



NOTICE OF AVAILABILITY

RECORD OF DECISION

PEERLESS PHOTO PRODUCTS SITE INACTIVE HAZARDOUS WASTE DISPOSAL SITE NUMBER 1-52-031 TOWN OF BROOKHAVEN, SUFFOLK COUNTY

Introduction

The New York State Department of Environmental Conservation (NYSDEC) announces that a Record of Decision (ROD) for the Peerless Photo Products Site, Inactive Hazardous Disposal Waste Site No. 1-52-31, Town of Brookhaven, Suffolk County, is available. The ROD presents the selected remedy for the Peerless Photo Products Site and the rationale for the chosen remedy.

The NYSDEC held a public meeting on March 10, 2004. The Proposed Remedial Action Plan for the site was presented and public comments on the proposal were received during a comment period from February 26, 2004 to March 27, 2004. The comments received during the public comment period were considered, along with the administrative record for the site, in preparing the final ROD. The ROD contains a Responsiveness Summary which addresses the public comments received.

Assessment of the Site

The Peerless Photo Products Site is located at the intersection of Randall Road and Route 25 A in the Village of Shoreham in Suffolk County. This 16-acre site is located in a residential area. The site is currently vacant. The entire site is enclosed by a 6-ft high chain-link fence and is guarded 24 hours per day. The site was originally developed in 1903 by Nikola Tesla as a residence and a laboratory. Peerless Photo Products, Inc. began operations at the site in 1939. From 1939 to 1979, Peerless Photo Products disposed of untreated process water into the North Recharge Basins. In 1969, Agfa-Gaevert, Inc. purchased Peerless Photo Products. The process water contained the metals such as silver, cadmium, lead and other compounds. In 1979, an industrial wastewater treatment plant was constructed and a State Pollution Discharge Elimination System (SPDES) permit was issued to discharge treated effluent into the North Recharge Basins. In 1983, the NYSDEC listed the site as a Class 2 site in the Registry of Inactive Hazardous Waste Disposal Sites in New York. A Class 2 site is a site where hazardous waste presents a significant threat to the public health or the environment and action is required. The process water discharges ceased at the site in 1987 as manufacturing activities at the site were discontinued.

Between 1980 and 1990, several environmental investigations were conducted at the site which involved soil and groundwater sampling and analysis. The results of these investigations showed that soils in the North Recharge Basins, Tesla Tower Base and other areas of potential concerns (APCs) were impacted with the metals such as cadmium and silver at concentrations above the background concentrations typical of soil in the eastern United States. The NYSDEC and Agfa Corporation entered into a Consent Order on August 19, 1991. The Order obligates the responsible parties to implement a Remedial Investigation/Feasibility Study (RI/FS). For further information on the site contamination, the public is encourage to read the various documents in the public document repositories listed below.

Based on the results of the RI/FS for the Peerless Photo Products site, and the criteria identified for evaluation of alternatives, the NYSDEC has selected a combination of excavation, off-site disposal, on-site reuse, *in situ* stabilization and long term groundwater monitoring. The elements of the selected remedy are as follows:

Description of Selected Remedy

1. A remedial design program to verify the components of the conceptual design and provide the details necessary for the construction, operation, maintenance, and monitoring of the remedial program. Any uncertainties identified during the RI/FS will be resolved.
2. Excavation and off-site disposal of surface and subsurface soils in the West Soil Storage Area (APC-6), LIPA Right-of-Way (APC-11) that contains metals in excess of SCGs. Excavations will be backfilled with clean fill.
3. Excavation and off-site disposal of surface and subsurface soils from the North Recharge Basins (APC-12) that contain silver in excess of 300 ppm. Reuse of excavated soils from LIPA Right-of-Way (APC-11) that contain silver at concentrations below 300 ppm to backfill the subsurface portions (greater than 2 feet below grade) of North Recharge Basins (APC-12). Backfill of the remainder of APC-12 to surrounding grade using clean fill. Excavation and off-site disposal of soils containing metals at concentrations in excess of SCGs in SW-4 (APC-13).
4. Excavation of soils from Tesla Tower Base (APC-10) in a 20 ft diameter area, centered on the location of boring SB-6F, to a depth of approximately 30 ft using conventional shoring and excavation methods, and offsite disposal of excavated soils. *In situ* stabilization of soils from 30 feet below bgs to 100 feet bgs.
5. Existing inactive supply wells at the site will be permanently closed in accordance with NYSDEC requirements.
6. Development of a site management plan to: (a) address residual contaminated soils that may be excavated from the site including those in the closed APCs during future redevelopment. The plan will require soil characterization and, where applicable, disposal/reuse in accordance with NYSDEC regulations; and maintain surface soil cover overlying subsurface soil in the

Northern Recharge Basin.

7. Imposition of an institutional control in the form of an environmental easement that will: (a) require compliance with the approved site management plan, (b) limit the use and development of the areas on the property containing metals over SCGs in accordance with the site management plan; (c) restrict use of groundwater as a source of potable or process water or irrigation, without necessary water quality treatment; and, (d) require the property owner to complete and submit to the NYSDEC an annual certification.

8. The property owner will provide an annual certification, prepared and submitted by a Professional Engineer or environmental professional acceptable to the NYSDEC, which will certify that the institutional controls and engineering controls put in place, are unchanged from the previous certification and nothing has occurred that will impair the ability of the control to protect public health or the environment or constitute a violation or failure to comply with any operation and maintenance or soil management plan.

9. Since the remedy results in untreated hazardous waste remaining at the site, a long term groundwater monitoring program will be instituted until such a time as concentrations of contaminants warrant discontinuation of the monitoring program.

After implementation of the remedy, the site could be re-developed for residential use in conformance with the site management plan and the local zoning regulations.

The public is encourage to contact any of the project personnel identified at the bottom if they have any questions.

FOR MORE INFORMATION:

Public Document Repositories:

North Shore Public Library
250 Route 25A
Shoreham, NY 11786

Phone: (631)929-4488

Hours: Mon-Fri, 10:00 am -9:00 pm

Sat, 10:00 am - 5:00 pm

Sun, 1am.-5 pm (October-May)

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