Department of Environmental Conservation

Division of Environmental Remediation

Record of Decision

Tres Bon Cleaners Site
Franklin Square (V), Nassau County, New York
Site Number 1-30-058

March 2004

New York State Department of Environmental Conservation
GEORGE E. PATAKI, *Governor* ERIN M. CROTTY, *Commissioner*

DECLARATION STATEMENT - RECORD OF DECISION

Tres Bon Cleaners Inactive Hazardous Waste Disposal Site
Franklin Square (V), Nassau County, New York
Site No. 1-30-058

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedy for the Tres Bon Cleaners 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 (NYSDEC) for the Tres Bon Cleaners inactive hazardous waste disposal site, and the public's input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. 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 measure identified in this ROD. The removal of contaminated soil from beneath the concrete floor and the exterior storm drain, and the operation of a groundwater extraction and treatment system and a soil vapor extraction system 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 for the Tres Bon Cleaner site and the criteria identified for evaluation of alternatives, the NYSDEC has selected No Further Action other than continued groundwater monitoring and appropriate institutional controls.

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.

Date	Dale A. Desnoyers, Director Division of Environmental Remediation

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RECORD OF DECISION

Tres Bon Cleaners Site
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SECTION 1: SUMMARY OF THE RECORD OF DECISION

The New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the Tres Bon Cleaners site, a Class 2 inactive hazardous waste disposal site. As more fully described in Sections 3 and 5 of this document, past dry-cleaning operations at the site resulted in the disposal of hazardous wastes, including volatile organic compounds (VOCs), primarily tetrachloroethylene (PCE). These wastes contaminated the soil and groundwater at the site, and resulted in:

- a significant threat to human health associated with potential exposure to contaminated soil, soil gas and groundwater.

- a significant environmental threat associated with the impacts of contaminants (VOCs) to soil and groundwater.

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the Tres Bon Cleaners 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 IRM undertaken at this site consisted of a groundwater treatment and soil vapor extraction (SVE) system.

Based on the removal of contaminated soil from beneath the concrete floor and the exterior storm drain and implementation of the above IRM, 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 groundwater monitoring and institutional controls was selected as the remedy for this site. The NYSDEC also will reclassify the site to a Class 4 site on the New York State Registry of Inactive Hazardous Waste Disposal Sites, once an Operation, Maintenance and Monitoring (OM&M) plan is in place.

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 Tres Bon Cleaners site is located on approximately 0.25 acres at 197 Franklin Avenue in the Village of Franklin Square, Nassau County (see Figure 1). The surrounding area is suburban with commercial buildings as well as residential homes nearby.

The nearest water supply wells are located approximately 1,000 feet to the northwest and 2,000 feet to the southwest of the site, and are screened at depths in excess of 400 feet. The water that serves the community is tested routinely by the Franklin Square Water District (FSWD) and the Nassau County Department of Health (NCDH) to ensure compliance with all Federal and State drinking water standards. To date, no contamination has been found in these wells.

SECTION 3: SITE HISTORY

3.1: Operational/Disposal History

According to property ownership records, the Tres Bon Cleaners property has operated as a dry cleaner since as early as 1962. The property changed ownership several times during its history. The present owner is Mr. George Nickson.

In January 1988, the (NCDH) conducted a site inspection at which time it was noted that water from the dry-cleaning fluid separator was being discharged to the soil and pavement in the rear of the building. Shortly afterward, the PCE/water separator discharge was discontinued. Recently, all dry-cleaning operations at this location were discontinued, and all of the dry-cleaning equipment was dismantled and removed from the site for proper disposal in October 2003 by the property owner.

3.2: Remedial History

In February 1988, NCDH collected a soil sample from the area of the above-mentioned discharge which showed a PCE concentration of 30 parts per million (ppm). Downgradient groundwater analysis revealed PCE contamination of 270 parts per billion (ppb) at a depth of 38 feet below grade.

In November 1991, the current owner of the property entered into an agreement with the NCDH to remediate the site through vacuum extraction of contaminated soil, and air stripping of contaminated groundwater. The agreement required the development of a work plan and the construction of an Interim Remedial Measure (IRM) consisting of a groundwater treatment system (air stripper), and a soil vapor extraction (SVE) system, with activated carbon treatment of the extracted soil vapor prior to discharge.

In March 1993, the NYSDEC 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.

The air stripper and SVE system were in operation from October 1993 to December 1994, when operation of the system was discontinued based on the determination by NCDH that the system had reduced the contamination to the levels which were agreed upon in the 1991 work plan.

The NYSDEC required quarterly monitoring of the groundwater following system shutdown, and subsequently detected elevated levels of PCE. At the request of the NYSDEC, the system was re-started in May 1996, and the site was reclassified to a Class 4 ("site properly closed - requires continued monitoring"). The system was again shut down in April 1997.

At the direction of the United States Environmental Protection Agency, NCDH implemented an Underground Injection Well Closure Plan at the dry-cleaners in 1997. PCE was detected in a sediment sample collected from the floor drain in a rear boiler room at a concentration of 16 ppm. The contaminated sediments were satisfactorily removed from the floor drain by Tres Bon Cleaners in June 1998.

In March 1998, the site was reclassified to Class 2 based on recurring exceedances of groundwater standards detected in samples collected from on and off-site monitoring wells.

In June 1998, NCDH collected samples from the outdoor storm drain. PCE was detected at a concentration of 17 ppm. Due to structural constraints, only a partial remediation was performed on the storm drain sediments by Tres Bon Cleaners in January 1999.

On March 25, 1999, the New York State Department of Environmental Conservation (NYSDEC) and Tres Bon Cleaners entered into an Order of Consent to conduct a Remedial Investigation and Feasibility Study (RI/FS) at the Tres Bon Cleaners site, and to restart the operation of the existing remedial systems.

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 Order of Consent was executed by the NYSDEC on March 31, 1999. The Order obligates the responsible party to implement an RI/FS IRM only.

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 and the environment.

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 and September 1999, with continuing groundwater monitoring through June 2003**.** The field activities and findings of the investigation are described in the RI report.

The following activities were conducted during the RI:

- Research of historical information;

- Soil gas survey along the southern and eastern fence lines to locate VOC contaminated soils and possible vapor exposure pathways;

- Installation of two (2) interior soil borings through the concrete floor slab directly beneath the two dry-cleaning machines and collection of soil samples to determine whether leakage from the machines had occurred and impacted underlying soils and one (1) monitoring well to delineate the leading edge of the plume;

- Sampling of one (1) new and two (2) existing monitoring wells;

- Collection of two (2) discrete groundwater samples using a direct push technique.

- The NYSDOH collected outdoor air samples from four (4) locations to determine whether fugitive emissions from the dry cleaner were impacting surrounding residential yards.
- The NYSDOH collected indoor air samples from six (6) residential properties near the site.

To determine whether the soil, groundwater, and air 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 NYSDEC “Ambient Water Quality Standards and Guidance Values” and Part 5 of the New York State Sanitary Code.

- Soil SCGs are based on the NYSDEC “Technical and Administrative Guidance Memorandum (TAGM) 4046; Determination of Soil Cleanup Objectives and Cleanup Levels".

- Concentrations of PCE in air were compared to the NYSDOH’s Fact Sheet guidance document for PCE in air.

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 require remediation. These are summarized below. More complete information can be found in the RI report.

5.1.1: Site Geology and Hydrogeology

In general, fill material consisting of asphalt and road bedding material is present to approximately six inches below grade. Well-graded sand with traces of fine gravel is present from below the fill to approximately 56 feet below grade. This sand is part of the upper Pleistocene glacial deposits. A silty clay was encountered approximately 55 feet below grade. This clay appeared to extend to at least 59 feet. Based on regional stratigraphy, this clay may represent the top of the Magothy Formation. Bedrock is present at a depth of approximately 900 feet below grade. The depth to groundwater at the site is 25 to 30 feet below land surface. The groundwater flow direction is predominantly to the southwest.

5.1.2: Nature of Contamination

As described in the RI report, several soil, groundwater and soil vapor samples were collected to characterize the nature and extent of contamination. As summarized in Table 1, the main categories of contaminants that exceed their SCGs are volatile organic compounds (VOCs).

5.1.3: Extent of Contamination

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

Chemical concentrations are reported in parts per billion (ppb) for water, parts per million (ppm) for waste, soil, and sediment, and micrograms per cubic meter (:g/m^3) for air samples. For comparison purposes, where applicable, SCGs are provided for each medium.

Table 1 summarizes the degree of contamination for the contaminants of concern in soil, groundwater, air, and soil vapor and compares 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.

Surface Soil

As part of the RI, surface soil samples were collected along each of the southern and eastern property boundaries from a depth of 0 to 6 inches and composited for laboratory analysis. VOCs were detected at concentrations below SCGs in both samples.

Subsurface Soil

The RI Work Plan included the collection of soil samples beneath each of the two dry-cleaning machines (ISB-1 and ISB-2). Sample IBS-1 was collected from approximately two to three feet directly below the base of the concrete floor behind the northern dry-cleaning machine. Sample ISB-2 was collected from approximately three feet below the base of the southern dry-cleaning machine. The locations of these borings are shown on Figure 2.

The sample collected from beneath the northern dry-cleaning machine (ISB-1) contained PCE at a concentration of 61.4 ppm The TAGM 4046 Recommended Soil Cleanup Objective (RSCO) for PCE is 1.4 ppm. The soil sample collected from beneath the southern dry-cleaning machine (ISB-2) contained PCE at a concentration that was less than the RSCO.

In September 2000, a follow-up soil sample was collected from the exterior storm drain that had been previously sampled by NCDH, and partially remediated by Tres Bon Cleaners in January 1999. The location of the exterior storm drain is shown on Figure 3. The results of the follow-up sampling revealed the presence of PCE at a concentration of 17 ppm.

Groundwater

One permanent monitoring well was constructed during the RI. The location of this well and the six previously existing wells are shown on Figure 4. The depth to groundwater is 25 to 30 feet below ground surface. Groundwater flow is generally to the southwest. Monitoring wells MW-1 and MW-2 were installed in the rear of the property in September 1989. In 1990, four additional wells were installed. One shallow upgradient well MW-3 was installed on the north side of Fenworth Boulevard directly across from the Tres Bon property. Two shallow wells (MW-4 and MW-5A) were installed downgradient from the Tres Bon property. The fourth groundwater monitoring well (MW-5B) was located adjacent to MW-5A. Each of these wells are screened at 20 to 35 feet below grade with the exception of MW-5B which is screened at 90 to 100 feet below grade. Based on water elevation data collected in June 1999, two geoprobe locations, GP-1 and GP-2 (see Figure 4) were selected to be downgradient of MW-5A/B. Based on the sampling results from these geoprobes, geoprobe location GP-1 was selected as the location for monitoring well MW-6. In June 1999, monitoring well MW-6, which is screened at 46 to 56 feet below grade, was installed 600 feet downgradient of MW-5A/B to define the leading edge of the plume.

Results from the quarterly sampling of these shallow monitoring wells have shown that PCE concentrations in the source area (MW-1) have declined from 2,000 ppb in July 1998 (prior to restarting the operation of the IRM) to 13 ppb in June 2003 (see Table 2). The Class GA groundwater standard for PCE is 5 ppb. These results suggest that the source area extraction and treatment system (air stripper) is effectively remediating the contaminated groundwater at the source area.

During the period from March 2000 to July 2001, PCE concentrations in the shallow downgradient well, MW-5A, ranged from 150 ppb to 2,400 ppb. However over the remaining period from December 2001 to June 2003, the trend has been significantly downward, with a PCE concentration of 12 ppb being reported in June 2003 which is slightly above the Class GA groundwater standard (5 ppb). This downward trend appears to be attributable to the effective operation of the IRM.

During the period from September 1999 to June 2003, PCE concentrations in the leading edge well MW-6 have been relatively low, with the exception of an anomalously high concentration of 170 ppb in July 2001. Initially, the results of the July 2001 sampling event raised some concern due to the fact that the nearest downgradient public water supply well N-3605 (FSWD

Well No. 3) is located approximately 1,320 feet downgradient of MW-6. However, subsequent quarterly sampling over the period from December 2001 to June 2003 have shown that PCE concentrations in MW-6 have remained low, in the range of 3 ppb to 9 ppb. Furthermore, based on the distance from the site and the depth at which the public water supply wells are screened (greater than 400 feet below grade), it is highly unlikely that remnants of the PCE contamination from the Tres Bon Cleaners site would impact FSWD Well No. 3. As stated in Section 2, above, the FSWD public water supply wells are routinely tested and have not exhibited any contamination to date.

Soil Gas

During the RI, 8 soil gas samples were collected from a depth of 4 to 5 feet below grade along the eastern and southern fence lines as shown on Figure 2. Elevated soil gas concentrations were detected along the southern and eastern edges of the property. Specifically, PCE was detected at 120,000 $\mu g/m^3$, 330,000 $\mu g/m^3$, and 9,000 $\mu g/m^3$, in soil gas samples SG-3, SG-5 and SG-8 respectively. In July 2000 (after SVE system startup), PCE concentrations at the same sampling locations were 1,630 $\mu g/m^3$, 2,400 $\mu g/m^3$, and 880 $\mu g/m^3$, respectively. Post-shutdown samples collected in December 2003 from the same sampling locations mentioned above exhibited extremely low concentrations of PCE, ranging from non-detectable to 9.7 $\mu g/m^3$. An evaluation of these concentrations levels suggests that the site currently has little or no impact on surrounding residential properties.

Indoor Air

The NYSDOH collected indoor air samples from six (6) adjacent residential properties in February 2002. In December 2003, follow-up indoor air samples were also collected from the residential property immediately adjacent to the site on Fenworth Boulevard. All of the indoor air samples were consistent with background concentrations.

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.

In addition to the investigative tasks described in Section 5.1, Summary of the Remedial Investigation, the RI also called for the resumption of operation of the existing remedial systems (SVE system and air stripper) to address the cleanup of residual soil and groundwater contamination. The groundwater treatment system consisted of a groundwater recovery well installed in the southeast corner of the property and an air stripping tower constructed behind the dry-cleaning facility. The recovery well is 4 inches in diameter and screened from 25 feet to 45 feet below grade. A submersible pump capable of producing 50 gallons per minute was installed in the recovery well which was connected to the on-site low profile shallow tray air stripping tower. Contaminated groundwater was pumped through the air stripper which removed VOC contaminants from the groundwater. The treated water was then discharged to the public storm drain system. Groundwater sampling data has shown a marked decrease in the concentration of PCE in groundwater (see Table 2), and therefore, continued operation of the air stripper is not

required. Operation of the air stripper was discontinued in June 2003, and the equipment dismantled and removed from the site in October 2003.

The SVE system consisted of slotted plastic pipes installed to a depth of approximately 20 feet below grade. A high vacuum regenerative blower connected to the piping system captured and extracted VOCs from the soil by inducing air flow through the soil.

As mentioned in Section 5.1.3 above, PCE at a concentration of 61.4 ppm was detected in the soil boring collected beneath the northern dry-cleaning machine. Based on this result, an additional soil vapor extraction point (SVE-3) was installed at this location in August 2000 (see Figure 5). Additionally, as stated above, the exterior storm drain was re-sampled in September 2000 and was found to contain 17 ppm of PCE. Based on this result, an additional soil vapor extraction point (SVE-4) was installed near the exterior dry well in May 2001. Operation of the SVE system was discontinued in June 2003. As mentioned in Section 5.1.3 above, post-shutdown samples collected in December 2003 have shown a marked decrease in PCE concentrations in soil vapor along the eastern and southern property boundaries, therefore, continued operation of the SVE system is not necessary.

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.

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.

There are no known completed exposure pathways at the site. However, potential exposure pathways exist. These are:

- Ingestion of groundwater
- Dermal contact with on-site contaminated soil
- Inhalation of vapors in indoor air

No one is currently using site groundwater for drinking purposes, but groundwater could be used in the future. Although the ingestion of contaminated groundwater is a potential exposure pathway, it is unlikely because the surrounding area is serviced by public water, which is routinely monitored and treated, if necessary, to ensure that it complies with federal and state drinking water standards.

Exposure to soil contamination does not pose a concern because the soil has been remediated. Additionally, the site is paved, thereby limiting exposures.

Inhalation of contaminated indoor air was possible in the past because high concentrations of soil gas were previously detected along the southeastern and southwestern edges of the property, which could migrate into homes and businesses near the site. However, an SVE system was implemented that reduced soil gas concentrations. Indoor air samples collected from residential properties near the site by NYSDOH and NCDH showed that PCE concentrations were consistent with background concentrations.

5.4: Summary of Environmental Impacts

This section summarizes the existing and potential future environmental impacts presented by the site prior to the implementation of the IRM. 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.

The following environmental exposure pathways and/or ecological risks have been identified: impact to groundwater resource above standards.

Prior to the resumption of the operation of the IRM, the levels of groundwater contamination posed the significant threat to the environment. After the successful operation of the IRM, the levels of contamination remaining in the groundwater on -site and off-site are only slightly above groundwater standards. The FSWD Well No. 3 is located over 2,000 feet away from the site and would not likely be affected by the contamination at the Tres Bon Cleaners site. However, if the FSWD Well No. 3 becomes impacted with either hazardous waste constituents or petroleum contaminants at any time in the future, the NYSDEC will perform a groundwater trackdown study to identify the specific source of the contamination and will take appropriate actions.

SECTION 6: SUMMARY OF THE REMEDIAL GOALS AND SELECTED REMEDY

Goals for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375-1.10. At a minimum, the remedy selected must eliminate or mitigate all significant threats to public health and/or the environment presented by the hazardous waste disposed at the site through the proper application of scientific and engineering principles.

Prior to the completion of the IRM 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;

- off-site migration of groundwater that does not attain ambient groundwater quality standards; and

- the release of contaminants from subsurface soil into indoor and ambient air through soil vapor.

Further, the remediation goals for the site include attaining to the extent practicable:

- ambient groundwater quality standards and

- SCGs for VOC-contaminated soils under the concrete floor beneath the northern dry-cleaning machine, and contaminated soils in the exterior storm drain.

The NYSDEC believes that the IRM has accomplished these remediation goals.

Based on the results of the investigations at the site, the IRM that has been performed, and the evaluation discussed below, the NYSDEC has selected No Further Action as the preferred alternative for the site. Once an operation, maintenance, and monitoring plan is in place, the NYSDEC will also reclassify the site from a Class 2 to a Class 4 on the New York Registry of Inactive Hazardous Waste Disposal Sites, which means the site is properly closed but requires continued management.

The basis for this selection is the NYSDEC's conclusion that No Further Action will be protective of human health and the environment and would meet all SCGs. Overall protectiveness is achieved through meeting the remediation goals listed above. The NYSDEC believes that implementation of the IRM, which is described in Section 5.2 above, has significantly reduced PCE concentration levels in groundwater (on-site and off-site) and in soil vapor along the eastern and southern property boundaries.

Overall, concentrations of PCE in groundwater have decreased significantly since operation of the IRM was restarted in August 1999. Elevated levels of PCE (170 ppb) were detected in the downgradient off-site observation well MW-6 in July 2001 (the Class GA groundwater standard for PCE is 5 ppb). However, PCE concentrations in MW-6 have decreased significantly since the July 2001 sampling event with the concentrations down to 6 ppb in June 2003. Furthermore, due to the distance between MW-6 and FSWD Well No. 3 (over 1,000 feet) and the depth at which the public water supply well is screened (over 400 feet) it is very unlikely that remnants of the PCE contamination from the Tres Bon Cleaners site would impact the FSWD public water supply well. Additionally, low-permeability barriers to downward groundwater flow (thick clay layers) extend throughout the area of concern which make it highly unlikely that the shallow PCE contamination could impact the much deeper FSWD Well No. 3. Nevertheless, PCE concentrations in some on-site and off-site groundwater monitoring wells remain slightly above groundwater standards (up to 13 ppb), and therefore, continued groundwater monitoring is required. The NYSDEC expects these low concentrations of PCE in groundwater to continue to

drop to less than the groundwater standard of 5 ppb. However, if the FSWD Well No. 3 becomes impacted with either hazardous waste constituents or petroleum contaminants at any time in the future, the NYSDEC will perform a groundwater trackdown study to identify the specific source of the contamination and will take appropriate actions.

PCE concentrations in soil vapor along the eastern and southern property boundary have decreased dramatically since the IRM was restarted. The latest round of sampling conducted in December 2003 suggest that the Tres Bon Cleaners site poses little or no impact to the surrounding area. In addition, indoor air samples collected from residential properties near the site in February 2002 were less than NYSDOH guideline concentrations. Follow-up sampling in 2003 has shown that all indoor air concentrations were consistent with background levels.

Therefore, the NYSDEC concludes that the elements of the IRM (described in Section 5.2 above) already completed, have achieved the remediation goals for the site and that No Further Action is needed other than continued groundwater monitoring and the institutional and engineering controls listed below.

1. Institutional controls are currently in place in the form of existing use restrictions preventing the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the Nassau County Department of Health.

2. Continued groundwater monitoring consisting of sampling of the groundwater from the three monitoring wells identified as MW-1, MW-5A and MW-6 (see Figure 4). The estimated annual cost for groundwater monitoring is $9,500. The estimated present worth cost to continue groundwater monitoring for a two-year program is $20,000. 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.

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 February 9, 2004 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.

In general, the public comments received were supportive of the selected remedy.

TABLE 1
Nature and Extent of Contamination
June 1999 to June 2003
pre-IRM

SURFACE SOIL	Contaminants of Concern	Concentration Range Detected (ppm)[a]	SCG[b] (ppm)[a]	Frequency of Exceeding SCG
Volatile Organic Compounds (VOCs)	Tetrachloroethylene	0.0039 to 0.029	1.4	0 of 2

SUBSURFACE SOIL	Contaminants of Concern	Concentration Range Detected (ppm)[a]	SCG[b] (ppm)[a]	Frequency of Exceeding SCG
Volatile Organic Compounds (VOCs)	Tetrachloroethylene	0.93 to 61.4	1.4	1 of 2

GROUNDWATER	Contaminants of Concern	Concentration Range Detected (ppb)[a]	SCG[b] (ppb)[a]	Frequency of Exceeding SCG
Volatile Organic Compounds (VOCs)	Tetrachloroethylene	ND to 2,400	5	58 of 90

SOIL GAS	Contaminants of Concern	Concentration Range Detected (:g/m^3)[a]	SCG[b] (:g/m^3)[a]	Number of Samples
Volatile Organic Compounds (VOCs)	Tetrachloroethylene	ND to 330,000	n/a	14

AIR	Contaminants of Concern	Concentration Range Detected (:g/m^3)[a]	SCG[b] (:g/m^3)[a]	Frequency of Exceeding SCG
Volatile Organic Compounds (VOCs)	Tetrachloroethylene	21 to 1,600	100[b]	8 of 22

December 2003
Post-IRM

SOIL GAS	Contaminants of Concern	Concentration Range Detected (:g/m^3)[a]	SCG[b] (:g/m^3)[a]	Number of Samples
Volatile Organic Compounds (VOCs)	Tetrachloroethylene	ND to 9.7	n/a	3

TABLE 1, Cont'd
Nature and Extent of Contamination
December 2003
Post-IRM

AIR	Contaminants of Concern	Concentration Range Detected (:g/m^3)[a]	SCG[b] (:g/m^3)[a]	Frequency of Exceeding SCG
Volatile Organic Compounds (VOCs)	Tetrachloroethylene	ND to 15	100[b]	0 of 4

[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/m^3 = micrograms per cubic meter

[b] SCG = standards, criteria, and guidance values; developed from NYSDEC Technical and Administrative Guidance Memorandum (TAGM) No. 4046, Determination of Soil Cleanup Objectives and Cleanup Levels (1994) for surface and subsurface soil; NYSDEC Technical and Operation Guidance Series (TOGS) (1.1.1), Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations (1998) for groundwater and surface discharge; and the NYSDOH guideline value for PERC in air of 100 µg/m^3. However, it is recommended that actions be taken to reduce perc levels in indoor air to as close to background as practical.

ND = Not detected
n/a = Not applicable

TABLE 2
DISSOLVED PCE CONCENTRATIONS IN GROUNDWATER
TRES BON CLEANERS
197 FRANKLIN AVENUE, FRANKLIN SQUARE, NEW YORK

Sample No. / Sample Date	MW-1 ug/l	MW-2 ug/l	MW-3 ug/l	MW-4 ug/l	MW-5A ug/l	MW-5B ug/l	MW-6 ug/l	Remediation Systems Status
6/2/03	**13**	NS	NS	NS	**12**	1	**6**	P&T on/SVE on
3/14/03	**180**	NS	ND	NS	**11**	ND	**6**	P&T off/SVE off
12/12/02	**160**	NS	NS	NS	**13**	ND	**8**	P&T off/SVE off
9/25/02	**18**	NS	NS	NS	**16**	3	4	P&T off/SVE off
6/19/02	**39**	NS	NS	NS	**21**	**8**	**9**	P&T off/SVE on
3/7/02	3	NS	NS	NS	**55**	5	3	P&T off/SVE on
12/17/01	5	NS	NS	NS	**27**	3	3	P&T off/SVE on
7/31/01	5	NS	NS	NS	**190**	NS	**170**	P&T off/SVE on
5/3/01	4	NS	NS	NS	**150**	NS	**10**	P&T off/SVE on
12/21/00	2 J	NS	NS	NS	**2,400**	NS	**74**	P&T off/SVE on
9/26/00	**8**	NS	NS	NS	**760**	NS	**13**	P&T off/SVE on
5/18/00	**9**	NS	NS	NS	**960**	NS	3	System on
3/29/00	5	NS	NS	NS	**1,100**	NS	**6**	System on
12/14/99	ND	NS	NS	NS	**6**	NS	**69**	System on
9/8/99	**7 J**	NS	NS	NS	**33**	NS	ND	System on
8/16/99	NS	NS	NS	NS	NS	NS	-	System reactivated
7/29/98	**2,000 D**	**25**	ND	ND	**19**	ND	-	System off
4/28/97	NS	NS	NS	NS	NS	NS	-	System shut down
1/27/97	**190**	NS	NS	NS	**310 B**	NS	-	System on
8/28/96	**77**	NS	NS	NS	**56**	NS	-	System on
5/30/96	**660 B**	NS	NS	NS	**27 B**	NS	-	System on
5/6/96	NS	NS	NS	NS	NS	NS	-	System reactivated

TABLE 2 (CONTINUED)
DISSOLVED PCE CONCENTRATIONS IN GROUNDWATER
TRES BON CLEANERS
197 FRANKLIN AVENUE, FRANKLIN SQUARE, NEW YORK

Sample No. / Sample Date	MW-1 ug/l	MW-2 ug/l	MW-3 ug/l	MW-4 ug/l	MW-5A ug/l	MW-5B ug/l	MW-6 ug/l	Remediation Systems Status
12/21/94	NS	NS	NS	NS	NS	NS	-	System shut down
9/14/94	**8**	NS	NS	NS	**37**	NS	-	System on
6/8/94	**8**	NS	NS	NS	**57**	NS	-	System on 5/6/94
1/3/94	**7**	NS	NS	NS	**230**	NS	-	System off 1/28/94
10/4/93	NS	NS	NS	NS	**260**	NS	-	System started
3/31/93	**900**	NS	NS	NS	**280**	NS	-	Not installed
1/3/91	**270**	**17**	3	5	**330**	4	-	Not installed
11/27/90	**520**	**19**	1	5	**400**	**9**	-	Not installed

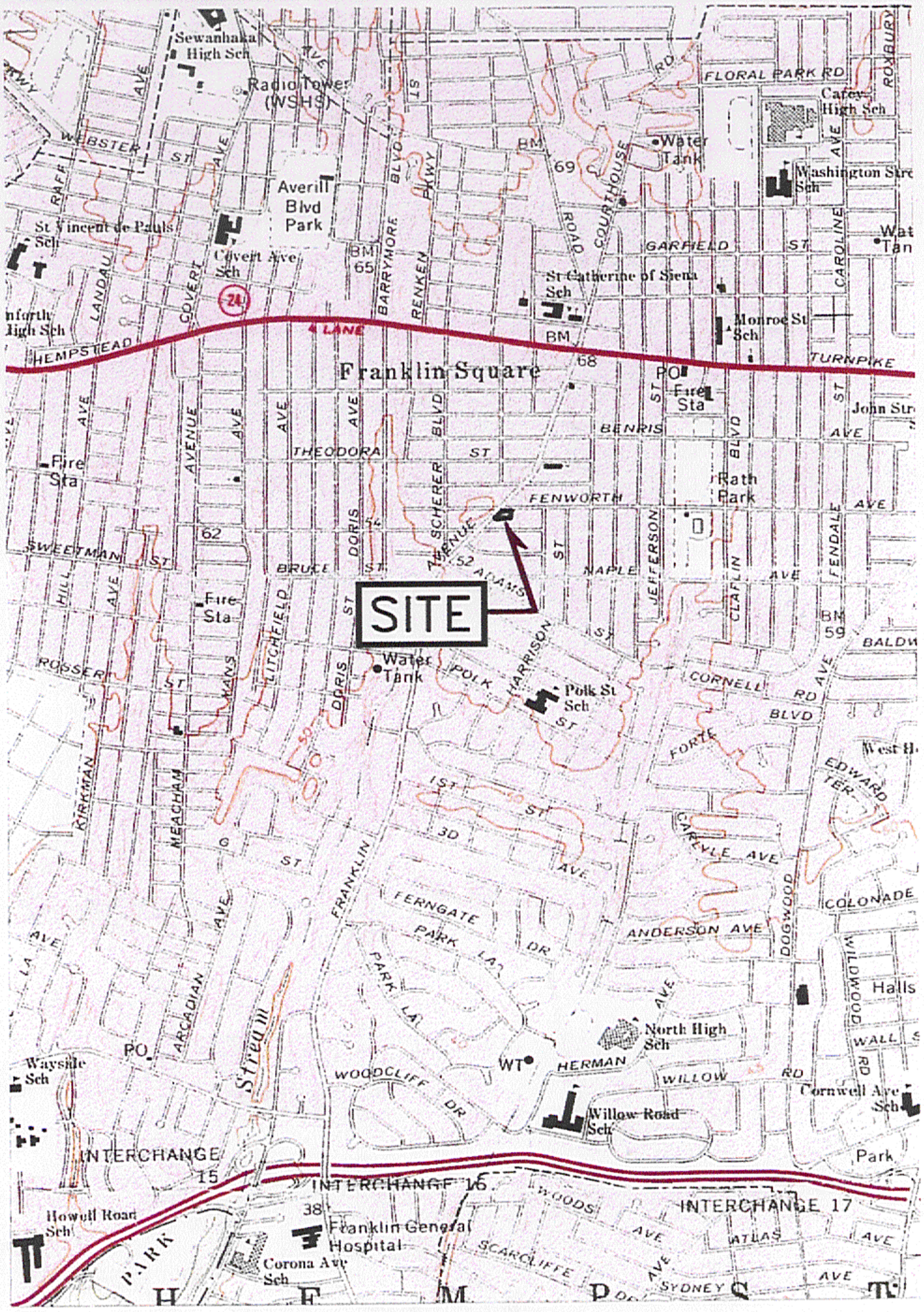
Notes:

Data summarized from reports provided to FPM.
NYSDEC Class GA Ambient Water Quality Standard for PCE is 5 ug/l.
Bold values exceed NYSDEC Class GA Ambient Water Quality Standard.
ug/l = Micrograms per liter.
PCE = Tetrachloroethene.
NS = Not sampled.
ND = Not detected.
J = Estimated concentration.
D = Diluted sample.
- = Well not installed.
B = Analyte detected in blank sample.

Table 3
Remedial Alternative Costs

Remedial Alternative	Capital Cost	Annual OM&M	Total Present Worth
No Further Action with Continued Groundwater Monitoring	$0	$9,500	$20,000

N



SCALE 1:24000

1 0 1/2 1 MILE

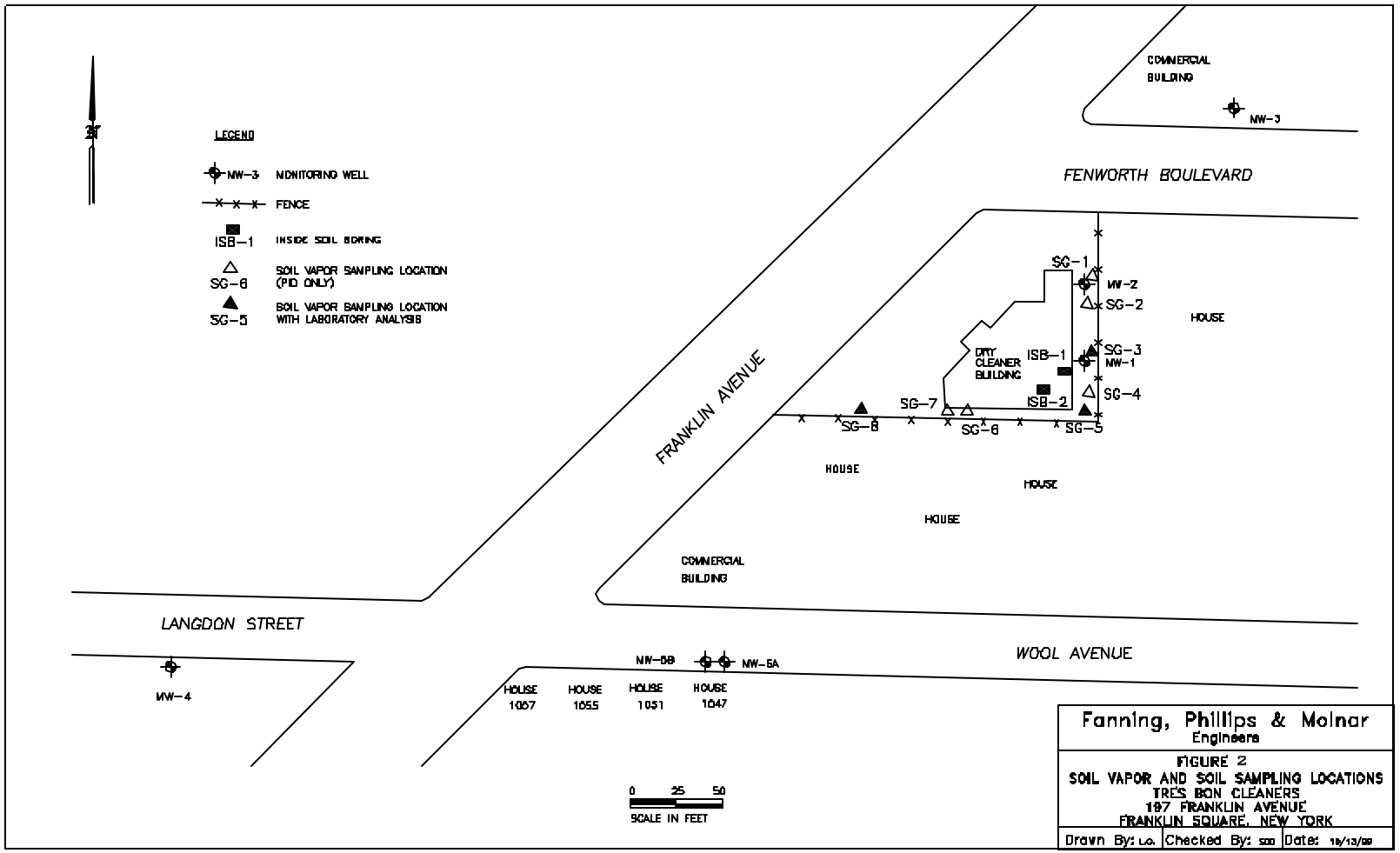
1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 .5 0 1 KILOMETER

Fanning, Phillips & Molnar
Engineers

FIGURE 1
SITE LOCATION
TRES BON CLEANERS
197 FRANKLIN AVENUE
FRANKLIN SQUARE, NEW YORK

Drawn By:JDS	Checked By:SOD	Date:10/14/99



N

LEGEND

MW-3 MONITORING WELL

FENCE

STORM DRAIN

COMMERCIAL BUILDING

MW-3

FENWORTH BOULEVARD

MW-2

HOUSE

DRY CLEANER BUILDING

MW-1

FRANKLIN AVENUE

HOUSE

HOUSE

HOUSE

COMMERCIAL BUILDING

LANGDON STREET

WOOL AVENUE

MW-4

MW-5B

MW-5A

HOUSE 1057

HOUSE 1055

HOUSE 1051

HOUSE 1047

0 25 50

SCALE IN FEET

Fanning, Phillips & Molnar
Engineers

FIGURE 3
SITE PLAN
TRES BON CLEANERS
197 FRANKLIN AVENUE
FRANKLIN SQUARE, NEW YORK

Drawn By: LC. | Checked By: SOD | Date: 8/22/99

E:\Lisa\NICKSON\FIG 1.2.4.dwg, 12/02/03 01:36:41 PM, 1:32.4512

N

32.5

32.0

31.5

COMMERCIAL BUILDING

MW-3 (32.50)

FENWORTH BOULEVARD

MW-2 (32.33)

HOUSE

DRY CLEANER BUILDING

MW-1 (32.29)

HOUSE

HOUSE

HOUSE

COMMERCIAL BUILDING

LANGDON STREET

MW-5B (31.38)

MW-5A (31.64)

WOOL AVENUE

MW-4 (31.32)

HOUSE 1057

HOUSE 1055

HOUSE 1051

HOUSE 1047

FRANKLIN AVENUE

PROPP AVENUE

GP-1/MW-6

GP-2

ADAMS STREET

NAPLE AVENUE

LINCOLN STREET

LEGEND

MW-3 (32.50) MONITORING WELL

FENCE

GP-2 GEOPROBE GROUNDWATER SAMPLING LOCATION

GP-1/MW-6 GEOPROBE GROUNDWATER SAMPLING LOCATION AND MONITORING WELL

31.5 GROUNDWATER ELEVATION CONTOUR JUNE 17, 1999

GROUNDWATER FLOW DIRECTION

0 50 100

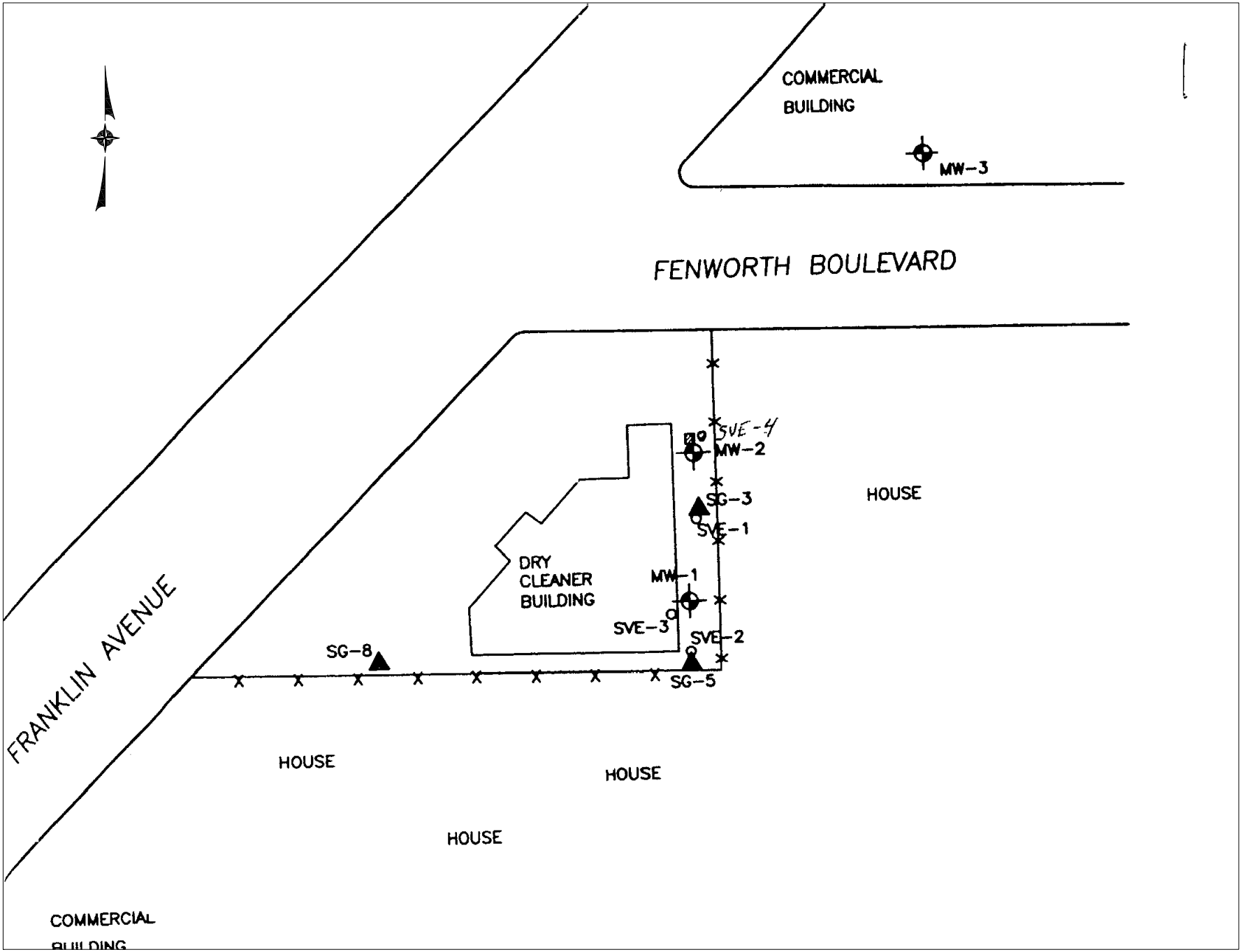
SCALE IN FEET

Fanning, Phillips & Molnar
Engineers

FIGURE 4
GROUNDWATER SAMPLING LOCATIONS AND GROUNDWATER ELEVATION CONTOURS
TRES BON CLEANERS
197 FRANKLIN AVENUE
FRANKLIN SQUARE, NEW YORK

Drawn By: LG.	Checked By: SOD	Date: 6/22/99

E:\Lisa\NICKSON\Figure3.dwg, 12/02/03 01:49:30 PM, 1:93.526



TRES BON CLEANERS
FRANKLIN SQUARE, NASSAU COUNTY, NEW YORK

SOIL VAPOR EXTRACTION POINT LOCATIONS

FIGURE 5

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

Tres Bon Cleaners
Franklin Square (V), Nassau County, New York
Site No. 1-30-058

The Proposed Remedial Action Plan (PRAP) for the Tres Bon Cleaners site, was prepared by the New York State Department of Environmental Conservation (NYSDEC) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on January 22, 2004. The PRAP outlined the remedial measure proposed for the contaminated soil and groundwater at the Tres Bon Cleaners 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 February 9, 2004, 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 February 26, 2004.

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

COMMENT 1: What action will be taken if during the post-remedial groundwater monitoring period, groundwater concentrations spike back up instead of decreasing? What is the likelihood of groundwater concentrations spiking back up? What prevents the owner from re-contaminating the site? Would future owners be responsible?

RESPONSE 1: Based on its review of recent groundwater monitoring data that showed contaminant levels to be slightly above the New York State groundwater standards, the NYSDEC selected no further action with continued groundwater monitoring as the remedy for this site. During the post-remedial period, groundwater will be sampled semi-annually and if the data indicates concentrations have rebounded, the NYSDEC may have to consider further remedial action. The NYSDEC believes that contaminant rebound is unlikely since the source of the contamination has been effectively addressed through the implementation of the IRM. This conclusion is based on the recent soil gas concentration levels which are extremely low (soil gas being a very good indicator of soil contamination). Furthermore, the dry cleaner is no longer operating at the site, so the possibility of re-contamination is remote. If a dramatic spike in contaminant concentrations were observed, however, responsibility for investigation and/or remediation costs would be determined based upon whether the contamination was emanating from the Tres Bon Cleaners site or not. If it was determined that the contamination was related to the previous operation of the dry-cleaners at the Tres Bon Cleaners site, the potential liability of future owners would need to be evaluated in light of the State Superfund Liability Scheme. If the present owner was no longer financially able to perform additional cleanup (if it were needed), a future

owner would not be liable for future cleanup costs if contaminant concentrations rebounded, as long as they were able to successfully provide the defences provided in ECL 27-1323 (Liability Exemptions and Defences).

COMMENT 2: If the present owner sold the property to a business not related to dry cleaning, would the new owner be responsible for any future cleanup if contaminant concentrations rebounded?

RESPONSE 2: See response to Comment 1.

COMMENT 3: If the site was cleaned up years ago, how come it became re-contaminated again?

RESPONSE 3: Most likely because the site continued to be operated as a dry cleaning business, and it is possible that leakage of PCE from the dry cleaning machines may have been occurring. Also, PCE may have been discharged to a building floor drain and an exterior storm drain which contaminated the underlying soil and groundwater. However, as stated in a previous comment, the dry cleaner is no longer operational, and therefore the likelihood of re-contamination is greatly diminished.

COMMENT 4: Why was no criminal or civil action brought against the operator for discharging wastes down the floor and storm drains?

RESPONSE 4: The NYSDEC has no proof that the disposal was intentional. However, based on a Hazardous Waste Compliance Inspection conducted by the NYSDEC on May 1, 1998, Mr. Steven Pastore, the operator at the time, was found to be non-compliant with both the State and federal regulations on PCE dry cleaning facilities. Mr. Pastore was fined a civil penalty of $2,750.00 and $1,440.00 in back Environmental Regulatory Fees. Most of the violations pertained to poor record-keeping practices. With respect to the property owner, the NYSDEC has no reason for bringing any further legal action, since the property owner has been fully cooperative with the NYSDEC's efforts to investigate and clean up the site under the existing Consent Order.

COMMENT 5: During the December 2003 sampling event, why was the first house on Fenworth Boulevard the only house that was sampled? Were indoor air samples collected from any of the local businesses in the area? Were any outdoor air samples collected along the fence line?

RESPONSE 5: Indoor air of the home on 1023 Fenworth Boulevard was sampled first because it is the closest home to the source and therefore had the greatest potential to be affected by the site. An ambient air sample was also collected at the adjoining fence line. In February 2002, however, as part of the Remedial Investigation (RI), indoor air samples were collected from a total of six (6) residential homes, including homes on Wool Avenue and Propp Avenue, and ambient air samples were collected along the Tres Bon Cleaners southern and eastern property fence lines. In addition to showing that PCE concentrations in indoor air diminished as the distance from the Tres Bon Cleaners site increased, the results of the air samples collected in February 2002 were all less than the NYSDOH guideline. With respect to the most recent sample results, the results of all air samples collected in December 2003 were consistent with typical background concentrations, indicating that remedial actions at the site have effectively mitigated impacts to indoor air quality.

No indoor air samples were collected from any of the local businesses. Since the commercial properties are located further away from the Tres Bon Cleaners site than the residential homes, and the residential homes showed no impacts from the site, we do not expect the commercial buildings to be impacted by the site.

COMMENT 6: It was stated that the groundwater flows towards the southwest. In locating the downgradient observation well (MW-6) was any consideration given to locating this well on Esther Street or on the western side of Franklin Avenue?

RESPONSE 6: The location of the outpost well MW-6 was based on environmental and hydrologic data collected in the field. Based on groundwater elevation data collected in June 1999, two geoprobe locations, GP1 and GP-2, were selected to be downgradient of monitoring well location MW-5A/B. Groundwater samples were collected from the GP-1 and GP-2 for the purpose of targeting the optimal location for the downgradient observation well MW-6. Of GP-1 and GP-2, the highest PCE concentration was detected in the groundwater sample collected from GP-1. Therefore, GP-1 was selected as the location for monitoring well MW-6.

COMMENT 7: How long has the dry-cleaner been in operation?

RESPONSE 7: Records indicate that the Tres Bon Cleaners site has been operating as a dry-cleaner since 1962. Recently, all dry-cleaning operations at this location were discontinued, and all of the dry-cleaning equipment was dismantled and removed from the site for proper disposal in October 2003 by the property owner.

COMMENT 8: At the conclusion of the post-remedial monitoring period will the site be immediately delisted?

RESPONSE 8: Once an operation, maintenance, and monitoring plan is in place, the site will be reclassified to a Class 4, which means that the site has been properly closed, but requires continued management. Continued groundwater monitoring consisting of sampling of the groundwater from the three monitoring wells identified as MW-1, MW-5A and MW-6 would be performed on a semi-annual basis for an indefinite period of time, until concentrations of PCE in groundwater either meet or asymptotically approach standards. At this time the site will be evaluated for delisting from the Registry of Inactive Hazardous Waste Disposal Sites.

COMMENT 9: I was wondering why there was not a better outreach to the community? Some people near the site did not get the Fact Sheet.

RESPONSE 9: The NYSDEC makes a concerted effort to notify all adjacent neighbors, the press and local government officials. In addition to direct mailings, the NYSDEC also relies on the local media to inform a wider audience since it would not be practical to inform every potentially interested party directly. This is the only practical approach for reaching a large audience, and it has proven to be effective at this site, since some members of the audience said they read the public meeting announcement in the newspaper.

COMMENT 10: Has the Health Department done a health study on the effects of the site on residents in the immediate surrounding area, because I know several people in the area who have cancer.

RESPONSE 10: The NYSDOH has not conducted a specific health survey of the area immediately surrounding the Tres Bon Cleaners site. However, anyone with concerns about cancers near the Tres Bon Cleaners site, and other inactive hazardous waste sites, can call the toll-free number for the New York State Department of Health (NYSDOH) Center for Environmental Health (1-800-458-1158) to discuss their specific concerns.

While the NYSDOH has not specifically studied the incidence of cancer in relation to the Tres Bon Cleaners site, the NYSDOH does monitor the incidence of cancer across the State and that information is available on the website: http://www.health.state.ny.us/nysdoh/cancer/csii/nyscii.htm.

COMMENT 11: The PRAP indicates that the monitoring costs are $20,000. If someone else takes over this property, is this cost the maximum cost associated with monitoring the site?

RESPONSE 11: The $20,000 cost estimate is based on semi-annual sampling of three groundwater monitoring wells for a two-year monitoring period. However, the length of time will be dependent on the sample results over the first few years. If monitoring is required for longer than two years, the cost will be higher.

COMMENT 12: Will this site be a dry-cleaner in the future?

RESPONSE 12: This is local issue and should be discussed with local government officials, as the NYSDEC has no authority to enforce local zoning ordinances or other local codes.

COMMENT 13: Does the NYSDEC conduct regular testing of all of the dry cleaners in the neighborhood?

RESPONSE 13: The NYSDEC conducts yearly inspections of all dry cleaners to determine compliance with State and federal regulations applicable to dry cleaning facilities. Additionally, the NCDOH is responsible for permitting all dry cleaning facilities that use PCE as part of the dry cleaning process to ensure that operators are storing their wastes properly and are providing for appropriate disposal of all hazardous materials. The NCDOH also attempts to conduct annual inspections of these facilities. It was during one such inspection in January 1988, that the NCDOH discovered that water from the dry cleaning fluid separator was being discharged to the soil and pavement in the rear of the facility. This later culminated in a 1991 agreement between the NCDOH and the property owner to remediate the site.

COMMENT 14: If there is not enough staff to look at every single dry cleaner in the area, why was this dry cleaner singled out for testing?

RESPONSE 14: Environmental testing at dry cleaning facilities is typically conducted only if there is a suspicion of disposal. During an inspection of the Tres Bon Cleaners site in January 1988, Nassau County Department of Health (NCDOH) personnel noted that PCE was being discharged to the soil and pavement in the rear of the property. This prompted the NCDOH to conduct an environmental investigation at the site. Based on the results of this investigation, the NCDOH entered into an agreement with the property owner to remediate on-site soil and groundwater. Further investigation and remediation was later undertaken by the NYSDEC.

COMMENT 15: How many other hazardous waste sites are in or near this neighborhood? Does DEC have a website that the public can access to find out information on other sites in the area?

RESPONSE 15: There are about eighty (80) other inactive hazardous waste disposal sites in Nassau County. The public can access the NYSDEC's website at www.dec.state.ny.us to find information on other inactive hazardous waste disposal sites in NYSDEC Region 1 (Nassau and Suffolk Counties).

COMMENT 16: Will the public be notified when the final remedy has been selected?

RESPONSE 16: Yes. After the Record of Decision has been placed in the local document repositories, a Notice of Availability describing the selected remedy will be sent to everyone on the mailing list. In addition, when the site is reclassified, a notice will be sent out to the adjacent property owners.

A letter dated February 13, 2004 was received from Ms. Mary Kleine, a resident of Franklin Square, which included the following comments:

COMMENT 17: At the 2/9/04 meeting you held in Franklin Square, I asked if any criminal or civil action was taken by the State against the owner and operators of the Tres Bon Cleaners site in 1998 when new contamination was found at the site and it was reclassified down to a "2".

RESPONSE 17: As mentioned in Response 4 above, monetary penalties were assessed against the operator in 1998 for violations of 6NYCRR Part 232 - Perchloroethylene Dry Cleaning Facilities and 40 CFR 63 Subpart M - NESHAP for Perchloroethylene Dry Cleaning Facilities.

COMMENT 18: I was told that no action could be taken against the owner because the contamination was discovered by newer testing methods and was done in an area not previously tested. This means the contamination could have been there for many years and went undetected. This information was not brought up at the NYSDEC public meeting held on June 15, 1999.

RESPONSE 18: The public meeting on June 15, 1999 was held to announce that start of the remedial investigation to be undertaken at the site under the supervision of the NYSDEC. The testing of the floor drains and exterior storm drains was undertaken in 1997 by NCDOH at the direction of the U.S. Environmental Protection Agency (USEPA), as part of the USEPA's Underground Injection Control (UIC) Program. The purpose of the UIC Program is to prevent injection wells from contaminating drinking water resources. The results of the UIC Program were discussed at the June 15, 1999 public meeting and were described in the Fact Sheet that was mailed to the public announcing the public meeting.

COMMENT 19: How was NYSDEC able to upgrade this site to a class 4 in 1995 if not all areas of the site were adequately tested? This makes the planned 2004 reclassification of the site back to a "4" suspect. It could be another mistake as in 1995.

RESPONSE 19: In November 1991, the current owner of the property entered into an agreement with the NCDOH to remediate the contaminated soil and groundwater. The agreement required the development of a work plan and the construction of an Interim Remedial Measure (IRM) consisting of a groundwater treatment system (air stripper), and a SVE system, with activated carbon treatment of the extracted soil vapor prior to discharge. The agreement also called for the IRM to be kept in operation until the total volatile organics in the downgradient monitoring well MW-5A were less then 100 ppb.

In March 1993, the NYSDEC 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.

The air stripper and SVE system were in operation from October 1993 to December 1994 under the supervision of the NCDOH. In February 1995, the NCDOH made a determination that the IRM had reduced the contamination to the levels which were agreed upon in the November 1991 Remedial Action Work Plan.

In June 1995, the site owner requested that the site be delisted from Registry of Inactive Hazardous Waste Disposal Sites in New York State. The NYSDEC reviewed the available documents relating to the site, i.e. work plans, monitoring data, etc. to ensure that the site remediation met NYSDEC objectives. Based on that review, the NYSDEC determined that additional monitoring was required to allow the NYSDEC to assess the effectiveness of the remedial action in addressing the groundwater contamination, and denied the petition to delist the site. The site was subsequently reclassified to a Class 4, which meant the site had been properly remediated but required continued monitoring.

It was during the course of the NYSDEC-required monitoring, that the NCDOH, at the direction of the USEPA, implemented an Underground Injection Well Closure Plan at the dry-cleaners in 1997, resulting in the detection of PCE in a sediment sample collected from the floor drain in a rear boiler room. The contaminated sediments were satisfactorily removed from the floor drain by Tres Bon Cleaners in June 1998. It was also during this monitoring that the site was reclassified from a Class 4 back to a Class 2 in March 1998, based on recurring exceedances of groundwater standards in on-site and off-site groundwater monitoring wells. Then in March 1999, the NYSDEC and the site owner entered into an Order of Consent to conduct a Remedial Investigation (RI) at the site, and to restart the operation of the SVE/Air Stripper. The NYSDEC believes the results of the RI, as described above, have shown that the implementation of the IRM has removed the source of the groundwater contamination, as evidenced by the extremely low soil gas concentrations in samples collected in June 2003, and the declining trend in the groundwater contamination.

COMMENT 20: A large number of people at the 2/9/04 meeting were interested in purchasing this site for new (safe) businesses. These prospective buyers were told they could be held responsible for the cost of cleaning up any contamination not yet discovered by the NYSDEC that was left by the previous dry cleaning businesses. It became obvious to anyone at the meeting, that this is a major problem and it may prevent this property from ever being sold.

RESPONSE 20: See the NYSDEC's response to Comment 2 above.

A letter dated February 16, 2004 was received from Mr. Leonard J. Falco, Superintendent of the Franklin Square Water District (FSWD), which included the following comments:

COMMENT 21: The PRAP outlines a groundwater sampling plan that will include a two (2) year period collecting samples only twice per year. This frequency is unacceptable to the District. The District is required to sample their wells on a quarterly basis and we would expect the monitoring wells to be sampled on a quarterly basis.

RESPONSE 21: Since December 2001, we have had seven (7) consecutive quarters during which the PCE concentration in samples collected from monitoring well MW-6 have ranged from below to marginally above the New York State groundwater standard. Since the source of the groundwater contamination has been remediated by the implementation of the IRM and source removal actions, it is expected that PCE concentrations in the groundwater will further diminish over time. Therefore, the NYSDEC does not believe the more frequent monitoring is warranted at this time.

COMMENT 22: The District also requests notification prior to sample collected so we may split samples and have testing conducted by our testing laboratory. We also request permission to sample the monitoring well if we feel it is necessary.

RESPONSE 22: Currently, the FSWD does not have the authorization to access any on-Site, and/or off-Site monitoring wells for the purpose of collecting groundwater samples. However, the Department will notify the FSWD prior to the collection of samples from monitoring well MW-6 so the FSWD may take a split of the sample(s) collected.

COMMENT 23: The PRAP states in several locations that "...it is very unlikely that remnants of the PCE contamination from the Tres Bon Cleaners site will impact the FSWD well." However, what if it does? The PRAP provides no provision for well head treatment, if necessary. The District requires that a section be added to the PRAP that will include a well head treatment plan should either the District's well detect any VOC and/or the VOC of MW-6 is detected above 10 ppb (double the MCL).

RESPONSE 23: To address this issue, the ROD includes the following, "If Franklin Square Well No. 3 becomes impacted with either hazardous waste constituents or petroleum contaminants at any time in the future, the NYSDEC will perform a groundwater trackdown study to identify the specific source of the contamination and will take appropriate actions."

COMMENT 24: Since the furthest downgradient well still has PCE levels above the NYSDOH MCL of 5 ppb, the District feels it is necessary to install a groundwater monitoring well between MW-6 and the District's Well No. 3. The District originally requested the installation of this well in our 2002 letter. Once again we need to state how important Well No. 3 is to the District operations. We need for NYSDEC to take whatever measures are necessary to protect the District's well from future contamination.

RESPONSE 24: The NYSDEC does not believe that another monitoring well in this area is necessary. Examination of the quarterly groundwater monitoring data for the Tres Bon Cleaners site show that during the period from December 2001 through June 2003, the highest concentration of PCE detected in monitoring well MW-6 was 9 ppb. The last two and a half years of data shows a decrease in PCE contaminant concentration levels. This trend is expected to continue over time through natural processes as there is no longer a source of contamination contributing to the plume. Installing another well would only confirm what is already known about the groundwater.

APPENDIX B

Administrative Record

Administrative Record

Tres Bon Cleaners
Site No. 1-30-058

1. Proposed Remedial Action Plan for the Tres Bon Cleaners site, dated January 2004, prepared by the NYSDEC.

2. Order on Consent, Index No. W1-0839-98-12, between NYSDEC and George Nickson, executed on March 31, 1999.

3. "Final Remedial Investigation Report", dated September 2003, prepared by FPM Group.

4. Letter dated February 13, 2004 from Ms. Mary Kleine, a resident of Franklin Square.

5. Letter dated February 16, 2004 from Mr. Leonard Falco, Superintendent for the Franklin Square Water District.