FORMER S&S CLEANERS AND DYERS

ALBANY COUNTY

COHOES, NEW YORK

SITE MANAGEMENT PLAN

NYSDEC Site Number: 401063

C.T. Male Associates Project Number 18.8515

Prepared for:

Cohoes II Limited Partnership

8 W 38th Street, Suite 1102

New York, NY 10018

646-374-4754

Prepared by:

C.T. Male Associates

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

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518-786-7400

Revisions to Final Approved Site Management Plan:

Revision No.	Date Submitted	Summary of Revision	NYSDEC Approval Date

JANUARY 2024

CERTIFICATION STATEMENT

FORMER S&S CLEANERS AND DYERS

ALBANY COUNTY

COHOES, NEW YORK

I Jeffrey A. Marx, P.E. certify that I am currently a NYS registered professional engineer and that this Site Management Plan was prepared in accordance with all applicable statutes and regulations and in substantial conformance with the DER Technical Guidance for Site Investigation and Remediation (DER-10).

Jeffrey A. Marx P.E.

January 10, 2024 DATE

TABLE OF CONTENTS

FORMER S&S CLEANERS AND DYERS
ALBANY COUNTY
COHOES, NEW YORK

SITE MANAGEMENT PLAN

TABLE OF CONTENTS

TABLE OF CONTENTS (Continued)

List of Tables

Page

List of Figures

List of Appendices

LIST OF ACRONYMS

AS	Air Sparging
ASP	Analytical Services Protocol
BCA	Brownfield Cleanup Agreement
BCP	Brownfield Cleanup Program
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CAMP	Community Air Monitoring Plan
C/D	Construction and Demolition
CFR	Code of Federal Regulation
CLP	Contract Laboratory Program
COC	Certificate of Completion
CO2	Carbon Dioxide
CP	Commissioner Policy
DER	Division of Environmental Remediation
DUSR	Data Usability Summary Report
EC	Engineering Control
ECL	Environmental Conservation Law
ELAP	Environmental Laboratory Approval Program
ERP	Environmental Restoration Program
EWP	Excavation Work Plan
GHG	Greenhouse Gas
GWE&T	Groundwater Extraction and Treatment
HASP	Health and Safety Plan
IC	Institutional Control
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
NYCRR	New York Codes, Rules and Regulations
O&M	Operation and Maintenance
OM&M	Operation, Maintenance and Monitoring
OSHA	Occupational Safety and Health Administration
OU	Operable Unit
P.E. or PE	Professional Engineer
PFAS	Per- and Polyfluoroalkyl Substances
PID	Photoionization Detector
PRP	Potentially Responsible Party
PRR	Periodic Review Report
QA/QC	Quality Assurance/Quality Control
QAPP	Quality Assurance Project Plan
QEP	Qualified Environmental Professional
RAO	Remedial Action Objective
RAWP	Remedial Action Work Plan
RCRA	Resource Conservation and Recovery Act
RI/FS	Remedial Investigation/Feasibility Study
ROD	Record of Decision

RP	Remedial Party
RSO	Remedial System Optimization
SAC	State Assistance Contract
SCG	Standards, Criteria and Guidelines
SCO	Soil Cleanup Objective
SMP	Site Management Plan
SOP	Standard Operating Procedures
SOW	Statement of Work
SPDES	State Pollutant Discharge Elimination System
SSD	Sub-slab Depressurization
SVE	Soil Vapor Extraction
SVI	Soil Vapor Intrusion
TAL	Target Analyte List
TCL	Target Compound List
TCLP	Toxicity Characteristic Leachate Procedure
USEPA	United States Environmental Protection Agency
UST	Underground Storage Tank
VCA	Voluntary Cleanup Agreement
VCP	Voluntary Cleanup Program

ES EXECUTIVE SUMMARY

The following provides a brief summary of the controls implemented for the Site, as well as the inspections, monitoring and reporting activities required by this Site Management Plan:

Site Identification: Site No. 401063 - Former S&S Cleaners & Dyers
13 Willow Street, Cohoes, New York

Institutional Controls:	1. An environmental easement for the controlled property includes the following requirements: • The remedial party or site owner shall complete and submit to the Department a periodic certification of institutional controls in accordance with Part 375-1.8(h)(3), • The controlled property may be developed and used for residential, restricted residential, commercial, and industrial use as defined by Part 375-1.8(g), although land use is subject to local zoning laws, • Groundwater shall not be used as a source of potable water without necessary water quality treatment as determined by the NYSDOH or County DOH, and • Compliance with the Department approved Site Management Plan.

Inspections:	Frequency
1. Site-wide (on-site).	Annually by Owner
2. Vapor mitigation systems (on-site) if ever installed,	Annually by Owner
Monitoring:	
1. Evaluate for vapor intrusion for any new developed buildings, and	Prior to occupancy of new structures

Site Identification: Site No. 401063 - Former S&S Cleaners & Dyers
13 Willow Street, Cohoes, New York

Maintenance:	Frequency
1. None	Unless impacted by construction activities or natural causes
Reporting:	
1. Periodic Review Report	Annually

Further descriptions of the above requirements are provided in detail in the latter sections of this Site Management Plan.

1.0 INTRODUCTION

1.1 General

This Site Management Plan (SMP) is a required element of the remedial program for the Former S&S Cleaners & Dyers Site located at 13 Willow Street in Cohoes, New York (hereinafter referred to as the "Site"), as shown in Figure 1. The Site is currently in the New York State (NYS) Inactive Hazardous Waste Disposal Site Remedial Program, Site No. 401063, which is administered by New York State Department of Environmental Conservation (NYSDEC or a.k.a. Department). A figure showing the site location and boundaries of this site is provided in Figure 2. The boundaries of the site are more fully described in the metes and bounds site description that is part of the Environmental Easement provided in Appendix A.

After completion of the remedial work (an IRM soil removal completed in 2013), some contamination was left at this site. Additional investigations including a groundwater and soil vapor monitoring event in 2017, and a limited supplemental subsurface investigation and soil vapor intrusion monitoring event in 2017/2018 were completed following the IRM. Based on the findings of these additional investigations, NYSDEC prepared an amendment to the ROD in the form of a "Memo to the File" clarifying the extent of the contamination left at the site which is hereafter referred to as "remaining contamination". Institutional Controls (ICs) have been incorporated into the site remedy to control exposure to remaining contamination to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Albany County Clerk, requires compliance with this SMP and all ICs placed on the site.

This SMP was prepared to manage remaining contamination at the site until the Environmental Easement is extinguished in accordance with ECL Article 71, Title 36. 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.

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); and
- Failure to comply with this SMP is also a violation of Environmental Conservation Law, 6 NYCRR Part 375, and thereby subject to applicable penalties.

All reports associated with the site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State. A list of contacts for persons involved with the site is provided in Section 1.3 of this SMP.

This SMP was prepared by C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. (C.T. Male), on behalf of Cohoes II Limited Partnership, in accordance with the requirements of the NYSDEC's DER-10 ("Technical Guidance for Site Investigation and Remediation"), dated May 2010, and the guidelines provided by the NYSDEC. This SMP addresses the means for implementing the ICs that are required by the Environmental Easement for the site.

1.2 Revisions

Revisions to this plan will be proposed in writing to the NYSDEC's project manager. Revisions will be necessary upon, but not limited to, the following occurring: a post-remedial removal of contaminated sediment or soil, or other significant change to the site conditions. In accordance with the Environmental Easement for the site, the NYSDEC project manager will provide a notice of any approved changes to the SMP, and append these notices to the SMP that is retained in its files.

1.3 Notifications

Notifications will be submitted by the property owner to the NYSDEC, as needed, in accordance with NYSDEC's DER – 10 for the following reasons:

1. 60-day advance notice of any proposed changes in site use that are required under the terms of 6 NYCRR Part 375 and/or Environmental Conservation Law.

2. Seven (7)-day advance notice of any field activity associated with the remedial program.

3. 15-day advance notice of any proposed ground-intrusive activity pursuant to the Excavation Work Plan. If the ground-intrusive activity qualifies as a change of use as defined in 6 NYCRR Part 375, the above mentioned 60-day advance notice is also required.

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

4. 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/Remedial Party has been provided with a copy of the approved work plans, ROD and reports, including this SMP.

5. 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 to the NYSDEC.

Table 1.3-1 on the following page includes contact information for the above notifications. The information on this table will be updated as necessary to provide accurate contact information. A full listing of site-related contact information is provided in Table 1.3-2.

Table 1.3-1: Notifications*

Name	**Contact Information**	**Required Notification****
NYSDEC Project Manager Javier Perez-Maldonardo	P: (518) 402-8172 javier-perez-maldonado@dec.ny.gov	All Notifications
NYSDEC Project Manager's Supervisor Christopher O'Neill, P.E.	P: (518) 357-2237 christopher.oneill@dec.ny.gov	All Notifications
NYSDOH Project Manager Sarita S. Wagh	P: (518) 402-7860 BEEI@health.ny.us	Notifications 4, 6, and 7

* Note: Notifications are subject to change and will be updated as necessary.

** Note: Numbers in this column reference the numbered bullets in the notification list in this section.

Table 1.3-2: Contact Numbers

Name and Affiliation	**Contact Information**
Owner The Community Builders, Inc. Jesse Batus, Director of Development	P: (646) 374-4754 jbatus@tcbinc.org
Qualified Environmental Professional Representatives C.T. Male Associates Jeffrey A. Marx, PE, Managing Environmental Engineer & Aimee Smith, Project Manager – Sr. Env. Scientist	P: (518) 786-7548 j.marx@ctmale.com & P: (518) 786-7551 a.smith@ctmale.com

2.0 SUMMARY OF PREVIOUS INVESTIGATIONS AND REMEDIAL ACTIONS

2.1 Site Location and Description

The site is located at 13 Willow Street in Cohoes, Albany County, New York and is identified as Section 10.50 Block 2 and Lot 7 on the City of Cohoes Tax Map (see Figure 3 – Tax Map). The site is an approximately 0.11-acre area and is bounded by residential lots with structures to the north and south, Willow Street to the east, and a stone retaining wall for Worth Street to the west (see Figure 2 – Site Layout Map). The boundaries of the site are more fully described in Appendix A –Environmental Easement. The owner of the site parcel at the time of issuance of this SMP is:

Cohoes II Limited Partnership
c/o The Community Builders, Inc.
8 W 38th Street, Suite 1102
New York, NY 10017
646-374-4754

2.2 Physical Setting

2.2.1 Land Use

The Site is a vacant lot with a gravel surface used as an unpaved parking lot. The Site is zoned for multi-family residential use and is currently vacant. The properties adjoining the Site, and in the neighborhood, surrounding the Site primarily include residential properties.

2.2.2 Geology

Soils are mapped by the United States Department of Agriculture Web Soil Survey as Urban land – Udorthents complex, 0 to 8 percent slopes. These moderately well drained soils consist of channery loam.

Overburden in the area consists of fill material (brick debris, concrete debris, and wood) overlying clay and silty clay layers with a few thin sand lenses. Depth to bedrock ranges from 30 feet over most of the site to greater than 50 feet below ground surface in the northeast corner.

2.2.3 Hydrogeology

Groundwater flow at the site is to the northeast toward the Mohawk River. Depth to groundwater in the area is approximately 6 to 8 feet below ground surface. No private water supply wells are present on the site. The site and surrounding area are provided with municipal water by the City of Cohoes.

2.3 Investigation and Remedial History

The following narrative provides a remedial history timeline and a summary of the available project records to document key investigative and remedial milestones for the Site. Full titles for each of the reports referenced below are provided in Section 8.0 - References.

RECORD OF DECISION

A building previously located on the Site was slated for demolition in 1996 and was carried out in 2001. The Site was selected by the City of Cohoes for further environmental investigation, utilizing a U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant, due to its history as a dry cleaning facility. The Site was originally reported to NYSDEC as a spill in March 2009 when levels of tetrachloroethene (PCE) and several of its breakdown chemicals were detected in the soil vapor and groundwater during a Phase II Environmental Site Assessment (ESA) conducted by the City's consultant.

Significant PCE sub-slab soil vapor and indoor air concentrations were found in one residence 30 feet north of the site and one residence abutting the southern border of the site. Soil vapor intrusion mitigation systems were installed in those two (2) buildings in September 2010 by the City to prevent soil vapor from entering these residences.

Based on the results of the Phase II ESA, the site was listed as a Class 2 on the State's Registry of Inactive Hazardous Waste Disposal Sites (Registry) in June 2011.

The PRPs for the site declined to implement a remedial program when requested by the Department. Therefore, the RI/FS described within the ROD was completed using the State Superfund Program. Contaminants of concern identified during the RI at the Site included tetrachloroethylene (PCE), trichloroethene (TCE), vinyl chloride (VC), and cis-1,2-dichloroethene (cis1-,2-DCE). These contaminants of concern exceeded applicable standards, criteria and guidance in groundwater and soil.

An IRM was completed in May 2013, which included an attempt to remove soils contaminated by PCE in excess of Residential Soil Cleanup Objective (SCO) of 5.5 parts per million (ppm). Approximately 100 cubic yards of soil were removed from the northeast corner of the site during the IRM. Post IRM sampling indicated that the residential PCE SCO was exceeded in two (2) locations in the northeast corner of the property. Figure 4 shows the limits of the IRM excavation and location of those post IRM samples that exceeded SCOs.

The proposed remedy in the ROD, issued February 12, 2015, identified an area of the Site for additional excavation of approximately 29 cubic yards of soil, and a groundwater monitoring requirement. However, a Minor ROD Modification prepared by NYSDEC, issued January 28, 2022, indicated that excavation of the 29 cubic yards of soil and groundwater monitoring was no longer a requirement of the remedy.

2017 GROUNDWATER AND SOIL VAPOR MONITORING

In April and May 2017, a groundwater and soil vapor monitoring event was conducted. Six (6) monitoring wells (three (3) of which are located on Site) were sampled for the Site contaminants of concern where acetone and vinyl chloride were detected above its groundwater SCO in one on-site well (MW-7R) and TCE was detected above its

groundwater SCO in one off-site well (MW-9). The Summary Table from the report is shown below for reference.

Compound	Sample Identification							NYSDEC Groundwater Standard *1
	MW-3	MW-5	MW-6R	NW-7R	MW-8	MW-9	Field Dup	
Sample Date	4/27/2017	4/27/2017	4/27/2017	5/1/2017	4/27/2017	5/1/2017	4/27/2017	
Volatiles - EPA 8260								
Acetone	ND	3	ND	5.2	ND	3	ND	5*
Carbon Disulfide	ND	ND	ND	1.5	ND	ND	ND	NA
cis-1,2-Dichloroethene	ND	ND	1.4	1.4	1.9	1.1	ND	5
Tetrachloroethene	ND	ND	1.9	ND	3.4	4.7	ND	5*
Trichloroethene	ND	ND	0.64	ND	2.6	6.5	ND	5*
Vinyl Chloride	ND	ND	0.92	3.1	ND	ND	ND	2
Total Compounds	ND	3	4.86	11.2	7.9	15.3	ND	

NOTES:
- All results reported in ug/L
- Analysis performed by TestAmerica Environmental Laboratories, Inc.
- Yellow highlighted values exceed corresponding Groundwater Standard
- ND = Not Detected above method detection limit
- NA= No Groundwater Standard Available

*1 - 6 NYCRR Part 703.5 Surface Water and Groundwater Quality Standards
*2 - TOGS 1.1.1 Ambient Water Quality Standards and Guidance Values

Sub-slab/sub-membrane vapor samples, indoor air samples and an outdoor air sample were collected at the residential properties located at 9 Willow Street to the north of the Site and at 17 Willow Street to south of the site and were analyzed for the site contaminants of concern. At 9 Willow Street PCE was detected in the sub-slab sample only. At 17 Willow Street, PCE was detected in the indoor air and sub-membrane sample; and cis-1,2-DCE and TCE were detected in the sub-membrane sample only. Applying these results to the applicable matrices in the NYSDOH Guidance (dated October 2006 and updates through May 2017) showed that no further action is warranted with regards to one of the off-site structures (9 Willow Street) and further actions to mitigate indoor air exposures are warranted at the second off-site structure (17 Willow Street). Results of the chlorinated volatile organic compound (CVOC) sampling are shown on Figure 5.

2017/2018 LIMITED SUPPLEMENTAL SUBSURFACE INVESTIGATION AND SOIL VAPOR INTRUSION MONITORING

In November 2017, a subsurface investigation was conducted. Soil borings were advanced at four (4) locations on the Site generally within the ROD proposed excavation area. Three (3) soil samples were collected for the Site contaminants of concern from each of the borings (SB-1, SB-2, and SB-3) and only two (2) were collected from SB-4. PCE, TCE, cis-1,2-DCE, and VC were detected in several of the soil samples, but only PCE was detected above its Restricted Residential Use SCO in one of the soil samples at a depth of

16 - 20 feet below grade. Figure 6 shows the limits of the completed IRM excavation area, and the locations and results of the 2017 soil boring sampling.

In March 2018, sub-slab/sub-membrane vapor samples, indoor air samples and an outdoor air sample were collected at the residential properties located at 9 Willow Street to the north of the Site and at 17 Willow Street to south of the site and were analyzed for the site contaminants of concern. At 9 Willow Street, PCE, TCE, and VC were detected, but in the sub-slab samples only. At 17 Willow Street, PCE, TCE, cis-1-2-DCE were detected in each of the indoor air samples; and PCE, TCE and cis-1,2-DCE were detected in the sub-membrane sample. Applying these results to the applicable matrices in the NYSDOH Guidance (dated October 2006 and updates through May 2017) showed that no further action is warranted with regards to one of the off-site structures (9 Willow Street) and further actions to mitigate indoor air exposures are warranted at the second off-site structure (17 Willow Street).

PHASE I ESAs

Phase I ESAs were completed for the site by C.T. Male Associates in 2017, 2018, 2019, 2020, and 2021. For the purpose of the ESA the Site consisted of three non-contiguous parcels including 13 Willow Street, as well as 1 Willow Street and 10 Vliet Street. The reports dated March 15, 2017, October 10, 2018, October 11, 2019, December 29, 2020 and August 9, 2021 identified the former use of the 13 Willow Street parcel as a dry cleaning facility coupled with the listing of this parcel as a state hazardous waste site as a Recognized Environmental Condition (REC). At the time of the reports, the 1 & 13 Willow Street parcels consisted of vacant parking lots and the former 10 Vliet Street building was unoccupied at the time of the 2017, 2018 and 2019 ESAs. At the time of the 2020 ESA, the 10 Viet Street building had been demolished.

2.4 Remedial Action Objectives

The Remedial Action Objectives (RAOs) for the Site as listed in the Record of Decision (ROD) dated February 12, 2015 and a Minor ROD modification dated January 28, 2022, are as follows:

2.4.1 Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of, volatiles from contaminated groundwater.

RAOs for Environmental Protection

- Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent practicable.
- Remove the source of ground or surface water contamination.

2.4.2 Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

2.4.3 Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

2.5 Remaining Contamination

2.5.1 Soil

As described in the ROD, remaining PCE soil concentrations in the soil were highest in the northeast corner of the property at the base of the IRM excavation (2013). Post-IRM confirmation soil samples concentrations exceeded Unrestricted Use PCE SCOs in six (6) locations. Residential PCE SCOs were exceeded in two (2) locations with concentrations of 67 parts per million (ppm) (10' depth) and 39 ppm (13' depth) in the northeast corner of the property. An earlier soil sample taken outside the IRM area contained 2.8 ppm (9 '- 11' depth) of PCE. Outside the footprint of the previous site building there were no exceedances of Residential Use SCOs in subsurface soils. Surface soil samples were not taken due to the presence of a six-inch crushed stone cover over most of the Site. No PCE or other volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, pesticides, or PCB soil contamination in excess of the Unrestricted Use SCOs were found off-site.

As stated in the Limited Supplemental Subsurface Investigation Report, the purpose was to define the vertical and horizontal extent of chlorinated solvent soil contamination in the area of former soil boring (CS-B3), generally within the northeastern portion of the 13 Willow Street parcel. PCE was found in soils at SB-1 and SB-3 at concentrations above the Unrestricted Use SCO. The highest concentration of PCE (5.7 ppm), which also exceeds the Restricted Residential Use SCO of 5.5 ppm, was detected in soils located below the water table at boring SB-3 at the 16-20-foot depth interval. Cis-1,2-Dichloroethene was detected at concentrations above Unrestricted Use SCOs in borings SB-2 and SB-3. The highest concentration of cis-1,2-Dichloroethene (1.4 ppm) was found in SB-3 in soils below the water table. Vinyl chloride was present in soils in SB-2 and SB-3 in concentrations above Unrestricted Use SCOs with the highest concentration of vinyl chloride (0.088 ppm) detected at SB-3 in soils located below the water table. The concentrations of VOCs in soils did not exceed the Residential SCOs, with the exception of PCE in the sample from SB-3 (16-20') and none of the concentrations exceeded Restricted Residential SCOs.

Figures 4 and 6 summarize the results of all soil samples collected that exceed the Unrestricted Use SCOs and the Residential Use SCOs at the site after completion of remedial action.

2.5.2 Groundwater

As described in the ROD, post-IRM groundwater samples were taken in five (5) on-site and six (6) off-site monitoring wells. Three (3) of the four (4) on-site shallow (20') wells exceeded groundwater standards for PCE and its breakdown products (TCE, cis-1,2-DCE, and VC), with concentrations ranging from 7.1 part per billion (ppb) (PCE) to 620 ppb (cis-1,2-DCE). One (1) of the shallow wells also exceeded TCE groundwater standards. VOCs in the on-site deep well (50') did not exceed standards. Only one of the off-site wells sampled exceeded groundwater standards for PCE and TCE. The well, located approximately 20 feet down-gradient of the soil removal IRM area, contained 5.4 ppb of PCE and 6.3 ppb of TCE. The groundwater standard is 5 ppb for PCE, TCE, and cis-1,2-DCE and 2 ppb for VC. No on-site monitoring wells exceeded groundwater standards for SVOCs, metals, pesticides or PCBs. The primary contaminants of concern off-site include PCE and TCE in the groundwater. Approximately 100 feet north of the Site, PCE and TCE have been detected in groundwater at 7 ppb and 14 ppb, respectively. Due to the presence of clay and silt soils beneath the site migration of contaminated groundwater off-site is limited.

As reported in the Groundwater and Soil Vapor Monitoring and Sampling Report, groundwater was sampled and soil vapor intrusion samples were collected from two (2) adjoining structures at 9 and 17 Willow Street. Based on mapping provided, MW-3 is located on the southeastern corner of the 13 Willow Street parcel. MW-5 is located off-site within the Willow Street right-of-way to the east of 9 Willow Street, MW-6R is located on the north central portion of the 13 Willow Street parcel, MW-7R is located on the northeastern portion of the 13 Willow Street parcel, MW-8 is located on the eastern portion of the 1 Willow Street parcel and MW-9 is located off-site on 9 Willow Street. Exceedances of groundwater standards were noted in two (2) of the six (6) groundwater samples; vinyl chloride was detected in the sample from MW-7R at a concentration of 3.1

ppb as compared to the standard of 2 ppb and TCE was detected in the sample from MW-9 at a concentration of 6.5 ppb as compared to the groundwater standard of 5 ppb.

It is noted that select monitoring wells were also sampled for Per- and Polyfluoroalkyl Substances (PFAs/PFCs) and 1-4, Dioxane. Although 1,4-Dioxane was not detected in the in the sampled monitoring wells, samples collected from MW-3, MW-8, and MW-9 exhibited levels of PFAs/PFCs above laboratory minimum detection limits. According to the report, total concentrations ranged from 2.11 parts per trillion (ppt) to 29.94 ppt.

In summary, the primary soil contaminant is PCE associated with the sites past use as a commercial dry cleaner. As noted in investigative reports, the primary soil contamination is within the footprint of the former site building as sub-surface soil sampling met residential SCOs throughout the rest of the site. Most of the contamination in the building footprint was excavated and removed during the IRM, however confirmatory samples indicated PCE contamination in excess of residential SCOs remains at depth that was not at a level that warranted removal.

2.5.3 Soil Vapor

As described in the ROD, prior to the IRM, on-site soil vapor concentrations for PCE ranged from 790 to 14,000 µg/m^3. Soil vapor concentrations of TCE ranged from 21 to 370 µg/m^3. Off-site soil vapor concentrations prior to the IRM were as high as 120,000 µg/m^3 adjacent to a sewer line in the center of Willow Street. It is believed that the bedding for the sewer line acted as a conduit for PCE vapors migrating from within the foundation of the demolished building which formerly housed S&S Cleaners and Dyers. Away from the sewer line maximum off-site soil vapor concentration during the RI was 23 µg/m^3. No post-IRM soil vapor samples were taken as part of the RI.

As described in the Limited Supplemental Subsurface Investigation Report, the sub slab sample collected at 9 Willow contained a concentration of PCE of 12 ug/m^3, with no detection in the indoor air sample. The sample collected from the sub membrane at 17 Willow exhibited concentrations of PCE at 38 ug/m^3, TCE at 1.2 ug/m^3, and cis-1,2-DCE at 0.52 ug/m^3. The report concluded that when compared to the levels of PCE present in

the 17 Willow indoor air sample, further action was required to further mitigate existing PCE based on NYSDOH Matrix B.

As reported in the Limited Supplemental Subsurface Investigation Report, the sub slab sample and/or its duplicate collected at 9 Willow contained concentrations of PCE at 2.8 to 3.3 µg/m^3, TCE at non-detect to 0.52 µg/m^3, and VC at non-detect to 0.16 µg/m^3, with no detection in the indoor air sample. The sample collected from the sub membrane at 17 Willow exhibited concentrations of PCE at 110 µg/m^3, TCE at 12 µg/m^3, cis-1,2-DCE at 11 µg/m^3, and VC at 0.63 µg/m^3. Indoor air concentrations for PCE were 22 to 41 µg/m^3, for TCE were 0.52 to 1 µg/m^3, and for cis-1,2-DCE were 0.32 to 0.65 µg/m^3. The report concluded that further mitigation action is required to reduce exposure potential based on comparison to Matrix B, when compared to the levels of PCE present in the 17 Willow indoor air sample. The report also concluded that levels of TCE present in the air samples, as compared to NYSDOH Soil Vapor/Indoor Air Matrix A, also warranted further action.

Site management activities associated with the SSD systems installed off-site are covered by a State-wide SSD system inspection and maintenance program administered by the NYSDEC. Any additional work related to the off-site systems will be evaluated when necessary by NYSDEC in consultation with NYSDOH.

3.0 INSTITUTIONAL CONTROL PLAN

3.1 General

Since remaining contamination exists at the site, Institutional Controls (ICs) are required to protect human health and the environment. This IC Plan describes the procedures for the implementation and management of all ICs at the site. The IC Plan is one component of the SMP and is subject to revision by the NYSDEC.

This plan provides:

- A description of all ICs on the site;
- The basic implementation and intended role of each IC;
- A description of the key components of the ICs set forth in the Environmental Easement;
- A description of the controls to be evaluated during each required inspection and periodic review;
- A description of plans and procedures to be followed for implementation of ICs, such as the implementation of the Excavation Work Plan (EWP) (as provided in Appendix B) 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 ICs required by the site remedy, as determined by the NYSDEC.

3.2 Institutional Controls

A series of ICs is required by the ROD to: (1) prevent future exposure to remaining contamination; and, (2) limit the use and development of the site to residential, commercial and industrial uses only, subject to local zoning laws. Adherence to these ICs on the site is required by the Environmental Easement and will be implemented under this SMP. ICs identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement. The IC boundaries are shown on Figure 2 & 3. These ICs are:

- The property may be used for: residential, restricted residential, commercial and industrial use, subject to local zoning laws;
- The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Albany County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;
- Data and information pertinent to site management must be reported at the frequency and in a manner as defined in this SMP;
- All future activities that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement;
- The potential for vapor intrusion must be evaluated for any buildings developed in the area within the IC boundaries noted on Figure 2 & 3, and any potential impacts that are identified must be monitored or mitigated; and
- Vegetable gardens and farming on the site are prohibited.

3.3 Site-Wide Inspection

Site-wide inspections will be performed at a minimum of once per year. These periodic inspections must be conducted when the ground surface is visible (i.e. no snow cover). Site-wide inspections will be performed by a qualified environmental professional as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State. Modification to the frequency or duration of the inspections will require approval from the NYSDEC. Site-wide inspections will also be performed after all severe weather conditions that may affect the remaining contamination at the site. A comprehensive site-wide inspection will be conducted and documented according to the SMP schedule, regardless of the frequency of the Periodic Review Report.

During an inspection, an inspection form will be completed as provided in Appendix D – Example Site Management Forms. The inspections will determine and document the following:

- Compliance with all ICs, including site usage;
- General site conditions at the time of the inspection;
- The site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection; and
- If these controls continue to be protective of human health and the environment;
- Compliance with requirements of this SMP and the Environmental Easement; and
- Confirm site records are complete and up to date.

Reporting requirements are outlined in Section 5.0 of this plan.

Inspections will also be performed in the event of an emergency. An inspection of the site will be conducted within 5 days of the event to verify the effectiveness of the ICs implemented at the site by a qualified environmental professional, as determined by the NYSDEC project manager. Written confirmation must be provided to the NYSDEC project manager within 7 days of the event that includes a summary of actions taken, or to be taken, and the potential impact to the environment and the public.

4.0 PERIODIC ASSESSMENTS/EVALUATIONS

4.1 Climate Change Vulnerability Assessment

Increases in both the severity and frequency of storms/weather events, an increase in sea level elevations along with accompanying flooding impacts, shifting precipitation patterns and wide temperature fluctuation, resulting from global climactic change and instability, have the potential to significantly impact the protectiveness of a given site. Vulnerability assessments provide information so that the site is prepared for the impacts of the increasing frequency and intensity of severe storms/weather events and associated flooding.

This section provides a summary of vulnerability assessments that will be conducted for the site during periodic assessments, and briefly summarizes the vulnerability of the site and/or engineering controls to severe storms/weather events and associated flooding.

- Flood Plain: The site is not located in a flood plain, low-lying or low-groundwater recharge area.
- Site Drainage and Storm Water Management: There is no stormwater management features located on-site, but due to the small size of the site, sheet flow during storm events will prevent the site from flooding.
- Erosion: The majority of the site is gravel covered, which would be susceptible to erosion.
- High Wind: With no trees being on-site, the site being sheltered by adjacent residences, and power lines being located across the street, high wind should have little to no effect on the site**.**
- Electricity: There will be no effect on the site due to power loss and/or dips/surges in voltage during severe weather events, including lightning strikes, and the associated impact on site equipment and operations unless a SSD System is installed. The negative effect from a power outage would be the inability for a SSD System to continue operation. Power outages are commonly short duration, so no alternate means of power are warranted. If long term outages occur, provisions for temporary power should be implemented.
- Spill/Contaminant Release: There are no petroleum or chemical storage at the site or expected to be on-site to be affected by flooding, erosion, high winds, loss of power etc. as there is no storage of petroleum or chemical products.

4.2 Soil Vapor Intrusion Evaluation

A soil vapor intrusion evaluation must be performed upon a change in use of the property that will result in occupancy of a previously unoccupied building or initial occupancy of a new building. The breadth of this evaluation will be determined based upon discussion with the NYSDEC and NYSDOH project managers. Based upon these discussions and agency requirements, a work plan may need to be developed that requires that sampling be performed. At a minimum, a soil vapor intrusion (SVI) sampling work plan would include the following information:

- A figure showing the soil vapor intrusion sample locations;
- Discuss the depths of the soil vapor samples; and
- A table of sample locations and analytical parameters to be analyzed along with the minimum reporting limits to be achieved by the NYS ELAP-certified laboratory;

Upon completion of the evaluation, if an action is required, any actions taken or to be taken must be reflected in an updated SMP.

5.0. REPORTING REQUIREMENTS

5.1 Site Management Reports

Site management inspection events will be recorded on the appropriate site management forms with examples provided in Appendix D. These forms are subject to NYSDEC revision. Site management inspection events will be conducted by a qualified environmental professional as defined in 6 NYCRR Part 375.

Applicable inspection forms and other records, including media sampling data generated for the site during the reporting period will be provided in electronic format to the NYSDEC in accordance with the requirements of Table 5.1-1 and summarized in the Periodic Review Report.

Table 5.1-1: Schedule of Inspection Reports

Task/Report	Reporting Frequency*
Site-wide Inspection Report	Annually
Periodic Review Report	Annually, or as otherwise determined by the NYSDEC

* The frequency of events will be conducted as specified until otherwise approved by the NYSDEC project manager.

All inspections reports will include, at a minimum:

- Date of event or reporting period;
- Name, company, and position of person(s) conducting monitoring/inspection activities;
- Description of the activities performed;
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents noted (included either on the checklist/form or on an attached sheet);
- Any observations, conclusions, or recommendations; and

- A determination as to whether contaminant conditions have changed since the last reporting event.

Non-routine event reporting forms will include, at a minimum:

- Date of event;
- Name, company, and position of person(s) conducting non-routine maintenance/repair activities;
- Description of non-routine activities performed; and
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents (included either on the form or on an attached sheet).

Laboratory analytical data will be reported in digital format as determined by the NYSDEC. Currently, laboratory analytical data is to be supplied electronically and submitted to the NYSDEC EQuIS™ database in accordance with the requirements found at this link http://www.dec.ny.gov/chemical/62440.html.

5.2 Periodic Review Report

The Periodic Review Report will consist only of the certification as specified in Section 5.2.1 except in the event where there have been changes to the site or data gathered during the certifying period. Given such an event, the submittal of a comprehensive PR report will be necessary, as specified below.

A Periodic Review Report (PRR) will be submitted to the NYSDEC project manager 30 days after the initial fifteen (15) month certifying period. This initial certifying period commences upon the recording of the Environmental Easement. After submittal of the initial PRR, the next PRR shall be submitted annually to the NYSDEC project manager or at a lessor frequency required by the NYSDEC project manager. In the event that the site is subdivided into separate parcels with different ownership, a single PRR will be prepared that addresses the site described in Appendix A - Environmental Easement. The report will be prepared in accordance with NYSDEC's DER-10 and submitted within 60 days of the end of each certification period. Media sampling results will also be incorporated into the PRR. 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, fire inspections and severe condition inspections, if applicable.
- All applicable site management forms and other records generated for the site during the reporting period in the NYSDEC-approved electronic format, if not previously submitted.
- A site evaluation, which includes the following:
  - The compliance of the remedy with the requirements of the site-specific ROD;
  - The operation and the effectiveness of all treatment units, etc., including identification of any needed repairs or modifications;
  - Recommendations regarding any necessary changes to the remedy; and
  - The overall performance and effectiveness of the remedy.

5.2.1 Certification of Institutional Controls

Following the last inspection of the reporting period, a Professional Engineer licensed to practice and registered in New York State will prepare, and include in the Periodic Review Report, the following certification as per the requirements of NYSDEC DER-10:

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

- *The inspection of the site to confirm the effectiveness of the institutional controls required by the remedial program was performed under my direction;*
- *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;*
- *Use of the site is compliant with the environmental easement;*
- *To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program and generally accepted engineering practices; 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/Remedial Party or Owner's/Remedial Party's Designated Site Representative]". The signed certification will be included in the Periodic Review Report.

The Periodic Review Report will be submitted, in electronic format, to the NYSDEC project manager and the NYSDOH project manager. The PRR may also need to be submitted in hard-copy format if requested by the NYSDEC project manager.

5.3 Corrective Measures Work 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 control or failure to conduct site management activities, a Corrective Measures Work Plan will be submitted to the NYSDEC project manager 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 Work Plan until it has been approved by the NYSDEC project manager.

6.0 REFERENCES

Remedial Investigation and Construction Completion Report, 13 Willow Street, prepared by ARCADIS, dated July 2014 (Work Assignment #D-007618-1).

Focused Feasibility Study, 13 Willow Street, prepared by ARCADIS, dated October 2014 (Work Assignment #D-007618-1).

Record of Decision, Former S & S Cleaners and Dyers, prepared by NYSDEC, dated February 2015.

Groundwater and Soil Vapor Monitoring and Sampling, 13 Willow Street, prepared by Precision Environmental Services, Inc., dated July 27, 2017.

Limited Supplemental Subsurface Investigation and Soil Vapor Intrusion Monitoring Report of Findings, 13 Willow Street, prepared by Precision Environmental Services, Inc., dated July 10, 2018.

Phase I Environmental Site Assessment for the 1 & 13 Willow Street and 10 Vliet Street Site, prepared by C.T. Male Associates, dated March 15, 2017.

Phase I Environmental Site Assessment for the 1 & 13 Willow Street and 10 Vliet Street Site, prepared by C.T. Male Associates, dated October 10, 2018.

Phase I Environmental Site Assessment for the 1 & 13 Willow Street and 10 Vliet Street Site, prepared by C.T. Male Associates, dated October 11, 2019.

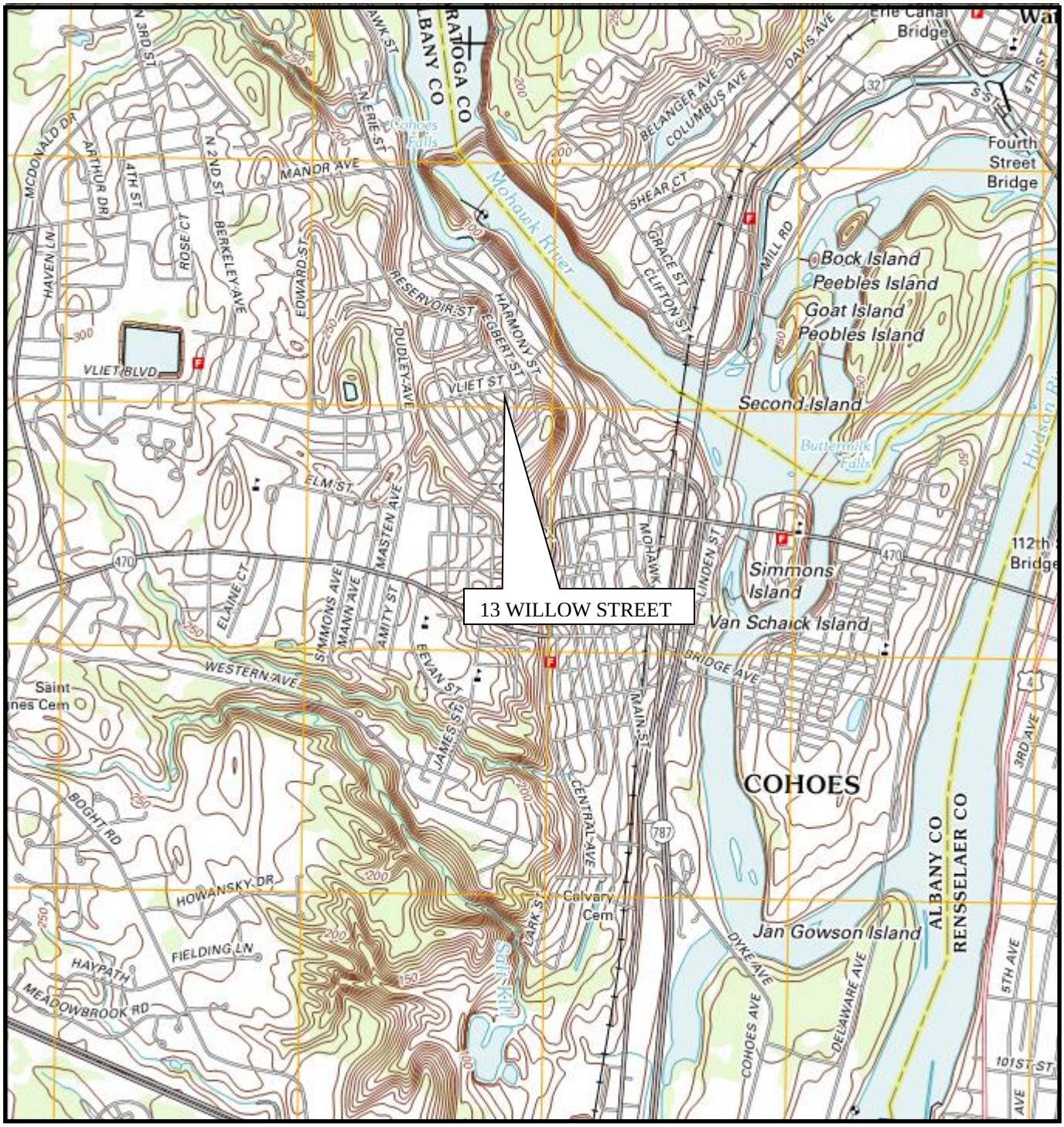
Phase I Environmental Site Assessment for the 1 & 13 Willow Street and 10 Vliet Street Site, prepared by C.T. Male Associates, dated December 29, 2020.

Phase I Environmental Site Assessment for the 1 & 13 Willow Street and 10 Vliet Street Site, prepared by C.T. Male Associates, dated August 9, 2021.

6 NYCRR Part 375, Environmental Remediation Programs. December 14, 2006.

NYSDEC DER-10 – "Technical Guidance for Site Investigation and Remediation".

NYSDEC, 1998. Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1. June 1998 (April 2000 addendum).



MAP REFERENCE
United States Geological Survey
7.5 Minute Series Topographic Map
Quadrangle: Troy North, NY
Date: 2013

C.T.MALE ASSOCIATES
ENGINEERING, SURVEYING, ARCHITECTURE, LANDSCAPE ARCHITECTURE & GEOLOGY, D.P.C.

50 CENTURY HILL DRIVE
LATHAM, NY 12110

FIGURE 1 - SITE LOCATION MAP
13 WILLOW STREET

CITY OF COHOES	ALBANY COUNTY, NY
SCALE: 1:2,000±	The locations and features depicted on this map are approximate and do not represent an actual survey.
DRAFTER: DTA	
PROJECT No: 18.8515	

XREFS: NONE

PROJECT NUMBER: 17.7058

Description: 1 Willow Street

All that certain tract, piece or parcel of land situate in the City of Cohoes, County of Albany, State of New York, lying Southerly of Vliet Street, Westerly of Willow Street, and Easterly of Worth Street, and being more particularly bounded and described as follows:

beginning at the point of intersection of the Southerly street boundary of Vliet Street (60-foot-wide right-of-way) with the Westerly street boundary of Willow Street (40-foot-wide right-of-way) and runs thence from said point of beginning along said Westerly street boundary of Willow Street South 04 deg. 45 min. 56 sec. West 83.80 feet to its point of intersection with the division line between the reputed lands of the City of Cohoes (Tax Map Parcel No. 10.50-2-5) on the North and the lands now or formerly of Michael Klebieko as described in Book 2819 of Deeds at Page 820 on the South; thence North 85 deg. 14 min. 04 sec. West along the last mentioned division line 100.00 feet to its point of intersection with the Easterly street boundary of Worth Street (34-foot-wide right-of-way); thence along said Easterly street boundary North 04 deg. 45 min. 44 sec. East 57.78 feet to its point of intersection with the above mentioned Southerly street boundary of Vliet Street; thence along said Southerly street boundary North 80 deg. 10 min. 37 sec. East 103.33 feet to the point or place of beginning and containing 7,790± square feet of land.

Subject to any existing covenants, easements or restrictions of record.

Description: 13 Willow Street

All that certain tract, piece or parcel of land situate in the City of Cohoes, County of Albany, State of New York, lying Westerly of Willow Street, generally South of Vliet Street and Easterly of Worth Street, and being more particularly bounded and described as follows:

beginning at a point on the Westerly street boundary of Willow Street (40-foot-wide right-of-way) at its point of intersection with the division line between the lands now or formerly of the City of Cohoes as described in Book 2559 of Deeds at Page 741 on the North and the lands now or formerly of 17 Willow Street LLC as described in Book 3065 of Deeds at Page 385 on the South and runs thence from said point of beginning along said division line North 85 deg. 14 min. 04 sec. West 100.00 feet to its point of intersection with the Easterly street boundary of Worth Street (34-foot-wide right-of-way); thence North 04 deg. 45 min. 56 sec. East along said Easterly street boundary 50.00 feet to its point of intersection with the division line between the said lands now or formerly of the City of Cohoes on the South and the lands now or formerly of Michael Klebieko as described in Book 2819 of Deeds at Page 820 on the North; thence South 85 deg. 14 min. 04 sec. East along the last mentioned division line 100.00 feet to its point of intersection with the above mentioned Westerly street boundary of Willow Street (40-foot-wide right-of-way); thence along said Westerly street boundary South 04 deg. 45 min. 56 sec. West 50.00 feet to the point or place of beginning and containing 5,000± square feet of land.

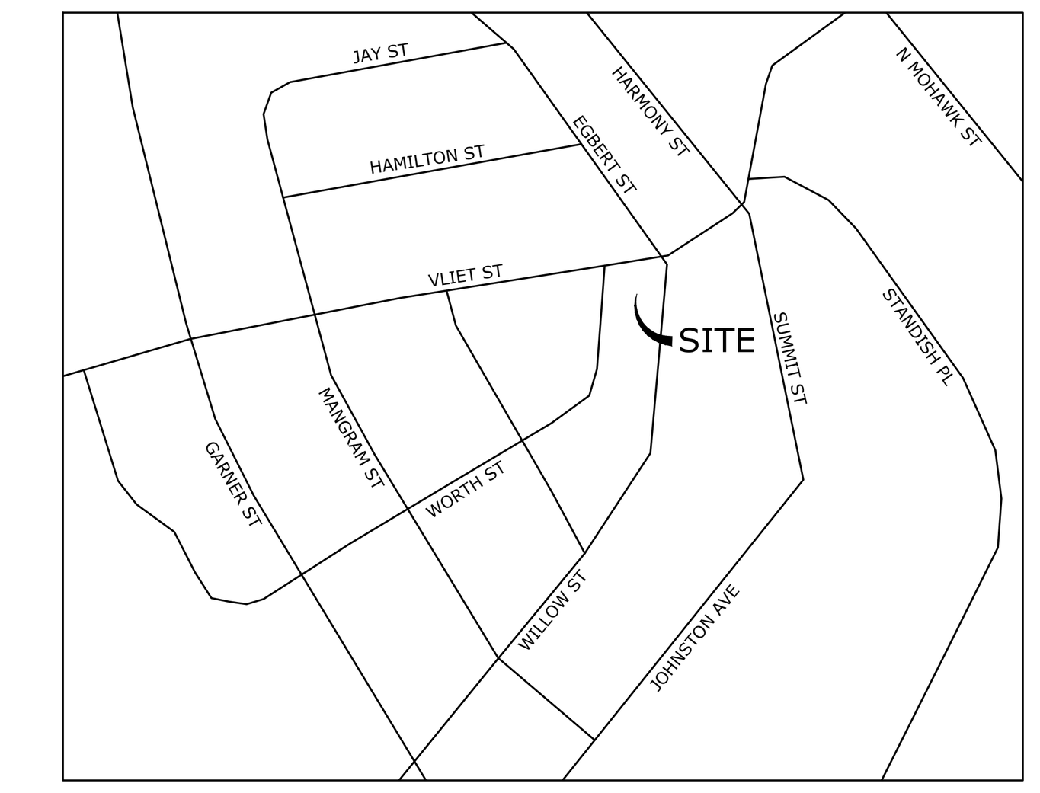
Subject to any existing covenants, easements or restrictions of record.

Description: 10 Vliet Street

All that certain tract, piece or parcel of land situate in the City of Cohoes, County of Albany, State of New York, lying Southeasterly of Vliet Street and Easterly of Willow Street, and being more particularly bounded and described as follows:

beginning at the point of intersection of the Southeasterly street boundary of Vliet Street (60-foot-wide right-of-way) with the Easterly street boundary of Willow Street (40-foot-wide right-of-way) and runs thence from said point of beginning along said Southeasterly street boundary of Vliet Street North 53 deg. 15 min. 08 sec. East 54.81 feet to its point of intersection with the common division line between the lands now or formerly of the County of Albany as described in Book 2016 of Deeds at Page 10887 on the Southwest and the lands now or formerly of TCB Cohoes Housing Development Fund Corp. Cohoes Falls Limited Partnership as described in Book 3011 of Deeds at Page 856 and lands now or formerly of David Flouton and Lucille Flouton as described in Book 2059 of Deeds at Page 751 on the Northeast; thence along the last mentioned common division line the following two (2) courses: 1) South 27 deg. 05 min. 12 sec. East 37.67 feet to a point; and 2) South 13 deg. 24 min. 42 sec. East 3.42 feet to its point of intersection with the division line between the said lands now or formerly of the County of Albany on the North and the lands now or formerly of Michael Klebieko as described in Book 3086 of Deeds at Page 272 on the South; thence South 83 deg. 44 min. 04 sec. West along the last mentioned division line 63.16 feet to its point of intersection with the above mentioned Easterly street boundary of Willow Street (40-foot-wide right-of-way); thence along said Easterly street boundary North 04 deg. 45 min. 56 sec. East 11.00 feet to the point or place of beginning and containing 1,459± square feet of land.

Subject to any existing covenants, easements or restrictions of record.



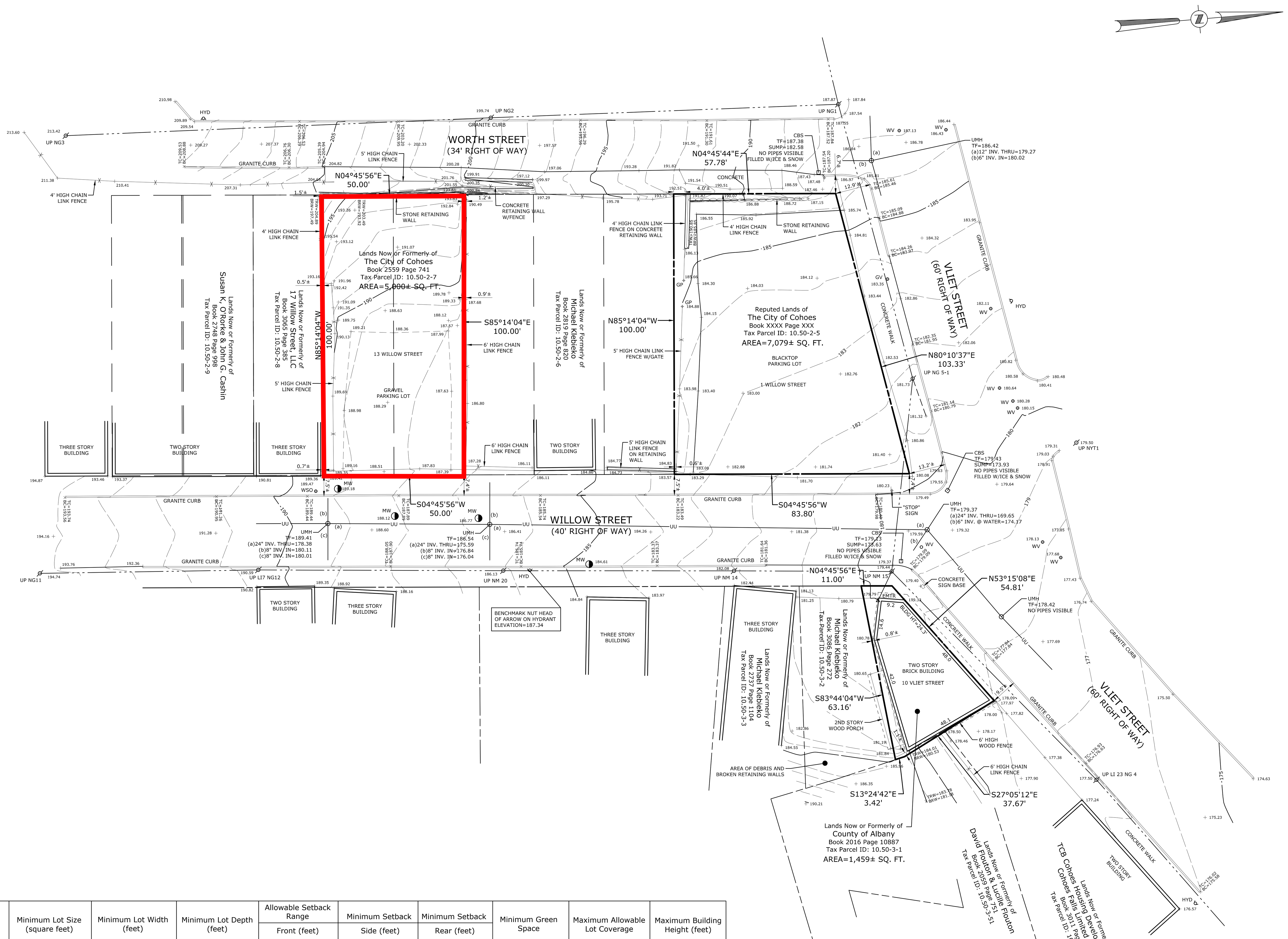
SITE LOCATION MAP
(NOT TO SCALE)

MAP NOTES:

1. Boundary and topographic information shown hereon was compiled from an actual field survey conducted during January 26, 2017.
2. North orientation and bearings are Grid North based on the New York State Plane Coordinate System, East Zone, NAD 83/2011 epoch 2010.00 as obtained from GPS observations.
3. Vertical datum shown hereon is NAVD 88 and was obtained from GPS observations.
4. Prior to conducting this survey this geographic area accumulated approximately 4 inches of packed snow and ice. Therefore the undersigned cannot certify that some object or feature has been omitted.
5. Underground facilities, structures, and utilities have been plotted from data obtained from previous maps and record drawings. Surface features such as catch basin rims, manhole covers, water valves, gas valves, etc. are the result of field survey unless noted otherwise. There may be other underground utilities, the existence of which is not known to the undersigned. Size and location of all underground utilities and structures must be verified by the appropriate authorities. Dig Safely New York must be notified prior to conducting test borings, excavation and construction.
6. Per map entitled National Flood Insurance Program, FIRM Flood Insurance Rate Map, City of Cohoes, New York, Albany County, Panel 89 of 434, Community Panel Number 36001C0089D, effective date March 16, 2015, the parcel shown hereon falls within an area designated as Zone X areas determined to be outside the 0.2% annual chance floodplain.
7. Table A, 6a and 6b zoning information was to be supplied by client.
8. No parking stripping on sites.
9. No party walls on sites.
10. No evidence of recent earth moving work, building construction, or building additions observed in the process of conducting field work.
11. No proposed right of way changes or repairs evident.
12. No wetland delineations observed.
13. No plottable offsite easements or servitudes found.

MAP REFERENCES:

1. "Map 20 September 1925 Cohoes New York", by The Sandborn Map Co.
2. City of Cohoes Sanitary Sewer Map.
3. City of Cohoes Water Map.



13 Willow Street Notes:

1. This survey does not constitute a record search by C.T. Male Associates Engineering, Surveying Architecture and Landscape Architecture, D.P.C. to determine ownership or easements of record. for all information regarding easements, rights of way and title of record, the surveyor relied upon Title Commitment Number CT17-30157-ALB, prepared by Chicago Title Insurance Company, dated February 15, 2017.

10 Vliet Street Notes:

1. This survey does not constitute a record search by C.T. Male Associates Engineering, Surveying Architecture and Landscape Architecture, D.P.C. to determine ownership or easements of record. for all information regarding easements, rights of way and title of record, the surveyor relied upon Title Commitment Number CT17-30155-ALB, prepared by Chicago Title Insurance Company, dated February 15, 2017.

LEGEND

CBS	□	Catch Basin Square
EMTR	△	Electric Meter
GV	○	Gas Valve
— — — — —		Guy Wire
HYD		Hydrant
MW		Monitoring Well
TC= BC=	×	Top & Bottom Curb Elevation
UMH	○	Unknown Manhole
UP		Utility Pole
WSO	○	Water Shut Off
WV	○	Water Valve
—— - - - ——		Overhead Wires

ZONING

Zoning District	Permitted Uses	Minimum Lot Size (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Allowable Setback Range	Minimum Setback	Minimum Setback	Minimum Green Space	Maximum Allowable Lot Coverage	Maximum Building Height (feet)
					Front (feet)	Side (feet)	Rear (feet)			
MFR-Multifamily Residential	Dwelling, single-family	5,000	50	100	5 to 15	5	20	40%	60%	35
	Dwelling, two-family	6,000	60	100	5 to 15	5	20	30%	70%	35
	Dwelling, attached or row	7,500	50	100	5 to 15	5	20	30%	80%	35
	Dwelling, multifamily	10,000	75	100	5 to 15	10	20	20%	50%	35
	In-Law apartment	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Home occupation located in principal building	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Bed-and-breakfest/Inn	7,500	50	100	5 to 15	5	20	30%	70%	35
	Parking lot	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Dwelling, accessory, as part of or in place of a detached garage	N/A	N/A	N/A	50	10	10	N/A	N/A	25
	Residential care facility	8,000	60	100	5 to 15	10	20	30%	70%	35
	Funeral home	8,000	50	100	5 to 15	5	20	30%	70%	35
	Building, accessory	N/A	N/A	N/A	50 minimum	10	10	N/A	N/A	15

13 Willow Street

To: TCB Holdings, Inc.
The Community Builders, Inc.
Chicago Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS ,and includes Items 2, 3, 4, 5, 6(a), 6(b), 7(a), 7(b)(1), 7(b)(2), 7(c), 8, 9, 10(a), 11, 13, 14, 16, 17, 18, 19 and 20 of Table A thereof. The Fieldwork Was Completed on January 10, 2017.

William J. Nettleton P.L.S. No. 49513 — Date

10 Vliet Street

To: TCB Holdings, Inc.
The Community Builders, Inc.
Chicago Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS ,and includes Items 2, 3, 4, 5, 6(a), 6(b), 7(a), 7(b)(1), 7(b)(2), 7(c), 8, 9, 10(a), 11, 13, 14, 16, 17, 18, 19 and 20 of Table A thereof. The Fieldwork Was Completed on January 10, 2017.

William J. Nettleton P.L.S. No. 49513 — Date

BAR SCALE
20 0 10 20 40
1 inch = 20 ft.

"ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES. OR A DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID TRUE COPY".

CAD DWG. FILE NAME: K:\Projects\177096\Survey\Drawings\Maps\alta-bids willow st.dwg

WILLIAM J. NETTLETON
P.L.S. NO. 49513

DATE		REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.
05/02/18	1	ADDED DESCRIPTIONS & UPDATED CERTIFICATION	SMW	JM	WJN
09/04/18	2	REVISE CERTIFICATION AND NOTE	DBT	JM	WJN
	3				
	4				
	5				
	6				
	7				
	8				
	9				

APPROVED: WJN
DRAFTED : SMW
CHECKED : JAM
PROJ. NO : 17.7096
SCALE : 1"=20'
DATE : JAN. 26, 2017

ALTA/NSPS LAND TITLE SURVEY

1 & 13 WILLOW STREET & 10 VLIET STREET
PREPARED FOR
TCB HOLDINGS, INC.

CITY OF COHOES — ALBANY COUNTY, NEW YORK

C.T. MALE ASSOCIATES
Engineering, Surveying, Architecture & Landscape Architecture, D.P.C.
50 CENTURY HILL DRIVE, LATHAM, NY 12110
518.786.7400 * FAX 518.786.7299

SHEET 1 OF 1
DWG. NO: 18-239

THIS MAP PREPARED FOR ASSESSMENT PURPOSES ONLY AND NOT TO BE USED FOR THE CONVEYANCE OF PROPERTY

NORTH

NYS PLANE COORDINATE SYSTEM NAD27

PREPARED BY
SMITH & MAHONEY, ENGINEERS & SURVEYORS
ALBANY, NEW YORK

PREPARED FOR
REAL PROPERTY TAX SERVICE AGENCY
ALBANY COUNTY, NEW YORK

DIGITAL CONVERSION BY:
THE SANBORN MAP COMPANY INC.
PELHAM, NEW YORK

REVISION TABLE

DATE	BY	CHANGES OR ADDITIONS	DATE	BY	CHANGES OR ADDITIONS
5-2-80	DB	ADDED PARCEL 2-9.2			
6-10-80	DB	ADDED PARCEL 4-25.2			
6-10-80	DB	ADDED PARCEL 3-30.2			
7-14-80	DB	DELETED PARCEL 4-1, MERGED INTO 4-8 DELETED PARCEL 4-4, MERGED INTO 4-5			
5-11-02 12-26-12	JWV JKD	DEL 2-4.2 MERGED INTO 4.1 PER MERGE FORM MERGE 1-26 INTO 1-26, RENUMBERED AS 1-26.1 PER MAP DATED 5/6/13			

SPECIAL DISTRICTS

TYPE	SYMBOL	DISTRICT NAME	TYPE	SYMBOL	DISTRICT NAME
Fire	—f—		Water	—w—	

LEGEND

PROPERTY LINE	CITY LINE	TAX DISTRICT LINE	GREAT LOT NO. (5)
ORIGINAL LOT LINE	VILLAGE LINE	FIRE DISTRICT LINE —F—	CALCULATED ACREAGE 7.1 A (C)
RAIL ROAD	TOWN LINE	DENOTES COMMON OWNER	DEED ACREAGE 11.2 A
STREAM OR DITCH	BLOCK LIMIT	TAX MAP BLOCK NO. (1)	SCALED DIMENSION 725'(S)
ROAD OR RAIL ROAD BNDY.	GREAT LOT LINE	TAX MAP PARCEL NO. 74.12-1-10	DEED DIMENSION 53.67'
STREET CENTERLINE	EASEMENT LINE —E—	STREET NUMBER 14	VISUAL CENTER OF PARCEL ·
COUNTY LINE	WATER DISTRICT LINE —W—	FILED PLAN LOT NO. 17	

10.41	10.42	10.12
10.11		10.12
10.57	10.58	10.59

SHEET INDEX

TAX MAP
CITY OF COHOES
ALBANY COUNTY, NEW YORK

10.50

0 50 100
SCALE: 1"=50'

TAXABLE STATUS DATE: 3/1/19

TAX MAP UPDATED THROUGH MARCH 1, 2019

CS-N1 (9'-10')	5/15/13
Compound	
PCE	0.97
cis-1,2-DCE	0.062 J

CS-B2 (14')	5/20/13
Compound	
PCE	5.2

CS-N3 (12')	5/20/13
Compound	
PCE	2.7

CS-N2 (9'-10')	5/15/13
Compound	
PCE	1.3

CS-E1 (13')	5/20/13
Compound	
PCE	39

CS-W1 (9'-10')	5/15/13
Compound	
CVOCs	ND

CS-B1 (10')	5/15/13
Compound	
PCE	0.0053 J

CS-S3 (13')	5/20/13
Compound	
PCE	2.7

CS-W2 (9'-10')	5/15/13
Compound	
PCE	0.09
cis-1,2-DCE	0.056
Vinyl Chloride	0.011 NJ

CS-S2 (9'-10')	5/15/13
Compound	
PCE	0.45

CS-B3 (10')	5/20/13
Compound	
PCE	67

CS-S1 (9'-10')	5/15/13
Compound	
PCE	4.1

SB-13	12/19/12	
	Depth (ft.)	
Compound	9'-10'	10'-11'
PCE	2.5 DJ	2.8 DJ
TCE	0.046	0.073 J
cis-1,2-DCE	0.0087	0.0039 J
trans-1,2-DCE	ND	ND
Vinyl Chloride	ND	ND

PROPOSED EXCAVATION AREA TO 13' DEPTH

MW-9 SB-19 SB-16 SB-18 SB-10 SB-5 SB-12 SB-14 SB-15 SB-4 MW-2 SB-9 SB-13 SV-9 SV-6 MW-3 SB-7 SV-7 SV-8 SV-5 SB-11 MW-6 MW-6R MW-7R MW-7 MW-12 SB-6 CS-N1 CS-N2 CS-N3 CS-W1 CS-B1 CS-W2 CS-S2 CS-S1 CS-S3 CS-E1 CS-B2 CS-B3

STREET

SIDEWALK

N

Legend

- Proposed Excavation Area
- Confirmation Samples
- Groundwater Monitoring Wells
- Former Groundwater Monitoring Wells
- Soil Borings
- Soil Vapor Points
- IRM Excavation Area - 14 ft. bgs
- IRM Excavation Area - 10 ft. bgs
- Gas
- Sewer
- Sewer Manhole
- Water
- Former S&S Cleaners

NOTE: Soil CVOC concentrations for detected compounds given in mg/kg.
ND = Not detected.
J = Estimated concentration.

= Concentration exceeds Residential Soil Cleanup Objective.

= Concentration exceeds Unrestricted Use Soil Cleanup Objective.

0 2.5 5 10 15 20 Feet

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

FORMER S&S CLEANERS & DYERS SITE
13 WILLOW STREET, COHOES, NEW YORK
NYSDEC SITE # 401063

ALTERNATIVE 3 (RESIDENTIAL USE) EXCAVATION AREA

ARCADIS

FIGURE 3

Project 00286396.0000
G:\GIS\MOD\00286396.0000\Figures\Excavation Area.mxd - 3/14/2014 @ 8:54:13 AM

MW-10B		
Compound	9/18/13	11/11/13
CVOCs	ND	ND

MW-11B		
Compound	9/18/13	11/13/13
CVOCs	ND	ND

MW-8					
Compound	5/27/10	11/15/10	10/1/12	10/1/12 Dup	11/13/13
PCE	7	ND	ND	ND	ND
TCE	14	ND	ND	ND	ND
cis-1,2-DCE	5	2.4	ND	0.51 J	1.2
trans-1,2-DCE	1	ND	ND	ND	ND

MW-9		
Compound	12/27/12	11/12/13
PCE	8.6	5.4
TCE	4.2	6.3

MW-5				
CVOCs	3/9/09	11/18/09	10/2/12	11/12/13
	ND	ND	ND	ND

MW-6/6R				
Compound	5/27/10	11/15/10	10/1/12	11/11/13
PCE	ND	1.2 J	0.81 J	ND
TCE	ND	ND	ND	1.2
cis-1,2-DCE	ND	ND	ND	76
Vinyl Chloride	ND	ND	ND	18

MW-7/7R					
Compound	5/27/10	5/27/10 Dup	11/15/10	10/4/12	11/11/13
PCE	51,000 D	58,000 D	130,000 DJ	45,000	ND
TCE	210 D	200 D	230 D	120 J	1.1
1,1-DCE	7 J	7 J	11	4.6 J	ND
cis-1,2-DCE	56 J	57 J	100 D	110 J	620 D
trans-1,2-DCE	1 J	1 J	1.6	1.1 J	1.9
Vinyl Chloride	3	3	8	7.8 J	110
Chlorobenzene	6.2 J	5.9 J	9.7	4.1 J	ND
1,2-Dichloropropane	2 J	3 J	3.8	ND	ND

MW-1				
Compound	3/9/09	11/18/09	10/1/12	11/11/13
PCE	ND	ND	0.93 J	1.4

MW-12		
Compound	8/28/13	11/11/13
TCE	0.89 J	ND
cis-1,2-DCE	ND	1.3

MW-4				
CVOCs	3/9/09	11/18/09	12/19/12	11/11/13
	ND	ND	ND	ND

MW-2					
Compound	3/9/09	3/9/09 Dup	11/18/09	11/18/09 Dup	10/1/12
PCE	18	14	17	25	8.1

MW-3				
Compound	3/9/09	11/18/09	10/1/12	11/11/13
PCE	ND	ND	ND	7.1

NOTE: Groundwater CVOC concentrations for detected compounds given in µg/L.
ND = Not detected.
J = Estimated concentration.

= Concentration exceeds corresponding NYSDEC Class GA Standard.

Legend

- Soil Borings
- Soil Vapor Points
- Groundwater Monitoring Wells
- Former Groundwater Monitoring Wells
- VI Evaluation
- Indoor Air Samples
- Outdoor Air Samples
- Sub-Slab Vapor Samples
- IRM Excavation Area - 14 ft bgs
- IRM Excavation Area - 10 ft bgs
- Gas
- Sewer
- Sewer Manhole
- Water
- Site Boundary
- City Owned Property

0 10 20 40 60 80 Feet

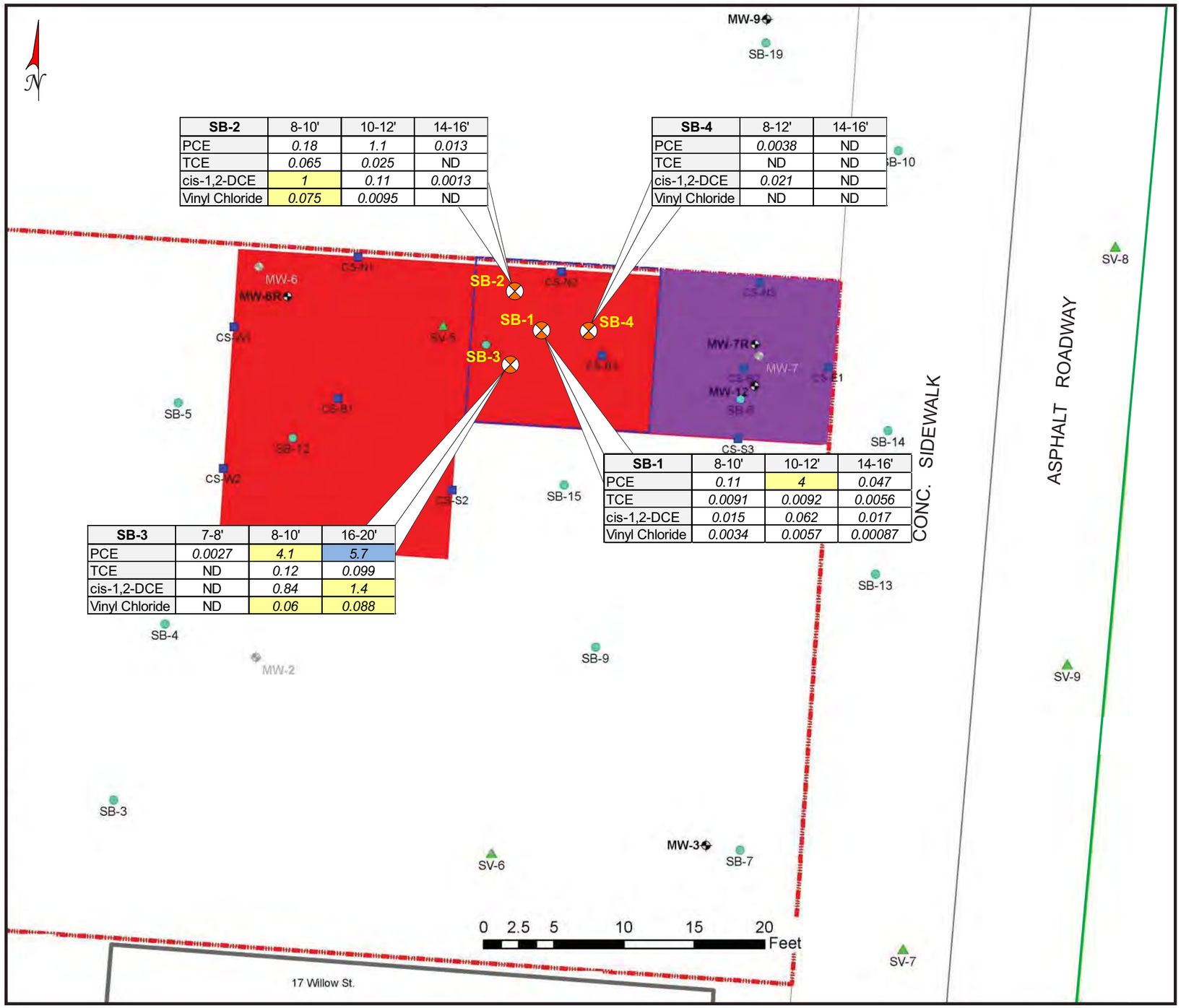
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
FORMER S&S CLEANERS & DYERS SITE
13 WILLOW STREET, COHOES, NEW YORK
NYSDEC SITE # 401063

SUMMARY OF CHLORINATED VOLATILE ORGANIC COMPOUND ANALYTICAL RESULTS - GROUNDWATER

ARCADIS Infrastructure · Water · Environment · Buildings

FIGURE 2

G:\GISMOD\00266396.0000\Figures\Proposed Sample Locations - 11x17.mxd



SB-2	8-10'	10-12'	14-16'
PCE	*0.18*	*1.1*	*0.013*
TCE	*0.065*	*0.025*	ND
cis-1,2-DCE	*1*	*0.11*	*0.0013*
Vinyl Chloride	*0.075*	*0.0095*	ND

SB-4	8-12'	14-16'
PCE	*0.0038*	ND
TCE	ND	ND
cis-1,2-DCE	*0.021*	ND
Vinyl Chloride	ND	ND

SB-1	8-10'	10-12'	14-16'
PCE	*0.11*	*4*	*0.047*
TCE	*0.0091*	*0.0092*	*0.0056*
cis-1,2-DCE	*0.015*	*0.062*	*0.017*
Vinyl Chloride	*0.0034*	*0.0057*	*0.00087*

SB-3	7-8'	8-10'	16-20'
PCE	*0.0027*	*4.1*	*5.7*
TCE	ND	*0.12*	*0.099*
cis-1,2-DCE	ND	*0.84*	*1.4*
Vinyl Chloride	ND	*0.06*	*0.088*

PRECISION ENVIRONMENTAL SERVICES, INC.
831 RT. 67,LOT 38A
BALLSTON SPA, NY 12020
TEL: 518-885-4399
FAX: 518-885-4416
CERTIFIED WOMEN-OWNED BUSINESS ENTERPRISE

2017 SOIL BORING DETAIL

SITE NAME: S & S Cleaners

SITE #: 401063

LOCATION: 13 Willow St, Cohoes, NY

DATE: 7/10/18 | **REVISED BY:** SMP

FIGURE: 3 | **SCALE: NTS**

Legend

- Proposed Excavation Area
- Confirmation Samples
- Groundwater Monitoring Wells
- Former Groundwater Monitoring Wells
- Soil Borings
- Soil Vapor Points
- IRM Excavation Area - 14 ft. bgs
- IRM Excavation Area - 10 ft. bgs
- Gas
- Sewer
- Sewer Manhole
- Water
- Former S&S Cleaners
- SB-1 2017 Soil Boring
- *4.1* Conc. Exceeds Un-Restricted Use (mg/Kg)
- *5.7* Conc. Exceeds Restricted Residential Use (mg/Kg)

NOTES:

- BASE MAP PROVIDED BY ARCADIS ['*FIGURE 3: ALTERNATIVE 3 (RESIDENTIAL USE) EXCAVATION AREA*']
- ALL LOCATIONS ARE APPROXIMATE

APPENDIX A – ENVIRONMENTAL EASEMENT

ALBANY COUNTY – STATE OF NEW YORK
BRUCE A. HIDLEY COUNTY CLERK
16 EAGLE STREET, ALBANY, NEW YORK 12207

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH

INSTRUMENT #: R2023-22888

Receipt#: 20230666165
Clerk: HC
Rec Date: 12/21/2023 11:39:10 AM
Doc Grp: D
Descrip: DEED, EASEMENT
Num Pgs: 11
Rec'd Frm: SOCO HOUSING DEVELOPMENT FUND CORP

Party1: SOCO HOUSING DEVELOPMENT FUND CORP
COHOES II LIMITED PARTNERSHIP
Party2: PEOPLE OF STATE OF NEW YORK

Recording:

Cover Page	5.00
Recording Fee	70.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Sub Total:	100.00
Transfer Tax	
Transfer Tax - State	0.00
Sub Total:	0.00
Total:	100.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 3047
Transfer Tax

Total: 0.00

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a (5) & 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Bruce A. Hidley
Albany County Clerk

Record and Return To:

BOX 8

SMPR A-0139195-A

R+R: CHERYL SALEM, LEGAL ASSISTANT II
REMEDIATION BUREAU, NYSDEC
625 BROADWAY, 14TH FLOOR
ALBANY, NY 12233-1500
C/O SMPR TITVE AGENCY, COUNTY BOX 8 ATTN: JM

County: Albany Site No: 401063

BOX 8

10
CON
HC

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made this 14th day of December, 2023 between Owners, Soco Housing Development Fund Corp. and Cohoes II Limited Partnership, having an office at 90 State Street, Suite 602, County of Albany, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee"), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 13 Willow Street in the City of Cohoes, County of Albany and State of New York, known and designated on the tax map of the County Clerk of Albany as tax map parcel number: Section 10.50 Block 2 Lot 7, being the same as that property conveyed to Grantor by deed dated September 10, 2021 and recorded in the Albany County Clerk's Office in Instrument No. R2021-28377. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately .110 +/- acres, and is hereinafter more fully described in the Land Title Survey dated May 3, 2022 prepared by William J. Nettleton, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

Residential as described in 6 NYCRR Part 375-1.8(g)(2)(i), Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Albany County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for raising livestock or producing animal products for human consumption, and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

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 Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an

interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to:

Site Number: 401063
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

11. Consistency with the SMP. To the extent there is any conflict or inconsistency between the terms of this Environmental Easement and the SMP, regarding matters specifically addressed by the SMP, the terms of the SMP will control.

Remainder of Page Intentionally Left Blank

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Soco Housing Development Fund Corp.:

By: _____

Print Name: Jesse Batus

Title: Authorized Agent Date: 11/7/2023

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF New York)

On the 7th day of October, in the year 2023, before me, the undersigned, personally appeared Jesse Batus, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public - State of New York

MARGARITA C. VERDEJO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01VE6409507
Qualified in Suffolk County
My Commission Expires 09-28-2024

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Cohoes II Limited Partnership:

By: _____

Print Name: Jesse Babos

Title: Authorized Agent Date: 11/7/2023

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the 7th day of October, in the year 2023, before me, the undersigned, personally appeared Jesse Babos, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public - State of New York

MARGARITA C. VERDEJO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01VE6409507
Qualified in Suffolk County
My Commission Expires 09-28-2024

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting by and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 14th day of December in the year 2023 before me, the undersigned, personally appeared Andrew O. Guglielmi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public - State of New York

Cheryl A. Salem
Notary Public State of New York
Registration No. 01SA0002177
Qualified In Albany County
My Commission Expires March 3, 2027

SCHEDULE "A" PROPERTY DESCRIPTION

All that certain tract, piece or parcel of land situate in the City of Cohoes, County of Albany, State of New York, lying Westerly of Willow Street, generally South of Vliet Street, and Easterly of Worth Street, and being more particularly bounded and described as follows:

BEGINNING at a point on the Westerly street boundary of Willow Street (40-foot-wide right-of-way) at its point of intersection with the division line between the lands now or formerly of TCB Holdings, Inc. as described in Instrument No. R2018-13657 on the North and the lands now or formerly of 17 Willow Street LLC as described in Book 3065 of Deeds at Page 385 on the South and runs thence from said point of beginning along said division line North 85 deg. 14 min. 04 sec. West 100.00 feet to its point of intersection with the Easterly street boundary of Worth Street (34-foot-wide right-of-way); thence North 04 deg. 45 min. 56 sec. East along said Easterly street boundary 50.00 feet to its point of intersection with the division line between the said lands now or formerly of TCB Holdings, Inc. on the South and the lands now or formerly of Michael Klebieko as described in Book 2819 of Deeds at Page 820 on the North; thence South 85 deg. 14 min. 04 sec. East along the last mentioned division line 100.00 feet to its point of intersection with the above mentioned Westerly street boundary of Willow Street (40-foot-wide right-of-way); thence along said Westerly street boundary South 04 deg. 45 min. 56 sec. West 50.00 feet to the point or place of beginning For Information Only, Not Insured: and containing 5,000± square feet or .11± of land.

APPENDIX B – EXCAVATION WORK PLAN (EWP)

B-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 NYSDEC contacts listed in the table below. Table B-1-1 includes contact information for the above notification. The information on this table will be updated as necessary to provide accurate contact information.

Table B-1-1: Notifications*

Name	**Contact Information**
NYSDEC Project Manager Javier Perez-Maldonardo	P: (518) 402-8172 javier-perez-maldonado@dec.ny.gov
NYSDEC Project Manager's Supervisor Christopher O'Neill, P.E.	P: (518) 357-2237 christopher.oneill@dec.ny.gov
NYSDOH Project Manager Sarita S. Wagh	P: (518) 402-7860 BEEI@health.ny.us

* Note: Notifications are subject to change and will be updated as necessary.

This notification will include:

- A detailed description of the work to be performed, including the location and areal extent of excavation, plans/drawings for site re-grading, intrusive elements or utilities to be installed below the soil cover, estimated volumes of contaminated soil to be excavated, any modifications of truck routes, and any work that may impact an engineering control;
- A summary of environmental conditions anticipated to be encountered 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, 29 CFR 1910.120 and 29 CFR 1926 Subpart P;

- A copy of the contractor's health and safety plan (HASP), in electronic format;
- Identification of disposal facilities for potential waste streams; and
- Identification of sources of any anticipated backfill, along with the required request to import form and all supporting documentation including, but not limited to, chemical testing results.

B-2 SOIL SCREENING METHODS

Visual, olfactory and instrument-based (e.g. photoionization detector) soil screening will be performed during excavations into known or potentially contaminated material (remaining contamination). A qualified environmental professional as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State will perform the screening. Soil screening will be performed when invasive work is done and will include all excavation and invasive work performed during development, such as excavations for foundations and utility work. Soils will be segregated based on previous environmental data and screening results into material that requires off-site disposal and material that can be reused on-site as subgrade material.

B-3 SOIL STAGING METHODS

Soil stockpiles when not handled for more than seven (7) days 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.

Contaminated soil stockpiles will be kept covered at all times with appropriately anchored tarps or poly sheeting. Stockpiles will be routinely inspected and damaged tarp covers will be promptly replaced.

Contaminated soil 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 the NYSDEC.

B-4 MATERIALS EXCAVATION AND LOAD-OUT

A qualified environmental professional as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State will oversee invasive work and the excavation and load-out of all excavated material. The owner of the property and remedial party (if applicable) and its contractors are responsible for safe execution of invasive and other work performed under this Plan.

The presence of utilities and easements on the site will be investigated by the owner of the property and/or its contractor. 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. A site utility stakeout will be completed for all utilities prior to ground intrusive activities at 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).

For vehicles loaded with contaminated material where their tires have come into contact with contaminated soils on-site, a truck wash or other sediment removing devices/methods will be operated on-site, as appropriate. The owner and qualified environmental professional will be responsible for ensuring that outbound trucks do not track site soils off-site. Truck wash waters (and sediments) will be collected and disposed of off-site in an appropriate manner.

The qualified environmental professional, trained contractor or qualified inspector 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 sediment-free condition with respect to site-derived materials. Material accumulated from the street cleaning and egress cleaning activities will be disposed off-site at a permitted landfill facility in accordance with all applicable local, State, and Federal regulations.

B-5 MATERIALS TRANSPORT OFF-SITE

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.

Contaminated 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.

Truck transport routes are to be considered prior to major site renovation or further development. Appropriate truck routes and take 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; and (f) overall safety in transport.

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 to minimize off-site disturbance. Off-site queuing will be prohibited.

B-6 MATERIALS DISPOSAL OFF-SITE

Contaminated soil/fill excavated and removed from the site will be treated as contaminated and regulated material and will be transported and disposed off-site in a permitted facility in accordance with all local, State and Federal regulations. If disposal of material 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 project manager. Unregulated off-site management of materials from this site will not occur without formal NYSDEC project manager approval.

Off-site disposal locations for contaminated, excavated soils will be identified in the pre-excavation notification. This will include estimated quantities of soil and a breakdown by class of disposal facility if appropriate, (i.e., hazardous waste disposal

facility, solid waste landfill, petroleum treatment facility, and C&D debris recovery facility). Actual disposal quantities and associated documentation will be reported to the NYSDEC in the Periodic Review Report. This documentation will include, but will not be limited to: 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 consistent with 6 NYCRR Parts 360, 361, 362, 363, 364 and 365. Material that does not meet Unrestricted SCOs is prohibited from being taken to a New York State C&D debris recovery facility (6 NYCRR Subpart 360-15 registered or permitted facility).

B-7 MATERIALS REUSE ON-SITE

The qualified environmental professional as defined in 6 NYCRR Part 375 will ensure that procedures defined for materials reuse in this SMP are followed and that unacceptable material (i.e., contaminated) does not remain on-site. Contaminated on-site material, including historic fill and contaminated soil, that is acceptable for reuse on-site will be placed subgrade, so it is not directly accessible at the surface, not within landscaping berms, or as backfill for subsurface utility lines.

Proposed materials for reuse on-site must be sampled for full suite analytical parameters per 6 NYCRR Part 375 including per- and polyfluoroalkyl substances (PFAS) and 1,4-dioxane. The sampling frequency will be in accordance with DER-10 Table 5.4(e)10 unless prior approval is obtained from the NYSDEC project manager for modification of the sampling frequency. The analytical results of soil/fill material testing must meet the site use criteria presented in NYSDEC DER-10 Appendix 5 – Allowable Constituent Levels for Imported Fill or Soil for all constituents listed, and the NYSDEC Sampling, Analysis, and Assessment of Per- and Polyfluoroalkyl Substances June 2021 guidance values. Approvals for modifications to the analytical parameters must be obtained from the NYSDEC project manager prior to the sampling event.

Soil/fill material for reuse on-site will be segregated and staged as described in Sections B-2 and B-3 of this EWP. The anticipated size and location of stockpiles will be

provided in the 15-day notification to the NYSDEC project manager. Stockpile locations will be based on the location of site excavation activities and proximity to nearby site features. Material reuse on-site will comply with requirements of NYSDEC DER-10 Section 5.4(e)4. Any modifications to the requirements of DER-10 Section 5.4(e)4 must be approved by the NYSDEC project manager.

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.

B-8 FLUIDS MANAGEMENT

Unless testing has confirmed that contamination is below applicable standards, liquids to be removed from the site, including but not limited to, excavation dewatering, decontamination waters and groundwater monitoring well purge and development waters, will be handled, transported and disposed off-site at a permitted facility 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, and will be managed off-site, unless prior approval is obtained from NYSDEC.

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 or as otherwise approved in advance by the NYSDEC.

B-9 COVER SYSTEM RESTORATION

There is no required cover system for the project site. When the site surface is disturbed, it shall be restored to original condition.

B-10 BACKFILL FROM OFF-SITE SOURCES

Materials proposed for import onto the site will be approved by the qualified environmental professional, as defined in 6 NYCRR Part 375, and will be in compliance with provisions in this SMP prior to receipt at the site. A Request to Import/Reuse Fill or Soil form, which can be found at http://www.dec.ny.gov/regulations/67386.html, will be prepared and submitted to the NYSDEC project manager allowing a minimum of five (5) business days for review.

The source of the imported backfill will need to be documented. Material from industrial sites, spill sites, other environmental remediation sites, or potentially contaminated sites will not be imported to the site. All imported soils will meet the backfill quality standards established in 6 NYCRR 375-6.7(d) and DER-10 Appendix 5 for residential use. Based on an evaluation of the land use, protection of groundwater and protection of ecological resources criteria, the resulting soil quality standards are listed in Appendix 5 of NYSDEC DER-10. Soils that meet 'general' fill requirements under 6 NYCRR Part 360.13, but do not meet backfill or cover soil objectives for this site, will not be imported onto the site without prior approval by NYSDEC project manager. Soil material will be sampled for the full suite of analytical parameters, including PFAS and 1, 4-dioxane. Solid waste will not be imported onto the site.

Except as provided below, imported backfill shall be documented clean by analytical testing. Imported backfill will be analyzed according to the following schedule:

Recommended Number of Soil Samples for Soil Imported to the Site			
Contaminant	Volatile Organic Compounds	Semi-volatile Organic Compounds, Inorganics, PCBs/Pesticides & PFAS and 1, 4-dioxane	
Imported Backfill Quantity in Cubic Yards	Discrete Samples	Composite Samples	Discrete Samples/Composites
0 – 50	1	1	3-5 Discrete samples from different locations in the fill being provided will compromise a composite sample for analysis
51 – 100	2	1	
101 – 200	3	1	
201 – 300	4	1	
301 – 400	4	2	
401 – 500	5	2	
501 – 800	6	2	
801 – 1,000	7	2	
> 1,000	Add an additional two volatile organic compound discrete samples and one composite sample for each additional 1,000 cubic yards or consult with NYSDEC		

Backfill material other than soil imported to the site may be used as backfill beneath pavement, buildings or as part of the final site cover without analytical testing provided that it consists of gravel, rock, crusher run, or stone consisting of virgin material that is obtained from a permitted mine or quarry.

B-11 STORMWATER POLLUTION PREVENTION

The site is less than one acre, therefore, the owner will not have to seek coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. For implementing construction activities with a disturbance of less than one acre, erosion and sediment controls (silt fencing, hay bales, etc.) will be installed, as appropriate, around the down gradient perimeter of the work areas and around temporary stockpiles of excavated soil and imported backfill. Erosion and sediment controls will be observed once a week and

corrective actions shall begin within one business day of contractor notification of deficiencies. Deficiencies include removal of accumulated sediments against silt fence, undercutting or erosion of the silt fence, and uncontrolled discharge off-site of turbid water. Corrective action shall be completed within a reasonable time frame. Results of inspections will be recorded in a logbook and maintained at the Site at the construction trailer or at the Owner's office and available for review by NYSDEC.

B-12 EXCAVATION 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. The NYSDEC project manager will be promptly notified of the discovery.

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 (including 1,4-dioxane), TCL pesticides and PCBs, and PFAS], unless the site history and previous sampling results provide sufficient justification to limit the list of analytes. In this case, a reduced list of analytes will be proposed to the NYSDEC project manager for approval prior to sampling. Any tanks will be closed as per NYSDEC Part 613 regulations and guidance.

Identification of unknown or unexpected contaminated media identified by screening during invasive site work will be promptly communicated by phone within two (2) hours 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 PRR.

B-13 COMMUNITY AIR MONITORING PLAN

A Community Air Monitoring Plan (CAMP) will be prepared and submitted to the NYSDEC for approval prior to any planned Site disturbance. For minimal disturbance situations, NYSDEC will be consulted to confirm if a CAMP would be necessary. The CAMP will be followed for any ground intrusive work in general accordance with the New York State Department of Health Generic CAMP dated June 2000.

Monitoring for particulate dust will be conducted during all ground intrusive activities based on generally prevailing wind conditions. These locations will be adjusted on a daily or more frequent basis based on actual wind directions to provide an upwind and at least one downwind monitoring station. Due to the site being within a sensitive receptor, (i.e., residential area), a fixed monitoring station should be located at that site perimeter, regardless of wind direction.

All readings must be recorded and be available for State (DEC and DOH) personnel to review. Exceedances of action levels listed in the CAMP will be reported to NYSDEC and NYSDOH Project Managers.

B-13A: Special Requirements for Work Within 20 Feet of Potentially Exposed Individuals or Structures

When work areas are within 20 feet of potentially exposed populations or occupied structures, the continuous monitoring locations for VOCs and particulates must reflect the nearest potentially exposed individuals and the location of ventilation system intakes for nearby structures. The use of engineering controls such as vapor/dust barriers, temporary negative-pressure enclosures, or special ventilation devices should be considered to prevent exposures related to the work activities and to control dust and odors.

- If total VOC concentrations opposite the walls of occupied structures or next to intake vents exceed 1 part-per-million, monitoring should occur within the occupied structure(s). Depending upon the nature of contamination, chemical-specific colorimetric tubes of sufficient sensitivity may be necessary for comparing the exposure point concentrations with appropriate pre-determined response levels (response actions should also be pre-determined). Background readings in the

occupied spaces must be taken prior to commencement of the planned work. Any unusual background readings should be discussed with NYSDOH prior to commencement of the work.

- If total particulate concentrations opposite the walls of occupied structures or next to intake vents exceed 150 micrograms per cubic meter, work activities should be suspended until controls are implemented and are successful in reducing the total particulate concentration to 150 micrograms per cubic meter or less at the monitoring point.

B-14 ODOR CONTROL PLAN

Nuisance odors were not encountered during the implementation of the remedy during the disturbance of existing Site soils. Therefore, an odor control plan is not needed for future excavation at the Site. If nuisance odors are observed during future Site excavation work, actions should be implemented to mitigate off-site impacts from odors.

If needed, the odor control plan should be capable of controlling emissions of nuisance odors off-site and on-site, if there are residents or tenants on the property. Specific odor control methods to be used on a routine basis could include a) limiting the area of open excavations; (b) shrouding open excavations with tarps and other covers; and (c) using foams to cover exposed odorous soils. If odors cannot be controlled by the previous means, additional measures to control the odor may include: (a) direct load-out of soils for off-site disposal; (b) use of chemical odorants in spray or misting systems; and (c) implement monitoring of odors in surrounding neighborhoods.

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 remedial party's Remediation Engineer, and any measures that are implemented will be discussed in the Periodic Review Report.

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.

B-15 DUST CONTROL PLAN

Particulate monitoring must be conducted according to the Community Air Monitoring Plan (CAMP) provided in Section B-13. If particulate levels at the site exceed the thresholds listed in the CAMP or if airborne dust is observed on the site or leaving the site, the dust suppression techniques listed below will be employed. The remedial party will also take measures listed below to prevent dust production on the site.

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 using a 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.
- Clearing and grubbing of larger sites will be done in stages to limit the area of exposed, unvegetated soils vulnerable to dust production.
- 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.

B-16 OTHER NUISANCES

A plan for rodent control will be developed and utilized by the contractor prior to and during site clearing and site grubbing, and during all remedial work. A plan will be developed and utilized by the contractor for all remedial work to ensure compliance with local noise control ordinances.

APPENDIX C
RESPONSIBILITIES of
OWNER and REMEDIAL PARTY

Responsibilities

The responsibilities for implementing the Site Management Plan ("SMP") for the Former S&S Cleaners site (the "site"), number 401063, are divided between the site owner(s) and a Remedial Party, as defined below. The owner(s) is/are currently listed as:
Cohoes II Limited Partnership, 8 W 38th Street, Suite 1102, New York, NY 10018 (the "owner").

Solely for the purposes of this document and based upon the facts related to a particular site and the remedial program being carried out, the term Remedial Party ("RP") refers to any of the following: certificate of completion holder, volunteer, applicant, responsible party, and, in the event the New York State Department of Environmental Conservation ("NYSDEC") is carrying out remediation or site management, the NYSDEC and/or an agent acting on its behalf. The RP is:
New York State Department of Environmental Conservation

Nothing on this page shall supersede the provisions of an Environmental Easement, Consent Order, Consent Decree, agreement, or other legally binding document that affects rights and obligations relating to the site.

Site Owner's Responsibilities:

1. The owner shall follow the provisions of the SMP as they relate to future construction and excavation at the site.

2. In accordance with a periodic time frame determined by the NYSDEC, the owner shall periodically certify, in writing, that all Institutional Controls set forth in an Environmental Easement remain in place and continue to be complied with.

3. In the event the site is delisted, the owner remains bound by the Environmental Easement, and shall submit, upon request by the NYSDEC, a written certification that the Environmental Easement, is still in place and has been complied with.

4. The owner shall grant access to the site to the NYSDEC and its agents for the purposes of performing activities required under the SMP and assuring compliance with the SMP.

5. If some action or inaction by the owner adversely impacts the site, the owner must notify the NYSDEC in accordance with the time frame indicated in Section 1.3 - Notifications.

6. The owner must notify the NYSDEC of any change in ownership of the site property (identifying the tax map numbers in any correspondence) and provide contact information for the new owner of the site property/ies. 6 NYCRR Part 375 contains notification requirements applicable to any construction or activity changes and changes in ownership. Among the notification requirements is the following: Sixty days prior written notification must be made to the NYSDEC. Notification is to be submitted to the NYSDEC Division of Environmental Remediation's Site Control Section. Notification requirements for a change in use are detailed in Section 1.3 of the SMP. A change of use includes, but is not limited to, any activity that may increase direct human or environmental exposure (e.g., day care, school or park). A 60-Day Advance Notification Form and Instructions are found at http://www.dec.ny.gov/chemical/76250.html.

7. Until such time as the NYSDEC deems the vapor mitigation system on-site unnecessary, the owner shall operate the system, pay for the utilities for the system's operation, and report any maintenance issues to the NYSDEC.

8. Until such time as the NYSDEC deems the vapor mitigation systems installed off-site unnecessary, the NYSDEC shall operate the system, pay for the utilities for the system's operation, and repair any maintenance issues.

9. In accordance with the tenant notification law, within 15 days of receipt, the owner must supply a copy of any vapor intrusion data, that is produced with respect to structures and that exceeds NYSDOH or OSHA guidelines on the site, whether produced by the NYSDEC, RP, or owner, to the tenants on the property. The owner must otherwise comply with the tenant and occupant notification provisions of Environmental Conservation Law Article 27, Title 24.

RP Responsibilities

1. The RP must follow the SMP provisions regarding any construction and/or excavation it undertakes at the site.

2. The RP shall report to the owner all activities required for remediation, operation, maintenance, monitoring, and reporting. Such reporting includes, but is not limited to, periodic review reports and certifications, electronic data deliverables, corrective action work plans and reports, and updated SMPs.

3. Before accessing the site property to undertake a specific activity, the RP shall provide the owner advance notification that shall include an explanation of the work expected to be completed. The RP shall provide to (i) the owner, upon the owner's request, and (ii) other entities, if required by the SMP, a copy of any data generated during the site visit and/or any final report produced.

4. If an update of the SMP is necessary, the RP shall update the SMP in consultation with the owner and issue final approval from the NYSDEC. Within 5 business days after NYSDEC approval, the RP shall submit a copy of the approved SMP to the owner(s).

5. The RP shall notify the owner of any changes in RP ownership and/or control and of any changes in the party/entity responsible for the operation, maintenance, and monitoring of and reporting with respect to any remedial system (Engineering Controls). The RP shall provide contact information for the new party/entity. If applicable, such activity constitutes a Change of Use pursuant to 375-1.11(d) and requires 60-days prior notice to the NYSDEC. A 60-Day Advance Notification Form and Instructions are found at http://www.dec.ny.gov/chemical/76250.html .

6. The RP shall notify the owner of any damage to or modification of the systems as required under Section 1.3 - Notifications of the SMP.

7. The RP is responsible for the proper maintenance of any installed vapor intrusion mitigation systems off-site, as required in Section 5, and if available, Operation, Monitoring and Maintenance Manual(s).

8. Prior to a change in use that impacts the remedial system or requirements and/or responsibilities for implementing the SMP, the RP amended SMP.

9. Any change in use, change in ownership, change in site classification (*e.g.*, delisting), reduction or expansion of remediation, and other significant changes related to the site may result in a change in responsibilities and, therefore, necessitate an update to the SMP and/or updated legal documents. The RP shall contact the owner to discuss the need to update such documents.

Future site owners and RPs and their successors and assigns are required to carry out the activities set forth above.

APPENDIX D

EXAMPLE SITE MANAGEMENT FORMS

Environmental Services Field Log

Date: _____ Time On-Site: _____ Time Off-Site: _____
Project Name: _____ Project No.: _____
Purpose: _____ Field Report No: _____

Weather Conditions: _____
Present at Site: _____
Observations: _____

Items to Verify: _____

List of Attachments: _____
Field Log Prepared by: _____
Copies to:

C.T. MALE ASSOCIATES

Page _____ of _____

Environmental Services Field Log

Project Name: _____ Project No.: _____

Observations: _____

Summary of Green Remediation Metrics for Site Management

Site Name: _____ Site Code: _____
Address: _____ City: _____
State: _____ Zip Code: _____ County: _____

Initial Report Period (Start Date of period covered by the Initial Report submittal)
Start Date: _____

Current Reporting Period
Reporting Period From: _____ To: _____

Contact Information
Preparer's Name: _____ Phone No.: _____
Preparer's Affiliation: _____

I. Energy Usage: Quantify the amount of energy used directly on-site and the portion of that derived from renewable energy sources.

	Current Reporting Period	**Total to Date**
Fuel Type 1 (e.g. natural gas (cf))		
Fuel Type 2 (e.g. fuel oil, propane (gals))		
Electricity (kWh)		
Of that Electric usage, provide quantity:		
Derived from renewable sources (e.g. solar, wind)		
Other energy sources (e.g. geothermal, solar thermal (Btu))		

Provide a description of all energy usage reduction programs for the site in the space provided on Page 3.

II. Solid Waste Generation: Quantify the management of solid waste generated on-site.

	Current Reporting Period (tons)	**Total to Date (tons)**
Total waste generated on-site		
OM&M generated waste		
Of that total amount, provide quantity:		
Transported off-site to landfills		
Transported off-site to other disposal facilities		
Transported off-site for recycling/reuse		
Reused on-site		

Provide a description of any implemented waste reduction programs for the site in the space provided on Page 3.

III. Transportation/Shipping: Quantify the distances travelled for delivery of supplies, shipping of laboratory samples, and the removal of waste.

	Current Reporting Period (miles)	**Total to Date (miles)**
Standby Engineer/Contractor		
Laboratory Courier/Delivery Service		
Waste Removal/Hauling		

Provide a description of all mileage reduction programs for the site in the space provided on Page 3. Include specifically any local vendor/services utilized that are within 50 miles of the site.

IV. Water Usage: Quantify the volume of water used on-site from various sources.

	Current Reporting Period (gallons)	**Total to Date (gallons)**
Total quantity of water used on-site		
Of that total amount, provide quantity:		
Public potable water supply usage		
Surface water usage		
On-site groundwater usage		
Collected or diverted storm water usage		

Provide a description of any implemented water consumption reduction programs for the site in the space provided on Page 3.

V. Land Use and Ecosystems: Quantify the amount of land and/or ecosystems disturbed and the area of land and/or ecosystems restored to a pre-development condition (i.e. Green Infrastructure).

	Current Reporting Period (acres)	**Total to Date (acres)**
Land disturbed		
Land restored		

Provide a description of any implemented land restoration/green infrastructure programs for the site in the space provided on Page 3.

Description of green remediation programs reported above (Attach additional sheets if needed)
Energy Usage:
Waste Generation:
Transportation/Shipping:
Water usage:
Land Use and Ecosystems:
Other:

CERTIFICATION BY CONTRACTOR
I, _____ (**Name**) do hereby certify that I am _____ (**Title**) of the Company/Corporation herein referenced and contractor for the work described in the foregoing application for payment. According to my knowledge and belief, all items and amounts shown on the face of this application for payment are correct, all work has been performed and/or materials supplied, the foregoing is a true and correct statement of the contract account up to and including that last day of the period covered by this application. _____ **Date** **Contractor**