

Environmental Approvals/Permits

October 1, 2014

(List could change as Project evolves)

Russell Station Demolition and Remediation

Agency	Who Must Obtain	Permit, Notice or Approval	Description of Action Required	Comment/Status
2012 Closure of Cooling Water Intake Tunnel and Intake Structure Removal (Removal of portions of the intake structure and sealing was completed Nov 2012)				
US Army Corps of Engineers ("USACOE")	RG&E	Provisional Dept. of the Army, Permit 2003-00774, Nationwide Permit No. 18	Required for construction activity in waters of the US. This is associated with removal of portions of the intake structure within the Lake itself.	Project has been completed.
NYS Department of Environmental Conservation ("NYSDEC")	RG&E	Article 15, Title 5	Required for excavation and fill in navigable waters. This is associated with removal of portions of the intake structure.	Project has been completed.
NYS Department of State	RG&E	NYS Coastal Management Program	Concurrence with proposed scope and methods. This is associated with removal of portions of the intake structure and related equipment.	Project has been completed.

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Demolition & Remediation at Russell Station				
Town of Greece	Contractor to complete Application partially submitted by RG&E	Demolition Permit and various notifications and/or restrictions applicable to demolition/asbestos and transportation of debris	<p>Implementation of the project must comply with SEQRA. A demolition /excavation permit is required under the Town's Building Code, along with a permit for transportation of waste materials. The Town must be notified in advance of commencement of asbestos work. Town Code restrictions apply to vehicle weight/dimensions, noise, and other issues.</p> <p>Currently it is anticipated that the following documents from the Contractor will be needed:</p> <ol style="list-style-type: none"> 1.) Demolition Plan, including a description of any hazardous substance abatement activities to be performed. 2.) Demolition Schedule. 3.) Evidence of the contractor's insurances. 4.) Road closure/work in Kirkwood ROW (if needed) 	Contractor's plans and work must be consistent with the Demolition Application and SEQRA documents filed by RG&E.
Town of Greece	RG&E and Contractor	SEQRA	Implementation of the project must comply with the State Environmental Quality Review Act ("SEQRA") SEQRA. Contractor's plans and work must be consistent with the Demolition Application and SEQRA documents filed by RG&E.	In process. Demolition Application and FEAF Part 1 filed 4/29/ 2014. Town is Lead Agency. Discussions with Town on-going.

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NYSDEC	RG&E/ Contractor	State Pollution Discharge Elimination System (“SPDES”) – Storm Water Pollution Prevention Plan (“SWPPP”)	Presumes more than 1 acre of ground will be disturbed during demolition process. Existence of site-specific SPDES permit precludes use of generic statewide construction permit. NYSDEC has indicated that no Permit Modification will be needed, but that the stormwater construction-related requirements in the Permit will need to be fulfilled [a Contractor task]. Contractor will develop a D&R project-related SWPPP and, after RG&E has authorized it, submit it to Town of Greece, the PSC and to the NYSDEC.	SWPPP must be prepared and NOI filed at least 30 days before the first soil disturbance.
NYSDEC	RG&E	Site SPDES Permit	At the end of the Project, the SPDES Permit will need to be modified to reflect post D&R conditions.	RG&E will file for modification at least 180 days before the D&R project ends.
NYSDEC	RG&E w/ input from the Contractor	SPDES – Notification of Coal Pile/ Leachate Treatment Activities	RG&E committed to notify NYSDEC of D&R activities related to the former and now closed and capped coal pile and the existing leachate collection and treatment system. Contractor to identify tasks in and around these areas and those related to protecting the existing coal pile cap and the leachate collection and treatment system during the D&R. RG&E to provide notice.	To be filed after D&R Plan is accepted by RG&E.
NYSDEC	RG&E w/ input from the Contractor	UST and ABST Tank Removal Registrations	Although tanks were closed in place and proper notifications were filed, updated notices will have to be filed when the tanks are removed from the site. Contractor to provide closure information to RG&E as tanks are removed from site, RG&E to submit notifications.	To be filed after tanks are removed from the site.

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USACOE	RG&E w/ significant input from the Contractor	Section 404 wetlands permit/ Nationwide Permit (if needed)	Need for permit could be triggered by such landward based actions as removal and re-grading of the on-site railroad, work on the plugging of the landward end of the intake tunnel if that work will be done within a CWA regulated. Contractor to identify any D&R tasks that trigger this permit obligation and supply all needed application documentation to RG&E.	If needed, application to be filed after D&R Plan is accepted by RG&E. Boundaries of any CWA 404 Wetlands will be confirmed by site-specific delineation done by the D&R Contractor early in the project.
NYS-DOS	RG&E	Coastal Zone Consistency	If a Section 404 USACOE permit is needed, then a request for a Coastal Zone Consistency determination will be needed.	Filing would be made after RG&E has accepted the Demolition Plan and the wetland determination is done. The Joint Permit Application form would be used.
NYSDEC	RG&E w/ significant input from the Contractor	Clean Water Act (“CWA”) 401 Certificate	If federal approval is needed (e.g. if a Section 404 dredge or fill permit is needed), the State must issue a 401 Certification before Project can proceed. Contractor to determine need for this as part of D&R Plan development and supply any needed documentation.	If needed, application to be filed after D&R Plan is accepted by RG&E.
NYSDEC	RG&E/ w/ significant input from the Contractor	Art. 24 Freshwater Wetlands and Article 15 Stream Protection	Need for permits could be triggered by such landward based actions as removal and re-grading of the on-site railroad, work on the plugging of the landward end of the intake tunnel if that work will be done within a wetland or the buffer zone of a mapped state wetland etc.	If required, application to be filed after D&R Plan is accepted by RG&E and delineation completed. Any needed permits must be obtained before any

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		Permits	<p>Contractor to identify any D&R tasks that trigger this permit obligation, and to prepare any permit documentation requested so RG&E can prepare and submit the application.</p> <p>Boundaries and buffer areas of State (and federal) Freshwater Wetlands will be established by site-specific delineation done by the D&R Contractor to determine need for permits.</p>	disturbance of land near possible wetlands or the Creek/Lake.
NYS - OGS	RG&E	Easement for Cooling Water Intake Tunnel	Easement extension granted via Order on 4/10/2012. Revised easement for under lake portion of the Intake Tunnel will be needed. RG&E will obtain. Contractor to undertake no activities that disturb the lakeward portion of the intake tunnel.	In process. Current easement will be modified in conjunction with abandonment in place, per discussions with OGS/DEC.
NYSDEC/ USEPA	RG&E w/ significant input from the Contractor	Update SPCC Plan to incorporate D&R Activities	Contractor must add to the current SPCC Plan any D&R related activities (temporary on-site storage of fuel, oil etc.) and its emergency contact information. Contractor must implement the Plan during the D&R work.	SPCC to be updated after D&R Plan is accepted by RG&E, before Contractor brings on-site any bulk oil storage containers.
US Coast Guard	Contractor/ working with RG&E	Demolition of Smoke Stacks shown on navigational charts and used by boaters as navigational aids.	<p>RG&E will work with the Contractor and the Buffalo Coast Guard Aid to Navigation (“ATN”) Team to confirm that Stacks are not Class I ATNs.</p> <p>Confirmation that stacks are not Class I ATNs to be done after Contractor’s Demolition plan and schedule is complete.</p>	CG-2554 must be filed at least 30 days before the planned demolition of the Stacks.

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National Oceanic and Atmospheric Administration (“NOAA”)	Contractor	Demolition of Smoke Stacks shown on navigational charts and used by boaters as navigational aids.	Because the two Stacks are included on NOAA Navigational Charts, NOAA has asked that it be notified via email after their demolition.	To be filed following stack demolition.
Federal Aviation Administration (“FAA”)	Contractor	Demolition of Stacks with FAA mandated lights on them	FAA Form 7460-1 must be filed before the demolition. Telephone notification to FAA must be given shortly before the planned Stack demolition. FAA Form 7460-2 must be filed within five days of the demolition.	The telephone notification and the second filing will be made in 2015/2016 .
NYS Department of Labor (“NYSDOL”)	Contractor	Asbestos Removal Large Project Notification	Triggered by an asbestos project involving the removal, disturbance, enclosure, encapsulation, repair or handling of 160 square feet or more of ACM, PACM or asbestos material or 260 linear feet or more of ACM, PACM or asbestos material. (12 NYCRR §56-2 W(2).	To be filed after D&R Plan is accepted by RG&E.
Monroe County DOT	Contractor	Permission/ Permit to work in ROW	Beach, Edgemere & Ling Roads are County roads. Any work in their ROW will need MC DOT’s permission/permit.	To be filed after D&R Plan is accepted by RG&E.
Monroe County Dept Env. Services	Contractor	Closure of connecting sewer	MC DES is still deciding whether it wants the 16 inch force-main which is being abandoned filled with flowable fill or the entry points blocked off.	

Beebee Station Demolition and Remediation

Agency	Who Must Obtain	Permit, Notice or Approval	Description of Action Required	Comment/Status
Demolition of Unit 1/ 2 Stack (Project was been completed in July, 2013.)				
City of Rochester	City of Rochester	City of Rochester	City of Rochester	Project has been completed.
NYSDOL	NYSDOL	NYSDOL	NYSDOL	Project has been completed.
SHPO	SHPO	SHPO	SHPO	Project has been completed.
Demolition & Remediation at Beebee Station				
City of Rochester	Contractor to complete Application partially submitted by RG&E	Demolition Permit & notifications and/or restrictions applicable to demolition/ excavation/ asbestos and debris transport.	<p>A Demolition Permit application is required under the City's Building Code. Other permits that may be required and will be identified as the City reviews the planned project.</p> <p>Demolition Permit Application filed on 11/25/2013.</p>	<p>Currently it is anticipated that the following documents from the Contractor will be needed to complete the permitting process:</p> <ol style="list-style-type: none"> 1.) Electrical Permit and Plumbing Permit application forms if the City deems them necessary. 2.) Demolition Plan, including a description of any hazardous substance abatement activities to be performed. 3.) Demolition Schedule. 4.) Evidence of the Contractor's insurances. 5. If temporary road closures desired, request in format set by the Traffic Control Board.

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City of Rochester	RG&E	SEQRA	<p>Part I of the State's new Full Environmental Assessment Form (FEAF) was filed with the City of Rochester on 11/25/2013 as an appendix to the Demolition Permit application.</p> <p>City is Lead Agency.</p>	<p>Negative Declaration issued 7/10/2014.</p> <p>Contractor's plans and work must be consistent with the Demolition Application and SEQRA documents filed by RG&E.</p>
SHPO	RG&E	NHPA & SHPA Compliance	Buildings are over 50 years old. A "No Effect" letter from SHPO will be required.	"No Effect" letter received 9/26/13.
Monroe County Pure Waters	RG&E	Possible modification to the County's Secondary CSO discharge pipe and tunnel	The County is required to maintain a secondary Combiner Sewer Overflow point which passes beneath the project site and which discharges to the Genesee River through one of Beebee Station's former SPDES permitted Outfalls. Currently the flow path for this discharge has been cut off when the discharge from Beebee was closed. D&R project will re-establish flow path to the River and seal off former Beebee-related discharges to this CSO.	<p>A legal agreement (easement) setting forth post-D&R project future maintenance responsibilities and the County's right to access this discharge pipe and outfall will be recorded when this portion of the project is completed. MOU and draft easement accepted by the County.</p> <p>Contractor must abide by the MOU.</p>
NYSDEC	Contractor in Consultation with RG&E	NYS General Construction Stormwater SPDES Permit & SWPPP	D&R Project-related SWPPP must be prepared and accepted by the City of Rochester. After SWPPP has been reviewed by the City, a Notice of Intent (NOI) to be covered by the State's General Construction Stormwater SPDES Permit will be filed with NYSDEC.	NOI to be filed after D&R Plan is accepted by RG&E and SWPPP acknowledgement signed by the City.

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NYSDEC	RG&E w/ input from Contractor	UST and ABST Tank Removal Registrations	Although tanks were closed in place and proper notifications were filed, updated notices will have to be filed when the tanks are removed from the site. Contractor to provide closure information to RG&E as tanks are removed from site, RG&E to submit notifications.	To be filed after tank removal is completed.
NYSDEC/ USACOE	RG&E with significant input from Contractor.	Art. 24 Freshwater Wetlands and Article 15 Stream Protection Permits USACOE Part 404 or RHA part 10 Permits and CWA 401 Certifications	Depending on what is needed to re-establish the flow path of the County's secondary CSO discharge line, a Stream Protection Permit likely will be necessary. A CWA Part 404, permit and perhaps a RHA Part 10 permit may be needed to fully restore the CSO flow path.	Contractor to determine whether any aspect of the project will lead to river bank and/or river bed disturbance and is to notify RG&E of its determination. Contractor to supply all needed application material to RG&E.
NYS DOL	Contractor	Asbestos Removal Large Project Notification	Triggered by an asbestos project involving the removal, disturbance, enclosure, encapsulation, repair or handling of 160 square feet or more of ACM, PACM or asbestos material or 260 linear feet or more of ACM, PACM or asbestos material. (12 NYCRR §56-2 W(2).) Any asbestos abatement contractor who proposes to engage in a large asbestos project shall notify or cause to be notified, in writing, the Asbestos Control Bureau.	To be filed after D&R Plan is accepted by RG&E. Notice must be received at least ten (10) calendar days prior to commencement of Phase II A (See Section 56-2.1) of the asbestos project unless waived in writing by the Commissioner (12 NYCRR §56-3.4(b).)

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Visual Cleanup Related Demolition of Select Yard Structures & Site Cleanup (“Select Demolition”)				
City of Rochester	RG&E/ Contractor	Demolition Permit	<p>A demolition permit is required under City Code sections 47A-6(A) and 47A-(7A).</p> <p>Permitting process was halted in 2013 so SEQRA process could be completed for entire Beebee Station D&R project. With the issuance of the Negative Declaration, the SEQRA process is completed.</p>	Hazardous materials abatement is underway. Select Demolition Contractor is completing the Demolition permit Process and filing for the Demolition permit anticipated before 10/1/2014.
USACoE and NYSDEC	RG&E lead w/ Contractor input	USACoE NWP #18 and NYSDEC Protection of Water Permits	While the Select Demolition technical Specifications call for no sediment etc. to be discharged to the River during this project, out of an abundance of caution RG&E has decided to apply for coverage in case there is any incidental fallback during demolition work on the River bank.	Application on track to be filed before 10/1/2014.