INADVERTANT RETURN CONTINGENCY PLAN
for Horizontal Directional Drilling
Beneath Protected Streams, State and Federal Regulated Wetlands on the
STAMP – Stream Data Center BUFA Project Double Reed
Genesee County, New York

Introduction

Construction activities associated with the Stream Data Centers BUFA Project Double Reed will include the installation of a telecommunication fiber interconnect between the South Campus and North Campus located within the STAMP site along Crosby Road. The proposed interconnect is approximately 3,600 linear feet and consists of approximately (328) 4-inch conduits.

The installation will require trenchless excavation methods, specifically horizontal directional drilling ("HDD"), to cross beneath regulated wetlands and other sensitive environmental areas while minimizing surface disturbance. The proposed approach includes an HDD installation beneath the southern wetland ("Wetland 20") and unnamed tributary crossing ("Trib 5"), which will terminate at a proposed vault location. From that vault, the installation will transition to standard concrete-encased duct bank construction, consisting of four 80-conduit duct bank runs, to connect to the next series of vaults. The installation will then transition back to HDD to cross beneath the northern wetland area (Wetland 34") and another unnamed tributary ("Trib 3"), before converting back to standard duct bank construction for final distribution throughout the North Campus.

HDD procedure is anticipated to use a bentonite-based drilling fluid as a drilling lubricant, commonly referred to as "drilling mud"; however, the final drilling fluid mixture, including any additives or admixtures, will be determined by the selected HDD contractor and submitted for review prior to HDD activities. Although the bentonite mixture is generally considered non-toxic, a potential environmental risk associated with HDD beneath sensitive features occurs when drilling mud is released to the surface during construction, commonly referred to as an inadvertent return ("Inadvertent Return"). If discharged into wetlands, waterways, or other sensitive environmental areas, the fine particles can impact vegetation, benthic invertebrates, aquatic plants, fish, fish eggs, and other environmental resources.

The objective of this contingency plan is to:

1. Minimize the potential for Inadvertent Returns associated with HDD activities through proper planning, review of HDD-specific drilling parameters once developed by the selected HDD contractor, monitoring, drilling controls, field coordination, and implementation of appropriate preventive measures;
2. Provide for timely detection of Inadvertent Returns through continuous observation, monitoring of drilling pressures and fluid circulation, field communication, and inspection of the HDD alignment and adjacent sensitive areas during active drilling operations;
3. Establish a clear response procedure in the event an Inadvertent Return or release of drilling mud occurs, including immediate suspension of drilling activities, notification of the

appropriate project personnel, assessment of the release, implementation of containment measures, and initiation of cleanup activities where practical and appropriate;
4. Minimize potential impacts to wetlands, waterways, stormwater features, environmentally sensitive areas, adjacent property, and ongoing construction activities through prompt containment, controlled recovery of drilling fluids, proper handling and disposal of recovered materials, and restoration of disturbed areas to the extent practical;
5. Ensure that response actions are performed in a coordinated manner between the contractor, construction manager, environmental inspector, owner's representatives, and applicable regulatory agencies, as required by permit conditions and project requirements;
6. Document the occurrence, response actions, notifications, cleanup measures, disposal methods, and final restoration associated with any Inadvertent Return so that the project maintains a clear record of compliance and field decision-making; and
7. Establish conditions for resuming HDD activities following an Inadvertent Return, including review of the cause, confirmation that the release has been contained or stabilized, adjustment of drilling means and methods where necessary, and authorization from the appropriate project and environmental representatives before work proceeds.

Measures to be deployed as part of this contingency plan include site inspection, contractor and construction personnel training, identification of responsible parties, monitoring of HDD operations, development of response and notification procedures, staging of containment and cleanup materials, implementation of cleanup procedures, and documentation of any Inadvertent Return event. These measures are described in detail below:

Site Personnel Responsibilities

The Contractor responsible for the HDD work shall have primary responsibility for implementing this Inadvertent Return Contingency Plan ("IRCP") during all applicable trenchless installation activities. The Contractor shall be familiar with the proposed HDD means and methods, the approved work plan, the requirements of this IRCP, applicable permit conditions, environmental restrictions, and the specific sensitive features located along or adjacent to the proposed HDD alignment.

The Contractor shall provide a copy of this IRCP to all appropriate construction personnel, including supervisory staff, HDD operators, labor crews, environmental support personnel, and any trade partners performing or supporting the work. Prior to the start of HDD operations, the Contractor shall verify that personnel involved in the work have been trained on the requirements of this plan, including prevention measures, monitoring requirements, stop-work triggers, notification procedures, containment methods, cleanup procedures, and documentation requirements associated with an inadvertent return.

The Contractor shall provide the anticipated schedule for HDD operations to the Construction Manager, Owner's representative, Environmental Inspector ("EI"), and any other required project or agency representatives prior to commencement of work. The schedule shall identify the planned HDD activities, anticipated duration, crossing locations, sensitive environmental areas, and any required inspection or monitoring coverage. Any significant changes to the planned HDD schedule

shall be communicated promptly so that appropriate monitoring and response resources can be coordinated.
The Contractor shall be responsible for maintaining the necessary personnel, equipment, materials, and response resources required to implement this IRCP. This includes, but is not limited to, containment materials, pumps, hoses, hand tools, temporary storage containers, vacuum truck support, erosion and sediment controls, and other materials necessary to contain, recover, and properly manage drilling fluids in the event of an inadvertent return.

The Contractor, Construction Supervisor, EI, and designated Owner or Construction Manager representatives shall each have the authority to stop work if an Inadvertent Return is observed, suspected, or if drilling conditions indicate an increased potential for loss of drilling fluid. Upon identification or suspected identification of an Inadvertent Return, HDD operations shall be suspended immediately, the area shall be assessed, and notifications shall be made in accordance with this plan.

The Contractor and/or Construction Supervisor shall be responsible for promptly notifying the EI of any observed or suspected Inadvertent Return, loss of circulation, abnormal pressure condition, or other drilling condition that may indicate a potential release of drilling fluid. The Contractor shall coordinate with the EI and Construction Manager to implement appropriate containment, cleanup, disposal, and restoration measures. Recovered drilling fluids, impacted materials, and containment materials shall be handled and disposed of in accordance with applicable project requirements, permit conditions, and regulatory requirements.

The New York State Department of Environmental Conservation ("NYSDEC") and the United States Army Corps of Engineers ("USACE"), and any other applicable agencies shall be notified as required by the notification procedures contained in this IRCP and applicable permit conditions. Agency notification shall be coordinated through the designated project representatives identified in this plan.

The EI shall be on site or otherwise available during HDD operations, as required, to consult with HDD personnel, observe work activities, inspect sensitive environmental areas, and assist in evaluating any observed or suspected Inadvertent Return. The EI shall inspect the HDD operation and surrounding areas for evidence of drilling fluid migration, including visual observation of the proposed alignment, entry and exit areas, wetlands, waterways, drainage features, and other sensitive or low-lying areas where drilling fluids could potentially surface.

If an Inadvertent Return occurs, the EI shall evaluate the location, estimated volume, apparent cause, potential pathway, affected area, and potential impact to sensitive environmental resources. The EI shall coordinate with the Contractor, Construction Supervisor, Construction Manager, Owner's representative, and applicable agency representatives, where practicable, to determine the appropriate level of response. Response measures shall be based on site conditions, safety considerations, environmental sensitivity, accessibility, feasibility of recovery, and the potential for cleanup activities to cause additional disturbance.

During HDD operations, the Contractor's field personnel shall continuously monitor drilling conditions and the proposed HDD alignment to the extent practicable. Monitoring shall include

observation of drilling fluid pressures, drilling fluid returns, pump rates, fluid volumes, loss of circulation, drilling progress, and visual inspection of a reasonable radius around the drill path and adjacent sensitive areas. Field personnel shall immediately report any abnormal conditions, suspected release, or evidence of drilling fluid surfacing to the HDD supervisor, Construction Supervisor, and EI.

During HDD installation, the Contractor shall utilize an appropriate tracking and guidance system capable of monitoring the drill head location and drilling conditions. Where feasible and applicable to the selected HDD means and methods, the system shall allow the HDD operator to monitor annular drilling fluid pressure near the drill head in real time. As the HDD scope is currently conceptual and the HDD contractor has not yet been selected, the maximum allowable annular drilling fluid pressure has not been finalized; it will be developed prior to HDD construction following contractor onboarding, completion of applicable civil/geotechnical investigations, and preparation of the required Delft Analysis. Drilling pressure shall be monitored at or near the drill head to the extent practicable, rather than relying solely on pressure readings at the equipment.

The tracking and guidance system shall be used to document the drill head location, depth, alignment, and any significant pressure fluctuations or loss of drilling fluid circulation. If the HDD operator observes a sudden drop in drilling pressure, loss of circulation, unexpected fluid loss, or other indication that drilling fluid may be migrating outside the bore path, HDD operations shall stop immediately until the condition is evaluated and appropriate corrective measures are identified.

HDD operations shall not resume following a suspected Inadvertent Return until the condition has been evaluated, appropriate containment or stabilization measures have been implemented, required notifications have been made, and authorization to proceed has been provided by the appropriate project representatives in coordination with the EI and applicable agencies, where required.

Training

Prior to the start of HDD operations, the Construction Supervisor and EI shall verify that all applicable construction field personnel have received site-specific training on the requirements of this IRCP. Training shall include, at a minimum, the HDD contractor's supervisory personnel, HDD operators, labor crews, equipment operators, environmental support personnel, and any trade partners directly involved in or supporting the HDD work.

The site-specific training shall include a review of the following:

1. The purpose and requirements of this IRCP, including prevention, monitoring, response, notification, cleanup, disposal, documentation, and restoration procedures;
2. The proposed HDD scope, alignment, entry and exit locations, vault locations, and areas where the HDD work transitions to standard duct bank construction;
3. The location of wetlands, waterways, stormwater features, drainage pathways, environmentally sensitive areas, buffer areas, and any other areas where an Inadvertent Return could create additional environmental or regulatory concern;

4. Applicable permit conditions, environmental restrictions, agency requirements, and project-specific monitoring obligations associated with the HDD work;
5. Required inspection and monitoring procedures, including visual monitoring of the drill path, observation of adjacent sensitive areas, monitoring of drilling fluid pressures, fluid returns, pump rates, loss of circulation, and other indicators of a potential Inadvertent Return;
6. The obligation of the HDD contractor and field crews to immediately suspend forward drilling upon the first evidence of an Inadvertent Return, suspected Inadvertent Return, loss of circulation, abnormal pressure condition, or other indication that drilling fluid may be migrating outside the intended bore path;
7. Internal reporting procedures, including immediate notification to the HDD Supervisor, Construction Supervisor, EI, Construction Manager, and Owner's representative, as applicable;
8. The location, proper use, and limitations of contingency response equipment and containment materials, including silt fence, silt sock, straw bales, plastic sheeting, turbidity barriers, pumps, hoses, hand tools, temporary storage containers, and vacuum truck support;
9. Procedures for containing, recovering, temporarily storing, and disposing of drilling mud, slurry, impacted soils, water, and other materials generated during cleanup activities;
10. Measures to minimize additional disturbance during cleanup, particularly within wetlands, waterways, buffer areas, vegetated areas, and other environmentally sensitive locations;
11. Documentation requirements, including photographs, field notes, estimated release quantities, impacted areas, cleanup methods, disposal records, agency notifications, and completion of any required Inadvertent Return notification report; and
12. Communication protocols for regulatory agency notification and coordination, including who is responsible for making notifications and what information must be provided.

The Contractor shall maintain documentation confirming that required personnel have received the site-specific training prior to beginning HDD operations. Documentation may include attendance logs, training records, sign-in sheets, or other written confirmation. Any personnel added to the HDD work after the initial training shall receive the same site-specific training before participating in the work.

Training shall be repeated or supplemented if site conditions change, the HDD means and methods are modified, an Inadvertent Return occurs, or the EI, Construction Supervisor, Construction Manager, Owner's representative, or applicable regulatory agency determines that additional training is warranted.

Inadvertent Return Precautions

During HDD operations, the Contractor shall implement preventive measures to minimize the potential for an Inadvertent Return of drilling fluid. These measures shall include continuous monitoring of drilling conditions, visual observation of the HDD alignment and adjacent sensitive areas, proper management of drilling fluid pressures, and maintaining appropriate containment and recovery equipment on site during active drilling operations.

A designated field representative shall be present during HDD activities to visually monitor the proposed bore path, entry and exit locations, adjacent wetlands, drainage features, low-lying areas, and any other environmentally sensitive areas where drilling fluid could potentially surface. Monitoring shall be continuous during active drilling and pullback operations in or near regulated wetlands, waterways, stormwater features, or other sensitive areas.

The HDD Contractor shall monitor drilling fluid pressures, drilling fluid returns, pump rates, fluid volumes, and loss of circulation throughout the HDD operation. Drilling pressures shall be managed based on the approved HDD profile, depth of cover, subsurface conditions, and the Contractor's means and methods. In areas identified as having an increased potential for Inadvertent Return, drilling pressures shall be reduced to the extent practicable while still maintaining a stable and effective bore. Any sudden drop in pressure, unexpected loss of circulation, or unexplained loss of drilling fluid shall be treated as a potential indicator of an Inadvertent Return and shall be immediately evaluated.

If project-specific pressure limits are established by the HDD Contractor, engineer, permit conditions, or environmental requirements, those limits shall be reviewed prior to the start of work and followed during drilling operations. Where reduced pressure ranges are required for areas prone to Inadvertent Return, those pressure limits shall be documented in the HDD work plan and communicated to the field crew prior to drilling.

A vacuum truck capable of recovering drilling fluids shall be on site or immediately available during active HDD operations in environmentally sensitive areas. The vacuum truck shall be equipped with sufficient hose and support equipment to respond to both upland and wetland/standing-water releases, where access and site conditions allow. Pumps, hoses, temporary storage containers, hand tools, and containment materials shall also be staged in a location that allows for prompt deployment in the event of an Inadvertent Return.

Additional silt sock, silt fence, straw bales, plastic sheeting, turbidity barriers, and other containment materials shall be maintained on the project site during HDD operations. These materials shall be available for immediate use to contain drilling fluid, prevent migration to wetlands or stormwater features, and support cleanup activities.

Where open water, standing water, drainage channels, or other water-bearing features are present and could be impacted by the HDD operation, turbidity curtains or equivalent controls shall be installed as appropriate and where field conditions allow. Turbidity curtains should generally be installed downstream of the proposed bore path or potential release area to help limit migration of suspended material. Backup or reserve turbidity curtains shall be maintained on site and deployed as needed based on field conditions, agency direction, or the recommendation of the EI.

The conditions of this IRCP shall be followed throughout the duration of HDD operations. If an Inadvertent Return is observed or suspected, drilling operations shall be suspended immediately, notifications shall be made in accordance with this plan, and containment and cleanup measures shall be implemented as practical and appropriate based on the location, volume, accessibility, and environmental sensitivity of the release.

Drilling Fluids Management

To minimize potential impacts associated with the use of drilling fluids, the Contractor shall manage drilling fluids in a controlled manner throughout HDD operations. Drilling fluid use, circulation, recovery, containment, and disposal shall be performed in accordance with the approved HDD work plan, applicable permit requirements, environmental restrictions, and this IRCP.

The following requirements shall be adhered to:

1. Drilling fluid circulation shall be maintained to the extent practical during HDD operations. The Contractor shall monitor drilling fluid returns, pump rates, fluid volumes, pressures, and loss of circulation to identify conditions that may indicate a potential Inadvertent Return or migration of drilling fluid outside the intended bore path.
2. Drilling fluids shall be managed to prevent discharge to wetlands, waterways, stormwater systems, drainage features, roads, adjacent properties, or other environmentally sensitive areas. Drilling mud, slurry, cuttings, impacted soil, and recovered fluids shall be contained, collected, temporarily stored, reused where appropriate, or disposed of in accordance with applicable project and regulatory requirements.
3. If inadvertent surface returns occur in upland areas, HDD operations shall be evaluated immediately, and the released fluids shall be contained and collected to the extent practical. Containment may include hand-placed barriers, silt sock, silt fence, straw bales, plastic sheeting, berms, small sumps, pumps, hoses, temporary storage tanks, vacuum truck recovery, or other appropriate measures based on field conditions.
4. If the amount of surface return in an upland area is minor and physical collection is not practical, the EI, Construction Supervisor, and Contractor shall evaluate the location, volume, potential migration pathway, and environmental sensitivity of the area before determining the appropriate response. Any decision to allow residual material to dry in place shall be documented and shall only occur where the material is contained, will not migrate offsite or into sensitive areas, and will not create a stormwater, environmental, or housekeeping concern.
5. If the amount of surface return exceeds what can be controlled using hand-placed containment, small pumps, or other immediately available measures, HDD operations shall be suspended until the release is contained, surface volumes are brought under control, and appropriate corrective measures are implemented.
6. If inadvertent drilling fluid surface returns occur within, adjacent to, or with the potential to migrate into an environmentally sensitive area, including wetlands, water bodies, drainage features, stormwater management areas, regulated buffers, or protected habitat areas, HDD operations shall be suspended immediately unless continued operation is required for safety or stabilization of the bore. The release shall be monitored, contained where practical, documented, and reported in accordance with the Response and Notification Sequence sections of this Plan.
7. Removal of released drilling fluids from environmentally sensitive areas shall be performed only where recovery can be completed without causing greater environmental impact than leaving limited residual material in place. Cleanup methods shall prioritize

low-impact measures, including vacuum recovery, pumps, hoses, hand tools, buckets, soft-bristled brooms, and other methods that minimize disturbance to vegetation, soils, wetlands, waterways, and habitat areas.

8. Recovered drilling fluids, slurry, impacted soils, and cleanup materials shall be placed in appropriate containers, tanks, vacuum trucks, lined containment areas, or other approved temporary storage measures pending reuse, treatment, solidification, or disposal. Recovered materials shall not be discharged into wetlands, waterways, stormwater systems, drainage features, unprotected ground surfaces, or other unapproved locations.
9. The Contractor shall document drilling fluid management activities, including observed losses of circulation, Inadvertent Returns, estimated release quantities, containment measures, recovery methods, disposal locations, photographs, and any corrective actions implemented before HDD operations resume.

Response

In the event an Inadvertent Return is observed or suspected during HDD operations, the Contractor shall immediately implement the response procedures outlined in this Plan. The response shall prioritize worker safety, protection of wetlands and other environmentally sensitive areas, containment of drilling fluids, proper notification, documentation, and controlled cleanup.

Upon identification or suspected identification of an Inadvertent Return, the following sequence of actions shall be initiated:

1. The suspected Inadvertent Return shall be identified and reported immediately.
2. Forward drilling shall be suspended immediately, and drilling fluid pumping shall be reduced or stopped as necessary to stabilize the condition.
3. The Construction Supervisor, EI, Construction Manager, and Owner's representative shall be notified.
4. The release shall be assessed to determine location, approximate volume, rate of release, potential migration pathway, proximity to wetlands, waterways, stormwater features, drainage areas, or other sensitive resources.
5. Containment and cleanup measures shall be implemented as soon as practical and where they can be performed safely and without causing greater environmental impact.
6. Telephone notifications shall be made in accordance with the Notification Sequence section of this IRCP.
7. Documentation notifications and written reporting shall be completed in accordance with the Documentation Notifications section of this IRCP.
8. HDD operations shall not resume until the release has been evaluated, containment or stabilization measures have been implemented, corrective actions have been reviewed, and authorization to proceed has been provided by the appropriate project representatives in coordination with the EI and applicable agencies, where required.

The Inadvertent Return shall be assessed to determine the amount of slurry released, the potential for continued release, the potential for migration to a wetland, waterbody, stormwater feature, drainage path, or other sensitive area, and the appropriate level of response. The following response measures shall apply to any Inadvertent Return observed or suspected for this project:

Response Plan

Upon identification of an Inadvertent Return, the Contractor shall immediately suspend forward drilling and promptly notify the Construction Supervisor and EI. The EI shall monitor and document the extent of the slurry plume, spill area, or impacted limits.

As soon as practical, after an Inadvertent Return event occurs, the appropriate contacts shall be notified as identified in the Telephone Notifications section of this Plan. If notification can be made without interfering with immediate response activities, telephone notifications shall be completed within two hours of the observed event.

The Construction Supervisor, EI, Contractor, Construction Manager, and Owner's representative shall evaluate the Inadvertent Return and determine the appropriate containment and cleanup approach based on the location, quantity of material released, site access, environmental sensitivity, weather conditions, potential migration pathway, and whether cleanup activities could create additional disturbance.

Environmental support personnel shall be contacted, as required, to provide environmental review, evaluate potential impacts, monitor cleanup efforts, and provide recommendations regarding sensitive environmental features, containment methods, cleanup procedures, disposal requirements, and restoration measures.

For an Inadvertent return occurring within or adjacent to wetlands, waterways, regulated buffers, stormwater features, drainage areas, or other environmentally sensitive areas, the Construction Supervisor and EI shall evaluate the release and, in consultation with NYSDEC, USACE, or other applicable agencies where required or practicable, implement appropriate containment, cleanup, and restoration measures.

Drilling fluid released within wetlands, waterways, regulated buffers, or other sensitive areas shall be removed to the extent practical, provided the recovery effort can be performed without causing greater environmental impact than leaving limited residual material in place, as determined by the EI and regulatory agencies. Cleanup methods shall be selected based on field conditions and may include vacuum recovery, pumps, hoses, hand tools, buckets, soft-bristled brooms, temporary containment, turbidity controls, or other low-impact methods. A case-by-case Inadvertent Return cleanup plan shall be submitted to the applicable regulatory agency. Approval of cleanup procedures shall be achieved prior to beginning cleanup operations.

If the quantity of released slurry is too small to allow practical physical collection, the EI, Construction Supervisor, and Contractor shall evaluate whether residual material can be left in place. Any decision to leave residual material in place shall be documented and shall only occur where the material is contained, will not migrate to a sensitive area, and where removal would likely cause greater disturbance than leaving the material to dry and stabilize naturally.

If the quantity of released slurry can be contained with hand-placed barriers, the Contractor shall install appropriate controls, which may include silt sock, silt fence, straw bales, plastic sheeting,

berms, or other containment measures. Small collection sumps may be used where appropriate to support recovery of the slurry, provided the sumps can be installed without creating additional environmental impacts.

If the quantity of released slurry exceeds what can be contained and recovered using hand-placed controls, small pumps, or immediately available measures, HDD operations shall remain suspended until the release is contained, surface volumes are brought under control, and corrective measures are identified.

Recovered slurry, drilling mud, impacted soils, water, and cleanup materials shall be placed in a temporary holding tank, vacuum truck, lined container, roll-off, or other suitable containment structure for reuse, treatment, solidification, or disposal. Temporary storage shall be located outside wetlands, waterways, regulated buffers, drainage paths, stormwater features, and other sensitive areas unless otherwise approved by the appropriate project or regulatory representatives.

For an Inadvertent Return occurring in or near open water, standing water, drainage channels, or other water-bearing features, containment and recovery measures shall be implemented where feasible and beneficial. Containment is not always practical for in-water releases; however, the Contractor and EI shall evaluate whether hand-placed containment, vacuum recovery, pumps, silt curtains, turbidity barriers, or other measures can be implemented without causing additional impact.

The Contractor shall evaluate current HDD conditions, including drill profile, depth of cover, drilling pressures, pump rates, mud consistency, loss of circulation, soil conditions, and the location of the drill head, to identify potential causes of the Inadvertent Return and corrective measures to reduce the potential for recurrence.

Corrective measures may include reducing drilling pressure, modifying pump rates, adjusting drilling fluid properties, slowing advancement, allowing the formation to stabilize, revising the drilling approach, or implementing other measures recommended by the HDD Contractor, EI, Construction Supervisor, or appropriate technical representatives.

HDD operations shall not resume following an Inadvertent Return until the release has been mitigated, contained, stabilized, or otherwise addressed; required notifications have been completed; corrective measures have been reviewed; and authorization to proceed has been provided by the appropriate project representatives in coordination with the EI and applicable agencies, where required.

Notification Sequence

1. Telephone Notifications

Once the Inadvertent Return has been identified and all drilling operations have been suspended, the following telephone call notifications shall take place as soon as practicable (less than 2 hours) following an Inadvertent Return event:

- Steve Miller, Biologist 2
  DEC Bureau of Ecosystem Health (BEH)
  Region 8, 6274 E. Avon-Lima Rd., Avon, NY 14414
  steve.miller@dec.ny.gov
  (585) 226-5442

- Heidi Kennedy
  NYSDEC Wildlife
  Region 8 Iroquois Field Office
  Heidi.Kennedy@dec.ny.gov
  (585) 948-5182

- Amy Mahar
  Fisheries
  Region 8, 6274 E. Avon-Lima Rd., Avon, NY 14414
  Amy.mahar@dec.ny.gov
  (585) 226-5337

- Joe Rowley
  U.S. Army Corps of Engineers
  1776 Niagara Street, Buffalo, NY 14207
  joseph.m.rowley@usace.army.mil
  (716) 345-6026

- Katlyn Hojnacki
  CC Environment & Planning
  23 Jackson Street, Suite 201
  khojnacki@ccenvironment.com
  (585) 219-4030

- NYSDEC Spills Hotline
  800-457-7362

In the event that any of the above parties do not answer, messages will be left identifying the date and time of the call, the caller, the caller's phone number, and the location of the Inadvertent Return. In the event that BEH staff do not answer, an email will be immediately sent to dec.sm.r8beh@dec.ny.gov detailing the date and time of the call, the caller, the caller's phone number, and the location of the Inadvertent Return.

2. Documentation Notifications

Following a suspected Inadvertent Return event, appropriate documentation shall be prepared and distributed to the required project representatives and regulatory contacts identified in this IRCP. Unless otherwise directed by permit conditions, regulatory agencies, or the EI, documentation shall be completed and submitted within 24 hours of the observed event.

An Inadvertent Return Notification Report template, attached to this Plan, shall be used to document the incident. The Construction Supervisor, EI, and Contractor shall coordinate to compile the required information. The report shall include, at a minimum, the following:

1. Name, title, company, and telephone number of the person reporting the event;
2. Date and time the suspected Inadvertent Return was first observed;
3. Location of the release, including stationing, GPS coordinates where available, nearby landmarks, crossing identification, and proximity to wetlands, waterways, drainage features, stormwater controls, or other sensitive areas;
4. Description of the activity occurring at the time of the release, including drilling phase, drill head location, approximate depth, drilling pressures, pump rates, drilling fluid condition, and any observed loss of circulation;
5. Type of material released, estimated quantity, approximate size of the impacted area, and whether the release was ongoing or had stopped at the time of observation;
6. Description of how the release occurred, if known, including any suspected contributing factors such as subsurface conditions, pressure changes, loss of circulation, drilling fluid properties, or equipment issues;
7. Description of sensitive environmental areas in the vicinity of the release and their relationship to the impacted area;
8. Notifications made, including names, agencies/companies, phone numbers or email addresses, time of notification, and any direction received;
9. Immediate actions taken to suspend work, stabilize the condition, contain the release, protect adjacent areas, and prevent migration;
10. Description of containment, cleanup, recovery, temporary storage, disposal, and restoration methods used or proposed;
11. Estimated quantity of material recovered and the location or method of temporary storage, reuse, treatment, solidification, or disposal;
12. Photographs of the release area, containment measures, cleanup activities, restored condition, and any affected sensitive areas;
13. Current permits, approvals, or agency authorizations applicable to the work area;
14. Corrective measures implemented or proposed prior to resuming HDD operations; and
15. Confirmation of whether HDD operations remained suspended or were authorized to resume, including the person or parties providing authorization.

The completed Inadvertent Return Notification Report and supporting documentation shall be maintained as part of the project environmental compliance records. Supplemental reports, photographs, disposal documentation, agency correspondence, or final restoration documentation shall be provided as required based on the nature and extent of the event.

A PDF copy (or fax) of the Inadvertent Return Notification Report shall be sent to the following:

- Steve Miller, Biologist 2

NYSDEC Bureau of Ecosystem Health
Region 8, 6274 E. Avon-Lima Rd., Avon, NY 14414
steve.miller@dec.ny.gov

- NYSDEC Department's Bureau of Habitat
  Fax: (585) 226-2830
  dec.sm.r8beh@dec.ny.gov

- Heidi Kennedy
  NYSDEC Wildlife
  Region 8 Iroquois Field Office
  Heidi.Kennedy@dec.ny.gov

- Amy Mahar
  Fisheries
  Region 8, 6274 E. Avon-Lima Rd., Avon, NY 14414
  Amy.mahar@dec.ny.gov

- Joe Rowley
  U.S. Army Corps of Engineers
  1776 Niagara Street, Buffalo, NY 14207
  joseph.m.rowley@usace.army.mil
  (716) 345-6026

- Katlyn Hojnacki
  CC Environment & Planning
  23 Jackson Street, Suite 201
  khojnacki@ccenvironment.com
  (585) 219-4030

Containment Materials

At a minimum, the following containment, response, and cleanup equipment shall be available at each HDD crossing location prior to the start of drilling activities and shall remain available for immediate use during active drilling and pullback operations:

- Straw bales;
- Silt fence;
- Silt sock or equivalent perimeter control;
- Plastic sheeting or reinforced poly sheeting;
- Turbidity barriers or turbidity curtains, where applicable;
- Sandbags or equivalent ballast/restraint materials;
- Shovels, pails, buckets, and other hand tools;
- Push brooms and soft-bristled brooms;

- Squeegees;
- Pumps with sufficient hose lengths to reach the work area and temporary storage location;
- Temporary containment structures, tanks, totes, or lined containers for recovered drilling fluids;
- Mud storage tanks or vacuum-rated storage containers;
- Absorbent materials, where appropriate for ancillary equipment fluids;
- Safety cones, caution tape, barricades, or other means to secure the affected area;
- Spill response supplies for equipment-related leaks or releases; and
- A vacuum truck on site or immediately available during drilling operations for recovery of drilling fluid, slurry, or impacted water.

Containment materials shall be staged in a location that allows for prompt deployment without creating additional disturbance to wetlands, waterways, stormwater features, drainage paths, or other environmentally sensitive areas. The Contractor shall verify that the required materials are present, accessible, and in usable condition before HDD operations begin.

The Contractor shall maintain sufficient quantities of containment and cleanup materials to support initial response activities at the crossing location. If materials are used during a response event, they shall be replenished before HDD operations continue, unless otherwise approved by the Construction Supervisor, EI, or applicable project representative.

Clean Up and Restoration

Site-specific cleanup and restoration measures shall be developed by the EI, Construction Supervisor, Contractor, and applicable project representatives following a suspected Inadvertent Return. Where required or practicable, cleanup and restoration measures shall be coordinated with the appropriate regulatory agencies prior to implementation, particularly where the release occurs within or adjacent to wetlands, waterways, regulated buffers, drainage features, stormwater management areas, or other environmentally sensitive areas.

Cleanup and restoration activities shall be performed in a manner that minimizes additional disturbance to soils, vegetation, wetlands, waterways, and adjacent sensitive areas. The level of cleanup shall be based on the location of the release, the estimated quantity of drilling fluid released, accessibility, site conditions, environmental sensitivity, potential migration pathways, and whether cleanup activities could create greater impact than leaving limited residual material in place.

In general, the following measures shall be implemented:

1. Appropriate erosion and sediment controls shall be installed around the affected area to contain the release, prevent migration, and protect adjacent wetlands, waterways, stormwater features, drainage paths, and other sensitive areas.

2. A vacuum truck, water source, pumps, hoses, hand tools, containment materials, and temporary storage containers shall be available during cleanup activities, as appropriate for the location and nature of the release.
3. Where drilling mud or bentonite slurry has accumulated and can be recovered without causing additional environmental damage, the material shall be collected using vacuum recovery, pumps, hoses, buckets, shovels, soft-bristled brooms, squeegees, or other low-impact methods.
4. Fresh water from an approved source may be used, where appropriate, to rehydrate bentonite clay or drilling mud to support recovery by vacuum truck or pump. Water shall be applied in a controlled manner to avoid increasing the limits of impact, creating additional runoff, or transporting material into wetlands, waterways, drainage features, or stormwater systems.
5. Rehydrated bentonite slurry or drilling mud shall be removed using a vacuum truck, pump, hose, or other suitable recovery method. Hoses shall be of sufficient length and size to allow recovery without unnecessary equipment access into sensitive areas.
6. Any drilling mud or bentonite that cannot be fully removed by vacuuming or pumping shall be removed using appropriate hand tools to the extent practical. Cleanup within wetlands, vegetated areas, and other sensitive locations shall be performed carefully to avoid unnecessary disturbance to existing vegetation, root systems, soils, and habitat.
7. All recovered drilling fluid, slurry, impacted soil, water, and cleanup materials shall be contained and placed in a temporary holding tank, vacuum truck, lined container, roll-off, or other suitable containment structure for reuse, treatment, solidification, or disposal.
8. Recovered materials shall be disposed of at an approved location in accordance with applicable project requirements, permit conditions, and regulatory requirements. Recovered drilling fluids, slurry, impacted soils, and cleanup materials shall not be discharged to wetlands, waterways, stormwater systems, drainage features, unprotected ground surfaces, or other unapproved locations.
9. Containment structures shall be pumped out or otherwise emptied as needed to maintain capacity and prevent overflow. Once recovery is complete, temporary containment measures shall be removed unless they are needed for continued stabilization or erosion control.
10. Impacted upland areas may be scraped or cleaned to remove residual material; however, removal shall be limited to the extent necessary to recover drilling mud without causing unnecessary loss of topsoil, destabilization, or damage to adjacent vegetation.
11. Disturbed areas shall be restored to stable condition following cleanup. Restoration may include regrading, replacement of topsoil, stabilization, seeding, mulching, installation of erosion controls, or other measures required by the EI, Construction Supervisor, project documents, permit conditions, or regulatory agencies.
12. Cleanup activities shall be completed during approved work hours unless immediate action is necessary to protect human health, safety, the environment, stormwater systems, wetlands, waterways, or adjacent properties. If response activities are required outside normal work hours, notifications shall be made in accordance with project requirements and applicable permit conditions.

Progress reports on cleanup efforts shall be submitted to the required project representatives and regulatory contacts identified in the Notifications section of this Plan, as applicable. Progress

reporting shall include the status of containment, recovery activities, estimated quantities recovered, disposal or temporary storage methods, remaining cleanup activities, restoration measures, photographs, and any agency direction received.

Following completion of cleanup and restoration activities, a final report shall be prepared documenting the event, response actions, cleanup methods, recovered quantities, disposal documentation, restoration measures, final site condition, photographs, and any corrective measures implemented prior to resuming HDD operations. A final field inspection shall be conducted by the EI and applicable project representatives, with regulatory agency participation where required or requested.

Because each Inadvertent Return location may differ based on existing conditions, environmental sensitivity, release quantity, access limitations, natural topography, and potential impacts associated with cleanup, the EI, Construction Supervisor, Contractor, and applicable project representatives shall evaluate each event on a case-by-case basis. Cleanup and restoration procedures may be adjusted as necessary, in coordination with the appropriate regulatory agencies where required, to provide an effective response while minimizing additional environmental disturbance.

Crossing Alternatives

The proposed crossing method for regulated wetlands, waterways, drainage features, and other environmentally sensitive areas is HDD. HDD has been selected specifically to avoid direct disturbance to wetlands, waterways, regulated buffers, and other sensitive environmental resources.

No open-cut trenching, temporary dewatering, cofferdam installation, pump-around operation, or other surface-disturbing crossing method is proposed for the wetland or sensitive environmental crossings. The intent of the crossing approach is to avoid impacts to these areas altogether by maintaining a trenchless installation method beneath the regulated features.

If HDD operations encounter conditions that prevent the crossing from being completed as planned, work shall be suspended and the condition shall be evaluated by the Contractor, Construction Supervisor, EI, Construction Manager, Owner's representative, design team, and applicable regulatory agencies, as required. The evaluation shall focus on maintaining an avoidance-based trenchless approach, which may include reassessing the HDD means and methods, drill profile, depth of cover, drilling pressures, mud management procedures, entry and exit locations, or other measures necessary to complete the crossing without direct wetland or waterway disturbance.

The Contractor shall not proceed with any alternate crossing method that would result in surface disturbance within wetlands, waterways, regulated buffers, or other sensitive environmental areas unless such method is separately reviewed, approved, permitted, and authorized by the Owner and applicable regulatory agencies. No such alternate surface-disturbing method is currently proposed or intended as part of this IRCP.

This IRCP is based on the commitment to avoid impacts to regulated and sensitive environmental areas through the use of trenchless installation methods and appropriate Inadvertent Return prevention, monitoring, containment, response, cleanup, and restoration procedures.

INADVERTANT RETURN CONTINGENCY PLAN
for Horizontal Directional Drilling
Beneath Protected Streams, State and Federal Regulated Wetlands on the
STAMP Site – Stream Data Center BUFA Project Double Reed
Genesee County, New York

1. Date:		2. Time of Day:	
3. Project Name:		4. Project Location:	
5. Person Reporting:		6. Phone Number:	
7. Type of Release:		8. Volume of Release:	(gallons, yards, etc.)
9. How release occurred:		10. Operations when frac-out occurred:	
11. Adjacent Sensitive Areas:		12. Clean Up Methods:	
13. Incident Description:			
14. Permits In Place:			
15. Inspectors Signature:			