

November 30, 2021

Site Control Section
Attention: Len Zinoman
New York State Department of Environmental Conservation
Bureau of Technical Support
625 Broadway, 11th Floor
Albany, NY 12233-7020

Re: Brownfield Cleanup Program Application – Former Fulton Finishing Plant

Dear Mr. Zinoman:

Corning Incorporated is submitting the enclosed revised Brownfield Cleanup Program Application for the Former Fulton Finishing Plant property at 8 Museum Way, Corning, New York. The package includes the following:

- One paper copy of the Application Form and the Table of Contents
- One complete electronic copy in final, non-fillable PDF format including responses to NYSDEC comments

Please contact me if you have any questions.

Sincerely,



John F. Novotny, P.E., BCEE
Director, Global Environment & Sustainability,
Capital Project Management, Energy Management
Corning Incorporated
HP-ME-03-83
Corning, NY 14831
Office: (607) 974-4868

Cc: Dudley Loew, NYSDEC
Karen Douglas, Corning Incorporated
Meaghan Boyd, Alston & Bird
Nelson Johnson, Arnold & Porter Kaye Scholer
Michael Doherty, AECOM

**Brownfield Cleanup Application
Former Fulton Finishing Plant
BCP #C851037**

1. **NYSDEC Comment:** Section II: Project Description. Please provide the date by which issuance of a Certificate of Completion is expected.
 - a. **AECOM Response:** The date by which the issuance of a Certificate of Completion is expected were added to the Project Description.
2. **NYSDEC Comment:** Section IV: Property Information. According to tax records for Steuben County and the City of Corning, the correct SBL for this property is 317.08-1-68. Please correct the table in the application form and any other occurrences of the property's SBL.
 - a. **AECOM Response:** The SBL for the property has been corrected.
3. **NYSDEC Comment:** Section IV: Property Information. In the Property Description Narrative, please revise the section title "Current Zoning" to read "Current Zoning and Land Use" and revise this section to include current site use.
 - a. **AECOM Response:** The title of the section was revised.
4. **NYSDEC Comment:** Section IV: Property Information. Note that additional comments regarding the Environmental Assessment may be included in the attached Project Manager's comments.
 - a. **AECOM Response:** Noted
5. **NYSDEC Comment:** Section V: Additional Requestor Information. Please list the contact name for AECOM.
 - a. **AECOM Response:** The contact name for AECOM has been added.
6. **NYSDEC Comment:** Section VI: Current Property Owner/Operator Information. Please provide a copy of the deed as proof of ownership.
 - a. **AECOM Response:** A copy of the deed has been appended to the application.
7. **NYSDEC Comment:** Section VI: Current Property Owner/Operator Information. Please revise the table of previous owners and operators to include the last known/available contact information.
 - a. **AECOM Response:** The last known/available contact information has been added to the table, to the extent it is known or readily available to Corning Incorporated.
8. **NYSDEC Comment:** Section VI: Current Property Owner/Operator Information. If all previous operators were concurrently the property owner, please make that statement above the table provided. If not, please separate the list of previous owners and previous operators.
 - a. **AECOM Response:** The table has been revised to address the comment, to the extent it is known or readily available to Corning Incorporated.

9. **NYSDEC Comment:** Section IX: Contact List Information. Please provide complete mailing addresses for the ownership entities of the adjacent properties (e.g., NYSEG does not receive mail at a substation).
 - a. **AECOM Response:** Complete mailing addresses have been added for the owners of the adjacent properties.
10. **NYSDEC Comment:** Section X: Land Use Factors. Item 2: please revise this response to include an emphasis on identifying possible contamination source areas.
 - a. **AECOM Response:** The text had been revised.
11. **NYSDEC Comment:** Additional Comments. Please submit the revised application using the current application form (Revision 12, released August 2021), which is available at <https://www.dec.ny.gov/chemical/8450.html>. Please be sure the revision includes the required data summary tables as prescribed in the application instructions.
 - a. **AECOM Response:** The application has been revised to use the updated version.
12. **NYSDEC Comment:** Additional Comments. Please submit the revised application in final, non-fillable Portable Document Format (PDF).
 - a. **AECOM Response:** The revised application will be provided in a final, non-fillable Portable Document Format (PDF).
13. **NYSDEC Comment:** Project Manager Comment 1. Project Description, A-2: please note, a complete Remedial Investigation in accordance with DER-10 will be required.
 - a. **AECOM Response:** Noted



**BROWNFIELD CLEANUP
PROGRAM APPLICATION
8 MUSEUM WAY**

Corning, NY

November 2021

Prepared for:

**Corning Incorporated
Corning, New York**

Prepared by:

**AECOM
Latham, New York 12110**



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BCP APPLICATION

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Figure 3	Tax Map
Figure 3	Site Plan
Figure 4	Previous Investigation and Remediation Overview
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Figure 6	Surrounding Land Usage
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Figure 8	Current Water Supply System

ATTACHMENT A (BCP APPLICATION PART A – SECTIONS I – IV)

A-1	Entity Information
A-2	Project Description
A-3	Investigation Report
A-4	List of Permits
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ATTACHMENT B (BCP APPLICATION PART B – SECTION V – XI)

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B-3	Deed
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ENVIRONMENTAL REPORTS (*Provided on CD with Bound Application*)



Department of
Environmental
Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ Yes

☒ No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) **BCP App Rev 12**

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME Corning Incorporated

ADDRESS One Riverfront Plaza

CITY/TOWN Corning

ZIP CODE 14831

PHONE 607.974.9000

FAX

E-MAIL novotnyjf@corning.com

Is the requestor authorized to conduct business in New York State (NYS)?

☒ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. *(See Attachment A-1)*

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☐ No

3. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated. *(See Attachment A-2 and Figures 1 through 7)*

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that the site requires remediation and contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property. To the extent that existing information/studies/reports are available to the requestor, please attach the following (*please submit the information requested in this section in electronic format only*):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do not submit paper copies of supporting documents.** (*See Attachment A-3*)

2. **SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED, WITH LABORATORY REPORTS REFERENCED AND ALSO INCLUDED.**

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals	X		
Pesticides			
PCBs	X		
Other*			

*Please describe: _____

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- SAMPLE LOCATION (*See Figure 4*)
- DATE OF SAMPLING EVENT (*See Figure 4*)
- KEY CONTAMINANTS AND CONCENTRATION DETECTED (*See Figure 5; anticipated use is commercial.*)
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE (*See Figure 5*)
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5 (*Not Applicable*)
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX (*Not Applicable*)

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

☒ Yes ☐ No

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner |
| <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant | <input type="checkbox"/> Pipeline | <input type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME Former Fulton Finishing Plant (8 Museum Way)				
ADDRESS/LOCATION 8 Museum Way				
CITY/TOWN Corning		ZIP CODE 14831		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): City of Corning				
COUNTY Steuben		SITE SIZE (ACRES) 2.56 +/- (to be confirmed by survey)		
LATITUDE (degrees/minutes/seconds) 42 ° 8 ' 54.27 "		LONGITUDE (degrees/minutes/seconds) -77 ° 3 ' 21.78 "		
Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS. (See Figure 1 and Figure 2)				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
8 Museum Way	317.08	1	68	2.56
1. Do the proposed site boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, please attach an accurate map of the proposed site.				
2. Is the required property map attached to the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (application will not be processed without map) (See Figure 3 and Figure 6)				
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, identify census tract : _____ Percentage of property in En-zone (check one): <input type="checkbox"/> 0-49% <input type="checkbox"/> 50-99% <input type="checkbox"/> 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, identify name of properties (and site numbers if available) in related BCP applications: _____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? (Not Applicable) <input type="checkbox"/> Yes <input type="checkbox"/> No				
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach relevant supporting documentation.				
7. Are there any lands under water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, these lands should be clearly delineated on the site map.				

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

(See Attachment A-4)

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.** (See Attachment A-5 and Figures 1 through

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☐ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY	
BCP SITE NAME: _____		BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE John Novotny			
ADDRESS One Riverfront Plaza			
CITY/TOWN Corning		ZIP CODE 14831	
PHONE 607.974.9000	FAX	E-MAIL novotnyjf@Corning.com	
NAME OF REQUESTOR'S CONSULTANT Michael Doherty, PE (AECOM)			
ADDRESS 40 British American Blvd			
CITY/TOWN Latham		ZIP CODE 12110	
PHONE 518.951.2200	FAX 518.951.2300	E-MAIL Michael.Doherty@aecom.com	
NAME OF REQUESTOR'S ATTORNEY Nelson D Johnson and Meaghan Boyd			
ADDRESS (See Attachment B-1)			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<p>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".</p> <p style="text-align: right; color: magenta;">(See Attachment B-2 and B-3)</p> <p>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</p>			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
<p>If answering "yes" to any of the following questions, please provide an explanation as an attachment.</p> <p>1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☒ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☒ **PARTICIPANT**

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☐ **VOLUNTEER**

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted**. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?

☐ Yes ☐ No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☒ No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? ☐ Yes ☒ No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No
If yes, please provide explanation as an attachment.

Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

(See Attachment B-4)

Section X. Land Use Factors	
<p>1. What is the current municipal zoning designation for the site? <u>BD-Business Development</u></p> <p>What uses are allowed by the current zoning? (Check boxes, below)</p> <p><input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial</p> <p>If zoning change is imminent, please provide documentation from the appropriate zoning authority.</p>	
<p>2. Current Use: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant <input type="checkbox"/> Recreational (check all that apply) <i>(See Attachment B-5)</i></p> <p>Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.</p>	
<p>3. Reasonably anticipated use Post Remediation: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial (check all that apply) Attach a statement detailing the specific proposed use. <i>(See Attachment B-5)</i></p> <p>If residential, does it qualify as single family housing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>4. Do current historical and/or recent development patterns support the proposed use?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.</p> <p>The current use is consistent with the Use Regulation Table in Chapter 240 of the City of Corning Zoning Code, and there are no proposed changes to the current use.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.</p> <p>There are no proposed changes to the current use. The current use is consistent with the City of Corning Master Plan. The current use, which supports Corning Incorporated and Corning Museum of Glass ("CMOG") operations, is also consistent with the 2018 City of Corning Economic Development Strategic Plan which highlights the importance of Corning Incorporated and CMOG to the community.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am DIRECTOR - GLOBAL ENVIRONMENT + SUSTAINABILITY (title) of CORNING INCORPORATED (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 11/30/2021

Signature: _____

Print Name: _____

JOHN F. NOVOTNY

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), must be sent to:
 - Chief, Site Control Section
 - New York State Department of Environmental Conservation
 - Division of Environmental Remediation
 - 625 Broadway
 - Albany, NY 12233-7020

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY

BCP SITE T&A CODE: _____

LEAD OFFICE: _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 12

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please answer questions below and provide documentation necessary to support answers.	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	
Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No	
From ECL 27-1405(31):	
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
<p>From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application)</p>	
375-3.2:	
(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and	
(1) the proposed use is at least 75 percent for industrial uses; or	
(2) at which:	
(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;	
(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and	
(iii) one or more of the following conditions exists, as certified by the applicant:	
(a) property tax payments have been in arrears for at least five years immediately prior to the application;	
(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or	
(c) there are no structures.	
<p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>	

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- ☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;
- ☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- ☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: Former Fulton Finishing Plant (8 Museum Way) **Site Address:** 8 Museum Way
City: Corning **County:** Steuben **Zip:** 14831

Tax Block & Lot
Section (if applicable): 317.08 **Block:** 1 **Lot:** 68

Requestor Name: Corning Incorporated **Requestor Address:** One Riverfront Plaza
City: Corning **Zip:** 14831 **Email:** novotnyjf@corning.com

Requestor's Representative (for billing purposes)
Name: John Novotny **Address:** One Riverfront Plaza
City: Corning **Zip:** 14831 **Email:** novotnyjf@Corning.com

Requestor's Attorney
Name: Nelson D Johnson and Meaghan Boyd **Address:**
City: **Zip:** **Email:**

Requestor's Consultant
Name: Michael Doherty, PE (AECOM) **Address:** 40 British American Blvd
City: Latham **Zip:** 12110 **Email:** Michael.Doherty@aecom.com

Percentage claimed within an En-Zone: ☒ 0% ☐ <50% ☐ 50-99% ☐ 100%

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☐ Volunteer ☒ Participant

DER/OGC Determination: ☐ Agree ☐ Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☐ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☐ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☐ Planned, No Contract

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP APPLICATION**

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional office](#) to schedule a meeting. To add a party to an existing BCP Agreement and/or Application, use the [BCP Agreement Amendment Application](#). **See guidance at the end of these instructions regarding the determination of a complete application.**

SECTION I

REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear exactly as given in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.

Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Document Certification

All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of [DER-10](#). Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:

- New York State licensed professional engineers (PEs), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a PE with current license and registration for work that was done by them or those under their direct supervision. The firm by which the PE is employed must also be authorized to practice engineering in New York State;
- qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;
- remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or
- site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION II

PROJECT DESCRIPTION

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the Certificate of Completion is anticipated..

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

For all sites, an investigation report is required that is sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings and **data summary tables** requested in Section III, #3 of the BCP application form. **Data summary table instructions are attached.**

SECTION IV

PROPERTY INFORMATION

Proposed Site Name

Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e. ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.

Site Address

Provide a street address, city/town, zip code, and each municipality and county in which the site is located. .

Site Size

Provide the approximate acreage of the site.

GIS Information

Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

Tax Parcel Information

Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears and clearly indicate the proposed site's location.

1. Tax Map Boundaries

State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

3. En-zone

Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see DEC's website.

4. Multiple applications

Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where 1) the development project spans more than 25 acres; 2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and 3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).

10. Property Description Narrative

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

Current Zoning and Land Use: (Ensure the current zoning is identified.)

Example: "The site is currently inactive, and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility right-of-ways. The nearest residential area is 0.3 miles east on Route 55."

Past Use of the Site: include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

Environmental Assessment

The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semivolatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.

The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.

A typical Environmental Assessment would look like the following:

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).

Groundwater - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.

Soil Vapor & Indoor Air - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.

Consultant and Attorney Name, Address, etc.

Provide requested information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION
(IF NOT A REQUESTOR)**

Owner Name, Address, etc.

Provide requested information of the current owner of the property. List all parties holding an interest in the Property and, if the Requestor is not the current owner, describe the Requestor's relationship to the current owner.

Operator Name, Address, etc.

Provide requested information of the current operator (if different from the requestor or owner).

Provide a list of previous property owners and operators with names, last known addresses, telephone numbers and the Requestor's relationship to each owner and operator as a separate attachment

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.

1. CERCLA / NPL Listing

Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.

2. Registry Listing

Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) website for a database of sites with classifications.

3. RCRA Listing

Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 *et seq*? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

4. Registry / RCRA sites owned by volunteers

If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

**NEW YORK STATE
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SECTION VIII (continued)

5. Existing Order

Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.

6. Enforcement Action Pending

Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information on an attachment.

SECTION IX CONTACT LIST INFORMATION

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project.

SECTION X LAND USE FACTORS

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

1. This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).
2. This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each must sign a signature page. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of [common application deficiencies](#) and carefully read these instructions.
2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. (**Please note:** the application *as a whole* requires more than the information outlined below to be determined complete). The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties **and** their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). **If this determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.**
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION (continued)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the time-frames established by the LOC, the public comment period on the application will be extended to insure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DATA SUMMARY TABLES

Data summary tables should include the following columns. Example tables are provided on the following page.

Soil Table:

Analytes > SCOs ^a	Detections > SCOs ^b	Max. Detection (ppm) ^c	SCO (ppm) ^d	Depth (ft bgs)
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Groundwater Table:

Analytes > AWQS ^e	Detections > AWQS ^f	Max. Detection (ppb) ^c	AWQS (ppb) ^g
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Soil Gas Table:

Analytes ^h	Total Detections	Max. Detection (ug/m ³) ^c	Type ⁱ
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^a Include all contaminants over the applicable soil cleanup objectives (SCOs). Column header should specify which SCOs are being compared to. (i.e. "RRSCOs" for Restricted Residential SCOs)

^b Number of detections over applicable SCOs. Specify which SCOs are being compared to in column header.

^c Maximum detection in parts per million (ppm) for soil, parts per billion (ppb) for groundwater, or micrograms per cubic meter (ug/m³) for soil gas.

^d List the respective SCO. Specify which SCOs are being compared to in column header.

^e Include all contaminants over Class GA Ambient Water Quality Standards (AWQS).

^f Number of detections over AWQS.

^g List the respective AWQS.

^h Include all chlorinated volatile organic compound (VOCs) detections.

ⁱ Specify type: soil vapor, sub-slab or indoor air.

Example Data Summary Tables

Soil Table:

Analytes > RR SCOs	Detections > RR SCOs	Maximum Detection (ppm)	RR SCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	3	11	1	5 – 7
Benzo(a)pyrene	4	15	1	5 – 7
Benzo(b)fluoranthene	5	15	1	5 – 7
Benzo(k)fluoranthene	1	5.3	3.9	5 – 7
Indeno(1,2,3-cd)pyrene	7	8.4	0.5	5 – 7
barium	2	967	400	0.5 – 2.5
cadmium	2	94.1	4.3	6 – 8
lead	3	1,790	400	0.5 – 2.5

Groundwater Table:

Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
Benz(a)anthracene	2	0.2	0.002
Benzo(a)pyrene	2	0.221	ND
Benzo(b)fluoranthene	2	0.179	0.002
Benzo(k)fluoranthene	2	0.189	0.002
Indeno(1,2,3-cd)pyrene	2	0.158	0.002
Tetrachloroethene (PCE)	1	12	5

Soil Gas Table:

Analytes	Total Detections	Max. Detection ($\mu\text{g}/\text{m}^3$)	Type
Carbon tetrachloride	1	0.84	Soil vapor
Methylene chloride	1	2.6 J	Soil vapor
Tetrachloroethene	2	47	Soil vapor
Trichloroethene	1	1.2	Soil vapor
Trichlorofluoromethane	1	21	Soil vapor



TABLES

TABLE 1
Summary of Remaining Soil Data (Post-Excavation)¹

Analyte	Number of Analyses	Detections >SCO ²	Max Detection (ppm)	SCO ² (ppm)	Depth (ft bgs)
Total Metals					
Arsenic	2	1	21.4	16	Unknown
Barium	2	0	128	400	Unknown
Cadmium	2	0	0.76	9.3	Unknown
Chromium	2	0	17.2	1,500	Unknown
Lead	5	0	550	1,000	Unknown
Mercury	2	0	0.27	2.8	Unknown
Silver	1	0	2.4	180	Unknown
Polychlorinated biphenyls					
Aroclor 1016	1	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1221	1	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1232	1	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1242	1	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1248	1	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1254	1	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1260	10	Not Applicable	27	No SCO	Unknown
PCBs, Total	10	1	27	10	Unknown
TCLP Metals					
TCLP Arsenic	1	Not Applicable	0.0062	No SCO	Unknown
TCLP Barium	2	Not Applicable	0.71	No SCO	Unknown
TCLP Cadmium	2	Not Applicable	0.0089	No SCO	Unknown
TCLP Lead	3	Not Applicable	1.4	No SCO	Unknown

1. Copies of the Lab Reports are attached to this document.

2. SCO - Soil Cleanup Objective, Commercial , Subpart 375-6 Remedial Program or CP-51 subsurface

3. CP-51 Soil Cleanup Objective (SCO) for PCBs at commercial sites is 1 mg/kg in the surface soil and 10 mg/kg in the subsurface soils. Since these are post excavation samples the subsurface values is being applied.

TABLE 2
Summary of Removed Soil Data (Disposal Sampling)¹

Analyte	Number of Analyses	Detections >SCO2	Max Detection (ppm)	SCO2 (ppm)	Depth (ft bgs)
Total Metals					
Lead	1	1	5100	1000	Unknown
Polychlorinated biphenyls					Unknown
Aroclor 1016	3	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1221	3	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1232	3	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1242	3	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1248	3	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1254	3	Not Applicable	0.146	No SCO	Unknown
Aroclor 1260	3	Not Applicable	3.3	No SCO	Unknown
Aroclor 1262	3	Not Applicable	Not Detected	No SCO	Unknown
Aroclor 1268	3	Not Applicable	Not Detected	No SCO	Unknown
PCBs, Total	21	4	202	10	Unknown
TCLP Metals					
TCLP Arsenic	4	Not Applicable	0.029	No SCO	Unknown
TCLP Barium	4	Not Applicable	1.9	No SCO	Unknown
TCLP Cadmium	4	Not Applicable	Not Detected	No SCO	Unknown
TCLP Chromium	4	Not Applicable	0.026	No SCO	Unknown
TCLP Lead	4	Not Applicable	19	No SCO	Unknown
TCLP Mercury	4	Not Applicable	Not Detected	No SCO	Unknown
TCLP Selenium	4	Not Applicable	Not Detected	No SCO	Unknown
TCLP Silver	4	Not Applicable	Not Detected	No SCO	Unknown

1. Copies of the Lab Reports are attached to this document.
2. SCO - Soil Cleanup Objective, Commercial , Subpart 375-6 Remedial Program or CP-51 subsurface
3. CP-51 Soil Cleanup Objective (SCO) for PCBs at commercial sites is 1 mg/kg in the surface soil and 10 mg/kg in the subsurface soils. Since these are excavation samples the subsurface value is being applied.

TABLE 3
Summary of Groundwater Data from
Cooling and Heating Production Wells from 2017-2020¹

Analyte	Number of Analyses	Detections >AWQS ²	Max Detection (ppb)	AWQS ² (ppb)
1,1,1,2-Tetrachloroethane	14	0	No Detections	5
1,1,1-Trichloroethane	14	0	No Detections	5
1,1,2,2-Tetrachloroethane	14	0	No Detections	5
1,1,2-Trichloroethane	14	0	No Detections	1
1,1-Dichloroethane	14	0	No Detections	5
1,1-Dichloroethene	14	0	No Detections	5
1,1-Dichloropropene	14	0	No Detections	5
1,2,3-Trichlorobenzene	14	0	No Detections	5
1,2,3-Trichloropropane	14	0	No Detections	0.04
1,2,4-Trichlorobenzene	14	0	No Detections	5
1,2,4-Trimethylbenzene	14	0	0.7	5
1,2-Dichlorobenzene	23	0	No Detections	3
1,2-Dichloroethane	23	0	No Detections	0.6
1,2-Dichloropropane	14	0	No Detections	1
1,3,5-Trimethylbenzene	14	0	No Detections	5
1,3-Dichlorobenzene	14	0	No Detections	3
1,3-Dichloropropane	14	0	No Detections	5
1,4-Dichlorobenzene	14	0	No Detections	3
2,2-Dichloropropane	14	0	No Detections	5
2-Chlorotoluene	14	0	No Detections	5
4-Chlorotoluene	14	0	No Detections	5
4-Isopropyltoluene	14	0	No Detections	5
4-Methyl-2-pentanone	9	0	No Detections	No Standard
Acetone	9	0	No Detections	50
Benzene	23	0	0.5	1
Bromobenzene	14	0	No Detections	5
Bromochloromethane	14	0	No Detections	5
Bromodichloromethane	14	0	No Detections	50
Bromoform	14	0	No Detections	50
Bromomethane	14	0	No Detections	5
Carbon tetrachloride	14	0	No Detections	5
Chlorobenzene	23	0	No Detections	5
Chloroethane	14	0	No Detections	5
Chloroform	23	0	No Detections	7
Chloromethane	14	0	No Detections	5
cis-1,2-Dichloroethene	14	0	No Detections	5
cis-1,3-Dichloropropene	14	0	No Detections	0.4
Dibromochloromethane	14	0	No Detections	50
Dibromomethane	14	0	No Detections	5

TABLE 3
Summary of Groundwater Data from
Cooling and Heating Production Wells from 2017-2020¹

Analyte	Number of Analyses	Detections >AWQS ²	Max Detection (ppb)	AWQS ² (ppb)
Dichlorodifluoromethane	14	0	No Detections	5
Ethylbenzene	14	0	3.1	5
Hexachlorobutadiene	14	0	No Detections	0.5
Isopropylbenzene	14	0	0.6	5
m,p-Xylene	14	0	No Detections	5
Methyl tert-butyl ether	14	0	No Detections	No Standard
Methylene chloride	23	0	No Detections	5
n-Butylbenzene	14	0	No Detections	5
n-Propylbenzene	14	0	No Detections	5
o-Xylene	14	0	0.6	5
sec-Butylbenzene	14	0	No Detections	5
Styrene	14	0	No Detections	5
tert-Butylbenzene	14	0	No Detections	5
Tetrachloroethene	14	0	No Detections	5
Tetrahydrofuran	9	0	No Detections	50
Toluene	23	0	No Detections	5
trans-1,2-Dichloroethene	14	0	0.6	5
trans-1,3-Dichloropropene	14	0	No Detections	0.4
Trichloroethene	14	0	No Detections	5
Trichlorofluoromethane	14	0	No Detections	5
Vinyl chloride	14	0	No Detections	2

Notes:

1. Copies of the Lab Reports are attached to this document.
2. AWQS - Ambient Water Quality Standards, Class GA Technical and Operational Guidance Series (TOGS) 1.1.1
3. None of the detected concentrations exceeded the AWQS.

TABLE 4

Summary of Groundwater Data from City of Corning Annual Drinking Water Quality Report¹

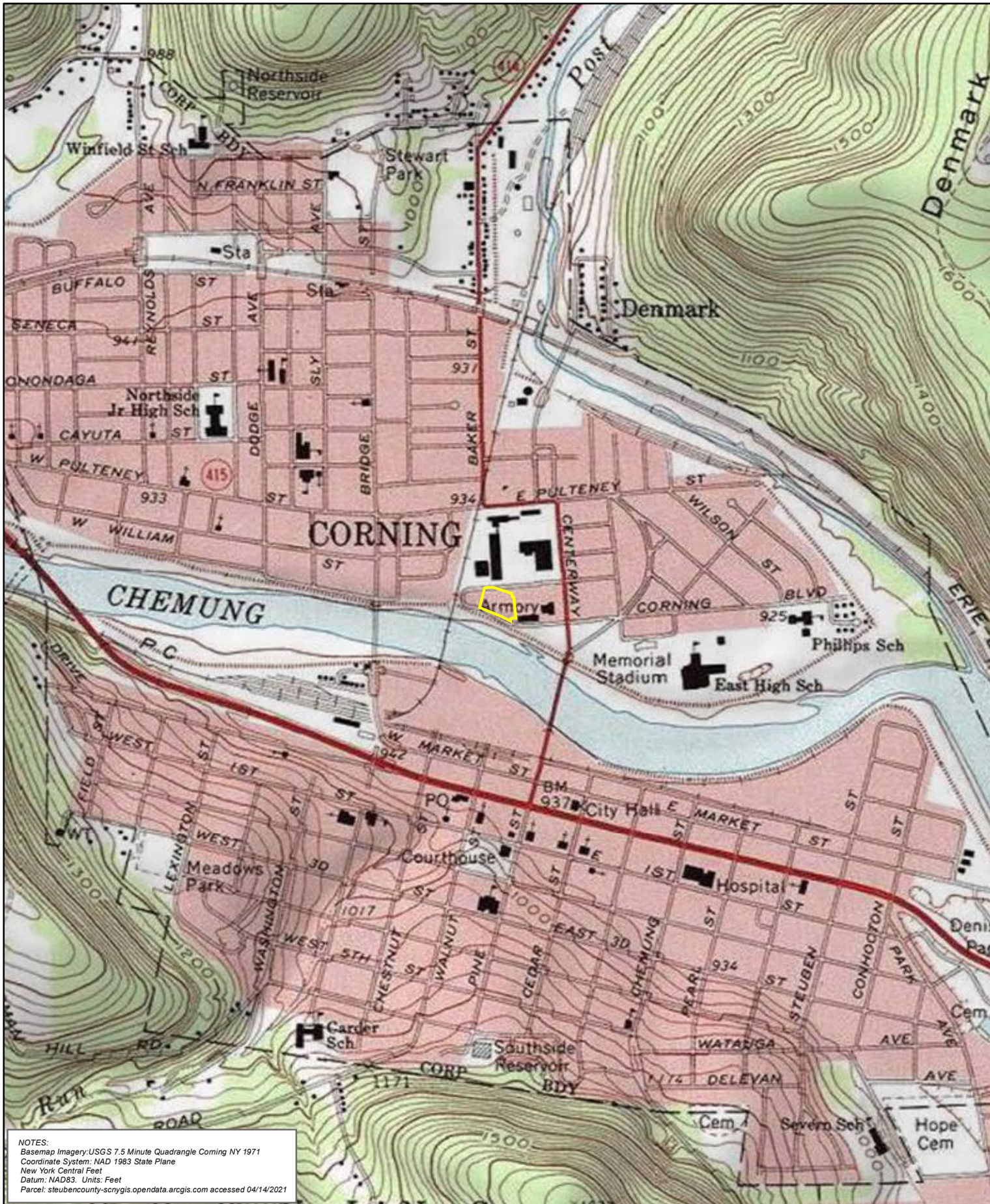
Analyte	Number of Analyses	Detections >AWQS ²	Max Detection	Units	AWQS ²
Barium	4	0	290	ug/L	10,000
Chromium	4	0	3	ug/L	50
Copper	Not Reported ³	Not Reported ³	790	ug/L	200
Fluoride	1	0	150	ug/L	1,500
Lead	Not Reported ⁴	0	19	ug/L	25
Nickel	4	0	3.1	ug/L	100
Nitrate	4	0	2,800	ug/L	10,000
Selenium	3	0	2.9	ug/L	10
Sodium	4	4	150,000	ug/L	20,000
Radioactive Analytes					
Gross Alpha	4	0	4.68	pCi/L	15
Gross Beta	4	0	1.56	pCi/L	1000
Radium 226	4	0	0.13	pCi/L	3
Radium 228	4	0	0.44	pCi/L	5
Uranium	4	0	0.332	ug/l	No Standard

Notes:

1. Data from Annual Drinking Water Quality Report for 2020, City of Corning. A copy of the report is attached to this document.
2. AWQS - Ambient Water Quality Standards, Class GA Technical and Operational Guidance Series 1.1.1
3. City of Corning Annual Drinking Water Quality Report for 2020 reported copper concentrations from 28 to 790 ug/L with a 90th percentile of 600 ug/L.
4. City of Corning Annual Drinking Water Quality Report for 2020 reported lead concentrations from 1 to 19 ug/L with a 90th percentile of 11 ug/L.



FIGURES



Legend

Site

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0 380 760 1,140 Feet

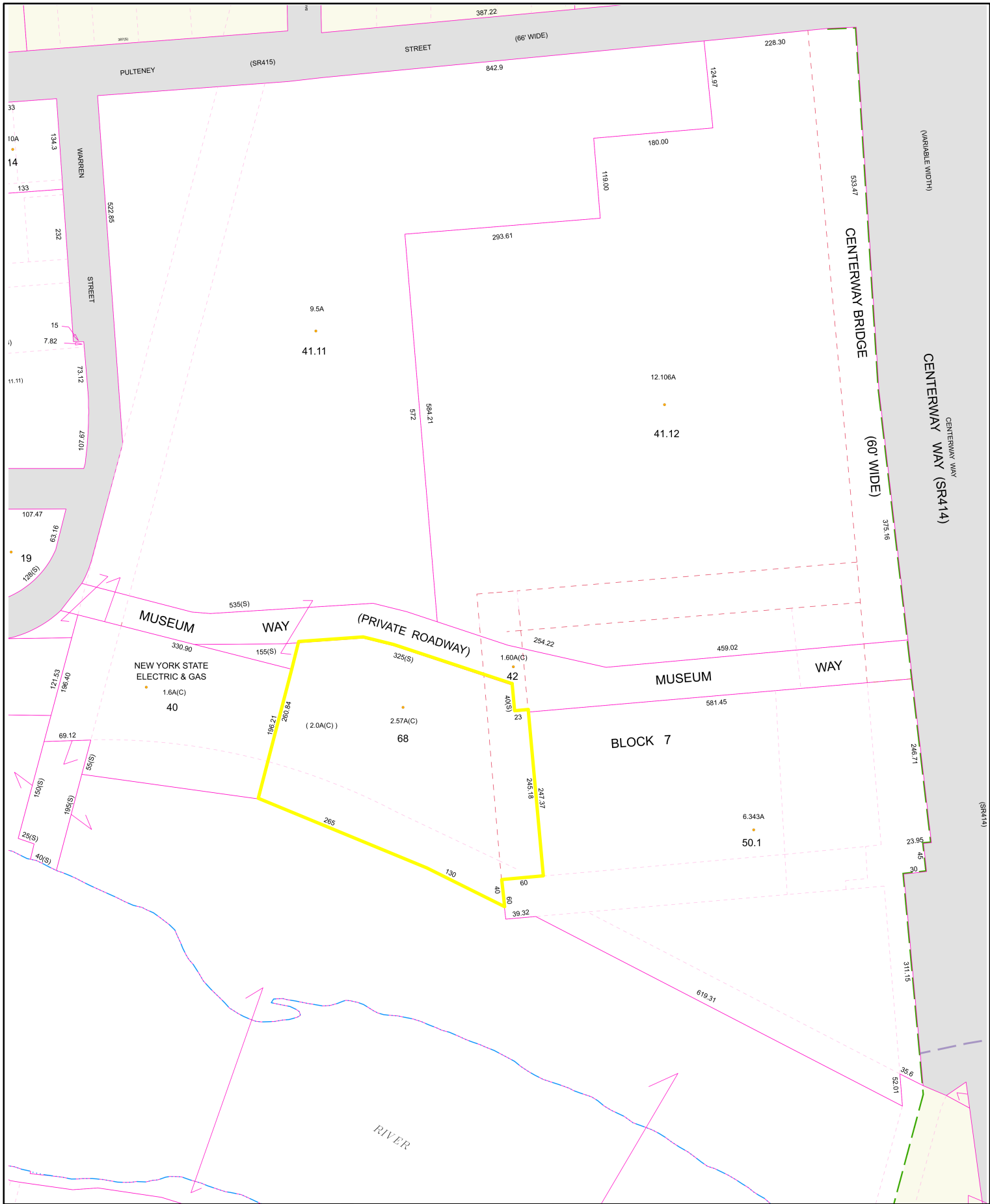
0 130 260 390 Meters

AECOM

Figure 1
 Site Location

8 Museum Way
 Corning NY

4/14/2021

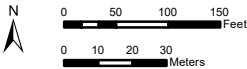


Legend

 Site

NOTES:
Basemap: City of Corning,
Tax Map Section 317.08
Revised Date 04/02/2020
Downloaded from
<https://cityofcorning.sdgny.com/>
Coordinate System: NAD 1983 State Plane
New York Central Feet
Datum: NAD83. Units: Feet

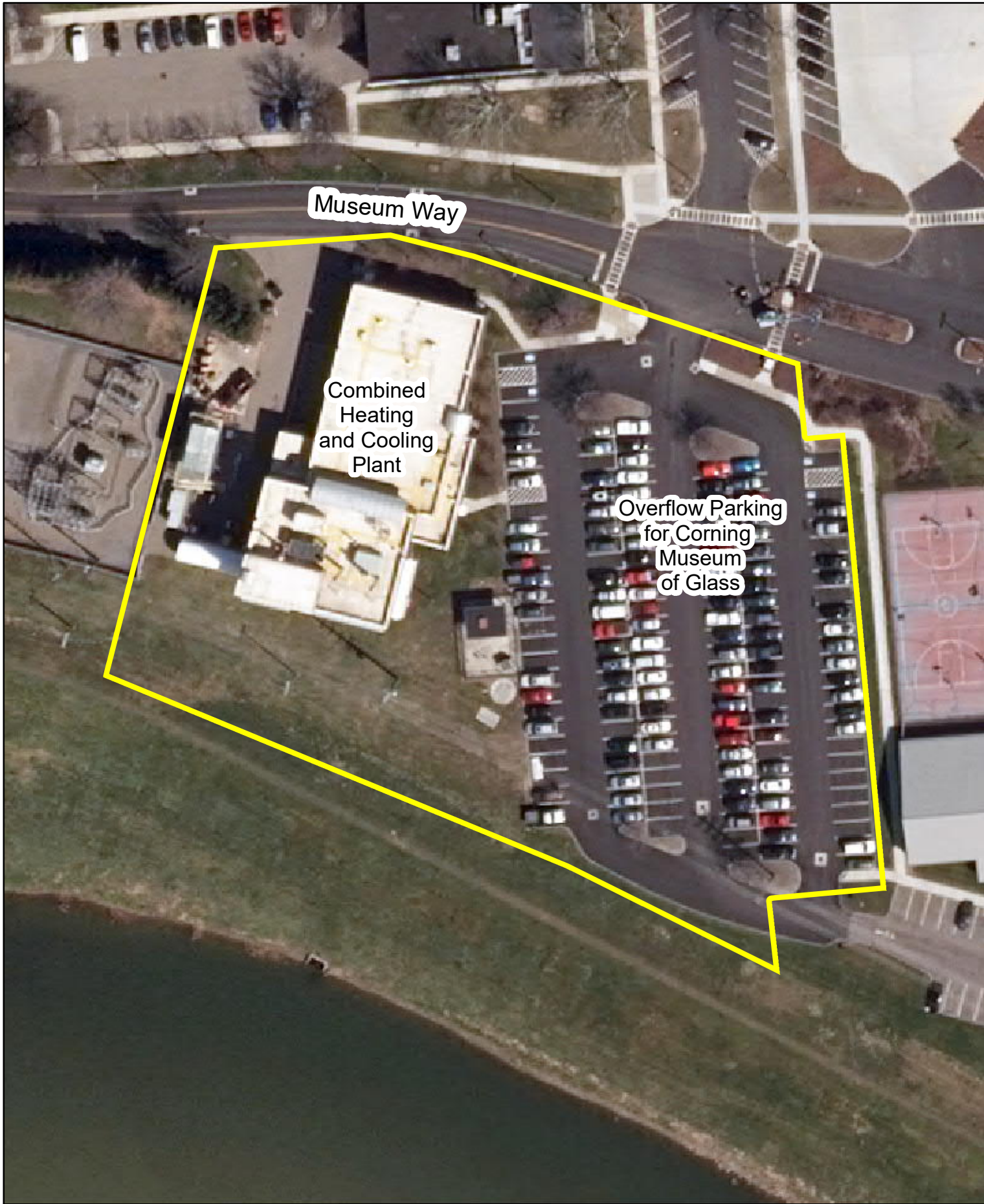
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AECOM
Figure 2
Tax Map

8 Museum Way
Corning NY

4/21/2021

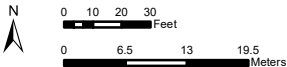


Legend

Site

NOTES:
 Basemap: 2016 NYS Statewide
 Digital Orthoimagery
 Downloaded from <https://gis.ny.gov/>
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 New York Central Feet
 Datum: NAD83. Units: Feet

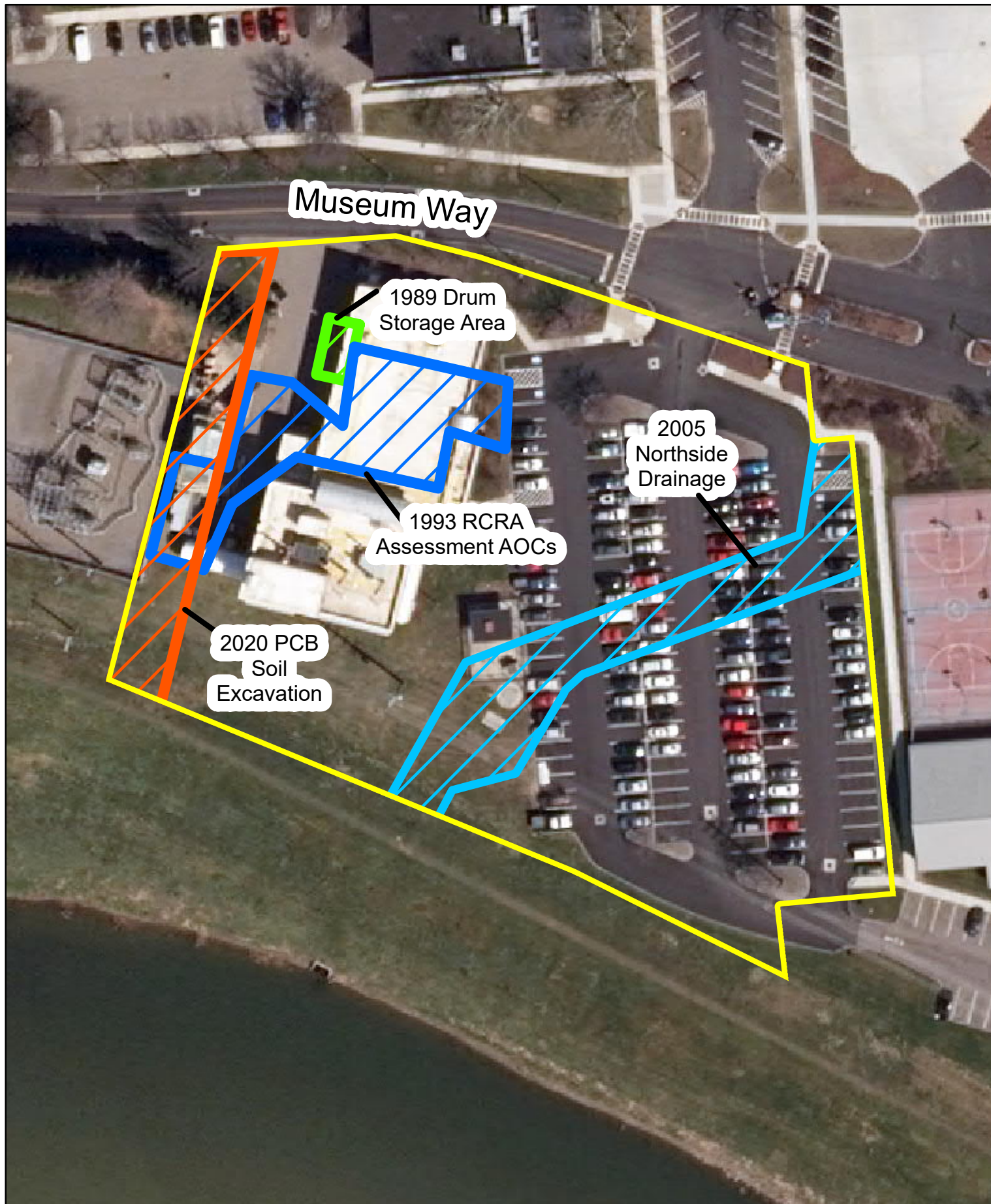
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 Figure 3
 Site Plan

8 Museum Way
 Corning NY

4/14/2021

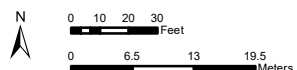


Legend

- Site
- 2005 Northside Drainage
- 1989 Drum Storage Area
- 1993 RCRA Assessment AOCs
- 2020 PCB Soil Excavation

NOTES:
 Basemap: 2016 NYS Statewide
 Digital Orthoimagery
 Downloaded from <https://gis.ny.gov/>
 Coordinate System: NAD 1983 State Plane
 New York Central Feet
 Datum: NAD83. Units: Feet

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Figure 4

Previous Investigation and
 Remediation Overview

8 Museum Way
 Corning NY

4/28/2021

Lead Data from Drum Pad Removal (December 1990)				
Location	Lead Concentration	Units	Part 375 SCO Commercial (mg/kg)	Part 375 SCO Industrial (mg/kg)
A - Before excavation, at low lying area *This exceedance resulted in further "hotspot" removal	5,100	mg/kg	1,000	3,900
B, beneath crack in pad	87	mg/kg	1,000	3,900
C, beneath crack in pad	41	mg/kg	1,000	3,900
Background outside facility fencing	92	mg/kg	1,000	3,900
A - After excavation, at low lying area *Confirmatory sample following "hotspot" removal	550	mg/kg	1,000	3,900

TCLP and TSCA Data from Drum Pad Removal (December 1990)					
Location	Parameter	Concentration	Units	TCLP Regulatory Standard	TSCA Regulatory Standard
A - post excavation	TCLP Lead	1.4	mg/L	5	
Rolloff	TCLP Silver	<0.1	mg/L	5	
Rolloff	TCLP Arsenic	<0.1	mg/L	5	
Rolloff	TCLP Barium	1.9	mg/L	100	
Rolloff	TCLP Cadmium	<0.1	mg/L	1	
Rolloff	TCLP Chromium	<0.1	mg/L	5	
Rolloff	TCLP Lead	19	mg/L	5	
Rolloff	TCLP Selenium	<0.1	mg/L	1	
Rolloff	TCLP Mercury	<0.002	mg/L	0.2	
Rolloff	Total PCBs	202	mg/kg		50

Museum Way

1990 Drum Pad Removal

2020 PCB Soil Excavation

1993 NYSEG PCB Excavation						
Location	Date	Parameter	Concentration	Units	CP-51 SCO Commercial (mg/kg)*	CP-51 SCO Industrial (mg/kg)
A-01	9/28/1992	PCBs	<0.6	mg/kg	1	25
B-01	9/28/1992	PCBs	100	mg/kg	1	25
C-01	9/28/1992	PCBs	1.8	mg/kg	1	25
C-02	9/28/1992	PCBs	19	mg/kg	1	25
D-01	9/28/1992	PCBs	<0.6	mg/kg	1	25
D-02	9/28/1992	PCBs	<0.6	mg/kg	1	25
E-01	9/28/1992	PCBs	<0.5	mg/kg	1	25
E-02	9/28/1992	PCBs	<0.6	mg/kg	1	25
F-01	9/28/1992	PCBs	<0.6	mg/kg	1	25
F-02	9/28/1992	PCBs	<0.6	mg/kg	1	25
G-01	9/28/1992	PCBs	<0.5	mg/kg	1	25
G-02	9/28/1992	PCBs	<0.6	mg/kg	1	25
SS1-A	9/28/1992	PCBs	29	mg/kg	1	25
SS1-B	3/2/1993	PCBs	<0.6	mg/kg	1	25
SS1-C	3/2/1993	PCBs	1	mg/kg	1	25
SS1-D	3/2/1993	PCBs	<0.6	mg/kg	1	25
SS1-E	3/2/1993	PCBs	<0.5	mg/kg	1	25

* CP-51 Soil Cleanup Objective (SCO) for PCBs at commercial sites is 1 mg/kg in the surface soil and 10 mg/kg in the subsurface soils. Since the depth of these samples is unknown the lower SCO was applied.

2020 NYSEG TCLP Metals Disposal Data					
Location	Date	Parameter	Concentration	Units	TCLP Regulatory Standard
R001-04	7/27/2020	TCLP Arsenic	0.0062	J mg/L	5
R001-04	7/27/2020	TCLP Barium	0.71	J mg/L	100
R002-04	7/27/2020	TCLP Barium	0.64	J mg/L	100
R001-04	7/27/2020	TCLP Cadmium	0.0045	mg/L	1
R002-04	7/27/2020	TCLP Cadmium	0.0089	mg/L	1
R001-04	7/27/2020	TCLP Lead	0.18	mg/L	5
R002-04	7/27/2020	TCLP Lead	0.42	mg/L	5

2020 NYSEG Total Metals Disposal Data						
Location	Date	Parameter	Concentration	Units	Part 375 SCO Commercial (mg/kg)	Part 375 SCO Industrial (mg/kg)
R001-04	7/27/2020	Arsenic	21.4	mg/kg	16	16
R002-04	7/27/2020	Arsenic	15.2	mg/kg	16	16
R001-04	7/27/2020	Barium	94.6	mg/kg	400	10,000
R002-04	7/27/2020	Barium	128	mg/kg	400	10,000
R001-04	7/27/2020	Cadmium	0.76	mg/kg	9.3	60
R002-04	7/27/2020	Cadmium	0.46	mg/kg	9.3	60
R001-04	7/27/2020	Chromium	16.1	mg/kg	1,500	6,800
R002-04	7/27/2020	Chromium	17.2	mg/kg	1,500	6,800
R001-04	7/27/2020	Lead	359	mg/kg	1,000	3,900
R002-04	7/27/2020	Lead	151	mg/kg	1,000	3,900
R001-04	7/27/2020	Mercury	0.11	mg/kg	2.8	5.7
R002-04	7/27/2020	Mercury	0.27	mg/kg	2.8	5.7
R001-04	7/27/2020	Silver	2.4	J mg/kg	1,500	6,800

Note: Soil was removed, comparison to the SCO are provided for informational purposes only

Legend

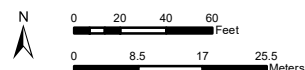
- Site
- 1989 Drum Storage Area
- 2020 PCB Soil Excavation

NOTES:

Basemap: 2016 NYS Statewide Digital Orthoimagery
Downloaded from <https://gis.ny.gov/>
Coordinate System: NAD 1983 State Plane New York Central Feet
Datum: NAD83. Units: Feet

SCO-Commercial Soil Cleanup Objective, Subpart 375-6 Remedial Program and CP-51

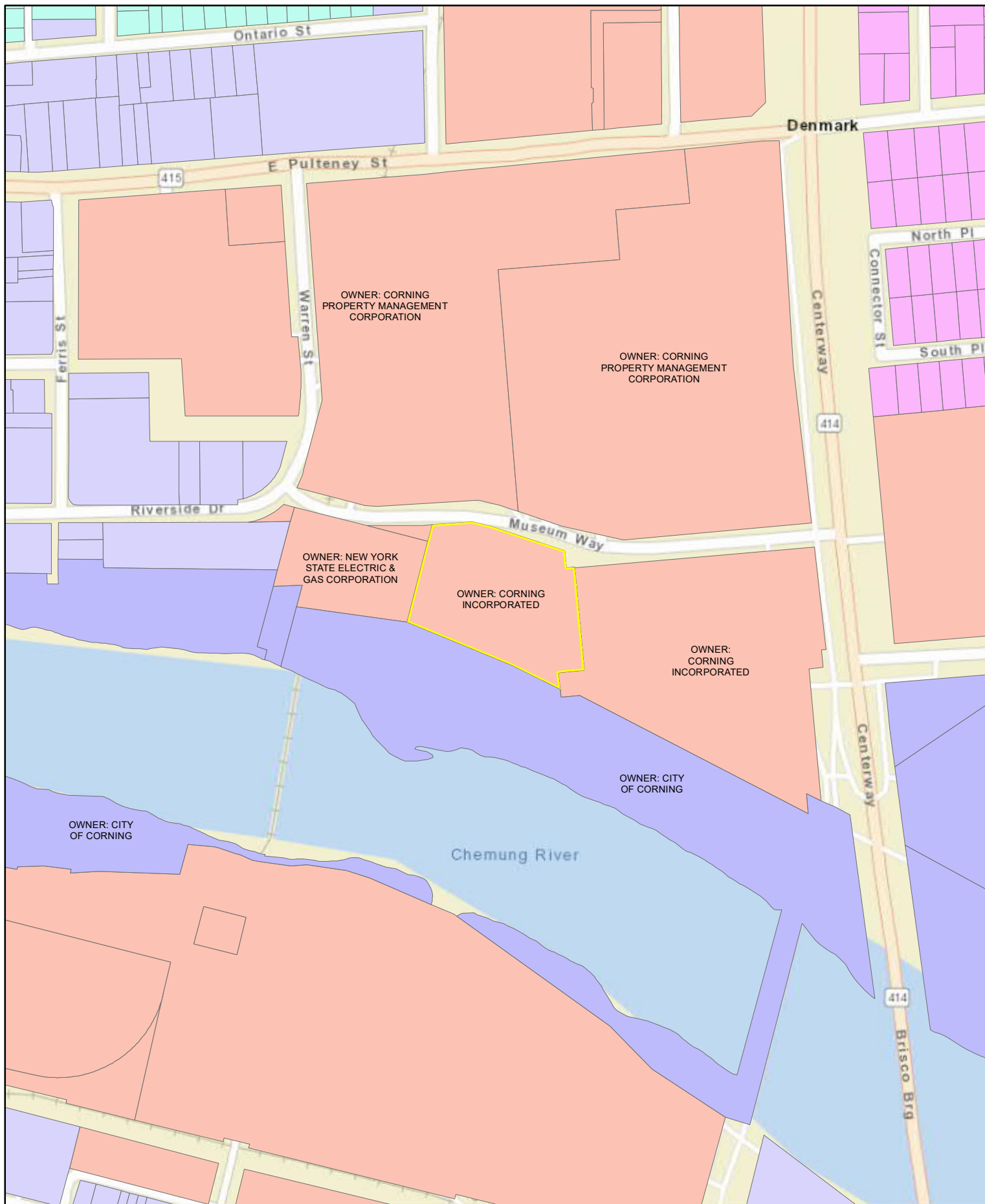
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Figure 5
Soil Sampling Results

Corning NY

4/28/2021



<p>Legend</p> <p> Site</p> <p>Zoning Designation</p> <ul style="list-style-type: none"> R2 (Residential Moderate Density) R1 (Residential Low Density) PC (Public Conservation) C (Commercial) BD (Business Development) 	<p>NOTES:</p> <p>Basemap Data: City of Corning Zoning Map dated 3/7/2019 downloaded from https://www.cityofcorning.com on 04/21/2021</p> <p>Owner Informatino: Stueben County Tax Maps</p> <p>Coordinate System: NAD 1983 State Plan New York Central Feet</p> <p>Datum: NAD83. Units: Feet</p>	<p>CONFIDENTIAL SETTLEMENT INADMISSABLE IN THIS OR ANY PROCEEDING</p> <div style="text-align: center;"> </div> <div style="display: flex; justify-content: space-around;"> <div> <p>0 80 160 240</p> <p>Feet</p> </div> <div> <p>0 30 60 90</p> <p>Meters</p> </div> </div>	<p style="text-align: center;">AECOM</p> <p style="text-align: center;">Figure 6 Surrounding Land Usage</p> <p>8 Museum Way Corning NY</p> <p style="text-align: right;">4/21/2021</p>
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Legend

Site

Approximate Land Coverage Areas

Buildings

Concrete/Pavement

Grass

NOTES:

Basemap: 2016 NYS Statewide
Digital Orthoimagery
Downloaded from <https://gis.ny.gov/>
Coordinate System: NAD 1983 State Plane
New York Central Feet
Datum: NAD83. Units: Feet

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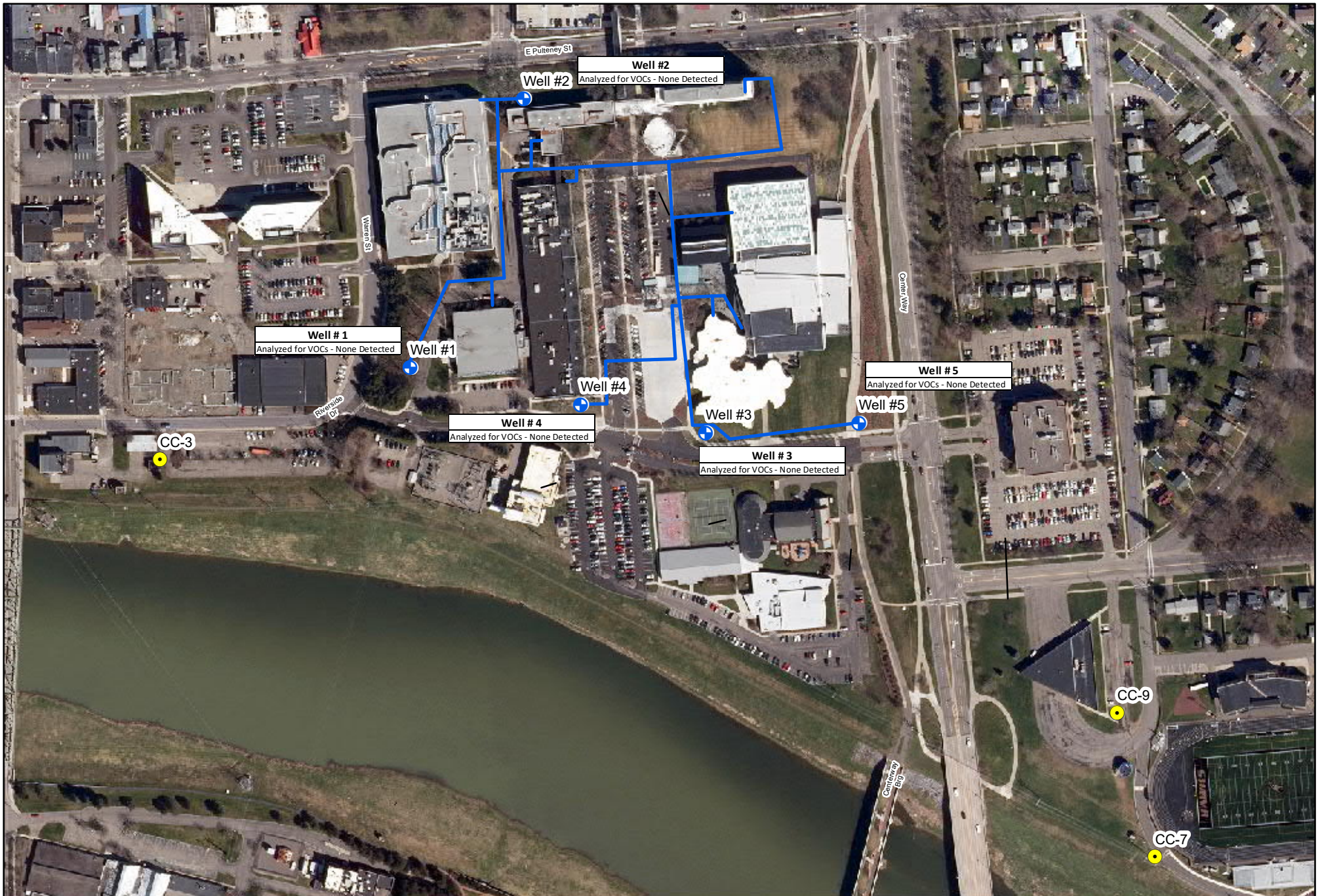
0 10 20 30 Feet
0 6.5 13 19.5 Meters

AECOM

Figure 7
Current Land
Coverage

8 Museum Way
Corning NY

4/20/2021



Legend

- Water Supply Wells
- City of Corning Wells
- Well Water Supply

NOTES:
 Basemap: 2016 NYS Statewide
 Digital Orthorectification
 Downloaded from <https://gis.ny.gov/>
 Coordinate System: NAD 1983 State Plane
 New York Central Feet
 Datum: NAD83. Units: Feet

VOCs - Volatile Organic Compounds

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 Figure 8
 Current Water
 Supply System



ATTACHMENT A (BCP APPLICATION PART A – SECTIONS I – IV)

- A-1 ENTITY INFORMATION**
- A-2 PROJECT DESCRIPTION**
- A-3 INVESTIGATION REPORT**
- A-4 LIST OF PERMITS**
- A-5 PROPERTY DESCRIPTION NARRATIVE**

ATTACHMENT A-1: ENTITY INFORMATION**NYS Department of State****Division of Corporations****Entity Information**

The information contained in this database is current through March 24, 2021.

Selected Entity Name: CORNING INCORPORATED

Selected Entity Status Information

Current Entity Name: CORNING INCORPORATED

DOS ID #: 49779

Initial DOS Filing Date:

County: STEUBEN

Jurisdiction: NEW YORK

Entity Type: DOMESTIC BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

CORNING INCORPORATED
ATTN: CORPORATE SECRETARY
ONE RIVERFRONT PLAZA
CORNING, NEW YORK, 14831

Chief Executive Officer

WENDELL P WEEKS
ONE RIVERFRONT PLAZA
CORNING, NEW YORK, 14831-0001

Principal Executive Office

CORNING INCORPORATED
ONE RIVERFRONT PLAZA
CORNING, NEW YORK, 14831-0001

Registered Agent

CORPORATION SERVICE COMPANY
80 STATE STREET
ALBANY, NEW YORK, 12207-2543

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by [viewing the certificate](#).

*Stock Information

# of Shares	Type of Stock	\$ Value per Share
3800000000	Par Value	.5
10000000	Par Value	100

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
APR 28, 1989	Actual	CORNING INCORPORATED
DEC 24, 1936	Actual	CORNING GLASS WORKS

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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ATTACHMENT A-2: PROJECT DESCRIPTION

The property proposed for entry into the Brownfield Cleanup Program (BCP) is located at 8 Museum Way, Corning, NY in Steuben County. The property is bounded by Museum Way to the north, neighboring property (the Corning Family YMCA) to the east, the Corning Riverfront Trail/Chemung River to the south, and neighboring property (New York State Electric & Gas [NYSEG]) to the west (Figure 1). The property occupies Tax Lot 68 of Tax Block 1 in Section 317.08 and encompasses approximately 2.56 acres (Figure 2). As shown on Figure 3, the property is currently a Combined Heating and Power Plant (CHP). Heating and power are provided to the Corning Incorporated Houghton Park and the Corning Museum of Glass (CMOG). The property also receives overflow parking from the CMOG. Based on previous investigations at the property (Figure 4) there are metal and PCB impacts to the soil (Figure 5). The property is zoned as business development (Figure 6).

The property is currently covered with a combination of buildings/structures, asphalt/concrete and grass. The permeable cover (grass) makes up approximately 29 percent of the area. The buildings account for approximately 13 percent of the cover and asphalt/concrete covers the remaining 57 percent. The approximate areas of the cover types are shown in Figure 7.

Proposed Investigation Plan

The objective of the plan is to verify that a sufficient cover exists and then to inspect, monitor, and maintain the cover system periodically. The proposed plan will be submitted separately for NYSDEC review and approval but, in general, will include soil sampling in select areas to verify sufficient cover. Samples will be taken to a depth of 2 feet below ground surface (bgs). Samples will be collected from 0-2 inches bgs and 2 to 24 inches bgs. The soil will be examined in the field for physical description and screened using a photoionization detector (PID). The samples will be analyzed for PCBs, TAL metals and semi-volatile organic compounds (SVOCs). The concentrations will be compared to the applicable New York State Department of Environmental Conservation (NYSDEC) Soil Cleanup Objectives (SCOs) for commercial/industrial properties as defined by New York Codes, Rules and Regulations (NYCRR) Subpart 375-6.

DRAFT PRIVILEGED AND CONFIDENTIAL/PREPARED AT DIRECTION OF COUNSEL

Proposed Management Plan

The proposed management plan includes periodic inspection and, where required, maintenance of the cover system.

Projected Schedule

A draft investigation work plan will be submitted within 30 days of acceptance of the application. It is assumed the work plan will be submitted by March 1, 2022. If so, then it is anticipated that the investigation will be initiated by May 1, 2022, and completed by June 15, 2022. Please note the investigation schedule is subject to favorable weather conditions. It is anticipated that the investigation report will be submitted by August 15, 2022. The Certificate of Completion is anticipated to be received by November 15, 2022.

ATTACHMENT A-3: INVESTIGATION REPORT

In 2015, NYSDEC identified the property as a potential inactive hazardous waste disposal site warranting further investigation. Previous investigations have documented exceedances of soil cleanup objectives (SCOs) for commercial/industrial properties as defined by Part 375-6 for metals, specifically arsenic, lead and cadmium. The investigation areas are shown in Figure 4. Historical soil sampling results are shown in Figure 5, with exceedances highlighted. The reports documenting the impacts on the property and a discussion of each report are provided below.

Reports and Drawings:

The following is the list of environmental reports and drawings available for the property. Copies of the reports are separately attached to this document (provided electronically by CD in the hard copy submission).

1. Final Report, Corrective Action Prior to Loss of Interim Status, Corning Glassworks – Steuben Plant, Corning, NY. Prepared for USEPA by CDM Federal Programs Corporation. March 1990.
2. Corning Incorporated, Steuben Facility, EPA ID Number NYD000824359, Partial Closure Certification Document. Prepared by The Sear-Brown Group. June 1991.
3. Preliminary RCRA Facility Assessment, Corning, Inc., Steuben Plant/Fulton Street Facility. Corning, NY. Prepared for USEPA by TRC. November 1993.

4. [2005-2006 Northside Drainage Project Drawings]
5. Survey For Asbestos-Containing Materials, Steuben Glass, Fulton Street Building, Corning, NY. March 2006.
6. Report on ASTM Phase I Environmental Site Assessment, Corning Incorporated – Steuben Factory, One Steuben Way, Corning, NY. Prepared by Haley and Aldrich of New York. July 2008.
7. Adirondack Environmental Services, Inc. Corning Wells Sampling Report. September 2017.
8. Adirondack Environmental Services, Inc. Corning Wells Sampling Report. January 2019.
9. Alpha Analytical. Corning Houghton Park-MVPP Analytical Report. July 2020.
10. Eurofins Test-America. Corning MVPP Analytical Report. August 2020.
11. Eurofins Test-America. Houghton Park Medium Voltage Analytical Report. November 2020.
12. City of Corning. Annual Drinking Water Quality Report for 2020.
13. Adirondack Environmental Services, Inc. Downtown Wells Sampling Report. February 2021.

A discussion of the findings of these reports, where applicable, and the documented exceedances above applicable SCOs are provided below. In brief, soil excavated from a drum storage area and during NYSEG excavation activities had elevated concentrations of lead and PCBs. The lead concentrations excavated from the drum storage area were above SCOs for commercial/industrial properties. A post-excavation sample collected had a concentration (550 mg/kg) below the commercial/industrial property SCOs. The concentrations of PCBs in the excavated soils had concentrations greater than the SCOs from CP-51 for commercial/industrial properties ranging from non-detect to 202 mg/kg. The concentrations of PCBs in the excavated soil as part of the 2020 MVPP project ranged from non-detect to 3.3 mg/kg.

Previous Investigations and Remediations:

1. Corrective Action Prior to Loss of Interim Status (CAP LOIS) Report, prepared by Versar (March 1990)

A USEPA CAP LOIS inspection report identified one solid waste management unit (SWMU) described as a drum storage area (Figure 4). The report identified no reported or observed releases, and found the drum storage area be structurally sound with spill containment.

2. 1990 Former Drum Pad Remediation

According to a Partial Closure Certification Document, prepared by The Sear-Brown Group dated June 1991, approximately 30 cubic yards of soil from beneath the former drum pad (the SWMU identified in the 1990 CAP LOIS report) at the former Fulton Finishing Plant were excavated and transported for off-site disposal. The work was performed by Allwash of Syracuse, Inc. and Wenzel, Inc. and certified by the Sear-Brown Group under the oversight of NYSDEC. The activities were documented in the Closure report prepared in 1991 and approved by NYSDEC in 1992. During the excavation activities soil SCO exceedances were found for lead and PCBs. The approximate location of the drum pad and SCO exceedances are shown in Figure 5. Additionally, one area (Location A - “low lying area”) had a post excavation exceedance of lead which resulted in further “hotspot” removal.

3. 1993 RCRA Facility Assessment

A Preliminary RCRA Facility Assessment for USEPA identified the following eight Areas of Concern (AOCs) at the Fulton Finishing Plant:

- Former Drum Storage Pad,
- Roll-off containing lead bearing solid waste,
- Drum accumulation area,
- Floor drains,
- Wastewater filtration unit,
- Gasoline AST (secondary containment provided),
- Dry well (non-contact cooling water – no documented releases), and
- Satellite accumulation areas (not shown)

The locations of the AOCs are shown in Figure 4. There were no documented releases per the assessment report.

1993 PCB Excavation

According to the RCRA Facility Assessment, NYSEG, the neighboring property owner, excavated, transported, and disposed off-site of more than 100 cubic yards of PCB impacted soil from the property. The soil sample results are shown in Figure 5.

4. 2005 Northside Drainage Project

Approximately 1,300 tons of lead impacted soil excavated and transported for off-site disposal. The location of the drainage project is shown in Figure 4.

5. 2006 Survey for Asbestos-Containing Material

Prior to demolition an asbestos survey was performed by CES, Inc. in 2006. The report identified asbestos-containing areas and recommended abatement techniques. During the survey the structure was noted to be in good condition and well maintained.

6. 2008 ASTM Phase 1 Environmental Site Assessment

In 2008, Haley & Aldrich of New York performed a Phase I environmental site assessment (Phase I ESA). The cover letter for the Phase I ESA states that it was “generally consistent with the ASTM-E1527-00 Phase I Environmental Site Assessment Standard,” and it included both the property at 8 Museum Way and the property to the north at 1 Museum Way. The objective of the Phase I ESA was to identify Recognized Environmental Conditions (RECs), defined as “the presence or likely presence of any hazardous substances or petroleum products on property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on a property or into the ground, groundwater, or surface water of the property.” The Phase I ESA also reviewed historical data to identify historical RECs and known or Suspected Environmental Conditions (SECs).

The Phase I ESA identified one REC and one SEC. The REC was in connection with the properties’ corrective action, since the properties had not yet demonstrated completion of their corrective action obligations, if any. The SEC was in connection with the Merchants Oil Company located to the west of the property from at least 1913 to at least the 1940s and a filling station located to the south along Centerway in the 1960s.

In addition to the items required by ASTM-1527E-00, the Phase I ESA also noted that the subject site:

- Was identified as a Large Quantity Generator (EPA Hazardous Waste ID# NYD000824359);

- Maintained an Industrial Sewer Use Permit (permit number SIU-05) and discharged treated wastewater to the City of Corning publicly owned treatment works under applicable Industrial Pretreatment Requirements for the Glass Manufacturing Point Source Category under EPA Regulations 40 CFR Part 426;
- Maintained an Air Facility Registration Certificate for emissions under NYSDEC 6 NYCRR Part 201-4 (ID number 8-4603-00012/0200); and
- Maintained a “certification of non-exposure” (ID# HP-ST-01) for storm water associated with industrial activities.

The report concluded that neither the REC nor the SEC appeared to represent significant environmental business risk.

7. 2020 PCB Soil Excavation and Disposal

As part of its Medium Voltage Power Project, NYSEG, the neighboring property owner, installed grounding power grids adjacent to the NYSEG substation. The project involved the excavation, transportation and off-site disposal of approximately 80 cubic yards of soils impacted with PCBs. The concentrations of PCBs in the excavated soil ranged from non-detect to 3.3 mg/kg.

8. Adirondack Environmental Services, Inc. Corning Wells Sampling Report. September 2017

Five groundwater production wells, used for heating and cooling of buildings at Houghton Park and CMOG, have been installed on or in the direct vicinity of the Steuben Glass Facility. The wells were installed between 1955 and 1996 and have a total allowable withdrawal rate of up to approximately 4 million gallons per day (MGD). The well water is periodically sampled and tested for VOCs, and all VOCs are consistently below detection limits. Figure 7 presents the locations of the production wells.

9. Adirondack Environmental Services, Inc. Corning Wells Sampling Report. January 2019

Refer to Number 8 above.

10. Adirondack Environmental Services, Inc. Downtown Wells Sampling Report. February 2021

Refer to Number 8 above.

ATTACHMENT A-4: LIST OF PERMITS

Type	Issuing Agency	Description
Air Facility Registration Certificate	NYSDEC	Registration ID 8-4603-00052/00002; This facility has two (2) 20 millions of British thermal units per hour (MMBtu/Hr) dual fuel (natural gas and #2 fuel oil) boilers and one natural gas-fired generator (1,468 brake horsepower [bhp]).
Waste Generator ID	EPA	EPA ID NYR000247205
Petroleum Bulk Storage Certificate	NYSDEC	PBS Number 8-601317
Conditional No Exposure Certification for exclusion from permitting under the SPDES Multi-Sector General Permit for Stormwater Discharged Associated with Industrial Activity	NYSDEC	NYR00F511

ATTACHMENT A-5: PROPERTY DESCRIPTION NARRATIVE

Location

The former Fulton Finishing Plant property is located at 8 Museum Way, Corning, NY in a commercial area.

Site Features

As shown on Figure 3, the property contains a Combined Heating and Power Plant (CHP) building. Heating and power are provided to the Corning Incorporated Houghton Park and the Corning Museum of Glass (CMOG). The property also receives overflow parking for the CMOG. The property is covered by the building, asphalt pavement and grass.

Current Zoning and Land Use

The property is currently active and is zoned BD for business development use (Figure 6). The surrounding parcels are currently used for a combination of business development and public conservation. The nearest residential parcel is approximately 0.15 miles to the northeast. The property is currently a Combined Heating and Power Plant. Heating and power are provided to the Corning Incorporated Houghton Park and the CMOG. The property also receives overflow parking for the CMOG.

Past Use of Property

Based on information known to date, the former Fulton Finishing Plant was purchased in 1963 from New York State Electric and Gas (NYSEG). The property was used in the finishing of Steuben Glass products. The former Fulton Finishing Plant later became a warehouse, and then the current CHP. The property also receives overflow parking for the CMOG.

In 1990, an inspection was performed for USEPA. The inspection identified one solid waste management unit (SWMU) described as a drum storage area. There were no reported or observed releases and the area was noted as structurally sound with spill containment. A closure plan was submitted in 1991, and NYSDEC approval of the closure plan was received in 1992. Approximately 30 cubic yards of soil from beneath the former drum pad at the former Fulton Finishing Plant were excavated and transported for off-site disposal. The work was performed by Allwash of Syracuse, Inc. and Wenzel, Inc. and certified by the Sear-Brown Group under the oversight of NYSDEC.

In 1993, NYSEG was responsible for excavation, transportation and off-site disposal of more than 100 cubic yards of PCB impacted soil from the property.

As part of its Medium Voltage Power Project, in 2020, NYSEG installed grounding power grids adjacent to NYSEG substation. The project involved the excavation, transportation and off-site disposal of approximately 80 cubic yards of soils from the property that had been impacted with PCBs.

Site Geology and Hydrogeology

Based on a review of the regional soil maps in the Phase 1 ESA, the property vicinity is underlain by Tioga Silt loam soils and well-drained soils that generally are free of stone fragments within the top 4 feet. During normal times the depth to ground water is within 10 feet of the surface. Geologic information indicates that rocks in the area are from the Paleozoic era, the Devonian system and the Upper Devonian series. The rock is described as a stratified sequence.

Based on the surface topography and site observations, surface water at the property appears to flow to catch basins in the surrounding parking lots. Also based on topography, regional groundwater flow is anticipated to be toward the south, generally towards Chemung River, located approximately ¼ of a mile from the property. According to the EDR, the property is not located within a floodplain.

Environmental Assessment

Based on investigations to date, the primary constituents of concern for the property include lead and PCBs.

Soil - The remaining contamination at the site is expected to be localized and marginally above SCO based on the 2020 MVPP work. Soil excavated from the drum storage area and during NYSEG excavation activities had elevated concentrations of lead and PCBs. The lead concentrations excavated from the drum storage area were above Soil Cleanup Objectives (SCOs) for commercial/industrial properties as defined by New York Codes, Rules and Regulations (NYCRR) Subpart 375-6. The post-excavation sample collected had a concentration (550 mg/kg) below the commercial/industrial property SCOs. The concentrations of PCBs in the excavated soils from the 1993 work had concentrations greater than the SCO from CP-51 for commercial/industrial properties ranging from non-detect to 202 mg/kg. The concentrations of PCBs in the excavated soil as part of the 2020 MVPP project ranged from non-detect to 3.3 mg/kg. The exceedances are highlighted in Figure 5.

Groundwater - Five groundwater production wells, used for heating and cooling of buildings at Houghton Park, have been installed on or in the direct vicinity of the Steuben Glass Facility. The wells were installed between 1955 and 1996 and have an allowable withdrawal rate of up to

approximately 4 million gallons per day (MGD). The well water is periodically sampled and tested for VOCs, and all VOCs are consistently below detection limits. Figure 7 presents the locations of the production wells. Given the constituents of concern, reported concentrations present on the property and the historic and continuing use of groundwater, impacts to groundwater are not anticipated.

The City of Corning water supply includes three wells in proximity to the property as shown on Figure 8. The water supply system, including water withdrawn from the wells shown on Figure 8 was in compliance with all applicable New York State drinking water requirements. The City of Corning Annual Drinking Water Quality Report for 2020 is included herein.

Soil Vapor and Indoor Air - Based on the VOC sampling conducted on the production wells and the nature of the constituents found in soils, no impacts to soil vapor and indoor air are expected.



ATTACHMENT B (BCP APPLICATION PART B – SECTION V – XI)

B-1 REQUESTOR'S ATTORNEYS

B-2 PROPERTY OWNERS/OPERATORS INFORMATION

B-3 DEED

B-4 SITE CONTACT LIST

B-5 LAND USE FACTORS

ATTACHMENT B-1: REQUESTOR'S ATTORNEYS

Nelson D. Johnson
Arnold & Porter Kaye Scholer LLP
250 West 55th Street
New York, NY 10019-9710
Phone: 212.836.7177
Fax: 212.836.8689
E-mail: nelson.johnson@arnoldporter.com

Meaghan Boyd
Alston & Bird LLP
1201 West Peachtree Street
Atlanta, GA 30309-3424
Phone: 404.881.7245
Fax: 404.881.7777
E-mail: meaghan.boyd@alston.com

ATTACHMENT B-2: PROPERTY OWNERS/OPERATORS INFORMATION

PROPERTY OWNERS INFORMATION¹

Property Information	Use	Approximate Date(s)	Relationship to Applicant	Last Known Address/ Telephone #
Current Owner				
Corning Incorporated	Commercial and Industrial	1963 – Current	Applicant	One Riverfront Plaza Corning, New York 14831 607-974-9000
Previous Owners				
Erastus Corning and Mary Parker	Unknown	Pre-1881	No relationship	Not Available
Quincy and Matilda Wellington	Unknown	1881 – 1887	No relationship	Not Available
Martha Dorman and Amelia Rubright	Unknown	1887 – 1895	No relationship	Not Available
Henry Dorman	Unknown	1895 – 1896	No relationship	Not Available
Morris Gregory	Unknown	1896 – 1924	No relationship	Not Available
Corning Shale Brick Corporation	Commercial and Industrial	1924 – 1926	No relationship	Not Available
Corning Trust Company	Unknown	1926 – 1927	No relationship	Not Available

¹ Corning Incorporated's ability, as the Requestor, to provide information about the former owners' last known address and phone number and potential relationship to Corning Incorporated and/or Corning Property Management Corporation is necessarily limited by the passage of time, extensive ownership history, and number of prior owners identified in this Attachment B-2. Corning Incorporated provides information readily known or available to it in this Attachment B-2.

CONFIDENTIAL SETTLEMENT INADMISSABLE
IN THIS OR ANY PROCEEDING

Steuben Brick Corporation	Commercial and Industrial	1927 – 1931	No relationship	Not Available
Corning Trust Company	Unknown	1931 – 1933	No relationship	Not Available
George and Charlotte Gregory	Unknown	1936 - 1947	No relationship	Not Available
Manhattan Company	Unknown	1933 – 1938	No relationship	40 Wall Street, Manhattan, New York (Merged with Chase National Bank in 1955)
Corning Trust Company	Unknown	1938 – 1938	No relationship	Not Available
A. Alleys, Inc.	Unknown	1947 - 1962	No relationship	9 Sims Avenue, City of Corning, New York (Dissolved)
Albert Palombo, Anthony Miller, and Carolyn Smith	Unknown	1947 - 1949	No relationship	72 East Market Street, Corning, New York
Salvatore Ruocco	Unknown	1948 - 1955	No relationship	92 Dyke Street, City of Corning, New York
New York State Electric and Gas	Industrial	1938 – 1964	No relationship	18 Link Drive, Binghamton, New York 800-572-1111
Corning Glass Works	Commercial and Industrial	1955	Former Name of Corning Incorporated, Applicant	One Riverfront Plaza Corning, New York 14831 607-974-9000

PROPERTY OPERATORS INFORMATION²

Property Information	Use	Approximate Date(s)	Relationship to Applicant	Last Known Address/ Telephone #
Current Operator				
Corning Incorporated	Parking lot for adjacent Corning Museum of Glass	1989 - current	Wholly owned subsidiary of Applicant	One Riverfront Plaza Corning, New York 14831 607-974-9000
Previous Operators				
Corning Glass Works	Commercial and Industrial	1955 – 1989	Former Name of Corning Incorporated, Applicant's Parent Company	One Riverfront Plaza Corning, New York 14831 607-974-9000
New York State Electric and Gas	Industrial	1938-1964	No relationship	18 Link Drive, Binghamton, New York 800-572-1111

² Corning Incorporated's ability, as the Requestor, to provide information about the former operators and their last known address and phone number and potential relationship to Corning Incorporated and/or Corning Property Management Corporation is necessarily limited by the passage of time and extensive ownership history identified in this Attachment B-2. Corning Incorporated provides information readily known or available to it in this Attachment B-2.

ATTACHMENT B-3: DEED

See attached.

FORM 634 N. Y. DEED—QUIT CLAIM (From a corporation)
(Law of 1917, Chap. 681, Section 100)

LIBER 818 PAGE 632

DEEDS AND MORTGAGES—N. Y. DEPT. OF TAXES
Division of Real Estate, Albany, N. Y.

RECORDED
MAY 8 9 30 AM 1964
STEUBEN COUNTY
CLERK'S OFFICE

This Indenture.

30th day of April Nineteen Hundred and

Between NEW YORK STATE ELECTRIC & GAS CORPORATION

a corporation organized under the laws of the State of New York having its principal office in the City of Ithaca, Tompkins County, New York,

party of the first part, and

CORNING GLASS WORKS, a corporation organized under the laws of the State of New York and having its principal office in the City of Corning, Steuben County, New York,

party of the second part,

Witnesseth, that the party of the first part, in consideration of

One and 00/100 ----- Dollars

(\$ 1.00) lawful money of the United States, and other good and

valuable consideration paid by the party of the second part,

does hereby remise, release, and quitclaim unto the party of the second part,

its successors and assigns forever, all THAT TRACT OR PARCEL OF LAND situate in the Town of Corning, County of Steuben and State of New York, bounded and described as follows:

Beginning at an iron stake in the north line of Chambers Street at the southwest corner of land owned by the State of New York as the National Guard Armory Property,

Running thence northerly along the west line of said State Armory Land 245.18 feet to an iron stake in the south line of land owned by Corning Glass Works,

Running thence westerly at right angle to the above described course 23 feet,

Running thence northerly at right angle to the last above described course 130.69 feet to the south line of other lands owned by Corning Glass Works,

Running thence northwesterly at an interior angle of $108^{\circ} 20'$ along the south line of said other Corning Glass Works land 69.69 feet to the center of what was formerly the westerly part of Fulton Street,

Running thence westerly at an interior angle of $161^{\circ} 40'$ along the former center of Fulton Street, now the south line of said other Corning Glass Works land. 233.08 feet to a spike driven in the pavement,

Running thence southwesterly at an interior angle of $109^{\circ} 04'$, through a concrete monument set at the southerly side of the roadway, 200.84 feet to a concrete monument in the north line of perpetual easement lands on which a perpetual easement was appropriated by the State of New York for the Corning Flood Protection

MAY 18 1964

8.50
mail

Project, and continuing on the same line about 50 feet to the north line of the former City Dike lands of the City of Corning,

Running thence southeasterly along the north line of said former City Dike lands about 395 feet to a point in the west end of Chambers Street and also in the west line of formerly Bath Street. (Now abandoned as a public Street,)

Running thence northerly along the west end of Chambers Street about 40 feet to the north line of Chambers Street,

Running thence easterly along the north line of Chambers Street 60 feet to the point-of-beginning,

All as more fully shown by map of survey made by WARD and MOORE, dated 26 August 1903, a copy of which is attached hereto and made a part hereof.

Subject to a perpetual easement which was appropriated by the State of New York along the southerly side of the above described premises for the Corning Flood Protection Project.

BEING the easterly portion of premises conveyed to New York State Electric & Gas Corporation by deed recorded in the office of the Clerk of Steuben County in Liber 464 of Deeds at page 594 and all of premises conveyed to New York State Electric & Gas Corporation by deed recorded in said Clerk's office in Liber 807 of Deeds at page 8.

EXCEPTING AND RESERVING any and all property, interests and rights reserved in said deeds and instruments.

ALSO EXCEPTING AND RESERVING to the New York State Electric & Gas Corporation the right and privilege of constructing, reconstructing, operating and maintaining the electric pole line now existing across the southerly portion of the property and the underground electric lines under the northerly portion of the property together with the right of ingress and egress necessary therefore.

This conveyance includes all right, title and interest, if any, of the New York State Electric & Gas Corporation in and to any land lying in the bed of any street, road or avenue opened or proposed, in front of or adjoining said premises, to the center line thereof, and all right, title and interest of the New York State Electric & Gas Corporation in and to any award made or to be made in lieu thereof and in and to any unpaid award for damage to said premises by reason of change of grade of any street; reserving, however, to the New York State Electric & Gas Corporation the right of using the existing highways abutting on or across the premises for ingress and egress for all purposes to the Grantor's property lying westerly of premises.

Edward
— N.Y. STATE P.E. & L.S.
— LICENSE NO. 18561

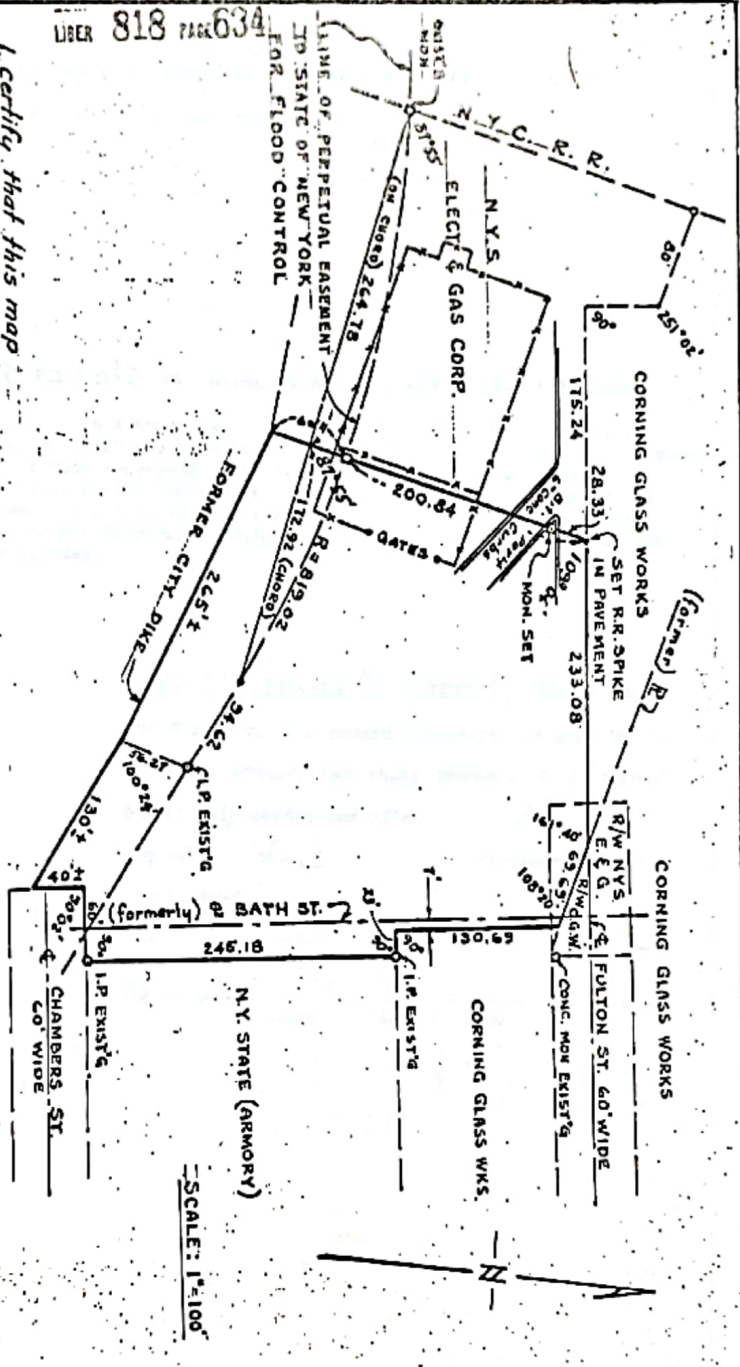


CITY OF CORNING
STEBBEN COUNTY, NEW YORK

**WARD AND MOORE
CONSULTING ENGINEERS**

—CORNING, N.Y.

DRW. DY-92. CHK-BY-REID JOB NO. 30-63 26 AUG 63



Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

To have and to hold the premises herein granted unto the party of the second part, its successors and assigns forever, the grantor, in compliance with Section 13 of the Lien Law, covenants that the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that the grantor will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Presence of



M. P. Allen Jr.
Asst. Secretary

In Witness Whereof: The party of

the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this 30th day of April Nineteen Hundred and Sixty-four.

NEW YORK STATE ELECTRIC & GAS CORPORATION

By *A. W. Milliken*
Executive Vice President



818 636

State of New York

County of BROOME

CITY of BINGHAMTON

On this 30th day of April Nineteen Hundred and Sixty-four before me personally came A. V. Milliken,

to me personally known who, being by me duly sworn did depose and say that he resides in at 17 Avon Road, Binghamton, N. Y. that he is the Executive Vice President of NEW YORK STATE ELECTRIC & GAS CORPORATION the corporation described in and which executed the above Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

RECORDED

MAY 8 9 30 AM 1964
STEBEN COUNTY
CLERK'S OFFICE

Kirkwood E. Personius

KIRKWOOD E. PERSONIUS
Notary Public, State of New York
No. 08102520
Qualified in Chemung County
Commission Expires March 18, 1965

Dead

CORPORATION-QUIT CLAIM

NEW YORK STATE ELECTRIC & GAS CORPORATION

5-72-11

TWO
CORNING GLASS WORKS

164

Dated, April 30 1964

County of Steuben

RECORDED

May 10 1964

at 9:30 a.m.

in LIBER 632 of DEEDS

at PAGE 632 and explained.

Chilton de la Torre

CLERK

ATTACHMENT B-4: SITE CONTACT LIST

Site Contact List

The following is the contact list for the subject property. Each contact will be sent fact sheets throughout the project's duration.

Steuben County Contacts:

Jack Wheeler, MPA
County Manager
3 East Pulteney Square
Bath, NY 14810

Steven P. Maio, Esq.
Steuben County Legislator
319 E. Second Street
Corning, NY 14830

Hilda T. Lando
Steuben County Legislator
65 Wilson Street
Corning, NY 14830

Judith M. Hunter
Steuben County Clerk
3 East Pulteney Square
Bath, NY 14810

City of Corning Contacts:

Mayor, Honorable William M. Boland Jr.
City of Corning
500 Civic Center Plaza
Corning, NY 14830

City Manager, Mark L. Ryckman
City of Corning
500 Civic Center Plaza
Corning, NY 14830

City Clerk, Mary Farmer, RMC
500 Civic Center Plaza
Corning, NY 14830

Director, Jennifer J. Miller
Planning & Economic Development
500 Civic Center Plaza
Corning, NY 14830

Residents, owners, and occupants of the property and properties adjacent to the property:

Adjacent Address	Owner	Owner Mailing Address
14 Museum Way	New York State Electric & Gas (NYSEG)	P.O. Box 5224 Binghamton, NY 13902-5224
100 E Pulteney Way	Corning Property Management Corporation	1 Riverfront Plaza Corning, NY 14831
1 Museum Way	Corning Property Management Corporation	1 Riverfront Plaza Corning, NY 14831
127 Center Way	Corning Incorporated (Leased to Corning YMCA)	1 Riverfront Plaza Corning, NY 14831

Environmental Groups:

Friends of the Chemung River Watershed
111 N. Main St.
Elmira, N.Y. 14901

Local News Media:

Shawn Vargo, Managing Editor
The Leader
34 West Pulteney St.
Corning, N.Y., 14830

Renata Stiehl, News Director
WENY-TV
474 Old Ithaca Road
Horseheads, N.Y., 14845

Neill A. Borowski, Executive Editor
Star-Gazette
201 Baldwin St., P.O. Box
Elmira, N.Y., 14902

News Director
Spectrum News
815 Erie Blvd. East
Syracuse, N.Y., 13210

Bob Rockstroh, News Director
WETM-TV
101 East Water Street
Elmira, N.Y., 14901

Associated Press
Albany Bureau
P.O. Box 11010
Albany, N.Y., 12211

Supplier of Potable Water and Sewer Collection/Treatment:

City of Corning Department of Public Works
Larry Wagner, Superintendent of Public Works
500 Civic Center Plaza
Corning, NY 14830

Nearby Schools or Day Care Facilities:

Michelle Caulfield, Superintendent
Corning-Painted Post Area School District
165 Charles St,
Painted Post, NY 14870

Robin Sheehan, Executive Principal
Corning-Painted Post High School
201 Cantigney Street
Corning, NY 14830

Ann Collins, Principal
Hugh W Gregg Elementary School
164 Flint Avenue
Corning, NY 14830

Keila Underwood, Administrator
Corning Christian Academy
11 Aisne Street
Corning NY 14830

Paula Detar, Executive Director
Corning Children's Center
107 Arthur Street
Corning, NY 14830

Document Repository:

Reference Librarian
Southeast Steuben County Library
300 Nasser Civic Center Plaza
Corning, NY, 14830

Regional Public Participation Specialist
NYSDEC Region 8 Office
6274 Avon-Lima Rd. (Rtes. 5 and 20)
Avon, NY 14414-9516

300 Nasser Civic Center Plaza | Corning, NY 14830 ♦ 607.936.3713 telephone ♦ 607.936.1714 fax ♦ www.ssclibrary.org



*Informing, Inspiring, Enriching, Amazing -
Creating an environment that fosters lifelong
learning and community connections*

9/30/2021

Dear NYSDEC,

Subject: Brownfields Cleanup Program Application- 1 Museum Way

Dear NYSDEC,

Corning Incorporated's Brownfields Cleanup Program located on property owned by Corning Incorporated within the City of Corning, requires a document repository location.

The Southeast Steuben County Library, Corning NY agrees to be the document repository location with the contingency the Brownfield Cleanup Program documents are submitted in an electronic format. This is due to limited Library storage space.

Documentation on the Brownfields Cleanup Program held at the library will be compliant with the New York State Freedom of Information Act Law (FOIL) and the NYS Environmental Quality Review Act (SEQR).

Sincerely,

A handwritten signature in blue ink, appearing to read "Pauline Emery", is written over a light blue horizontal line.

Pauline Emery

Library Director

ATTACHMENT B-5: LAND USE FACTORS

The property is currently a Combined Heating and Power Plant. Heating and power are provided to the Corning Incorporated Houghton Park and the Corning Museum of Glass (CMOG). The property also receives overflow parking for the Corning Museum of Glass. Future use of the property is anticipated to be the same as the current use. None of the current business operations would be expected to have contributed to constituents of potential concern.