EXPLANATION OF SIGNIFICANT DIFFERENCE
TRES BON CLEANERS SITE

Village of Franklin Square / Nassau County / Site No. 130058 / August 2023

Prepared by the New York State Department of Environmental Conservation
Division of Environmental Remediation

1.0 INTRODUCTION

The purpose of this notice is to describe the progress of the cleanup at the Tres Bon Cleaner Site (Site), located at 197 Franklin Avenue, and to inform you about a change in the site remedy. The Site is located on the southeast corner of the intersection between Franklin Avenue and Fenworth Boulevard in the Village of Franklin Square, Nassau County, New York (**Figure 1**). On March 24, 2004, the New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), issued a Record of Decision (ROD) which selected a remedy to cleanup the Site.

The ROD selected No Further Action with continued groundwater monitoring and implementation of an Institutional Control (IC) restricting groundwater use at Site. It was determined that elements of the Interim Remedial Measure (IRM) including a groundwater treatment air stripper system, soil vapor extraction (SVE) system, and removal of contaminated sediment from a floor drain in the building and exterior storm drain accomplished the remediation goals for the Site at that time. The soil vapor extraction (SVE) system was dismantled and removed in June 2003 after data indicated the system had effectively addressed soil contamination at the site. The groundwater treatment system was dismantled and removed from the site in October 2003 after groundwater sampling data indicated groundwater contamination had been reduced to levels slightly above groundwater standards.

Based on evaluations of indoor air and sub-slab samples collected in 2016, 2018, and 2022 at the site, concentrations of tetrachloroethylene (PCE) require actions to address exposures based on the Guidance for Evaluating Soil Vapor Intrusion in New York State, NYSDOH 2006, with updates. These concentrations appear to be related to the original soil contamination located beneath the building. This Explanation of Significant Differences (ESD) will become part of the Administrative Record for this site. The ROD shall be amended to require installation of a sub-slab depressurization system (SSDS) within the existing on-site building to mitigate soil vapor intrusion (SVI) exposures, along with a provision for resampling off-site buildings previously or potentially impacted by the site, and a provision to mitigate the vapors if needed. The ROD shall also be amended to require a Site Management Plan (SMP) including an Institutional and Engineering Control Plan.

2.0 SITE DESCRIPTION AND ORIGINAL REMEDY

2.1 Site History, Contamination, and Selected Remedy

The Tres Bon Cleaners Site, a former dry cleaner, is located in a residential and commercial setting on Franklin Avenue in the Village of Franklin Square, Nassau County. The Site is approximately 0.25 acres

in size. The Site is bound on the north by Fenworth Boulevard, and to the west by Franklin Avenue. The nearest residential area borders directly south and east of the Site.

The Site consists of a single commercial-use building and asphalt for parking lot. The on-site building was operated as a dry cleaner from 1962 until October 2003. In January 1988, the Nassau County Department of Health conducted a site inspection at which time it was noted that water from the dry-cleaning fluid separator was discharged to the soil and pavement in the rear of the building. Shortly afterward, the PCE/water separator discharge was discontinued. The dry-cleaning equipment was dismantled and removed from the Site for proper disposal in October 2003 by the Property Owner.

An IRM consisting of a groundwater treatment and SVE systems was performed in three periods, from October 1993 through December 1994, May 1996 through April 1997, and August 1999 through October 2003. A Remedial Investigation (RI) was conducted between June and September 1999 to define the nature and extent of contamination resulting from previous activities at the Site. Samples were collected from surface soil, subsurface soil, groundwater, soil gas, and indoor air. A summary of the RI samples results includes the following:

- Surface soil collected from the southern and eastern property boundaries detected Volatile Organic Compounds (VOCs) at concentrations below Standards, Criteria, and Guidance values in both samples.

- Subsurface vadose zone soil samples were collected approximately 3-ft below the base of the concrete floor beneath two dry- cleaning machines. These samples were collected well above the water table, which is around 15-25 feet (ft) below the ground surface. The subsurface soil sample collected from beneath the northern dry-cleaning machine contained PCE at a concentration of 61.4 parts per million (ppm), above the 1.4 ppm Soil Cleanup Objective (SCO) of the time, as written in NYSDEC's 1994 Technical and Administrative Guidance Memorandum (TAGM) No. 4046, Determination of Soil Cleanup Objectives and Cleanup Levels. This is also above the current Part 375 unrestricted use Cleanup Objective (SCO) of 1.3 ppm, but below the Part 375 Commercial SCO of 150 ppm. The subsurface soil sample collected from beneath the southern dry-cleaning machine contained PCE at a concentration of 0.93 ppm, below TAGM No. 4046 SCO and Unrestricted Use SCOs.

- Groundwater samples were collected from two locations, GP-1 and GP-2, with a direct push drill rig on June 21, 1999. PCE was detected at concentrations that ranged from non-detect to 4.6 micrograms per liter (µg/L), below the NYSDEC Class GA Ambient Water Quality Standard of 5 µg/L. On 8 September 1999, groundwater samples were collected from 3 monitoring wells: MW-1, MW-5A, and MW-6, and the PCE concentrations were detected at 7 µg/L, 33 µg/L, and non-detect, respectively.

- Soil gas samples were collected from a depth of 4 to 5 ft below ground surface (bgs) along the eastern and southern fence lines of the site before and after the SVE system startup. Concentrations of PCE were detected in soil gas samples SG-3, SG-5, and SG-8 at 120,000 micrograms per cubic meter (µg/m^3), 330,000 µg/m^3, and 9,000 µg/m^3, respectively. The same locations were sampled in July 2000 after the SVE system startup, and PCE concentrations were 1,630 µg/m^3, 2,400 µg/m^3, and 9,000 µg/m^3, respectively. In December 2003, soil gas samples were collected following the shutdown of the SVE system, and the results indicated concentrations of PCE, ranging from non-detect to 9.7 µg/m^3.

- Indoor samples, collected from 7 adjacent properties by the NYSDOH in February 2002 and December 2003, had concentrations consistent with background concentrations.

The major components of the 2004 Record of Decision include the following:

1. Completion of IRM that included the following:

    a. Groundwater treatment system that consisted of a groundwater recovery well installed in the southeast corner of the property and an air stripper system constructed behind the dry-cleaning facility. In June 2003, operation of the groundwater treatment system discontinued, and the equipment was dismantled and removed from the Site in October 2003.

    b. SVE system that consisted of slotted plastic pipes installed to a depth of approximately 20 ft bgs and a high vacuum regenerative blower connected to the piping system captured and extracted VOCs from the soil by inducing air flow through the soil. In June 2003, operation of the SVE system discontinued, and the equipment was dismantled and removed from the Site in October 2003.

2. Implementation of institutional controls currently in place in the form of existing use restrictions that prevent the use of groundwater as a source of potable or process water, without necessary permitting and water quality treatment as determined by Nassau County Department of Health.

3. Continued monitoring of groundwater, consisting of the collection of samples from three monitoring wells identified as MW-1, MW-5, and MW-6. The groundwater monitoring program would be re-evaluated periodically and may be modified if concentrations of PCE in groundwater either meet or asymptotically approach standards.

3.0 CURRENT STATUS

The remedy from the ROD was completed during the IRM. Groundwater sampling was discontinued in 2013 when PCE concentrations met standards at the three monitoring wells identified in the ROD and at nine additional wells installed to monitor migration of PCE in groundwater from the Site.

4.0 DESCRIPTION OF SIGNIFICANT DIFFERENCE

4.1 New Information

Continuous monitoring of groundwater through June 2003 indicated PCE concentrations ranging from non-detect to slightly above NYSDEC Class GA Ambient Water Quality Standard for monitoring wells MW-1, MW-5A, and MW-6. The last GW sampling event for PCE was completed April 13th, 2015. The concentrations in wells MW-1, and MW-3 through MW-11 were ND to 2.6 ug/L.

Off site SVI sampling was last completed 2011. The 2011 sampling event indicated that some nearby residences should be offered mitigation, however no residents chose to have mitigation systems installed at the time. The highest offsite sub-slab concentration collected during the 2011 sampling event was 1200µg/m^3 and the highest indoor air concentration was 12µg/m^3.

A January 2016 SVI evaluation of the building at 197 Franklin Avenue identified PCE in indoor air

samples at a concentration of 48 µg/m^3, above the NYSDOH Air Guideline Value of 30 µg/m^3. A Sub-slab sample contained PCE at a concentration of 82,000 µg/m^3. Additional SVI evaluation was performed on December 10 and 11, 2018. PCE was detected in the indoor air sample at a concentration of 31 µg/m^3, above the NYSDOH Air Guideline Value of 30 µg/m^3. A Sub-slab air sample contained PCE at a concentration of 80,000 µg/m^3.

The PCE levels detected in the sub-slab air samples in 2016 and 2018 are similar to the levels detected prior to the installation of the SVE system. The levels indicate that there is likely a source of PCE remaining under the building that was not fully addressed by the SVE system, and this caused the sub-slab air concentrations to increase when the SVE system was removed.

In 2019, an air purifier unit (APU) was installed inside the building to mitigate PCE concentrations in indoor air. A subsequent site inspection on February 17, 2022, determined that the APU had not been operated in the building for an undetermined period of time and was being stored in a shed on the property. The APU filters were changed and the unit was returned to operation in the building during the site inspection.

Further SVI evaluation was performed in March 2022 while the APU was operating. PCE was detected at a maximum indoor air concentration of 15.3 µg/m^3. Based on the PCE concentrations from the 2018 sub-slab sampling and 2022 indoor air sampling and in conjunction with the Guidance for Evaluating Soil Vapor Intrusion in New York State, NYSDOH 2006, with updates, actions are necessary to address exposures from soil vapor intrusion.

Thus, on July 6, 2022, NYSDOH reviewed the Summary of Indoor Air Sampling Results from March 2022 and agreed with the recommendation to install an active SSDS to mitigate exposures to SVI as the current air purifying unit was not effectively addressing indoor air contaminants, and was subject to increased error, having been observed not being kept in consistent operation. A more robust mitigation was deemed necessary.

An Environmental Easement (EE) and a Site Management Plan (SMP) have also been deemed necessary for this Site. EEs are required for remedial projects which rely upon one or more institutional and/or engineering controls and run with the land in favor of the State, subject to the provisions of ECL Article 71, Title 36 and contains the use restriction(s) and/or prohibition(s) on the use of land in a manner inconsistent with engineering controls. The Site Management Plan is required to serve as a basis for maintaining the protection of public health and the environment through monitoring and the continued operation and maintenance of completed remedial actions and engineering controls as wells as the maintenance and enforcement of institutional controls.

4.2 Comparison of Changes with Original Remedy

A summary of the changes to the original ROD as proposed in this document are shown below. The 2004 ROD elements are described, followed by any modifications or additions made by this Explanation of Significant Difference (ESD).

SUMMARY OF PROPOSED REMEDY CHANGES
Tres Bons Cleaners Site (No. 130058) ESD

2004 ROD	ESD Changes
1. Completion of IRM that included the following:	*No Change*

2004 ROD	ESD Changes
• Groundwater treatment system that consisted of a groundwater recovery well installed in the southeast corner of the property and an air stripper town constructed behind the dry-cleaning facility. In June 2003, operation of the air stripper discontinued, and the equipment was dismantled and removed from the Site in October 2003. • SVE system that consisted of slotted plastic pipes installed to a depth of approximately 20 ft bgs and a high vacuum regenerative blower connected to the piping system captured and extracted VOCs from the soil by inducing air flow through the soil. The SVE system was generally in continuous operation from 16 August 1999 to 31 June 2003, when the system was discontinued.	
2. Implementation of institutional controls currently in place in the form of existing use restrictions that prevent the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by Nassau County Department of Health.	Imposition of an institutional control in the form of an environmental easement for the controlled property which will: • require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3); • allow the use and development of the controlled property for commercial or industrial use as defined by Part 375-1.8(g), although land use is subject to local zoning laws; • restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH; and • require compliance with the Department approved Site Management Plan.
3. Continued groundwater monitoring consisting of sampling of the groundwater from 3 monitoring wells identified as MW-1, MW-5, and MW-6. The groundwater monitoring program would be re-evaluated periodically and may be modified if concentrations of PCE in groundwater either meet or asymptotically approach standards.	*No Change*
	Addition to Remedy 4. Any on-site buildings and off-site buildings impacted by the site will be required to have a sub-slab depressurization system, or other acceptable measures, to mitigate the migration of

2004 ROD	ESD Changes
	vapors into the building from soil and/or groundwater.
	Addition to Remedy 5. A Site Management Plan is required, which will include the following: a. An Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective: Institutional Controls: updates to the Environmental Easement requirements discussed above. Engineering Controls: Sub-slab depressurization system discussed above. This plan includes, but may not be limited to: • Descriptions of the provisions of the environmental easement including any land use and groundwater; • A provision for the evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion; • A provision for the evaluation of soil vapor intrusion for off-site buildings impacted by the site or off-site properties where sampling was previously declined, including provision for implementing actions recommended to address exposures related to soil vapor intrusion. • Provisions for the management and inspection of the identified engineering controls; • Maintaining site access controls and Department notification; • The steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

The remedy described in this ESD has been determined to be protective of human health and the environment and compliance with New York State Standards, Criteria, and Guidance. The new remedy

will provide long-term effectiveness and reduction of SVI into the existing on-site building at the Tres Bon Site. This new remedy will require a permanent SSDS or equivalent that cannot be moved by occupants of the on-site building at 197 Franklin Avenue. The new remedy is expected to provide a greater reduction of PCE concentrations in indoor air, more reliable operation, and potentially a reduction in long term operating costs when compared to the existing APU. Additionally, an SSDS could potentially provide some level of mass contaminant reduction of PCE in sub-slab vapor while the indoor APU would not affect the sub-slab vapor concentrations.

5.0 SCHEDULE AND MORE INFORMATION

This Explanation of Significant Difference (ESD) will become part of the Administrative Record for this Site. The information here is a summary of what can be found in greater detail in documents that have been placed in the following repositories:

	Office Hours:	
Franklin Square Public Library	Monday-Thursday:	10 AM – 9 PM
19 Lincoln Road	Friday:	10 AM – 6 PM
Franklin Square, NY 11010	Saturday:	10 AM – 1 PM
(516) 488-3444	Sunday:	Closed

DECInfoLocator: https://www.dec.ny.gov/data/DecDocs/130058/

Although this is not a request for comments, interested persons are invited to contact the Department's Project Manager for this Site to obtain more information or have questions answered.

If you have questions or need additional information you may contact any of the following:

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Site-Related Health Questions

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08/17/2023
Date

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Evelyn Hussey, Project Manager
Central Office, Bureau E, Section C

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Date

Sarah Saucier
Sarah Saucier, Section Chief
Central Office, Bureau E, Section C

8/21/2023
Date

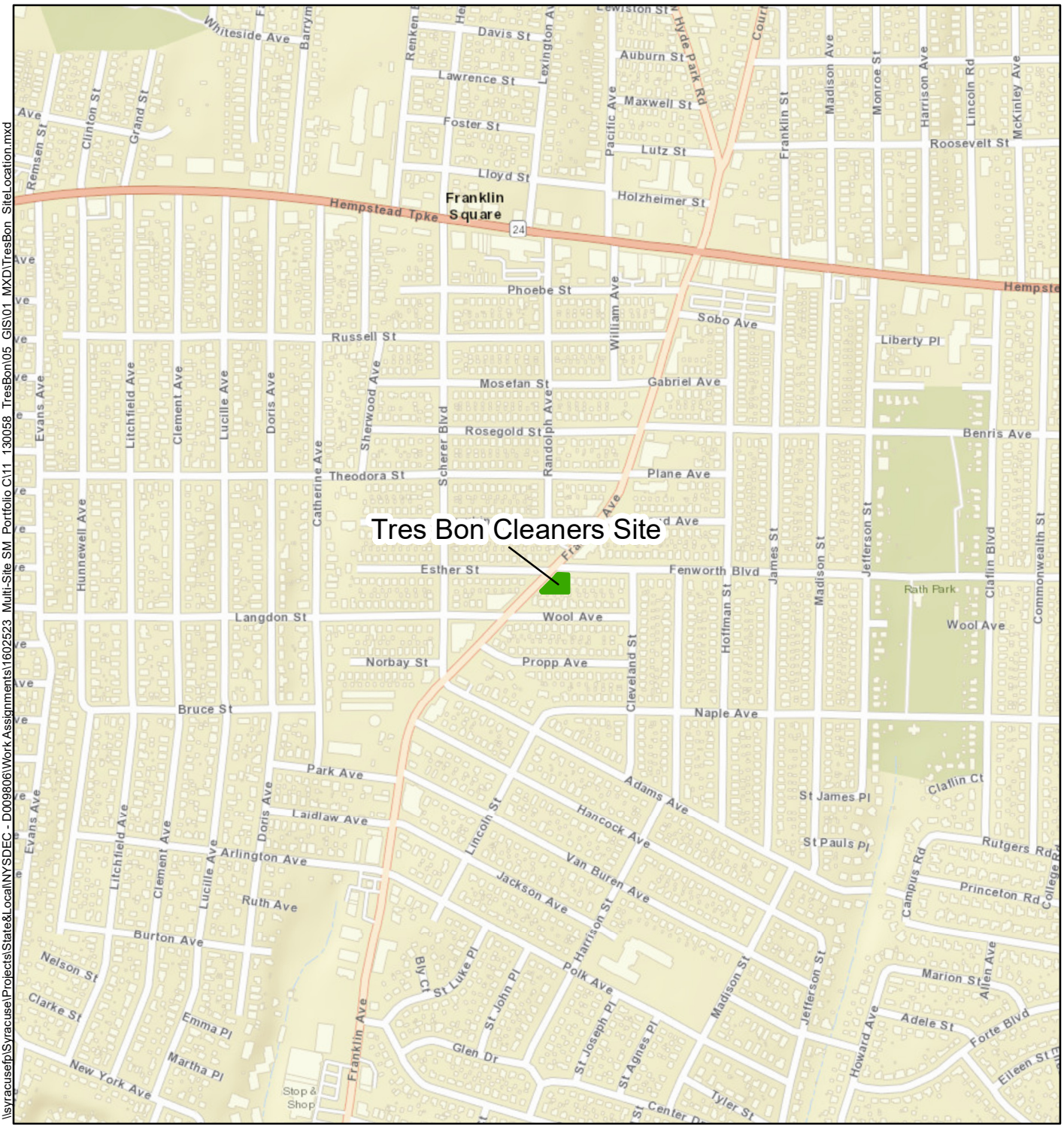
Michael Cruden
Michael Cruden, Director
Remedial Bureau E

8/27/2023
Date

Andrew Guglielmi
Andrew Guglielmi, Director
Division of Environmental Remediation

DECLARATION

The selected remedy is protective of public 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.



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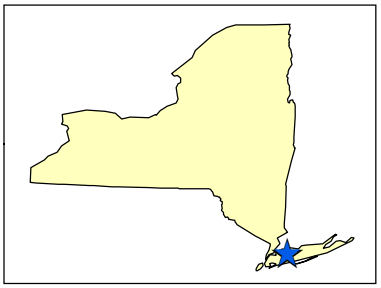

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Legend

- Approximate Site Boundary
- Site Location

Figure 1
Site Location
Tres Bon Cleaners Site (NYSDEC Site 130058)
Franklin Square, NY

Map Date: 1/19/2023
Source: ESRI, 2011
Projection:

EA Engineering, Science, and Technology, Inc., PBC

NEW YORK STATE OF OPPORTUNITY
Department of Environmental Conservation