

STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of the Alleged Violations of
Articles 3, 11, 15, 17, 24, 27 titles 7 and 13, and
Article 40 of the Environmental Conservation Law
of the State of New York, and of Title 6 Official
Compilation of Codes, Rule and Regulations
of the State of New York filed pursuant thereto

**ORDER ON CONSENT
AMENDMENT**

Index No. D-7-0001-02-03

- by -

Site No. 7-34-076
(Solvay Wastebeds 9-15)

Honeywell International Inc.,
Respondent.

WHEREAS,

1. Honeywell International, Inc., formerly known, in part, as AlliedSignal Inc. and the Solvay Process Company ("Respondent"), a corporation organized and existing under the laws of the State of Delaware, executed and became the Respondent under Order on Consent (Index # D-7-0001-02-03) ("Order") with the New York State Department of Environmental Conservation effective December 6, 2010, relative to property located in the Towns of Geddes and Camillus, Onondaga County, and identified by Respondent as Wastebeds 9, 10, 11, 12, 13, 14 and 15.

2. Wastebeds 9-15 are collectively referred to herein as "Wastebeds 9-15" or "the Wastebeds." The Wastebeds along with the Retention Ponds and the Interbed Area are referred to collectively as "the Site" and;

3. Respondent agrees to be bound by the terms of the Amendment and agrees not to contest the authority or jurisdiction of the Department to enter into or enforce this Amendment, and agrees not to contest the validity of this Amendment.

NOW, THEREFORE, IN CONSIDERATION OF AND IN EXCHANGE FOR THE MUTUAL COVENANTS AND PROMISES, THE PARTIES AGREE TO THE FOLLOWING:

WHEREAS,

I. The Order is hereby amended as follows:

APPENDIX E(I)(D)(6):

I. CLOSURE INVESTIGATION WORK PLAN FOR SITE AND SURROUNDED AFFECTED AREA

6. Throughout the duration of the Closure Investigation, the continued quarterly monitoring and reporting of groundwater, surface water, and leachate. These samples shall be analyzed once

per year for expanded parameters as listed in 6 NYCRR § 360-2.11(d)(6), plus Nitrite, with the exception that Mercury shall be analyzed using EPA Method 1631 and PCB's shall be analyzed using EPA Method 1668A (including Aroclor 1268); and for routine parameters as listed in Part 360-2.11(d)(6) for the three remaining quarters, or for alternate parameters/methods as approved by the Department. The reporting of the groundwater, surface water, and leachate results shall be within 90 days after each sampling event. Macroinvertebrate sampling and assessment will also be included, at intervals to be specified in the Closure Investigation Work Plan, comparing, except for the first year, results and analysis associated with the prior study years, detailed discussion of the current study year, and mapping of the above-referenced Nine Mile Creek stream segment, indicating any changes and improvements in the aquatic habitat. Surface water shall also be analyzed for PCBs and pesticides using PISCES. Ambient weather shall be recorded and stream flow shall be monitored using continuous flow recorders and the USGS gage station at State Fair Blvd. All results shall be presented and discussed with interpretation, conclusions, and recommendations in an annual report.

APPENDIX E(IV)(A):

IV. FINAL SITE CLOSURE PLAN

A. Within ninety (90) calendar days after the Department's approval of the Closure Investigation Report, Respondent shall submit to the Department for its review and approval a Closure Plan for the Site as defined in Whereas paragraph 4 ("Site Closure Plan"). The Site Closure Plan shall be developed and certified by a New York State licensed professional engineer with experience acceptable to the Department. The format and content of the Site Closure Plan shall at a minimum satisfy the requirements of 6 NYCRR § 360-2.15(c), and shall include a post-closure monitoring and maintenance operation manual, which provides for the quarterly monitoring and reporting of the Site, in accordance with the requirements of 6 NYCRR § 360-2.15(k)(7) with the following modifications: monitoring and reporting of groundwater, surface water, and leachate shall be conducted once per year for expanded parameters as listed in § 360-2.11(d)(6), plus Nitrite, with the exception that Mercury shall be analyzed using EPA Method 1631 and PCBs shall be analyzed using EPA Method 1668A (including Aroclor 1268), and for routine parameters as listed in § 360-2.11(d)(6) for the remaining three quarters, or for alternate parameters/methods as approved by the Department. The post-closure monitoring and maintenance operation manual shall also include the analysis of surface water for PCBs and pesticides using PISCES in addition to recording ambient weather and stream flow using data from the USGS gage station at State Fair Blvd. The Site Closure Plan shall also include provisions to eliminate all seeps, achieve compliance with SPDES Permit NY000 2275, and appropriately manage leachate from the Wastebeds.

APPENDIX E.III

III. INTERIM MEASURES

A. Respondent shall design, construct, operate and maintain the Interim Measures identified below in Subparagraphs III.B, III.C and III.D in accordance with Paragraphs III.E, III.F, and III.G below. The Interim Measures shall address violations through the abatement and removal where practicable, or else the mitigation to the satisfaction of the Department of both (i) the unacceptable environmental and health impacts, if any, that are associated with solid waste violations prohibited under ECL article 27 title 7, and (ii) the water quality violations that are

prohibited under ECL article 17. Upon the Department's approval of any Interim Measure Work Plan, the Interim Measure Work Plan shall be incorporated into and become an enforceable part of this Consent Order.

B. An Interim Measure Work Plan for each of Subparagraphs III.B.1, III.B.2, and III.B.3 below shall be submitted to the Department within 60 days of the effective date of this Order and shall include a schedule for all tasks and deliverables.

2. Seep Control pursuant to 6 NYCRR § 360-1.14(w); § 360-2.15(i).

Respondent shall submit a work plan for an Interim Measure to mitigate to the satisfaction of the Department all seeps and the admixture of leachate in stormwater discharges from Outfalls 011, 017, 018, and 019 from seeps emanating from the Wastebed containment berms, from fissures, or from other unpermitted sources associated with the Site. The mitigation of seeps may require a variety of measures, including the installation of clay and/or geomembrane in addition to vegetation.

a. This Interim Measure work plan may call for seep mitigation work to be undertaken in phases, recognizing that the attainment of water quality standards in the stormwater discharges from Outfalls 011, 017, 018, and 019 is linked to the completion of related Interim Measures [Seep Control, Berm Stability and Erosion Control, and Leachate Collection and Conveyance System (LCCS)], as well as to closure of the wastebeds. A list of currently completed and potential projects is included on Attachment 1 to this Appendix E, and shall be modified to include new projects as described below in Paragraph III.B.2.b. Provided that approval is timely granted by the Department, all interim measures under this Appendix E shall be constructed by December 31, 2015, with certification reports to be submitted 90 days following the completion of construction.

b. The Respondent shall annually submit the reports and documents that detail the projects undertaken, the results of these projects, estimates of the reduction in leachate achieved by these projects, and sampling results demonstrating the reduction in leachate discharged through Outfalls 011, 017, 018 and 019. In addition, each report shall characterize any seeps noted during that phase, including locations, flow rates (if known), and sampling results and detail the efforts taken to mitigate these seeps. Each Annual Construction Work Plan shall also describe, to the satisfaction of the Department, additional phase(s) of the Interim Measure(s) proposed for the upcoming year, if any, and proposed procedures to evaluate the effectiveness of such phase(s). Respondent must receive Department approval prior to implementation of the Interim Measure(s).

c. By December 31, 2016, Respondent shall submit an evaluation report of the effectiveness of seep mitigation measures and propose additional measures, if any, to further reduce seeps and leachate discharged through Outfalls 011, 017, 018 and 019 and to attempt compliance with applicable effluent limits as required by Article 17 of the ECL, 6 NYCRR §360 and SPDES Permit NY 00 2275. Such additional measures may include installation of clay and/or geomembrane cover in addition to vegetative cover.

II. Respondent and its Successors and Assigns shall be bound by the Order and its Amendments.

- III. Nothing contained in this Amendment changes or modifies the remaining obligations under the Order.
- IV. This Amendment shall control to the extent of a conflict between the provisions hereof and those of the Order. Except as provided in the preceding sentences or elsewhere in this Amendment, the Order and the documents related thereto, shall continue in full force and effect. Any amendment or other modification of this Amendment must be in writing.
- V. The effective date of this Amendment shall be the date on which it is signed by the Commissioner or the Commissioner's designee.

DATED: *December 23, 2014*

JOSEPH J. MARTENS
COMMISSIONER
NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

By: _____

Kenneth P. Lynch
KENNETH P. LYNCH
Regional Director, Region 7
New York State Department of
Environmental Conservation

CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of this Amendment, waives Respondent's right to a hearing herein as provided by law, and agrees to be bound by this Amendment.

Honeywell International Inc.

By: John P. McAuliffe

Title: Syracuse Program Director

Date: 12/19/14

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the 19th day of Dec., in the year 2014, before me, the undersigned, personally appeared John McAuliffe, 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.

Alison Abbott
Signature and Office of individual
taking acknowledgment

ALISON M. ABBOTT
Notary Public - State of New York
No. 01AB6302787
Qualified in Oswego County
My Commission Expires May 5, 20 18
Alison Abbott