Periodic Review Report

(Reporting Period April 28, 2024 to April 27, 2025)

Site: Gedney and Main Street
Site Parcel ID: Section 66.39, Block 1, Lot 2
Nyack, New York 10960



Prepared Pursuant to Brownfield Cleanup Agreement

NYSDEC Index Number: A3-0568-1006

Site Number: C344067

Prepared For:

Foot of Main, LLC.
27 Route 210
Stony Point, New York 10980

June 2025

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1 Summary

1.1 Site, Nature and Extent of Contamination, and Remedial History

Henningson, Durham & Richardson Architecture and Engineering, P.C. in association with HDR Engineering, Inc. (HDR) was contracted by Foot of Main, LLC (the "Volunteer") to perform monitoring and sampling in accordance with the Site Management Plan (SMP) and prepare this Periodic Review Report (PRR) for the Former Tidewater Terminal Site located at 41 Gedney Street (Site) in the Village of Nyack, Rockland County, New York. The Site was formally used as an oil terminal and was remediated under the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Site # C344067.

Numerous subsurface investigations were conducted at the Site from 1992 to 2009. A listing of these reports is listed below:

- Dames & Moore (D&M). Phase IIA Environmental Assessment, Clermont Condominiums – Parcel III. 1992a.
- Dames & Moore (D&M). Phase IIC Environmental Assessment. Groundwater and Surface Water Sampling, Clermont Condominiums – Parcel III. 1992b.
- Clough, Harbour & Associates (CHA). Environmental Investigation Report for the Proposed Ferry Site, Main and Gedney Streets, Nyack, New York. 1995.
- Lawler, Matusky & Skelly Engineers LLP (LMS). Letter to James O'Mara, NYS Dept. of Environmental Conservation. 1995.
- RETEC. Remedial Investigation Report, Former Manufactured Gas Plant Site, Nyack, NY. 2002.
- RETEC. Pre-Design Investigation Report, Nyack MGP Site, Nyack, NY. 2005.
- HDR. Remedial Investigation Report, Former Tidewater Terminal, Nyack, NY. 2009

Based on these investigations, it was determined that on-site subsurface soils and groundwater were impacted by historic operations.

A NYSDEC Record of Decision (ROD) for the Site was released in April 2012 (NYSDEC Site No. C344067). The remedy selected was "Excavation of Soils in Excess of the Restricted Residential Soil Cleanup Objectives (SCOs) with Offsite Disposal" with an environmental easement which limits the Site to restricted residential, commercial, or industrial use, and restricts groundwater usage. A capping system is also part of the approved remedy (consisting of 2 ft. of approved soils and/or elements of the proposed re-development including building foundations, asphalt, sidewalk and other hard surfaces). The SMP and easement also require maintenance of the cap.

Remedial operations, including the excavation and offsite disposal of impacted soils, were conducted at the Site from July 6, 2016 through August 19, 2016; November 9, 2016 through November 10, 2016; and August 14 through August 16, 2017. A total of 15,962.65 tons of petroleum-contaminated soils were removed from the Site during this time.

Remaining contamination at the Site includes soils contaminated with residual gasoline- and petroleum-related volatile organic compounds (VOCs). The SMP describes monitoring of the residual contamination and other site activities/conditions.

1.2 Effectiveness of the Remedial Program

The remedial program has prevented unacceptable exposure to Site contaminants and is meeting the remedial goals for the Site, which include: (1) prevention of exposure to remaining contamination in the soils below the engineered cap by maintaining a competent cover system (e.g., 2 feet of clean fill, hard surface associated with re-development), (2) prevention of soil vapor intrusion into on-site occupied indoor spaces, confirmed via annual monitoring of indoor air quality after the Site is re-developed with buildings (i.e., testing of indoor air during heating season and during normal operations of exhaust fans for the parking garage once the buildings on Site are completed), and (3) prevention of exposure to contaminated groundwater.

The Site Management Plan (SMP) has the following six elements:

1. Engineered Cap (including soil cover, buildings and sidewalks) over residual contamination remaining at the Site;
2. Infiltration Basin and Soil Vapor Intrusion Monitoring Programs;
3. Soil Excavation Plan;
4. Land Use Restrictions;
5. Groundwater Use Restrictions; and
6. Reporting Requirements.

1.3 Compliance

Building construction and site re-development have been delayed and have not commenced yet. Therefore, infiltration basin and soil vapor intrusion monitoring activities have not been initiated. However, the temporary engineered cap remains in place and is functioning as designed. Site development is not anticipated to begin within the next reporting period.

1.4 Recommendations

HDR recommends continuing the elements of the December 17, 2017 approved SMP. Start of re-development activities will be tracked, so that the monitoring programs associated with the infiltration basin and soil vapor can be scheduled as appropriate.

2 Site Overview

2.1 Description

The Site is located at 41 Gedney Street, Nyack, New York, at the northeast corner of the intersection of Gedney Street and Main Street. Nyack is an incorporated Village in the Town of Orangetown, Rockland County. Figure 1 includes a United Sates Geological Survey (USGS) map that shows the location of the Site and its surroundings. Figure 2 shows the Site and the overall development property.

The Site encompasses the western 0.8-acre portion of the 2.6-acre property identified on the Rockland County tax map as Section 66.39, Block 1, Lot 2. The Village's zoning map shows that the Site is in a Waterfront Development C-3 zone. The proposed re-development and use is consistent with this zone and land use plans and was subject to a special permit approved by the Village Board and the building permit, which were issued on September 13, 2018.

Public water, electricity, natural gas, and sanitary sewer utilities exist beneath the adjacent street and are available to support the proposed Site re-development. Other than the electricity used to support the parking area for the Clermont Condominium complex, all on-site utility services are currently inactive.

The Site is bordered to the south and west by a mix of commercial and residential (apartment/condominium) properties. To the north, the land is vacant and was remediated by Orange and Rockland (O&R) due to historic contamination from a former coal gasification operation. There are no existing industrial or agricultural areas in proximity to the Site.

2.2 Remedial Program

The Site was remediated under a Brownfield Cleanup Agreement (BCA # C344067) between the Volunteer and NYSDEC, as part of the New York State BCP under the 1996 Clean Water/Clean Air Bond Act Brownfield Program. The Site is listed as NYSDEC Index #A3-0568-1006, as approved by NYSDEC in November 2006. The Remedial Investigation (RI) was completed in accordance with the June 2007 NYSDEC-approved Final RI Work Plan (Final RIWP). The RI data was summarized in the NYSDEC-approved Final RI Report dated June 2010. Additionally, an Alternative Analysis Report (AAR) dated February 2011 was approved by NYSDEC. This AAR provided an evaluation of the no-action and several remedial action alternatives and associated costs. The NYSDEC issued a Proposed Remedial Action Plan (PRAP) for the Site based on the RI/AAR in February 2012. The ROD, presenting the selected remedy for the Site, was issued in April 2012; the selected remedy was "Excavation of Soils in Excess of the Restricted Residential SCOs with Offsite Disposal".

Following remediation, the SMP was submitted to NYSDEC in June 2017; it was revised in December 2017. The Final Engineering Report (FER) was submitted to NYSDEC in

December 2017. Foot of Main, LLC was issued an approval for the FER and a Certificate of Completion on December 27, 2017.

The remedial program consisted of excavation and offsite disposal of impacted subsurface soils, collection of post-excavation samples to document compliance, and decommissioning of existing monitoring wells located in the footprint of the proposed remedial excavation. In total, 13 monitoring wells were decommissioned, and 15,962.65 tons of impacted soils and weathered bedrock were removed from the Site. Post excavation samples were collected from 36 locations between June 2016 and August 2017. Details of remedial activities were included in the FER.

The property was remediated to Restricted Use / Restricted Residential SCOs. As of the date of this PRR, the Site is currently vacant awaiting the start of construction. The Institutional and Engineering Controls Certification Form is included as Appendix A of this report.

Infiltration basin and indoor air sampling will be initiated once the Site re-development and construction is complete or sufficiently underway. At this time, infiltration basin sampling is anticipated to occur in 2026, and the indoor air sampling program is anticipated to start during the 2026/2027 heating season; however, these timeframes are subject to change and will be adjusted accordingly depending on when site development begins.

3 Remedy Performance, Effectiveness, and Protectiveness

A Declaration of Covenants and Restrictions with the land is recorded in the Rockland County Clerk's office. It outlines the restrictions for the Site as follows:

1. "The Controlled Property may be used for: **Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv);**

2. All Engineering Controls (ECs) must be operated, maintained, and inspected as specified and at the frequency defined in the SMP;

3. The use of groundwater underlying the property is prohibited without the necessary water quality treatment as determined by the NYSDOH or the Rockland County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

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

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

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

7. Monitoring to assess the performance and effectiveness of the remedy must be performed as described in the SMP;

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

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

In accordance with the SMP, the Site ECs and Institutional Controls (ICs) are designed to:

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of, volatiles from contaminated groundwater.
- Restore groundwater aquifer to pre-disposal/pre-release conditions, to the extent practicable.

- Remove the source of ground or surface water contamination.
- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.
- Prevent migration of contaminants that would result in groundwater or surface water contamination.
- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

Exposure to remaining contamination in soil/fill at the Site is prevented by a capping system placed over the Site. This cover system is designed to include a minimum of two feet of soil cover and concrete-cover from building foundations and slabs, sidewalks, and other hard surfaces.

4 IC/EC Plan Compliance

4.1 IC/EC Requirements and Compliance

In accordance with the approved SMP, a Site Evaluation includes a review of Site information and conditions for compliance with the requirements of the Site-specific ROD. Following the on-site active remediation when approximately 16,000 tons of soil were removed from the Site, the on-going requirements of the ROD include installation and monitoring of a capping system over remaining contamination, water and land use restrictions, and other types of monitoring and reporting. These requirements are discussed below.

4.1.1 Cap Over Remaining Contamination

Description. As noted previously, the portions of the Site that were not excavated to bedrock are currently capped with a temporary cover consisting of two feet (or more) of quarried stone (area of capping is shown on Figure 3). Once re-development occurs, the Site will be capped by a combination of soil cover, concrete foundations, building slabs, and concrete sidewalks. The capping system is an EC included in the Declaration of Covenants and Restrictions and must be maintained. Any excavation activities that disturb the cap or the soils below the cap must first be approved by the NYSDEC and must follow the requirements in the Excavation Plan in the SMP.

During the PRR Site inspection conducted in June 2025, the cap was inspected, and photos were taken to document the cap's condition. The cap inspection photo log is attached as Appendix B.

Goal Status. In the time since the FER was submitted and accepted by NYSDEC, there have been no alterations or disturbances to the temporary stone cap at the Site.

The cap is in place and meets the requirements of the SMP.

Corrective Measures. Currently there are no deficiencies, and corrective measures are not needed.

Conclusions and Recommendations. No changes are needed. Schedules for Site re-development and construction continue to be tracked.

4.1.2 Water Use Restrictions

Description. The restriction is an IC included in the Declaration of Covenants and Restrictions that prohibits use of the Site's groundwater unless NYSDEC approves otherwise.

Goal Status. The restriction remains in place, and there continues to be no known on-Site or nearby drinking water or production wells.

Corrective Measures. There are no deficiencies, and corrective measures are not needed.

Conclusions and Recommendations. No changes are needed.

4.1.3 Land Use Restrictions

Description. The restriction is an IC included in the Declaration of Covenants and Restrictions that limits use of the Site to restricted residential use, commercial use, or industrial use.

Goal Status. The restriction remains in place. The Site is currently vacant and will be developed with condominiums consistent with restricted residential use, and in accordance with Village of Nyack approvals. There are no plans to change the use of the Site.

Corrective Measures. There are no deficiencies, and corrective measures are not needed.

Conclusions and Recommendations. No changes are needed.

4.2 IC/EC Certification

A copy of the requisite certification is presented in Appendix A. The Qualified Environmental Professional (QEP) section of the certification has been signed by Michael Musso, P.E. from HDR.

5 Monitoring Plan Compliance

5.1 Components of the Monitoring Plan

The SMP states that Site information will be periodically evaluated to confirm that the remedy continues to be effective in protecting public health and the environment. This periodic evaluation includes annual Site-wide inspections, monthly infiltration basin inspection and sampling (post-development), and annual soil vapor intrusion evaluation and sampling (post-development).

The Site-wide inspection performed for this PRR submittal included the inspection of the Site conditions to evaluate whether the ICs and ECs:

- Continue to perform as designed;
- Continue to be protective of human health and the environment;
- Comply with requirements of the Site-specific SMP and the Environmental Easement; and
- Achieve remedial performance criteria.

During the Site inspection, a Site Management inspection form was completed. The form is included as Appendix C.

In addition to the annual Site-wide inspection, the SMP calls for monthly inspections if discharges to the infiltration basin are noted (i.e., from future building footing drains). Grab samples of discharge flows (water samples) will be collected and analyzed during these monthly inspections.

As of the date of this PRR submission, the footing drains and infiltration basins have not yet been constructed at the Site (and thus monthly inspections and grab sampling have not occurred). Once constructed, the infiltration basin will be inspected for discharges monthly. Samples collected will be sent to a NYS certified laboratory and analyzed for Target Compound List (TCL) VOCs via EPA Method 8260B; TCL semi-volatile organic compounds (SVOCs) via EPA Method 8270C, and Target Analyte List (TAL) Metals via EPA Method 6010B/7470A. Results of the analyses will be reported in future PRRs and the NYSDEC case manager will be kept appraised of discharge/flow conditions, sample observations and results periodically via email.

Lastly, the SMP calls for the evaluation of soil vapor intrusion by collecting indoor air samples at the future condominiums to be located along the southeast portion of the Site. As of the date of this submission, construction of the on-Site buildings has not been started. Once constructed, indoor air samples will be collected on a yearly basis with the first round of samples to be collected prior to building occupancy. Summa canisters will be utilized, and a sample work plan will be submitted to NYSDEC for review prior to conducting the first round of indoor air sampling. Samples will be submitted to a NYS certified laboratory under chain of custody protocols and analyzed for VOCs by EPA Method TO-15. Sample results will be reported to the NYSDEC case manager upon receiving validated results and in future PRRs.

5.2 Summary of the Monitoring Completed

During this PRR period (April 28, 2024 through April 27, 2025), HDR conducted the Site-wide inspection on June 11, 2025. The completed *Site Management PRR Notice IC/EC Control Certification Form* is attached in Appendix A. Site photographs of the inspection are included as Appendix B, and the Site Management form/inspection form is included as Appendix C.

5.3 Comparisons with Remedial Objectives

Currently the Site is vacant and awaiting the start of re-development activities. The temporary Site cap is in place and is protective to human health and environment since the completion of the soil excavation activities in August 2017.

Infiltration basin inspection and sampling and soil vapor intrusion evaluations have not been conducted but will commence during or following Site re-development.

5.4 Monitoring Deficiencies

No monitoring deficiencies were noted during this PRR interval. Delays in Site re-development/construction have not been noted to have caused any adverse effects to the Site or surrounding areas.

5.5 Conclusions and Recommendations

The temporary engineered cap is currently in place and performing as designed. As described above, infiltration basin monitoring, and soil vapor intrusion evaluations were not conducted during this reporting period but will commence during or subsequent to Site re-development. It is anticipated that this monitoring will be conducted during the next reporting period and will be detailed in the next PRR. There are no further recommendations at this time.

6 Operation and Maintenance Plan Compliance

6.1 Components

There are no operations and maintenance activities associated with active or mechanical systems at the Site.

The Site capping system must remain in place. Infiltration basin inspections and sampling (if discharge is observed) as well as soil vapor intrusion evaluations will be conducted periodically as required.

6.2 Summary of O&M Completed

The cap was inspected on June 11, 2025. A cap inspection photo log was prepared and is included as Appendix B.

6.3 Evaluation

During the reporting period, the Site cap functioned as designed.

6.4 Deficiencies

There were no deficiencies in complying with the O&M Plan during this reporting period.

6.5 Conclusions and Recommendations

No modifications to the O&M Plan are required.

7 Overall PRR Conclusions and Recommendations

7.1 Compliance with Site Management Plan

1. For each component of the SMP (IC/EC, Monitoring Plan, Excavation Plan, O&M Plan), all requirements were met during this reporting period, with the exception of the infiltration basin inspection and sampling and soil vapor intrusion evaluation. These could not be completed during the reporting period due to a delay in re-development and construction at the Site. The features to be monitored do not exist at this time.
2. New compliance plans/schedules are not required at this time.

7.2 Performance and Effectiveness of the Remedy

The SMP is achieving the remedial objectives for the Site:

1. The Site cap has been observed to be in good condition.
2. Groundwater at the Site is not being used.
3. Excavation through the capping system is a controlled activity and has not been required up to this time.

7.3 Recommendations

1. Continue annual Site-wide inspections and reporting to NYSDEC.
2. Continue monthly infiltration basin inspection and sampling (if discharge is noted) once the infiltration basin is constructed.
3. Continue annual soil vapor intrusion evaluations once the building is constructed.

7.4 Future PRR Submittals

Currently, HDR recommends maintaining the annual frequency for subsequent PRR submittals.

8 References

Dames & Moore (D&M). Phase IIA Environmental Assessment, Clermont Condominiums – Parcel III. 1992a.

Dames & Moore (D&M). Phase IIC Environmental Assessment. Groundwater and Surface Water Sampling, Clermont Condominiums – Parcel III. 1992b.

Clough, Harbour & Associates (CHA). Environmental Investigation Report for the Proposed Ferry Site, Main and Gedney Streets, Nyack, New York. 1995.

Lawler, Matusky & Skelly Engineers LLP (LMS). Letter to James O'Mara, NYS Dept. of Environmental Conservation. 1995.

RETEC. Remedial Investigation Report, Former Manufactured Gas Plant Site, Nyack, NY. 2002.

RETEC. Pre-Design Investigation Report, Nyack MGP Site, Nyack, NY. 2005.

HDR|LMS. Remedial Investigation Work Plan. 2007.

HDR. Remedial Action Work Plan. 2016.

HDR. Site Management Plan – Former Tidewater Terminal Site. 2017a.

HDR. Final Engineering Report – Former Tidewater Terminal Site. 2017b.

NYSDEC April 2012 Brownfield Cleanup Agreement - Record of Decision – Former Tidewater Terminal Site.

Figures



0 1000 2000 4000

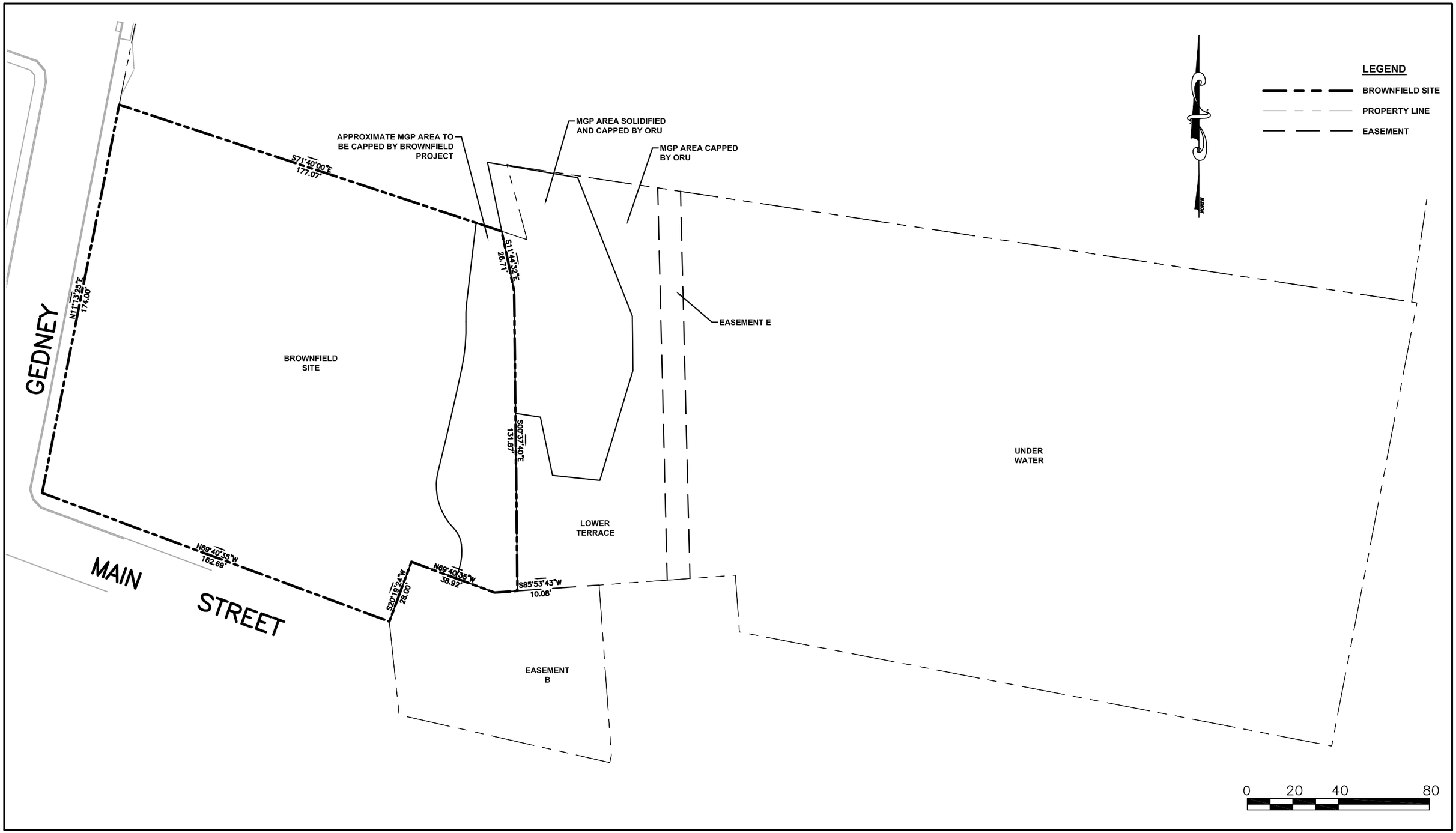
HDR

Foot of Main, LLC
Former Tidewater Terminal
Brownfield Site C344067
Gedney Street
Rockland County, Nyack, New York

SITE LOCATION MAP

DATE
04–09–15

FIGURE
1

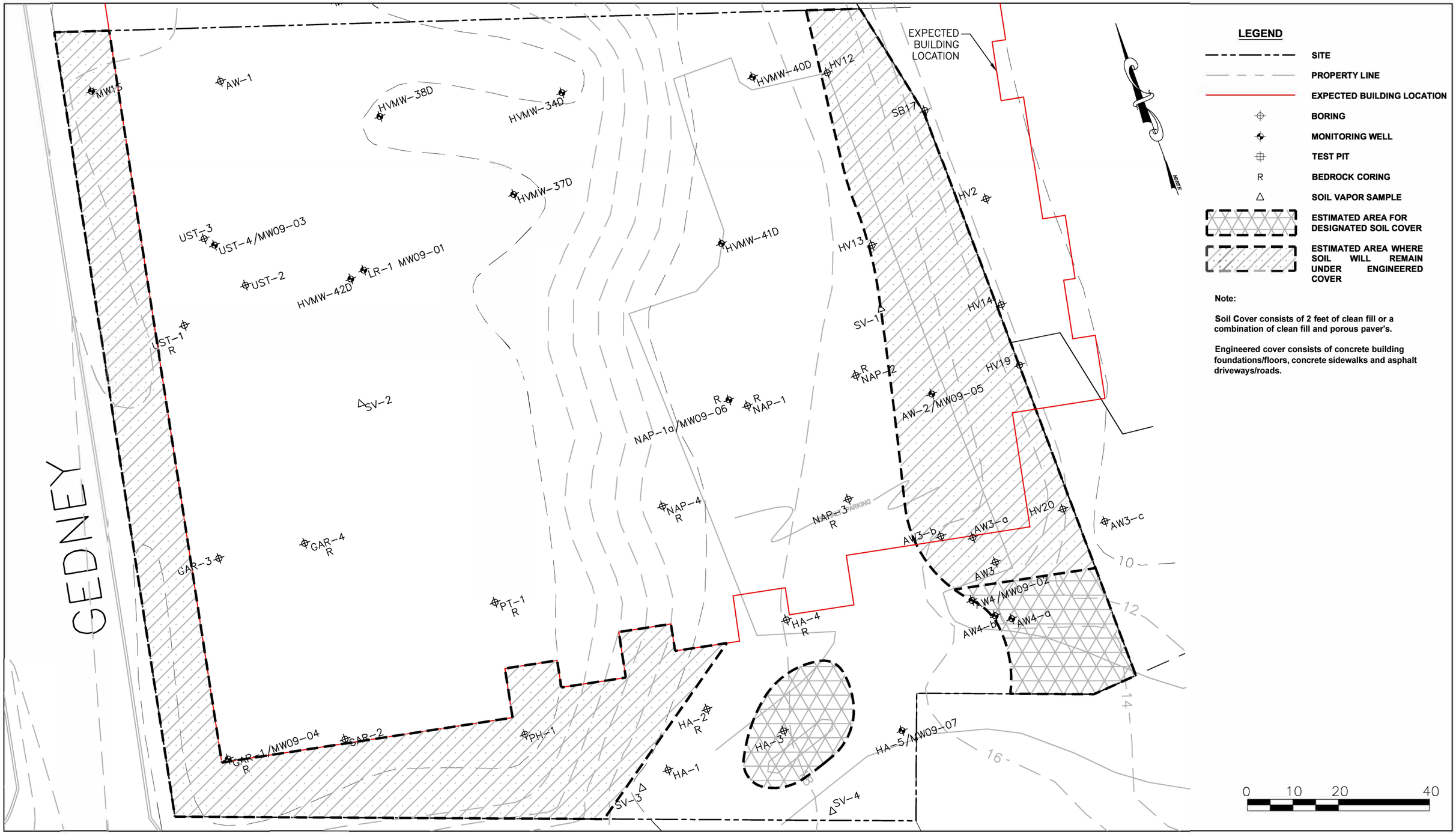


Foot of Main, LLC
Former Tidewater Terminal
Brownfield Site C344067
Gedney Street
Rockland County, Nyack, New York

BROWNFIELD SITE BOUNDARY MAP

DATE
04–09–15

FIGURE
2



Foot of Main, LLC
Former Tidewater Terminal
Brownfield Site C344067
Gedney Street
Rockland County, Nyack, New York

PORTIONS OF THE SITE REQUIRING COVER

DATE
06-05-17

FIGURE
3

Appendix A

IC/EC Controls Certification Form

Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form

Site Details **Box 1**

Site No. C344067

Site Name Former Tidewater Terminal

Site Address: Gedney and Main Streets Zip Code: 10960
City/Town: Nyack
County: Rockland
Site Acreage: 0.780

Reporting Period: April 28, 2024 to April 27, 2025

	YES	NO
1. Is the information above correct?	☒	☐
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	☐	☒
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	☐	☒
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	☐	☒
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?	☐	☒

Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial	☒	☐
7. Are all ICs in place and functioning as designed?	☒	☐

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative Date

Box 2A

	YES	NO
8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?	☐	☒

If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.

9. Are the assumptions in the Qualitative Exposure Assessment still valid? (The Qualitative Exposure Assessment must be certified every five years)	☒	☐

If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.

SITE NO. C344067 **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
66.39-1-2	Foot of Main, LLC-c/o William F. Helmer	Ground Water Use Restriction Landuse Restriction Site Management Plan IC/EC Plan Landuse Restriction Ground Water Use Restriction Monitoring Plan Site Management Plan

Box 4

Description of Engineering Controls

Parcel	Engineering Control
66.39-1-2	Cover System

Soil cover and building foundations

Box 5

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

   a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;

   b) 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 is accurate and compete.

YES	NO
X	

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

   (a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

   (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

   (c) 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;

   (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

   (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES	NO
X	

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. C344067

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 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 William Helmer (print name) at 27 Route 210, Stony point, NY 10980 (print business address),

am certifying as Owner (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

William F Helmer — 6/18/25

Signature of Owner, Remedial Party, or Designated Representative Rendering Certification — Date

EC CERTIFICATIONS

Box 7

Qualified Environmental Professional Signature

I certify that all information in Boxes 4 and 5 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 Michael Musso (print name) at 50 Tice Blvd, Suite 210, Woodcliff Lake, NJ 07677 (print business address)

am certifying as a Qualified Environmental Professional for the Owner (Owner or Remedial Party)



Michael P. Musso

Signature of Qualified Environmental Professional, for the Owner or Remedial Party, Rendering Certification

Stamp (Required for PE)

6-17-2025

Date

Appendix B

Annual Inspection Photo Log

PHOTOGRAPHIC LOG

Client Name/Contract	Site Location:	Site ID No.
Foot of Main, LLC	TZ Vista – Gedney and Main Street, Nyack, NY	C344067

Photo No.	Date:
1	06/11/25

Description:

Looking southeast at the excavated area at the west of the property (bedrock surface at the bottom of the excavation).



Photo No.	Date:
2	06/11/25

Description:

Looking south. Bedrock surface is to the right (west side of site) and the engineered cover (east side of site) is visible in the center. The engineered cover is where bedrock was not encountered.



PHOTOGRAPHIC LOG

Client Name/Contract	Site Location:	Site ID No.
Foot of Main, LLC.	TZ Vista – Gedney and Main Street, Nyack, NY	C344067

Photo No.	Date:
3	06/11/25

Description:

Looking north. Engineered cover along the east side of the Site where bedrock was not encountered.



Photo No.	Date:
4	06/11/25

Description:

Looking north northwest. Exposed bedrock surface (center) and the engineered cap (under photographer) taken from the east side of the Site.



Appendix C

Site Management Form

Summary of Green Remediation Metrics for Site Management

Site Name: Former Tidewater Terminal Site Site Code: C344067
Address: Gedney and Main Street City: Village of Nyack
State: New York Zip Code: 10960 County: Rockland

Initial Report Period (Start Date of period covered by the Initial Report submittal)
Start Date: April 27, 2019

Current Reporting Period
Reporting Period From: April 28, 2024 To: April 27, 2025

Contact Information
Preparer's Name: Colin Mills Phone No.: 201-335-9404
Preparer's Affiliation: Henningson, Durham, and Richardson Architecture & Engineering PC (Owner's Representative)

I. Energy Usage: Quantify the amount of energy used directly on-site and the portion of that derived from renewable energy sources.

	Current Reporting Period	**Total to Date**
Fuel Type 1 (e.g. natural gas (cf))	-	N/A
Fuel Type 2 (e.g. fuel oil, propane (gals))	-	N/A
Electricity (kWh)	-	N/A
Of that Electric usage, provide quantity:	-	N/A
Derived from renewable sources (e.g. solar, wind)	-	N/A
Other energy sources (e.g. geothermal, solar thermal (Btu))	-	N/A

Provide a description of all energy usage reduction programs for the site in the space provided on Page 3.

II. Solid Waste Generation: Quantify the management of solid waste generated on-site.

	Current Reporting Period (tons)	**Total to Date (tons)**
Total waste generated on-site	-	N/A
OM&M generated waste	-	N/A
Of that total amount, provide quantity:	-	N/A
Transported off-site to landfills	-	N/A
Transported off-site to other disposal facilities	0	15,962.65
Transported off-site for recycling/reuse	0	320.76
Reused on-site	-	N/A

Provide a description of any implemented waste reduction programs for the site in the space provided on Page 3.

III. Transportation/Shipping: Quantify the distances travelled for delivery of supplies, shipping of laboratory samples, and the removal of waste.

	Current Reporting Period (miles)	**Total to Date (miles)**
Standby Engineer/Contractor	-	N/A
Laboratory Courier/Delivery Service	-	N/A
Waste Removal/Hauling	-	N/A

Provide a description of all mileage reduction programs for the site in the space provided on Page 3. Include specifically any local vendor/services utilized that are within 50 miles of the site.

IV. Water Usage: Quantify the volume of water used on-site from various sources.

	Current Reporting Period (gallons)	**Total to Date (gallons)**
Total quantity of water used on-site	-	N/A
Of that total amount, provide quantity:	-	N/A
Public potable water supply usage	-	N/A
Surface water usage	-	N/A
On-site groundwater usage	-	N/A
Collected or diverted storm water usage	-	N/A

Provide a description of any implemented water consumption reduction programs for the site in the space provided on Page 3.

V. Land Use and Ecosystems: Quantify the amount of land and/or ecosystems disturbed and the area of land and/or ecosystems restored to a pre-development condition (i.e. Green Infrastructure).

	Current Reporting Period (acres)	**Total to Date (acres)**
Land disturbed	-	N/A
Land restored	-	N/A

Provide a description of any implemented land restoration/green infrastructure programs for the site in the space provided on Page 3.

Description of green remediation programs reported above (Attach additional sheets if needed)
Energy Usage: None
Waste Generation: None
Transportation/Shipping: None
Water usage: None
Land Use and Ecosystems: None
Other: None

CONTRACTOR CERTIFICATION
I, Colin Mills (**Name**) do hereby certify that I am Geologist/Environmental Data Analyst (**Title**) of Henningson, Durham, and Richardson Architecture & Engineering PC (**Contractor Name**), which is responsible for the work documented on this form. According to my knowledge and belief, all of the information provided in this form is accurate and the site management program complies with the DER-10, DER-31, and CP-49 policies. 11 June 2025 Henningson, Durham, and Richardson Architecture & Engineering PC **Date** **Contractor**