

H2M

January 5, 2006

Steven M. Scharf, P.E.
Project Engineer
Division of Environmental Remediation
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233 7015

Re: Town of Oyster Bay
Interim Remedial Measure at Bethpage Community Park
Interim Status Report – January 2007
H2M Project No. TOBY 04-02

Dear Mr. Scharf:

On behalf of the Town of Oyster Bay, Holzmacher, McLendon & Murrell, P.C. (H2M) is pleased to provide herein a status report on the Interim Remedial Measure for the Bethpage Community Park pursuant to Section III of the Order on Consent (Index # W1-0018-02-03).

Tasks Initiated or Completed

Tasks recently initiated or completed include the following:

- Soil remediation activity has commenced and is currently underway.
- A revised Project Sequencing Plan (Phasing Plan) for soil remediation activity was submitted to NYSDEC on December 11, 2006
- The results of additional soil characterization sampling activity were submitted to NYSDEC on December 11, 2006. The sampling activity was conducted on in-place soils at the subject site for disposal characterization purposes. Analysis included PCB's and pesticides.
- Recent site work included excavation and off-site disposal of approximately 35,000 tons of impacted soils.
- Project progress meetings have been held weekly at the subject site. Meeting minutes are generated and distributed. The project is currently slightly ahead of schedule.
- Five potential sources of clean fill material have been identified including the Borella field soils stockpiled at the Town's DPW yard, the Heartland construction site in Edgewood, New York, the Mineola-Roslyn grade crossing elimination site, the Jericho-Hamlet Estates development site and the Muttontown-Stone Hill residential development site. By way of a January 5, 2007 letter from NYSDEC, certain designated portions of the Borella Field materials have been approved for blending with clean fill, and the Heartland construction site materials have been approved as a

source of clean fill. A soil quality characterization sampling work plan was submitted to NYSDEC for the remaining three locations and this Work Plan has been approved.

Tasks to be Completed During the Next Reporting Period

Tasks expected to be initiated or completed during the next reporting period include the following:

- Continued removal and off-site disposal of contaminated soils.
- Bi-weekly project progress meetings at the job site.
- Sampling and analysis of identified additional sources of clean fill in accordance with NYSDEC approved Work Plan. Submittal of results to NYSDEC.
- NYSDEC has advised H2M that the Town may be required to excavate soils to a deeper depth than called for in the Town's approved Remedial Action Plan in one specific area. The area in question is referred to as the "B-43" area based upon a soil boring identifier associated with Northrop Grumman investigation activity. The subject location is approximately equivalent to the north-central section of the former parking lot. The NYSDEC has indicated that they are in receipt of data from Northrop Grumman that may warrant a deeper remediation in this area. H2M has indicated to the NYSDEC that the Town is currently moving forward with the Department approved Remedial Action Plan for the IRM area, which specifies a 12 foot remedial depth in the "B-43" area based upon data collected during the Town's investigation. H2M has also requested that any revision to the remediation depth based upon data collected by others should come as a requirement from NYSDEC. A formal position letter from NYSDEC indicating the required change in depth (and lateral extent), if any, has been requested, and needs to be received by January 15, 2007 so as not to impede the current construction project schedule.
- Backfilling in the area designated in the Project Sequencing Plan as Phase 1 is expected to commence on January 14, 2007.

Schedule

Project progress meetings are expected to be conducted every other Wednesday at the project site.

If you should you have any questions or concerns, please contact me at (631) 756-8000 extension 1623.

Very truly yours,

HOLZMACHER, McLENDON & MURRELL, P.C.

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Philip J. Schade, P.E.

cc: James Byrne, P.E., Commissioner of Public Works/Town of Oyster Bay
Richard Betz, Commissioner of Parks/Town of Oyster Bay
Phyllis Barry, Public Information Officer/Town of Oyster Bay
Theodore Firetog, Esq.
Gary Litwin/NYSDOH
Peter Scully/NYSDEC
Rosalie Rusinko, Esq./NYSDEC
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