SITE MANAGEMENT PLAN
FORMER ENDICOTT JOHNSON RANGER PARACORD SITE
SOUTHERN PARCEL
BCP SITE NUMBER C704048
JOHNSON CITY, BROOME COUNTY, NEW YORK

by

Haley & Aldrich of New York
Rochester, New York

for

Stella Ireland Road Associates, LLC
Vestal, New York

File No. 30603-111
4 November 2009

HALEY & ALDRICH

Haley & Aldrich of New York
200 Town Centre Drive
Suite 2
Rochester, NY 14623-4264

Tel: 585.359.9000
Fax: 585.359.4650
HaleyAldrich.com

4 November 2009
File No. 30603-111

Stella Ireland Road Associates, LLC
3101 Shippers Road
Vestal, New York 13850

Attention: Ken Kamlet, Esq.

Subject: Site Management Plan
Former Endicott Johnson Ranger Paracord Site Southern Parcel
Johnson City, Broome County, New York

Ladies and Gentlemen:

Haley & Aldrich is pleased to submit this Site Management Plan for the above-referenced property. This plan is being submitted for your review in conjunction with the Final Engineering Report for the Site. This document is required as an element of the remedial program at the former Endicott-Johnson Ranger Paracord Southern Parcel (hereinafter referred to as the "Site") under the New York State (NYS) Brownfield Cleanup Program administered by New York State Department of Environmental Conservation (NYSDEC). Remedial activities were conducted at the Site in accordance with Brownfield Cleanup Agreement (BCA) Index #B7-0655-04-01, Site # C704048, which was executed on 13 September 2005; and subsequently modified on 27 August 2009.

SITE MANAGEMENT PLAN DESCRIPTION AND PURPOSE

This Site Management Plan (SMP) documents the measures required to maintain protection of human health and the environment at the site, particularly in the case where human contact with the residually contaminated historical fill may be made. This plan specifies the methods necessary to ensure compliance with the engineering controls (ECs) and institutional controls (ICs) required by the Environmental Easement. 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 Site Management Plan (SMP) is composed of three plans as per NYSDEC Technical Guidance (DER-10 dated December 2004) and guidelines provided by NYSDEC:

1. **Engineering and Institutional Control (EC/IC) Plan (Appendix A):** The EC/IC Plan describes the implementation and management of ECs and ICs, which includes a reporting plan for the submittal of data, information, recommendations, and certifications to NYSDEC. This section includes an **Excavation Management Plan (Section 1)**, which describes management of soil and other media in the event of excavations that breach the cover system and demarcation layer, which is the engineering control in place at the site. The institutional controls to be implemented for the Site are part of an **Environmental Easement**. An Environmental Easement will be granted to the NYSDEC, and recorded with the Broome County Clerk, that provides an enforceable legal instrument to ensure compliance with this SMP and all ECs and ICs placed on the site. The ICs place restrictions on site use, and mandate operation, maintenance, monitoring and reporting measures for all ECs and ICs.

2. **Monitoring Plan (Appendix B):** The Monitoring Plan describes the implementation of Site monitoring and reporting.

3. **Operation and Maintenance Plan:** The Site remedy does not rely on mechanical systems (such as sub-slab depressurization systems, air sparge, soil vapor extraction systems, etc.) to protect public health and the environment. Therefore the operation and maintenance of such components are not included in this SMP and an Operation and Maintenance Plan is not required. *Information regarding the maintenance of the cover system in the event of a cover system breach is discussed in the Excavation Management Plan located in Appendix A, Section 1 of this SMP.*

Table 1 lists the applicable NYSDEC soil cleanup objectives.

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 by the Cleanup Volunteer is a violation of the Environmental Conservation Law (ECL) and the Environmental Easement, which is grounds for revocation of the Certificate of Completion (COC). In instances where an easement holder or tenant other than a Cleanup Volunteer violates the SMP, the penalty is prescribed under the ECL, but the COC will not be revoked.

- Failure to comply with this SMP is also a violation of 6NYCRR Part 375 and the BCA (Index #B7-0655-04-01; Site #C704048) for the site is thereby subject to applicable penalties.

PROJECT DESCRIPTION AND OVERVIEW

Site Description and History

The former Endicott-Johnson Ranger Paracord property originally consisted of an approximate 27 acre parcel located at CFJ Boulevard and Lester Avenue, Johnson City, Broome County, New York. The facility was owned and operated by the Endicott-Johnson shoe manufacturing company beginning in the early 1900s through the at least the 1940s, and was continued to be used for various uses in to the late 1990s (Refer to the Final Engineering Report for a more comprehensive site history).

Stella Ireland Road Associates, LLC purchased the entire Ranger Paracord facility from MHC Inc., ("MHC") in 2004 and conducted investigations and remediation at the northern, approximately 12-acre portion known as the "Gannett parcel" under the Brownfield Cleanup Program (BCP). The Gannett parcel was then sold to Gannett Satellite Information Network, Inc. ("Gannett"), and the parcel has since been redeveloped into a printing press facility for Gannett. The Gannett parcel and an associated utility corridor known as the "NYSEG-Related Areas" were investigated and remediated under a separate Brownfield Cleanup Agreement (BCA) in conjunction with redevelopment. Stella, the Broome County Industrial Development Agency, and Gannett received a Certificate of Completion for the Gannett parcel, with the exception of the "NYSEG-Related Areas" that are located on the Southern Parcel from the NYSDEC on 22 December 2006. Refer to correspondence in Appendix C of the corresponding Final Engineering Report for additional information.

The subject of this SMP is the remaining portion of the Ranger Paracord property known as the "Southern Parcel," which encompasses approximately 15 acres, includes the NYSEG-Related Areas on the southern

portion of the property, and the area that is now Pavilion Road. In addition, this SMP includes two areas on the Gannett Parcel – Gannett Drive and the Gannett Signage Area. These two areas were remediated as part of the Gannett Parcel BCA, and were added to the Southern Parcel BCA as part of the 27 August 2009 modification as they were inadvertently not included as part of the Environmental Easement or COC for the Gannett Parcel. The Southern Parcel, NYSEG-Related Areas on the Southern Parcel, Gannett Drive, and the Gannett Signage Areas are collectively referred to here-in as "the Site." Refer to the attached figures for Site location and limits of the Site.

Environmental conditions at the Site have been characterized during several previous investigations. The reader should refer to the reports listed below for more detail, as needed:

- Supplemental Remedial Investigation Report prepared by Haley & Aldrich of New York, dated July 2007

- Revised Supplemental Remedial Investigation Addendum prepared by Haley & Aldrich of New York, dated January 2008

Remedial Action Summary

Remedial actions took place at the Site in accordance with an NYSDEC-approved Remedial Action Work Plan between 2005 and 2006 and between August 2008 and November 2008, except within the Gannett Drive and Gannett Signage Areas, which were remediated as part of the Gannett Parcel BCA in 2004. In general, the remedial action consisted of site grading, placement of a demarcation layer over historical fill materials, and placement of at least 1 foot of clean cover material over the demarcation layer in the majority of the site except the Northwest Pavilion Area; beneath mature trees (perimeter and areas that extend north into the residential areas) in the Peninsula Area; within the fenced, locked NYSEG substation that is located within the northeast corner of the Site; Pavilion Road (a portion of which is included as part of the Northwest Pavilion Area); Gannett Drive; and the Gannett Signage Area (Figure 1). With the exception of the items noted below, soils that were excavated for grading purposes were reused onsite in other locations below the demarcation layer and were not removed from the site during the remedial action.

The list below includes the main elements of the remedial action:

1. Excavation and/or removal of contaminated materials encountered during the installation of new utilities. The following site media were removed from the site:

    - PCB-impacted soil, oil, concrete, and electrical equipment.
    - Wet sediment and water encountered in a historical storm sewer box culvert.
    - Asphaltic tar material encountered buried in utility excavations.
    - Asbestos-impacted soils and pipe insulation encountered in utility excavations
    - Soils impacted by vehicle fluids from construction equipment spills that occurred during remedial activities.

2. Construction and maintenance of a soil cover system consisting of a demarcation layer (either non-woven geotextile fabric or orange snow fencing), above which is 1 to 8 feet of clean, NYSDEC-approved cover from offsite sources to serve as a contact barrier for human exposure to residually contaminated soil/fill remaining at the site.

Note there is no cover system present in the Northwest Pavilion Area; beneath mature trees (perimeter and areas that extend north into the residential areas) of the Peninsula Area; within the fenced, locked NYSEG substation that is located within the northeastern corner of the Site; or in the Gannett Signage Area. The cover system consists of a pavement section (pavement cover, below which is approximately 1 foot of sub base, below which is a geotextile fabric) in the Gannett Drive and Pavilion Road areas (see figures).

- The Northwest Pavilion Area modification was approved by the NYSDEC following investigation in that area, which demonstrated that the sand/gravel/cobble materials were different from historical fill materials found in other portions of the Site, lack contamination, and meet the applicable soil cleanup objectives for the Site (restricted for Commercial Use, refer to Table 1). The Northwest Pavilion Area also includes the western side of Pavilion Road.
- The Peninsula Area modification was approved by the NYSDEC as it was noted during a pre-remedy site visit that site grading, and placing a demarcation layer and clean fill over the entire Peninsula Area would cause extensive damage to the trees in that area, which are providing privacy to the area residents. In lieu of the cover system, the Peninsula Area is surrounded by a six foot perimeter chain-link fence. This fence must be maintained as part of the Engineering Controls.
- Construction of the NYSEG substation in the northeastern corner of the Site was conducted under the Gannett parcel BCA; the locked fence was approved as a sufficient remedy at that time.
- The Gannett Signage Area was included as part of the Gannett Parcel BCA. Based on historical records and data, industrial activities did not previously occur in that area and contaminants are not present in that area above Commercial SCOs.
- Gannett Drive is covered with a pavement section, which serves as a cover system. Gannett Drive was remediated as part of the Gannett Parcel BCA during an Interim Remedial Measure to remove a historical water main. Historical soil borings indicate that contaminants are not present in this area above Commercial SCOs.
- Pavilion Road is covered with a pavement section, which serves as a cover system. Based on historical records, industrial activities did not previously occur in that area. The western portion of Pavilion Road is included as part of the Northwest Pavilion Area. Remedial investigations were not conducted on the eastern side of Pavilion Road.

3. Execution and recording of an Environmental Easement, which sets forth the conditions and restrictions for the continuing use of the Site, as well as requirements for maintaining the institutional and engineering controls.

4. Development and implementation of a Site Management Plan for long term management of the Site as required by the Environmental Easement, which includes plans for: (1) Institutional and Engineering Controls, (2) Monitoring, (3) Operation and Maintenance and (4) reporting.

For Additional information regarding the Remedial Action, refer to the reports referenced below:

- Remedial Alternatives Analysis and Remedial Action Work Plan prepared by Haley & Aldrich of New York, dated March 2008.
- Final Engineering Report prepared by Haley & Aldrich of New York, dated 22 January 2008.

NATURE AND EXTENT OF CONTAMINATION

Pre-Remedy

Generally, the investigations conducted onsite prior to remedy implementation indicated that the historical site fill that was ubiquitous at the Site at thicknesses of about 0-9 feet was primarily impacted by polyaromatic hydrocarbons (PAHs) and metals, specifically arsenic, lead, and copper (the contaminants of concern). As discussed below, historical site fill is no longer exposed at the surface at the site.

The results of investigations conducted prior to remedy implementation indicated that groundwater was not impacted by the compounds of concern in historical site fill.

The historical fill was not found in the Northwest Pavilion Area located at the northwest corner of the Site (see attached figures and refer to the companion Final Engineering Report for a description of the Northwest Pavilion Area). During investigations and remedial action activities, it was found that the Northwest Pavilion Area is underlain by sand, rock, and gravel that meet the applicable soil cleanup objectives for the Site (restricted for Commercial Use, refer to Table 1).

The nature and extent of impacted historical fill materials was summarized in the Supplemental Remedial Investigation as part the Conceptual Site Model dated 13 July 2007 (included in Appendix D of the July 2007 Supplemental Remedial Investigation Report), and a letter to the NYSDEC from Haley & Aldrich dated 21 May 2008 (included in Appendix C of the Final Engineering Report).

Post-Remedy

The historical fill is currently located beneath a demarcation layer covered by a range of approximately 1 to 8 feet of clean cover material across the majority of the Site; refer to Section 5.1.2 and photographs associated with the corresponding Final Engineering Report and to the figures attached to this SMP.

The demarcation layer required beneath a majority of the site requiring it consists of black non-woven, geotextile fabric. Utilities at the Site were installed above the demarcation layer. Within utility excavations, orange snow fencing was placed at the bottom of the excavations and used as the demarcation layer. As an extra visual indicator, the non-woven geotextile demarcation fabric was also laid along the sides of the upper portion of the trenches.

The composition of the various soil layers present on site following remedial activities is summarized in the bullet lists below:

<u>Main Site:</u>

- **Clean Cover**: Top 1 to 8 feet of soil. Active underground utility lines are present in the layer.
- **Demarcation Layer**: Black geotextile fabric (non-woven, RO-31) or orange fencing (in utility trenches).
- **Historical Site Fill**: Approximately 1 to 8 feet below the demarcation layer. The contaminants of concern that may be found within the site fill are polyaromatic hydrocarbons (PAHs) and metals including, arsenic, copper, and lead.
- **Natural Material:** Pro-glacial lacustrine deposits, sand and silt deposits.

** Note that there is no clean cover or demarcation layer beneath mature trees along the edges of the Peninsula Area, or within the locked, fenced NYSEG substation in the northeastern corner of the Site*

Northwest Pavilion Area (Including the western side of Pavilion Road):

- **Natural Material**: Soil, gravel, sand, and cobbles. Contaminated historical site fill was not encountered in this area. Active underground utility lines are also present in this area.

Eastern side of Pavilion Road:

- **Pavement Section**: Asphalt roadway, below which is approximately 1 foot of sub base, below which is a geotextile fabric.
- **Historical Fill or Natural Material:** Investigations were not conducted in this area; therefore the precise composition and depth of soil horizons is unknown. The soils adjacent to the south of Pavilion Road consist of Natural Material (Northwest Pavilion Area); however there may be historical fill present in the Eastern section of Pavilion Road.

Gannett Drive:

- **Pavement Section**: Asphalt roadway, below which is approximately 1 foot of sub base, below which is a geotextile fabric.
- **Historical Fill or Clean Backfill:** This area was remediated during the removal of the water main during the Gannett Parcel BCA. Contaminants in this area were removed to levels below 6NYCRR Part 375 Commercial Soil Cleanup Objectives (Commercial SCOs).

Gannett Signage Area:

- **Clean Cover:** Top 1 foot of soil.
- **Historical Pavement:** Former asphalt roadway
- **Historical Fill:** A historical soil boring in this area indicates that the historical fill does not contain contaminants of concern above Commercial SCOs.

At the time the SMP was prepared, site documents related to Remedial Investigation and Remedial Action were maintained at the NYSDEC office in Kirkwood, New York.

Please do not hesitate to contact us should you have any questions or require additional information.

Sincerely yours,
HALEY & ALDRICH OF NEW YORK

Claire L. Mondello
Staff Environmental Scientist

Jonathan D. Babcock, P.E.
Senior Engineer

Lisa Turturro
Vice President

Enclosures:

Table I – Applicable NYSDEC Soil Cleanup Objectives
Figures
Appendix A – Engineering & Institutional Controls Plan
Section 1 – Excavation Management Plan
Appendix B – Monitoring Plan
Appendix C – Photographs

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REFERENCES

1. Supplemental Remedial Investigation Work Plan prepared by Haley & Aldrich of New York, dated October 2005.

2. Supplemental Remedial Investigation Report prepared by Haley & Aldrich of New York, dated July 2007

3. Revised Supplemental Remedial Investigation Addendum prepared by Haley & Aldrich of New York, dated January 2008

4. Remedial Alternatives Analysis and Remedial Action Work Plan prepared by Haley & Aldrich of New York, dated March 2008

5. Final Engineering Report prepared by Haley & Aldrich of New York, dated 4 November 2009.

TABLE I - SUMMARY OF APPLICABLE SOIL CLEANUP OBJECTIVES
FORMER ENDICOTT-JOHNSON RANGER PARACORD - SOUTHERN PARCEL
JOHNSON CITY, NEW YORK
FILE NO.: 30603-111

	NYSDEC Soil Cleanup Objectives (Restricted Use)		Eastern United States Background Levels
	Protection of Groundwater (ppm)	Commerical Use (ppm)	
Metals			
Arsenic	16 [2]	16 [2]	3-12
Barium	820	400	15-600
Beryllium	47	590	0-1.75
Cadmium	7.5	9.3	0.1-1
Chromium, hexavalent[1]	19	400	1.5-40
Chromium, trivalent[1]	--	1500	1.5-40
Copper	1720	270	1-50
Total Cyanide[1]	40	27	--
Lead	450	1000	200-500
Manganese	2000 [2]	10000 [3]	50-5000
Total Mercury	0.73	2.8 [4]	0.001-0.2
Nickel	130	10000 [3]	0.5-25
Selenium	4 [2]	1500	0.1-3.9
Silver	8.3	1500	--
Zinc	2480	10000 [3]	9-50
PCBs/Pestacides			
2,3,5-TP Acid (Silvex)	3.8	500 [5]	--
4,4'-DDE	17	62	--
4,4'-DDT	136	47	--
4,4'-DDD	14	92	--
Aldrin	0.19	0.68	--
alpha-BHC	0.02	3.4	--
beta-BHC	0.09	3	--
Chlordane (Alpha)	2.9	24	--
delta-BHC	0.25	500 [5]	--
Dibenzofuran	210	350	--
Dieldrin	0.1	1.4	--
Endosulfan I	102	200 [6]	--
Endosulfan II	102	200 [6]	--
Endosulfan sulfate	1000 [7]	200 [6]	--
Endrin	0.06	89	--
Heptachlor	0.38	15	--
Lindane	0.1	9.2	--
Polychlorinated Biphenyls	3.2	1	--
			--
Semi-Volatile Organic Compounds			--
Acenaphthene	98	500 [5]	--
Acenapthylene	107	500 [5]	--
Anthracene	1000 [7]	500 [5]	--
Benz(a)anthracene	1 [2]	5.6	--
Benzo(a)pyrene	22	1 [2]	--
Benzo(b)fluoranthene	1.7	5.6	--
Benzo(g,h,i)perylene	1000 [7]	500 [5]	--
Benzo(k)fluoranthene	1.7	56	--
Chrysene	1 [2]	56	--
Dibenz(a,h)anthracene	1000 [7]	0.56	--
Fluoranthene	1000 [7]	500 [5]	--
Fluorene	386	500 [5]	--
Indeno(1,2,3-cd)pyrene	8.2	5.6	--
m-Cresol	0.33 [8]	500 [5]	--
Naphthalene	12	500 [5]	--
o-Cresol	0.33 [8]	500 [5]	--
p-Cresol	0.33 [8]	500 [5]	--
Pentachlorophenol	0.8 [8]	6.7	--
Phenanthrene	1000 [7]	500 [5]	--
Phenol	0.33 [8]	500 [5]	--
Pyrene	1000 [7]	500 [5]	--

TABLE I - SUMMARY OF APPLICABLE SOIL CLEANUP OBJECTIVES
FORMER ENDICOTT-JOHNSON RANGER PARACORD - SOUTHERN PARCEL
JOHNSON CITY, NEW YORK
FILE NO.: 30603-111

	NYSDEC Soil Cleanup Objectives (Restricted Use)		Eastern United States Background Levels
	Protection of Groundwater (ppm)	Commerical Use (ppm)	
			--
Volatile Organic Compounds			--
1,1,1-Trichloroethane	0.68	500 [5]	--
1,1-Dichloroethane	0.27	240	--
1,1-Dichloroethene	0.33	500 [5]	--
1,2-Dichlorobenzene	1.1	500 [5]	--
1,2-Dichloroethane	0.02 [2]	30	--
cis-1,2-Dichloroethene	0.25	500 [5]	--
trans-1,2-Dichloroethene	0.19	500 [5]	--
1,3-Dichlorobenzene	2.4	280	--
1,4-Dichlorobenzene	1.8	130	--
1,4-Dioxane	0.1 [8]	130	--
Acetone	0.05	500 [5]	--
Benzene	0.06	44	--
Butylbenzene	12	500 [5]	--
Carbon tetrachloride	0.76	22	--
Chlorobenzene	1.1	500 [5]	--
Chloroform	0.37	350	--
Ethylbenzene	1	390	--
Hexachlorobenzene	3.2	6	--
Methyl ethyl ketone	0.12	500 [5]	--
Methyl tert-butyl ether	0.93	500 [5]	--
Methylene Chloride	0.05	500 [5]	--
n-Propylbenzene	3.9	500 [5]	--
sec-Butylbenzene	11	500 [5]	--
tert-Butylbenzene	5.9	500 [5]	--
Tetrachloroethane	1.3	150	--
Toluene	0.7	500 [5]	--
Trichloroethene	0.47	200	--
1,2,4-Trimethylbenzene	3.6	190	--
1,3,5-Trimethylbenzene	8.4	190	--
Vinyl Chloride	0.02	13	--
Xylene (mixed)	1.6	500 [5]	--

NOTES & ABBREVIATIONS:

-- = No Standard or Value

**The soil cleanup objectives herein are from the 6 NYCRR Part 375-6.8(b) dated 14 December 2006.

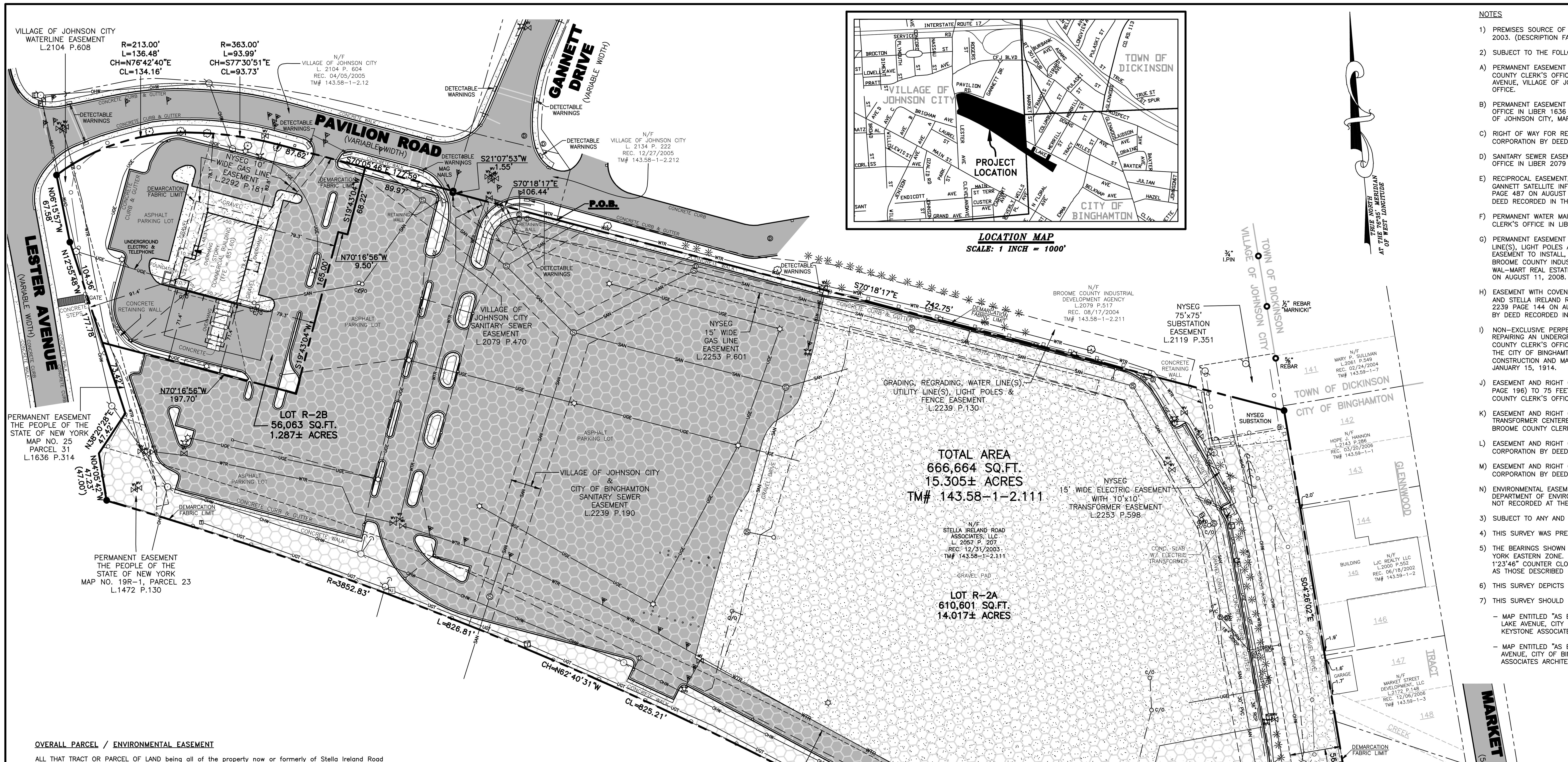
1. The SCO for this specific compound (or family of compounds) is considered to be met if the analysis for the total species of thie contaminant is below the SCO
2. For consituants where the calculated SCO was lower than the rural soil background concentration determined by the Department and Department of Health rural soil survey, the rural soil background concentration is used as the Track 2 SCO value for this use of the site.
3. The SCOs for metals were capped at a maximum value of 10000 ppm.
4. This SCO is the lower of the values for mercury (elemental) or mercury (inorganic salts).
5. The SCOs for commercial use were capped at a maximum value of 500 ppm.
6. This SCO is for the sum of endosulfan I, endosulfan II, and endosulfan sulfate.
7. The ScOs for the protection of groundwater were capped at a maximum value of 1000 ppm.
8. For constituents were the calculated SCO was lower than the contract required quantitation limit (CRQL), the CRQL is used as the SCO value.

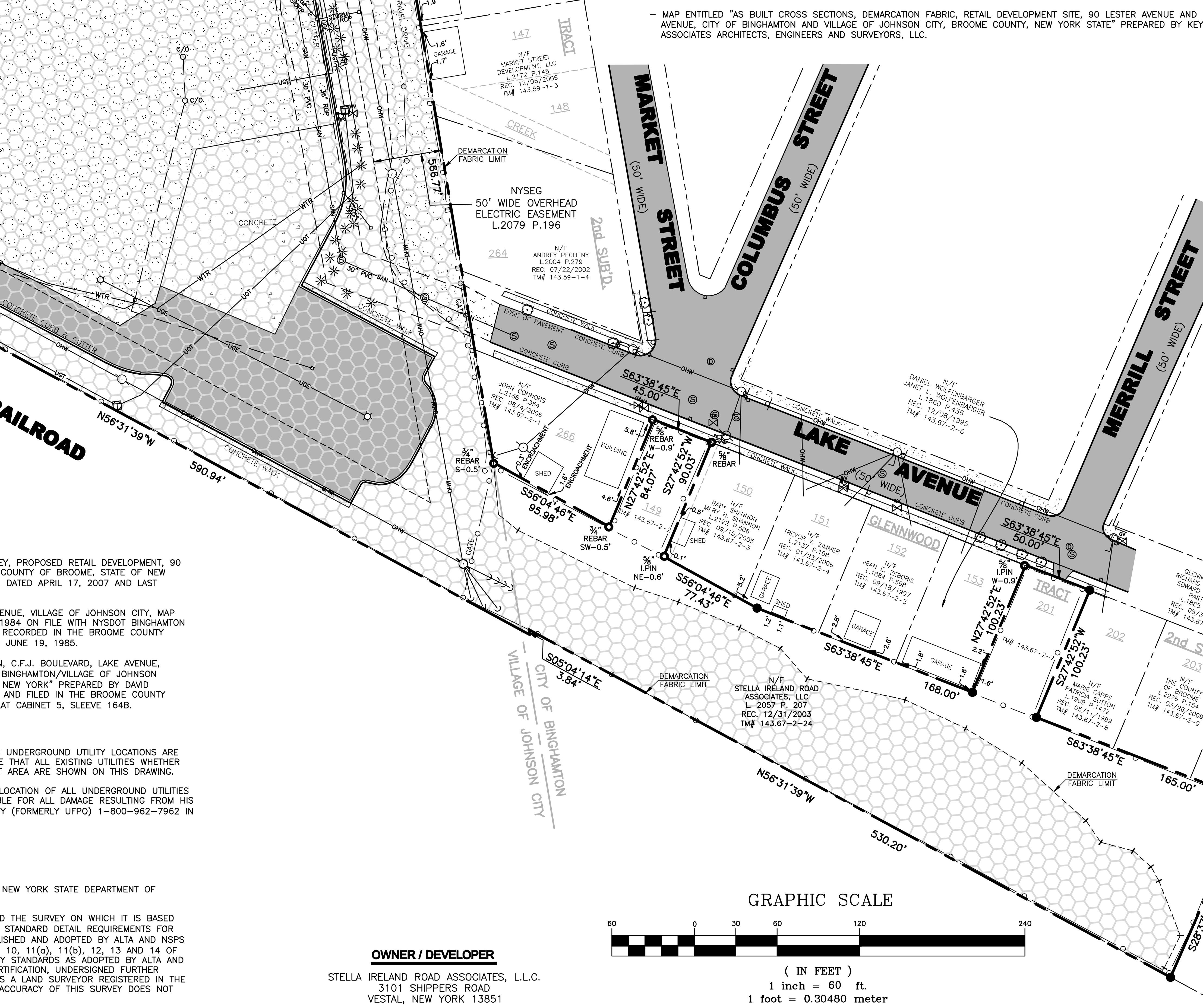
APPLICABILITY:

This table presents the NYSDEC approved applicable Soil Cleanup Objectives to be used for soils above the demarcation layer. The cleanup objectives should be used as follows:

1. **Onsite Soils to be Reused Above the Demarcation Layer:** Must be below the Resticted for Commercial Use Standards
2. **Imported Offsite Fill for Use Above the Demarcation Layer:** Must be below the lower of the Restricted for Commercial Use Standards or Protection of Groundwater Standards.

Refer to the Excavation Management Plan for additional information.





NOTES

1) PREMISES SOURCE OF TITLE BEING LIBER 2057 PAGE 207, RECORDED IN THE BROOME COUNTY CLERK'S OFFICE DECEMBER 31, 2003. (DESCRIPTION FAILS TO CLOSE MATHEMATICALLY BY TWENTY THREE HUNDREDTHS (0.23') OF A FOOT)

2) SUBJECT TO THE FOLLOWING EASEMENTS AND/OR RIGHTS OF WAY:

A) PERMANENT EASEMENT FOR WATER AND STORM LINES PER A NOTICE OF APPROPRIATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 1472 PAGE 130 ON AUGUST 28, 1985 AND SHOWN ON NYSDOT APPROPRIATION MAP FOR LESTER AVENUE, VILLAGE OF JOHNSON CITY, MAP NO. 19R-1 PARCEL NO. 23 DATED JUNE 19, 1985 ON FILE WITH NYSDOT BINGHAMTON OFFICE.

B) PERMANENT EASEMENT FOR A WATER LINE PER A NOTICE OF APPROPRIATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 1636 PAGE 314 ON AUGUST 20, 1987 AND SHOWN ON NYSDOT APPROPRIATION MAP FOR LESTER AVENUE, VILLAGE OF JOHNSON CITY, MAP NO. 25, PARCEL NO. 31 DATED MAY 1, 1987 ON FILE WITH NYSDOT BINGHAMTON OFFICE.

C) RIGHT OF WAY FOR RELOCATION OF AN EXISTING ELECTRIC TRANSMISSION LINE GRANTED TO NEW YORK STATE ELECTRIC & GAS CORPORATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2079 PAGE 196 ON AUGUST 12, 2004.

D) SANITARY SEWER EASEMENT GRANTED TO THE VILLAGE OF JOHNSON CITY BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2079 PAGE 470 ON AUGUST 17, 2004.

E) RECIPROCAL EASEMENT, RESTRICTION AND OPERATION AGREEMENT BY AND BETWEEN STELLA IRELAND ROAD ASSOCIATES, LLC AND GANNETT SATELLITE INFORMATION NETWORK, INC. BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2079 AT PAGE 487 ON AUGUST 17, 2004 WITH FIRST AMENDMENT TO RECIPROCAL EASEMENT RESTRICTION AND OPERATION AGREEMENT BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2239 AT PAGE 180 ON AUGUST 11, 2008.

F) PERMANENT WATER MAIN EASEMENT GRANTED TO THE VILLAGE OF JOHNSON CITY BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2104 PAGE 608 ON APRIL 5, 2005.

G) PERMANENT EASEMENT FOR GRADING, REGRADING, A PERMANENT EASEMENT TO INSTALL, MAINTAIN, USE, REPLACE A WATER/UTILITY LINE(S), LIGHT POLES AND ANY IMPROVEMENTS RELATED TO THE WATER/UTILITY LINE(S) AND LIGHT POLES AND A PERMANENT EASEMENT TO INSTALL, MAINTAIN, USE AND REPLACE A FENCE BETWEEN GANNETT SATELLITE INFORMATION NETWORK, INC., AND BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY (GRANTORS) AND STELLA IRELAND ROAD ASSOCIATES, LLC (GRANTEE), AND WAL-MART REAL ESTATE BUSINESS TRUST BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2239 PAGE 130 ON AUGUST 11, 2008.

H) EASEMENT WITH COVENANTS AND RESTRICTIONS AFFECTING LAND BETWEEN WAL-MART REAL ESTATE BUSINESS TRUST ("WAL-MART") AND STELLA IRELAND ROAD ASSOCIATES, LLC ("DEVELOPER") BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2239 PAGE 144 ON AUGUST 11, 2008 WITH FIRST AMENDMENT TO EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2267 PAGE 401 ON FEBRUARY 6, 2009.

I) NON-EXCLUSIVE PERPETUAL EASEMENT AND RIGHT-OF-WAY THE SOLE PURPOSE OF CONSTRUCTING, MAINTAINING, REPLACING AND REPAIRING AN UNDERGROUND MAIN TRUNK SANITARY SEWER LINE AND UNDERLINE EQUIPMENT BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2239 PAGE 190 ON AUGUST 11, 2008. THIS EASEMENT SUPERSEDES AN EASEMENT GRANTED TO THE CITY OF BINGHAMTON AND VILLAGE OF JOHNSON CITY (FORMERLY VILLAGE OF LESTERSHIRE) FOR SEWER LOCATION, CONSTRUCTION AND MAINTENANCE BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 250 PAGE 73 ON JANUARY 15, 1914.

J) EASEMENT AND RIGHT OF WAY TO INCREASE THE WIDTH OF AN ELECTRIC SUBSTATION FOOTPRINT FROM 65 FEET (PER LIBER 2079 PAGE 196) TO 75 FEET GRANTED TO NEW YORK STATE ELECTRIC & GAS CORPORATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2119 PAGE 351 ON AUGUST 19, 2005.

K) EASEMENT AND RIGHT OF WAY 15 FEET IN WIDTH FOR ELECTRIC UTILITIES AND ALSO A 10 FEET BY 10 FEET SQUARE WITH THE TRANSFORMER CENTERED THEREIN GRANTED TO NEW YORK STATE ELECTRIC & GAS CORPORATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2253 PAGE 598 ON DECEMBER 8, 2008.

L) EASEMENT AND RIGHT OF WAY 15 FEET IN WIDTH FOR A GAS PIPELINE GRANTED TO NEW YORK STATE ELECTRIC & GAS CORPORATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2253 PAGE 601 ON DECEMBER 8, 2008.

M) EASEMENT AND RIGHT OF WAY 10 FEET IN WIDTH FOR A GAS PIPELINE GRANTED TO NEW YORK STATE ELECTRIC & GAS CORPORATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2292 PAGE 181 ON AUGUST 28, 2009.

N) ENVIRONMENTAL EASEMENT ACROSS THE ENTIRE PARCEL SHOWN ON THIS SURVEY MAP TO BE GRANTED TO NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT OF TITLE 36 TO ARTICLE 71 OF THE ENVIRONMENTAL CONSERVATION LAW, NOT RECORDED AT THE TIME THIS SURVEY WAS PERFORMED.

3) SUBJECT TO ANY AND ALL OTHER EASEMENTS OF RECORD AND/OR AS FOUND IN THE FIELD.

4) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE TO THE PROPERTY.

5) THE BEARINGS SHOWN ON THE SURVEY MAP PREPARED BY BERGMANN ASSOCIATES WERE BASED ON HORIZONTAL DATUM NAD83 NEW YORK EASTERN ZONE. THIS SURVEY MAP IS BASED ON HORIZONTAL DATUM NAD83 NEW YORK CENTRAL ZONE. (A SHIFT OF 1°23'46" COUNTER CLOCKWISE FROM EAST TO CENTRAL), NOTWITHSTANDING THIS, THE PREMISES SURVEYED HEREON ARE THE SAME AS THOSE DESCRIBED IN THE RESPECTIVE SOURCE DEEDS NOTED HEREON.

6) THIS SURVEY DEPICTS THE METES & BOUNDS OF THE PARCEL SUBJECT TO THE ENVIRONMENTAL EASEMENT.

7) THIS SURVEY SHOULD BE REVIEWED IN CONJUNCTION WITH THE FOLLOWING TWO MAPS:

- MAP ENTITLED "AS BUILT TOPOGRAPHIC SURVEY, DEMARCATION FABRIC, RETAIL DEVELOPMENT SITE, 90 LESTER AVENUE AND 67½ LAKE AVENUE, CITY OF BINGHAMTON AND VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK STATE" PREPARED BY KEYSTONE ASSOCIATES ARCHITECTS, ENGINEERS AND SURVEYORS, LLC.
- MAP ENTITLED "AS BUILT CROSS SECTIONS, DEMARCATION FABRIC, RETAIL DEVELOPMENT SITE, 90 LESTER AVENUE AND 67½ LAKE AVENUE, CITY OF BINGHAMTON AND VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK STATE" PREPARED BY KEYSTONE ASSOCIATES ARCHITECTS, ENGINEERS AND SURVEYORS, LLC.

OVERALL PARCEL / ENVIRONMENTAL EASEMENT

ALL THAT TRACT OR PARCEL OF LAND being all of the property now or formerly of Stella Ireland Road Associates, LLC as described in Liber 2057 Page 207 as recorded in the Broome County Clerk's Office on December 31, 2003 (TM#143.58-1-2.111, 143.67-2-24, 143.67-2-2 & 143.67-2-7).

BEGINNING at a point at the southeast corner of Pavilion Road at its intersection with the division line between the property now or formerly of the Broome County Industrial Development Agency per L. 2079 P. 517 (TM# 143.58-1-2.211) on the north and the property now or formerly of Stella Ireland Road Associates, LLC per L. 2057 P. 207 (TM# 143.58-1-2.111) on the south;

RUNNING THENCE S70°18'17"E along said division line, a distance of 742.75 feet to a 5/8 inch rebar with cap stamped "KEYSTONE BING NY" (KEYSTONE capped rebar) at its intersection with the division line between the property now or formerly of Hope J. Hannon per L. 2143 P. 286 (TM# 143.59-1-1) on the east and said Stella Ireland Road Associates, LLC on the west; thence S04°26'02"E along the last mentioned division line, along the division line between the property now or formerly of LJC Realty LLC per L. 2000 P. 552 (TM# 143.59-1-2) on the east and said Stella Ireland Road Associates on the west, along the division line between the property now or formerly of Market Street Development, LLC per L. 2172 P. 148 (TM# 143.59-1-3) on the east and said Stella Ireland Road Associates, LLC on the west, along the division line between the property now or formerly of Andrey Pecheny per L. 2004 P. 279 (TM# 143.59-1-4) on the east and said Stella Ireland Road Associates, LLC on the west, along the westerly end of Lake Avenue, and along the division line between the property now or formerly of John Connors per L. 2158 P. 354 (TM# 143.67-2-1) on the east and said Stella Ireland Road Associates, LLC on the west, a distance of 566.77 feet to a point at its intersection with the division line between said Connors on the northeast and said Stella Ireland Associates, LLC on the southwest; thence S56°04'46"E along the last mentioned division line, a distance of 95.98 feet to a point at its intersection with the division line between said Connors on the northwest and said Stella Ireland Associates, LLC on the southeast; thence N27°42'52"E along the last mentioned division line, a distance of 84.07 feet to a point at its intersection with the southwesterly boundary of Lake Avenue; thence S63°38'45"E along said Lake Avenue, a distance of 45.00 feet to a 5/8 inch rebar at its intersection with the division line between the property now or formerly of Baby Shannon & Mary H. Shannon per L. 2122 P. 506 (TM# 143.67-2-3) on the southeast and said Stella Ireland Road Associates, LLC on the northwest; thence S27°42'52"W along the last mentioned division line, a distance of 90.03 feet to a point at its intersection with the division line between said Shannon on the northeast and said Stella Ireland Road Associates, LLC on the southwest; thence S56°04'46"E along the last mentioned division line and along the division line between the property now or formerly of Trevor V. Zimmer per L. 2137 P. 198 (TM# 143.67-2-4) on the northeast and said Stella Ireland Associates, LLC on the southwest, a distance of 77.43 feet to a KEYSTONE capped rebar; thence S63°38'45"E along the last mentioned division line, along the division line between the property now or formerly of Jean E. Zeboris per L. 1884 P. 568 (TM# 143.67-2-5) on the northeast and said Stella Ireland Road Associates, LLC on the southwest, and along the division line between Daniel Wolfenbarger & Janet L. Wolfenbarger per L. 1860 P. 436 (TM# 143.67-2-6) on the northeast and said Stella Ireland Road Associates, LLC on the southwest, a distance of 168.00 feet to a KEYSTONE capped rebar at its intersection with the division line between said Wolfenbarger on the northwest and said Stella Ireland Road Associates, LLC on the southeast; thence N27°42'52"E along the last mentioned division line, a distance of 100.23 feet to a point at its intersection with said southwesterly boundary of Lake Avenue; thence S63°38'45"E along said Lake Avenue, a distance of 50.00 feet to a KEYSTONE capped rebar at its intersection with the division line between the property now or formerly of Marie Capps & Patricia Sutton per L. 1909 P. 1472 (TM# 143.67-2-8) on the southeast and said Stella Ireland Road Associates, LLC on the northwest; thence S27°42'52"W along the last mentioned division line, a distance of 100.23 feet to a KEYSTONE capped rebar at its intersection with the division line between said Capps & Sutton on the northeast and said Stella Ireland Road Associates, LLC on the southwest; thence S63°38'45"E along the last mentioned division line, along the division line between the property now or formerly of The County of Broome per L. 2276 P. 154 (TM# 143.67-2-9) on the northeast and said Stella Ireland Road Associates, LLC on the southwest and along the division line between the property now or formerly of Glenn E. Miller, Richard J. Miller & Edward C. Miller, Partners per L. 1865 P. 994 (TM# 143.67-2-10) on the northeast and said Stella Ireland Road Associates, LLC on the southwest, a distance of 165.00 feet to a KEYSTONE capped rebar at its intersection with the division line between the property now or formerly of Glenn, Edward, & Richard Miller, Partners per L. 1738 P. 139 (TM# 143.67-2-12) on the southeast and said Stella Ireland Road Associates, LLC on the northwest; thence S28°37'15"W along the last mentioned division line, a distance of 140.62 feet to a KEYSTONE capped rebar at its intersection with the northeasterly boundary of the Erie Lackawanna Railroad; thence along said Railroad the following four (4) courses and distances:
1) N56°31'39"W, a distance of 530.20 feet to a point;
2) S05°04'14"E, a distance of 3.84 feet to a point;
3) N56°31'39" W, a distance of 590.94 feet to a point;
4) On a curve to the left having a radius of 3852.83 feet, an arc distance of 826.81 feet to a KEYSTONE capped rebar at its intersection with the easterly boundary of Lester Avenue, said curve being subtended by a chord having a bearing of N62°40'31"W and a length of 825.21 feet; thence along said Lester Avenue the following four (4) courses and distances:
1) N04°05'42"W, a distance of 47.23 feet to a point;
2) N38°20'28"E, a distance of 47.42 feet to a point;
3) N12°55'48"W, a distance of 177.78 feet to a point;
4) N06°15'57"W, a distance of 67.58 feet to a point at its intersection with said southerly boundary of Pavilion Road; thence along said Pavilion Road the following five (5) courses and distances:
1) On a curve to the right having a radius of 213.00 feet, an arc distance of 136.48 feet to a point, the last mentioned curve being subtended by a chord having a bearing of N76°42'40"E and a length of 134.16 feet;
2) On a curve to the right having a radius of 363.00 feet, an arc distance of 93.99 feet to a point, the last mentioned curve being subtended by a chord having a bearing of S77°30'51"E and a length of 93.73 feet;
3) S70°05'46"E, a distance of 177.59 feet to a mag nail;
4) S21°07'53"W, a distance of 1.55 feet to a mag nail;
5) S70°18'17"E, a distance of 106.44 feet to the Point of Beginning.
Containing 666,664 square feet or 15.305 acres, more or less

LEGEND

●	5/8" REBAR SET "KEYSTONE BING NY"
◉	IRON FOUND AND NOTED
⊖	MAG NAIL FOUND
(47.00')	RECORD DISTANCE
N/F	NOW OR FORMERLY
TM#	TAX MAP NUMBER
	UTILITY POLE
	UTILITY POLE WITH LIGHT
	LIGHT POLE
	GUY WIRE
	SIGN
Ⓢ	SANITARY SEWER MANHOLE
C/O	CLEAN OUT
Ⓓ	STORM MANHOLE
□	CATCH BASIN
WV	WATER VALVE
GV	GAS VALVE
OHW	OVERHEAD UTILITIES
UGE	UNDERGROUND ELECTRIC
UGT	UNDERGROUND TELEPHONE
	PROPERTY LINE
	EASEMENT LINE
	SUBDIVISION LOT LINE
WTR	WATER LINE
GAS	GAS LINE
SAN	SANITARY SEWER LINE
STORM	STORM WATER LINE
	GAS LINE MARKER
	WATER LINE MARKER
	CONIFEROUS TREE
	DECIDUOUS TREE
	STOCKADE FENCE
	CHAIN LINK FENCE
T	TELEPHONE PEDESTAL
T	TELEPHONE PULL BOX
U	UNKNOWN UTILITY BOX
E	ELECTRIC METER
∘	BOLLARD
149	SUBDIVISION LOT NUMBER
	DEMARCATION LAYER

REFERENCE DATA

1) MAP ENTITLED "ALTA/ACSM LAND TITLE SURVEY, PROPOSED RETAIL DEVELOPMENT, 90 LESTER AVENUE, VILLAGE OF JOHNSON CITY, COUNTY OF BROOME, STATE OF NEW YORK" PREPARED BY BERGMANN ASSOCIATES, DATED APRIL 17, 2007 AND LAST REVISED ON JULY 25, 2008.

2) NYSDOT APPROPRIATION MAP FOR LESTER AVENUE, VILLAGE OF JOHNSON CITY, MAP NO. 14 PARCEL NO. 16 DATED AUGUST 21, 1984 ON FILE WITH NYSDOT BINGHAMTON OFFICE. NOTICE OF APPROPRIATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 1456 PAGE 48 ON JUNE 19, 1985.

3) MAP ENTITLED "PARACORD PLANT SUBDIVISION, C.F.J. BOULEVARD, LAKE AVENUE, LESTER AVENUE & MARKET STREET, CITY OF BINGHAMTON/VILLAGE OF JOHNSON CITY/TOWN OF DICKINSON, BROOME COUNTY, NEW YORK" PREPARED BY DAVID MARNICKI, PE&LS, DATED FEBRUARY 9, 2004 AND FILED IN THE BROOME COUNTY CLERK'S OFFICE ON AUGUST 11, 2004 IN PLAT CABINET 5, SLEEVE 164B.

THE USER OF THIS MAP IS CAUTIONED THAT THE UNDERGROUND UTILITY LOCATIONS ARE NOT GUARANTEED, NOR IS THERE ANY GUARANTEE THAT ALL EXISTING UTILITIES WHETHER FUNCTIONAL OR ABANDONED WITHIN THE PROJECT AREA ARE SHOWN ON THIS DRAWING.

THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES BEFORE STARTING WORK & SHALL BE RESPONSIBLE FOR ALL DAMAGE RESULTING FROM HIS WORK. CONTRACTOR SHALL NOTIFY DIG SAFELY NY (FORMERLY UFPO) 1-800-962-7962 IN ACCORDANCE WITH 16 NYCRR PART 753.

SURVEYOR'S CERTIFICATION

TO STELLA IRELAND ROAD ASSOCIATES, LLC AND NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS,"JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1, 2, 4, 7(a), 8, 10, 11(a), 11(b), 12, 13 AND 14 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEW YORK, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

OWNER / DEVELOPER

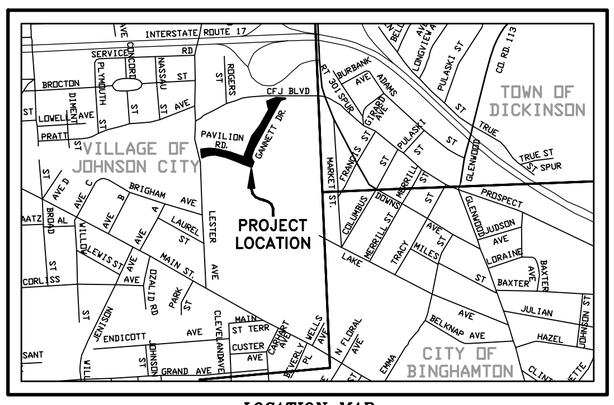
STELLA IRELAND ROAD ASSOCIATES, L.L.C.
3101 SHIPPERS ROAD
VESTAL, NEW YORK 13851

KEYSTONE ASSOCIATES
ARCHITECTS, ENGINEERS AND SURVEYORS, LLC
RODNEY L. CAREY, PLS LIC. NO. 049642

NO.	REVISIONS AND DESCRIPTIONS	DATE:
3	AMENDED TAX MAP NO. 143.58-1-2.111.	10/19/09
2	AMENDED NOTE 2) M & UPDATED DRAWING	9/21/09
1	AMENDED NOTE 5	7/6/09

ALTA/ACSM LAND AND TITLE SURVEY
STELLA IRELAND ROAD ASSOCIATES, LLC
RETAIL DEVELOPMENT
90 LESTER AVENUE AND 67½ LAKE AVENUE
CITY OF BINGHAMTON AND VILLAGE OF JOHNSON CITY — BROOME COUNTY — NEW YORK STATE

SHEET NO. B-1
PROJECT NO. 200.22308.3
DATE OF FIELD WORK: 4/21/09
DATE OF MAP: 7/17/09
CAD FILE NO.: 20022308_3B-1.dwg



LOCATION MAP
SCALE: 1 INCH = 1000'

TRUE NORTH AT THE 75°45' MERIDIAN OF WEST LONGITUDE

P.O.B.
GANNETT DRIVE, GANNETT SIGNAGE PARCEL, ENVIRONMENTAL EASEMENT PARCEL 1 & ENVIRONMENTAL EASEMENT PARCEL 2

GANNETT SIGNAGE PARCEL & ENVIRONMENTAL EASEMENT PARCEL 2
1,853 SQ.FT.
0.043± ACRE
TM# 143.50-1-50

ENVIRONMENTAL EASEMENT PARCEL 1
BEING ALL OF GANNETT DRIVE AND ALL OF PAVILION ROAD
73,734 SQ.FT.
1.693± ACRES
TM# 143.50-1-49
TM# 143.58-1-2.12
TM# 143.58-1-2.212

PAVILION ROAD
A PORTION OF ENVIRONMENTAL EASEMENT PARCEL 1
23,952 SQ.FT.
0.550± ACRE
TM# 143.58-1-2.12

GANNETT DRIVE
A PORTION OF ENVIRONMENTAL EASEMENT PARCEL 1
49,783 SQ.FT.
1.143± ACRES
TM# 143.50-1-49
TM# 143.58-1-2.212

P.O.B. PAVILION ROAD

CFJ BOULEVARD (VARIABLE WIDTH) UNDER CONSTRUCTION (GRAVEL)
EDGE OF PAVEMENT
PERMANENT EASEMENT MAP 644 PARCEL 791
NYSEG EASEMENT L.1156 P.451

N68°04'02"E 94.82'
S87°43'39"E 91.49'
S71°57'42"W 39.03'
S55°35'09"W 17.08'
N13°35'38"W 61.35'
S85°05'37"E 63.70'
N50°07'07"W 101.50'
N23°11'07"W 20.84'
N28°52'53"E 181.09'
N38°24'53"E 130.31'
S28°01'41"W 543.92'
N21°07'53"E 283.96'
N21°07'53"E 222.00'
S19°54'15"W 50.92'
N70°18'17"W 106.44'
N70°05'46"W 177.59'
S71°26'07"E 121.68'
S30°04'27"E 49.48'
N83°43'53"E 84.65'
S80°54'07"E 48.09'
N06°15'57"W 77.58'

R=150.00' L=40.24' CH=S88°35'00"E CL=40.12'
R=825.12' L=136.32' CH=S76°10'08"E CL=136.17'
R=215.00' L=86.31' CH=S16°31'40"W CL=85.73'
R=213.00' L=136.48' CH=S76°42'40"W CL=134.16'
R=363.00' L=93.99' CH=N77°30'51"W CL=93.73'

PAVILION ROAD (VARIABLE WIDTH)
GANNETT DRIVE (VARIABLE WIDTH)
LESTER AVENUE (VARIABLE WIDTH)

N/F BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY L.2079 P.517 REC. 08/17/2004 TM# 143.50-1-50
N/F VILLAGE OF JOHNSON CITY L.1136 P.283 REC. 07/17/1968 TM# 143.50-1-38
N/F BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY L.2079 P.517 REC. 08/17/2004 TM# 143.58-1-2.211
N/F VILLAGE OF JOHNSON CITY L.2096 P.484 REC. 01/19/2005 TM# 143.50-1-49
N/F VILLAGE OF JOHNSON CITY L.2104 P.604 REC. 04/05/2005 TM# 143.58-1-2.12
N/F VILLAGE OF JOHNSON CITY L.2134 P.222 REC. 12/27/2005 TM# 143.58-1-2.212
N/F STELLA IRELAND ROAD ASSOCIATES, LLC L.2057 P.207 REC. 12/31/2003 TM# 143.48-1-2.11

VILLAGE OF JOHNSON CITY 10' STORM WATER EASEMENT L.2079 P.464
TOWN OF DICKINSON SANITARY SEWER EASEMENT L.1183 P.325
CITY OF BINGHAMTON, VILLAGE OF JOHNSON CITY & TOWN OF DICKINSON 12' WIDE STORM SEWER EASEMENT L.463 P.97
VILLAGE OF JOHNSON CITY WATERLINE EASEMENT L.2104 P.608
NYSEG 10' WIDE GAS LINE EASEMENT
VILLAGE OF JOHNSON CITY SANITARY SEWER EASEMENT L.2079 P.470
VILLAGE OF JOHNSON CITY & CITY OF BINGHAMTON SANITARY SEWER EASEMENT L.2239 P.190
NYSEG 15' WIDE GAS LINE EASEMENT L.2253 P.601
GRADING, REGRADING, WATER LINE(S), UTILITY LINE(S), LIGHT POLES & FENCE EASEMENT L.2239 P.130

DETECTABLE WARNINGS
CONCRETE SLAB W/PYLON SIGN
ASPHALT PARKING LOT
CONCRETE RETAINING WALL
CONCRETE STEPS
GATE
UNDERGROUND ELECTRIC & TELEPHONE
OVERHANG STORY COMMERCIAL BUILDING (FFE = 851.60)
FOUNDATION
GRAVEL
LEASE LINE
MAG NAILS
CONCRETE CURB & GUTTER
CONCRETE WALK & CURB
RETAINING WALL
PEED LINE

LEGEND

- ● 5/8" REBAR SET "KEYSTONE BING NY"
- ⊙ IRON FOUND AND NOTED
- ⊖ MAG NAIL FOUND
- N/F NOW OR FORMERLY
- TM# TAX MAP NUMBER
- UTILITY POLE
- UTILITY POLE WITH LIGHT
- LIGHT POLE
- GUY WIRE
- SIGN
- SANITARY SEWER MANHOLE
- C/O CLEAN OUT
- STORM MANHOLE
- CATCH BASIN
- WV WATER VALVE
- GV GAS VALVE
- OHW OVERHEAD UTILITIES
- UGE UNDERGROUND ELECTRIC
- UGT UNDERGROUND TELEPHONE
- PROPERTY LINE
- EASEMENT LINE
- WTR WATER LINE
- GAS GAS LINE
- SAN SANITARY SEWER LINE
- STORM STORM WATER LINE
- GAS LINE MARKER
- WATER LINE MARKER
- CONIFEROUS TREE
- DECIDUOUS TREE
- CHAIN LINK FENCE
- T TELEPHONE PEDESTAL
- TELEPHONE PULL BOX
- U UTILITY BOX
- E ELECTRIC METER
- BOLLARD
- ASPHALT PAVEMENT

ENVIRONMENTAL EASEMENTS
- ENVIRONMENTAL EASEMENT AREA

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.
1 foot = 0.30480 meter

GANNETT DRIVE A PORTION OF ENVIRONMENTAL EASEMENT PARCEL 1
OWNED BY VILLAGE OF JOHNSON CITY

ALL THOSE TRACTS OR PARCELS OF LAND being all of the property now or formerly of the Village of Johnson City as described in Liber 2096 Page 484 as recorded in the Broome County Clerk's Office on January 19, 2005 (TM# 143.50-1-49) and in Liber 2134 Page 222 as recorded in the Broome County Clerk's Office on December 27, 2005 (TM#143.58-1-2.12).

BEGINNING at a point on the southeasterly boundary of CFJ Boulevard at its intersection with the westerly boundary of Gannett Drive;

RUNNING THENCE along said CFJ Boulevard the following two (2) courses and distances:
1) N68°04'02"E, a distance of 94.82 feet to a point;
2) S87°43'39"E, a distance of 91.49 feet to a point at its intersection with the southeasterly boundary of said Gannett Drive;
thence generally southerly along said Gannett Drive the following six (6) courses and distances:
1) S71°57'42"W, a distance of 39.03 feet to a point;
2) S55°35'09"W, a distance of 17.08 feet to a point;
3) S28°01'41"W, a distance of 543.92 feet to a point;
4) On a curve to the left having a radius of 215.00 feet, an arc distance of 86.31 feet to a point, said curve being subtended by a chord having a bearing of S16°31'40"W and a length of 85.73 feet;
5) S30°04'27"E, a distance of 49.48 feet to a point;
6) S19°54'15"W, a distance of 50.92 feet to a point at its intersection with the division line between the property now or formerly of Stella Ireland Road Associates, LLC per Liber 2057 Page 207 (TM# 143.48-1-2.11) on the south and said Village of Johnson City (TM# 143.58-1-2.212) on the north;
thence N70°18'17"W along said division line, a distance of 106.44 feet to a point at its intersection with the easterly boundary of Pavilion Road; thence N21°07'53"E along said Pavilion Road and along the westerly boundary of said Gannett Drive, a distance of 283.96 feet to a point; thence generally northerly along said Gannett Drive the following four (4) courses and distances:
1) N36°24'53"E, a distance of 130.31 feet to a point;
2) N28°52'53"E, a distance of 181.09 feet to a point;
3) N23°11'07"W, a distance of 20.84 feet to a point;
4) N13°35'38"W, a distance of 61.35 feet to the Point of Beginning.

Containing 49,783 square feet or 1.143 acres, more or less.

PAVILION ROAD A PORTION OF ENVIRONMENTAL EASEMENT PARCEL 1
OWNED BY VILLAGE OF JOHNSON CITY

ALL THAT TRACT OR PARCEL OF LAND being a portion of the property now or formerly of the Village of Johnson City as described in Liber 2104 Page 604 as recorded in the Broome County Clerk's Office on April 5, 2005 (TM#143.58-1-2.12).

BEGINNING at a point on the easterly boundary of Lester Avenue at its intersection with the division line between the property now or formerly of the Village of Johnson City per L. 1136 P. 283 (TM# 143.50-1-38) on the north and the property now or formerly of the Village of Johnson City per L. 2104 P. 604 (TM# 143.58-2-2.12) (hereinafter described as Pavilion Road) on the south;

RUNNING THENCE along the northerly boundary of Pavilion Road the following five (5) courses and distances:
1) N83°43'53"E, a distance of 84.65 feet to a point of curvature;
2) On a curve to the right having a radius of 150.00 feet, an arc distance of 40.24 feet to a point of tangency, said curve being subtended by a chord having a bearing of S88°35'00"E and a length of 40.12 feet;
3) S80°54'07"E, a distance of 48.09 feet to a point of curvature;
4) On a curve to the right having a radius of 825.12 feet, an arc distance of 136.32 feet to a point of tangency, the last mentioned curve being subtended by a chord having a bearing of S76°10'08"E and a length of 136.17 feet;
5) S71°26'07"E, a distance of 121.68 feet to a point; thence S21°07'53"W, a distance of 60.41 feet to a mag nail found;
thence along the southerly boundary of said Pavilion Road the following three (3) courses and distances:
1) N70°05'46"W, a distance of 177.59 feet to a point of curvature;
2) On a curve to the left having a radius of 363.00 feet, an arc distance of 93.99 feet to a point of compound curvature, the last mentioned curve being subtended by a chord having a bearing of N77°30'51"W and a length of 93.73 feet;
3) On a curve to the left having a radius of 213.00 feet, an arc distance of 136.48 feet to a point at its intersection with said easterly boundary of Lester Avenue, the last mentioned curve being subtended by a chord having a bearing of S76°42'40"W and a length of 134.16 feet;
thence N06°15'57"W along said Lester Avenue, a distance of 77.58 feet to Point of Beginning.

Containing 23,952 square feet or 0.550 acre, more or less.

GANNETT SIGNAGE PARCEL – ENVIRONMENTAL EASEMENT PARCEL 2
OWNED BY BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY

ALL THAT TRACT OR PARCEL OF LAND being a portion of the property now or formerly of Broome County Industrial Development Agency as described in Liber 2079 Page 517 as recorded in the Broome County Clerk's Office on August 17, 2004 (TM#143.50-1-50).

BEGINNING at a point on the southerly boundary of CFJ Boulevard at its intersection with the division line between the property now or formerly of the Broome County Industrial Development Agency per L. 2079 P. 517 (TM# 143.50-1-50) on the west and the property now or formerly of the Village of Johnson City per L. 2096 P. 484 (TM# 143.50-1-49) on the east (also being the westerly boundary of Gannett Drive);

RUNNING THENCE S13°35'38"E along said division line, a distance of 61.35 feet to a point at its intersection with the division line between the property now or formerly of the Village of Johnson City per L. 1136 P. 283 (TM# 143.50-1-38) on the southwest and said Broome County Industrial Development Agency on the northeast; thence N50°07'07"W along the last mentioned division line, a distance of 101.50 feet to a point at its intersection with said southerly boundary of CFJ Boulevard; thence S85°05'37"E along said southerly boundary, a distance of 63.70 feet to the Point of Beginning.

Containing 1,853 square feet or 0.043 acre, more or less.

ENVIRONMENTAL EASEMENT PARCEL 1
OWNED BY VILLAGE OF JOHNSON CITY BEING ALL OF GANNETT DRIVE AND ALL OF PAVILION ROAD

ALL THOSE TRACTS OR PARCELS OF LAND being all of the property now or formerly of the Village of Johnson City as described in Liber 2096 Page 484 as recorded in the Broome County Clerk's Office on January 19, 2005 (TM# 143.50-1-49), Liber 2134 Page 222 as recorded in the Broome County Clerk's Office on December 27, 2005 (TM#143.58-1-2.212) and in Liber 2104 Page 604 as recorded in the Broome County Clerk's Office on April 5, 2005 (TM#143.58-1-2.12).

BEGINNING at a point on the southeasterly boundary of CFJ Boulevard at its intersection with the westerly boundary of Gannett Drive;

RUNNING THENCE along said CFJ Boulevard the following two (2) courses and distances:
1) N68°04'02"E, a distance of 94.82 feet to a point;
2) S87°43'39"E, a distance of 91.49 feet to a point at its intersection with the southeasterly boundary of said Gannett Drive;
thence generally southerly along said Gannett Drive the following six (6) courses and distances:
1) S71°57'42"W, a distance of 39.03 feet to a point;
2) S55°35'09"W, a distance of 17.08 feet to a point;
3) S28°01'41"W, a distance of 543.92 feet to a point;
4) On a curve to the left having a radius of 215.00 feet, an arc distance of 86.31 feet to a point, said curve being subtended by a chord having a bearing of S16°31'40"W and a length of 85.73 feet;
5) S30°04'27"E, a distance of 49.48 feet to a point;
6) S19°54'15"W, a distance of 50.92 feet to a point at its intersection with the division line between the property now or formerly of Stella Ireland Road Associates, LLC per Liber 2057 Page 207 (TM# 143.48-1-2.11) on the south and said Village of Johnson City (TM# 143.58-1-2.212) on the north;
thence along said division line the following two (2) courses and distances:
1) N70°18'17"W, a distance of 106.44 feet to a MAG NAIL FOUND;
2) N21°07'53"E, a distance of 1.55 feet to a MAG NAIL FOUND at its intersection with the southeasterly corner of Pavilion Road;
thence along the southerly boundary of said Pavilion Road the following three (3) courses and distances:
1) N70°05'46"W, a distance of 177.59 feet to a point of curvature;
2) On a curve to the left having a radius of 363.00 feet, an arc distance of 93.99 feet to a point of compound curvature, the last mentioned curve being subtended by a chord having a bearing of N77°30'51"W and a length of 93.73 feet;
3) On a curve to the left having a radius of 213.00 feet, an arc distance of 136.48 feet to a point at its intersection with the easterly boundary of Lester Avenue, the last mentioned curve being subtended by a chord having a bearing of S76°42'40"W and a length of 134.16 feet;
thence N06°15'57"W along said Lester Avenue, a distance of 77.58 feet to point at its intersection with the northerly boundary of said Pavilion Road; thence along the northerly boundary of said Pavilion Road the following five (5) courses and distances:
1) N83°43'53"E, a distance of 84.65 feet to a point of curvature;
2) On a curve to the right having a radius of 150.00 feet, an arc distance of 40.24 feet to a point of tangency, said curve being subtended by a chord having a bearing of S88°35'00"E and a length of 40.12 feet;
3) S80°54'07"E, a distance of 48.09 feet to a point of curvature;
4) On a curve to the right having a radius of 825.12 feet, an arc distance of 136.32 feet to a point of tangency, the last mentioned curve being subtended by a chord having a bearing of S76°10'08"E and a length of 136.17 feet;
5) S71°26'07"E, a distance of 121.68 feet to a point at its intersection with said westerly boundary of Gannett Drive;
thence generally northerly along said Gannett Drive the following five (5) courses and distances:
1) N21°07'53"E, a distance of 222.00 feet to a point;
2) N36°24'53"E, a distance of 130.31 feet to a point;
3) N28°52'53"E, a distance of 181.09 feet to a point;
4) N23°11'07"W, a distance of 20.84 feet to a point;
5) N13°35'38"W, a distance of 61.35 feet to the Point of Beginning.

Containing 73,734 square feet or 1.693 acres, more or less.

NOTES

1) PREMISES SOURCES OF TITLE BEING:

A) LIBER 2096 PAGE 484, RECORDED IN THE BROOME COUNTY CLERK'S OFFICE ON JANUARY 19, 2005 AND SHOWN ON THIS SURVEY MAP AS GANNETT DRIVE (NORTHERLY PORTION).

B) A PORTION OF THE LANDS DESCRIBED IN LIBER 2104 PAGE 604, RECORDED IN THE BROOME COUNTY CLERK'S OFFICE ON APRIL 5, 2005 AND SHOWN ON THIS SURVEY MAP AS PAVILION ROAD. SAID DEED INCLUDED THAT PORTION OF GANNETT DRIVE AS SHOWN ON THIS SURVEY MAP AS GANNETT DRIVE (SOUTHERLY PORTION) IN WHICH THE GRANTOR NO LONGER HAD TITLE TO.

C) LIBER 2134 PAGE 222 RECORDED IN THE BROOME COUNTY CLERK'S OFFICE ON DECEMBER 27, 2005 AND SHOWN ON THIS SURVEY MAP AS GANNETT DRIVE (SOUTHERLY PORTION).

D) LIBER 2079 PAGE 517, RECORDED IN THE BROOME COUNTY CLERK'S OFFICE ON AUGUST 17, 2004 AND SHOWN ON THIS SURVEY MAP AS GANNETT SIGNAGE PARCEL.

2) SUBJECT TO THE FOLLOWING EASEMENTS AND/OR RIGHTS OF WAY:

A) EASEMENT AND RIGHT OF WAY GRANTED TO THE CITY OF BINGHAMTON, VILLAGE OF JOHNSON CITY AND THE TOWN BOARD OF THE TOWN OF DICKINSON, BROOME COUNTY, NEW YORK, ACTING FOR AND ON BEHALF OF SEWER DISTRICT NO. 1 OF THE TOWN OF DICKINSON, BROOME COUNTY, NEW YORK, OTHERWISE KNOWN AS STELLA SEWER DISTRICT BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 463 PAGE 97 ON JULY 16, 1936.

B) EASEMENT AND RIGHT OF WAY ADJACENT TO THE SOUTHERLY BOUNDARY OF CFJ BLVD. GRANTED TO NEW YORK STATE ELECTRIC & GAS CORPORATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 1156 PAGE 451 ON FEBRUARY 2, 1970 AND SHOWN ON MAP D9552.

C) SANITARY SEWER EASEMENT GRANTED TO THE TOWN OF DICKINSON, ACTING IN BEHALF OF SEWER DISTRICT NO. 5, BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 1183 PAGE 325 ON MARCH 13, 1972.

D) RECIPROCAL EASEMENT, RESTRICTION AND OPERATION AGREEMENT BY AND BETWEEN STELLA IRELAND ROAD ASSOCIATES, LLC AND GANNETT SATELLITE INFORMATION NETWORK, INC. BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2079 AT PAGE 487 ON AUGUST 17, 2004 WITH FIRST AMENDMENT TO RECIPROCAL EASEMENT RESTRICTION AND OPERATION AGREEMENT BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2239 AT PAGE 180 ON AUGUST 11, 2008.

E) 10 FOOT STORM WATER EASEMENT TO THE VILLAGE OF JOHNSON CITY BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 2079 AT PAGE 464 ON AUGUST 17, 2004.

F) ENVIRONMENTAL EASEMENTS AS SHOWN ON THIS SURVEY MAP AS THE CROSS-HATCHED AREA, TO BE GRANTED TO NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT OF TITLE 36 TO ARTICLE 71 OF THE ENVIRONMENTAL CONSERVATION LAW, WERE NOT RECORDED AT THE TIME THIS SURVEY WAS PREFORMED.

3) SUBJECT TO ANY AND ALL OTHER EASEMENTS OF RECORD AND/OR AS FOUND IN THE FIELD.

4) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE TO THE PROPERTY.

5) UNLESS OTHERWISE NOTED THE WATERLINES, STORM SEWER LINES, SANITARY SEWER LINES, ELECTRIC LINES FOR STREET LIGHTING AND LIGHT POLES THAT LIE WITHIN THE BOUNDS OF PAVILION ROAD AND GANNETT DRIVE ARE OWNED BY THE VILLAGE OF JOHNSON CITY.

6) SUB-SURFACE UTILITIES PLACED ON THIS DRAWING ARE FROM PLANS PREPARED BY BERGMANN ASSOCIATES.

7) THE BEARINGS SHOWN ON THE SURVEY MAP PREPARED BY BERGMANN ASSOCIATES WERE BASED ON HORIZONTAL DATUM NAD83 NEW YORK EASTERN ZONE. THIS SURVEY MAP IS BASED ON HORIZONTAL DATUM NAD83 NEW YORK CENTRAL ZONE. (A SHIFT OF 1°23'46" COUNTER CLOCKWISE FROM EAST TO CENTRAL), NOTWITHSTANDING THIS, THE PREMISES SURVEYED HEREON ARE THE SAME AS THOSE DESCRIBED IN THE RESPECTIVE SOURCE DEEDS NOTED HEREON.

REFERENCE DATA

1) NYSDOT APPROPRIATION MAP FOR BINGHAMTON-JOHNSON CITY STATE HIGHWAY, BROOME COUNTY, MAP NO. 617 PARCEL NOS. 747, 748, 749 & 750 AND MAP 644 PARCEL 791 (L.1142 P.845) ON FILE WITH NYSDOT AT THE BINGHAMTON OFFICE.

2) MAP ENTITLED "ALTA/ACSM LAND TITLE SURVEY, PROPOSED RETAIL DEVELOPMENT, 90 LESTER AVENUE, VILLAGE OF JOHNSON CITY, COUNTY OF BROOME, STATE OF NEW YORK" PREPARED BY BERGMANN ASSOCIATES, DATED APRIL 17, 2007 AND LAST REVISED ON JULY 25, 2008.

3) NYSDOT APPROPRIATION MAP FOR LESTER AVENUE, VILLAGE OF JOHNSON CITY, MAP NO. 14 PARCEL NO. 16 DATED AUGUST 21, 1984 ON FILE WITH NYSDOT BINGHAMTON OFFICE. NOTICE OF APPROPRIATION BY DEED RECORDED IN THE BROOME COUNTY CLERK'S OFFICE IN LIBER 1456 PAGE 48 ON JUNE 19, 1985.

4) MAP ENTITLED "PARACORD PLANT SUBDIVISION, C.F.J. BOULEVARD, LAKE AVENUE, LESTER AVENUE & MARKET STREET, CITY OF BINGHAMTON/VILLAGE OF JOHNSON CITY/TOWN OF DICKINSON, BROOME COUNTY, NEW YORK" PREPARED BY DAVID MARNICKI, PE&LS, DATED FEBRUARY 9, 2004 AND FILED IN THE BROOME COUNTY CLERK'S OFFICE ON AUGUST 11, 2004 IN PLAT CABINET 5, SLEEVE 164B.

5) MAP ENTITLED "ALTA/ACSM LAND AND TITLE SURVEY, STELLA IRELAND ROAD ASSOCIATES, LLC, RETAIL DEVELOPMENT, 90 LESTER AVENUE AND 67½ LAKE AVENUE, CITY OF BINGHAMTON AND VILLAGE OF JOHNSON CITY" PREPARED BY KEYSTONE ASSOCIATES ARCHITECTS, ENGINEERS AND SURVEYORS, LLC, DATED JUNE 26, 2009 AND LAST REVISED ON JULY 6, 2009.

SURVEYOR'S CERTIFICATION

TO STELLA IRELAND ROAD ASSOCIATES, LLC, GANNETT SATELLITE INFORMATION NETWORK, INC., VILLAGE OF JOHNSON CITY, AND NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS,"JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 2, 4, 8, 10, 11(a), 11(b), 12, 13 AND 14 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEW YORK, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

THE USER OF THIS MAP IS CAUTIONED THAT THE UNDERGROUND UTILITY LOCATIONS ARE NOT GUARANTEED, NOR IS THERE ANY GUARANTEE THAT ALL EXISTING UTILITIES WHETHER FUNCTIONAL OR ABANDONED WITHIN THE PROJECT AREA ARE SHOWN ON THIS DRAWING.

THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES BEFORE STARTING WORK & SHALL BE RESPONSIBLE FOR ALL DAMAGE RESULTING FROM HIS WORK. CONTRACTOR SHALL NOTIFY DIG SAFELY NY (FORMERLY UFPO) 1-800-962-7962 IN ACCORDANCE WITH 16 NYCRR PART 753.

CAD FILE NO.: 20022308_4B-2.dwg
DATE OF MAP: 7/17/09
DATE OF FIELD WORK: 6/22/09
PROJECT NO. **200.22308.4**
SHEET NO. **B-2**

ALTA/ACSM LAND AND TITLE SURVEY OF PAVILION ROAD AND GANNETT DRIVE

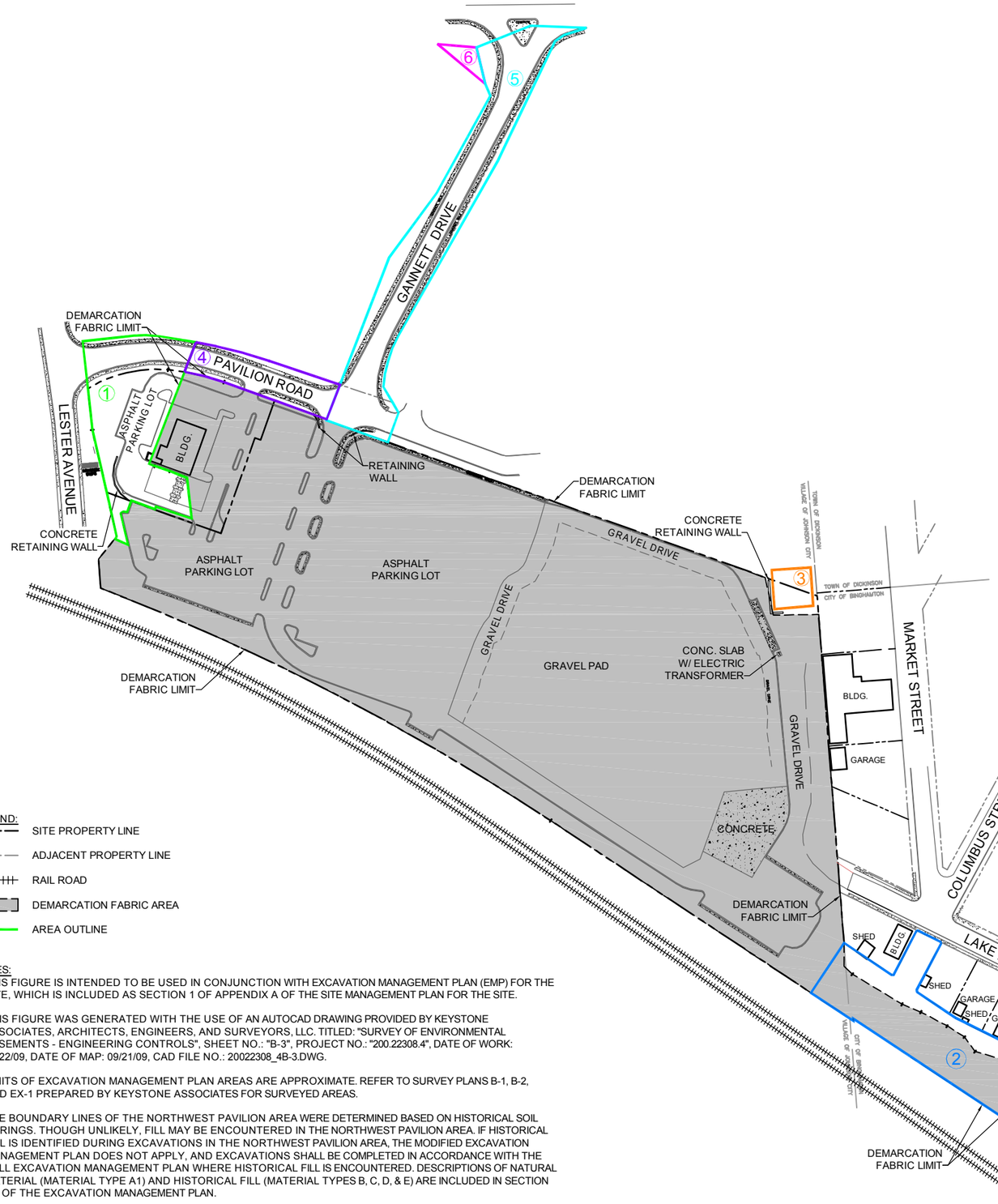
VILLAGE OF JOHNSON CITY BROOME COUNTY NEW YORK STATE

NO.	REVISIONS AND DESCRIPTIONS	DATE:
4	REVISED ENVIRONMENTAL PARCELS & DESCRIPTIONS	9/18/09
3	REVISED ENVIRONMENTAL PARCEL & DESCRIPTION	9/10/09
2	COMBINED GANNETT DRIVE INTO ONE PARCEL/REVISED GANNETT DRIVE DESCRIPTION	8/25/09
1	REVISIONS TO CERTIFICATION, REFERENCE DATA AND NOTES	7/24/09

RODNEY L. CAREY, PLS LIC. NO. 049642

KEYSTONE ASSOCIATES
ARCHITECTS, ENGINEERS AND SURVEYORS, LLC
22-24A State Street
Fourth Floor
Binghamton, New York 13901
Phone: 607.722.1100
Fax: 607.722.2515
Email: info@keystoneassociates.com
www.keystoneassociates.com

P:\Projects\2009\[2009]200_22308\200_22308_4\Civil\Land Projects\200.22308.4\dwg\20022308_4B-2.dwg, ALTA SURVEY-B2, 10/23/2009 12:09:03 PM, bstile.j



LEGEND:

- SITE PROPERTY LINE
- ADJACENT PROPERTY LINE
- RAIL ROAD
- DEMARCATION FABRIC AREA
- AREA OUTLINE

NOTES:

1. THIS FIGURE IS INTENDED TO BE USED IN CONJUNCTION WITH EXCAVATION MANAGEMENT PLAN (EMP) FOR THE SITE, WHICH IS INCLUDED AS SECTION 1 OF APPENDIX A OF THE SITE MANAGEMENT PLAN FOR THE SITE.
2. THIS FIGURE WAS GENERATED WITH THE USE OF AN AUTOCAD DRAWING PROVIDED BY KEYSTONE ASSOCIATES, ARCHITECTS, ENGINEERS, AND SURVEYORS, LLC. TITLED: "SURVEY OF ENVIRONMENTAL EASEMENTS - ENGINEERING CONTROLS", SHEET NO.: "B-3", PROJECT NO.: "200.22308.4", DATE OF WORK: 06/22/09, DATE OF MAP: 09/21/09, CAD FILE NO.: 20022308_4B-3.DWG.
3. LIMITS OF EXCAVATION MANAGEMENT PLAN AREAS ARE APPROXIMATE. REFER TO SURVEY PLANS B-1, B-2, AND EX-1 PREPARED BY KEYSTONE ASSOCIATES FOR SURVEYED AREAS.
4. THE BOUNDARY LINES OF THE NORTHWEST PAVILION AREA WERE DETERMINED BASED ON HISTORICAL SOIL BORINGS. THOUGH UNLIKELY, FILL MAY BE ENCOUNTERED IN THE NORTHWEST PAVILION AREA. IF HISTORICAL FILL IS IDENTIFIED DURING EXCAVATIONS IN THE NORTHWEST PAVILION AREA, THE MODIFIED EXCAVATION MANAGEMENT PLAN DOES NOT APPLY, AND EXCAVATIONS SHALL BE COMPLETED IN ACCORDANCE WITH THE FULL EXCAVATION MANAGEMENT PLAN WHERE HISTORICAL FILL IS ENCOUNTERED. DESCRIPTIONS OF NATURAL MATERIAL (MATERIAL TYPE A1) AND HISTORICAL FILL (MATERIAL TYPES B, C, D, & E) ARE INCLUDED IN SECTION 4.1 OF THE EXCAVATION MANAGEMENT PLAN.

AREA	NAME	APPLICABLE EMP SECTIONS	DEMARCATION REQUIRED
1	NORTHWEST PAVILION AREA	SECTION 6, ONLY	- NONE REQUIRED - NOTE THAT A DEMARCATION LAYER CURRENTLY EXIST IN THE FORM OF A PAVEMENT SECTION ON PAVILION ROAD IN THIS AREA, THOUGH NONE IS REQUIRED IN ACCORDANCE WITH THE SITE MANAGEMENT PLAN (SMP) OR EMP.
2	PENINSULA AREA	ALL SECTIONS EXCEPT SECTION 8	- EXISTING DEMARCATION LAYER SHOULD BE REPLACED IF BREACHED. - DEMARCATION LAYER NOT REQUIRED EXCEPT WHERE IT IS ALREADY EXISTING (AS SHOWN). - AREA MUST REMAIN RESTRICTED BY A LOCKED FENCE AT ALL TIMES.
3	NYSEG SUBSTATION	ALL SECTIONS EXCEPT SECTION 8	- DEMARCATION LAYER NOT REQUIRED. - AREA MUST REMAIN RESTRICTED BY A LOCKED FENCE AT ALL TIMES.
4	EASTERN SIDE OF PAVILION ROAD	ALL SECTIONS	- DEMARCATION LAYER IS REQUIRED, WHICH CURRENTLY CONSISTS OF A PAVEMENT SECTION. - IF PAVEMENT SECTION IS REMOVED IN THE FUTURE, IT IS REQUIRED TO BE REPLACED BY ANOTHER PAVEMENT SECTION OR OTHER NYSDEC-APPROVED DEMARCATION LAYER.
5	GANNETT DRIVE	SECTION 6 AND SECTION 8, ONLY	- DEMARCATION LAYER IS REQUIRED, WHICH CURRENTLY CONSISTS OF A PAVEMENT SECTION. - IF PAVEMENT SECTION IS REMOVED IN THE FUTURE, IT IS REQUIRED TO BE REPLACED BY ANOTHER PAVEMENT SECTION OR OTHER NYSDEC-APPROVED DEMARCATION LAYER.
6	GANNETT SIGNAGE AREA	SECTION 6 AND SECTION 8, ONLY	- DEMARCATION LAYER IS REQUIRED, WHICH CURRENTLY CONSISTS OF HISTORICAL PAVEMENT LAYER ABOVE WHICH IS 1-FOOT OF CLEAN FILL. - IF EXISTING DEMARCATION LAYER IS REMOVED IN THE FUTURE, IT IS REQUIRED TO BE REPLACED BY ANOTHER NYSDEC-APPROVED DEMARCATION LAYER.
ALL OTHER AREAS	MAIN SITE	ALL SECTIONS	- EXISTING DEMARCATION LAYER SHOULD BE REPLACED IF BREACHED.

N
W E
S

0 200 400
SCALE IN FEET

HALEY & ALDRICH

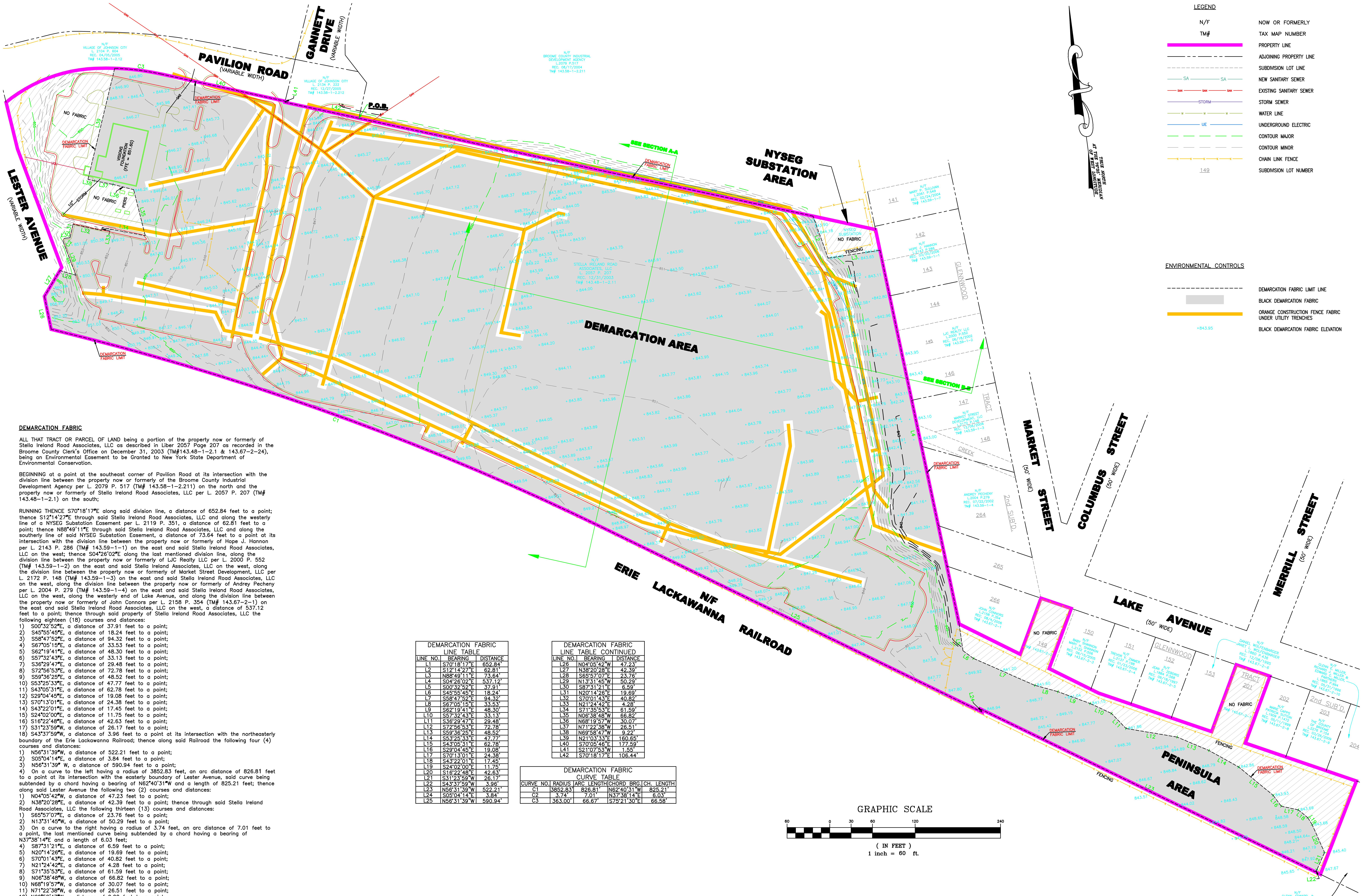
FORMER ENDICOTT-JOHNSON RANGER PARACORD SITE
SOUTHERN PARCEL
JOHNSON CITY, NEW YORK

EXCAVATION MANAGEMENT PLAN (EMP) AREAS

SCALE: AS SHOWN
OCTOBER 2009

FIGURE 1

G:\30603\111\CAD\DRAWINGS\30603-SITE_PLAN.DWG



PAVILION ROAD
(VARIABLE WIDTH)
GANNETT DRIVE
(VARIABLE WIDTH)
LESTER AVENUE
(VARIABLE WIDTH)
N/F
VILLAGE OF JOHNSON CITY
L. 2104 P. 604
REC. 04/05/2005
TM# 143.58-1-2.12
N/F
VILLAGE OF JOHNSON CITY
L. 2134 P. 222
REC. 12/27/2005
TM# 143.58-1-2.212
N/F
BROOME COUNTY INDUSTRIAL
DEVELOPMENT AGENCY
L.2079 P.517
REC. 08/17/2004
TM# 143.58-1-2.211
P.O.B.
NO FABRIC
DEMARCATION FABRIC LIMIT
VISIONS FOUNDATION (FFE = 851.60)
PIERS
10" STORM
SEE SECTION A-A
SEE SECTION B-B
NYSEG SUBSTATION AREA
NYSEG SUBSTATION
FENCING
N/F
STELLA IRELAND ROAD ASSOCIATES, LLC
L. 2057 P. 207
REC. 12/31/2003
TM# 143.48-1-2.11
DEMARCATION AREA
ERIE N/F LACKAWANNA RAILROAD
PENINSULA AREA
N/F
MARY P. SULLIVAN
L.2061 P.549
REC. 02/24/2004
TM# 143.59-1-7
N/F
HOPE J. HANNON
L.2143 P.286
REC. 03/20/2006
TM# 143.59-1-1
N/F
LJC REALTY LLC
L.2000 P.552
REC. 06/18/2002
TM# 143.59-1-2
N/F
MARKET STREET DEVELOPMENT, LLC
L.2172 P.148
REC. 12/06/2006
TM# 143.59-1-3
N/F
ANDREY PECHENY
L.2004 P.279
REC. 07/22/2002
TM# 143.59-1-4
N/F
JOHN CONNORS
L.2158 P.354
REC. 08/4/2006
TM# 143.67-2-1
GLENNWOOD TRACT
CREEK
2nd SUB'D.
MARKET STREET
(50' WIDE)
COLUMBUS STREET
(50' WIDE)
MERRILL STREET
(50' WIDE)
LAKE AVENUE
(50' WIDE)
N/F
BABY SHANNON
MARY H. SHANNON
L.2122 P.506
REC. 09/15/2005
TM# 143.67-2-3
N/F
TREVOR V. ZIMMER
L.2137 P.198
REC. 01/23/2006
TM# 143.67-2-4
N/F
JEAN E. ZEBORIS
L.1884 P.568
REC. 09/18/1997
TM# 143.67-2-5
N/F
DANIEL WOLFENBARGER
JANET L. WOLFENBARGER
L.1860 P.436
REC. 12/08/1995
TM# 143.67-2-6
N/F
MARIE CAPPS
PATRICIA SUTTON
L.1909 P.1472
REC. 05/11/1999
TM# 143.67-2-8
N/F
THE COUNTY OF BROOME
L.2276 P.154
REC. 03/26/2009
TM# 143.67-2-9
N/F
GLENN E. MILLER,
RICHARD J. MILLER &
EDWARD C. MILLER,
PARTNERS
L.1865 P.994
REC. 05/31/1996
TM# 143.67-2-10
N/F
GLENN, EDWARD, &
RICHARD MILLER, PARTNERS
L.1738 P.139
REC. 12/08/1988
TM# 143.67-2-12
TRUE NORTH
AT THE 76°35' MERIDIAN
OF WEST LONGITUDE

LEGEND

N/F	NOW OR FORMERLY
TM#	TAX MAP NUMBER
(magenta line)	PROPERTY LINE
(dash-dot line)	ADJOINING PROPERTY LINE
(dashed grey line)	SUBDIVISION LOT LINE
SA	NEW SANITARY SEWER
SAN	EXISTING SANITARY SEWER
STORM	STORM SEWER
W	WATER LINE
UE	UNDERGROUND ELECTRIC
(green dashed line)	CONTOUR MAJOR
(grey dashed line)	CONTOUR MINOR
(x line)	CHAIN LINK FENCE
149	SUBDIVISION LOT NUMBER

ENVIRONMENTAL CONTROLS

(dashed line)	DEMARCATION FABRIC LIMIT LINE
(grey fill)	BLACK DEMARCATION FABRIC
(orange line)	ORANGE CONSTRUCTION FENCE FABRIC UNDER UTILITY TRENCHES
+843.95	BLACK DEMARCATION FABRIC ELEVATION

DEMARCATION FABRIC

ALL THAT TRACT OR PARCEL OF LAND being a portion of the property now or formerly of Stella Ireland Road Associates, LLC as described in Liber 2057 Page 207 as recorded in the Broome County Clerk's Office on December 31, 2003 (TM#143.48-1-2.1 & 143.67-2-24), being an Environmental Easement to be Granted to New York State Department of Environmental Conservation.

BEGINNING at a point at the southeast corner of Pavilion Road at its intersection with the division line between the property now or formerly of the Broome County Industrial Development Agency per L. 2079 P. 517 (TM# 143.58-1-2.211) on the north and the property now or formerly of Stella Ireland Road Associates, LLC per L. 2057 P. 207 (TM# 143.48-1-2.1) on the south;

RUNNING THENCE S70°18'17"E along said division line, a distance of 652.84 feet to a point; thence S12°14'27"E through said Stella Ireland Road Associates, LLC and along the westerly line of a NYSEG Substation Easement per L. 2119 P. 351, a distance of 62.81 feet to a point; thence N88°49'11"E through said Stella Ireland Road Associates, LLC and along the southerly line of said NYSEG Substation Easement, a distance of 73.64 feet to a point at its intersection with the division line between the property now or formerly of Hope J. Hannon per L. 2143 P. 286 (TM# 143.59-1-1) on the east and said Stella Ireland Road Associates, LLC on the west; thence S04°26'02"E along the last mentioned division line, along the division line between the property now or formerly of LJC Realty LLC per L. 2000 P. 552 (TM# 143.59-1-2) on the east and said Stella Ireland Associates, LLC on the west, along the division line between the property now or formerly of Market Street Development, LLC per L. 2172 P. 148 (TM# 143.59-1-3) on the east and said Stella Ireland Road Associates, LLC on the west, along the division line between the property now or formerly of Andrey Pecheny per L. 2004 P. 279 (TM# 143.59-1-4) on the east and said Stella Ireland Road Associates, LLC on the west, along the westerly end of Lake Avenue, and along the division line between the property now or formerly of John Connors per L. 2158 P. 354 (TM# 143.67-2-1) on the east and said Stella Ireland Road Associates, LLC on the west, a distance of 537.12 feet to a point; thence through said property of Stella Ireland Road Associates, LLC the following eighteen (18) courses and distances:

1) S00°32'52"E, a distance of 37.91 feet to a point;
2) S45°55'45"E, a distance of 18.24 feet to a point;
3) S58°47'52"E, a distance of 94.32 feet to a point;
4) S67°05'15"E, a distance of 33.53 feet to a point;
5) S62°19'41"E, a distance of 48.30 feet to a point;
6) S57°32'43"E, a distance of 33.13 feet to a point;
7) S36°29'47"E, a distance of 29.48 feet to a point;
8) S72°56'53"E, a distance of 72.78 feet to a point;
9) S59°36'25"E, a distance of 48.52 feet to a point;
10) S53°25'33"E, a distance of 47.77 feet to a point;
11) S43°05'31"E, a distance of 62.78 feet to a point;
12) S29°04'45"E, a distance of 19.08 feet to a point;
13) S70°13'01"E, a distance of 24.38 feet to a point;
14) S43°22'01"E, a distance of 17.45 feet to a point;
15) S24°02'00"E, a distance of 11.75 feet to a point;
16) S16°22'48"E, a distance of 42.63 feet to a point;
17) S31°23'59"W, a distance of 26.17 feet to a point;
18) S43°37'59"W, a distance of 3.96 feet to a point at its intersection with the northeasterly boundary of the Erie Lackawanna Railroad; thence along said Railroad the following four (4) courses and distances:

1) N56°31'39"W, a distance of 522.21 feet to a point;
2) S05°04'14"E, a distance of 3.84 feet to a point;
3) N56°31'39" W, a distance of 590.94 feet to a point;
4) On a curve to the left having a radius of 3852.83 feet, an arc distance of 826.81 feet to a point at its intersection with the easterly boundary of Lester Avenue, said curve being subtended by a chord having a bearing of N62°40'31"W and a length of 825.21 feet; thence along said Lester Avenue the following two (2) courses and distances:

1) N04°05'42"W, a distance of 47.23 feet to a point;
2) N38°20'28"E, a distance of 42.39 feet to a point; thence through said Stella Ireland Road Associates, LLC the following thirteen (13) courses and distances:

1) S65°57'07"E, a distance of 23.76 feet to a point;
2) N13°31'45"W, a distance of 50.29 feet to a point;
3) On a curve to the right having a radius of 3.74 feet, an arc distance of 7.01 feet to a point, the last mentioned curve being subtended by a chord having a bearing of N37°38'14"E and a length of 6.03 feet;
4) S87°31'21"E, a distance of 6.59 feet to a point;
5) N20°14'26"E, a distance of 19.69 feet to a point;
6) S70°01'43"E, a distance of 40.82 feet to a point;
7) N21°24'42"E, a distance of 4.28 feet to a point;
8) S71°35'53"E, a distance of 61.59 feet to a point;
9) N06°38'48"W, a distance of 66.82 feet to a point;
10) N68°19'57"W, a distance of 30.07 feet to a point;
11) N71°22'38"W, a distance of 26.51 feet to a point;
12) N69°58'47"W, a distance of 9.22 feet to a point;
13) N21°03'33"E, a distance of 160.65 feet to a point at its intersection with said southerly boundary of Pavilion Road; thence along said Pavilion Road the following four (4) courses and distances:

1) On a curve to the right having a radius of 363.00 feet, an arc distance of 66.67 feet to a point, the last mentioned curve being subtended by a chord having a bearing of S75°21'30"E and a length of 66.58 feet;
2) S70°05'46"E, a distance of 177.59 feet to a point;
3) S21°07'53"W, a distance of 1.55 feet to a point;
4) S70°18'17"E, a distance of 106.44 feet to the Point of Beginning.

Containing 603,591 square feet or 13.857 acres, more or less

P:\Projects\2008\0200\0200_22308\200_22308_2\Civil\Land Projects\200.22308.2\dwg\20022308SU-1.dwg, SU-1, 10/27/2009 9:40:24 AM, tuttle_J

DEMARCATION FABRIC LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	S70°18'17"E	652.84'
L2	S12°14'27"E	62.81'
L3	N88°49'11"E	73.64'
L4	S04°26'02"E	537.12'
L5	S00°32'52"E	37.91'
L6	S45°55'45"E	18.24'
L7	S58°47'52"E	94.32'
L8	S67°05'15"E	33.53'
L9	S62°19'41"E	48.30'
L10	S57°32'43"E	33.13'
L11	S36°29'47"E	29.48'
L12	S72°56'53"E	72.78'
L13	S59°36'25"E	48.52'
L14	S53°25'33"E	47.77'
L15	S43°05'31"E	62.78'
L16	S29°04'45"E	19.08'
L17	S70°13'01"E	24.38'
L18	S43°22'01"E	17.45'
L19	S24°02'00"E	11.75'
L20	S16°22'48"E	42.63'
L21	S31°23'59"W	26.17'
L22	S43°37'59"W	3.96'
L23	N56°31'39"W	522.21'
L24	S05°04'14"E	3.84'
L25	N56°31'39"W	590.94'

DEMARCATION FABRIC LINE TABLE CONTINUED

LINE NO.	BEARING	DISTANCE
L26	N04°05'42"W	47.23'
L27	N38°20'28"E	42.39'
L28	S65°57'07"E	23.76'
L29	N13°31'45"W	50.29'
L30	S87°31'21"E	6.59'
L31	N20°14'26"E	19.69'
L32	S70°01'43"E	40.82'
L33	N21°24'42"E	4.28'
L34	S71°35'53"E	61.59'
L35	N06°38'48"W	66.82'
L36	N68°19'57"W	30.07'
L37	N71°22'38"W	26.51'
L38	N69°58'47"W	9.22'
L39	N21°03'33"E	160.65'
L40	S70°05'46"E	177.59'
L41	S21°07'53"W	1.55'
L42	S70°18'17"E	106.44'

DEMARCATION FABRIC CURVE TABLE

CURVE NO.	RADIUS	ARC LENGTH	CHORD BRG.	CH. LENGTH
C1	3852.83'	826.81'	N62°40'31"W	825.21'
C2	3.74'	7.01'	N37°38'14"E	6.03'
C3	363.00'	66.67'	S75°21'30"E	66.58'

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

NOTES

1) A MINIMUM OF 1 FOOT OF NYSDEC-APPROVED CLEAN COVER WAS PLACED WITHIN AREAS UNDERLAIN BY DEMARCATION FABRIC. THE EXCAVATION MANAGEMENT PLAN INCLUDED IN THE SITE MANAGEMENT PLAN FOR THE SITE APPLIES IF THE DEMARCATION LAYER IS BREACHED IN THOSE AREAS.

2) AREAS NOT UNDERLAIN BY DEMARCATION FABRIC ARE SUBJECT TO MODIFIED EXCAVATION MANAGEMENT REQUIREMENTS. REFER TO THE EXCAVATION MANAGEMENT PLAN INCLUDED IN THE SITE MANAGEMENT PLAN FOR THE SITE.

THE USER OF THIS MAP IS CAUTIONED THAT THE UNDERGROUND UTILITY LOCATIONS ARE NOT GUARANTEED, NOR IS THERE ANY GUARANTEE THAT ALL EXISTING UTILITIES WHETHER FUNCTIONAL OR ABANDONED WITHIN THE PROJECT AREA ARE SHOWN ON THIS DRAWING.

THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES BEFORE STARTING WORK & SHALL BE RESPONSIBLE FOR ALL DAMAGE RESULTING FROM HIS WORK. CONTRACTOR SHALL NOTIFY DIG SAFELY NY (FORMERLY UFPO) 1-800-962-7962 IN ACCORDANCE WITH 16 NYCRR PART 753.

NO.	REVISIONS AND DESCRIPTIONS	DATE
7	ADDED ENVIRONMENTAL CONTROLS LABELS & LEGEND	9/14/09
6	AMENDED DESCRIPTION (24.38')	7/22/09
6	AMENDED NOTES & SHEET NO.	7/6/09
5	AMENDED TITLE/ADDED DESCRIPTION, NOTES & ADJOINING OWNERS	6/29/09
4	AMENDED TITLE AND BORDER	5/4/09
3	ADDED ADDITIONAL DEMARCATION FABRIC ELEVATIONS ALONG EASTERLY PROPERTY LINE	3/30/09
2	FABRIC MODIFICATION & DRAFTING UPDATES	3/23/09
1	ADDED FOUNDATION & PIER LOCATIONS FOR VISIONS BUILDING	3/16/09

KEYSTONE ASSOCIATES
ARCHITECTS, ENGINEERS AND SURVEYORS, LLC
228-231 State Street
Fourth Floor
Binghamton, New York 13901
Phone: 607.722.1100
Fax: 607.722.2515
Email: info@keystoneassociatesllc.com
www.keystoneassociatesllc.com

RODNEY L. CAREY, PLS LIC. NO. 049642

AS BUILT TOPOGRAPHIC SURVEY
DEMARCATION FABRIC
RETAIL DEVELOPMENT SITE
90 LESTER AVENUE AND 67½ LAKE AVENUE

CITY OF BINGHAMTON AND VILLAGE OF JOHNSON CITY
BROOME COUNTY
NEW YORK STATE

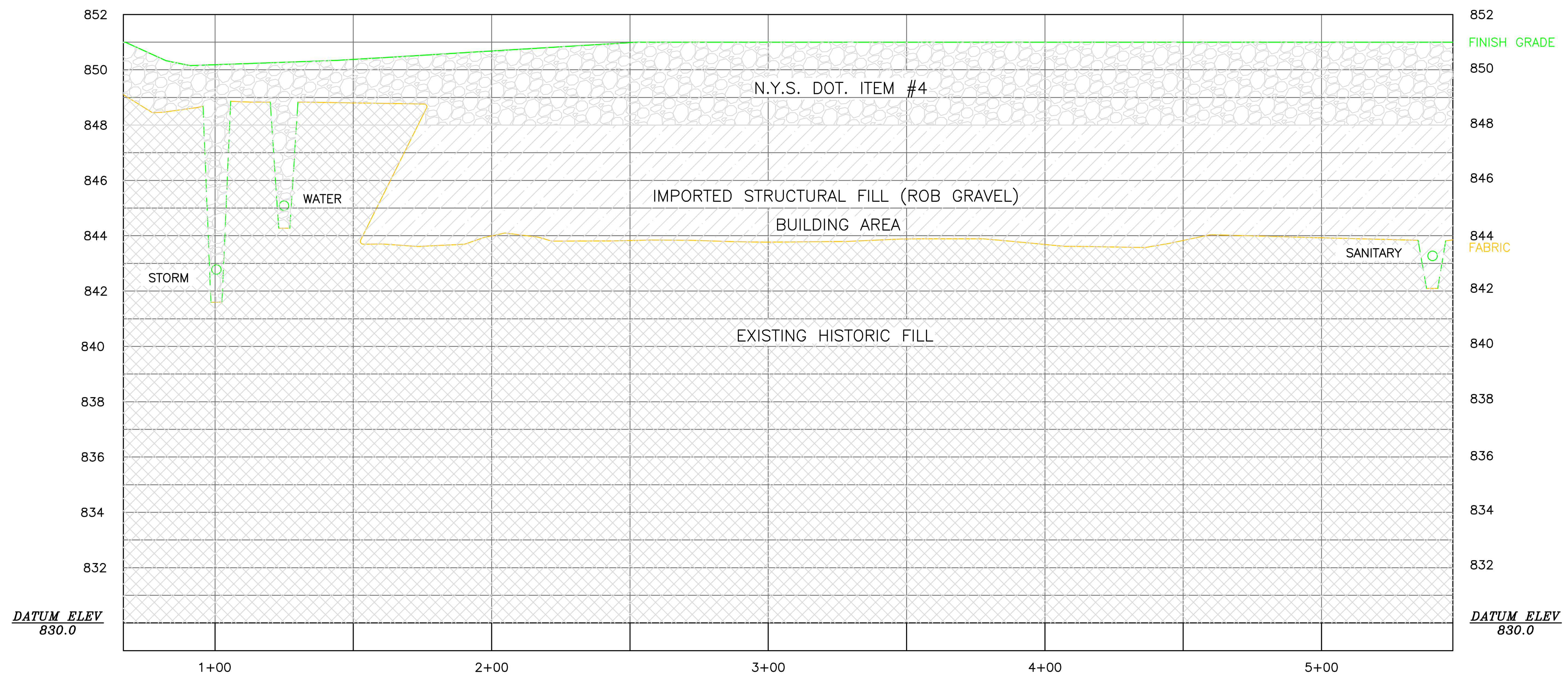
SHEET NO.
SU-1

PROJECT NO.
200.22308

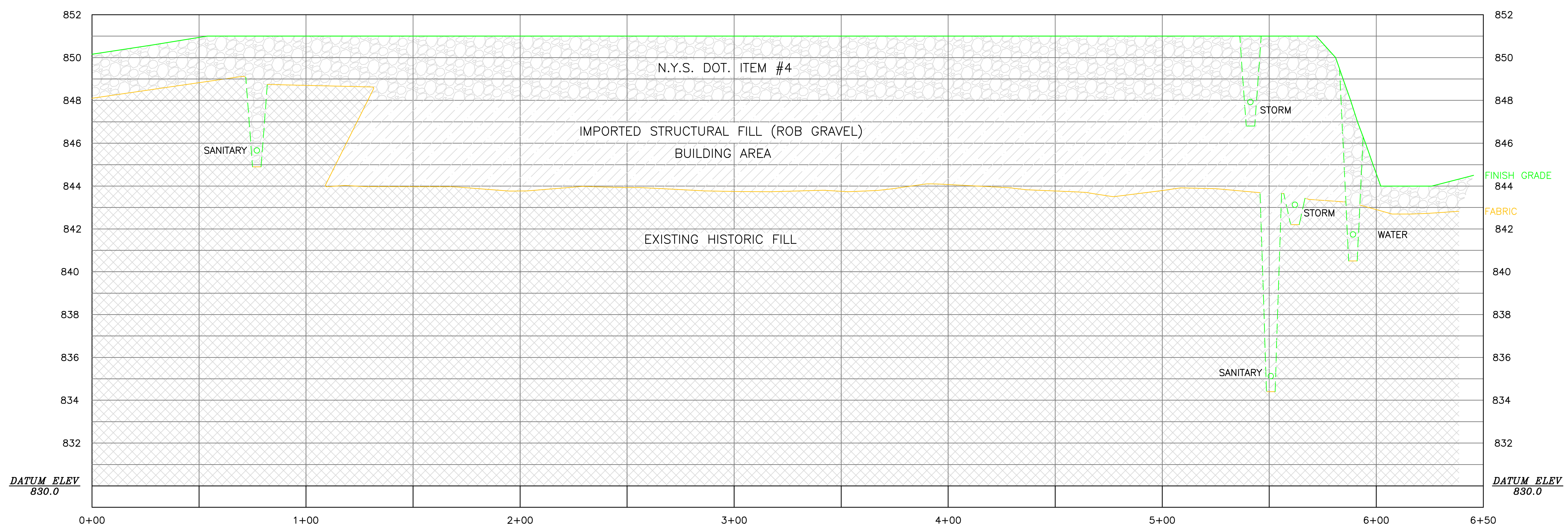
DATE OF FIELD WORK:
11/30/08

DATE OF MAP:
3/20/09

CAD FILE NO.:
20022308SU-1.dwg



SECTION A-A



SECTION B-B

HORIZONTAL SCALE: 1" = 30'

VERTICAL SCALE: 1" = 3'

UNDERGROUND UTILITIES NOTE

THE USER OF THIS MAP IS CAUTIONED THAT THE UNDERGROUND UTILITY LOCATIONS ARE NOT GUARANTEED, NOR IS THERE ANY GUARANTEE THAT ALL EXISTING UTILITIES WHETHER FUNCTIONAL OR ABANDONED WITHIN THE PROJECT AREA ARE SHOWN ON THIS DRAWING.

THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES BEFORE STARTING WORK & SHALL BE RESPONSIBLE FOR ALL DAMAGE RESULTING FROM HIS WORK. CONTRACTOR SHALL NOTIFY DIG SAFELY NY (FORMERLY UFPO) 1–800–962–7962 IN ACCORDANCE WITH 16 NYCRR PART 753.

NOTES

1) A MINIMUM OF 1 FOOT OF NYSDEC–APPROVED CLEAN COVER WAS PLACED WITHIN AREAS UNDERLAIN BY DEMARCATION FABRIC. THE EXCAVATION MANAGEMENT PLAN INCLUDED IN THE SITE MANAGEMENT PLAN FOR THE SITE APPLIES IF THE DEMARCATION LAYER IS BREACHED IN THOSE AREAS.

2) AREAS NOT UNDERLAIN BY DEMARCATION FABRIC ARE SUBJECT TO MODIFIED EXCAVATION MANAGEMENT REQUIREMENTS. REFER TO THE EXCAVATION MANAGEMENT PLAN INCLUDED IN THE SITE MANAGEMENT PLAN FOR THE SITE.

KEYSTONE ASSOCIATES
ARCHITECTS, ENGINEERS AND SURVEYORS, LLC
229-231 State Street
Fourth Floor
Binghamton, New York 13901
Phone: 607.722.1100
Fax: 607.722.2515

RODNEY L. CAREY, PLS LIC. NO. 049642

NO.	REVISIONS AND DESCRIPTIONS	DATE:
4	AMENED NOTES	7/6/09
3	ADDED NOTES	6/29/09
2	AMENDED BORDER	5/4/09
1	ADDED LABEL TO UTILITY & MODIFIED SCALE	3/23/09

AS BUILT CROSS SECTIONS DEMARCATION FABRIC

RETAIL DEVELOPMENT SITE

90 LESTER AVENUE AND 67½ LAKE AVENUE

CITY OF BINGHAMTON AND VILLAGE OF JOHNSON CITY — BROOME COUNTY — NEW YORK STATE

SHEET NO.
SECTION-1

PROJECT NO.
200.22308

DATE OF FIELD WORK:
11/30/08

DATE OF MAP:
3/20/09

CAD FILE NO.:
20022308SU–1.dwg

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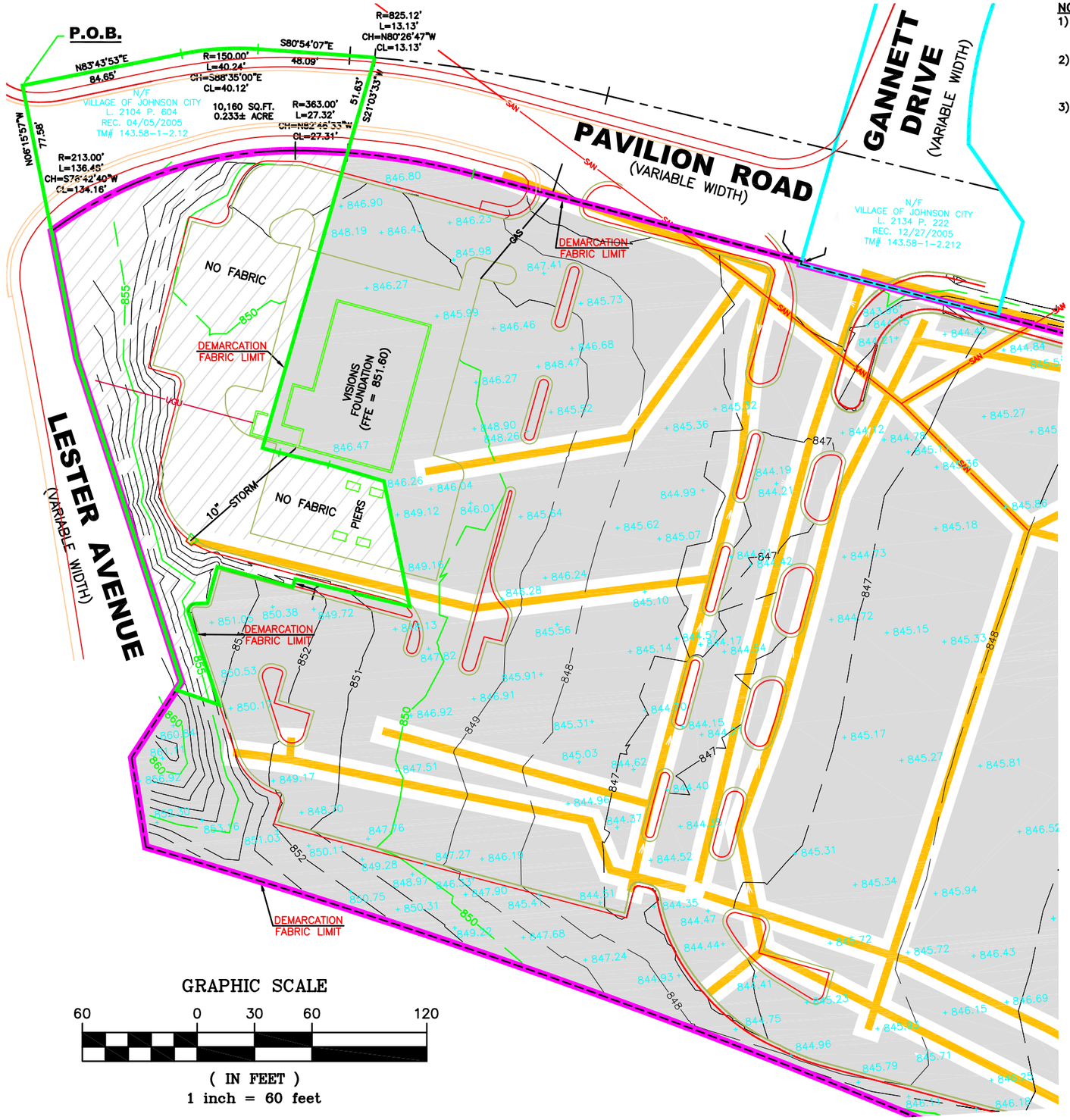

NOTES:

1) Note that only a portion of Gannett Drive is shown. The Excavation Management Plan modification applies to all of Gannett Drive and the Gannett Signage Parcel (refer to Map B–2).
2) The areas noted in this exhibit depict areas where modified excavation management plan procedures apply. All other areas on the Southern Parcel and in Pavilion Road are subject to the full Excavation Management Plan. Refer to the Excavation Management Plan in the Site Management Plan for the Site.
3) The boundary lines of the Northwest Pavilion Area were determined based on historical soil borings. Though unlikely, historical fill may be encountered in the Northwest Pavilion Area. If historical fill is identified during excavations in the Northwest Pavilion Area, the modified Excavation Management Plan does not apply, and excavations shall be completed in accordance with the full Excavation Management Plan where historical fill is encountered. Descriptions of natural material (Material Type A1) and historical fill (Material Types B, C, D, & E) are described in Section 4.1 of the Excavation Management Plan, included in the Site Management Plan for the Site.

LEGEND

- NORTHWEST PAVILION AREA
- GANNETT DRIVE
- BLACK DEMARCATION FABRIC LIMIT

TRUE NORTH
AT THE 76°05' MERIDIAN
0° EAST LONGITUDE

MODIFICATION AREA PAVILION ROAD

ALL THAT TRACT OR PARCEL OF LAND being a portion of the property now or formerly of the Village of Johnson City as described in Liber 2104 Page 604 as recorded in the Broome County Clerk's Office on April 5, 2005 (TM#143.58–1–2.12).

BEGINNING at a point on the westerly boundary of Lester Avenue at its intersection with the northerly boundary of Pavilion Road;

RUNNING THENCE along said northerly boundary of Pavilion Road the following four (4) courses and distances:
1) N83°43'53"E, a distance of 84.65 feet to a point;
2) On a curve to the right having a radius of 150.00 feet, an arc distance of 40.24 feet to a point, said curve being subtended by a chord having a bearing of S88°35'00"E and a length of 40.12 feet;
3) S80°54'07"E, a distance of 48.09 feet to a point;
4) On a curve to the right having a radius of 825.12 feet, an arc distance of 13.13 feet to a point, the last mentioned curve being subtended by a chord having a bearing of N80°26'47"W and a length of 13.13 feet; thence S21°03'33"W across said Pavilion Road, a distance of 51.63 feet to a point at its intersection with the southerly boundary of said Pavilion Road; thence along said Pavilion Road the following two (2) courses and distances:
1) On a curve to the left having a radius of 363.00 feet, an arc distance of 27.32 feet to a point, the last mentioned curve being subtended by a chord having a bearing of N82°46'33"W, a distance of 27.31 feet;
2) On a curve to the left having a radius of 213.00 feet, an arc distance of 136.48 feet to a point at its intersection with said westerly boundary of Lester Avenue, the last mentioned curve being subtended by a chord having a bearing of S76°42'40"W and a length of 134.16 feet; thence N06°15'57"W along said Lester Avenue, a distance of 77.58 feet to the Point of Beginning.

Containing 10,160 square feet or 0.233 acre, more or less

REVISIONS:

1) 7/22/09 – ADDED BEARINGS, DISTANCES, CURVE DATA, ACREAGE AND DESCRIPTION

EXHIBIT FOR SOUTHERN PARCEL EXCAVATION MANAGEMENT PLAN MODIFICATION AREAS

PAVILION ROAD and LESTER AVENUE

VILLAGE OF JOHNSON CITY BROOME COUNTY NEW YORK STATE

SHEET NO. EX-1

PROJECT NO. 200.22308_4

FILE: 20022008_4EX-1.dwg

DATE OF FIELD WORK: 6/22/09

DATE OF MAP: 7/16/09

RODNEY L. CAREY, PLS LIC. No. 049642

229-231 State Street
Fourth Floor
Binghamton, New York 13901
Phone: 607.722.1100
Fax: 607.722.2515
Email: info@keystoneassociatesllc.com
www.keystoneassociatesllc.com

KEYSTONE ASSOCIATES
ARCHITECTS, ENGINEERS AND SURVEYORS, LLC

The surveyor’s stamp and signature are included on the record drawings in hard copy reports.

APPENDIX A

Engineering and Institutional Controls Plan
Excavation Management Plan

ENGINEERING & INSTITUTIONAL CONTROLS PLAN
FORMER ENDICOTT JOHNSON RANGER PARACORD
SOUTHERN PARCEL
BCP SITE NUMBER C704048
JOHNSON CITY, NEW YORK

by

Haley & Aldrich of New York
Rochester, New York

for

Stella Ireland Road Associates, LLC
Vestal, New York

File No. 30603-111
4 November 2009

TABLE OF CONTENTS

1. INTRODUCTION

1.1 General

Remedial activities completed at the site were conducted in accordance with the New York State Department of Environmental Conservation (NYSDEC)-approved Remedial Action Work Plan (RAWP) for the former Endicott-Johnson Ranger Paracord Facility – Southern Parcel (March 2008). The remedial goals included attainment of Track 4 Soil Cleanup Objectives (SCOs) for on-site soils for restricted commercial use. The Track 4 SCOs were approved by NYSDEC and are listed in Table 1.

Since remaining historical fill soils exist at the site, Engineering Controls (ECs) and Institutional Controls (ICs) are required to maintain protection of human health and the environment if those soils are encountered during future use of the site. At the completion of remedial activities, that soil was separated from human contact by a demarcation layer and 1 to 8 feet of clean material, composed of natural materials (soil, gravel, etc.) above which may be additional concrete and/or asphalt.

The EC/IC Plan is one component of the Site Management Plan (SMP). This Engineering and Institutional Control (EC/IC) Plan describes the procedures for the implementation and management of all EC/ICs at the site. The Excavation Management Plan, included as attached Section 1 of this plan, includes the procedures and requirements for excavating beneath the demarcation layer, exporting fill offsite, and importing clean cover.

1.2 Purpose

The purpose of this Plan is to provide:

- A description of all EC/ICs on the site.
- The basic operation and intended role of each implemented EC/IC
- A description of the key components of the ICs created as stated in the Environmental Easement.
- A description of the features that should be evaluated during each periodic inspection and compliance certification period.
- A description of plans and procedures to be followed for implementation of EC/ICs, such as the implementation of an Excavation Management Plan (Attached Section 1) for the safe handling of remaining fill materials that may be disturbed during maintenance or redevelopment work on the site.
- A description of the reporting requirements for these controls.

2. ENGINEERING CONTROLS

2.1 Engineering Control System (Demarcation Layer and Cover System)

Exposure to remaining historical fill at the Site is prevented by a soil cover system placed over the Site, with the exception of the areas of Pavilion Road and Gannett Drive. This cover system is comprised of a demarcation layer and a minimum of 12 inches of clean soil, above which is asphalt pavement, concrete-covered sidewalks, concrete building slabs, and/or landscaping. This cover system must be maintained at all times. Pavilion Road and Gannett Drive are covered with a pavement section, which serves as the cover system where required. The pavement section consists of a layer of asphalt roadway, below which is approximately 1 foot of sub base, below which is a geotextile fabric. A cover system is not required over the western portion of Pavilion Road or over Gannett Drive. A cover system over the eastern side of Pavilion Road must be maintained at all times.

The Excavation Plan that appears in attached Section 1 of this EC/IC Plan outlines the procedures required to be implemented in the event the cover system is breached, penetrated or temporarily removed, and consequently underlying residually contaminated fill is disturbed. Procedures for the inspection and maintenance of this cover are provided in the Monitoring Plan included in Appendix B of the SMP. The Monitoring Plan also addresses severe condition inspections in the event that a severe condition occurs (e.g.- severe weather event, tornado, flood, etc.), which may affect controls at the site.

Procedures for the inspection and maintenance of the cover system are provided in the Monitoring Plan included in Appendix B of the SMP.

2.2 Fence Maintenance (Peninsula Area and NYSEG Substation)

As per NYSEC approval, the perimeter portions of the Peninsula Area and the sections of the Peninsula Area that extend north into the residential area are not covered by a demarcation layer or clean cover (see attached figures and refer to the companion Final Engineering Report for a description of the peninsula area). The NYSDEC approved this modification following a pre-remedial site visit where it was noted that site grading and placing of the demarcation layer and clean cover would significantly damage existing trees in that area that provide privacy and a sound barrier for area residents. In lieu of a cover system, the NYSDEC agreed that Peninsula Area be surrounded by a six foot perimeter fence. This fence must be maintained at all times.

In addition, there is no demarcation layer present within the fenced and locked NYSEG substation area located on the northeast corner of the Site (see attached figures). Construction of the NYSEG substation was conducted under the Gannett parcel BCA; the locked fence was approved as sufficient remedy at that time. The fence that surrounds the substation must also be maintained.

Procedures for the inspection and maintenance of fencing are provided in the Monitoring Plan included in Appendix B of the SMP.

2.3 Criteria for Termination of the Remedial System

The demarcation layer and cover system is a permanent control and the quality and integrity of this system will be inspected at defined intervals. It is not expected that the need for the demarcation layer and cover system will be eliminated in the future.

3. INSTITUTIONAL CONTROLS

A series of Institutional Controls is required to: (1) implement, maintain and monitor Engineering Control systems; (2) prevent future exposure to residual 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, included in Section 2, and will be implemented under this Site Management Plan. These Institutional Controls are:

- Compliance with the Environmental Easement by the Grantor and the Grantor's successors and assigns with all elements of this SMP;
- All Engineering Controls must be operated and maintained as specified in this SMP;
- All Engineering Controls on the Controlled Property must be inspected and certified at a frequency and in a manner defined in the Section 5 of this plan.
- Data and information pertinent to Site Management for the Controlled Property must be reported the NYSDEC at the frequency and in a manner defined in Section 5 of this plan;

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

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

- The use of the groundwater underlying the property is prohibited without treatment rendering it safe for the intended purpose;
- All future activities on the property that will disturb remaining contaminated material are prohibited unless they are conducted in accordance with the SMP;
- 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 less restrictive use, such as unrestricted, residential, or restricted residential use without approval of the NYSDEC and amendment of the Environmental Easement by the Commissioner of the NYSDEC.
- 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 environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by a qualified environmental professional that the NYSDEC finds acceptable.

4. INSPECTIONS AND NOTIFICATIONS

4.1 Periodic Inspections

A comprehensive site-wide inspection will be conducted annually. 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.
- Changes, or needed changes, to the remedial system.

Inspections will be conducted in accordance with the procedures set forth in the Monitoring Plan of the SMP (Appendix B). The reporting requirements are outlined in the Reporting Plan in Section 5 of this EC/IC Plan.

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

4.2 Notifications

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

- 60-day advance notice of any proposed changes in site use that are required under the terms of the Brownfield Cleanup Agreement (BCA), 6NYCRR Part 375, and/or Environmental Conservation Law (ECL).
- 10-day advance notice of any proposed ground-intrusive activities, except within the Northwest Pavilion Area (Refer to the Excavation Plan in attached Section 1), or except when the activities will not penetrate the demarcation layer. Note that the utilities at the Site were installed above the demarcation layer, and therefore the 10-day notification is not required for utility work.
- Notice within 48-hours of any damage or defect that reduces or has the potential to reduce the effectiveness of the Engineering Controls and likewise actions to be taken to mitigate the damage or defect.
- Notice within 48-hours of any emergency, such as a fire, flood, or earthquake that reduces or has the potential to reduce the effectiveness of Engineering Controls in place at the site, including a summary of actions taken, or to be taken, and the potential impact to the environment and the public.
- Notice within 48-hours of a utility emergency in which excavations below the demarcation layer and/or into historical fill are required that have the potential to reduce the effectiveness of the Engineering Controls and likewise actions taken or to be taken to restore the engineering controls.
- Follow-up status reports on actions taken to respond to emergency events requiring ongoing responsive action shall be submitted to the NYSDEC within 45 days and shall describe and document actions taken to restore the effectiveness of the ECs.

Notifications will be made to Mr. Gary Priscott (NYSDEC Project Manager) at 607-775-2545 ext. 116. In the event that NYSDEC develops a centralized notification system, that system will be used instead.

4.3 Evaluation and Reporting

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

- EC/ICs are in place, are performing properly, and remain effective.
- The Monitoring Plan is being implemented.
- The site remedy continues to be protective of public health and the environment and is performing as designed in the Remedial Action Work Plan and Final Engineering Report.

5. REPORTING PLAN

5.1 Introduction

A Periodic Review Report will be submitted to NYSDEC every year, beginning one year after the Certificate of Completion is issued. The Periodic Review Report will be prepared in accordance with NYSDEC DER-10 "Technical Guidance for Site Investigation and Remediation". The frequency of submittal of the Periodic Review Report may be modified with the approval of the NYSDEC.

This report will include the following:

- Identification of all EC/ICs required by the Remedial Action Work Plan for the site.
- An assessment of the effectiveness of all Institutional and Engineering Controls for the site.
- An evaluation of the Engineering and Institutional Control Plan and the Monitoring Plan for adequacy in meeting remedial goals.
- Results of the required annual site inspections and severe condition inspections, if any.
- A compilation of all deliverables generated during the reporting period, as specified in the EC/IC Plan and Monitoring Plan.
- Certification of the EC/ICs.

5.2 Certification of Engineering and Institutional Controls

Inspection of the EC/ICs will occur at the frequency described in the Monitoring Plan. After the last inspection of the reporting period, a qualified environmental professional as determined by the NYSDEC will prepare a Periodic Review Report which certifies that:

- On-site ECs/ICs are unchanged from the previous certification.
- ECs/ICs remain in-place and are effective.
- The cover system is performing as designed.
- Nothing has occurred that would impair the ability of the controls to protect the public health and environment.
- Access is available to the site by NYSDEC and NYSDOH to evaluate continued maintenance.
- Site use is compliant with the environmental easement.

5.3 Periodic Review Report

A Periodic Review Report will be submitted every year, beginning one year after the Certificate of Completion is issued. The report will be submitted within 45 days of the end of each certification period. Media sampling results, if necessary, will also be incorporated into the Periodic Review Report. The report will include:

- EC/IC certification (as per Section 5.2).
- Applicable inspection forms and other records generated for the site during the reporting period.
- A summary of information generated during the reporting period with comments and conclusions.
- If required, results of all analyses, copies of all laboratory data sheets, and the required laboratory data deliverables for all samples collected during the reporting period will be submitted electronically in a NYSDEC-approved format.
- A site evaluation, which includes the following:
    - The compliance of the remedy with the requirements of the site-specific Remedial Action Work Plan.
    - New conclusions or observations regarding site contamination based on inspections or data generated by the Monitoring Plan.
    - Recommendations regarding any necessary changes to the remedy and/or Monitoring Plan.
    - The overall performance and effectiveness of the remedy.

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

REFERENCES

1. Supplemental Remedial Investigation Work Plan prepared by Haley & Aldrich of New York, dated October 2005.

2. Supplemental Remedial Investigation Report prepared by Haley & Aldrich of New York, dated July 2007

3. Revised Supplemental Remedial Investigation Addendum prepared by Haley & Aldrich of New York, dated January 2008

4. Remedial Alternatives Analysis and Remedial Action Work Plan prepared by Haley & Aldrich of New York, dated March 2008

5. Final Engineering Report prepared by Haley & Aldrich of New York, dated 4 November 2009.

SECTION 1

Excavation Management Plan

EXCAVATION MANAGEMENT PLAN
FORMER ENDICOTT JOHNSON RANGER PARACORD
SOUTHERN PARCEL
BCP SITE NUMBER C704048
JOHNSON CITY, NEW YORK

by

Haley & Aldrich of New York
Rochester, New York

for

Stella Ireland Road Associates, LLC
Vestal, New York

File No. 30603-111
4 November 2009

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1. INTRODUCTION

1.1 Applicability

Note that all portions of the Excavation Plan apply to all areas of the Site covered by a demarcation layer and clean cover. Five areas of the Site are not covered by a demarcation layer and cover and should be handled as follows:

1.1.1 Northwest Pavilion Area

This excavation plan does NOT apply to management of the soils in the Northwest Pavilion Area, including the western portion of Pavilion Road (refer to the Figures and the companion Final Engineering Report for a description of the Northwest Pavilion Area), with the exception of Section 6 of this plan, which refers to the offsite management of Site soils. As discussed in Section 6, when offsite management of soils in the Northwest Pavilion Area is necessary, it may still be required, at the discretion of the NYSDEC and NYSDOH, that the soils are pre-characterized and removed in the same manner as other Site soils located below the demarcation layer. The boundary lines of the Northwest Pavilion Area were determined based on historical soil borings. Though unlikely, historical fill may be encountered in the Northwest Pavilion Area. If historical fill is identified in this area during excavations, the excavations shall be completed in accordance with the full Excavation Management Plan where historical fill is encountered. Refer to Section 4.1 of the Excavation Management Plan for a description of material types (natural material vs. historical fill). This modification was approved by the NYSDEC in their letter dated 10 November 2008.

1.1.2 Peninsula Area Perimeter

Note that the perimeter of the Peninsula Area and the two areas that extend north of the main Peninsula Area are not covered by a demarcation layer and clean cover due to the presence of trees that would have been damaged during site grading (refer to the Figures and the companion Final Engineering Report for a description of the Peninsula Area). Due to the lack of cover system, all portions of this Excavation Management Plan apply to the perimeter of the Peninsula Area with the exception of Section 8, which refers to the management of the cover system. All soils/fill in the exposed areas of the Peninsula Area shall be managed in the same manner as soils/fill encountered below the demarcation layer on the main portion of the Site.

1.1.3 NYSEG Substation

Note that the fenced, locked NYSEG substation that is located within the northeastern corner of the Site is not covered by a demarcation layer and clean cover. Due to the lack of cover system, all portions of this Excavation Management Plan apply to the NYSEG Substation with the exception of Section 8, which refers to the management of the cover system. All soils/fill in the NYSEG Substation shall be managed in the same manner as soils/fill encountered below the demarcation layer on the main portion of the Site.

1.1.4 Eastern side of Pavilion Road

Pavilion Road is covered by a pavement section, which serves as a cover system. Additionally, in the roadway, a water line is present directly below the pavement section and above historical fill materials. The water line was installed during development of the Gannett Parcel, and the excavation was backfilled with NYSDEC-approved backfill material.

Investigations were not conducted on the eastern side of Pavilion Road as part of the Remedial Investigation; therefore the detailed composition and depth of soil horizons are unknown. The soils adjacent to the south of the eastern side of Pavilion Road consist of historical fill.

The eastern side of Pavilion Road shall be handled in accordance with all sections of this Excavation Management Plan in the event that excavations into historical fill occur. The Excavation Management Plan will be enacted if excavations in the roadway will breach the entire pavement section (below the geotextile fabric layer) and/or extend below the backfill surrounding the existing water line, and historical fill is exposed. If the entire pavement section is not breached and historical fill is not exposed (i.e. – routine paving, routine repairs to the water line), the Excavation Management Plan does not apply. Following completion of excavation activities, a pavement section will be replaced in-kind as a cover over the excavated area. Alternatively, a demarcation layer and one foot of NYSDEC approved clean cover may be placed over the area.

1.1.5 Gannett Drive

This excavation plan does NOT apply to management of the soils beneath Gannett Drive, with the exception of Section 6 and Section 8 of this plan, which refer to the offsite management of onsite soils and cover system restoration. As discussed in Section 6, when offsite management of soils beneath Gannett Drive is necessary, it may still be required, at the discretion of the NYSDEC and NYSDOH, that the soils be pre-characterized and removed in the same manner as other onsite soils located beneath the demarcation layer on the Southern Parcel. Gannett Drive is currently covered by a pavement section, which serves as a cover. Following completion of excavation activities, a pavement section will be replaced in-kind as a cover over the excavated area. Alternatively, a demarcation layer and one foot of NYSDEC approved clean cover may be placed over the area.

1.1.6 Gannett Signage Area

This excavation plan does NOT apply to management of the soils in the Gannett Signage Area (refer to the Figures and the companion Final Engineering Report for a description of the Gannett Signage Area), with the exception of Section 6 and Section 8 of this plan, which refers to the offsite management of onsite soils and cover restoration. As discussed in Section 6, when offsite management of soils in the Gannett Signage Area is necessary, it may still be required, at the discretion of the NYSDEC and NYSDOH, that the soils be pre-characterized and removed in the same manner as other onsite soils located beneath the demarcation layer on the Southern Parcel.

1.2 General Excavation Management

The site remedy allows for commercial and industrial use. Future intrusive work that will penetrate, encounter or disturb the demarcation layer and historical site fill below, and any modifications to the existing cover system will be performed in compliance with this Excavation Management Plan.

Intrusive construction work must also be conducted in accordance with the procedures defined in a Health and Safety Plan (HASP) and Community Air Monitoring Plan (CAMP) prepared for the project. Based on future changes to State and Federal health and safety requirements, and specific methods employed by future contractors, the HASP and CAMP will be updated and re-submitted with the notification provided in Section 2.1 below. Any intrusive construction work will be performed in compliance with the Excavation Management Plan, HASP and CAMP, and will be included in the periodic inspection and certification reports submitted under the Site Management Reporting Plan (Section 5 of the EC/IC Plan).

The area of excavation shall be marked to prevent access by unauthorized personnel or vehicles. A decontamination station for workers and for vehicles shall be established, so that people and equipment are clean before leaving the work area site.

2. NOTIFICATIONS

2.1 Agency Notification

At least 10 days prior to the start of any activity that is reasonably anticipated to encounter remaining contamination, the site owner or their representative will notify the Department. In the case of an emergency requiring excavation into areas of remaining contamination (e.g. – excavations for emergency utility work), where a 10 day notification is not feasible, a notification shall be made to the Department within 48-hours of the excavation (business days). Refer to Section 4.2 of the Engineering and Institutional Controls Plan for additional information regarding notifications.

Currently, this notification will be made to:

Mr. Gary Priscott
New York State Department of Environmental Conservation – Region 7
Kirkwood Sub-Office
1679 Route 11
Kirkwood, New York 13795

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 and demarcation layer, or any work that may impact an engineering control.
- A summary of environmental conditions anticipated in the work areas, including the nature and concentration levels of contaminants of concern, potential presence of grossly contaminated media, and plans for any pre-construction sampling.
- A schedule for the work, detailing the start and completion of all intrusive work.
- A statement that the work will be performed in compliance with this Excavation Management Plan and 29 CFR 1910.120 (HAZWOPER requirements),
- A copy of the contractor's health and safety plan, in electronic format.
- Identification of disposal facilities for potential waste streams.
- Identification of sources of anticipated backfill, along with all required chemical testing results.

2.2 Obtain Permits

The owner and/or involved contractors must obtain any permits or approvals needed from the Village of Johnson City, Broome County or other municipal or regulatory agencies for the work to be performed.

2.3 Underground Utility Clearance and Notification

Agencies such as the Underground Facilities Protection Organization (UFPO) at 1-800-962-7962 or 811 (Dig Safe New York) and others may be required to properly mark out existing utilities. Facilities shall be contacted prior to excavation work. Both public and private utilities and facilities must be identified.

3. MATERIALS EXCAVATION

In the event that materials from beneath the demarcation layer, within the Peninsula Area, and/or within the fenced NYSEG substation area are required to be excavated, materials excavation will be managed as follows:

- 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 or its representative conducting the work, 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 site owner and/or its contractors. It will be determined whether a risk or impediment to the planned work under this SMP is posed by utilities or easements on the site.

- A decontamination station for vehicles that are impacted by contaminated media will be provided so that the equipment is decontaminated prior to leaving the work area.

- If loading of trucks is required (refer to Section 6), 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.

- Cleaning of the adjacent streets will be performed as needed to maintain a clean condition with respect to site-derived materials.

- Appropriate construction safety measures shall be employed and the HASP and CAMP shall be implemented.

4. SOIL SCREENING & SOIL MANAGEMENT OVERVIEW

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

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

4.1 Material Types

The following types of material may be encountered at the site during excavation activities:

Materials above the Demarcation Layer, in the Northwest Pavilion Area, in the Gannett Signage Area, and beneath the Gannett Drive pavement section:

- **Type A1**: Clean cover material or natural material – These materials consist of soil, gravel, and rock. This material is found above the demarcation layer on the Southern Parcel, in the Northwest Pavilion Area, and above the historical pavement layer in the Gannett Signage Area.

- **Type A2**: Fill materials that may contain construction debris including brick, glass, asphalt, timber, and cinders. This material has been sampled and analyzed and does not contain contaminants of concern above Commercial SCOs, however due to its composition, is not suitable for use as cover material. This material is found beneath the historical pavement layer in the Gannett Signage Area, and beneath the pavement of Gannett Drive.

Materials below the Demarcation Layer, within the perimeter of the Peninsula Area and/or the fenced, locked NYSEG Substation Area:
For purposes of this excavation work plan, materials encountered below the demarcation layer should be assumed to have residual amounts of contaminants of concern (polycyclic aromatic hydrocarbons (PAHs), arsenic, lead, and copper), unless tested to demonstrate otherwise.

- **Type B**: Typical Historical Site Fill – Fill materials containing debris including brick, glass, ash, asphalt, timber, and cinders.

- **Type C**: Site Fill with Residual Impacts – Type B material above with residual petroleum-staining and/or odor

- **Type D**: Petroleum-Saturated Site Fill

- **Type E**: Rubber Scrap Material – layers of black rubber remnants interspersed within site fill

- **Type F**: Asbestos-impacted materials

4.2 Materials Management Overview

Onsite materials encountered during excavation shall be managed as follows:

Type A1:
Type A1 material may be reused onsite above the demarcation layer provided it has not been mixed or impacted by materials from below the demarcation layer.

Type A2:
Type A2 material may be reused onsite in the areas from which it was removed (Gannett Signage Area/Gannett Drive), or it may be reused beneath the demarcation layer on the Southern Parcel or Gannett Parcel.

Type B, C, and E:
Consistent with the practices approved in the Remedial Action Work Plan, material types B, C, and E may be left onsite, but must be ultimately covered using the cover system described in the EC/IC Plan (Refer to Section 7 below for additional information regarding material re-use).

Material types B, C, and E may be temporarily stockpiled on and beneath poly-sheeting as described in Section 4.3 below and then reused onsite if they are reused in places above the mean high-water table (El. 837.5) and beneath the demarcation layer and cover system.

In addition, debris from excavations that is structurally unsuitable for site backfill (i.e. – wood, wire, metal, large pieces of masonry, etc.) must be taken offsite and disposed at a permitted facility.

Type D:
If material type D is encountered, it must be managed in according with the following practices:

- Visually identify the extent of type D material within and adjacent to the planned excavation.
- Excavate from the extents identified (including areas adjacent to the planned excavation), and stockpile (Refer to Section 4.3 below).
- Obtain chemical data for offsite disposal as required by the proposed acceptance facility (Refer to Section 6.2, below).
- Transport the material offsite in accordance with all local, state, and federal laws and regulations (Refer to Section 6.1, below).
- Obtain confirmatory samples of material left in place for chemical analysis (minimum two samples from excavation side walls at the extents of the type D material).
- Additional excavation of type D material is not required if confirmatory sample results are consistent with the concentrations of contaminants already present in the historical fill, specifically PAHs and metals (refer to the investigation data included in the Final Engineering Report).

Type F:

Type F material may remain onsite beneath the demarcation layer, however if it is encountered or disturbed during excavations as part of site work, work must cease, and the type F material must me managed by a licensed asbestos contractor in accordance with the local, state, and federal regulations prior to work continuing. It is not required that undisturbed type F material outside planned excavations is abated unless it is required that the material is moved as part of site work.

4.3 Stockpile Methods

Stockpiles shall be segregated by material type as identified in Section 4.1 above. Type F material may not be stockpiled, but is required to be abated by a licensed asbestos contractor. Type B, C, D, and E materials will be managed as follows:

- Soil stockpiles will be placed on minimum 10 mil plastic sheeting or on sound pavement, away from storm sewers, downwind property boundaries, and drainage courses.

- 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, than may be impacted by runoff contacting the soil stockpiles.

- Stockpiles will be kept covered at all times with appropriately anchored tarps, except when in active use. Stockpiles will be routinely inspected and damaged tarp covers will be promptly replaced.

- Stockpiles will be inspected at a minimum once each week and after every storm event. Results of inspections will be recorded in a logbook and maintained at the site and available for inspection by NYSDEC.

5. EXCAVATION DEWATERING

All groundwater to be removed from the site, including for excavation dewatering will be handled, transported and disposed in accordance with applicable local, State, and Federal regulations. Groundwater will not be recharged back to the land surface or subsurface of the site, but will be managed off-site or in the sewer system provided appropriate approval is provided by the Binghamton-Johnson City Joint Sewage Board (BJCJSB), and it is first intercepted by a sediment filter and an oil/water separator, or other pre-treatment measures as directed by the BJCJSB. The BJCJSB may also require sampling of the proposed discharge water for disposal characteristics determined by them prior to disposal.

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

6. OFFSITE SOIL MANAGEMENT

6.1 Materials Transport Offsite

This section applies to materials being removed from the site including cover materials, materials from beneath the demarcation layer, materials in the perimeter of the Peninsula Area, materials from within the fenced, locked NYSEG Substation Area, and materials from the eastern side of Pavilion Road. Refer to Section 6.3 below for information regarding offsite transport of materials from the Northwest Pavilion Area, from the Gannett Signage Area, and from Gannett Drive.

In the event that onsite materials are required to be removed from the Site, materials transport will be managed as follows:

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

- Trucks will be discouraged from stopping and idling for extended periods 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 when possible. If space is limited due to site use and/or development, some off-site queuing of trucks may be necessary. The number and duration of trucks lined up outside the site entrance will be minimized through efficient scheduling and staging at a remote location.

6.2 Materials Disposal Offsite

This section applies to materials being removed from the site including cover materials, materials from beneath the demarcation layer, materials in the perimeter of the Peninsula Area, materials from within the fenced, locked NYSEG Substation Area, and materials from the eastern side of Pavilion Road. Refer to Section 6.3 below for information regarding offsite disposal of materials from the Northwest Pavilion Area, from the Gannett Signage Area, and from Gannett Drive.

In the event that offsite disposal of materials is required, materials disposal will be managed as follows:

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 Part 364) and Federal regulations. Soils being disposed at a landfill or other acceptance facility will first be required to be characterized as per the requirements of that facility, and subsequently the facility shall provide an acceptance letter or other record that the material was acceptable for disposal at that facility.

If disposal of soil/fill from this site, including non-contaminated cover soils and soils from the Northwest Pavilion Area 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.

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 historical site fill and contaminated soils taken off-site will be handled, at minimum, as a Municipal Solid Waste pursuant to 6NYCRR Part 360-1.2. Material that does not meet the lower of the soil cleanup objectives (SCOs) for residential use or groundwater protection (Table 1 of the SMP) will not be taken to a New York State recycling facility (6NYCRR Part 360-16 Registration Facility) without a beneficial use determination issued by NYSDEC.

6.3 Offsite Management of Soils from the Northwest Pavilion Area, the Gannett Signage Area, and Gannett Drive

The requirements in Sections 6.1 and 6.2 above may apply to materials from within the Northwest Pavilion Area (including the western side of Pavilion Road), the Gannett Signage Area, and from Gannett Drive at the discretion of NYSDEC/NYSDOH. If materials from these areas will be removed from the Site, notification must be made to the Department:

Currently, this notification will be made to:

Mr. Gary Priscott
New York State Department of Environmental Conservation – Region 7
Kirkwood Sub-Office
1679 Route 11
Kirkwood, New York 13795

7. MATERIALS REUSE ONSITE

The following is the criteria for reuse of onsite derived materials (refer to Section 4 above for material type definitions & refer to Chart 1 below for a material use flow chart):

- **Type A1** materials and those soils from the Northwest Pavilion Area may be reused onsite above the demarcation layer provided it has not been mixed or impacted by materials from below the demarcation layer. Sample analysis of this material is not required prior to reuse, unless it has been determined that the material had come in contact with contaminated historical fill material or other contaminants (e.g. – oil spills).

- **Type A2** materials may be reused onsite in the areas from which it was removed (Gannett Signage Area/Gannett Drive), or it may be reused beneath the demarcation layer on the Southern Parcel or Gannett Parcel. Sample analysis of this material is not required prior to reuse, unless it has been determined that the material had come in contact with contaminated historical fill or other contaminants (e.g. – oil spills).

- **Type B, C, and E** materials may be reused onsite (except in the Northwest Pavilion Area) beneath the demarcation layer. Sampling and analysis of that material is not required if being reused beneath the demarcation layer. Debris found in these types of materials that is structurally unsuitable for site backfill (i.e. – wood, wire, metal, large pieces of masonry, etc.) must be taken offsite and disposed at a permitted facility.

  Note that the Peninsula Area may be a suitable location to accept excess Type B, C and E materials provided that the materials are placed beneath the demarcation layer.

- **Type D and F** material may not be re-used onsite at any time; however if type F material is encountered, it need only be excavated in areas where it was disturbed for site management purposes (i.e. – utility work or installation).

In the event that material from onsite that is not type A1 or from the Northwest Pavilion Area is determined to be potentially suitable for use above the demarcation layer (i.e. – it visually does not appear to be associated with historical fill material), a formal request with an associated plan will be made to the NYSDEC. Analytical samples will be collected at a frequency approved by the NYSDEC and analyzed for the following:

EPA Method 8260 (Target Compound List Volatile Organic Compounds (VOCs))
EPA Method 8270 (Target Compound List Semi-Volatile Organic Compounds (SVOCs))
EPA Method 6010 (Target Analyte List metals)
EPA Method 8082 (Polychlorinated Biphenyls (PCBs))

Testing shall be performed by a laboratory certified under the NYS Department of Health Environmental Laboratory Approval Program. ***Suitable material for reuse onsite above the demarcation layer must not contain compounds at levels greater than NYSDEC standards for commercial use (and not the protection of groundwater standards) as identified in 6 NYCRR Part 375-6.8(b)*** (Table 1 of the SMP). The results of chemical analysis of the re-use material and the basis for acceptance must be provided to the NYSDEC as part of the Periodic Review Report (Section 5 of the Engineering and Institutional Controls Plan).

Chemical criteria for on-site reuse of material have been approved by NYSDEC and are listed in Table 1 of the SMP. The qualified environmental professional will document that procedures defined for materials reuse in this SMP are followed and that unacceptable material does not remain on-site. Contaminated on-site material, including historical 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.

8. COVER SYSTEM RESTORATION

After the completion of work subject to this Excavation Work Plan, the cover system will be restored in a manner that complies with the Remedial Action Work Plan, which consists of:

1. A Demarcation Layer above fill soils (refer to Section 8.1 below); and
2. at least 1 foot of clean backfill either from an offsite source or from an onsite source deemed appropriate for reuse above the demarcation layer (Type A1 material) (refer to Sections 7 and 8.2 for criteria for determining appropriate backfill sources).

or

1. on Pavilion Road and on Gannett Drive, the demarcation layer and cover may consist of a pavement section.

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. A figure showing the modified surface will be included in the subsequent Periodic Review Report and in updates to the Site Management Plan.

8.1 Demarcation Layer

If damaged during excavation or other subsurface activities, the demarcation layer, consisting of geotextile fabric, or similar on the main site, orange fencing or similar in utility excavations, a pavement section on Pavilion Road and Gannett Drive, or a historical pavement layer in the Gannett Signage Area, will be replaced to provide a visual reference to the top of historical site fill. If the historical pavement layer is breached in the Gannett Signage Area, another form of visual demarcation (e.g. geotextile fabric) may be used as demarcation in lieu of replacing the asphalt layer.

8.2 Backfill from Offsite Sources

Soils brought to the site for filling and grading purposes above the demarcation layer shall be from an acceptable borrow source, free of industrial and/or other potential sources of chemical contamination (Refer to Chart 1 below for a material use flow chart). Analytical testing of backfill materials imported to the site for use as clean cover shall consist of:

EPA Method 8260 (Target Compound List VOCs)
EPA Method 8270 (Target Compound List SVOCs)
EPA Method 6010 (Target Analyte List metals)
EPA Method 8082 (PCBs)

Testing shall be performed by a laboratory certified under the NYS Department of Health Environmental Laboratory Approval Program. Samples shall be collected at the following frequencies:

- **For DOT-Approved Sources**: One sample per location, per source material.

- **For Other Sources**: One sample per 1,000 cubic yards of proposed imported material.

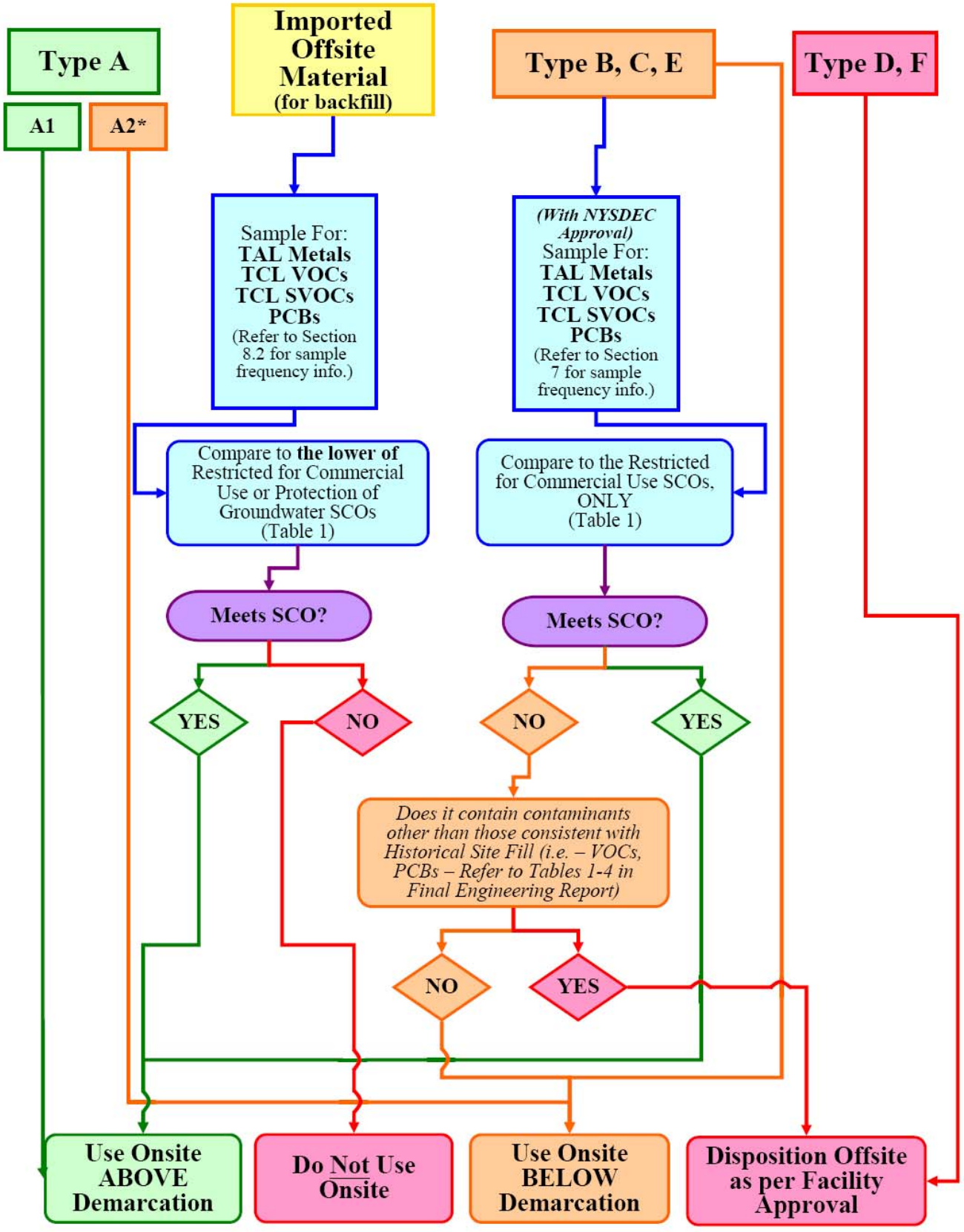
Suitable <u>offsite</u> material to be used as onsite backfill above the demarcation layer must not contain compounds at levels greater than NYSDEC soil cleanup objectives for commercial use or protection of

groundwater (whichever is lower) as identified in 6 NYCRR Part 375-6.8(b) (Table 1 of the SMP). The results of chemical analysis of the re-use material and the basis for acceptance must be provided to the NYSDEC as part of the Periodic Review Report (Section 5 of the Engineering and Institutional Controls Plan).

Material from industrial sites, spill sites, or other environmental remediation sites or potentially contaminated sites will not be imported to the site, unless specifically approved by NYSDEC.

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.

Chart 1: Material Type Use Chart (Refer to Section 4.1 for Material Type Definitions)



* Type A2 soils may also be returned to the area from which they were removed (Gannett Signage Area/Gannett Drive).

9. AIR MONITORING

9.1 Community Air Monitoring

The following describes the community air monitoring procedures set forth in the NYSDOH Generic Community Air Monitoring Plan (CAMP). Note that the Contractor is required to perform air monitoring for its own activities, in conformance to the Contractor's HASP.

Community air monitoring for particulates shall be performed for ground intrusive excavations that occur beneath the demarcation layer and/or areas in the perimeter of the Peninsula Area where there is no demarcation layer. Due to the *de minimus* potential for VOC emissions, and because the work area will be monitored for VOCs as part of soil screening as described in Section 4 above, the Generic Community Air Monitoring Plan (CAMP) includes VOC monitoring only for work to be conducted near potentially exposed populations as described in Section 9.2 below.

Particulate Monitoring, Response Levels, and Actions

Particulate concentrations should be monitored continuously at the upwind and downwind perimeters of the exclusion zone at temporary particulate monitoring stations. The particulate monitoring should 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 must be equipped with an audible alarm to indicated 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 (ug/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 must be employed. Work may continue with dust suppression techniques provided that downwind PM-10 particulate concentrations do not exceed 150 ug/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 ug/m^3 above the upwind level, work must be stopped and a re-evaluation of activities initiated. Work can resume proved that dust suppression measures and other controls are successful in reducing the downwind PM-10 particulate concentration to within 150 ug/m^3 of the upwind level and in preventing visible dust migration.

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

9.2 Air Monitoring Near Potentially Exposed Populations

When work areas are within 20 feet of potentially exposed populations or occupied structures, the continuous monitoring locations for VOCs and particulates must consider the nearest potentially exposed individuals and location of ventilation system intakes for nearby structures.

The use of engineering controls such as vapor/dust barriers, temporary negative-pressure enclosures, or special ventilation devices should be considered to prevent exposures related to the work activities and to control dust and odors. Consideration should be given to implementing the planned activities when

potentially exposed populations are at a minimum, such as during weekends or evening hours in non-residential settings.

- If total VOC concentrations opposite the walls of occupied structures or next to intake vents exceed 1 ppm, monitoring should occur within the occupied structure(s). Depending upon the nature of contamination, chemical-specific colorimetric tubes of sufficient sensitivity may be necessary for comparing the exposure point concentrations with appropriate pre-determined response levels (response actions should also be pre-determined). Background readings in the occupied spaces must be taken prior to commencement of the planned work. Any unusual background readings should be discussed with the NYSDOH prior to commencement of the work.

- If total particulate concentrations opposite the walls of occupied structures or next to intake vents exceed 150 ug/m^3, work activities should be suspended until controls are implemented and are successful in reducing the total particulate concentrations to 150 ug/m^3 or less at the monitoring point.

- Depending upon the nature of contamination and remedial activities, other parameters (e.g., explosivity, oxygen, hydrogen sulfide, carbon monoxide) may also need to be monitored. Response levels and actions should be pre-determined, as necessary, for each site.

Note that the specific requirements outlined above are part of a generic plan that may not be applicable to the Site. Site-specific requirements for interior monitoring should be discussed and agreed-to with the NYSDEC at the time of notification pursuant to Section 2.1.

9.3 Odor Control

If nuisance odors are identified at the site boundary, or if odor complaints are received, work will be halted and the source of odors will be identified and corrected. Work will not resume until the nuisance odors have been abated. NYSDEC and NYSDOH will be notified of odor events. Odor control measures that are implemented will be discussed in the Periodic Review Report.

Reasonable and customary means will be employed to prevent on- and off-site nuisances. These measures may 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; (e) use of chemical odorants in spray or misting systems; and, (f) monitoring odors in surrounding neighborhoods.

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

9.4 Dust Control

If persistent dust is observed leaving the Site during excavation activities, and dust suppression is required, dust management during invasive onsite work may include:

- The use of a dedicated on-site water truck for road wetting.

- Clearing and grubbing of larger sites may be done in stages to limit the area of exposed, unvegetated soils vulnerable to dust production.

- Gravel or pavement may be used on roadways to provide a clean and dust-free road surface.

- On-site roads may be limited in total area to minimize the area required for water truck sprinkling.

10. CONTINGENCY

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 personnel and equipment are mobilized to address the condition.

Sampling will be performed on product, sediment and surrounding soils, etc. as necessary to determine the nature of the previously unidentified source material and proper disposal method. Chemical analysis will be performed for a full list of analytes (TAL metals; TCL volatiles and semi-volatiles, TCL pesticides and polychlorinated biphenyls (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 during invasive site work will be promptly communicated by telephone to NYSDEC's Project Manager. Reportable quantities of petroleum product will also be reported to the NYSDEC spills hotline (800-457-7362). These findings will be also included in periodic electronic media reports.

REFERENCES

1. Supplemental Remedial Investigation Work Plan prepared by Haley & Aldrich of New York, dated October 2005.

2. Supplemental Remedial Investigation Report prepared by Haley & Aldrich of New York, dated July 2007

3. Revised Supplemental Remedial Investigation Addendum prepared by Haley & Aldrich of New York, dated January 2008

4. Remedial Alternatives Analysis and Remedial Action Work Plan prepared by Haley & Aldrich of New York, dated March 2008

5. Final Engineering Report prepared by Haley & Aldrich of New York, dated 4 November 2009.

APPENDIX B

Monitoring Plan

MONITORING PLAN
FORMER ENDICOTT JOHNSON RANGER PARACORD
SOUTHERN PARCEL
BCP SITE NUMBER C704048
JOHNSON CITY, NEW YORK

by

Haley & Aldrich of New York
Rochester, New York

for

Stella Ireland Road Associates, LLC
Vestal, New York

File No. 30603-111
4 November 2009

TABLE OF CONTENTS

1. INTRODUCTION

1.1 General

The Monitoring Plan describes the measures for evaluating the performance and effectiveness of the implemented engineering controls (ECs) to reduce or mitigate contamination at the site. The EC at the site consists of a demarcation layer, soil cover system, and fencing. This Monitoring Plan may only be revised with the approval of NYSDEC.

1.2 Purpose

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.

To adequately address these issues, the Monitoring Plan provides information on reporting requirements and the annual inspection and periodic certification.

2. ENGINEERING CONTROL SYSTEM MONITORING

2.1 Cover System

A cover system, consisting of a demarcation layer and at least one foot of clean cover, was installed to prevent human exposure to the residually contaminated historical fill that is ubiquitous at the site, except within the Northwest Pavilion Area, Gannett Drive, and the eastern side of Pavilion Road (the western side of Pavilion Road is within the limits of the Northwest Pavilion Area). The cover system on Gannett Drive and the eastern side of Pavilion Road consists of a pavement section. Refer the figures attached to the Site Management Plan (SMP) for a depiction of the limits of demarcation layer. The cover system must be maintained.

2.2 Site Fence

Because there is no cover system present along the perimeter portions of the Peninsula Area, the two areas that extend to the north of the Peninsula Area, and around the NYSEG substation located in the northeast corner of the Site (Refer the figures attached to Site Management Plan), a six foot perimeter site fence must be maintained at all times around the Peninsula Area and substation.

2.3 Inspection Schedule

The cover system and fencing will be inspected on an annual basis. If significant areas of distress are noted, they will be repaired to a condition required by the SMP. The demarcation layer will be repaired if it is damaged during any subsurface work (utilities, etc.).

Inspection frequency is subject to change with the approval of the New York State Department of Environmental Conservation (NYSDEC). Unscheduled inspections and/or sampling may take place when a suspected failure of the cover system has been reported or an emergency occurs that is deemed likely to affect the operation of the system.

3. MONITORING REPORTING REQUIREMENTS

Forms and any other information generated during regular monitoring events and inspections will be kept on file on-site. Required forms, and other relevant reporting formats used during the monitoring/inspection events, will be (1) subject to approval by NYSDEC and (2) submitted at the time of the Periodic Review Report as specified in Section 5 of the Engineering and Institutional Controls Plan.

All media and engineering system monitoring results will be reported to NYSDEC in the Periodic Review Report. The report will include, at a minimum:

- Date of event
- Personnel involved
- Description of the activities performed
- Type of samples collected if any (e.g., soil samples for disposal purposes)
- Copies of all field forms completed, if any (e.g., chain-of-custody documentation, inspection checklists, etc.)
- Sampling results in comparison to appropriate standards/criteria when applicable (e.g. – soils imported to the site from offsite locations)
- A figure illustrating sample type and sampling locations, when applicable
- Copies of all laboratory data sheets and the required laboratory data deliverables if required
- Observations, conclusions, or recommendations

4. CONTINGENCY & EMERGENCY CONTACTS

Emergencies may include injury to personnel, fire or explosion, environmental release, or serious weather conditions. 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. These emergency contact lists should be maintained in an easily accessible location at the site.

Emergency Contact Numbers

Medical, Fire, and Police:	911
Dig Safe (3 days advance for stakeouts):	(800) 962-7962 or 811
Poison Control Center:	(800) 222-1222
Pollution Toxic Chemical Oil Spills:	(800) 424-8802
NYSDEC Spills Hotline	(800) 457-7362

REFERENCES

1. Supplemental Remedial Investigation Work Plan prepared by Haley & Aldrich of New York, dated October 2005.

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APPENDIX C

Photographs

Photograph 1: Demarcation Layer.

Photograph 2: Demarcation Layer.

Photograph 3: Demarcation within utility trenches.

Photograph 4: Fence around the Peninsula Area.