

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Office of the Director  
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Niagara Mohawk Power Corporation  
300 Erie Blvd. West  
Syracuse, NY 13202  
Attn: Brian Stearns

November 23, 2016

Site No.: V00467  
Site: NM - Whitehall MGP

Dear Volunteer:

Re: Termination of New York State's Voluntary Cleanup Program (VCP)

The New York State Department of Environmental Conservation (DEC) Voluntary Cleanup Program (VCP) is an administrative program developed in 1994 to promote the cleanup and redevelopment of contaminated sites. The VCP was superseded by the Brownfield Cleanup Program (BCP) in 2003, after which new applications to the VCP were no longer accepted. Approximately 150 sites currently remain in the VCP.

I am writing to notify you, as a volunteer in the VCP, of the forthcoming termination of the program. Current projects in the VCP will be given until March 31, 2018 to complete a remedial program and receive a Release or No Further Action Letter, after which all Voluntary Cleanup Agreements (VCAs) will be terminated. Volunteers who cannot complete their projects by that date may apply to DEC's Brownfield Cleanup Program (BCP), or enter into an Order on Consent under Article 27, Title 13 of Environmental Conservation Law ("State Superfund"). Projects that are currently subject to a multi-site VCA that cannot be completed by March 31, 2018 may pursue entry into the BCP on an individual site basis, or may be the subject of a multi-site Order on Consent.

Please contact the DEC's project manager for your VCP project and verify whether it is possible to complete your project, including implementation of all institutional and engineering controls, by March 31, 2018. If you are not close to completing your project, or are not in compliance with your current project schedule, you may be asked to submit an updated schedule demonstrating how it will be possible to complete your project by that deadline. Projects which are clearly not going to meet the deadline are encouraged to transition to the BCP or State Superfund program as soon as possible. For sites that are eligible for the BCP, any available tax credits would be maximized by an earlier

transition. Information concerning DEC's Brownfield and Superfund programs may be found on our web site at <http://www.dec.ny.gov/about/627.html>

If you have any questions about your project, or the Department's remedial programs, please contact the DEC project manager assigned to your project.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Schick", is centered on a light yellow rectangular background.

Robert W. Schick, P.E.

Director

Division of Environmental Remediation