

**PERIODIC REVIEW REPORT
FORMER ALLEGANY BITUMENS
BELMONT ASPHALT PLANT
BROWNFIELD CLEANUP PROGRAM
SITE # C902019
REPORTING FOR PERIOD:
MAY 3, 2016 - MAY 3, 2019**

5392 STATE ROUTE 19N
AMITY, ALLEGANY COUNTY, NEW YORK



Prepared for:
New York State Department of
Environmental Conservation
270 Michigan Avenue
Buffalo, New York 14203-2999

Prepared on behalf of:
Gray Rock Properties LLC
14150 Route 31
Savannah, NY 13146

Prepared by:
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June 2, 2019

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1.0 Introduction and Overview

Stantec Consulting Services Inc. (Stantec) has prepared this Periodic Review Report (PRR) and the attached Institutional Control/Engineering Control (IC/EC) forms (see Appendix A) to summarize Site Management (SM) activities at the Former Allegany Bitumens Belmont Asphalt Plant located at 5392 State Route 19 in the Town of Amity, Allegany County, New York Brownfield Cleanup Program site (the Site) for the Reporting Period May 3, 2016 to May 3, 2019.

The PRR was prepared on behalf of Gray Rock Properties LLC (Gray Rock), the owner of the Site, to fulfill the PRR requirements of the Brownfield Cleanup Program (BCP) of the New York State Department of Environmental Conservation (NYSDEC, the Department). The Former Allegany Bitumens Belmont Asphalt Plant Site is identified by NYSDEC as BCP Site No. C902019.

The Site is a 5.4± acre parcel located at 5392 State Route 19 in the Town of Amity, Allegany County, New York (see Figure 1).

1.1 SUMMARY OF SITE CONTAMINATION AND REMEDIAL HISTORY

On October 12, 2010, Blades Holding Company, Inc. (Blades) and the Department entered into a Brownfield Cleanup Agreement (BCA) for the Site. Blades subsequently pursued a program of environmental investigation and cleanup activities at the Site primarily intended to address past releases of trichloroethene (TCE) used to test asphalt products in the Laboratory Building Area. During the Remedial Investigation, three Remedial Areas of Concern were identified; the Laboratory Building Area (RAOC-1), shallow petroleum impacts west of the asphalt storage tanks (RAOC-2), and petroleum impacts in the asphalt tank area (RAOC-3) (see Figure 2).

Interim Remedial Measures (IRMs) were implemented from September 2011 through May 2012. As part of the IRM, 1,635 tons of impacted soil in the laboratory source area (RAOC-1) was excavated from November 10, 2011 through November 22, 2011 and disposed of off-site. Sodium lactate material was placed in the excavation at RAOC-1 prior to backfill, to facilitate in-situ remediation of remaining chlorinated volatile organic compounds (CVOCs) in source-area soil and groundwater through enhanced reductive dechlorination (ERD). A semi-circular trench within the footprint of impacted groundwater at RAOC-1 was excavated and additional sodium lactate material was placed at the water table. Following the excavation of approximately 1,200 tons impacted soils in RAOC-3, agricultural-grade gypsum was placed in the excavation to treat residual petroleum impacts in the groundwater. Remedial activities were completed at RAOC-2 at the time of the IRM. Excavation of approximately 75 tons of shallow soil in RAOC-2 was conducted on December 13, 2011. No groundwater remediation was required.

Following IRM implementation, Site grading was performed in accordance with the Remedial Action Work Plan from November 8, 2012 through November 20, 2012. This included: removal of a culvert pipe, closure of a culvert pipe in place, relocation of a portion of a berm containing waste asphalt material,



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grading of the existing aggregate and sand stock piles, and disposal of two drums and a one-gallon container encountered during grading activities (see Figure 3). Topsoil was placed, seeded and mulched in three areas on Site in June of 2013 (see Figure 4).

In November 2012, a supplemental sodium lactate injection program for RAOC-1 was implemented in accordance with the NYSDEC-approved Work Plan and was accomplished via injection of approximately 2,424 lbs. of sodium lactate into existing monitoring wells (BS-2R, MW-8, and MW-25) and 13 direct push injection points (see Figure 3). The lactate, which is purchased as a 60% aqueous solution was mixed onsite with water to create an estimated 3,330 gallons of working solution. As approved by NYSDEC, a second supplemental injection was performed in March 2015 in order promote enhanced reductive dechlorination in the area of MW-25, which was the only remaining well with exceedances of groundwater standards. The second supplemental injection program involved direct injection of approximately 728 lbs. of sodium lactate into BS-2R and MW-25. The sodium lactate was mixed on-Site with water to create an estimated 2,054 gallons of working solution.

Quarterly groundwater monitoring was conducted at RAOC-1 from March 2012 through December 2013 and semi-annual groundwater monitoring was performed from May 2014 to November 2015 to monitor the progress of the interim remedial measures (see Figure 2 for well locations).

Quarterly groundwater monitoring was conducted at MW-65 within RAOC-3 from March 2012 until December 2012 after which it was discontinued since sample results were either non-detect or below groundwater standards for four consecutive quarters indicating the prior remedial measures were effective. The Site was purchased by Gray Rock from Blades in August 2014.

1.2 SITE MANAGEMENT REQUIREMENTS

Site Management activities were implemented in accordance with the Department-approved Site Management Plan (SMP) Addendum No. 3 and the Decision Document issued by the NYSDEC in December 2012. The SMP for the Site includes the following required Engineering and Institutional Controls (ECs/ICs).

- Investigation or mitigation may be required for future structures to minimize the potential for VOC vapors associated with residual impacted groundwater, to enter the building, in accordance with NYSDOH Guidance (Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York, October 2006). Three approaches may be employed to address this requirement:
 - 1) prior to the construction of any enclosed structures, a Soil Vapor Intrusion (SVI) evaluation may be performed to determine whether any mitigation measures are necessary to eliminate potential exposure to vapors in the proposed structure;
 - 2) a sub-slab depressurization system, of a design approved by the NYSDEC and NYSDOH, may be installed during the construction of any proposed building or structure;or

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- 3) if an SVI evaluation is not conducted prior to construction and a sub-slab depressurization system is not installed during construction of a new building or structure, then a soil vapor intrusion evaluation needs to be conducted at the newly-constructed building or structure.
- The Site has a series of Institutional Controls in the form of site restrictions. Adherence to these Institutional Controls is required by the Environmental Easement. Site restrictions that apply to the Controlled Property are:
 - The property may only be used for Commercial or Industrial use provided that the long-term Engineering and Institutional Controls included in the SMP are employed;
 - The property may not be used for a higher level of use, such as Unrestricted Residential or Restricted Residential use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;
 - All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;
 - The use of groundwater underlying the property for potable or process water is prohibited without necessary water quality treatment as determined by NYSDOH or County DOH;
 - The potential for vapor intrusion must be evaluated for any future buildings constructed on the site, and any potential impacts that are identified must be monitored or mitigated. Alternatively, in lieu of performing investigation, a vapor mitigation system could be pre-emptively installed at the time of building construction;
 - Vegetable gardens and farming on the property are prohibited; and
 - The site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

Due to the discontinuation of the groundwater sampling program as per NYSDEC approval received on March 15, 2016, the SMP for the Site was revised on June 15, 2016 and subsequently approved by the NYSDEC on August 31, 2016. A copy of the approval is included in Appendix B.

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1.3 EFFECTIVENESS OF THE REMEDIAL PROGRAM

Groundwater sampling events occurred on a quarterly basis from September 2012 through December 2013. In September of 2013 the NYSDEC approved a request to remove BS-3, MW-27 and MW-28D from the quarterly groundwater monitoring program and instead put them on a three-year sampling frequency. In February 2014 the NYSDEC approved a request to reduce future groundwater sampling events for monitoring wells BS-2R, MW-8 and MW-25 to semi-annual events. Based on the November 2014 sampling results the Department agreed that groundwater concentrations had been below standards for at least a year at monitoring wells BS-2R, located within the former source area, and MW-8, located downgradient of the former source area such that sampling should not be needed at these locations during the May 2015 event. However, given the March 2015 second supplemental sodium lactate injection, it was requested that these wells be sampled again in November 2015 to assess if the injection had changed conditions. At the monitoring well just downgradient of the former source area (MW-25), concentrations had fluctuated above and below groundwater standards prior to the second supplemental injection. Since the March 2015 injection, concentrations remained below Standards for both the May 2015 and November 2015 sampling events. Following receipt of the results from the May 2015 and November 2015 sampling events, the Department approved a request to discontinue the groundwater monitoring program and remove the remaining on-Site monitoring wells given that concentrations in the former source area (BS-2R) and downgradient of the source area (MW-8 and MW-25) had been below groundwater standards for a year of monitoring. Per Department approval, the remaining RAOC-1 monitoring wells on-Site (BS-2R, BS-3, MW-8, MW25 and MW-27) were abandoned by Nothnagle Drilling on April 5, 2016.

Sample results from well MW-65 in RAOC-3 were "non-detect" for all VOC and SVOC analytes for the June 2012, September 2012, and December 2012 quarterly sampling events, and no petroleum product or sheen was observed in the well. Given three consecutive quarterly sampling events where MW-65 yielded non-detect results, and the prior event, March 2012, which exhibited concentrations that were either non-detect or below groundwater standards, permission was granted by the NYSDEC to discontinue sampling and abandon the well. MW-65 was abandoned by Nothnagle Drilling on March 28, 2013 and no impacts were observed during abandonment.

Given the effectiveness of the treatment and approval by the Department, no groundwater monitoring has been conducted on-Site since 2015.

1.4 COMPLIANCE

The Site remained commercial/industrial land during the reporting period. The Site has been used to store A-Verdi shipping containers during the reporting period. ICs required under the SMP remained in place and were effective. Compliance with the SMP for the Site was maintained throughout the reporting period.

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1.5 RECOMMENDATIONS

Given compliance with the SMP and that the Site has remained undeveloped and used to store shipping containers, it is requested that the frequency of the periodic review reports be extended from a three-year reporting period to a five-year reporting period. Annual site visits will continue to be performed in accordance with the SMP.

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2.0 Remedy Performance, Effectiveness, and Protectiveness

RAOC-1

As noted in Section 1.3, monitoring wells in RAOC-1 were decommissioned on April 5, 2016 per Department approval since CVOCs were not detected at levels exceeding standards for a one year period. Given this reduction in contamination, no further action was warranted for RAOC-1.

RAOC-2

As noted in Section 1.1 impacted soils were excavated in RAOC-2 during the IRM in December 2011. No further action was warranted for RAOC-2.

RAOC-3

As noted above in Section 1.3, sample results from well MW-65 were either non-detect or below groundwater standards for four consecutive quarters in 2012 indicating the prior remedial measures were effective. As a result, the NYSDEC granted approval to discontinue sampling at MW-65 and abandon the well in 2013. No further action was warranted for RAOC-3.

Site-Wide

Site grading occurred in November of 2012 and topsoil placement and seeding occurred in June of 2013, see Section 1.1 for further discussion. The Site is currently utilized to store shipping containers and remains undeveloped, thus no vapor intrusion study or vapor intrusion mitigation system is required at this time.

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3.0 Compliance with IC/EC Requirements and Annual Site Inspection

During the reporting period, compliance with required Controls have been maintained:

- The Site is currently used for staging of shipping/storage containers and is otherwise undeveloped, thus no vapor intrusion study or vapor intrusion mitigation system is required at this time;
- The Site has remained commercial/industrial land;
- No groundwater use has occurred at the Site; and
- No vegetable gardens or farming were performed on Site.

Forms certifying to the Department the continued presence and effectiveness of the controls described above are presented in Appendix A.

Per the SMP, annual site-wide inspections were performed on April 28, 2017, April 25, 2018 and April 17, 2019. Copies of the Inspection Forms are provided in Appendix C. At the time of the Site visits, the site was utilized to store shipping containers and was otherwise undeveloped.

During the Site inspections the locations where the monitoring wells were previously situated appear to be in good condition and the backfill has not settled.

Although the water supply well remains in place, groundwater is not in use.

During the Site inspections silt fences surrounding the redistributed aggregate pile in the center of the Site were noted to be in disrepair; however, maintenance of the silt fence is not required per the SMP. Following the 2017 Site Inspection, the NYSDEC approved the removal of the silt fences or leaving them in place as is assuming that there were no erosion compliance issues. No erosion compliance issues were identified, thus the silt fences were left in place as is.

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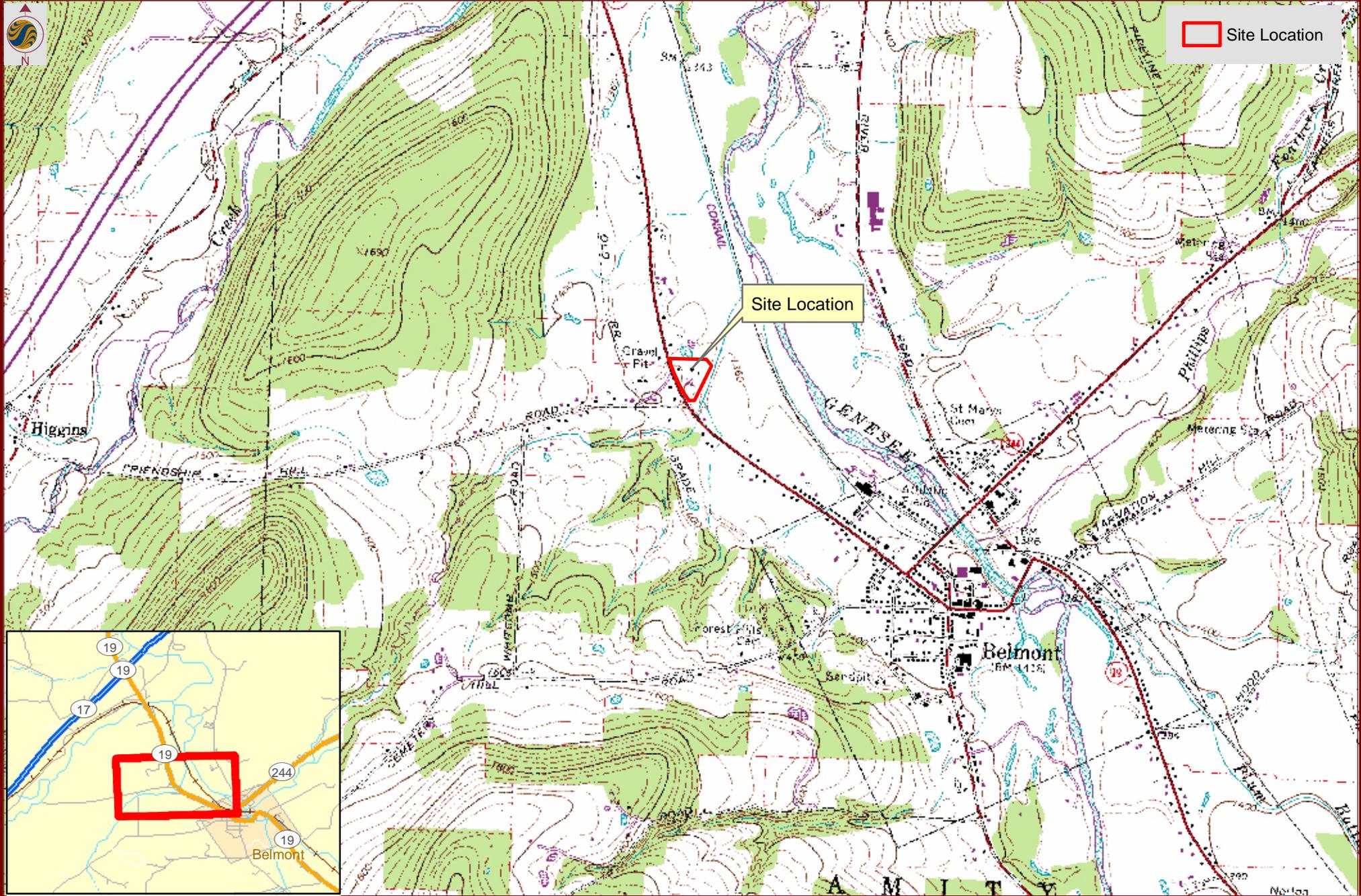
4.0 Overall Conclusions and Recommendations

Activities that have been performed on Site during the reporting period were performed in accordance with the SMP. The Site is currently undeveloped, thus no vapor intrusion study or vapor intrusion mitigation system is required at this time. The Site has remained in compliance with the ICs as specified in the SMP and Decision Document issued by the NYSDEC in December 2012.

At the time of the Site visits, the silt fences surrounding the redistributed aggregate pile in the center of the Site were in disrepair. Maintenance of the silt fences are not required per the SMP. Following the 2017 Site Inspection, the NYSDEC approved the removal of the silt fences or leaving them in place as is, assuming that there were no erosion compliance issues. No erosion compliance issues were identified, thus the silt fences were left in place as is.

Given compliance with the SMP and that the Site has remained undeveloped and used to store shipping containers, it is requested that the frequency of the periodic review reports be extended from a three-year reporting period to a five-year reporting period. Annual site visits will continue to be performed in accordance with the SMP.

FIGURES



Geographic Information Systems
Stantec Consulting
61 Commercial Street
Rochester, NY 14614
Phone 585.475.1440 Fax 585.272.1814
www.stantec.com
Copyright 2011

Map Source : NYSGIS Clearinghouse Web Site

Date: 6/8/2016

Cartographic Design By: Andrew Less

Document Path: U:\190500593\drawing\PRR\Figure 1 Site Location Map.mxd

1 inch = 2,000 feet



Allegany Bitumens Belmont Asphalt Plant Site

FIGURE 1 : Site Location Map



Stantec Consulting Services Inc.
 61 Commercial Street
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 14614
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 www.stantec.com

Stantec

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Consultants

Legend

-  MONITORING WELL
-  AREA OF TOPSOIL PLACEMENT
JUNE 17, 2013
-  AREA OF REGRAVING AND
SMOOTHING

Notes

1. MAP REFERENCE : INFORMATION ON THIS MAP IS REFERENCED FROM MAP ENTITLED "PLAN OF LANDS OWNED BY: ALLEGANY BITUMENS, INC.", SITUATE IN THE TOWN OF AMITY, COUNTY OF ALLEGANY, STATE OF NEW YORK, AND BEING A PORTION OF GREAT LOT # 18, TOWNSHIP #3, RANGE #2 OF THE ROBERT MORRIS RESERVE.
2. AERIAL MAPPING OBTAINED FROM PICTOMETRY ONLINE 1.10.1 PICTOMETRY INTERNATIONAL CORP DATED 04-19-2006.

Issued	By	Appd.	YY.MM.DD

Permit-Seal

Project/Client

**ALLEGANY BITUMENS
 BELMONT ASPHALT PLANT**

BLADES HOLDING COMPANY, INC.

Title

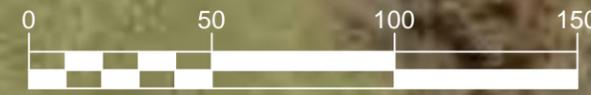
TOPSOIL PLACEMENT AREAS,
 JUNE 17, 2013

Project No.	Scale
190500593	AS SHOWN

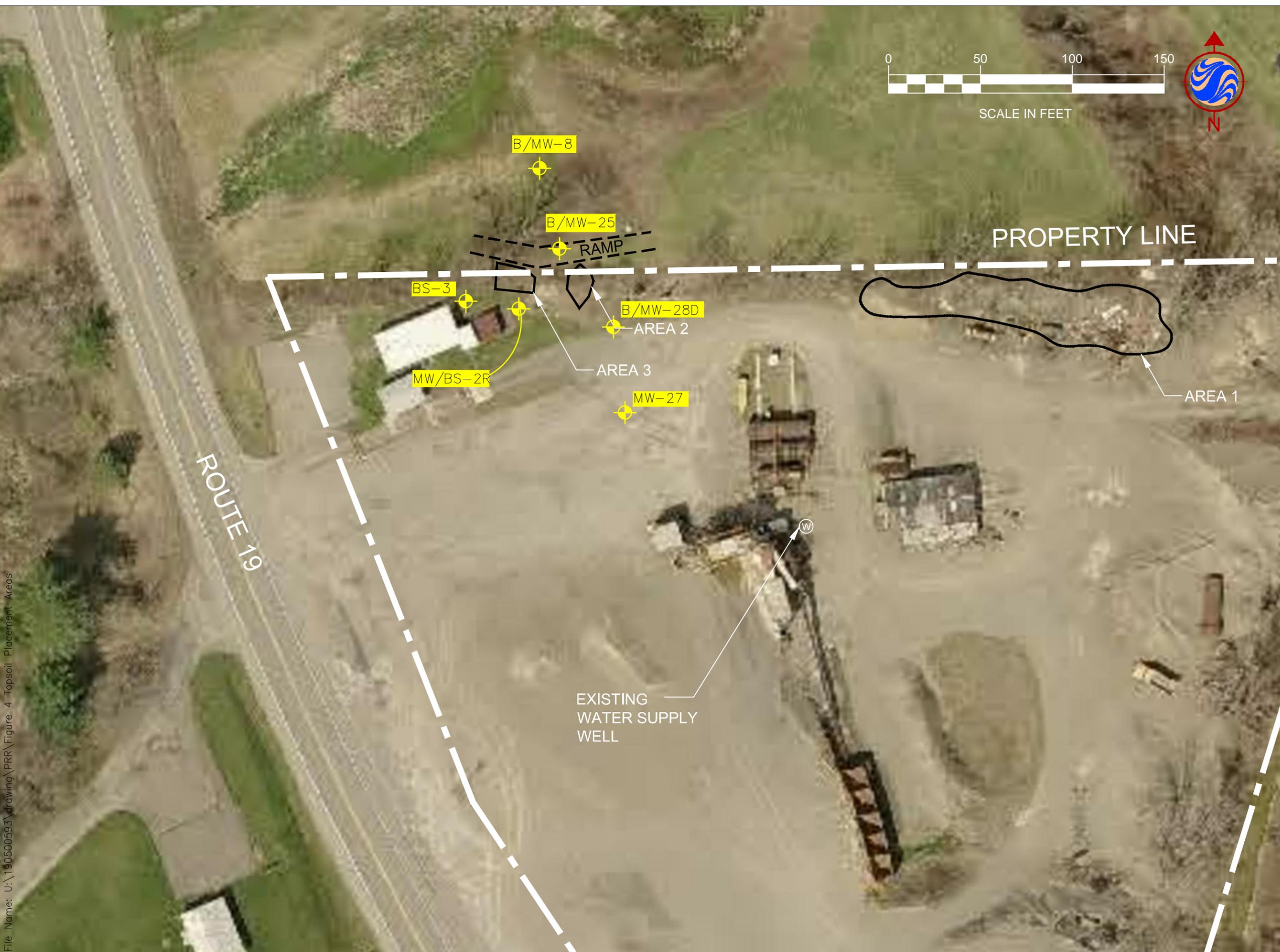
Drawing No.	Sheet	Revision

FIG. 4

of



SCALE IN FEET



File Name: U:\190500593\drawing\PRR\Figure 4 Topsoil Placement Areas

APPENDIX A

IC/EC Certification Forms



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



	Site Details	Box 1	
Site No.	C902019		
Site Name Allegany Bitumens Belmont Asphalt Plant			
Site Address: 5392 State Route 19 N		Zip Code: 14813	
City/Town: Belmont			
County: Allegany			
Site Acreage: 5.425			
Reporting Period: May 03, 2016 to May 03, 2019			
		YES	NO
1.	Is the information above correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	If NO, include handwritten above or on a separate sheet.		
2.	Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5.	Is the site currently undergoing development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Box 2	
		YES	NO
6.	Is the current site use consistent with the use(s) listed below? Commercial and Industrial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.	Are all ICs/ECs in place and functioning as designed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.			
A Corrective Measures Work Plan must be submitted along with this form to address these issues.			
_____ Signature of Owner, Remedial Party or Designated Representative		_____ Date	

Box 2A

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

YES NO

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

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

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

SITE NO. C902019

Box 3

Description of Institutional Controls

Parcel	Owner	Institutional Control
171.-1-59.2	Gray Rock Properties LLC (&quot;Gray Roc)	<i>KU 5/14/2019</i> O&M Plan Ground Water Use Restriction Soil Management Plan Landuse Restriction Monitoring Plan Site Management Plan IC/EC Plan

This Control corresponds to the addition of a small 0.54 acre parcel (171.-1-59) that was added to the original BCP parcel (171.-1-60).

Institutional Controls:

- The property may only be used for Commercial or Industrial use provided that the long-term Engineering and Institutional Controls included in this SMP are employed.
- The property may not be used for a higher level of use, such as Unrestricted Residential or Restricted Residential use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- The use of the shallow groundwater underlying the property is prohibited without treatment rendering it safe for that use; This restriction does not apply to non-impacted groundwater in the deeper aquifer in which the on-site water supply well is constructed.
- The potential for vapor intrusion must be evaluated for any future buildings constructed on the site, and any potential impacts that are identified must be monitored or mitigated. Alternatively, in lieu of performing investigation, a vapor mitigation system could be pre-emptively installed at the time of building construction.
- Vegetable gardens and farming on the property are prohibited;
- The site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

171.-1-60	Gray Rock Properties LLC (&quot;Gray Roc)	<i>KU 5/14/2019</i> Ground Water Use Restriction Soil Management Plan Landuse Restriction Monitoring Plan Site Management Plan IC/EC Plan Soil Management Plan Landuse Restriction O&M Plan IC/EC Plan Ground Water Use Restriction Monitoring Plan Site Management Plan
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Institutional Controls:

- The property may only be used for Commercial or Industrial use provided that the long-term Engineering and Institutional Controls included in this SMP are employed.
- The property may not be used for a higher level of use, such as Unrestricted Residential or Restricted Residential use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- The use of the shallow groundwater underlying the property is prohibited without treatment rendering it safe for that use; This restriction does not apply to non-impacted groundwater in the deeper aquifer in which the on-site water supply well is constructed.
- The potential for vapor intrusion must be evaluated for any future buildings constructed on the site, and

any potential impacts that are identified must be monitored or mitigated. Alternatively, in lieu of performing investigation, a vapor mitigation system could be pre-emptively installed at the time of building construction.

- Vegetable gardens and farming on the property are prohibited;
- The site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

Box 4

Description of Engineering Controls

Parcel

Engineering Control

171.-1-59.2

Vapor Mitigation

Engineering Controls:

Investigation or mitigation may be required for future structures to minimize the potential for VOC vapors associated with residual impacted groundwater, to enter the building, in accordance with NYSDOH Guidance (Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York, October 2006).

Three approaches may be employed to address this requirement:

- 1) prior to the construction of any enclosed structures, an SVI evaluation may be performed to determine whether any mitigation measures are necessary to eliminate potential exposure to vapors in the proposed structure;
- 2) a sub-slab depressurization system, of a design approved by the NYSDEC and NYSDOH, may be installed during the construction of any proposed building or structure; or
- 3) if a SVI is not conducted prior to construction and a sub-slab depressurization system is not installed during construction of a new building or structure, then a soil vapor intrusion evaluation needs to be conducted at the newly-constructed building or structure.

Soil vapor intrusion evaluations conducted at newly-constructed buildings should be conducted in accordance with the most recently-updated Guidance for Evaluating Soil Vapor Intrusion in the State of New York. Procedures and methods for conducting a soil vapor intrusion evaluation should be submitted in a work plan for State Agency review and approval. The results of a soil vapor intrusion evaluation should be provided to the State Agencies for data review and interpretation. The State Agencies will provide a determination based on the review of the data and will make appropriate recommendations to address exposures, if any.

If a sub-slab depressurization system is recommended based on the results of a soil vapor intrusion evaluation either prior to or after construction of any structures in the specified area, the design of this system will be the responsibility of the owner. Generally, a typical system for new construction would consist of:

- a clean stone layer with slotted piping to facilitate collection of sub-slab vapors;
- a vapor retarding liner (such as 6 mil polyethylene sheeting or a spray-on liner such as Liquid Boot) to trap vapors in the stone layer and to prevent vapors from entering the structure through cracks and joints in the floor;
- header piping to connect horizontal piping to a depressurization fan; and
- a vent to the exterior above the building roof elevation/air intakes (see Figure 13 – schematic diagram of a typical system).

Post-installation sampling should be conducted to ensure that the system is operating effectively and reducing/minimizing exposures. System installation, post confirmation sampling, and monitoring shall be conducted in accordance with the NYSDOH Guidance .

Typical procedures for operating and maintaining a sub-slab depressurization system will be documented in the Operation and Maintenance Plan that will be developed if the design and construction of a SSDS become necessary. Procedures for monitoring the system will be included in the Monitoring Plan (Section 3 of this SMP) should the design and construction of a SSDS become necessary. The Monitoring Plan would also address severe condition inspections in the event that a severe condition, which may affect controls at the site, occurred.

171.-1-60

Vapor Mitigation

Engineering Controls:

Investigation or mitigation may be required for future structures to minimize the potential for VOC

Parcel

Engineering Control

vapors associated with residual impacted groundwater, to enter the building, in accordance with NYSDOH Guidance (Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York, October 2006).

Three approaches may be employed to address this requirement:

- 1) prior to the construction of any enclosed structures, an SVI evaluation may be performed to determine whether any mitigation measures are necessary to eliminate potential exposure to vapors in the proposed structure;
- 2) a sub-slab depressurization system, of a design approved by the NYSDEC and NYSDOH, may be installed during the construction of any proposed building or structure; or
- 3) if a SVI is not conducted prior to construction and a sub-slab depressurization system is not installed during construction of a new building or structure, then a soil vapor intrusion evaluation needs to be conducted at the newly-constructed building or structure.

Soil vapor intrusion evaluations conducted at newly-constructed buildings should be conducted in accordance with the most recently-updated Guidance for Evaluating Soil Vapor Intrusion in the State of New York. Procedures and methods for conducting a soil vapor intrusion evaluation should be submitted in a work plan for State Agency review and approval. The results of a soil vapor intrusion evaluation should be provided to the State Agencies for data review and interpretation. The State Agencies will provide a determination based on the review of the data and will make appropriate recommendations to address exposures, if any.

If a sub-slab depressurization system is recommended based on the results of a soil vapor intrusion evaluation either prior to or after construction of any structures in the specified area, the design of this system will be the responsibility of the owner. Generally, a typical system for new construction would consist of:

- a clean stone layer with slotted piping to facilitate collection of sub-slab vapors;
- a vapor retarding liner (such as 6 mil polyethylene sheeting or a spray-on liner such as Liquid Boot) to trap vapors in the stone layer and to prevent vapors from entering the structure through cracks and joints in the floor;
- header piping to connect horizontal piping to a depressurization fan; and
- a vent to the exterior above the building roof elevation/air intakes (see Figure 13 – schematic diagram of a typical system).

Post-installation sampling should be conducted to ensure that the system is operating effectively and reducing/minimizing exposures. System installation, post confirmation sampling, and monitoring shall be conducted in accordance with the NYSDOH Guidance .

Typical procedures for operating and maintaining a sub-slab depressurization system will be documented in the Operation and Maintenance Plan that will be developed if the design and construction of a SSDS become necessary. Procedures for monitoring the system will be included in the Monitoring Plan (Section 3 of this SMP) should the design and construction of a SSDS become necessary. The Monitoring Plan would also address severe condition inspections in the event that a severe condition, which may affect controls at the site, occurred.

Periodic Review Report (PRR) Certification Statements

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

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

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

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

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

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

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

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

YES NO

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

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

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. C902019

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1, 2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Joseph Verdi at Gray Rock Properties
print name print business address

am certifying as Owner (Owner or Remedial Party)

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

Joseph Verdi
Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

5/27/19
Date

IC/EC CERTIFICATIONS

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

Peter Nielsen at Stantec Consulting Services Inc
print name 61 Commercial St Roch. NY
print business address 14614

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



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

Stamp
(Required for PE)

5/28/2019
Date

APPENDIX B

NYSDEC Approvals

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 9
270 Michigan Avenue, Buffalo, NY 14203-2915
P: (716) 851-7220 | F: (716) 851-7226
www.dec.ny.gov

August 31, 2016

Gray Rock Properties LLC
Joe Verdi
14150 Route 31
Savannah, NY 13146

Dear Mr. Verdi (as the Certifying Party):

Site Management (SM) Periodic Review Report
(PRR) Response Letter
Allegany Bitumens Belmont Asphalt Plant, Belmont
Allegany County, Site No.: C902019

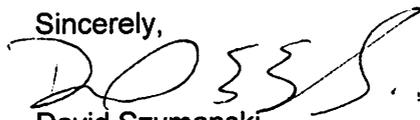
The Department has reviewed your Periodic Review Report (PRR) and IC/EC Certification for following period: 05/03/2015 to 05/03/2016.

The Department hereby accepts the PRR and associated Certification. Based on your Consultant: Stantec's recommendation to extend the next Certifying Period from 1 to 2 years, the Department agrees to modify the frequency of Periodic Reviews. However, due to the consistent and comprehensive manner in which past reporting has been provided, the Department is approving to extend the Certifying Period from 1 to 3 years, and your next PRR is due on June 3, 2019. You will receive a reminder letter and updated certification form 75-days prior to the due date.

Also, the Department accepts the Site Management Plan (SMP) modification as appended to the current PRR submission. Please retain copies of this modification with the full SMP you have in your files.

If you have any questions or comments, please contact me at 716-851-7220 or e-mail: David.Szymanski@dec.ny.gov

Sincerely,



David Szymanski
Environmental Program Specialist - 1

DS/tm

ec: Chad Staniszewski – NYSDEC
Anthony Lopes – NYSDEC
Michael P. Storonsky – Stantec
Katherine Premo - Stantec

From: [Reynolds Smith, Stephanie](#)
To: ["Szymanski, David \(DEC\)"](#)
Subject: RE: Allegany Bitumens Belmont Asphalt Plan (C902019) - 2017 Annual Site Visit Summary
Date: Monday, May 15, 2017 4:52:00 PM

David,

We do not believe that there are erosion compliance issues, so we will leave it as is or remove, as needed.

Thanks,
Stephanie

Stephanie Reynolds-Smith

Hydrogeologist
Stantec
61 Commercial Street Suite 100, Rochester NY 14614-1009
Phone: (585) 413-5272
Cell: (585) 298-2382
Fax: (585) 272-1814
stephanie.reynoldssmith@stantec.com

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From: Szymanski, David (DEC) [mailto:david.szymanski@dec.ny.gov]
Sent: Monday, May 08, 2017 1:38 PM
To: Reynolds Smith, Stephanie <Stephanie.ReynoldsSmith@stantec.com>
Subject: RE: Allegany Bitumens Belmont Asphalt Plan (C902019) - 2017 Annual Site Visit Summary

Stephanie -

If you believe there are no erosion compliance issues with removing the silt fence, and if there is no functional use for it being there, you may remove it as needed.

Best regards,
David Szymanski

From: Reynolds Smith, Stephanie [mailto:Stephanie.ReynoldsSmith@stantec.com]
Sent: Monday, May 08, 2017 1:17 PM
To: Szymanski, David (DEC) <david.szymanski@dec.ny.gov>
Subject: Allegany Bitumens Belmont Asphalt Plan (C902019) - 2017 Annual Site Visit Summary

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Dave,

Per the SMP, a site-wide inspection of the former Allegany Bitumens Belmont Asphalt Plan (C902019) was performed on April 28, 2017 and a copy of the Inspection Form is attached. At the time of the site visit, the site was utilized to store shipping containers and was otherwise undeveloped. All monitoring wells were removed during the last reporting period and the locations where the monitoring wells were previously situated appear to be in good condition

and the backfill has not settled. Although the water supply well remains in place, groundwater is not in use. The portions of the silt fence which were replaced in recent years appeared to be in good condition; however several areas of the older silt fence surrounding the redistributed aggregate pile in the center of the Site was in disrepair. Vegetation was noted growing in the redistributed aggregate pile. Minimal signs of newer erosion were noted. Given that the silt fence is not required by the SMP and vegetation had begun to take root, it is recommended that the silt fencing be either left as is or removed. Could you please let me know if NYSDEC approves this course of action?

The observations from this site visit, as well as future site visits, will be incorporated in June 2019 Periodic Review Report.

Regards,
Stephanie

Stephanie Reynolds-Smith

Hydrogeologist
Stantec

61 Commercial Street Suite 100, Rochester NY 14614-1009

Phone: (585) 413-5272

Cell: (585) 298-2382

Fax: (585) 272-1814

stephanie.reynoldssmith@stantec.com

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APPENDIX C

Annual Sitewide Inspection Forms



Annual Sitewide Inspection Form

Former Allegany Bitumens Belmont Asphalt Plant
Brownfield Cleanup Program Site # C902019
53992 State Route #19
Amity, Allegany County, New York

Stantec

Inspection Date: 4/28/17

Time Period Inspection Covers: April 2016 - April 2017

Inspector(s): Katie Premo

Weather: Sunny, Fog

- A. Describe the site usage (i.e. commercial or industrial purposes, or higher level usage [i.e. unrestricted, residential])? Commercial / industrial - storage of shipping containers
- B. Describe general site conditions. Vacant land with shipping containers
- C. Is the site currently undergoing development? If so, describe. NO
- D. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during the Reporting Period? NO
- E. Is the site being used for vegetable gardening or farming? NO
- F. Has groundwater monitoring been performed according to the schedule in the Site Management Plan (SMP)? Groundwater samplings no longer required
- G. Is groundwater being used on-site? No If so, is it being rendered safe for its intended use? Describe. _____
- H. Are there buildings on-site? NO
- I. If so, has the potential for vapor intrusion been evaluated or has a sub-slab depressurization system (SSDS) been installed? If a SSDS is present, has the SMP been modified to include a SSDS inspection schedule and form? _____
- J. Are soil covers in place on bermed areas as defined in SMP? yes
- K. Is vegetation on soil covers in place? yes
- L. Have any activities been conducted since the last inspection that necessitated site management activities be conducted, such as excavation in covered areas, confirmation sampling and a health and safety inspection? NO
- M. Is the site in compliance with permits and schedules included in the Operations and Maintenance Plan in the SMP? yes

Annual Sitewide Inspection Form
Former Allegany Bitumens Belmont Asphalt Plant
Page 2 of 2

- N. Have any federal, state, and/or local permits (e.g. building, discharge) been issued for or at the property during this Reporting Period? NO
- O. Has all reporting been performed per the schedules outlined in the SMP and are all site records up to date? yes
- P. Area all ICs/ECs in place and functioning as designed? yes
- Q. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding off-site contamination are no longer valid? NO
- R. Are the assumptions in the Qualitative Exposure Assessment still valid? yes



Annual Sitewide Inspection Form
Former Allegany Bitumens Belmont Asphalt Plant
Brownfield Cleanup Program Site # C902019
53992 State Route #19
Amity, Allegany County, New York

Stantec

Inspection Date: 4/25/18

Time Period Inspection Covers: April 2017 - April 2018

Inspector(s): Katie Nelson Weather: Overcast, ~40-50°F

- A. Describe the site usage (i.e. commercial or industrial purposes, or higher level usage [i.e. unrestricted, residential])? Shipping container storage (Commercial/Industrial)
- B. Describe general site conditions. Vacant land with several shipping containers
- C. Is the site currently undergoing development? If so, describe. NO
- D. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during the Reporting Period? NO
- E. Is the site being used for vegetable gardening or farming? NO
- F. Has groundwater monitoring been performed according to the schedule in the Site Management Plan (SMP)? Not applicable
- G. Is groundwater being used on-site? NO If so, is it being rendered safe for its intended use? Describe. _____
- H. Are there buildings on-site? NO
- I. If so, has the potential for vapor intrusion been evaluated or has a sub-slab depressurization system (SSDS) been installed? If a SSDS is present, has the SMP been modified to include a SSDS inspection schedule and form? Not applicable
- J. Are soil covers in place on bermed areas as defined in SMP? Yes
- K. Is vegetation on soil covers in place? Yes
- L. Have any activities been conducted since the last inspection that necessitated site management activities be conducted, such as excavation in covered areas, confirmation sampling and a health and safety inspection? NO
- M. Is the site in compliance with permits and schedules included in the Operations and Maintenance Plan in the SMP? Yes

Stantec

Annual Sitewide Inspection Form
Former Allegany Bitumens Belmont Asphalt Plant
Page 2 of 2

- N. Have any federal, state, and/or local permits (e.g. building, discharge) been issued for or at the property during this Reporting Period? NO
- O. Has all reporting been performed per the schedules outlined in the SMP and are all site records up to date? YES
- P. Are all ICs/ECs in place and functioning as designed? YES
- Q. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding off-site contamination are no longer valid? NO
- R. Are the assumptions in the Qualitative Exposure Assessment still valid? yes



Annual Sitewide Inspection Form
Former Allegany Bitumens Belmont Asphalt Plant
Brownfield Cleanup Program Site # C902019
53992 State Route #19
Amity, Allegany County, New York

Stantec

Inspection Date: 4/17/2019

Time Period Inspection Covers: April 2018 - April 2019

Inspector(s): Katie Nelson Weather: overcast 50s F

- A. Describe the site usage (i.e. commercial or industrial purposes, or higher level usage [i.e. unrestricted, residential])? Shipping container storage - Commercial/Industrial
- B. Describe general site conditions. Vacant land with shipping containers
- C. Is the site currently undergoing development? If so, describe. NO
- D. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during the Reporting Period? NO
- E. Is the site being used for vegetable gardening or farming? NO
- F. Has groundwater monitoring been performed according to the schedule in the Site Management Plan (SMP)? Not Applicable
- G. Is groundwater being used on-site? NO If so, is it being rendered safe for its intended use? Describe. _____
- H. Are there buildings on-site? NO
- I. If so, has the potential for vapor intrusion been evaluated or has a sub-slab depressurization system (SSDS) been installed? If a SSDS is present, has the SMP been modified to include a SSDS inspection schedule and form? NOT APPLICABLE
- J. Are soil covers in place on bermed areas as defined in SMP? yes
- K. Is vegetation on soil covers in place? yes
- L. Have any activities been conducted since the last inspection that necessitated site management activities be conducted, such as excavation in covered areas, confirmation sampling and a health and safety inspection? NO
- M. Is the site in compliance with permits and schedules included in the Operations and Maintenance Plan in the SMP? yes

Stantec

Annual Sitewide Inspection Form
Former Allegheny Bitumens Belmont Asphalt Plant
Page 2 of 2

- N. Have any federal, state, and/or local permits (e.g. building, discharge) been issued for or at the property during this Reporting Period? NO
- O. Has all reporting been performed per the schedules outlined in the SMP and are all site records up to date? yes
- P. Area all ICs/ECs in place and functioning as designed? yes
- Q. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding off-site contamination are no longer valid? NO
- R. Are the assumptions in the Qualitative Exposure Assessment still valid? yes