

APPENDIX A

Site Management Plan

SITE MANAGEMENT PLAN

The site remedy relies on the continued maintenance of the existing engineering controls (parking lot, buildings, and landscaped areas) to prevent direct contact with soil in all areas of the Site, including the southern berm and northwestern areas of the site. Contact with impacted site soils may occur during future construction or related activities (tree planting, installation or maintenance of light poles, etc.). This section describes the monitoring and maintenance program that will be implemented on an ongoing basis at the Site. The program consists of the following components, described in further detail herein and set forth in the Environmental Easement:

- ◆ Engineering Controls;
- ◆ Soil Management Plan;
- ◆ Annual Certification;
- ◆ Institutional Controls.

1.0 ENGINEERING CONTROLS

Engineering controls are the actual physical Site features that prevent direct contact with impacted soil. Sufficient cover exists across the entire Site to prevent direct contact with impacted soil. The purpose of the maintenance and monitoring program is to describe the on-going maintenance necessary to ensure that the cover materials remain in place. These measures will provide long-term protection and prevent direct contact with impacted soil.

The engineering controls at the Site consist of asphalt cover over the parking areas, existing buildings, and structures and vegetative cover over the remaining landscaped areas. Specific inspection and maintenance procedures regarding these controls are discussed below.

1.1 ASPHALT COVER

The asphalt parking areas will be maintained in good condition, free of potholes, ruts, significant cracking, and other disrepair. These areas will be inspected on a semi-annual basis. One inspection will be scheduled to follow the spring thaw and the end of major winter storm events. The second inspection will occur six (6) months later in the fall and prior to first frost. During these inspections, the condition of the asphalt cover, ponding of surface water surface depressions, etc., shall be noted and documented on the Remedy Inspection Form. A copy of the completed Remedy Inspection Form (Table 8-2) should be transmitted to the building's managing office and retained by the Owner for future review purposes.

The need for repairs will be determined during the inspection events and noted on the Remedy Inspection Form. Following inspections, any necessary repairs to restore the surfaces to the asphalt cover will be carried out. Repairs may include patching, sealing of cracks, and paving. Documentation of the repairs will be filed in the building's managing office and retained by the

Owner for future review purposes.

When so indicated by the Site inspections, asphalt repairs should be made within 7 days of notice to the building manager. The date and nature of the repairs shall also be documented and retained by the Owner. The spring inspection should be scheduled to coincide with the opening of area asphalt batch plants such that materials for the repairs are readily available. Likewise, the fall inspection should be scheduled prior to the closing of area batch plants such that any necessary repairs can be made prior to winter. The asphalt mix selected shall match the existing pavement and shall be of sufficient quality to endure the weather conditions at the site.

1.2 VEGETATIVE COVER

In most vegetated areas of the site, the existing vegetation is the key component of the cover system. Therefore, the importance of the vegetation is to provide an actual barrier from potentially impacted soil, and to prevent surface erosion.

The final vegetated surfaces must be inspected regularly to ensure that the underlying soil is properly protected by the depth and vegetation of the cover (i.e. if any augmentation of the vegetative cover is carried out, the surfaces after this activity has concluded). It is recommended that the vegetated areas be visually inspected on at least a semi-annual basis and following major storm events as noted in Section 1.1.

The protection provided by the vegetative cover should normally be complete with no visible bare spots. The inspector must look for erosion rivulets on slopes or any sign of settling. Holes from burrowing animals must also be noted and addressed as they pose an erosion problem or threat.

If inspections reveal that the vegetative cover integrity may be compromised in any way, appropriate mitigative actions must be implemented. Repairs to bare soil areas may include plantings, seeding, fertilizer application and soil conditioning, if applicable. Erosion may be reduced by improving vegetation and altering contours (if appropriate) to minimize stormwater run-off velocities. Sections of the slopes that have subsided must be backfilled, graded and seeded if necessary. The nature of the repairs must be documented by the Owner and retained for future review purposes.

1.3 EXTERNAL BUFFER ZONE

At the time the 500 Mamaroneck Avenue property was developed, i.e. the office building and parking areas were constructed, the Harrison Board of Zoning required that approximately 20 acres of the site be set aside as buffer between the office and adjoining residences. A portion of the undeveloped portion of the property, the Eastern Buffer Zone, consisting of a wooded area and a seasonal pond cannot be developed. Yearly inspection of the portion of the property, coincident with one of the asphalt or berm inspections will be carried out to ensure that the portion of the property remains undeveloped as required by the Zoning Board Resolution.

2.0 SOIL MANAGEMENT PLAN

For the site remedy to remain protective in the future, all subsurface soils must remain undisturbed, or if required to be disturbed, such disturbance must be planned to ensure the protection of site workers, public health, and the environment. The Health and Safety Plan (Appendix B) will be used by workers carrying out these activities. Further, the NYSDEC shall be informed of any such work in writing before any such construction occurs. During future site development activity, the excavation of soil/fill may be necessary during the construction of footings, utilities, and other related activities. Residual contaminated soils may be excavated from the site during such activities. If this occurs, characterization of soil will be performed and, where applicable, disposal/reuse will be done in accordance with NYSDEC regulations. Proper management of the disturbed soil and any associated waste materials (groundwater, sediment, etc.) shall be necessary and will require the approval of the NYSDEC. Further, evaluation of the potential for vapor intrusion for any buildings developed on the site, including provision for mitigation of any impacts identified will be performed. Finally, future redevelopment will be conducted such that all use restrictions (development and groundwater) detailed in the VCA are complied with.

3.0 ANNUAL CERTIFICATION

The Volunteer and Owner will be responsible for the recording of an institutional control in form of an Environmental Easement. The easement will require that the property owner comply with the approved site management plan, limit the use and development of the property to commercial or industrial uses as specified in the easement, restrict the use of groundwater as a source of potable or process water, and require the property owner to complete and submit to the NYSDEC an annual certification. The certification must state that the engineering controls described above are in place and effective. It is recommended that the annual inspection be conducted toward the end of each calendar year such that it follows the conclusion of any seasonal repairs performed during the calendar year.

The Property Owner shall file an annual report by January 15th to the NYSDEC Project Manager. The annual report can be signed by the Property Owner or their designee (Professional Engineer or Geologist) and shall contain a certification that the institutional and engineering controls put in place pursuant to the Agreement are still in place, are being complied with, have not deteriorated, and are still effective.

4.0 INSTITUTIONAL CONTROLS

Institutional controls in the form of an Environmental Easement will be implemented for the Site as noted above. The easement will be applicable to the entire Site and include a map showing the area of control, a description of the controls. The easement will be executed by the Property Owner in a manner enforceable by the State of New York to establish and maintain the environmental easement and will be in a recordable form pursuant to Real Property Law Section 291. The environmental easement will contain legal deed restrictions specifying the following:

- ◆ the site may continue to be used for the uses set forth in the VCA and Environmental Easement only;
- ◆ the site can not be used for day care, child care, or medical care purposes without the consent of the NYSDEC;
- ◆ groundwater at the site may not be used for potable purposes unless the NYSDEC provides express written permission to allow use for a specific potable purpose; continued use of groundwater for the existing waterfall is permissible; and
- ◆ the asphalt parking areas and landscaped areas are considered engineering controls which must be perpetually maintained.

Evidence of the filing of the Environmental Easement with the Westchester County Clerk's Office will be forwarded to designated NYSDEC representatives.