November 12, 2020

Mr. Eugene Melnyk, PE
Remediation Engineer, Region 9
New York State Department of Environmental Conservation
270 Michigan Avenue
Buffalo, New York 14203

RE: ExxonMobil Former Buffalo Terminal OU-3 – Babcock St. CSO/14" BRIC Line Repair
One Babcock Street, Buffalo, NY (NYSDEC Site # C915201D)
LaBella Project # 2200012

Dear Mr. Melnyk:

Elk Street Commerce Park, LLC (ESCP) and LaBella Associates, DPC have collaborated on this letter describing the remedial actions to be implemented to address the suspected infiltration of petroleum contamination into the Babcock Street Combined Sewer Overflow (CSO) on the above referenced site. The methods to be utilized to repair the CSO structure at the point of infiltration and remove residual contamination from the structure for the purpose of eliminating impacts to the Buffalo River at the CSO outfall are detailed herein.

BACKGROUND & OBJECTIVES

Observations made during a recent inspection of the CSO structure performed on behalf of ESCP indicate that petroleum contamination may be infiltrating into the CSO only at the point where a 14-inch diameter Buffalo River Improvement Corporation (BRIC) surge protection line penetrates the CSO. Based upon historical plans, the BRIC surge protection line is believed to be associated with the decommissioned BRIC waterline that extends under the CSO near the intersection of Babcock Street and the former Prenatt Street (see Attachment A). The condition of the CSO surrounding the 14-inch line penetration appears to have been improperly installed initially and may have further deteriorated over time. An apparent petroleum residue was observed leaching into the CSO at this location, which is situated approximately 540-feet upstream from the CSO outfall to the Buffalo River and just downstream of the former Prenatt Street weir. Petroleum residue was also observed on the walls of the CSO structure in the vicinity of the surge line penetration.

The objectives of the remedial program described herein are to decommission and remove the 14-inch line where it penetrates the CSO; repair the CSO wall at the penetration point; and remove residual petroleum contamination from within the CSO from the former Prenatt Street Weir to the outfall to the Buffalo River. This work will be performed in concert with the construction of the extended sheet pile containment system described in the NYSDEC-approved Remedial Action Work Plan (RAWP) Addendum dated October 26, 2020 and are collectively intended to mitigate impacts to the river associated with the ongoing petroleum release.

WORK SEQUENCE

The CSO repair and decontamination will not be performed until the temporary cofferdam associated with the sheet pile containment system extension near the CSO outfall is in place. The presence of the cofferdam will enable the containment and recovery of any contamination that could enter the CSO during the repair, and will also assist in controlling river backflow into the CSO during the decontamination work.

Once the temporary cofferdam is in place, the repair of the 14-inch BRIC line penetration will occur. Decontamination of the CSO will be performed after the repair has been made, and prior to removal of the cofferdam.

SITE CONTROL AND MANAGEMENT MEASURES

Site control and management measures to be employed during the implementation of this remedial work shall be in accordance with the Final RAWP and Site Management Plan (SMP), dated December 2019, for Operable Unit No. 3 (OU-3). This includes but is not limited to, measures relating to site access and control, erosion and sedimentation control; health and safety; community air monitoring; soils management; recordkeeping and reporting.

EXCAVATION AND SHORING

The area adjacent to the east wall of the CSO at the location of the 14-inch BRIC line will be excavated to expose the 14-inch line and the CSO wall. Prior to the start of excavation, utilities will be cleared and the asphalt in the work area will be saw cut and removed. Sheet piling will then be driven around the perimeter of the excavation prior to excavation, or a trench box will be placed after the excavation has taken place. The 14-inch BRIC line will be exposed within the depth of the excavation to extend at least a foot below the invert of the pipe. The width of excavation shall extend at least 18-inches to each side of the masonry infill surrounding the 14-inch line in the eastern wall of the CSO.

SPOILS MANAGEMENT

All excavated material will be screened for visual and photo-ionic evidence of contamination and loaded into lined dumpsters. Should field screening of the excavated material indicate that it is suitable for use as backfill within the excavation, it will be kept on site in the lined dumpsters for that purpose. If the material exhibits evidence of contamination (i.e., odor, staining, organic vapors), it will be characterized for disposal and transported offsite to an ExxonMobil-approved disposal facility.

DEWATERING OF EXCAVATION

Groundwater will be removed from the excavation utilizing a four-inch trash pump located within a sump in the excavation. The four-inch discharge line shall be reduced to a two-inch polyethylene line outside of the trench and pumped directly to staged Baker tank(s) for temporary storage, prior to being pumped to the onsite Groundwater Treatment Facility (GWTF). Dewatering shall take place as necessary during the entire operation to ensure that groundwater does not infiltrate the CSO. Should petroleum product be encountered at any time during the process, product shall be skimmed from the surface and transported to the GWTF for storage and eventual disposal.

CSO WALL REPAIR

Please reference the sketches provided in Attachment B for details regarding the infill of the opening into the CSO. Upon inspection of the masonry infill, the perimeter of the opening on the eastern Babcock CSO wall will be cleaned of any and all debris. The perimeter of the opening and contact area of the concrete repair infill shall be cleaned and treated with a bonding agent, Akryl 60 or equal. Dowels will be drilled a minimum of three inches into the existing concrete wall laterally and epoxy grouted into the CSO wall. The concrete infill will be formed to extend a minimum of six inches beyond the opening at the outside of the perimeter of the structure. The formwork shall extend a minimum of six inches beyond the exterior face of the CSO wall to allow for the proper placement of

concrete. Formwork will be placed and adequately braced on the inside of the CSO if the brick infill is not suitable for formwork. The excavation shall be backfilled to within six inches of the top of the formed area, as the exterior formwork shall permanently remain in place. The concrete repair infill will consist of a 3500 PSI mix with a slump of 5-inchs and 6% air entrainment. The formwork on the inside of the Babcock CSO, if utilized, will be removed after the pour has been completed.

SITE RESTORATION

The excavation shall be backfilled with existing material, compacted to 95% dry density. If the excavated material has been determined to be unsuitable for use as backfill, then paving base, 2-inch run of crusher stone shall be used for backfill. A DER-10 approved material source (New Enterprise Stone, i.e. Buffalo Crushed Stone) has been identified for the run of crusher backfill. Backfilling will continue to within 18-inches of finish grade (underside of paving repair section). The paving repair section will match existing paving, which consists of 12" aggregate stone base (NYSDOT Section 733-04 Subbase Type 3), 4.5-inches of 19 FP Binder Course HMA Series 80 Compaction, and 1.5' 9.5 F2 Top Course HMA 80 Series Compaction. In the event that weather conditions prohibit paving, the excavated area will be brought to existing grade with 2-inch run of crusher stone. When weather permits, the top six inches will be removed and stockpiled onsite for future use. The repair will then be made to the paving as specified above.

CSO DECONTAMINATION

The removal of residual petroleum contamination within the CSO will take place after the installation of the sheet pile cofferdam in the Buffalo River, when removal of water from the CSO is ongoing, and after the concrete repair infill of the CSO has been completed. Prior to the work, the Contractor will submit a Health and Safety Plan including a confined space entry plan detailing the safety, air monitoring and ventilation procedures to be utilized.

The Contractor will begin their decontamination operation by removing any existing liquid and sediment from the CSO using a vacuum truck connected to a vacuum box holding tank. Sediment will be permitted to settle out within the vacuum box, and the liquid will be pumped to the GWTF for treatment. Accumulated sediment will be characterized and shipped to an ExxonMobil-approved disposal facility.

A sandbag barrier or equivalent water control device will be erected at the downstream end of the CSO to prevent the discharge of rinsate to the river. Intermediate barriers may also be constructed to isolate segments of the CSO during decontamination, which will commence within the northern portion of the CSO and move southward from the former Prenatt Street weir to the CSO outfall. The barriers will be erected in a manner that will not substantially constrict flow within the CSO should it activate during the decontamination event.

The walls of the CSO may be pressure washed or steam cleaned to remove residual product from the surfaces. If necessary, an environmentally friendly detergent (i.e., Simple Green) will be utilized to break up and remove petroleum residues. Decontamination fluids and/or rinsate will be collected using a vacuum truck connected to a vacuum box holding tank. Solids will be permitted to settle out within the vacuum box, and the liquid will be pumped to the GWTF for treatment. Accumulated sediment will be characterized and shipped to an ExxonMobil-approved disposal facility.

FINAL INSPECTION AND REPORT

Upon completion of the CSO decontamination, still photos or video of the structure will be performed to document post-remedial conditions and the absence of residual petroleum contamination in the CSO structure. Additionally, the remedial work conducted pursuant to this plan will be summarized and documented as an amendment to the final Construction Completion Report to be generated pursuant to the NYSDEC-approved RAWP Addendum dated October 26, 2020.

Please contact me at (716) 851-6283 or Andy Janik at (716) 345-6709 with any questions you may have regarding this matter.

Respectfully submitted,

LaBella Associates

Robert R. Napieralski, CPG
Regional Manager

cc: Chad Staniszewski (NYSDEC)
Andrea Caprio (NYSDEC)
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Lt Jillian Hoffman (USCG)
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Paul Neureuter (Elk Street Commerce Park, LLC)
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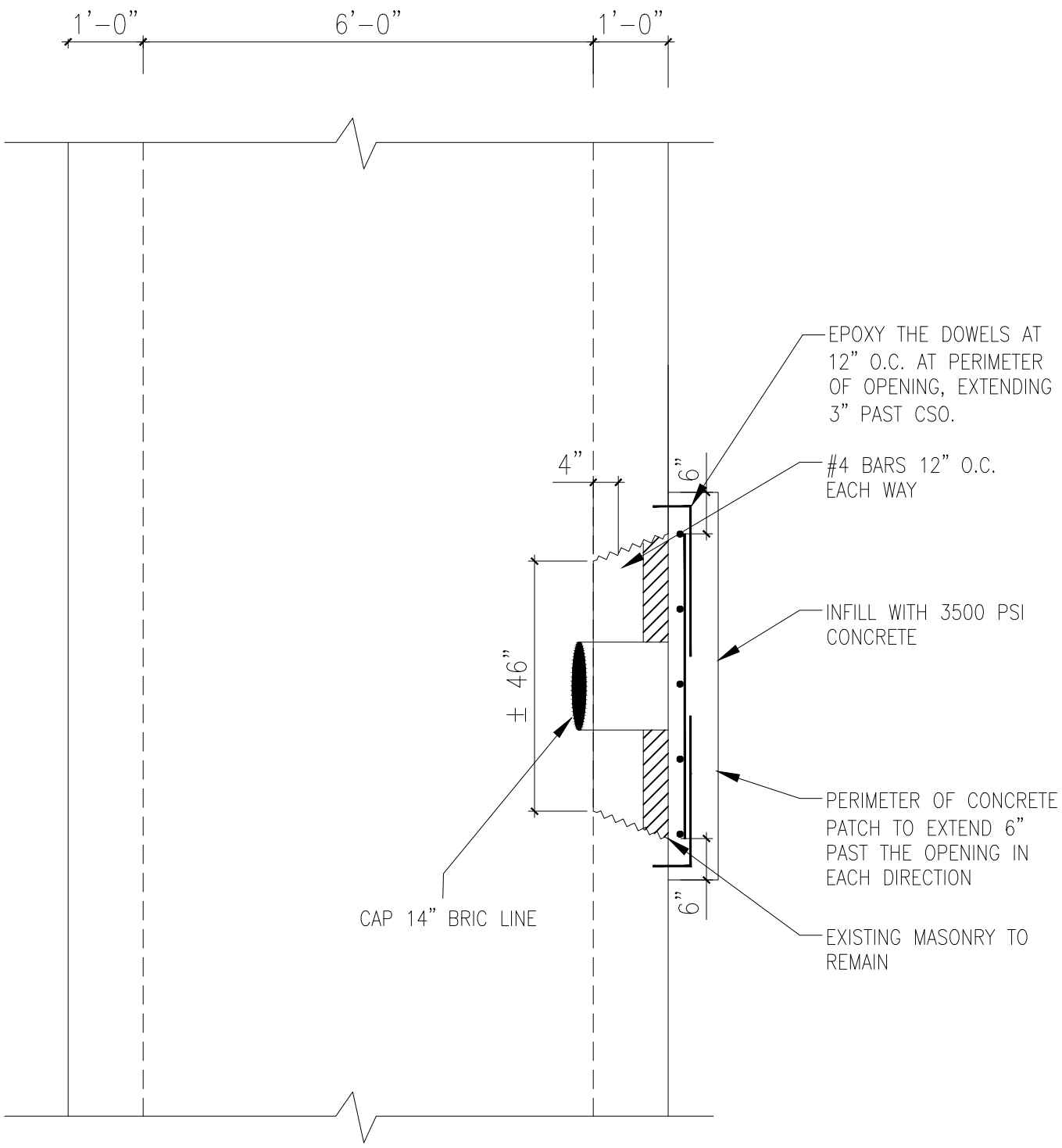
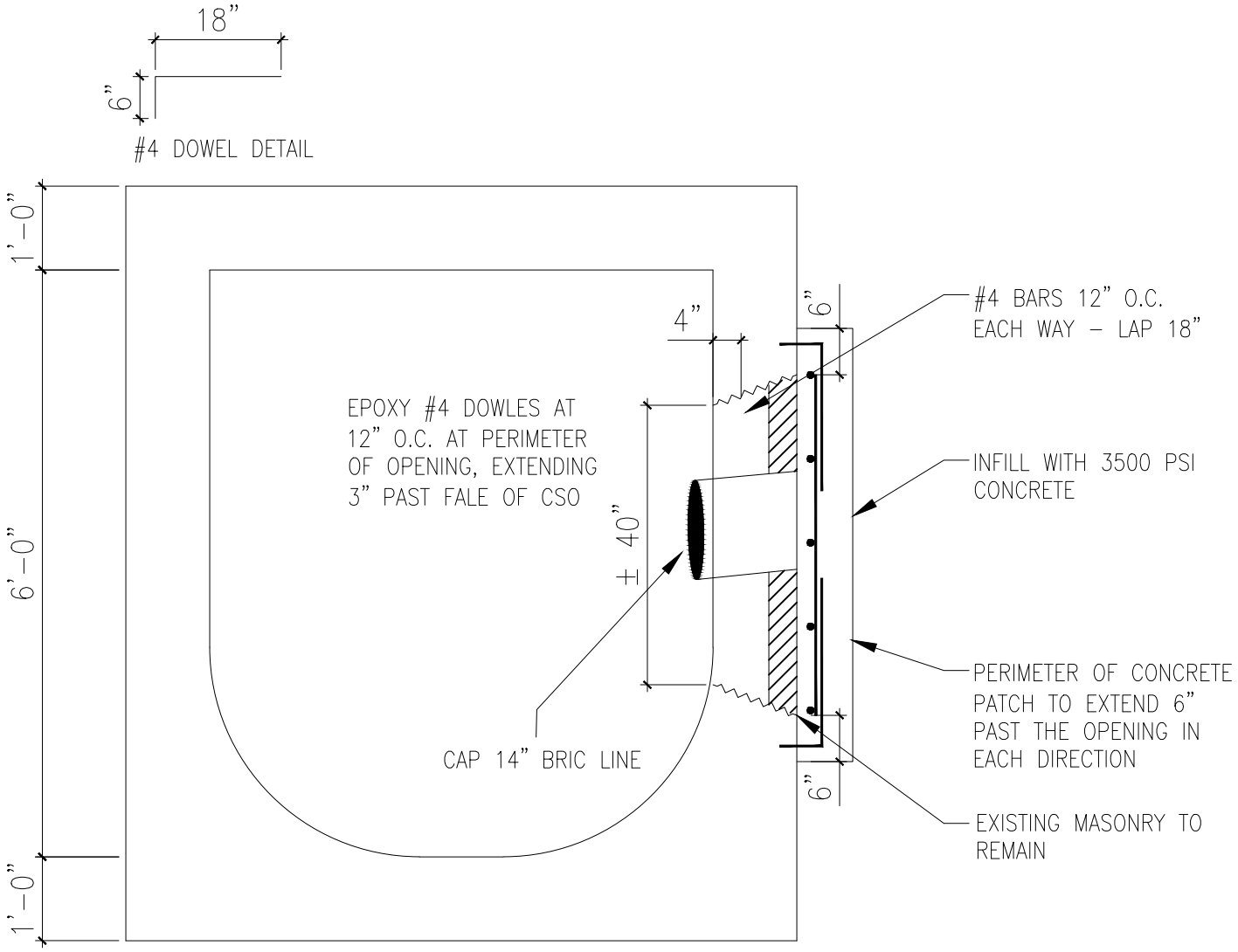


PLAN VIEW

1/2" = 1' – 0"

The Krog Group 4 Centre Drive Orchard Park , New York 14127 716-667-1234 Fax. 667-1258 Contractors Engineers Developers	Project Name: Babcock CSO Babcock Street	Sheet Title: Alternate Plan View	Drawn By: SS	Scale: AS NOTED	SK4
			Date: 11.12.20	Job No. 20-08J	



SECTION

1/2” = 1’ – 0”

The Krog Group 4 Centre Drive Orchard Park , New York 14127 716-667-1234 Fax. 667-1258 Contractors Engineers Developers	Project Name: Babcock CSO Babcock Street	Sheet Title: Alternate Section	Drawn By: SS	Scale: AS NOTED	SK5
			Date: 11.12.20	Job No. 20-08J	