THE LANDS NOW OR FORMERLY OF POLYSET COMPANY, INC. (BOOK 1224, PAGE 283), SOUTH 66°00'00" EAST, 224.18 FEET TO A POINT LOCATED IN THE AFORESAID WESTERLY LINE OF U.S. ROUTE 4; THENCE IN A SOUTHERLY DIRECTION AND ALONG THE SAME, THE FOLLOWING TWO COURSES AND DISTANCES: 1) SOUTH 29°24'00" WEST, 106.97 FEET TO A POINT AND 2) SOUTH 29°50'00" WEST, 185.50 FEET TO THE POINT OR PLACE OF BEGINNING.

CONTAINING, IN ALL, 1.23 ACRES OF LAND, BEING MORE OR LESS.

BEING LOT NO. 1 AS SHOWN ON A MAP FILED IN THE SARATOGA COUNTY CLERKS OFFICE IN DRAWER D, MAP 125 ENTITLED, "SUBDIVISION OF THE LANDS OF CARMINE AND MARY DECRESCENTE", DATED 12-21-87, AND FILED 2-16-88.

EASEMENT NOTES:

REFERENCE IS MADE TO LAWYERS TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. BTA-09147 ISSUED BY BROADWAY TITLE AGENCY BEARING AN EFFECTIVE DATE OF MARCH 10, 2009. SCHEDULE B OF SAID COMMITMENT CITES THE FOLLOWING COVENANTS, CONDITIONS, EASEMENTS AND/OR AGREEMENTS AS AFFECTING THE PREMISES SHOWN HEREON:

1. EASEMENT FOR THE INSTALLATION OF GUY WIRE AND ANCHOR IN FAVOR OF NEW YORK STATE ELECTRIC & GAS CORPORATION RECORDED IN BOOK 1030 AT PAGE 458 (LOCATION UNCERTAIN, NOT PROTRACTIBLE).
2. EASEMENT FOR UNDERGROUND WATER PIPE LINE IN FAVOR OF NEW YORK STATE ELECTRIC & GAS CORPORATION RECORDED IN BOOK 1030 AT PAGE 458 (LOCATED AT OR NEAR THE SOUTHEASTERLY CORNER OF THE SUBJECT TRACT, NOT PROTRACTIBLE).
3. THE PROPOSED ENVIRONMENTAL EASEMENT WILL ENCOMPASS THE ENTIRE PARCEL DESCRIBED ABOVE.

CERTIFICATION:

I HEREBY CERTIFY TO:

THE PEOPLE OF THE STATE OF NEW YORK ACTING THROUGH THEIR COMMISSIONER OF DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE TOWN OF STILLWATER, NEW YORK

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 2, 3, 4, 6, 7(A), 8, 9, 10, 11(B), 12, 13, AND 14 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEW YORK, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

SIGNED: ______________________, DATED: ______________,
JOHN E. MACDONALD, NYPLS #049774

GENERAL NOTES:

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES .

SURVEYED FROM RECORD DESCRIPTION AND AS IN POSSESSION.

PROPERTY BOUNDARY AS PER DEED AND MAP REFERENCE.

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS OF RECORD.

SURVEY SUBJECT TO ANY RIGHT, TITLE OR INTEREST THE PUBLIC MAY HAVE FOR HIGHWAY USE.

ALL ABOVE GROUND STRUCTURES AND SURFACE FEATURES SHOWN HEREON ARE THE RESULT OF A FIELD SURVEY UNLESS OTHERWISE NOTED. UNDERGROUND FACILITIES AND STRUCTURES, IF ANY ARE SHOWN HEREON, WERE TAKEN FROM DATA OBTAINED FROM MAPS, RECORD DRAWINGS AND RECORD DATA BY OTHERS OBTAINED FROM VARIOUS SOURCES. THE LOCATION OF UNDERGROUND UTILITIES SHOWN HAS BEEN COMPILED FROM FIELD SURVEY INFORMATION AND SAID RECORD DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES AND/OR STRUCTURES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES AND/OR STRUCTURES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES AND/OR STRUCTURES. THERE MAY BE OTHER UNDERGROUND UTILITIES AND/OR STRUCTURES, THE EXISTENCE OF WHICH ARE NOT KNOWN OR CERTIFIED BY THE UNDERSIGNED. SIZE, LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES AND STRUCTURES MUST BE VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO THE DESIGN AND/OR CONSTRUCTION OF ADJACENT IMPROVEMENTS. THE UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION MUST BE NOTIFIED PRIOR TO CONDUCTING TEST BORINGS, EXCAVATION OR CONSTRUCTION.

DEED REFERENCE:

1. COUNTY OF SARATOGA TO BAO BAO INC. , DATED NOVEMBER 16, 1999 AND RECORDED IN THE SARATOGA COUNTY CLERKS OFFICE IN DEED BOOK 1536, AT PAGE 58

TAX MAP PARCEL:

TOWN OF STILLWATER, SECTION 262.00, BLOCK 1, PARCEL 9.14

MAP REFERENCES:

1. MAP ENTITLED "SUBDIVISION OF LANDS OF CARMINE AND MARY DECRESCENTE" BY PAUL F. TOMMELL PROFESSIONAL LAND SURVEYOR, DATED DECEMBER 21, 1987 AND FILED IN THE SARATOGA SPRINGS CLERKS OFFICE ON FEB. 16, 1988.

0 1 2 3
ORIGINAL SCALE IN INCHES

ISSUED FOR FINAL

I HEREBY CERTIFY THAT THIS SURVEY MAP IS BASED ON AN ACTUAL FIELD SURVEY COMPLETED FEBRUARY 10, 2009 AND THAT THIS SURVEY MAP WAS MADE BY ME OR UNDER MY DIRECTION, AND CONFORMS WITH THE MINIMUM STANDARD OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

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Connecticut: 914 Hartford Turnpike, Waterford, CT. 06385, Phone: (860) 440-2690

rev.	date	description
1	3/24/09	UPDATED TO 2005 ALTA STANDARDS

STILLWATER BOILERHOUSE

ALTA/ASCM LAND TITLE SURVEY
EXISTING CONDITIONS PLAN
STILLWATER BOILERHOUSE PROPERTY

STILLWATER, SARATOGA COUNTY, NEW YORK

drawn	checked
MAM	JEM
date 8/04/06	scale 1"=20'
project no. 30201.14	
sheet no. SP1 1OF1	

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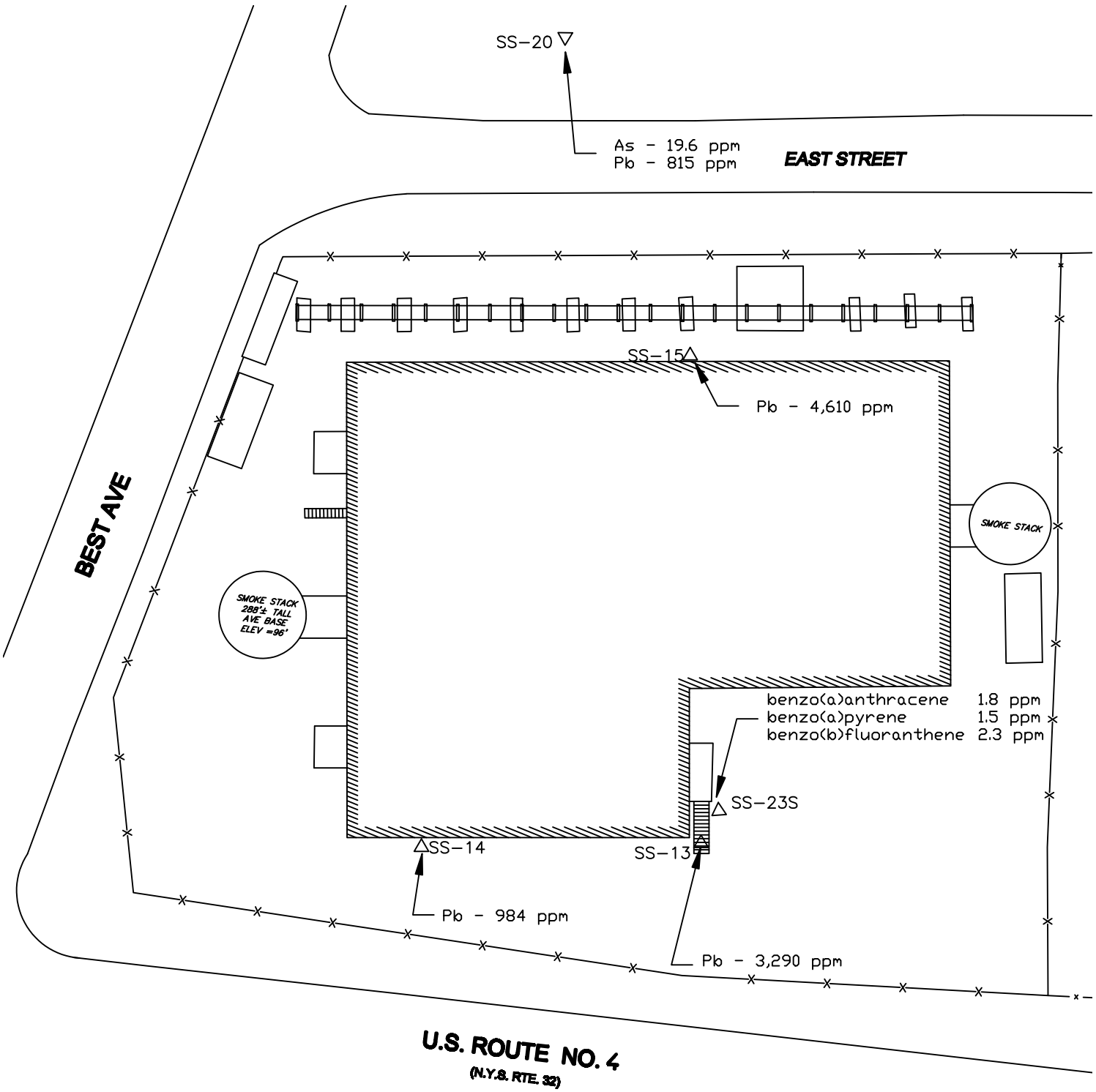
Xref's Attached: SITEMAP; XBM-update; XTB_30201_14
Date Printed: Apr 09, 2009, 3:59pm

Figure 2

Remedial Investigation Surface Soil Contamination Summary



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North Country Office:
100 Glen Street Glens Falls, NY 12801
Phone: (518) 812-0513

FORMER BOILER HOUSE PROPERTY

FIGURE 2

Pre-IRMSurface Contaminants
Above Restricted Residential Usage
Sample Location Map
Town of Stillwater, Saratoga County, New York

drawn	checked
CST	KB
date	scale
2/4/09	1"=40'
project no.	
30201.14	
sheet no.	
FIG. 2	

Drawing Name: S:\3\30200-30299\30201_14\ENV\1_RI_AA Report Revised\PRAP\PRAP Figures\FIG 3 PRAP.dwg Date Printed: Mar 18, 2009, 11:14am

Figure 3

Remedial Investigation Subsurface Soil Contamination Summary

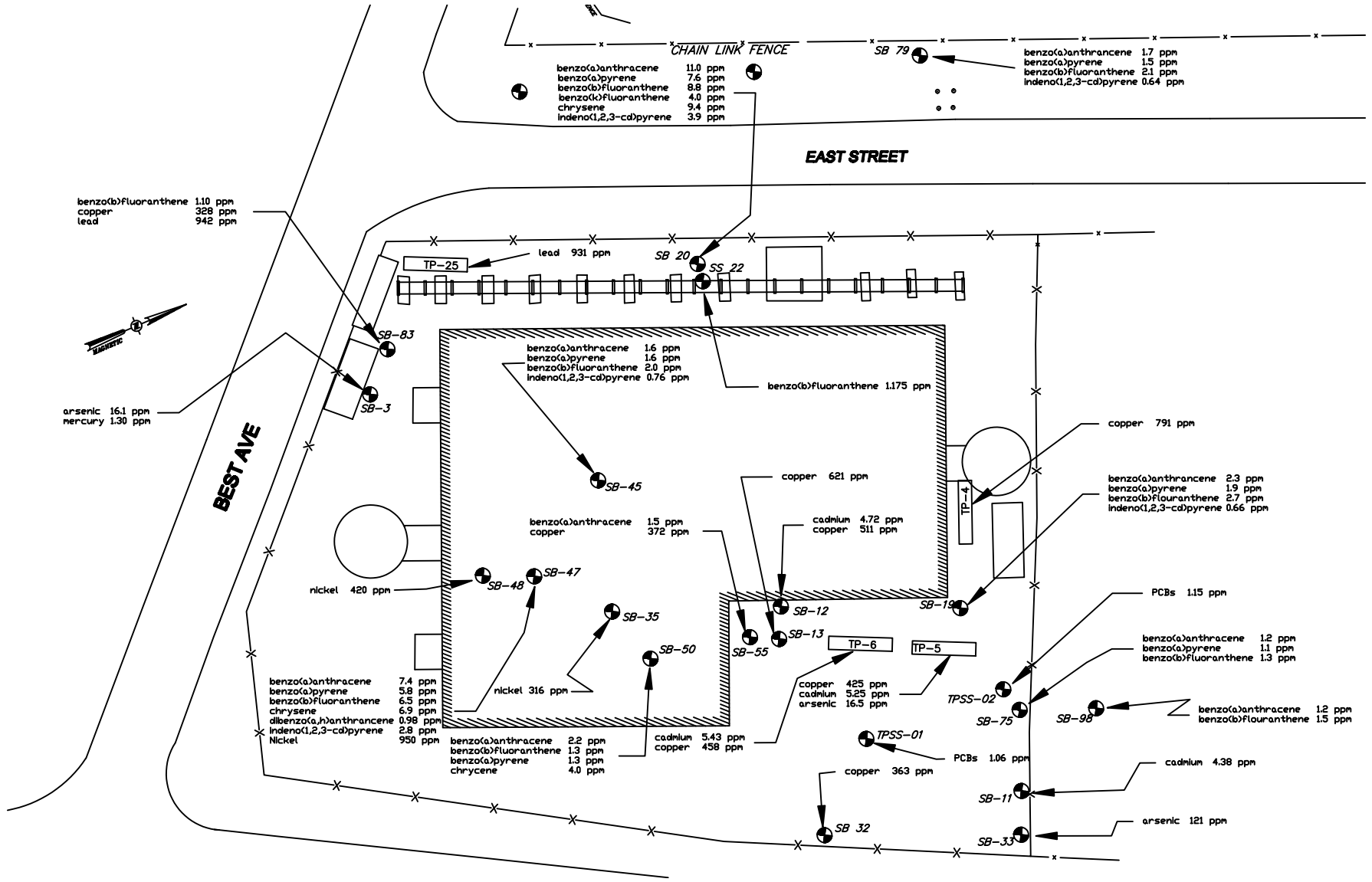

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FIGURE 3

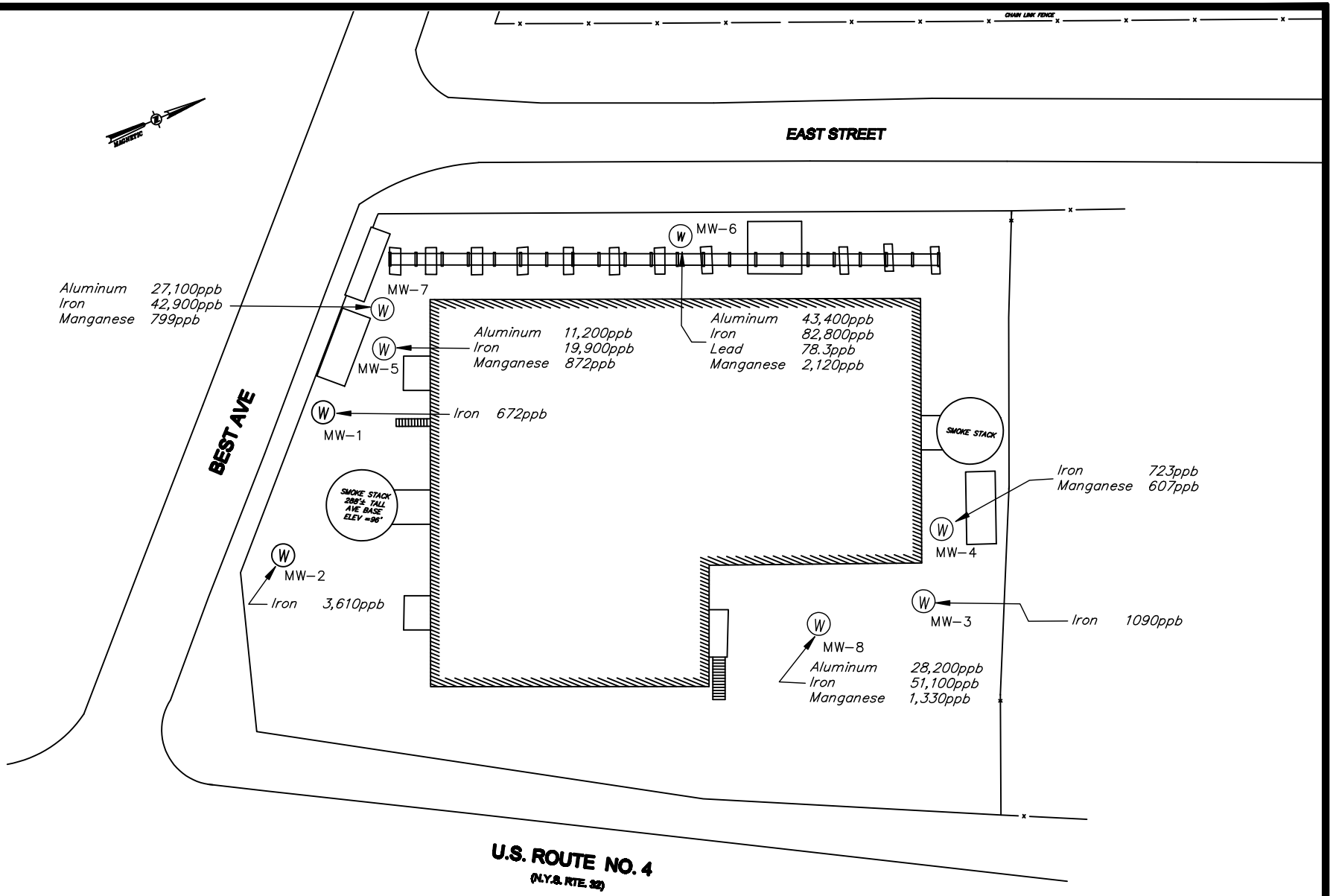
Pre-IRM Subsurface Contaminants Above Restricted Residential Usage Sample Location Map

Town of Stillwater, Saratoga County, New York

drawn	checked
CST	KB
date	scale
2/4/09	1"=50'
project no.	
30201.14	
sheet no.	
FIG. 3	

Figure 4

Remedial Investigation Groundwater Contamination Summary



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FORMER BOILER HOUSE PROPERTY

FIGURE 4

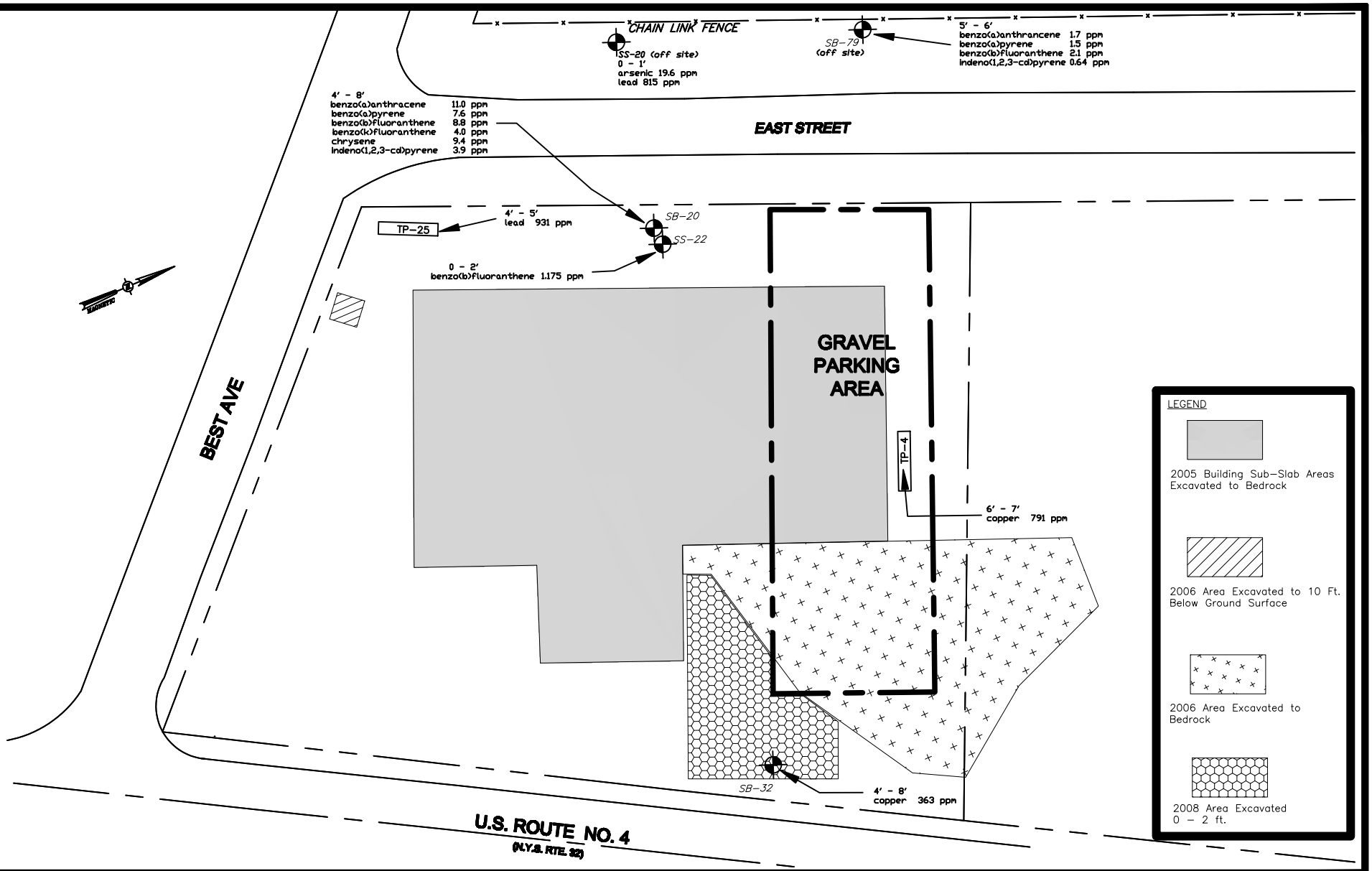
Pre-IRM Groundwater Contaminants

Town of Stillwater, Saratoga County, New York

drawn	checked
CST	KB
date	scale
1/19/09	1"=50'
project no.	
30201.14	
sheet no.	
FIG. 4	

Figure 5

Extent of Remedial Excavation Performed and Areas and Levels of Remaining Contamination Exceeding SCOs



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Orange County Office:
356 Meadow Avenue
Newburgh, New York 12550
Phone: (845) 567-1133

North Country Office:
100 Glen Street
Glens Falls, New York 12801
Phone: (518) 812-0513

FORMER BOILER HOUSE PROPERTY

FIGURE 5

Current Conditions
Contaminants Above Restricted Residential Usage Location Map
Town of Stillwater, Saratoga County, New York

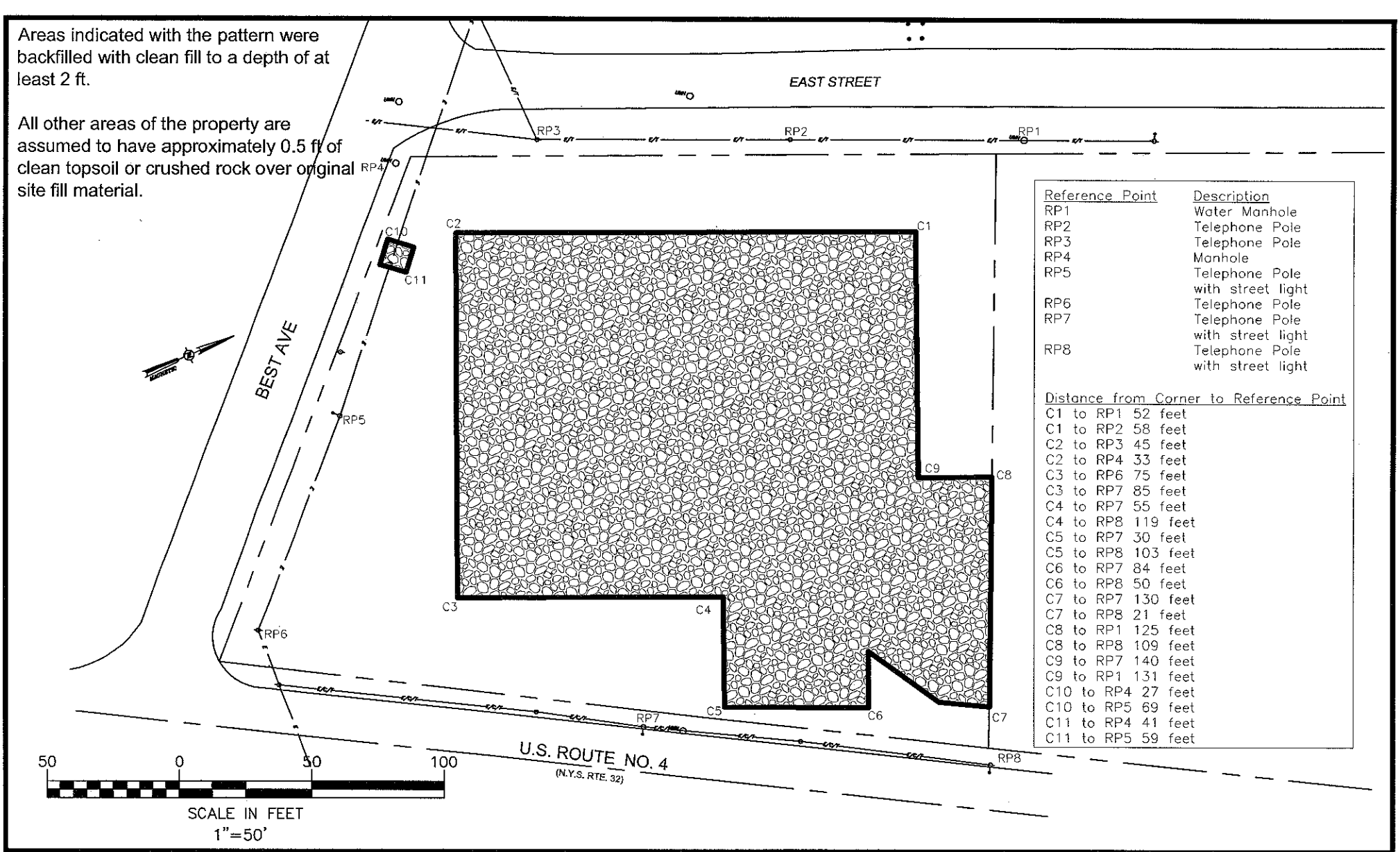
drawn	checked
CST	KB
date	scale
2/4/09	1"=50'
project no.	
30201.14	
sheet no.	
FIG. 5	

Figure 6

Map Indicating Areas Backfilled with Clean Fill

Areas indicated with the pattern were backfilled with clean fill to a depth of at least 2 ft.

All other areas of the property are assumed to have approximately 0.5 ft of clean topsoil or crushed rock over original site fill material.



Reference Point	Description
RP1	Water Manhole
RP2	Telephone Pole
RP3	Telephone Pole
RP4	Manhole
RP5	Telephone Pole with street light
RP6	Telephone Pole
RP7	Telephone Pole with street light
RP8	Telephone Pole with street light

Distance from Corner to Reference Point
C1 to RP1 52 feet
C1 to RP2 58 feet
C2 to RP3 45 feet
C2 to RP4 33 feet
C3 to RP6 75 feet
C3 to RP7 85 feet
C4 to RP7 55 feet
C4 to RP8 119 feet
C5 to RP7 30 feet
C5 to RP8 103 feet
C6 to RP7 84 feet
C6 to RP8 50 feet
C7 to RP7 130 feet
C7 to RP8 21 feet
C8 to RP1 125 feet
C8 to RP8 109 feet
C9 to RP7 140 feet
C9 to RP1 131 feet
C10 to RP4 27 feet
C10 to RP5 69 feet
C11 to RP4 41 feet
C11 to RP5 59 feet

CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTURE CO., P.C.

Dutchess County Office:
21 Fox Street
Poughkeepsie, New York 12601
Phone: (845) 454-3980

Capital District Office:
547 River Street
Troy, New York 12180
Phone: (518) 273-0055

Orange County Office:
356 Meadow Avenue
Newburgh, New York 12550
Phone: (845) 567-1133

North Country Office:
100 Glen Street
Glens Falls, New York 12801
Phone: (518) 812-0513

FORMER BOILER HOUSE PROPERTY

FIGURE 6
MAP INDICATING AREAS BACKFILLED WITH CLEAN FILL TO A DEPTH OF AT LEAST TWO FEET

Town of Stillwater, Saratoga County, New York

drawn	checked
CST	KB
date	scale
4/6/09	1"=50'
project no.	
30201.14	
sheet no.	

APPENDIX A
Metes and Bounds

CHAZEN ENGINEERING & LAND SURVEYING CO., P.C.

Capital District Office:

20 Gurley Avenue
Troy, NY 12182
Phone: (518) 235-8050 Fax: (518) 235-8051

Web: www.chazencompanies.com
Email: albany@chazencompanies.com

Dutchess Country Office:
Phone: (845) 454-3980

Orange County Office:
Phone: (845) 567-1133

North County Office:
Phone: (518) 812-0513

LEGAL DESCRIPTION

BOILER HOUSE PARCEL
Route 4, Best Ave & East Ave.
Containing 1.23 aces

ALL that certain piece or parcel of land situated and being in the Town of Stillwater, County of Saratoga, and State of New York, bounded and described as follows:

BEGINNING at a point located at the intersection formed by the westerly line of U.S. Route No. 4 with the northerly line of Best Avenue; thence from said point of beginning and along said northerly line of Best Avenue, North 45°52'00" West, 203.59 feet to a point being the intersection formed by said north line of Best Avenue with the easterly line of East Avenue; thence in a northerly direction and along said east line of East Street, North 22°56'00" East, 221.00 feet to a point; thence in an easterly direction and along the southerly line of the lands now or formerly of Polyset Company, Inc. (Book 1224, Page 283), South 66°00'00" East, 224.18 feet to a point located in the aforesaid westerly line of U.S. Route 4; thence in a southerly direction and along the same, the following two courses and distances: 1) South 29°24'00" West, 106.97 feet to a point and 2) South 29°50'00" West, 185.50 feet to the point or place of beginning.

Containing in all, 1.23 acres of land being more or less.

Being Lot No. 1 as shown on a map filed in the Saratoga County Clerks Office in Drawer D, Map 125 entitled, "Subdivision of the Lands of Carmine and Mary Decrescente", dated 12-21-87, and filed 2-16-88.

October 18, 2004 Vincent P. Ausfeld P.L.S.

APPENDIX B

Environmental Easement

(To Be Appended when Finalized)

APPENDIX C
Example Annual Periodic Review Report

EXAMPLE PERIODIC REVIEW REPORT

[MONTH DAY, YEAR]

Mr. Michael McLean
NYSDEC – Region 5
P.O. Box 296
1115 NYS Route 86
Ray Brook, NY 12977

Re: Periodic Review Report and Engineering Control Certification
Former Boiler House Property, Stillwater, Saratoga Co., New York
NYSDEC Environmental Restoration Program Site No. B00197

Dear Mr. McLean,

In accordance with 6 NYCRR Part 375, the Record of Decision, and the approved Site Management Plan for the Former Boiler House Property in Stillwater, New York, this letter serves to certify that the soil cover and stone parking lot surfaces have been properly maintained and no excavation or other development activities have taken place during the year preceding this reporting. The property is a maintained, grass-covered, open land lot. A small portion of the property is a stone surface vehicle parking lot area.

An inspection of the property took place on [month day, year]. No evidence ground disturbance or other intrusive activities were identified during the inspection. No evidence of cover stresses, including settling or erosion of surface materials, was noted. The drainage structure located along NYS Route 4 was clear of debris. No discolored, stressed, or areas absent vegetation were observed. As such, we find that the surface cover placed on this site continues to provide adequate separation between the deeper fill materials present on the property and public uses that may occur on the surface.

If you require additional information about this periodic review, please contact [name] at [phone].

Sincerely,

Name
Position