

New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau A, 11th Floor
625 Broadway, Albany, New York 12233-7015
Phone: (518) 402-9625 • FAX: (518) 402-9627
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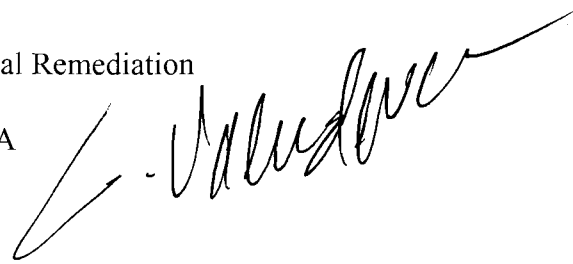
MEMORANDUM

TO: Dale Desnoyers, Director, Division of Environmental Remediation

FROM: Chittibabu Vasudevan, Director, Remedial Bureau A

SUBJECT: Soil Vapor Intrusion - Short Form Order
Grumman Steel Los Site
Site No. 130003C

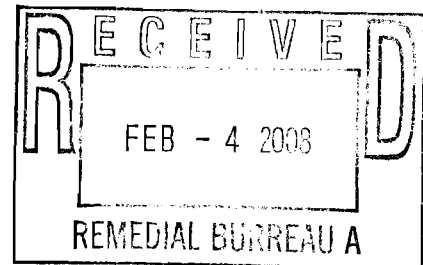
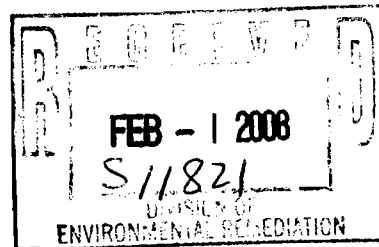
DATE: FEB - 1 2008



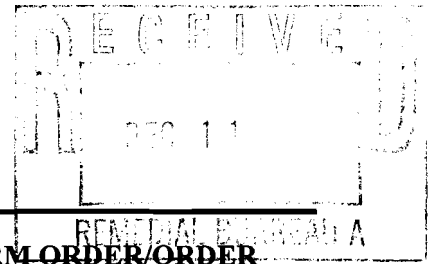
As required by the New York State Department of Environmental Conservation (Department), a signed Short Form Order and an approved work plan have been submitted for the subject project. As indicated in the Short Form Order, the Commissioner or the Commissioner's designee must memorialize the agreement by authorizing the Short Form Order. Enclosed please find the Short Form Order for your authorization.

enclosed: Short Form Order

ecc: S. Ervolina
C. Vasudevan
J. Swartwout
S. Scharf
W. Parish, Region 1
eDocs/File



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION



STEEL-LOS III, LP, Respondent

SHORT FORM ORDER/ORDER

GRANNAN STEEL-LOS, Site Name (Site)

Site No. 1-30-003C

700 HICKSVILLE ROAD
BETHPAGE, NY 11714, Site Address

1. Pursuant to Environmental Conservation Law (ECL) 3-0301.1(i), the Department of Environmental Conservation (the "Department") is the agency responsible for the prevention and abatement of all water, land and air pollution including, without limitation, that related to gases and vapors. The Department is also the agency responsible, pursuant to ECL 27-1301 et seq., for the implementation of the Inactive Hazardous Waste Disposal Site Program (commonly referred to as the State Superfund Program).

2. Respondent, without admitting liability, consents to the issuance of this Order, waives the right to contest the Department's jurisdiction to issue this Order and to notice and hearing with respect to the issuance and entry of this Order, and agrees to be bound by the terms of this Order, including any attachments thereto.

3. A. Respondent hereby agrees to investigate the possibility of the transport of vapors from contamination (defined herein to include hazardous waste as defined in ECL 27-1301(1) and "petroleum" as defined in Section 172 of the Navigation Law), from the subsurface into buildings (vapor intrusion) at the above site in accordance with the Investigation Plan, attached to and made an enforceable part of this Order, and any modifications thereto that may be approved by the Department. In the event of a conflict between the terms of this Order and the Investigation Plan, the terms of this Order shall control over the terms of the Plan(s).

B. Department staff may require modifications to the Investigation Plan, as appropriate. Respondent shall timely update the Investigation Plan and thereafter be bound by such modifications.

C. The Department shall review each submittal Respondent makes pursuant to the Investigation Plan to determine whether the submittal was prepared, and generation of the data and other information in the submittal was completed, in accordance with the Investigation Plan. The Department shall notify Respondent in writing of its approval or disapproval of any submittal, except for the Health and Safety Plan and the monthly progress reports. Provisions of a Department-approved submittal that require any action or that form the basis for any action on the part of Respondent shall become an enforceable part of this Order. If the Department disapproves a submittal, it shall so notify Respondent in writing and shall specify the reasons for its disapproval. After Respondent's receipt of such notice, and within such time period as the Department shall establish under the notice, Respondent shall make a revised submittal to the Department addressing all of the Department's stated reasons for disapproving Respondent's prior submittal. If the Department disapproves the revised submittal, Respondent shall be in violation of this Order.

D. A failure to perform the Investigation Plan as approved by the Department shall constitute a violation of this Order unless Respondent cannot comply with any requirement of this Order or Investigation Plan as a result of a force majeure event. Force majeure event shall mean an event which is brought on as a result of fire, lightning, earthquake, flood, adverse weather conditions, strike, shortages of labor and materials, war, riot, obstruction or interference by adjoining landowners, or any other fact or

circumstance beyond Respondent's reasonable control. Notice of such event must be provided to the Department within 5 business days of the event or any claim of force majeure shall be waived.

E. All approved submittals shall be made electronically to the Department's project manager in a format acceptable to the Department within 30 days of such submittals approval.

4. A. Respondent hereby consents to entry upon the Site (and areas in the vicinity of the Site which may be under the control of Respondent) by any duly designated officer or employee of the Department or any State agency having jurisdiction with respect to matters addressed pursuant to this Order, and by any agent, consultant, contractor, or other person so authorized by the Commissioner for purposes of testing, sampling, taking measurements and any other action related to remedial activities.

B. The Department and Respondent shall have the right to obtain split samples, duplicate samples, or both, of all substances and materials sampled. The Department shall make the results of all sampling and scientific measurements taken under this subparagraph available to Respondent.

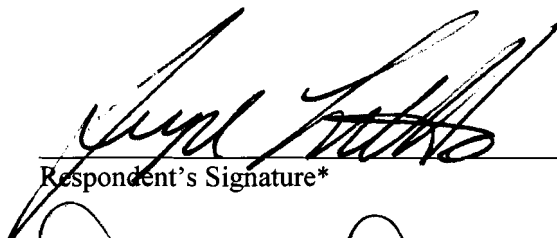
5. This Order does not affect the State's right to pursue any claims or to exercise any authorities that the State may have including but not limited to, nor exemplified by, claims for additional or other work pursuant to the Environmental Conservation Law, with respect to any party, including Respondent, regardless of whether Respondent is complying with the provisions of this Order. This Order does not affect any defenses that Respondent may have to any such claims.

6. Respondent hereby indemnifies and holds harmless the Department, the State of New York, and their representatives and employees for all claims, suits, actions, damages and costs of every name and description arising out of or resulting from the fulfillment or attempted fulfillment of this Order by Respondent and Respondent's successors (including successors in title) and assigns.

7. All written communications required by this Order or the Investigation Plan shall be transmitted by United States Postal Service, by private courier service, or hand delivered to the Department's project manager or the contact identified in the Investigation Plan for the Respondent. The Department and Respondent reserve the right to designate additional or different addressees for communication on written notice to the other.

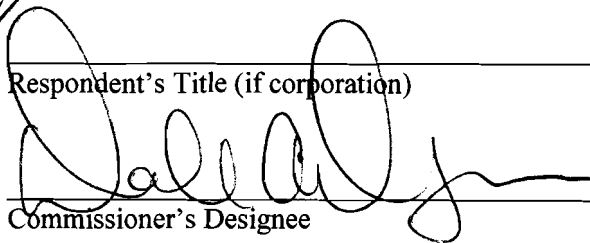
8. This Order constitutes a Department order pursuant to the Environmental Conservation Law and is enforceable as such and is effective the date it is signed by the Commissioner or the Commissioner's designee.

12/4/2007
Date



Respondent's Signature*

FEB - 4 2008
Date

Respondent's Title (if corporation)


Commissioner's Designee

*NOTE: If Order is with a corporation, the respondent must be an official, authorized corporate

representative.

Environmental
Resources
Management

520 Broad Hollow Road
Suite 210
Melville, NY 11747
(631) 756-8900
(631) 756-8901 (fax)
<http://www.erm.com>

28 January 2008

Mr. Steven M. Scharf, P.E.
New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Action, Bureau A
625 Broadway
Albany, NY 12233-7015



Re: Revised Work Plan for Soil Vapor Intrusion Investigation
Interior Building Areas Near Phase II Area Nos. 25 & 46
Former Grumman Plant 2, Bethpage, New York

Dear Mr. Scharf:

On behalf of Steel Los III, LP, (Steel Los III), ERM Consulting & Engineering, Inc. (ERM) is providing this revised Work Plan for a Soil Vapor Intrusion (SVI) Investigation within the former Grumman Plant 2 building near Phase II Area Nos. 25 (Former Paint Storage, Mixing and Stripping Room) & 46 (Machine Pit). The Work Plan has been revised based on comments provided in the NYSDEC's letter dated 20 December 2007.

Background

The New York State Department of Environmental Conservation (NYSDEC) has requested that Steel Los III perform a SVI investigation to evaluate whether there are any potential soil vapor intrusion issues within the former Grumman Plant 2 building that are associated with the former Areas of Concern.

ERM has reviewed historic environmental reports associated with the former Grumman Plant 2 building. The documents include the April 1996 Phase II Site Assessment For Plant 2 and the December 1996 Supplemental Phase II Site Assessment For Plant 2 prepared by Dvirka & Bartalucci, the December 1997 Supplemental Site Investigation Report and Delisting Petition prepared by Eder Associates, and various correspondence from the NYSDEC regarding these documents.

Based on these reviews, there are only two former areas where VOCs were detected in soil at concentrations above the corresponding NYSDEC Soil Cleanup Objectives for those compounds. The former areas, by number, name and corresponding compounds detected in soil at that location are:

Area	Former Area Name	Detected Compounds
25	Paint Storage, Mixing & Stripping Room	Methylene Chloride 1,1-DCA, 1,2-DCE, 1,1,1-TCA
46	Former Machine Pit	TCE, 1,1,1-TCA

1,1-DCA: 1,1-Dichloroethane
1,2-DCE: 1,2-Dichloroethene
1,1,1-TCA: 1,1,1-Trichloroethane

As such, the SVI investigation proposed by Steel Los III in this Work Plan contemplates sampling of sub-slab soil vapor from six (6) locations; two (2) in the vicinity of Area 25 - Former Paint Storage, Mixing and Stripping Room, and four (4) in the vicinity Area 46 - Former Machine Pits. It should be noted the Area 46 - Former Machine Pits have been filled in and a second concrete slab poured over the pits, so the soil vapor sampling locations will be located around the perimeter and near vicinity of this area.

The results of the SVI investigation will be used to evaluate whether there are any potential soil vapor intrusion issues within the former Plant 2 building that are associated with these former Areas of Concern.

Scope of Work

Steel Los III intends to conduct the SVI investigation during the month of February 2008. Proposed sampling locations are shown in Figure 1.

Sub-slab sampling will be performed following the applicable protocols identified in the NYSDOH "Guidance for Evaluating Soil Vapor Intrusion in the State of New York" (October 2006). Prior to collection of samples, ERM will complete the "Indoor Air Quality Questionnaire and Building Inventory, and Product Inventory Forms" contained in Appendix B of the NYSDOH Guidance. This will include activities such as use of a photoionization detector (PID) to identify areas of potential interferences, and removing possible sources of VOCs from the sampling area. All samples will be collected with individually-certified clean Summa® canisters fitted with regulators programmed to collect the sample over an 8-hour period.

All sub-slab soil vapor samples will be collected over the same 8-hour period. At each sample location, all the pertinent data will be recorded in the field notebook and/or data collection forms. This information will include the following items:

- Sampler's name;
- Date, time and PID reading;
- Date and time of sample start and stop;
- Summa® canister serial number;
- Initial and final Summa® canister vacuum
- Sample identification, and descriptive location of the sampling area;
- Sample identification for other corresponding samples at the same property;
- Weather conditions including barometric pressure, and ambient temperature inside and outside the building;
- Sampling depth(s);
- Soil type at sample location, if known;
- Soil vapor purge volumes;
- Apparent moisture content of the air being sampled;
- Description of features that may impact the vapor measurements (e.g., storage areas for materials that may contain VOCs, drainage facilities, utility lines, any contamination noted, floor stains, etc.); and
- All equipment calibrations performed.

Sub-Slab Soil Vapor Samples

Proposed sampling locations are shown in Figure 1, to be verified in the field based on accessibility and positioned to cause minimal disruption to the business activities of the current tenant, the United States Postal Service. It should be noted that Area 46 - Former Machine Pits have been filled in and a second concrete slab poured over the pits so the soil vapor sampling locations will be located around the perimeter and in near vicinity of this area.

After the floor slab has been inspected, the location of subsurface utilities determined, and the ambient air surrounding the proposed sampling screened with a photoionization detector (PID), a hammer drill will be used to advance a one-inch diameter boring to a depth of approximately one-half-inch into the floor slab, a one-half-inch diameter boring will be drilled in the center of the initial one-inch boring to a minimum depth of three (3) inches beneath the floor slab into the sub-slab aggregate.

Dedicated Teflon tubing (approximately 3/8-inch outside diameter) will be inserted two (2) inches into the subsurface through the one-half -inch diameter boring. The annular space between the floor and the tubing will then be sealed with beeswax.

To ensure the sample collected will be representative, one to three volumes of air will be purged from the tubing and the borehole using a dedicated purge pump. Following the purge, a PID will be attached to the sampling tubing and measurements will be monitored and the highest reading recorded. The PID will then be disconnected, and the tubing will be connected to a one-liter Summa® canister regulated for an 8-hour sample collection period. This corresponds to a flow rate of 0.002 liters per minute (L/min), which is less than the maximum 0.2 L/min required by the NYSDOH Guidance. Sampling will be discontinued while the canister still exhibits a slight vacuum. After the sub-slab sample collection is complete, the tubing will be removed and the borehole will be filled to the floor surface with quick drying hydraulic cement. Photographs of the sampling vicinity will be collected.

Laboratory Analysis

At the conclusion of sampling, the canisters will be shipped via overnight delivery to Accutest Laboratories (NYSDOH Certification No. 10983) in Dayton, New Jersey, an Environmental Laboratory Accreditation Program- (ELAP)-certified laboratory. Sub slab vapor samples will be analyzed for VOCs using USEPA Method TO-15, with a target detection limit of 1.0 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) or less for all parameters.

Health & Safety

All site activities will be performed in accordance with ERM's Health & Safety Guidance Manual. In addition, all sampling will be conducted by a two-person team.

Reporting

All laboratory data will be provided in ASP Category B deliverable format and the data validated. A letter report will be prepared and submitted to NYSDEC that include: 1) a summary of the sampling activities performed including any required deviations from this work plan, 2) a summary table of all sampling results reported $\mu\text{g}/\text{m}^3$ with detection limits equal to 1.0 $\mu\text{g}/\text{m}^3$ or less, 3) completed "Indoor Air

Quality Questionnaires, Building Inventory Forms, and Product Inventory Forms", 4) sampling logs, 5) photographs of sampling locations, 6) Data Validation Reports, and 7) Category B Laboratory Data Deliverables.

We anticipate that this work plan will meet the expectations of the NYSDEC and accordingly, ERM plans to conduct the sampling in early February. If you have any additional questions or comments, please do not hesitate to contact me at (631) 756-8900.

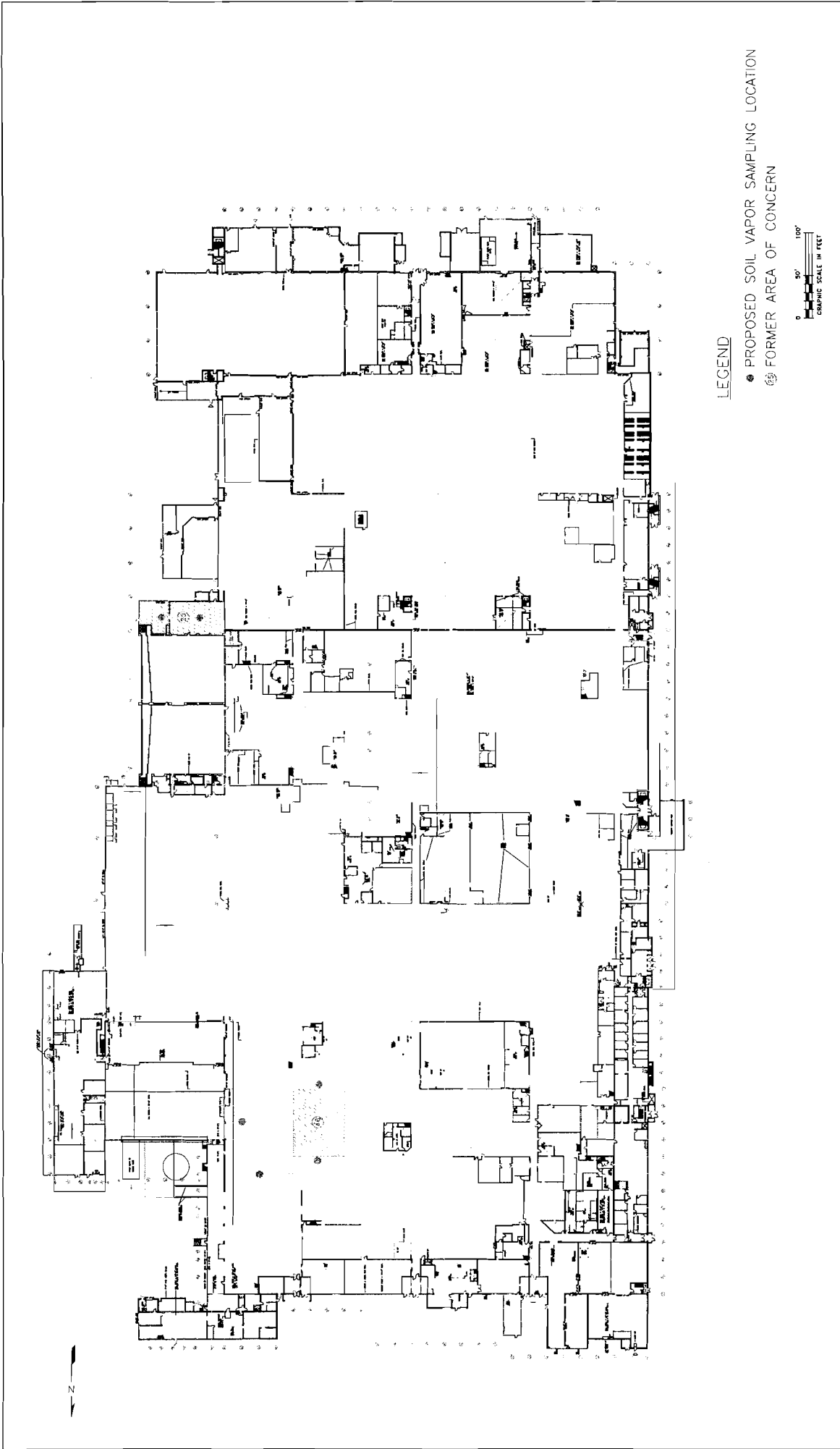
Very truly yours,

A handwritten signature in black ink, appearing to read "Chris W. Wenczel". The signature is fluid and cursive, with the first name "Chris" and last name "Wenczel" clearly legible.

Chris W. Wenczel
Senior Consultant

Attachments


cc: Kevin Lumpe, Steel Los III, LP
Manfred Bohms, Steel Los III, LP
John Swartwout, NYSDEC
Walter Parish, NYSDEC



LEGEND

- ① PROPOSED SOIL VAPOR SAMPLING LOCATION
- ② FORMER AREA OF CONCERN



NO.	DATE	REVISION	NO.	DATE	REVISION
<p>STEEL LOS III PLANT 2 BUILDING Environmental Resources Management</p> 			<p>PROPOSED SOIL VAPOR SAMPLING LOCATIONS</p>		
<p>PROJECT NUMBER: 0055372</p>		<p>DATE: 9/19/07</p>		<p>SCALE: E.M.F.</p>	
<p>PROJECT OWNER: [Redacted]</p>			<p>DATE: 9/19/07</p>		
<p>PROJECT NUMBER: [Redacted]</p>			<p>SCALE: E.M.F.</p>		
<p>REVISION: [Redacted]</p>			<p>DATE: 9/19/07</p>		
<p>APPROVED: [Redacted]</p>			<p>SCALE: E.M.F.</p>		
<p>PROJECT NUMBER: 0055372</p>			<p>DATE: 9/19/07</p>		
<p>PROJECT OWNER: [Redacted]</p>			<p>SCALE: E.M.F.</p>		