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Former Randolph Foundry Site

CATTARAUGUS COUNTY, NEW YORK

Site Management Plan

NYSDEC SITE Number: E905030

Prepared for:

**COUNTY OF CATTARAUGUS
303 COURT STREET
LITTLE VALLEY, NEW YORK 14755**

Prepared by:

**Panamerican Environmental, Inc.
2390 Clinton Street
Buffalo, New York 14227**

July 2011

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Revisions to Final Approved Site Management Plan:

Revision #	Submitted Date	<u>Summary of Revision</u>	<u>DEC Approval Date</u>

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SITE MANAGEMENT PLAN

1.0 INTRODUCTION AND DESCRIPTION OF REMEDIAL PROGRAM

1.1 INTRODUCTION

This document is required as an element of the remedial program at The Former Randolph Foundry Site (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 the State Assistance Contract (SAC) #C303382 Site # E905030, which was executed on February 24, 2006 and last amended on February 16, 2010 and April 28, 2011.

1.1.1 General

The County of Cattaraugus and the Southern Tier Extension Railroad Authority (STERA) entered into a SAC with the NYSDEC to remediate a 0.91 acre site located in the Village of Randolph, County of Cattaraugus, New York. This SAC required the Remedial Party, (Cattaraugus County and STERA), to investigate and remediate contaminated media at the site. A figure showing the site location and boundaries of the 0.91 acre site is provided in Figures 1 and 2, respectively. The boundaries of the site are more fully described in the metes and bounds site description that is part of the Environmental Easement.

After completion of the remedial work described in the Remedial Action Work Plan, 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 Panamerican Environmental Inc. (PEI), on behalf of Cattaraugus County and STERA, 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.

1.1.2 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 Cattaraugus 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 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: (1) an Engineering and Institutional Control Plan for implementation and management of EC/ICs and (2) a Monitoring Plan for implementation of Site Monitoring.

This plan also includes 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 is 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 for the site, and thereby subject to applicable penalties.

1.1.3 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.

1.2 SITE BACKGROUND

1.2.1 Site Location and Description

The site is located at 2-8 Sheldon Street in the Village of Randolph, County of Cattaraugus, New York and is identified as being all of tax parcel 70.071-3-16 and a portion Southern Tier Extension Railroad Authority (STERA) right-of-way tax parcel 70.071-4-6 on the Cattaraugus County Tax Map. The site is an approximately 0.91 acres in size consisting of the 0.52 acre former foundry parcel and 0.39 acre section of the STERA railroad right-of-way. The site is bounded by a residential property and rail road right-of-way property to the north, Sheldon Street to the south, Washington Street to the east, and a private residence to the west. The boundaries of the site are more fully described in Appendix A ALTA Survey map with Metes and Bounds description.

1.2.2 Site History

The site subject to the ERP grant encompasses approximately 0.91 acres which includes the 0.52 acre foundry property and approximately 0.39 acres of a railroad right of way to the northeast where a section of the former foundry building resided (see Appendix A ALTA survey maps for both properties). The project area is depicted prior to the foundry demolition on Figure 3-Site Map (Aerial with Tax Map). Cattaraugus County took possession of the former foundry parcel in 2005 through property tax foreclosure. PEI completed a Phase I Environmental Site Assessment at the site in 2005 (*Phase 1 Environmental Site Assessment, Former Foundry Building and Property, Town of Randolph, Cattaraugus County, New York, Prepared by Panamerican Environmental, Inc., for Cattaraugus County, June-July 2005*). The assessment identified potential contamination associated with asbestos containing building materials (ACM), waste foundry sands and various drums/containers within the building that were in poor condition containing unknown contents. A review of historic aerial and Sanborn maps as well as building permit records during the Phase I indicated that the former foundry structures and property had been altered over time. The exact date that the former foundry was built is unknown; however, as late as 1897 a dairy was located on the property. Historical maps indicate that a foundry and machine shop (F. H. Pike Foundry and Machine Shop) was located on the property as early as 1902. The foundry was later sold and went out-of-business around 1986. Cattaraugus County took possession of the property in 2005 as part of property tax foreclosure.

The initial ERP grant only included the former foundry parcel. However, a property boundary

survey completed by the County in 2006 (refer to section 1.2.3 Site Survey) revealed that the foundry plant extended onto the right-of-way owned by the Chautauqua, Cattaraugus, Allegany and Steuben County Southern Tier Extension Railroad Authority, alternatively known as the Southern Tier Extension Railroad Authority (STERA). With the agreement of STERA they were determined to be a municipality under the ERP, and the portion of the foundry site encroaching onto the railroad right-of-way was allowed entry into the ERP by amendment dated May 15, 2007.

A post IRM Site Investigation (SI) was completed by PEI in accordance with the scope of work provided in PEI's letter of November 17, 2008 (*Re: Randolph SI/RAR/IRM Project-Proposed Limited Site Investigation Activities*). This scope of work was based on PEI's contract with the County of Cattaraugus to complete an IRM and SI/RAR program for the site under the ERP agreement. The IRM portion of the contract was completed in two stages. The first stage was completed in October 2008 and included the demolition and removal of the on-site foundry building and contents, including machinery, drums and foundry sands within the building. The second stage was completed after the SI program in November 2009 and included the grading and placement of a clean soil cover over the entire site. The SI consisted of advancing a series of test trenches across the entire site to determine the extent of fill and foundry sands and assess groundwater conditions by installing three Geoprobe min-wells (refer to Figure 4-Investigation Plan). Soil and groundwater samples were also collected for analysis.

1.2.3 Geologic Conditions

The post IRM SI program revealed the aerial extent and depth of remaining foundry sand and depth to native soil at the site. In general, the remaining foundry sand waste fill is limited to the north-northeast section of the actual foundry parcel and covers most of the adjoining railroad right-of-way between the railroad tracks and property boundary. The foundry sand waste fill varies in depth where it was observed to be three to five feet thick at the northeast section of the site and diminishes in thickness to the south-southwest. The foundry sand waste fill at the site is mixed with some construction and demolition (C&D) debris near the surface and contains random pieces of larger C&D debris below the surface. Areas of the former foundry parcel that do not have any appreciable amounts of foundry sand consist of exposed native subsoil. However, some of the native subsoil surface contains C&D fragments and some minor amounts of scattered foundry sand mixed in at the surface of the exposed subsoil. Below the waste fill at the site, native soil encountered was mostly light brown (tan) and grey, granular, M-F sand with gravel and traces of silty clay.

Groundwater was not encountered in any of the test trenches and was encountered in only one well at approximately 22 feet below ground surface (bgs). This level was within 8 inches of the

bottom of the well

1.3 SUMMARY OF REMEDIAL INVESTIGATION FINDINGS

A Site Investigation (SI) was performed to characterize the nature and extent of contamination at the site after completion of the IRM. The results of the SI are described in detail in the SI/RAR (*Site Investigation and Remedial Alternatives Report, Former Randolph Foundry Site No. E905030, prepared for: County of Cattaraugus, prepared by; PEI, March 2011*).

Generally, the results of the SI concluded that foundry sand waste fill with some C & D material was present at varied depth across the site. The analytical results from test trench soil samples indicate that only a few SVOC and metal compounds were detected that exceeded Part 375 Commercial soil cleanup objectives, the established SCOs for the site. The SVOC compounds were primarily PAHs and only four were detected at concentrations marginally exceeding part 375 Commercial soil cleanup objectives. A number of other SVOCs were also detected but at concentrations significantly below Part 375 Commercial soil cleanup objectives. Metal compounds were detected in all of the surface and subsurface soil samples. However, only one metal compound (Arsenic) was detected at a concentration that marginally exceeded Part 375 Commercial soil cleanup objectives.

Site-Related Groundwater

Only one of the three groundwater mini-wells contained water; the others did not penetrate a groundwater bearing stratum. The regional topography (see Figure 2) slopes generally in an easterly direction toward Conewango Creek. Groundwater gradients will typically mimic surface topographic contours. Therefore, the groundwater gradient is presumed to be flowing in an easterly direction. Though only one micro-well was sufficiently deep enough to intercept groundwater, the groundwater gradient could not be confirmed. Using an assumed easterly groundwater gradient, the micro-well where groundwater samples were collected would suggest that this well is a downgradient well, and that any potential offsite migration of groundwater contaminants would be detected in this well. Groundwater collected from the one well was analyzed for TCL VOCs and SVOCs. The analyses did not detect the presence of any VOC or SVOC compounds in the water sample. Based on these results it appears that the groundwater has not been impacted and groundwater remediation is not required.

1.4 SUMMARY OF REMEDIAL ACTIONS

The site was remediated in accordance with the NYSDEC-approved Interim Remedial Measure Work Plan (*Work Plan for Site Investigation/Remedial Alternatives Report and Interim Remedial Measure, Former Randolph Foundry Site-Number E905030, Village of Randolph, New York prepared for: County of Cattaraugus, prepared by: PEI/TVGA, April 2007*).

The following is a summary of the Remedial Actions (IRM) performed at the site:

- Controlled building demolition for asbestos abatement and landfill disposal of approximately 180 tons of ACM debris recovered during abatement;
- Excavation, transportation and landfill disposal of 333 tons of foundry sand material from within and adjacent the building;
- Building demolition and off-site disposal of non-ACM and miscellaneous equipment/debris;
- Reclamation of structural steel, metal debris and abandoned equipment;
- Excavating, cleaning and off-site disposal of concrete floors, sumps and pits from within the building.
- Staging, characterizing and off-site disposal of containers of chemicals and miscellaneous waste streams.
- Restoration of the site by grading and placement of a six inch cover layer of clean soil material over the entire site.

The Final Remedy, upon completion of the IRM, consisted of:

- Execution and recording of an Environmental Easement to restrict land use to commercial use per NYSDEC Part 375 regulations and prevent future exposure to any contamination remaining at the site.
- Development and implementation of a Site Management Plan for long term management of remaining contamination as required by the Environmental Easement, which includes plans for: Institutional and Engineering Controls.

Remedial activities (IRM) were completed at the site in November 2009.

1.4.1 Removal of Contaminated Materials from the Site

Soil cleanup levels for site fill material composed of soils and foundry sands were based on NYSDEC Soil Cleanup Objectives (SCOs) as presented in 6 NYCRR Part 375 for “Commercial”

soil cleanup objectives. Prior to the IRM samples of the foundry sands were collected from the sand piles within the building and analyzed by the toxicity characteristic leaching procedure (TCLP) to determine if the material was considered a hazardous waste and to determine its final disposal designation. TCLP analytical results indicated that the sands were not hazardous and they were classified as an industrial solid waste.

Sampling of site fill material (foundry sands and soil) in the post IRM site investigation resulted in slight exceedences of commercial cleanup levels for only a few SVOC (PAHs) and metal compounds. The IRM resulted in the excavation and off-site disposal of the foundry sands from within the building and directly adjacent the building. The remaining site fill with remnant foundry sands were covered with clean fill as part of the final IRM site restoration and will be managed in the future through the final remedy's institutional controls discussed earlier in this report and detailed in the final SI/RAR.

The cleanup level for asbestos containing materials (ACM) was based on Industrial Code Rule 56 — Section 56-11.5 c 7 which states that "all debris generated by the demolition shall be considered to be asbestos contaminated waste, except for structural members, steel components and similar non-suspect items which shall be fully decontaminated." During the IRM steel components and non-suspect items were decontaminated (refer to section 2.3.2) and handled as non-asbestos contaminated materials. All ACM material was transported from the site to an approved landfill permitted to accept ACM. The cleaned structural steel was reclaimed and sent to a scrap metal processor.

Since all demolition debris, including other waste streams/materials encountered during the demolition was transported off site to appropriate permitted disposal facilities based on characterizing these waste streams for proper disposal. Samples of a number of the waste materials were collected and tested by TCLP to determine if the material was considered a hazardous or non-hazardous waste and thereby determine each waste stream/materials final disposal designation. This procedure was applied to containerized chemicals and wastes, stained concrete sections and cinder block chemical content.

The demolition plan for the foundry structures is provided on Figure D-1 and the site restoration cover plan is provided on Figure 2-Site Restoration Cover Plan.

1.4.2 Remaining Contamination

The SI/RAR report concluded that the analytical results from the SI soil samples indicated only a few PAH and metal compounds with concentrations that slightly exceeded Part 375 Commercial

soil cleanup objectives, therefore, as a result of completing the IRM, no further remedial action was recommended and approved for the site. However, future development will be limited to commercial development through the implementation of Institutional and Engineering Controls (IC and EC) as defined under Part 375 regulations for commercial development. Providing that the site is not redeveloped for a more restrictive use (i.e. restricted residential), no cover layer or demarcation layer was required after the IRM was completed. The 6-inch soil layer that was placed on the site was to serve as site restoration measure to enhance the growth of a vegetation cover over the former foundry parcel.

Tables 1 and 2 and Figures D-1 and 3 summarize the analytical results and locations respectively of all soil samples taken at the site after completion of the Interim Remedial Action (IRM) and indicate values that exceed the commercial soil cleanup objectives SCOs.

2.0 ENGINEERING AND INSTITUTIONAL CONTROL PLAN

2.1 INTRODUCTION

2.1.1 General

Since remaining contaminated soil exists 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.

2.1.2 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

2.2 ENGINEERING CONTROLS

With the exception of several SVOCs and a metal constituent marginally above commercial SCOs, the SI/IRM remedial activities were successful in achieving commercial SCOs. As such, no engineering controls were required for the site. As part of the IRM restoration of the site, a 6-inch layer of imported clean soil was placed on the foundry parcel to promote the establishment of a vegetative cover. The vegetated soil layer was placed as an aesthetic measure as the site is adjacent to a residential neighborhood. The vegetated soil cover is not intended to serve as a barrier cover for the protection of the public or environment as the remaining contaminant levels are generally within commercial use criteria.

The section of the railroad right of way was covered with “run-of-bank” gravel to serve as an aesthetic cover and limit the establishment of vegetation, as this area will likely not receive any routine maintenance when the former foundry parcel is sold and placed back into use.

2.3 INSTITUTIONAL CONTROLS

A series of Institutional Controls is required by the Decision Document to: (1) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and, (2) limit the use and development of the site to Commercial/Industrial uses only. 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;
- Data and information pertinent to Site Management of the Controlled Property 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 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 this SMP are employed.
- The property 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 property that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- The use of the groundwater underlying the property is prohibited without testing and approval of the NYSDOH;
- 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.

2.3.1 Excavation Work Plan

The site has been remediated for commercial and industrial use. Any future intrusive work that will encounter or disturb the remaining contamination will be performed in compliance with the Excavation Work Plan (EWP) that is attached as Appendix A 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) prepared for the site. A sample HASP is attached as Appendix C to this SMP that is 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 submitted under the Site Management Reporting Plan (See Section 5).

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, proper disposal of excavation de-water, control of runoff from open excavations into remaining contamination, and for structures, roadway sections, buried utilities, etc. that may be affected by excavations.

2.3.2 Soil Vapor Intrusion Evaluation

No soil vapor intrusion concerns have been identified at the site due to insignificant volatile organic compound concentrations detected in only a few site soil samples.

2.4 INSPECTIONS AND NOTIFICATIONS

2.4.1 Inspections

The site remedy does not rely on remedial components which require annual site wide inspections to evaluate performance and/or compliance. Therefore, the description of inspection requirements is not included in this SMP.

2.4.2 Notifications

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

- 60-day advance notice of any proposed changes in site use are required under the State Assistance Contract (SAC), 6NYCRR Part 375, and/or Environmental Conservation Law.
- 15-day advance notice of any proposed ground-intrusive activities pursuant to the Excavation Work Plan.
- Notice within 48-hours of any damage or defect to the foundations structures that reduces or has the potential to reduce the effectiveness of other controls and likewise any action to be taken to mitigate the damage or defect.
- Notice within 48-hours of any emergency, such as a fire, flood, or earthquake that reduces or has the potential to reduce the effectiveness of controls in place at the site, including a summary of actions taken, or to be taken, and the potential impact to the environment and the public.
- Follow-up status reports on actions taken to respond to any emergency event requiring ongoing responsive action shall be submitted to the NYSDEC within 45 days and shall describe and document actions taken.

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 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.

2.5 CONTINGENCY PLAN

Emergencies may include injury to personnel, fire or explosion, environmental release, or serious weather conditions. No emergencies are anticipated since the site is a vacant with no Engineering Controls, buildings, structures or treatment systems. Future redevelopment of the site may necessitate updates to this section of the SMP.

2.6 CONSTRUCTION/INSPECTION ACTIVITY WITHIN 25 FEET OF TRACKS

The following requirement only applies to the portion of the STERA right-of-way subject to the ERP project and Environmental Easement. Any work consisting of constructing, performing, inspecting, maintaining, repairing, renewing or removing any facilities, improvements, test wells or earthwork within the STERA right-of-way shall be performed in a prudent and workmanlike manner and under such general conditions as will be satisfactory to and approved by STERA or STERA's lessee Railroad Chief Engineer, or their designee. Any work within this area will not interfere with the proper and safe use, operation and enjoyment of the Railroad's Property and facilities. If at any time the Licensee's activities shall come within 25feet of any tracks of the Railroad, proper inspectors, flagmen or watchmen will be necessary to protect the operations, facilities, and/or employees, patrons or Licensees during the performance of said activities. The Railroad shall place such inspectors, flagmen or watchmen at the sole risk, cost and expense of the Licensee, which covenants and agrees to bear the full cost and expense thereof and to promptly reimburse the Railroad upon demand. The furnishing or failure to furnish inspectors, flagmen or watchmen by the Railroad, however, shall not release the Licensee from any and all liabilities assumed by the Licensee under the terms of this Agreement.

Definitions regarding this section:

- 1 Railroad, meaning the party granting the rights;
- 2 Licensee, meaning the party the rights are granted to.

3.0 SITE MONITORING PLAN

The site remedy involved the removal of soil with contamination levels exceeding commercial soil cleanup objectives, and no Engineering Controls were subsequently required for commercial use and redevelopment of the site. This outcome does not require subsequent measures to evaluate the performance and effectiveness of the remedy following implementation. Therefore, a Site Monitoring Plan is not applicable and is not included in this SMP.

4.0 OPERATION AND MAINTENANCE PLAN

The site remedy does not rely on any mechanical systems, such as sub-slab depressurization systems or air sparge/ soil vapor extraction systems to protect public health and the environment. Therefore, the operation and maintenance of such components is not included in this SMP.

5.0 INSPECTIONS, REPORTING AND CERTIFICATIONS

The site remedy does not rely on site inspections to protect public health and the environment. Therefore, the description of site inspections, frequency of inspections and reports are not included in this SMP.

5.2 CERTIFICATION OF INSTITUTIONAL CONTROLS

After the last inspection of the reporting period, a qualified environmental professional or will prepare the following certification:

For each institutional control identified for the site, I certify that all of the following statements are true:

- The institutional control employed at this site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;
- 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;
- If a financial assurance mechanism is required under the oversight document for the site, the mechanism remains valid and sufficient for the intended purpose under the document;
- Use of the site is compliant with the environmental easement; and
- The information presented in this report is accurate and complete.

I certify that all information and statements in this certification form 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, [name], of [business address], am certifying as Owner’s designated site representative for the site. The signed certification will be included in the Periodic Review Report described below.

5.3 PERIODIC REVIEW REPORT

A Periodic Review Report will be submitted to the Department every three years, beginning eighteen months after the Certificate of Completion is issued. In the event that the site is subdivided into separate parcels with different ownership, a single Periodic Review Report will be prepared that addresses the site described in Appendix B (Alta survey with Metes and Bounds). 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/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.
- A site evaluation, which includes the following:
 - o The compliance of the remedy with the requirements of the Decision Document;
 - o Any new conclusions or observations regarding site contamination based on Inspections;
 - o Recommendations regarding any necessary changes to the remedy; and
 - o The overall performance and effectiveness of the remedy.

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.

5.4 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.

APPENDIX A . EXCAVATION WORK PLAN

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:

Regional Hazardous Waste Remediation Engineer

New York State Department of Environmental Conservation

Division of Environmental Remediation

Region 9

270 Michigan Avenue

Buffalo, New York 14203

This notification will include:

- A detailed description of the work to be performed, including the location and areal extent, plans for site re-grading, intrusive elements or utilities to be installed below the soil cover, estimated volumes of contaminated soil to be excavated and any work that may impact an engineering control;
- A summary of environmental conditions anticipated in the work areas, including the nature and concentration levels of contaminants of concern, potential presence of grossly contaminated media, and plans for any pre-construction sampling;
- A schedule for the work, detailing the start and completion of all intrusive work,
- A summary of the applicable components of this EWP;
- A statement that the work will be performed in compliance with this EWP and 29 CFR1910.120;
- A copy of the contractor's health and safety plan, in electronic format, if it differs from the HASP provided in Appendix C of this document;
- Identification of disposal facilities for potential waste streams;
- Identification of sources of any anticipated backfill, along with all required chemical testing results.

CONSTRUCTION/INSPECTION ACTIVITY WITHIN 25 FEET OF TRACKS

The following requirement only applies to the portion of the STERA right-of-way subject to the ERP project and Environmental Easement. Any work consisting of constructing, performing, inspecting, maintaining, repairing, renewing or removing any facilities, improvements, test wells or earthwork within the STERA right-of-way shall be performed in a prudent and workmanlike manner and under such general conditions as will be satisfactory to and approved by STERA or STERA's lessee Railroad Chief Engineer, or their designee. This work will not interfere with the proper and safe use, operation and enjoyment of the Railroad's Property and facilities. If at any time the Licensee's activities shall come within 25 feet of any tracks of the Railroad, proper inspectors, flagmen or watchmen will be necessary to protect the operations, facilities, and/or employees, patrons or Licensees during the performance of said activities. The Railroad shall place such inspectors, flagmen or watchmen at the sole risk, cost and expense of the Licensee, which covenants and agrees to bear the full cost and expense thereof and to promptly reimburse the Railroad upon demand. The furnishing or failure to furnish inspectors, flagmen or watchmen by the Railroad, however, shall not release the Licensee from any and all liabilities assumed by the Licensee under the terms of this Agreement.

Definitions regarding this section:

- 1 Railroad, meaning the party granting the rights;
- 2 Licensee, meaning the party the rights are granted to.

A-2 SOIL SCREENING METHODS

Visual, olfactory and instrument-based soil screening will be performed by a qualified environmental professional during all remedial and 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 COC.

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

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

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 Plan.

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).

A truck wash will be operated on-site. The qualified environmental professional will be responsible for ensuring that all outbound trucks will be washed at the truck wash before leaving the site until the activities performed under this section are complete.

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.

All trucks will be washed prior to leaving the site. Truck wash waters will be collected and disposed of off-site in an appropriate manner.

Truck transport routes are as follows: (route and map to be provided). All trucks loaded with site materials will exit the vicinity of the site using only these approved truck routes. This is the most appropriate route and takes into account: (a) limiting transport through residential areas and past sensitive sites; (b) use of city mapped truck routes; (c) prohibiting off-site queuing of trucks entering the facility; (d) limiting total distance to major highways; (e) promoting safety in access to highways; (f) overall safety in transport; and (g) community input (where necessary).

Trucks will be prohibited from stopping and idling in the neighborhood outside the project site.

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

Queuing of trucks will be performed on-site, where possible, in order to minimize off-site disturbance. Off-site queuing will be prohibited, when possible.

A-6 MATERIALS DISPOSAL OFF-SITE

All soil/fill/solid waste excavated and removed from the site will be treated as contaminated and regulated material and will be transported and disposed in accordance with all local, State (including 6NYCRR Part 360) and 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 a breakdown by class of disposal facility if appropriate,

i.e. hazardous waste disposal facility, solid waste landfill, petroleum treatment facility, C/D recycling facility, etc. 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

Contaminated on-site material, including historic fill and contaminated soil, that is acceptable for re-use on-site will be placed below the demarcation layer or impervious surface, and will not be reused within a cover soil layer, within landscaping berms, or as backfill for subsurface utility lines.

Any demolition material proposed for reuse on-site will be sampled for asbestos and the results will be reported to the NYSDEC for acceptance. Concrete crushing or processing on-site will not be performed without prior NYSDEC approval. 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

All liquids to be removed from the site, including excavation dewatering and groundwater monitoring well purge and development waters, will be handled, transported and disposed in accordance with applicable local, State, and Federal regulations. Dewatering, purge and development fluids will not be recharged back to the land surface or subsurface of the site, but will be managed off-site.

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

A-9 COVER SYSTEM RESTORATION

After the completion of soil removal and any other invasive activities the cover system will be restored in a manner that complies with the decision document or Record of Decision. The demarcation layer, consisting of orange snow fencing material or equivalent material will be replaced to provide a visual reference to the top of the “Remaining Contamination Zone”, the

zone that requires adherence to special conditions for disturbance of remaining contaminated soils defined in this Site Management Plan. If the type of cover system changes from that which exists prior to the excavation (i.e., a soil cover is replaced by asphalt), this will constitute a modification of the cover element of the remedy and the upper surface of the "Remaining Contamination. A figure showing the modified surface will be included in the subsequent Periodic Review Report and in any updates to the Site Management 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 in this SMP prior to receipt at the site.

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

All imported soils will meet the backfill and cover soil quality standards established in 6NYCRR 375-6.7(d). Soils that meet "exempt" fill requirements under 6 NYCRR Part 360, but do not meet backfill or cover soil objectives for this site, will not be imported onto the site without prior approval by NYSDEC. Solid waste will not be imported onto the site.

Trucks entering the site with imported soils will be securely covered with tight fitting covers. Imported soils will be stockpiled separately from excavated materials and covered to prevent dust releases.

A-11 STORMWATER POLLUTION PREVENTION

No formal Storm water Pollution Prevention Plan will be required for this site since it is less than one acre (foundry site 0.52 acres). However, the following erosion and sediment control measures will be required for all future site construction involving site soil excavation or movement activities:

- The transport of site soils off site shall be controlled/prevented by installing silt fencing or hay bales around the entire perimeter of the construction area.
- Barriers and hay bale checks will be installed and inspected once a week and after every storm event. Results of inspections will be recorded in a logbook and maintained at the site and available for inspection by NYSDEC. All necessary repairs shall be made immediately.
- Accumulated sediments will be removed as required to keep the barrier and hay bale

check functional.

- All undercutting or erosion of the silt fence toe anchor shall be repaired immediately with appropriate backfill materials.
- Manufacturer's recommendations will be followed for replacing silt fencing damaged due to weathering.
- Erosion and sediment control measures identified in this SMP shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters.

A-12 CONTINGENCY PLAN

If underground tanks or other previously unidentified contaminant sources are found during post-remedial subsurface excavations or development related construction, excavation activities will be suspended until sufficient 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. Chemical analysis will be performed for a full list of analytes (TAL metals; TCL volatiles and semi-volatiles, TCL pesticides and PCBs), unless the site history and previous sampling results provide a sufficient justification to limit the list of analytes. In this case, a reduced list of analytes will be proposed to the NYSDEC for approval prior to sampling.

Identification of unknown or unexpected contaminated media identified 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 be also included in the periodic reports prepared pursuant to Section 5 of the SMP.

A-13 COMMUNITY AIR MONITORING PLAN

A Community Air Monitoring Plan (CAMP) will be developed for all intrusive or site soil movement at the site. The CAMP shall follow the guidelines established in the latest version of NYSDEC DER-10 Appendix 1A-NYSDOH Generic Community Air Monitoring Plan. Details for the CAMP shall be provided for NYSDEC review and approval prior to commencing any work at the site.

Volatile Organic Compound (VOC) Monitoring:

Based on soil sample results from site investigations and the IRM, only a few VOCs were

detected at very low concentrations and are not considered compounds of concern and continuous monitoring for VOCs is not required. However, if, as noted in section A-12 Contingency Plan, underground tanks or other previously unidentified contaminant sources are found during post-remedial subsurface excavations or development related construction, excavation activities, a portable photoionization detector (PID) should be available to field screen for VOCs. If VOCs are detected the VOC action levels provided in the DER-10 Appendix 1A Generic CAMP should be adhered to.

Particulate Monitoring:

Continuous particulate monitoring will be required at the upwind and downwind perimeters of the site during all soil movement activities at the site. Particulate monitors shall conform to the following specifications:

Size Range	<0.1 to 10 microns
Sensitivity	1 ug/m ³
Range	0.001 to 10 mg/ ³
Overall Accuracy	±10% as compared to gravimetric analysis of stearic acid or reference dust
Battery Range	8-hours continuous operation
Operating Temperature	0 — 40 ° C
Operating Humidity	0 — 99 % Relative

Particulate monitoring requirements will follow the guidelines provided in the DER-10 Appendix 1A Generic CAMP and as follows:

- Continuous particulate monitoring shall be performed at the upwind and downwind perimeters of the site during all excavation and /or soil movement activities.
- If the downwind particulate level is 100 micrograms per cubic meter (ug/m³) greater than the upwind level, then dust suppression techniques will be required (refer to section A-15) Work may continue provided these techniques reduce the downwind particulate level.
- If the downwind particulate level is 150 micrograms per cubic meter (ug/m³) greater than the upwind level, all activities must stop and employ dust suppression techniques (refer to section A-15).
- Additionally, the Contractor, Engineer, and Owner shall be responsible for visually assessing fugitive dust migration from the site. If airborne dust is observed leaving the project site, the work will be stopped. Work shall not continue until dust suppression techniques are successfully employed.

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

A-14 ODOR CONTROL PLAN

This odor control plan is capable of controlling emissions of nuisance odors off- site. If nuisance odors are identified at the site boundary, or if odor complaints are received, work will be halted and the source of odors will be identified and corrected. Work will not resume until all nuisance odors have been abated. NYSDEC and NYSDOH will be notified of all odor events and of any other complaints about the project. Implementation of all odor controls, including the halt of work, is the responsibility of the property owner's Construction Contractor or Manager, and any measures that are implemented will be discussed in the Periodic Review Report.

All necessary means will be employed to prevent on- and off-site nuisances. At a minimum, these measures will include: (a) limiting the area of open excavations and size of soil stockpiles; (b) shrouding open excavations with tarps and other covers; and (c) using foams to cover exposed odorous soils. If odors develop and cannot be otherwise controlled, additional means to eliminate odor nuisances will include: (d) direct load-out of soils to trucks for off-site disposal; (e) use of chemical odorants in spray or misting systems; and, (f) use of staff to monitor odors in surrounding neighborhoods.

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

A-15 DUST CONTROL PLAN

A dust suppression plan that addresses dust management during invasive on-site work will include, at a minimum, the items listed below:

- Dust suppression will be achieved through the use of dedicated on-site water truck for road wetting. The truck will be equipped with a water cannon capable of spraying water directly onto off-road areas including excavations and stockpiles.
- Gravel will be used on roadways to provide a clean and dust-free road surface.
- On-site roads will be limited in total area to minimize the area required for water truck sprinkling.

A-16 OTHER NUISANCES

A plan will be developed and utilized by the contractor for all remedial work to ensure compliance with local noise control ordinances.

TABLE 1
Test Pit Surface/Subsurface Soil Sample Analytical Results - Site Investigation Program
Former Randolph Foundary, Randolph, New York

									NYSDEC PART 375	NYSDEC PART 375
Sample Number	RF-TP-01A	RF-TP-01B	RF-TP-04A	RF-TP-04B	RF-TP-05A	RF-TP-05B	RF-TP-05C	RF-TP-06A	Commercial	Industrial
	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	Cleanup Objectives	Cleanup Objectives
Sample Date	12/16/2008	12/16/2008	12/16/2008	12/16/2008	12/16/2008	12/16/2008	12/16/2008	12/16/2008	mg/kg	mg/kg
Sample Depth	Surface	5-6.5 ft.	Surface	2-4 ft.	Surface	4-5 ft.	5-5.5 ft.	Surface	(a)	(b)
Metals										
Aluminum	4620 EN*	7800 EN*	4810 EN*	4650 EN*	3590 EN*	5350 EN*	8480 EN*	3600 EN*	N/A	N/A
Arsenic	4.2 *	4.9 *	7.2 *	9.2 *	4.8 *	8.6 *	7.2 N*	4.6 *	16	16
Barium	52.8 E*	57.3 E*	64.3 E*	68.2 E*	59.1 E*	66.7 E*	198 E*	69.3 E*	400	10,000
Beryllium	0.24	ND	0.23	0.37	0.27	0.38	0.28	ND	590	2,700
Cadmium	ND	ND	0.42	ND	0.49	ND	ND	ND	9.3	60
Calcium	37700 E*	746 E*	13900 E*	12900 E*	8790 E*	5990 E*	1410 E*	45600 E*	N/A	N/A
Chromium	7.1 E	8.8 E	22.7 E	5.6 E	21.1 E	12.7 E	8.8 E	17.7 E	400 #	800 #
Cobalt	3.3 E	6.3 E	3.5 E	5.7 E	3.1 E	6.1 E	8.3 E	3 E	N/A	N/A
Copper	66.7 EN*	24 EN*	967 EN*	81.4 EN*	138 EN*	158 EN*	18.2 EN*	32.3 EN*	270	10,000
Iron	12300 E*	14900 E*	21200 E*	16000 E*	21100 E*	34500 E*	18800 E*	22900 E*	N/A	N/A
Lead	15 N	15.2 N	65.4 N	84 N	128 N	158 N	19.4 N	22.6 N	1,000	3,900
Magnesium	4630 E*	2400 E*	2300 E*	3730 E*	1090 E*	1460 E*	2030 E*	4620 E*	N/A	N/A
Manganese	533 E*	186 E*	562 E*	553 E*	338 E*	586 E*	1550 E*	411 E*	10,000	10,000
Mercury	0.032	0.209	0.25	0.052	0.11	0.105	0.077	ND	2.8	5.7
Nickel	9.6 EN*	13 EN*	18.2 EN*	10.5 EN*	24 EN*	20.2 EN*	17 EN*	16.6 EN*	310	10,000
Potassium	567 EN	659 EN	488 EN	615 EN	543 EN	650 EN	791 EN	429 EN	N/A	N/A
Silver	ND	ND	ND	ND	ND	ND	ND	ND	1,500	6,800
Sodium	ND	ND	ND	ND	ND	ND	ND	ND	N/A	N/A
Vanadium	6.3 E	9.4 E	8.2 E	8.2 E	7.7 E	15.7 E	11.4 E	5.6 E	N/A	N/A
Zinc	73.2 EN*	62.7 EN*	180 EN*	46.6 EN*	233 EN*	170 EN*	49.2 EN*	72.2 EN*	10,000	10,000
PCB's/Pest										
PCB 1242	ND	ND	0.12	ND	0.046	0.03	ND	ND	1	25
PCB 1248	0.01 J	ND	ND	ND	ND	ND	ND	ND	1	25
PCB 1254	ND	0.0067 J	0.04	ND	ND	ND	ND	0.012 J	1	25
PCB 1260	0.035	ND	0.1	ND	0.029	0.029	ND	0.018	1	25
Semi-Volatile Organics										
4-Chloroaniline	ND	0.077 J	ND	ND	ND	ND	ND	ND	N/A	N/A
Acenaphthene	ND	ND	0.052 J	0.01 J	0.34	1.3	ND	ND	500	1,000
Acenaphthylene	0.24 J	ND	0.1 J	0.047 J	0.4	0.96	0.033 J	0.26 J	500	1,000
Anthracene	0.094 J	ND	0.35 J	0.06 J	1.1	4.3	0.03 J	0.097 J	500	1,000
Benzo(a)anthracene	0.59 J	ND	1.5	0.19	2.8	8.8 (a)	0.15 J	0.44	5.6	11
Benzo(a)pyrene	0.69 J	0.01 J	1.2 (a), (b)	0.16 J	2.3 (a), (b)	7 (a), (b)	0.14 J	0.5	1	1.1
Benzo(b)fluoranthene	0.76 J	ND	1.7	0.2	2.5	7 (a)	0.16 J	0.57	5.6	11
Benzo(g,h,i)perylene	0.65 J	ND	0.96	0.12 J	1.4	4.4	0.094 J	0.29 J	500	1,000
Benzo(k)fluoranthene	0.3 J	ND	0.52	0.082 J	1.2	3.3	0.064 J	0.25 J	56	110
Biphenyl	ND	ND	0.054 J	ND	0.086 J	0.21 J	ND	ND	N/A	N/A
Bis(2-ethylhexyl) phthalate	1.3	ND	1.5	ND	0.68	0.35 J	ND	0.16 J	N/A	N/A
Caprolactam	ND	ND	ND	ND	ND	ND	ND	ND	N/A	N/A
Carbazole	ND	ND	0.24 J	0.04 J	0.46	1.7	ND	0.017 J	N/A	N/A
Chrysene	0.54 J	ND	1.5	0.17 J	2.6	7.5	0.14 J	0.44	56	110
Di-n-octyl phthalate	ND	ND	0.054 J	ND	ND	ND	ND	ND	N/A	N/A
Dibenzo(a,h)anthracene	0.14 J	ND	0.23 J	0.039 J	0.37	1.1 (a), (b)	0.028 J	0.031 J	0.56	1.1
Dibenzofuran	ND	ND	0.11 J	0.018 J	0.46	1.3	ND	0.016 J	N/A	N/A
Fluoranthene	0.78 J	ND	3	0.42	5.3	18	0.26	0.61	500	1,000
Flourene	ND	ND	0.08 J	0.034 J	0.68	2.6	ND	0.021 J	500	1,000
Indeno(1,2,3-cd)pyrene	0.55 J	ND	0.81	0.11 J	1.3	4.1	0.091 J	0.26 J	5.6	11
2-methylnaphthalene	ND	ND	0.26 J	0.024 J	0.4	0.97	0.018 J	0.041 J	N/A	N/A
2-Methylphenol	ND	ND	ND	ND	ND	ND	ND	ND	N/A	N/A
N-nitrosodiphenylamine	ND	ND	0.031 J	ND	ND	ND	ND	ND	N/A	N/A
Naphthalene	ND	ND	ND	0.017 J	0.62	1.7	0.014 J	0.044 J	500	1,000
Phenanthrene	0.29 J	ND	1.8	0.29	4.3	16	0.11 J	0.2 J	500	1,000
Pyrene	0.76 J	ND	2.5	0.3	4.8	16	0.24	0.63	500	1,000
Volatile Organics										
Methylene chloride	N/A	0.013 B	N/A	0.021 B	N/A	0.025 B	0.016 J	N/A	500	1,000
Ethylbenzene	N/A	ND	N/A	ND	N/A	ND	ND	N/A	390	780
Total Xylenes	N/A	ND	N/A	ND	N/A	ND	ND	N/A	500	1,000
2-Butanone	N/A	ND	N/A	ND	N/A	0.01 J	ND	N/A	N/A	N/A
Acetone	N/A	ND	N/A	ND	N/A	0.067	0.006 J	N/A	500	1,000

Sample Number	RF-TP-06B	RF-TP-07A	RF-TP-07B	RF-TP-07C	RF-TP-08A	RF-TP-08B	RF-TP-09A	RF-TP-11A	NYSDEC PART 375 Commercial	NYSDEC PART 375 Industrial
Sample Date	12/16/2008	12/16/2008	12/16/2008	12/16/2008	12/16/2008	12/16/2008	12/16/2008	12/16/2008	Cleanup Objectives	Cleanup Objectives
Sample Depth	4-4.5 ft.	Surface	4-4.5 ft.	5-5.5 ft.	Surface	2-2.5 ft.	Surface	Surface	mg/kg	mg/kg
Metals									(a)	(b)
Aluminum	10900 EN*	3350 EN*	2070 EN*	6910 EN*	7140 EN*	9180 EN*	3730 EN*	8580 EN*	N/A	N/A
Arsenic	8.9 *	3.6 *	2.4 *	7.2 *	12.3 *	9.2 *	6.1 *	11.6 *	16	16
Barium	71.8 E*	36.6 E*	21.4 E*	296 E*	128 E*	229 *	57.1 E*	163 E*	400	10,000
Beryllium	0.49	ND	ND	ND	0.31	0.25	ND	0.33	590	2,700
Cadmium	ND	0.29	0.41	ND	0.87	ND	0.3	1.4	9.3	60
Calcium	22600 E*	4310 E*	911 E*	44000 E*	19600 E*	3510 E*	1990 E*	6430 E*	N/A	N/A
Chromium	13.9 E	11.4 E	10.3 E	9.1 E	38.1 E	10.4 E	6.6 E	43.7 E	400 #	800 #
Cobalt	9.7 E	2.4 E	1.3 E	6 E	7.7 E	8.3 E	2.1 E	8.9 E	N/A	N/A
Copper	20.9 EN*	51.5 EN*	31.1 EN*	13.2 EN*	834 EN* (a)	39.7 EN*	96.5 EN*	1300 EN* (a)	270	10,000
Iron	23300 E*	12600 E*	9610 E*	16400 E*	59200 E*	19000 E*	10800 E*	49700 E*	N/A	N/A
Lead	11.1 N	56.5 N	39.3 N	13.1 N	140 N	25.9 N	79.2 N	541 N	1,000	3,900
Magnesium	9820 E*	1200 E*	402 E*	27600 E*	2350 E*	2610 E*	590 E*	1980 E*	N/A	N/A
Manganese	363 E*	342 E*	122 E*	981 E*	891 E*	648 E*	354 E*	982 E*	10,000	10,000
Mercury	ND	0.07	0.082	ND	0.214	0.034	0.074	0.074	2.8	5.7
Nickel	24.2 EN*	11.7 EN*	10.4 EN*	14 EN*	79.4 EN*	18.7 EN*	7.7 EN*	44.2 EN*	310	10,000
Potassium	1380 EN	378 EN	221 EN	709 EN	815 EN	710 EN	358 EN	733 EN	N/A	N/A
Silver	ND	ND	ND	ND	ND	ND	ND	0.71	1,500	6,800
Sodium	ND	ND	ND	ND	177 *	ND	ND	ND	N/A	N/A
Vanadium	16.6 E	5 E	3.6 E	10 E	22.1 E	10.2 E	6.7 E	16.4 E	N/A	N/A
Zinc	55.1 EN*	117 EN*	82.3 EN*	41.7 EN*	436 EN*	79.5 EN*	148 EN*	645 EN*	10,000	10,000
PCB's/Pest										
PCB 1242	ND	0.054	ND	ND	ND	ND	ND	ND	1	25
PCB 1248	ND	ND	ND	ND	0.18	0.011 J	ND	ND	1	25
PCB 1254	ND	0.026	0.03	ND	ND	ND	ND	ND	1	25
PCB 1260	ND	ND	ND	ND	0.055	0.004 J	ND	ND	1	25
Semi-Volatile Organics										
4-Chloroaniline	ND	ND	ND	ND	ND	ND	ND	ND	N/A	N/A
Acenaphthene	ND	0.019 J	0.015 J	ND	0.6 J	ND	0.3 J	0.048 J	500	1,000
Acenaphthylene	ND	0.082 J	0.032 J	ND	0.42 J	ND	0.3 J	0.11 J	500	1,000
Anthracene	ND	0.09 J	0.073 J	ND	2.1	0.008 J	1.3	0.18 J	500	1,000
Benzo(a)anthracene	ND	0.49	0.33	ND	5	0.039 J	2.6	1.1	5.6	11
Benzo(a)pyrene	ND	0.52	0.46	ND	4.7 (a), (b)	0.045 J	2.2 (a), (b)	1.5 (a), (b)	1	1.1
Benzo(b)fluoranthene	ND	0.82	0.69	ND	6 (a)	0.061 J	2.6	2	5.6	11
Benzo(g,h,i)perylene	ND	0.34 J	0.29	ND	2.1	0.033 J	1	0.94 J	500	1,000
Benzo(k)fluoranthene	ND	0.23 J	0.28	ND	2	0.024 J	1.2	0.84 J	56	110
Biphenyl	ND	0.04 J	0.069 J	ND	0.1 J	ND	0.059 J	ND	N/A	N/A
Bis(2-ethylhexyl) phthalate	ND	0.4	0.34	ND	9.8	0.29	0.34 J	4.9	N/A	N/A
Caprolactam	ND	ND	0.11 J	ND	ND	ND	ND	ND	N/A	N/A
Carbazole	ND	0.042 J	0.027 J	ND	0.92	ND	0.22 J	0.16 J	N/A	N/A
Chrysene	ND	0.56	0.52	ND	4.2	0.042 J	2.3	1.4	56	110
Di-n-octyl phthalate	ND	ND	ND	ND	ND	ND	ND	ND	N/A	N/A
Dibenzo(a,h)anthracene	ND	0.032 J	0.076 J	ND	0.54 J	ND	0.094 J	0.24 J	0.56	1.1
Dibenzofuran	ND	0.056 J	0.084 J	ND	0.75 J	ND	0.37 J	0.073 J	N/A	N/A
Fluoranthene	ND	0.81	0.37	ND	12	0.072 J	6.4	2.1	500	1,000
Flourene	ND	0.025 J	0.023 J	ND	1.1	ND	0.67 J	0.066 J	500	1,000
Indeno(1,2,3-cd)pyrene	ND	0.3 J	0.24	ND	2	0.028 J	0.98	0.81 J	5.6	11
2-methylnaphthalene	ND	0.15 J	0.26	ND	0.24 J	ND	0.17 J	0.23 J	N/A	N/A
2-Methylphenol	ND	ND	0.021 J	ND	ND	ND	ND	ND	N/A	N/A
N-nitrosodiphenylamine	ND	ND	ND	ND	ND	ND	ND	ND	N/A	N/A
Naphthalene	ND	0.2 J	0.38	ND	0.21 J	0.008 J	0.15 J	0.18 J	500	1,000
Phenanthrene	ND	0.46	0.41	ND	11	0.039 J	5.7	1.1	500	1,000
Pyrene	ND	0.7	0.34	ND	8.8	0.059 J	4.8	1.8	500	1,000
Volatile Organics										
Methylene chloride	0.017 B	N/A	0.009 B	0.014 B	N/A	0.014 B	N/A	N/A	500	1,000
Ethylbenzene	ND	N/A	ND	ND	N/A	0.006 J	N/A	N/A	390	780
Total Xylenes	ND	N/A	ND	ND	N/A	0.098	N/A	N/A	500	1,000
2-Butanone	ND	N/A	ND	ND	N/A	ND	N/A	N/A	N/A	N/A
Acetone	0.028	N/A	ND	0.009 J	N/A	0.013 J	N/A	N/A	500	1,000

Key:

mg/kg - milligrams per kilograms (parts per million)

ND - Not Detected

J - The result is an estimated quantity

E - Result is estimated due to interferences

(a) - Value exceeded this NYSDEC Commercial cleanup objective

(b) - Value exceeded this NYSDEC Industrial cleanup objective

D - The sample result was reported from a secondary dilution analysis

N/A - Not Available

N - Indicates presumptive evidence of compounds

* - Not within the control limits

B - Analyte found in blank and in sample

Sample Date: December 16, 2008

TABLE 2**Demolition Confirmation Soil Sample Analytical Results - Site Investigation Program****Former Randolph Foundary, Randolph, New York**

Sample Location	Large Sump	Large Sump			NYSDEC PART 375	NYSDEC PART 375
	Northwest	Southeast	North Sump	Septic Tank	Commercial	Industrial
	mg/kg	mg/kg	mg/kg	mg/kg	Cleanup Objectives	Cleanup Objectives
Sample date	9/9/2008	9/9/2008	9/9/2008	9/9/2008	mg/kg	mg/kg
Sample Depth	Below Sump	Below Sump	Below Sump	Below Tank	(a)	(b)
Metals						
Aluminum	12400	7590	7820	5880	N/A	N/A
Arsenic	8.7	5.6	8.9	20.7 (a), (b)	16	16
Barium	228	258	116	205	400	10,000
Beryllium	0.3	0.28	0.5	0.28	590	2,700
Cadmium	ND	ND	0.64	ND	9.3	60
Calcium	2220	2280	55400	1230	N/A	N/A
Chromium	14.8	9.2	48.7	8.4	400 #	800 #
Cobalt	10	5.4	5.5	4.7	N/A	N/A
Copper	30.1	16.8	105	15.8	270	10,000
Iron	24500	17900	31800	14700	N/A	N/A
Lead	9.6	7.8	143	9.2	1,000	3,900
Magnesium	5440	2440	4080	1780	N/A	N/A
Manganese	453	1110	1150	735	10,000	10,000
Mercury	ND	0.031	0.075	ND	2.8	5.7
Nickel	17.4	13.9	28.9	11.2	310	10,000
Potassium	2060	732	783	764	N/A	N/A
Silver	ND	ND	ND	ND	1,500	6,800
Sodium	414	154	ND	ND	N/A	N/A
Vanadium	26.4	9.5	25.4	8.9	N/A	N/A
Zinc	72.6	48.8	350	36.4	10,000	10,000
Cyanide - Total (wet chem)	2.6	ND	ND	ND	27	10,000
PCB's/Pest						
PCB 1242	ND	ND	ND	ND	1	25
PCB 1248	0.29	0.27	ND	ND	1	25
PCB 1254	ND	ND	0.037	ND	1	25
PCB 1260	ND	ND	ND	ND	1	25
4,4'-DDT	0.016 J	ND	ND	0.00096 J	47	94
Semi-Volatile Organics						
2,4-Dimethylphenol	1.7 - 1.3 J	0.22	ND	ND	N/A	N/A
4-Chloroaniline	ND	ND	ND	ND	N/A	N/A
Acenaphthene	ND	ND	ND	ND	500	1,000
Acenaphthylene	ND	ND	0.097 J	ND	500	1,000
Anthracene	ND	0.007 J	0.19 J	ND	500	1,000
Benzo(a)anthracene	0.014 J	ND	0.8 J	ND	5.6	11
Benzo(a)pyrene	ND	ND	0.62 J	ND	1	1.1
Benzo(b)fluoranthene	ND	ND	0.74 J	ND	5.6	11
Benzo(g,h,i)perylene	ND	ND	0.4 J	ND	500	1,000
Benzo(k)fluoranthene	ND	ND	0.32 J	ND	56	110
Biphenyl	ND	ND	ND	ND	N/A	N/A
Bis(2-ethylhexyl) phthalate	ND	0.073 J	0.72 J	ND	N/A	N/A
Caprolactam	ND	ND	ND	ND	N/A	N/A
Carbazole	ND	ND	0.096 J	ND	N/A	N/A
Chrysene	ND	0.027 J	0.67 J	ND	56	110
Di-n-octyl phthalate	ND	ND	ND	ND	N/A	N/A
Dibenzo(a,h)anthracene	ND	ND	0.12 J	ND	0.56	1.1
Dibenzofuran	ND	ND	0.14 J	ND	N/A	N/A
Fluoranthene	0.014 J	0.009 J	1.5 J	ND	500	1,000
Flourene	ND	ND	ND	ND	500	1,000
Indeno(1,2,3-cd)pyrene	ND	ND	0.36 J	ND	5.6	11
2-methylnaphthalene	ND	ND	0.32 J	ND	N/A	N/A
2-Methylphenol	3.0 - 0.039 J	ND	ND	ND	N/A	N/A
4-Methylphenol	3.6 J	0.46 - 0.41 J	ND	ND	N/A	N/A
N-nitrosodiphenylamine	ND	ND	ND	ND	N/A	N/A
Naphthalene	ND	ND	0.26 J	ND	500	1,000
Phenanthrene	0.015 J	0.012 J	1.0 J	ND	500	1,000
Phenol	4.1 - 5.4	1.2 - 1.4 J	ND	ND	500	1,000
Pyrene	0.008 J	ND	1.1 J	ND	500	1,000
Volatile Organics						
Acetone	0.13	ND	ND	ND	500	1000
Methylene chloride	0.009 B	ND	0.012 B	0.008 B	500	1,000
Ethylbenzene	ND	ND	ND	ND	390	780
Total Xylenes	ND	ND	ND	ND	500	1,000
2-Butanone	ND	ND	ND	ND	N/A	N/A
Acetone	0.13	ND	ND	ND	500	1,000

Key:

mg/kg - milligrams per kilograms (parts per million)

ND - Not Detected

J - The result is an estimated quantity

E - Result is estimated due to interferences

(a) - Value exceeded this NYSDEC Commercial cleanup obj B - Analyte found in blank and in sample

(b) - Value exceeded this NYSDEC Industrial cleanup objective

B - Analyte is found in the associated blank sample.

D - The sample result was reported from a secondary dilution analysis

N/A - Not Available

N - Indicates presumptive evidence of compounds

* - Not within the control limits

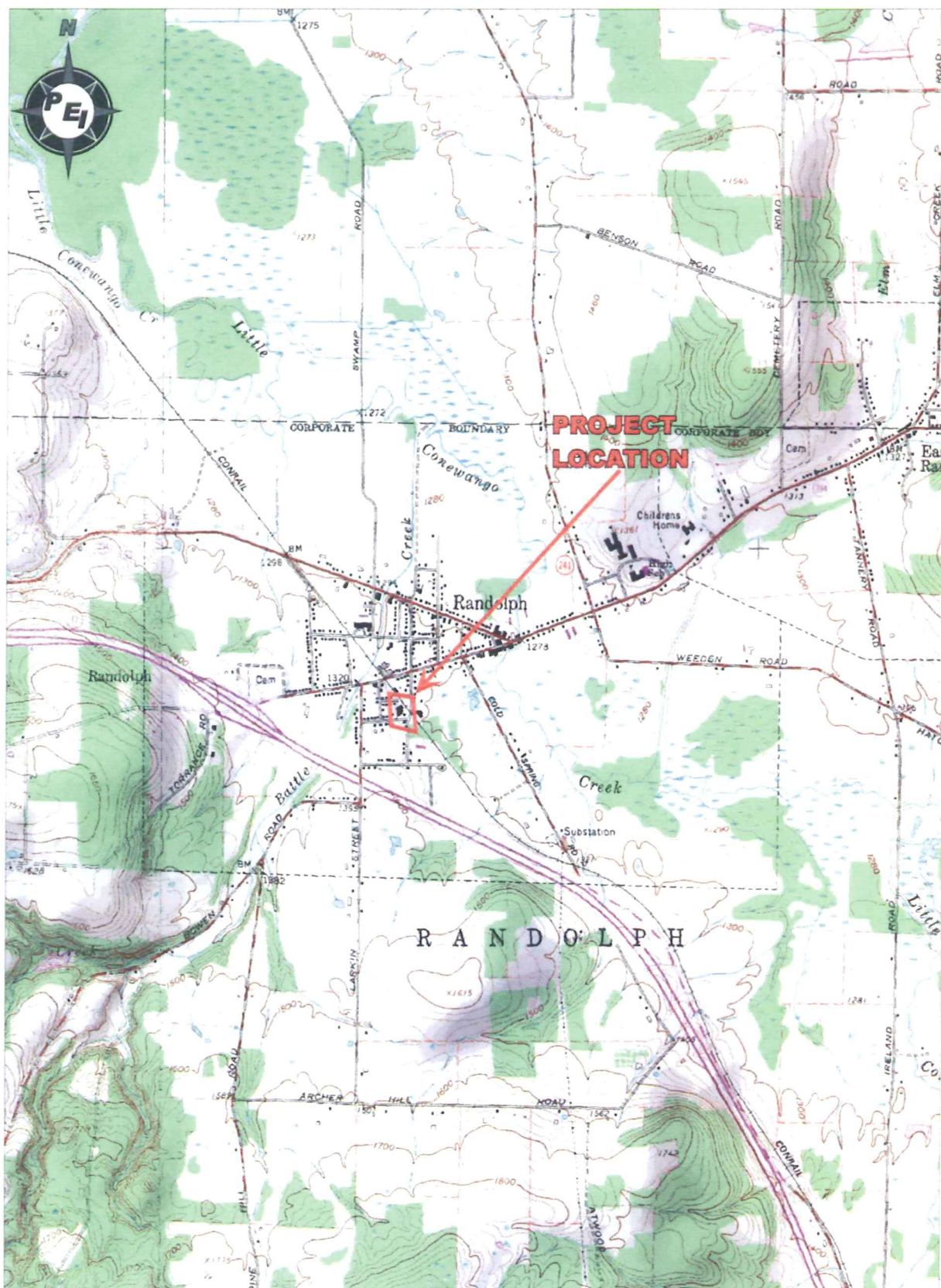
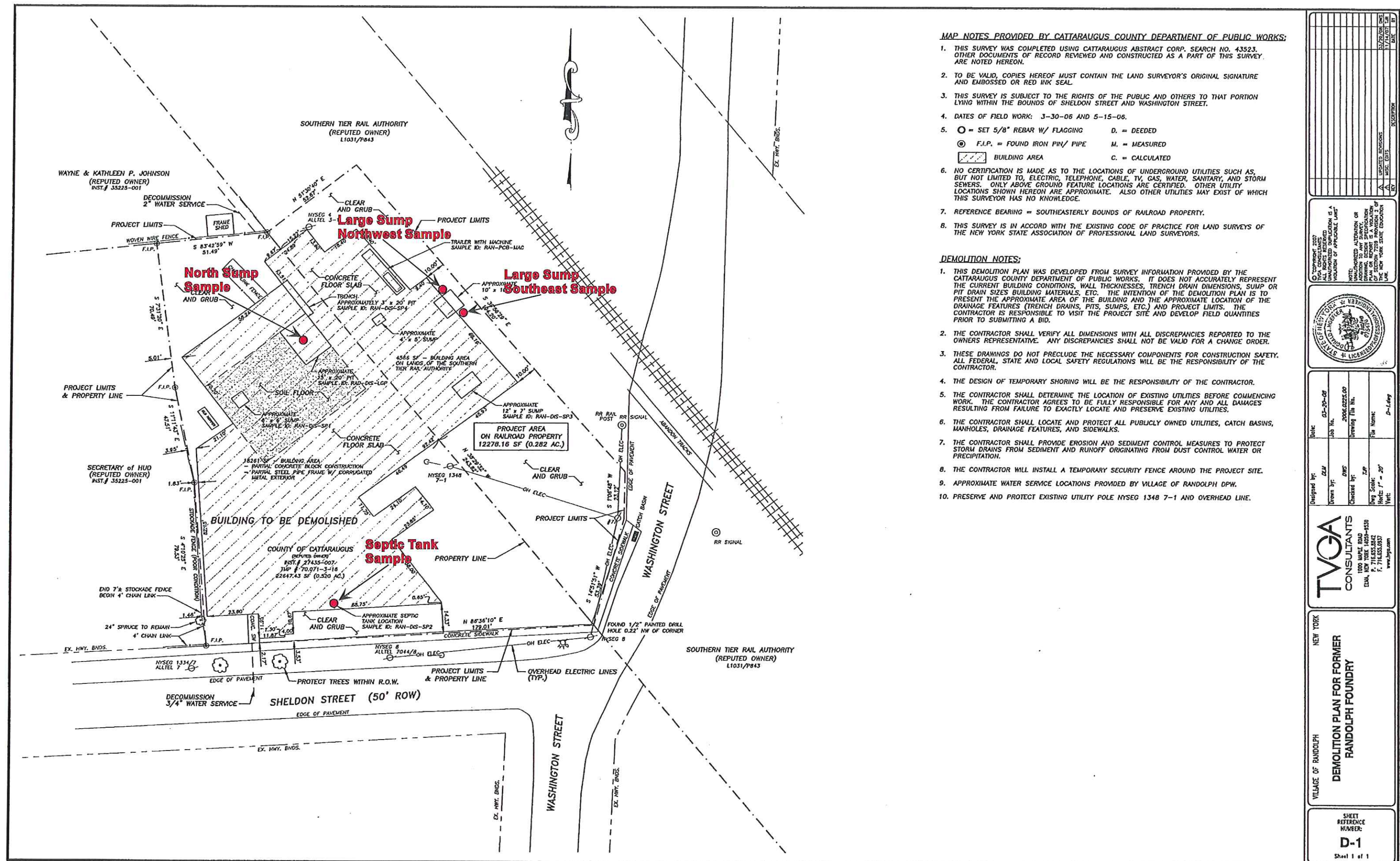
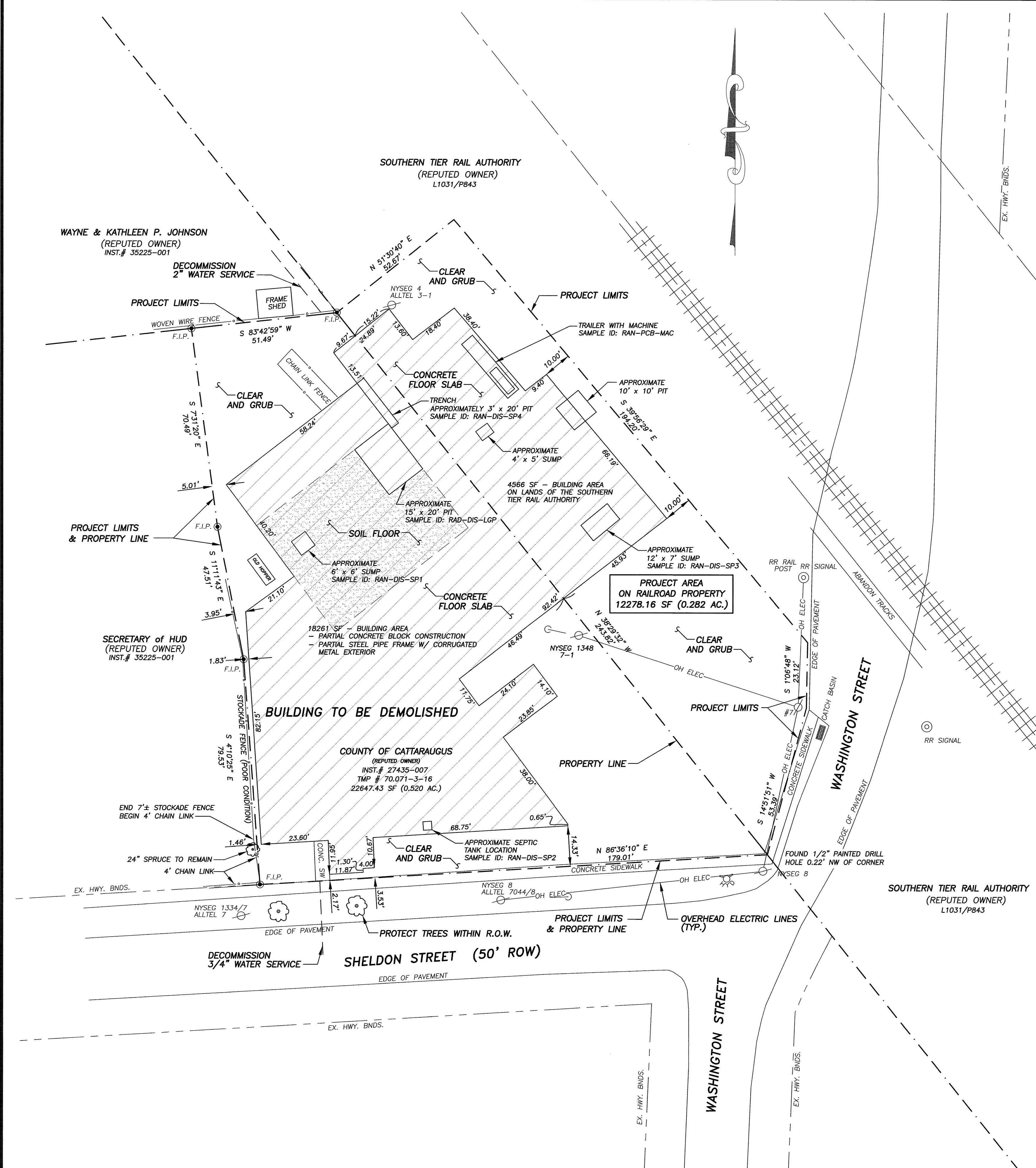




Figure 2. Project Location Plan (Regional Plan with USGS Topo).





MAP NOTES PROVIDED BY CATTARAUGUS COUNTY DEPARTMENT OF PUBLIC WORKS:

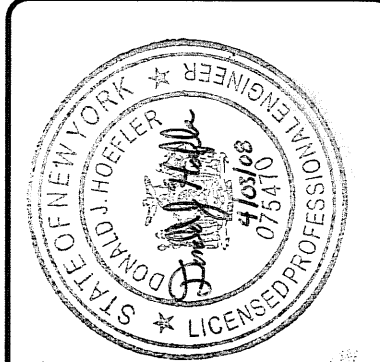
- 1. THIS SURVEY WAS COMPLETED USING CATTARAUGUS ABSTRACT CORP. SEARCH NO. 43523. OTHER DOCUMENTS OF RECORD REVIEWED AND CONSTRUCTED AS A PART OF THIS SURVEY ARE NOTED HEREON.
- 2. TO BE VALID, COPIES HEREOF MUST CONTAIN THE LAND SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED OR RED INK SEAL.
- 3. THIS SURVEY IS SUBJECT TO THE RIGHTS OF THE PUBLIC AND OTHERS TO THAT PORTION LYING WITHIN THE BOUNDS OF SHELDON STREET AND WASHINGTON STREET.
- 4. DATES OF FIELD WORK: 3-30-06 AND 5-15-06.
- 5. $\odot$ = SET 5/8" REBAR W/ FLAGGING D. = DEEDED
 $\bullet$ F.I.P. = FOUND IRON PIN/ PIPE M. = MEASURED
 BUILDING AREA C. = CALCULATED
- 6. NO CERTIFICATION IS MADE AS TO THE LOCATIONS OF UNDERGROUND UTILITIES SUCH AS, BUT NOT LIMITED TO, ELECTRIC, TELEPHONE, CABLE, TV, GAS, WATER, SANITARY, AND STORM SEWERS. ONLY ABOVE GROUND FEATURE LOCATIONS ARE CERTIFIED. OTHER UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE. ALSO OTHER UTILITIES MAY EXIST OF WHICH THIS SURVEYOR HAS NO KNOWLEDGE.
- 7. REFERENCE BEARING = SOUTHEASTERLY BOUNDS OF RAILROAD PROPERTY.
- 8. THIS SURVEY IS IN ACCORD WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS OF THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

DEMOLITION NOTES:

- 1. THIS DEMOLITION PLAN WAS DEVELOPED FROM SURVEY INFORMATION PROVIDED BY THE CATTARAUGUS COUNTY DEPARTMENT OF PUBLIC WORKS. IT DOES NOT ACCURATELY REPRESENT THE CURRENT BUILDING CONDITIONS, WALL THICKNESSES, TRENCH DRAIN DIMENSIONS, SUMP OR PIT DRAIN SIZES BUILDING MATERIALS, ETC. THE INTENTION OF THE DEMOLITION PLAN IS TO PRESENT THE APPROXIMATE AREA OF THE BUILDING AND THE APPROXIMATE LOCATION OF THE DRAINAGE FEATURES (TRENCH DRAINS, PITS, SUMPS, ETC.) AND PROJECT LIMITS. THE CONTRACTOR IS RESPONSIBLE TO VISIT THE PROJECT SITE AND DEVELOP FIELD QUANTITIES PRIOR TO SUBMITTING A BID.
- 2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH ALL DISCREPANCIES REPORTED TO THE OWNERS REPRESENTATIVE. ANY DISCREPANCIES SHALL NOT BE VALID FOR A CHANGE ORDER.
- 3. THESE DRAWINGS DO NOT PRECLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL FEDERAL, STATE AND LOCAL SAFETY REGULATIONS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- 4. THE DESIGN OF TEMPORARY SHORING WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- 5. THE CONTRACTOR SHALL DETERMINE THE LOCATION OF EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES RESULTING FROM FAILURE TO EXACTLY LOCATE AND PRESERVE EXISTING UTILITIES.
- 6. THE CONTRACTOR SHALL LOCATE AND PROTECT ALL PUBLICLY OWNED UTILITIES, CATCH BASINS, MANHOLES, DRAINAGE FEATURES, AND SIDEWALKS.
- 7. THE CONTRACTOR SHALL PROVIDE EROSION AND SEDIMENT CONTROL MEASURES TO PROTECT STORM DRAINS FROM SEDIMENT AND RUNOFF ORIGINATING FROM DUST CONTROL WATER OR PRECIPITATION.
- 8. THE CONTRACTOR WILL INSTALL A TEMPORARY SECURITY FENCE AROUND THE PROJECT SITE.
- 9. APPROXIMATE WATER SERVICE LOCATIONS PROVIDED BY VILLAGE OF RANDOLPH DPW.
- 10. PRESERVE AND PROTECT EXISTING UTILITY POLE NYSEG 1348 7-1 AND OVERHEAD LINE.

DATE	DESCRIPTION
03/20/08	DWS
11/14/07	TJR
03/20/06	REV

NOTES:
UNAUTHORIZED ALTERATION OR REVISION OF THIS DRAWING IS A VIOLATION OF APPLICABLE LAWS.
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TVGA CONSULTANTS



Designed by:	DJM	Date:	03-20-08
Drawn by:	DWS	Job No.:	2006.0225.00
Checked by:	TJR	Drawing File No.:	
Dwg Scale:	1" = 20'	File Name:	D-1.dwg
Vert:			

TVGA CONSULTANTS
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ELMA, N.Y. 14059-9530
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www.tvga.com

NEW YORK
VILLAGE OF RANDOLPH
DEMOLITION PLAN FOR FORMER RANDOLPH FOUNDRY

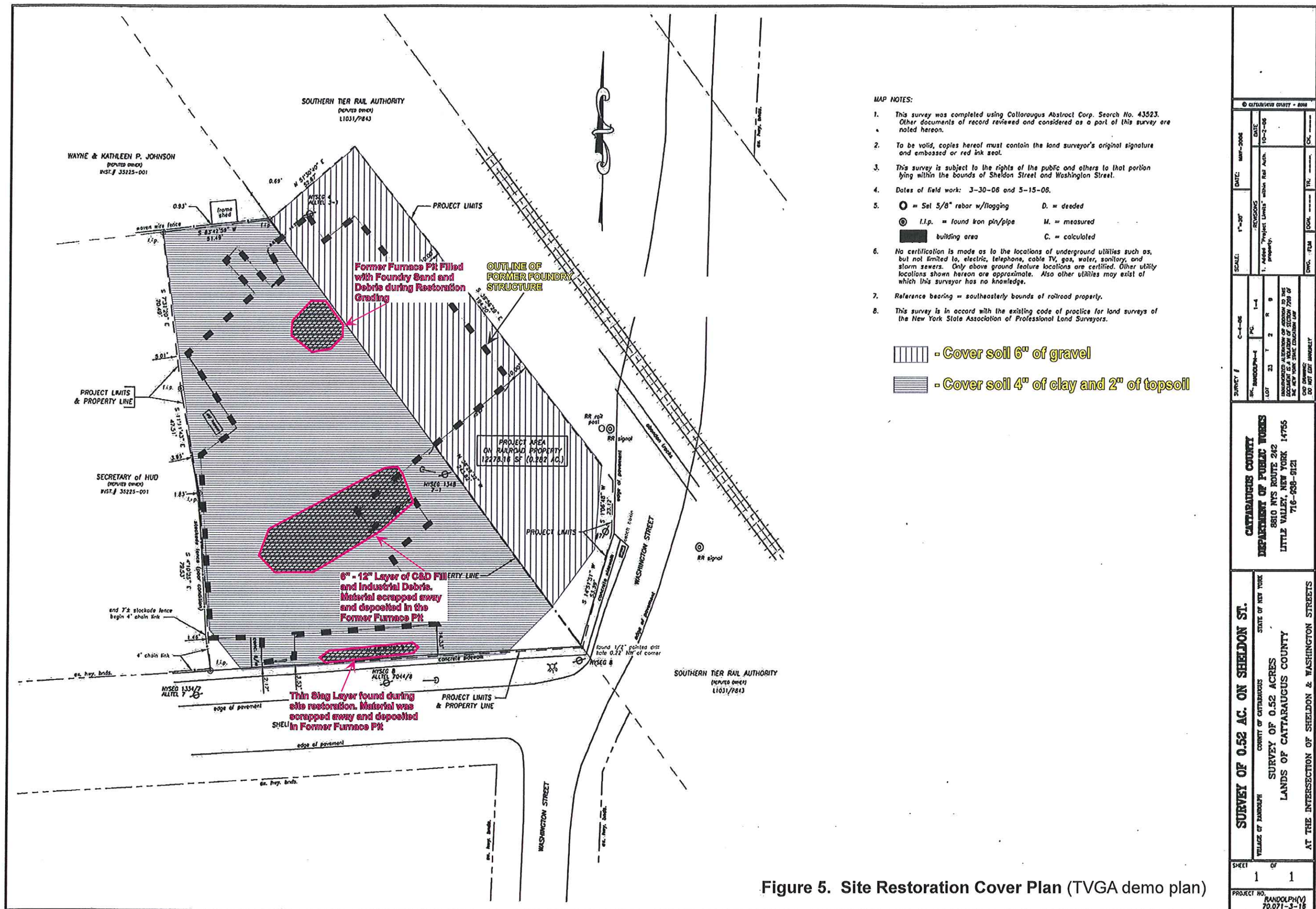


Figure 5. Site Restoration Cover Plan (TVGA demo plan)

APPENDIX B

ALTA Survey Maps & Schedule 'A' Project Descriptions

SCHEDULE 'A' – PROPERTY DESCRIPTION

FOUNDRY PROPERTY

ENVIRONMENTAL EASEMENT AREA

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Randolph, Town of Randolph, County of Cattaraugus and State of New York, being part of Lot No. 23, Township 2, Range 9 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point of intersection of the northerly bounds of Sheldon Street with the southwesterly bounds of lands owned by the Southern Tier Rail Authority and being also the southwesterly bounds of lands formerly owned by the Erie—Lackawanna Railroad Company;

THENCE North 39° 36' 21" West along said southwesterly bounds 243.82 feet;

THENCE South 82° 24' 12" West 51.75 feet;

THENCE South 08° 56' 17" East, 70.25 feet;

THENCE South 12° 11' 20" East, 48.00 feet;

THENCE South 05° 14' 10" East, 80.00 feet to the northerly bounds of Sheldon Street;

THENCE North 85° 12' 09" East along said northerly bounds 179.01 feet to the point or place of beginning, containing 0.5217 acre (22,723± square feet) of land more or less.

All bearings referred to True North at 78° 35' 00" meridian of West longitude.

TRUE NORTH AT 78°35'00"
MERIDIAN OF WEST LONGITUDE

Miscellaneous Notes

(MNT) Observed evidence of recent earth moving work.

Utility Notes

(UN1) The locations of utilities shown hereon were determined from observation of ground appurtenances.

(UN2) The exact location of utility lines (i.e. electric, telephone, gas, water, and storm sewer) entering the subject property and the points of entry of such utilities into the subject property could not be determined.

Statement of Possible Encroachments

- (A) Public sidewalk encroaches up to 0.5'N. & 1.0'W.
(B) Public sidewalk encroaches up to 0.8'N..
(C) Shed encroaches up to 0.88'S..

Legend of Symbols & Abbreviations

	FIRE HYDRANT	N.	NORTH
	WATER VALVE	S.	SOUTH
	CATCH BASIN	E.	EAST
	UTILITY POLE	W.	WEST
	GUY ANCHOR	No.	NUMBER
	WATER LINE	L.	LIBER
	BLACKTOP AREA	P.	PAGE
	CONCRETE AREA	SQ. FT.	SQUARE FEET
		°	DEGREES
		'	MINUTES OR FEET
		"	SECONDS OR INCHES
		REC.	RECORD
		MEAS.	MEASURED

Easements & Right of Ways

Right of way to Pennsylvania Gas Company, Inc. recorded in Liber 652 of deeds at page 323 was reassigned to National Fuel Gas Distribution Corporation at Liber 756 of deeds at page 1094. Right of way is a blanket type and not plotted hereon.

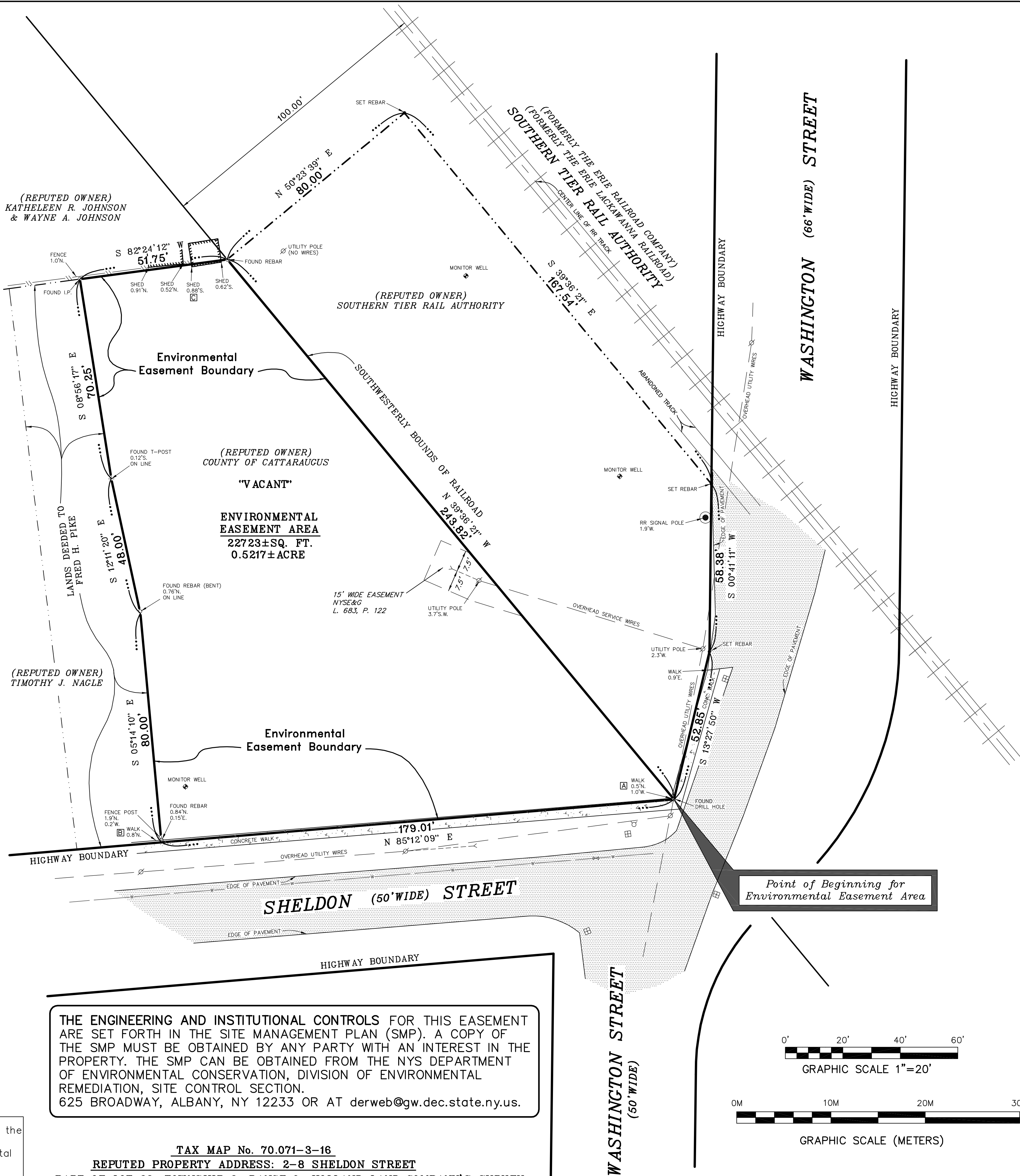
Easement to New York State Electric and Gas Corporation recorded in Liber 683 of deeds at page 122 is plotted hereon.

Easement to New York State Electric and Gas Corporation recorded in Liber 733 of deeds at page 803 does not affect premises.

Engineering / Institutional Controls

- Commercial Use restriction covers the entire Environmental Easement area.
- 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 is prohibited without testing and approval of the NYSDOH.
- Vegetable gardens and farming on the property are prohibited.

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law.



Legal Description

Environmental Easement Area

Environmental Easement Area description is intending to describe parcel conveyed in deed dated February 28, 2005 recorded March 10, 2005 as Instrument No. 27435-007.

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BEGINNING at the point of intersection of the northerly bounds of Sheldon Street with the southwesterly bounds of lands owned by the Southern Tier Rail Authority and being also the southwesterly bounds of lands formerly owned by the Erie-Lackawanna Railroad Company;
THENCE North 39° 36' 21" West along said southwesterly bounds 243.82 feet;
THENCE South 82° 24' 12" West 51.75 feet;
THENCE South 08° 56' 17" East, 70.25 feet;
THENCE South 12° 11' 20" East, 48.00 feet;
THENCE South 05° 14' 10" East, 80.00 feet to the northerly bounds of Sheldon Street;
THENCE North 85° 12' 09" East along said northerly bounds 179.01 feet to the point or place of beginning, containing 0.5217 acre (22,723± square feet) of land more or less.

All bearings referred to True North at 78° 35' 00" meridian of West longitude.

ALTA/ACSM Land Title Survey

FORMER FOUNDRY PROPERTY

Surveyor's Certification

To: The People of the State of New York acting through its Commissioner of the Department of Environmental Conservation and Cattaraugus Abstract Corp.

The undersigned certifies that this map or plat and the survey on which it is based were made on the date shown below of the premises specifically described in Cattaraugus Abstract Corp. Title Search No. 43523 dated March 14, 2011 and were made (i) in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, the undersigned further certifies that in my professional opinion as a land surveyor registered in the State of New York, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

JAMES L. SHISLER, L.S., P.C.
PROFESSIONAL LAND SURVEYORS
WWW.SHISLERSURVEYORS.COM

P.O. BOX 516
EAST AURORA, NEW YORK 14052-0516
Phone: 716-655-1058
Fax: 716-655-1964
Email: shisurvg@gmail.com

Date of Survey: February 9, 2010
Date of Last Revision: April 8, 2011

Job No. 10047
Sheet No. E-2053

Sheet 1 of 1

UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

SCHEDULE 'A' – PROPERTY DESCRIPTION

STERA RAILROAD PROPERTY

Environmental Easement Area

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BEGINNING at the point of intersection of the northerly bounds of Sheldon Street with the southwesterly bounds of lands owned by the Southern Tier Rail Authority and being also the southwesterly bounds of lands formerly owned by the Erie—Lackawanna Railroad Company,

THENCE North 39° 36' 21" West along said southwesterly bounds 243.82 feet;

THENCE through the lands owned by the Southern Tier Rail Authority the following four (4) courses and distances:

1) North 50° 23' 39" East, 80.00 feet;

THENCE 2) South 39° 36' 21" East, 167.54 feet to the westerly bounds of Washington Street;

THENCE 3) South 00° 41' 11" West and along said westerly bounds, 58.38 feet;

THENCE 4) South 13° 27' 50" West and continuing along said westerly bounds, 52.85 feet to the point or place of beginning, containing 0.3856 acre (16,795± square feet) of land more or less.

All bearings referred to True North at 78° 35' 00" meridian of West longitude.

TRUE NORTH AT 78°35'00"
MERIDIAN OF WEST LONGITUDE

Miscellaneous Notes

(MNT) Observed evidence of recent earth moving work.

Utility Notes

(UN1) The locations of utilities shown hereon were determined from observation of ground appurtenances.

(UN2) The exact location of utility lines (i.e. electric, telephone, gas, water, and storm sewer) entering the subject property and the points of entry of such utilities into the subject property could not be determined.

Statement of Possible Encroachments

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Legend of Symbols & Abbreviations

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	UTILITY POLE	W.	WEST
	GUY ANCHOR	No.	NUMBER
	WATER LINE	L.	LIBER
		P.	PAGE
		SQ. FT.	SQUARE FEET
		°	DEGREES
		'	MINUTES OR FEET
		"	SECONDS OR INCHES
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		MEAS.	MEASURED
	BLACKTOP AREA		
	CONCRETE AREA		

Easements & Right of Ways

Right of way to Pennsylvania Gas Company, Inc. recorded in Liber 652 of deeds at page 323 was reassigned to National Fuel Gas Distribution Corporation at Liber 756 of deeds at page 1094. Right of way is a blanket type and not plotted hereon.

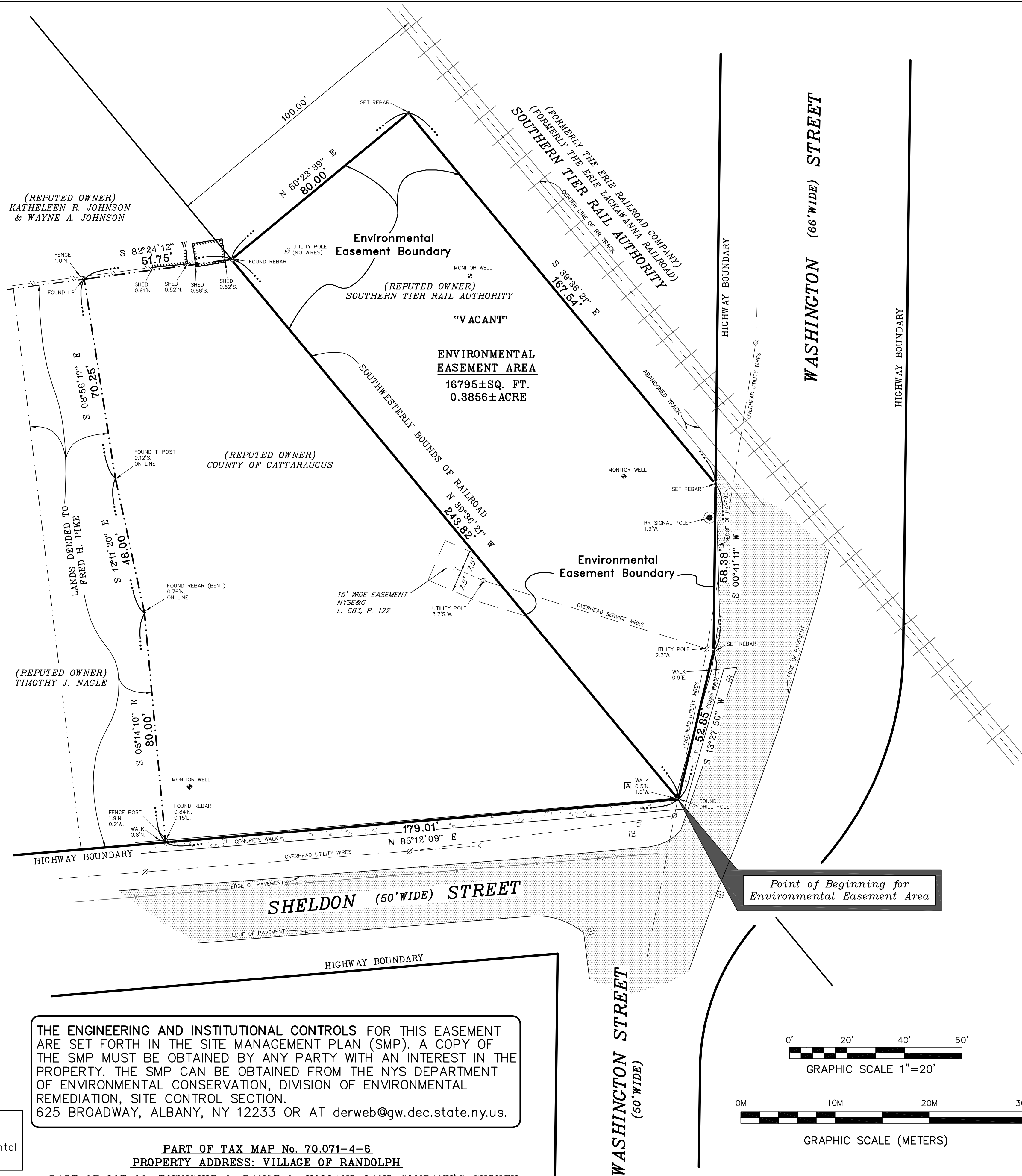
Easement to New York State Electric and Gas Corporation recorded in Liber 683 of deeds at page 122 is plotted hereon.

Easement to New York State Electric and Gas Corporation recorded in Liber 733 of deeds at page 803 does not affect premises.

Engineering / Institutional Controls

- Commercial Use restriction covers the entire Environmental Easement area.
- 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 is prohibited without testing and approval of the NYSDOH.
- Vegetable gardens and farming on the property are prohibited.

This property is subject to an Environmental Easement by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the New York Environmental Conservation Law.



THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH 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 CAN BE OBTAINED FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION.
625 BROADWAY, ALBANY, NY 12233 OR AT derweb@gw.dec.state.ny.us.

PART OF TAX MAP No. 70.071-4-6
PROPERTY ADDRESS: VILLAGE OF RANDOLPH

PART OF LOT 23, TOWNSHIP 2, RANGE 9, HOLLAND LAND COMPANY'S SURVEY
VILLAGE OF RANDOLPH, TOWN OF RANDOLPH, COUNTY OF CATTARAUGUS, STATE OF NEW YORK

Legal Description

Environmental Easement Area

Environmental Easement Area description is intending to describe parcel conveyed in deed dated February 26, 2001 recorded February 27, 2001 in Liber 1000 at page 959.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Randolph, Town of Randolph, County of Cattaraugus and State of New York, being part of Lot No. 23, Township 2, Range 9 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point of intersection of the northerly bounds of Sheldon Street with the southwesterly bounds of lands owned by the Southern Tier Rail Authority and being also the southwesterly bounds of lands formerly owned by the Erie-Lackawanna Railroad Company;
THENCE North 39° 36' 21" West along said southwesterly bounds 243.82 feet;
THENCE through the lands owned by the Southern Tier Rail Authority the following four (4) courses and distances:
1) North 50° 23' 39" East, 80.00 feet;
THENCE 2) South 39° 36' 21" East, 167.54 feet to the westerly bounds of Washington Street;
THENCE 3) South 00° 41' 11" West and along said westerly bounds, 58.38 feet;
THENCE 4) South 13° 27' 50" West and continuing along said westerly bounds, 52.85 feet to the point or place of beginning, containing 0.3856 acre (16,795± square feet) of land more or less.

All bearings referred to True North at 78° 35' 00" meridian of West longitude.

ALTA/ACSM Land Title Survey

STERA RAILROAD RIGHT OF WAY PROPERTY

Surveyor's Certification

To: The People of the State of New York acting through its Commissioner of the Department of Environmental Conservation and Cattaraugus Abstract Corp.

The undersigned certifies that this map or plot and the survey on which it is based were made on the date shown below of the premises specifically described in Cattaraugus Abstract Corp. Title Search No. 45474 dated March 14, 2011 and were made (i) in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, the undersigned further certifies that in my professional opinion as a land surveyor registered in the State of New York, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

JAMES L. SHISLER, L.S., P.C.
PROFESSIONAL LAND SURVEYORS
WWW.SHISLERSURVEYORS.COM

P.O. BOX 516
EAST AURORA, NEW YORK 14052-0516
Phone: 716-655-1058
Fax: 716-655-1964
Email: shisurv@gmail.com

Date of Survey: February 9, 2010
Date of Last Revision: April 8, 2011

Job No. 10048
Sheet No. E-2054

Sheet 1 of 1

UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN OR REPORT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

APPENDIX C

Sample Health & Safety Plan

HEALTH AND SAFETY PLAN

1.0 INTRODUCTION

The following health and safety procedures will be followed by PEI personnel performing field investigation and construction monitoring activities described in the Work Plan.

1.1 Purpose

Directed at protecting the health and safety of the field crew during field activities, the following site-specific Health and Safety Plan (HSP) was prepared to provide safe procedures and practices for personnel engaged in conducting the field activities associated with this plan. The plan has been developed using the Occupational Safety and Health Administration (OSHA) 1910 regulations as guidance. The purpose of this HSP is to establish personnel protection standards and mandatory safety practices and procedures for this task specific effort. This plan assigns responsibilities, establishes standard operating procedures, and provides for contingencies that may arise during the field efforts.

1.2 Applicability

The provisions of the plan are mandatory for all personnel engaged in field activities. All personnel who engage in these activities must be familiar with this plan and comply with its requirements. The plan is based on available information concerning the project area and planned tasks. If more data concerning the project area becomes available which constitute safety concerns, the plan will be modified accordingly. One crew member will be designated Field Safety Officer and will be responsible for in-field safety. Any necessary modifications to the plan will be made by the Field Safety Officer after discussion with the PEI Project Manager and Safety Manager. All modifications will be documented in the HSP plan and field book and provided to the Project Manager and the Health and Safety Manager for approval. A copy of this plan will be available for review by all on-site personnel. In addition, a copy of the plan will be provided to all subcontractors prior to their initial entry onto the site.

Before field activities begin, all personnel will be required to read the plan. All personnel must agree to comply with the minimum requirements of the site-specific plan, be responsible for health and safety, and sign the Statement of Compliance for all on-site employees before site work begins.

1.3 Field Activities

The tasks associated with the performance of the field work include:

1. Remedial investigation field activities
2. Construction monitoring

1.4 Personnel Requirements

Key personnel are as follows:

Project Manager:	To be named
Project Engineer:	To be named
Resident Project representative:	To be named
Safety Manager:	To be named

Site personnel and their duties are outlined below.

The Project Manager will be responsible for all personnel and subcontractors on-site and designates duties to on-site personnel. The Project Manager has the primary responsibility for:

1. Assuring that personnel are aware of the provisions of the HSP plan and are instructed in the work practices necessary to ensure safety for planned procedures and in emergencies;
2. Verifying that the provisions of this plan are implemented;
3. Assuring that appropriate personnel protective equipment (PPE), if necessary, is available for and properly utilized by all personnel;
4. Assuring that personnel are aware of the potential hazards associated with site operations;
5. Supervising the monitoring of safety performances by all personnel to ensure that required work practices are employed; and,
6. Maintaining sign-off forms and safety briefing forms.

Field Safety Manager:

1. Monitor safety hazards to determine if potential hazards are present;
2. Determine changes to work efforts or equipment needed to ensure the safety of personnel;
3. Evaluate on-site conditions and recommend to the Field Manager modifications to work plans needed to maintain personnel safety;
4. Determine that appropriate safety equipment is available on-site and monitor its

- proper use;
5. Monitor field personnel and potential for exposure to physical hazards, such as heat/cold stress, safety rules near heavy equipment and borings;
 6. Halt site operations if unsafe conditions occur or if work is not being performed in compliance with this plan;
 7. Monitor performance of all personnel to ensure that the required safety procedures are followed. If established safety rules and practices are violated, a report of the incident will be filed and sent to the Project Manager within 48 hours of the incident; and,
 8. Conduct daily safety meetings as necessary.

Field Personnel: The responsibility of each field crew member is to follow the safe work practices of this HSP and in general to:

1. Be aware of the procedures outlined in this plan;
2. Take reasonable precautions to prevent injury to him/herself and to his/her co-workers;
3. Perform only those tasks that he/she believes can be done safely and
4. Immediately report any accidents or unsafe conditions to the safety personnel and Project Manager;
5. Notify the safety personnel and Project Manager of any special medical problems (i.e., allergies or medical restrictions) and make certain that on-site personnel are aware of any such problems;
6. Think Safety First prior to and while conducting field work; and,
7. Do not eat, drink or smoke in work areas.

Each crew member has the authority to halt work should he deem conditions to be unsafe. Visitors will be required to report to the Field Manager or designee and follow the requirements of this plan.

2.0 SITE DESCRIPTION AND SAFETY CONCERNS

(to be completed based on anticipated construction)

2.2 Hazard Evaluation

Specific health and safety concerns particular to various construction tasks may include: an awareness of site contaminate levels identified in the SMP; site underground utilities, and manual/mechanical operation of field equipment. During field investigations and construction, extreme care must be taken so as not to damage an underground utility. The location of utilities will be marked by the utility company prior to construction.

2.2.1 Chemical Hazards

Chemical hazards, if any, are identified in the SMP. Potential routes of exposure and levels of protection may include the following.

Potential routes of exposure include:

1. Skin contact;
2. Inhalation of vapors or particles;
3. Ingestion; and,
4. Entry of contaminants through cuts, abrasions or punctures.

The anticipated levels of personnel protection will include Level D personal protective equipment:

1. Long sleeve shirt and long pants (recommended),
2. Work boots,
3. Hard hats, if work is conducted around heavy equipment or overhead hazards,
4. Safety Glasses
5. Gloves to include work gloves and chemical resistant gloves when sampling potentially contaminated materials.

Modifications may include chemically resistant gloves, boots/booties, and overalls. If monitoring levels indicate levels requiring respiratory protection (sustained readings at or above 5 ppm above a daily established background), work will be halted pending discussions with field and office management. If any readings are recorded above background, work will proceed with caution and breathing zone monitoring will be conducted.

2.2.2 Physical Hazards

Depending on the time of year, weather conditions or work activity, some of the following potential physical hazards could result from project activities:

1. Noise;
2. Heat Stress;
3. Cold Stress;
4. Slips, trips, and falls;
5. Exposure to moving machinery or stored energy;
6. Physical eye hazards;
7. Lacerations and skin punctures;
8. Back strain from lifting equipment;
9. Electrical storms and high winds;
10. Contact with overhead or underground utilities.

Slips, Trips, and Falls. Field personnel shall become familiar with the general terrain and potential physical hazards which would be associated with accidental risk of slips, trips, and/or falls. Special care shall be taken along the steep embankment and when performing sediment sampling requiring wading into the creek. Workers will observe all pedestrian and vehicle rules and regulations. Extra caution will be observed while working near roadways and while driving in reverse to ensure safety.

Noise. All personnel shall wear hearing protection devices, such as ear muffs or ear plugs, if work conditions warrant. These conditions would include difficulty hearing while speaking to one another at a normal tone within three feet. If normal speech is interfered with due to work noise, the field safety officer will initiate the mandatory use of hearing protection around the backhoe, or other noise-producing equipment or events.

Heat/Cold Stress. Heat stress work modification may be necessary during ambient temperatures of greater than 29° C (85° F) while wearing normal clothing or exceeding 21° C (70° F) while wearing personnel protective clothing. Because heat stress is one of the most common and potentially serious illnesses at work sites, regular monitoring and preventive measures will be utilized should conditions warrant. This may include additional rest periods, supplemental fluids, restricted consumption of drinks containing caffeine or alcohol, use of cooling vests, or modification of work practices.

Most of the work to be conducted during the investigations is expected to consist of light manual labor and visual observation. Given the nature of the work and probable temperatures, heat stress hazards are not anticipated.

If work is to be conducted during winter conditions, cold stress may be a concern to the health and safety of personnel. Wet clothes combined with cold temperatures can lead to hypothermia. If air temperature is less than 40° F (4° C) and an employee perspires, the employee must change to dry clothes. The following summary of the signs and symptoms of cold stress are provided as a guide for field and safety personnel.

Incipient frostbite is a mild form of cold stress characterized by sudden blanching or whitening of the skin.

Chilblain is an inflammation of the hands and feet caused by exposure to cold moisture. It is characterized by a recurrent localized itching, swelling, and painful inflammation of the fingers, toes, or ears. Such a sequence produces severe spasms, accompanied by pain.

Second-degree frostbite is manifested by skin with a white, waxy appearance and the skin is firm to the touch. Individuals with this condition are generally not aware of its seriousness because the underlying nerves are frozen and unable to transmit signals to warn the body. Immediate first aid and medical treatment are required.

Third-degree frostbite will appear as blue blotchy skin. The tissue is cold, pale, and solid. Immediate medical attention is required.

Hypothermia develops when body temperature falls below a critical level. In extreme cases, cardiac failure and death may occur. Immediate medical attention is warranted when the following symptoms are observed:

1. Involuntary shivering
2. Irrational behavior
3. Slurred speech
4. Sluggishness

Fire and Explosion. These hazards will be minimal for activities associated with this project. All heavy equipment will be equipped with a fire extinguisher..

Trenching and Excavations. There are a variety of potential health and safety hazards associated with excavations. These include:

- Surface encumbrances, such as structures, fencing, stored materials, etc., may interfere with safe excavations;
- Below- and above-ground utilities, such as water and sewer lines, gas lines, power lines, telephones, and optical cable lines, etc.;
- Overhead power lines and other utilities which may be contacted by the excavation equipment;
- Vehicle and heavy equipment traffic around the excavations;
- Falling loads from lifting or digging equipment;
- Water accumulation within excavations;
- Hazardous atmospheres, such as oxygen deficiency, flammable gases or vapors, and toxic gases which may occur in excavations,
- Falling into or driving equipment or vehicles into unprotected or unmarked excavations; and,
- Cave-in of loose rocks and soil at the excavation face.

OSHA requirements for trenching and excavations are contained in 29 CFR, subpart P, 1926.650 thru 1926.652.

Basic minimum excavation requirements should include:

- Personnel entry into excavations should be minimized, whenever possible and no entry will occur in pits below 4 feet in depth.
- Sloping, shoring or some other equivalent means should be utilized, as required.
- Surface encumbrances such as structures, fencing, piping, stored material etc. which may interfere with safe excavations should be avoided, removed or adequately supported prior to the start of excavations. Support systems should be inspected daily.

- Underground utility locations should be checked and determined and permits as necessary should be in place prior to initiating excavations. Local utility companies will be contacted at least two days in advance, advised of proposed work, and requested to locate underground installations. When excavations approach the estimated location of utilities, the exact location should be determined by careful probing or hand digging and when it is uncovered, proper supports should be provided.
- A minimum safe distance of 15 feet should be maintained when working around overhead high-voltage lines or the line should be de-energized following appropriate lock-out and tag-out procedures by qualified utility personnel.
- Excavations five feet or more deep if entered will require an adequate means of exit, such as a ladder, ramp, or steps and located so as to require no more than 25 feet of lateral travel. Under no circumstances should personnel be raised using heavy equipment.
- Personnel working around heavy equipment, or who may be exposed to public vehicular traffic should wear a traffic warning vest. At night, fluorescent or other reflective material is recommended to be worn.
- Heavy equipment or other vehicles operating next to or approaching the edge of an excavation will require that the operator have a clear view of the edge of the excavation, or that warning systems such as barricades, hand or mechanical signals, or stop logs be used. If possible the surface grade should slope away from the excavation.
- Personnel should be safely located in and around the trench and should not work underneath loads handled by lifting or digging equipment.
- Hazardous atmospheres, such as oxygen deficiency (atmospheres containing less than 19.5% oxygen), flammable gases or vapors (airborne concentrations greater than 20% of the lower explosive limit), and toxic gases or vapors (airborne concentrations above the OSHA Permissible Exposure Limit or other exposure limits) may occur in excavations. Monitoring should be conducted for hazardous atmospheres prior to entry and at regular intervals. Ventilation or respiratory protection may be provided to prevent personnel exposures to oxygen deficient or toxic atmospheres. Periodic retesting (at least each shift) of the excavation will be conducted to verify that the atmosphere is acceptable. A log or field book records should be maintained.
- Personnel should not work in excavations that have accumulated water or where water is accumulating unless adequate precautions have been taken. These precautions can include special support or shield systems, water removal systems such as pumps, or safety harnesses and lifelines. Groundwater entering the excavation should be properly directed away and down gradient from the excavation.
- Safety harnesses and lifelines should be worn by personnel entering excavations that qualify as confined spaces.
- Excavations near structures should include support systems such as shoring,

bracing, or underpinning to maintain the stability of adjoining buildings, walls, sidewalks, or other structures endangered by the excavation operations.

- Loose rock, excavated or other material, and spoils should be effectively stored and retained at least two and preferably 5 feet or more from the edge of the excavation. Barriers or other effective retaining devices may be used in order to prevent spoils or other materials from falling into the excavation.
- Walkways or bridges with standard guardrails that meet OSHA specifications will be provided where employees, the public, or equipment are required to cross over excavations.
- Adequate barrier physical protection should be provided and excavations should be barricaded or covered when not in use or left unattended. Excavations should be backfilled as soon as possible when completed.
- Safety personnel should conduct inspections prior to the start of work and as needed throughout the work shift and after occurrence that increases the hazard of collapse (i.e., heavy rain, vibration from heavy equipment, freezing and thawing, etc.).
- Personnel working in excavations should be protected from cave-ins by sloping and/or benching of excavation walls, a shoring system or some other equivalent means in accordance with OSHA regulations. Soil type is important in the determination of the angle of repose for sloping and benching, and the design of shoring systems.

2.2.3 Biological Hazards

Biological hazards can result from encounters with mammals, insects, snakes, spiders, ticks, plants, parasites, and pathogens. Mammals can bite or scratch when cornered or surprised. The bite or scratch can result in local infection with systemic pathogens or parasites. Insect and spider bites can result in severe allergic reactions in sensitive individuals. Exposure to poison ivy, poison oak or poison sumac results in skin rash. Ticks are a vector for a number of serious diseases. Dead animals, organic wastes, and contaminated soil and water can harbor parasites and pathogens. These hazards will be reduced to non-existent if work is conducted during late fall and winter months. The following are highlighted because they represent more likely concerns for the site-specific tasks and location:

Bees, Ants, Wasps and Hornets. Sensitization by the victim to the venom from repeated stings can result in anaphylactic reactions. If a stinger remains in the skin, it should be removed by teasing or scraping, rather than pulling. An ice cube placed over the sting will reduce pain. An analgesic-corticosteroid lotion is often useful. People with known hypersensitivity to such stings should consult with their doctor about carrying a kit containing an antihistamine and aqueous epinephrine in a pre-filled syringe when in endemic areas. Nests and hives for bees, wasps, hornets and yellow jackets often occur in the ground, trees and brush. Before any nests or hives are disturbed, an alternate sampling

location should be selected. If the sample location cannot be relocated, site personnel who may have allergic reactions shall not work in these areas.

Storm Conditions. When lightening is within 10 miles of the work site, all personnel should evacuate to a safe area.

Sun. When working in the sun, personnel should apply appropriate sun screening lotions (30 sun screen or above), and/or wear long sleeve clothing and hats.

Field personnel should refrain from handling any foreign objects such as hypodermic needles, glass, etc.

3.0 SAFE WORKING PRACTICES

3.1 General Practices

The following general safe work practices apply:

- Eating, drinking, chewing gum or tobacco and smoking are prohibited within the work area as part of safe work practices.
- Contact with potentially contaminated substances should be avoided. Puddles, pools, mud, etc. should not be walked through if possible. Kneeling, leaning, or sitting on equipment or on the ground should be avoided whenever possible.
- Upon leaving the work area, hands, face and other exposed skin surfaces should be thoroughly washed.
- Unusual site conditions shall be promptly conveyed to the site manager and safety personnel as well as the project management for resolution.
- A first-aid kit shall be available at the site.
- Field personnel should use all their senses to alert themselves to potentially dangerous situations (i.e., presence of strong, irritating, or nauseating odors).
- Personal hygiene practices such as no eating, drinking or smoking will be followed.
- If severe dusty conditions hazardous to the crew are present, soils will be dampened to mitigate dust. All equipment will be cleaned before leaving the work area.
- Field personnel must attend safety briefings and should be familiar with the physical characteristics of the investigation, including:
 - Accessibility to associates, equipment, and vehicles.
 - Areas of known or suspected contamination.
 - Site access.
 - Routes and procedures to be used during emergencies.
- Personnel will perform all investigation activities with a buddy who is able to:
 - Provide his or her partner with assistance.
 - Notify management / emergency personnel if emergency help is needed.

- Excavation activities shall be terminated immediately in event of thunder and/or electrical storm.
- The use of alcohol or drugs at the site is strictly prohibited.

4.0 PERSONAL SAFETY EQUIPMENT

As required by OSHA in 29 CFR 1920.132, this plan constitutes a workplace hazard assessment to select personal protective equipment (PPE) to perform the site investigation.

The PPE to be donned by on-site personnel during this investigation are those associated with the industry standard of level D. Protective clothing and equipment to initiate the project will include:

- Work clothes
- Work boots
- Work gloves as necessary
- Hard hat if work is conducted in areas with overhead danger
- Hearing protection as necessary

Modifications may include chemically resistant gloves, boots/booties, and overalls. If monitoring levels indicate levels requiring respiratory protection (sustained readings at or above 5 ppm above a daily established background), work will be halted pending discussions with field and office management.

5.0 SITE CONTROL

Site control will be established near each work zone (drilling or excavation locations). The purpose is to control access to the immediate excavation/trenches from individuals not associated with the project. Site control will be established within ten feet of the drilling unit or other heavy equipment. The work area will be appropriately designated as an exclusion area.

5.1 Work Zones (For excavations/drilling using heavy equipment or deeper than 3 feet)

Each excavation will be set up in work zones to include an exclusion area and support zone. Exact configuration of each zone is dependent upon location, weather conditions, wind direction and topography. The safety manager will establish the control areas daily at each excavation.

An area of 10 feet (as practical) around each excavation will be designated as the exclusion area. This is the area where potential physical hazards are most likely to be encountered by field personnel. The size of the exclusion area may be altered to

accommodate site conditions and the drilling/excavation location. A personal decontamination area will be established at the perimeter of the work zone consisting primarily of a boot wash.

A support area will be defined for each field activity. Support equipment will be located in this clean area. Normal work clothes are appropriate within this area. The location of this area depends on factors such as accessibility, wind direction (upwind of the operation.), and resources (i.e., roads, shelter, utilities). The location of this zone will be established daily.

Upon completion of each test pit all excavation, the excavation will be filled (no pit will be left open unattended) and support equipment will be steam cleaned before leaving the site.

6.0 EMERGENCY INFORMATION

In the event of an emergency, the field team members or the site safety manager will employ emergency procedures. A copy of emergency information will be kept in the field vehicle and will be reviewed during the initial site briefing. Copies of emergency telephone numbers and directions to the nearest hospital will be prominently posted in the field vehicle.

6.1 Emergency Medical Treatment and First Aid

A first aid kit large enough to accommodate anticipated emergencies will be kept in the field vehicle. If any injury should require advanced medical assistance, emergency personnel will be notified and the victim will be transported to the hospital.

In the event of an injury or illness, work will cease until the safety manager and field manager have examined the cause of the incident and have taken appropriate corrective action. Any injury or illness, regardless of extent, is to be reported to the project manager.

6.2 Emergency Telephone Numbers and Hospital

Emergency telephone numbers for medical and chemical emergencies will be posted in the on site construction trailer or building. Numbers to be included are as follows:

Ambulance	911
Fire	911
Police - NYS Troopers	911
Poison Control Center	1-800-888-7655
PEI Health & Safety Manager:	(to be named)
NYSDEC Spills Hotline	1-800-457-7362

NYSDEC Project Manager – (to be named)
NYSDOH Project Manager – (to be named)

Hospital – Hospital name and directions to hospital to be provided here.

Verbal communications between workers or use of a site vehicle horn repeated at intervals of three short beeps shall be used to signal all on-site personnel to immediately evacuate the area and report to the vehicle parking area.

6.3 Emergency Standard Operating Procedures

The following standard operating procedures are to be implemented by on-site personnel in the event of an emergency. The field managers shall manage response actions.

- Upon notification of injury to personnel, the designated **emergency signal shall be sounded**, if necessary. All personnel are to terminate their work activities and assemble in a safe location. The emergency medical service and hospital emergency room shall be notified of the situation. If the injury is minor, but requires medical attention, the field safety manager shall accompany the victim to the hospital and provide assistance in describing the circumstances of the accident to the attending physician.
- Upon notification of an equipment failure or accident, the field safety manager shall determine the effect of the failure or accident on site operations. If the failure or accident affects the safety of personnel or prevents completion of the scheduled operations, all personnel are to leave the area until the situation is evaluated and appropriate actions taken.
- Upon notification of a natural disaster, such as tornado, high winds, flood, thunderstorm or earthquake, on-site work activities are to be terminated and all personnel are to evacuate the area.

6.4 Emergency Response Follow-Up Actions

Following activation of the Emergency Response Plan, the field safety manager shall notify the project manager and other PEI managers. The field safety manager shall submit a written report documenting the incident within two working days.

6.5 Medical Treatment for Site Accidents/Incidents

The field safety manager shall be informed of any site-related injury, exposure or medical condition resulting from work activities. All personnel are entitled to medical evaluation and treatment in the event of a site accident or incident.

6.6 Site Medical Supplies and Services

The field safety manager or a trained first aid crew member shall evaluate all injuries at the site and render emergency first-aid treatment as appropriate. If an injury is minor but requires professional medical evaluation, the field safety manager shall escort the employee to the appropriate emergency room. For major injuries occurring at the site, emergency services shall be requested.

A first-aid kit shall be available, readily accessible and fully stocked. The first-aid kit shall be located within specified vehicles used for on-site operations.

6.7 Universal Precautions

Universal precautions shall be followed on-site at all times. This consists of treating all human blood and certain body fluids as being infected with Human Immune Deficiency Virus (HIV), Hepatitis B virus (HBV), and other blood borne pathogens. Clothing and first-aid materials visibly contaminated with blood or other body fluids will be collected and placed into a biohazard bag. Individuals providing first aid or cleanup of blood- or body-fluid contaminated items should wear latex gloves. If providing CPR, a one-way valve CPR device should be used. Biohazard bags, latex gloves, and CPR devices will be included in the site first-aid kits.

Work areas visibly contaminated with blood or body fluids shall be cleaned using a 1:10 dilution of household bleach. If equipment becomes contaminated with blood or body fluids, and can not be sufficiently cleaned, the equipment shall be placed in a plastic bag and sealed.

Any personnel servicing the equipment shall be made aware of the contamination, so that proper precautions can be taken.

7.0 RECORD KEEPING

The Field Manager and safety manager are responsible for site record keeping. Prior to the start of work, they will review this Plan.

A Site Safety Briefing will be completed prior to the initiation of investigation activities. This shall be recorded in the field log book. An Accident Report should be completed by the Field Manager in the event that an accident occurs and forwarded to the office administrative manager.

8.0 PERSONNEL TRAINING REQUIREMENTS

8.1 Initial Site Entry Briefing

Prior to initial site entry, the field safety manager shall provide all personnel (including site visitors) with site-specific health and safety training. A record of this training shall be maintained. This training shall consist of the following:

- Discussion of the elements contained within this plan
- Discussion of responsibilities and duties of key site personnel
- Discussion of physical, biological and chemical hazards present at the site
- Discussion of work assignments and responsibilities
- Discussion of the correct use and limitations of the required PPE
- Discussion of the emergency procedures to be followed at the site
- Safe work practices to minimize risk
- Communication procedures and equipment
- Emergency notification procedures

8.2 Daily Safety Briefings

The field safety manager will determine if a daily safety briefing with all site personnel is needed. The briefing shall discuss the specific tasks scheduled for that day and the following topics:

- Specific work plans
- Physical, chemical or biological hazards anticipated
- Fire or explosion hazards
- PPE required
- Emergency procedures, including emergency escape routes, emergency medical treatment, and medical evacuation from the site
- Weather forecast for the day
- Buddy system
- Communication requirements
- Site control requirements
- Material handling requirements

APPENDIX D

Inspection Form

Panamerican Environmental. Inc
2390 Clinton Street
Buffalo, New York

SITE WIDE INSPECTION FORM

Date:

Site Name:

Location:

General Site Conditions:

Weather Conditions:

Compliance/Evaluation ICs and ECs :

Site management Activities (sampling, H & S Inspection, etc.):

Compliance With Permits and O & M Plan:

Records Compliance:

General Comments:

INSPECTOR'S NAME: