GeoLogic NY, Inc.
P.O. Box 350 • 37 Copeland Ave. • Homer, NY 13077 • 607.749.5000 • Fax: 607.749.5063

Environmental Restoration Project
FORMER EZ STOP
9244 STATE ROUTE 12
REMSEN, ONEIDA COUNY, NEW YORK

Site Management Plan

NYSDEC Site Number: E633067

Prepared for:

Town of Trenton
PO Box 206, Barneveld, NY 13304

Prepared by:

GeoLogic NY, Inc.
PO Box 350, Homer, NY 13077

Revisions to Final Approved Site Management Plan:

Revision #	Submitted	Summary of Revision	DEC Approval

MAY 2014

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SITE MANAGEMENT PLAN

1.0 INTRODUCTION

This document is required as an element of the remedial program at the former EZ Stop located at 9244 NYS Route 12 in Remsen, Town of Trenton, County of Oneida, New York (hereinafter referred to as the "Site") under the New York State (NYS) Environmental Restoration Program (ERP) administered by New York State Department of Environmental Conservation (NYSDEC). The Site was remediated in accordance with State Assistance Contract (SAC) #C303149, Site #E633067, which was executed on November 6, 2007 and last amended on May 23, 2011.

1.1 General

The Town of Trenton entered into a SAC with the NYSDEC to remediate a 0.47-acre property located in the Village of Remsen, Oneida County, New York. This SAC required the Remedial Party, Town of Trenton, to investigate and remediate contaminated media at the Site. A figure showing the Site location and boundaries of this 0.47-acre Site is provided in Appendix A. The boundaries of the Site are more fully described in the metes and bounds Site description that is part of the Environmental Easement (see Appendix B). The Site will be used for commercial purposes. The Site is currently zoned as C-B-2, Commercial Business Highway.

After completion of the Interim Remedial Measures in the Spill Clean Up Report for EZ Stop for NYSDEC Spill No. 87-07398 prepared by Eggan Excavating and Equipment Co., Inc., some contamination was left in the subsurface at this Site, which is hereafter referred to as "remaining contamination." This Site Management Plan (SMP) was prepared to manage remaining contamination at the Site until the Environmental Easement is extinguished in accordance with ECL Article 71, Title 36. All reports associated with the Site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State.

This SMP was prepared by GeoLogic NY, Inc., on behalf of the Town of Trenton, in accordance with the requirements in NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation, dated May 2010, and the guidelines provided by NYSDEC. This

SMP addresses the means for implementing the Institutional Controls (ICs) and Engineering Controls (ECs) that are required by the Environmental Easement for the Site.

1.2 Purpose

The Site contains contamination left after completion of the remedial action. Engineering Controls have been incorporated into the Site remedy to control exposure to remaining contamination during the use of the Site to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Oneida County Clerk, will require compliance with this SMP and all ECs and ICs placed on the Site. The ICs place restrictions on Site use, and mandate operation, maintenance, monitoring and reporting measures for all ECs and ICs. This SMP specifies the methods necessary to ensure compliance with all ECs and ICs required by the Environmental Easement for contamination that remains at the Site. This plan has been approved by the NYSDEC, and compliance with this plan is required by the grantor of the Environmental Easement and the grantor's successors and assigns. This SMP may only be revised with the approval of the NYSDEC.

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

To address these needs, this SMP includes three plans: (1) an Engineering and Institutional Control Plan for implementation and management of EC/ICs; (2) an Excavation Work Plan; and (3) a description of Periodic Review Reports for the periodic submittal of data, information, recommendations, and certifications to NYSDEC.

It is important to note that:

- This SMP details the Site-specific implementation procedures that are required by the Environmental Easement. Failure to properly implement the SMP is a violation of the environmental easement, which are grounds for revocation of the Certificate of Completion (COC).

- Failure to comply with this SMP is also a violation of Environmental Conservation Law, 6NYCRR Part 375 and the SAC # C303149, Site # E633067 for the Site, and thereby subject to applicable penalties.

1.3 Revisions

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

1.4 Site Background

1.4.1 Site Location and Description

The former EZ Stop is located at 9244 NYS Route 12 in Remsen, Town of Trenton, County of Oneida, New York and is identified as 159.000-1-16 on the Town of Trenton, Oneida County Tax Map. The Site is an approximately 0.47-acre area bounded by T.A.M's Diner to the north, Main Street (County Route 114) to the south and to the east, and New York State Route 12 to the west (See Drawing Nos. 1, 2 and 3). The boundaries of the Site are more fully described in Appendix A – Land Title Survey.

1.4.2 Site History

The former EZ Stop gasoline station is located in an area that is predominantly rural with residences to the south, west and east and a diner north of the Site. Access to the Site is from both NYS Route 12 and Main Street.

There was a one-story masonry building with a slab-on-grade foundation, underground and aboveground petroleum storage tanks, two pump islands with dispensers, one covered with a steel-framed canopy, a septic system and two wooden sheds. These structures have all been removed from the Site. There was asphalt pavement on the south and west sides of the Site and a steep, vegetated slope on the east side of the Site sloping downward to Main Street.

There is one drilled water supply well located on the north central portion of the Site. The property had a septic system prior to being connected to the municipal sewer system.

The former building on the Site was constructed when the Site was developed as a gasoline station with a repair shop in the late 1950's. The building was used for automobile repair until 1988 when the previous owner, Richard Suba, replaced the repair shop area with a convenience store. The property was abandoned in or about 2000. The former property owners were Bhagwati Sharm and Rajeev Kumar. The Town of Trenton took temporary incident of ownership of the property to enter the ERP in 2004. As of March 1, 2011, the property owner is Oneida County Board of Legislators.

1.4.3 Geologic Conditions

The Site is located in the Tug Hill Plateau region of New York, at the southern edge of the Adirondack Plateau. Surficial deposits beneath the Site are mapped as glacial till deposits consisting of sand and gravel. These deposits are mapped as an aquifer capable of yielding 10 to 100 gallons-per-minute.

The former EZ Stop property is located at the top of a steep slope above the Cincinnati Creek channel. The developed portion of the Site is relatively flat with ground surface elevations ranging from 1,141 MSL to 1,139 MSL from north to south.

Surface water runoff is to the east and southeast following the topography; no storm water catch basins are present on the property.

The Site is underlain by four predominant geologic units: fill soils, an upper glacial till, an alluvial sand deposit and a lower very dense glacial till unit with nested cobbles. The alluvial sand deposit is more predominant in the southern portion of the Site and was not observed in the northwest section of the Site. The water table was encountered within the lower glacial till unit. Groundwater has been observed locally perched on top of the upper glacial till unit within the fill in the vicinity of the former UST's south of the station building. This water may be present only during seasonally wet periods.

Groundwater beneath the Site flows to the southeast parallel to the terrace slope of the Cincinnati Creek channel. A groundwater flow figure is shown on Drawing No. 7.

The elevation of the Site is generally about 1140 MSL. Bedrock is exposed at the surface within the Cincinnati Creek channel east of the Site at an elevation of 1060 MSL and the deepest boring advanced for the remedial investigation terminated at an

elevation of 1088 MSL. Based on this information, depth to bedrock at the Site may be between 60 and 80 feet below ground surface (bgs).

2.0 SUMMARY OF REMEDIAL INVESTIGATION FINDINGS

A Remedial Investigation (RI) was performed to characterize the nature and extent of contamination at the Site. The results of the RI are described in detail in the following reports:

- Site Investigation Report. EZ Stop Cleanup, 9244 State Route 12, Remsen, NY. ERP Site No. E633067 prepared by GeoLogic NY, Inc. June 2008.
- Remedial Investigation Report. EZ Stop Cleanup, 9244 State Route 12, Remsen, NY. ERP Site No. E633067 prepared by GeoLogic NY, Inc. December 2009.
- Spill Cleanup Report, E-Z Stop, DEC Spill Number 87-07398 prepared by Eggan Excavating & Equipment Co., Inc. March 2010.
- Proposed Remedial Action Plan, E-Z Stop, Environmental Restoration Project, Remsen, Oneida County, Site No. E633067 prepared by NYSDEC. November 2011.
- Addendum to Remedial Investigation Report (Letter), Former EZ Stop, Remsen, NY, ERP Site No. E633067 prepared by GeoLogic NY, Inc. January 18, 2012.

Generally, the RI determined that the petroleum bulk storage and dispensing systems be properly closed by removal, and that the impacted soils in the vicinity of the tank fields, underground piping and the dispensers be removed to the extent feasible. During the removal of the petroleum storage and dispensing system, the soils underlying the Site building were evaluated and impacted soils were removed by excavation.

A summary of Site conditions when the RI was performed in 2008-2010 is discussed below.

2.1 Soil

Initial testing conducted at the Site included volatile and semi-volatile compounds associated with petroleum fuels and solvents, along with PCBs and metals. Based on the initial findings, PCBs were removed from the analytical suite for this Site.

The contaminants of concern identified for this Site were petroleum-related compounds associated with petroleum fuels.

The quality of soil beneath the Site was evaluated by comparing soil analytical results to the NYSDEC NYCRR Part 375 Restricted Commercial Use Soil Cleanup Objectives for the property (SCO). While the SCO were not exceeded for the samples analyzed, impacted soils were encountered at the following locations:

- Adjacent to the tank field located on the south side of the station building generally from about 14 to 35 feet below ground surface (bgs);
- Adjacent to the pump island under the canopy to depths generally from ground surface to at least 14 feet bgs.

Based on observations made during previous tank removals at the north end of the Site building and the observations made during the RI, it was noted that petroleum-contaminated soils were likely to be encountered in the existing tank fields as well as underlying the building that would require remedial action.

2.2 Site-Related Groundwater

The quality of groundwater was evaluated by comparing the analytical results with the appropriate Technical Operational Guidance Series 1.1.1 (TOGS 1.1.1) criteria. This comparison found that water quality at the southeastern and southern portions of the Site as well as off-site in a southeasterly direction has been impacted by gasoline-related constituents.

One water supply well is located on the Site that is a drilled and cased well approximately 155 feet deep. Evaluation of water quality at the wellhead did not yield contaminants of concern above laboratory detection limits.

2.3 Underground Storage Tanks

Information on the former petroleum storage tanks at the Site based on the information from the NYSDEC PBS file for the Site (PBS# 6-077623) is summarized below.

Table 2-1

Petroleum Storage Tank Status

Tank Size (gallons)	Product	Location	Date Installed	Status
3,000	Unleaded gasoline	UST	Unknown	Removed 1987
3,000	Unleaded gasoline	UST	Unknown	Removed 1987
4,000	Unleaded gasoline	UST	Unknown	Removed 1987

Tank Size (gallons)	Product	Location	Date Installed	Status
4,000	Unleaded gasoline	UST	Unknown	Removed 1999
4,000	Unleaded gasoline	UST	1988	Removed 2010
8,000	Unleaded Gasoline	UST	1988	Removed 2010
500	Fuel Oil	UST	Unknown	Removed 2010
600	Kerosene	UST	Unknown	Removed 2010
500	Kerosene	UST	Unknown	Removed 2010
1,000	Kerosene	AST	Unknown	Removed 2008
275	Fuel Oil	AST	Unknown	Removed 2008

3.0 SUMMARY OF REMEDIAL ACTION

An Interim Remedial Measure (IRM) is conducted at a Site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Record of Decision (ROD).

An IRM was performed at the property to address sources of contamination that had been identified during the RI. The results of the IRM are described in detail in the following report:

Spill Clean Up Report, E-Z Stop, DEC Soil No. 87-07398, 9244 NYS Route 12, Trenton, NY, March 2010 prepared by Eggan Excavating & Equipment Co., Inc.

3.1 Interim Remedial Measure

In April of 2010 an IRM was conducted utilizing funds from the American Recovery and Reinvestment Act of 2009 (ARRA) Leaking Underground Storage Tank (LUST) Trust Fund Program. A total of 4,947 tons of petroleum contaminated soils were excavated for off-site disposal at an approved facility. In addition, 4,246 gallons of petroleum and petroleum contaminated water was recovered and shipped off-site for proper handling and disposal. Clean fill, which met the commercial use soil cleanup objectives, was brought in to replace the excavated soil, and establish the designed grades at the Site. The Site cover is comprised of clean fill, which meet commercial SCOs, in the tank excavation area. A figure showing areas where excavation was performed is shown in Drawing No. 4.

Remedial activities were completed at the Site in March 2010.

The subsequent Proposed Remedial Action Plan recommended that no further remedial action was warranted beyond the IRM. The NYSDEC ROD dated March 2012 concurred with the No Further Action remedy since the Site no longer posed a threat to human health or the environment.

3.2 Removal of Contaminated Materials from the Site

A remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion (SVI).

NYSDEC NYCRR Part 375 Restricted Commercial Use Soil Cleanup Objectives were used for the property.

All structures including the station building, pump islands and canopy along with five underground storage tanks and two above ground storage tanks were removed from the property.

4,947 tons of petroleum contaminated soils and 4,246 gallons of petroleum and petroleum contaminated water were removed from the property.

The potential for soil vapor intrusion was not evaluated. There are no SCG for soil vapor for the contaminants of concern identified at the Site.

A list of the soil cleanup objectives (SCOs) for the primary contaminants of concern (COCs) and applicable land use for this Site is provided in Table 1.

3.3 Remaining Contamination

Since contaminant levels in soils exceed Unrestricted SCOs and residual contaminated groundwater remains beneath the Site, ICs are required for long-term management to protect human health and the environment.

The areas with remaining contaminant levels that exceed Unrestricted SCO, and may warrant special handling and disposal requirements if encountered, are depicted on Drawing No. 3 and further defined in cross-sections on Drawing Nos. 4, 5, and 6. Based on the depths and locations of these remaining impacted soils, it is unlikely that these soils will be encountered should the site be redeveloped. One area with impacted soils existing at depths ranging from 5 to 10 feet bgs is within the highway right-of-way, and beyond the setback requirements for future building(s). The other area with impacted soil existing at a depth that exceeds 20 feet bgs is not likely to be encountered during any future Site redevelopment activities.

Groundwater at the Site remains impacted above SCGs (see Drawing No. 8). Given the depth to groundwater at the Site (greater than 30 feet bgs), it is unlikely that groundwater will be encountered during future Site redevelopment activities.

A list of the soil cleanup objectives (SCOs) for the primary contaminants of concern (COCs) and applicable land use for this Site is provided in Table 1.

4.0 RECORD OF DECISION SUMMARY

In the Record of Decision (ROD) prepared by NYSDEC, dated March 2012, the NYSDEC issued a No Further Action with the implementation of ICs/ECs listed below as the proposed remedy for the Site. The Department believes that this remedy is protective of human health and the environment and satisfies the remediation objectives described in Section 6.5 of the ROD.

The following list is the ICs/ECs proposed in the ROD:

1) Imposition of an institutional control in the form of an environmental easement for the Site that:

   - requires the remedial party or Site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8(h)(3);
   - allows the use and development of the Site for commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
   - restricts the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH;
   - prohibits agriculture or vegetable gardens on the Site; and

- requires compliance with the NYSDEC approved Site Management Plan.

2) Development of a Site Management Plan that includes:

   a) Institutional Controls that identifies all use restrictions as discussed in the Environmental Easement discussed above.

   b) Engineering Controls that provides for the evaluation of SVI pathways, if the Site is developed, and the provisions for the installation of a Sub-Slab Depressurization System, if warranted.

   c) Detailed steps and media-specific requirements necessary to ensure that the institutional and/or engineering controls remain in place and effective.

The Site Management Plan includes the following components:

- an Excavation Plan, which details the provisions for management of future excavations in areas of remaining contamination;
- descriptions of the provisions of the environmental easement including any land use and/or groundwater;
- a provision for evaluation of the potential for soil vapor intrusion for any buildings developed on the Site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion; provisions for the management and inspection of the identified engineering controls;
- a provision for maintaining site access controls and NYSDEC notification; and
- periodic reviews and certification of the institutional and/or engineering controls.

3) Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes:

   - monitoring for vapor intrusion for any buildings occupied or developed on the site, as may be required by the Institutional and Engineering Control Plan discussed in Section 4.0 Item (2) (a & b) above.

Groundwater was monitored post-IRM. No further groundwater monitoring is planned.

5.0 ENGINEERING AND INSTITUTIONAL CONTROL PLAN

Since contaminated soil and groundwater remains beneath the Site, Engineering Controls and Institutional Controls (EC/ICs) are required to protect human health and the environment. This Engineering and Institutional Control Plan describes the procedures for the implementation and management of all EC/ICs at the Site.

The EC/IC Plan is one component of the SMP and is subject to revision by NYSDEC.

5.1 Purpose

This plan provides:

- A description of all EC/ICs on the Site;
- The basic implementation and intended role of each EC/IC;
- A description of the key components of the ICs set forth in the Environmental Easement;
- A description of the features to be evaluated during each required inspection and periodic review;
- A description of plans and procedures to be followed for implementation of EC/ICs, such as the implementation of the Excavation Work Plan for the proper handling of remaining contamination that may be disturbed during maintenance or redevelopment work on the Site; and
- Any other provisions necessary to identify or establish methods for implementing the EC/ICs required by the Site remedy, as determined by the NYSDEC.

5.2 Engineering Controls

5.2.1 Engineering Control Systems

No engineering controls were in place at the time this SMP was prepared. The only identified potential future engineering control is a sub-slab depressurization system.

Prior to the construction of any enclosed structures located on the Site, a SVI evaluation will be performed to determine whether any mitigation measures are necessary to eliminate potential exposure to vapors in the proposed structure.

Alternatively, components of a SVI mitigation system may be installed as an element of the building foundation without first conducting an investigation. These mitigation system components will include a vapor barrier and sub-slab vapor extraction piping making it easier to retrofit to a passive or active SVI mitigation system after completion of the building construction.

Prior to conducting an SVI investigation or installing a mitigation system, a work plan will be developed and submitted to the NYSDEC and NYSDOH for approval. This work plan will be developed in accordance with the most current NYSDOH "Guidance for Evaluating Vapor Intrusion in the State of New York". Measures to be employed to mitigate potential vapor intrusion will be evaluated, selected, designed, installed, and maintained based on the SVI evaluation, the NYSDOH guidance, and construction details of the proposed structure.

Preliminary (unvalidated) SVI sampling data will be forwarded to the NYSDEC and NYSDOH for initial review and interpretation. Upon validation, the final data will be transmitted to the agencies, along with a recommendation for follow-up action, such as mitigation. Validated SVI data will be transmitted to the property owner within 30 days of validation.

SVI sampling results, evaluations, and follow-up actions will also be summarized in the next Periodic Review Report.

5.2.2 Sub-slab Depressurization System

Procedures for operating, maintaining and monitoring a sub-slab depressurization system, if deemed warranted, will be documented in a Site-specific Operation and Maintenance Plan developed in accordance with NYSDEC DER-10 or the applicable program policy in effect at the time.

5.3 Institutional Controls

A series of Institutional Controls is required by the ROD to: (1) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; (2) limit the use and development of the Site to commercial uses only; and, (3) implement, maintain and monitor future Engineering Control systems. Adherence to these Institutional Controls on the Site is required by the Environmental Easement and will be implemented under this Site Management Plan. These Institutional Controls are:

- Compliance with the Environmental Easement and this SMP by the Grantor and the Grantor's successors and assigns;
- A soil vapor intrusion evaluation must be performed as defined in this SMP;
- Any future Engineering Controls on the Site must be operated, maintained and inspected as specified in this SMP;
- Data and information pertinent to management of the Site must be reported at the frequency and in a manner defined in this SMP;
- Institutional Controls identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement.

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

- Allow the use and development of the Site for commercial and industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- The Site may not be used for a higher level of use, such as unrestricted or restricted residential use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;
- All future activities on the Site that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- The use of the groundwater on the Site as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH is restricted;
- The potential for vapor intrusion must be evaluated for any buildings developed on the Site, and any potential impacts that are identified must be monitored or mitigated;
- Agriculture or vegetable gardens on the Site 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 Site 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 Site 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.

5.4 Excavation Work Plan

The Site has been remediated for restricted Commercial use. Any future intrusive work that will disturb the remaining contamination will be performed in compliance with the Excavation Work Plan (EWP) that is attached as Appendix C to this SMP. Any work conducted pursuant to the EWP must also be conducted in accordance with the procedures defined in a Health and Safety Plan (HASP) and Community Air Monitoring Plan (CAMP) in current compliance with DER-10, and 29 CFR 1910, 29 CFR 1926, and all other applicable Federal, State and local regulations. Based on future changes to State and Federal health and safety requirements, and specific methods employed by future contractors, the HASP and CAMP will be updated and re-submitted with the notification provided in Section A-1 of the EWP. Any intrusive construction work will be performed in compliance with the EWP, HASP and CAMP, and will be included in the periodic inspection and certification reports.

The Site owner and associated parties preparing the remedial documents submitted to the State, and parties performing this work, are completely responsible for the safe performance of all intrusive work, the structural integrity of excavations, and proper disposal of excavated materials.

5.5 Notifications

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

- 60-day advance notice of any proposed changes in Site use that are required under the terms of the State Assistance Contract (SAC), 6NYCRR Part 375, and/or Environmental Conservation Law.
- 7-day advance notice of any proposed ground-intrusive activities pursuant to the Excavation Work Plan.

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

- At least 60 days prior to the change, the NYSDEC will be notified in writing of the proposed change. This will include a certification that the prospective purchaser has been provided with a copy of the State Assistance Contract (SAC), and all approved work plans and reports, including this SMP.
- Within 15 days after the transfer of all or part of the Site, the new owner's name, contact representative, and contact information will be confirmed in writing.

6.0 OPERATION AND MAINTENANCE PLAN

No engineering controls are present at the Site at this time. If future use of the property requires the installation of a sub-slab depressurization system to protect public health, then the SMP plan will be revised to reflect applicable certification requirements.

In addition, the operation and maintenance of such components is not included in this SMP. If a sub-slab depressurization system is warranted for future Site development, the SMP will be revised to include a Monitoring Plan at that time that will outline the appropriate and necessary operation, maintenance and performance monitoring for the specific system.

7.0 PERIODIC REVIEW REPORT

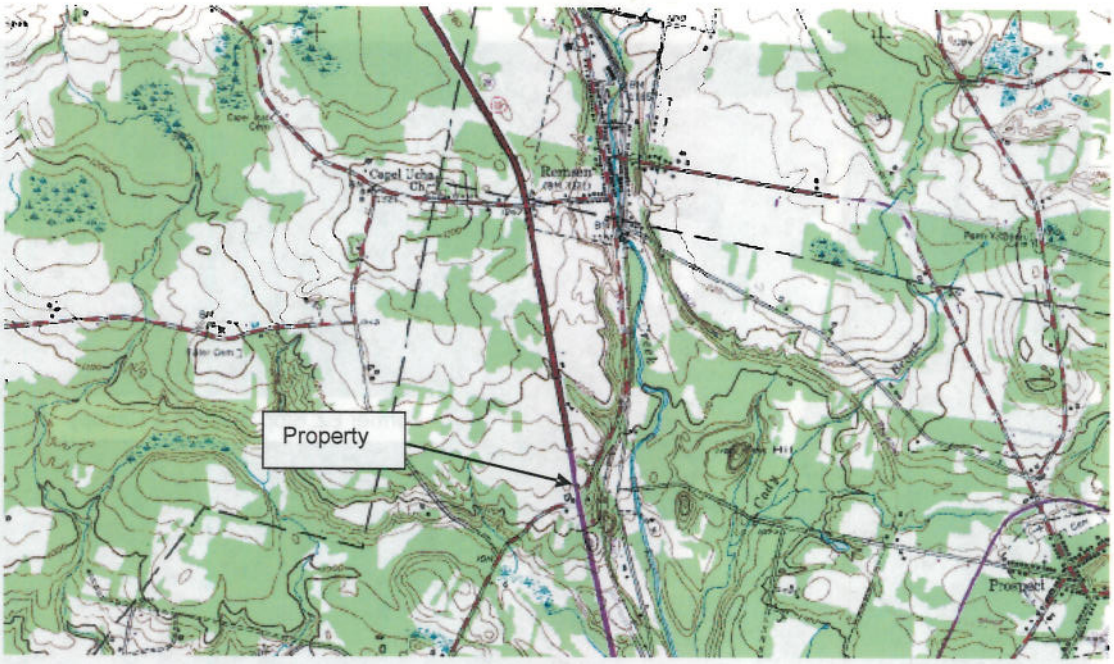
A Periodic Review Report will be submitted to the Department every year, beginning eighteen months after the Certificate of Completion is issued. The report will be prepared in accordance with NYSDEC DER-10 and submitted within 45 days of the end of each certification period. The report will include:

- Identification, assessment and certification of all ECs if present, and ICs required by the remedy for the Site;
- Results of the required annual Site inspections and severe condition inspections, if applicable;
- All applicable inspection forms and other records generated for the Site during the reporting period in electronic format.

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

8.0 CORRECTIVE MEASURES PLAN

If any component of the remedy is found to have failed, or if the periodic certification cannot be provided due to the failure of an institutional or engineering control, a corrective measures plan will be submitted to the NYSDEC for approval. This plan will explain the failure and provide the details and schedule for performing work necessary to correct the failure. Unless an emergency condition exists, no work will be performed pursuant to the corrective measures plan until it is approved by the NYSDEC.





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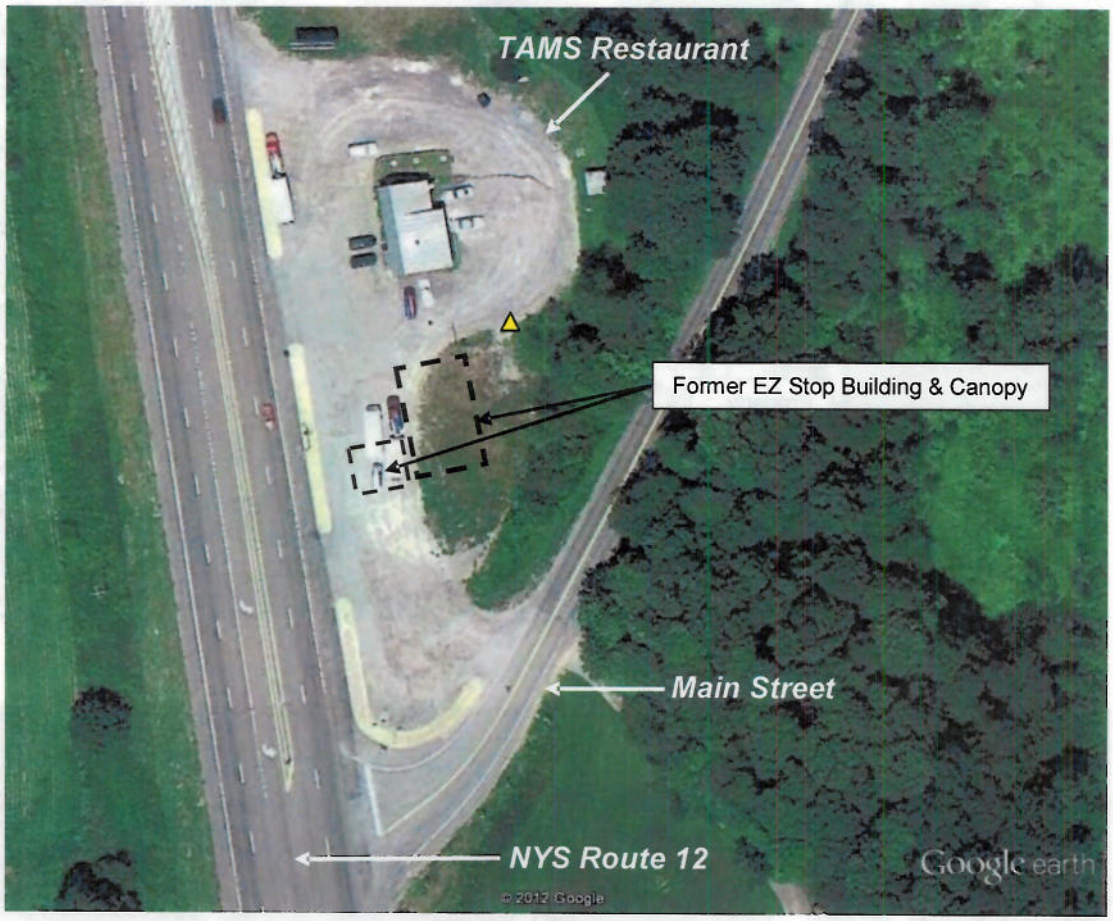
North

GeoLogic

GeoLogic NY, Inc.

SITE LOCATION PLAN
Former EZ Stop
9244 State Route 12 - Remsen, New York
ERP Site E6-33-067

DRAWN BY:	SCALE:	PROJECT NO:
SC	Not To Scale	206078
REVIEWED BY:	DATE:	DRAWING NO:
FCE	APRIL 2012	1



△ Water Supply Well

N

North

GeoLogic

GeoLogic NY, Inc.

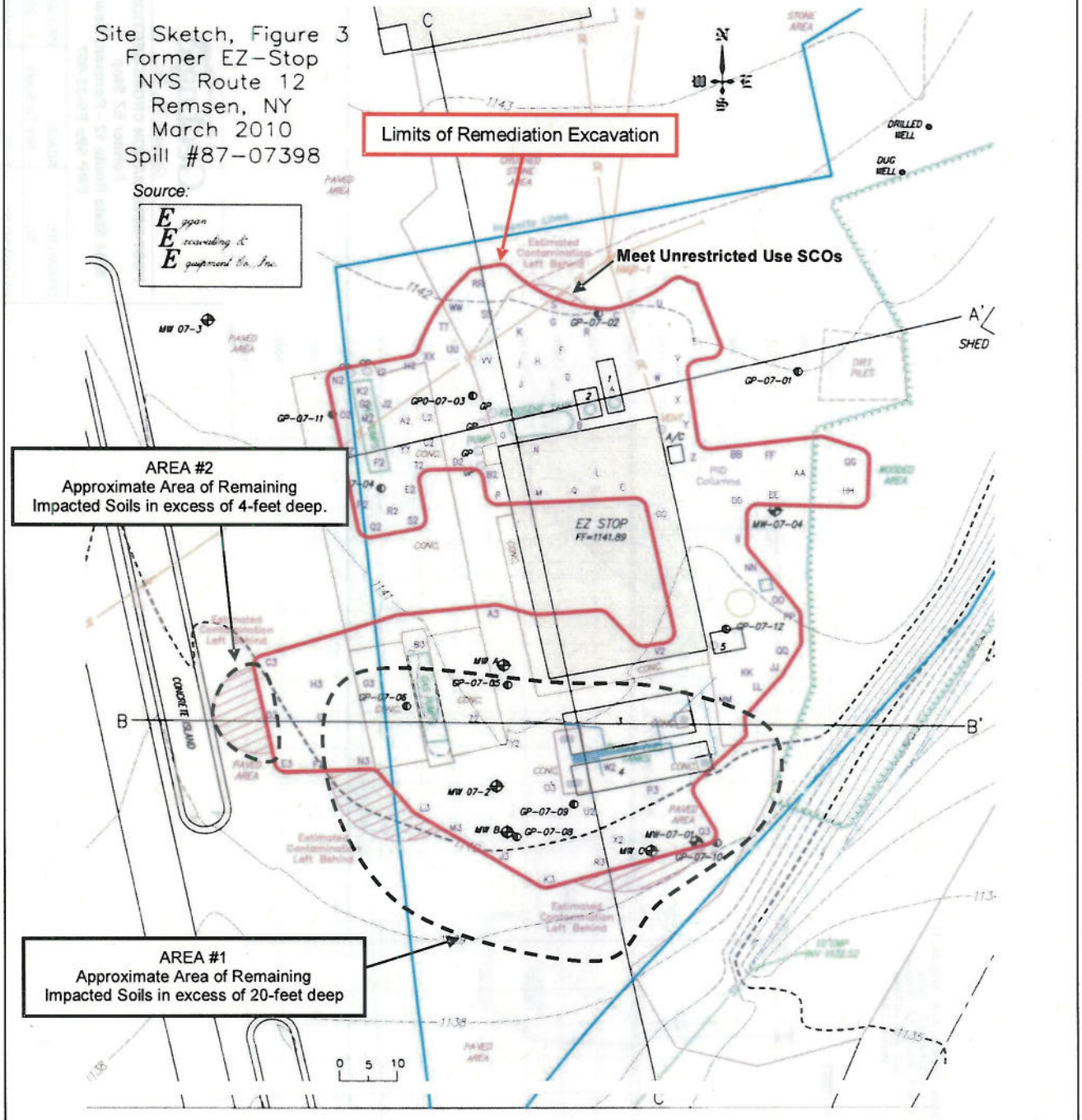
2012 AERIAL PHOTOGRAPH
Former EZ Stop
9244 State Route 12 - Remsen, New York
ERP Site E6-33-067

DRAWN BY:	SCALE:	PROJECT NO:
SC	Not To Scale	206078
REVIEWED BY:	DATE:	DRAWING NO:
FCE	APRIL 2012	2

Site Sketch, Figure 3
Former EZ-Stop
NYS Route 12
Remsen, NY
March 2010
Spill #87-07398

Source:

Egan Excavating & Equipment Co. Inc.



N

North

GeoLogic

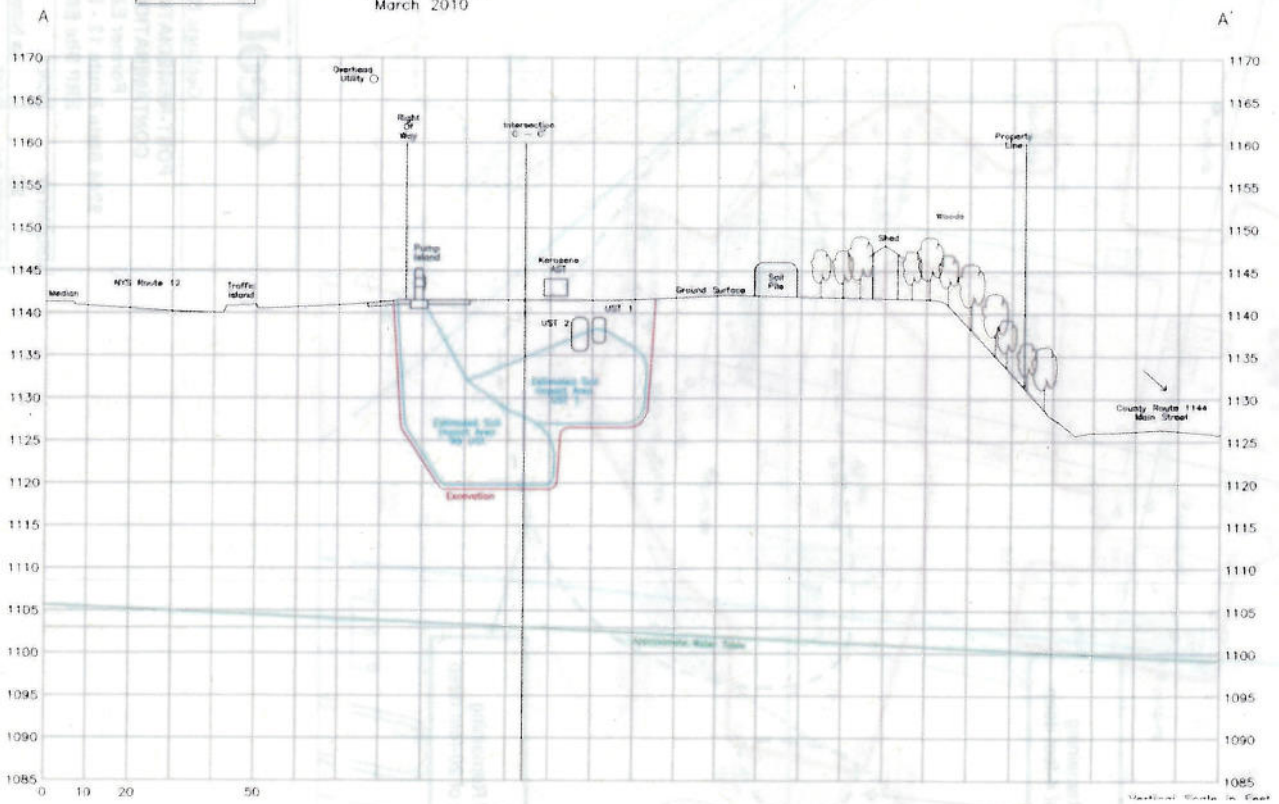
GeoLogic NY, Inc.

POST-REMEDIATION PLAN SOIL CONTAMINATION SUMMARY
Former EZ Stop
9244 State Route 12 - Remsen, New York
ERP Site E6-33-067

DRAWN BY:	SCALE:	PROJECT NO:
SC	As Noted	206078
REVIEWED BY:	DATE:	DRAWING NO:
FCE	APRIL 2012	3

Source:

Cross-Section A-A' (Figure 4)
Former EZ -Stop
NYS Route 12, Remsen
Spill #87-07398
March 2010



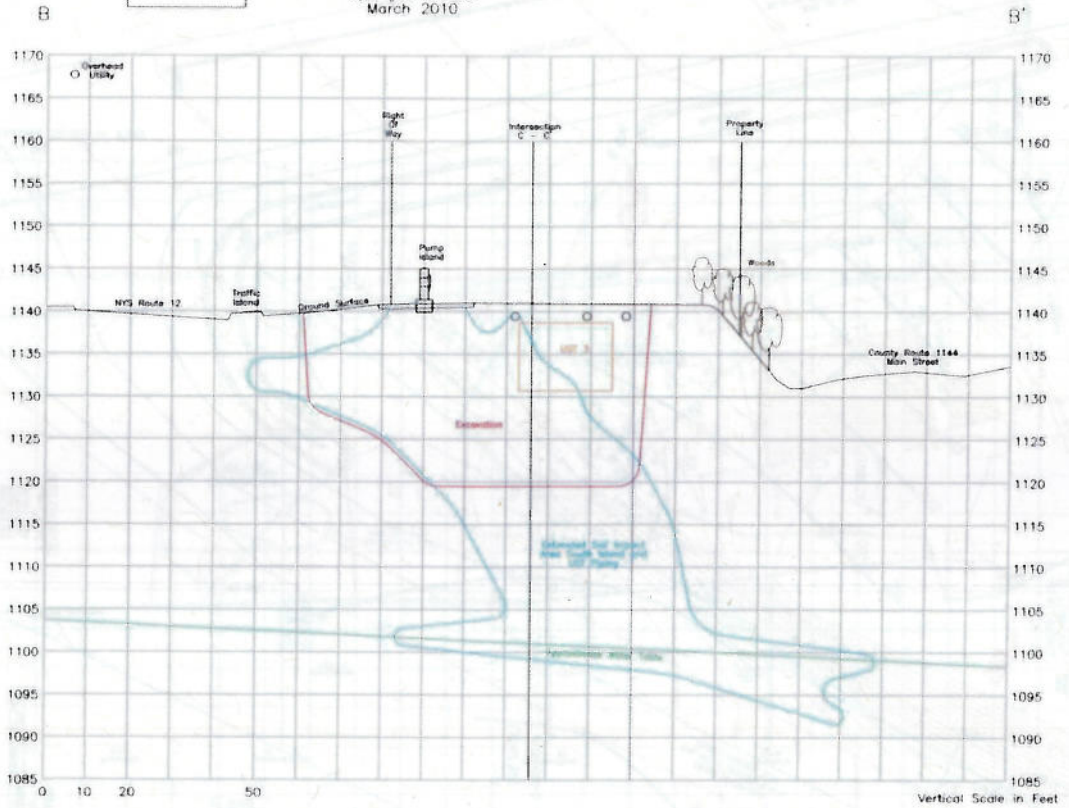
GeoLogic
GeoLogic NY, Inc.

POST-REMEDIATION CROSS-SECTION A-A'
Former EZ Stop
9244 State Route 12 - Remsen, New York
ERP Site E6-33-067

DRAWN BY:	SCALE:	PROJECT NO:
SC	Not To Scale	206078
REVIEWED BY:	DATE:	DRAWING NO:
FCE	APRIL 2012	4

Source:

Cross-Section B-B' (Figure 5)
Former EZ -Stop
NYS Route 12, Remsen
Spill #87-07398
March 2010



GeoLogic
GeoLogic NY, Inc.

POST-REMEDIATION CROSS-SECTION B-B'
Former EZ Stop
9244 State Route 12 - Remsen, New York
ERP Site E6-33-067

DRAWN BY:	SCALE:	PROJECT NO:
SC	Not To Scale	206078
REVIEWED BY:	DATE:	DRAWING NO:
FCE	APRIL 2012	5

DESCRIPTION
PER SCHEDULE A OF THE TITLE REPORT

ALL THAT PIECE OR PARCEL OF LAND SITUATE IN THE TOWN OF TRENTON, COUNTY OF ONEIDA, AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF NEW YORK STATE ROUTE 12 (S.H. #1144), SAID POINT BEING DISTANT 70' EASTERLY, MEASURED AT RIGHT ANGLES FROM BASE LINE STATION 2+96 OF THE AFORESAID HIGHWAY AND RUNNING THENCE N. 7° 18' E. ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 183.6' TO A POINT, THENCE S. 86° 27' E. A DISTANCE OF 88 FEET TO A POINT, THENCE N. 1° 33' E. A DISTANCE OF 25 FEET TO A POINT, THENCE N. 69° 48' E. 122.6 FEET TO A POINT, THENCE S. 7° 53' W. A DISTANCE OF 47.0', THENCE S. 41° 35' W. A DISTANCE OF 137'; THENCE S. 53° 32' W. A DISTANCE OF 90.8'; THENCE ON AN ARC OF A CIRCLE OF 332.9' RADIUS BEARING SOUTHERLY A DISTANCE OF 78' MORE OR LESS TO THE POINT OF BEGINNING.

DESCRIPTION
PER THIS SURVEY

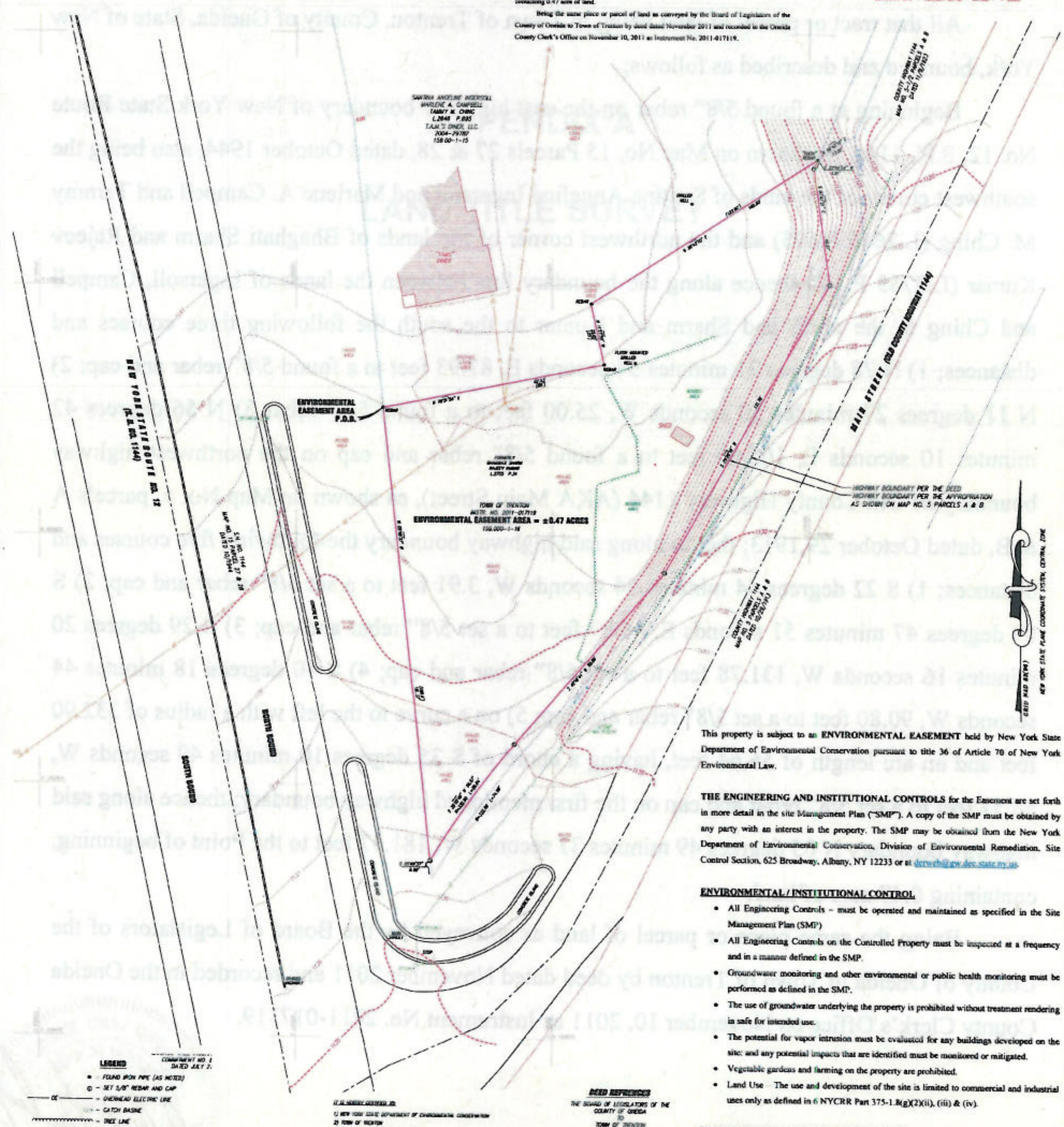
All that tract or parcel of land being in Town of Trenton, County of Oneida, State of New York, bounded and described as follows;

Beginning at a found 5/8" rebar on the east highway boundary of New York State Route No. 12, S.H. 1144, as shown on Map No. 13 Parcels 27 & 28, dated October 1944, also being the southwest corner of the lands of Santina Angeline Ingersoll and Marlene A. Campell and Tammy M. Ching (L.2646 P.695) and the northwest corner of the lands of Bhaghati Sharm and Rajeev Kumar (L.2755 P.34); thence along the boundary line between the lands of Ingersoll, Campell and Ching to the north and Sharm and Kumar to the south the following three courses and distances; 1) N 78 degrees 31 minutes 54 seconds E, 87.93 feet to a found 5/8" rebar and cap; 2) N 11 degrees 27 minutes 50 seconds W, 25.00 feet to a found 5/8" rebar 3) N 56 degrees 42 minutes 10 seconds E, 105.60 feet to a found 5/8" rebar and cap on the northwest highway boundary of Old County Highway 1144 (AKA Main Street), as shown on Map No. 5, parcels A & B, dated October 29,1913; thence along said highway boundary the following five courses and distances; 1) S 22 degrees 44 minutes 54 seconds W, 3.91 feet to a set 5/8" rebar and cap, 2) S 07 degrees 47 minutes 51 seconds E, 46.87 feet to a set 5/8" rebar and cap; 3) S 29 degrees 20 minutes 16 seconds W, 131.78 feet to a set 5/8" rebar and cap; 4) S 40 degrees 18 minutes 44 seconds W, 90.80 feet to a set 5/8" rebar and cap, 5) on a curve to the left with a radius of 332.90 feet and an arc length of 56.64 feet, having a chord of S 35 degrees 10 minutes 49 seconds W, 56.57 feet to a set 5/8" rebar and cap on the first mentioned highway boundary; thence along said highway boundary N 05 degrees 49 minutes 37 seconds W, 181.37 feet to the Point of beginning, containing 0.47 acre of land.

Being the same piece or parcel of land as conveyed by the Board of Legislators of the County of Oneida to Town of Trenton by deed dated November 2011 and recorded in the Oneida County Clerk's Office on November 10, 2011 as Instrument No. 2011-017119.



LOCATION MAP – REMSEN QUAD – SCALE 1" = 2000'



This property is subject to an **ENVIRONMENTAL EASEMENT** held by New York State Department of Environmental Conservation pursuant to title 36 of Article 70 of New York Environmental Law.

THE ENGINEERING AND INSTITUTIONAL CONTROLS for the Easement are set forth in more detail in the site Management Plan ("SMP"). A copy of the SMP must be obtained by any party with an interest in the property. The SMP may be obtained from the New York Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233 or at derweb@gw.dec.state.ny.us.

ENVIRONMENTAL / INSTITUTIONAL CONTROL

- All Engineering Controls – must be operated and maintained as specified in the Site Management Plan (SMP)
- All Engineering Controls on the Controlled Property must be inspected at a frequency and in a manner defined in the SMP.
- Groundwater monitoring and other environmental or public health monitoring must be performed as defined in the SMP.
- The use of groundwater underlying the property is prohibited without treatment rendering in safe for intended use.
- The potential for vapor intrusion must be evaluated for any buildings developed on the site; and any potential impacts that are identified must be monitored or mitigated.
- Vegetable gardens and farming on the property are prohibited.
- Land Use – The use and development of the site is limited to commercial and industrial uses only as defined in 6 NYCRR Part 375-1.8(g)(2)(ii), (iii) & (iv).

ENVIRONMENTAL EASEMENT AREA ACCESS

THE DEC OR THEIR AGENT MAY ACCESS THE ENVIRONMENTAL EASEMENT AREA AS SHOWN HEREON THROUGH ANY EXISTING STREET ACCESS OR BUILDING INGRESS/EGRESS ACCESS POINT.

LEGEND

- ● – FOUND IRON PIPE (AS NOTED)
- ⊙ – SET 5/8" REBAR AND CAP
- —— OE —— – OVERHEAD ELECTRIC LINE
- – CATCH BASINE
- – TREE LINE
- (35.67) – PREVIOUSLY RECORDED DIMENSIONS
- – GUARD POST
- – STORM LINE

NOTES

1. HORIZONTAL DATUM WAS ESTABLISHED USING SURVEY GRADE GPS STATIC OBSERVATION AND A OPUS POST PROCESSING IN THE NY STATE PLANE COORDINATE SYSTEM, NY CENTRAL ZONE NAD 83/96.
2. VERTICAL CONTROL WAS TIED TO A USGS BENCH MARK W404 ON THE SOUTHWEST END OF A HEADWALL OF A 6 FOOT BOX CULVERT ON THE SOUTHEAST SIDE OF MAIN STREET NORTHEAST OF THIS SITE. DATUM IS NAVD 88.
3. CONTOURS SHOWN HEREON WERE MEASURED PRIOR TO DEMOLITION.

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

IT IS HEREBY CERTIFIED TO:

1) NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
2) TOWN OF TRENTON
3) CHICAGO TITLE INSURANCE COMPANY
3) ALLIED AMERICAN ABSTRACT CORP

THE UNDERSIGNED CERTIFIES THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS NOS. 1, 4, 5, 8, 11, 13, 14, OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 25, 2012. THE MAP WAS PREPARED FOR PARCEL I AS DESCRIBED IN A TITLE REPORT PREPARED BY ALLIED AMERICAN ABSTRACT CORP. COMMITMENT NO. [illegible] JULY 27, 2012.

WARNING – IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON OTHER THAN A LICENSED LAND SURVEYOR TO ALTER THIS MAP.

ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYORS EMBOSSED SEAL OR RED INK SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK & OPINION. CERTIFICATIONS ON THIS BOUNDARY SURVEY MAP SIGNIFY THAT THE MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC. THE CERTIFICATION IS LIMITED TO PERSONS FOR WHOM THE BOUNDARY SURVEY MAP IS PREPARED, TO THE TITLE COMPANY, TO THE GOVERNMENT AGENCY, AND THE LENDING INSTITUTION LISTED ON THIS BOUNDARY SURVEY MAP.

THE CERTIFICATIONS HEREON ARE NOT TRANSFERABLE.

THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST, THEY ARE NOT COVERED BY THIS CERTIFICATION.

2/6/2014 [signature]

LAFAVE, WHITE & MCGIVERN, L.S. P.C. ASST. SURVEY SUPERVISOR
DATE ANDREW R. BAILEY P.L.S. N.Y.S. LIC. NO. 50437

DEED REFERENCES

THE BOARD OF LEGISLATORS OF THE COUNTY OF ONEIDA
TO
TOWN OF TRENTON
DATED 11/2011
RECD. 11/10/2011
INSTR. NO. 2011-017119

THE SURVEY HAS BEEN REVISED WITH THE BENEFIT OF TITLE REPORT PREPARED BY CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. EF20121268 DATED JULY 27, 2012

REV	DESCRIPTION	DATE
1	[illegible]	[illegible]
2	[illegible]	[illegible]
3	[illegible]	[illegible]
4	[illegible]	[illegible]
5	[illegible]	[illegible]
6	[illegible]	[illegible]

ALTA/ACSM LAND TITLE SURVEY LANDS OF
TOWN OF TRENTON
ERP SITE #E633067 E-Z STOP SITE
9244 STATE ROUTE 12, REMSEN, NY 13438
TOWN OF TRENTON ONEIDA COUNTY NEW YORK

LaFAVE, WHITE & McGIVERN, L.S., P.C.
LAND SURVEYORS PHOTOGRAMMETRISTS
THERESA BOONVILLE ROME
NEW YORK

DRAWN	CHECKED	DATE	SCALE	FILE	SHEET
A.R.B.	A.R.B.	1/3/2008	1" = 20'	07-503-B	1 OF 1

APPENDIX B

ENVIRONMENTAL EASEMENT

APPENDIX C

EXCAVATION WORK PLAN

APPENDIX C – EXCAVATION WORK PLAN (EWP)

A-1 NOTIFICATION

At least 15 days prior to the start of any activity, that is anticipated to encounter remaining contamination, the Site owner or their representative will notify the Department. Currently, this notification will be made to:

Peter Ouderkirk
New York State Department of Environmental Conservation
Region 6 – Environmental Quality
Division of Environmental Remediation
317 Washington Street
Watertown, New York 13601

This notification will include:

- A detailed description of the work to be performed, including the location and areal extent, plans for Site re-grading, intrusive elements or utilities to be installed, and estimated volumes of contaminated soil to be excavated;
- A summary of environmental conditions anticipated in the work areas, including the nature and concentration levels of contaminants of concern and plans for any pre-construction sampling;
- A schedule for the work, detailing the start and completion of all intrusive work;
- A summary of the applicable components of this EWP;
- A statement that the work will be performed in compliance with this EWP and 29 CFR 1910.120;
- A copy of the contractor's health and safety plan, in electronic format;
- Identification of disposal facilities for potential waste streams; and
- Identification of sources of any anticipated backfill, along with all required chemical testing results.

A-2 SOIL SCREENING METHODS

A scientist or engineer with experience in environmental assessment will evaluate all excavations or disturbances on behalf of the Site owner.

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

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

Soils that are excavated for off-site disposal will be removed from the Site within 60 days.

A-3 STOCKPILE METHODS

Soil stockpiles will be continuously encircled with a berm and/or silt fence. Hay bales will be used as needed near catch basins, surface waters and other discharge points.

Stockpiles will be kept covered at all times with appropriately anchored tarps. Stockpiles will be routinely inspected and damaged tarp covers will be promptly replaced.

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

A-4 MATERIALS EXCAVATION AND LOAD OUT

A qualified environmental professional or person under their supervision will oversee all invasive work and the excavation and load-out of all excavated material.

The owner of the property and its contractors are solely responsible for safe execution of all invasive and other work performed under this EWP.

The presence of utilities and easements on the Site will be investigated by the qualified environmental professional. It will be determined whether a risk or impediment to the planned work under this SMP is posed by utilities or easements on the Site.

Loaded vehicles leaving the Site will be appropriately lined, tarped, securely covered, manifested, and placarded in accordance with appropriate Federal, State, Local, and NYSDOT requirements (and all other applicable transportation requirements).

Locations where vehicles enter or exit the Site shall be inspected daily for evidence of off-site soil tracking.

The qualified environmental professional will be responsible for ensuring that all egress points for truck and equipment transport from the Site are clean of dirt and other materials derived from the Site during intrusive excavation activities. Cleaning of the adjacent streets will be performed as needed to maintain a clean condition with respect to Site-derived materials.

A-5 MATERIALS TRANSPORT OFF-SITE

All transport of materials will be performed by licensed haulers in accordance with appropriate Local, State, and Federal regulations, including 6 NYCRR Part 364. Haulers will be appropriately licensed and trucks properly placarded.

Material transported by trucks exiting the Site will be secured with tight-fitting covers. Loose-fitting canvas-type truck covers will be prohibited. If loads contain wet material capable of producing free liquid, truck liners will be used.

Egress points for truck and equipment transport from the Site will be kept clean of dirt and other materials during Site remediation and development.

A-6 MATERIALS DISPOSAL OFF-SITE

All soil/fill/solid waste excavated and removed from the Site may be classified as regulated material and will need to be transported and disposed in accordance with all Local, State (including 6NYCRR Part 360) and Federal regulations. If disposal of soil/fill from this Site is proposed for unregulated off-site disposal (i.e. clean soil removed for development purposes), a formal request with an associated plan will be made to the NYSDEC. Unregulated off-site management of materials from this Site will not occur without formal NYSDEC approval.

Off-site disposal locations for excavated soils will be identified in the pre-excavation notification. This will include estimated quantities and disposal facility's waste characterization requirement for disposal. Actual disposal quantities and associated documentation will be reported to the NYSDEC in the Periodic Review Report. This documentation will include waste profiles, test results, facility acceptance letters, manifests, bills of lading and facility receipts.

Non-hazardous historic fill and contaminated soils taken off-site will be handled, at minimum, as a Municipal Solid Waste per 6NYCRR Part 360-1.2. Material that does not meet

Track 1 unrestricted SCOs is prohibited from being taken to a New York State recycling facility (6NYCRR Part 360-16 Registration Facility).

A-7 MATERIALS REUSE ON-SITE

The qualified environmental professional will ensure that procedures defined for material reuse in this SMP are followed and that unacceptable material does not remain on-site. Excavated soil that is visibly stained, discolored, exhibit petroleum-like odors or produces elevated PID readings should not be considered for reuse on the Site. This excavated material should be disposed of at an applicable disposal facility.

Excavated soil that does not exhibit any of the above characteristics can be considered for on-site reuse and placed in an excavation at a depth of 2 feet or greater.

The excavation of the clean fill material that was placed during the IRM can be re-used on-site for backfill and for cover material.

Organic matter (wood, roots, stumps, etc.) or other solid waste derived from clearing and grubbing of the Site will not be reused on-site.

A-8 FLUIDS MANAGEMENT

Groundwater at the Site has been encountered at depths greater than 30 feet below ground surface; therefore, a fluid management component to this plan is not warranted.

A-9 COVER SYSTEM RESTORATION

A cover system is not part of the remedy for this Site, and therefore is not a component of this plan.

A-10 BACKFILL FROM OFF-SITE SOURCES

All materials proposed for import onto the Site will be approved by the qualified environmental professional and will be in compliance with provisions set forth in NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation, May 2012, Section 5.4 (e) 5 through 10, or as applicable at the time the work is performed.

A-11 CONTINGENCY PLAN

If previously unidentified contaminant sources are found during development related construction, excavation activities will be suspended until sufficient equipment is mobilized to address the condition.

Sampling will be performed on product, sediment and surrounding soils, etc. as necessary to determine the nature of the material and proper disposal method. Based on Site history, and the previously identified contaminants of concern, a reduced list of petroleum analytes will be proposed to the NYSDEC for approval prior to sampling.

Identification of unknown or unexpected contaminated media identified by screening during invasive Site work will be promptly communicated by phone to NYSDEC's Project Manager. Reportable quantities of petroleum product will also be reported to the NYSDEC spills hotline. These findings will also be included in the periodic reports prepared pursuant to Section 6 of the SMP.

A-12 COMMUNITY AIR MONITORING PLAN

Real time air monitoring may be performed at downwind locations during Site redevelopment activities, if the proposed excavation work is within boundaries of the two areas depicted on Drawing No. 3 of the SMP and at depths of 14 feet below grade and greater. The air monitoring and the dust suppression that may be necessary to employ will be in general accordance with the NYSDOH generic Community Air Monitoring Plan (CAMP) TAGM 4031, Fugitive Dust Suppression and Particulate Monitoring Program at Inactive Hazardous Waste Sites.

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