CONCORD HOTEL AND RESORT

SULLIVAN COUNTY, NEW YORK

Site Management Plan

NYSDEC Site Number: C353008

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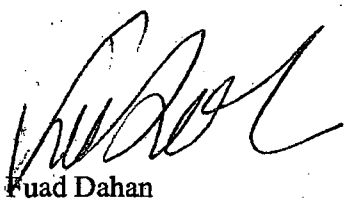
Revisions to Final Approved Site Management Plan:

Revision #	Submitted Date	Summary of Revision	DEC Approval Date

DECEMBER 2014

I Fuad Dahan certify that I am currently a NYS registered professional engineer as defined in 6 NYCRR Part 375 and that this Site Management Plan was prepared in accordance with all applicable statutes and regulations and in substantial conformance with the DER Technical Guidance for Site Investigation and Remediation (DER-10) and that all activities were performed in full accordance with the DER-approved work plan and any DER-approved modifications.



Fuad Dahan

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

LIST OF APPENDICES

SITE MANAGEMENT PLAN

1.0 INTRODUCTION AND DESCRIPTION OF REMEDIAL PROGRAM

1.1 INTRODUCTION

This document is required as an element of the remedial program at the Concord Hotel and Resort (hereinafter referred to as the "Site") under the New York State (NYS) Brownfield Cleanup Program (BCP) administered by New York State Department of Environmental Conservation (NYSDEC). The site was remediated in accordance with Brownfield Cleanup Agreement (BCA) Index# W3-1004-04-06, Site # C353008, which was executed on May 19, 2005 and last amended on August 28, 2014 (Amendment No. 2). The total area of OU-1A (as revised in the 2009 BCA Amendment to include the Brownfield Site Expansion Area) is 22.579 acres.

1.1.1 General

Concord Associates, LP (CALP) entered into a BCA with the NYSDEC to remediate a 22.579 acre property located in Thompson Township, Sullivan County, New York. This BCA required the Remedial Party, CALP, to investigate and remediate contaminated media at the site. A figure showing the site location and boundaries of this 22.579-acre ("Site") is provided in Figure 1.1. The boundaries of the site are more fully described in the metes and bounds (Appendix C) site description and it is part of the Environmental Easement (Appendix D).

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

This SMP was prepared by SESI Consulting Engineers, PC, on behalf of Concord Associates, LP, in accordance with the requirements in NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation, dated May 2010, and the guidelines provided by NYSDEC. This SMP addresses the means for implementing the Institutional Controls (ICs) and Engineering Controls (ECs) that are required by the Environmental Easement for the site.

1.1.2 Purpose

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

This SMP provides a detailed description of all procedures required to manage remaining contamination at the site after completion of the Remedial Action, including: (1) implementation and management of all Engineering and Institutional Controls; (2) media monitoring; (3) operation and maintenance of all treatment, collection, containment, or recovery systems; (4) performance of periodic inspections, certification of results, and submittal of Periodic Review Reports; and (5) defining criteria for termination of treatment system operations.

To address these needs, this SMP includes three plans: (1) an Engineering and Institutional Control Plan for implementation and management of EC/ICs; (2) a Monitoring Plan for implementation of Site Monitoring; (3) an Operation and

Maintenance Plan for implementation of remedial collection, containment, treatment, and recovery systems (including, where appropriate, preparation of an Operation and Maintenance Manual for complex systems).

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

It is important to note that:

- This SMP details the site-specific implementation procedures that are required by the Environmental Easement. Failure to properly implement the SMP is a violation of the environmental easement, which is grounds for revocation of the Certificate of Completion (COC);
- Failure to comply with this SMP is also a violation of Environmental Conservation Law, 6NYCRR Part 375 and the BCA (Index # W3-1004-04-06,; Site # C353008) for the site, and thereby subject to applicable penalties.

1.1.3 Revisions

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

1.2 SITE BACKGROUND

The 1,700-acre Concord Redevelopment Project is located in the County of Sullivan, Town of Thompson, New York. The Site is in a rural setting in the Catskill region of New York State. Areas around the Site are a mix of commercial, recreational, residential and undeveloped land. Shopping centers, retail and food establishments are also located in the vicinity of the Site. The Site is bounded by Kiamesha Lake Road to the north and Concord Road to the east and is formally described in the August 2014 BCA Amendment, which added the "Brownfield Site Expansion Area" (BSEA) to the BCP Site. A portion of the former Concord Resort golf course borders the southern BCP boundary and Lake Kiamesha is located approximately 1,000 feet to the west.

The BCP Site was accepted by the NYSDEC in May 2005 and occupied approximately 14.5 acres of the 1,700 acre property and consisted of five Operable Units (OUs 1A, 1B, 1C, 2 and 3). In August 2009, an additional area of approximately 20.5 acres was amended to OU-1A to bring the total site acreage to approximately 35 acres. The BCP Site was amended again in August 2014 to remove several of the Operable Units (OUs 1B, 1C, 2 and 3) resulting in the BCP Site acreage to be approximately 22.579 acres.

The Concord Resort Complex was built in the 1920s on pristine land on the shore of Kiamesha Lake. It was used as a summer retreat by New York City area residents. The facilities associated with the Site were built in stages over the past 80 years. The resort area continued to expand through the 1960s, by which time the site was similar to the layout at the time of acceptance into the BCP. The Site contained a grouping of obsolete, abandoned, hotel structures and outbuildings. Demolition of these structures within the Site is complete.

It is intended that site-wide redevelopment activities will include construction of a casino resort and entertainment complex with ancillary access roads, parking areas, and landscaping, the majority of which will be constructed within the BCP boundaries. Additional phases of construction may take place at a later date.

1.2.1 Site Location and Description

The site is located in the Town of Thompson, County of Sullivan, New York and is identified a Lot 9-1-34.5 on the Town of Thompson Tax Map. The site is an approximately 22.579-acre area bounded by Kiamesha Lake Road to the north, Concord Road to the east, and wooded area to the to the south and west (see Figure 1.1). The boundaries of the site are more fully described in metes and bounds (Appendix C).

1.2.2 Site History

The Concord Resort Complex was built in the 1920s on pristine land on the shore of Kiamesha Lake. It was used as a summer retreat by New York City area residents. The facilities associated with the Site were built in stages over the past 80 years. The resort area continued to expand through the 1960s, by which time the site was similar to

its current layout. According to a 1998 Phase I investigation report attached to the BCP Application, some of the Complex's buildings were evidently demolished and buried on site within the BSEA and at other parcels within the resort complex. The Site consists of obsolete, abandoned, hotel structures and outbuildings, which have been demolished.

1.2.3 Geologic Conditions

Sullivan County lies within the Appalachian Plateau physiographic province of New York State. Regional bedrock at the site is primarily middle to late Devonian shale and sandstone, and is generally shallow (less than 20 feet below grade in most areas). Visible outcrops occur throughout the study area, but owing to the variable topography, bedrock depth may exceed 60 feet in some locations. SESI encountered primarily sandstone within the BCP Site during the July-August 2008 site characterization investigation and the geotechnical engineering investigation conducted May through July 2008. Bedrock is generally shallow throughout the BCP Site, and was encountered at depths ranging from approximately 1.5 to 34 feet bgs. The Main Hotel area lies at the top of a ridge. The predominant bedrock encountered in the BCP Site was sandstone. Overburden soils consist primarily of residual sand and silts with occasional fill, as well as weathered rock from the underlying shale and sandstone bedrock. Bedrock contours for the Site are shown on Figure 1.2.

Groundwater was not encountered in the overburden, but was encountered in bedrock. Bedrock elevation data indicates that west of the ridge, groundwater flows through bedrock (and potentially down-gradient soil overburden) towards Kiamesha Lake to the west. To the east of the ridge shallow groundwater is believed to flow towards Kiamesha Creek to the east. The abundance of lakes and streams in the site area suggests that groundwater is relatively shallow. Groundwater contours for the Site are depicted on Figure 1.3.

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:

- Interim Remedial Measure Work Plan For OU-1A, August 2008, by SESI
- Remedial Investigation Report Operable Unit 1A, October 3, 2008, by SESI
- Remedial Action Work Plan Operable Unit 1A Main Hotel Area, dated November 2008 by SESI
- OU-1A RAWP Addendum: Combined Remedial Investigation Report RAWP for the BSEA, October 2009, by SESI
- Final Engineering Report (FER) for The Concord Hotel and Resort, December 2014, by SESI

The site investigation was conducted during two phases conducted in the years 2008/2009 and 2014. Generally, the RI of 2008 determined that the primary chemical constituents in soils exceeding these SCOs are pesticides, PCBs, polycyclic aromatic hydrocarbons (PAHs), and metals. Partially as a result of the Interim Remedial Measure (IRM) activities, soil generally meets the Restricted Use-Commercial chemical criteria with a few locations of exceedances primarily for arsenic and PAHs. The varying depth of bedrock throughout the Site, coupled with historic site development activities, has resulted in soil/fill overburden depths ranging from two to 25 feet.

Soil gas concentrations exceed applicable Standards, Criteria, and Guidance (SCGs) at locations throughout the Site. However, none of these locations correspond to a source area of contaminated soil or groundwater. This suggests that soil gas contamination is widespread throughout the BSEA as a result of either contaminated fill material or poor environmental management practices during historic site use activities.

During the 2008 investigation, groundwater was found impacted with total metals at concentrations exceeding the NY TOGS criteria for several analytes, however, these results were obtained from turbid samples. Results of the laboratory filtered samples generally contained site-wide exceedances of dissolved iron, manganese, and sodium, which were consistently detected at similar background conditions in throughout the BCP Site, and are presumed to be naturally occurring metals in groundwater throughout the redevelopment footprint. No metals exceedances were reported in the 2014

investigations.

Site groundwater is impacted by the discharge of petroleum from underground storage tanks (USTs) that were physically present on the Site and a historic, large discharge of Freon 113, which likely resulted from the discharges associated with refrigeration equipment for an on-site ice skating rink and possibly other large air conditioning equipment. Investigation results and a remedial action approach for groundwater impacted as a result of the USTs are discussed in the RIR, RAWP and the FER submitted for OU-1A.

The 2008/2009 investigations found that the Freon 113 plume occupies approximately 7.2± acres located within and extending beyond the OU1A boundaries. The highest Freon 113 concentrations in groundwater were identified on the west/northwestern portion of the BSEA in proximity to the former ice skating rink. However, the investigations conducted in 2014 and reported in the FER have found that the Freon plume extent and concentrations have subsided.

Below is a summary of site conditions:

Soil

The soil sampling results presented below are broken-down into the original 2-acre OU-1A area and the additional 20.5 acre BSEA area from the 2008/2009 investigations. No soil investigation was conducted during the 2014 investigation.

Eleven (11) soil samples were collected from boring locations OU1A- 9, OU1A-10, OU1A-12, OU1A-13, OU1A-14, and OU1A-15 along Kiamesha Lake Road. The sample locations and depths are shown on Figure 1.4. The samples were analyzed for a combination of VOCs, SVOCs and TPH. A combination of benzo(a)anthracene (2.3 – 15.0 mg/kg), benzo(a)pyrene (1.3 – 11.0 mg/kg), benzo(b)flouranthene (1.4 – 16.0 mg/kg), benzo(k)flouranthene (4.9 mg/kg) chrysene (1.2 – 14.0 mg/kg) and indeno(1,2,3-cd)pyrene (1.0 – 7.0 mg/kg) were detected in samples collected from borings OU1A-9, OU1A-10, OU1A-13 and OU1A-15 at concentrations that exceeded the applicable SCGs. The remaining compounds were either not detected at concentrations that exceeded the

reporting limits or did not exceed the applicable SCGs. TPH impacts were detected (180 - 5,800 mg/kg).

Three soil samples were collected from boring locations OU1A-11 and OU1A-18 from the vicinity of a 15,000-gallon UST and analyzed for VOCs, SVOCs and TPH. All the targeted analytes were detected at concentrations that either did not exceed the reporting limits or were detected at concentration below the applicable SCGs. TPH concentrations in the soil sample collected from boring OU1A-11 was 1,700 mg/kg.

Two soil samples, one surficial and one relatively deep, were collected from the vicinity of transformers T-10 and T-13. The samples were analyzed for PCBs. Results indicated that, in the surficial soil samples, PCBs were present at concentrations (of about 0.08 mg/kg) that exceeded the reporting limits but did not exceed the applicable SCGs.

Eighteen (18) samples were collected from nine boring locations OU1A-1, OU1A-2, OU1A-3, OU1A-5, OU1A-6, OU1A-8, OU1A-9, OU1A-10, and OU1A-11 outside of identified AOCs. The samples were analyzed for TCL VOCs, TCL SVOCs, TCL PCBs, TCL pesticides and TAL metals. All the targeted analytes either did not exceed their reporting limits or were detected at concentrations that did not exceed the applicable SCGs.

BSEA soil investigation: Over 200 samples were collected from 71 locations throughout a 100-foot grid pattern across the Site. These samples were analyzed for VOCs, SVOCs, pesticides/herbicides, PCBs, and metals. The sample locations, depths and results are shown on Figures 1.4 and 1.5. The results are discussed below.

- Forty three (43) sampling locations exceeded Track 1 Unrestricted Use SCOs for constituents including:
    - VOCs – 2-Butanone, 1,1,2-Trichlorotrifluoroethane
    - SVOCs – benzo[a]anthracene, benzo[b]fluoranthene, benzo[k]fluoranthene, bis(2-ethylhexyl)phthalate, chrysene, ideno(1,2,3-cd)pyrene
    - Pesticides – DDE, DDD, DDT, dieldrin

- PCBs – Aroclors 1016, 1232, 1248, 1254, and 1260
- Metals – arsenic, barium, cobalt, copper, lead, manganese, mercury, nickel, zinc

- Eleven (11) sampling locations exceeded Restricted Use-Commercial SCOs for constituents including:
  - SVOCs – benzo[a]anthracene, benzo[a]pyrene, benzo[b]flouranthene, dibenz(a,h)anthracene, ideno(1,2,3-cd)pyrene
  - PCBs – Aroclor 1254
  - Metals – arsenic, copper

Site-Related Groundwater

The groundwater sampling results presented below are broken-down into the original 2-acre OU-1A area and the additional 20.5 acre BSEA area.

A free phase LNAPL was detected in the northeast area of the Site. Delineation of the LNAPL consisted of collecting groundwater samples from 13 monitoring wells installed in the BSEA and 4 monitoring wells installed in OU-1A. The results of the laboratory analyses of these samples, as well as the results of the groundwater samples collected from OU-1A as part of this RI, were reported to the NYSDEC in the OU-1A Remedial Investigation Report Addendum, dated November 18, 2008. Pyrene was detected in the groundwater at concentration above the NY TOGS criteria within the extent of the LNAPL plume discussed below. No SVOCs were detected in any wells immediately down-gradient of the free-phase product. As such, the supplemental groundwater investigation confirms that groundwater in the BSEA is impacted by LNAPL, however (presumably due to the age and high degree of weathering of the free-phase product) dissolved contaminants are not migrating from the LNAPL to groundwater beyond the extent of its footprint. The free-phase LNAPL footprint is identified on Figure 1.7.

Groundwater samples were collected from the monitoring wells MW-4, MW-7, MW-17 and MW-19 installed within OU-1A. All the groundwater samples, with the

exception of groundwater sample collected from MW-17, were analyzed for TCL VOCs, TCL SVOCs, TCL PCBs, TCL pesticides and TAL Metals. Sample collected from monitoring well MW-17 was analyzed only for VOCs as this well recharged slowly and did not yield enough sample volume.

The groundwater analytical results indicated that the following analytes exceeded the applicable SCGs (specifically TOGS 1.1.1):

- bis(2-Ethylhexyl)phthalate (18.0 µg/L) in the sample collected from monitoring well MW-7;
- Chlordane (0.53 µg/L) and P,P'-DDT (0.71 µg/L) in the sample collected from monitoring well MW-4;
- Manganese (970 - 4,000 µg/L) and sodium (76,000 - 240,000 µg/L) in the samples (filtered) collected from monitoring wells MW-4, MW-7 and MW-19. Several other metals (antimony, arsenic, barium, beryllium, chromium, copper, iron, lead, and nickel) were detected at concentrations that exceeded the applicable SCGs in the unfiltered samples.

Free-phase product was observed within a fracture located 12 to 18 inches into the rock core extracted during the installation of MW-7 in the OU-1A area. The free-phase product was subsequently sampled from the well and "fingerprinted" via laboratory analysis. The "fingerprint" results identified the free-phase product as "tar substance" (based on field observations it is likely weathered #4 fuel oil associated with the UST). Temporary monitoring wells (7A through 7P) were installed into bedrock outside of OU-1A in the vicinity of MW-7 to delineate the extent of this free-phase product. Delineation consisted of visually identifying the presence of the product in the wells, and if present measuring the thickness. Because of its viscosity and presence within the bedrock seams, the thickness of the free-phase product, and subsequently its volume, could not be calculated. The thickness of the free-phase product is likely to correspond to the varying thicknesses of the uppermost bedrock seams in the vicinity of the plume. The horizontal extent of the delineated plume is approximately 150 feet by 300 feet and is depicted on Figure 1.7. The free-phase product is black/brown in color, contains a slight petroleum

odor, and registered readings ranging from 0 to 5 parts per million (ppm) when screened with a PID.

Three permanent wells (MW58, 60 and 61) were constructed in 2014 to confirm the presence of the LNAPL plume and to replace the temporary wells. These wells are part of the monitoring well network required in the RAWP. The samples from these wells and the surrounding wells resulted in non-detect for all VOCs and SVOCs.

During the sampling event of November 6, 2014, a thick tar-like substance was detected at the bottom of MW7. A sample was collected from this substance and analyzed for EPH and fingerprinted to determine the type of oils from which it is formed. The samples contained 255 g/kg petroleum hydrocarbons. Its finger print analysis did not match any fuel oil type. Its speciation resulted in approximately 70 g/kg of long chain aliphatic (C19-C36) and 45 g/kg of long aromatic compounds (C11-C22). The high content of EPH and the type of the compounds are an indication of weathered oil. This finding was discussed with the NYSDEC and it was decided that no further action was required for this specific case. Because this phase is a result of the LNAPL, the outlined treatment of LNAPL is considered treatment for this substance.

Wells (MW17, 19, 58, 60, 61, 107-7O, 108-7J, and 112-7P) in the northern section of the site around MW7 (former OU-1A) were probed on November 6, 2014. A free phase LNAPL was detected in MW58, MW60, and MW61. The probing results are listed in Table 1.1 below.

Table 1.1: LNAPL probing results (2014)

Well ID	9/30/14	10/29/14	11/06/2014
MW 7 (Former OU-1A)	NS	NAPL at bottom of well	ND
MW9	ND	NS	ND
MW17	ND	NS	ND
MW19	ND	NS	ND
MW58	NS	Sheen	0.025 ft
MW60	NS	Sheen	0.05 ft
MW61	NS	Sheen	0.05 ft
MW100	ND	NS	ND

MW107-7O	ND	NS	ND
MW108-7J	ND	NS	ND
MW109-7N	ND	NS	ND
MW112-7P	ND	NS	ND

ND: Non Detect
NS: No sample or probing
ft: foot

Freon 113 was detected above the NY TOGS criteria (5 µg/L) in five groundwater samples widely dispersed throughout the BSEA covering an approximately 6± acre area. Refer to Figure 1.7 for sampling locations and concentrations of exceedances. Groundwater flows through bedrock throughout most of the BSEA. Exceedances in monitoring wells listed in order of highest contaminant concentration included:

- MW-7L - 1,400 µg/L
- MW-32 – 1,100 µg/L
- MW-3 – 200 µg/L
- MW-7(BSEA) – 31 µg/L
- MW-7O - 6 µg/L

Freon 113 is a Dense Non-Aqueous Phase Liquid (DNAPL) with a water solubility of 170,000 µg/L.[1] As such, concentrations detected in groundwater samples indicate that free-phase product was not encountered during the investigation.

Additional wells were installed in 2014, to determine nature and extent of the Freon plume, and natural attenuation on the plume. Six wells were installed (GW51, 52, 54, 55, 56, and 57) 10 feet into bedrock (Figure 1.4) to determine the western extent of the Freon plume.

Site wide, Freon levels have dropped by two orders of magnitude between the 2008 and 2014 investigation events. In the 2014 investigations, the highest concentration detected was 19 µg/L in MW-57 and MW-TC. Given the latest results of Freon and the level of reduction, the Freon plume is considered mostly remediated through natural attenuation. The Freon will be monitored on a yearly basis until the Freon levels are below the TOGS (5 µg/L) or until the detected Freon levels, if greater than the TOGS,

[1] USEPA, 1994.

become asymptotic. The Freon results are shown in Figure 1.8.

Site-Related Soil Vapor Intrusion

The soil vapor sampling results presented below are broken-down into the original 2-acre OU-1A area and the additional 20.5 acre BSEA area. The New York State Department of Health (NYSDOH) does not have established guidance values, standards or criteria for concentrations of compounds in the soil vapor.

One soil vapor sample was collected in OU-1A from location Vapor Well No. 16 in the vicinity of the USTs and analyzed for VOCs. Six analytes were detected with two, Acetone and Methyl Ethyl Ketone (MEK), exceeding the USEPA Target Shallow Soil Gas Screening Levels (SGSL) at a risk exceeding 10^{-4}. Acetone was detected at a concentration of 13,000 parts per billion volume (ppbv), which exceeds the SGSL criteria of 1,500 ppbv, and MEK was detected at a concentration of 9,000 ppbv, which exceeds the SGSL criteria of 3,400 ppbv.

Eight soil vapor samples were collected from adjacent areas of the site bordering OU-1A. Neither Acetone nor MEK were detected at concentrations above the SGSL in any of these eight samples. Six of the eight samples contained soil gas above the SGSLs; however, only one sample location (VW-9) is in the proximity of a structure proposed for a future phase of construction in OU-1A. Soil gas results from VW-9 contained USEPA SGSL exceedances for Chloroform, Methylene Chloride, and Tetrachloroethylene.

Soil gas concentrations in 13 of 17 samples collected throughout the BSEA exceeded the applicable USEPA soil gas screening levels for a risk level of 1E-06 for VOCs. Additionally, four samples exceeded the NYDOH air guidance values for trichloroethylene and methylene chloride. None of these results correspond to the groundwater impacts identified.

The soil gas sampling locations and exceedance results are presentd on Figure 1.9. The exceedances were as follows:

Table 1.2: Soil vapor result summary (2008)

Vapor Well	Sample Type	Analyte (VOC)	USEPA Soil Gas Screening Level ($\mu g/m^3$)	NYSDOH Air Guideline Value* ($\mu g/m^3$)	Sample Result ($\mu g/m^3$)
VW-3	Shallow Soil Gas	Ethylbenzene	22	N/A	28
		Trichloroethylene	0.22	5	19
VW-4	Shallow Soil Gas	Methylene chloride	52	60	290
		Trichlorofluoromethane	7,000	N/A	22,000
VW-7	Shallow Soil Gas	Benzene	3.1	N/A	49
		Chloroform	1.1	N/A	7
		Ethylbenzene	22	N/A	49
VW-9	Shallow Soil Gas	Benzene	3.1	N/A	9.8
		Chloroform	1.1	N/A	28
		Methylene Chloride	52	60	350
		Tetrachloroethylene	8.1	100	17
VW-10	Shallow Soil Gas	Benzene	3.1	N/A	3.6
		Chloroform	1.1	N/A	3.5
SS-1	Sub-Slab	1,2-Dichloroethane	0.94	N/A	1.4
		Benzene	3.1	N/A	18
		Trichloroethylene	0.22	5	4.5
SS-2	Sub-Slab	Benzene	3.1	N/A	28
		Trichloroethylene	0.22	5	2.1
SS-3	Sub-Slab	1,2-Dichloroethane	0.94	N/A	0.99
		Benzene	3.1	N/A	73
		Tetrachloroethylene	8.1	100	8.8
		Trichloroethylene	0.22	5	4.5
SS-4	Sub-Slab	Benzene	3.1	N/A	9.1
		Dichlorodifluoromethane	2,000	N/A	5,400
		Tetrachloroethylene	8.1	100	18
		Trichloroethylene	0.22	5	2.8
SS-5	Sub-Slab	1.2-Dichloroethane	0.94	N/A	9.0
		Benzene	3.1	N/A	25
		Chloroform	1.1	N/A	3.3
		Dichlorodifluoromethane	2,000	N/A	28,000
		Trichloroethylene	0.22	5	20
SS-6	Sub-Slab	1.2-Dichloroethane	0.94	N/A	14
		Benzene	3.1	N/A	12
		Trichloroethylene	0.22	5	4.6
SS-7	Sub-Slab	1.2-Dichloroethane	0.94	N/A	9.3
		Benzene	3.1	N/A	9.1
		Trichloroethylene	0.22	5	3.9
SS-8	Sub-Slab	1.2-Dichloroethane	0.94	N/A	13
		Benzene	3.1	N/A	9.4
		Ethylbenzene	22	N/A	52
		Trichloroethylene	0.22	5	4.4

* the NYSDOH does not have established guidance values, standards or criteria for concentrations of compounds in the soil vapor - The Air guidelines values listed above are for comparison purposes only.

The sample results provide evidence that once buildings are constructed on the site, soil vapor mitigation should be implemented in certain locations of the proposed

development based on ground-level building occupancy/use, as applicable, to address any potential contaminated soil vapor migrating from the contaminated fill soil material.

Underground Storage Tanks

The Site USTs were removed in two phases. Seven (7) tanks were removed in 2008 and reported under an interim remedial measure (IRM) and four (4) tanks were removed in 2014 and reported in the FER.

In November 2014, four (4) USTs located adjacent to Kiamesha Lake Road were removed by Luzon Environmental Services under oversight by SESI and the NYSDEC. The USTs were removed in general accordance with 6 NYCRR Part 375-1.8(b). The tanks were pumped and cleaned before they were excavated.

The four (4) USTs were removed on November 12, 2014 under the supervision of Scott Deyette from NYSDEC and Fuad Dahan NY-PE from SESI. Figure 1.10A is a schematic that shows the four tanks (A, B, C and D) and their locations relative to Condcord Road and Kiamesha Lake Road. Figure 1.10B presents the site USTs including the 4 USTs removed in 2014 and the UST removed in 2008 under the IRM.

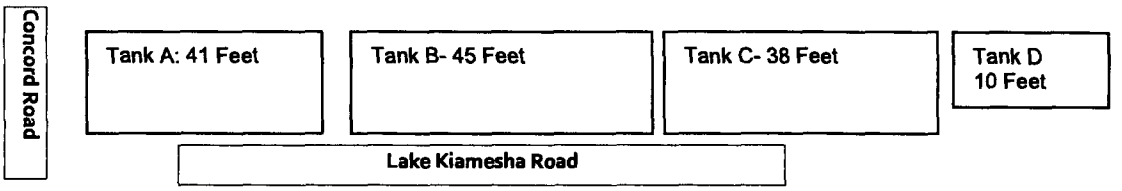


Figure 1.10A: Schematic of the 4 UST locations removed in 2014

Tank A was 41-foot long and 8 feet in diameter with a 15,000 gallon capacity. Approximately 15,000 gallons of water/oil mix were pumped out of it prior to removal. During removal the tank was examined for holes. No holes or structural damage was observed. The tank excavation was screened with a PID and observed for stained soils and for odors. No evidence of discharge was observed. Four post excavation confirmatory samples (2 bottom and 2 sidewall) were collected as required by the DEC's onsite representative.

Tank B was 45-feet long and 10 feet in diameter with a 25,000 gallon capacity. Approximately 23,000 gallons of water/oil mix were pumped out of it prior to removal.

Stained soils and free product floating on perched water were observed in the tank excavation. The soil staining and discharges were observed along the weld seams of the tank. Approximately 10 CY of the stained soils and free product was excavated and stored on a contained stockpile with bottom plastic sheets and covered with plastic sheets. The stockpile was sampled for disposal characterization. Luzon disposed of the stockpile off-site at Broome County Landfill. After the excavation of the visually stained soils, five post-excavation samples (3 bottom and 2 sidewalls) were collected as required by the DEC's onsite representative.

Tank C was 38-foot long and 8 feet in diameter with a 14,000 gallon capacity. Approximately 12,000 gallons of water/oil mix were pumped out of it prior to removal. During the tank removal, black soils were observed along the tank bottom and the tank feeding line. No holes or structural damage were observed in the tank. A foundation slab was detected below the tank and 2 foundation wall surrounded the tank. The black soils were excavated until visually clean soils were reached. Post-excavation samples (one bottom and one sidewall per the DEC) were collected from the visually clean soil. A demarcation snow fence was placed on top of the visually clean soil. The excavated black soils were placed back into the excavation as per the NYSDEC approval since the soils are contained from the bottom and the sides with foundation slab and walls. These soils were also capped with a demarcation layer and 1 foot of clean soil. These soils are noted in the SMP for proper handling during site redevelopment, if encountered.

Tank D was 10-foot long and 8 feet in diameter with a 2,000 gallon capacity. The tank was empty and no liquids were pumped out of it. During removal, the tank was observed for holes. No holes or structural damage was observed. The tank excavation was screened with a PID and observed for stained soils and for odors. No evidence of discharge was observed. One bottom post excavation confirmatory sample was collected as required by the DEC's onsite representative.

The sample frequency and locations were conducted under the supervision and approval of the NYSDEC. The collected samples were sent on a chain of custody to an ELAP-certified lab for VOC and SVOC analysis. The post excavation sampling results are provided in the FER.

During August through September 2008, seven underground storage tanks (USTs) located within the BSEA boundaries were removed by JM Associates of Bedford Hills, NY. The USTs were removed in general accordance with 6 NYCRR Part 375-1.8(b). NYSDEC spill numbers were reported for four of the seven excavated USTs. The following spill numbers are associated with the UST removal IRM: 0806867, 0805786, 0806554, and 0806867. A copy of the report provided by JM Associates documenting the UST removal activities is included as an appendix to the Final Engineering Report.

Wetlands

A surface water sample and a sediment sample were collected from the wetlands that are located approximately 200 feet west of the BCP Site boundary. The sample location is shown on Figure 1.8. The purpose of this investigation was to determine if the Freon 113 plume in groundwater has impacted the wetlands. Both samples were non-detect for Freon 113.

1.4 SUMMARY OF REMEDIAL ACTIONS

The site was remediated in accordance with the NYSDEC-approved Remedial Action Work Plan Addendum dated September 9, 2009.

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

1. Construction and maintenance of a soil cover system consisting of 1 foot of soil that meet the commercial SCOs underlain by a demarcation layer (orange geo-textile or snow fence) to prevent human exposure to remaining contaminated soil/fill remaining at the site;
2. Installation of a monitoring well network for both the LNAPL plume and the Freon plume.
3. Installation of LNAPL absorbent socks in wells MW58, 60 and 61 and quarterly monitoring of the LANPL recovery.
4. Execution and recording of an Environmental Easement to restrict land use and prevent future exposure to any contamination remaining at the site.
5. Removal of 11 USTs and the surrounding impacted soils,

6. Annual monitoring of the residual Freon 113 concentration in the Site groundwater.

7. A subslab depressurization system (SSDS) will be required for any enclosed building areas. The system may active or passive, depending on the results of the future monitoring. The design of the SSDS will be done once the type of construction is known and the final plans have been developed. The design of the SSDS will be submitted to the NYSDEC prior to construction.

8. Development and implementation of a Site Management Plan for long term management of remaining contamination as required by the Environmental Easement, which includes plans for: (1) Institutional and Engineering Controls, (2) monitoring, (3) operation and maintenance and (4) reporting;

Remedial activities were completed at the site in December 2014.

1.4.1 Removal of Contaminated Materials from the Site

The remediation activities on the BCP Site were started in 2008 and were completed in November 2014. The BCP Site remedial objective for OU-1A was originally set for Track 1 unrestricted. Several areas in the BSEA were excavated during the remediation because the soils analysis resulted in levels that exceeded the unrestricted SCOs. The volume of material that exceeded the unrestricted SCOs was several thousand CY. This material was stockpiled separately. In the final revised RAWP, which included the BSEA, the remedial objective was changed to a Track 4 commercial SCO objective. The aforementioned stockpiled material that exceeded the unrestricted SCOs was placed back on the BCP Site for grading under the demarcation layer and the 1-ft of soil cover with the approval of the NYSDEC. The material placement location is presented on Figure 1.10. In the event the Site is not developed for commercial purposes and the reuse is residential, additional remediation may be required to achieve a restricted or unrestricted residential cleanup approved by the NYSDEC.

The soil cleanup objectives (SCOs) for the contaminants of concern for this project are the commercial SCOs as provided in Table Part 375-6.8(b) of 6 NYCRR 375-6.8., Commercial SCOs and Protection of Groundwater SCOs.

The materials removed from the site and their quantities are listed in Table 1.3.

Table 1.3: Summary of materials removed for off-site disposal

Material Removed	Volume of material Removed	Disposal Location	Disposal Period/Date
Transformers	17	TCI of NY LLC, Hudson NY	08/08/2008
Transformers	3	TCI of Alabama LLC, Pell City AL	08/08/2008
Transformers	20	TCI of NY LLC, Hudson NY	09/05/2008
UST	7		8/25/2008
Oil contaminated water from UST cleaning	11,250 gallons	Luzon Oil Company Inc Woodridge NY	11/5/2014
Oil contaminated water from UST cleaning	10,000 gallons	Luzon Oil Company Inc Woodridge NY	11/6/2014
Oil contaminated water from UST cleaning	13,400 gallons	Luzon Oil Company Inc Woodridge NY	11/7/2014
Oil contaminated water from UST cleaning	800 gallons	Luzon Oil Company Inc Woodridge NY	11/8/2014
Drums containing water from well development and sample	13	Luzon Oil Company Inc Woodridge NY	11/10/2014
Metal from UST	4	SIMS Metal Management Ferndale NY	11/13/2014
Drums containing water from well development	3	Luzon Oil Company Inc Woodridge NY	11/26/2014

1.4.2 Site-Related Treatment Systems

The groundwater will be monitored annually for the levels of Freon 113. The monitoring will be stopped when the Freon levels are at or below the TOGS (5 □g/L) or when the Freon reached an asymptotic level that is accepted by the NYSDEC.

The source of the LNAPL detected in part of the site was treated by removing the USTs and the impacted soils. LANPL absorbent socks (SoakEase®) were installed in wells MW58, MW60 and MW61 for continuous removal of the residual LNAPL. The LANPL collection socks will be monitored and replaced quarterly, if needed. The LNAPL thickness in these wells will also be probed on a quarterly basis. The LNAPL

collection will continue until the LNAPL thickness becomes un-detectahle or it reaches an asymptotic level where further LNAPL recovery is not practical.

1.4.3 Remaining Contamination

Exposure to residual contaminated soils will he prevented by an engineered, composite cover system (CCS) that has heen constructed on the Site. This CCS comprised of a minimum of 12 inches of clean soil (i.e. soil meeting 6 NYCRR Part 375 Restricted Use-Commercial SCOs) in the vegetated areas. Existing structures such as the pre-existing foundations, the tennis courts, the gravel and concrete footings placed for the proposed building were kept as part of the cover system. Asphalt pavement, concrete-covered sidewalks, and concrete building slabs and one-foot of clean soil in the landscaped areas will be part of the cover system if the BCP Site is developed in the future. The placement of this new cover system will be managed pursuant to the requirements in this SMP and the Environmental Easement.

The "clean soil cover" was placed over a demarcation layer. A plan showing the aerial distribution and location of the cover system and demarcation layer constructed at the Site is included in Figure 1.12.

An Excavation Work Plan is included in this Site Management Plan which outlines the procedures to be followed in the event that the composite cover system and underlying residual contamination are disturbed after the Remedial Action is complete.

Maintenance of this composite cover system is described later in this Site Management Plan.

The top of the remaining contamination zone is delineated by a demarcation layer consisting of orange snow fence. The demarcation layer has been placed over the entire site, outside of any existing concrete slabs, footings, etc. that remain onsite. The demarcation layer is located at a depth of approximately 1 foot as shown on the attached Figure 1.12.

In the excavation area of the UST-C, during the tank removal, black soils were observed along the tank bottom and the tank feeding line. A foundation slab was

detected below the tank and 2 foundation wall surrounded the tank. The black soils were excavated until visually clean soils were reached. Post-excavation samples (one bottom and one sidewall) per the NYSDEC were collected from the visually clean soil. A demarcation snow fence was placed on top of the visually clean soil. The excavated black soils were placed back into the excavation as per the NYSDEC approval since the soils are contained from the bottom and the sides with foundation slab and walls. These soils were also capped with a demarcation layer and 1 foot of clean soil.

2.0 ENGINEERING AND INSTITUTIONAL CONTROL PLAN

2.1 INTRODUCTION

2.1.1 General

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

2.1.2 Purpose

This plan provides:

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

2.2 ENGINEERING CONTROLS

2.2.1 Engineering Control Systems

2.2.1.1 Soil Cover

Exposure to remaining contamination in soil/fill at the site is prevented by a soil cover system placed over the site. This cover system is comprised of a minimum of 12 inches of clean soil. Asphalt pavement, concrete-covered sidewalks, and concrete building slabs and on-foot of clean soil in landscaped areas will be part of the covers system when the site is developed. The Excavation Work Plan that appears in Appendix A 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.

2.2.1.2 Sub-slab Depressurization Systems

Volatile organic compounds (VOCs) in the soil vapor were detected at levels higher than the NYSDOH Air Guideline Values. No buildings are planned at this stage of the Site development. However, all future structures constructed in this area, with the exception of the sub-surface parking garage, will be designed to include vapor barrier and sub-slab depressurization system. Design of any future SSDS systems will be submitted to the NYSDEC for their review.

2.2.1.3 Groundwater Monitoring

Groundwater will be monitored for the Freon 113 in the western portion of the Site and LNAPL in the northern portion of the Site.

Freon monitoring will continue until its concentration becomes below the TOGS (5 □g/L) or until it reaches an asymptotic value that is accepted by the NYDEC.

Additional LNAPL treatment (absorbent socks) will continue until the LNAPL becomes un-detectable or its collection is no longer practical.

2.2.2 Criteria for Completion of Remediation/Termination of Remedial Systems

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

2.2.2.1 Composite Cover System

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

2.2.2.2 Monitored Natural Attenuation

Groundwater monitoring activities to assess natural attenuation will continue, as determined by the NYSDEC, until residual groundwater concentrations are found to be consistently below NYSDEC standards or have become asymptotic at an acceptable level over an extended period. Monitoring will continue until permission to discontinue is granted in writing by the NYSDEC. If groundwater contaminant levels become asymptotic at a level that is not acceptable to the NYSDEC, additional source removal, treatment and/or control measures will be evaluated.

2.3 INSTITUTIONAL CONTROLS

A series of Institutional Controls is required by the RAWP 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 commercial uses only. Adherence to these Institutional Controls on the site is required by the Environmental Easement and will be implemented under this Site Management Plan. These Institutional Controls are:

- Compliance with the Environmental Easement and this SMP by the Grantor and the Grantor's successors and assigns;
- All Engineering Controls must be operated and maintained as specified in this SMP;

- All Engineering Controls on the Controlled Property must be inspected at a frequency and in a manner defined in the 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 of the Controlled Property must be reported at the frequency and in a manner defined in this SMP.

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

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

- The property may only be used for commercial use provided that the long-term Engineering and Institutional Controls included in this SMP are employed.
- The property may not be used for a higher level of use, such as unrestricted, or restricted residential use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- The use of the groundwater underlying the property is prohibited without treatment rendering it safe for intended use;
- The potential for vapor intrusion must be evaluated for any buildings developed in the area noted on Figure 1.9, and any potential impacts that are identified must be monitored or mitigated;
- Vegetable gardens and farming on the property are prohibited;

- 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 Excavation Work Plan

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

The site owner and associated parties preparing the remedial documents submitted to the State, and parties performing this work, are completely responsible for the safe performance of all intrusive work, the structural integrity of excavations, proper disposal

of excavation de-water, control of runoff from open excavations into remaining contamination, and for structures that may be affected by excavations (such as building foundations and bridge footings). The site owner will ensure that site development activities will not interfere with, or otherwise impair or compromise, the engineering controls described in this SMP.

2.3.2 Soil Vapor Intrusion Evaluation

Prior to the construction of any enclosed structures located over areas that contain remaining contamination and the potential for soil vapor intrusion (SVI) has been identified (see Figure 1.9), an SVI evaluation will be performed to determine whether any mitigation measures are necessary to eliminate potential exposure to vapors in the proposed structure. Alternatively, an SVI mitigation system may be installed as an element of the building foundation without first conducting an investigation. This mitigation system will include a vapor barrier and passive sub-slab depressurization system that is capable of being converted to an active system.

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

Preliminary (unvalidated) SVI sampling data will be forwarded to the NYSDEC and NYSDOH for initial review and interpretation. Upon validation, the final data will be transmitted to the agencies, along with a recommendation for follow-up action, such as mitigation.

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

2.4 INSPECTIONS AND NOTIFICATIONS

2.4.1 Inspections

Inspections of all remedial components installed at the site will be conducted at the frequency specified in the SMP Monitoring Plan schedule. A comprehensive 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;
- Achievement of remedial performance criteria;
- Sampling and analysis of appropriate media during monitoring events;
- If site records are complete and up to date; and
- 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 in the Periodic Review Reporting section of this plan (Section 5).

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

2.4.2 Notifications

Notifications will be submitted by the property owner to the NYSDEC 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 Brownfield Cleanup Agreement (BCA) 6NYCRR Part 375, and/or Environmental Conservation Law.
- 7-day advance notice of any proposed ground-intrusive activities pursuant to the Excavation Work Plan.
- Notice within 48-hours of any damage or defect to the foundation, structures or engineering control that reduces or has the potential to reduce the effectiveness of an Engineering Control and likewise any action to be taken to mitigate the damage or defect.
- Verbal notice by noon of the following day of any emergency, such as a fire, flood, or earthquake that reduces or has the potential to reduce the effectiveness of Engineering Controls in place at the site, with written confirmation within 7 days that includes a summary of actions taken, or to be taken, and the potential impact to the environment and the public.
- Follow-up status reports on actions taken to respond to any emergency event requiring ongoing responsive action shall be submitted to the NYSDEC within 45 days and shall describe and document actions taken to restore the effectiveness of the ECs.

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

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

2.5 CONTINGENCY PLAN

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

2.5.1 Emergency Telephone Numbers

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

Table 2.1: Emergency Contact Numbers

Medical, Fire, and Police:	911
One Call Center:	(800) 272-4480 (3 day notice required for utility markout)
Poison Control Center:	(800) 222-1222
Pollution Toxic Chemical Oil Spills:	(800) 424-8802
NYSDECSpills Hotline	(800) 457-7362

Table 2.2: Contact Numbers*

SESI Consulting Engineers, P.C.	(973) 808-9050
Concord Associates, LP	(914) 769-6500

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

2.5.2 Map and Directions to Nearest Health Facility

Site Location: 219 Concord Road, Thompson NY

Nearest Hospital Name: The Catskill Regional Medical Center

Hospital Location: 68 Harris-Bushville Rd, Harris NY

Hospital Telephone: (845) 794-3300

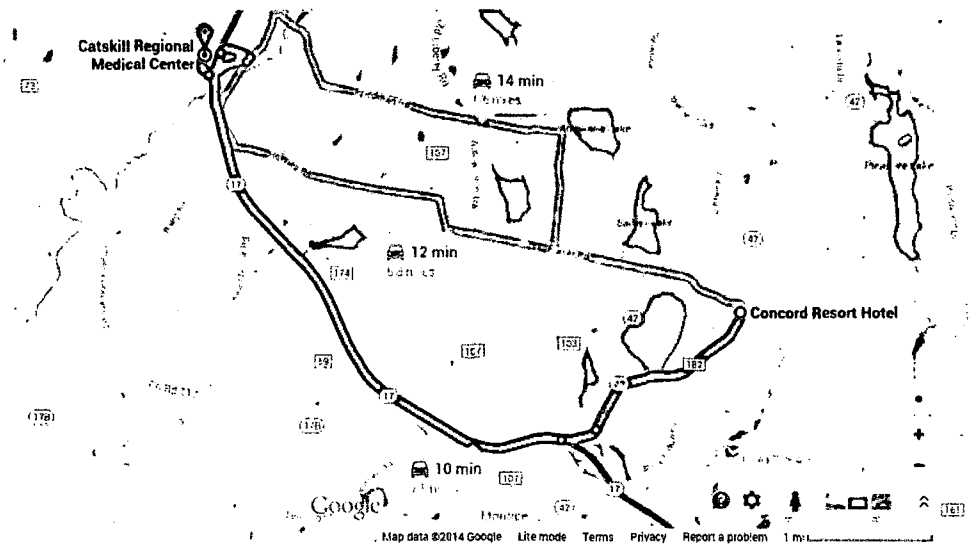
Directions to the Hospital:

1. Head south on Concord Rd - 1.2 mi
2. Turn left onto NY-42 **S** - 0.4 mi
3. Take the ramp onto NY-17 W - 0.3 mi
4. Follow NY-17 W to County Rd 174. Exit from NY-17 W - 5.0 mi / 5 min
5. Take Bushville Rd to Harris-Bushville Rd - 0.5 mi / 1 min
6. Turn right onto County Rd 174 - 223 ft
7. Take the 1st right onto Bushville Rd - 0.3 mi
8. Take the 1st right onto Harris-Bushville Rd

Total Distance: 7.5 miles

Total Estimated Time: 10 minutes

Map Showing Route from the site to the Hospital:



2.5.3 Response Procedures

As appropriate, the fire department and other emergency response group will be notified immediately by telephone of the emergency. The emergency telephone number list is found at the beginning of this Contingency Plan (Table 2.1). The list will also posted prominently at the site and made readily available to all personnel at all times.

When a spill occurs, the following actions (these are not comprehensive guidelines and are intended only as general guidelines) are recommended:

- If the materials spilled are hazardous (check Material Safety Data Sheets associated with the spilled material, etc.), the health and safety of the responders and people potentially affected by the release should be addressed.
- Measures to contain the spill should be undertaken (absorbent booms, etc.).
- The Fire Department and/or Hazmat team should be notified as soon as possible.
- NYSDEC Spill Hotline (1-800-457-7362) should be notified as soon as possible.

3.0 SITE MONITORING PLAN

3.1 INTRODUCTION

3.1.1 General

The Monitoring Plan describes the measures for evaluating the performance and effectiveness of the remedy to reduce or mitigate contamination at the site, the soil cover system, and all affected site media identifred below. Monitoring of other Engineering Controls is described in Chapter 4, Operation, Monitoring and Maintenance Plan. This Monitoring Plan may only be revised with the approval of NYSDEC.

3.1.2 Purpose and Schedule

This Monitoring Plan describes the methods to be used for:

- Sampling and analysis of all appropriate media (e.g., groundwater, soil vapor, soils);
- Assessing compliance with applicable NYSDEC standards, criteria and guidance, particularly ambient groundwater standards and Part 375 SCOs for soil;
- Assessing achievement of the remedial performance criteria.
- Evaluating site information periodically to confirm that the remedy continues to be effective in protecting public health and the environment; and
- Preparing the necessary reports for the various monitoring activities.

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

- Sampling locations, protocol, and frequency;
- Information on all designed monitoring systems (e.g., well logs);
- Analytical sampling program requirements;
- Reporting requirements;

- Quality Assurance/Quality Control (QA/QC) requirements;
- Inspection and maintenance requirements for monitoring wells;
- Monitoring well decommissioning procedures; and
- Annual inspection and periodic certification.

Quarterly monitoring of the performance of the remedy and overall reduction in contamination on-site will be conducted for the first year. The frequency thereafter will be determined by NYSDEC. Trends in contaminant levels in soil, and/or groundwater in the affected areas, will be evaluated to determine if the remedy continues to be effective in achieving remedial goals. Monitoring programs are summarized in Table 3.1 and outlined in detail in Sections 3.2 and 3.3 below.

Table 3.1: Monitoring/Inspection Schedule

Monitoring Program	Frequency*	Matrix	Analysis
Cover System	Annual	Soil	Visual
Groundwater (Freon)	Annual until Freon is below TOGS (5 □g/L) or reaches an asmyptotic levle that is accepted by the NYSDEC	Water	VOCs
Groundwater (LNAPL)	Quarterly for the first year Subsequent frequency to be determined by the NYSDEC based on the first year result	Water	LNAPL Detection
Sub-slab and indoor air	When enclosed structures are developed	Gas	VOCs,

* The frequency of events will be conducted as specified until otherwise approved by NYSDEC and NYSDOH

3.2 COVER SYSTEM MONITORING

The Composite Cover System (CCS) is comprised of 1-foot clean soil cover underlain by a demarcation layer. Following the re-development of the site, the CCS in

the non-vegetated areas will include asphalt pavement and concrete at least 6-inch thick. The CCS has been installed to mitigate potential exposure to humans and potential off-Site migration (mobilized by precipitation run-off and infiltration) of subsurface impacts. System designs are described in the Engineering and Institutional Control Plan, and as-built drawing (Figure 1.12)

The CCS will be inspected upon completion of the construction activities and annually thereafter. Inspection frequency is subject to change by NYSDEC and NYSDOH. Unscheduled inspections and/or sampling may take place when a suspected failure of the CCS has been reported or an emergency (e.g. earthquakes, storms etc.) occurs that is deemed likely to affect the operation of the system. Monitoring deliverables for the CCS are specified later in this Plan.

A visual inspection of the CCS will be conducted during the monitoring event. CCS components to be monitored include, but are not limited to, the following:

- Integrity of "clean soil cover/cap"
- A complete list of components to be checked is provided in the Inspection Checklist, presented in Appendix F. If any of the components of the CCS are not functioning as designed, maintenance and repair as per the Operation and Maintenance Plan are required immediately, and the integrity of the CCS restored.
- Operational problems will be noted in the Annual Site Inspection Report.

3.3 MEDIA MONITORING PROGRAM

3.3.1 Groundwater Monitoring

Groundwater monitoring will be performed on a periodic basis to assess the performance of the remedy.

The network of monitoring wells has been installed to monitor both up-gradient and down-gradient groundwater conditions at the site. The network of on-site wells has been designed based on the following criteria:

- Groundwater flow direction
- Site groundwater depth
- Suspected source area of Freon 113 and LNAPL
- Detected levels of the contaminants to delineate the plumes

Figure 1.8 shows all the installed wells. The site groundwater was found mainly in the bedrock. Hence, most of Site wells were installed in the bedrock water bearing. The overburden was detected on site to range from 5-20 feet in thickness. Well construction details that include the installation depth, screen length, and depth to top of screen are included in Appendix G.

- Baseline post-remedial groundwater quality conditions Figure 1.8
- Table 3.2 lists the wells to be sampled and analytes to be tested

Table 3.2: Monitoring wells and required analysis

Well	Analytes	Frequency
MW58, 60 and 61	LANPL Probing	Quarterly
MW1, 2, 3, 51, 56, 58 and TC	VOC (Freon113)	Yearly

Monitoring well construction logs are included in Appendix G. The sampling frequency may be modified with the approval NYSDEC. The SMP will be modified to reflect changes in sampling plans approved by NYSDEC.

Deliverables for the groundwater monitoring program are specified below.

3.3.1.1 Sampling Protocol

All monitoring well sampling activities will be recorded in a field book and a groundwater-sampling log presented in Appendix H. Other observations (e.g., well integrity, etc.) will be noted on the well sampling log. The well sampling log will serve as the inspection form for the groundwater monitoring well network.

Monitoring wells will be gauged for depth to groundwater table and presence of free-phase product. Groundwater samples will then be collected in accordance with USEPA low flow sampling procedures. At least three (3) well volumes will be purged and the purge water will be piped to a "flow cell," where groundwater geochemical parameters such as pH, redox potential, specific conductance, dissolved oxygen, salinity and turbidity will be measured at three (3) minute intervals. Drawdown during the well sampling will also be measured. Field parameters including pH, Eh, turbidity, and specific conductance will be measured. If turbidity exceeded 50 NTUs after purging, the will be allowed to stabilize for twenty four hours. If turbidity exceeds 50 NTUs during re-sampling, a filtered and unfiltered sample will be collected for analysis. If recharge rates prohibits three volumes of water from being purged, "low-flow" purging techniques will be implemented to achieve stabilization. Groundwater samples will be collected once the geochemical parameters stabilized for three consecutive readings. If turbidity exceeds 50 NTUs during low-flow purging, a filtered and unfiltered sample will be collected for analysis. Purge water will be drummed for off-site disposal.

3.3.1.2 Monitoring Well Repairs, Replacement & Decommissioning

If biofouling or silt accumulation occurs in the on-site and/or off-site monitoring wells, the wells will be physically agitated/surged and redeveloped. Additionally, monitoring wells will be properly decommissioned and replaced (as per the Monitoring Plan), if an event renders the wells unusable.

Repairs and/or replacement of wells in the monitoring well network will be performed based on assessments of structural integrity and overall performance.

The NYSDEC will be notified prior to any repair or decommissioning of monitoring wells for the purpose of replacement, and the repair or decommissioning and

replacement process will be documented in the subsequent periodic report. Well decommissioning without replacement will be done only with the prior approval of NYSDEC. Well abandonment will be performed in accordance with NYSDEC's "Groundwater Monitoring Well Decommissioning Procedures." Monitoring wells that are decommissioned because they have been rendered unusable will be reinstalled in the nearest available location, unless otherwise approved by the NYSDEC.

3.4 SITE-WIDE INSPECTION

Site-wide inspections will be performed on a regular schedule at a minimum of once a year. Site-wide inspections will also be performed after all severe weather conditions that may affect Engineering Controls or monitoring devices. During these inspections, an inspection form will be completed (Appendix I). The form will compile sufficient information to assess the following:

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

3.5 MONITORING QUALITY ASSURANCE/QUALITY CONTROL

All sampling and analyses will be performed in accordance with the requirements of the Quality Assurance Project Plan (QAPP) prepared for the site (Appendix J). Main Components of the QAPP include:

- QA/QC Objectives for Data Measurement;
- Sampling Program:

- Sample containers will be properly washed, decontaminated, and appropriate preservative will be added (if applicable) prior to their use by the analytical laboratory. Containers with preservative will be tagged as such.
- Sample holding times will be in accordance with the NYSDEC ASP requirements.
- Field QC samples (e.g., trip blanks, coded field duplicates, and matrix spike/matrix spike duplicates) will be collected as necessary.

- Sample Tracking and Custody;
- Calibration Procedures:
  - All field analytical equipment will be calibrated immediately prior to each day's use. Calibration procedures will conform to manufacturer's standard instructions.
  - The laboratory will follow all calibration procedures and schedules as specified in USEPA SW-846 and subsequent updates that apply to the instruments used for the analytical methods.
- Analytical Procedures;
- Preparation of a Data Usability Summary Report (DUSR), which will present the results of data validation, including a summary assessment of laboratory data packages, sample preservation and chain of custody procedures, and a summary assessment of precision, accuracy, representativeness, comparability, and completeness for each analytical method.
- Internal QC and Checks;
- QA Performance and System Audits;
- Preventative Maintenance Procedures and Schedules;
- Corrective Action Measures.

3.6 MONITORING REPORTING REQUIREMENTS

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

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

- Date of event;
- Personnel conducting sampling;
- Description of the activities performed;
- Type of samples collected (e.g., sub-slab vapor, indoor air, outdoor air, etc);
- Copies of all field forms completed (e.g., well sampling logs, chain-of-custody documentation, etc.);
- Sampling results in comparison to appropriate standards/criteria;
- A figure illustrating sample type and sampling locations;
- Copies of all laboratory data sheets and the required laboratory data deliverables required for all points sampled (o be submitted electronically in the NYSDEC-identified format);
- Any observations, conclusions, or recommendations; and
- A determination as to whether groundwater conditions have changed since the last reporting event.

Data will be reported in hard copy or digital format as determined by NYSDEC. A summary of the monitoring program deliverables are summarized in Table 3.2 below.

Table 3.3: Schedule of Monitoring/Inspection Reports

Task	Reporting Frequency*
Cover System Inspection	Annual
Groundwater Sampling	Quarterly for first year
Sub-slab and indoor air	When needed

* The frequency of events will be conducted as specified until otherwise approved by NYSDEC

4.0 OPERATION AND MAINTENANCE PLAN

4.1 INTRODUCTION

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

5.0 INSPECTIONS, REPORTING AND CERTIFICATIONS

5.1 SITE INSPECTIONS

5.1.1 Inspection Frequency

All inspections will be conducted at the frequency specified in the schedules provided in Section 3 Monitoring Plan and Section 4 Operation and Maintenance Plan of this SMP. At a minimum, a site-wide inspection will be conducted annually. Inspections of remedial components will also be conducted when a breakdown of any treatment system component has occurred or whenever a severe condition has taken place, such as an erosion or flooding event that may affect the ECs.

5.1.2 Inspection Forms, Sampling Data, and Maintenance Reports

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

All applicable inspection forms and other records, including all media sampling data and system maintenance reports, generated for the site during the reporting period will be provided in electronic format in the Periodic Review Report.

5.1.3 Evaluation of Records and Reporting

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

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

5.2 CERTIFICATION OF ENGINEERING AND INSTITUTIONAL CONTROLS

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

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

- The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;
- Access to the site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control;
- If a financial assurance mechanism is required under the oversight document for the site, the mechanism remains valid and sufficient for the intended purpose under the document;
- Use of the site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;

- To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program and generally accepted engineering practices; and
- The information presented in this report is accurate and complete.
- I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, Michael St Pierre of SESI Consulting Engineers PC, am certifying as Owner's Designated Site for the site.
- No new information has come to my attention, including groundwater monitoring data from wells located at the site boundary, if any, to indicate that the assumptions made in the qualitative exposure assessment of off-site contamination are no longer valid; and
- Every five years the following certification will be added: The assumptions made in the qualitative exposure assessment remain valid.

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

5.3 PERIODIC REVIEW REPORT

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

- Identification, assessment and certification of all ECs/ICs required by the remedy for the site;

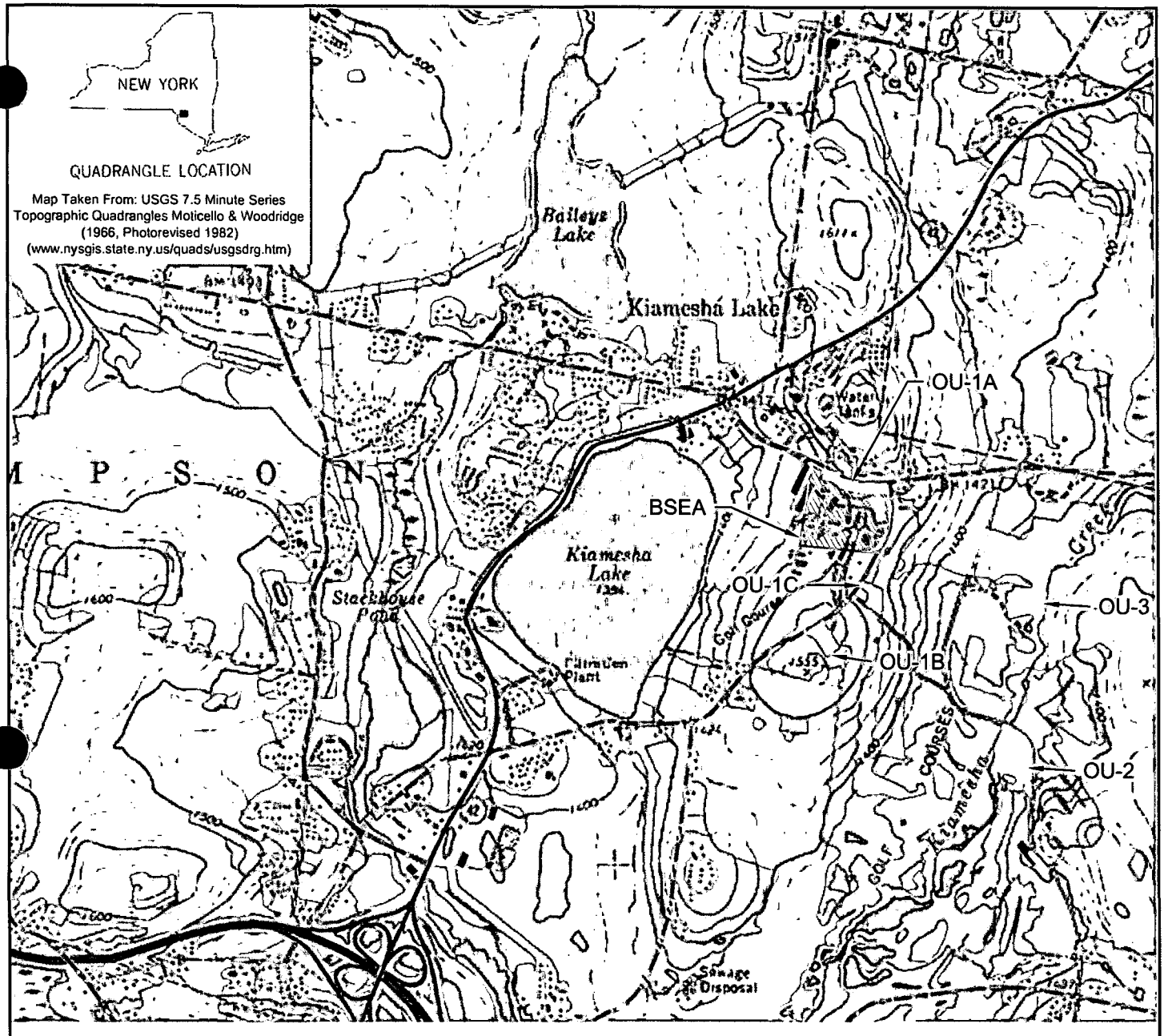
- Results of the required annual site inspections and severe condition inspections, if applicable;
- All applicable inspection forms and other records generated for the site during the reporting period in electronic format;
- A summary of any discharge monitoring data and/or information generated during the reporting period with comments and conclusions;
- Data summary tables and graphical representations of contaminants of concern by media (groundwater, soil vapor), which include a listing of all compounds analyzed, along with the applicable standards, with all exceedances highlighted. These will include a presentation of past data as part of an evaluation of contaminant concentration trends;
- Results of all analyses, copies of all laboratory data sheets, and the required laboratory data deliverables for all samples collected during the reporting period will be submitted electronically in a NYSDEC-approved format;
- A site evaluation, which includes the following:
    - The compliance of the remedy with the requirements of the site-specific RAWP, ROD or Decision Document;
    - The operation and the effectiveness of all treatment units, etc., including identification of any needed repairs or modifications;
    - Any new conclusions or observations regarding site contamination based on inspections or data generated by the Monitoring Plan for the media being monitored;
    - Recommendations regarding any necessary changes to the remedy and/or Monitoring Plan; and
    - The overall performance and effectiveness of the remedy.

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

5.4 CORRECTIVE MEASURES PLAN

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

FIGURES



REV	DATE	DESCRIPTION	BY

SITE LOCATION MAP
CONCORD HOTEL AND RESORT

SESI CONSULTING ENGINEERS, PC
SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9080

DESIGNED BY	DATE PREPARED
MSP	10-07-14
DRAWN BY	SCALE
yy	NTS
CHECKED BY	PROJECT NO.
MSP	7180

FIGURE: FIG-1.1

1 OF 1

REFERENCE:
AOC BOUNDARY INFORMATION IS TAKEN FROM PLAN ENTITLED "SURVEY OF PROPERTY," PREPARED BY CONTRACTORS LINE & GRADE SOUTH, LLC, DATED 8-1-01.

N:\ACAD\7180-CONCORD\SMP 2014\FIG 1.1.dwg, FIG-1 OVERALL, 10/7/2014 3:57:34 PM, CutePDF Writer

LEGEND:

- BOUNDARY FOR EXPANSION
- BOUNDARY FOR OU-1A
- LOCATION OF SOIL SAMPLE (MEETS UNRESTRICTED USE SCOs)
- LOCATION OF SOIL SAMPLE (MEETS RESTRICTED USE COMMERCIAL SCOs)
- LOCATION OF SOIL SAMPLE (EXCEEDS RESTRICTED USE COMMERCIAL SCOs)
- MW-4 - LOCATION OF GROUNDWATER SAMPLE
- VW-11 - LOCATION OF VAPOR SAMPLE (VW INDICATES SHALLOW SOIL GAS SAMPLE, SS INDICATES SUB-SLAB SAMPLE)

NOTES
1. ALL LOCATIONS ARE APPROXIMATE & SHOULD BE VERIFIED IN THE FIELD.
2. INFORMATION IS TAKEN FROM: SKETCHES PREPARED BY SIDNEY M. MARKS, P.E. REVISED 8-14-70, A SKETCH FROM NYSEG, & FROM INFORMATION PROVIDED BY OWNER.
3. ALL WORK SHOWN IS NOT INTENDED FOR CONSTRUCTION.

rev	date	description	by

dwg by: YY
chk by: MSP
scale: 1" = 100'
date: 10/07/14

SESI CONSULTING ENGINEERS, PC
SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

MICHAEL W. ST. PIERRE, P.E.
PROFESSIONAL ENGINEER
N.Y. LIC. NO. 080271

project: THE CONCORD
RESORT AND CONVENTION CENTER
TOWN OF THOMPSON, COUNTY OF SULLIVAN, NEW YORK

drawing title: SAMPLE LOCATION PLAN

job no. 7180
drawing no. FIG-1.6

LEGEND:

- BOUNDARY FOR EXPANSION
- BOUNDARY FOR OU-1A
- LOCATION OF SOIL SAMPLE (MEETS UNRESTRICTED USE SCOs)
- LOCATION OF SOIL SAMPLE (MEETS RESTRICTED USE COMMERCIAL SCOs)
- LOCATION OF SOIL SAMPLE (EXCEEDS RESTRICTED USE COMMERCIAL SCOs)

NOTES
1. ALL LOCATIONS ARE APPROXIMATE & SHOULD BE VERIFIED IN THE FIELD.
2. INFORMATION IS TAKEN FROM: SKETCHES PREPARED BY SIDNEY M. MARKS, P.E. REVISED 8-14-70, A SKETCH FROM NYSEG, & FROM INFORMATION PROVIDED BY OWNER.
3. ALL WORK SHOWN IS NOT INTENDED FOR CONSTRUCTION.

SOIL RESULTS EXCEEDING TRACK 1 - UNRESTRICTED USE

Grid ID	Parameter	6 NYCRR Part 375 SCO (mg/kg)	Sample Result (mg/kg)	Depth of Sample (ft-bgs)
E10	4,4'-DDT	0.0033	0.00506	0.5 - 1.5
F11	4,4'-DDE	0.0033	0.00371	0.25 - 1.25
	Copper	50	63	0.25 - 1.25
	Zinc	109	181	0.25 - 1.25
G10	Nickel	30	34.8	21.25 - 21.67
G13	4,4'-DDT	0.0033	0.006	0.4 - 1.67
	Zinc	109	144	0.4 - 1.67
H12	Aroclor 1254	0.1	0.21	0.5 - 1.0
H13	Copper	50	64	12.75 - 13.5
H15	Benzo(a)fluoranthene	0.5	0.5	8.0 - 8.3
	Chrysene	1	1.5	8.0 - 8.3
H16	4,4'-DDT	0.0033	0.016	0 - 0.67
I11	Nickel	30	33.4	7.46 - 8.5
I12	2-Butanone	0.12	2.8	1.0 - 2.0
	Nickel	30	33	11.1 - 12.0
I14	Aroclor 1248	0.1	0.13	0 - 0.5
I15	Copper	50	64	1.1 - 1.8
I17	Lead	63	145	13.4 - 14.4
J9	4,4'-DDE	0.0033	0.0059	0.75 - 1.7
J12	Nickel	30	32	17.5 - 18.0
J13	4,4'-DDD	0.0033	0.01	0 - 0.5
	4,4'-DDE	0.0033	0.025	0 - 0.5
	4,4'-DDT	0.0033	0.02	0 - 0.5
	Dieldrin	0.005	0.053	0 - 0.5
J16	1,1,2-Trichlorotrifluoroethane	6	9.48	0 - 0.83
	4,4'-DDD	0.0033	0.0034	2.5 - 3.5
	4,4'-DDE	0.0033	0.0068	2.5 - 3.5
	4,4'-DDT	0.0033	0.0069	2.5 - 3.5
	Lead	63	96	0 - 0.83
K10	Barium	350	376	0 - 2.0
	Lead	63	970	0 - 2.0
	Zinc	109	159	0 - 2.0
K12	4,4'-DDD	0.0033	0.039	0 - 1.0
	4,4'-DDE	0.0033	0.12	0 - 1.0
	4,4'-DDT	0.0033	0.068	0 - 1.0
K14	Mercury	0.18	0.25	0.25 - 0.92
K15	Aroclor 1254	0.1	0.9	0 - 0.83
	Copper	50	210	5.5 - 6.6
K16	Lead	63	97.5	4.0 - 5.0
	Zinc	109	146	0 - 1.0
K18	Copper	50	241	5.8 - 6.2
L9	4,4'-DDD	0.0033	0.0073	0.8 - 1.6
	4,4'-DDE	0.0033	0.057	0.8 - 1.6
	4,4'-DDT	0.0033	0.12	0.8 - 1.6
L12	Copper	50	60	10.0 - 10.5
	Lead	63	600	10.0 - 10.5
	Zinc	109	130	10.0 - 10.5
L16	Lead	63	130	0 - 0.83
L17	Lead	63	218	5.5 - 6.8
M11	4,4'-DDD	0.0033	0.0078	3.3 - 4.3
	Dieldrin	0.005	0.053	3.3 - 4.3
M13	Copper	50	91	3.6 - 4.1
	Manganese	1,600	3,100	3.6 - 4.1
	Zinc	109	110	3.6 - 4.1
M15	4,4'-DDD	0.0033	0.053	0.33 - 0.83
	4,4'-DDE	0.0033	0.02	0.33 - 0.83
	4,4'-DDT	0.0033	0.026	0.33 - 0.83
M17	Arsenic	13	15.1	15.4 - 16.4
M19	Copper	50	82.2	10.0 - 11.5
N11	bis(2-Ethylhexyl)phthalate	50	110	15.0 - 16.0
	Aroclor 1254	0.1	0.11	0.67 - 1.67
	Barium	350	362	15.0 - 16.0
	Manganese	1,600	2,560	15.0 - 16.0
N12	Zinc	109	132	10.5 - 11.5
N13	4,4'-DDE	0.0033	0.0059	0 - 0.83
	Aroclor 1254	0.1	0.27	0 - 0.83
N15	Copper	50	98	14.5 - 15.0
N17	Arsenic	13	15	10.0 - 11.1
	Copper	50	113	10.0 - 11.1
	Lead	63	124	10.0 - 11.1
	Zinc	109	124	10.0 - 11.1
N18	Lead	63	191	2.5 - 3.5
O11	Benzo(a)anthracene	1	4.8	1.67 - 3.3
	Benzo(b)fluoranthene	1	1.6	1.67 - 3.3
	Benzo(k)fluoranthene	0.8	2.7	1.67 - 3.3
	Chrysene	1	3.8	1.67 - 3.3
	Aroclor 1016	0.1	0.279	1.67 - 3.3
	Aroclor 1254	0.1	0.839	1.67 - 3.3
	Zinc	109	155	1.67 - 3.3
O12	Benzo(a)anthracene	1	3.2	10.83 - 11.67
	Benzo(b)fluoranthene	1	2.7	10.83 - 11.67
	Benzo(k)fluoranthene	0.8	1.8	10.83 - 11.67
	Chrysene	1	2.7	10.83 - 11.67
	Aroclor 1016	0.1	0.292	10.83 - 11.67
	Aroclor 1232	0.1	0.431	1.67 - 2.5
	Aroclor 1260	0.1	0.203	10.83 - 11.67
	Cadmium	2.5	3.05	1.67 - 2.5
	Zinc	109	814	1.67 - 2.5
O16	Lead	63	110	0.33 - 0.83
O17	4,4'-DDE	0.0033	0.036	0 - 0.5
	Copper	50	58	5.0 - 6.0
	Lead	63	84	16.9 - 19.4
	Zinc	109	139	5.0 - 6.0
O18	4-Nitrophenol	0.1	0.42	15.0 - 15.8
	Benzo(k)fluoranthene	0.8	5.5	15.0 - 15.8
	Chrysene	1	12	15.0 - 15.8
	Indeno(1,2,3-cd)pyrene	0.5	3.5	15.0 - 15.8
	4,4'-DDD	0.0033	0.0035	1.5 - 2.3
	4,4'-DDE	0.0033	0.0091	1.5 - 2.3
	4,4'-DDT	0.0033	0.025	1.5 - 2.3
	Mercury	0.18	0.23	0.25 - 0.83
	Cobalt	30	31	16.9 - 17.9
	Lead	63	790	16.9 - 17.9
	Zinc	109	110	16.9 - 17.9

SOIL RESULTS EXCEEDING RESTRICTED USE-COMMERCIAL

Grid ID	Parameter	6 NYCRR Part 375 SCO (mg/kg)	Sample Result (mg/kg)	Depth of Sample (ft-bgs)
H15	Benzo(a)anthracene	5.6	16	5.0 - 6.3
	Benzo(a)pyrene	1	14	5.0 - 6.3
	Benzo(b)fluoranthene	5.6	16	5.0 - 6.3
	Indeno(1,2,3-cd)pyrene	5.6	7.9	5.0 - 6.3
I17	Arsenic	16	36	13.4 - 14.4
L12	Arsenic	16	93	10.0 - 10.5
M12	Arsenic	16	16.2	2.6 - 3.4
M13	Arsenic	16	17	8.6 - 9.1
M15	Arsenic	16	32	12.0 - 12.6
N16	Arsenic	16	93	14.5 - 15.0
O11	Benzo(a)pyrene	1	3	1.67 - 3.3
O12	Benzo(a)pyrene	1	1.9	10.83 - 11.67
	Aroclor 1254	1	1.1	10.83 - 11.67
	Arsenic	16	26.1	1.67 - 2.5
	Copper	270	426	1.67 - 2.5
O17	Arsenic	16	21	16.9 - 19.4
O18	Benzo(a)anthracene	1	14	15.0 - 15.8
	Benzo(a)pyrene	1	11	15.0 - 15.8
	Benzo(b)fluoranthene	1	13	15.0 - 15.8
	Dibenz(a,h)anthracene	0.33	1.1	15.0 - 15.8
	Arsenic	16	61	16.9 - 17.9

no.	date	description	by

dwg by: YY
chk by: MSP
scale: 1" = 100'
date: 10/07/14

SESI CONSULTING ENGINEERS, P.C.
SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

project: THE CONCORD RESORT AND CONVENTION CENTER TOWN OF THOMPSON, COUNTY OF SULLIVAN, NEW YORK

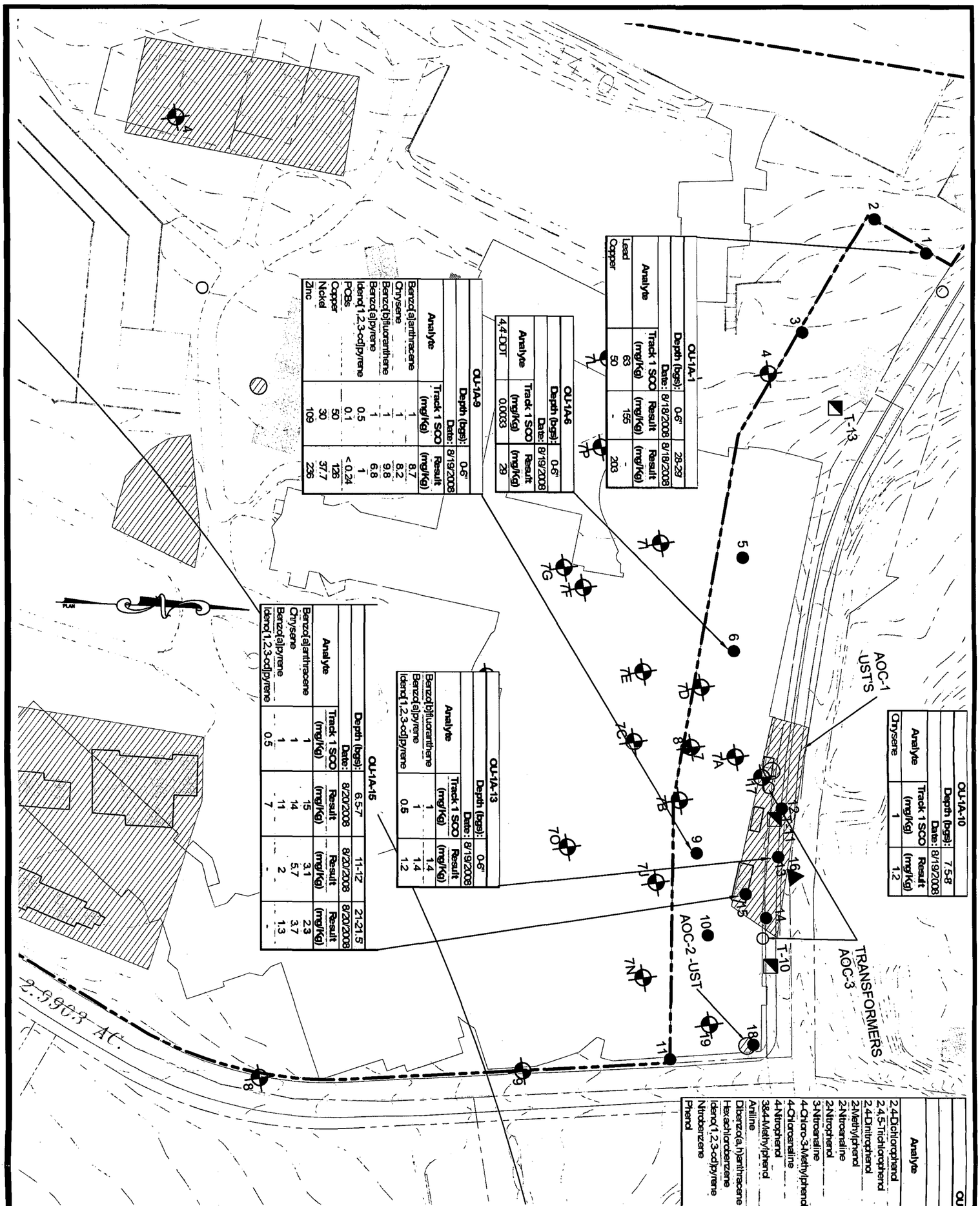
drawing title: CONTAMINANT DISTRIBUTION IN SOIL

MICHAEL W. ST. PIERRE, P.E.
PROFESSIONAL ENGINEER
N.Y. LIC. NO. 080271

job no. 7180
drawing no. FIG 1.5

2 of 7

N:\ACAD\7180-CONCORD\SMP 2014\FIG 1.4.dwg, 12/5/2014 9:34:27 AM



NOTES:
1. ALL LOCATIONS PROVIDED BY GEOD CORP., NEWFOUNDLAND, NJ, SEPTEMBER 2008.
2. BOUNDARY INFORMATION IS TAKEN FROM DRAWINGS ENTITLED "BROWNFIELDS CLEANUP AREA" PREPARED BY CONTRACTORS, LINE & GRADE SOUTH, LLC. DATED 6-5-07.
3. BUILDING & MISC. INFORMATION IS TAKEN FROM DRAWINGS ENTITLED "SURVEY OF PROPERTY" PREPARED BY CONTRACTORS, LINE & GRADE SOUTH, LLC. DATED 8-1-2001.
4. INFORMATION IS TAKEN FROM: SKETCHES PREPARED BY SIDNEY M. MARKS, P.E. REVISED 8-14-70, A SKETCH FROM NYSEG, & FROM INFORMATION PROVIDED BY OWNER.

LEGEND:
- 23 - BORING LOCATION
- EXTENT OF OU-1A
- TRANSFORMERS
- BEDROCK CONTOUR

FIG 1.4
job no: 7180
drawing no:

project: CONCORD RESORT & CASINO
KIAMESHA LAKE
THOMPSON, N.Y.

drawing title: SOIL CONTAMINANT DISTRIBUTION
OU-1A (FORMER) 2008

SESI CONSULTING ENGINEERS, PC
SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

dwg by: yy
chk by: FD
scale: 1"=100'
date: 10/3/08

project:

THE CONCORD RESORT & CASINO
TOWN OF THOMPSON,
COUNTY OF SULLIVAN, NEW YORK

drawing title:

GROUNDWATER CONTOUR LINES

dwg by: YY
chk by: MSP
scale: 1"=160'
date: 10/07/14

SESI
CONSULTING ENGINEERS, PC
SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

job no: 7180
drawing no:

FIG-1.3

NOTES

1. ALL LOCATIONS ARE APPROXIMATE.
2. ALL WORK SHOWN IS NOT INTENDED FOR CONSTRUCTION.
3. PROPOSED BUILDING TAKEN FROM PLANS PROVIDED BY DESIGN DEVELOPMENT AND LESSARD URBAN INC.

LEGEND

1440 EXISTING GROUND SURFACE CONTOUR
INTERPOLATED GROUNDWATER ELEVATION
BOUNDARY FOR BSEA

NOTES
1. ALL LOCATIONS ARE APPROXIMATE.
2. ALL WORK SHOWN IS NOT INTENDED FOR CONSTRUCTION.
3. PROPOSED BUILDING TAKEN FROM PLANS PROVIDED BY DESIGN DEVELOPMENT AND LESSARD URBAN INC.

LEGEND
- PROPOSED BUILDING FOOTPRINT
- 46 • 1482.0 ROCK — APPROXIMATE BEDROCK ELEVATION (FT)
- 1485 — INTERPOLATED TOP OF BEDROCK ELEVATION
- 1440 — EXISTING GROUND SURFACE CONTOUR
- BOUNDARY FOR BSEA

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SITE DESIGN
ENVIRONMENTAL
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

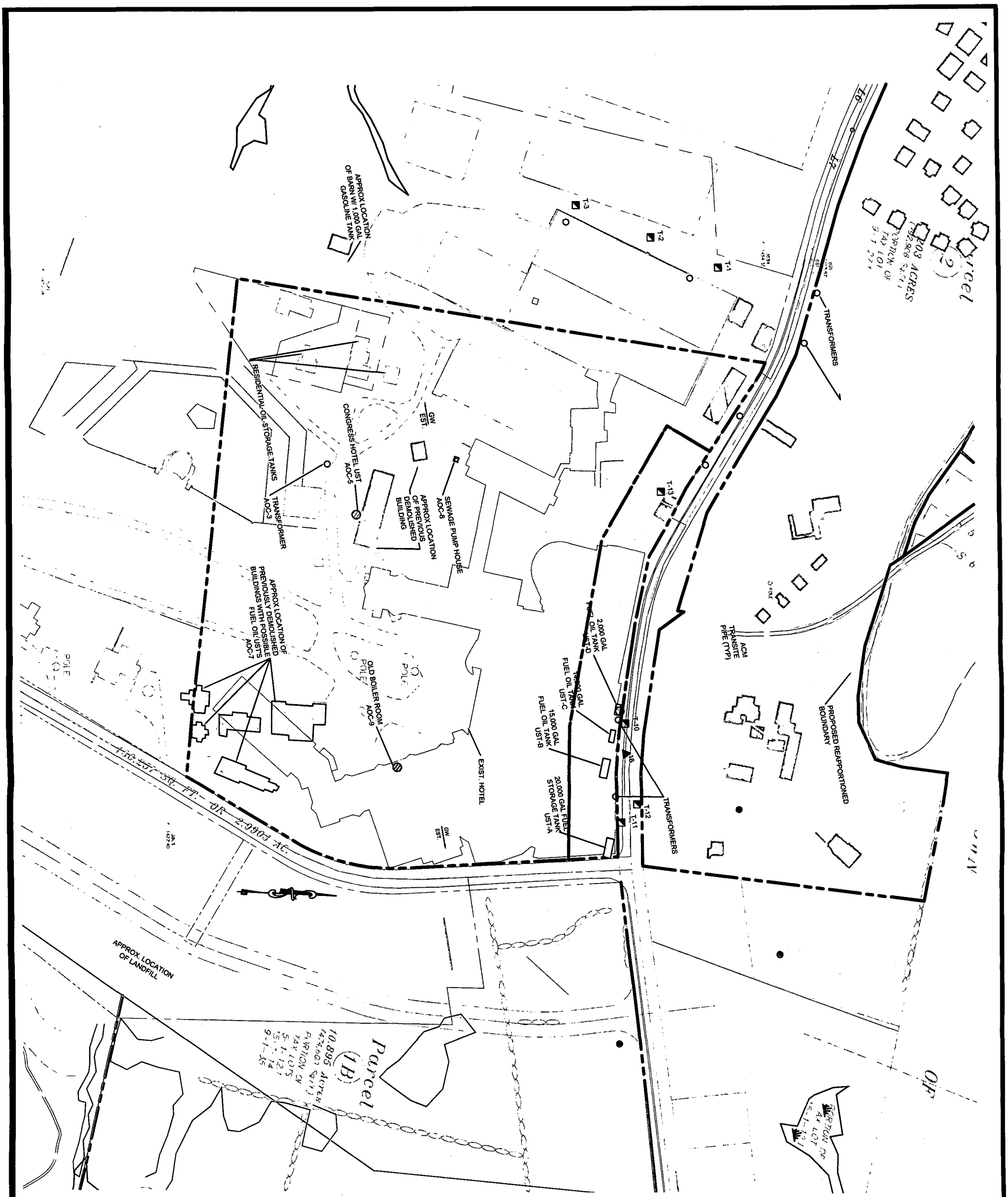
dwg by: YY
chk by: MSP
scale: 1"=160'
date: 10/07/14

project: THE CONCORD RESORT & CASINO
TOWN OF THOMPSON,
COUNTY OF SULLIVAN, NEW YORK

drawing title: GEOLOGICAL CROSS SECTION LOCATION PLAN

job no: 7180
drawing no: FIG-1.2

N:\ACAD\7180-CONCORD\SMP 2014\7180-fig 1.10B UST locations.dwg, 12/5/2014 9:50:59 AM



NOTES:
1. ALL LOCATIONS ARE APPROXIMATE & SHOULD BE VERIFIED IN THE FIELD.
2. BOUNDARY INFORMATION IS TAKEN FROM DRAWINGS ENTITLED "BROWNFIELDS CLEANUP AREA" PREPARED BY CONTRACTORS, LINE & GRADE SOUTH, LLC. DATED 6-5-07.
3. BUILDING & MISC. INFORMATION IS TAKEN FROM DRAWINGS ENTITLED "SURVEY OF PROPERTY" PREPARED BY CONTRACTORS, LINE & GRADE SOUTH, LLC. DATED 8-1-2001.
4. INFORMATION IS TAKEN FROM: SKETCHES PREPARED BY SIDNEY M. MARKS, P.E. REVISED 8-14-70, A SKETCH FROM NYSEG, & FROM INFORMATION PROVIDED BY OWNER.

LEGEND:

- ▲ 5 - PROPOSED SOIL VAPOR SAMPLE LOCATION
- GW EST. → - ESTIMATED DIRECTION OF GROUNDWATER FLOW
- ——— - EXTENT OF OU-1A
- ◒ - NEW VAULT
- ◥ - NEW TRANSFORMERS

FIG. 1.10B

job no: 7180
drawing no:

project:
THE CONCORD
RESORT AND CONVENTION CENTER
TOWN OF THOMPSON, COUNTY OF SULLIVAN, NEW YORK

drawing title:
UST/ TRANSFORMER LOCATIONS

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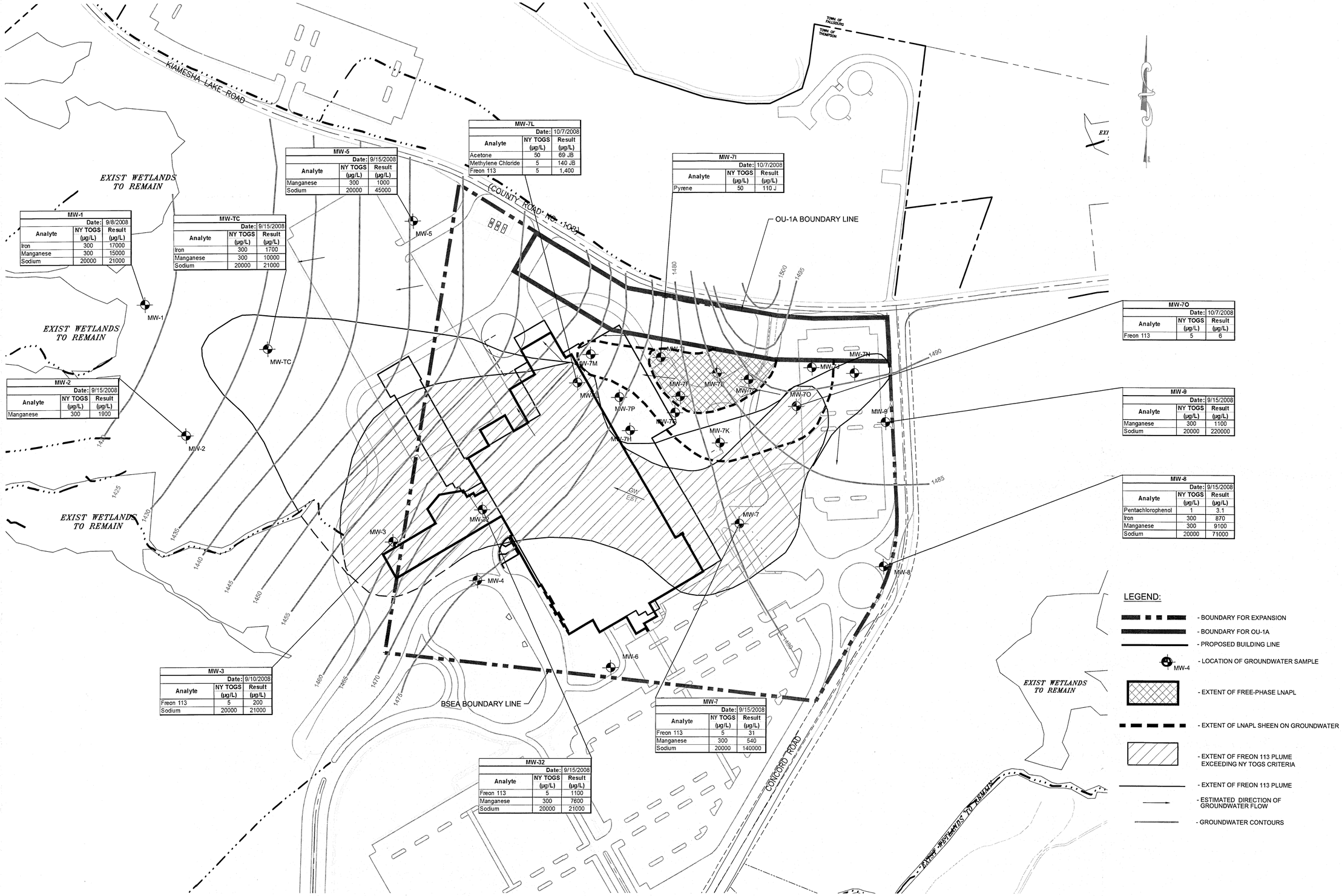
SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

dwg by: yy
chk by: FD
scale: 1"=200'
date: 11/21/14



MW-1		
	Date:	9/8/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Iron	300	17000
Manganese	300	15000
Sodium	20000	21000

MW-TC		
	Date:	9/15/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Iron	300	1700
Manganese	300	10000
Sodium	20000	21000

MW-5		
	Date:	9/15/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Manganese	300	1000
Sodium	20000	45000

MW-7L		
	Date:	10/7/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Acetone	50	69 JB
Methylene Chloride	5	140 JB
Freon 113	5	1,400

MW-7I		
	Date:	10/7/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Pyrene	50	110 J

MW-7O		
	Date:	10/7/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Freon 113	5	6

MW-2		
	Date:	9/15/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Manganese	300	1900

MW-9		
	Date:	9/15/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Manganese	300	1100
Sodium	20000	220000

MW-8		
	Date:	9/15/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Pentachlorophenol	1	3.1
Iron	300	870
Manganese	300	9100
Sodium	20000	71000

MW-3		
	Date:	9/10/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Freon 113	5	200
Sodium	20000	21000

MW-7		
	Date:	9/15/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Freon 113	5	31
Manganese	300	540
Sodium	20000	140000

MW-32		
	Date:	9/15/2008
Analyte	NY TOGS (µg/L)	Result (µg/L)
Freon 113	5	1100
Manganese	300	7600
Sodium	20000	21000

LEGEND:

- BOUNDARY FOR EXPANSION
- BOUNDARY FOR OU-1A
- PROPOSED BUILDING LINE
- MW-4 - LOCATION OF GROUNDWATER SAMPLE
- EXTENT OF FREE-PHASE LNAPL
- EXTENT OF LNAPL SHEEN ON GROUNDWATER
- EXTENT OF FREON 113 PLUME EXCEEDING NY TOGS CRITERIA
- EXTENT OF FREON 113 PLUME
- ESTIMATED DIRECTION OF GROUNDWATER FLOW
- GROUNDWATER CONTOURS

100 0 100 200 300

Scale 1" = 100'

NOTES
1. ALL LOCATIONS ARE APPROXIMATE & SHOULD BE VERIFIED IN THE FIELD.
2. INFORMATION IS TAKEN FROM: SKETCHES PREPARED BY SIDNEY M. MARKS, P.E. REVISED 8-14-70, A SKETCH FROM NYSEG, & FROM INFORMATION PROVIDED BY OWNER.
3. ALL WORK SHOWN IS NOT INTENDED FOR CONSTRUCTION.

N:\ACAD\7180--CONCORD\SUP 2014\FIG 1.7.dwg, FIG 1.7, 11/24/2014 2:39:28 PM, 1:1

rev	date	description	by

dwg by: YY
chk by: GQ
scale: 1" = 100'
date: 11/24/14

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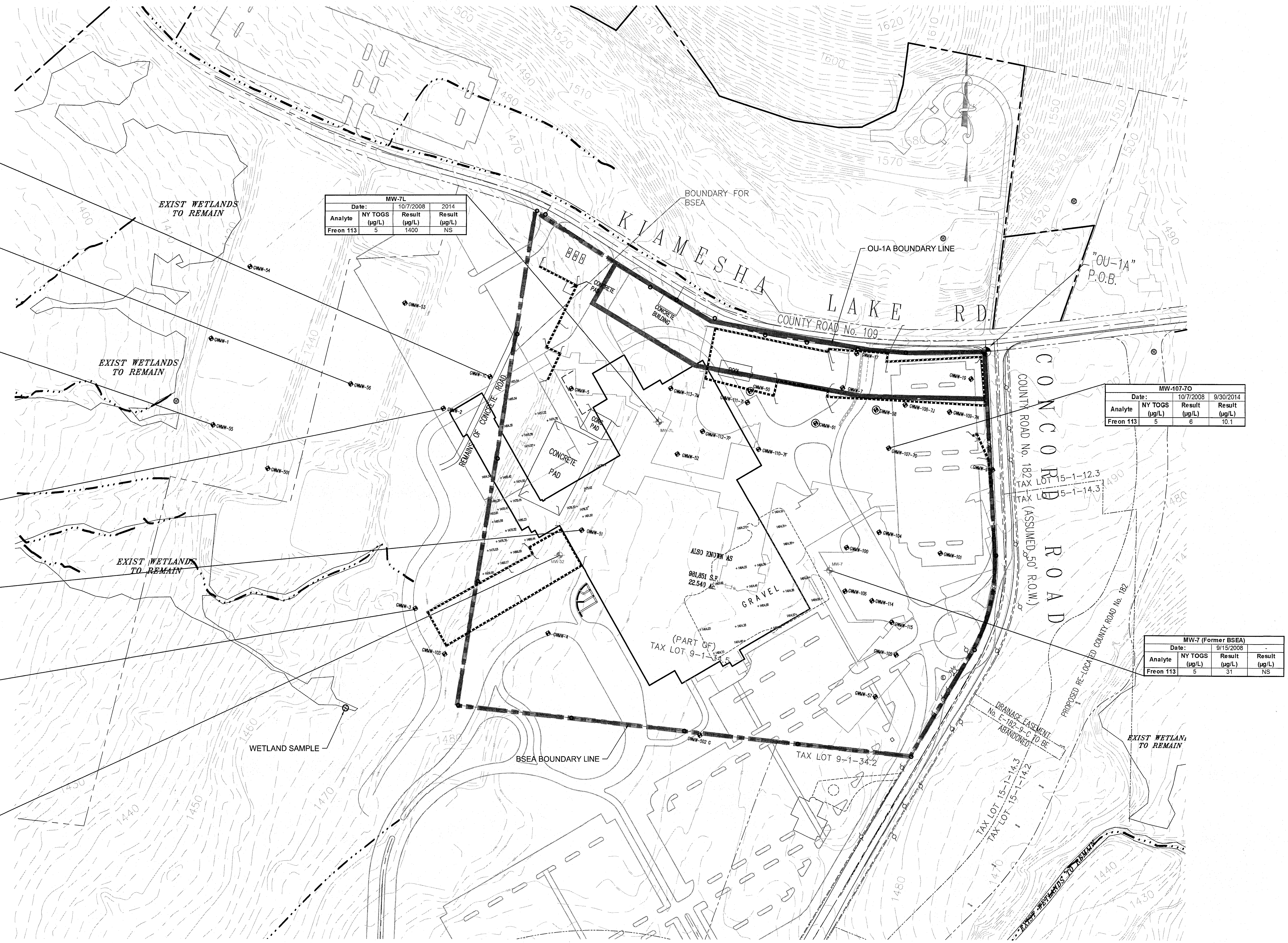
SITE DESIGN
ENVIRONMENTAL
12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

MICHAEL W. ST. PIERRE, P.E.
PROFESSIONAL ENGINEER
N.Y.S. LIC. NO. 080271

project:
THE CONCORD
RESORT AND CONVENTION CENTER
TOWN OF THOMPSON, COUNTY OF SULLIVAN, NEW YORK

drawing title:
FREON/ LNAPL PLUMES (2008)

job no. 7180
drawing no.
FIG 1.7



MW-TC			
Date:		9/15/2008	10/2/2014
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	ND	19.1

MW-56			
Date:		2008	10/29/2014
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	NS	4.5

MW-55			
Date:		2008	10/29/2014
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	NS	19

MW-7L			
Date:		10/7/2008	2014
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	1400	NS

MW-107-7O			
Date:		10/7/2008	9/30/2014
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	6	10.1

MW-2			
Date:		9/15/2008	10/2/2014
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	ND	11.4

MW-51			
Date:		2008	10/2/2014
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	NS	3.9

MW-7 (Former BSEA)			
Date:		9/15/2008	-
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	31	NS

MW-3			
Date:		9/10/2208	10/2/2014
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	200	ND

MW-32			
Date:		9/10/2008	2014
Analyte	NY TOGS (µg/L)	Result (µg/L)	Result (µg/L)
Freon 113	5	1100	NS

LEGEND:

- BOUNDARY FOR EXPANSION
- BOUNDARY FOR OU-1A
- PROPOSED BUILDING LINE
- GWMW-2 - LOCATION OF GROUNDWATER SAMPLE
- GWMW-58 - WELL IN LNAPL DETECTION (2014)
- WETLAND SAMPLE LOCATION
- MW-7 - MW DESTROYED
- NS - NO SAMPLE

100 0 100 200 300

Scale 1" = 100'

NOTES

ALL WELLS WERE SAMPLED IN 2004. PLAN SHOWS WELL RESULTS WITH FREON DETECTIONS.

rev	date	description	by

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12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

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chk by: FD
scale: 1" = 100'
date: 12/1/14

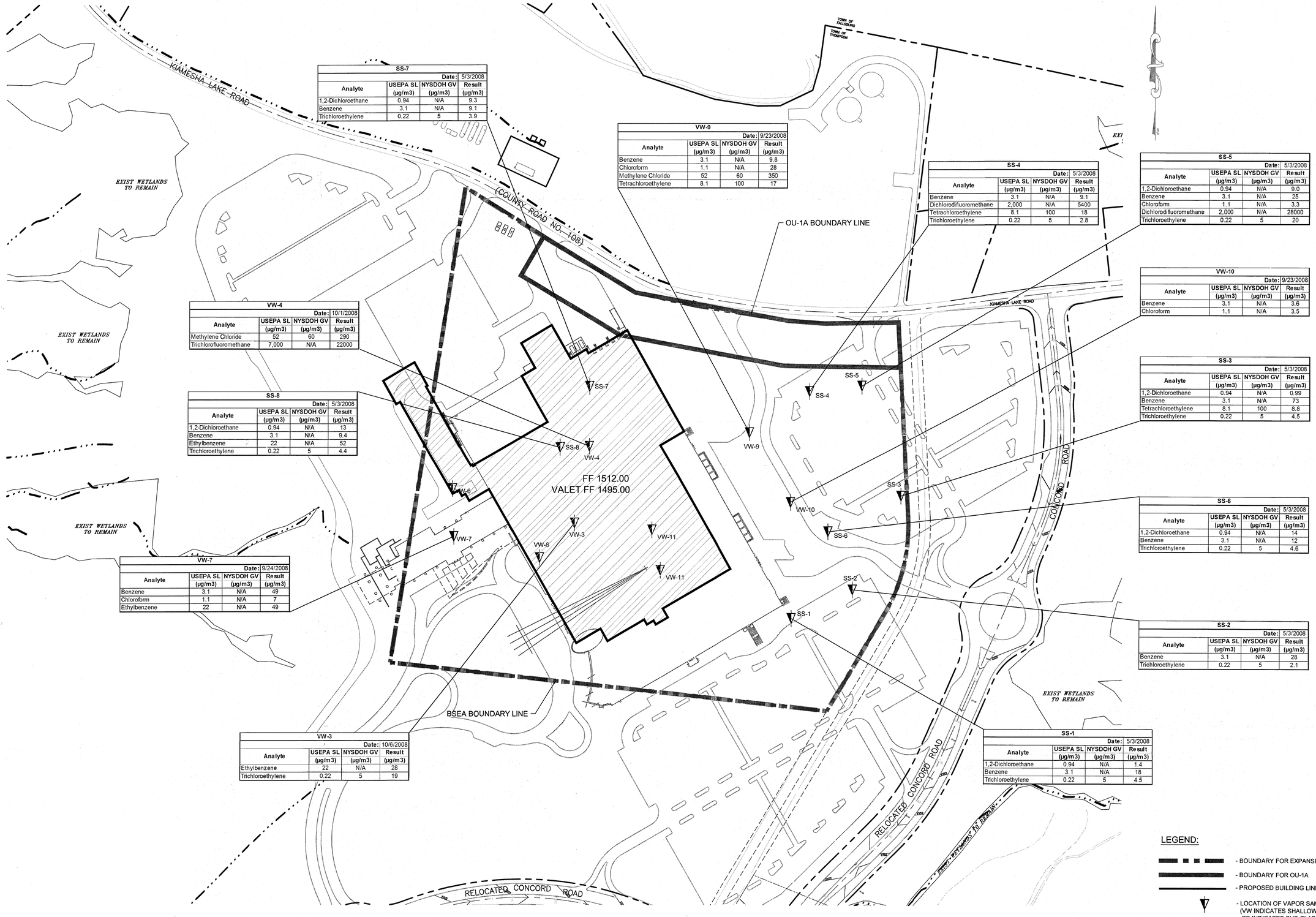
MICHAEL W. ST. PIERRE, P.E.
PROFESSIONAL ENGINEER
N.Y. LIC. NO. 080271

project: THE CONCORD
RESORT AND CONVENTION CENTER
TOWN OF THOMPSON, COUNTY OF SULLIVAN, NEW YORK

drawing title: GROUNDWATER SAMPLING RESULTS (2014)

job no. 7180
drawing no.

FIG 1.8



SS-7			
		Date:	5/3/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
1,2-Dichloroethane	0.94	N/A	9.3
Benzene	3.1	N/A	9.1
Trichloroethylene	0.22	5	3.9

VW-9			
		Date:	9/23/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
Benzene	3.1	N/A	9.8
Chloroform	1.1	N/A	28
Methylene Chloride	52	60	350
Tetrachloroethylene	8.1	100	17

SS-4			
		Date:	5/3/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
Benzene	3.1	N/A	9.1
Dichlorodifluoromethane	2,000	N/A	5400
Tetrachloroethylene	8.1	100	18
Trichloroethylene	0.22	5	2.8

SS-5			
		Date:	5/3/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
1,2-Dichloroethane	0.94	N/A	9.0
Benzene	3.1	N/A	25
Chloroform	1.1	N/A	3.3
Dichlorodifluoromethane	2,000	N/A	28000
Trichloroethylene	0.22	5	20

VW-4			
		Date:	10/1/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
Methylene Chloride	52	60	280
Trichlorofluoromethane	7,000	N/A	22000

VW-10			
		Date:	9/23/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
Benzene	3.1	N/A	3.6
Chloroform	1.1	N/A	3.5

SS-8			
		Date:	5/3/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
1,2-Dichloroethane	0.94	N/A	13
Benzene	3.1	N/A	9.4
Ethylbenzene	22	N/A	52
Trichloroethylene	0.22	5	4.4

SS-3			
		Date:	5/3/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
1,2-Dichloroethane	0.94	N/A	0.99
Benzene	3.1	N/A	73
Tetrachloroethylene	8.1	100	8.8
Trichloroethylene	0.22	5	4.5

SS-6			
		Date:	5/3/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
1,2-Dichloroethane	0.94	N/A	14
Benzene	3.1	N/A	12
Trichloroethylene	0.22	5	4.6

VW-7			
		Date:	9/24/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
Benzene	3.1	N/A	49
Chloroform	1.1	N/A	7
Ethylbenzene	22	N/A	49

SS-2			
		Date:	5/3/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
Benzene	3.1	N/A	28
Trichloroethylene	0.22	5	2.1

VW-3			
		Date:	10/6/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
Ethylbenzene	22	N/A	28
Trichloroethylene	0.22	5	19

SS-1			
		Date:	5/3/2008
Analyte	USEPA SL (µg/m3)	NYSDOH GV (µg/m3)	Result (µg/m3)
1,2-Dichloroethane	0.94	N/A	1.4
Benzene	3.1	N/A	18
Trichloroethylene	0.22	5	4.5

LEGEND:

- BOUNDARY FOR EXPANSION
- BOUNDARY FOR OU-1A
- PROPOSED BUILDING LINE
- LOCATION OF VAPOR SAMPLE (VW INDICATES SHALLOW SOIL GAS SAMPLE, SS INDICATES SUB-SLAB SAMPLE)

100 0 100 200 300

Scale 1" = 100'

NOTES
1. ALL LOCATIONS ARE APPROXIMATE & SHOULD BE VERIFIED IN THE FIELD.
2. INFORMATION IS TAKEN FROM: SKETCHES PREPARED BY SIDNEY M. MARKS, P.E. REVISED 8-14-70, A SKETCH FROM NYSEG, & FROM INFORMATION PROVIDED BY OWNER.
3. ALL WORK SHOWN IS NOT INTENDED FOR CONSTRUCTION.

rev	date	description	by

dwg by: YY
chk by: GQ
scale: 1" = 100'
date: 11/24/14

SESI CONSULTING ENGINEERS, PC
SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL
12A MAPLE AVE, PINE BROOK, N.J. 07058 PH: 973-808-9050

MICHEL V. ST. PIERRE, P.E.
PROFESSIONAL ENGINEER
NY PE LIC. NO. 090271

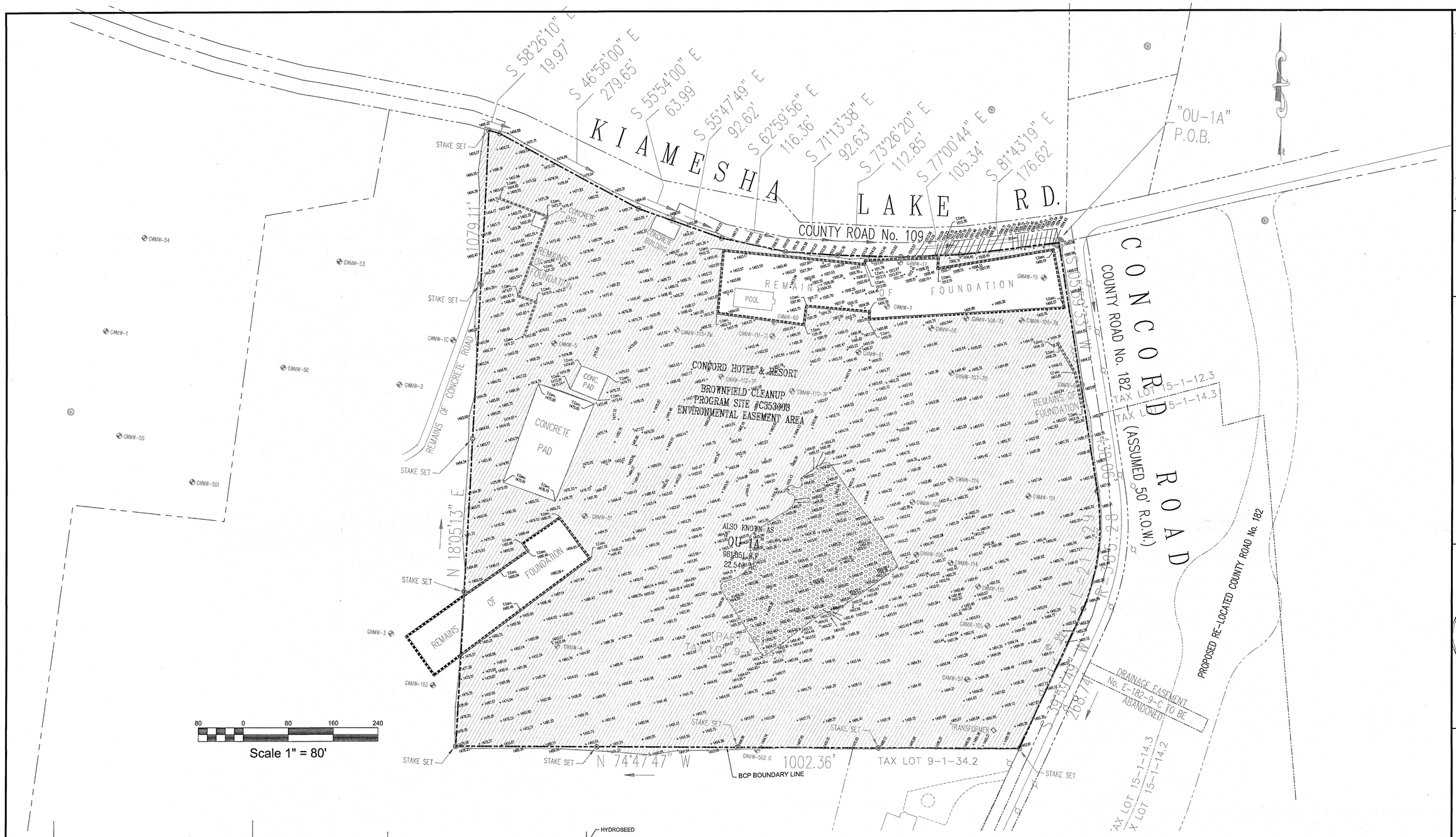
project: THE CONCORD
RESORT AND CONVENTION CENTER
TOWN OF THOMPSON, COUNTY OF SULLIVAN, NEW YORK

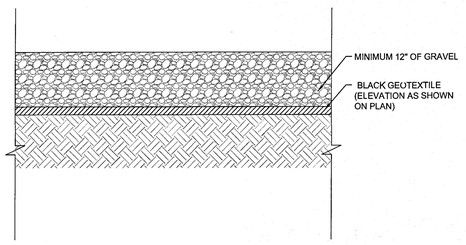
drawing title: CONTAMINANT DISTRIBUTION IN SOIL GAS

job no. 7180
drawing no.

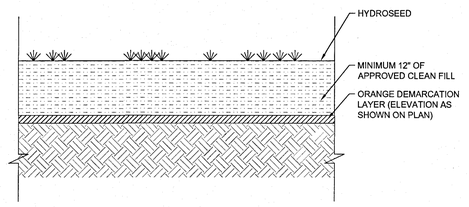
FIG. 1.9

N:\ACAD\7180-CONCORD\IMP 2014\Fig 1.9.dwg 12/5/2014 4:27:56 AM





GRAVEL CAP CROSS SECTION
(IN PROPOSED BUILDING FOOT PRINT)



SOIL CAP CROSS SECTION

COVER SYSTEM CONSISTS OF THE FOLLOWING:

- SOIL CAP
- GRAVEL LAYER IN PROPOSED BUILDING FOOTPRINT
- PRE-EXISTING CONCRETE PADS
- PRE-EXISTING FOUNDATIONS

ALL MATERIAL UNDER SLABS/PADS MUST BE HANDLED IN ACCORDANCE WITH THE SMP.

ALL MATERIAL UNDER DEMARCATION LAYER OR GEOTEXTILE MUST BE HANDLED IN ACCORDANCE WITH THE SMP.

LEGEND:

- ORANGE DEMARCATION LAYER
- GRAVEL CAP
- EXISTING FOUNDATION
- +1455.40 - SPOT GRADE ELEVATION OF DEMARCATION LAYER

REFERENCE:
SURVEY TAKEN FROM DRAWING ENTITLED "OPERABLE UNIT 1A PREPARED FOR CONCORD KIAMESHA LLC" PREPARED BY CONTRACTORS' LINE & GRADE SOUTH, LLC. DATED SEPTEMBER 4, 2009, REV. DATE NOVERBER 25, 2014..

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ENVIRONMENTAL
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rev	date	description	by

dwg by: YY
chk by: FD
scale: 1" = 80'
date: 11/26/14

MICHAEL W. ST. PIERRE, P.E.
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N.Y. LIC. NO. 080271

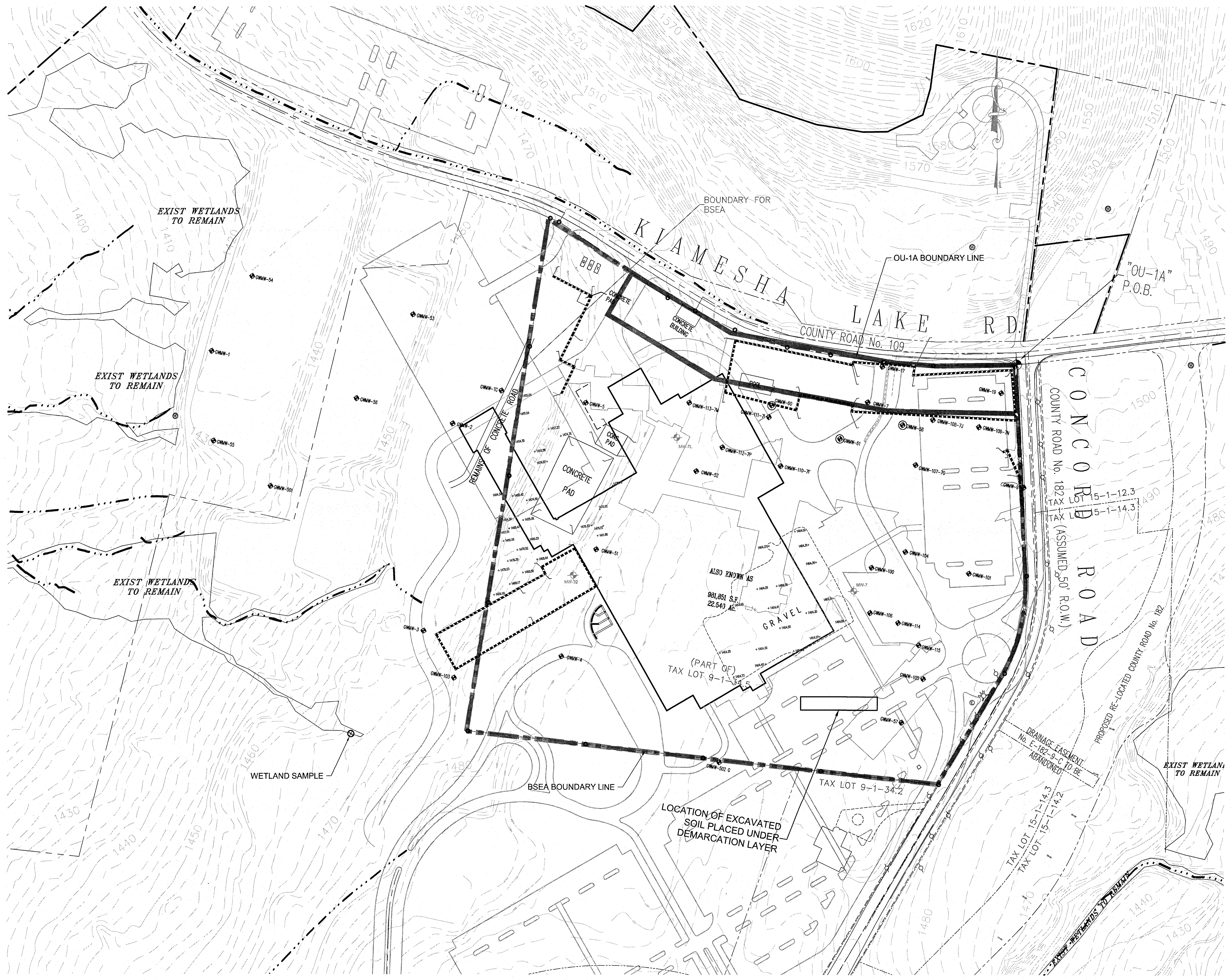
project:
THE CONCORD
RESORT AND CONVENTION CENTER
TOWN OF THOMPSON, COUNTY OF SULLIVAN, NEW YORK

drawing title:
COVER SYSTEM AS-BUILT
& CROSS SECTIONS

job no. 7180
drawing no.

FIG 1.12

N:\ACAD\7180-CONCORD\SHP 2014\7180-fig 1.12.dwg 12/7/2014 9:45:05 AM



LEGEND:

- BOUNDARY FOR EXPANSION
- BOUNDARY FOR OU-1A
- PROPOSED BUILDING LINE
- GWMW-2 - LOCATION OF GROUNDWATER SAMPLE
- GWMW-58 - WELL IN LNAPL DETECTION (2014)
- WETLAND SAMPLE LOCATION
- MW-7 - MW DESTROYED
- NS - NO SAMPLE

Scale 1" = 100' (100 0 100 200 300)

NOTES

ALL WELLS WERE SAMPLED IN 2004. PLAN SHOWS WELL RESULTS WITH FREON DETECTIONS.

SESI CONSULTING ENGINEERS, P.C.
SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL
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rev	date	description	by

dwg by: YY
chk by: FD
scale: 1" = 100'
date: 12/1/14

MICHAEL W. ST. PIERRE, P.E.
PROFESSIONAL ENGINEER
NY LIC NO. 068271

project: THE CONCORD
RESORT AND CONVENTION CENTER
TOWN OF THOMPSON, COUNTY OF SULLIVAN, NEW YORK

drawing title: OONTAMINATED MATERIAL LOCATION

job no. 7180
drawing no. FIG 1.11

APPENDICES

APPENDIX A – EXCAVATION WORK PLAN

A-1 NOTIFICATION

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

Jamie Verrigni
New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau C, Section A
625 Broadway, 11th Floor
Albany, NY 12233-7014

Site Control Section
Bureau of Technical Support
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7014

This notification will include:

- A detailed description of the work to be performed, including the location and areal extent, plans for site re-grading, intrusive elements or utilities to be installed below the soil cover, estimated volumes of contaminated soil to be excavated and any work that may impact an engineering control,
- A summary of environmental conditions anticipated in the work areas, including the nature and concentration levels of contaminants of concern, potential presence of grossly contaminated media, and plans for any pre-construction sampling;
- A schedule for the work, detailing the start and completion of all intrusive work,
- A summary of the applicable components of this EWP,
- A statement that the work will be performed in compliance with this EWP and 29 CFR 1910.120,

- A copy of the contractor's health and safety plan, in electronic format, if it differs from the HASP provided in Appendix E of this document,
- Identification of disposal facilities for potential waste streams,
- Identification of sources of any anticipated backfill, along with all required chemical testing results.

A-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.

A-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.

A-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.

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

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

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

The qualified environmental professional will be responsible for ensuring that all egress points for truck and equipment transport from the site are 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.

A-5 MATERIALS TRANSPORT OFF-SITE

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

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.

All 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 are as follows: from anywhere on the site head east to Concord Road, then on Concord Road head south or north depending on the destination. The truck route is shown in Figure A.1. All trucks loaded with site materials will exit the vicinity of the site using only these approved truck routes. This is the most appropriate route and takes into account: (a) limiting transport through residential areas and past sensitive sites; (b) use of city mapped truck routes; (c) prohibiting off-site queuing of trucks entering the facility; (d) limiting total distance to major highways; (e) promoting safety in access to highways; and (f) overall safety in transport; [(g) community input [where necessary]]

Trucks will be prohibited from stopping and idling in the neighborhood outside the project site.

Egress points for truck and equipment transport from the site will be kept clean of dirt and other materials during site remediation and development.

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

Figure A.1: Site truck route

A-6 MATERIALS DISPOSAL OFF-SITE

All soil/fill/solid waste excavated and removed from the site will be treated as contaminated and regulated material and will be transported and disposed in accordance with all local, State (including 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 per 6NYCRR Part 360-1.2. Material that does not meet Track 1 unrestricted SCOs is prohibited from being taken to a New York State recycling facility (6NYCRR Part 360-16 Registration Facility).

A-7 MATERIALS REUSE ON-SITE

Chemical criteria for on-site reuse of material have been approved by NYSDEC and are listed in Table 375-6.8(b) of 6 NYCRR 375-6.8. 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.

Any demolition material proposed for reuse on-site will be sampled for asbestos and the results will be reported to the NYSDEC for acceptance. Concrete crushing or processing on-site will not be performed without prior NYSDEC approval. Organic matter (wood, roots, stumps, etc.) or other solid waste derived from clearing and grubbing of the site will not be reused on-site.

A-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.

A-9 COVER SYSTEM RESTORATION

After the completion of soil removal and any other invasive activities the cover system will be restored in a manner that complies with the RAWP. The demarcation layer, consisting of orange snow fencing material or equivalent material will be replaced to provide a visual reference to the top of the 'Remaining Contamination Zone', the zone that requires adherence to special conditions for disturbance of remaining contaminated soils defined in this 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.

A-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 prior to receipt at the site. The approval documents should include history of the source site,

DOT certification if any, and previous analytical results, if any. The material should also by approved by the NYSDEC prior to import on 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 are listed in the commercial soil clean-up criteria (DER-10 Appendix 5). 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.

Fill other than soil such as rock or concrete/brick should follow the requirements listed in 5.4(e)5 of DER-10.

All import material will be sampled at a frequency in accordance with DER-10 Table 5.4(e) 10 "Recommended Number of Soil Samples for Soil Imported To or Exported from a Site." The samples will be analyzed for the EPAs target analyte list/total contaminant list (TCL/TAL) at an ELAP certified laboratory.

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.

A-11 STORMWATER POLLUTION PREVENTION

Barriers and hay bale checks will be installed and inspected once a 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. 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 construction area.

A-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 and surrounding soils, etc. as necessary to determine the nature of the material and proper disposal method. Chemical analysis will be performed for full a full list of analytes (TAL metals; TCL volatiles and semi-volatiles, TCL pesticides and PCBs), unless the site history and previous sampling results provide a sufficient justification to limit the list of analytes. In this case, a reduced list of analytes will be proposed to the NYSDEC for approval prior to sampling.

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

A-13 COMMUNITY AIR MONITORING PLAN

A figure showing the location of air sampling stations based on generally prevailing wind conditions is shown in Figure A.2. These locations will be adjusted on a daily or more frequent basis based on actual wind directions to provide an upwind and at least two downwind monitoring stations.

Exceedances of action levels listed in the CAMP will be reported to NYSDEC and NYSDOH Project Managers.

A-14 ODOR CONTROL PLAN

This odor control plan is capable of controlling emissions of nuisance odors off-site. Specific odor control methods to be used on a routine basis will include VOC monitoring. 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.

A-15 DUST CONTROL PLAN

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

- Dust suppression will be achieved 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.

A-16 OTHER NUISANCES

A plan for rodent control will be developed and utilized by the contractor prior to and during site clearing and site grubbing, and during all remedial work.

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

APPENDIX B - RESPONSIBILITIES OF OWNER AND REMEDIAL PARTY

Responsibilities

Solely for the purposes of this document and based upon the facts related to a particular site and the remedial program being carried out, the term Remedial Party ("RP") refers to any of the following: certificate of completion holder, volunteer, applicant, responsible party, and, in the event the New York State Department of Environmental Conservation ("NYSDEC") is carrying out remediation or site management, the NYSDEC and/or an agent acting on its behalf The RP is: Owner

Nothing on this page shall supersede the provisions of an Environmental Easement, Consent Order, Consent Decree, agreement, or other legally binding document that affects rights and obligations relating to the site.

Site Owner's Responsibilities:

1) The owner shall follow the provisions of the SMP as they relate to future construction and excavation at the site.
2) In accordance with a periodic time frame determined by the NYSDEC, the owner shall periodically certify, in writing, that all Institutional Controls set forth in an Environmental Easement remain in place and continue to be complied with. The owner shall provide a written certification to the RP, upon the RP's request, in order to allow the RP to include the certification in the site's Periodic Review Report (PRR) certification to the NYSDEC.
3) In the event the site is delisted, the owner remains bound by the Environmental Easement, and shall submit, upon request by the NYSDEC, a written certification that the Environmental Easement is still in place and has been complied with.
4) The owner shall grant access to the site to the RP and the NYSDEC and its agents for the purposes of performing activities required under the SMP and assuring compliance with the SMP.
5) The owner is responsible for assuring the security of the remedial components located on its property to the best of its ability. In the event that damage to the remedial

components or vandalism is evident, the owner shall notify the site's RP and NYSDEC in accordance with the timeframes indicated in Section 2.4.2-Notifications.

6) In the event some action or inaction by the owner adversely impacts the site, the owner must notify the site's RP and the NYSDEC in accordance with the time frame indicated in Section 2.4.2- Notifications and (ii) coordinate the performance of necessary corrective actions with the RP.

7) The owner must notify the RP and the NYSDEC of any change in ownership of the site property (identifying the tax map numbers in any correspondence) and provide contact information for the new owner of the site property. 6 NYCRR Part contains notification requirements applicable to any construction or activity changes and changes in ownership. Among the notification requirements is the following: Sixty days prior written notification must be made to the NYSDEC. Notification is to be submitted to the NYSDEC Division of Environmental Remediation's Site Control Section. Notification requirements for a change in use are detailed in Section 2.4 of the SMP. A 60-Day Advance Notification Form and Instructions are found at http://www.dec.ny.gov/chemical/76250.html.

8) The owner will maintain fences and conduct mowing on behalf of the RP. The RP remains ultimately responsible for maintaining the engineering controls.

9) Until such time as the NYSDEC deems the vapor mitigation system unnecessary, the owner shall operate the system, pay for the utilities for the system's operation, and report any maintenance issues to the RP and the NYSDEC.

10) In accordance with the tenant notification law, within 15 days of receipt, the owner must supply a copy of any vapor intrusion data, that is produced with respect to structures and that exceeds NYSDOH or OSHA guidelines on the site, whether produced by the NYSDEC, RP, or owner, to the tenants on the property. The owner must otherwise comply with the tenant and occupant notification provisions of Environmental Conservation Law Article 27, Title 24.

Remedial Party Responsibilities

1) The RP must follow the SMP provisions regarding any construction and/or excavation it undertakes at the site.

2) The RP shall report to the NYSDEC all activities required for remediation, operation, maintenance, monitoring, and reporting. Such reporting includes, but is not limited to, periodic review reports and certifications, electronic data deliverables, corrective action work plans and reports, and updated SMPs.

3) Before accessing the site property to undertake a specific activity, the RP shall provide the owner advance notification that shall include an explanation of the work expected to be completed. The RP shall provide to (i) the owner, upon the owner's request, (ii) the NYSDEC, and (iii) other entities, if required by the SMP, a copy of any data generated during the site visit and/or any final report produced.

4) If the NYSDEC determines that an update of the SMP is necessary, the RP shall update the SMP and obtain final approval from the NYSDEC. Within 5 business days after NYSDEC approval, the RP shall submit a copy of the approved SMP to the owner(s).

5) The RP shall notify the NYSDEC and the owner of any changes in RP ownership and/or control and of any changes in the party/entity responsible for the operation, maintenance, and monitoring of and reporting with respect to any remedial system (Engineering Controls). The RP shall provide contact information for the new party/entity. Such activity constitutes a Change of Use pursuant to 375-1.11(d) and requires 60-days prior notice to the NYSDEC. A 60-Day Advance Notification Form and Instructions are found at http://www.dec.ny.gov/chemical/76250.html .

6) The RP shall notify the NYSDEC of any damage to or modification of the systems as required under Section [2.4.2]- Notifications] of the SMP.

7) The RP is responsible for the proper maintenance of any installed vapor intrusion mitigation systems associated with the site, as required in Section 3 of the SMP.

8) The RP is responsible for the proper monitoring and maintenance of any installed drinking water treatment system associated with the site, as required in Section 3.

9) Prior to a change in use that impacts the remedial system or requirements and/or responsibilities for implementing the SMP, the RP shall submit to the NYSDEC for approval an amended SMP.

10) Any change in use, change in ownership, change in site classification (*e.g.*, delisting), reduction or expansion of remediation, and other significant changes related to the site may result in a change in responsibilities and, therefore, necessitate an update to the SMP and/or updated legal documents. The RP shall contact the Department to discuss the need to update such documents.

Change in RP ownership and/or control and/or site ownership does not affect the RP's obligations with respect to the site unless a legally binding document executed by the NYSDEC releases the RP of its obligations.

Future site owners and RPs and their successors and assigns are required to carry out the activities set forth above.

APPENDIX D – ENVIRONMENTAL EASEMENT

SULLIVAN COUNTY CLERK

DANIEL L. BRIGGS

Receipt

Receipt Date: 12/04/2014 11:20:43 AM
RECEIPT # 2014506552

Recording Clerk: KF
Cash Drawer: CASH2
Rec'd Frm: NYS DEPT OF ENVIRONMENTAL CONSERVATION

Instr#: 2014-7994
DOC: EASEMENT
DEED STAMP: 1227
OR Party: CONCORD ASSOCIATES LP
EE Party: PEOPLE OF THE STATE OF NEW YORK

Recording Fees	
Cover Page	$0.00
Recording Fee	$0.00
Cultural Ed	$0.00
Records Management - County	$0.00
Records Management - State	$0.00
Notations	$0.00
Transfer Tax	
Transfer Tax	$0.00
DOCUMENT TOTAL: ---->	$0.00

Instr#: 2014-65 Bk/Pg: 14/239
DOC: MAPS
OR Party: CONCORD KIAMESHA LLC

Recording Fees	
Map Filing	$0.00
DOCUMENT TOTAL: ---->	$0.00

Receipt Summary	
TOTAL RECEIPT: ---->	$0.00
TOTAL RECEIVED: ---->	$0.00
CASH BACK: ---->	$0.00

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

THIS INDENTURE made this 21st day of November, 20 14 between Owner(s) Concord Associates, L.P., having an office at 7 Renaissance Square, White Plains, NY 10601, County of Westchester, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 219 Concord Road in the Town of Thompson, Hamlet of Kiamesha Lake, County of Sullivan and State of New York, known and designated on the tax map of the County Clerk of Sullivan as tax map parcel numbers: Section 9 (Portion of) Block 1 Lot 34.5, being the same as that property conveyed to Grantor by deed dated January 29, 1999 and recorded in the Sullivan County Clerk's Office in Liber and Page Liber Book 2111 Page 399 as Parcel 1 which at that time included Lot 9.1.34.1 and which is now part of Lot 9-1-34.5. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 22.540 +/- acres, and is hereinafter more fully described in the Land Title Survey dated September 4, 2009 revised November 25, 2014 prepared by Contractor's Line & Grade South, LLC, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the

protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: W3-1004-09-06 and as amended on September 15, 2009 and August 29, 2014 , Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement")

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

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

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 must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Sullivan 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;

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

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

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

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

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

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

B. The Controlled Property shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held

by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5 the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee

interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to:

Site Number: C353008
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway

Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Concord Associates, L.P.:

By: _____

Print Name: Louis R. CAPPELLI

Title: Manager Date: 10.30.14

Grantor's Acknowledgment

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

On the 30 day of October, in the year 20 14, before me, the undersigned, personally appeared Louis P. Coppelli, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Janine C. Fevola
Notary Public - State of New York

JANINE C. FEVOLA
Notary Public, State of New York
No. 01FE6186788
Qualified in Westchester County
Commission Expires May 12, 20 16

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____
Robert W. Schick, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the 21st day of November, in the year 2014, before me, the undersigned, personally appeared Robert W. Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public - State of New York

ANDREW O. GUGLIELMI
Notary Public, State of New York
No. 02GU6177593
Qualified in Albany County
Commission Expires November 13, 2015

SCHEDULE "A" PROPERTY DESCRIPTION

All That certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Thompson, County of Sullivan, and designated as part of Tax Lot 9-1-34.5 as shown on the Official Tax Maps of the Town of Thompson, being more particularly described as follows:

BEGINNING at a point formed by the intersection of the southerly side of Kiamesha Lake Road, also known as County Route No. 109 (R.O.W. varies) with the westerly side of Concord Road, also known as County Route No. 182 (assumed 50' R.O.W.), said point marking the northeasterly corner of the herein described parcel;

THENCE along the westerly side of aforementioned Concord Road, also known as County Route No. 182 the following three (3) courses and distances;

1) South 05°59'33" West, a distance of 438.06 feet,
2) Along the curve to the right, having a radius of 385.28 feet and an arc length of 211.29 feet and
3) South 39°59'49" West, a distance of 268.74 feet;

THENCE along the northerly side of Tax Lot 9-1-34.2 and through the lands of Tax Lots 9-1-34.5, the following two (2) courses and distances;

4) North 74°47'47" West, a distance of 1002.36 feet and
5) North 18°05'13" East, a distance of 1079.11 feet to a point on the southerly side of Kiamesha Lake Road, also known as County Route No. 109;

CONTINUING along the aforementioned southerly side of Kiamesha Lake Road, also known as County Route No. 109 (R.O.W. varies), the following nine (9) courses and distances;

6) South 58°26'10" East, a distance of 19.97 feet,
7) South 46°56'00" East, a distance of 279.65 feet,
8) South 55°54'00" East, a distance of 63.99 feet,
9) South 55°47'49" East, a distance of 92.62 feet,
10) South 62°59'56" East, a distance of 116.36 feet,
11) South 71°13'38" East, a distance of 92.63 feet,
12) South 73°26'20" East,a distance of 112.85 feet,
13) South 77°00'44" East, a distance of 105.34 feet and
14) South 81°43'19" East, a distance of 176.62 feet to the point and place of BEGINNING.

CONTAINING within said bounds, an area of 22.540 Ac. (981,851 S.F.) of land more or less.

2014506552

2014-7994
12/04/2014 11:20:42 AM
10 Pages
EASEMENT

Daniel L. Briggs, Sullivan County Clerk

Clerk: KF

TP-584 (4/13)

New York State Department of Taxation and Finance

Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

Recording office time stamp

RECEIVED
SULLIVAN COUNTY CLK
14 DEC -4 AM 11:25

See Form TP-584-I, Instructions for Form TP-584, *before completing this form. Print or type.*

Schedule A — Information relating to conveyance

Grantor/Transferor

☐ Individual
☐ Corporation
☒ Partnership
☐ Estate/Trust
☐ Single member LLC
☐ Other

Name *(if individual, last, first, middle initial)* (☐ *check if more than one grantor*): Concord Associates, L.P.

Social security number:

Mailing address: 7 Renaissance Square

Social security number:

City: White Plains | State: NY | ZIP code: 10601

Federal EIN: 13-4008929

Single member's name if grantor is a single member LLC *(see instructions)*:

Single member EIN or SSN:

Grantee/Transferee

☐ Individual
☐ Corporation
☐ Partnership
☐ Estate/Trust
☐ Single member LLC
☒ Other

Name *(if individual, last, first, middle initial)* (☐ *check if more than one grantee*): The People of the State of New York Through the Commissioner of NYSDEC

Social security number:

Mailing address: 625 Broadway, 14th Floor

Social security number:

City: Albany | State: NY | ZIP code: 12233-1500

Federal EIN: 14-6013200

Single member's name if grantee is a single member LLC *(see instructions)*:

Single member EIN or SSN:

Location and description of property conveyed

Tax map designation – Section, block & lot *(include dots and dashes)*	SWIS code (six digits)	Street address	City, town, or village	County
9-1-34.5	484600	219 Concord Rd.	Town of Thompson	Sullivan

Type of property conveyed *(check applicable box)*

1 ☐ One- to three-family house
2 ☐ Residential cooperative
3 ☐ Residential condominium
4 ☐ Vacant land
5 ☐ Commercial/Industrial
6 ☐ Apartment building
7 ☐ Office building
8 ☐ Other _____

Date of conveyance: 10 (month) | 30 (day) | 2014 (year)

Percentage of real property conveyed which is residential real property _____ % *(see instructions)*

Condition of conveyance *(check all that apply)*

a. ☐ Conveyance of fee interest
b. ☐ Acquisition of a controlling interest (state percentage acquired _____ %)
c. ☐ Transfer of a controlling interest (state percentage transferred _____ %)
d. ☐ Conveyance to cooperative housing corporation
e. ☐ Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest *(attach Form TP-584.1, Schedule E)*
f. ☐ Conveyance which consists of a mere change of identity or form of ownership or organization *(attach Form TP-584.1, Schedule F)*
g. ☐ Conveyance for which credit for tax previously paid will be claimed *(attach Form TP-584.1, Schedule G)*
h. ☐ Conveyance of cooperative apartment(s)
i. ☐ Syndication
j. ☐ Conveyance of air rights or development rights
k. ☐ Contract assignment
l. ☐ Option assignment or surrender
m. ☐ Leasehold assignment or surrender
n. ☐ Leasehold grant
o. ☐ Conveyance of an easement
p. ☐ Conveyance for which exemption from transfer tax claimed *(complete Schedule B, Part III)*
q. ☐ Conveyance of property partly within and partly outside the state
r. ☐ Conveyance pursuant to divorce or separation
s. ☒ Other *(describe)* Environmental Easem

For recording officer's use	Amount received	Date received	Transaction number
	Schedule B., Part I $		
	Schedule B., Part II $		

Schedule B — Real estate transfer tax return (Tax Law, Article 31)

Part I – Computation of tax due

1	Enter amount of consideration for the conveyance *(if you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III)* ☐ **Exemption claimed**	1.	0 00
2	Continuing lien deduction *(see Instructions if property is taken subject to mortgage or lien)*	2.	0 00
3	Taxable consideration *(subtract line 2 from line 1)*	3.	
4	Tax: $2 for each $500, or fractional part thereof, of consideration on line 3	4.	
5	Amount of credit claimed for tax previously paid *(see instructions and attach Form TP-584.1,* Schedule G*)*	5.	
6	Total tax due* *(subtract line 5 from line 4)*	6.	0 00

Part II – Computation of additional tax due on the conveyance of residential real property for $1 million or more

1	Enter amount of consideration for conveyance *(from* Part I*, line 1)*	1.	
2	Taxable consideration *(multiply line 1 by the percentage of the premises which is residential real property, as shown in* Schedule A*)*	2.	
3	Total additional transfer tax due* *(multiply line 2 by 1% (.01))*	3.	

Part III – Explanation of exemption claimed on Part I, line 1 *(check any boxes that apply)*

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

a. Conveyance is to the United Nations, the United States of America, the state of New York, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) ..... a ☒

b. Conveyance is to secure a debt or other obligation ..... b ☐

c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance ..... c ☐

d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts ..... d ☐

e. Conveyance is given in connection with a tax sale ..... e ☐

f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F ..... f ☐

g. Conveyance consists of deed of partition ..... g ☐

h. Conveyance is given pursuant to the federal Bankruptcy Act ..... h ☐

i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property ..... i ☐

j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than $200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment ..... j ☐

k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(e) *(attach documents supporting such claim)* ..... k ☐

*The total tax (from Part I, line 6 and Part II, line 3 above) is due within 15 days from the date conveyance. Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, make check(s) payable to the ***NYC Department of Finance.*** If a recording is not required, send this return and your check(s) made payable to the ***NYS Department of Taxation and Finance,*** directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Schedule C — Credit Line Mortgage Certificate (Tax Law, Article 11)

Complete the following only if the interest being transferred is a fee simple interest.
I (we) certify that: *(check the appropriate box)*

1. ☐ The real property being sold or transferred is not subject to an outstanding credit line mortgage.

2. ☐ The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
   - ☐ The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
   - ☐ The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
   - ☐ The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
   - ☐ The maximum principal amount secured by the credit line mortgage is $3,000,000 or more, and the real property being sold or transferred is **not** principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

     Please note: for purposes of determining whether the maximum principal amount secured is $3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.
   - ☐ Other *(attach detailed explanation)*.

3. ☐ The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
   - ☐ A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
   - ☐ A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.

4. ☐ The real property being transferred is subject to an outstanding credit line mortgage recorded in _____ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is _____. No exemption from tax is claimed and the tax of _____ is being paid herewith. *(Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York City but not in Richmond County, make check payable to the **NYC Department of Finance.**)*

Signature (both the grantor(s) and grantee(s) must sign)

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

Grantor signature	Title	Grantee signature	Title
Thomas R Caggiello	Member	Benjamin Coulon	Attorney
Grantor signature	Title	Grantee signature	Title

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked *e*, *f*, or *g* in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, to the ***NYC Department of Finance***? if no recording is required, send your check(s), made payable to the ***Department of Taxation and Finance,*** directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, section 663)

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part II, and check the second box under *Exemptions for nonresident transferor(s)/seller(s)* and sign at bottom.

Part I - New York State residents

If you are a New York State resident transferor(s)/seller(s) listed in Schedule A of Form TP-584 (or an attachment to Form TP-584), you must sign the certification below. If one or more transferors/sellers of the real property or cooperative unit is a resident of New York State, **each** resident transferor/seller must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

Certification of resident transferor(s)/seller(s)

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Note: A resident of New York State may still be required to pay estimated tax under Tax Law, section 685(c), but not as a condition of recording a deed.

Part II - Nonresidents of New York State

If you are a nonresident of New York State listed as a transferor/seller in Schedule A of Form TP-584 (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law, section 663(c), check the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor(s)/seller(s), that transferor(s)/seller(s) is not required to pay estimated personal income tax to New York State under Tax Law, section 663. **Each** nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax,* on page 1 of Form TP-584-I.

Exemption for nonresident transferor(s)/seller(s)

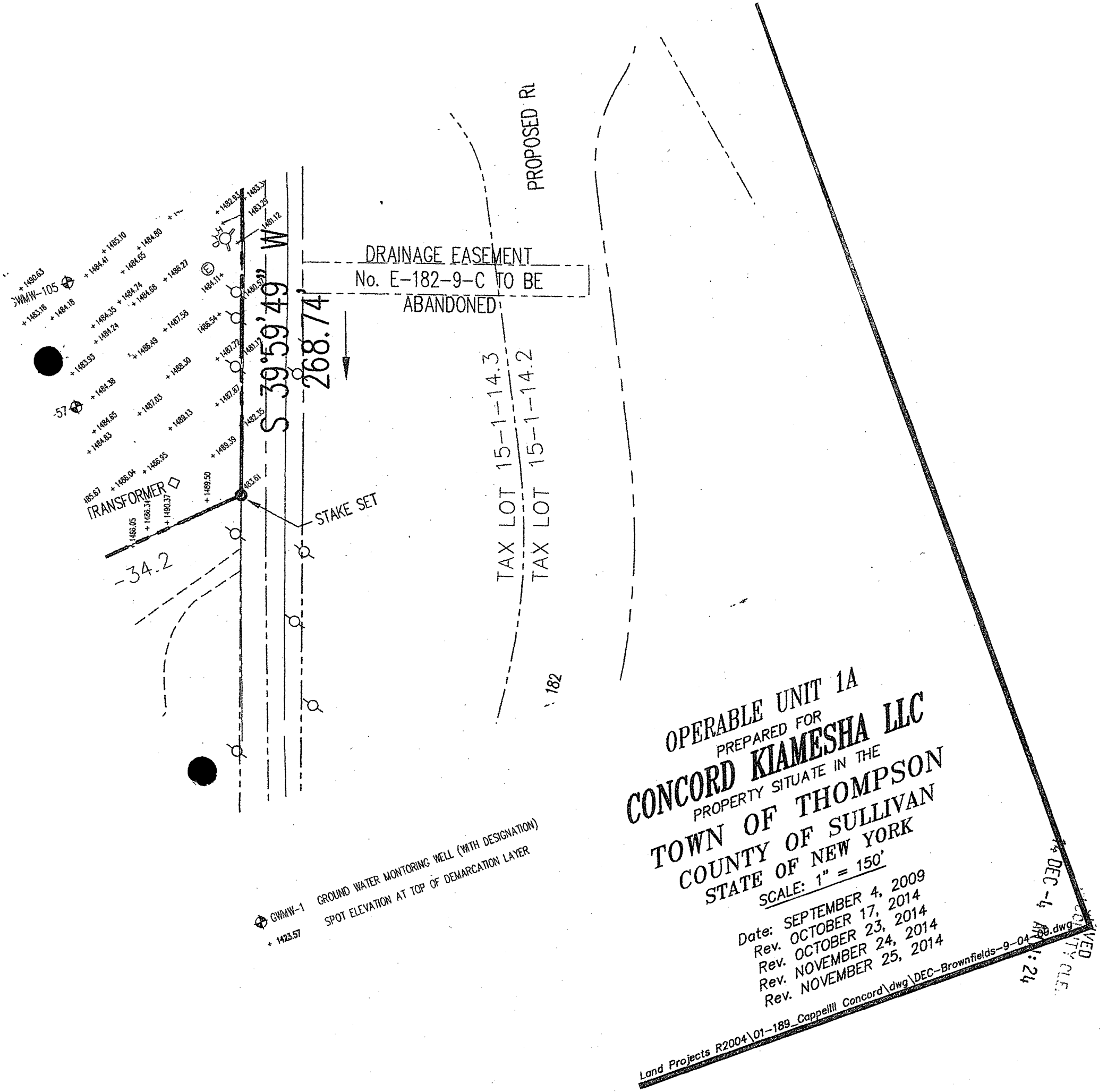
This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law, section 663 due to one of the following exemptions:

☐ The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from _____ (Date) to _____ (Date) *(see instructions)*.

☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.

☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date



OPERABLE UNIT 1A

PREPARED FOR

CONCORD KIAMESHA LLC

PROPERTY SITUATE IN THE

TOWN OF THOMPSON

COUNTY OF SULLIVAN

STATE OF NEW YORK

SCALE: 1" = 150'

Date: SEPTEMBER 4, 2009
Rev. OCTOBER 17, 2014
Rev. OCTOBER 23, 2014
Rev. NOVEMBER 24, 2014
Rev. NOVEMBER 25, 2014

Land Projects R2004\01-189_Cappelli Concord\dwg\DEC-Brownfields-9-04-09.dwg

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DEC -4 AM 11:24

2014-65
12/04/2014 11:20:42 AM
Page 1 of 1
MAPS Clerk: KF

[redacted]552
Cabinet 14
Line 239

Daniel L. Briggs, Sullivan County Clerk

BROWNFIELD CLEANUP PROGRAM SITE
ENVIRONMENTAL EASEMENT AREA DESCRIPTION

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Thompson, County of Sullivan, and designated as part of Tax Lot 9-1-34.5 as shown on the Official Tax Maps of the Town of Thompson, being more particularly described as follows:

BEGINNING *at a point formed by the intersection of the southerly side of Kiamesha Lake Road, also known as County Route No. 109 (R.O.W. varies) with the westerly side of Concord Road, also known as County Route No. 182 (assumed 50' R.O.W.), said point marking the northeasterly corner of the herein described parcel;*

THENCE *along the westerly side of aforementioned Concord Road, also known as County Route No. 182 the following three (3) courses and distances;*

1) *South 05°59'33" West, a distance of 438.06 feet,*
2) *Along the curve to the right, having a radius of 385.28 feet and an arc length of 211.29 feet and*
3) *South 39°59'49" West, a distance of 268.74 feet;*

THENCE *along the northerly side of Tax Lot 9-1-34.2 and through the lands of Tax Lots 9-1-34.5, the following two (2) courses and distances;*

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5) *North 18°05'13" East, a distance of 1079.11 feet to a point on the southerly side of Kiamesha Lake Road, also known as County Route No. 109;*

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7) *South 46°56'00" East, a distance of 279.65 feet,*
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9) *South 55°47'49" East, a distance of 92.62 feet,*
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13) *South 77°00'44" East, a distance of 105.34 feet and*
14) *South 81°43'19" East, a distance of 176.62 feet to* ***the point and place of BEGINNING.***

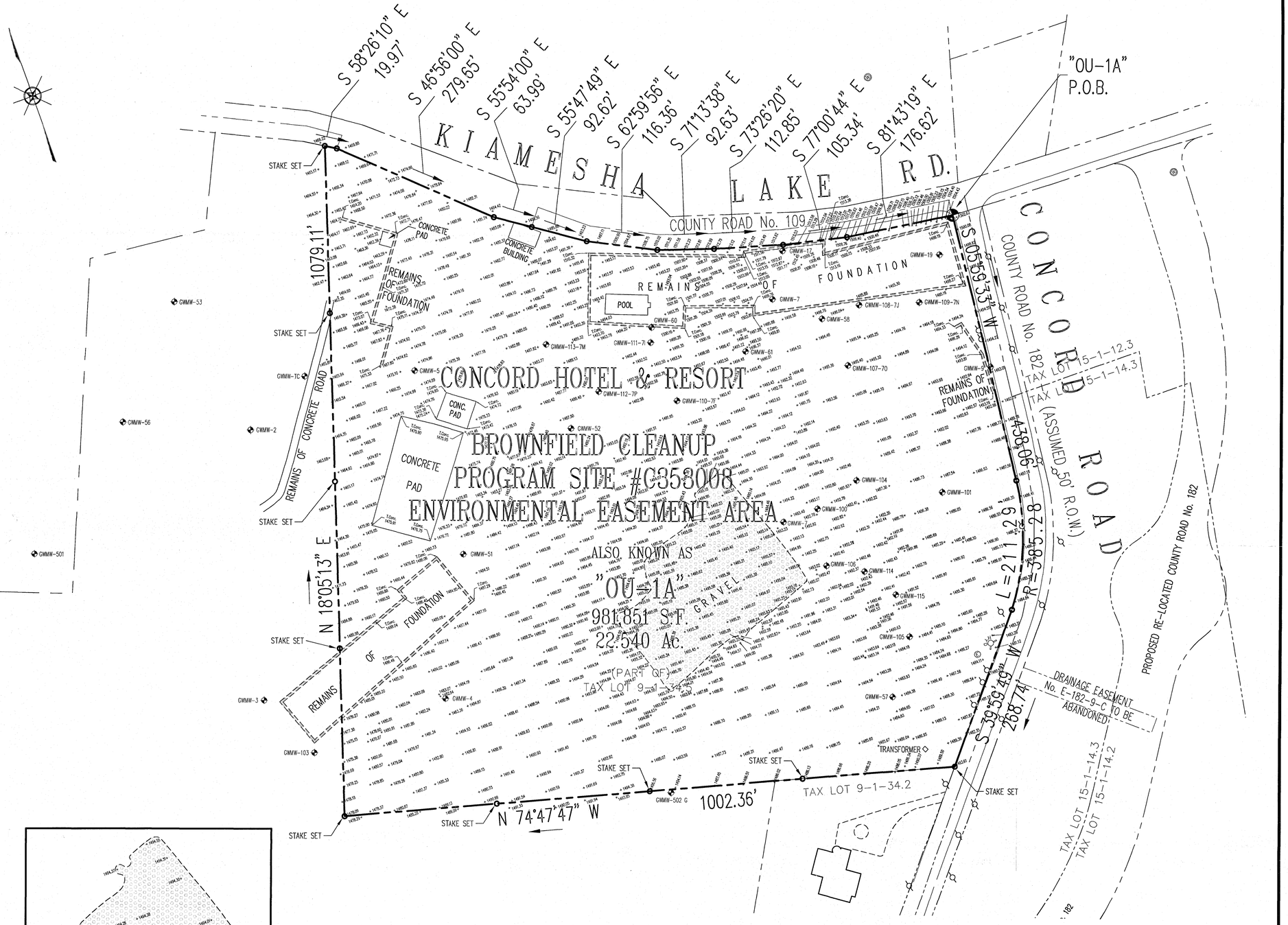
CONTAINING *within said bounds, an area of 22.540 Ac. (981,851 S.F.) of land more or less.*

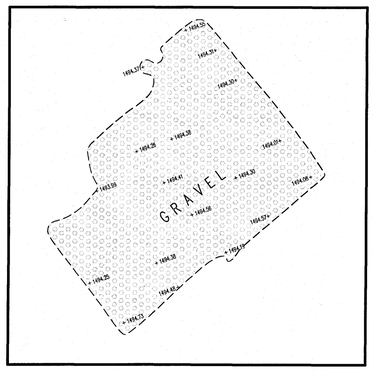
ENVIRONMENTAL EASEMENT AREA ENGINEERING CONTROLS

Soil Management Plan Area – The metes and bounds for this engineering control is the same as the BCP Site Environmental Easement Area Description above and impacts the entire BCP Site.

Site-wide Cover System – The metes and bounds for this engineering control is the same as the BCP Site Environmental Easement Area Description above and impacts the entire BCP Site.

Groundwater Monitoring Wells – The location of the groundwater monitoring wells are depicted on the survey map.





LINER ONLY ELEVATIONS

GRAPHIC SCALE

80 0 40 80 160 320

(IN FEET)
1 inch = 80 ft.

GMW-1 GROUND WATER MONITORING WELL (WITH DESIGNATION)
+ 1403.57 SPOT ELEVATION AT TOP OF DEMARCATION LAYER

NOTE: The Demarcation Layer extends to the limits of the BCP boundary.

Certified, as noted and limited below, only to:
– The People of the State of New York acting through their Commissioner of the Department of Environmental Conservation
– Concord Associates, L.P.
– Concord Kiamesha LLC
– SESI Consulting Engineers
– Knauf Shaw LLP

The surveyor's seal, signature and any certification appearing hereon signify that, to the best of his knowledge and belief, this survey was prepared in accordance with the minimum standards for land surveys as set forth in the Code of Practice adopted by the New York State Association of Professional Land Surveyors, Inc.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, Sub-Division 2 of the New York State Education Law.

Certifications shall run only to the person(s) or entity(s) listed hereon; said certifications are not intended to run to additional person(s), entity(s) or future contract vendees.

Underground improvements, structures, utilities or encroachments, and any easements related thereto, are not shown hereon unless otherwise noted. The location, extent and sizes of underground utilities were compiled from field inspection of above ground structures that were visible and accessible, and utility mark-outs (if available) and record information supplied by the respective utility companies and are not guaranteed or certified as complete or accurate. Consult with the appropriate utility company or agency prior to designing improvements, commencing demolition, or construction.

The purpose of this map is to indicate the area (bounded by the metes and bounds shown on this map) included for a Brownfield Submission. The metes and bounds of the boundary shown on this map does not indicate ownership for whom this map is prepared and is unlawful for use in transfer of title.

CONTRACTORS' LINE & GRADE SOUTH, LLC
23 Nepperhan Avenue
Elmsford, New York 10523
Phone: (914) 347-3141 Fax: (914) 347-3120
Office@lineandgrade.net

STATE OF NEW YORK · STEVEN J. WILLARD · 050054 · LICENSED LAND SURVEYOR

OPERABLE UNIT 1A
PREPARED FOR
CONCORD KIAMESHA LLC
PROPERTY SITUATE IN THE
TOWN OF THOMPSON
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SCALE: 1" = 150'

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Land Projects R2004\01-189_Coppelli Concord\dwg\DEC-Brownfields-9-04-09.dwg