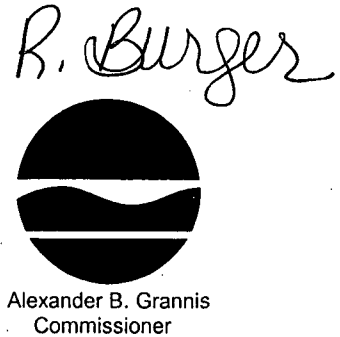


workplan.hw.130088.2007-08-15.D004446-24_DBCE ~~DBCE~~.plt

New York State Department of Environmental Conservation
Division of Environmental Remediation, 12th Floor
625 Broadway, Albany, New York 12233-7011
Phone: (518) 402-9706 • **FAX:** (518) 402-9020
Website: www.dec.state.ny.us



Via E-Mail and Regular Mail

AUG 15 2007

Mr. Richard M. Walka
Dvirka & Bartilucci Consulting Engineers
330 Crossways Park Drive
Woodbury, NY 11797-2015

Re: Work Plan Approval/Notice to Proceed
Contract/WA No. - D004446-24
Site No. - 130088
Site Name - 123 Post Ave.

Dear Mr. Walka:

The New York State Department of Environmental Conservation's Division of Environmental Remediation (DER) approves the work plan dated June, 2007 for the above referenced work assignment (WA) for the total amount of \$156,889 for soil vapor sampling, evaluation and modification of an existing SVE system and preparation of an O,M,&M manual.

DER authorizes your firm to proceed with the scope of work in this WA's approved work plan. All work should be completed in accordance with the schedule in the approved work plan.

If you have any questions regarding this work plan, please contact the Project Manager, Nathan Putnam, at (518) 402-9621.

Sincerely,

Dale A. Desnoyers
Division Director
Division of Environmental Remediation

Enclosure

ec: **N. Putnam, PM**
R. Burger, CM ✓
P. Kappeller, Payments
T. Wolosen
S. Gupta
M. Cruden
D. Weigel
G. Bobersky
C. Vasudevan
D. Desnoyers
B. Moulhem
W. Parish, Region 1
rwalka@db-eng.com
mwright@db-eng.com

From: Theresa Spain
To: Dale Desnoyers
Date: 8/15/2007 11:29:01 AM
Subject: Work Plan Approval/NTP, Contract/WA No. D004446-24, Site #130088, 123 Post Avenue

The attached electronic copy, regarding Work Plan Approval/NTP, Contract/WA No. D004446-24, Site #130088, 123 Post Avenue, was signed by Sal Ervolina for Dale A. Desnoyers on August 15, 2007.

This email copies you on correspondence from the New York State Department of Environmental Conservation, Division of Environmental Remediation. Electronic attachments may be attached. A hard copy version will not follow in the mail. Please contact Theresa Spain at (518) 402-9764 if you experience problems with this transmission.

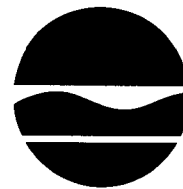
CC: Andria Daniels; Brenda Moulhem; Chittibabu Vasudevan; Donna Weigel; Guy Bobersky; Lucretia Paulsen; Maria Wright; Michael Cruden; Nathan Putnam; Patricia Kappeller; Ralph Burger; Richard Walka; Swapan Gupta; Tim Wolosen; Walter Parish

**New York State Department of Environmental Conservation
Division of Environmental Remediation, 12th Floor**

625 Broadway, Albany, New York 12233-7011

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Alexander B. Grannis
Commissioner

Via E-Mail and Regular Mail

August 15, 2007

Mr. Richard M. Walka
Dvirka & Bartilucci Consulting Engineers
330 Crossways Park Drive
Woodbury, NY 11797-2015

Re: Work Plan Approval/Notice to Proceed
Contract/WA No. - D004446-24
Site No. - 130088
Site Name - 123 Post Ave.

Dear Mr. Walka:

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Sincerely,

Dale A. Desnoyers

Dale A. Desnoyers
Division Director
Division of Environmental Remediation

Enclosure

ec: **N. Putnam, PM**
R. Burger, CM
P. Kappeller, Payments
T. Wolosen
S. Gupta
M. Cruden
D. Weigel
G. Bobersky
C. Vasudevan
D. Desnoyers
B. Moulhem
W. Parish, Region 1
rwalka@db-eng.com
mwright@db-eng.com

New York State Department of Environmental Conservation
Division of Management & Budget Services
**Bureau of Affirmative Action and Minority/
Women's Business Programs, 10th Floor**
625 Broadway, Albany, New York 12233-5028
Phone: (518) 402-9311 • **FAX:** (518) 402-9023
Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

August 9, 2007

Mr. Richard Walka
Dvirka & Bartilucci
330 Crossways Park Drive
Woodbury, New York 11797-2015

Re: State Superfund Stanby Contract
Contract # D004446-24
M/WBE - EEO Programs

Dear Mr. Walka:

This letter is a direct response to your correspondence dated August 3, 2007 regarding Work Assignment D004446-24, Post Avenue Site, Operational Unit -00. The low M/WBE participation level specifically on this Work Assignment and the overall low M/WBE participation levels on your Standby Contract D004446 are of serious concerns to the M/WBE-EEO Bureau.

However, after meeting and discussing with both Project Managers, (N. Putnam), and the Contract Manager, (R. Burger), regarding referenced Work Assignment, the decision to release this Work Assignment was agreed upon. Please note that you will be required to submit all Good Faith Effort documentation of the M/WBE solicitations to upgrade or replace the Soil Vapor Extraction (SVE) system. Additionally, your firm must submit documentation as to how and when you will increase your overall M/WBE participation levels, keeping in mind that all the items including professional services and any future work assignments can be sub-contracted to an M/WBE firm.

If you require an on-site visit to develop new strategies to increase your M/WBE participation level, please contact me at (518) 402-9311.

Sincerely,

Vicente Alfonso
M/WBE Compliance Specialist

C: J. Abadia
B. Moulhem
N. Putnam
R. Burger



Dvirka and Bartilucci

CONSULTING ENGINEERS

330 Crossways Park Drive, Woodbury, New York 11797-2015
516-364-9890 • 718-460-3634 • Fax: 516-364-9045
e-mail: findingsolutions@db-eng.com

August 3, 2007

Principals

Nicholas J. Bartilucci, P.E.
President

Henry J. Chlupsa, P.E.
Executive Vice President

Steven A. Fangmann, P.E.
Senior Vice President

Richard M. Walka
Senior Vice President

John A. Mirando, P.E.
Vice President

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Joseph H. Marturano
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Theodore S. Pytlar, Jr.
Vice President

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Vice President

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Robert L. Haynie, P.E.

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Michael Neuberger, P.E.

Kenneth P. Wenz, Jr., C.P.G.

Associates

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Steven M. Cabrera

Rudolph F. Cannavale

Christopher M. Clement

Ellen R. DeOrsay

Stefanos J. Eapen, R.A.

Joseph A. Fioraliso, P.E.

Christopher W. Francis

Michael R. Hofgren

Sean Pepling, P.G.

Edward J. Reilly

Daniel Shabat, P.E.

Charles J. Wachsmuth, P.E.

Mr. Vincente Alfonso
Contract Compliance Specialist
New York State Department of Environmental Conservation
Division of Management & Budget Services
Bureau of Procurement Services
Minority and Women's Business Programs
625 Broadway, 10th Floor
Albany, NY 12233

Re: State Superfund Standby Contract
Contract No. D004446
MBE/WBE Utilization
D&B No. 2648

Dear Mr. Alfonso:

This letter will serve as a follow-up to our telephone conversation of August 1, 2007 regarding Work Assignment D004446-24 -123 Post Avenue Site - Operable Unit 00. Based on our discussion, we understand that Work Assignment D004446-24 *will not* be approved by you based on the M/WBE utilization presented in the work plan.

The draft work plan was submitted by Dvirka and Bartilucci Consulting Engineers (D&B) for review by the Department in April 2007. At that time we included estimated costs of approximately \$44,000 for the upgrade of the existing soil vapor extraction (SVE) system as well as the closure of a dry well, and we indicated in our cover letter that we would attempt to utilize M/WBE firms for these tasks. Since the costs were estimated and not actual costs, the Contract Development Section requested D&B to remove the estimated costs from the work plan until such time that the work is bid and actual costs were obtained. As a result, we cannot solicit costs for this work from M/WBE firms until the work plan is approved and the budget is formally allocated by the Department to prepare the solicitation packages. I would like to reiterate at this time that all necessary attempts will be made to utilize M/WBE firms for this work. Assuming for the moment that we are successful in soliciting a qualified M/WBE firm to perform this work, the utilization for this assignment would increase from 5% to an estimated 26%.

As shown in the revised work plan, we have utilized M/WBE firms for all subcontracting aspects of the work with the exception of direct push sampling. The direct push subcontractor selected for this assignment is one of our "standby" subcontractors. Since we have already solicited bids for this type of work we are required to utilize this contractor in accordance with the requirements of the draft *Handbook for Standby Consultant Contracts* dated December 2005 (Handbook). As part of the "standby" contractor solicitation for direct push sampling, we received bids from 10 firms.

Mr. Vincente Alfonso
Contract Compliance Specialist
New York State Department of Environmental Conservation
Division of Management & Budget Services
Bureau of Procurement Services
Minority and Women's Business Programs
August 3, 2007

Page Two

Two of the firms we solicited and received bids from were M/WBE firms. Based on the required comparison in the Handbook, the two M/WBE firms were ranked 6th and 8th out of the 10 firms from which bids were received. Also, in accordance with the requirements of the Handbook, of the 10 bids received, we are able to enter into agreements with the lowest 5 firms. Therefore, we were not permitted to enter into agreements with any M/WBE firms and subsequently we will not be able to utilize M/WBE firms for this type of work.

At this time, I am requesting that you take the above discussion into consideration with regard to your decision to either approve or disapprove the existing work plan for the 123 Post Avenue – Operable Unit 00 project. If you allow us to proceed with the work as projected, it would be my plan to submit an amendment in the near future demonstrating, what I believe would be, a significant increase in utilization based on the use of M/WBE firms for performance of the SVE system upgrade and dry well closure.

As we discussed previously, D&B takes its commitment to the MBE/WBE contract goals seriously and we will continue to explore avenues to improve our overall compliance with the MBE/WBE goals articulated in our contract with the Department.

In closing, I would like to take this opportunity to thank you in advance for reconsidering this matter. If you have any questions or comments please do not hesitate to contact me or Maria D. Wright, P.E. at (516) 364-9890.

Very truly yours,



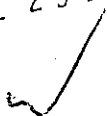
Richard M. Walka
Senior Vice President

RMW/MDW(t)/tp,kap
cc: M. Cruden, NYSDEC
R. Berger, NYSDEC
S. Gupta, NYSDEC
N. Putnam, NYSDEC
A. Jaroszewski, D&B
M. Wright, D&B
♦2648\RMW07LTR-01(R02)

S11205

PROJECT NAME: 123 Post Ave.		Site No. 130088	WA #: D004446-24
TO: Dale A. Desnoyers			
The attached Work Plan is submitted for your approval. It has been checked and approved by:			
	Name	Initials	Date
Project Manager (scope, level-of-effort, subcontracting).	Nathan Putnam	NEP	7/26/07
Contract Manager/Cost Reviewer (conformance with contract, protocols, and cost reasonableness).	Ralph Burger	RLB	7/20/07
M/WBE Unit	Brenda Moulhem	BM	8/8/07
Chief, Contracts and Payments Section	Mike Cruden/ S. Gupta	MC	8/14/07
T. Wolosen, Fiscal Management Section	Tim Wolosen	Tw	8/13/07
Bureau Director	Donna Weigel	DW	8/10/07
Assistant Division Director	Sal Ervolina	SE	8/10/07
PLEASE CALL Ralph Burger AT 402-9752 AFTER SIGN-OFF			

JUL 25 2007



To M/WBE

7/26/07

From: Vicente Alfonso
To: MWright@db-eng.com
Date: 7/31/2007 3:32:30 PM
Subject: Re: M/WBE firms

Dear Mr. Walker,

Please note that the work assignment #D004446-24 is unprovable at this time, for the following reasons:

The M/WBE participation is extremely low \$7,961 or 5% of the work assignment costs.

Please submit a detailed explanation why the M/WBE participation level is so low, accompanied with any Good Faith Effort Documentation to support your statements.

>>> <MWright@db-eng.com> 4/30/2007 10:39 AM >>>

Vincente-

We contacted many of the firms on the list you faxed. Thank you! We spoke to the following two firms who indicated that they were no longer certified although still on the list. Is this something that we should be looking out for? Do we need to confirm certification prior to listing them on a M/WBE utilization plan? Let me know when you get a chance.

Thanks,

Mr. Glenn Herbert
Petrochem Mechanical Services, Inc.
PO Box 197
Rensselaer, NY 12144

Mr. Richard Bayly
Kingsley Arms, Inc.
1352 NY 40 #1
Schaghticoke, NY 12154

Maria Wright, P.E.
Dvirka and Bartilucci Consulting Engineers
330 Crossways Park Drive
Woodbury, NY 11797
(516) 364-9890; 9045 (fax)
MWright@db-eng.com

CC: Burger, Ralph; Cruden, Michael; Gupta, Swapan

From: Vicente Alfonso
To: Cruden, Michael
Date: 7/31/2007 3:37:19 PM
Subject: M/WBE Participation

Mike, Would like to have a meeting with you, Ralph and Swapan to discuss the new DEC procedures in awarding work assignments to firms such as URS and E & E in order to extent there standby contracts. I believe the new procedures have an adverse effect on the M/WBE community.

Nothing is definitive, lets talk about it.

CC: Burger, Ralph; Gupta, Swapan

From: Ralph Burger
To: Putnam, Nathan
Date: 7/26/2007 8:43:05 AM
Subject: WA #4446-24 Post Ave.

Just a reminder. I am still waiting for you to sign off on the WA so I can route the NTP letter for Dale's signature.

CC: Bobersky, Guy; Cruden, Michael; Gupta, Swapan

7/20/07

From: Ralph Burger
To: Putnam, Nathan
Subject: 123 Post Ave. D&B WA 4446-24

I have the NTP letter ready. Please stop up and sign off. Thanks.

CC: Bobersky, Guy

New York State Department of Environmental Conservation

Division of Environmental Remediation, 12th Floor

625 Broadway, Albany, New York 12233-7011

Phone: (518) 402-9706 • FAX: (518) 402-9020

Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

Via E-Mail and Regular Mail

Mr. Richard M. Walka
Dvirka & Bartilucci Consulting Engineers
330 Crossways Park Drive
Woodbury, NY 11797-2015

Re: Work Plan Approval/Notice to Proceed
Contract/WA No. - D004446-24
Site No. - 130088
Site Name - 123 Post Ave.

Dear Mr. Walka:

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Sincerely,

Dale A. Desnoyers
Division Director
Division of Environmental Remediation

Enclosure

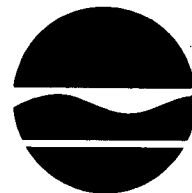
cc: **N. Putnam, PM**
R. Burger, CM
P. Kappeller, Payments
T. Wolosen
S. Gupta
M. Cruden
D. Weigel
G. Bobersky
C. Vasudevan
D. Desnoyers
B. Moulhem
W. Parish, Region 1
rwalka@db-eng.com
mwright@db-eng.com

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Division Director
Division of Environmental Remediation

Enclosure

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G. Bobersky
C. Vasudevan
D. Desnoyers
B. Moulhem
W. Parish, Region 1
rwalka@db-eng.com
mwright@db-eng.com

From: Nathan Putnam
To: Ralph Burger
Date: 7/13/2007 9:43:31 AM
Subject: Re: 123 Post Ave. D&B WA 4446-24

D&B's estimate for the number of hours required to conduct the work was larger than my estimate. Additionally their rates per hour were higher than what I used to determine the costs.

Nathan

>>> Ralph Burger 7/12/2007 11:01 AM >>>

Nathan, I see that the WA was conceptually approved for \$86,000. Please provide a brief explanation as to why the costs are budgeted for \$156,889. I am preparing the NTP letter for Dale's signature and I will need to explain the difference. (ie. more wells, more sampling, greater level of effort, etc.?) Thanks.

Ralph

From: Michael Cruden
To: Lisa Lewis
Date: 2/9/2007 12:39:38 PM
Subject: Fwd: Re: Conceptual approval for 123 Post Avenue, Site No. 130088, remedial site management

please issue to MPI

>>> Sal Ervolina 02/09/07 12:31 PM >>>

I approve the conceptual approval memo for site management at the 123 Post Avenue site.

>>> Chittibabu Vasudevan 01/11/07 2:01 PM >>>

Please find the attached a conceptual approval memorandum and the work assignment to perform the site management for the 123 Post Avenue site, the estimated budget is \$86,000 with \$7,500 for work plan development.

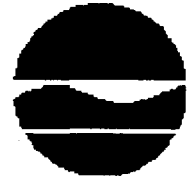
This includes the following:

- taking over the implementation of the OU-1 remedy that was not completed by the responsible party. The Engineer will develop and implement a work plan that describes the evaluation, modification, and operation of a SVE system for this site.
- Coincident with the evaluation of the system, a soil vapor survey will be conducted and an on-site dry well will be profiled and closed.
- Additionally, an Operation and Maintenance (O&M) manual will be developed for the system and other OU-1 related monitoring as required by the remedy. The Engineer will carry out the required operations and monitoring throughout the period of performance.

Thanks

Chittibabu Vasudevan, Ph.D., P.E. ("Vasu")
Director, Remedial Bureau A
Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7015
Phone: (518) 402-9625
Fax: (518) 402-9627
e-mail: cxvasude@gw.dec.state.ny.us

New York State Department of Environmental Conservation
Division of Environmental Remediation, 12th Floor
625 Broadway, Albany, New York 12233-7011
Phone: (518) 402-9706 - **Fax:** (518) 402-9020
Website: www.dec.state.ny.us



Denise M. Sheehan
Commissioner

STANDBY CONCEPTUAL APPROVAL MEMORANDUM

TO: Sal Ervolina, Assistant Director, Division of Environmental Remediation

FROM: Chittibabu Vasudevan, Director, Remedial Bureau BURA
Guy Bobersky, Section Chief/RHWRE
Nathan Putnam, Project Manager

SUBJECT: Conceptual Approval Memo for Proposed Engineering
Standby Contract Work Assignment
Site Name: 123 Post Avenue
Site No.: 130088

DATE:

Attached for your review and approval is the conceptual approval memo for the above work assignment.

ec: w/attach: Chittibabu Vasudevan
Guy Bobersky
Nathan Putnam
Dave Finlayson
Michael Cruden
Donna Weigel



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL REMEDIATION
Conceptual Approval Memo
for Proposed Engineering Standby Contract Work Assignment



Site Code	130088	Site Name	123 Post Avenue		
Classification	02	Address	123 Post Avenue		
Region	1	City	Westbury	Zip	11590
Latitude	40:45:00:0	Town	North Hempstead	Project Manager	Nathan Putnam
Longitude	73:35:30:0	County	Nassau		
Site Type	Structure			Estimated Size	0.2

Site Description

The 123 Post Avenue site, located in the Village of Westbury, Nassau County, consists of a 50' by 189' lot. A dry cleaning facility has operated on the site since the 1950s. The site was placed on the NYS Registry of Inactive Hazardous Waste Disposal Sites in December of 1998 after the Nassau County Department of Health performed a facility inspection in July 1995. Investigations by the NCDOH and the potential responsible party (PRP), who implemented the on-site RI and IRM, showed site-related PCE contamination in soils and groundwater. On-site soils were found to be contaminated with PCE at concentrations up to 5,800 ppm and groundwater had PCE at concentrations up to 23,000 ppb. An SVE system was installed on-site by the PRP which has mitigated impacts to indoor air but is no longer operating. The SVE system must operate until the remedial objectives for this site have been met. Impacts to off-site groundwater are significant (concentrations of PCE up to 15,000 ppb) and have been investigated under a State-funded RI/FS. A state funded Remedial Design/Action is underway to address the off-site plume.

Assessment of Environmental Problems

The primary contaminant of concern is tetrachloroethene. This contaminant exceeds standards in the groundwater beneath the site which is located within a USEPA designated sole source aquifer, and is in the vicinity of municipal water supply wells.

Assessment of Health Problems

Soil vapor from the site caused indoor air contamination at several neighboring homes and businesses. The soil vapor extraction system operating at the site has effectively reduced concentrations of tetrachloroethene in these buildings. NYSDOH and NYSDEC will evaluate the need to conduct additional investigations to determine the potential for soil vapor intrusion into structures near the off-site groundwater plume. Direct exposures to the contaminated groundwater are not expected, because the site and surrounding area are served by a public water supply. There are three active public water supply wells nearby. Two are treated to remove volatile organic compound contamination (not from this site), and the third does not require treatment to comply with standards.

Project Description

OU: 00 Project Type: Site Management

Start Date: 4/30/07

End Date: 8/30/08

Fund Source: SSF

Estimated Work Plan Development Cost: \$ 7,500

Estimated Work Plan Cost: \$ 78,500

Total Cost: \$ 86,000

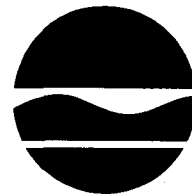
Project Description/History: This project was referred to State Superfund by the DEE on September 7, 2006. The site owner has declined to enter a new order to cover the O&M of the Soil Vapor Extraction (SVE) system. The SVE system currently on-site was installed as an IRM and operated by the PRP without an order since the ROD was signed in March 2003. The current SVE system is owned by the PRP's consultant and may be removed before the work assignment notice to proceed is issued. This Work Assignment is for consulting services that will include evaluating use of the current SVE system and potentially implementing a new on-site SVE system. Following the evaluation and any modifications to the SVE system, the consultant will operate and maintain the SVE system for a minimum of one year. The continued operation of the SVE system is the selected remedy for the on-site ROD.

**New York State Department of Environmental Conservation
Division of Environmental Remediation, 12th Floor**

625 Broadway, Albany, New York 12233-7011

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Alexander B. Grannis
Commissioner

Via E-Mail and Regular Mail

Mr. Richard M. Walka
Dvirka & Bartilucci Consulting Engineers
330 Crossways Park Drive
Woodbury, NY 11797-2015

Re: Work Plan Approval/Notice to Proceed
Contract/WA No. - D004446-24
Site No. - 130088
Site Name - 123 Post Ave.

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Sincerely,

Dale A. Desnoyers
Division Director
Division of Environmental Remediation

Enclosure

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D. Weigel
G. Bobersky
C. Vasudevan
D. Desnoyers
B. Moulhem
W. Parish, Region 1

DoB PM to send
in copies w/cover
letter

6/13/07

Nathan Putnam



Dvirka and Bartilucci

CONSULTING ENGINEERS

330 Crossways Park Drive, Woodbury, New York 11797-2015
516-364-9890 • 718-460-3634 • Fax: 516-364-9045
e-mail: findingsolutions@db-eng.com

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Kenneth J. Pritchard, P.E.
Vice President

Theodore S. Pytlar, Jr.
Vice President

Brian M. Veith, P.E.
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Senior Associates

Thomas P. Fox, P.G.

Robert L. Haynie, P.E.

William D. Merklin, P.E.

Michael Neuberger, P.E.

Kenneth P. Wenz, Jr., C.P.G.

Associates

Joseph F. Baader

Steven M. Cabrera

Rudolph F. Cannavale

Christopher M. Clement

Ellen R. DeOrsay

Stefanos J. Eapen, R.A.

Joseph A. Fioraliso, P.E.

Christopher W. Francis

Michael R. Hofgren

Sean Pepling, P.G.

Edward J. Reilly

Daniel Shabat, P.E.

Charles J. Wachsmuth, P.E.

June 14, 2007

Ralph Burger
Bureau of Program Management
Division of Environmental Remediation
New York State Dept. of Environmental Conservation
625 Broadway, 12th Floor
Albany, NY 12233-7012

Re: Project Management Work Plan
Operable Unit 00
Site No. 1-30-088
123 Post Avenue, Westbury, NY
Work Assignment #: D004446-24
D&B Job No. 2648

Dear Mr. Burger:

Enclosed please find two copies of the final version of the Project Management Work Plan for the above-referenced assignment. An electronic copy of the work plan is also being submitted to you and the Project Manager, Nathan Putnam.

This work plan incorporates yours and Nathan Putnam's comments on the draft work plan. Specifically, with regard to your comments, the following are noted:

- The subcontractors were selected as being our Standby DEC Contract Bidders having the lowest relative costs for this project.
- The estimated subcontractor costs for drywell closure and the modified soil vapor system installation have been removed and will be addressed in an amendment pending the findings of Task 2.
- Three of the four subcontractors for the project are M/WBEs and these have designated on Form 2.11 (a). An M/WBE plan was provided as the final page of the draft Schedule 2.11 forms and is included as the last page of the Schedule 2.11 forms in this work plan.

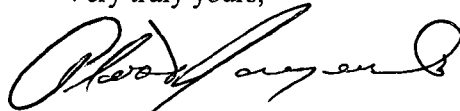
Dvirka and Bartilucci
CONSULTING ENGINEERS

Ralph Burger
Bureau of Program Management
Division of Environmental Remediation
New York State Dept. of Environmental Conservation
June 14, 2007

Page Two

We look forward to receipt of the Notice to Proceed and the successful implementation of this project.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Albert Jaroszewski', written in a cursive style.

Albert Jaroszewski
Project Manager

AJt/jmy
enclosure
cc: N. Putnam (NYSDEC)
R. Walka (D&B)
♦2648\AHJ07LTR.DOC-03(R01)

6/15/07

From: <AJaroszewski@db-eng.com>
To: <reburger@gw.dec.state.ny.us>
Date: 6/14/2007 3:23:02 PM
Subject: FW: Onsite SVES OU-00 - 123 Post Avenue Site Final Work Plan (D&B No. 2648)

> -----Original Message-----

> From: Albert Jaroszewski
> Sent: Thursday, June 14, 2007 12:27 PM
> To: Ralph Burger (E-mail)
> Cc: Nathan Putnam (E-mail)
> Subject: Onsite SVES OU-00 - 123 Post Avenue Site Final Work Plan
> (D&B No. 2648)

>

> Attached, associated with the final version of the 123 Post Avenue OU-00
> (Onsite SVES System), are :

>

> * transmittal letter
> * final text and figures
> * final Schedule 2.11 Forms

>

> The two bound hard copies are being forwarded via first class mail. As we
> discussed, the Work Plan addresses yours and the Nathan Putnam's comments
> on the draft version.

>

> <<WP trans ltr 123 Post Ave.pdf>> <<Final Work Plan 123 Post
> Ave.pdf>> <<Final Sched 2.11s 13 Post Ave.pdf>>

>

> Please do not hesitate to call me with any questions. AI

From: Ralph Burger
To: Putnam, Nathan
Subject: 123 Post Ave. D&B WA 4446-24

Nathan, I don't see in the scope of work any mention of an in-situ chemical oxidation pilot test as referenced in the quotes that were submitted. Did you get conceptual approval for this from Sal or are you planning on handling this through an amendment? I will need 2 paper copies and 1 electronic copy of the work plan and budget. Ask for additional copies for your own needs. I will prepare the NTP letter when I get the copies. Thanks. Ralph

CC: Cruden, Michael; Gupta, Swapan

From: Nathan Putnam
To: Ralph Burger
Date: 7/13/2007 9:43:31 AM
Subject: Re: 123 Post Ave. D&B WA 4446-24

D&B's estimate for the number of hours required to conduct the work was larger than my estimate. Additionally their rates per hour were higher than what I used to determine the costs.

Nathan

>>> Ralph Burger 7/12/2007 11:01 AM >>>

Nathan, I see that the WA was conceptually approved for \$86,000. Please provide a brief explanation as to why the costs are budgeted for \$156,889. I am preparing the NTP letter for Dale's signature and I will need to explain the difference. (ie. more wells, more sampling, greater level of effort, etc.?) Thanks.

Ralph

From: Michael Cruden
To: Lisa Lewis
Date: 2/9/2007 12:39:38 PM
Subject: Fwd: Re: Conceptual approval for 123 Post Avenue, Site No. 130088, remedial site management

please issue to MPI

>>> Sal Ervolina 02/09/07 12:31 PM >>>

I approve the conceptual approval memo for site management at the 123 Post Avenue site.

>>> Chittibabu Vasudevan 01/11/07 2:01 PM >>>

Please find the attached a conceptual approval memorandum and the work assignment to perform the site management for the 123 Post Avenue site, the estimated budget is \$86,000 with \$7,500 for work plan development.

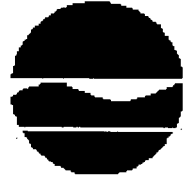
This includes the following:

- taking over the implementation of the OU-1 remedy that was not completed by the responsible party. The Engineer will develop and implement a work plan that describes the evaluation, modification, and operation of a SVE system for this site.
- Coincident with the evaluation of the system, a soil vapor survey will be conducted and an on-site dry well will be profiled and closed.
- Additionally, an Operation and Maintenance (O&M) manual will be developed for the system and other OU-1 related monitoring as required by the remedy. The Engineer will carry out the required operations and monitoring throughout the period of performance.

Thanks

Chittibabu Vasudevan, Ph.D., P.E. ("Vasu")
Director, Remedial Bureau A
Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7015
Phone: (518) 402-9625
Fax: (518) 402-9627
e-mail: cxvasude@gw.dec.state.ny.us

New York State Department of Environmental Conservation
Division of Environmental Remediation, 12th Floor
625 Broadway, Albany, New York 12233-7011
Phone: (518) 402-9706 - **Fax:** (518) 402-9020
Website: www.dec.state.ny.us



Denise M. Sheehan
Commissioner

STANDBY CONCEPTUAL APPROVAL MEMORANDUM

TO: Sal Ervolina, Assistant Director, Division of Environmental Remediation

FROM: Chittibabu Vasudevan, Director, Remedial Bureau BURA
Guy Bobersky, Section Chief/RHWRE
Nathan Putnam, Project Manager

SUBJECT: Conceptual Approval Memo for Proposed Engineering
Standby Contract Work Assignment
Site Name: 123 Post Avenue
Site No.: 130088

DATE:

Attached for your review and approval is the conceptual approval memo for the above work assignment.

ec: w/attach: Chittibabu Vasudevan
Guy Bobersky
Nathan Putnam
Dave Finlayson
Michael Cruden
Donna Weigel



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL REMEDIATION
Conceptual Approval Memo
for Proposed Engineering Standby Contract Work Assignment



Site Code	130088	Site Name	123 Post Avenue	
Classification	02	Address	123 Post Avenue	
Region	1	City	Westbury	Zip 11590
Latitude	40:45:00:0	Town	North Hempstead	Project Manager Nathan Putnam
Longitude	73:35:30:0	County	Nassau	
Site Type	Structure			Estimated Size 0.2

Site Description

The 123 Post Avenue site, located in the Village of Westbury, Nassau County, consists of a 50' by 189' lot. A dry cleaning facility has operated on the site since the 1950s. The site was placed on the NYS Registry of Inactive Hazardous Waste Disposal Sites in December of 1998 after the Nassau County Department of Health performed a facility inspection in July 1995. Investigations by the NCDOH and the potential responsible party (PRP), who implemented the on-site RI and IRM, showed site-related PCE contamination in soils and groundwater. On-site soils were found to be contaminated with PCE at concentrations up to 5,800 ppm and groundwater had PCE at concentrations up to 23,000 ppb. An SVE system was installed on-site by the PRP which has mitigated impacts to indoor air but is no longer operating. The SVE system must operate until the remedial objectives for this site have been met. Impacts to off-site groundwater are significant (concentrations of PCE up to 15,000 ppb) and have been investigated under a State-funded RI/FS. A state funded Remedial Design/Action is underway to address the off-site plume.

Assessment of Environmental Problems

The primary contaminant of concern is tetrachloroethene. This contaminant exceeds standards in the groundwater beneath the site which is located within a USEPA designated sole source aquifer, and is in the vicinity of municipal water supply wells.

Assessment of Health Problems

Soil vapor from the site caused indoor air contamination at several neighboring homes and businesses. The soil vapor extraction system operating at the site has effectively reduced concentrations of tetrachloroethene in these buildings. NYSDOH and NYSDEC will evaluate the need to conduct additional investigations to determine the potential for soil vapor intrusion into structures near the off-site groundwater plume. Direct exposures to the contaminated groundwater are not expected, because the site and surrounding area are served by a public water supply. There are three active public water supply wells nearby. Two are treated to remove volatile organic compound contamination (not from this site), and the third does not require treatment to comply with standards.

Project Description

OU: 00 Project Type: Site Management

Start Date: 4/30/07

End Date: 8/30/08

Fund Source: SSF

Estimated Work Plan Development Cost: \$ 7,500

Estimated Work Plan Cost: \$ 78,500

Total Cost: \$ 86,000

Project Description/History: This project was referred to State Superfund by the DEE on September 7, 2006. The site owner has declined to enter a new order to cover the O&M of the Soil Vapor Extraction (SVE) system. The SVE system currently on-site was installed as an IRM and operated by the PRP without an order since the ROD was signed in March 2003. The current SVE system is owned by the PRP's consultant and may be removed before the work assignment notice to proceed is issued. This Work Assignment is for consulting services that will include evaluating use of the current SVE system and potentially implementing a new on-site SVE system. Following the evaluation and any modifications to the SVE system, the consultant will operate and maintain the SVE system for a minimum of one year. The continued operation of the SVE system is the selected remedy for the on-site ROD.

From: Nathan Putnam
To: Ralph Burger
Date: 6/8/2007 8:45:28 AM
Subject: Re: 123 Post Ave. D&B WA 4446-24

The pilot test chemical injection is for the D4446-21 assignment. Same consultant and site but different operable unit. I have attached the scope of work that was sent to D&B. This project was started as D3600-48. I have also attached the notice to proceed. The increased costs over the original 2.11s will require an amendment.

Nathan

>>> Ralph Burger 6/8/2007 8:25 AM >>>

Nathan, I don't see in the scope of work any mention of an in-situ chemical oxidation pilot test as referenced in the quotes that were submitted. Did you get conceptual approval for this from Sal or are you planning on handling this through an amendment? I will need 2 paper copies and 1 electronic copy of the work plan and budget. Ask for additional copies for your own needs. I will prepare the NTP letter when I get the copies. Thanks. Ralph

State Superfund Standby Contract Work Assignment
Remedial Design

Site: 123 Post Ave, 130088.

Project Manager: Nathan Putnam

I. Site History:

The 123 Post Avenue Site (the "Site") is approximately 0.2 acres in size located at 123 Post Avenue in the Village of Westbury, Town of North Hempstead, Nassau County, New York. The property contains a structure which has been an operational dry cleaner since the 1950's. Choe Realty, LLC, is the current owner of the Site.

Site contamination was initially discovered in July 1995 after a Nassau County Department of Health ("NCDOH") investigation revealed the presence of elevated levels of tetrachloroethene (PCE) and its associated breakdown products in the soils and groundwater at and beneath the Site. Further investigation at the property located directly south and downgradient of the Site ("off-site property") by NCDOH in October 1997 suggested that elevated levels of PCE in the shallow groundwater beneath the off-site property were attributable to the Site.

In May 1998, low levels of trichloroethene (TCE) were detected in a Westbury Water district well designated Well No. 11, and consistently detected since then in Well No. 11 albeit at levels below the New York State drinking water standard. In October 2000, NCDOH sampled another supply well located directly west of Well No. 11 utilized for car washing only (the "car wash well"). PCE was also detected at the car wash well but at a level well below the New York State groundwater standard for PCE. The groundwater downgradient of the Site is within a USEPA designated sole source aquifer and is near three active public drinking water supply wells. To ensure compliance with public drinking water standards, water treatment has been undertaken at two of the active public drinking water supply wells to remove Volatile Organic Compounds (VOCs) contamination, including tetrachloroethene and its associated breakdown products.

In 1998, the Department listed the Site in the Registry of Inactive Hazardous Waste Disposal Sites in New York State as Site Number 130088 with a classification 2 pursuant to ECL § 27-1305.4. The soil and groundwater contamination within the boundaries of the Site has been designated as Operable Unit 01 (OU-1) and the groundwater off-site contamination is designated as Operable Unit 02 (OU-2). The area that encompasses OU-2 extends from south of the 123 Post Avenue Site to just north of Old Country Road downgradient of the Site.

Remedial Investigation

A State-funded Remedial Investigation/Feasibility Study (RI/FS) for OU-2 was conducted after the current owner of the Site declined to perform the requested RI/FS. The RI for OU-2 was conducted between March 2001 and October 2001, with two additional groundwater sampling events undertaken in September 2002 and November 2003. Eighty-nine discrete groundwater samples were collected from 20 locations using direct push technology. Five permanent wells were installed and sampled during the investigation and subsequent rounds of groundwater sampling. The analysis of the groundwater samples during the RI/FS confirmed the presence of a VOC groundwater plume originating from the Site.

A Record of Decision ("ROD") for OU-1 was issued in March 2003, and the ROD for OU-2 was issued in March 2004. The selected remedy for OU-2 consists of in-situ chemical oxidation of the off-site groundwater contamination.

Contaminants of Concern

As identified in the Remedial Investigation, tetrachloroethene is the main contaminant of concern. Its associated breakdown products (Trichloroethene, Trichloroethane, and Dichloroethene) are present at lesser concentrations.

Responsible Party

The responsible party for this plume is the 123 Post Ave dry cleaners (Westbury Valet Cleaners) owned by Choe Realty.

Selected Remedy

As identified in the Record of Decision (ROD), March 2004 the remedy will include:

- A remedial design program to verify the components of the conceptual design.
- Installation of groundwater and soil vapor monitoring points to evaluate the effectiveness of the action and to determine the potential for soil vapor impacts.
- Injection of chemical oxidants into the northern portion of the contaminant plume to act as a pilot test to determine the effectiveness of the oxidant.
- Evaluate the application of the chemical oxidant in the pilot test and determine its effectiveness for the remainder of the plume.
- Modify the design as appropriate after evaluating the data collected from the pilot test.
- Injection of the oxidant into the remainder of the contaminant plume as described in the Remedial Design documents
- The operation of the components of the remedy will continue until the remedial objectives have been achieved.

- Institutional controls may be imposed in the form of existing use restrictions preventing the use of groundwater without necessary water quality treatment.
- A long-term monitoring program will be instituted to evaluate the effectiveness of in-situ chemical oxidation.

II. Scope of Work

The Engineer will prepare detailed plans and specifications for use in bidding the construction of systems to implement the remedy described in the March 2004 ROD. The Engineer will conduct pre-design field work including a pilot test of the selected remedy before detailed plans and specifications are submitted.

Task 1 Work Plan Development

Document Review

Review documents and reports associated with the site. A meeting between the Engineer and the Department may be necessary to discuss questions that arise during work plan development.

The Remedial Design Work Plan will include the following:

- A complete scope of work.
- A detailed level of effort and budget for all tasks.
- A Work Assignment progress schedule, including milestones and deliverables.
- A Project Staffing Plan, identifying key management and technical staff to be assigned to conduct the work elements, including resumes and a list of their areas of specialization and project responsibilities.
- A M/WBE and EEO Utilization Plan, including identification of work items to be subcontracted.
- A detailed description of wells and all sampling locations and types. The Work Plan should rely on tables and figures to demonstrate the plan. The Work Plan will include a site-specific Health and Safety Plan (HASP), Community Air Monitoring Plan (CAMP), site-specific Quality Assurance Project Plan (QAPP), and a site security plan.

Pre-design Sampling & Survey

Conduct pre-design sampling to verify the concentrations of contaminants present in the groundwater plume area. These samples will be collected from the wells installed during the Remedial Investigation. This data will be transmitted to the Department in report format. The report must evaluate the data and compare it to the conceptual model presented in the ROD.

Nine soil vapor samples will be collected between monitoring wells OU2-1 and OU2-2, and along South Fulton Street between Lexington and Madison Ave. These samples will be collected pursuant to draft NYSDOH guidance on soil vapor intrusion.

Conduct a reconnoitering of the area to determine the available locations to install injection wells and water and vapor monitoring locations. Also identify areas that could be used to house storage tanks and other equipment needed for injection. This review will also include locating utilities that may be impacted by installing monitoring and injecting wells.

Task 2 Pilot Test

A pilot test must be conducted to determine the radius of influence and the oxidant life-span in the aquifer. A Work Plan must be developed that describes the activities needed to carry out the pilot test. The pilot test will inject permanganate solution into a portion of the contaminated groundwater plume. The area to inject the oxidant will be determined by the initial sampling of the monitoring wells. At least three additional monitoring wells will need to be installed to monitor the pilot test area. One injection well will be installed to inject the oxidant in the test area. These wells will be sampled before the oxidant is injected to determine the present contaminant concentration of the test area. Monitoring wells installed during the remedial investigation should be utilized to monitor the test depending on the present position of the groundwater plume.

Using the data from the groundwater monitoring wells and the bench test the amount of oxidant to be injected must be determined. Based on a ratio of two grams of oxidant to one kilogram of soil it is estimated that 5000 pounds of permanganate will be required to treat a 10' by 50' by 50' area. Injection apparatus will have to be constructed on the site and be designed to inject the oxidant at a controlled and measurable rate. This rate must not cause significant mounding of the groundwater. Any mixing of the oxidant solution will be conducted mechanically. The injection well and mixing apparatus will need to be isolated from the public. A groundwater monitoring schedule will be produced which will schedule the collection of groundwater samples. For budget purposes assume that at least 25 samples will be collected throughout sixteen weeks following the injection of the oxidant. The field parameters, color, pH, conductivity, dissolved oxygen, and turbidity, will be recorded for groundwater samples that are collected. The samples will be analyzed for volatile organic compounds, metals, permanganate, and permanganate by products.

Pilot Test Report

A report describing the results of the pilot test must be compiled and submitted to the Department prior to finalizing the Design. This report will include tables, figures, and other visual aids to describe the pilot test and report the data generated during the test. Also, included will be conclusions on the effectiveness of the oxidant and

recommendations on the final design.

Task 3 Associated Plans and Design-Phase Support

Plans and Specifications

The Engineer shall prepare plans and specifications for the purpose of competitively bidding the selected alternative in conformance with standard building and construction practices, New York State laws, rules, regulations, and guidelines. All New York State Standards, Criteria, and Guidelines (SCGs) identified in the RI/FS shall be analyzed and incorporated into the remedial design by the Engineer. The biddable plans and specifications shall incorporate the latest edition of the Division of Environmental Remediation's Standard Construction Contract Boilerplate. The Department will review and provide comments on the various work products produced by the Engineer under this work assignment. The Engineer will be required to provide responses to these comments and incorporate changes into the design documents. Subject to revision during the development of the design, the Department anticipates that, the requirements for the plans and specifications document will include:

- A Site Health and Safety (H&S) Plan and a Construction QA/QC Plan. The H&S plan must include a community air monitoring plan (CAMP).
- A site mobilization and demobilization plan, a site restoration plan, and a site security plan.
- Specifications for verification sampling, analyses, and reporting.
- Specifications for disposal or decontamination of contaminated soils, water, and equipment.
- An outline for the O&M plan
- Remedial Action Schedule

Based on the selected remedy, and the new data obtained from the Pre-Design sampling, complete a design program to implement the remedy. For post injection monitoring at least five (5) new groundwater monitoring wells will be installed. A long term groundwater monitoring plan must also be developed. Soil vapor monitoring points may need to be installed based on pre-design sampling.

Draft Design

The Engineer shall submit to the Department's Authorized Representative at least three copies of preliminary construction plans and specifications when the design is 30% complete. The Engineer shall have verified the existing field conditions. Supporting data, documentation, and design calculations shall be provided with the design documents defining the functional aspects of the project. Property survey including a record search to identify parcels, rights of way and easements existing or necessary to implement the remedy should be presented.

At the discretion of the Department's Authorized Representative an intermediate design review may be required when the design is 60% complete. Documentation similar to the final design stage will be required.

Final Design

Upon completion of the design documents the Engineer will submit to the NYSDEC for review at least five (5) copies of the final plans, specifications, supporting data/documentation and design calculations in the format of a design report. Prior to this submittal the Engineer will have thoroughly coordinated and cross-checked the bid form, specifications, and drawings to ensure consistency within the contract documents. Written comments will be provided by the NYSDEC describing changes required to consider the plans and specifications acceptable for bidding. This report must be sealed and signed by a professional engineer.

After approval of the final design by the NYSDEC, the Engineer will submit seventy-five (75) copies of the plans and specifications for bidding. These copies will include a complete design and the up to-date boiler plate language for Remedial Design bidding.

Along with the final design documents, the Engineer will also submit a pre-bid cost estimate for the project. The pre-bid estimate and the development of unit and lump sum prices will be supported by quantity take-off sheets.

Task 5 Pre-Award Services

The Engineer will provide support services to the NYSDEC for the purpose of competitively bidding site remediation contracts.

Pre-bid Conference and Public Meetings

The Engineer will conduct a pre-bid conference with prospective bidders. At the pre-bid conference the Engineer will emphasize to the prospective bidders important items of the project, tour the project site, answer any questions and prepare minutes to the meeting. At public meetings, the Engineer will answer any questions raised concerning the design of the project, construction techniques and project scheduling, and prepare meeting minutes.

Addenda

The Engineer will prepare any necessary addenda to the plans and specifications for the timely transmittal to prospective bidders. The Engineer will respond to all questions from prospective bidders.

III. Reports and Work Plans

The Engineer will supply copies of all reports and work plans in sufficient quantities as to the Department's satisfaction. Final versions of all documents will be submitted as hard copies and in Adobe Acrobat compatible format.

The Engineer will continuously monitor progress and update the Department on budget and project status.

IV. Estimate of WA Budget & Schedule

Period of Performance

The period of performance will be 18 months. A schedule is presented below.

Milestone/ Deliverable	Date from receipt of Work Assignment
Work Assignment Acceptance	14 Calendar Days
Scoping Session (if necessary)	24 Calendar Days
Draft Work Plan	45 Calendar Days
Work Plan Meeting	If Necessary (80 Calendar Days)
Final Work Plan	95 Calendar Days
Notice to Proceed	110 Calendar Days
Pre-Design Sampling & Report	150 Calendar Days
Pilot Test Work Plan	150 Calendar Days
Pilot Test	190 Calendar Days
Pilot Test Report	310 Calendar Days
Draft Design	310 Calendar Days
Final Design	370 Calendar Days
Submit 75 copies of Contract	After Design documents are Approved
Bid Announcement	Follow appropriate schedule
Open Bids	Follow appropriate schedule
Award Contract	Follow appropriate schedule

Work Plan Development Cost Authorization

Six thousand dollars are authorized to develop the work plan that will outline all activities that will be conducted under this Work Assignment.

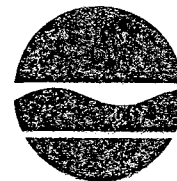
Description	Cost	LOE (hrs)
Work Plan Development	\$6,000.00	75
Pre-Design Sampling/Survey and Report	\$7,000.00	80
Pilot Test and Report	\$55,000.00	250
Plans & Specs	\$70,000.00	800
Pre-award Services	\$9,000.00	100
Total	\$147,000.00	1305

**New York State Department of Environmental Conservation
Division of Environmental Remediation, 12th Floor**

625 Broadway, Albany, New York 12233-7011

Phone: (518) 402-9706 • FAX: (518) 402-9020

Website: www.dec.state.ny.us



Denise M. Sheshan
Commissioner

February 15, 2006

Mr. Richard Walka
Dvirka & Bartilucci Consulting Engineers
330 Crossways Park Drive
Woodbury, NY 11797-2015

RE: State Superfund Standby Contract
Work Plan Approval/ Notice-to-Proceed
Work Assignment #D003600-48
123 Post Avenue, Site #1-30-088

Dear Mr. Walka:

The Department has received Dvirka & Bartilucci's work plan dated December 2005 for the above-referenced project. The subject work plan is for Remedial Design (RD) at the above-mentioned site. The Department hereby approves the work plan and authorizes D & B to proceed with the project.

The following constitutes the budget for this work assignment:

Work Plan Development Cost Authorization (Task 1)	\$ 11,044
Estimated Work Assignment Budget (Tasks 2-5)	\$198,706
Total work assignment budget	\$209,750

You are authorized to expend only approved budget funds. Payments cannot be processed until the encumbrance for this project is approved by the Office of the State Comptroller (OSC). This process takes approximately four weeks. Please note that funds earmarked for the Chemical Oxidation Pilot Test subcontractor and management fee must receive written Department approval before expenditure.

Your firm is hereby given notice to proceed with the work described in this work assignment. All work described shall be completed according to the schedule in the approved work plan.

If you have any questions or comments, please contact Mr. Nathan Putnam, Project Manager, at (518) 402-9621.

Sincerely,

DALE A. DESNOYERS

Dale A. Desnoyers
Director
Division of Environmental Remediation

Enclosure

ec: w/ enclosure
N. Putnam
L. Lewis
W. Parish, Region 1

ec: w/o enclosure
D. Desnoyers
D. Weigel
C. Vasudevan
G. Bobersky
D. Norvik
B. Moulhem
T. Wolosen

need to review

6/5/07

**123 POST AVENUE SITE – OPERABLE UNIT 2
IN-SITU CHEMICAL OXIDATION PILOT TEST
COST SCHEDULE**

Proposal Item	ARS Technologies Inc.			Geo-Cleanse International, Inc.			Panther Technologies, Inc.			Innovative Environmental Technologies, Inc.		
	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Total</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Total</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Total</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Total</u>
1. Mobilization/demobilization (including insurance, site restoration, decontamination, waste containerization, characterization, transportation and disposal, etc.) ¹	1 Lump Sum	\$10,900.00	\$10,900.00	1 Lump Sum	\$25,434.00	\$25,434.00	1 Lump Sum	\$32,849.16	\$32,849.16	1 Lump Sum	\$77,479.00	\$77,479.00
2. Installation of injection point(s) (including development)	3 point(s)	\$4,650.00	\$13,950.00	2 point(s)	\$6,500.00	\$13,000.00	2 point(s)	\$6,571.56	\$13,143.12	1 point(s)	\$16,534.36	\$16,534.36
3. Installation of groundwater monitoring wells (including development)	6 well(s)	\$4,650.00	\$27,900.00	6 well(s)	\$9,533.00	\$57,198.00	6 well(s)	\$6,019.56	\$36,117.36	6 well(s)	\$10,731.43	\$64,388.58
4. Installation of soil vapor probes	4 probe(s)	\$1,500.00	\$6,000.00	4 probe(s)	\$3,250.00	\$13,000.00	4 probe(s)	\$2,273.07	\$9,092.28	4 probe(s)	\$1,232.13	\$4,928.52
5. System set-up, start-up, oxidant injection, maintenance and monitoring costs	1 Lump Sum	\$22,500.00	\$22,500.00	1 Lump Sum	\$44,962.00	\$44,962.00	1 Lump Sum	\$25,164.11	\$25,164.11	1 Lump Sum	\$23,050.00	\$23,050.00
5a. Oxidant	30000 lbs	\$1.73	\$51,900.00			\$0.00	11500 lbs	\$3.02	\$34,730.00	1 Lump Sum	\$118,167.43	\$118,167.43
6. Sample collection and analysis cost:												
a. Groundwater sample collection and analysis for chlorinated volatile organic compounds by 6/00 NYSDEC Method OLM04.2, TAL metals 6/00 NYSDEC Method ILM04.0, hexavalent chromium by NYSDEC ASP 6/00 Method 218.5, total organic carbon by USEPA Method 600/415.1, and chloride by SW846 Method 9253.	41 samples	\$600.00	\$24,600.00	54 samples	\$1,079.00	\$58,266.00	48 samples	\$1,173.20	\$56,313.60	36 samples	\$1,483.10	\$53,391.60
b. Soil vapor sample collection and analysis for volatile organic compounds by USEPA Method TO15	20 samples	\$250.00	\$5,000.00	8 samples	\$681.00	\$5,448.00	12 samples	\$782.14	\$9,385.68	12 samples	\$897.75	\$10,773.00
7. Report Preparation (includes draft, revised draft and final reports)	1 Lump Sum	\$8,000.00	\$8,000.00	1 Lump Sum	\$7,550.00	\$7,550.00	1 Lump Sum	\$7,257.60	\$7,257.60	1 Lump Sum	\$27,500.00	\$27,500.00
TOTAL			\$170,750.00			\$224,858.00			\$224,052.91			\$396,212.49

¹ This item shall include payment for all work not included in other payment items. Forty percent (40%) of this payment item shall be retained until completion of all work.

From: Nathan Putnam
To: Ralph Burger
Date: 6/5/2007 9:50:08 AM
Subject: 123 Post Ave ou2 D&B contract 21

Hi,

I believe you are handling the D&B contracts while Lisa is out.

In this WA \$60,000 was set aside to conduct a pilot test. Bids were requested from a number of consultants and four were received. D&B prepared the attached summary. Are these bids something you would like to review, I have electronic copies on a cd if you want to see them. If any of these are selected an amendment will have to be processed.

Please let me know.

Thanks,

Nathan



**Dvirka
and
Bartilucci**

CONSULTING ENGINEERS

330 Crossways Park Drive, Woodbury, New York 11797-2015
516-364-9890 • 718-460-3634 • Fax: 516-364-9045
e-mail: findingsolutions@db-eng.com

May 29, 2007

Principals

Nicholas J. Bartilucci, P.E.
President

Henry J. Chlupsa, P.E.
Executive Vice President

Steven A. Fangmann, P.E.
Senior Vice President

Richard M. Walka
Senior Vice President

John A. Mirando, P.E.
Vice President

Garrett M. Bymes, P.E.
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Vice President

Dennis F. Koehler, P.E.
Vice President

Joseph H. Marturano
Vice President

Kenneth J. Pritchard, P.E.
Vice President

Theodore S. Pytlar, Jr.
Vice President

Brian M. Veith, P.E.
Vice President

Senior Associates

Thomas P. Fox, P.G.

Robert L. Haynie, P.E.

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Associates

Joseph F. Baader

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Rudolph F. Cannavale

Christopher M. Clement

Ellen R. DeOrsay

Stefanos J. Eapen, R.A.

Joseph A. Fioraliso, P.E.

Christopher W. Francis

Michael R. Hofgren

Sean Pepling, P.G.

Edward J. Reilly

Daniel Shabat, P.E.

Charles J. Wachsmuth, P.E.

Mr. Nathan Putman
Division of Environmental Remediation
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233

Re: In-situ Chemical Oxidation Pilot Study
123 Post Avenue - OU2
Site No. 1-30-088
Work Assignment No. D004446-21
D&B No. 2599

Dear Mr. Putnam:

We have performed a preliminary review of the proposals for the in-situ chemical oxidation pilot study at the 123 Post Avenue - Operable Unit 2 site. The attached table summarizes the four cost proposals received. As you are aware, we requested proposals from eight firms and of those eight firms, four firms provided proposals. The cost proposals ranged from \$170,750 to \$396,212.49 with the two remaining proposals at approximately \$224,500 each.

The following highlights our comments on each of the received proposals:

ARS Technologies, Inc.

The cost proposal provided by ARS Technologies Inc. (ARS) was \$170,750. Of note, the initial proposal was missing the experience and qualifications package. This information was requested subsequent to the submittal date and will be provided to you under separate cover.

This proposal included the installation of three injection wells— shallow (40 to 50 ft bgs), intermediate (65 to 75 ft bgs) and deep (90 to 100 ft bgs). ARS proposed to perform the injection of the permanganate under pressure (approximately 30 to 60 psig). A 10% solution of sodium permanganate will be delivered to the site in a tanker truck. Based on the information provided in the request for proposal, ARS proposes to inject a total of 30,000 pounds equivalent of 40% weight sodium permanganate or 13,180 gallons of 10% solution into the three injection zones.

Mr. Nathan Putman
Division of Environmental Remediation
New York State Department of Environmental Conservation
May 29, 2007

Page Two

ARS proposed to perform the required monitoring with 6 groundwater monitoring wells – one intermediate well upgradient, two shallow side gradient and one cluster downgradient monitoring the shallow, intermediate and deep zones.

Panther Technologies, Inc.

The cost proposal provided by Panther Technologies Inc. (Panther) was \$224,052.91. In their technical proposal, Panther proposes to install 2 injection wells both screened at an intermediate depth of approximately 65 to 85 feet below ground surface. Although they propose to install 6 groundwater monitoring wells, the location of the injection wells and the monitoring wells was not provided in the proposal but would be provided upon utility clearance.

Panther indicates that once the wells are installed, they plan to perform their own bench scale test to confirm the information provided in the bench scale test performed by Geo-Cleanse International, Inc. Panther proposes to use a gravity feed process to deliver sodium permanganate to the subsurface. Sodium permanganate solution will be delivered to the site in a tanker truck and injected directly into the injection wells. Panther estimates a minimum flow rate of approximately 5 gallons per minute (gpm) per well. They estimate injecting a total of 11,400 pounds of permanganate (10,579 gallons of 4% sodium permanganate).

Of note, Panther's calculations utilize a remediation area of 50' x 50' x 50', approximately 4600 cubic yards (cy). The area presented in the request for proposal package is substantially smaller 25' x 25' x 80' or approximately 1900 CY. Since they did not provide a map identifying the location of the monitoring wells it is difficult to understand the basis for the discrepancy. However, taking into account the cost provided for the permanganate, even if Panther were to reduce their proposed volume by half, their costs would still be higher than ARS Technologies, Inc.

Geo-Cleanse International, Inc.

The cost proposal provided by Geo-Cleanse International, Inc. (Geo-Cleanse) was \$224,858.00. Geo-Cleanse proposes to install two shallow injection wells approximately 10 feet apart. Six groundwater monitoring wells will be installed to perform the required monitoring. The proposed monitoring well network includes one shallow upgradient, one shallow and one intermediate side gradient and one shallow, intermediate and deep downgradient cluster. Geo-Cleanse proposes to inject a total of 3,850 lbs of 40% sodium permanganate. Geo-Cleanse indicates that the sodium permanganate will be injected at an 8% solution for a total of 19,250 pounds of solution (approximately 2,265 gallons). Injection will be gravity driven and mixing of the permanganate will be performed on-site in a mobile treatment center.

Mr. Nathan Putman
Division of Environmental Remediation
New York State Department of Environmental Conservation
May 29, 2007

Page Three

Innovative Environmental Technologies, Inc.

The cost proposal provided by Innovative Environmental Technologies, Inc. (IET) was \$396,212.49. IET proposes to use one 4-inch diameter injection point with four screened intervals. Prior to injection, IET proposes to perform gamma logging of the well to screen for low permeability layers that may impact injection. In addition, prior to injection of the permanganate, IET proposes to inject compressed air at 175 psig to enhance horizontal injection pathways. A colloidal suspension of permanganate (4,200 pounds of 20% potassium permanganate and 30,000 pounds of 40% sodium permanganate) will be injected following the compressed air injection. The permanganate suspension will also be injected under pressure (110 psig) at an assumed rate of 30 gpm. All mixing of oxidants will be performed in IET's injection trailer.

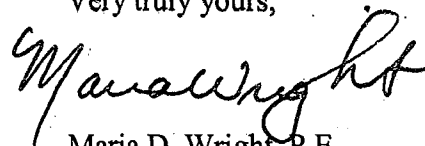
IET proposes to install three shallow groundwater monitoring wells (one upgradient and two side gradient), two downgradient intermediate wells and one deep side gradient well.

Based on our review of the proposals, all four firms appear to meet the minimum requirements set forth in the request for proposal including experience and qualification requirements. Since all firms appear to meet the minimum requirements, we recommend utilizing ARS Technologies, Inc. to perform the work. Their proposal met the minimum requirements and their costs were significantly less than the next lowest cost proposal.

Although we feel that their proposal was responsive to the request for proposal issued, we would like to discuss the pilot test with them further to ensure that they will be able to meet the required objectives of the pilot test. This may result in modifications to their current proposal, but is not expected to impact the overall cost of the pilot test significantly.

Once you have had an opportunity to review the proposals please do not hesitate to contact me. If you have any questions with regard to the above, please feel free to contact me at your convenience at (516) 364-9890.

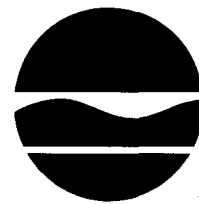
Very truly yours,



Maria D. Wright, P.E.
Project Manager

MDW(t)/tp
cc: R. Walka, D&B
♦2599\MDW07LTR-05(R01)

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Program Management, Room 1224
625 Broadway, Albany, New York 12233-7012
Phone: (518) 402-9764 • **FAX:** (518) 402-9722
Website: www.dec.state.ny.us



February 13, 2007

Mr. Richard M. Walka
Dvirka & Bartilucci Consulting Engineers
330 Crossways Park Drive
Woodbury, NY 11797-2015

Dear Mr. Walka:

Re: WA Issuance/Conflict of Interest Letter
123 Post Avenue, Site #1-30-088

The New York State Department of Environmental Conservation's Division of Environmental Remediation (DER) is issuing to your firm the work assignment (WA) identified below. This WA has been identified by your firm's D/C contract number and the next sequential WA number.

Contract/WA No.:	D004446-24
Site/Spill No./PIN:	1-30-088
Site/Spill Name:	123 Post Avenue
Program Element:	Site Management (SM)
WP Dev. (WPD) Budget:	\$7,500
Est. Total WA Budget (includes WPD):	\$86,000
Project Manager (PM):	Nathan Putnam
PM Phone No.:	(518) 402-9621
PM E-mail:	neputnam@gw.dec.state.ny.us
Contract Manager (CM):	Lisa Lewis
CM Phone No.:	(518) 402-9601
CM E-mail:	lmlewis@gw.dec.state.ny.us
M/WBE Administrator:	Vincente Alfonso
M/WBE Phone No.:	(518) 402-9311
M/WBE E-mail:	vxalfons@gw.dec.state.ny.us

Please review your firm's relationship with the Potential Responsible Parties (PRPs) indicated on the enclosed Conflict of Interest Certification form. Then sign and complete the form and accept the WA by returning the document to the contract manager within 10 calendar days of the date of this letter.

Please initiate the development of a project management work plan for this WA. It is expected that one (1) electronic and two (2) paper double-sided copies of the work plan will be submitted to DER's contract manager within 21 calendar days of receipt of this work assignment. Final project management work plans and budgets are to be developed so that a Notice to Proceed can be issued within 90 calendar days of the date of this letter. Failure to do so may result in termination of this WA and may affect your firm's receipt of future WAs.

The project management work plan submitted to DER must include the items listed below. If multiple sites are included in the WA, information should be provided for each site and the total WA.

1. Site description (i.e. location, environmental history).
2. Scope of work (i.e. tasks, subtasks).
3. Detailed schedule with milestones and deliverables.
4. Identification of areas of work requiring subcontracting and the certified M/WBE firms to be utilized, if known.
5. A detailed budget broken down by tasks and subtasks using the most current schedules provided by DER. The budget (i.e. titles, rates) should be in accordance with your executed standby contract.
6. A staffing plan identifying the management and technical staff assigned to the WA. Include resumes of staff not previously approved by DER.
7. An M/WBE Utilization Plan. If the plan does not meet the goals in the standby contract, an explanation must be provided. Contact DEC's M/WBE Office if you have questions.

If you have any questions regarding contract issues, please contact the contract manager indicated. If you have any questions regarding the WA's scope of work, please contact the project manager indicated. The project manager has prepared the enclosed document for your use in preparing the WA. Please contact the project manager to schedule a WA scoping meeting and site visit, if appropriate.

Requests for reimbursement cannot be processed until the draft project management work plan is submitted to DER for approval.

Sincerely,

/s/

Michael J. Cruden, P.E.
Chief
Contracts and Payments Section
Bureau of Program Management
Division of Environmental Remediation

Enclosures

ec: N. Putnam, PM
L. Lewis, CM
W. Parish, Region 1
M. Cruden
S. Gupta
T. Wolosen
C. Vasudevan
G. Bobersky
B. Moulhem

6/6/2007

NYSDEC Comments on Draft Work Plan
123 Post Avenue Site, OU-00 (On-site SVE System)

Nathan Putnam Comments (May 25, 2007)

The indoor air sampling before the start up of the system is not necessary.

We will remove the scope and cost for the indoor air sampling event slated for prior to the system re-start and leave in the initial baseline sampling event.

The groundwater wells will need to be sampled initially and 6 months later. This sampling is not dependent on the status of the SVE system.

We will adjust the groundwater sampling schedule to be the project start (initial) and at six months late, and not related to the SVE system.

Please remove the Gomez designation from the sampling location. Samples will still be required in the Apt Building but I would like to keep people's names off the designations.

We will remove the Gomez reference.

At some time in the future it will be necessary to collect at least one round of indoor air samples with Summa Canisters and received a Category B deliverable for this data. Please add this to the work.

We will add one round of quantitative indoor air sampling using Summa Canisters.

On page 34 you refer to utilizing state owned equipment. Please be more specific on what equipment this is and if you already have the equipment in your possession.

The ^{state} ~~stain~~ owned equipment in our possession to be used includes a Horiba, PID and centrifugal pump.

Please clarify the RFP/Design portion of the work plan. Is D&B going to develop the design for retrofit or new system then hire a construction contractor or will D&B request a design from another consultant?

The intent for the construction contractor is that D&B will subcontract the contractor. Text will be added to the Work Plan clarifying this.

My understanding of the system currently in place is there are only 4 extraction points one at each location. If you know this is not the cases and the system is as described on page 11 please let me know otherwise please adjust the description.

Review of file drawings indicated the possibility of additional vent or sparge wells at each of the four extraction well locations. What is confidently known at this time is the existence of four extractions wells at each location and this will be provided in the plan.

Contractor Manager's Comments (June 1, 2007)

1) How were the subcontractors selected? How were the costs determined to be reasonable?

The Direct Push (ZEBRA) and the laboratory (Mitkem) contractors were the lowest of our NYSDEC standby contractor firms. The air analytical laboratory (Contest - cost of \$900) is an MBE firm and have prices lower than other non-MBE firms.

2) The subs labeled "to be determined" should be removed. After the need for the subs has been determined in task 2, an amendment can be processed for the needed money.

For similar issues for DEC projects in the past we have included "to be determined" tasks and costs. For this project, as you have requested, we will remove the costs and address them after Task 2 has been conducted through an amendment.

3) Are there any M/WBEs that can be used? What is the M/WBE utilization plan?

Most of the subcontractors (all except the Direct Push contractor) are M/WBE firms. The associated costs and relative M/WBE percentage of 3.3% are detailed in the final page of the Schedule 2.11 forms in the Work plan. As noted in the draft Work Plan transmittal letter, it is our intent to attempt to utilize M/WBE firms for the drywell closure and SVE system upgrade tasks for the associated costs which were estimated at a total of \$43,594.

4) The subcontract management fee is only allowed from \$ one on M/WBEs and on non-M/WBEs over \$10,000. That should be adjusted to reflect the above comments. Also, the M/WBEs should be labeled as such on the 2.11(a).

The subcontractor management fee of \$2,000 was associated with the projected SVE system upgrade subcontractor estimate. As noted above, this cost will be addressed in an amendment and will be removed from the current Work Plan. The M/WBE's will be labeled on the Schedule 2.11 (a).

From: Nathan Putnam
To: Ajaroszewski@db-eng.com
Date: 6/1/2007 9:26:16 AM
Subject: 123 Post ave comments

Al,

Here are comments from the Contract Manager.

- 1) How were the subcontractors selected? How were the costs determined to be reasonable?
- 2) The subs labeled "to be determined" should be removed. After the need for the subs has been determined in task 2, an amendment can be processed for the needed money.
- 3) Are there any M/WBEs that can be used? What is the M/WBE utilization plan?
- 4) The subcontract management fee is only allowed from \$ one on M/WBEs and on non-M/WBEs over \$10,000. That should be adjusted to reflect the above comments. Also, the M/WBEs should be labeled as such on the 2.11(a).

Nathan E. Putnam
Environmental Engineer
NYS DEC
Division of Environmental Remediation
518-402-9621

CC: Ralph Burger

From: Ralph Burger
To: Putnam, Nathan
Subject: 123 Post Ave. WA D004446-24 Comments on Budget

- 1) How were the subcontractors selected? How were the costs determined to be reasonable?
- 2) The subs labeled "to be determined" should be removed. After the need for the subs has been determined in task 2, an amendment can be processed for the needed money.
- 3) Are there any M/WBEs that can be used? What is the M/WBE utilization plan?
- 4) The subcontract management fee is only allowed from \$ one on M/WBEs and on non-M/WBEs over \$10,000. That should be adjusted to reflect the above comments. Also, the M/WBEs should be labeled as such on the 2.11(a).
- 5) You will need to do a memo justifying the additional money over the amount you have in Sal's conceptual approval of \$86,000.

~~original~~
~~- get CoT back / add to WASR~~

- enc \$

- NTP

New York State Department of Environmental Conservation

Division of Environmental Remediation

Bureau of Program Management, Room 1224

625 Broadway, Albany, New York 12233-7012

Phone: (518) 402-9764 • FAX: (518) 402-9722

Website: www.dec.state.ny.us



February 13, 2007

Mr. Richard M. Walka
Dvirka & Bartilucci Consulting Engineers
330 Crossways Park Drive
Woodbury, NY 11797-2015

Dear Mr. Walka:

Re: WA Issuance/Conflict of Interest Letter
123 Post Avenue, Site #1-30-088

The New York State Department of Environmental Conservation's Division of Environmental Remediation (DER) is issuing to your firm the work assignment (WA) identified below. This WA has been identified by your firm's D/C contract number and the next sequential WA number.

Contract/WA No.:	D004446-24
Site/Spill No./PIN:	1-30-088
Site/Spill Name:	123 Post Avenue
Program Element:	Site Management (SM)
WP Dev. (WPD) Budget:	\$7,500
Est. Total WA Budget (includes WPD):	\$86,000
Project Manager (PM):	Nathan Putnam
PM Phone No.:	(518) 402-9621
PM E-mail:	neputnam@gw.dec.state.ny.us
Contract Manager (CM):	Lisa Lewis
CM Phone No.:	(518) 402-9601
CM E-mail:	lmlewis@gw.dec.state.ny.us
M/WBE Administrator:	Vincente Alfonso
M/WBE Phone No.:	(518) 402-9311
M/WBE E-mail:	vxalfons@gw.dec.state.ny.us

Please review your firm's relationship with the Potential Responsible Parties (PRPs) indicated on the enclosed Conflict of Interest Certification form. Then sign and complete the form and accept the WA by returning the document to the contract manager within 10 calendar days of the date of this letter.

Please initiate the development of a project management work plan for this WA. It is expected that one (1) electronic and two (2) paper double-sided copies of the work plan will be submitted to DER's contract manager within 21 calendar days of receipt of this work assignment. Final project management work plans and budgets are to be developed so that a Notice to Proceed can be issued within 90 calendar days of the date of this letter. Failure to do so may result in termination of this WA and may affect your firm's receipt of future WAs.

The project management work plan submitted to DER must include the items listed below. If multiple sites are included in the WA, information should be provided for each site and the total WA.

1. Site description (i.e. location, environmental history).
2. Scope of work (i.e. tasks, subtasks).
3. Detailed schedule with milestones and deliverables.
4. Identification of areas of work requiring subcontracting and the certified M/WBE firms to be utilized, if known.
5. A detailed budget broken down by tasks and subtasks using the most current schedules provided by DER. The budget (i.e. titles, rates) should be in accordance with your executed standby contract.
6. A staffing plan identifying the management and technical staff assigned to the WA. Include resumes of staff not previously approved by DER.
7. An M/WBE Utilization Plan. If the plan does not meet the goals in the standby contract, an explanation must be provided. Contact DEC's M/WBE Office if you have questions.

If you have any questions regarding contract issues, please contact the contract manager indicated. If you have any questions regarding the WA's scope of work, please contact the project manager indicated. The project manager has prepared the enclosed document for your use in preparing the WA. Please contact the project manager to schedule a WA scoping meeting and site visit, if appropriate.

Requests for reimbursement cannot be processed until the draft project management work plan is submitted to DER for approval.

Sincerely,



Michael J. Cruden, P.E.
Chief
Contracts and Payments Section
Bureau of Program Management
Division of Environmental Remediation

Enclosures

ec: N. Putnam, PM
L. Lewis, CM
W. Parish, Region 1
M. Cruden
S. Gupta
T. Wolosen
C. Vasudevan
G. Bobersky
B. Moulhem

**New York State
Department of Environmental Conservation
Division of Environmental Remediation**

**Standby Engineering Contract
Conflict of Interest Certification**

To the best of the Department of Environmental Conservation's knowledge, the potential responsible parties listed below are the known potential responsible parties as of the issuance date of the enclosed work assignment letter.

- *123 Post Avenue Dry Cleaners (Westbury Valet Dry Cleaners)*
- *Choe Realty, LLC, current owner*

The undersigned authorized representative, for the contractor indicated below, hereby certifies for the contract number and work assignment number identified below that to the best of his/her knowledge the contractor has no organizational or personal conflict of interest with the potential responsible parties listed above, as defined in Appendix B, Section III, Conflict of Interest of the executed standby engineering contract indicated below.

Certified By:

I acknowledge receipt and acceptance of this WA as the contractor's authorized representative. I also acknowledge that the contractor has no conflict of interest.

Signature of Contractor's Authorized Representative

Date

Dvirka & Bartilucci Consulting Engineers

Contractor Name

D004446-24

Contract/WA No.

1-30-088

Site/Spill/PIN No.

123 Post Avenue

Site/Spill Name

State Superfund Standby Contract Work Assignment
Site Management

Site: 123 Post Avenue, Site No. 130088, Operable Unit 00, Nassau County
Project Manager: Nathan Putnam

Site History:

The 123 Post Avenue Site (the "Site") is about 0.2 acres in size and located at 123 Post Avenue in the Village of Westbury, Town of North Hempstead, Nassau County, New York. The property contains a structure which has been an operational dry cleaner since the 1950's. Choe Realty, LLC, is the current owner of the Site.

Site contamination was first discovered in July 1995 after a Nassau County Department of Health (NCDOH) investigation revealed the presence of elevated levels of tetrachloroethene (PCE) and its associated breakdown products in the soils and groundwater at and beneath the Site.

In 1998, the New York State Department of Environmental Conservation (Department) listed the Site in the Registry of Inactive Hazardous Waste Disposal Sites in New York State as Site Number 130088 with a classification 2 pursuant to ECL § 27-1305.4. The soil and groundwater contamination within the boundaries of the Site has been designated as Operable Unit 01 (OU-1) and the groundwater off-site contamination is designated as Operable Unit 02 (OU-2).

The site has been referred to state superfund as the responsible party has declined to sign an O&M order with the NYSDEC

Remedial Investigation

A PRP funded Remedial Investigation/Feasibility Study was conducted in 2000 and 2001. This investigation sampled on-site soils and groundwater. Additionally a indoor air sampling program was initiated by the NYSDEC, NYSDOH, and NCDOH which was eventually taken over by the PRP. The investigation showed contamination in the soil, groundwater, and soil vapor that exceeded standards, criteria, and guidelines.

During the Remedial Investigation, an Interim Remedial Measure was initiated to install a soil vapor extraction system. This system was intended to reduce the concentration of contaminants in the on-site soils and prevent soil vapor intrusion to adjacent structures.

A Record of Decision (ROD) for OU-1 was issued in March 2003, and the ROD for OU-2 was issued in March 2004. The selected remedy for OU-1 is no further action with continual operation of the Soil Vapor Extraction (SVE) system. The SVE system is required to run until

the NYSDEC determines it is no longer practical or feasible. The selected remedy for OU-2 is in-situ chemical oxidation to address off-site groundwater contamination.

Contaminants of Concern

As identified in the Remedial Investigation, Tetrachloroethene is the main contaminant of concern. Its associated breakdown products (Trichloroethene and Dichloroethene) are present at lesser concentrations.

Responsible Party

The responsible party is the 123 Post Ave dry cleaners (Westbury Valet Cleaners) owned by Choe Realty.

Selected Remedy

As identified in the March 2003 Record of Decision (ROD), the OU-1 remedy will include:

- Continued operation of the SVE system until the remedial objectives have been achieved.
- Continued monitoring of the groundwater and indoor air quality
- Institutional controls will be imposed in the form of existing use and development 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
- As a contingency, the approved air sparging (AS) design would be implemented if the groundwater concentrations rebound
- Annual certification that the institutional controls put in place have not been altered and are still effective.

Scope of Work:

This work assignment is limited to taking over the implementation of the OU-1 remedy. The Engineer will develop and implement a work plan that describes the evaluation, modification, and operation of a SVE system for this site. Coincident with the evaluation of the system, a soil vapor survey will be conducted and an on-site dry well will be profiled and closed.

The Engineer will conduct an evaluation of the SVE system that was installed as an IRM. If components of the system will remain in place then they must be evaluated for use in the new system.

Additionally, an Operation and Maintenance (O&M) manual will be developed for the

system and other OU-1 related monitoring as required by the remedy. The Engineer will carry out the required operations and monitoring throughout the period of performance.

Task 1 Work Plan Development

- Document Review

Review documents and reports associated with the site. These include but are not limited to:

- Record of Decision
- Remedial Investigation Report
- Interim Remedial Measure Work plan
- Air Sparge Design
- Monthly Reports

- Draft Work Plan

The Draft Work Plan will be delivered to the Department by the Engineer 21 calendar days after acceptance of the Work Assignment.

The Draft Work Plan will include the following:

- The description of the major tasks and subtasks to be performed including pertinent information to conduct field activities, analytical methods, and sampling methods
- The work assignment Progress Schedule with milestones
- A staffing plan identifying management and key technical staff to be assigned, along with their areas of responsibility
- Identification of areas of subcontracting, including an M/WBE-EEO Utilization Plan
- A work assignment budget
- Generic Health and Safety Plan
 - This plan will be developed based on the most recent Federal, State, and Local Statutes and Regulations. The plan will include a section on community Health and Safety as well as Community Air Monitoring. The Health and Safety plan must be included in the draft work plan.
- Generic Quality Assurance and Control Plan
 - A plan must be generated by the Engineer that identifies the steps taken to protect sample quality throughout the work assignment. Samples that are to be analyzed at a lab must be analyzed by an NYSDOH ELAP certified Lab that has ELAP certification for the methods selected. This plan must comply with all elements in Schedule 1 Work Element V of the Standby Contract. A third party that is independent of the laboratory that analyzed

the samples and independent of the consulting firm must validate all samples collected. A Data Usability Report must be generated by the Engineer's QA officer and delivered to the Department with the Survey and Evaluation letter report.

- Generic Citizen Participation Plan
 - The Engineer will develop a Citizen Participation Plan which will identify groups, individuals, and officials that may be interested in any remedial activities that take place at these sites. This plan will involve determining the addresses of adjacent property owners, local officials, and advocacy groups. The Engineer may be called upon to provide information and help plan a pre-characterization public meeting or generate a fact sheet to be distributed to the addresses compiled.

The Department will review the Draft Work Plan and provide comments. A meeting(s) between the Engineer and the Department may be necessary to discuss the changes necessary to finalize the Draft Work Plan.

- Final Work Plan

The Final Work Plan will be delivered to the Department by the Engineer 20 calendar days after comments are issued on the Draft Work Plan.

The Final Work Plan will include the following:

- The description of the major tasks and subtasks to be performed including pertinent information to conduct field activities, analytical methods, and sampling methods
- The work assignment Progress Schedule with milestones
- A staffing plan identifying management and key technical staff to be assigned, along with their areas of responsibility
- Identification of areas of subcontracting, including an M/WBE-EEO Utilization Plan
- A detailed work assignment budget
- Site Specific Health and Safety Plan, Site Specific Quality Assurance and Control Plan and Site Specific Citizen Participation Plan

When the Work Plan is approved by the Department, a Notice to Proceed will be sent from the Department to the Engineer. Work Plan development will be scheduled so a Notice to Proceed can be issued within 90 calendar days of Work Assignment acceptance. No field work will begin until a Notice to Proceed is issued by the Department.

Task 2 Sampling and SVE System Evaluation

A soil vapor survey will be conducted on-site and in the area between the site and the

apartment complex to the west. The survey must screen at least ten locations with a field monitoring device capable of determining concentrations of VOCs in parts per billion. The soil vapor to be screened will be collected from a depth of fifteen feet below grade. Soil vapor samples will be collected utilizing summa canisters at the three locations with the highest response on the field monitoring device. These three samples will be collected and analyzed in accordance with the New York State Department of Health Guidance for evaluating soil vapor intrusion. The objective of the survey will be to locate the highest concentrations of contamination and will be used to determine the best locations for the extraction wells.

A dry well is located at the rear of the facility which has not been sampled. Soil samples must be collected from the bottom of the dry well to the groundwater table. Each of the sampling intervals must be screened with a field monitoring device. The most contaminated sample and the deepest sample must be analyzed for volatile organic compounds. The dry well will be closed following NCDOH guidelines.

The Engineer will conduct an evaluation of the SVE system that was installed as an IRM. The system will be evaluated to determine what components may remain in place for use in the new system.

The results of the soil vapor survey, dry well investigation and SVE system evaluation will be presented to the Department in a letter report. This report will include recommendations on the location of the SVE system and the usability of the currently installed components.

Task 3 Implementation of SVE System

A soil vapor extraction system will be implemented at the site. This system must take into account the condition of the currently installed system and any useable components of that system. The system must be able to treat the source area and prevent contaminated soil vapor from entering adjacent structures. The area of influence must include the footprint of the on-site structure and the areas with soil vapor contamination identified from the soil vapor survey. The approximate area of influence must be calculated prior to installation. The area of influence will also be determined by measurements after installation. The area of influence will be considered to be the area with an induced vacuum greater than 0.1 inches of water. The recommendations for implementing the SVE system must be stamped by a professional engineer.

The effluent of the system will be analyzed and evaluated according to the Division of Air Resources policy, DAR-1 (<http://www.dec.state.ny.us/website/dar/ood/dar1.html>), with the Engineer making a recommendation on the use of air pollution control treatment. The soil vapor extraction and treatment equipment, if needed, will be housed in an enclosure to protect it from the elements and vandalism.

Task 4 Operation and Monitoring

An Operation and Monitoring manual will be developed in accordance with NYSDEC

DER-10 Section 6.2 (c).

The Engineer will be required to operate and monitor the system and other on-site components of the remedy for a minimum of one year post-startup. This includes indoor air monitoring and groundwater sampling.

Reports and Work Plans

The Engineer will supply the Department with four printed copies of all reports and work plans. Final versions of all documents will be submitted both in print and in Adobe Acrobat compatible format.

The Engineer will submit monthly reports to the Department. These reports will include summaries of progress and update the Department on budget and project status. The monthly reports will be submitted by the tenth day of each month.

Estimate of WA Budget & Schedule

Period of Performance

The period of performance will be 15 months after the notice to proceed.

Milestone/ Deliverable	Date from receipt of Work Assignment
Work Assignment Acceptance	14 Calendar Days
Scoping Session (if necessary)	24 Calendar Days
Draft Work Plan	35 Calendar Days
Work Plan Meeting	If Necessary (80 Calendar Days)
Final Work Plan	95 Calendar Days
Notice to Proceed	110 Calendar Days
Execute Work Plan	Follow Schedule

Work Plan Development Cost Authorization

Seven-thousand-five-hundred-dollars are authorized to develop the work plan that will outline all activities that will be conducted under this Work Assignment.

Description	Cost	LOE (hrs)
Work Plan Development	\$7,500.00	100
	\$78,500.00	700
Total	\$86,000.00	800



**Dvirka
and
Bartilucci**
CONSULTING ENGINEERS

330 Crossways Park Drive, Woodbury, New York, 11797-2015
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PRIVILEGED AND CONFIDENTIALITY NOTICE

The information in this fax is intended for the named recipients only. It may contain privileged and confidential matter. If you have received this fax in error, please notify us immediately by a collect telephone call to (516) 364-9890 and return the original to the sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank-you.

D&B FAX NO: (516) 364 - 9045**DATE:** 2/26/07**COMPANY NAME:** NYSDEC**ATTENTION:** Lisa Lewis**FAX NO.:** (516) 402-9722**FROM:** Kenneth Wenz**SUBJECT:** 123 Post Avenue, D004446-24**JOB#:** _____**NO. OF PAGES:** 2

(including cover sheet)

MESSAGE:

Attached please find the signed work assignment acceptance letter. The original will follow by first class mail.

Please call me if you have any questions or require any additional information.

THANK YOU:

**New York State
Department of Environmental Conservation
Division of Environmental Remediation**

**Standby Engineering Contract
Conflict of Interest Certification**

To the best of the Department of Environmental Conservation's knowledge, the potential responsible parties listed below are the known potential responsible parties as of the issuance date of the enclosed work assignment letter.

- *123 Post Avenue Dry Cleaners (Westbury Valet Dry Cleaners)*
- *Choe Realty, LLC, current owner*

The undersigned authorized representative, for the contractor indicated below, hereby certifies for the contract number and work assignment number identified below that to the best of his/her knowledge the contractor has no organizational or personal conflict of interest with the potential responsible parties listed above, as defined in Appendix B, Section III, Conflict of Interest of the executed standby engineering contract indicated below.

Certified By:

I acknowledge receipt and acceptance of this WA as the contractor's authorized representative. I also acknowledge that the contractor has no conflict of interest.

David M. Klack *2/23/17*
Signature of Contractor's Authorized Representative Date
Dvirka & Bartilucci Consulting Engineers
Contractor Name
D004446-24
Contract/WA No.
1-30-088
Site/Spill/PIN No.
123 Post Avenue
Site/Spill Name



**Dvirka
and
Bartilucci**

CONSULTING ENGINEERS

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February 26, 2007

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Executive Vice President

Steven A. Fangmann, P.E.
Senior Vice President

Richard M. Walka
Senior Vice President

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Vice President

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Ms. Lisa Lewis
Contracts and Payments Section
Bureau of Program Management
Division of Environmental Remediation
New York State Department of Environmental Conservation
625 Broadway, Room 1224
Albany, NY 12233-7012

Re: Work Assignment Acceptance Letter
123 Post Avenue (Work Assignment D004446-24)

Dear Ms. Lewis:

Enclosed please find signed Work Assignment Acceptance Letter for the referenced project.

If you have any questions or require any additional information, please contact me at (516) 364-9890.

Very truly yours,

Kenneth P. Wenz, Jr.
Senior Associate

KPWt/kap
Enclosure
cc: R. Walka (D&B)
♦0020\KPW07Ltr-03

New York State
Department of Environmental Conservation
Division of Environmental Remediation

**Standby Engineering Contract
Conflict of Interest Certification**


To the best of the Department of Environmental Conservation's knowledge, the potential responsible parties listed below are the known potential responsible parties as of the issuance date of the enclosed work assignment letter.

- *123 Post Avenue Dry Cleaners (Westbury Valet Dry Cleaners)*
- *Choe Realty, LLC, current owner*

The undersigned authorized representative, for the contractor indicated below, hereby certifies for the contract number and work assignment number identified below that to the best of his/her knowledge the contractor has no organizational or personal conflict of interest with the potential responsible parties listed above, as defined in Appendix B, Section III, Conflict of Interest of the executed standby engineering contract indicated below.

Certified By:

I acknowledge receipt and acceptance of this WA as the contractor's authorized representative. I also acknowledge that the contractor has no conflict of interest.

 _____ Signature of Contractor's Authorized Representative	2/23/07 _____ Date
Dvirka & Bartilucci Consulting Engineers _____ Contractor Name	
D004446-24 _____ Contract/WA No.	
1-30-088 _____ Site/Spill/PIN No.	
123 Post Avenue _____ Site/Spill Name	