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Steve P. Trifiletti
Project Manager

Ms. Sarah Saucier
Project Manager
New York State Department of Environmental Conservation
Division of Environmental Remediation, Remediation Bureau C
625 Broadway, 11th Floor
Albany, New York 12233-7014

March 8, 2016

RE: Site Management Plan
Former Tappan Terminal, Western Parcel, AOC 1
Hastings on Hudson, Westchester County, New York
Site No. 3-60-015A

Dear Ms. Saucier:

In accordance with your letter of February 10, 2016 that approved the Site Management Plan (SMP) for AOC1 at the Western Parcel of the Tappan Terminal Site in Hastings-on-Hudson, New York, enclosed are one paper copy and one electronic copy of the stamped and signed SMP with the executed Environmental Easement included in Appendix B of the document.

Please contact me at (718) 404-0652 with any questions or comments, and thank you for your time and assistance.

Sincerely,



Steve P. Trifiletti
Project Manager

Electronic Copy: J. Nealon, M. Schuck, C. Westerman – NYSDOH, Troy, NY
E. Moore – NYSDEC, Region 3
A. Tarrant – ExxonMobil, Houston, TX
M. Stella, R. Malinoski – Chevron, TX
M. DeMaio – Uhlich
G. Merritt – Fitzpatrick & Merritt
W. McCune – Arcadis, Syracuse, NY
A. Proctor, N. Hastings – W&C, Cheshire, CT

NOTICE OF CERTIFICATE OF COMPLETION
Inactive Hazardous Waste Disposal Site Program
Pursuant to 6 NYCRR Part 375-1.9(d)

Former Tappan Terminal – Western Portion, Site ID No. 360015A
#0 Southside Avenue (aka Railroad Avenue),
Village of Hastings-on-Hudson, Town of Greenburgh, Westchester County, New York, 10706
Tax Map Identification Number(s) Section 4.100 Block 93 Lot 18

PLEASE TAKE NOTICE, the New York State Department of Environmental Conservation (Department) has issued a Certificate of Completion (Certificate) pursuant to 6 NYCRR Part 375 to ExxonMobil Oil Corporation for a parcel approximately 8.088 acres located on Railroad Avenue in the Village of Hastings-on-Hudson, Westchester County.

PLEASE TAKE NOTICE, the Certificate was issued upon satisfaction of the Commissioner, following review by the Department of the final engineering report and data submitted pursuant to the Order on Consent, as well as any other relevant information regarding the Site, that the remediation requirements set forth in ECL Article 27, Title 13 have been or will be achieved in accordance with the time frames, if any, established in the remedial work plan.

PLEASE TAKE NOTICE, the remedial program for the Site has achieved a cleanup level that would be consistent with the following categories of uses (actual site use is subject to local zoning requirements):

- ☐ Unrestricted Use, as set forth in 6 NYCRR 375-1.8(g)(1)i
- ☐ Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)i.
- ☒ Restricted Residential Use, as set forth in 6 NYCRR 375-1.8(g)(2)ii.
- ☒ Commercial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iii.
- ☒ Industrial Use, as set forth in 6 NYCRR 375-1.8(g)(2)iv.

Further, the use of groundwater is restricted and may not be used, unless treated in accordance with the requirements provided by the New York State Department of Health, or a local County Health Department with jurisdiction in such matters and such is approved by the Department as not inconsistent with the remedy.

PLEASE TAKE NOTICE, since the remedial program relies upon use restrictions or the long term employment of institutional or engineering controls; such institutional or engineering controls are contained in an Environmental Easement granted pursuant to ECL Article 71, Title 36 which has been duly recorded in the Recording Office for Westchester County as County Recording Identifier 560413480.

PLEASE TAKE NOTICE, the Environmental Easement requires that the approved site management plan (SMP) for this property be adhered to. The SMP, which may be amended from time to time, may include sampling, monitoring, and/or operating a treatment system on the property, providing certified reports to the NYSDEC, and generally provides for the management of any and all plans and limitations on the property. A copy of the SMP is available upon request by writing to the Department's Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, New York 12233.

PLEASE TAKE NOTICE, provided that the Environmental Easement, SMP and Certificate are complied with, the Certificate holder(s) shall be entitled to the liability limitation provided in 6 NYCRR Part 375-2.9. The liability limitation shall run with the land, extending to the Certificate holder's successors or assigns through acquisition of title to the Site and to a person who develops or otherwise occupies the Site, subject to certain limitations as set forth in 6 NYCRR Part 375-2.9. The liability limitation shall be subject to all rights reserved to the State by 6 NYCRR Part 375-2.9 and any other applicable provision of law.

Tappan Terminal – Western Portion, 360015A, Railroad Avenue, Hastings-on-Hudson, NY

PLEASE TAKE NOTICE, any change of use of the site, as defined in 6 NYCRR 375, must be preceded by notice to the Department in accordance with 6 NYCRR 375-1.11(d). A transfer of any or all of the property constitutes a change of use.

PLEASE TAKE NOTICE, the Certificate may be only be transferred to the Certificate holder's successors or assigns upon transfer or sale of the Site as provided by 6 NYCRR Part 375-1.9. Failure to comply with the regulatory requirements for transfer **WILL** bar the successors and assigns from the benefits of the Certificate.

PLEASE TAKE NOTICE, the Certificate may be modified or revoked by the Commissioner as set forth in the applicable regulations:

PLEASE TAKE NOTICE, the Certificate may be revoked if the Environmental Easement as implemented, if applicable, is not protective or enforceable.

PLEASE TAKE NOTICE, a copy of the Certificate can be reviewed at the NYSDEC's Region 3 located at 21 South Putt Corners Road, New Paltz, New York, 12561, by contacting the Regional Environmental Remediation Engineer.

WHEREFORE, the undersigned has signed this Notice of Certificate

ExxonMobil Oil Corporation


By: 

Title: Agent & Attorney in Fact

Date: 11/10/16

STATE OF NEW YORK) SS:
COUNTY OF Suffolk)

On the 10th day of November, in the year 2016 before me, the undersigned, personally appeared Scott Wybro, 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.


Signature and Office of individual
taking acknowledgment

Please record and return to:

Frank J. Messina
ExxonMobil Environmental Services Company
38 Varick Street
Brooklyn, New York 11222

12/03/09

ROSEMARIE LIBERATORE
NOTARY PUBLIC-STATE OF NEW YORK
No. 0116246461
Qualified in Suffolk County
My Commission Expires August 08, 2019

SCHEDULE "A" PROPERTY DESCRIPTION

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE VILLAGE OF HASTINGS-ON-HUDSON, TOWN OF GREENBURGH, COUNTY OF WESTCHESTER AND STATE OF NEW YORK, BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE BETWEEN LAND NOW OR FORMERLY BELONGING TO ANACONDA WIRE AND CABLE CO., FORMERLY NATIONAL CONDUIT AND CABLE CO. AND CHAS. T. CROMWELL, ON THE NORTH AND TAPPAN TANKER TERMINAL INC., ON THE SOUTH WHICH SAID POINT IS DISTANT, AS MEASURED ALONG SAID DIVISION LINE, NORTH 87° 24' 00" WEST 126.00 FEET, FROM A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE PENN CENTRAL RAILROAD, FORMERLY NEW YORK CENTRAL RAILROAD, WHICH SAID LAST MENTIONED POINT IS DISTANT SOUTH 65° 05' 30" WEST 36.48 FEET FROM THE STONE MONUMENT MARKING THE POINT OF CURVE OF CURVE NO. 34 OF THE ORIGINAL CENTER LINE OF SAID RAILROAD;

RUNNING THENCE FROM SAID POINT OF BEGINNING THROUGH LANDS OF THE TAPPAN TANKER TERMINAL INC. THE FOLLOWING COURSES AND DISTANCES:

SOUTH 2° 15' 46" WEST 379.40 FEET,
NORTH 87° 44' 14" WEST 123.01 FEET AND
SOUTH 2° 57' 36" WEST 646.16 FEET TO THE NORTHERLY SIDE OF A TWO STORY BRICK AND FRAME BUILDING;

THENCE ALONG THE NORTHERLY, WESTERLY AND SOUTHERLY FACE OF SAID TWO STORY BRICK AND FRAME BUILDING:

NORTH 87° 31' 13" WEST 16.41 FEET,
SOUTH 2° 28' 47" WEST 121.70 FEET AND
SOUTH 87° 31' 13" EAST 15.39 FEET;

THENCE SOUTH 2° 57' 36" WEST 53.01 FEET TO A POINT OF CURVE;

THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 82.97 FEET, A DISTANCE OF 116.71 FEET AND SOUTH 12° 31' 45" WEST 20.00 FEET TO A POINT IN THE SOUTHERLY BOUNDARY LINE OF LAND BELONGING TO TAPPAN TANKER TERMINAL INC., DISTANT AS MEASURED ALONG THE SAME NORTH 77° 28' 15" WEST 147.24 FEET FROM THE WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD;

THENCE INTO THE WATERS OF THE HUDSON RIVER, NORTH 77° 28' 15" WEST 318.00 FEET AND NORTH 3° 24' 00" EAST 1248.43 FEET TO THE DIVISION LINE FIRST HEREINABOVE REFERRED TO;

THENCE ALONG THE SAID DIVISION LINE, SOUTH 87° 24' 00" EAST 356.33 FEET TO THE POINT AND PLACE OF BEGINNING.

SAID PROPERTY CONTAINING APPROXIMATELY 8.088 ACRES MORE OR LESS.