



Periodic Review Report

125 New South Road,
Hicksville, New York

May 3, 2023

Prepared for:

Pictor Nassau Logistics Center, LLC

Prepared by:

**Roux Environmental Engineering
and Geology, D.P.C.**

209 Shafter Street
Islandia, New York 11749

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Executive Summary

This Periodic Review Report (PRR) has been prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux) on behalf of Pictor Nassau Logistics Center, LLC (Ownership) and serves as a required element of the remedial program for the RUCO Polymer Corp. (Hooker Chem) site located at 125 New South Road, Hicksville, New York (hereinafter referred to as the Site). The Site is enrolled in the New York State Superfund Program (State Superfund Program) under the New York State Department of Environmental Conservation (NYSDEC) Site Code 130004 and the Federal National Priorities List (NPL) under United States Environmental Protection Agency (USEPA) Site Code NYD002920312. This PRR includes the post-remediation activities associated with operable unit (OU) 4 only. Ongoing monitoring and reporting requirements for the other OUs are completed by others.

In 1984, the Site was proposed to be included as a federal Superfund site on the NPL due to the severity and extent of the contamination from releases from chemicals used in and waste generated by prior manufacturing processes at the Site. In 1986, the NPL listing was finalized. Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) program, separate Operable Units (OUs) were established and Records of Decision (RODs) were issued to guide and monitor the remediation efforts at the Site. The OUs, lead agencies, and current status of the remedial actions of each is summarized in the table below.

OU Number - Name	Lead Agency/Program	Status of Remedial Actions
OU1 - Onsite Soil and Groundwater	USEPA NPL	Remedy Complete - Approved Remedial Action Report, dated September 2007; remaining contaminants controlled by approved Institutional Controls/Engineering Controls (ICs/ECs).
OU2 – Onsite PCB Soil Removal	USEPA NPL	Remedy Complete - Approved Remedial Action Report, dated September 2007, remaining contaminants controlled by approved ICs/ECs.
OU3 – Offsite Groundwater	USEPA NPL	Remedy Construction Complete, offsite groundwater contamination being managed by active offsite treatment in Operations, Maintenance & Monitoring (OMM) Phase.
OU4 Onsite Soil and Onsite Soil Vapor	NYSDEC State Superfund	Remedy Complete and Institutional Controls and Engineering Controls in place – Approved Final Engineering Report (FER) and Site Management Plan (SMP).
OU5 – Offsite Soil Vapor	NYSDEC State Superfund	Remedy Construction Complete, offsite vapor mitigation system installed at neighboring property - Approved FER and SMP.

OU1 and OU2 remediation is complete pursuant to USEPA approval of the Remedial Action Reports (RARs), dated September 2007 and March 1993, respectively and no ongoing reporting is required. Semi-annual reporting for the OMM Phase of OU3 is completed by others on behalf of Glenn Springs Holdings, Inc. OU5 was established to encompass all offsite work that is necessary to mitigate soil vapor contamination that is reasonably believed to have originated from the Site. The OU5 PRR, dated February 28, 2022 has been completed by others on behalf of Covestro and Occidental Chemical Company (OXY).

This PRR is inclusive of OU4 only and summarizes onsite post-remediation activities performed since November 30, 2021. The Site was remediated by others for restricted commercial or industrial use provided that the long-term ECs and ICs are employed. A Site-specific Environmental Easement has been recorded with Nassau County that provides an enforceable means to ensure the continued and proper management of residual contamination and protection of public health and the environment.

A Change of Use (COU) form was submitted to NYSDEC on June 30, 2021 to notify NYSDEC of a change in Ownership and Remedial Party for OU4 to Pictor Nassau Logistics Center, LLC c/o Brookfield Property Group. An additional COU form was submitted to NYSDEC on November 18, 2022 to notify NYSDEC of the proposed redevelopment of the property, which includes the construction of a new commercial warehouse building anticipated to begin construction in April 2023. In accordance with the NYSDEC-approved SMP, NYSDEC will be notified at least 15 days prior to the start of any ground intrusive work.

The following sections provide a summary of the controls implemented for the Site, as well as the inspections and reporting activities completed in accordance with the Site Management Plan (SMP), dated September 2017. The components, data, and rationale included in this PRR demonstrate that the IC/ECs are performing as designed, are effective, and are compliant with specifications described in the SMP. No changes to the monitoring plan are recommended at this time.

1. Introduction

This Periodic Review Report (PRR) was prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux) on behalf of Pictor Nassau Logistics Center, LLC (Ownership) and serves as a required element of the remedial program for the RUCO Polymer Corp. (Hooker Chem) site located at 125 New South Road, Hicksville, New York (hereinafter referred to as the Site). A Site Location Map is attached as Figure 1. The Site is enrolled in the New York State Superfund Program (State Superfund Program) under the New York State Department of Environmental Conservation (NYSDEC) Site Code 130004 and the Federal National Priorities List (NPL) under United States Environmental Protection Agency (USEPA) Site Code NYD002920312. This PRR documents post-remediation activities performed at the Site from November 30, 2021 through November 30, 2022.

In 1984, the Site was proposed to be included as a federal Superfund site on the NPL due to the severity and extent of the contamination from releases from chemicals used in and waste generated by prior manufacturing processes at the Site. In 1986, the NPL listing was finalized. Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) program, separate Operable Units (OUs) were established and Records of Decision (RODs) were issued to guide and monitor the remediation efforts at the Site. OU1, OU2, and OU3 were assigned by the USEPA to monitor related superfund remedial activities that were investigated and remediated under USEPA jurisdiction. Separately, RUCO Polymer operated a Resource Conservation and Recovery Act (RCRA) interim drum storage facility at the Site in the early 1980s, which would become the basis for the closure requirements and corrective action under the NYSDEC-led RCRA program. OU4 was related to the NYSDEC-led RCRA corrective action under the State Superfund Program, which included onsite soil remediation activities, imposition of an environmental easement, and Site Management Plan (SMP), dated September 2017 which mandates the use of institutional controls (ICs) and engineering controls (ECs) to mitigate remaining soil and soil vapor contamination at the Site. The NYSDEC created OU5 to encompass all offsite work that is necessary to mitigate soil vapor contamination that is reasonably believed to have originated from the Site.

Prior Site owners, Bayer Corporation LLC entered into an Order on Consent with the NYSDEC in December 2002, and Bayer Material Science, LLC entered into an Order on Consent with the NYSDEC in June 2012 and have been identified as the potentially responsible parties (PRPs) pertaining to NYSDEC interests associated with OU4. As a result, Bayer MaterialScience, LLC (now Covestro) has been identified as the PRP for all remedial actions and monitoring pertaining to OU4. A separate Order on Consent and Administrative Settlement dated September 2013 was entered into Bayer MaterialScience, LLC (now Covestro) and OXY with the NYSDEC for OU5.

Prior to acquisition of the Site in July 2021, Ownership began coordination with NYSDEC to review the current status of the Site as it pertains to the remediation under the State Superfund Program. The NYSDEC and Ownership entered into an Order on Consent and Administrative Settlement Agreement (Consent Order) Index No. CO 1-20210615-83, that was executed on July 13, 2021.

This PRR is inclusive of OU4 only and summarizes onsite post-remediation activities performed since November 30, 2021. The Site was remediated by others for restricted commercial or industrial use provided the long-term ECs and ICs are employed. A Site-specific Environmental Easement has been recorded with Nassau County that provides an enforceable means to ensure the continued and proper management of residual contamination and protection of public health and the environment.

Site management activities, reporting, and IC/EC certification are scheduled on an annual basis, unless otherwise determined by the NYSDEC. This certification is based on the submission of a PRR that will identify and assess all of the IC/ECs required by the remedy for the Site, any environmental monitoring data and/or information generated during the reporting period, and a complete Site evaluation that discusses the overall performance and effectiveness of the previous remedy.

2. Site Overview

2.1 Site Description and History

The Site is located at 125 New South Road in the unincorporated hamlet of Hicksville, in the Town of Oyster Bay in New York. The Site represents a total area of approximately 15.10 acres and is comprised of Nassau County Section 46, Block N, and Lot 30. Currently, the Site is vacant and undeveloped, generally occupied by grassy vegetation, an asphalt paved parking lot, a remnant concrete loading dock, and an abandoned rail spur. The area surrounding the Site includes a mix of residential, commercial, and manufacturing uses. The Site is bordered to the north by Commerce Place, and then a one-story commercial manufacturing building, to the south by the Long Island Rail Road (LIRR) Track and a one-story/two-story commercial building, to the east by a one-story commercial/manufacturing building, and to the west by New South Road and then commercial buildings. The grade of the Site is generally level, and the average elevation of the Site is approximately 128 feet above mean sea level (ft amsl).

The Site was developed with industrial facilities in 1945. Industrial manufacturing at the Site included, but was not limited to, plastics, latex, and ester products. By the early 1950s, industrial manufacturing at the Site also included rubber latex, polyvinyl chloride (PVC) compounds, PVC films and sheets, plasticizers, polyesters, and PVC resin. Heat transfer fluid containing polychlorinated biphenyls (PCBs) was utilized at the Site from 1946 through 1978, which contributed to PCB contamination at the Site. From 1951 through 1975, wastewater generated at the facility was discharged to six onsite recharge basins, which resulted in the contamination of groundwater at the Site with metals and volatile organic compounds (VOCs).

The Site was operated as a RCRA interim drum storage facility at the Site in the early 1980s, which would become the trigger for the closure requirements under the RCRA program. Due to the severity and extent of the contamination, the Site was designated a federal Superfund site in 1986 and placed on the National Priorities List (NPL). Industrial and manufacturing operations at the Site continued until 2002. In 2002, all raw material, products, and hazardous chemicals were removed from the Site and all equipment was decommissioned. All buildings and aboveground structures formerly associated with chemical process and storage operations at the Site were demolished down to the floor slabs in 2003, with the exception of the Administration Building, formerly located in the northern portion of the Site, which was later demolished in 2014. Additional demolition of the remaining floor slabs was completed in 2006. All asbestos-containing materials were removed from the buildings and aboveground structures prior to demolition.

2.2 Summary of Remedial Action

Remedial action at the Site commenced under USEPA jurisdiction as part of OU1 and OU2 remediation. The OU1 ROD was issued in January 1994. The OU1 remediation focused on onsite soil and groundwater contamination. Onsite remediation included additional investigation, operation and maintenance of a groundwater extraction and treatment system (i.e., pump and treat system), soil flushing within the two sumps via discharge of treated groundwater and recapture by extraction wells, treatability studies, excavation, and proper offsite disposal of soils within the drum storage and former groundwater monitoring well areas. The RAR was approved by USEPA in September 2007, which signified the completion of the remediation. The OU2 ROD was issued in September 1990 and OU2 remediation was focused on PCB contamination present in soil/debris associated with a direct spill area in the vicinity of the former Pilot Plant. The OU2 ROD required excavation and proper offsite disposal of soil containing PCB concentrations greater than 10 parts per million (ppm). In May 1992, approximately 52 cubic yards (CY) of soil with PCB

concentrations exceeding 500 ppm were excavated and disposed of offsite for incineration. Approximately 1,957 CY of soil with PCB concentrations between 10 and 500 ppm were excavated and disposed of offsite to be landfilled. The OU2 RAR was approved by the USEPA in March 1993.

Onsite groundwater was addressed to the satisfaction of the USEPA as part of OU1 remediation, and offsite groundwater remediation efforts are currently being managed by others under OU3. The USEPA issued the OU3 ROD in September 2000. The OU3 remedy included an offsite biosparging system that has been in operation since 2012. USEPA's recent evaluation of groundwater data (in the Second Fifth Year Review dated February 2021) concluded that the biosparging system is effectively addressing the groundwater contamination within OU3. OU3 is currently in the OMM Phase. OU5 addresses the potential for soil vapor intrusion (SVI) at a commercial building immediately to the east of the Site. A vapor mitigation system has been installed and is operated and maintained by others.

The ROD for OU4 (the OU at issue for this PRR) was issued by NYSDEC in December 2012. Based on the results of the previous investigation and previous remedial activities performed at the Site, the following remedial action objectives (RAOs) were established for the final remedial action:

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure to contaminants volatilizing from contaminated soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

As part of onsite remediation in accordance with the OU4 ROD, approximately 32,596 tons of soil and concrete debris impacted with PCBs, SVOCs, arsenic, and/or cadmium were disposed of offsite as non-hazardous waste. Additionally, approximately 2,645 tons of soil were removed from the Site as Toxic Substances Control Act (TSCA)-regulated PCB hazardous waste. Remedial excavation consisted of hot spot removal which ranged from 1 to 10 feet below land surface (ft bls). Following excavation, a demarcation layer consisting of orange construction fencing was placed at the interface between soil at the excavation limits and imported clean fill backfill. A total of approximately 35,000 CY of general fill was imported to the Site during the OU4 remedy for use as subsurface backfill and to construct the 1-foot-thick soil cover system. The imported fill met the lower of the Commercial Use Soil Cleanup Objectives (CUSCOs) and the Protection of Groundwater Soil Cleanup Objectives (PGWSCOs), as required by the NYSDEC, with the exception of a few marginal exceedances of acetone, chrysene, selenium, and lead. The OU4 Final Engineering Report (FER), dated September 25, 2017 was approved by NYSDEC indicating that OU4 remedial activities were completed, and that residual contamination could remain at the Site with the use of ECs/ICs established by the Environmental Easement and NYSDEC-approved SMP for OU4 to protect public health and the environment.

2.2.1 Description of Selected Remedy

The Site was remediated in accordance with the OU4 ROD. A Track 4 restricted commercial use remedy was successfully achieved across the Site. The following are the components of the selected remedy:

1. Excavation of soil containing PCBs at concentrations greater than 10 ppm to a maximum depth of 10 ft bls (relative to pre-remediation grade) for offsite transportation and disposal. The PCB soil cleanup objectives (SCOs) at the Site were 10 ppm for subsurface soil (greater than 1-ft bls) and

1 ppm for surface soil (0 to 1 ft bls). The PCB surface soil cleanup objective was achieved by excavation or capping (i.e., construction of a soil cover system as described below). The PCB cleanup values for the Site are consistent with those in the NYSDEC policy document titled "CP-51/Soil Cleanup Guidance" dated October 21, 2010 (CP-51/Soil Cleanup Guidance). The 10-ft deep excavation cut-off depth was proposed in the OU4 ROD because substantially all soil at the Site found to contain PCBs at concentrations greater than the 50 ppm disposal threshold for a TSCA-regulated PCB waste and NYS listed hazardous waste had been removed through the Interim Corrective Measures (ICMs). At the completion of the remedial activities, all soil at the Site found to contain PCBs at concentrations greater than 50 ppm had been removed and transported for offsite disposal.

2. Excavation of soil containing arsenic and cadmium at concentrations exceeding CUSCOs presented in 6 NYCRR Part 375-6.8(b) and transportation of the soil for offsite disposal.
3. Excavation of soil containing polycyclic aromatic hydrocarbons (PAHs) at concentrations exceeding the 500 ppm threshold presented in CP-51/Soil Cleanup Guidance and transportation of the soil for offsite disposal.
4. Backfilling of all excavation areas to the pre-remediation ground surface except for locations in the southeastern corner of the Site where grading plans were used to promote site drainage and prevent surface water ponding.
5. Construction and maintenance of a 1-ft thick soil cover system consisting of 8-inches of general fill over a demarcation layer and 4-inches of topsoil to prevent human exposure to contaminated soil/fill remaining at the Site (soil greater than 1-ft bls containing PCBs, PAHs, and/or metals at concentrations exceeding NYSDEC restricted CUSCOs).
6. Performing asbestos abatement and demolishing the last remaining building at the Site (the Administration Building). The abatement was performed in accordance with the recommendations in the Pre-Demolition Survey Report included in a January 29, 2014 letter from Arcadis to the NYSDEC.
7. Execution and recording of an Environmental Easement to restrict land use and prevent potential future exposure to impacts remaining at the Site.
8. Development and implementation of an SMP for long-term management of remaining potential impacts as required by the Environmental Easement, which includes plans for: (1) Institutional and Engineering Controls; (2) monitoring; (3) operation and maintenance (O&M); and (4) reporting.
9. Periodic certification of the institutional and engineering controls listed above.

2.3 Remaining Contamination

As described in the NYSDEC-approved SMP, soil exceeding the Part 375 CUSCOs remains onsite. Exposure to remaining soil contamination at the Site is prevented by the Site Cover System placed over the Site. The Site Cover System is comprised of a minimum of a 1-ft thick soil cover system consisting of 8-inches of general fill over a demarcation layer and 4-inches of topsoil on top of a demarcation layer, asphalt paving, or a remnant concrete loading dock.

Onsite groundwater contamination was addressed to the satisfaction of the USEPA as part of the OU1 remediation, as discussed in Section 2.2. The remediation of offsite groundwater originating from the Site is managed under OU3, which is under the OMM Phase. OU3 work is performed by others.

Currently, the Site does not contain any enclosed structures, therefore the remedy does not rely on any mechanical systems such as a sub-slab depressurization system (SSDS) or air/sparge/soil vapor extraction system to protect public health and the environment from potential exposures to vapors. Due to residual soil vapor contamination at the Site, a SVI evaluation will be performed to determine whether any mitigation

measure are necessary to eliminate potential exposure to vapors, prior to the construction of any enclosed structures.

2.4 Institutional and Engineering Controls

Since residual contamination remains beneath the Site, ICs/ECs have been incorporated into the Site remedy as part of the NYSDEC-approved SMP, to provide proper management of residual contamination in the future to ensure protection of public health and the environment.

2.4.1 Institutional Controls

A series of ICs are required to: (1) implement, maintain and monitor Engineering Control systems; (2) prevent future exposure to remaining impacts by controlling disturbances of the subsurface impacts; and (3) limit the use and development of the Site to restricted commercial and industrial uses only. Adherence to these ICs on the Site is required by the Environmental Easement the NYSDEC-approved SMP. These ICs are:

- Compliance with the Environmental Easement and the SMP by the Grantor and then thereafter to Grantor's successors and assigns;
- All ECs must be operated and maintained as specified in the SMP;
- All ECs on the Controlled Property (the entire Site) must be inspected and monitored at a frequency and in a manner defined in the SMP; and
- Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP.

ICs identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement.

The Site has a series of ICs in the form of Site restrictions. Adherence to these ICs is required by the Environmental Easement. Site restrictions that apply to the Site are:

- The Site may only be used for restricted commercial or industrial use provided that the long-term ECs and ICs included in the SMP are employed;
- The Site may only be used for the allowable land uses listed in the SMP. Any of the prohibited land uses would require additional actions by the then Current Site Owner, including any necessary remediation, and amendment of the EE and ICs, as approved by the NYSDEC;
- The Site may not be used for a higher level of use, such as unrestricted, residential, or restricted residential use;
- All future activities on the Site that will disturb remaining impacted material must be conducted in accordance with the SMP;
- The use of the groundwater underlying the Site is prohibited without the approval of the NYSDEC and may require treatment prior to use by the user;
- The potential for vapor intrusion must be evaluated for any buildings developed at the Site and any potential impacts that are identified must be monitored or mitigated by owners/operators of the Site at the time any building development is sought;
- Vegetable gardens and farming on the Site are prohibited; and
- The Current Site Owner will submit to NYSDEC a written statement that certifies, under penalty of perjury, and to the best of their knowledge and based on their inquiry of the persons involved in

Site operations and maintenance and those persons who conduct Site inspections, that: (1) controls employed at the Site are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC and NYSDEC's designated agent(s) (e.g., USEPA) retain the right to access such Site at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

2.4.2 Engineering Controls

The Site has ECs consisting of:

- Site Cover System.

The purpose of each EC is described below:

- The Site Cover System prevents exposure to remaining contamination in soil/ fill at the Site.

Site Cover System EC is fully in place and effective at meeting their objectives.

3. Redevelopment Activity

The Site has not undergone any redevelopment activity during this reporting period. Future redevelopment activities are anticipated and are included in the COU form submitted to NYSDEC on November 18, 2022 to notify NYSDEC of the proposed redevelopment of the property with the construction of a new commercial warehouse building anticipated to begin in April 2023.

4. SMP Requirements and Compliance Monitoring

Since remaining contaminated soil, groundwater, and soil vapor exists beneath the Site, ICs and ECs are required to protect human health and the environment. This section details the elements of the SMP including the inspection, monitoring, and reporting requirements, IC/ECs, whether the IC/EC requirements were met, and regulatory notification and certification requirements. The various subsections below also include an evaluation of the remedy performance, effectiveness, and protectiveness.

4.1 IC/EC Plan Compliance Report

Since remaining contamination exists beneath the Site, ICs and ECs are required to protect human health and the environment and are described in detail in Section 2.4.

For each IC or EC identified for the Site, I certify that all of the following statements are true:

- The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by NYSDEC;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;
- Access to the site will continue to be provided to NYSDEC to evaluate the remedy, including access to evaluate the continued maintenance of this control;
- Use of the site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program and generally accepted engineering practices; and
- The information presented in this report is accurate and complete.

I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, Charles J. McGuckin, P.E., of Roux Environmental Engineering and Geology, D.P.C., am certifying as Owner's/Remedial Party's Designated Site Representative for the site."

- No new information has come to my attention, including groundwater monitoring data from wells located at the site boundary, if any, to indicate that the assumptions made in the qualitative exposure assessment of off-site contamination are no longer valid; and

An IC/EC Certification Form for the controls that are currently in place is included as Appendix A.

4.1.1 Notifications

Notifications will be submitted by the property owner to the NYSDEC as needed for the following reasons:

- 60-day advance notice of any proposed changes in site use that are required under the terms of the Brownfield Cleanup Agreement (BCA), 6NYCRR Part 375, and/or Environmental Conservation Law.

- 7-day advance notice of any proposed ground-intrusive activities pursuant to the Excavation Work Plan (EWP).
- Notice within 48-hours of any damage or defect to the foundation, structures, or EC that reduces or has the potential to reduce the effectiveness of an EC and likewise any action to be taken to mitigate the damage or defect.
- Verbal notice by noon of the following day of any emergency, such as a fire, flood, or earthquake that reduces or has the potential to reduce the effectiveness of ECs in place at the Site, with written confirmation within 7 days that includes a summary of actions taken, or to be taken, and the potential impact to the environment and the public.
- Follow-up status reports on actions taken to respond to any emergency event requiring ongoing responsive action shall be submitted to the NYSDEC within 45 days and shall describe and document actions taken to restore the effectiveness of the ECs.

Any change in the ownership of the Site or the responsibility for implementing this SMP will include the following notifications:

- At least 60 days prior to the change, the NYSDEC will be notified in writing of the proposed change. This will include a certification that the prospective purchaser has been provided with a copy of the BCA, and all approved work plans and reports, including the SMP.
- Within 15 days after the transfer of all or part of the Site, the new owner's name, contact representative, and contact information will be confirmed in writing.

NYSDEC has received a COU form on June 30, 2021 to notify NYSDEC of a change in Ownership and Remedial Party for OU4 to Pictor Nassau Logistics Center, LLC c/o Brookfield Property Group and a COU form on November 18, 2022 to notify NYSDEC of the proposed redevelopment of the property with the construction of a new commercial warehouse building anticipated to begin in April 2023.

4.2 Inspections

On November 17, 2022, Roux performed a Site Cover System and Site-wide inspection. All inspections were conducted at the frequency specified in the schedules provided in following Monitoring Plan Compliance Report section of this PRR. At a minimum, one Site-wide Cover System and one comprehensive Site-wide inspection are to be conducted annually per the SMP. Details of requirements and completed inspections are provided in the following sections. Inspections of remedial components will also be conducted when a severe condition has taken place, such as power interruption or fire that may affect the ECs. The inspections determine and document the following:

- IC/ECs are in place, are performing properly, and remain effective;
- These controls continue to be protective of human health and the environment;
- Compliance with requirements of this SMP and the Environmental Easement;
- Achievement of remedial performance criteria;
- If Site records are complete and up to date; and
- Changes, or needed changes, to the remedial or monitoring system.

If an emergency, such as a natural disaster or an unforeseen failure of any of the ECs occurs, an inspection of the Site will be conducted within 5 days of the event to verify the effectiveness of the IC/ECs implemented at the Site by a qualified environmental professional as determined by NYSDEC.

4.3 Monitoring Plan Compliance Report

The Monitoring Plan describes the measures for evaluating the performance and effectiveness of the remedy to reduce or mitigate contamination at the Site, the Site Cover System, and all affected Site media identified below. Components of the Monitoring Plan are:

- Assessing compliance with applicable NYSDEC standards, criteria, and guidance, particularly Part 375 SCOs for soil.
- Assessing achievement of the remedial performance criteria.
- Evaluating Site information periodically to confirm that the remedy continues to be effective in protecting public health and the environment.
- Preparing the necessary reports for the various monitoring activities.

Monitoring of the performance of the remedy and overall reduction in contamination onsite will be conducted for the periods specified for each matrix listed in table below. The frequency thereafter will be determined in consultation with NYSDEC and based on reports submitted showing contaminant trends.

Monitoring Program	Frequency	Matrix	Analysis
Site-Wide Inspection	Annually	Soil	Confirm compliance with all ICs and effectiveness of ECs.

A record of the findings of each monitoring/inspection event and maintenance activity performed as described above, where applicable, will be documented on the Site Inspection Checklist (Appendix B) described in further detail below. If at any time during the reporting period the Volunteer identifies a failure of one or more of the ECs or non-compliance with one or more of the ICs, the remedial party must notify NYSDEC and implement corrective measures, in accordance with a Corrective Measures Work Plan (CMWP) submitted to and approved by NYSDEC and provide a periodic certification of the IC/ECs.

4.3.1 Site Cover System

Exposure to remaining contamination at the Site is prevented by the engineered Site Cover System comprised of 8-inches of general fill over a demarcation layer and 4-inches of topsoil on top of a demarcation layer, asphalt paving, or a remnant concrete loading dock.

The location and details of the Site Cover System are shown on Figure 2. Monitoring of the Site Cover System will occur on an annual basis as long as the Environmental Easement is in effect to ensure the system's integrity. Monitoring will consist of visual inspection.

On November 17, 2022, Roux performed a Site Cover System and Site-wide inspection. The completed Site Inspection Checklist is provided in Appendix B. This inspection determined that all Site Cover System elements described herein were observed to be performing as designed during the reporting period of the PRR and are protective of human health and the environment. Photographs taken during the Site-wide inspection are provided in the Photo Log, also included in Appendix C.

4.3.2 Soil Vapor Intrusion Assessment

Currently, the Site does not contain any enclosed structures, therefore the remedy does not rely on any mechanical systems such as a SSDS or air/sparge/soil vapor extraction system to protect public health and the environment from potential exposures to vapors. A soil vapor intrusion evaluation will be completed as part of any future proposed redevelopment, in accordance with the NYSDEC-approved SMP.

5. Overall PRR Conclusions and Recommendations

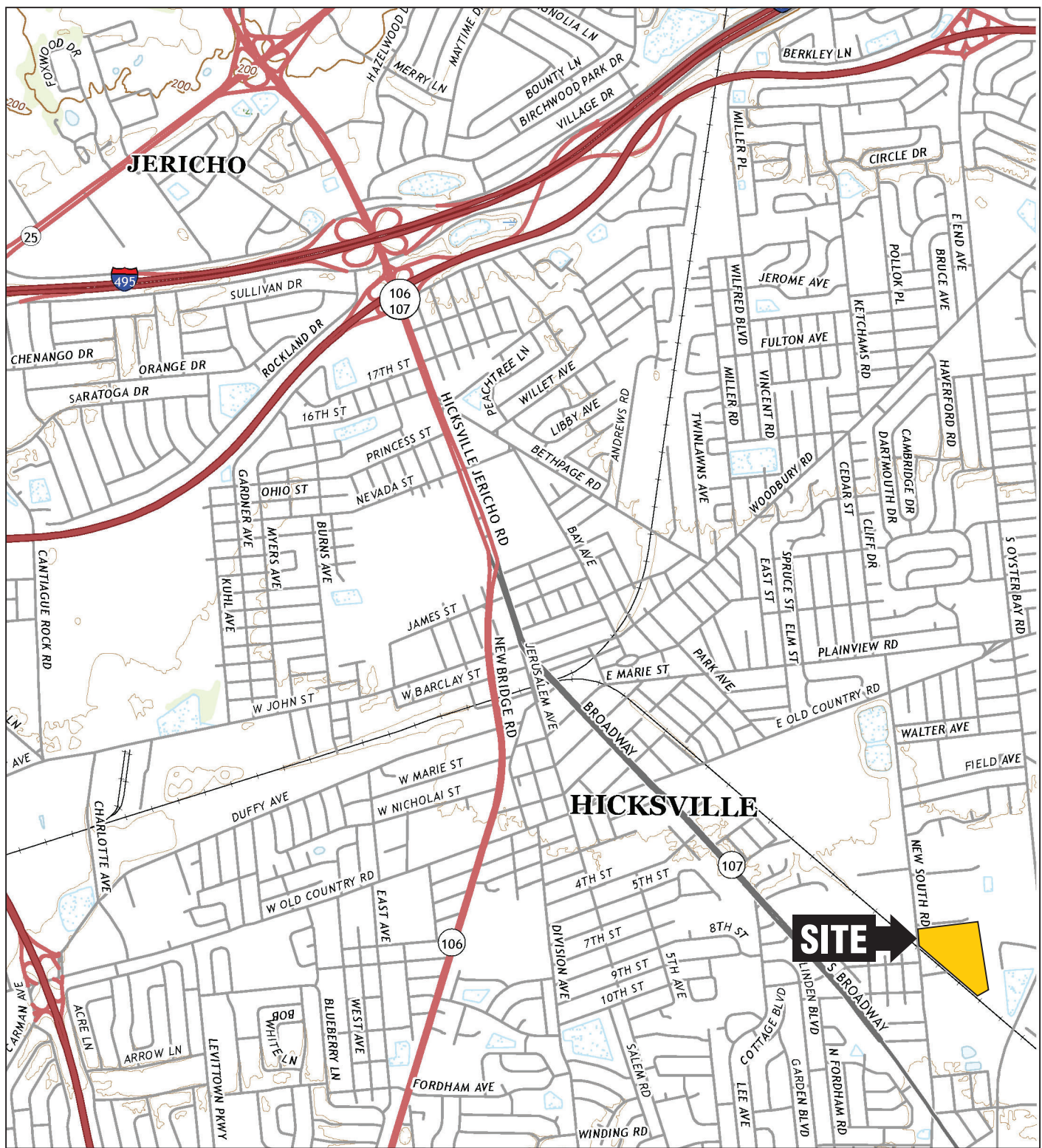
The following section presents conclusions from inspections and monitoring activities and recommendations.

1. The ICs and ECs are performing as designed, are effective, and are compliant with specifications described in the SMP and/or described in the PRR. No changes to the monitoring plan are recommended at this time.

Periodic Review Report
125 New South Road, Hicksville, New York

FIGURES

1. Site Location Map
2. Site Cover As-Built



QUADRANGLE LOCATION



SOURCE:
USGS; 2019, Hicksville, NY
7.5 Minute Topographic Quadrangle



Title:

SITE LOCATION MAP

125 NEW SOUTH ROAD
HICKSVILLE, NEW YORK 11801

Prepared for:

PICTOR NASSAU LOGISTICS CENTER, LLC

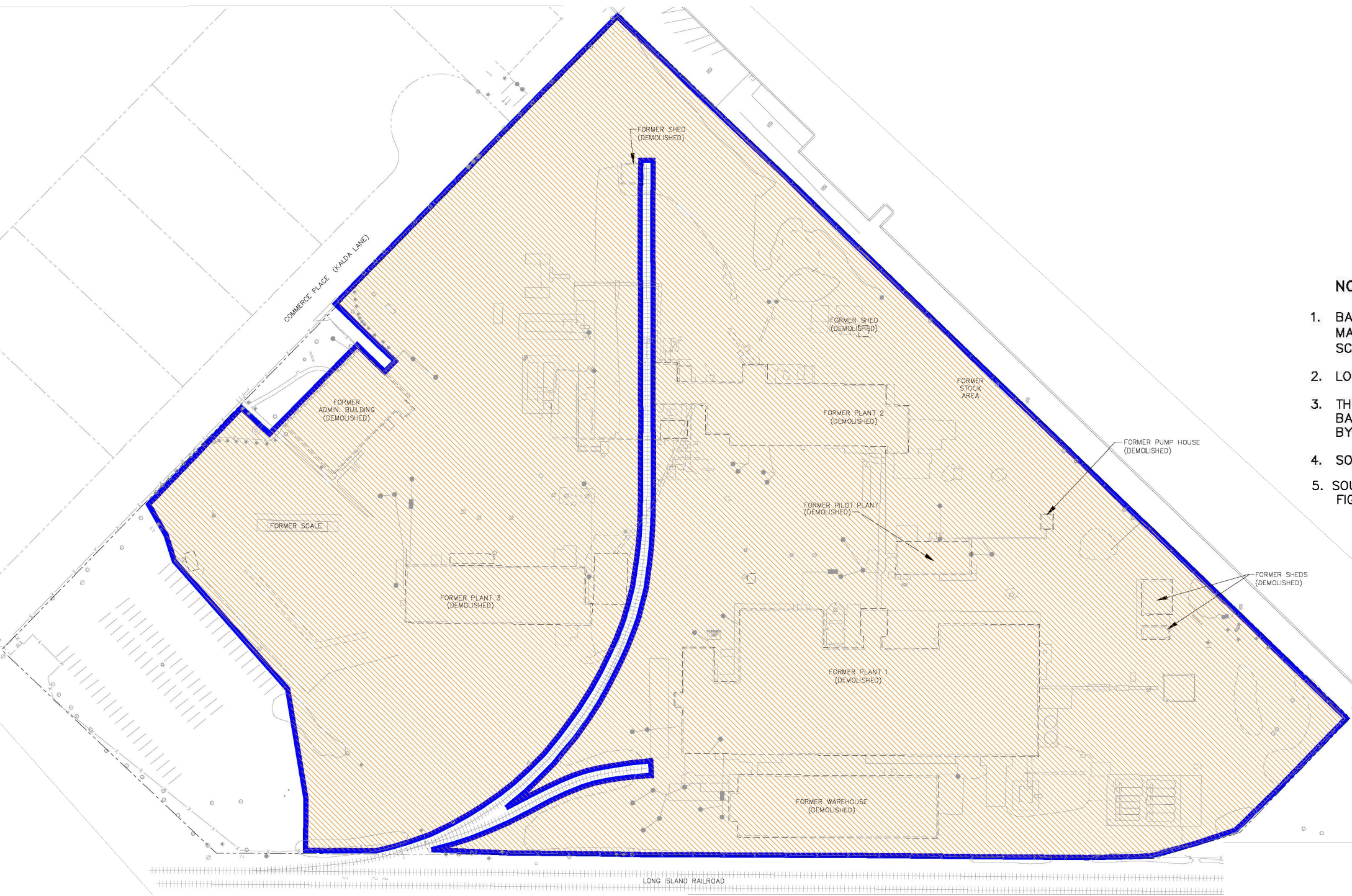


Compiled by: L.D.	Date: 06DEC22
Prepared by: B.H.C.	Scale: AS SHOWN
Project Mgr: L.D.	Project: 3171.0018Y000
File: 3171.0018Y109.01.CDR	

FIGURE

1

V:\CAD\PROJECTS\3171Y0018Y109\3171.0018Y109.02.DWG BCICIO



LEGEND:

-  LIMITS OF SOIL COVER SYSTEM
INSTALLED TO ONE-FOOT ABOVE
PRE-REMEDIATION SURROUNDING GRADES
-  ORANGE CONSTRUCTION FENCE IN-PLACE
AS DEMARCATION LAYER
-  PROPERTY LINE
-  FORMER BUILDING
-  FORMER FEATURE
-  FENCE LINE
-  SEPTIC TANK (ABANDONED IN-PLACE)
-  LEACHATE PIT (ABANDONED IN-PLACE)

NOTES:

1. BASE MAP ADAPTED FROM A DRAWING ENTITLED "AREA OF CONCERN MAP", FIGURE 1-2, BY ENSR CORPORATION. PISCATAWAY, NJ, AT A SCALE OF 1"=60', DATED 2/14/03.
2. LOCATIONS OUTLINED IN GRAY ARE FORMER SITE FEATURES.
3. THE DISTANCE BETWEEN THE FENCE LINE AND PROPERTY BOUNDARY IS BASED ON A PRELIMINARY PROPERTY BOUNDARY SURVEY COMPLETED BY MUNOZ ENGINEERING AND LAND SURVEYING, P.C. IN JANUARY 2014.
4. SOIL COVER LIMITS ARE APPROXIMATE.
5. SOURCE MAP: "SOIL COVER SYSTEM AND DEMARCATION LAYER LIMITS", FIGURE 7, SITE MANAGEMENT PLAN OU4, DATED SEPTEMBER 2017

Title:

SOIL COVER SYSTEM
AND DEMARCATION LAYER LIMITS

125 NEW SOUTH ROAD
HICKSVILLE, NEW YORK 11801

Prepared for:

PICTOR NASSAU LOGISTICS CENTER, LLC



Compiled by: L.D.

Prepared by: B.H.C.

Project Mgr: L.D.

File: 3171.0018Y109.02.DWG

Date: 12/13/2022

Scale: AS SHOWN

Project: 3171.0018Y000

FIGURE

2

Periodic Review Report
125 New South Road, Hicksville, New York

APPENDICES

- A. IC/EC Certification Form
- B. Site Inspection Photo Log
- C. Site Inspection Checklist

APPENDIX A

IC/EC Certification Form

Date: December 12, 2022

To: Steven M. Scharf, P.E., NYSDEC Project Engineer, Division of Environmental Remediation

From: Lauren Dolginko, Roux Environmental Engineering and Geology, D.P.C.

Subject: **IC/EC Certification Form Information Memo**
RUCO Polymer Corp. (Hooker Chem)
125 New South Road

This memo is an attachment to the Institutional and Engineering Controls Certification Form (IC/EC Certification Form) for the RUCO Polymer Corp. (Hooker Chem) site located at 125 New South Road, Hicksville, NY 11801 (Site). The following information should be replaced with what is currently included in Box 1 of the IC/EC Certification Form:

Site Acreage: 15.1 acres

Reporting Period: November 30, 2021 to November 30, 2022.

The following information should be replaced with what is currently included in Box 4 of the IC/EC Certification Form:

Vapor mitigation is not currently in place as an Engineering control since there are no enclosed structures present at the Site.



Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form



Site No. 130004	Site Details	Box 1
Site Name RUCO Polymer Corp. (Hooker Chem)		
Site Address: 125 New South Road Zip Code: 11801		
City/Town: Hicksville		
County: Nassau		
Site Acreage: 15.000		
Reporting Period: January 01, 2023 to January 01, 2024		
		YES NO
1. Is the information above correct?		☐ ☐
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?		☐ ☐
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		☐ ☐
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?		☐ ☐
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?		☐ ☐

	Box 2
	YES NO
6. Is the current site use consistent with the use(s) listed below? Commercial and Industrial	☐ ☐
7. Are all ICs in place and functioning as designed?	☐ ☐

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

SITE NO. 130004**Description of Institutional Controls**

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
46-N-30	Pictor Logistics Aquisition, LLC	Ground Water Use Restriction Landuse Restriction Monitoring Plan IC/EC Plan Site Management Plan O&M Plan
-groundwater use prohibited without necessary treatment -land use restricted to commercial -approved Site Management Plan must be adhered to		
46-N-31	Pictor Logistics Aquisition, LLC	Ground Water Use Restriction Landuse Restriction Monitoring Plan Site Management Plan O&M Plan IC/EC Plan
-groundwater use prohibited without necessary treatment -land use restricted to commercial -approved Site Management Plan must be adhered to		

Description of Engineering Controls

<u>Parcel</u>	<u>Engineering Control</u>
46-N-30	Cover System Vapor Mitigation
-cover system -vapor mitigation	
46-N-31	Vapor Mitigation Cover System
-cover system -vapor mitigation	

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

- a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;
- b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted

YES NO

☐☐

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

- (a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
- (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
- (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;
- (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
- (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

☐☐

**IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and
DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. 130004

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1, 2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Tyler Mordas at 250 Vessey St. New York, NY 10281
print name print business address

am certifying as Owner Pictor Nassau Logistics Center LLC (Owner) (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Tyler Mordas
Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

12/20/22
Date

EC CERTIFICATIONS

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Charles McGuckin at 209 Shafter Street, Islandia, NY, 11749
print name print business address

am certifying as a Professional Engineer for the Owner
(Owner or Remedial Party)

Charles McGuckin



December 9, 2022

Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification

Stamp
(Required for PE)

Date

Periodic Review Report
125 New South Road, Hicksville, New York

APPENDIX B

Site Inspection Photo Log



Photograph 1: Looking west, site entrance and asphalt parking lot.



Photograph 2: Looking south, conditions of asphalt parking lot.



Photograph 3: Looking east, site conditions along northern boundary.



Photograph 4: Looking north, concrete loading dock.



Photograph 5: Looking southwest, abandoned rail spur.



Photograph 6: Looking south, site conditions along eastern boundary.



Photograph 7: Looking south, location of Sump-1.



Photograph 8: Looking southeast, location of Sump-2.



Photograph 9: Looking southeast, location of Sump-3.



Photograph 10: Looking northwest, general site conditions.



Photograph 11: Looking northwest, site conditions along southern boundary.



Photograph 12: Looking west, abandoned rail spur at southern site boundary.



Photograph 13: Looking west, site conditions along southern boundary.



Photograph 14: Looking north, site entrance and site conditions along western boundary.

APPENDIX C

Site Inspection Checklist

**Former Hooker/Oxy/Ruco Polymer Site 125 New South Road
Hicksville, New York**

Site-Wide Inspection Form

Date: November 17, 2022

Personnel: Lauren Dolginko

Time of Arrival: 14:00

Temperature: 47F

Weather Conditions: Partly Cloudy, rh: 42%

wind: west 23 mph

Departure Time: 15:00

Inspection Checklist	Yes	No	Comments
Exterior Cover System			
<i>Intrusive Activities Being Performed?</i>			
- Trenching?		X	
- Excavating?		X	
- Tunneling?		X	
- Saw Cutting?		X	
- Other?		X	
<i>Signs of Previous Intrusive Activities Performed?</i>			
- New Drainage Feature?		X	
- Evidence of a New Underground Utility?		X	
- New Grass or Vegetation?		X	
- Demarcation Layer Exposed?		X	
- Saw-Cut Pavement/ Concrete?		X	
- Patched or Repaired Pavement/Concrete?		X	
- Other?		X	
<i>Vegetation Condition?</i>			
- Bare Spots?		X	
- Distressed Vegetation?		X	
- Ponded Water?		X	
- Other?			
<i>Soil Condition?</i>			
- Erosion?		X	
- Cracking?		X	
- Settling?		X	
- Sloughing?		X	
- Other?		X	

**Former Hooker/Oxy/Ruco Polymer Site 125 New South Road
Hicksville, New York**

Site-Wide Inspection Form

Inspection Checklist	Yes	No	Comments
Interior Cover System			
<i>(this section applies if a building is constructed onsite)</i>			
<i>Potential Evidence of Intrusive Activities?</i>			
- Floor Covering or Carpeting Patched, Repaired, or Replaced?			Not Applicable
- New Drainage Feature?			Not Applicable
- Evidence of a New Sub-slab Utility?			Not Applicable
Sub-Slab Depressurization System			
<i>(this section applies if a building is constructed onsite and shall be modified as needed depending on the building plans)</i>			
<i>Passive System?</i>			
- Wind Driven Turbine spinning freely and unobstructed?			Not Applicable
- Control Valves Operating and in the Open Position? If Not, Why?			Not Applicable
- Piping is Not Modified or Damaged?			Not Applicable
- System Labels are Present?			Not Applicable
<i>Active System?</i>			
- Electric Fan is Operating?			Not Applicable
- Control Valves Operating and in Open Position? If Not, Why?			Not Applicable
- Piping is Not Modified or Damaged?			Not Applicable
- System Labels are Present?			Not Applicable
- Warning Device/Indicator is Undamaged and Functioning Properly?			Not Applicable
General Comments/Suggested Action Items: Rainwater runoff sumps remain present as constructed as part of grading plan during remediation as summarized in the Final Engineering Report. Site cover system consists of 8-inches of general fill over a demarcation layer and 4 inches of topsoil on top of a demarcation layer, asphalt paving, or a remnant concrete loading dock. General fill/topsoil cover in good condition, no demarcation layer visible. Asphalt paving and concrete loading dock in good condition, minimal cracking observed however still protective.			

Instructions:

- Soil Cover System Inspection:* For any inspection item where a box is checked "yes", identify the location of the observed condition on a site plan, take a photograph(s) to document the condition, and document the size of the affected area in the "comments" field above.
- General:* Take photographs from each of the four corners of the soil cover system (each photo facing diagonally across to the opposite corner) and take representative photographs showing conditions elsewhere around the site.