

ExxonMobil
Refining & Supply Company
1001 Wampanoag Trail
East Providence, Rhode Island 02915
401 434 2900 Telephone
401 431 4028 Facsimile

ExxonMobil
Refining & Supply

January 19, 2010

Mr. Chad Staniszewski
New York State Department of
Environmental Conservation
270 Michigan Avenue
Buffalo, NY 14203

RECEIVED
NYSDEC - REGION 9

JAN 20 2010

FOIL
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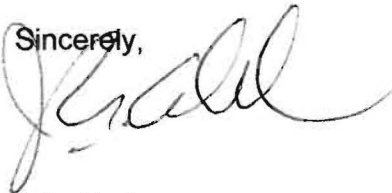
**RE: EXXON MOBIL OIL CORPORATION
FORMER BUFFALO TERMINAL
625 ELK STREET
BUFFALO, NEW YORK
BROWNFIELD SITE #C915201
RESPONSE TO COMMENTS - OU 1 CERTIFICATION REPORT**

Dear Mr. Staniszewski:

Attached, please find the response to comments in the New York State Department of Environmental Conservation letter entitled "OU-1 Construction Certification Report" dated November 10, 2009.

If there are any questions please call me at (401) 434-7356.

Sincerely,



J.A. Abel

Project Manager

REMEDIAL ENGINEERING, P.C.
ENVIRONMENTAL ENGINEERS

209 SHAFTER STREET
ISLANDIA, NEW YORK 11749
TEL: 631-232-2600
FAX: 631 232-9898

January 8, 2010

Mr. Joseph Abel
ExxonMobil Corporation
East Providence Terminal
1001 Wampanoag Trail
Riverside, Rhode Island 02915

Re: Response to NYSDEC Letter Entitled
"OU-1 Construction Certification Report"
Former ExxonMobil Buffalo Terminal
ExxonMobil Oil Corporation (Site #C915201)

Dear Mr. Abel:

Roux Associates, Inc. (Roux Associates) and Remedial Engineering, P.C (Remedial Engineering), on behalf of ExxonMobil Oil Corporation (ExxonMobil) has prepared the following response to the New York State Department of Environmental Conservation (NYSDEC) letter entitled "OU-1 Construction Certification Report" dated November 10, 2009. The NYSDEC comment is provided verbatim in italics followed by Roux Associates' response.

- 1. The Department, in consultation with the New York State Department of Health (NYSDOH), has completed its review of your August 27, 2009 submittal responding to Department comments of November 14, 2008 on the OU-1 Construction Certification Report (referred to by ExxonMobil as the Final Engineering Report for OU-1) dated December 7, 2007. Data submitted with the report documents material exceeding Part 375 Commercial Use SCOs remains in place at the northern end of OU-1. The Department and NYSDOH will require ExxonMobil to comply with the approved Remedial Work Plan and the approved Track 2 Commercial Use Cleanup specified for OU-1. Therefore, all remaining soil/fill exceeding commercial use SCOs in OU-1 must be removed in compliance with the approved work plan.*

Response: As requested soil/fill will be removed from the northern portion of Parcel #5 of OU-1 in May 2010, as shown on Figure 1. Excavation will be completed as close to the northern fence as practicable. Soil/fill will be excavated to the native clay that is present at two to three feet below grade in this area and will be replaced with clean fill meeting the Part 375 commercial SCOs. Post excavation samples will not be collected.

Mr. Joseph Abel
January 8, 2010
Page 2

Once the proposed work is completed, the report will be reissued with changes made to address all NYSDEC comments and with the new title "Final Construction Certification Report for OU-1."

Please call with any questions or if additional information is required.

Sincerely,

ROUX ASSOCIATES, INC

A handwritten signature in black ink, appearing to read "Wai Kwan".

Wai Kwan, Ph.D.
Senior Engineer

REMEDIAL ENGINEERING, P.C.

A handwritten signature in black ink, appearing to read "Noelle M. Clarke".

Noelle M. Clarke, P.E.
Principal Engineer



OPERABLE UNIT No. 1
EAST EXCAVATION

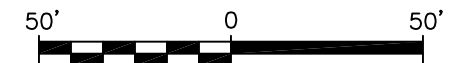
OPERABLE UNIT No. 1
WEST EXCAVATION



LEGEND

- PROPERTY LINE
 - DENOTES GRID LINES FOR SOIL SAMPLING
 - DENOTES LOCATION OF COMPOSITE SIDEWALL SAMPLES
 - DENOTES LOCATION OF COMPOSITE BOTTOM SAMPLES
 - SOIL EXCAVATED TO 1 FOOT BELOW GRADE
 - SOIL EXCAVATED TO 1.67 FEET BELOW GRADE TO NATIVE SILTY CLAY
 - SOIL EXCAVATED TO 2 FEET BELOW GRADE TO NATIVE SILTY CLAY
 - SOIL EXCAVATED TO 3 FEET BELOW GRADE TO NATIVE SILTY CLAY
 - SOIL EXCAVATED TO APPROX. 2-3 FEET BELOW GRADE TO NATIVE SILTY CLAY
 - SOIL TO BE EXCAVATED TO NATIVE CLAY IN MAY 2010
- SAMPLE DESIGNATION
- | | | |
|----------|-----------|-----|
| PS-PES-2 | 7/19/2007 | 0-1 |
|----------|-----------|-----|
- SAMPLE DATE
DEPTH INTERVAL WHERE
SAMPLE WAS TAKEN (FEET)

SAMPLES THAT HAD ONE OR MORE COMPOUNDS THAT EXCEEDED THE RESTRICTED COMMERCIAL CRITERIA ARE SHOWN IN RED TEXT



NOTES:

1. Base map adapted from Nussbamer & Clarke, Inc. Excavation Map, job no. 01J2-0017-BG15, Sheet 1 of 1 dated 5/22/07.
2. NYSDEC approved discontinuation of bottom sampling on June 21, 2007. Visual observation of native clay layer was used to determine the final depth of excavation after this date.
3. This drawing has been revised on 5/8/08 per NYSDEC comment letter dated 4/3/08. Soil sample OU1-PES-4 (5/14/07; 2-3') has been added and color shading of the midwest subarea of parcel #5 has been revised.

Title: **PROPOSED ADDITIONAL EXCAVATION
IN OU-1**

FORMER BUFFALO TERMINAL, BUFFALO, NEW YORK

Prepared For: **EXXONMOBIL OIL CORPORATION**

	Compiled by: N.C.	Date: 04JAN10	FIGURE 1
	Prepared by: G.M.	Scale: AS SHOWN	
	Project Mgr: N.C.	Project: 17252Y11	
	File: MC5234510		