



New York State  
Department of Environmental Conservation

Division of Environmental Remediation

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**Former Tishcon**  
Westbury(V), North Hempstead (T)  
New Cassel Industrial Area  
Nassau County, New York  
Site Number 1-30-043F

**Record of Decision**

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January 1997



GEORGE E. PATAKI, Governor

JOHN P. CAHILL, Acting Commissioner

## **DECLARATION STATEMENT - RECORD OF DECISION**

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### **Former Tishcon Inactive Hazardous Waste Site Westbury, Nassau County, New York Site No. 1-30-043F**

#### **Statement of Purpose and Basis**

The Record of Decision (ROD) presents the selected remedial action for the Former Tishcon inactive hazardous waste site which was chosen in accordance with the New York State Environmental Conservation Law (ECL). The remedial program selected is not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan of March 8, 1990 (40CFR300).

This record is based upon the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for the Former Tishcon inactive hazardous waste site and upon the public input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. A bibliography of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

#### **Assessment of the Site**

This site does not present a current or potential threat to public health or the environment.

#### **Description of Selected Remedy**

Based upon the results of the Focused Remedial Investigation for the Former Tishcon site and the criteria identified for evaluation of alternatives, the NYSDEC has selected a No Action alternative for this site because no sources of contamination were found at the site.

#### **New York State Department of Health Acceptance**

The New York State Department of Health (NYSDOH) concurs with the remedy selected for this site as being protective of human health.

**Declaration**

The selected remedy is protective of human health and the environment, is designed to comply with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective.

1/3/97

Date

Michael J. O'Toole, Jr.

Michael J. O'Toole, Jr. Director  
Division of Environmental Remediation

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# RECORD OF DECISION

**Former Tishcon Site  
Westbury (V), North Hempstead (Town),  
New Cassel Industrial Area, Nassau County, New York  
Site No. 1-30-043F  
January 1997**

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## **SECTION 1: SITE LOCATION AND DESCRIPTION**

The site is located at 68 Kinkel Street, in the New Cassel Industrial Area in the town of North Hempstead, Nassau County, New York. Please refer to Figures 1 and 2 for the location of the site. This quarter acre property is almost entirely occupied by a single story, two bay garage and a concrete driveway. Please refer to Figure 3. This building has no floor drains and has been connected to the Nassau county sewer system since 1982. This building is used by the present occupant, Industrial Mets Inc., for a permitted construction debris sorting operation.

## **SECTION 2: SITE HISTORY**

During 1982 and 1983, the Tishcon Corporation encapsulated vitamins at 68 Kinkel Street. According to a Nassau County Department of Health Industrial Chemical Survey, 1,650 gallons of 1,1,1 trichloroethane, 8,000 gallons of methylene chloride, 3,000 gallons of pill coating (edible shellac) and 1,600 gallons of dye and pigments were used annually at the facility.

The site was first listed in the New York State Inactive Hazardous Waste Site Registry ( the Registry) in 1988. At that time, the entire New Cassel Industrial Area was listed in the Registry as a Class 2 site due to the presence of high levels of volatile organic compounds (VOCs) in the groundwater. The Class 2 classification indicates that the site poses a significant threat to the public health or the environment and action to remediate the site is required.

In February, 1995, a Site Investigation Report for the New Cassel Industrial Area was completed by Lawler, Matusky and Skelly Engineers under the New York State Superfund program. Based on this report, in March 1995, the majority of the New Cassel Industrial Area was removed from the registry. At this time, the Former Tishcon Site was one of several properties reclassified on the registry to an individual Class 2 site. This Site Investigation Report is available for review at the document repositories.

## **SECTION 3: CURRENT STATUS**

The New York State Department of Environmental Conservation (NYSDEC) approached the potentially responsible parties and requested that they undertake the investigation and remediation, if necessary, of this site. All of the potentially responsible parties contacted declined to undertake this work.

In November, 1995, the NYSDEC contracted with ABB Environmental Services to undertake this work under the New York State Superfund Program. A report entitled Focused Remedial Investigation for the 68 Kinkel Street - Former Tishcon Site, dated July 1996, was prepared by ABB describing the field activities and findings of the remedial investigation in detail.

The results of this investigation were then presented to the public on October 17, 1996 for public discussion and comment. A Proposed Remedial Action Plan (PRAP) for the site was also presented at this meeting. This Record of Decision (ROD) represents a summary of the

selected remedial program for this site, and is based on the documents and public input from the public meeting.

### **3.1: Summary of the Focused Remedial Investigation**

The purpose of the focused remedial investigation was to identify and delineate any soil contamination resulting from previous activities at the site. The investigation also investigated the condition of the groundwater in the immediate vicinity of the site. The remedial investigation was conducted during March 1996. A report entitled Focused Remedial Investigation for the 68 Kinkel Street - Former Tishcon Site, and dated July of 1996, was prepared by ABB Environmental Services describing the field activities and findings of the remedial investigation in detail.

The remedial investigation activities included the following:

- *A search of local agency and state files for information on past activities and construction at the site to identify and locate cesspools and other likely areas of contamination.*
- *The collection and field screening of soil gas from 12 separate geoprobe points at the site.*
- *The sampling of three existing, nearby shallow groundwater monitoring wells.*
- *The installation and sampling of three shallow groundwater monitoring wells.*
- *The collection of soil samples from eleven geoprobe boreholes.*
- *The analysis of more than 20 soil samples at an off site analytical laboratory and the analysis of more than 30 additional soil samples at a mobile laboratory.*
- *The analysis of soil and groundwater samples for volatile organic compounds.*

- *The sampling of the sediments and water from an on site storm drain. These samples were analyzed for the full target compound and target analyte list (TCL/TAL).*

Please refer to Figures 3 and 4 for the locations of the soil, sediment and groundwater samples collected during this remedial investigation.

To determine which media (soil, groundwater, etc.) contain contamination at levels of concern, the focused remedial investigation analytical data was compared to Standards, Criteria and Guidance (SCGs). Groundwater and drinking water SCGs identified for the Former Tishcon site were based on NYSDEC Ambient Water Quality Standards and Guidance Values, and part V of the NYS Sanitary Code. NYSDEC TAGM 4046 soil cleanup guidelines for the protection of groundwater, background conditions, and risk based remediation criteria were used as SCGs for soil.

The results of the groundwater sampling are summarized in Table 1. The results of the soil samples and sediment samples are summarized in Tables 2 and 3. These tables also include applicable SCGs for comparison.

#### **3.1.1 Nature of Contamination:**

During this investigation, groundwater samples were collected from three existing monitoring wells (DOAK MW-1, DOAK MW-2, and DOAK MW-3) and three new wells (MW-201, MW-202 and MW-203). All of these wells are water table monitoring wells which represent the shallow groundwater. The investigation found the groundwater beneath the site to be contaminated with moderate levels of chlorinated volatile organic compounds, such as 33 parts per billion (ppb) of 1,1,1 trichloroethane, 99 ppb of 1,2 dichloroethene, 19 ppb of trichloroethene and 14 ppb of 1,2 dichloroethene. The SCGs in groundwater for each of these compounds is 5 ppb. Please refer back to Table 1 for a more detailed summary of the groundwater analytical data and SCGs. These compounds are similar to those found elsewhere in the groundwater in the

New Cassel Industrial Area. Based on the site conditions, the levels and specific volatile organic compounds found at each sampling point, and other information collected during the investigation, it appears that there are no current sources of groundwater contamination at the site and the groundwater contamination beneath the site appears to be from sources on adjoining and/or up gradient properties.

The investigation also included the collection and analysis of more than fifty on site soil samples. These samples were located to assess the on site storm drain sediments and an abandoned cesspool in the alleyway on the north side of the site; the records search and previous fieldwork failed to locate any additional cesspools or drainage structures. These samples found traces of VOCs in the onsite soils, but not at levels that would be expected from an on site source to the underlying groundwater. For example, the five to seven foot sampling interval in geoprobe boring 204 contained an estimated 6 parts per billion (ppb) of methylene chloride, 11 ppb of tetrachloroethene, and an estimated 4 ppb of 1,1,1 trichloroethane. The SCGs for these compounds in soils are 100 ppb for methylene chloride, 1,400 ppb for tetrachloroethene, and 800 ppb for 1,1,1 trichloroethane. The only compounds detected above standards, criteria, and guidelines in the on site soils, were petroleum related compounds in the storm drain sediments. Please refer back to Tables 2, and 3 for a more detailed summary of the analytical results and SCGs.

### **3.2 Interim Remedial Measures:**

The present owner of the site, Mr. Thomas Garguilo, was requested and has performed the clean out of the storm drain sediments contaminated with petroleum hydrocarbons. This clean out was conducted on December 9, 1996 under the oversight of the NYSDEC. Although these sediments were not contaminated with hazardous waste, they could cause a negative impact to the environment in the future if left unaddressed.

### **3.3 Summary of Human Exposure Pathways:**

The contaminated groundwater in the New Cassel Industrial Area presents a potential route of exposure to humans; however, the area is served by public water. This public water supply is treated and routinely monitored for purity and quality. Also, based on the results of the on site soil and groundwater samples, there appears to be no sources of groundwater contamination at the site. Therefore, use of the groundwater in the area is not currently considered to be an exposure pathway of concern.

### **3.4 Summary of Environmental Exposure Pathways:**

Based on the results of the remedial investigation, the site does not currently constitute a significant threat to the environment.

## **SECTION 4: ENFORCEMENT STATUS**

The Potential Responsible Parties (PRP) for the site include:

**Mr. Thomas Garguilo**  
68 Kinkel Street  
Westbury, N.Y. 11590

**Tishcon Corporation**  
30 New York Avenue  
Westbury, N.Y. 11590

The PRPs refused to implement the focused remedial investigation at the site when requested by the NYSDEC. This work was performed under the New York State Superfund Program.

## **SECTION 5: COMMUNITY ASSESSMENT**

Concerns of the public regarding the PRAP were evaluated. A "Responsiveness Summary" describing the public comments received and detailing how the Department has addressed or will address these concerns is attached as Appendix A. The selected remedy is identical to the one specified in the PRAP and presented at the public meeting that was held on October 17, 1996.

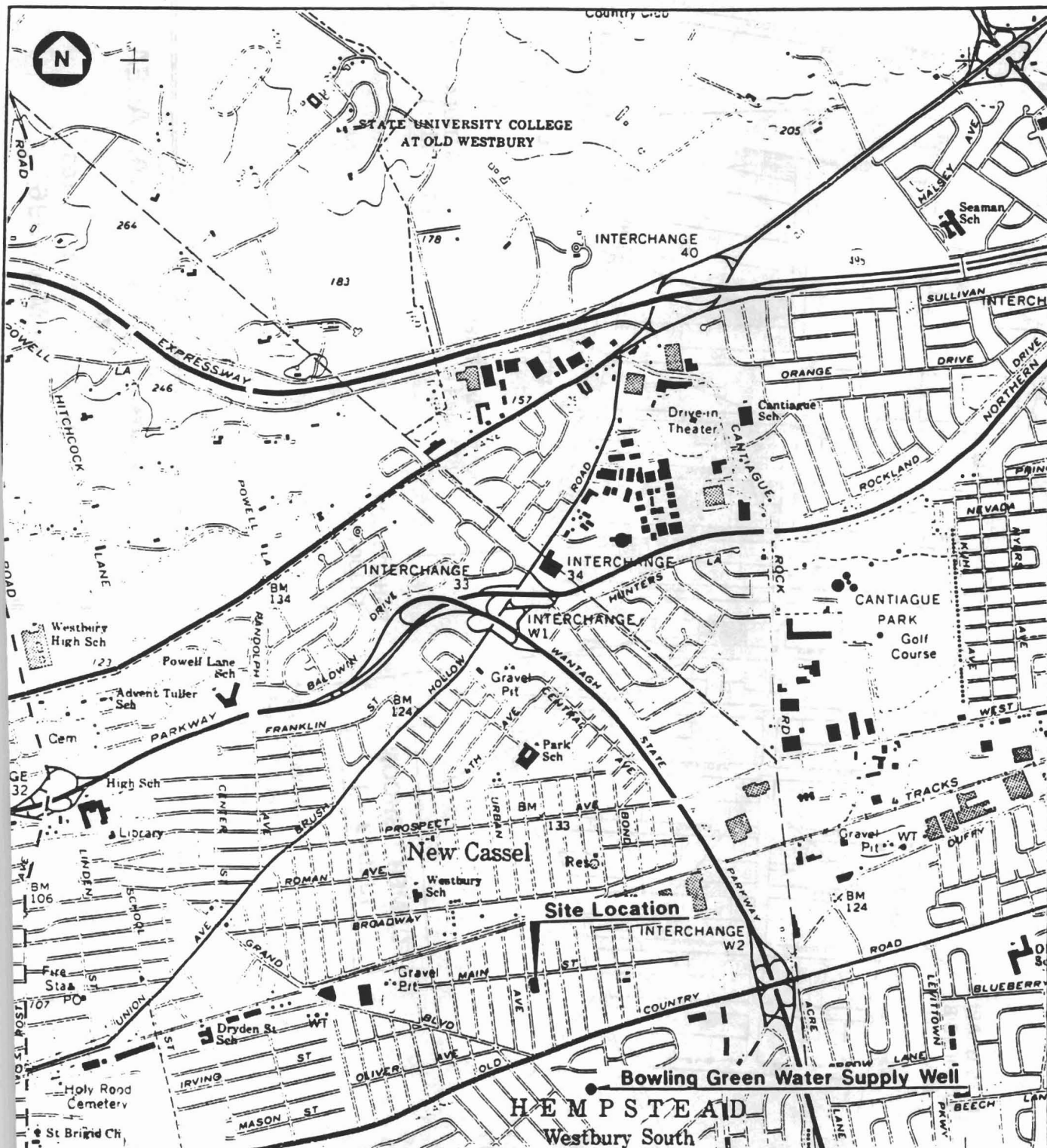
The NYSDEC published a proposal to delist the site from the New York State Registry of Inactive Hazardous Waste Sites in the October 10, 1996 edition of the Environmental Notice Bulletin (ENB). The notice provided for a 60 day public comment period that ended on December 10, 1996. During the comment period, no significant comments requiring the Department to reconsider its delisting position were received. Hence, the Department delisted the site from the New York State Registry of Inactive Hazardous Waste Disposal Sites in December, 1996.

## **SECTION 6: SUMMARY OF THE REMEDIAL GOALS AND SELECTED REMEDY**

The selected remedy for any site should, at a minimum, eliminate or mitigate all significant threats to the public health or the environment posed by the hazardous waste present at the site. The findings of the investigation of this site indicate that the site does not pose a significant threat to human health or the environment. Therefore, based upon the results of the focused remedial investigation and previous investigations that have been performed at the site, the NYSDEC has selected no action as the remedial alternative for the site.

This remedy will be effective in protecting human health and the environment and would comply with New York State standards, criteria and guidelines. The clean out of the storm drain sediments contaminated with petroleum hydrocarbons which is described in Section 4.2, will insure that the site does not have a negative effect on the environment in the future from petroleum related products. The Department delisted the site from the New York State Registry of Inactive Hazardous Waste Disposal Sites in December, 1996.





SOURCE: USGS 7.5 MINUTE SERIES QUADRANGLE;  
HICKSVILLE, NEW YORK, DATED 1967.

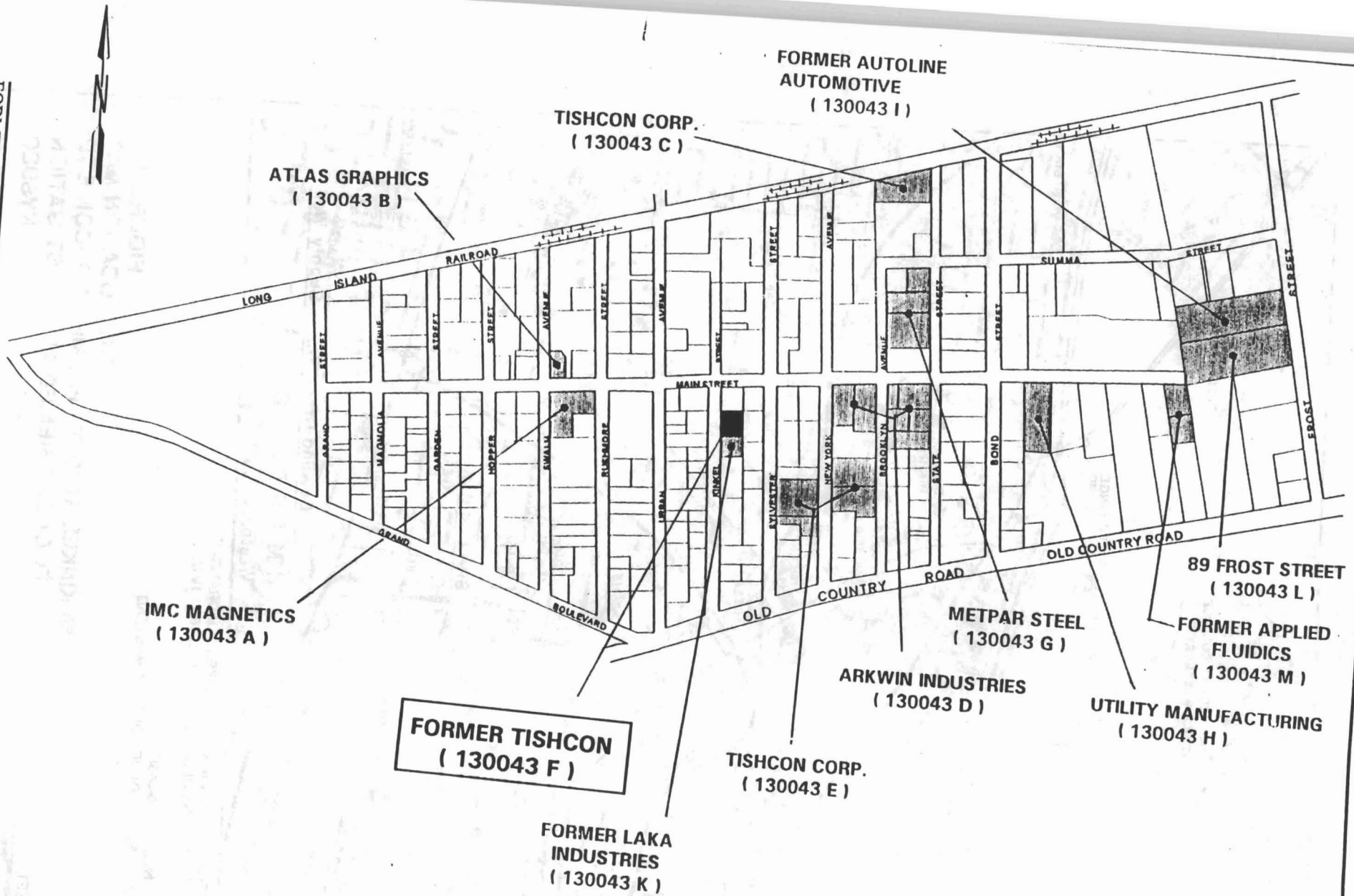
SITE NO.: 1-30-043F  
LOCATION: TOWN OF NORTH HEMPSTEAD



SCALE IN FEET

2000 4000

**FIGURE 1**  
**SITE LOCATION MAP**  
**68 KINKEL STREET - FORMER TISHCON SITE**  
**FOCUSED REMEDIAL INVESTIGATION**  
**NYSDEC**



**NEW CASSEL INDUSTRIAL AREA**  
**Figure 2**  
**Class 2 Registry Sites**  
**as of May 1996**



MAIN STREET

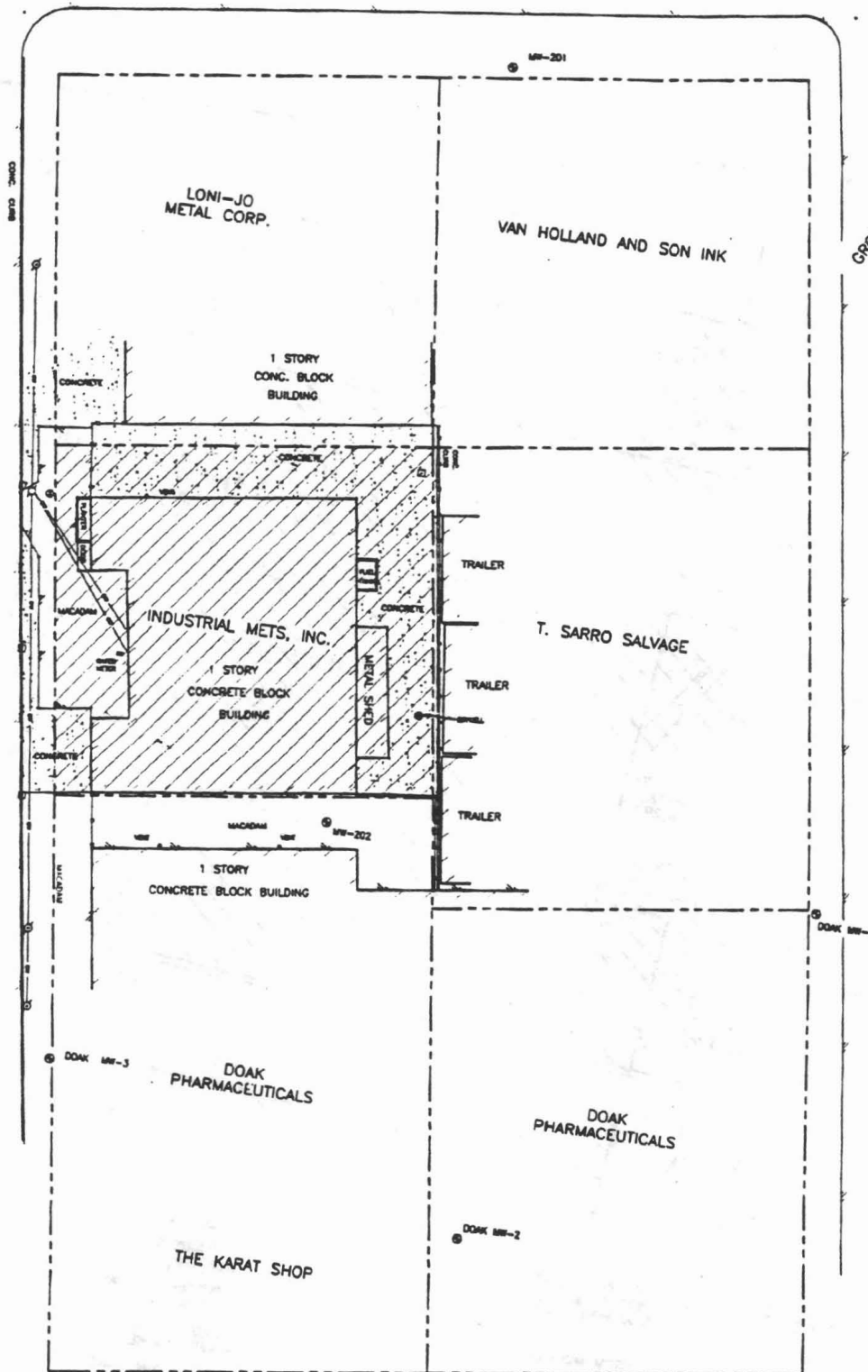
KINKEL STREET

STREET



SYLVESTER STREET

STREET



**LEGEND**

- MONITORING WELL
- FORMER TISHCON SITE
- CHAIN LINK FENCE
- PROPERTY LINE

**SOURCE:**

1. HORIZONTAL DATUM: NEW YORK STATE PLANE COORDINATE SYSTEM, NAD 1927 FROM NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS MONUMENTS 12E14N AND 12E14NAZ.
2. VERTICAL DATUM: NGVD 1929 FROM MONUMENTS 12E14N AND 12E14NAZ.
3. FIELD SURVEY COMPLETED APRIL 11, 1996.
4. BOUNDARY INFORMATION SHOWN AS SCALED FROM FROM TAX MAPS. LOCATIONS ARE APPROXIMATE ONLY AND NOT CERTIFIED TO.
5. EXPLORATION LOCATIONS BASED ON MAP BY YEC, INC. TITLED "68 KINKEL STREET SURVEY" DATED MAY, 1996.

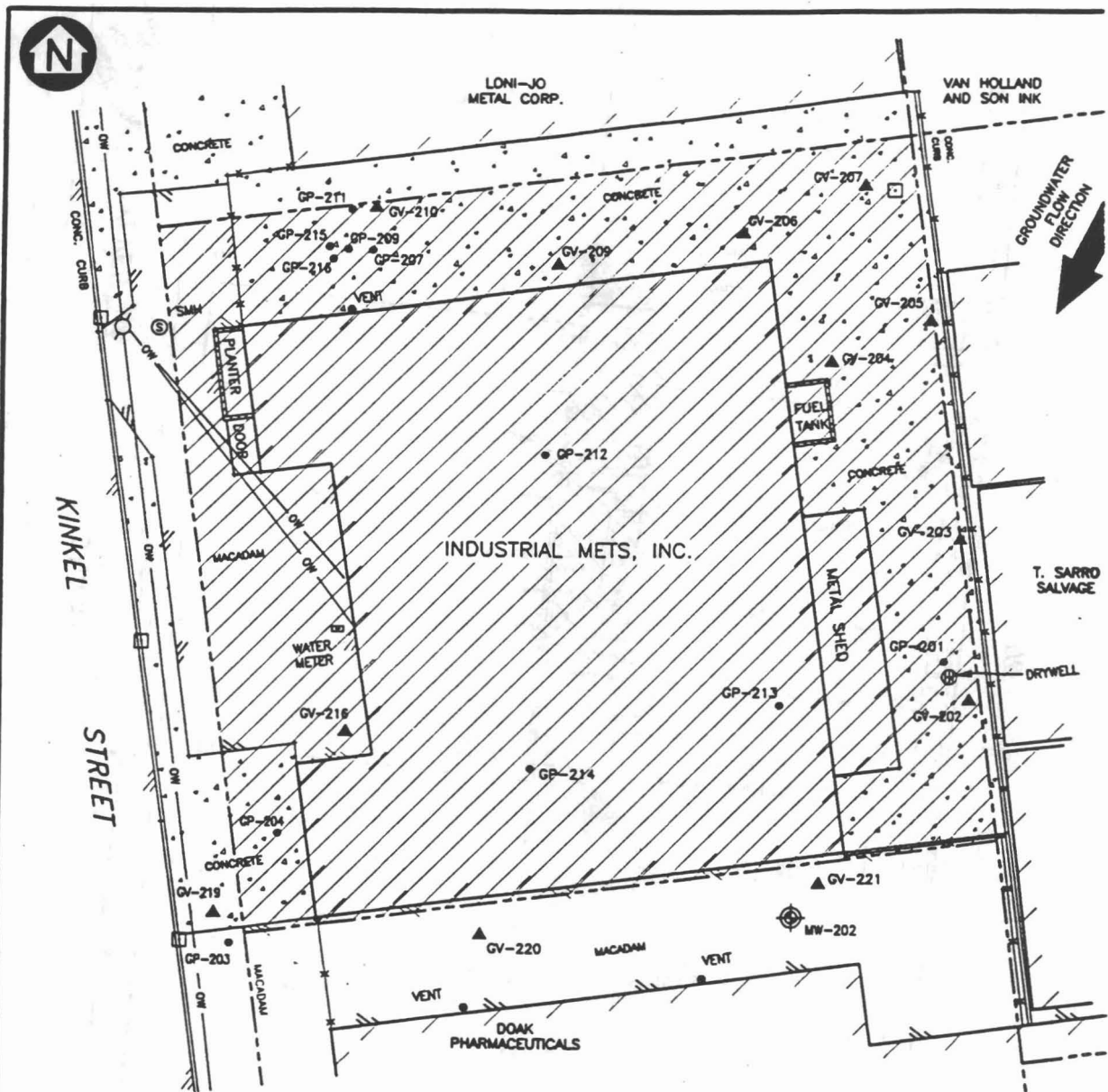
0 15 30 60 FEET  
SCALE: 1"=30'

**Figure 3**

SITE PLAN  
68 KINKEL STREET - FORMER TISHCON SITE  
FOCUSED REMEDIAL INVESTIGATION  
NYSDEC

FORMER TISHCON SITE 1-30-043F  
RECORD OF DECISION





#### SOURCE:

1. HORIZONTAL DATUM: NEW YORK STATE PLANE COORDINATE SYSTEM, NAHD 1927 FROM NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS MONUMENTS 12E14N AND 12E14NAZ.
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#### LEGEND

- GEOPROBE SOIL SAMPLE LOCATION
- ▲ GEOPROBE SOIL GAS SAMPLING LOCATION
- ⊙ FOCUSED REMEDIAL INVESTIGATION MONITORING WELL
- ⊕ EXISTING MONITORING WELL
- ▨ FORMER TISHCON SITE
- CHAIN LINK FENCE
- - - PROPERTY LINE

**Figure 4**

FOCUSED REMEDIAL INVESTIGATION  
EXPLORATION LOCATIONS  
68 KINKEL STREET - FORMER TISHCON SITE  
FOCUSED REMEDIAL INVESTIGATION  
NYSDEC

10872-04-10472003.dwg 7/24/98

Table 1

Groundwater Analytical Data (April 1998)

Focused Remedial Investigation  
88 Kinkel Street - Former Tishcon Site  
North Hempstead, New York

Analyte	CRQL	CLASS GA <sup>2</sup>	USEPA MCL <sup>3</sup>	USEPA MCLG <sup>4</sup>	DOAK MW-1	DOAK MW-1 DUP	DOAK MW-2	DOAK MW-3	MW-201	MW-201 DUP	MW-202	MW-203
<b>TCL Volatile Organic Compounds<sup>1</sup> (µg/L)</b>												
Acetone	10	50 G	NS	NS	--	--	--	--	7 J	--	--	--
Chloroethane	10	5G	NS	NS	--	--	1 J	--	--	--	0 J	--
Trichloroethene	5	5G	5	0	11	10	9 J	120	2 J	1 J	5 J	10
Tetrachloroethene	5	5G	5	0	52	47	19	28	5 J	5 J	15	14
Toluene	5	5G	1000	1000	--	--	--	--	2 J	2 J	--	2 J
Total Xylenes	5	5G	10000	10000	--	--	--	--	1 J	1 J	--	3 J
1,1-Dichloroethene	5	5G	7	7	11	10	8 J	--	--	--	2 J	1 J
1,2-Dichloroethene	5	5G	70/100*	70/100*	4 J	4 J	5 J	--	1 J	1 J	13	99
1,1-Dichloroethane	5	5G	NS	NS	8 J	7 J	20	3 J	--	--	--	10
1,2-Dichloroethane	5	5G	5	0	5 J	4 J	--	370 J	--	--	92	10
1,1,1-Trichloroethane	5	5G	200	200	97	92	110	21	2 J	2 J	89	33
<b>TCL Semivolatile Organic Compounds<sup>1</sup> (µg/L)</b>												
bis(2-Ethylhexyl)phthalate	10	50	0	0	3 J	3 J	4 J	4 J	1 J	2 J	2 J	8 J
butyl benzylphthalate	10	50 G	(100)	(0)	--	--	--	--	--	1 J	--	8 J
Di-n-butylphthalate	10	50	NS	NS	--	--	--	--	1 J	1 J	1 J	1 J
<b>TAL Inorganic Analytes<sup>1</sup> (µg/L)</b>												
Aluminum	200	NS	50-200 S	NS	829 J	2220 J	138 J	789 J	624 J	571 J	166 J	1430 J
Arsenic	10	25	50	2000	--	7.3 J	--	--	--	4 J	--	5.1 J
Barium	200	1000	2000	NS	184 J	201	47.4 J	45.4 J	108 J	115 J	90.3 J	68.1 J
Beryllium	5	3 G	4	4	0.13 J	0.22 J	0.12 J	--	0.36 J	0.22 J	--	--
Cadmium	5	10	5	5	0.23 J	--	--	--	--	0.47 J	0.33 J	0.81 J
Calcium	5000	NS	NS	NS	10300	10900	5220 J	7080	15500	16500	13500	29100
Chromium	10	50	100	100	2.5 J	5 J	1.1 J	1.4 J	2.5 J	3.4 J	5.2 J	56.2
Cobalt	50	NS	NS	NS	--	0.81 J	1.6 J	0.71 J	2.4 J	2.9 J	2.5 J	5.8 J
Copper	25	200	1300 TT	1300	2.5 J	5.5 J	3.7 J	3.5 J	--	1.9 J	--	5.2 J
Iron	100	300	300 S	NS	1820 J	6090 J	85 J	1160 J	1100	968	351	4170 J
Lead	3	25	15 TT	0	1.3 J	3.3	--	1.7 J	1 J	2.9 J	--	4.7 J
Magnesium	5000	35000 G	NS	NS	4950 J	5290	2880 J	2980 J	10700	11400	7350	10100
Manganese	15	300	50 S	NS	352	391	35.1	12.1 J	311	330	81.6	703
Mercury	0.2	2	2	2	0.24 J	0.27 J	0.18 J	0.17 J	--	--	--	--
Nickel	46	NS	100	NS	8.2 J	7.1 J	2.8 J	--	4.8 J	4.9 J	103 J	45.7 J
Potassium	5000	NS	NS	NS	3420 J	3570 J	3000 J	1880 J	3750 J	3630 J	2670 J	4930 J
Silver	10	50	100 S	NS	--	--	--	--	--	1.8 J	--	1.8 J
Sodium	5000	200	NS	NS	41500	43200	9120	9920	40200 J	41800 J	9680	25200 J
Thallium	10	4 G	2	0.5	0.7 J	8.2 J	--	--	7.8 J	--	--	--
Vanadium	50	NS	NS	NS	4.2 J	13.5 J	--	2.7 J	1.5 J	1.4 J	--	8.7 J
Zinc	20	30	5000 S	NS	14 J	14.3 J	6.4 J	13.2 J	19.1 J	21.7	57.3	17.5 J
Cyanide	10	100	200	200	--	--	2 J	--	--	--	--	--

## Notes:

<sup>1</sup>Only compounds that were detected in the sample are listed.<sup>2</sup>New York State Class GA groundwater quality standards 6NYCRR Parts 700-705, October 1993.<sup>3</sup>U.S. Environmental Protection Agency MCLs and MCLGs from Drinking Water Regulations and Health Advisories\* USEPA Office of Water, May 1995.<sup>4</sup>When both iron and manganese are present, the Class GA Standard for the total of both compounds is 500 µg/L.

Shading denotes compound/analyte detected at concentration(s) greater than applicable state and/or federal standards

-- Shading indicates the compound/analyte was detected at concentrations greater than applicable state and/or federal standards

-- not detected

\* 70/100 values reflect cis-1,2-dichloroethene/trans-1,2-dichloroethene

() MCLs and MCLGs in parentheses are proposed

CRDL Contract Required Detection Limit (inorganics)

CRQL Contract Required Quantitation Limit (organics)

DUP duplicate sample

G

J

MCL

MCLG

NS

S

TAL

TCL

TT

µg/L

= Guidance values from NYS Division of Water Technical and Operational Guidance Series (Ambient Water Quality Standards and Guidance Values, October, 1994)

= Estimated

= Maximum Contaminant Level

= Maximum Contaminant Level Goal

= no standard

= Secondary Maximum Contaminant Level

= Target Analyte List

= Target Compound List

= Treatment Technique Action Level

= micrograms per liter

Table 2

Drywell Sediment Analytical Data (March 1996)

Focused Remedial Investigation  
66 Kinkel Street - Former Tishcon Site  
North Hempstead, New York

Analyte	CRDL	NYSDEC <sup>1,2</sup> Soil Clean-Up Objectives	CD-101	CD-101 DUP
TCL Volatile Organic Compounds <sup>1</sup> (µg/kg)				
Acetone	10	110	880 J	1000 J
2-Butanone	10	300	240	280
1,1,1 - Trichloroethane	10	780	---	39
4 - Methyl-2-Pentanone	10	1000	---	19 J
Carbon Disulfide	10	2700	17 J	---
Ethylbenzene	10	5500	97 J	99 J
Tetrachloroethene	10	1400	15 J	48 J
Toluene	10	1500	30 J	---
Total Xylenes	5	1200	150 J	62 J
TCL Semivolatile Organic Compounds <sup>1</sup> (µg/kg)				
Acenaphthene **	330	90000	3300 J	16000 J
Anthracene**	330	700000	1800 J	6900 J
Benzo (a) anthracene**	330	3000	19000	62000
Benzo (a) pyrene**	330	11000	13000 J	37000
Benzo (b) fluoranthene**	330	1100	17000	48000
Benzo (k) fluoranthene**	330	1100	19000 J	41000 J
Benzo (g,h,i) perylene**	330	1100	13000 J	33000
bis(2-Ethylhexyl) phthalate***	330	435000	30000	32000
butyl benzylphthalate***	330	122000	7600 J	9600 J
Carbazole	330	NS	3700 J	15000 J
Chrysene**	330	400	19000	54000
Dibenzofuran	330	6200	1400 J	6500 J
Diethylphthalate***	330	7100	---	250000 J
Dibenz (a,h) anthracene**	330	165000000	4800 J	15000 J
Dimethylphthalate***	330	7100	3000 J	3800 J
Di-n-butylphthalate***	330	8100	4500 J	4600 J
Di-n-octylphthalate***	330	120000	4100 J	5800 J
Fluoranthene**	330	1900000	42000	130000
Indeno (1,2,3-cd) pyrene**	330	3200	11000 J	30000
Fluorene**	330	350000	2300 J	9700 J
Naphthalene**	330	13000	1500 J	3800 J
2-Methylnaphthalene**	330	36400	1900 J	2500 J
4-Nitrophenol	820	1000	8600 J	---
Phenanthrene**	330	220000	25000	100000
Pyrene**	330	665000	33000	100000
TAL Inorganic Analytes <sup>1</sup> (mg/kg) CRDL				
Aluminum	40	SB	8530 J	10400 J
Antimony	12	SB	2.9 J	3.8 J
Arsenic	2	7500 or SB	5	7
Barium	40	300 or SB	141 J	165 J
Beryllium	1	160 or SB	0.42 J	0.49 J
Cadmium	1	1 or SB	8 J	9 J
Calcium	1000	SB	8710 J	10700 J
Chromium	2	10 or SB	46.5 J	73.7 J
Cobalt	10	30 or SB	15.3 J	18.2 J
Copper	5	25 or SB	230 J	300 J
Iron	20	2000000 or SB	19400 J	22800 J
Lead	0.8	SB	387 J	499 J
Magnesium	1000	SB	3570 J	4100 J
Manganese	3	SB	161 J	218 J
Mercury	0.1	100	1.7 J	1.9 J
Nickel	8	13000 or SB	45.3 J	51.5 J
Potassium	1000	SB	528 J	588 J
Selenium	1	2000 or SB	1	0.69 J
Silver	2	SB	0.86 J	1.6 J
Sodium	1000	SB	274 J	320 J
Vanadium	2	150000 or SB	18.9 J	21.7 J
Zinc	4	20000 or SB	968 J	1070 J

## Notes:

<sup>1</sup>Only compounds that were detected in the sample are listed.<sup>2</sup>NYSDEC Technical and Administrative Guidance Memorandum: Determination of Soil Clean-Up Objectives; January 1994<sup>3</sup>NYSDEC Soil Clean-up objectives for inorganic analytes are average background concentrations as reported in a 1994 survey of reference material by E. Carol McGovern, NYSDDEC.

--- Shading indicates the compound was detected at concentrations greater than NYSDDEC Soil Clean-up Objectives

--- not detected

CRDL Contact Required Detection Limits (organics)

CRQL Contact Required Quantitation Limit (organic)

DUP Duplicate sample

J Estimated

mg/kg milligrams per kilogram

SB Site Background

TCL Target Compound List

TAL Target Analyte List

µg/kg micrograms per kilogram

--- Polycyclic aromatic hydrocarbon

--- phthalate

**Table 3**  
Subsurface Soil Analytical Data (Fixed Base Laboratory (March 1996))

Focused Remedial Investigation  
68 Kinkel Street - Former Tishcon Site  
North Hempstead, New York

Analyte	CRQL	NYSDEC <sup>2</sup> Soil Clean-up Objectives	GP-201 0-2 ft bgs	GP-201 20-22 ft bgs	GP-203 10-12 ft bgs	GP-203 DUP 10-12 ft bgs	GP-204 5-7 ft bgs	GP-204 15-17 ft bgs	GP-204 30-32 ft bgs	GP-207 5-7 ft bgs	GP-207 15-17 ft bgs	GP-207 25-27 ft bgs
TCL Volatile Organic Compounds <sup>1</sup> (µg/kg)												
Methylene chloride	5	100	--	--	--	--	6 J	--	--	--	--	--
Tetrachloroethene	5	1400	77	11 J	--	--	11 J	--	--	8 J	5 J	--
1,1,1-Trichloroethane	5	750	11	21 J	--	--	4 J	--	--	--	--	--

Analyte	CRQL	NYSDEC <sup>2</sup> Soil Clean-up Objectives	GP-209 0-2 ft bgs	GP-211 15-17 ft bgs	GP-212 0-2 ft bgs	GP-212 6-8 ft bgs	GP-212 DUP 6-8 ft bgs	GP-213 6-8 ft bgs	GP-213 8-10 ft bgs	GP-214 0-2 ft bgs	GP-214 6-8 ft bgs	GP-215 5-7 ft bgs
TCL Volatile Organic Compounds <sup>1</sup> (µg/kg)												
Methylene chloride	5	100	--	--	--	--	--	--	--	2 J	--	--
Tetrachloroethene	5	1400	5 J	2 J	64	--	2 J	--	--	66	--	--
1,1,1-Trichloroethane	5	750	2 J	--	12	--	--	--	7 J	12	--	--

Notes:

<sup>1</sup> Only compounds that were detected in one or more samples are listed.

<sup>2</sup> NYSDEC Technical and Administrative Guidance Memorandum: Determination of Soil Clean-up Objectives: January, 1994

Sampling locations can be found on Figure 1-3.

-- = non detect

CRQL = Contract Required Quantitation Limit (organics)

DUP = duplicate sample

ft bgs = feet below ground surface

J = estimated

TCL = Target Compound List

µg/kg = micrograms per kilogram

**APPENDIX A**  
**Responsiveness Summary**  
**Former Tishcon Site**  
**Site ID: 1-30-043 F**

This document summarizes the comments and questions received by the New York State Department of Environmental Conservation (NYSDEC) regarding the Proposed Remedial Action Plan (PRAP) for the Former Tishcon Site, located at 68 Kinkel Street, Westbury, New York. A comment period from October 10, 1996, to December 10, 1996 was provided to receive comments from the public on this PRAP. A public meeting was also held on October 17, 1996 at the Park Avenue Elementary School to present the results of the Focused Remedial Investigation of the site and to discuss the PRAP. Public meetings were also held on May 23, 1996 and January 25, 1996 to discuss the work plan for the investigation of this site and the overall status of the New Cassel Industrial Area in general. The January 1996 meeting was held at the Park Avenue Elementary School and the May 1996 meeting was held at the Westbury Middle School.

This responsiveness summary is comprised of verbal comments and questions voiced during the October 17, 1996 meeting that were relevant to the investigation and remedy presented in the PRAP for this site. No written comments were received during the associated sixty day comment period.

The following comments and questions are paraphrased from the public meeting.

1. C: What does it mean to delist the site?

R: When the site no longer presents a significant threat to the environment or public health, it is removed from the Registry of Inactive Hazardous Waste Disposal sites. A site is delisted when it is removed from the Registry.

2. C: Why are we going to delist the site without cleaning up the site?

R: It was determined that there are no current sources of groundwater contamination at the site. During the investigation of the site, no soil contamination above state cleanup guidelines was found in the soil at the site and hence, there is no soil that needs to be remediated (cleaned) at the site. The groundwater contamination beneath the site appears to be migrating from sources on adjoining and/or up gradient properties. This is based on the site conditions, the levels and specific volatile organic compounds found at each sampling point, and other information collected during the investigation.



3. C: Are all of the sites in the New Cassel Industrial Area going to be delisted without being cleaned?

R: Any sites that have soil contamination posing a significant public health or environmental threat would be remediated prior to being delisted. As several of the other sites in the New Cassel Industrial Area have significant soil contamination, they would have to be remediated prior to any consideration to delist them.

4. C: How were these cleanup guidelines developed?

R: The groundwater and drinking water standards for the Former Tishcon site were based on NYSDEC Ambient Water Quality Standards and Guidance Values, and part V of the NYS Sanitary Code. Soil cleanup guidelines for the protection of groundwater, risk based remediation criteria, and background conditions were used as cleanup levels for the soil.

5. C: Why was the site listed if there was no soil contamination?

R: The site was listed on the Registry based on the site history and the groundwater contamination in the immediate area. During the investigation, low levels of contaminants were detected in the on site soils. However, these levels are well below the state cleanup guidelines. Based on the site conditions, the levels of specific volatile organic compounds found at each sampling point, and other information collected during the investigation, it was determined that there are no current sources of groundwater contamination at the site. The groundwater contamination beneath the site appears to be migrating from sources on adjoining and/or up gradient properties.

6. C: Do you know where this groundwater contamination is coming from and who will clean it up?

R: The groundwater contamination in this area has been investigated further by the NYSDEC standby contractor under the Preliminary Site Assessment (PSA) work in this area. This work resulted in the listing of an adjacent property as a site, the Former Laka Industries Site, 1-30-043K. During the investigation of this new site, any sources of groundwater contamination will be identified and remediated. The primary focus of the investigation at the Former Tishcon Site, and for all of the listed sites in the New Cassel Industrial Area, is to identify and remediate any sources of contamination to the groundwater. By doing this, we will prevent any additional contamination from entering the groundwater. This will also help us to determine who is responsible for the groundwater contamination. The Department will then ask those parties who are responsible for the groundwater contamination to clean it up. If they refuse to undertake this work, it will be done under the State Superfund program.

7. C: Is there a time frame to locate these sources?

R: The Department's priority has been the identification and remediation of groundwater contamination sources. However, it is difficult to accurately estimate how long this will take. The Department is hopeful that the sources of contamination at most of the sites in the New Cassel Industrial Area would be identified and remediated in the next few years.

8. C: Can the contamination from the Tishcon site and the Metpar site be cleaned up?

R: The low levels of contaminants at the Former Tishcon site are common at industrial sites and do not present any public health or environmental threat. Additionally, the low levels of contaminants at these sites are not impacting the groundwater.

9. C: What is the status of the Former Laka Industries Site?

R: The Department is engaged in consent order negotiations with the potentially responsible parties. We hope that the responsible parties will sign a consent order to investigate and remediate the site. If an agreement with the responsible parties is not reached, the Department will investigate and remediate the site using State Superfund money.

10. C: What does all of this mean to those who must drink the water in this area?

R: The drinking water is not the same as the groundwater in the area. Although the drinking water is pumped out of the ground, it undergoes a variety of treatments to insure that it meets the federal and state drinking water standards before it is distributed to residences and businesses. One of the treatment processes at the Bowling Green well field is an air stripper with carbon polishing to insure that the contamination in the groundwater does not enter into the drinking water system. The drinking water is also routinely monitored to insure that the state and federal standards are maintained.

## **Appendix B**

### **Former Tishcon Site**

**ID: (1-30-043F)**

#### **ADMINISTRATIVE RECORD**

1. New York State Superfund Contract, Site Investigation Report, New Cassel Industrial Area Site, Work Assignment No. D002676-2.2, Lawler Matusky & Skelly Engineers, February 1995.
2. Comprehensive Citizen Participation Plan, New Cassel Industrial Area Site, Site ID: 1-30-043 A-K, New York State Department of Environmental Conservation, November 1995.
3. New York State Department of Environmental Conservation Superfund Standby Contract, Focused Remedial Investigation/Feasibility Study Phase A Deliverable, 68 Kinkel Street - Former Tishcon Site, Work Assignment No. D002472 - 25, ABB Environmental Services, December 1995.
4. New York State Superfund Contract, PSA Report, New Cassel Industrial Area Site, Work Assignment No. D002676-2.2, Lawler Matusky & Skelly Engineers, March 1996.
5. New York State Department of Environmental Conservation Superfund Standby Contract, Focused Remedial Investigation/Feasibility Study Work Plan, 68 Kinkel Street - Former Tishcon Site, Work Assignment No. D002472 - 25, ABB Environmental Services, March 1996.
6. New York State Department of Environmental Conservation Superfund Standby Contract, Focused Remedial Investigation Report, 68 Kinkel Street - Former Tishcon Site, Work Assignment No. D002472 - 25, ABB Environmental Services, July 1996
7. Letter to John Helmeset of the New York State Department of Environmental Conservation from Sharon J. Secovich of ABB Environmental Services, Subject: Addition Records Search Information and Groundwater Contour Map, August 1996.
8. Proposed Remedial Action Plan, Former Tishcon Site (1-30-043F), New York State Department of Environmental Conservation, September 1996.



## **APPENDIX C**

### **Glossary for the Former Tishcon Site (1-30-043F) Record of Decision**

**Ambient Water Quality Standards and Guidance Values --** These are the NYS standards and guidance values for the protection of water bodies.

**Cesspools --** These are underground drainage structures, similar in construction to storm drains. They are often used to dispose of rainwater and/or sewage in areas where there is no public sewer system.

**Citizen Participation --** A program of planning and activities to encourage communication among people affected by or interested in hazardous waste sites and the government agencies responsible for investigating and remediating them.

**Citizen Participation Plan --** A document which must be developed at a site's Remedial Investigation stage. A CP Plan describes the citizen participation activities that will be conducted during a site's remedial process.

**Class 2 site --** The NYSDEC assigns inactive hazardous waste sites to classifications established by state law, as follows:

**Classification 1 --** a site causing or presenting an imminent danger of causing irreversible or irreparable damage to the public health or the environment, immediate action is required.

**Classification 2 --** a site posing a significant threat to the public health or environment, action is required.

**Classification 2a --** a temporary classification for a site known or suspected to contain hazardous waste. Most likely the site will require additional investigation and based on the results, the site would then be reclassified.

**Classification 3 --** a site at which hazardous waste is confirmed but does not pose a significant threat to the public health or the environment, action may be deferred.

**Classification 4 --** a site which has been properly closed, but will require continued management.

**Classification 5 --** a site which has been properly closed with no evidence of present or potential adverse impact, no further action is required.

**Consent Order** -- A legal and enforceable agreement negotiated between NYSDEC and a responsible party. The order sets forth agreed upon terms by which a responsible party will undertake site investigation and/or cleanup, or pay for the costs of those activities. The order includes a description of the remedial actions to be taken by the responsible party with NYSDEC oversight, and a schedule for implementation.

**Delist** -- This is the action by which the NYSDEC removes a hazardous waste site from the Registry. This is done based on the determination that: the site contains inconsequential amounts of hazardous waste; or that a remediated site no longer requires operation and maintenance; or that a remediated site does not require operation and maintenance.

**Down Gradient** -- See up gradient.

**Environmental Notice Bulletin** -- This a trade paper that carries information on the environmental field, including legally required notices to the public for the reclassification of a hazardous waste site and other environmental related items.

**Exposure Pathway** -- This is the term for the pathway that a contaminant could use to migrate from a source to an existing or potential point of contact with the public. For example, the oil slick from a spill could be an exposure pathway to swimmers in a lake.

**Feasibility Study (FS)** -- This is a study undertaken to develop and evaluate options for the site to eliminate or reduce the threat to public health and the environment. This study often includes data analysis and may be conducted during or after the RI.

**Focused Remedial Investigation (FRI)** -- A focused remedial investigation is an investigation that is primarily directed at known, or likely, source areas of contamination.

**Geoprobe points/borings** -- A geoprobe is a piece of equipment that can collect soil and water samples from below the ground. The place on the ground where the sample is obtained from, is referred to as a point or boring

**Interim Remedial Measure (IRM)** -- This is an activity that is conducted to quickly provide relief to reduce the risk to public health or the environment from a well defined hazardous waste problem. These activities include removing contaminated soil and drums, providing alternative water supplies or securing a site to prevent access.

**Monitoring Wells** -- These are groundwater wells that are installed for the sole purpose of obtaining groundwater samples. Essentially, they are pipes that extend down to the groundwater.

**NCIA -- New Cassel Industrial Area.** This is an industrial area that is located in the Village of Westbury, Town of North Hempstead. The industrial area is bordered on the south by Old Country Road, on the east by Frost Street, on the west by Grand Boulevard, and the north by the Long Island Railroad.

**NYS -- New York State**

**NYSDEC -- New York State Department of Environmental Conservation**

**PAHs -- Petroleum Aromatic Hydrocarbons.** A group of petroleum related compounds. These compounds are often found in industrial areas and places where petroleum products (gasoline, hydraulic fluid, etc.) are used.

**Part V of the NYS Sanitary Code --** These are the New York State regulations that apply to drinking water supplies and sources.

**Parts per Million (PPM) --** This is a way of measuring concentrations of contaminants in soil, water and air. It is the equivalent of one unit of material mixed in with one million units of another material. For example, one ounce of salt mixed in with one million ounces of soil. One ppm is the same as one thousand (1,000) ppb.

**Parts per Billion (PPB) --** This is a way of measuring low concentrations of contaminants in soil, water and air. It is the equivalent of one unit of material mixed in with one billion units of another material. For example, one ounce of salt mixed in with one billion ounces of soil. One ppb is one-thousandth ( $1/1000$ ) of one ppm.

**Petroleum Hydrocarbons --** A group of petroleum related compounds. These compounds are often found in industrial areas and places where petroleum products (gasoline, hydraulic fluid, etc.) are used.

**PRPs -- Potentially Responsible Parties.** These are the parties that may be legally liable for the site. PRP's include: those who owned the site during the time wastes were placed, current owners, past and present operators of the site, and those who generated the wastes placed at the site.

**Proposed Remedial Action Plan (PRAP) --** This is a document that identifies and discusses the proposed remedial action plan that the NYSDEC believes is the most appropriate for an inactive hazardous waste site. This document also summarizes the site history, results of investigations, and any remedial work performed at the site. This proposed remedy is reviewed by the public and other state agencies.

**Registry** -- The New York State Inactive Hazardous Waste Site Registry. This is a document than NYSDEC is directed by law to maintain and which lists and provides information about every site in New York State which meets the criteria established through the definition of hazardous waste and the classification system.

**Remedial Investigation (RI)** -- A remedial investigation is an investigative process to fully determine the nature and extent of contamination at a site by collecting and analyzing data. This investigation also delineates the area of contamination that the contamination has migrated to.

**Responsiveness Summary** -- A summary of responses by the NYSDEC to all significant public questions and comments. A written responsiveness summary is included in a Record of Decision to the questions and comments on the Proposed Remedial Action Plan for a site.

**Record of Decision (ROD)** -- This is a document that identifies the selected remedy for an Inactive Hazardous Waste Disposal Site. This document is the result of the public input received on the PRAP.

**Route of Exposure** -- See Exposure Pathway

**SCGs -- Standards, Criteria And Guidelines.** These are regulatory values specified for several environmental media such as air, groundwater, surface water, soil and sediment.

**Significant Threat** -- The determination based on available evidence and relevant factors, that the hazardous waste disposed at the site has or may result in an adverse impact upon public health or the environment.

**Soil Gas** -- Soil is composed of smaller pieces of rock and earth. In between these pieces, are smaller spaces that are empty except for air and some components of the soil, such as vapors or chemical contaminants.

**State Super Fund (SSF)** -- This is a program that was established to fund the investigation and cleanup of hazardous wastes for which no responsible party could be identified or for which the responsible party is unable to fund the work.

**TAGM 4046 -- Technical And Guidance Memorandum.** These are guidance documents issued by the NYSDEC for the investigation and remediation of hazardous waste sites. The number 4046, refers to the TAGM entitled Determination of Soil Cleanup Objectives and Clean Up Levels.

**TCL/TAL -- Target Compound List/Target Analyte List.** This is a list of compounds that are analyzed for at hazardous waste sites. This list includes volatile organic compounds, semi volatile organic compounds, pesticides, polychlorinated biphenols, and metals.

Up Gradient -- A location or area that is higher. With respect to groundwater, this is an area or place that groundwater is flowing from. This is the opposite of down gradient, which is an area or place that groundwater is flowing to.

VOCs -- Volatile Organic Compounds. This a group of chemicals such as benzene, vinyl chloride, 1,1, 1 trichloroethane, trichloroethene and tetrachloroethane.