UNDEVELOPED PARCEL SITE

MT. KISCO, WESTCHESTER COUNTY, NEW YORK

Site Management Plan

NYSDEC Site Number: C360112

Prepared for:

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Revisions to Final Approved Site Management Plan:

Revision #	Submitted Date	Summary of Revision	DEC Approval Date

DECEMBER 2014

CERTIFICATION

I, Robert B. Simpson, certify that I am currently a registered professional engineer licensed by the state of New York 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.

NYS Professional Engineer # 081840

Signature Robert Simpson Date 10 December 2014

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1.0 INTRODUCTION & DESCRIPTION OF REMEDIAL PROGRAM

1.1 INTRODUCTION

This document is required as an element of the remedial program at the Undeveloped Parcel Site (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 #C360112-04-10, Site #C360112, which was executed on June 17, 2010.

1.1.1 General

Crème de la Crème (Mt. Kisco) Inc. entered into a BCA with the NYSDEC to remediate a 4-acre parcel of property located in Mt. Kisco, Westchester County, New York. This BCA required the Remedial Party, Crème de la Crème (Mt. Kisco) Inc., to investigate and remediate contaminated media at the site. A figure showing the site location and boundaries of this 4-acre site is provided in Figure 1. The boundaries of the site are more fully described in the metes and bounds site description that is part of the Environmental Easement.

Based on the results of the remedial investigation described in the Remedial Investigation Report, some contamination remains in the subsurface at this site, which is hereafter referred to as 'remaining contamination'. This Site Management Plan (SMP) was prepared to manage remaining contamination at the site 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 Carlin-Simpson & Associates, on behalf of Crème de la Crème (Mt. Kisco) Inc., 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 at depth in isolated areas across the site. Engineering Controls have been incorporated into the site remedy to control exposure to remaining contamination during the use of the site to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Westchester County Clerk, will require compliance with this SMP and all ECs and ICs placed on the site. The ICs place restrictions on site use, and mandate operation, maintenance, monitoring and reporting measures for all ECs and ICs. This SMP specifies the methods necessary ensure compliance with all ECs and ICs required by the Environmental Easement for contamination that remains at the site. This plan has been approved by the NYSDEC, and compliance with this plan is required by the grantor of the Environmental Easement and the grantor's successors and assigns. This SMP may only be revised with the approval of the NYSDEC.

This SMP provides a detailed description of all procedures required to manage remaining contamination at the site, including: (1) implementation and management of all Engineering and Institutional Controls; and (2) performance of periodic inspections, certification of results, and submittal of Periodic Review Reports.

To address these needs, this SMP includes two plans: (1) an Engineering and Institutional Control Plan for implementation and management of EC/ICs; and (2) a Monitoring Plan for implementation of Site Monitoring. No Operation and Maintenance Plan is included in this SMP since the site remedy does not require the use of any mechanical systems to protect public health and the environment. This plan also includes a description of Periodic Review Reports for the periodic submittal of data, information, recommendations, and certifications to the 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 #C360112-04-10; Site #C360112) for the site, and thereby subject to applicable penalties.

1.1.3 Revisions

The proposed future use of the Site is unknown at this time. It is anticipated that the Site will be developed for commercial use in accordance with the existing zoning for the property. It is also anticipated that this SMP will be revised once the proposed future use of the Site has been determined or the property has been transferred to a new owner.

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

1.2 SITE BACKGROUND

1.2.1 Site Location and Description

The site is located in the Town and Village of Mount Kisco, Westchester County, New York and is identified as Parcel 80.55-1-2.1/3 (Section 80, Sheet 55, Block 1, Lot 2.1/3) on the Mount Kisco Tax Map. The site is an approximately 4-acre area bounded by Morgan Drive to the southwest, woods, wetlands, and the Kisco River to the northwest, a town service road followed by woods and the Kisco River to the northeast, and a vacant parcel containing remnants of a former sewage treatment and disposal facility to the southeast (see Figure 1). The boundaries of the site are more fully described in Appendix B – Environmental Easement.

The subject site was previously slated for development and construction started on this parcel prior to discovery of potentially contaminated soil. Specifically, the topsoil was stripped and two stormwater management basins were excavated in the northern and eastern portions of the site. The northern retention basin area is now overgrown with vegetation and the eastern basin is ponded with stormwater. The shallow site soil that was excavated from the retention basin areas is currently stockpiled on the site and is covered with vegetation. There is also a stockpile of imported processed aggregate material on the property. The remainder of

the site is relatively flat. The existing site grades range between approximately elevation +284.0 at the bottom of the previously excavated retention basins, elevation +291.0 in the southwestern portion of the site, and elevation +302.2 at the top of the south soil stockpile. Prior to the construction work, the surface grades sloped down gently to the north and northeast, towards the adjacent Kisco River.

1.2.2 Site History

The subject site was previously part of a larger parcel that was occupied by a sewage treatment and disposal facility, constructed in 1907 for the New York City Department of Environmental Protection (NYCDEP). The facility ceased operation in 1963/64 and remained on standby into the 1980s. The components located on the subject site included eight sand filter beds, two sludge beds, four former structures for chlorination, a 10-inch cast iron force main, vitrified clay pipes to convey the partially treated sewage from the adjacent parcel, and additional clay pipes to collect the treated water from below the sand filter beds. Additionally, a sludge spoil area was identified on the subject site. Based on the review of aerial photographs and the findings during a previous subsurface investigation at the site, it appears that some of the subsurface components of the former facility were not completely removed from the site. In 1990, soil fill was placed over a large portion of the property, burying the remnants of the former facility.

A Modified Phase I Environmental Site Assessment (ESA) and subsequent Phase II Environmental Site Investigation (ESI) were performed in late 2007. The purpose of these previous investigations, performed outside of the current remedial program, were to evaluate potential environmental issues on the property.

1.2.3 Geologic Conditions

Soil conditions encountered on-site during the Remedial Investigation (RI) consisted of the following:

Stratum 1 Topsoil — The surface layer in a few areas consists of brown topsoil that is approximately two (2) to four (4) inches in thickness.

Stratum 2 Fill

Beneath the topsoil and at the surface in the remainder of the site is existing fill that is generally comprised of loose to medium dense brown or gray brown coarse to fine Sand, trace (to some) Silt, trace (to little) coarse to fine Gravel with minor amounts of concrete, wood, coal, and brick in areas of the site. During the RI, the fill was encountered to depths ranging from 3'0" to 12'0" below the existing ground surface.

Stratum 3 Sand

Beneath the fill in the sand filter bed areas is a sand layer that consists of loose to medium dense brown or gray coarse to fine SAND, trace (-) Silt, trace medium to fine Gravel and is approximately 1'0" to 4'0" in thickness.

Stratum 4 Gravel

Below the sand layer in select locations is loose to medium dense coarse to fine GRAVEL, trace (to little) coarse to fine Sand. The gravel ranges from a few inches to approximately 1'0" in thickness.

Stratum 5 Organic Silt and Peat

Underlying the existing fill, sand, and gravel in several locations is soft dark brown Organic SILT or Organic SILT with PEAT that varies from approximately 0'6" to 6'0" in thickness. In select locations, organic silt lenses or seams were also encountered within the underlying soil stratum.

Stratum 6 Sandy Silt or Silty Sand

Beneath the sand, gravel, and organic silt and peat layers is medium dense brown, gray brown, or gray coarse to fine SAND, little (to and) Silt, trace (to little) coarse to fine Gravel or medium stiff SILT, trace (to and) coarse to fine Sand, trace coarse to fine Gravel. Most of the explorations were terminated in this stratum at final depths ranging from 12'0" to 16'0" beneath the ground surface.

Stratum 7 Dense Till or Weathered Bedrock

Two (2) of the borings in the central portion of the site (P-44 and P-46) were extended to refusal, which was encountered at depths of 26'6" and 31'0", respectively. This refusal depth may indicate the presence of a dense till material or weathered bedrock.

The shallow water bearing zone varies in depth ranging from 3 to 9 feet below the existing ground surface. Where borings were performed on top of soil stockpiles, the depth to

water ranged from 11'6" to 20'6" beneath the surface. These depths correspond to water levels ranging between approximately elevation +279.5 and elevation +285.1. Groundwater beneath the subject site generally flows to the north and northwest, which is generally consistent with the flow of the adjacent Kisco River. A groundwater flow figure is shown in Figure 2.

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 report:

- "*Remedial Investigation Report, Undeveloped Parcel Site, Site No. C360112*", dated March 2014.

Generally, the RI determined that the site soils contain several constituents at concentrations that exceed the NYSDEC Unrestricted Use Soil Cleanup Objectives (UUSCOs), but only four (4) isolated subsurface soil samples contain constituents at concentrations that exceed the NYSDEC Commercial Use SCOs (CUSCOs). There does not appear to be widespread soil contamination present on the property. In addition, the contaminants in the site soils do not appear to be migrating into the groundwater below the site or into the adjacent Kisco River.

Below is a summary of site conditions when the RI was performed in 2012:

<u>Soil</u>

- Based upon investigations conducted to date, the primary contaminants of concern are metals and semi-volatile organic compounds (SVOCs) in subsurface soil.
- No volatile organic compounds (VOCs), pesticides or polychlorinated biphenyls (PCBs) exceeding CUSCOs were detected in any of the soil samples collected during the remedial investigation.
- No compounds were detected above the CUSCOs in the top 1' of soil and only mercury was detected slightly above the Residential Use SCO.
- Limited detections of SVOCs exceeding CUSCOs include: benzo(a)anthracene which was detected at a maximum concentration of 6.3 ppm (CUSCO is 5.6 ppm),

benzo(a)pyrene which was detected at a maximum concentration of 4.7 ppm (CUSCO is 1 ppm), benzo(b)fluoranthene which was detected at a maximum concentration of 5.8 (CUSCO is 5.6 ppm), and dibenz(a,h)anthracene which was detected at a maximum concentration of 0.75 ppm (CUSCO is 0.56 ppm). SVOCs exceeding CUSCOs were detected in only one isolated subsurface sample location at a depth exceeding 8' bgs.

- Metals were detected at levels exceeding CUSCOs at three sporadic locations across the site at depths greater than 6.5' bgs, including mercury at a maximum concentration of 8.4 ppm (CUSCO is 2.8 ppm), copper at a maximum concentration of 718 ppm (CUSCO is 270 ppm), barium at a maximum concentration of 1,190 ppm (CUSCO is 400 ppm), and cadmium at a maximum concentration of 15.1 ppm (CUSCO is 9.3 ppm).

Groundwater

- No VOCs were detected above the Standards, Criteria and Guidance (SCGs) in any of the groundwater samples collected on-site.
- No SVOCs were detected in any of the groundwater samples collected on-site.
- No pesticides or PCBs were detected in any of the groundwater samples collected on-site.
- Metals were detected in the groundwater samples collected on-site above the SCGs, including: iron detected at a maximum concentration of 61,800 ppb (SCG of 300 ppb), magnesium detected at a maximum concentration of 52,100 ppb (SCG of 35,000), manganese detected at a maximum concentration of 6,300 ppb (SCG of 300 ppb) and sodium detected at a maximum concentration of 42,200 ppb (SCG of 20,000).
- The metals detected in the groundwater samples above the SCGs do not appear to be related to the contaminants detected in the site soils and are considered naturally occurring.

Surface Water

- Surface water samples were collected from four locations off-site along the Kisco River, both upstream and downstream of the site.

- VOCs, SVOCs and metals were detected in the surface water samples; however, no pesticides or PCBs were found.
- Tetrachloroethene (PCE) was the only VOC found exceeding the applicable SCG of 0.7 parts per billion (ppb). PCE levels were found ranging from 4.4 to 5.3 ppb in the four surface water samples collected, with the highest level found in one of the upstream samples. Since PCE was not detected in any of the soil or groundwater samples collected from the site and higher levels were found upstream of the site, it appears that an upstream source is affecting the PCE levels in the Kisco River.
- Aluminum and iron were the only metals found at levels exceeding the applicable SCGs of 100 and 300 ppb, respectively. Aluminum was detected at levels ranging from 113 to 414 ppb, while iron was found at levels ranging from 468 to 1,120 ppb.

Sediment

- Sediment samples were collected from four locations off-site along the Kisco River, both upstream and downstream of the site.
- No VOCs, SVOCs, or metals were detected above applicable SCGs.
- Chlordane was detected at a maximum concentration of 2.7 ppb (SCG of 1.0 ppb).
- PCBs were detected at a maximum concentration of 275 ppb (SCG of 0.8 ppb).
- Neither chlordane nor PCBs are contaminants of concern at the site; sediments appear to be contaminated as a result of upstream sources.

1.4 SUMMARY OF REMEDIAL ACTIONS

The site was remediated in accordance with the NYSDEC-approved Decision Document dated December 2014.

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

1. Maintenance of a soil cover system consisting of existing surface soils and vegetative cover to prevent human exposure to remaining contaminated soil/fill at the site;

2. Execution and recording of an Environmental Easement to restrict land use and prevent future exposure to any contamination remaining at the site; and

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

1.4.1 Removal of Contaminated Materials from the Site

No contaminated materials were removed from the site as part of the remedy.

1.4.2 Site-Related Treatment Systems

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

1.4.3 Remaining Contamination

In general, the Remedial Investigation (RI) did not identify any areas of significant or widespread contamination. The RI results indicate that constituents detected in the surface soils and shallow fill material extending to a minimum depth of 1-foot below grade are present at concentrations that meet NYSDEC Commercial Use SCOs (CUSCOs). Therefore, the NYSDEC is allowing the use of the existing in-place soils to remain as a soil cover for the entire site. As such, no demarcation layer was installed.

Based on the results of the RI, there are contaminants in the site soils that exceed both the CUSCOs and the NYSDEC Unrestricted Use Soil Cleanup Objectives (UUSCOs). Future development activities at the site may encounter the following:

Soil

- Metals, including barium, cadmium, copper, and mercury, in isolated subsurface locations, that exceed CUSCOs;

- Semi-Volatile Organic Compounds (SVOCs), including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, and dibenz(a,h)anthracene, in isolated subsurface locations, that exceed CUSCOs;

- Metals, including arsenic, chromium, copper, lead, silver, zinc, and mercury in surface and subsurface locations that exceed UUSCOs;
- Semi-Volatile Organic Compounds (SVOCs), including benzo(k)fluoranthene, chrysene, and indeno(1,2,3-cd)pyrene, in isolated subsurface locations, that exceed UUSCOs;
- Volatile Organic Compounds (VOCs), including 2-butanone, acetone, toluene, and xylenes, in isolated subsurface locations, that exceed UUSCOs;
- Pesticides, including 4,4'-DDD, 4,4'-DDE, 4,4'-DDT, and dieldrin in isolated surface and subsurface locations, that exceed UUSCOs; and
- Polychlorinated biphenyls (PCBs) in isolated subsurface locations that exceed UUSCOs.

The RI found constituents that exceed the CUSCOs at sporadic locations across the site and at depths greater than 6.5 feet below grade. Although there does not appear to be widespread contamination present on the property, future excavations should presume that all soil below the one (1) foot soil cover may be contaminated at concentrations that exceed the NYSDEC Commercial Use SCOs, unless shown differently by analytical testing.

Figure 3 shows the locations and depths, and summarizes the results of all soil samples remaining at the site after completion of the RI that exceed Unrestricted Use SCOs. Figure 4 shows the locations and depths, and summarizes the results of all soil samples remaining at the site after completion of the RI that exceed the Commercial Use SCOs.

Groundwater

- Metals, including iron, magnesium, manganese, and sodium that exceed the NYSDEC Ambient Water Quality Standards.

Although metals were detected in the on-site groundwater above ambient water quality standards, they do not appear to be site-related and are considered naturally occurring. Therefore, continued monitoring of the groundwater on-site will not be required.

2.0 ENGINEERING & INSTITUTIONAL CONTROL PLAN

2.1 INTRODUCTION

2.1.1 General

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

Exposure to remaining contamination in soil/fill at the site is prevented by a soil cover system placed over the site. This cover system utilizes the existing soil currently in-place

over the site and is comprised of a minimum of one (1) foot of soil meeting CUSCOs. Future components of the cover system once the site is developed may include asphalt pavement, concrete-covered sidewalks, and concrete building slabs. The Excavation Work Plan (EWP) 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.

2.2.2 Criteria for 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.

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

2.3 INSTITUTIONAL CONTROLS

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

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

- All environmental or public health monitoring must be performed as defined in this SMP; and
- 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 or industrial use provided that the long-term Engineering and Institutional Controls included in this SMP are employed.
- The property may not be used for a higher level of use, such as unrestricted, residential 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;
- Vegetable gardens and farming on the property are prohibited; and
- The site owner or remedial party will submit to the 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 the environment or that constitute a violation or failure to comply with the SMP. The 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 the 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 or industrial use. Any future intrusive work that will penetrate the soil cover, 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 C 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 SMP 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.

2.4 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;
- 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 five (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 the 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), 6 NYCRR Part 375, and/or Environmental Conservation Law.
- 7-day advance notice of any proposed ground-intrusive activities pursuant to the Excavation Work Plan.
- Notice within 48-hours of any damage or defect to the foundation, structures or engineering control that reduces or has the potential to reduce the effectiveness of an Engineering Control and likewise any action to be taken to mitigate the damage or defect.

- Verbal notice by noon of the following day of any emergency, such as a fire, flood, or earthquake that reduces or has the potential to reduce the effectiveness of Engineering Controls in place at the site, with written confirmation within seven (7) days that includes a summary of actions taken, or to be taken, and the potential impact to the environment and the public.
- Follow-up status reports on actions taken to respond to any emergency event requiring ongoing responsive action shall be submitted to the NYSDEC within 45 days and shall describe and document actions taken to restore the effectiveness of the ECs.

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

- At least 60 days prior to the change, the NYSDEC will be notified in writing of the proposed change. This will include a certification that the prospective purchaser has been provided with a copy of the 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 Carlin-Simpson & Associates. These emergency contact lists must be maintained in an easily accessible location at the site.

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
NYSDEC Spills Hotline	(800) 457-7362
Carlin-Simpson & Associates (QEP)	(732) 432-5757

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

2.5.2 Map and Directions to Nearest Hospital

Site Location: 6 Morgan Drive, Mt. Kisco, New York

Nearest Hospital Name: Northern Westchester Hospital

Hospital Location: 400 East Main Street, Mount Kisco, New York

Hospital Telephone: 914-666-1200

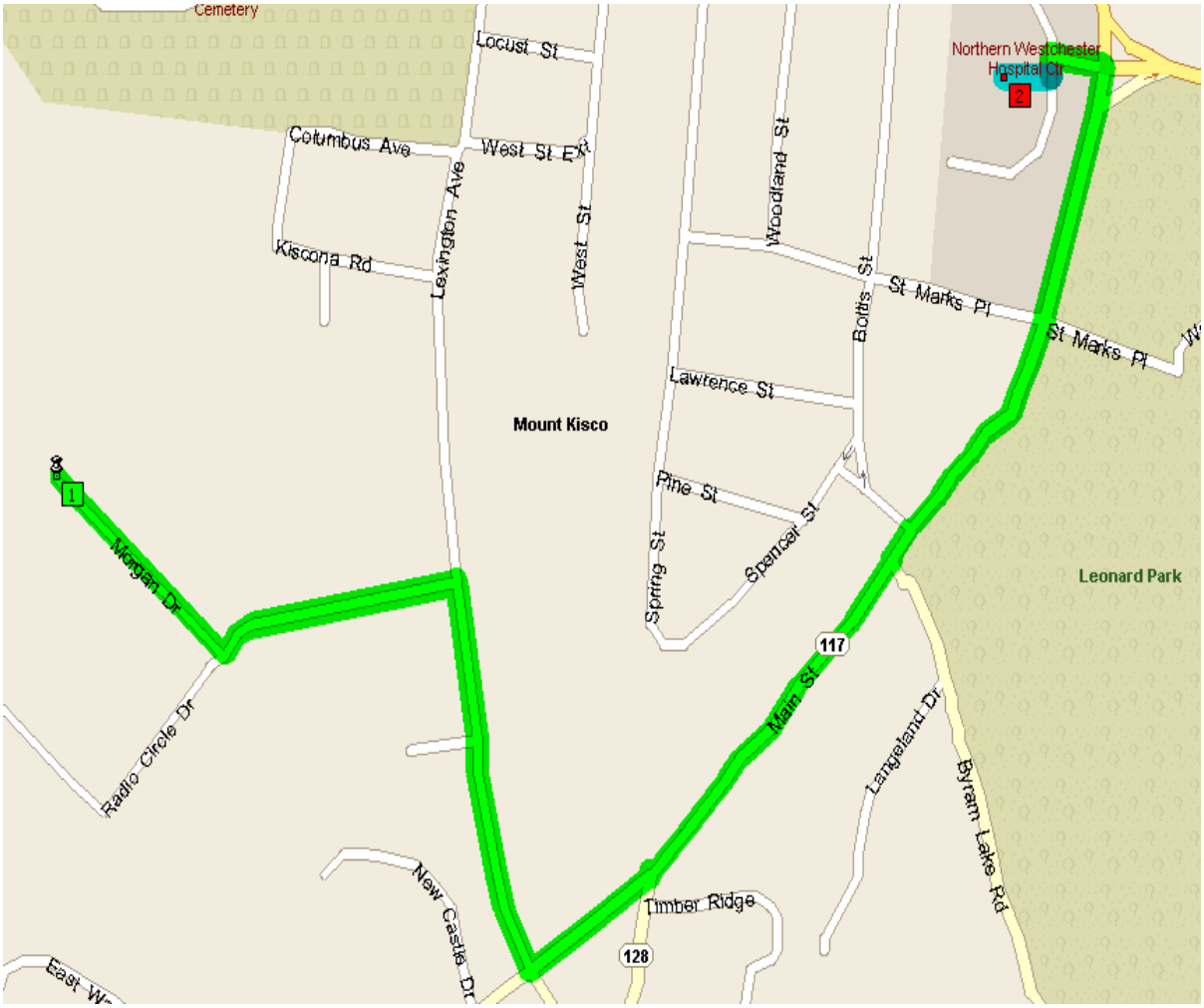
Directions to the Hospital:

1. Turn left onto Morgan Drive from the Site.
2. At the stop sign, turn left onto Radio Circle Drive.
3. At the first traffic light, turn right onto Lexington Avenue.
4. At the first traffic light, turn left on Main Street (SR-117).
5. Go approximately 1 miles and turn left into the hospital.

Total Distance: 1.5 miles

Total Estimated Time: 5 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 (Section 2.5.1). Once the subject property is developed, the list will also be posted prominently at the site and made readily available to all personnel at all times.

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 soil cover system. This Monitoring Plan may only be revised with the approval of the NYSDEC.

3.1.2 Purpose and Schedule

This Monitoring Plan describes the methods to be used for:

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

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

- Inspection and maintenance requirements for monitoring wells;
- Monitoring well decommissioning procedures; and
- Annual inspection and periodic certification.

Annual monitoring of the performance of the remedy will be conducted for the first three (3) years. The frequency thereafter will be determined by NYSDEC. The monitoring program is outlined in Section 3.2 below.

3.2 COVER SYSTEM MONITORING

The Site is currently covered with one (1) foot of clean soil. The soil cover will be inspected at the frequency outlined in Section 3.1.2 above.

Assessment and severity of deterioration or damage to the existing soil cover system is subjective, and inspection personnel must use professional judgment in assessing what type and extent of deterioration/damage warrants repair or maintenance. As a guideline, the soil cover system will be repaired if an area of the 12-inch cover soil layer is eroded or otherwise

disturbed to a depth of 12 inches. Repair will consist of placement of clean soil material over the area to restore the cover thickness to 12 inches.

3.3 MEDIA MONITORING PROGRAM

3.3.1 General

Groundwater monitoring was performed during the course of the RI in 2012. No VOCs were detected above the NYSDEC ambient water quality standards in any of the groundwater samples collected on-site. Additionally, no SVOCs, pesticides or PCBs were detected in any of the groundwater samples collected on-site. And, although certain naturally-occurring metals (e.g., iron, magnesium, manganese and sodium) were detected above drinking water standards, no site-related metals were detected in groundwater samples collected on-site above ambient water quality standards. Therefore, no ongoing groundwater monitoring is necessary as a component of this SMP. However, there still exists a network of monitoring wells on-site, as shown on Figure 2. The on-site monitoring wells will be inspected as part of the site-wide inspection.

3.3.2 Monitoring Well Repairs, Replacement and Decommissioning

Monitoring wells will be properly decommissioned and replaced 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/or necessity. 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. 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 prior approval from the NYSDEC. Well abandonment will be performed in accordance with NYSDEC's "Groundwater Monitoring Well Decommissioning Procedures." Monitoring well boring/construction logs are included in Appendix D.

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. During these inspections, an inspection form will be completed (Appendix E). The form will compile sufficient information to assess the following:

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

3.5 MONITORING REPORTING REQUIREMENTS

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

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

- Date of event;
- Personnel conducting monitoring/inspection;
- Description of the activities performed;
- Copies of all field forms completed (e.g., inspection forms, etc.); and
- Any observations, conclusions, or recommendations.

Data will be reported in hard copy or digital format as determined by the 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 & 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 Site Monitoring Plan of this SMP. At a minimum, a site-wide inspection will be conducted annually. Inspections of remedial components will also be conducted 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 general site-wide inspection form (see Appendix E). These forms are subject to NYSDEC revision.

All applicable inspection forms and other records, including all media sampling data, 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;
- The site remedy continues to be protective of public health and the environment.

5.2 CERTIFICATION OF ENGINEERING AND INSTITUTIONAL CONTROLS

After the last inspection of the reporting period, a qualified environmental professional or a 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;
- 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;
- To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program and generally accepted engineering practices; and
- The information presented in this report is accurate and complete.
- I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, [name], of [business address], am certifying as Representative for Crème de la Crème (Mt. Kisco), Inc. for the site.

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 third 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 B (Environmental Easement). The report will be prepared in accordance with NYSDEC DER-10 and submitted within 30 days of the end of each certification period. 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 information generated during the reporting period with comments and conclusions;
- Results of all analyses, copies of all laboratory data sheets, and the required laboratory data deliverables for any 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 Decision Document;
    - Any new conclusions or observations regarding site contamination based on inspections;

- 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 Region 3 Office, and in electronic format to the NYSDEC Central Office, Region 3 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.

TABLES

TABLE 1

SOIL ANALYSIS AND COLLECTION METHODS

Analysis	Frequency	Collection Method
VOCs USEPA Method 8260B or C	See NYSDEC DER-10 Table 5.4(e)10	Grab Sample
SVOCs USEPA Method 8270C (or 8270D)	See NYSDEC DER-10 Table 5.4(e)10	Composite from 3-5 discrete samples
Metals (Including Mercury) USEPA Method 6010B or C	See NYSDEC DER-10 Table 5.4(e)10	Composite from 3-5 discrete samples
PCBs USEPA Method 8082A	See NYSDEC DER-10 Table 5.4(e)10	Composite from 3-5 discrete samples
Pesticides USEPA Method 8085	See NYSDEC DER-10 Table 5.4(e)10	Composite from 3-5 discrete samples

TABLE 2

RECOMMENDED NUMBER OF SOIL SAMPLES

FOR SOIL IMPORTED TO A SITE

Contaminant:	**VOCs**	**SVOCs, Inorganics, & PCBs/Pesticides**	
Soil Quantity (cubic yards)	**Discrete Samples**	**Composite Samples**	**Discrete Samples/Composite**
0-50	1	1	3-5 discrete samples from different locations in the fill being provided will comprise a composite sample for analysis
50-100	2	1	
100-200	3	1	
200-300	4	1	
300-400	4	2	
400-500	5	2	
500-800	6	2	
800-1000	7	2	
>1000	Add an additional 2 VOCs and 1 composite sample for each additional 1000 cubic yards		

Notes:

1. Table 2 is from NYSDEC's DER-10, Table 5.4(e)10.
2. The sampling frequencies specified in this table also applies to excavated soils proposed for reuse on-site.

TABLE 3

CRITERIA FOR ON-SITE REUSE OF EXCAVATED MATERIAL

(COMMERCIAL USE SCOs)

Metals (ppm)	
Arsenic	16
Barium	400
Beryllium	590
Cadmium	9.3
Chromium, hexavalent	400
Chromium, trivalent	1,500
Copper	270
Total Cyanide	27
Lead	1,000
Manganese	10,000
Total Mercury	2.8
Nickel	310
Selenium	1,500
Silver	1,500
Zinc	10,000

Pesticides/PCBs (ppm)	
2,4,5-TP Acid (Silvex)	500
4,4'-DDE	62
4,4'-DDT	47
4,4'-DDD	92
Aldrin	0.68
alpha-BHC	3.4
beta-BHC	3
Chlordane (alpha)	24
delta-BHC	500
Dibenzofuran	350
Dieldrin	1.4
Endosulfan I	200
Endosulfan II	200
Endosulfan sulfate	200
Endrin	89
Heptachlor	15
Lindane	9.2
Polychlorinated biphenyls	1

TABLE 3 (CONT.)

CRITERIA FOR ON-SITE REUSE OF EXCAVATED MATERIAL

(COMMERCIAL USE SCOs)

Semi-Volatile Organic Compounds (SVOCs) (ppm)	
Acenaphthene	500
Acenapthylene	500
Anthracene	500
Benz(a)anthracene	5.6
Benzo(a)pyrene	1
Benzo(b)fluoranthene	5.6
Benzo(g,h,i)perylene	500
Benzo(k)fluoranthene	56
Chrysene	56
Dibenz(a,h)anthracene	0.56
Fluoranthene	500
Fluorene	500
Indeno(1,2,3-cd)pyrene	5.6
m-Cresol	500
Naphthalene	500
o-Cresol	500
p-Cresol	500
Pentachlorophenol	6.7
Phenanthrene	500
Phenol	500
Pyrene	500

Volatile Organic Compounds (VOCs) (ppm)	
1,1,1-Trichloroethane	500
1,1-Dichloroethane	240
1,1-Dichloroethene	500
1,2-Dichlorobenzene	500
1,2-Dichloroethane	30
cis-1,2-Dichloroethene	500
trans-1,2-Dichloroethene	500
1,3-Dichlorobenzene	280
1,4-Dichlorobenzene	130
1,4-Dioxane	130
Acetone	500
Benzene	44
Butylbenzene	500
Carbon tetrachloride	22
Chlorobenzene	500
Chloroform	350
Ethylbenzene	390
Hexachlorobenzene	6
Methyl ethyl ketone	500
MTBE	500
Methylene chloride	500
n-Propylbenzene	500
sec-Butylbenzene	500
tert-Butylbenzene	500
Tetrachloroethene	150
Toluene	500
Trichloroethene	200
1,2,4-Trimethylbenzene	190
1,3,5- Trimethylbenzene	190
Vinyl chloride	13
Xylene (mixed)	500

TABLE 4

CRITERIA FOR IMPORTED SOILS

(UNRESTRICTED USE SCOs)

Metals (ppm)	
Arsenic	13
Barium	350
Beryllium	7.2
Cadmium	2.5
Chromium, hexavalent	1
Chromium, trivalent	30
Copper	50
Total Cyanide	27
Lead	63
Manganese	1,600
Total Mercury	0.18
Nickel	30
Selenium	3.9
Silver	2
Zinc	109

Pesticides/PCBs (ppm)	
2,4,5-TP Acid (Silvex)	3.8
4,4'-DDE	0.0033
4,4'-DDT	0.0033
4,4'-DDD	0.0033
Aldrin	0.005
alpha-BHC	0.02
beta-BHC	0.036
Chlordane (alpha)	0.094
delta-BHC	0.04
Dibenzofuran	7
Dieldrin	0.005
Endosulfan I	2.4
Endosulfan II	2.4
Endosulfan sulfate	2.4
Endrin	0.014
Heptachlor	0.042
Lindane	0.1
Polychlorinated biphenyls	0.1

TABLE 4 (CONT.)

CRITERIA FOR IMPORTED SOILS

(UNRESTRICTED USE SCOs)

Semi-Volatile Organic Compounds (SVOCs) (ppm)	
Acenaphthene	20
Acenapthylene	100
Anthracene	100
Benz(a)anthracene	1
Benzo(a)pyrene	1
Benzo(b)fluoranthene	1
Benzo(g,h,i)perylene	100
Benzo(k)fluoranthene	0.8
Chrysene	1
Dibenz(a,h)anthracene	0.33
Fluoranthene	100
Fluorene	30
Indeno(1,2,3-cd)pyrene	0.5
m-Cresol	0.33
Naphthalene	12
o-Cresol	0.33
p-Cresol	0.33
Pentachlorophenol	0.8
Phenanthrene	100
Phenol	0.33
Pyrene	100

Volatile Organic Compounds (VOCs) (ppm)	
1,1,1-Trichloroethane	0.68
1,1-Dichloroethane	0.27
1,1-Dichloroethene	0.33
1,2-Dichlorobenzene	1.1
1,2-Dichloroethane	0.02
cis-1,2-Dichloroethene	0.25
trans-1,2-Dichloroethene	0.19
1,3-Dichlorobenzene	2.4
1,4-Dichlorobenzene	1.8
1,4-Dioxane	0.1
Acetone	0.05
Benzene	0.06
Butylbenzene	12
Carbon tetrachloride	0.76
Chlorobenzene	1.1
Chloroform	0.37
Ethylbenzene	1
Hexachlorobenzene	0.33
Methyl ethyl ketone	0.12
MTBE	0.93
Methylene chloride	0.05
n-Propylbenzene	3.9
sec-Butylbenzene	11
tert-Butylbenzene	5.9
Tetrachloroethene	1.3
Toluene	0.7
Trichloroethene	0.47
1,2,4-Trimethylbenzene	3.6
1,3,5- Trimethylbenzene	8.4
Vinyl chloride	0.02
Xylene (mixed)	0.26

FIGURES

GENERAL NOTES

1. GENERAL LAYOUT WAS OBTAINED FROM A DRAWING THAT WAS PREPARED BY JOHN MEYER CONSULTING, ENTITLED "SURVEY OF PROPERTY", DATED 8/22/12, ORIGINAL SCALE: 1"=30', DRAWING NO. SU-1.
2. SAMPLE LOCATIONS AND GROUND SURFACE ELEVATIONS WERE SURVEYED BY JOHN MEYER CONSULTING.

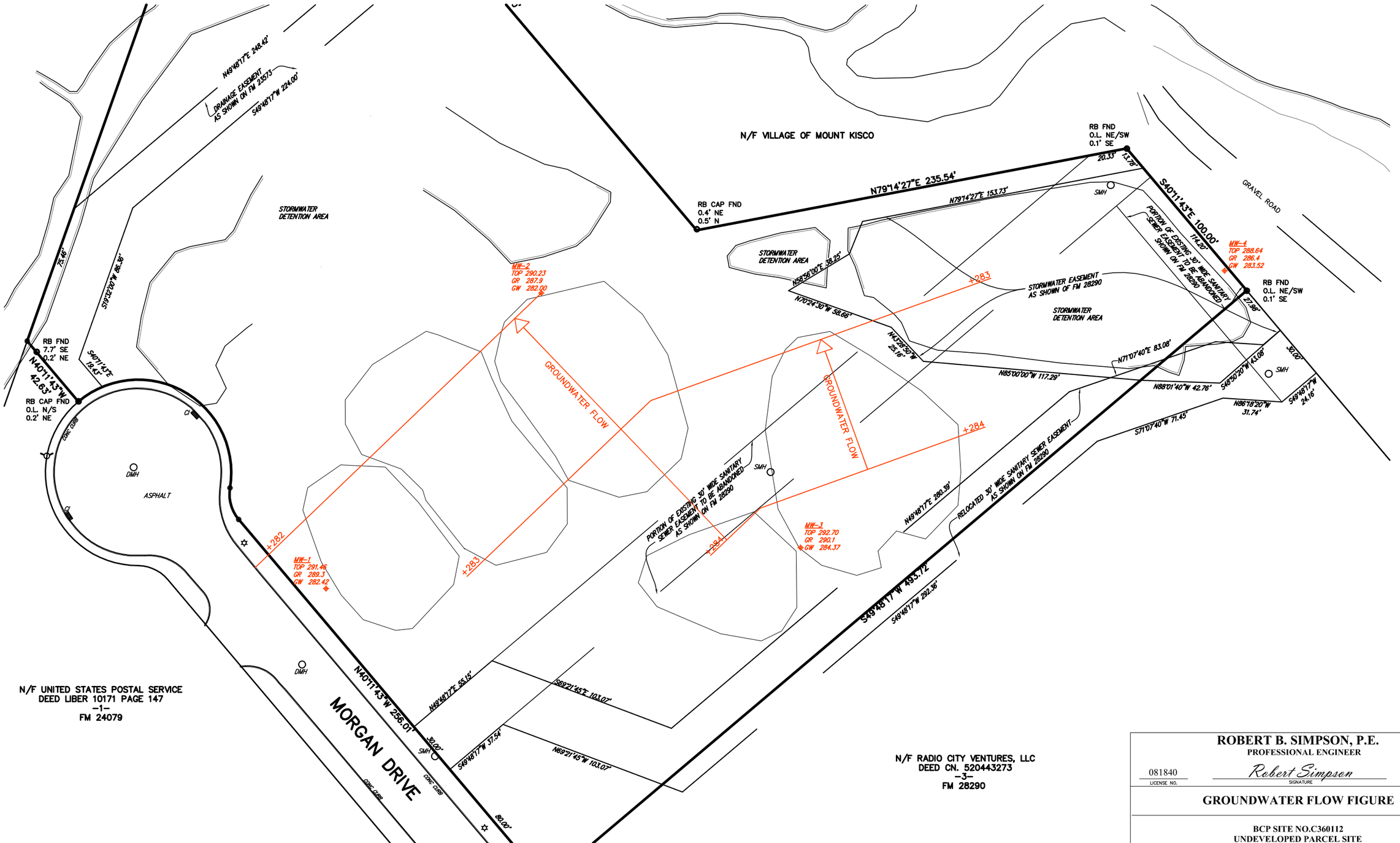
ROBERT B. SIMPSON, P.E.
PROFESSIONAL ENGINEER

081840	*Robert Simpson*	8/2/13
LICENSE NO.	SIGNATURE	DATE

FIGURE OF SITE AND SITE BOUNDARIES

BCP SITE NO.C360112
UNDEVELOPED PARCEL SITE
MT. KISCO, NEW YORK

DRAWN: MRA	SCALE: 1" = 30'	CARLIN-SIMPSON AND ASSOCIATES 61 Main Street Sayreville, NJ 08872
CHECKED: RBS	DATE: 30 JUL 13	
PROJECT NO.: 01-109	DWG. NO.: FIG -1	Consulting Geotechnical and Environmental Engineers
APPROVED:		



ROBERT B. SIMPSON, P.E.
PROFESSIONAL ENGINEER

081840	Robert Simpson	8/2/13
LICENSE NO.	SIGNATURE	DATE

GROUNDWATER FLOW FIGURE

BCP SITE NO.C360112
UNDEVELOPED PARCEL SITE
MT. KISCO, NEW YORK

DRAWN	SCALE
MRA	1" = 50'
CHECKED	DATE
RBS	30 JUL 13
PROJECT NO.	DWG NO.
01-109	FIG -2
APPROVED	

CARLIN-SIMPSON AND ASSOCIATES
61 Main Street
Sayreville, NJ 08872
Consulting Geotechnical and Environmental Engineers

GENERAL NOTES

1. GENERAL LAYOUT WAS OBTAINED FROM A DRAWING THAT WAS PREPARED BY JOHN MEYER CONSULTING, ENTITLED "SURVEY OF PROPERTY", DATED 8/22/12, ORIGINAL SCALE: 1"=30', DRAWING NO. SU-1.
2. SAMPLE LOCATIONS AND GROUND SURFACE ELEVATIONS WERE SURVEYED BY JOHN MEYER CONSULTING.

ROBERT B. SIMPSON, P.E.
PROFESSIONAL ENGINEER

081840	Robert Simpson	8/2/13
LICENSE NO.	SIGNATURE	DATE

LOCATION OF REMAINING SOIL CONTAMINATION ABOVE UNRESTRICTED USE LEVELS

BCP SITE NO.C360112
UNDEVELOPED PARCEL SITE
MT. KISCO, NEW YORK

DRAWN	SCALE	
MRA	1" = 30'	CARLIN-SIMPSON AND ASSOCIATES 61 Main Street Sayreville, NJ 08872
CHECKED	DATE	
RBS	30 JUL 13	
PROJECT NO.	DWG NO.	
01-109	FIG -3	Consulting Geotechnical and Environmental Engineers
APPROVED		

GENERAL NOTES

1. GENERAL LAYOUT WAS OBTAINED FROM A DRAWING THAT WAS PREPARED BY JOHN MEYER CONSULTING, ENTITLED "SURVEY OF PROPERTY", DATED 8/22/12, ORIGINAL SCALE: 1"=30', DRAWING NO. SU-1.
2. SAMPLE LOCATIONS AND GROUND SURFACE ELEVATIONS WERE SURVEYED BY JOHN MEYER CONSULTING.

ROBERT B. SIMPSON, P.E.
PROFESSIONAL ENGINEER

LICENSE NO.	SIGNATURE	DATE
081840	Robert Simpson	8/2/13

LOCATION OF REMAINING SOIL CONTAMINATION ABOVE COMMERCIAL USE LEVELS

BCP SITE NO.C360112
UNDEVELOPED PARCEL SITE
MT. KISCO, NEW YORK

DRAWN: MRA	SCALE: 1" = 30'	CARLIN-SIMPSON AND ASSOCIATES 61 Main Street Sayreville, NJ 08872
CHECKED: RBS	DATE: 30 JUL 13	
PROJECT NO.: 01-109	DWG. NO.: FIG -4	Consulting Geotechnical and Environmental Engineers
APPROVED:		

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:

Edward Moore, P.E.
Regional Hazardous Waste Remediation Engineer
NYSDEC – Region 3 Office
21 South Putt Corners Road
New Paltz, NY 12561
(845) 256-3133

and

Daniel Lanners, P.E.
Project Manager
NYSDEC – Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7014
(518) 402-9662

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 C of this document;
- Identification of disposal facilities for potential waste streams; and
- 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 of 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 the 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).

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 free of loose soil and debris prior to leaving the site to prevent tracking of potentially contaminated materials off-site.

Truck transport routes are as follows:

1. Exit the Site and turn left onto Morgan Drive.
2. At the stop sign, turn left onto Radio Circle Drive.
3. At the first traffic light, turn right onto Lexington Avenue.

4. At the first traffic light, turn left onto Main Street (SR-117).
5. Go approximately 0.5 miles and turn right onto South Bedford Road (SR-172).
6. Go approximately 2 miles to the intersection for I-684.
7. Follow signs for either I-684 North or I-684 South.

To the extent possible, all trucks loaded with site materials will exit the vicinity of the site using only this approved truck route. 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.

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.

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 a minimum, as a Municipal Solid Waste per 6 NYCRR Part 360-1.2. Material that does not meet Track 1 unrestricted SCOs is prohibited from being taken to a New York State recycling facility (6 NYCRR Part 360-16 Registration Facility).

A-7 MATERIALS REUSE ON-SITE

Soil that is derived from the property that meets the soil cleanup objectives established in this plan may be reused on-site. 'Reuse on-site' means material that is excavated during site development does not leave the property, and is relocated within the same property and on comparable soil material.

Excavated materials will be segregated and stockpiled on-site. Samples will be collected from the material proposed for reuse to ensure that the material meets NYSDEC requirements [DER-10, Section 5.4(e)] and that it is suitable for reuse at the site. Soil samples will be collected in accordance with the methods and frequency specified in Tables 1 and 2. Chemical criteria for on-site reuse of material have been approved by the NYSDEC and are listed in Table 3. Documentation, including all sample analyses, of all excavated materials proposed for reuse will be provided for NYSDEC approval prior to reuse on-site.

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 decision document and this SMP. Since the existing soil cover utilizes the upper one foot of soil already in-place on-site, no demarcation layer was installed. Therefore a demarcation layer, consisting of orange snow fencing material or equivalent material, will be installed in the excavation area 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-10 BACKFILL FROM OFF-SITE SOURCES

This Section presents the requirements for imported fill materials to be used on the site. 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.

A process will be established to evaluate sources of soil to be imported to the site, and will include an examination of the source location, current and historical use(s) of the source location(s), and any applicable documentation (e.g., DOT certifications). Material from

industrial sites, spill sites, environmental remediation sites or other potentially contaminated sites will not be imported to the site.

The following potential off-site sources may be used pending attainment of backfill and cover soil quality objectives:

- Soil from construction projects at non-industrial sites in compliance with applicable laws and regulations;
- Soil from roadway or other transportation-related projects in compliance with applicable laws and regulations;
- Recycled concrete aggregate (RCA) from facilities permitted or registered by the regulations of NYSDEC.

All imported soils will meet the backfill and cover soil quality standards established in 6 NYCRR 375-6.7(d). Samples will be collected from the proposed off-site source to ensure that the imported material meets NYSDEC requirements [DER-10, Section 5.4(e)] and that it is suitable for use at the site. Soil samples will be collected in accordance with the methods and frequency specified in Tables 1 and 2. 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 Table 4. Documentation, including all sample analyses, of all imported materials proposed for use will be provided for NYSDEC approval prior to use on-site. 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 the NYSDEC. Solid waste will not be imported onto the site.

Once it is determined that the fill material meets imported backfill or cover soil chemical requirements, is non-hazardous and lacks petroleum contamination, the material will be loaded onto trucks for delivery to the site.

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

Inspection of imported fill material will include visual, olfactory and PID screening for evidence of contamination. Materials imported to the site will be subject to inspection, as follows:

- Trucks with imported fill material will be in compliance with applicable laws and regulations and will enter the site at designated locations;
- The QEP is responsible to ensure that every truck load of imported material is inspected for evidence of contamination; and
- Fill material will be free of solid waste including pavement materials, debris, stumps, roots, and other organic matter, as well as ashes, oil, perishables or foreign matter.

A-11 STORMWATER POLLUTION PREVENTION

For construction projects exceeding one (1) acre, a Stormwater Pollution Prevention Plan (SWPPP) that conforms to the requirements of NYSDEC Division of Water guidelines and NYS regulations shall be prepared prior to construction. The SWPPP shall also be prepared in accordance with the Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources, dated April 4, 2010.

Depending on the scope and scale of the work, it may be necessary to submit the SWPPP for review and approval by the New York City Department of Environmental Protection (DEP).

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 personnel. All necessary repairs shall be made immediately.

Accumulated sediments will be removed as required to keep the barriers and hay bale checks 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 the 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 Community Air Monitoring Plan (CAMP) requires real-time monitoring for volatile organic compounds (VOCs) and particulates (i.e., dust) at the downwind perimeter of each designated work area when certain activities are in progress at contaminated sites. The CAMP is not intended for use in establishing action levels for worker respiratory protection. Rather, its intent is to provide a measure of protection for the downwind community (i.e., off-site

receptors including residences and businesses and on-site workers not directly involved with the subject work activities) from potential airborne contaminant releases as a direct result of investigative and ground intrusive work activities. The action levels specified herein require increased monitoring, corrective actions to abate emissions, and/or work shutdown. Additionally, the CAMP helps to confirm that work activities did not spread contamination off-site through the air.

The generic CAMP presented here is sufficient to cover most sites and most work conditions. Specific requirements shall be reviewed for each situation in consultation with New York State Department of Health (NYSDOH) to ensure proper applicability. In some cases, a CAMP supplement may be required. Reliance on the CAMP should not preclude simple, common-sense measures to keep VOCs, dust, and odors at a minimum around the work areas.

Community Air Monitoring

Real-time air monitoring for volatile organic compounds (VOCs) and particulate levels at the perimeter of the exclusion zone or work area will be performed continuously for ground intrusive activities and during the handling of contaminated or potentially contaminated media. Ground intrusive activities include, but are not limited to, soil excavation and handling, test pit excavation or trenching, site grading (i.e. cutting and filling), and the installation of soil borings or monitoring wells.

Periodic monitoring for VOCs will be performed during non-intrusive activities such as the collection of soil and sediment samples or the collection of groundwater samples from existing monitoring wells. Periodic monitoring during sample collection, for instance, will consist of taking a reading upon arrival at a sample location, monitoring while opening a well cap or overturning soil, monitoring during well baling/purging, and taking a reading prior to leaving a sample location.

The locations of the air sampling stations shall be based on generally prevailing wind conditions. These locations will be adjusted on a daily or more frequent basis based on actual wind directions to provide an upwind and at least two downwind monitoring stations. If a sensitive receptor, such as a school, day care or residential area is adjacent to the site, a fixed monitoring station should be located at that site perimeter, regardless of wind direction.

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

VOC Monitoring, Response Levels, and Actions

Volatile organic compounds (VOCs) will be monitored at the downwind perimeter of the immediate work area (i.e., the exclusion zone) on a continuous basis during invasive work. Upwind concentrations will be measured at the start of each workday and periodically thereafter to establish background conditions. The monitoring work will be performed using equipment appropriate to measure the types of contaminants known or suspected to be present. The equipment will be calibrated at least daily for the contaminant(s) of concern or for an appropriate surrogate. The equipment will be capable of calculating 15-minute running average concentrations, which will be compared to the levels specified below.

- If the ambient air concentration of total organic vapors at the downwind perimeter of the work area or exclusion zone exceeds 5 parts per million (ppm) above background for the 15-minute average, work activities causing the vapors will be temporarily halted and monitoring continued. If the total organic vapor level readily decreases (per instantaneous readings) below 5 ppm over background, work activities will resume with continued monitoring.

- If total organic vapor levels at the downwind perimeter of the work area or exclusion zone persist at levels in excess of 5 ppm over background but less than 25 ppm, work activities causing the vapors will be halted, the source of vapors identified, corrective actions taken to abate emissions, and monitoring continued. After these steps, work activities will resume provided that the total organic vapor level 200 feet downwind of the exclusion zone or half the distance to the nearest potential receptor or residential/commercial structure, whichever is less - but in no case less than 20 feet, is below 5 ppm over background for the 15-minute average.

- If the organic vapor level is above 25 ppm at the perimeter of the work area, activities will be shut down.

All 15-minute readings will be recorded and be available for State (NYSDEC and NYSDOH) personnel to review. Instantaneous readings, if any, used for decision purposes shall also be recorded.

Particulate Monitoring, Response Levels, and Actions

Particulate concentrations will be monitored continuously at the upwind and downwind perimeters of the exclusion zone at temporary particulate monitoring stations. The particulate monitoring will be performed using real-time monitoring equipment capable of measuring particulate matter less than 10 micrometers in size (PM-10) and capable of integrating over a period of 15 minutes (or less) for comparison to the airborne particulate action level. The equipment will be equipped with an audible alarm to indicate exceedance of the action level. In addition, fugitive dust migration should be visually assessed during all work activities.

- If the downwind PM-10 particulate level is 100 micrograms per cubic meter (mcg/m^3) greater than background (upwind perimeter) for the 15-minute period or if airborne dust is observed leaving the work area, then dust suppression techniques will be employed. Work will continue with dust suppression techniques provided that downwind PM-10 particulate levels do not exceed 150 mcg/m^3 above the upwind level and provided that no visible dust is migrating from the work area.
- If, after implementation of dust suppression techniques, downwind PM-10 particulate levels are greater than 150 mcg/m^3 above the upwind level, work creating the dust will be stopped and a re-evaluation of activities initiated. Work will resume provided that dust suppression measures and other controls are successful in reducing the downwind PM-10 particulate concentration to within 150 mcg/m^3 of the upwind level and in preventing visible dust migration.

All readings will be recorded and be available for State (NYSDEC and NYSDOH) personnel to review.

A-14 ODOR CONTROL PLAN

This odor control plan is capable of controlling emissions of nuisance odors off-site and on-site. If nuisance odors are identified 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. The 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 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 may include: (d) direct load-out of soils to trucks for off-site disposal and (e) use of chemical odorants in spray or misting systems.

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

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 – ENVIRONMENTAL EASEMENT

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

543023183EAS003T

Westchester County Recording & Endorsement Page

Submitter Information

Name:	Conlin, McKenney & Philbrick, P.D.	Phone:	734-761-9000
Address 1:	350 South Main Street, Suite 400	Fax:	
Address 2:		Email:	kim@cmplaw.com
City/State/Zip:	Ann Arbor MI 48104-2131	Reference for Submitter:	Mount Kisco

Document Details

Control Number: **543023183** Document Type: **Easement (EAS)**

Package ID: 201410290009700l003 Document Page Count: **9** Total Page Count: **10**

Parties

☐ Additional Parties on Continuation page

1st PARTY		2nd PARTY	
1: CREME DE LA CREM MT KISCO INC	- Other	1: NEW YORK STATE PEOPLE OF	- Other
2:		2:	

Property

☐ Additional Properties on Continuation page

Street Address: 6 MORGAN DRIVE Tax Designation: 80.55-1-2.1/3

City/Town: MOUNT KISCO Village:

Cross- References

☐ Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: TP-584

Recording Fees

Statutory Recording Fee:	$40.00
Page Fee:	$50.00
Cross-Reference Fee:	$0.00
Mortgage Affidavit Filing Fee:	$0.00
RP-5217 Filing Fee:	$0.00
TP-584 Filing Fee:	$5.00
Total Recording Fees Paid:	**$95.00**

Transfer Taxes

Consideration:	$0.00
Transfer Tax:	$0.00
Mansion Tax:	$0.00
Transfer Tax Number:	4875

Mortgage Taxes

Document Date:

Mortgage Amount:

Basic:	$0.00
Westchester:	$0.00
Additional:	$0.00
MTA:	$0.00
Special:	$0.00
Yonkers:	$0.00
Total Mortgage Tax:	**$0.00**

Dwelling Type: Exempt: ☐

Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK

Recorded: 11/18/2014 at 10:08 AM

Control Number: **543023183**

Witness my hand and official seal

Timothy C.Idoni
Westchester County Clerk

Record and Return To

☐ Pick-up at County Clerk's office

Douglas G. McClure
Conlin, McKenney & Philbrick, P.C.
350 South Main Street, Suite 400
Ann Arbor, MI 48104-2131

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

THIS INDENTURE made this 29th day of September, 2014, between Owner(s) Crème de la Crème (Mt. Kisco), Inc., having an office at 8400 East Prentice Avenue, County of Arapahoe, State of Colorado (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 6 Morgan Drive in the Village of Mount Kisco, County of Westchester and State of New York, known and designated on the tax map of the County Clerk of Westchester as tax map parcel number: Section 80.55 Block 1 Lot 2.1/3, being the same as that property conveyed to Grantor by deeds dated April 29, 2004 and August 6, 2004 and recorded in the Westchester County Clerk's Office in Instrument No. 442231357 and 442720596. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 4.06 +/- acres, and is hereinafter more fully described in the Land Title Survey dated May 21, 2014 and revised on September 18, 2014 as prepared by Thomas M. Schmidt, 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 IndexNumber: C360112, 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 Westchester 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 b 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: C360112
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.

Enter Grantor's Name:
CREME DE LA CREME (MT. KISCO), INC.

By: _____

Print Name: BRUCE T. KARPAS

Title: PRESIDENT Date: 9/25/14

Grantor's Acknowledgment

STATE OF Colorado)
) ss:
COUNTY OF Arapahoe)

On the 25th day of September in the year 2014, before me, the undersigned, personally appeared Bruce Kardas, 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.

Linda D Ottken-Roberts
Notary Public - State of

LINDA D OTTKEN-ROBERTS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004027631
MY COMMISSION EXPIRES DECEMBER 15, 2016

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

SEP 29 2014

Grantee's Acknowledgment

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

On the 29th day of September, 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.

Andrew Guglielmi
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

1

SCHEDULE "A" PROPERTY DESCRIPTION

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING THE TOWN OF MOUNT KISCO, COUNTY OF WESTCHESTER AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ALONG THE NORTHERLY LINE OF MORGAN DRIVE WHERE THE SAME IS INTERSECTED BY THE DIVISION LINE BETWEEN LOT 2 ON THE NORTHWEST AND LOT 3 ON THE SOUTHEAST AS SHOWN ON A MAP TITLED "FINAL PLAT LOT LINE CHANGE" PREPARED BY STEPHEN T. JOHNSON, LAST DATED JUNE 19, 2007 AND FILED IN THE WESTCHESTER COUNTY CLERKS OFFICE AS MAP NO. 28290;

THENCE RUNNING ALONG SAID NORTHERLY LINE OF MORGAN DRIVE THE FOLLOWING THREE COURSES AND DISTANCES.

1) NORTH 40 DEGREES 11 MINUTES 43 SECONDS WEST, 256.01 FEET;
2) ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 21.00 FEET, A CENTRAL ANGLE OF 49 DEGREES 37 MINUTES 03 SECONDS AND ALONG AN ARC LENGTH OF 18.19 FEET;
3) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 139 DEGREES 37 MINUTES 06 SECONDS AND ALONG AN ARC LENGTH OF 121.84 FEET TO THE DIVISION LINE BETWEEN SAID LOT 2 ON THE NORTHEAST AND LOT 1B ON THE SOUTHWEST AS SHOWNON AMAP TITLED "RE-SUBDIVISION OF LOT NO. 1" PREPARED BY H. STANLEY JOHNSON AND COMPANY, LAST DATED MARCH 17, 1989 AND FILED IN THE WESTCHESTER COUNTY CLERKS OFFICE AS MAP NO. 24079;

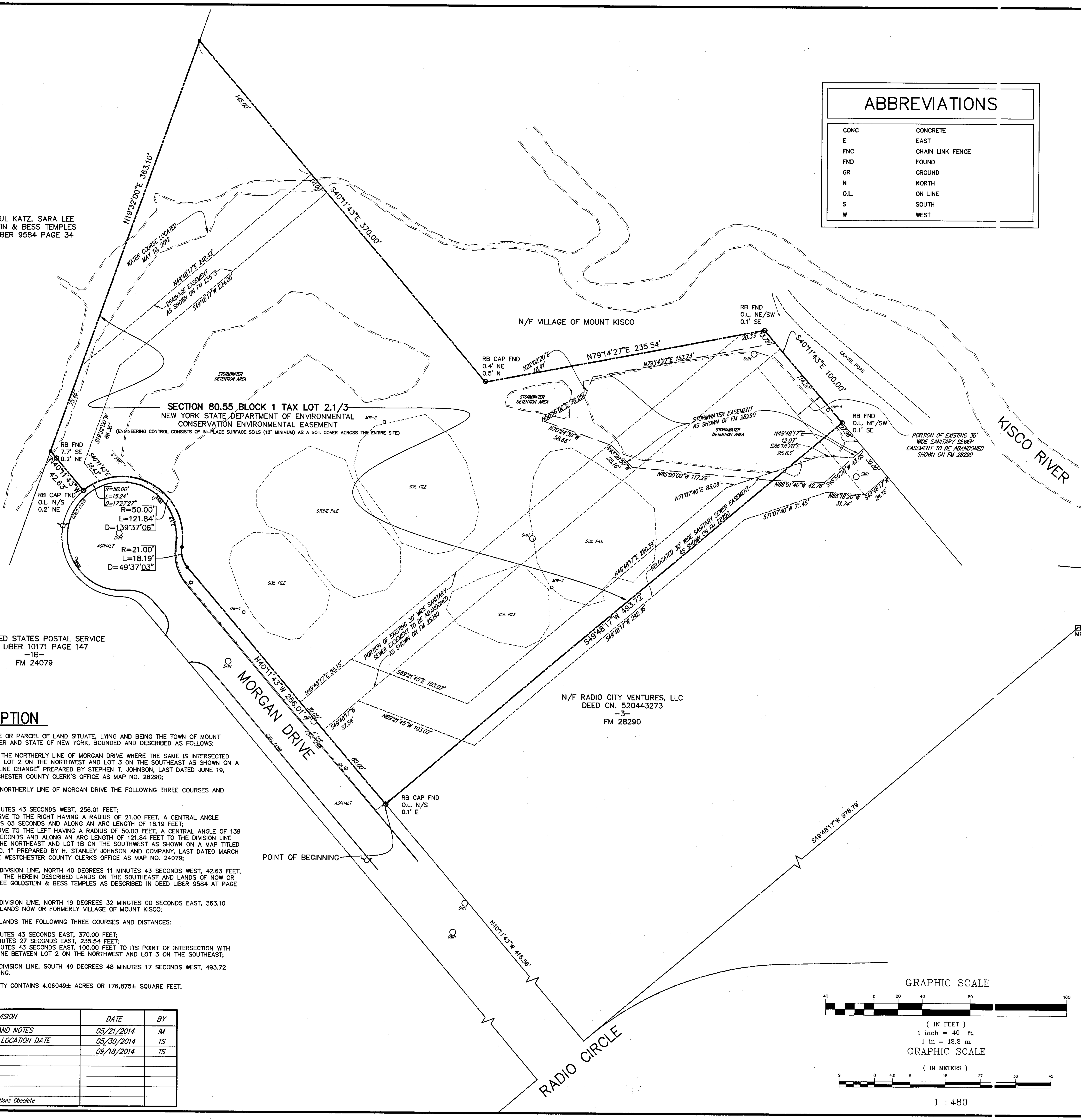
THENCE RUNNING ALONG SAID DIVISION LINE, NORTH 40 DEGREES 11 MINUTES 43 SECONDS WEST, 42.63 FEET, TO THE DIVISION LINE BETWEEN THE HEREIN DESCRIBED LANDS ON THE SOUTHEAST AND LANDS OF NOW OR FORMERLY SAUL KATZ, SARA LEE GOLDSTEIN & BESS TEMPLES AS DESCRIBED IN DEED LIBER 9584 AT PAGE 34 ON THE NORTHWEST;

THENCE RUNNING ALONG SAID DIVISION LINE, NORTH 19 DEGREES 32 MINUTES 00 SECONDS EAST. 363.10 FEET TO A WESTERLY LINE OF LANDS NOW OR FORMERLY VILLAGE OF MOUNT KISCO;

THENCE RUNNING ALONG SAID LANDS THE FOLLOWING THREE COURSES AND DISTANCES:
1) SOUTH 40 DEGREES 11 MINUTES 43 SECONDS EAST, 370.00 FEET;
2) NORTH 79 DEGREES 14 MINUTES 27 SECONDS EAST, 235.54 FEET;
3) SOUTH 40 DEGREES 11 MINUTES 43 SECONDS EAST, 100.00 FEET TO ITS POINT OF INTERSECTION WITH THE AFORESAID DIVISION LINE BETWEEN LOT 2 ON THE NORTHWEST AND LOT 3 ON THE SOUTHEAST.

THENCE RUNNING ALONG SAID DIVISION LINE, SOUTH 49 DEGREES 48 MINUTES 17

THE ABOVE DESCRIBED PROPERTY CONTAINS 4.06049± ACRES OR 176,875± SQUARE FEET.



ABBREVIATIONS

CONC	CONCRETE
E	EAST
FNC	CHAIN LINK FENCE
FND	FOUND
GR	GROUND
N	NORTH
O.L.	ON LINE
S	SOUTH
W	WEST

SURVEY OF PROPERTY LEGEND

- ADJACENT PROPERTY LINE
- COMBINATION INLET — CI
- CURB
- CURB CUT
- DRAIN MANHOLE — DMH
- FENCE
- FILED MAP NO. — -9-
- GUIDE RAIL
- HYDRANT
- LIGHT POLE
- MONITORING WELL — MW-2
- MONUMENT — MON
- OVERHEAD WIRE — OHW
- PROPERTY CORNER
- PROPERTY LINE
- REBAR — RB
- SANITARY SEWER MANHOLE — SMH
- SANITARY SEWER PIPE
- WALL
- WATER COURSE

LEGAL DESCRIPTION

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING THE TOWN OF MOUNT KISCO, COUNTY OF WESTCHESTER AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

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THENCE RUNNING ALONG SAID DIVISION LINE, NORTH 40 DEGREES 11 MINUTES 43 SECONDS WEST, 42.63 FEET, TO THE DIVISION LINE BETWEEN THE HEREIN DESCRIBED LANDS ON THE SOUTHEAST AND LANDS OF NOW OR FORMERLY SAUL KATZ, SARA LEE GOLDSTEIN & BESS TEMPLES AS DESCRIBED IN DEED LIBER 9584 AT PAGE 34 ON THE NORTHWEST;

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3) SOUTH 40 DEGREES 11 MINUTES 43 SECONDS EAST, 100.00 FEET TO ITS POINT OF INTERSECTION WITH THE AFORESAID DIVISION LINE BETWEEN LOT 2 ON THE NORTHWEST AND LOT 3 ON THE SOUTHEAST;

THENCE RUNNING ALONG SAID DIVISION LINE, SOUTH 49 DEGREES 48 MINUTES 17 SECONDS WEST, 493.72 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY CONTAINS 4.06049± ACRES OR 176,875± SQUARE FEET.

NO.	REVISION	DATE	BY
1.	REVISED TITLE BLOCK AND NOTES	05/21/2014	IM
2.	ADDED WATER COURSE LOCATION DATE	05/30/2014	TS
3.	ADDED LABELS TO LOT	09/18/2014	TS

Previous Editions Obsolete

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.
1 in = 12.2 m

GRAPHIC SCALE

(IN METERS)

1 : 480

NOTES & REFERENCES:

1) THIS MAP IS BASED ON A FIELD SURVEY COMPLETED AUGUST 10, 2012.

2) THE PREMISES SURVEYED ARE DESIGNATED AS SECTION 80.55 BLOCK 1 LOT 2.1/3 ON THE TOWN OF MOUNT KISCO TAX MAP. TOTAL LOT AREA = 4.06049± ACRES OR 176,875± SQUARE FEET.

3) SOURCE OF TITLE: A DEED FROM ECD, LP TO CREME DE LA CREME (MT. KISCO), INC. DATED APRIL 29, 2004 AND FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON SEPTEMBER 23, 2004 IN DEED CN. 442231357 AND A DEED FROM SANCTUARY VENTURES, L.L.C. TO CREME DE LA CREME (MT. KISCO), INC. AND FIELD IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON JANUARY 4, 2005 AS DEED CN. 442720596.

4) THE FOLLOWING MAPS WERE USED IN THE PREPARATION OF THIS SURVEY:

A) A MAP TITLED "RE-SUBDIVISION OF LOT NO. 1 PREPARED FOR RADIO CIRCLE BUSINESS PARK, INC." PREPARED BY H. STANLEY JOHNSON LAST DATED MARCH 17, 1989 AND FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE AS MAP NO 24079.

B) A MAP TITLED "FINAL PLAT LOT LINE CHANGE PREPARED FOR CREME DE LA CREME (MT. KISCO) INC." PREPARED BY H STANLEY JOHNSON AND COMPANY LAST DATED JUNE 19, 2007 AND FILED IN THE WETCHESTER COUNTY CLERK'S OFFICE AS MAP NO. 28290.

C) A MAP TITLED "MAP OF A PROPOSED STREET PREPARED FOR KAY AREA REAL ESTATE CORP." PREPARED BY HAROLD F. CAMPBELL LAST DATED SEPTEMBER 14, 1961 AND FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE AS MAP NO. 13971.

D) A MAP TITLED "SUBDIVISION PREPARED FOR RADIO CIRCLE BUSINESS PARK, INC." PREPARED BY H. STANLEY JOHNSON AND COMPANY LAST DATED JULY 28, 1988 AND FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE AS MAP NO. 23573.

5) VERTICAL DATUM IS REFERENCED TO NAVD 1988 OBTAINED BY GPS METHODS.

6) UNDERGROUND UTILITIES ARE NOT SHOWN. THE LOCATION OR COMPLETENESS OF UNDERGROUND INFORMATION CANNOT BE GUARANTEED. VERIFY THE ACTUAL LOCATION OF ALL UTILITIES PRIOR TO EXCAVATION OR CONSTRUCTION.

7) THE LOCATION OF WATER BOUNDARIES ON THE SUBJECT PROPERTY SHOWN HEREON WERE FIELD LOCATED ON AUGUST 10, 2012 AND VERIFIED MARCH 12, 2014.

8) UNAUTHORIZED ALTERATION OR ADDITION TO A MAP BEARING THE SEAL OF A PROFESSIONAL ENGINEER OR A LICENSED LAND SURVEYOR IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW, EXCEPT AS PER SECTION 7209, SUB-DIVISION 2.

9) ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY, MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES. UNAUTHORIZED REPRODUCTION OF THIS MAP IS A VIOLATION APPLICABLE LAWS.

CERTIFIED TO: NEW YORK STATE – DEPARTMENT OF ENVIRONMENTAL CONSERVATION

STATE OF NEW YORK THOMAS M SCHMIDT LICENSED LAND SURVEYOR

THOMAS M. SCHMIDT LIC. NO. 50221

CLIENT: CREME DE LA CREME (MT. KISCO) INC.
8400 EAST PRENTICE AVENUE
SUITE 1320, GREENWOOD VILLAGE, CO 80111

JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC
JMC Site Development Consultants, LLC
John Meyer Consulting, Inc.
120 BEDFORD ROAD • ARMONK, NY 10504
voice 914.273.5225 • fax 914.273.2102
JMC SITE DEVELOPMENT CONSULTANTS
www.jmcpllc.com

SURVEY OF PROPERTY

LOT 2 FILED MAP NO. 28290
6 MORGAN DRIVE
TOWN OF MOUNT KISCO, WESTCHESTER COUNTY, NEW YORK

DRAWN: JA	APPROVED: TS
SCALE: 1" = 40'	
DATE: 3/14/2014	
PROJECT No: 12066-S	
SU-1-DEC.dwg	SU-1.tab
DRAWING No: SU-1	

APPENDIX C – HEALTH AND SAFETY PLAN

SITE-SPECIFIC HEALTH AND SAFETY PLAN

BCP Site No. C360112
Undeveloped Parcel Site
6 Morgan Drive
Mount Kisco
Westchester County, New York

Prepared By:
Carlin-Simpson & Associates
61 Main Street
Sayreville, New Jersey

December 2014

Site-Specific Health and Safety Plan

This Health and Safety Plan (HASP) presents information regarding known site-specific health and safety hazards using available information, and identifies the equipment, materials and procedures that will be used to eliminate or control these hazards during the Remedial Investigation at the subject site.

GENERAL INFORMATION

Site Name:	Undeveloped Parcel Site, BCP Site No. C360112		
Site Address:	6 Morgan Drive, Mt. Kisco, New York		
Job/Project #:	--		
Estimated Start Date:	--	Estimated Completion Date:	--

EMERGENCY INFORMATION

Phone Numbers:	Hospital #:	914-666-1200	Ambulance #:	911
	Fire #:	911	Police #:	911
Hospital Name & Address:	Northern Westchester Hospital, 400 E. Main Street, Mt. Kisco, NY 10549			
Directions and Street Map of Route to Nearest Hospital Attached: ☒ Yes ☐ No (if no, do not proceed)				
Other Emergency Contact:	TBD		Phone #:	TBD
Location of Nearest Phone:	Cell phone or landline phone on-site at all times			

Have Necessary Underground Utility Notifications for Subsurface Work Been Made? ☐ Yes ☐ N/A
Specify Clearance Date & Time, Dig Safe Clearance I.D. #, And Other Relevant Information:
This must be performed prior to performing the work.

SCOPE OF WORK

Site Description:	Undeveloped parcel with varying amounts of surface vegetation
Specific Tasks Performed:	TBD
Concurrent Tasks to be Performed by Subcontractors (List Subcontractors by Name):	TBD
Concurrent Tasks to be Performed by Others:	TBD
Does this project include confined space entry?	☐ yes ☒ no

The subject site was formerly occupied by a Wastewater Disposal and Treatment facility. The surface and subsurface site soils contain several constituents (VOCs, SVOCs, metals, pesticides, and PCBs) at concentrations that exceed the NYSDEC Unrestricted Use Soil Cleanup Objectives (SCOs). In addition, there are isolated subsurface locations where the site soils contain constituents (metals and SVOCs) at concentrations that exceed the NYSDEC Commercial Use SCOs.

ROLES AND RESPONSIBILITIES

TO BE DETERMINED

Name	Project Title/Assigned Role	Telephone Numbers

Site Supervisors and Project Managers (SS/PM): Responsible for compliance with the HASP and applicable laws and regulations. This includes the need for effective oversight and supervision of project staff necessary to control the health and safety aspects of on-site activities. The Project Manager has the responsibility and authority to direct all work operations at the site.

Site Safety Officers and Competent Persons (SSO/CP): The Site Safety Officer (SSO) or "Competent Person", as defined by the Occupational Safety and Health Administration (OSHA) 1926.20(b) - Accident Prevention Responsibilities, is the individual "who is capable of identifying existing and predictable hazards in surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them." The SSO is designated on a site-by-site basis based on the site conditions, scope-of-work, and the individual's ability to recognize site-specific hazards and take appropriate corrective actions.

Staff: Ultimate control of health and safety is in the hands of each individual employee. Therefore, each employee must become familiar with and comply with all health and safety requirements associated with their position and daily operations. Employees also have the responsibility to notify the appropriate management of unsafe conditions and accidents/injuries immediately. When employees are issued respirators or any other personal protective equipment (PPE), they are responsible for ensuring that said items are used properly, cleaned as required and maintained in good working order.

(Sub)contractors: (Sub)contractors must develop their own accident prevention plan related to their specific on-site activities. Subcontractors may use this plan as an informational model. However, each Subcontractor is responsible for determining the plan's adequacy and applicability to its own activities on site. Subcontractors must deliver their plan in clear written form prior to the initiation of on-site activities.

TRAINING

All personnel performing investigation and remedial activities at the site and who may be exposed to hazardous substances, health hazards, or safety hazards and their supervisors/managers responsible for the site shall receive training in accordance with 29 CFR 1910.120 before they are permitted to work at the site. This training includes an initial 40-hour Hazardous Waste Site Worker Protection Course, an 8-hour Annual Refresher Course subsequent to the initial 40-hour training, and 3 days of actual field experience under the direct supervision of a trained, experienced supervisor. Additional site-specific training shall also be provided by the SSO prior to the start of field activities, when required.

SITE VISITORS

A site-specific briefing will be provided to all site visitors who enter the site beyond the site entry point. The site-specific briefing will provide information about the site hazards and other pertinent safety and health requirements as appropriate.

EQUIPMENT AND CONTROLS

Monitoring Equipment [1]	**Personal Protective Equipment**
☒ PID Type: 580S OVM Lamp Energy: 10.6 eV	☐ Respirator Type:
☐ FID Type:	☐ Resp-Cartridge Type:
☐ Cal gas and equipment type:	☐ Hearing Protection
☐ LEL/O_2 Meter	☒ Hardhat
☐ Others:	☐ Outer Gloves Type:
	☒ Inner Gloves Type: latex or nitrile
	☒ Steel-toed boots/shoes
Other Equipment & Gear [2]	☐ Coveralls Type:
☐ 10# ABC Fire Extinguisher when gasoline powered equipment is present	☐ Outer Boots Type:
	☒ Eye Protection
☒ Caution Tape	☐ Traffic Vest
☒ Traffic Cones or Stanchions	☐ Personal Flotation Device (PFD)
☐ Warning Signs or Placards	Others:
☐ Decon Buckets, Brushes, Detergent, Towels, Plastic Bags	
☐ Others:	

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Equipment designed to protect individuals from contact with known or suspect chemical hazards are grouped into four categories according to the degree of protection afforded. These categories are designated A through D:

Level A: Should be selected when the highest level of respiratory, skin, and eye protection is required.

Level B: Should be selected when the highest level of respiratory protection is required, but a lesser level of skin protection is required. Level B protection is the minimum level recommended on initial site entries until the hazards have been further defined by on-site studies. Level B (or Level A) is also necessary for oxygen-deficient atmospheres.

Level C: Should be selected when the types of airborne substances are known, the concentrations have been measured and the criteria for using air-purifying respirators are met. In atmospheres where no airborne contaminants are present, Level C provides dermal protection only.

Level D: Should not be worn on any site with elevated respiratory or skin hazards. This is generally a work uniform providing minimal protection against chemical hazards.

RECOMMENDED LEVEL OF PROTECTION FOR THE SUBJECT SITE

Based on the known site conditions, the contaminants expected to be present at the site, and the anticipated tasks to be performed at the site, Level D PPE is recommended.

As indicated above, Level D protection is primarily a work uniform. It can be worn in areas where only boots can be contaminated, where there are no inhalable toxic substances and where the atmospheric contains at least 19.5% oxygen. The recommended PPE for Level D includes safety boots/shoes, safety glasses, a hardhat, and optional gloves.

AIR MONITORING INSTRUMENTS AND ACTION LEVELS

Anticipated Chemical Hazards: NONE EXPECTED

Photoionization Detector - Breathing Zone Readings (will be completed by SSO):

0 to 35 units	Remain in Level D PPE.
35 to 250 units	Withdraw from work area and contact Project Management. Proceed to Level C protection for re-entry, or discontinue operation.
> 250 units	Secure operations, withdraw from work area, and discontinue work at that location until contaminants can be evaluated and a detailed site plan can be implemented.

Combustible Gas Indicator CGI/LEL Meter (if required) - Readings Near Vapor Source:

• < 10% LEL:	Continue to monitor with caution. Eliminate all ignition sources.
• 10% to 20% LEL:	Stop operations until appropriate vapor control measures (i e. foam, sand, polyethylene, film, portable blower etc.) and resample before resuming activity.
• > 20% LEL:	Stop operations and withdraw from area. Contact SSO before proceeding.

HAZARD ASSESSMENT

Due to the presence of certain contaminants at the subject site, the possibility exists that workers on the site could be exposed to hazardous substances during work at the site. Exposure to contaminated soil could occur through direct contact, incidental ingestion, or inhalation of particulates. In addition, the use of construction equipment will also present conditions for potential physical injury to workers and for work that will be performed outdoors, there is also a potential for other hazards such as heat/cold stress, insects, poisonous plants, etc. The potential hazards that could be encountered at the subject site are summarized below. Since it is impossible to list all potential sources of injury, it shall be the responsibility of each individual to exercise proper care and caution during the investigation.

HAZARD ASSESSMENT: PHYSICAL HAZARDS AND RELATED CONCERNS

Construction Hazards, Drill Rigs, Backhoes, etc. The use of drill rigs, backhoes and other heavy equipment represent potentially serious construction hazards. Whenever such equipment is used, personnel in the vicinity should be limited to those who must be there to complete their assigned duties. All personnel must avoid standing within the turning radius of the equipment or below any suspended load. Job sites must be kept as clean, orderly and sanitary as possible. When water is used, care must be taken to avoid creating muddy or slippery conditions. If slippery conditions are unavoidable, barriers and warning signs must be used to warn of these dangers.

Never turn your back to operating machinery. Never wear loose clothing, jewelry, hair or other personal items around rotating equipment or other equipment that could may catch or ensnare loose clothing, jewelry, hair or other personal items. Always stand far enough away from operating machinery to prevent accident contact which may result from mechanical or human error.

Additionally, the following basic personal protective measures must be observed: Hardhats must be worn to protect against bumps or falling objects. Safety glasses must be worn by all workers in the vicinity of drill rigs

or other sources of flying objects. Goggles, face shields or other forms of eye protection must be worn when necessary to protect against chemicals or other hazards. Steel-toed safety shoes or boots are also required. The shoes must be chemically resistant or protected with appropriately selected boots/coverings where necessary. Unless otherwise specified, normal work clothes must be worn. Long sleeves and gloves are also required whenever necessary to protect against hazardous contact, cuts, abrasions or other possible skin hazards.

Test Pit and/or other Excavations. All provisions of the OSHA trenching and excavation standard (29 CFR 1926.650-652) must be followed during excavation activities. This includes all test pit excavation and sampling activities. The estimated location of utility installations, such as sewer, telephone, electric, water lines and other underground installations that may reasonably be expected to be encountered during excavation work, must be determined prior to opening an excavation.

Excavations in contaminated or potentially contaminated areas must be tested for confined spaces atmospheric hazards prior to entry. Excavations should not be entered if other means are available to perform the task requiring entry. If entry into an excavation is required, the atmosphere within the space must be monitored by a trained person to assure that oxygen concentrations are at greater than or equal to 19.5 percent, that combustible gas levels are less than 10 percent, and that vapor levels are within applicable safe exposure (PEL and TLV) limits.

A ladder or similar means of egress must be located in excavations greater than 4 feet in depth so as to require no more than 25 feet of lateral travel for employees. No person should be allowed to enter an excavation in type B or C soil greater than 5 feet in depth unless the walls of the excavation have been protected using an approved shield (trench box), an approved shoring system, or the walls have been sloped back to an angle of 34 degrees, the excavation is free of accumulated water, and the excavation has been tested for hazardous atmospheres as noted previously. If personnel enter an excavation, the spoils pile and all materials must be placed at least 2 feet from the edge of the excavation to prevent the materials from rolling into the excavation. Personnel must remain at least 2 feet away from the edge of the excavation at all times. Upon completion of a test pit exploration, the excavation should be backfilled and graded. Excavation should never be left open unless absolutely necessary, and then only with proper barricading and controls to prevent accidental injury.

Electrical. OSHA regulations require that employees who may be exposed to electrical equipment be trained to recognize the associated hazards and the appropriate control methods. All extension cords used for portable tools or other equipment must be designed for hard or extra usage and be (three-wire) grounded. All 120-volt, single-phase 15- and 20-ampere receptacle outlets on construction sites, and other locations where moisture/water contact may occur, must be equipped with ground-fault circuit interrupters (GFCI) units. GFCI units must be attached directly to or as close as possible to the receptacle. GFCI located away from the receptacle will not protect any wiring between the receptacle and the GFCI unit. Only the wiring plugged into the GFCI and outward will be protected by the GFCI. All (temporary lighting) lamps for general illumination must be protected from accidental breakage. Metal case sockets must be grounded. Portable lighting in wet or conductive locations should be 12 volts or less.

Fire and Explosion. The possibility of flammable materials being encountered during field activities must be recognized and the appropriate steps necessary to minimize fire and explosion must be observed. This includes situations where organic vapors, free product or methane are, or may be, encountered. When this occurs, monitoring with a combustible gas indicator (CGI), is required.

In situations where hexane, methanol are needed for field activities, the following precautions must be observed: keep flammable and combustible materials away from heat, sparks and open flames; do not smoke around flammable or combustible materials; provide an ABC rated fire extinguisher appropriate for the materials present, and keep all flammable and combustible liquids in approved and properly labeled safety containers.

Heat and Cold Stress. Exposure to temperature extremes can pose significant risks to personnel if simple precautions are not taken. Typical control measures designed to prevent heat stress include dressing properly, drinking plenty of water, and establishing an appropriate work/break schedule. Typical control measures designed to prevent cold stress also include dressing properly and establishing an appropriate work/break schedule.

Moving Vehicles, Traffic Safety. All vehicular traffic routes which could impact worker safety must be identified and communicated. Whenever necessary, barriers or other methods must be established to prevent injury from moving vehicles. Traffic vests must be worn by personnel working near moving vehicular traffic. This is particularly important when field activities are conducted in parking lots, driveways, ramps or roadways. OSHA 1926.201 specifies that when signs, signals or barricades do not provide adequate protection from highway or street traffic, flagmen must be utilized. Flagmen must wear red or orange garments. Garments worn at night must be reflective.

Noise. Noise exposure can be affected by many factors including the number and types of noise sources and the proximity to noise intensifying structures such as walls or buildings which cause noise to bounce back or echo. The single most important factor effecting noise exposure is distance from the source. The closer one is to the source, the louder the noise. The operation of a drill rig, backhoe or other mechanical equipment can be sources of significant noise exposure. In order to reduce the exposure to this noise, personnel working in areas of excessive noise must use hearing protection (ear plugs or ear muffs).

Rule-of-Thumb: Wherever actual data from sound level meters or noise dosimeters is unavailable and it is necessary to raise one's voice above a normal conversational level to communicate with others within 3 to 5 feet away, hearing protection should be worn.

Overhead Utilities and Hazards. Overhead hazards can include low hanging structures which can cause injury due to bumping into them. Other overhead hazards include falling objects, suspended loads, swinging loads and rotating equipment. Hardhats must be worn by personnel in areas were these types of physical hazards may be encountered. Barriers or other methods must also be used to exclude personnel from these areas were appropriate. Electrical wires are another significant overhead hazard. According to OSHA (29 CFR 1926.550), the minimum clearance which must be maintained from overhead electrical wires is 10 feet from an electrical source rated $\leq$ 50 kV.

Underground Utilities and Hazards. The identification of underground utilities and other underground hazards is critically important prior to all drilling, excavating, and other intrusive activities. In accordance with OSHA 29 CFR 1926.650, the estimated location of utility installations, such as sewer, telephone, electric, water lines and other underground installations that may reasonably be expected to be encountered during excavation work, must be determined prior to opening an excavation. The same requirements apply to drilling operations and the use of soil-gas probes. Where public utilities may exist, the utility agencies or operators must be contacted directly or through a utility-sponsored service such as Dig-Safe. Where other underground hazards may exist, reasonable attempts must be made to identify their locations as well. Failure to identify underground hazards can lead to fire, explosion, flooding, electrocution or other life threatening accidents.

Pedestrian Traffic. The uncontrolled presence of pedestrians on a drilling or excavation site can be hazardous to both pedestrians and site workers. Prior to the initiation of site activities, the site should be surveyed to determine if, when and where pedestrian may gain access. This includes walkways, parking lots, gates and doorways. Barriers or caution tape should be used to exclude all pedestrian traffic. Exclusion of pedestrian traffic is intended to prevent injury to the pedestrians and eliminate distractions which could cause injury to site workers.

HAZARD ASSESSMENT: CHEMICAL HAZARDS AND RELATED CONCERNS

Chemicals Subject to OSHA Hazard Communication. All chemicals used in field activities such as solvents, reagents, decontamination solutions, or any other hazardous chemical must be listed and accompanied by the required labels, Material Safety Data Sheets (MSDS), and employee training documentation (OSHA 1910.1200).

Volatile Organic Compounds (VOCs). Exposure to the vapors of volatile organic compounds above their respective permissible exposure limits (PELs), as defined by OSHA, may produce irritation of the mucous membranes of the upper respiratory tract, nose and mouth. Acute exposure may also result in the depression of the central nervous system. Symptoms of such exposure include drowsiness, headache, fatigue, confusion, and loss of coordination. Benzene has been determined to be carcinogenic, targeting blood-forming system and bone marrow. The odor threshold for benzene is higher than the PEL and employees may be overexposed to benzene without sensing its presence, therefore, detector tubes must be utilized to evaluate airborne concentrations.

The vapor pressures of these compounds are high enough to generate significant quantities of airborne vapor. On sites where high concentrations of these compounds are present, a potential inhalation hazard to the field team during subsurface investigations can result. If the site is open and the anticipated quantities of VOC contamination are small (i.e., part per million concentrations in the soil or groundwater), overexposure potential will also be small.

Chromium Compounds. Hexavalent chromium compounds, upon contact with the skin can cause ulceration and possibly an allergic reaction. Inhalation of hexavalent chromium dusts is irritating and corrosive to the mucous membranes of the upper respiratory tract. Chrome ulcers and chrome dermatitis are common occupational health effects from prolonged and repeated exposure to hexavalent chromium compounds. Acute exposures to hexavalent chromium dusts may cause coughing or wheezing, pain on deep inspiration, tearing, inflammation of the conjunctiva, nasal itch and soreness or ulceration of the nasal septum. Certain forms of hexavalent chromium have been found to cause increased respiratory cancer among workers.

Trivalent chromium compounds (chromic oxide) are generally considered to be of lower toxicity, although dermatitis may occur as a result of direct handling.

Metal Compounds. Overexposure to metal compounds has been associated with a variety of local and systemic health hazards, both acute and chronic in nature, with chronic effects being most significant. Direct contact with the dusts of some metal compounds can result in contact or allergic dermatitis. Repeated contact with arsenic compounds may result in hyperpigmentation. Cases of skin cancer due to the trivalent inorganic arsenic compounds have been documented. The moist mucous membranes, particularly the conjunctivae, are most sensitive to the irritating effects of arsenic. Copper particles embedded in the eye result in a pronounced foreign body reaction with a characteristic discoloration of eye tissue.

Inhalation of copper and zinc dusts and fumes above their established PELs may result in flu-like symptoms known as "metal fume fever." Prolonged and repeated inhalation of the dusts of inorganic arsenic compounds above the established PEL may result in weakness, loss of appetite, a sense of heaviness in the stomach and vomiting. Respiratory problems such as cough, hoarseness and chest pain usually precede the gastrointestinal problems. Chronic overexposure to the dusts of inorganic arsenic may result in lung cancer.

The early symptoms of lead poisoning are usually nonspecific. Symptoms include sleep disturbances, decreased physical fitness, headache, decreased appetite and abdominal pains. Chronic overexposure may result in severe colic and severe abdominal cramping. The central nervous system (CNS) may also be adversely effected when lead is either inhaled or ingested in large quantities for extended periods of time. The peripheral nerve is usually affected. Lead has also been characterized as a male and female reproductive toxin as well as a fetotoxin. Exposure to lead (Pb) is regulated by a comprehensive OSHA standard (29 CFR 1910.1025).

Pesticides. Pesticides can be grouped into three major categories: organophosphates, carbamate and chlorinated hydrocarbons. The actual permissible exposure limits (PELs) as set by the Occupational Safety and Health Administration (OSHA), vary depending on the specific compound. Organophosphates, including Diazinon, Malathion and Parathion, are quickly absorbed into the body by inhalation, ingestion and direct skin contact. The symptoms of exposure include headache, fatigue, dizziness, blurred vision, sweating, cramps, nausea and vomiting. More severe symptoms can include tightness of the chest, muscle spasms, seizures and unconsciousness. It should also be noted that the Malathion and Parathion PELs both carry the *Skin* notation, indicating that these compounds adversely effect or penetrate the skin. OSHA specifies that skin exposure to substances carrying this designation be prevent or reduced through the use of the appropriate personal protective equipment (PPE).

Chlorinated Hydrocarbons such as Chlordane, DDT and Heptachlor can cause dizziness, nausea, abdominal pain and vomiting. The more severe symptoms include epileptic like seizures, rapid heart beat, coma and death. These compounds also carry the OSHA Skin notation. The symptoms of exposure to carbamate such Carbaryl (also known as Sevin) are similar to those described for the organophosphates. However, the OSHA exposure limit for Carbaryl does not carry the Skin notation.

Petroleum Hydrocarbons (PHCs). Petroleum Hydrocarbons such as fuel oil are generally considered to be of low toxicity. Recommended airborne exposure limits have not been established for these vapors. However, inhalation of low concentrations of the vapor may cause mucous membrane irritation. Inhalation of high concentrations of the vapor may cause pulmonary edema. Repeated or prolonged direct skin contact with the oil may produce skin irritation as a result of defatting Protective measures, such as the wearing of chemically resistant gloves, to minimize contact are addressed elsewhere in this plan. Because of the relatively low vapor pressures associated with PHCs, an inhalation hazard in the outdoor environment is not likely.

Polychlorinated Biphenyls (PCBs). Prolonged skin contact with PCBs may cause the formation of comedones, sebaceous cysts, and/or pustules (a condition known as chloracne). PCBs are considered to be suspect carcinogens and may also cause reproductive damage.

The OSHA permissible exposure limits (PELs) for PCBs are as follows:

Compound	PEL (8-hour time-weighted average)
Chlorodiphenyl (42% Chlorine)	1 mg/m^3-Skin
Chlorodiphenyl (54% Chlorine)	0.5 mg/m^3 -Skin

It should be noted that PCBs have extremely low vapor pressures (0.001 mm Hg @ 42% Chlorine and 0.00006 mm Hg @ 54% Chlorine). This makes it unlikely that any significant vapor concentration (i.e., exposures above the OSHA PEL) will be created in the ambient environment. This minimizes the potential for any health hazards to arise due to inhalation unless the source is heated or generates an airborne mist. If generated, vapor or mists above the PEL may cause irritation of the eyes, nose, and throat. The exposure limits noted above are considered low enough to prevent systemic effects but it is not known if these levels will prevent local effects. It should also be noted that both PELs carry the Skin notation, indicating that these compounds adversely effect or penetrate the skin. OSHA specifies that skin exposure to substances carrying this designation be prevented or reduced through the use of the appropriate personal protective equipment (PPE).

Polycyclic Aromatic Hydrocarbons (PAHs). Due to the relatively low vapor pressure of PAH compounds, vapor hazards at ambient temperatures are not expected to occur. However, if site conditions are dry, the generation of contaminated dusts may pose a potential inhalation hazard. Therefore dust levels should be controlled with wetting if necessary. Repeated contact with certain PAH compounds has been associated with the development of skin cancer. Contact of PAH compounds with the skin may cause photosensitization of the skin, producing skin burns after subsequent exposure to ultraviolet radiation. Protective measures, such as the wearing of chemically resistant gloves, are appropriate when handling PAH contaminated materials.

HAZARD ASSESSMENT: BIOLOGICAL HAZARDS AND RELATED CONCERNS

Insects. Insects represent significant sources (vectors) of disease transmission. Therefore, precautions to avoid or minimize potential contact should be considered prior to all field activities. Disease or harmful effects can be transmitted through bites, stings, or through direct contact with insects or through ingestion of foods contaminated by certain insects. Examples of disease transmitted by insect bites include encephalitis and malaria from contaminated mosquitoes, Lyme disease and spotted fever from contaminated ticks. Stinging insects, such as bees and wasps, are prevalent throughout the country, particularly during the warmer months. The stings of these insects can be painful, and cause serious allergic reactions to some individuals.

Lyme Disease. Lyme disease is an infection caused by the bite of certain ticks, primarily deer, dog and wood ticks. The symptoms of Lyme disease usually start out as a skin rash then progress to more serious symptoms. The more serious symptoms can include lesions, headaches, arthritis and permanent damage to the neurological system. If detected early the disease can be treated successfully with antibiotics. If a tick is attached to the skin it should be removed with fine tipped tweezers. You should be alert for early symptoms over the next month or so. If you suspect that you have been bitten by a tick you should contact a physician for medical advice.

Poisonous Plants. The possible presence of poisonous plants should be anticipated for field activities in wooded or heavily vegetated areas. Poison ivy is a climbing plant with alternate green to red leaves (arranged in threes) and white berries. Poison oak is similar to poison ivy and sumac but its leaves are oak-like in form. The leaves of these poisonous plants produce an irritating oil which causes an intensely itching skin rash and characteristic blister-like lesions. Contact with these plants should be avoided.

Rats, Snakes and Other Vermin. Certain animals, particularly those that feed on garbage and other wastes, can represent significant sources (vectors) of disease transmission. Therefore, precautions to avoid or minimize potential contact with biting animals (such as rats) or animal waste (such as pigeon droppings) should be considered prior to all field activities. Rats, snakes and other wild animals can inflict painful bites. The bites can poisonous (as in the case of some snakes), or disease causing (as in the case of rabid animals). Avoidance of these animals is the best protection.

Waste Water and Sewage. Sewage and waste water contaminated with raw, untreated sewage can represent significant sources of bacterial, viral or fungal contamination. Adverse effects, due to contact, can range from mild skin reactions or rashes to life threatening diseases. Diseases are easily transmitted by accidental ingestion or through skin contact, particularly if the skin is broken. Avoidance of direct contact and good personal hygiene are the best protection from these hazards.

MISCELLANEOUS SITE CONTROL PROCEDURES

_____

_____

_____

PLAN SIGN-OFF

PM/SSO:_____ AIC/PIC:_____

Attachment A Health and Safety Briefing/Site Orientation Record/Hazard Communication
Attachment B Hospital Map

Attachment A

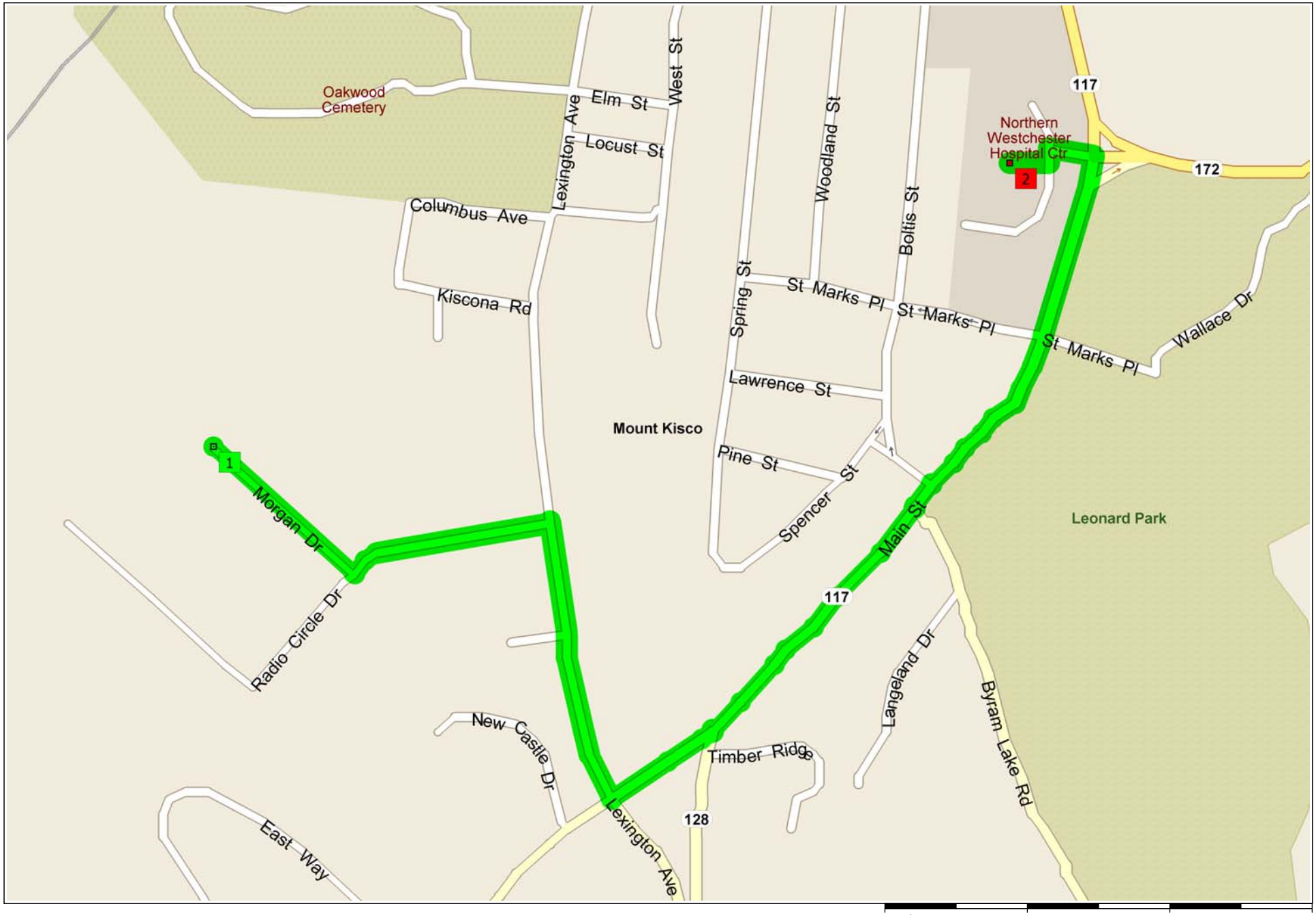
Health and Safety Briefing/Site Orientation Record/Hazard Communication

This is to verify that I, the undersigned, have been provided with a site briefing, including hazard communication, regarding the safety and health considerations at the referenced site in Mount Kisco, New York. I agree to abide by the site-specific health and safety plan and other safety or health requirements applicable to the site.

Name (Print)	Signature	Company	Date

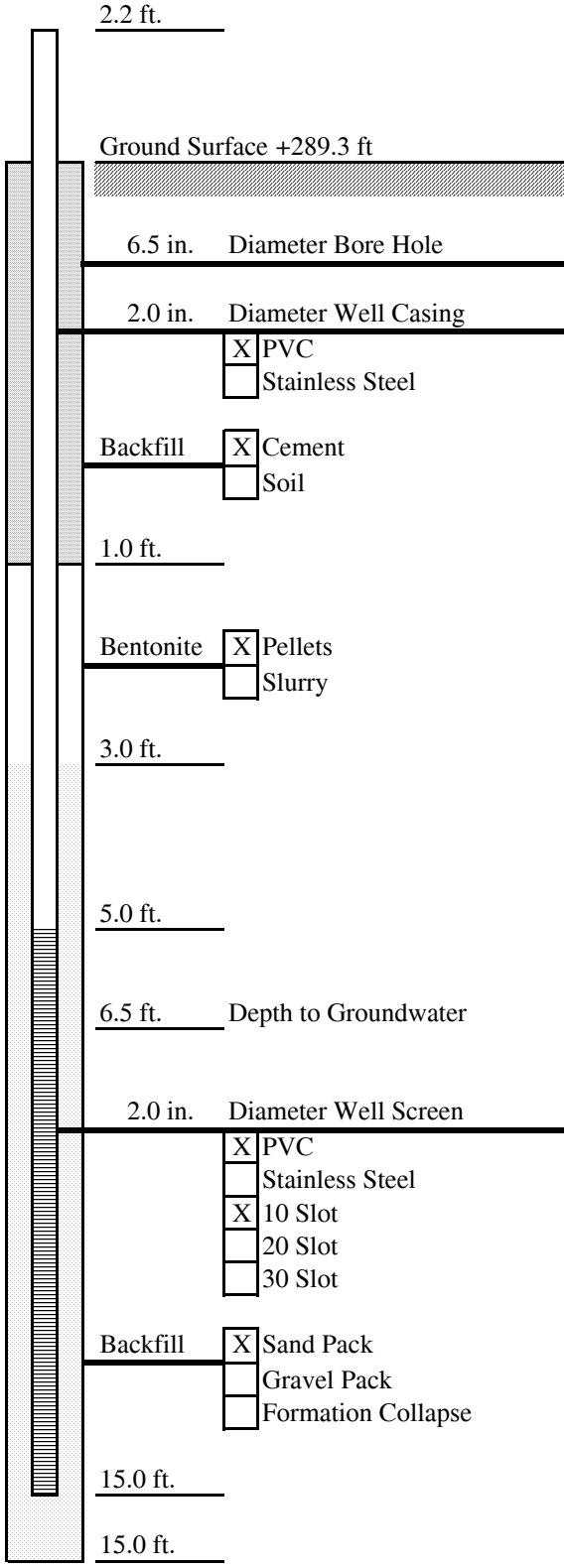
Site (orientation) briefing conducted by: _____ Date:_____

Directions to Northern Westchester Hospital



APPENDIX D – MONITORING WELL CONSTRUCTION LOGS

CARLIN-SIMPSON & ASSOCIATES Sayreville, New Jersey	WELL CONSTRUCTION LOG	Well No. MW-1 Job No. 01-109



All measurements taken from ground surface

Client Crème de la Crème

Project BLP Site C360112, Morgan Drive

City Mount Kisco

County Westchester County

State New York

Well Permit Number N/A

Ground Surface Elevation 289.3 ft.

Drilling Method Hollow Stem Augers

Drilling Contractor General Borings Inc.

Drilling Fluid Water

Development Method and Date Whale Pump, 6/14/12

Water Removed During Development 32 gal.

Depth to Static Groundwater 6.5 ft. Below Ground Surface

Depth to GW after Pumping 10.6 ft. Below Ground Surface

Duration of Pumping 28 min.

Well Yield N/A

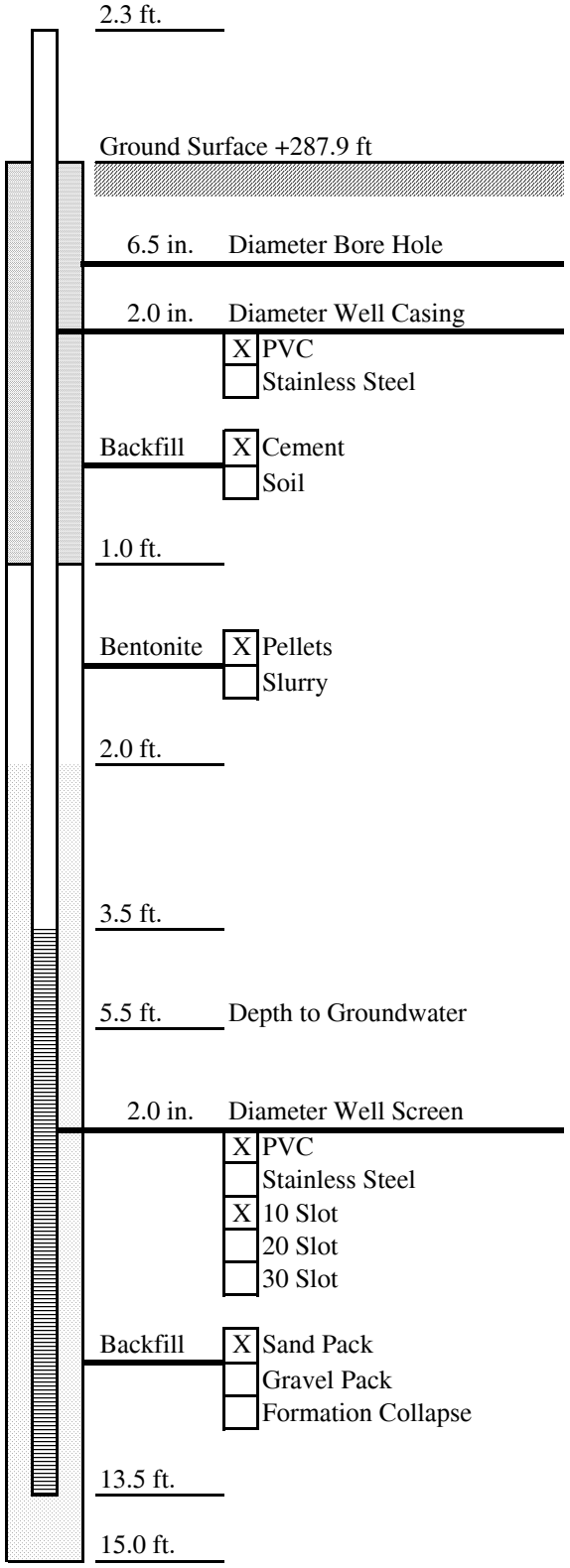
Purpose for Constructing Well:

Groundwater Sampling

Remarks

Prepared By: Meredith Anke

CARLIN-SIMPSON & ASSOCIATES Sayreville, New Jersey	WELL CONSTRUCTION LOG	Well No. MW-2 Job No. 01-109



All measurements taken from ground surface

Client Crème de la Crème

Project BLP Site C360112, Morgan Drive

City Mount Kisco

County Westchester County

State New York

Well Permit Number N/A

Ground Surface Elevation 287.9 ft.

Drilling Method Hollow Stem Augers

Drilling Contractor General Borings Inc.

Drilling Fluid Water

Development Method and Date Whale Pump, 6/14/12

Water Removed During Development 35 gal.

Depth to Static Groundwater 5.5 ft. Below Ground Surface

Depth to GW after Pumping 7.7 ft. Below Ground Surface

Duration of Pumping 29 min.

Well Yield N/A

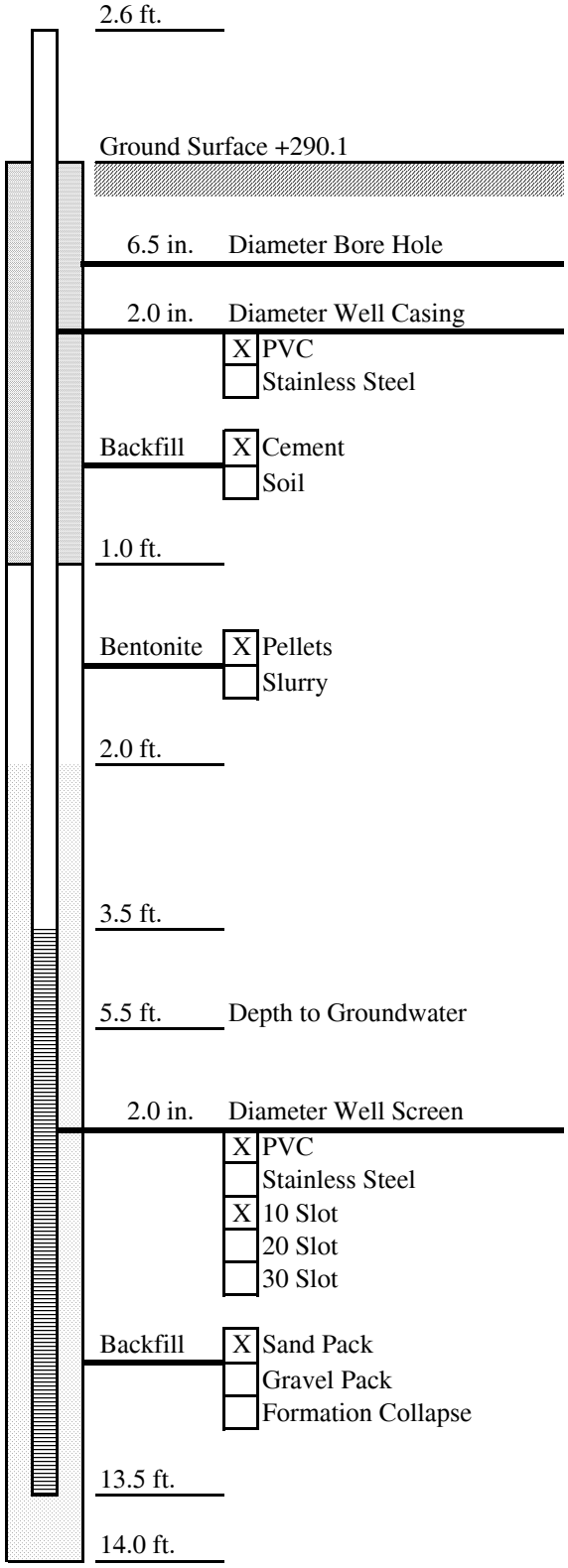
Purpose for Constructing Well:

Groundwater Sampling

Remarks

Prepared By: Meredith Anke

CARLIN-SIMPSON & ASSOCIATES Sayreville, New Jersey	WELL CONSTRUCTION LOG	Well No. MW-3 Job No. 01-109



All measurements taken from ground surface

Client Crème de la Crème

Project BLP Site C360112, Morgan Drive

City Mount Kisco

County Westchester County

State New York

Well Permit Number N/A

Ground Surface Elevation 290.1 ft.

Drilling Method Hollow Stem Augers

Drilling Contractor General Borings Inc.

Drilling Fluid Water

Development Method and Date Whale Pump, 6/14/12

Water Removed During Development 10 gal.

Depth to Static Groundwater 5.5 ft. Below Ground Surface

Depth to GW after Pumping 13.5 ft. Below Ground Surface

Duration of Pumping 31 min. (intermittent)

Well Yield N/A

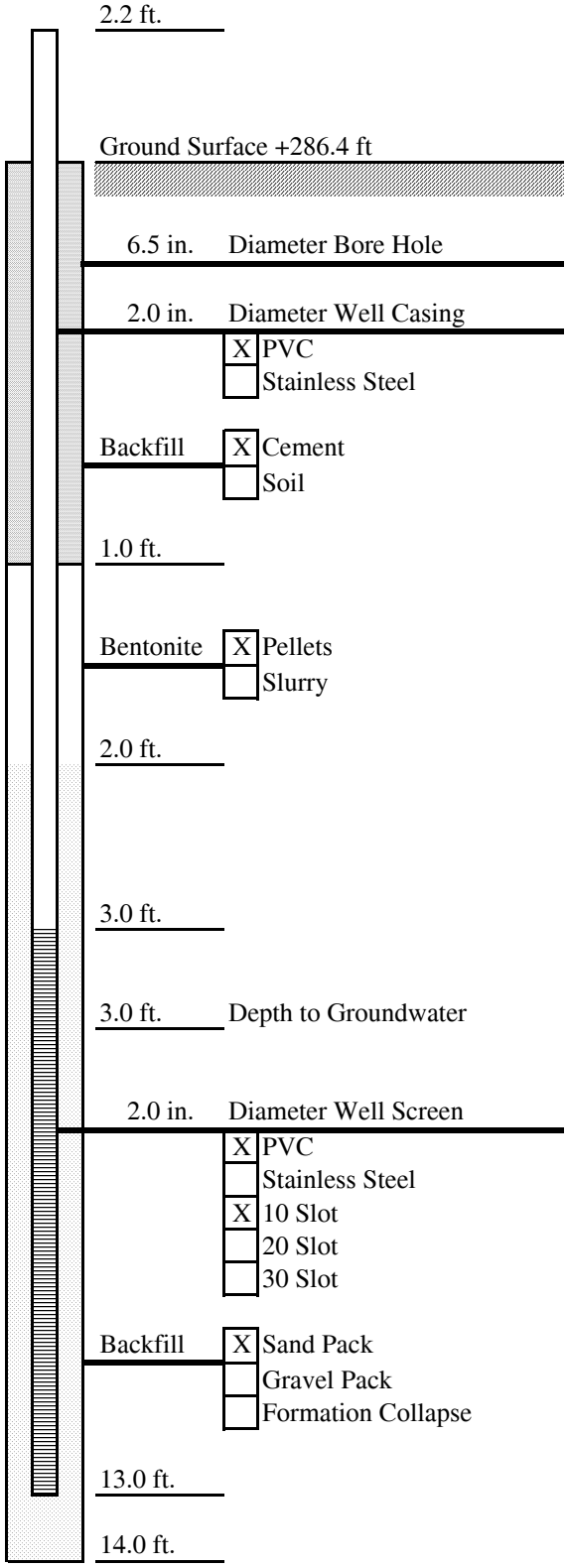
Purpose for Constructing Well:

Groundwater Sampling

Remarks Well kept pumping dry - allowed to recharge while developing another well

Prepared By: Meredith Anke

CARLIN-SIMPSON & ASSOCIATES Sayreville, New Jersey	WELL CONSTRUCTION LOG	Well No. MW-4 Job No. 01-109



All measurements taken from ground surface

Client Crème de la Crème

Project BLP Site C360112, Morgan Drive

City Mount Kisco

County Westchester County

State New York

Well Permit Number N/A

Ground Surface Elevation 286.4 ft.

Drilling Method Hollow Stem Augers

Drilling Contractor General Borings Inc.

Drilling Fluid Water

Development Method and Date Whale Pump, 6/14/12

Water Removed During Development 16 gal.

Depth to Static Groundwater 3.0 ft. Below Ground Surface

Depth to GW after Pumping 4.5 ft. Below Ground Surface

Duration of Pumping 22 min.

Well Yield N/A

Purpose for Constructing Well:

Groundwater Sampling

Remarks

Prepared By: Meredith Anke

APPENDIX E – SITE-WIDE INSPECTION FORM

SITE-WIDE INSPECTION FORM

Undeveloped Parcel Site
6 Morgan Drive
Mount Kisco, Westchester County, New York
NYSDEC Site No. C360112

Date of Inspection: _____

Name of Inspector: _____

Company: _____

Current use of site and general site conditions: _____

_____

_____

_____

_____

Has a change of use occurred since the last certification? ☐ Yes ☐ No

If yes, then explain: _____

_____

_____

Have any structures been built on the site since the last inspection? ☐ Yes ☐ No

If yes, then explain: _____

_____

_____

Does the site remain in compliance with all Institutional Controls (i.e. Environmental Easement and SMP), including site usage? ☐ Yes ☐ No

If no, then explain: _____

_____

_____

Does the site remedy continue to be protective of public health and the environment? ☐ Yes ☐ No

If no, then explain: _____

_____

_____

General description of cover: _____

_____

_____

_____

Have cover conditions changed since the last inspection? ☐ Yes ☐ No

If yes, then explain: _____

_____

_____

Has any maintenance been performed for the cover since the last inspection? ☐ Yes ☐ No

If yes, then explain: _____

_____

_____

_____

Has the cover been penetrated? ☐ Yes ☐ No

If yes, then explain: _____

_____

_____

Is any maintenance of the cover required at this time? ☐ Yes ☐ No

If yes, then explain: _____

_____

_____

_____

What is the general condition of the on-site monitoring wells?

MW-1 (East, near Morgan Drive): Locked? ☐ Yes ☐ No Condition? ☐ Intact ☐ Damaged

MW-2 (North, center of site): Locked? ☐ Yes ☐ No Condition? ☐ Intact ☐ Damaged

MW-3 (South, center of site): Locked? ☐ Yes ☐ No Condition? ☐ Intact ☐ Damaged

MW-4 (West, near properly line): Locked? ☐ Yes ☐ No Condition? ☐ Intact ☐ Damaged

Please describe problems: _____

_____

_____

_____

Have there been any emergencies on the site since the last inspection? ☐ Yes ☐ No

If yes, then explain: _____

_____

_____

_____

Are site records up to date? ☐ Yes ☐ No

If no, then explain: _____

_____

_____

_____

Additional Observations, Conclusions or Recommendations:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Changes to the site or required maintenance are marked in the corresponding location on the attached map.