

DuPont Rochester Seneca
69 Seneca Avenue
MONROE COUNTY
ROCHESTER NEW YORK

SITE MANAGEMENT PLAN

NYSDEC Spill Number: 9970361

Prepared for:



DuPont Corporate Remediation Group
Chestnut Run Plaza Bldg 730 / 3255
974 Centre Road
Wilmington, DE 19805

Prepared by:

PARSONS

301 Plainfield Road, Suite 350
Syracuse, New York 13212
Phone: (315) 451-9560
Fax: (315) 451-9570

Revisions to Final Approved Site Management Plan:

Revision No.	Date Submitted	Summary of Revision	NYSDEC Approval Date

JULY 2018

CERTIFICATION STATEMENT

I, Craig F. Butler, 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).

Craig F. Butler

Craig F. Butler, P.E.

07/31/18

Date



TABLE OF CONTENTS

DuPont Rochester Seneca
69 Seneca Avenue
MONROE COUNTY
ROCHESTER NEW YORK

SITE MANAGEMENT PLAN

ES EXECUTIVE SUMMARY 7

1.0 Introduction..... 8

 1.1 General 8

 1.2 Revisions 9

 1.3 Notifications..... 10

2.0 Summary of Previous Remedial Investigations and Remedial Actions 11

 2.1 Site Location and Description..... 11

 2.2 Physical Setting..... 12

 2.2.1 Land Use 12

 2.2.2 Geology..... 12

 2.2.3 Hydrogeology 13

 2.3 Investigation and Remedial History..... 13

 2.4 Objectives..... 15

 2.5 Remaining Contamination..... 15

 2.5.1 Soil 15

 2.5.2 Groundwater 15

 2.5.3 Soil Vapor 16

3.0 Institutional Control Plan..... 17

 3.1 General 17

 3.2 Institutional Controls..... 17

 3.3 Site – wide Inspection 18

4.0 Reporting Requirements 19

 4.1 Site Management Reports 19

4.2	Periodic Review Report	20
4.2.1	Certification of Institutional Controls.....	21
4.3	Corrective Measures Work Plan	22
5.0	REFERENCES	23

List of Tables

Notifications.....	1
Groundwater Ammonia Analytical Results 2000-2017.....	2
Groundwater Ammonium Thiosulfate Levels 2000-2017.....	3
Schedule of Inspection Reports	4

List of Figures

Site Location Map.....1
Site Layout Map.....2

List of Appendices

List of Site Contacts.....A
Excavation Work Plan.....B
Environmental Easement/Notice/Deed Restriction.....C
Site Management Forms.....D
Certification.....E

List of Acronyms

CAMP	Community Air Monitoring Plan
CFR	Code of Federal Regulation
DER	Division of Environmental Remediation
ELAP	Environmental Laboratory Approval Program
ERP	Environmental Restoration Program
EWP	Excavation Work Plan
HASP	Health and Safety Plan
IC	Institutional Control
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
NYSDOT	New York State Department of Transportation
NYCRR	New York Codes, Rules and Regulations
OSHA	Occupational Safety and Health Administration
PRR	Periodic Review Report
QA/QC	Quality Assurance/Quality Control
RCRA	Resource Conservation and Recovery Act
RfC	Reference Concentration
SCG	Standards, Criteria and Guidelines
SCO	Soil Cleanup Objective
SGMP	Soil and Groundwater Management Plan
SMP	Site Management Plan
SPDES	State Pollutant Discharge Elimination System
TCLP	Toxicity Characteristic Leachate Procedure
USEPA	United States Environmental Protection Agency
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: DuPont Rochester Seneca Plant
 69 Seneca Avenue
 Rochester, NY 14621
 Spill No. 9970361

Institutional Controls:	1. The property use will be limited to industrial
	2. Five year site-wide inspections
	3. Excavation Work Plan for Residual Contamination Area
	4. Environmental Easement
Inspections:	Frequency
Site-Wide Inspection	Every 5 years
Evaluations	
Soil Vapor Intrusion Evaluation	Upon change in use/as needed
Reporting:	
Inspections	Every 5 years
Certification/PRR	Every 5 years
Final Construction report	Upon completion of Soil Excavation activities within remaining contamination area for construction or utility maintenance.

Further descriptions of the above requirements are provided in detail in the subsequent 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 DuPont Rochester Seneca Plant located in Rochester, Monroe County, New York (hereinafter referred to as the “Site”, Figure 1). The Site is currently in the New York State Spill Prevention and Response Program (Region 8), which is administered by New York State Department of Environmental Conservation (NYSDEC).

DuPont entered into an agreement in 1999 with the NYSDEC to remediate the site. 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 C. Because residual contamination exists off the site property a separate Site Management Plan will be prepared for the off-site properties.

Two spills have occurred at this site. In 1999, during the decommissioning of an ammonium thiosulfate tank, a release occurred (Spill # 9970361). DuPont responded by conducting soil sampling and installing a well monitoring network. Groundwater concentrations have generally declined with time and a risk evaluation was conducted in 2017 indicating that no unacceptable risk exists at the site under current use. More information on this spill is provided in Section 2 and Section 3 of this Site Management Plan.

In August 2008, DuPont reported a release of dilute wastewater from the Site (Spill # 0805980). Impacted water and soil were pumped or removed and properly disposed. As a result of this remediation, a No Further Action letter was issued by NYSDEC on September 21, 2016. More detail concerning this spill and the remediation are provided in Section 2 of this Site Management Plan.

Because some ammonia remains at this site, hereafter referred to as “remaining contamination” (Spill # 9970361), institutional controls (ICs) have been incorporated into the site remedy to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Monroe County Clerk, requires compliance with this SMP and all ICs placed on the site. A separate Site Management Plan will be prepared for the adjacent off-site properties.

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 responsibility for implementation of the SMP belongs to the both the owner of the Site and to the parties conducting subsurface work. This SMP may only be revised with the approval of the NYSDEC. Failure to comply with this SMP is also a violation of Environmental Conservation Law, 6NYCRR 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 Appendix A of this SMP.

This SMP was prepared by Parsons, on behalf of DuPont, in accordance with the requirements of the NYSDEC’s DER-10 (Technical Guidance for Site Investigation and Remediation, May 3, 2010), the guidelines provided by the NYSDEC in CP-51 / Soil Cleanup Guidance (October 10, 2010) and the Soil and Groundwater Management Plan (SGMP) Criteria and Guidance NYSDEC Region 8 Spills Unit – Avon, NY (June 8, 2016). 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, a post-remedial removal of

contaminated soil, or other significant change to the site conditions. In accordance with the Environmental Easement for the site, the NYSDEC 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 Spills Unit, as needed, in accordance with NYSDEC's DER – 10 for the following reasons:

- Written 60-day advance notice of any proposed changes in site use that are required under the terms of 6NYCRR Part 375 and/or Environmental Conservation Law.
- At least 7-day advance notice of any field activity associated with the remaining contamination including any proposed ground-intrusive activity in the area of remaining contamination pursuant to the Excavation Work Plan (EWP).

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

- At least 15 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 all approved work plans and reports, including this SMP.
- 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 on the following page includes contact information for the above notification. 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 Appendix A.

Table 1: Notifications*

Name	Contact Information
NYSDEC Project Manager Mike Zamiarski, P.E	(585) 226-5438 mike.zamiarski@dec.ny.gov
NYSDEC Spills Unit Engineer Mike Zamiarski, P.E.	(585) 226-5438 mike.zamiarski@dec.ny.gov

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

2.0 Summary of Previous Remedial Investigations and Remedial Actions

The DuPont Rochester Seneca Site is an Electronics and Imaging Business site where water-based inks were produced. Manufacturing operations at the site ceased in August 2017.

2.1 Site Location and Description

The site is in Rochester, Monroe County, New York and is identified as Section 091.63 Block 1 and Lot 3.001 on the City of Rochester Tax Map (see Figure 3). The site is an approximately 3.1-acre area and is bounded by Excel Service & Towing to the north, Tabernacle Worship and Smitty's Transportation & Automotive to the south, Seneca Avenue to the east, and Macauto USA Corporation and a grass lot owned by the city to the west (see Figure 2 – Site Layout Map). The boundaries of the site are more fully described in Appendix C –Environmental Easement. The owner of the site parcel(s) at the time of issuance of this SMP is:

E.I du Pont de Nemours and Company (DuPont Company)

2.2 Physical Setting

2.2.1 Land Use

The Site consists of the following: six buildings and associated parking lots. The Site is zoned M-1 Industrial District, use code 710 Manufacturing, and is currently used for industrial purposes. The Site occupant is DuPont. Operations at the Site ceased in August 2017 and have been moved to another DuPont manufacturing location.

The properties adjoining the Site, and in the neighborhood surrounding the Site, primarily include commercial/industrial properties. The properties immediately south of the Site include commercial and religious properties; the properties immediately north of the Site include commercial properties; the properties immediately east of the Site include commercial properties; and the properties to the west of the Site include commercial properties.

2.2.2 Geology

Native soils consist of silty clay and clayey silt overlain by one to two feet of fill material consisting predominantly of reworked silty clay with trace amounts of gravel, coal, and glass. Weathered shale bedrock (Rochester Formation) was encountered at a depth of six feet at the three boring locations. The weathered shale and overburden contained little to no moisture. The shale becomes competent at a depth of approximately eight feet. The bedrock was very broken, with a Rock-Quality Designation of < 10%. Some vertical fracturing was observed at well location DMW-1. Water loss to the formation during rock coring was minimal with the greatest loss (25 gallons) recorded at DMW-2 (Figure 2).

2.2.3 Hydrogeology

Depth to groundwater ranges from 6 to 13.5 ft below ground surface. Groundwater elevation data from DuPont site wells and offsite wells (DMW-1, DMW-2, DMW-3, DMW-4, DMW-5, and DMW-6) collected in September 2016 and June 2017 were used to determine groundwater flow direction at the site. Groundwater flow direction from the 69 Seneca Avenue site is generally to the west northwest. Regional groundwater flow is to the west towards the Genesee River. No water bodies are located within 0.75 miles of the site.

2.3 Investigation and Remedial History

The following narrative provides a remedial history timeline and a brief 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 5.0 - References.

Spill #9970361

In 1999, during the decommissioning of an ammonium thiosulfate tank, a release occurred. In response to the ammonium spill, soil sampling was conducted at the property, and the adjoining property to the west, indicated that ammonia was present in soils at both parcels at concentrations above background. The New York State Department of Conservation (NYSDEC) does not have established soil cleanup criteria for ammonia. NYSDEC requested that DuPont determine whether the ammonia in the soil had impacted groundwater. Six groundwater monitoring wells were installed.

Groundwater has been monitored for ammonia (as nitrogen by laboratory analytical method SM4500-NH3) from June 2000 to June 2017. Refer to Table 2 for a summary of ammonia concentrations in groundwater. Ammonium thiosulfate was also analyzed during the groundwater monitoring events and the parameter was not detected during all monitoring events. Refer to Table 3 for ammonium thiosulfate analytical data summary.

In addition, three groundwater monitoring wells (MW-1, MW-2, and MW-3), which were installed by the City of Rochester in 2000, were sampled in June of 2000 and 2001 and did not exceed the NYSDEC groundwater criteria for ammonia. The wells were installed either down-gradient and/or cross-gradient of the ammonia groundwater plume area located at the DuPont facility.

Groundwater data indicate that groundwater quality is generally improving over time, and that ammonia is not migrating. Concentrations of ammonia exceeded the NYSDEC groundwater standard of 2.0 mg/L at DMW-1, DMW-2, DMW-3, and DMW-4. Significant decreases in concentrations with time are evident in DMW-1 and DMW-2. The ammonia concentration at downgradient well DMW-1 during the June 2017 sampling event was 9.9 mg/L, which was a decrease from the 2008 sampling event of 34.0 mg/L. The concentration of ammonia at downgradient well DMW-2 was 27.7 mg/L in June 2017 which was a decrease from the 2008 sampling event concentration of 76.3 mg/L.

The Site's groundwater monitoring data and the City of Rochester's monitoring well data indicate that the ammonia plume is not advancing, and that, in general, ammonia concentrations are declining over time. DuPont will decommission these monitoring wells upon NYSDEC issuance of the No Further Action letter.

Spill #0805980

In August 2008, DuPont reported a release of dilute wastewater from a leaking sump in the dye preparation area of the site. This release resulted in ponded water in the adjacent property west of the site. Remedial actions were implemented in response to the release. These remedial activities included excavation of a trench approximately 80 feet long, 10 to 30 feet wide and 3 to 4 feet deep on the adjacent property (Figure 2), pumping of water that accumulated in the trench and excavation of approximately 15 cubic yards of impacted soils. Both the impacted water and excavated soils were characterized and properly disposed. A No Further Action letter for this spill (Spill # 0805980) was issued by NYSDEC on September 21, 2016.

2.4 Objectives

The main objective of this SMP is to protect onsite workers and to ensure that Institutional Controls at the site are maintained. Excavated soils will be managed as described below. This SMP addresses residual ammonia contamination.

2.5 Remaining Contamination

2.5.1 Soil

Soil sampling at the DuPont Rochester Seneca property, and the adjoining property to the west, indicated that ammonia was present in soils at both parcels at concentrations above background. The New York State Department of Conservation (NYSDEC) does not have established soil cleanup criteria for ammonia. There is very low potential for direct contact to ammonia from soil, based on a risk evaluation considering several scenarios based on a range of ammonia concentrations from previous sampling events at the site (DuPont, 2017). Therefore, residual ammonia in soil at the site may be considered a nuisance condition (NYSDEC, 2010. CP-51 Soil Cleanup Guidance, p.12 {part V, section G}) due to the low potential for unpleasant odors, for example during excavation. No odors currently exist at the 69 Seneca Site or adjacent properties.

2.5.2 Groundwater

Groundwater monitoring data are included in Table 2. Data indicate that groundwater quality at this site is improving over time, and that ammonia is not migrating. Concentrations of ammonia exceeded the NYSDEC groundwater standard of 2.0 mg/L at DMW-1, DMW-2, DMW-3, and DMW-4. Significant decreases in concentrations are evident in DMW-1 and DMW-2 with time.

Groundwater at the site is not used as a potable water supply. Therefore, there is no complete exposure pathway associated with direct contact with groundwater; and thus there is no potential risk associated with groundwater use at this site. Additionally, USEPA

does not provide toxicity values for ingestion or dermal contact with ammonia. Exposure to ammonia in air would most likely occur through vapor intrusion into existing or future buildings. This exposure pathway is addressed in the next section.

2.5.3 Soil Vapor

The USEPA's Vapor Intrusion Screening Level calculator (updated to reflect the current ammonia RfC) was used to estimate exposure and risk associated with vapor intrusion of ammonia using default exposure and attenuation factors (DuPont, 2017).

In summary, based on the hazard indices presented in "DuPont Rochester Seneca Plant NYSDEC Spill # 9970361 Groundwater Monitoring Results and Risk Evaluation, October 13, 2017", it is concluded that there are no unacceptable risks expected as a result of exposure to ammonia in indoor air for a future resident or commercial/industrial worker.

Since more time is generally spent indoors than outdoors, and there is less dispersion of volatilized contamination through wind dispersion in the indoor environment, the indoor air evaluation would represent a greater exposure than exposure to ambient air. Therefore, only the indoor air pathway was quantitatively evaluated, while the ambient air pathway represents a less significant risk.

A construction worker may be exposed to ammonia in groundwater through inhalation of volatilized ammonia in trench air during intrusive activities. However, the exposure duration for a construction worker would be expected to be much less than the indoor exposure duration for either the resident or commercial/industrial worker. Thus, the hazard index for trench exposure is also be expected to be less than that for indoor exposure.

Therefore, based on the risk evaluation conducted, it is concluded that there are no unacceptable risks expected as a result of exposure to soil vapor at the site.

3.0 Institutional Control Plan

3.1 General

Since remaining ammonia 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;
- 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 to limit the use and development of the Site to industrial use only. 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. These ICs are:

- The property may be used for: industrial uses only;
- The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Monroe 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;

- 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 within the remaining contamination area shown in Figure 2 must be conducted in accordance with this SMP and the Excavation Work Plan (Appendix B);
- 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 new buildings developed in the area within the IC boundaries noted on Figure 2, and appropriate actions to address exposures must be implemented, as necessary; and,
- Residential use and use as a Child or an Adult Day Care are prohibited at this site. Vegetable gardening and farming on the Site are prohibited.

3.3 Site – wide Inspection

Site-wide inspections will be performed at a minimum of once every five years. Modification to the frequency or duration of the inspections will require approval from the NYSDEC.

During an inspection, an inspection form will be completed as provided in Appendix D – Site Management Forms. The inspections will determine and document the compliance with all ICs, including site usage, as follows:

- General Site conditions at the time of the inspection;
- The Site management activities being conducted including, when there are subsurface intrusive activities within the remaining contamination area to document soil disturbance;
- A determination of whether Site controls continue to be protective of human health and the environment;
- Compliance with requirements of this SMP and the Environmental Easement; and,

- A determination of whether Site records are complete and up to date.

Reporting requirements are outlined in Section 4.0 of this plan.

4.0. Reporting Requirements

4.1 Site Management Reports

All Site management inspection events will be recorded on the appropriate Site management forms provided in Appendix D. These forms are subject to NYSDEC revision.

All applicable inspection forms and other records, including media sampling data that may be generated for the Site during the reporting period will be provided in electronic format to the NYSDEC in accordance with the requirements of Table 7 and summarized in the Periodic Review Report.

Table 4: Schedule of Inspection Reports

Task/Report	Reporting Frequency*
Inspection Report	Every 5 years

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

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 conditions have changed since the last reporting event.

4.2 Periodic Review Report

The Periodic Review Report (PRR) 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 will be submitted to the Department beginning 30 days after the initial 15 month certifying period. This initial certifying period commences upon issuance of the No Further Action Letter. After submittal of the initial Periodic Review Report, the next PRR shall be submitted every five years to the Department or at another frequency as may be subsequently required by the Department. In the event that the site is subdivided into separate parcels with different ownership, a single Periodic Review Report will be prepared that addresses the site described in Appendix C -Environmental Easement. The report will be prepared in accordance with NYSDEC's DER-10 and submitted within 30 days of the end of each certification period. Any media sampling results will also be incorporated into the Periodic Review Report. The report will include:

- Identification, assessment and certification of all ICs required by the remedy for the Site;
- Results of the required site inspections;
- 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 summary of any data and/or information generated during the reporting period, with comments and conclusions, if any.

4.2.1 Certification of Institutional Controls

Within 30 days after the end of each certifying period, as determined by the NYSDEC, the following certification will be provided to the Department:

“For each institutional control identified for the Site, I certify that all of the following statements are true:

- *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;*
- *If a financial assurance mechanism is required under the oversight document for the Site, the mechanism remains valid and sufficient for the intended purpose under the document;*
- *Use of the Site is compliant with the environmental easement; 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 or Owner’s Designated Site Representative] (and if the site consists of multiple properties): [and I have been authorized and designated by all site owners to sign this certification] for the Site.”

- *No new information has come to my attention to indicate that the assumptions made in the qualitative exposure assessment of off-site contamination are no longer valid; and*
- *The assumptions made in the qualitative exposure assessment remain valid.*

The signed certification will be included in the Periodic Review Report, if such report is required for the period. Otherwise, the Certification will be submitted as a stand-alone document. See Appendix F for an example certification form for 69 Seneca Ave.

The Periodic Review Report/Certification will be submitted, in electronic format, to the NYSDEC Spills Unit Project Manager, the local Health Department, City of Rochester Code Enforcement Office, and impacted adjacent neighbors (see Appendix A for contact information). The Periodic Review Report/Certification may need to be submitted in hard-copy format, as requested by the NYSDEC project manager.

4.3 Corrective Measures Work Plan

If site conditions change (e.g. new building construction), the remedy must be reevaluated based on future site usage. If potential exposure is unacceptable, engineering controls may be warranted as part of the future redevelopment conducted in the vicinity of the NYSDEC Spill #9970361 area. These controls may include measures to mitigate the potential for ammonia impacted soil vapor intrusion into future buildings such as incorporation of vapor barriers or depressurization system into the building design. Other remedial actions may be proposed. In this case, a Corrective Measures Work Plan will be submitted to the appropriate regulatory agencies (i.e. NYSDEC or NYSDOH) for approval. This plan will provide the details and schedule for performing the corrective measures. Upon completion of the Corrective Measure, a signed certification form must be submitted to the Department.

5.0 REFERENCES

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

DuPont, 2014. Response Action and Closure of Spill Number 0805980, DuPont Seneca Facility, February 13, 2014.

DuPont, 2017. DuPont Rochester Seneca Plant NYSDEC Spill # 9970361 Groundwater Monitoring Results and Risk Evaluation, October 13, 2017.

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).

NYSDEC, 2000. NYSDEC Spill # 9970361 DuPont Imaging Systems, March 14, 2000.

NYSDEC, 2010. CP-51 / Soil Cleanup Guidance Policy.

NYSDEC, 2016. Soil and Groundwater Management Plan (SGMP) Criteria and Guidance. NYSDEC Spills Unit – Avon, NY. Created 1/27/2011. Last Modified 6/8/2016.

NYSDEC, 2016. NYSDEC Spill # 0805980 DuPont Seneca Facility. Correspondence September 21, 2016.

<https://www.cdc.gov/niosh/pel88/7664-41.html>

APPENDIX A – LIST OF SITE CONTACTS

Name	Phone/Email Address
Nancy Grosso, DuPont	(302)999-3114 Nancy.R.Grosso@dupont.com
Heather Philip, Parsons	(315)418-0048 <u>heather.philip@parsons.com</u>
Mike Zamiarski, NYSDEC Regional HW Engineer	(585)226-5438 mike.zamiarski@dec.ny.gov
NYSDOH	(585) 423-8100
Joe Biondolillo, City of Rochester	(585) 428-6649
Mac Auto	(585) 272-7700

APPENDIX B – EXCAVATION WORK PLAN (EWP)

[B]-1 NOTIFICATION

At least seven days prior to the start of any activity that is anticipated to encounter remaining contamination (see Figure 2 for site area of remaining contamination), the site owner or their representative will notify the NYSDEC. Table 1 includes contact information for the above notification. 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 Appendix A.

Table 1: Notifications*

Mike Zamiarski NYSDEC Site Control, NYSDEC Spills Unit Manager	(585) 226-5438 mike.zamiarski@dec.ny.gov
NYSDOH	(585) 423-8100

* 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 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;

- An electronic copy of the health and safety plan (HASP) for any excavation / dewatering activities conducted in the suspected areas of contamination to protect worker safety. The responsibility of the HASP exists with the party or parties conducting the excavation / dewatering activities.
- Identification of disposal facilities for potential waste streams; and,
- Identification of sources of any anticipated backfill, along with all required chemical testing results.

[B]-2 SOIL SCREENING METHODS

Soil screening for nuisance odors may be conducted prior to or during excavation. When NYSDEC determines that soil represents a nuisance, even though concentrations may be below NYSDEC-approved soil cleanup levels, NYSDEC may require that additional remedial measures be evaluated, and may require that additional actions be taken to address the nuisance conditions.

[B]-3 SOIL MANAGEMENT ONSITE

If soil needs to be segregated for further evaluation, soil stockpiles will be continuously encircled with a berm and/or silt fence. Stockpiles will be kept covered at all times with appropriately anchored tarps.

A qualified designated person will oversee all invasive work and the excavation and load-out of all excavated material within the area of remaining contamination as shown in Figure 2 of the Site Management Plan. The owner of the property and its contractors are responsible for safe execution of all invasive and other work performed under this Plan.

The presence of utilities and easements on the site will be investigated by the qualified environmental professional. 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.

All transport of materials from the area of remaining contamination will be performed by licensed haulers in accordance with appropriate local, State, and Federal regulations, including 6 NYCRR Part 364 NYSDOT requirements (and all other applicable transportation requirements). Haulers will be appropriately licensed and trucks properly placarded. 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.

[B]-4 MATERIALS DISPOSAL OFF-SITE

All material excavated that is to be removed from the site will be transported and disposed in accordance with all local, State (including 6NYCRR Part 360) 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. Unregulated off-site management of materials from this site will not occur without formal NYSDEC approval.

Non-hazardous historic fill and ammonia impacted soils taken off-site will be handled, at minimum, as a Municipal Solid Waste per 6NYCRR Part 360-1.2. Material that does not meet Unrestricted Soil Cleanup Objectives (SCOs) is prohibited from being taken to a New York State recycling facility (6NYCRR Part 360-16 Registration Facility).

[B]-5 ODOR CONTROL PLAN

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 within one day of the odor event and notified 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 Excavation Activities Report.

[B]-5 REPORTING

A report is to be submitted to the NYSDEC within 90 days of completion of the activities performed under this EWP. This report shall contain a summary of the activities performed; a summary of all data gathered and results; information about any media that was removed from the site: volume, contamination levels, area from which removed; and any other information that may be indicate a change to the “remaining contamination” that is at the site. Such changes may require revision of the SMP.

APPENDIX C

ENVIRONMENTAL EASEMENT

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

THIS INDENTURE made this 9th day of July, 2018 between Owner(s) E. I. DU PONT DE NEMOURS AND COMPANY, having an office at 974 Centre Road, CRP 730/3155-4, P.O. Box 2915, Wilmington, Delaware 19805 (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 69 Seneca Avenue in the City of Rochester, County of Monroe and State of New York, known and designated on the tax map of the County Clerk of Monroe as tax map parcel numbers: Section 091.63 Block 1 Lot 3.001, being the same as that property conveyed to Grantor by:

- 1) Deed dated February 16, 1963 and recorded in the Monroe County Clerk's Office in Liber and Page 3465/284.
- 2) Deed dated February 28, 1963 and recorded in the Monroe County Clerk's Office in Liber and Page 3465/281.
- 3) Deed dated June 25, 1969 and recorded in the Monroe County Clerk's Office in Liber and Page 3992/455.
- 4) Deed dated October 29, 1970 and recorded in the Monroe County Clerk's Office in Liber and Page 4086/184.
- 5) Deed dated February 26, 1973 and recorded in the Monroe County Clerk's Office in

Liber and Page 4407/39.

- 6) Deed dated January 18, 1980 and recorded in the Monroe County Clerk's Office in Liber and Page 5750/311.

WHEREAS, the property subject to this Environmental Easement (the "Controlled Property") comprises approximately 3.103 +/- acres, and is hereinafter more fully described in the Land Title Survey dated August 4, 2017 and last revised May 3, 2018 prepared by Keith M. Ludwig, L.L.S. of Spartan Engineering/Landscaping P.C., 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 and the cleanup associated with DEC Spill # 9970361, 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:

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 Monroe 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 Residential, Restricted Residential or Commercial purposes as defined in 6NYCRR 375-1.8(g)(i), (ii) and (iii), 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: Spill Number: 9970361
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.

E. I. DU PONT DE NEMOURS AND COMPANY:

By: *Namit Jain*

Print Name: Namit Jain
Global Real Estate Manager

Title: _____ Date: 6/21/18

Grantor's Acknowledgment

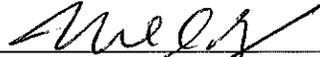
STATE OF De)
) ss:
COUNTY OF NC)

On the 21 day of June, in the year 2018 before me, the undersigned, personally appeared Namit Jain 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.

Lauren Kay McCloskey
Notary Public - State of DE



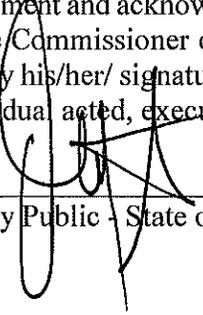
THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting by and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: 
Michael J. Ryan, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the 9th day of July, in the year 2018, before me, the undersigned, personally appeared Michael J. Ryan, 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

David J. Chiusano
Notary Public, State of New York
No. 01CH5032146
Qualified in Schenectady County
Commission Expires August 22, 2022

SCHEDULE "A" PROPERTY DESCRIPTION

ALL THAT CERTAIN tract or parcel of land located on Seneca Avenue between Norton Street and Bastian Street, situate in the City of Rochester, Monroe County, New York, bounded and described as follows:

COMMENCING at a point on the Southerly Right of Way line of Bastian Street (50' wide), where the same intersects the Westerly line of Seneca Avenue (66' wide), said point being 81.28 feet on a bearing of S 03°21'01" E to the TRUE POINT OF BEGINNING (said point having NYSPCS (West) NAD 1983 (2011) values N:1163263.72 feet & E:1408236.65 feet), evidenced by a Mag Nail with Shiner set, and from said beginning point and in the same bearing system running; thence, coincident with said Westerly line of Seneca Avenue,

1. South 03 Degrees 21 Minutes 01 Seconds East a distance of 230.16 feet to a point where the same is intersected by the Northerly line of Parcel 091.63-1-4, as evidenced by a Cross Cut set; thence, coincident with the same,
2. South 86 Degrees 38 Minutes 59 Seconds West a distance of 96.97 feet to a point corner to the same, as evidenced by a Cross Cut set; thence, coincident with Parcel 091.63-1-4 and extending coincident with Parcel 091.63-1-5,
3. South 03 Degrees 21 Minutes 01 Seconds East a distance of 100.00 feet to a point, corner to Parcel 091.63-1-5, as evidenced by a Rebar with Cap set; thence, coincident with the same,
4. North 86 Degrees 38 Minutes 59 Seconds East a distance of 96.97 feet to a point in the aforesaid Westerly line of Seneca Avenue, as evidenced by an Iron Rod found; thence, coincident with the same,
5. South 03 Degrees 21 Minutes 01 Seconds East a distance of 90.00 feet to a point where the same is intersected by the Northerly line of Parcel 091.63-1-7, as evidenced by a Rebar found; thence, coincident with the same,
6. South 86 Degrees 38 Minutes 59 Seconds West a distance of 97.97 feet to a point corner to the same, as evidenced by an Iron Pipe found; thence, still coincident with the same,
7. South 03 Degrees 21 Minutes 02 Seconds East a distance of 23.00 feet to a point where the Westerly line of Parcel 091.63-1-7 is intersected by the Northerly line of Parcel 091.63-1-8, as evidenced by a Mag Nail Set in a tree root; thence, coincident with the line of Parcel 091.63-1-8,
8. South 86 Degrees 38 Minutes 58 Seconds West a distance of 128.95 feet to a point, corner to the same; thence, coincident with the same,
9. South 03 Degrees 21 Minutes 02 Seconds East a distance of 208.88 feet to a point in the Northerly Right of Way line of Norton Street (66' wide), as evidenced by a Mag Nail set; thence, coincident with the same,
10. South 87 Degrees 56 Minutes 34 Seconds West a distance of 70.02 feet to a point where the Northerly line of Norton Street is intersected by the Easterly line of Parcel 091.63-1-2.007, as evidenced by a Cross Cut set; thence, coincident with Parcel 091.63-1-2.007 and extending coincident with Parcels 091.63-1-2.008, 091.55-1-36, and 091.55-1-37 respectively,
11. North 03 Degrees 21 Minutes 01 Seconds West a distance of 657.16 feet to a point, corner to Parcel 091.55-1-37, as evidenced by a Mag Nail with Shiner set; thence, coincident with the same,
12. North 87 Degrees 56 Minutes 34 Seconds East a distance of 297.00 feet to the Point and Place of BEGINNING.

SAID ABOVE DESCRIBED tract or parcel of land, containing within said bounds, 135,195 Square Feet or 3.103 +/- Acres.

Being commonly known as Parcel No. 091.63-1-3.001 on the official Property Assessment Report of the Monroe County, N.Y. GIS Services Division.

APPENDIX D

SITE MANAGEMENT FORM

Site Inspection Form
Area of remaining contamination
69 Seneca Avenue
Rochester, NY 14621

Site Contact: _____

Date of Site Inspection _____

Inspected by _____

Title: _____

Company: _____

Routine? Y N

If non-routine, reason for inspection: _____

Description of the inspection activities performed including photos and sketches as appropriate:

Description of non-routine activities:

Approximate location of any problems or incidents noted (attach figure):

Observations, conclusions, or recommendations:

Have contaminant conditions changed since the last reporting event?

If yes, explain:

69 Seneca Avenue
 Rochester, NY
 Monroe County

SITE-WIDE INSPECTION FORM

Frequency: _____

Inspector(s): _____

Weather: _____

O&M Activities	Date	Time	Comments
Visual Inspection of Security Fence/gates			(Compliance with IC's, condition and effectiveness of ECs, general condition, records up to date)
Inspection of Ground Cover in the Area of Remaining Contamination			(Compliance with IC's, condition and effectiveness of ECs, general condition, records up to date)
Photographs			
Photo Number	Inspection Item & Location	Photo Description	
Recommendations	(Recommended changes to engineering controls)		

APPENDIX E
CERTIFICATION OF INSTITUTIONAL CONTROLS

“For each institutional control identified for the Site, I certify that all of the following statements are true:

- *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;*
- *If a financial assurance mechanism is required under the oversight document for the Site, the mechanism remains valid and sufficient for the intended purpose under the document;*
- *Use of the Site is compliant with the environmental easement; 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, _____, of 69 Seneca Avenue, Rochester, NY, am certifying as Owner’s Designated Site Representative for the Site.”

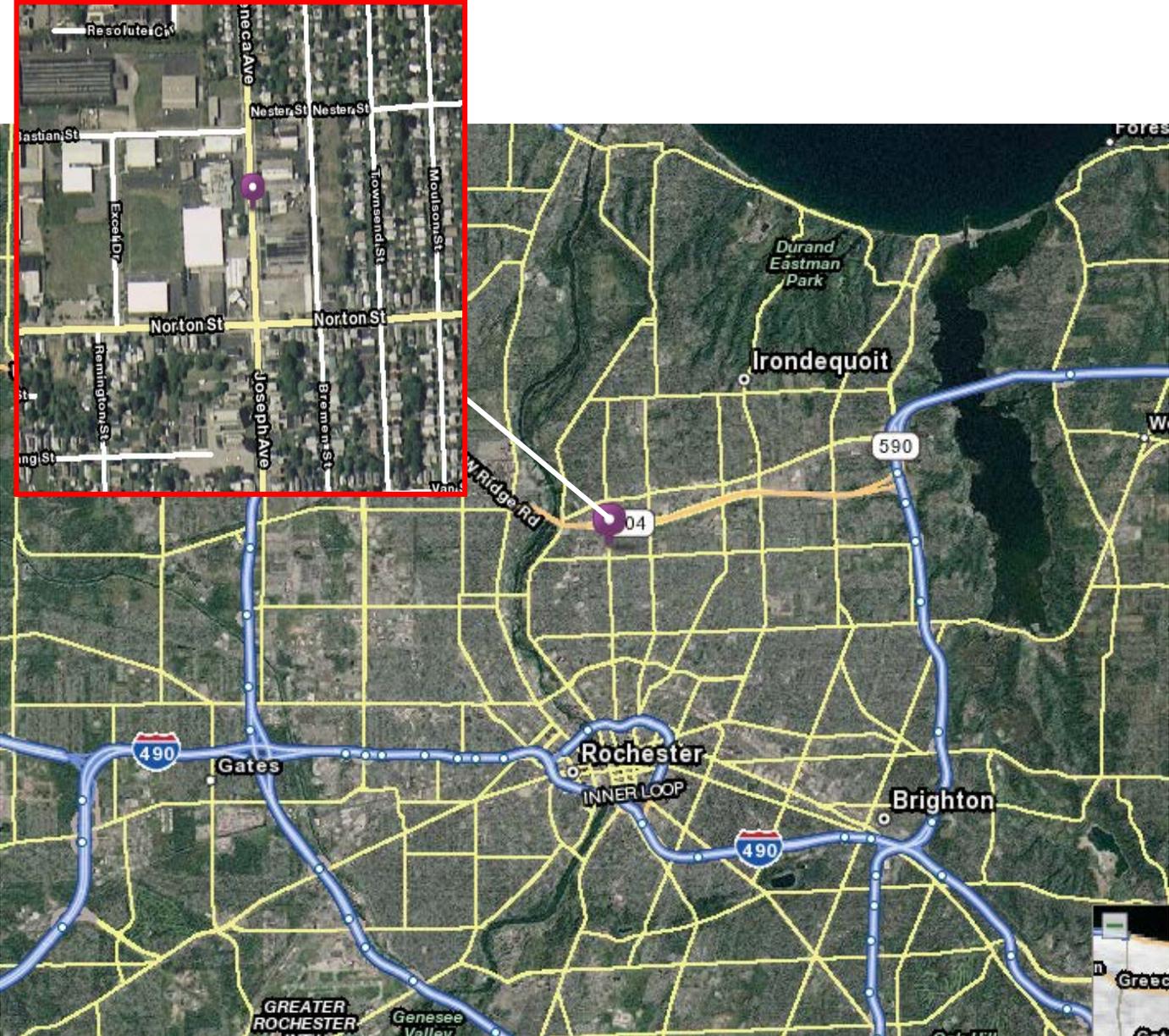
- *No new information has come to my attention, including groundwater monitoring data from wells located at the site boundary, if any, to indicate that the assumptions made in the qualitative exposure assessment of off-site contamination are no longer valid*

Signature

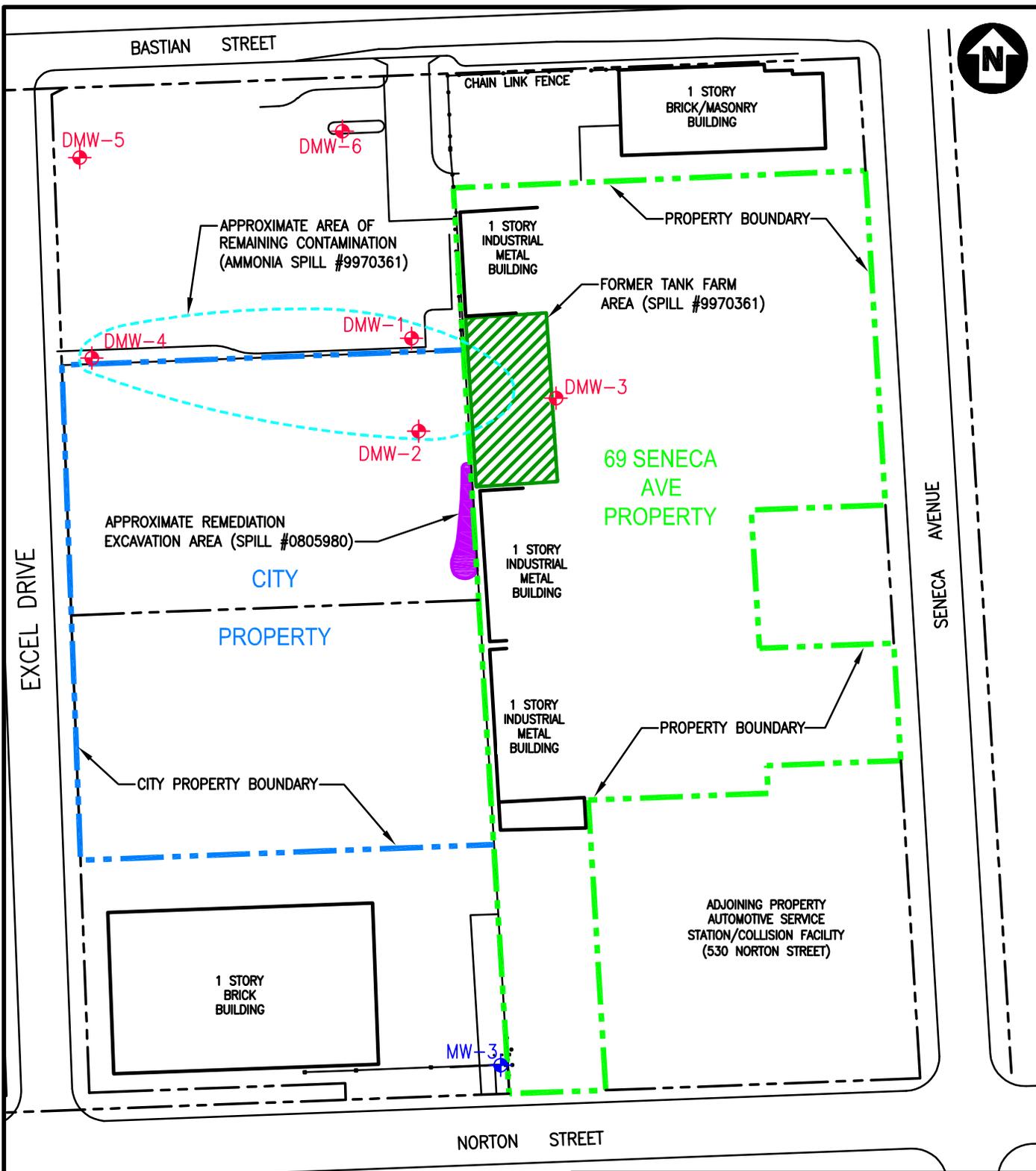
Date

FIGURES

Figure 1
DuPont Rochester Seneca Facility
69 Seneca Ave.
Rochester, NY 14621



FILE NAME: P:\DUPONT - ROCHESTER SENECA\2017 GW SAMPLING\450677 ROCHESTER 2017\12.0 CAD\450677_ISO-CON2.DWG
 PLOT DATE: 1/23/2018 8:36 AM PLOTTED BY: GOLDTHWAIT, JAMES



LEGEND:

- MW-3 GROUNDWATER MONITORING WELL INSTALLED BY CITY OF ROCHESTER
- DMW-2 FORMER GROUNDWATER MONITORING WELL INSTALLED BY DUPONT (2000 & 2001)



SCALE: 1"=100'

FIGURE 2
DUPONT ROCHESTER- SENECA PLANT
ROCHESTER, NEW YORK
SITE LAYOUT MAP

Table 2
Summary of Ammonia in Groundwater Analytical Results
DuPont Rochester Seneca Plant
Rochester, NY

Well ID	Sample Date	Result (mg/l)	Above NYS Standard	Job Name
DMW-1	6/19/2000	18	YES	LIMITED GW ASSESSMENT
	6/6/2001	37.1	YES	SAMPLING 6/01
	5/29/2002	37.2	YES	2Q02 SAMPLING
	8/27/2002	47.7	YES	3Q02 SAMPLING
	11/14/2002	35.7	YES	4Q02 SAMPLING
	1/28/2003	17.6	YES	1Q03 SAMPLING
	10/3/2003	30.6 J	YES	4Q03 SAMPLING
	1/30/2004	18.8	YES	1Q04 SAMPLING
	6/3/2008	34	YES	2008 Sampling
	11/4/2011	16.3	YES	2011 Sampling
	9/8/2016	27.6	YES	2016 Sampling
6/26/2017	9.9	YES	2017 Sampling	
DMW-2	6/19/2000	58.9	YES	LIMITED GW ASSESSMENT
	6/6/2001	107.0	YES	SAMPLING 6/01
	5/29/2002	66.5	YES	2Q02 SAMPLING
	8/27/2002	119	YES	3Q02 SAMPLING
	11/14/2002	45.5	YES	4Q02 SAMPLING
	1/28/2003	79.8	YES	1Q03 SAMPLING
	10/3/2003	105 J	YES	3Q03 SAMPLING
	1/30/2004	84.1	YES	1Q04 SAMPLING
	6/3/2008	76.3	YES	2008 Sampling
	11/4/2011	24.9/26.4	YES	2011 Sampling
	9/8/2016	35.4/34.8	YES	2016 Sampling
	6/26/2017	27.7	YES	2017 Sampling
DMW-3	6/19/2000	8.7	YES	LIMITED GW ASSESSMENT
	6/19/2000	6	YES	LIMITED GW ASSESSMENT (DUP)
	6/6/2001	12.9	YES	SAMPLING 6/01
	5/29/2002	5.3	YES	2Q02 SAMPLING
	8/27/2002	18.4	YES	3Q02 SAMPLING
	11/14/2002	5.5	YES	4Q02 SAMPLING
	1/28/2003	10	YES	1Q03 SAMPLING
	10/3/2003	11.9 J	YES	3Q03 SAMPLING
	1/30/2004	3.3	YES	1Q04 SAMPLING
	6/3/2008	3.3	YES	2008 Sampling
	11/4/2011	1.3	NO	2011 Sampling
	9/7/2016	14.7	YES	2016 Sampling
	6/26/2017	3.4	YES	2017 Sampling
DMW-4	6/7/2001	3.5	YES	SAMPLING 6/01
	5/29/2002	3.3	YES	2Q02 SAMPLING
	8/27/2002	11.6	YES	3Q02 SAMPLING
	11/14/2002	11.1	YES	4Q02 SAMPLING
	1/28/2003	7.9	YES	1Q03 SAMPLING
	10/3/2003	5.8 J	YES	3Q03 SAMPLING
	1/30/2004	16	YES	1Q04 SAMPLING
	6/3/2008	8.3	YES	2008 Sampling
	11/4/2011	9.4	YES	2011 Sampling
	9/8/2016	14.1	YES	2016 Sampling
	6/26/2017	8.4	YES	2017 Sampling

Table 2, continued
Summary of Ammonia in Groundwater Analytical Results
DuPont Rochester Seneca Plant
Rochester, NY

Well ID	Sample Date	Result (mg/l)	Above NYS Standard	Job Name
DMW-5	6/6/2001	0.17 J	NO	SAMPLING 6/01
	5/29/2002	ND	NO	2Q02 SAMPLING
	8/27/2002	ND (0.46)	NO	3Q02 SAMPLING
	11/14/2002	ND	NO	4Q02 SAMPLING
	1/28/2003	ND (0.11)	NO	1Q03 SAMPLING
	10/3/2003	<0.11U	NO	3Q03 SAMPLING
	1/30/2004	0.21 J	NO	1Q04 SAMPLING
	6/3/2008	ND	NO	2008 Sampling
	11/4/2011	<0.20	NO	2011 Sampling
	9/8/2016	NS	NS	2016 Sampling
6/26/2017	0.20 U	NO	2017 Sampling	
DMW-6	6/7/2001	0.38 J	NO	SAMPLING 6/01
	5/29/2002	ND	NO	2Q02 SAMPLING
	8/27/2002	ND (0.46)	NO	3Q02 SAMPLING
	11/14/2002	ND	NO	4Q02 SAMPLING
	1/28/2003	0.30 J	NO	1Q03 SAMPLING
	10/3/2003	0.25 J	NO	3Q03 SAMPLING
	1/30/2004	1.5	NO	1Q04 SAMPLING
	6/3/2008	ND	NO	2008 Sampling
	11/4/2011	<0.20	NO	2011 Sampling
	9/8/2016	NS	NS	2016 Sampling
6/26/2017	0.20 U	NO	2017 Sampling	
DMW-7*	6/7/2001	ND (0.16)	NO	SAMPLING 6/01
	6/7/2001	ND (0.16)	NO	SAMPLING 6/01
	5/29/2002	ND	NO	2Q02 SAMPLING
	8/27/2002	ND (0.46)	NO	3Q02 SAMPLING
	11/14/2002	ND	NO	4Q02 SAMPLING
	1/28/2003	ND (0.11)	NO	1Q03 SAMPLING
**MW-1	6/7/2001	ND (0.16)	NO	SAMPLING 6/01
MW-2	6/7/2001	ND (0.16)	NO	SAMPLING 6/01
MW-1	6/19/2000	<1	NO	LIMITED GW ASSESSMENT
MW-2	6/19/2000	<1	NO	LIMITED GW ASSESSMENT
MW-3	6/19/2000	<1	NO	LIMITED GW ASSESSMENT

Notes:

- New York State Groundwater Standard (Class GA) for ammonia is 2.0 mg/L.
- Quarterly sampling was initiated in 2Q02 and includes well DMW-1 thru DMW-7
- ND - Not Detected
- NS - Not Sampled
- U - Parameter not detected at the value given.
- J - Estimated Values
- (0.16) - Value in parentheses represents method detection limit.
- * Well DMW-7 abandoned in January 2003.
- ** "MW" series wells installed by the City of Rochester.

Table 3
 Summary of Ammonia Thiosulfate Analytical Results
 Second Quarter of 2000 (2Q00) through June 2017
 DuPont Rochester - Seneca Plant
 Rochester, New York

Well ID	Quarter	Ammonia Thiosulfate
DMW-1	2Q00	NS
	2Q01	ND (0.2)
	2Q02	ND (0.2)
	3Q02	ND (0.2)
	4Q02	ND (0.2)
	1Q03	ND (0.2)
	4Q03	ND (0.2)
	1Q04	ND (0.2)
	2Q08	<0.3
	4Q11	<0.3
	3Q16	NS
	2Q17	NS
DMW-2	2Q00	NS
	2Q01	ND (0.2)
	2Q02	ND (0.2)
	3Q02	ND (0.2)
	4Q02	ND (0.2)
	1Q03	ND (0.2)
	4Q03	ND (0.2)
	1Q04	ND (0.2)
	2Q08	<0.3
	4Q11	<0.3
	3Q16	NS
	2Q17	NS
DMW-3	2Q00	NS
	2Q01	ND (0.2)
	2Q02	ND (0.2)
	3Q02	ND (0.2)
	4Q02	ND (0.2)
	1Q03	ND (0.2)
	4Q03	ND (0.2)
	1Q04	ND (0.2)
	2Q08	<0.3
	4Q11	<0.3
	3Q16	NS
	2Q17	NS

Table 3
 Summary of Ammonia Thiosulfate Analytical Results
 Second Quarter of 2000 (2Q00) through June 2017
 DuPont Rochester - Seneca Plant
 Rochester, New York

Well ID	Quarter	Ammonia Thiosulfate
DMW-4	2Q00	NS
	2Q01	ND (0.2)
	2Q02	ND (0.2)
	3Q02	ND (0.2)
	4Q02	ND (0.2)
	1Q03	ND (0.2)
	4Q03	ND (0.2)
	1Q04	ND (0.2)
	2Q08	<0.3
	4Q11	<0.3
	3Q16	NS
	2Q17	NS
DMW-5	2Q00	NS
	2Q01	ND (0.2)
	2Q02	ND (0.2)
	3Q02	ND (0.2)
	4Q02	ND (0.2)
	1Q03	ND (0.2)
	4Q03	ND (0.2)
	1Q04	ND (0.2)
	2Q08	<0.3
	4Q11	<0.3
	3Q16	NS
	2Q17	NS
DMW-6	2Q00	NS
	2Q01	ND (0.2)
	2Q02	ND (0.2)
	3Q02	ND (0.2)
	4Q02	ND (0.2)
	1Q03	ND (0.2)
	4Q03	ND (0.2)
	1Q04	ND (0.2)
	2Q08	<0.3
	4Q11	<0.3
	3Q16	NS
	2Q17	NS
DMW-7	2Q00	NS
	2Q01	ND (0.2)
	2Q02	ND (0.2)
	3Q02	ND (0.2)
	4Q02	ND (0.2)
	1Q03	ND (0.2)

Notes:

All parameters in mg/l unless otherwise noted.

< or ND - Non-detect at stated reporting limit

NS - Not Sampled