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August 13, 2026

Ms. Megan Kuczka
Environmental Program Specialist 1
New York State Department of Environmental Conservation
Division of Environmental Remediation, Region 9
700 Delaware Avenue
Buffalo, New York 14209

Re: **Excavation Work Notification (EWN) for the EV Installation Project (Revised)**
Tesla Gigafactory New York (GFNY) Site (V00619)
Buffalo, NY 14220

Dear Ms. Kuczka:

Per our discussions, your emailed comments dated August 11, 2026, our emailed responses to those comments dated August 12, 2026, emailed comments from Tom Papura dated August 13, 2026, and our emailed responses to those comments dated today, TRC Engineers, Inc. (TRC) has prepared this revised *Excavation Work Notification (EWN) for the Electric Vehicle (EV) Charger Installation Project* on behalf of Tesla, Inc. (Tesla) at the Tesla Gigafactory New York (GFNY) Site, Buffalo, New York (see **Figures 1 and 2**). The Tesla Site, also known as the RiverBend (Steelfields) Area I Site, is a New York State Department of Environmental Conservation (NYSDEC) Voluntary Cleanup Program (VCP) Site (No. V00619). Specifically, the purpose of this letter is to provide Department notification for installation of 32 new EV chargers along the south side of Parking Lot No. 8 at the Tesla Site, the spoils of which are being proposed to be added to the Fiber Optic (South) berm constructed in August 2025 (see **Figures 2 and 3**). Each of the Department's comments has been addressed herein.

The environmental activities described herein will be performed in general accordance with the following documents and regulations:

- NYSDEC-approved Site Management Plan (SMP) (revised September 2021) for Area I of the former Steelfields (aka RiverBend, LLC) Site, now known as the Tesla Gigafactory 2 Site;
- TRC's site-specific Health and Safety Plan (HASP);
- NYSDOH's Generic Community Air Monitoring Plan (CAMP) (**Attachment 1**);
- Occupational Safety and Health Administration (OSHA) 29 CFR 1910.120 (*Hazardous Waste Operations and Emergency Response (HAZWOPER)*);
- OSHA 29 CFR 1926 Subpart P (*Excavations*); and
- This EWN.

SUMMARY OF ENVIRONMENTAL CONDITIONS

Based on previous analytical data collected as part of a comprehensive Site Assessment and completed remedial actions for the Tesla (Area I) Site, Constituents of Concern include: volatile organic compounds (VOCs) present in soil/fill/slag at elevated concentrations are limited to benzene, ethylbenzene, toluene, and xylenes (BTEX); semi-volatile organic compounds (SVOCs) present in soil/fill/slag are exclusively limited to polycyclic aromatic hydrocarbons (PAHs); and heavy metals present in soil/fill/slag are limited to arsenic, chromium, and lead with mercury detected in isolated instances. Similar impacts were also identified in Tesla (Area I) Site groundwater. The native sand and clay soils present below the Tesla (Area I) Site soil/fill/slag material were determined to not contain these analytes.

In 2015, low-level radiological activity was identified at the Site which was defined as technologically enhanced naturally occurring radiological material (TENORM). In general, TENORM exhibits low-level radiological activity and contains radionuclides that are present naturally in rocks, soils, water, and minerals and that have become concentrated due to human activities such as manufacturing, water treatment, or mining operations. The slag material at the Site is the likely source of the TENORM; a byproduct of the former iron and steel manufacturing operations which processed and co-processed NORM-containing ores and mined materials. The primary TENORM isotope identified at the Site is Radium-226. There is the potential for TENORM radionuclides to occur from both Thorium-232 (Th-232) and Uranium-238 (U-238) decay chains and as such the analysis performed will be focused on detecting and quantifying those nuclides. Based on experience at other WNY sites, Ra-226 and its decay chain progeny will be the dominant TENORM nuclides present. At the Tesla Site, concentrations of radium are below 30 picocuries per gram (pCi/g) and as such, standard industrial hygiene controls will limit radiation doses to virtually zero during field projects that may occur below the site demarcation layer (i.e., intrusive activities). As such, radiological field screening and laboratory analysis are to be performed during all intrusive activities at the Tesla Site.

PROJECT UNDERSTANDING

It is our understanding that work activities will include the installation of 24 Level 2 EV chargers and 8 Magic Dock EV Chargers along the south side of Parking Lot No. 8 (see **Figures 2 and 3**). Project work will include installation of concrete pads for the EV posts and excavation of one ±400-foot-long by ±2-foot-wide by ±2-foot-deep electrical conduit trench. The trench will be excavated from the Demarc Building to the northeast corner of Parking Lot No. 8, then along the entire south side of that parking lot (see **Figure 2**). This project will penetrate the final cover and demarcation layer but not substantively change the use of the cover system within the project area of Site. As such, a Change-of-Use Form (COU) will not be required by NYSDEC.

The project area is comprised of 1-foot of topsoil over a demarcation layer (approximately 30 cubic yards, or CYs). Prior to conduit trench excavation, existing topsoil will be removed, temporarily cast aside, and stockpiled; to be re-used as backfill following EV charger installation. Stockpiled topsoil from other on-site projects located at the rear of the Tesla property (as well as topsoil stripped and stockpiled during a separate Tesla project planned for August 2026) will be used to supplement backfilling as well as site restoration upon project completion. This topsoil has already been approved by the Department, so an Import Request Form is not required. Following conduit trench backfilling, a new demarcation layer will be re-installed followed by placement of clean, NYSDEC-approved topsoil. No materials will be imported for this project so an Import Request Form will not be required.

Excavated soil/fill material beneath the demarcation layer, estimated to be 30 CYs (approximately 50 tons), will be transported to a pre-selected staging area at the back of the Tesla Site. Spoils material will be placed on and covered with polyethylene tarps, with ballast. During trenching activities, TRC will collect requisite waste characterization (WC) samples for laboratory analysis to obtain NYSDEC approval for planned on-site re-use by extending the existing earthen berm along the general alignment of the buried Fiber Optic Cable (South) (see **Figure 2**). Approximately 135 linear feet (LF) of installed Fiber Optic Cable (South) not covered by the existing berm remains. Multiplying the berm cross-sectional area of 40 square feet (SF) times 135 LF yields approximately 5,400 cubic feet (CF), or 200 CYs of available “air space” for that length of berm (see **Figure 4**); plenty of room for the estimated 30 CYs of spoils. NYSDEC review and approval will be required for this re-use.

TRC will be providing full-time environmental oversight and field screening during intrusive work associated with this project. In accordance with NYSDEC Department of Materials Management (DMM) requirements (DMM-5), PSH, LLC (PSH), TRC’s radiological support subcontractor, will be providing full-time radiological oversight and field screening during intrusive work associated with this project. PSH is a New York State Department of Health (NYSDOH) Bureau of Environmental Radiation Protection-licensed decontamination and decommissioning (D&D) contractor with a current NYS Radioactive Materials License #C6194.

SCOPE OF WORK

SMP activities for this project will include pre-excavation activities (i.e., utility clearance and a radiological survey) followed by electrical conduit trench excavation and EV charging station construction (see **Figure 3**). The project scope of work is described in the following sections.

Pre-Excavation Activities

Prior to any intrusive activities, Dig Safe New York (Call 811) will be contacted by Tesla a minimum of three business days in advance of the work and informed of the intent to perform intrusive work at the Site. Public-utility locating services typically do not include locating and marking underground utilities on private property, so Tesla will be providing on-site utility clearance. Tesla personnel will be performing excavation activities during this project.

PSH will perform an initial pre-excavation radiological gamma scan survey of the planned trench alignment as described in the next section to potentially identify elevated slag areas ahead of trenching activities.

SMP Activities

The following activities will be performed during this project:

- Community Air Monitoring: TRC will implement the community air monitoring program (CAMP) at one upwind and one downwind location in accordance with the SMP during intrusive trenching activities. CAMP monitoring will include respirable particulates (PM-10) and volatile organic compounds (VOCs) in accordance with NYSDOH's Generic CAMP (**Attachment 1**). CAMP data will be transmitted to NYSDEC/NYSDOH along with our daily reports during intrusive activities. NYSDEC and NYSDOH will be notified of any CAMP exceedances and corrective measures taken within one business day of occurrence. Sampling and/or laboratory analysis of NYSDEC-approved cover soils prior to reuse for this project is not planned or included in this cost proposal.
- Radiological Field Screening and Sampling: Per NYSDEC DMM-5 Appendix A, PSH will be on-site to perform radiological testing for this project. Activities performed by PSH include:
    - *Background Radiological Determination:* PSH will establish site radiological background by collecting ten (10), 1-minute static gamma readings using a Ludlum Model 2221 rate meter (or meter with equivalent measurement capability) connected to a Ludlum 44-10 sodium iodide detector at an unimpacted area located near the Tesla facility. The selected area will be provided to NYSDEC for approval. The mean and Upper Tolerance Level[1] (UTL) (collimated and uncollimated) will be calculated for the background location.
    - *Pre-Excavation Radiological Survey:* PSH will perform an initial gamma scan survey of the planned trench alignment utilizing ERG's RadScout GPS Survey System interfaced with the Ludlum ratemeter and sodium iodide detector to potentially identify elevated slag areas ahead of trenching activities.
    - *Radiological Field Screening:* During excavation activities, subgrade spoils will be radiologically screened in the field by PSH personnel using a Ludlum ratemeter and sodium iodide detector to identify elevated radiological activity (i.e., count rates exceeding background). Elevated count rates exceeding 1.5 times background UTL (collimated and uncollimated) during sample field screening would most likely indicate an anthropogenic source of radioactivity (i.e., TENORM).
    - *Radiological Sample Collection:* To verify radiological field screening results, PSH will collect three (3) individual representative samples from areas exhibiting elevated count rate readings along the conduit trench. If no elevated count rate locations are identified, three random locations along the conduit trench will be selected. Collected samples will be submitted to an analytical laboratory for gamma spectrometry (Ra-226/Ra-228) (Method 901.1M, modified) analysis. The method requires a 21-day waiting period to achieve

[1] The UTL is essentially the 95th percentile of the 95% confidence level of the distribution: roughly equal to three sigma above the mean. In environmental work it is used to distinguish between anthropogenic contamination and naturally occurring substances.

secular radioactive equilibrium between specific parent and progeny isotopes (most notably Ra-226).

Based on the analytical results, management of excavated TENORM spoils will be categorized into one of three NYSDEC-defined types: TENORM Background Comparable (below 5 pCi/g of Ra-226), TENORM Fill (between 5 pCi/g and 15 pCi/g), or TENORM Waste (greater than 15 pCi/g). Soil/fill with concentrations below the UTL for the radionuclide(s) of concern will be considered natural and classified as general soil/fill.

If there are no readings exceeding 1.5 times background UTL, and upon NYSDEC consultation and approval, no further monitoring during excavation activities will be necessary for this project.

- *Meter Reading-to-Concentration Determination:* In consultation with NYSDEC's Environmental Radiation Specialist (ERS), if elevated count rate readings exceed 1.5 times background UTL, and if deemed necessary, PSH will develop a correlation between the fixed one-minute meter readings and soil concentrations to guide future survey efforts at the Site. Where feasible, the use of a meter reading-to-concentration correlation (backed-up by limited sample analyses) can reduce costs and time delays during future planned site characterization and spoils monitoring rather than relying solely on analytical results. As long as survey results indicate Ra-226 levels are below 5 pCi/g (or Background Comparable), no separation of soil and TENORM will be required.

- Chemical Field Screening: Excavation subgrade spoils will be chemically screened by TRC field personnel using a handheld photoionization detector (PID) equipped with a 10.6 eV lamp for VOCs along with visual/olfactory observations in accordance with the SMP and Excavation Work Notification. Appropriate actions will be taken if field screening indicates exceedances of SMP thresholds including NYSDEC notification. Grossly impacted spoils observed during the project will be segregated from the existing spoils pile (e.g., drummed, placed in lined roll-off container, or placed on and covered with polyethylene sheeting) and staged in secure area. Any subsequent meetings, delineation, characterization, and/or quantification of impacted spoils to determine appropriate off-site disposal option(s) will be provided under a separate cost proposal.

- Spoils Re-Use Determination: To demonstrate that EV Charger trench spoils will meet the requirements of Part 375-6.7(d) and can be re-used as backfill beneath a one-foot topsoil cover to supplement the existing berm located at the rear of the Tesla Site, TRC will collect representative samples for chemical laboratory analysis. Specifically, one (1) discrete (VOCs) and one (1) composite (remaining parameters) subsurface soil sample will be collected in accordance with DER-10 Table 5.4(e)10 for the anticipated quantity of generated trench spoils (approximately 30 CYs). Laboratory analysis will include:

  - Part 375 VOCs (Method 5035/8260)
  - Part 375 SVOCs (Method 8270)
  - Part 375 polychlorinated biphenyls (PCBS) (Method 8082)
  - Part 375 pesticides (Method 8081)
  - Per- and polyfluoroalkyl substances (PFAS) (Method 1633)
  - Part 375 total metals (arsenic, barium, beryllium, cadmium, chromium, copper, lead, manganese, mercury, nickel, selenium, silver, and zinc) (Method 6010/7470)
  - Hexavalent chromium (Method 7196)
  - Total cyanide (Method 9012)

  If chemical laboratory results comply with Part 375 SCOs and the spoils are determined not contain TENORM slag, TRC will request NYSDEC approve the on-site re-use of the excavation spoils within the Fiber Optic Cable (South) berm. If laboratory results exceed Part 375 SCOs, off-site disposal arrangements will be determined.

- In general, soil samples will be collected using a dedicated stainless steel sampling spoon. A Terra Core® soil sampler will be used to collect VOC soil samples via Method 5035. Collected soil samples will be placed in pre-cleaned, pre-preserved laboratory provided sample containers,

cooled to 4°C in the field, and transported under chain-of-custody to a NYSDOH ELAP-certified analytical laboratory for analysis.

- TRC will provide NYSDEC with daily reports summarizing the completed work including the upwind and downwind CAMP data.

SCHEDULE

This project is anticipated to begin August 31, 2026 and take approximately 10 days to complete (roughly 5 days of excavating and conduit installation followed by roughly 5 days of conduit installation, EV charger installation, and site restoration. NYSDEC will be notified of any changes to this schedule.

REPORTING

As a requirement of the SMP, TRC will prepare a summary letter report that will be submitted to NYSDEC for review and approval. The report will include NYSDEC correspondence, field observations, field screening results, analytical results, and representative project photographs. The report will also include a radiological summary report that will include radiological background and sample results, a color iso-con map of the initial walkover survey area, and results of the walkover survey and excavation spoils field screening. The summary report will be included in the next annual Periodic Review Report (PRR) for the Tesla Site.

We trust that the information provided will allow the Department (and NYSDOH) to provide approval of Tesla's planned EV charger installation project at the NPT BCP Site.

Please contact us if you have any questions or require additional information.

Sincerely,
TRC Engineers, Inc.

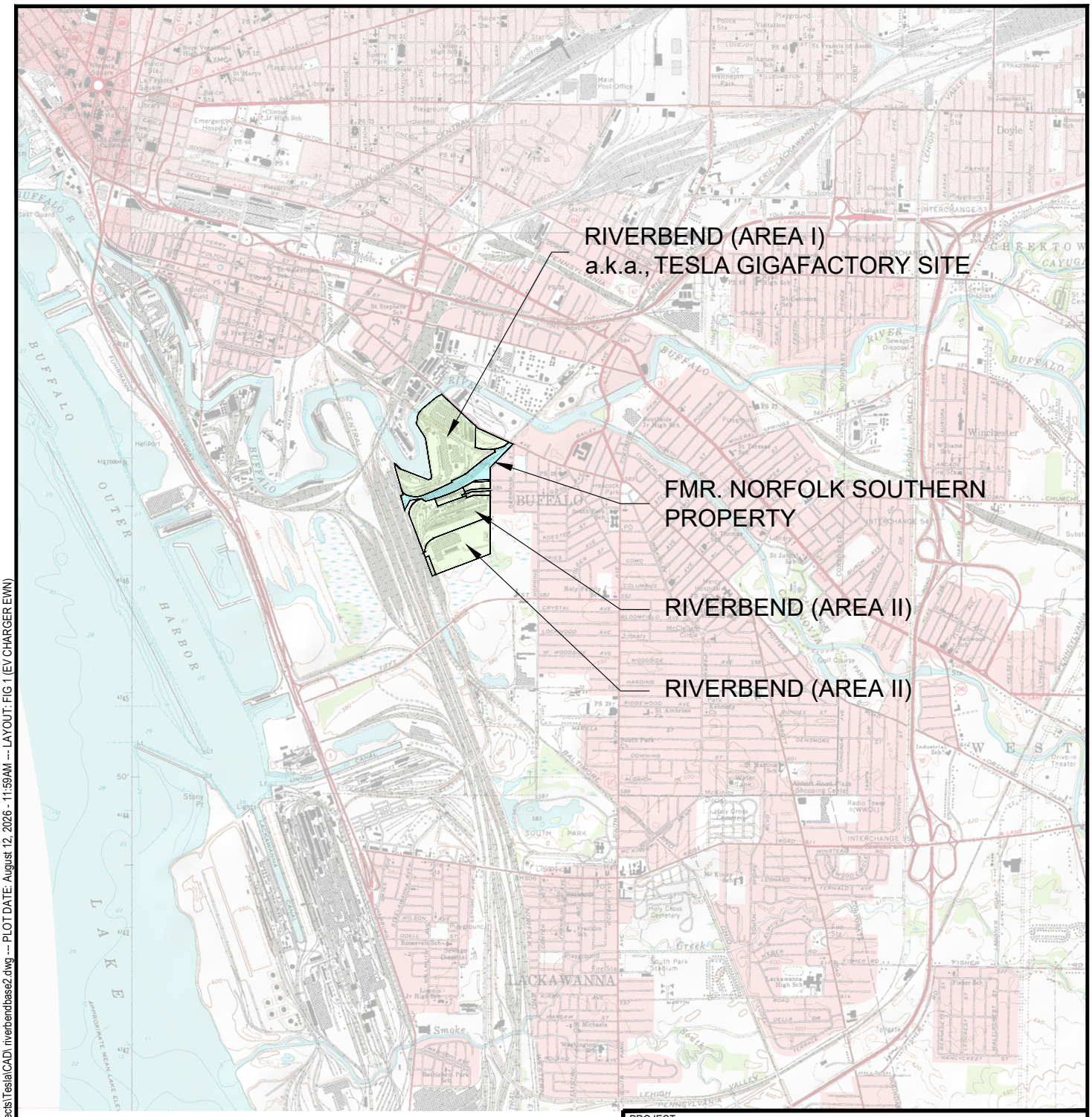
Bryan C. Hann, P.G. (NY)
Senior Geologist / Project Manager

TRC Project #000734310.0000.0000

EC: Jennifer Babula, Tesla
Rob Pratt, Tesla
Andrea Caprio, NYSDEC-9
Tom Papura, NYSDEC-DMM

Figures 1, 2,, 3, & 4
Attachment 1

FIGURES



N

4000' 0' 4000' 8000'

SCALE: 1 INCH = 4000 FEET
SCALE IN FEET
(approximate)

PROJECT:
EXCAVATION WORK NOTIFICATION
TESLA GIGAFACTORY SITE
BUFFALO, NEW YORK

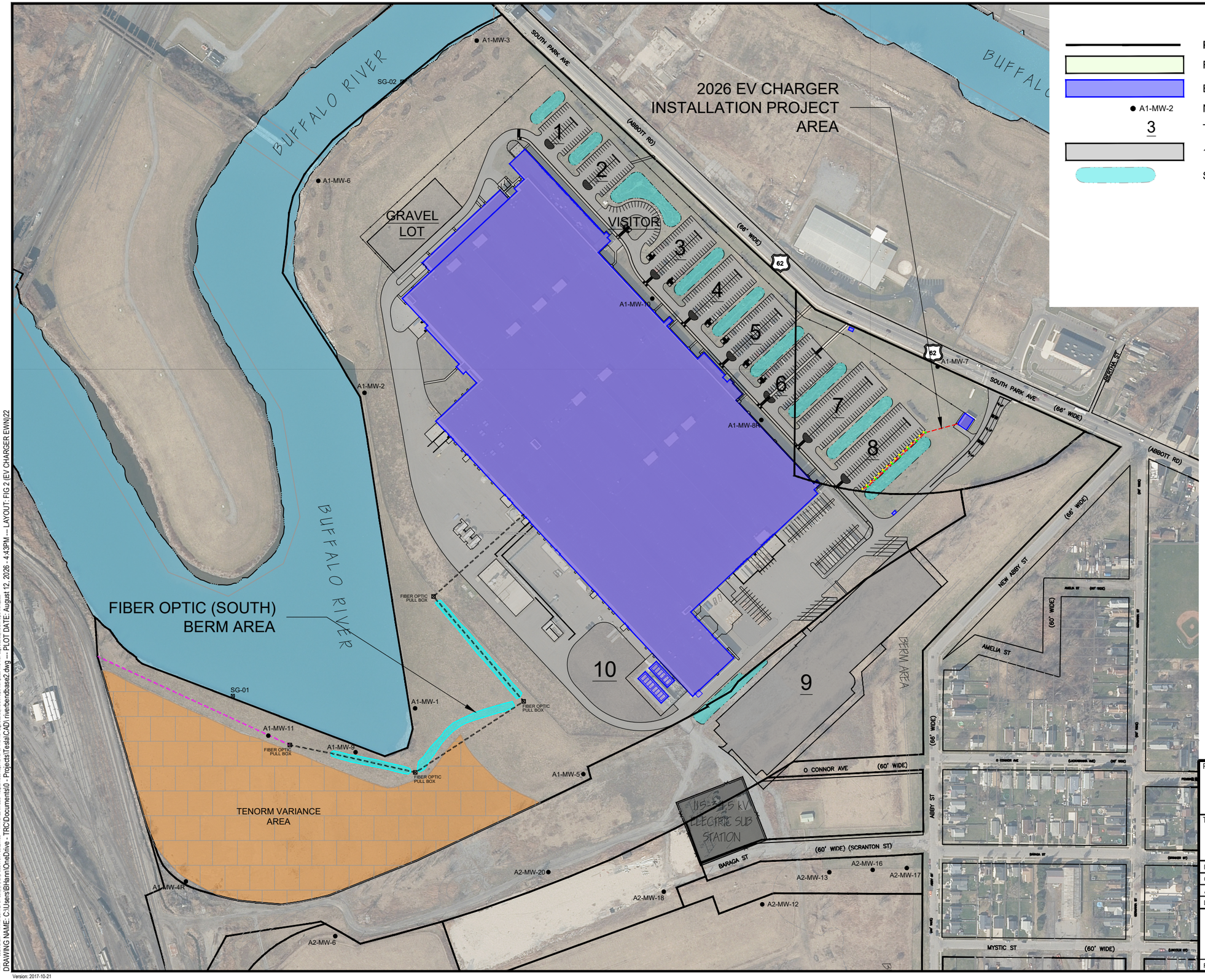
TITLE:
SITE LOCATION & VICINITY MAP

DRAWN BY:	BCH	PROJ NO.:	000734310.0000.0000
CHECKED BY:	AJZ		
APPROVED BY:	BCH		**FIGURE 1**
DATE:	AUGUST 2026		

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FILE NO.: riverbendbase2.dwg

8.5x11 -- USER: bhann -- ATTACHED XREFS: Refs 7,7 (REV); SOLAR CITY BUILDINGS -- ATTACHED IMAGES: Hospital Route Map; RB TOPO; TRC.WSP Logo Stacked, Vibrant Purple-with-space; TRC.WSP Logo Stacked, Vibrant Purple-with-space;
DRAWING NAME: C:\Users\BHann\OneDrive - TRC\Documents\0 - Projects\Tesla\CAD\ riverbendbase2.dwg -- PLOT DATE: August 12, 2026 - 11:59AM -- LAYOUT: FIG 1 (EV CHARGER EWN)
Version: 2017-10-21



LEGEND:

- PROPERTY BOUNDARY OF AREAS I, II, & III
- RIVERBEND SITE (AREAS I & II, SHOWN)
- BUILDING
- ● A1-MW-2 — NETWORK MONITORING WELL
- 3 — TESLA PARKING LOT DESIGNATION
- 115-34.5 kV ELECTRIC SUB-STATION
- STONE-LINED BIORETENTION AREA

N

300' 0' 300' 600'

SCALE: 1 INCH = 300 FEET
SCALE IN FEET
(approximate)

PROJECT:
EXCAVATION WORK NOTIFICATION
TESLA GIGAFACTORY SITE
BUFFALO, NEW YORK

TITLE:
SITE PLAN (AERIAL)

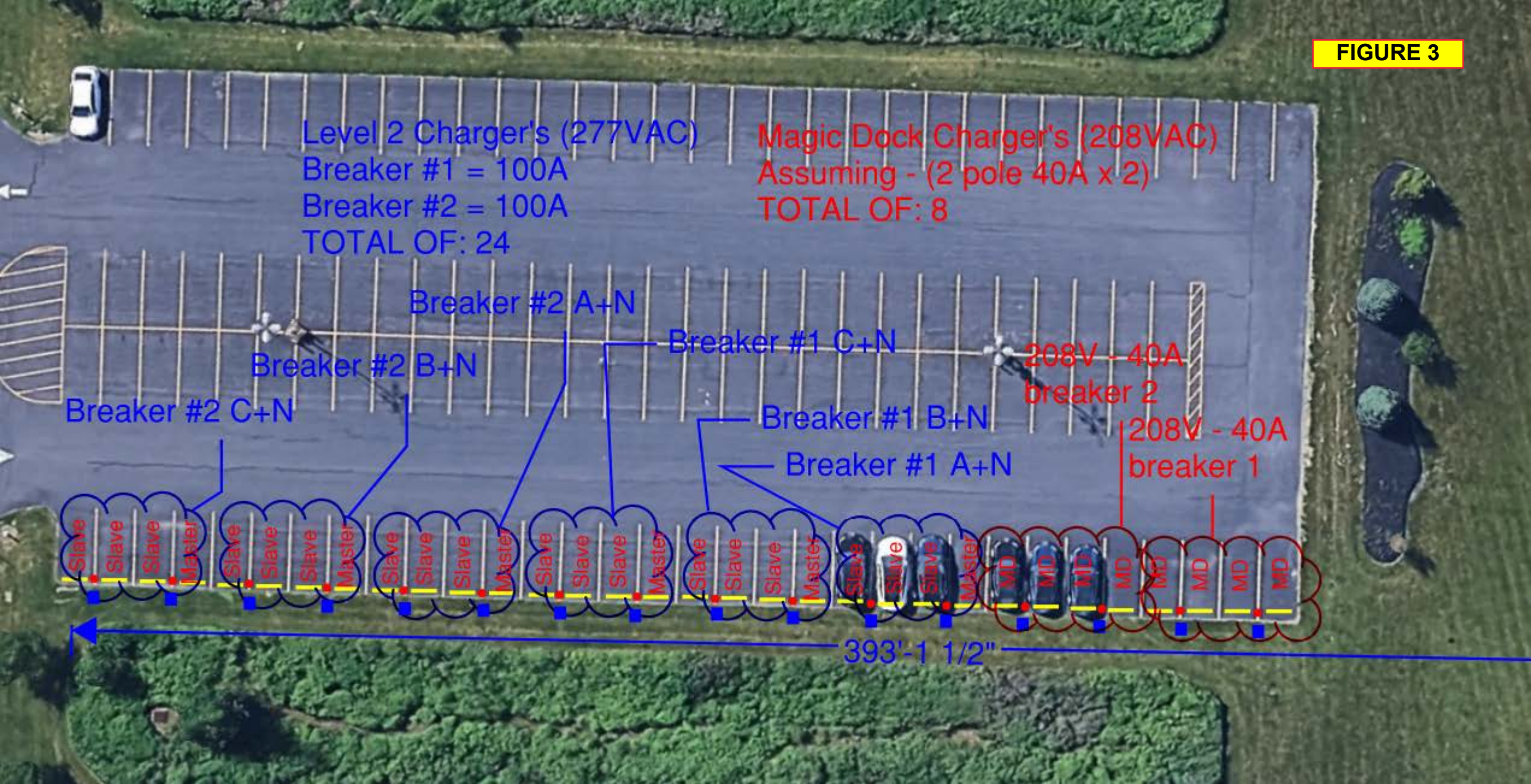
DRAWN BY:	BCH	PROJ NO.:	000734310.0000.0000
CHECKED BY:	AJZ		**FIGURE 2**
APPROVED BY:	BCH		
DATE:	AUGUST 2026		

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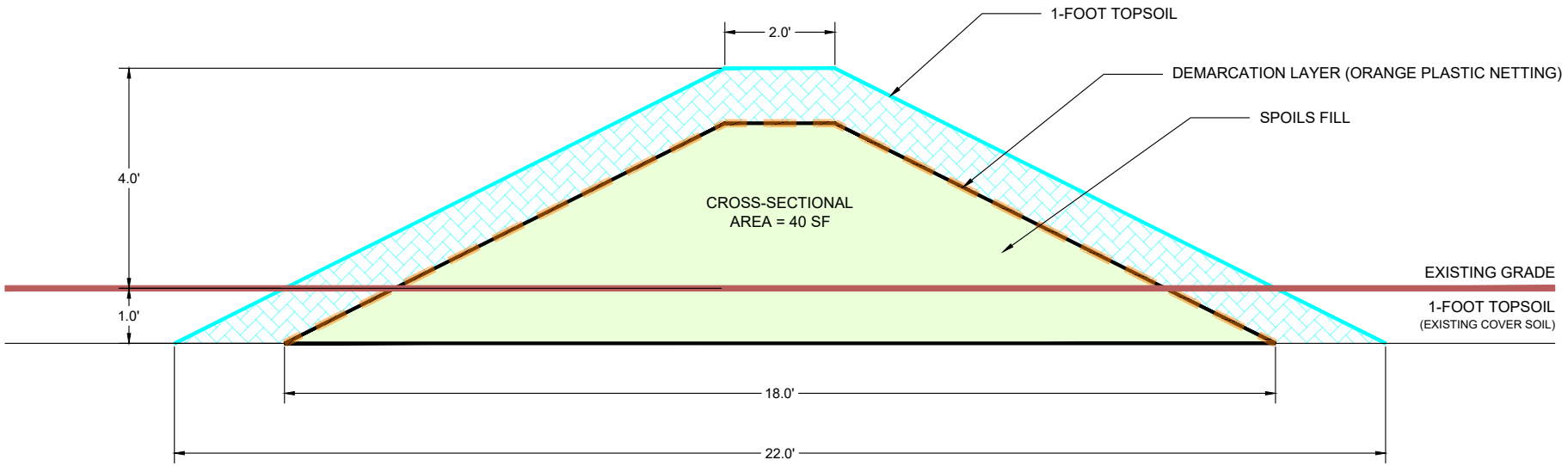
FILE NO.: riverbendbase2.dwg

DRAWING NAME: C:\Users\BHann\OneDrive - TRC\Documents\0 - Projects\Tesla\CAD\ riverbendbase2.dwg -- PLOT DATE: August 12, 2026 - 4:43PM -- LAYOUT: FIG 2 (EV CHARGER EWN)22
16x17 -- xrefs: Bhann -- ATTACHED XREFS: Ref 1: 2801k, POLAR CITY BUILDING -- ATTACHED IMAGES: Inserted Raster Map: 89.729Ki, 2Nr:2481k use Drawing Viewer Brightness value: 2Nr:2481k use Drawing Viewer Brightness value
Version: 2017-10-21

FIGURE 3


Level 2 Charger's (277VAC)
Breaker #1 = 100A
Breaker #2 = 100A
TOTAL OF: 24
Magic Dock Charger's (208VAC)
Assuming - (2 pole 40A x 2)
TOTAL OF: 8
Breaker #2 A+N
Breaker #2 B+N
Breaker #2 C+N
Breaker #1 C+N
Breaker #1 B+N
Breaker #1 A+N
208V - 40A
breaker 2
208V - 40A
breaker 1
Slave
Master
MD
393'-1 1/2"

8.5x11 --- USER: BHann --- ATTACHED XREF'S: Buff_7_7 (REV); SOLAR CITY BUILDINGS --- ATTACHED IMAGES: Hospital Route Map; RB TOPO; TRC-WSP Logo Stacked_Vibrant-Purple-with-space; TRC-WSP Logo Stacked_Vibrant-Purple-with-space;
DRAWING NAME: C:\Users\BHann\OneDrive - TRC\Documents\0 - Projects\Tesla\CAD\ riverbendbase2.dwg --- PLOT DATE: August 12, 2026 - 2:36PM --- LAYOUT: FIG 4 (EV CHARGER EWN)
Version: 2017-10-21



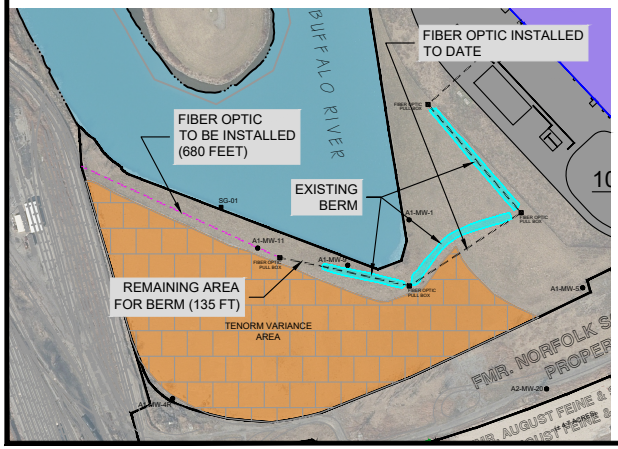
BERM SECTION DETAIL

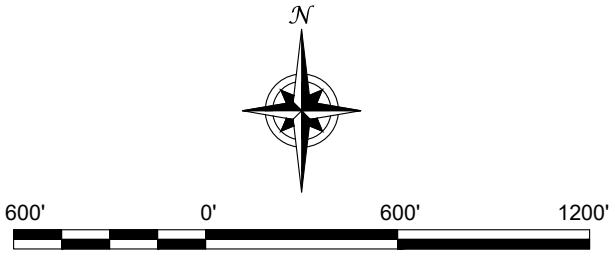
(NOT TO SCALE)

CROSS-SECTIONAL AREA OF BERM = 40 SF

REMAINING LENGTH OF INSTALLED FIBER OPTIC LINE = 135 FEET
REMAINING BERM VOLUME = 5,400 CF
REMAINING BERM VOLUME = 200 CYs

REMAINING LENGTH OF FIBER OPTIC LINE TO BE INSTALLED = 680 FEET
REMAINING BERM VOLUME = 27,200 CF
REMAINING BERM VOLUME = 1,007 CYs





SCALE: 1 INCH = 600 FEET
SCALE IN FEET
(approximate)

PROJECT:
EV CHARGER INSTALLATION PROJECT
RIVERBEND (AKA STEELFIELDS) - AREA I (TESLA SITE)
BUFFALO, NEW YORK

TITLE:
FIBER OPTIC BERM DETAILS

DRAWN BY:	BCH	PROJ NO.:	734310.0000.0000
CHECKED BY:	AJZ		
APPROVED BY:	BCH		**FIGURE 4**
DATE:	AUGUST 2026		

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FILE NO.: riverbendbase2.dwg

ATTACHMENT 1

NYSDOH GENERIC
COMMUNITY AIR MONITORING PLAN (CAMP)

Attachment 1
New York State Department of Health
Generic Community Air Monitoring Plan

Overview

A Community Air Monitoring Plan (CAMP) requires real-time monitoring for volatile organic compounds (VOCs) and particulates (i.e., dust) at the downwind perimeter of each designated work area when certain activities are in progress at contaminated sites. The CAMP is not intended for use in establishing action levels for worker respiratory protection. Rather, its intent is to provide a measure of protection for the downwind community (i.e., off-site receptors including residences and businesses and on-site workers not directly involved with the subject work activities) from potential airborne contaminant releases as a direct result of investigative and remedial work activities. The action levels specified herein require increased monitoring, corrective actions to abate emissions, and/or work shutdown. Additionally, the CAMP helps to confirm that work activities did not spread contamination off-site through the air.

The generic CAMP presented below will be sufficient to cover many, if not most, sites. Specific requirements should be reviewed for each situation in consultation with NYSDOH to ensure proper applicability. In some cases, a separate site-specific CAMP or supplement may be required. Depending upon the nature of contamination, chemical- specific monitoring with appropriately-sensitive methods may be required. Depending upon the proximity of potentially exposed individuals, more stringent monitoring or response levels than those presented below may be required. Special requirements will be necessary for work within 20 feet of potentially exposed individuals or structures and for indoor work with co-located residences or facilities. These requirements should be determined in consultation with NYSDOH.

Reliance on the CAMP should not preclude simple, common-sense measures to keep VOCs, dust, and odors at a minimum around the work areas.

Community Air Monitoring Plan

Depending upon the nature of known or potential contaminants at each site, real-time air monitoring for VOCs and/or particulate levels at the perimeter of the exclusion zone or work area will be necessary. Most sites will involve VOC and particulate monitoring; sites known to be contaminated with heavy metals alone may only require particulate monitoring. If radiological contamination is a concern, additional monitoring requirements may be necessary per consultation with appropriate DEC/NYSDOH staff.

Continuous monitoring will be required for all ground intrusive activities and during the demolition of contaminated or potentially contaminated structures. Ground intrusive activities include, but are not limited to, soil/waste excavation and handling, test pitting or trenching, and the installation of soil borings or monitoring wells.

Periodic monitoring for VOCs will be required during non-intrusive activities such as the collection of soil and sediment samples or the collection of groundwater samples from existing monitoring wells. “Periodic” monitoring during sample collection might reasonably consist of taking a reading upon arrival at a sample location, monitoring while opening a well cap or

overturning soil, monitoring during well baling/purging, and taking a reading prior to leaving a sample location. In some instances, depending upon the proximity of potentially exposed individuals, continuous monitoring may be required during sampling activities. Examples of such situations include groundwater sampling at wells on the curb of a busy urban street, in the midst of a public park, or adjacent to a school or residence.

VOC Monitoring, Response Levels, and Actions

Volatile organic compounds (VOCs) must be monitored at the downwind perimeter of the immediate work area (i.e., the exclusion zone) on a continuous basis or as otherwise specified. Upwind concentrations should be measured at the start of each workday and periodically thereafter to establish background conditions, particularly if wind direction changes. The monitoring work should be performed using equipment appropriate to measure the types of contaminants known or suspected to be present. The equipment should be calibrated at least daily for the contaminant(s) of concern or for an appropriate surrogate. The equipment should be capable of calculating 15-minute running average concentrations, which will be compared to the levels specified below.

1. If the ambient air concentration of total organic vapors at the downwind perimeter of the work area or exclusion zone exceeds 5 parts per million (ppm) above background for the 15-minute average, work activities must be temporarily halted and monitoring continued. If the total organic vapor level readily decreases (per instantaneous readings) below 5 ppm over background, work activities can resume with continued monitoring.

2. If total organic vapor levels at the downwind perimeter of the work area or exclusion zone persist at levels in excess of 5 ppm over background but less than 25 ppm, work activities must be halted, the source of vapors identified, corrective actions taken to abate emissions, and monitoring continued. After these steps, work activities can resume provided that the total organic vapor level 200 feet downwind of the exclusion zone or half the distance to the nearest potential receptor or residential/commercial structure, whichever is less - but in no case less than 20 feet, is below 5 ppm over background for the 15-minute average.

3. If the organic vapor level is above 25 ppm at the perimeter of the work area, activities must be shutdown.

4. All 15-minute readings must be recorded and be available for State (DEC and NYSDOH) personnel to review. Instantaneous readings, if any, used for decision purposes should also be recorded.

Particulate Monitoring, Response Levels, and Actions

Particulate concentrations should be monitored continuously at the upwind and downwind perimeters of the exclusion zone at temporary particulate monitoring stations. The particulate monitoring should be performed using real-time monitoring equipment capable of measuring particulate matter less than 10 micrometers in size (PM-10) and capable of integrating over a period of 15 minutes (or less) for comparison to the airborne particulate action level. The equipment must be equipped with an audible alarm to indicate exceedance of the action level. In addition, fugitive dust migration should be visually assessed during all work activities.

1. If the downwind PM-10 particulate level is 100 micrograms per cubic meter (mcg/m^3) greater than background (upwind perimeter) for the 15-minute period or if airborne dust is observed leaving the work area, then dust suppression techniques must be employed. Work may continue with dust suppression techniques provided that downwind PM-10 particulate levels do not exceed 150 mcg/m^3 above the upwind level and provided that no visible dust is migrating from the work area.

2. If, after implementation of dust suppression techniques, downwind PM-10 particulate levels are greater than 150 mcg/m^3 above the upwind level, work must be stopped and a re-evaluation of activities initiated. Work can resume provided that dust suppression measures and other controls are successful in reducing the downwind PM-10 particulate concentration to within 150 mcg/m^3 of the upwind level and in preventing visible dust migration.

3. All readings must be recorded and be available for State (DEC and NYSDOH) and County Health personnel to review.

December 2009

Attachment 1-1
Fugitive Dust and Particulate Monitoring

A program for suppressing fugitive dust and particulate matter monitoring at hazardous waste sites is a responsibility on the remedial party performing the work. These procedures must be incorporated into appropriate intrusive work plans. The following fugitive dust suppression and particulate monitoring program should be employed at sites during construction and other intrusive activities which warrant its use:

1. Reasonable fugitive dust suppression techniques must be employed during all site activities which may generate fugitive dust.

2. Particulate monitoring must be employed during the handling of waste or contaminated soil or when activities on site may generate fugitive dust from exposed waste or contaminated soil. Remedial activities may also include the excavation, grading, or placement of clean fill. These control measures should not be considered necessary for these activities.

3. Particulate monitoring must be performed using real-time particulate monitors and shall monitor particulate matter less than ten microns (PM10) with the following minimum performance standards:

(a) Objects to be measured: Dust, mists or aerosols;
(b) Measurement Ranges: 0.001 to 400 mg/m3 (1 to 400,000 :ug/m3);
(c) Precision (2-sigma) at constant temperature: +/- 10 :g/m3 for one second averaging; and +/- 1.5 g/m3 for sixty second averaging;
(d) Accuracy: +/- 5% of reading +/- precision (Referred to gravimetric calibration with SAE fine test dust (mmd= 2 to 3 :m, g= 2.5, as aerosolized);
(e) Resolution: 0.1% of reading or 1g/m3, whichever is larger;
(f) Particle Size Range of Maximum Response: 0.1-10;
(g) Total Number of Data Points in Memory: 10,000;
(h) Logged Data: Each data point with average concentration, time/date and data point number
(i) Run Summary: overall average, maximum concentrations, time/date of maximum, total number of logged points, start time/date, total elapsed time (run duration), STEL concentration and time/date occurrence, averaging (logging) period, calibration factor, and tag number;
(j) Alarm Averaging Time (user selectable): real-time (1-60 seconds) or STEL (15 minutes), alarms required;
(k) Operating Time: 48 hours (fully charged NiCd battery); continuously with charger;
(l) Operating Temperature: -10 to 50^{o} C (14 to 122^{o} F);
(m) Particulate levels will be monitored upwind and immediately downwind at the working site and integrated over a period not to exceed 15 minutes.

4. In order to ensure the validity of the fugitive dust measurements performed, there must be appropriate Quality Assurance/Quality Control (QA/QC). It is the responsibility of the remedial party to

5. The action level will be established at 150 ug/m3 (15 minutes average). While conservative,

adequately supplement QA/QC Plans to include the following critical features: periodic instrument calibration, operator training, daily instrument performance (span) checks, and a record keeping plan.

this short-term interval will provide a real-time assessment of on-site air quality to assure both health and safety. If particulate levels are detected in excess of 150 ug/m3, the upwind background level must be confirmed immediately. If the working site particulate measurement is greater than 100 ug/m3 above the background level, additional dust suppression techniques must be implemented to reduce the generation of fugitive dust and corrective action taken to protect site personnel and reduce the potential for contaminant migration. Corrective measures may include increasing the level of personal protection for on-site personnel and implementing additional dust suppression techniques (see paragraph 7). Should the action level of 150 ug/m3 continue to be exceeded work must stop and DER must be notified as provided in the site design or remedial work plan. The notification shall include a description of the control measures implemented to prevent further exceedances.

6. It must be recognized that the generation of dust from waste or contaminated soil that migrates off-site, has the potential for transporting contaminants off-site. There may be situations when dust is being generated and leaving the site and the monitoring equipment does not measure PM10 at or above the action level. Since this situation has the potential to allow for the migration of contaminants off-site, it is unacceptable. While it is not practical to quantify total suspended particulates on a real-time basis, it is appropriate to rely on visual observation. If dust is observed leaving the working site, additional dust suppression techniques must be employed. Activities that have a high dusting potential--such as solidification and treatment involving materials like kiln dust and lime--will require the need for special measures to be considered.

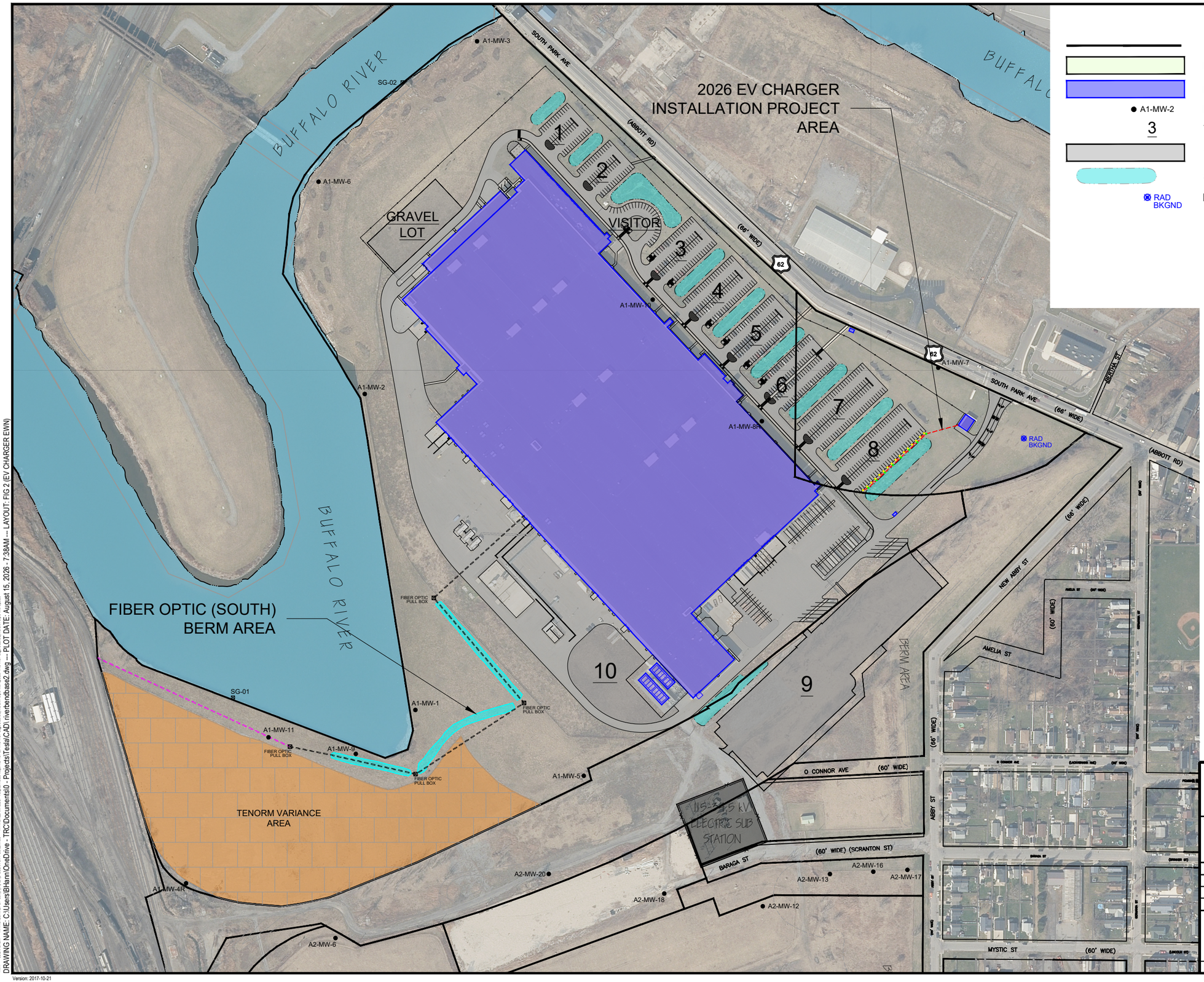
7. The following techniques have been shown to be effective for the controlling of the generation and migration of dust during construction activities:

(a) Applying water on haul roads;
(b) Wetting equipment and excavation faces;
(c) Spraying water on buckets during excavation and dumping;
(d) Hauling materials in properly tarped or watertight containers;
(e) Restricting vehicle speeds to 10 mph;
(f) Covering excavated areas and material after excavation activity ceases; and
(g) Reducing the excavation size and/or number of excavations.

Experience has shown that the chance of exceeding the 150ug/m3 action level is remote when the above-mentioned techniques are used. When techniques involving water application are used, care must be taken not to use excess water, which can result in unacceptably wet conditions. Using atomizing sprays will prevent overly wet conditions, conserve water, and provide an effective means of suppressing the fugitive dust.

8. The evaluation of weather conditions is necessary for proper fugitive dust control. When extreme wind conditions make dust control ineffective, as a last resort remedial actions may need to be suspended. There may be situations that require fugitive dust suppression and particulate monitoring requirements with action levels more stringent than those provided above. Under some circumstances, the contaminant concentration and/or toxicity may require additional monitoring to protect site personnel and the public. Additional integrated sampling and chemical analysis of the dust may also be in order. This must be evaluated when a health and safety plan is developed and when appropriate

suppression and monitoring requirements are established for protection of health and the environment.



LEGEND:

- PROPERTY BOUNDARY OF AREAS I, II, & III
- RIVERBEND SITE (AREAS I & II, SHOWN)
- BUILDING
- ● A1-MW-2 — NETWORK MONITORING WELL
- 3 — TESLA PARKING LOT DESIGNATION
- 115-34.5 kV ELECTRIC SUB-STATION
- STONE-LINED BIORETENTION AREA
- ⊠ RAD BKGND — PROPOSED RADIOLOGICAL BACKGROUND LOCATION

N

300' 0' 300' 600'

SCALE: 1 INCH = 300 FEET
SCALE IN FEET
(approximate)

PROJECT:
EXCAVATION WORK NOTIFICATION
TESLA GIGAFACTORY SITE
BUFFALO, NEW YORK

TITLE:
SITE PLAN (AERIAL)

DRAWN BY:	BCH	PROJ NO.:	000734310.0000.0000
CHECKED BY:	AJZ		**FIGURE 2**
APPROVED BY:	BCH		
DATE:	AUGUST 2026		

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FILE NO.: riverbendbase2.dwg

DRAWING NAME: C:\Users\BHann\OneDrive - TRC\Documents\0 - Projects\Tesla\CAD\ riverbendbase2.dwg — PLOT DATE: August 15, 2026 - 7:38AM — LAYOUT: FIG 2 (EV CHARGER EWN)
XREF - XBIN: Bhann — ATTACHED XREFS: Ref 1: 2/8/24, XCLIP: OFF, BUILDING — ATTACHED IMAGES: Inserted from: Bhann, BIN: 2/8/24, Ref 2: 2/8/24, Last Saved: Bhann with scale: 1, Ref 3: 2/8/24, Last Saved: Bhann with scale: 1
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