



Division of Environmental Remediation

Record of Decision
299 Main Street
Operable Unit No. 1
Town of North Hempstead, Nassau County
New York
Site No. 1-30-043S

February 2008

DECLARATION STATEMENT - RECORD OF DECISION

299 Main Street Inactive Hazardous Waste Disposal Site Operable Unit No. 1 Town of North Hempstead, Nassau County, New York Site No. 1-30-043S

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedy for Operable Unit 1 of the 299 Main Street site, a Class 2 inactive hazardous waste disposal site. The selected remedial program was chosen in accordance with the New York State Environmental Conservation Law and is not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan of March 8, 1990 (40CFR300), as amended.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for Operable Unit 1 of the 299 Main Street inactive hazardous waste disposal site, and the public's input to the Proposed Remedial Action Plan (PRAP) presented by the Department. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Assessment of the Site

Actual or threatened release of hazardous waste constituents from this site have been addressed by implementing the interim remedial measures identified in this ROD. The removal of contaminated soil from the site has significantly reduced the threat to public health and the environment. Therefore, a groundwater monitoring program will be implemented to monitor the effectiveness of previous remedial actions in preventing further contamination of the groundwater.

Description of Selected Remedy

Based on the results of the Remedial Investigation and Feasibility Study (RI/FS) and the implementation of the on-site IRMs for the 299 Main Street site, and the criteria identified for evaluation of alternatives, the Department has selected No Further Action with continued operation of the Soil Vapor Extraction (SVE) system and institutional controls restricting the usage of groundwater at the site. The components of the remedy are as follows:

1. Cleanout of two abandoned service pits within the site building with excavation and disposal of contaminated materials.
2. Removal of underground petroleum storage tanks and excavation and disposal of associated contaminated materials.

3. Cleanout of the on-site drywell and associated overflow drywell with disposal of associated contaminated materials.
4. Installation and operation of four SVE wells with ancillary equipment.
5. Imposition of an institutional control in the form of an environmental easement that will require (a) compliance with the approved site management plan; (b) restricting the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by NYSDOH; and (c) the property owner to complete and submit to the Department a periodic certification of institutional and engineering controls.
6. Development of a site management plan which will include the following institutional and engineering controls: (a) continued evaluation of the potential for vapor intrusion, including any buildings currently developed or constructed in the future on the site, including provision for mitigation of any impacts identified; (b) monitoring of groundwater; (c) identification of any use restrictions on the site; and (d) provisions for the continued proper operation and maintenance of the components of the remedy.
7. The property owner will provide a periodic certification of institutional and engineering controls, prepared and submitted by a professional engineer or such other expert acceptable to the Department, until the Department notifies the property owner in writing that this certification is no longer needed. This submittal will: (a) contain certification that the institutional controls and engineering controls put in place are still in place and are either unchanged from the previous certification or are compliant with Department-approved modifications; (b) allow the Department access to the site; and (c) state that nothing has occurred that will impair the ability of the control to protect public health or the environment, or constitute a violation or failure to comply with the site management plan unless otherwise approved by the Department.
8. The operation of the components of the SVE system built as an IRM will continue until the remedial objectives have been achieved, or until the Department determines that continued operation is technically impracticable or not feasible.
9. Since the remedy results in untreated hazardous wastes remaining at the site, a long-term monitoring program will be instituted. The program will include groundwater sampling at a minimum of three locations, one on-site and two downgradient of the site, and soil vapor monitoring both on-site and downgradient of the site. The effectiveness of the SVE system will be evaluated and will be a component of the long term management of the site.

New York State Department of Health Acceptance

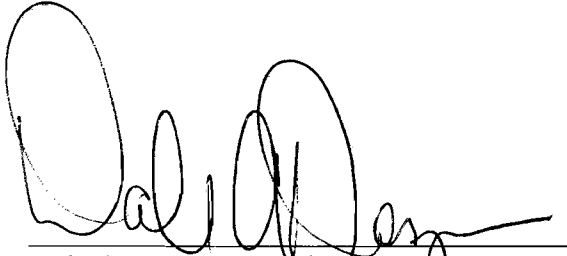
The New York State Department of Health (NYSDOH) concurs that the remedy selected for this site is protective of human health.

Declaration

The selected remedy is protective of human health and the environment, complies 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. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

MAR - 5 2008

Date



Dale A. Desnoyers, Director
Division of Environmental Remediation

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RECORD OF DECISION

**299 Main Street Site
Operable Unit No. 1
Town of North Hempstead, Nassau County, New York
Site No. 130043 S
February 2008**

SECTION 1: SUMMARY OF THE RECORD OF DECISION

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the 299 Main Street site, Operable Unit No. 1; on-site soil and groundwater. As more fully described in Sections 3 and 5 of this document, truck cleaning and petroleum storage operations at the site resulted in the disposal of hazardous wastes, including volatile organic compounds (VOCs). These wastes contaminated the soils, soil vapor and groundwater at the site, and resulted in:

- a significant threat to human health associated with potential exposure to contaminated soils and groundwater.

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the 299 Main Street site in response to the threats identified above. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation/feasibility study (RI/FS). The IRMs undertaken at this site included:

- Cleanout and backfilling of two (2) abandoned service pits located in the main building on the site
- Removal of four (4) underground storage tanks, removal of contaminated soils in the tank area, and backfilling with clean imported sand
- Removal of a contaminated underground injection well and an associated overflow drywell, coupled with excavation of contaminated soil
- Installation of a Soil Vapor Extraction (SVE) system at the northeast corner of the site building

Based on the implementation of the above IRMs, the findings of the investigation of this site indicate that the site no longer poses a significant threat to human health or the environment, therefore, No Further Action with continued operation of the SVE system, was selected as the remedy for this site.

The selected remedy, discussed in detail in Section 6, is intended to attain the remediation goals identified for this site in Section 6. The remedy must conform with officially promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, criteria and guidance are hereafter called SCGs.

SECTION 2: SITE LOCATION AND DESCRIPTION

The site is located at 299 Main Street, Westbury, New York. It is located in the Town of North Hempstead, Nassau County. The site is bordered by Main Street to the south, Hopper Street to the east, Garden Street to the west and a salvage yard to the north. Figure 1 shows the site location. The site encompasses an areal extent of approximately 35,700 square feet. The site has one single story building of approximately 9,450 square feet, and is in an urban, industrial setting. Figure 2 shows the site layout.

The site is located in the New Cassel Industrial Area (NCIA), a 170 acre industrial and commercial area. Currently, eleven (11) Class 2 sites exist in the NCIA. The NCIA is highly developed and no significant surface water sources exist near the site.

The site is underlain by Upper Pleistocene deposits of poorly sorted sand and gravel that make up the Upper Glacial Aquifer (UGA) to a depth of approximately 80 ft below ground surface (bgs). The UGA is an unconfined aquifer. The Magothy aquifer is located beneath the UGA and consists of finer sands, silt and small amounts of clay. At this site, there are no other geologic units located between the UGA and the underlying Magothy formation. The UGA and the Magothy are in direct hydraulic connection; however, clay lenses are often found in the upper Magothy in this area. Depth to the water table is between 50 and 80 ft bgs, and groundwater flows in a southwesterly direction. Both the UGA and the Magothy have been designated as sole source aquifers and are protected under state and federal legislation.

Operable Unit (OU) No. 1, which is the subject of this document, consists of on-site soil and groundwater. An operable unit represents a portion of the site remedy that for technical or administrative reasons can be addressed separately to eliminate or mitigate a release, threat of release or exposure pathway resulting from the site contamination.

The remaining operable unit for this site is for the New Cassel Industrial Area Sites, OU No. 3 - Off-site Groundwater, for the area south of Old Country Road and Grand Boulevard. The October 2003 Record of Decision describes the remedy to address the impact of groundwater contamination that has migrated from the NCIA sites, including the 299 Main Street site. The remedy selected was full plume remediation of upper and deep portions of the aquifer (to 225 feet below ground surface) with in-well vapor stripping/localized vapor treatment.

SECTION 3: SITE HISTORY

3.1: Operational/Disposal History

The site was initially developed around 1956 with a single-story, steel-framed, masonry building. Subsequently, the building was improved with several additions, including a shed addition on the eastern edge of the main building which currently houses the soil vapor extraction equipment. The existing building is approximately 9,450 square feet. The site has been used for light industrial applications, including automotive repair, automotive storage, automotive sales, automotive salvage, and bulk petroleum transportation. Former occupants include Mid-Island Transit, Crestwood Bus Service, Asphalt Petroleum, Island Transportation Corp., Frank's Used Auto, Jarrid Limo Service, Sam-Ton Salvage, Scibelli Automotive and One Stop Auto & Truck Center (COLE, 1971-1999). Currently, Construction Services Inc., owns the site. Island Transportation Corp. has been identified as having been a RCRA hazardous waste generator (NYD020576898). The site is also listed on the Active Petroleum Spill Logs for the release of waste oil, antifreeze and other unknown petroleum products to the ground surface due to poor housekeeping practices. The building was connected to the sanitary sewer system in late 2007 under the direction of the Nassau County Department of Health (NCDH). The cesspool and overflow pool formerly used for sanitary waste disposal were sampled per the NCDH Sewer Connection Program which is authorized by Article II, Section 5 of the Nassau County Public Health Ordinance. The results indicated they were contaminated with petroleum based volatile organic chemicals. The site is listed in the Nassau County Department of Health Industrial Chemical Survey. The survey, completed in 1977, indicated that the site occupant (Island Transportation Corp.) used eighty gallons of trichloroethene (TCE) per year. The TCE was used to coat the inside of bituminous asphalt cement tank trucks on the east side of the building.

3.2: Remedial History

In 1997, the Department listed the site as a Class 2 site in the Registry of Inactive Hazardous Waste Disposal Sites in New York. A Class 2 site is a site where hazardous waste presents a significant threat to the public health or the environment and action is required.

SECTION 4: ENFORCEMENT STATUS

Potentially Responsible Parties (PRPs) are those who may be legally liable for contamination at a site. This may include past or present owners and operators, waste generators, and haulers.

The Department and the 2632 Realty Development Corporation entered into Consent Order No. WI-0843-98-06 on May 5, 1999. The Order obligated the responsible party to implement a RI/FS remedial program. In 2005, the property was sold to 299 Main St. LLC. The Department and the 299 Main St. LLC entered into Consent Order No. W1-1072-05-07 on January 6, 2006. The Order obligates the responsible party to complete the RI/FS remedial program specified in the previous order. After the remedy is selected, the Department will approach the PRPs to implement the selected remedy under the Order on Consent.

SECTION 5: SITE CONTAMINATION

A remedial investigation/feasibility study (RI/FS) has been conducted to evaluate the alternatives for addressing the significant threats to human health.

5.1: Summary of the Remedial Investigation

The purpose of the RI was to define the nature and extent of any contamination resulting from previous activities at the site. The RI was conducted between June 1999 and September 2000. The field activities and findings of the investigation are described in the RI report.

During the RI, a site background study was performed, in which previous investigations of the NCIA and the 299 Main Street site were reviewed. Federal, state and local records of hazardous material usage were reviewed, and a geological background for the site was assembled. Following this, site visits were conducted from June 1999 to September 1999. During the site visits, the building interior and exterior were inspected and potential pollution sources were identified. A ground penetrating radar survey was performed to identify any subsurface structures not previously found. Subsurface investigations were performed at points of interest. Finally, soil and groundwater samples were taken with Geoprobe® to quantify the nature and extent of contamination at areas of interest on the site.

5.1.1: Standards, Criteria, and Guidance (SCGs)

To determine whether the soil and groundwater on the site contain contamination at levels of concern, data from the investigation were compared to the following SCGs:

- Groundwater, drinking water, and surface water SCGs are based on the Department's "Ambient Water Quality Standards and Guidance Values" and Part 5 of the New York State Sanitary Code.
- Soil SCGs are based on the Department's Cleanup Objectives (Technical and Administrative Guidance Memorandum [TAGM] 4046; Determination of Soil Cleanup Objectives and Cleanup Levels and 6 NYCRR Subpart 375.6 - Remedial Program Soil Cleanup Objectives).

Based on the RI results, in comparison to the SCGs and potential public health and environmental exposure routes, certain media and areas of the site required remediation. These are summarized in Section 5.1.2. More complete information can be found in the RI report.

5.1.2: Nature and Extent of Contamination

This section describes the findings of the investigation for all environmental media that were investigated.

As described in the RI report, many soil and groundwater samples were collected to characterize the nature and extent of contamination. Figures 3 and 4 show soil sampling locations, and Figure 5 shows the groundwater sampling locations and groundwater sampling results for the RI. As seen in Figure 5 and summarized in Table 1, the main categories of contaminants that exceed their SCGs are

volatile organic compounds (VOCs). For comparison purposes, where applicable, SCGs are provided for each medium.

Chemical concentrations are reported in parts per billion (ppb) for water and in parts per million (ppm) for soil.

Figure 5 and Table 1 summarize the degree of contamination for the contaminants of concern in on-site soil and groundwater and compare the data with the SCGs for the site. The following are the media which were investigated and a summary of the findings of the investigation.

Subsurface Soil

The majority of the soil contamination detected on-site was near the three abandoned underground petroleum storage tanks and within the underground injection well formerly connected to the eastern wash bay (PS-1). See Figure 2. The soil samples from around the tanks (locations GP-013 through GP-020) and from the grid sample in the area of the tanks (location GP-008) were all contaminated with gasoline and diesel related target analytes. The soil samples generated the highest contaminant concentrations at a depth of 12 ft bgs. This depth corresponds to the base of the storage tanks. The highest single concentration of any organic analyte detected from these sample locations was 20.5 ppm of 1,2,4-trimethylbenzene at GP-016 at a depth of 12 ft bgs. The concentrations of target analytes detected within samples from 7 of 8 probes located around the storage tanks were elevated above the applicable SCGs.

At UIW PS-1, the soil samples from its center (location GP-009) were contaminated with chlorinated organic, and gasoline and diesel related target analytes. The highest single concentration of any chlorinated organic analyte detected from this sample location was 43.8 ppm of cis-1,2-dichloroethene. Concentrations decreased to below that of the applicable SCGs in samples taken at 30-45 ft bgs. At 10 ft bgs in this location, elevated concentrations of beryllium, cadmium, copper, nickel, vanadium and zinc were detected.

At UIW PS-2, the soil sample from its center, location GP-12 at a depth of 15 ft bgs, contained low (less than 10 ppb) concentrations of gasoline and diesel related analytes. There were no target analytes detected in any of the samples from this location below 15 ft bgs.

At PS-3, the soil sample from its center, location GP-010 at a depth of 15 ft bgs, contained low concentrations (less than 1.4 ppm) of gasoline and diesel related analytes. These concentrations decreased with depth in the samples obtained at 30 and 45 ft bgs. The concentrations of these target analytes in each of the samples obtained from the location were below the applicable SCGs.

At PS-4, the soil sample from its center (location GP-011) at a depth of 15 ft bgs contained concentrations below SCGs of gasoline and diesel related analytes. Concentrations further decreased with depth.

With respect to the non-point source soil samples obtained on a grid, the samples from these locations (GP-001 through GP-008) at depths of 10, 15, 20 and 45 ft bgs failed to show contamination with two exceptions. The first exception, GP-008, cited above, was near the underground petroleum storage

tanks. The second exception was sample GP-005 at 45 ft bgs. Both analyses detected concentrations of gasoline and diesel related analytes below SCGs.

Subsurface soil contamination identified during the RI/FS was addressed during the IRMs described in Section 5.2.

Groundwater

Contamination detected in groundwater was limited to the southeast portion of the site and a small area north of the building beneath the three underground petroleum storage tanks (See Figure 5). The groundwater samples from the southeast portion of the site (locations GP-029 through GP-032 and MW-3) were contaminated with both chlorinated organic and gasoline and diesel related compounds. The area north of the building was contaminated with gasoline and diesel related compounds. The highest single concentration of any chlorinated VOC contaminant was 562 ppb of cis-1,2-dichloroethene (location GP-032). This concentration, as well as ten others from five other sample locations, was in excess of the applicable SCG of 5 ppb. The highest concentration of gasoline and diesel related target analytes was 96 ppb of toluene at GP-30. This concentration, as well as twenty-three others from five other sample locations, was in excess of the applicable 5 ppb SCG value. Contaminated groundwater leaving this site contributes to the contaminant plumes migrating southwest from the New Cassel Industrial Area, as described in the October 2003 ROD for Off-Site Groundwater South of the New Cassel Industrial Area, Site No. 1-30-043, Operable Unit No. 3.

5.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the RI/FS. The following IRMs were performed at the site, in accordance with the April 2002 Interim Remedial Measures Work Plan:

- Two former vehicle service pits were located within the garage area of the building. PS-7 was located on the east side of the building and PS-8 was located on the west side. See Figure 2. Both service pits were apparently abandoned by a former tenant of the building by being backfilled and then covered with a concrete surface. Beginning in June 2004, each service pit was initially investigated by drilling through the concrete surface and advancing a hand-operated soil auger to observe the character, appearance, odor and depth of the materials backfilled inside each pit. Petroleum impacted sand was found in PS-7. The cleanout of the former service pits included the excavation of the backfilled material with waste classification testing for disposal purposes. Approximately 18 cubic yards of impacted material were characterized as a nonhazardous petroleum contaminated solid waste and were disposed accordingly. In each service pit, two soil borings were advanced through the concrete bottoms for the purposes of inspecting and testing the sub-floor soil. All laboratory test results confirmed that the sub-floor soils beneath PS-7 and PS-8 had not been impacted. In March 2004, PS-7 and PS-8 were backfilled with clean sand and capped with concrete. See Figure 6 for the location of this portion of the IRM.
- In June 2004, the out-of-service underground storage tanks (USTs) and aboveground storage tanks (ASTs) were removed from the site. This included an approximate 8,500 gallon

gasoline tank, one 1,000 gallon fuel oil tank and one 550-gallon waste oil tank. The two ASTs were of 275 gallon capacity. The removal was conducted under the supervision of a representative from the Nassau County Department of Health (NCDH). The removal of the 8,500 gallon gasoline tank occurred without incident and there was no evidence of contamination. The representative from NCDH authorized the backfilling of the tank excavation. During the removal of the fuel and waste oil tanks, petroleum impacted soil was encountered. The Department's Region 1 office was notified and Spill Number 04-25135 was generated. The tank excavation continued until the surrounding soil appeared visually clean. The south sidewall abutting the building and the bottom of the excavation was advanced as far as possible without compromising the footing of the building before endpoint soil samples were collected from four sidewalls and bottom. The excavation was then backfilled with clean imported sand to stabilize the building. Approximately 135 tons of impacted soil was characterized as a nonhazardous petroleum contaminated solid waste and was disposed accordingly. Endpoint sample results indicated some residual petroleum-related compounds remained in soils at the bottom and south sidewall of the excavation. The residual contamination was addressed through the installation of a soil vapor extraction well. See Figure 6 for the location of this portion of the IRM.

- In March 2005, the underground injection well (UIW) identified as PS-1 was cleaned out. See Figure 2. The cleanout was accomplished by installing a series of ten-foot diameter concrete cast rings over the existing eight-foot diameter concrete rings to stabilize and shore the excavation. A crane was used to crush and remove the existing eight-foot rings. Soil from within the drywell was excavated down to a depth of approximately 32 ft bgs at which time an excavation endpoint soil sample was taken. Endpoint samples showed concentrations in excess of soil cleanup objectives for a broad range of petroleum related VOCs. The residual contamination was addressed through the installation of two soil vapor extraction wells. During the remediation of PS-1, an overflow pipe was discovered and found to be connected to an overflow drywell designated OF-1. See Figure 2. In December 2005, the overflow drywell was remediated by the same method as PS-1. Endpoint samples showed concentrations in excess of soil cleanup objectives for a broad range of petroleum related VOCs. Approximately 140 tons of impacted material was excavated and characterized as nonhazardous petroleum contaminated solid waste, and disposed accordingly. The residual contamination was addressed through the installation of a soil vapor extraction well. See Figure 6 for the location of this portion of the IRM.
- In April 2006, a total of four soil vapor extraction (SVE) wells and two soil vapor monitoring points were installed at the site. Groundwater was measured to be at approximately 50 ft bgs, and the SVE wells were installed to a terminal depth of 45 ft bgs with 15 feet of 20-slot screen. The SVE wells were installed directly down into the former drywell locations of PS-1 and OF-1 and a cluster down through the UST excavation associated with the fuel and waste oil tanks. The cluster SVE wells installed in the tank excavation were screened at shallow and deep intervals to efficiently capture any residual VOCs at variable depths. The two soil vapor monitoring points were installed to a terminal depth of 35 feet bgs. The SVE system began full time operation in November 2006. See Figure 6 for the location of this portion of the IRM.

5.3: Summary of Human Exposure Pathways

This section describes the types of human exposures that may present added health risks to persons at or around the site. A more detailed discussion of the human exposure pathways can be found in Section 8.3.1 of the RI report.

An exposure pathway describes the means by which an individual may be exposed to contaminants originating from a site. An exposure pathway has five elements: [1] a contaminant source, [2] contaminant release and transport mechanisms, [3] a point of exposure, [4] a route of exposure, and [5] a receptor population.

The source of contamination is the location where contaminants were released to the environment (any waste disposal area or point of discharge). Contaminant release and transport mechanisms carry contaminants from the source to a point where people may be exposed. The exposure point is a location where actual or potential human contact with a contaminated medium may occur. The route of exposure is the manner in which a contaminant actually enters or contacts the body (e.g., ingestion, inhalation, or direct contact). The receptor population is the people who are, or may be, exposed to contaminants at a point of exposure.

An exposure pathway is complete when all five elements of an exposure pathway exist. An exposure pathway is considered a potential pathway when one or more of the elements currently does not exist, but could in the future.

Pathways which are known to or may exist include:

- Ingestion of contaminated groundwater
- Inhalation of soil vapor

The contaminated groundwater at the NCIA sites and at locations downgradient of these sites presents a potential route of exposure to humans. The area is served by public water, however, the underlying aquifer is the source of the water supply for the Bowling Green Water District customers. A supplemental treatment system, air stripping followed by carbon polishing, was constructed in 1996 to mitigate the impact of the groundwater contamination on the Bowling Green water supply wells. Bowling Green water supply wells are routinely monitored for VOCs and other contaminants. To date, no site specific contaminants exceeding groundwater or drinking water standards were detected in water distributed to the public. Early warning monitoring wells were installed south of Old Country Road, upgradient of the water supply wells as a precautionary measure. Therefore, use of the groundwater in the area is not currently considered to be an exposure pathway of concern.

The soil vapor intrusion exposure pathway has not been evaluated at the site so whether it is an exposure pathway of concern is currently unknown. A soil vapor extraction system currently in place will be monitored as part of a long-term management plan and soil vapor intrusion will be evaluated as part of that plan.

5.4: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site prior to the IRMs. Environmental impacts include existing and potential future exposure pathways to fish and wildlife receptors, as well as damage to natural resources such as aquifers and wetlands.

Site contamination has impacted the groundwater resource in the upper glacial aquifer. This is a sole source aquifer, underlain by and hydraulically connected to the Magothy aquifer, which provides groundwater used for private, public and industrial use in the area.

SECTION 6: SUMMARY OF THE REMEDIATION GOALS AND SELECTED REMEDY

Goals for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. At a minimum, the remedy selected must eliminate or mitigate all significant threats to public health and/or the environment presented by the hazardous wastes disposed at the site through the proper application of scientific and engineering principles.

Prior to the completion of the IRMs described in Section 5.2, the remediation goals for this site were to eliminate or reduce to the extent practicable:

- the release of contaminants from soil into groundwater that may create exceedances of groundwater quality standards

The main SCGs applicable to this project are as follows:

- ambient groundwater quality standards

Soil removal and Soil Vapor Extraction performed during the IRMs at contaminated on-site areas will prevent further contamination of groundwater beneath the site.

- Soil SCGs based on the Department's Soil Cleanup Objectives

Soil removal and Soil Vapor Extraction performed during the on-site IRMs have directly removed and will further reduce contamination in on-site soils and will address soil vapor contamination, if any.

The Department believes that the IRMs have accomplished the remediation goals and satisfied the SCGs for the site provided that the SVE system continues to be operated and maintained in a manner consistent with the design.

Based on the results of the investigations at the site, the IRMs that have been performed, and the evaluation presented here, the Department has selected No Further Action with continued operation of the SVE system and institutional controls restricting the usage of groundwater at the site as the preferred alternative for the site. The Department believes that this alternative will be protective of

human health and the environment and will satisfy all SCGs as described above. Overall protectiveness is achieved through meeting the remediation goals listed above.

Therefore, the Department concludes that No Further Action is needed other than operation, maintenance, monitoring, and institutional and engineering controls. The elements of the IRMs already completed and the institutional and engineering controls are listed below:

1. Cleanout of two abandoned service pits within the site building with excavation and disposal of contaminated materials.
2. Removal of underground petroleum storage tanks and excavation and disposal of associated contaminated materials.
3. Cleanout of the on-site drywell and associated overflow drywell with disposal of associated contaminated materials.
4. Installation and operation of four SVE wells with ancillary equipment.
5. Imposition of an institutional control in the form of an environmental easement that will require (a) compliance with the approved site management plan; (b) restricting the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by NYSDOH; and (c) the property owner to complete and submit to the Department a periodic certification of institutional and engineering controls.
6. Development of a site management plan which will include the following institutional and engineering controls: (a) continued evaluation of the potential for vapor intrusion, including any buildings currently developed or constructed in the future on the site, including provision for mitigation of any impacts identified; (b) monitoring of groundwater; (c) identification of any use restrictions on the site; and (d) provisions for the continued proper operation and maintenance of the components of the remedy.
7. The property owner will provide a periodic certification of institutional and engineering controls, prepared and submitted by a professional engineer or such other expert acceptable to the Department, until the Department notifies the property owner in writing that this certification is no longer needed. This submittal will: (a) contain certification that the institutional controls and engineering controls put in place are still in place and are either unchanged from the previous certification or are compliant with Department-approved modifications; (b) allow the Department access to the site; and (c) state that nothing has occurred that will impair the ability of the control to protect public health or the environment, or constitute a violation or failure to comply with the site management plan unless otherwise approved by the Department.
8. The operation of the components of the SVE system built as an IRM will continue until the remedial objectives have been achieved, or until the Department determines that continued operation is technically impracticable or not feasible.

9. Since the remedy results in untreated hazardous wastes remaining at the site, a long-term monitoring program will be instituted. The program will include groundwater sampling at a minimum of three locations, one on-site and two downgradient of the site, and soil vapor monitoring both on-site and downgradient of the site. The effectiveness of the SVE system will be evaluated and will be a component of the long term management of the site.

SECTION 7: HIGHLIGHTS OF COMMUNITY PARTICIPATION

As part of the remedial investigation process, a number of Citizen Participation activities were undertaken to inform and educate the public about conditions at the site and the potential remedial alternatives. The following public participation activities were conducted for the site:

- Repositories for documents pertaining to the site were established.
- A public contact list, which included nearby property owners, elected officials, local media and other interested parties, was established.
- A public meeting was held on June 19, 2007 to present and receive comment on the PRAP.
- A responsiveness summary (Appendix A) was prepared to address the comments received during the public comment period for the PRAP.

No significant public comments were received.

TABLE 1
Nature and Extent of Contamination
July 1999-September 2000

SUBSURFACE SOIL	Contaminants of Concern	Concentration Range Detected (ppm)^a	SCG^b (ppm)^a	Frequency of Exceeding SCG
Volatile Organic Compounds (VOCs)	1,2,4-Trimethylbenzene	ND to 20.5	0.1	22 of 46
	Ethylbenzene	ND to 39.8	1.0	4 of 46
	cis-1,2-Dichloroethene	ND to 43.8	0.1	3 of 46
	1,3,5-Trimethylbenzene	ND to 40.8	0.1	17 of 46
	M and P Xylenes	ND to 154.8	0.2	11 of 46
	O-Xylene	ND to 68.9	1.2	17 of 46
	tert-Butylbenzene	ND to 10.6	0.1	2 of 46
	Toluene	ND to 89.1	1.5	10 of 46
Semivolatile Organic Compounds (SVOCs)	Naphthalene	ND to 2.7	0.2	6 of 46
	Fluoranthene	ND to 1.3	1.0	4 of 46
Inorganic Compounds	Vanadium	ND to 1810	300	1 of 46
	Beryllium	ND to 2.5	1.75	1 of 46
	Zinc	ND to 62	50	1 of 46
	Nickel	ND to 388	25	1 of 46
	Copper	ND to 90	50	3 of 46

^a ppb = parts per billion, which is equivalent to micrograms per liter, ug/L, in water;
ppm = parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;
ug/m³ = micrograms per cubic meter

^b SCG = standards, criteria, and guidance values;
ND = Not Detected



Plate 1: Site Location Map, Westbury, New York,

Figure 1

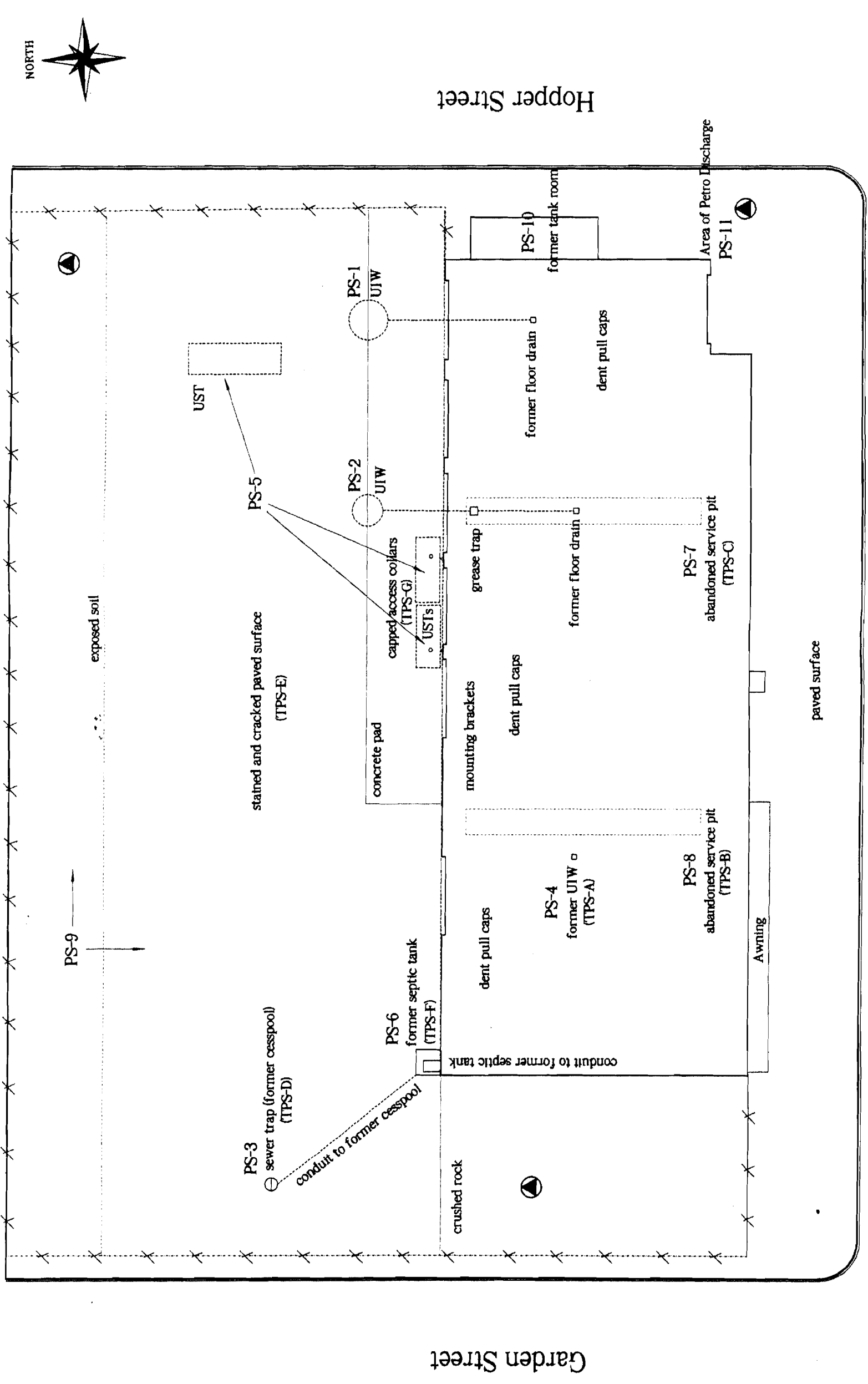


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Figure 2

Legend:
groundwater probe node
soil probe node
monitoring well

scale: 1" = 20'





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Figure 3

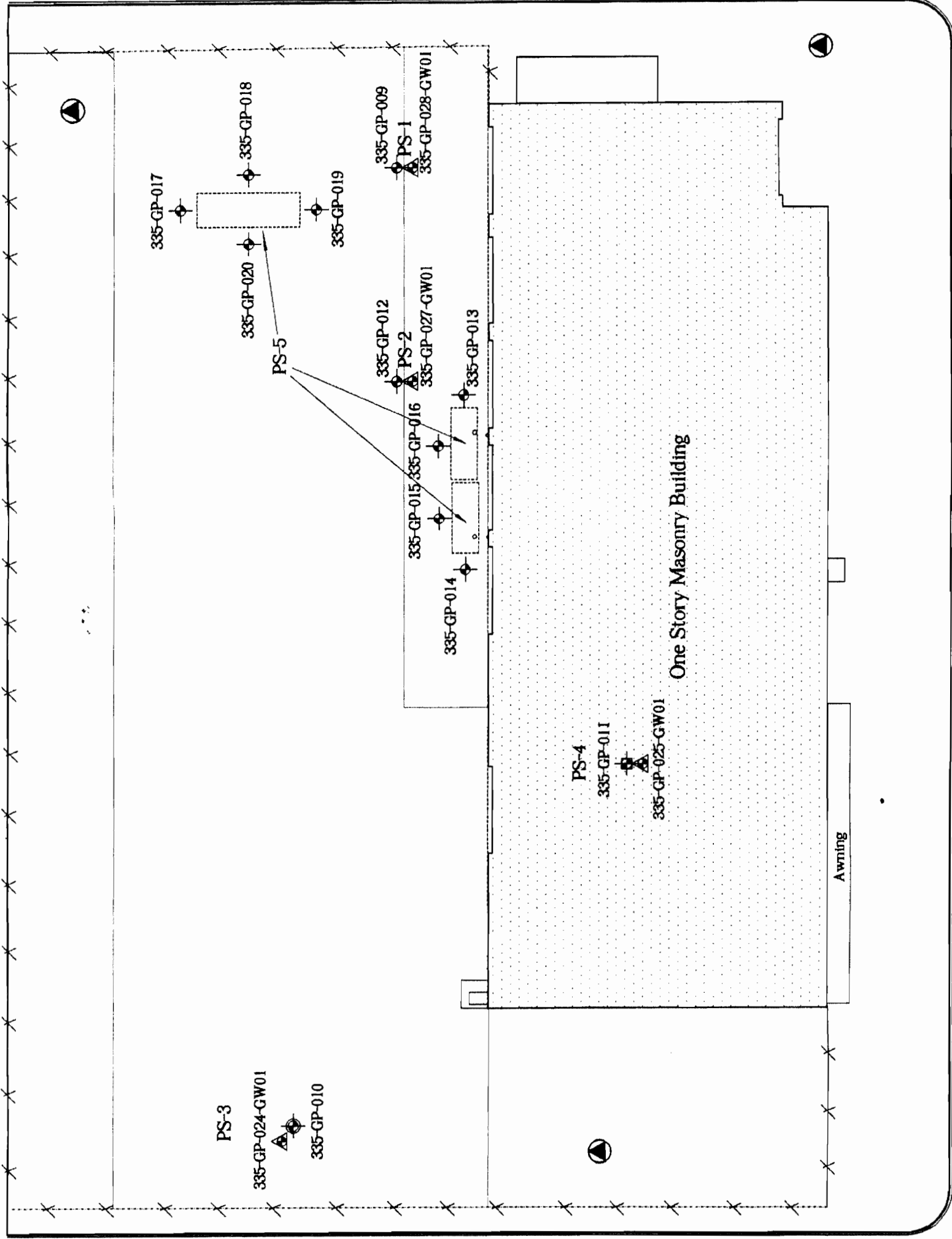
- Legend:
- Groundwater probe node
 - soil probe node
 - monitoring well

scale: 1" = 20'



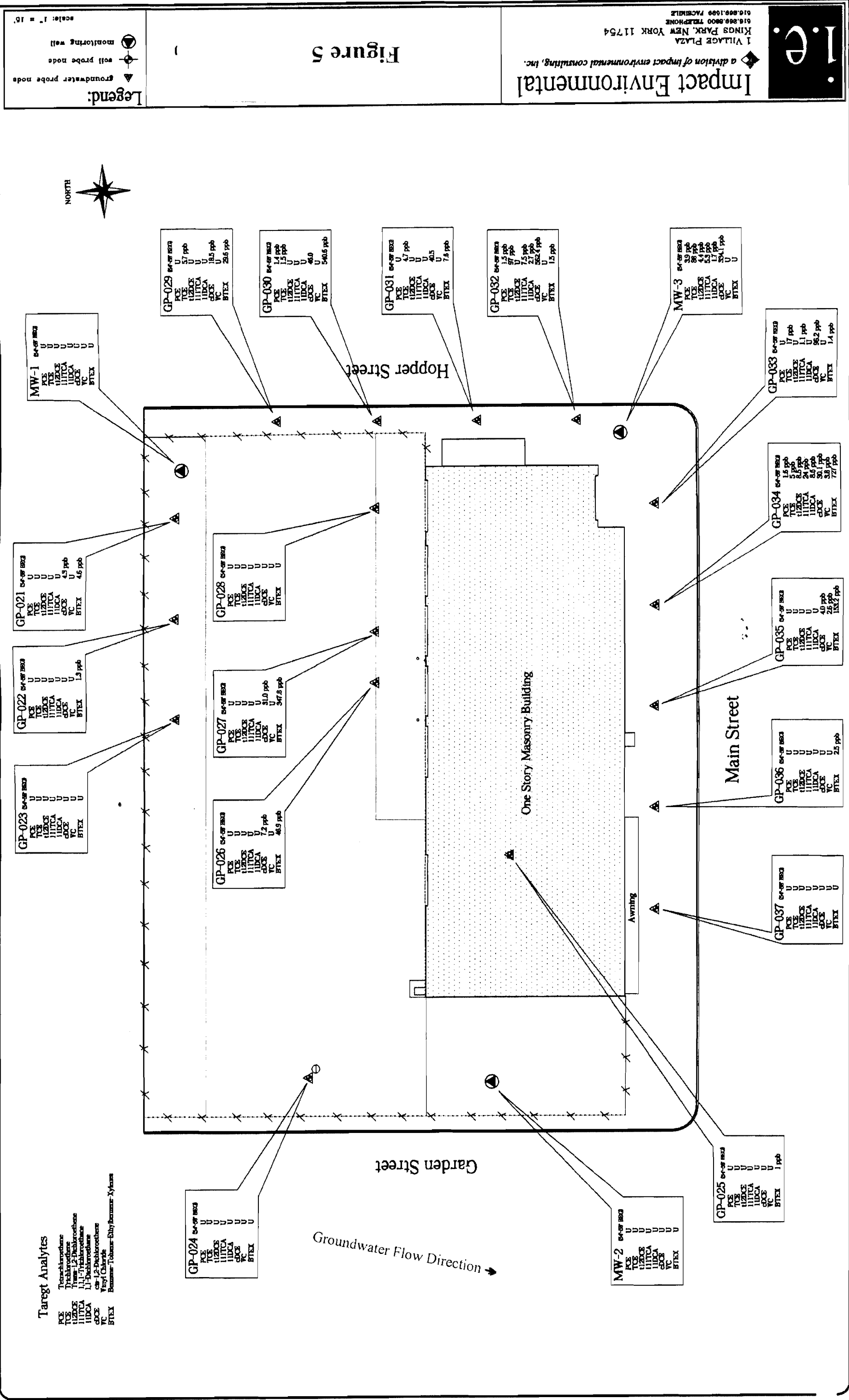
Hopper Street

Main Street



Garden Street

The site map shows a rectangular building labeled "One Story Masonry Building". The building is oriented with its long side parallel to Garden Street (top) and Hopper Street (bottom). The building is divided into several sections, with labels PS-6, PS-7, PS-8, PS-9, PS-10, and PS-11 indicating different parts of the structure. The building is surrounded by a fence. Outside the building, there are several monitoring points marked with symbols: triangles for groundwater probes, circles with crosses for well probe data, and circles with dots for monitoring wells. The points are labeled with codes such as 335-NW-2-GW01, 335-GP-005, 335-GP-006, 335-GP-007, 335-GP-008, 335-GP-009, 335-GP-010, 335-GP-011, 335-GP-012, 335-GP-013, 335-GP-014, 335-GP-015, 335-GP-016, 335-GP-017, 335-GP-018, 335-GP-019, 335-GP-020, 335-GP-021, 335-GP-022, 335-GP-023, 335-GP-024, 335-GP-025, 335-GP-026, 335-GP-027, 335-GP-028, 335-GP-029, 335-GP-030, 335-GP-031, 335-GP-032, 335-GP-033, 335-GP-034, 335-GP-035, 335-GP-036, 335-GP-037, 335-GP-038, 335-GP-039, 335-GP-040, 335-GP-041, 335-GP-042, 335-GP-043, 335-GP-044, 335-GP-045, 335-GP-046, 335-GP-047, 335-GP-048, 335-GP-049, 335-GP-050, 335-GP-051, 335-GP-052, 335-GP-053, 335-GP-054, 335-GP-055, 335-GP-056, 335-GP-057, 335-GP-058, 335-GP-059, 335-GP-060, 335-GP-061, 335-GP-062, 335-GP-063, 335-GP-064, 335-GP-065, 335-GP-066, 335-GP-067, 335-GP-068, 335-GP-069, 335-GP-070, 335-GP-071, 335-GP-072, 335-GP-073, 335-GP-074, 335-GP-075, 335-GP-076, 335-GP-077, 335-GP-078, 335-GP-079, 335-GP-080, 335-GP-081, 335-GP-082, 335-GP-083, 335-GP-084, 335-GP-085, 335-GP-086, 335-GP-087, 335-GP-088, 335-GP-089, 335-GP-090, 335-GP-091, 335-GP-092, 335-GP-093, 335-GP-094, 335-GP-095, 335-GP-096, 335-GP-097, 335-GP-098, 335-GP-099, 335-GP-100, 335-GP-101, 335-GP-102, 335-GP-103, 335-GP-104, 335-GP-105, 335-GP-106, 335-GP-107, 335-GP-108, 335-GP-109, 335-GP-110, 335-GP-111, 335-GP-112, 335-GP-113, 335-GP-114, 335-GP-115, 335-GP-116, 335-GP-117, 335-GP-118, 335-GP-119, 335-GP-120, 335-GP-121, 335-GP-122, 335-GP-123, 335-GP-124, 335-GP-125, 335-GP-126, 335-GP-127, 335-GP-128, 335-GP-129, 335-GP-130, 335-GP-131, 335-GP-132, 335-GP-133, 335-GP-134, 335-GP-135, 335-GP-136, 335-GP-137, 335-GP-138, 335-GP-139, 335-GP-140, 335-GP-141, 335-GP-142, 335-GP-143, 335-GP-144, 335-GP-145, 335-GP-146, 335-GP-147, 335-GP-148, 335-GP-149, 335-GP-150, 335-GP-151, 335-GP-152, 335-GP-153, 335-GP-154, 335-GP-155, 335-GP-156, 335-GP-157, 335-GP-158, 335-GP-159, 335-GP-160, 335-GP-161, 335-GP-162, 335-GP-163, 335-GP-164, 335-GP-165, 335-GP-166, 335-GP-167, 335-GP-168, 335-GP-169, 335-GP-170, 335-GP-171, 335-GP-172, 335-GP-173, 335-GP-174, 335-GP-175, 335-GP-176, 335-GP-177, 335-GP-178, 335-GP-179, 335-GP-180, 335-GP-181, 335-GP-182, 335-GP-183, 335-GP-184, 335-GP-185, 335-GP-186, 335-GP-187, 335-GP-188, 335-GP-189, 335-GP-190, 335-GP-191, 335-GP-192, 335-GP-193, 335-GP-194, 335-GP-195, 335-GP-196, 335-GP-197, 335-GP-198, 335-GP-199, 335-GP-200, 335-GP-201, 335-GP-202, 335-GP-203, 335-GP-204, 335-GP-205, 335-GP-206, 335-GP-207, 335-GP-208, 335-GP-209, 335-GP-210, 335-GP-211, 335-GP-212, 335-GP-213, 335-GP-214, 335-GP-215, 335-GP-216, 335-GP-217, 335-GP-218, 335-GP-219, 335-GP-220, 335-GP-221, 335-GP-222, 335-GP-223, 335-GP-224, 335-GP-225, 335-GP-226, 335-GP-227, 335-GP-228, 335-GP-229, 335-GP-230, 335-GP-231, 335-GP-232, 335-GP-233, 335-GP-234, 335-GP-235, 335-GP-236, 335-GP-237, 335-GP-238, 335-GP-239, 335-GP-240, 335-GP-241, 335-GP-242, 335-GP-243, 335-GP-244, 335-GP-245, 335-GP-246, 335-GP-247, 335-GP-248, 335-GP-249, 335-GP-250, 335-GP-251, 335-GP-252, 335-GP-253, 335-GP-254, 335-GP-255, 335-GP-256, 335-GP-257, 335-GP-258, 335-GP-259, 335-GP-260, 335-GP-261, 335-GP-262, 335-GP-263, 335-GP-264, 335-GP-265, 335-GP-266, 335-GP-267, 335-GP-268, 335-GP-269, 335-GP-270, 335-GP-271, 335-GP-272, 335-GP-273, 335-GP-274, 335-GP-275, 335-GP-276, 335-GP-277, 335-GP-278, 335-GP-279, 335-GP-280, 335-GP-281, 335-GP-282, 335-GP-283, 335-GP-284, 335-GP-285, 335-GP-286, 335-GP-287, 335-GP-288, 335-GP-289, 335-GP-290, 335-GP-291, 335-GP-292, 335-GP-293, 335-GP-294, 335-GP-295, 335-GP-296, 335-GP-297, 335-GP-298, 335-GP-299, 335-GP-300, 335-GP-301, 335-GP-302, 335-GP-303, 335-GP-304, 335-GP-305, 335-GP-306, 335-GP-307, 335-GP-308, 335-GP-309, 335-GP-310, 335-GP-311, 335-GP-312, 335-GP-313, 335-GP-314, 335-GP-315, 335-GP-316, 335-GP-317, 335-GP-318, 335-GP-319, 335-GP-320, 335-GP-321, 335-GP-322, 335-GP-323, 335-GP-324, 335-GP-325, 335-GP-326, 335-GP-327, 335-GP-328, 335-GP-329, 335-GP-330, 335-GP-331, 335-GP-332, 335-GP-333, 335-GP-334, 335-GP-335, 335-GP-336, 335-GP-337, 335-GP-338, 335-GP-339, 335-GP-340, 335-GP-341, 335-GP-342, 335-GP-343, 335-GP-344, 335-GP-345, 335-GP-346, 335-GP-347, 335-GP-348, 335-GP-349, 335-GP-350, 335-GP-351, 335-GP-352, 335-GP-353, 335-GP-354, 335-GP-355, 335-GP-356, 335-GP-357, 335-GP-358, 335-GP-359, 335-GP-360, 335-GP-361, 335-G

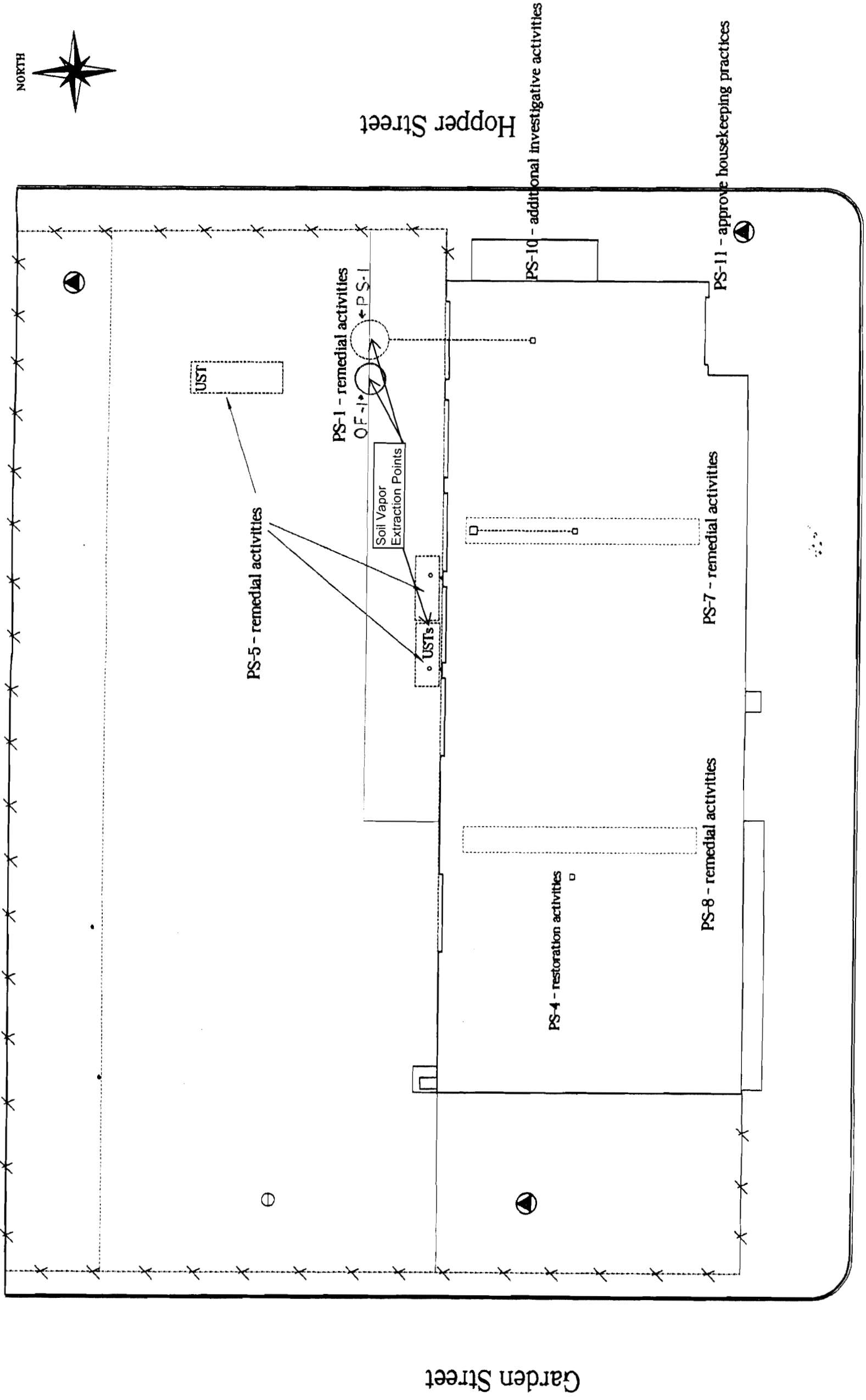




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Figure 6

Legend:
▲ groundwater probe node
● soil probe node
⊙ monitoring well
Scale: 1" = 50'



APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

**299 Main Street
Operable Unit No. 1
Town of North Hempstead, Nassau County, New York
Site No. 1-30-043S**

The Proposed Remedial Action Plan (PRAP) for the 299 Main Street site, was prepared by the New York State Department of Environmental Conservation (the Department) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on June 12, 2007. The PRAP outlined the remedial measure proposed for the contaminated on-site soil and groundwater at the 299 Main Street site.

The release of the PRAP was announced by sending a notice to the public contact list, informing the public of the opportunity to comment on the proposed remedy.

A public meeting was held on June 19, 2007, which included a presentation of the Remedial Investigation (RI) as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. The public comment period for the PRAP ended on July 19, 2007.

This responsiveness summary responds to all questions and comments raised during the public comment period. The following are the comments received, with the Department's responses:

COMMENT 1: What institutional controls will be required for the 299 Main Street site?

RESPONSE 1: Section 6 of the ROD specifies the imposition of an institutional control in the form of an environmental easement that will require (a) compliance with the approved site management plan; (b) restricting the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by NYSDOH; and (c) the property owner to complete and submit to the Department a periodic certification of institutional and engineering controls. Further, Section 6 of the ROD also specifies that the selected remedy will include the development of the site management plan which will include the following institutional and engineering controls: (a) continued evaluation of the potential for vapor intrusion, including any buildings currently developed or constructed in the future on the site, including provision for mitigation of any impacts identified; (b) monitoring of groundwater; (c) identification of any use restrictions on the site; and (d) provisions for the continued proper operation and maintenance of the components of the remedy.

COMMENT 2: How will it be ensured that the institutional controls are followed?

RESPONSE 2: Section 6 of the ROD specifies that the property owner will provide a periodic certification of institutional and engineering controls, prepared and submitted by a professional engineer or such other expert acceptable to the Department, until the Department notifies the property owner in writing that this certification is no longer needed. This submittal will: (a) contain certification that the institutional controls and engineering controls put in place are still in place and are either unchanged from the previous certification or are compliant with Department-approved modifications; (b) allow the Department access to the site; and (c) state that nothing has occurred that will impair the ability of the control to protect public health or the environment, or constitute a violation or failure to comply with the site management plan unless otherwise approved by the Department. Additionally, the Department may conduct site inspections and will coordinate, as required under law, with the local municipality relative to any required permits.

APPENDIX B

Administrative Record

ADMINISTRATIVE RECORD

299 Main Street Operable Unit No. 1 Site No. 1-30-043S

1. Proposed Remedial Action Plan for the 299 Main Street site, Operable Unit No. 1 dated June 2007, prepared by the Department.
2. Order on Consent, Index No. WI-0843-98-06, between the Department and 2632 Realty Development Corporation, executed May 1999.
3. "Site Investigation Report, New Cassel Industrial Site, North Hempstead, Nassau County, Work assignment No. D002676-2.2", February 2005, prepared by Lawler, Matusky and Skelley Engineers
4. "Multisite PSA Report, New Cassel Industrial Area Site, Work Assignment No. D002676-2.2, Lawler Matusky and Skelley Engineers, prepared March 1996
5. "Focused Remedial Investigation Work Plan to be conducted at the 299 Main Street Site", March 1999, prepared by Impact Environmental
6. "Focused Remedial Investigation Report for the 299 Main Street Site", September 2000, prepared by Impact Environmental
7. "New Cassel Industrial Area Offsite Groundwater Remedial Investigation/Feasibility Study (RI/FS) Report, Volumes I, II, and III, September 2000, prepared by Lawler, Matusky and Skelley Engineers
8. "Supplemental Investigation Report for Pollution Source PS-10, FRI 299 Main Street Site-1-30-043S", October 2001, prepared by Impact Environmental
9. "Interim Remedial Measures Work Plan for the 299 Main Street Site", April 2002, prepared by Impact Environmental
10. "Interim Remedial Measures Report for the 299 Main Street Site", June 2006, prepared by CA Rich Consultants, Inc.