

# **RECORD OF DECISION**

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Dzus Fastener Co., Inc.  
Operable Unit Number 04: Lower End of Willetts Creek  
and Lake Capri  
State Superfund Project  
West Islip, Suffolk County  
Site No. 152033  
November 2018



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

# **DECLARATION STATEMENT - RECORD OF DECISION**

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Dzus Fastener Co., Inc.  
Operable Unit Number: 04  
State Superfund Project  
West Islip, Suffolk County  
Site No. 152033  
November 2018

## **Statement of Purpose and Basis**

This document presents the remedy for Operable Unit Number: 04: Lower End of Willetts Creek and Lake Capri of the Dzus Fastener Co., Inc. site, a Class 2 inactive hazardous waste disposal site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375, and is not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan of March 8, 1990 (40CFR300), as amended.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for Operable Unit Number: 04 of the Dzus Fastener Co., Inc. site and the public's input to the proposed remedy presented by the Department. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

## **Description of Selected Remedy**

The elements of the selected remedy are as follows:

1. A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;
  - a. Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
  - b. Reducing direct and indirect greenhouse gases and other emissions;
  - c. Increasing energy efficiency and minimizing use of non-renewable energy;
  - d. Conserving and efficiently managing resources and materials;
  - e. Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
  - f. Maximizing habitat value and creating habitat when possible;
  - g. Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and

- h. Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.
2. All zone of impact soils which exceed unrestricted SCOs, as defined by 6 NYCRR Part 375-6.8, will be excavated and transported from the zone of impact for disposal. Approximately 1,800 cubic yards of contaminated soil will be removed from the zone of impact. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil and establish the designed grades in the zone of impact. The excavated areas will be replaced with topsoil, plantings, and grass seed and restored to a condition similar to existing conditions to the extent feasible.
3. Clearing, chipping, and grubbing of woody material and subgrade preparation of the zone of impact will be conducted.
4. Removal of all sediment (approximately 24,000 cubic yards total) above Class A Sediment Standards in Willetts Creek and Lake Capri. Existing structures will be protected where feasible or replaced.
5. Willetts Creek and Lake Capri bathymetry and topography will be restored with appropriate material meeting Class A sediment guidance values. A restoration plan will be included in the remedial design to specify the details of the restoration. Wetland habitat will be restored to the maximum extent possible while allowing sufficient flood capacity and appropriate stream flow. Details regarding substrates, plantings, and seeding for restoration will be included in the restoration plan.
6. The design will include a modification to the existing Site Management Plan for areas disturbed by the remedy and all activities will be consistent with the requirements of 6 NYCRR Part 608. The design will evaluate and determine the sampling locations and frequency.

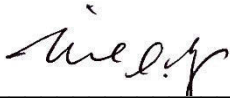
#### **New York State Department of Health Acceptance**

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

## **Declaration**

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

November 21, 2018  
\_\_\_\_\_  
Date

  
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Michael J. Ryan, P.E., Director  
Division of Environmental Remediation

## **RECORD OF DECISION**

Dzus Fastener Co., Inc.  
West Islip, Suffolk County  
Site No. 152033  
November 2018

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### **SECTION 1: SUMMARY AND PURPOSE**

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of hazardous wastes at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of hazardous wastes at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Inactive Hazardous Waste Disposal Site Remedial Program (also known as the State Superfund Program) is an enforcement program, the mission of which is to identify and characterize suspected inactive hazardous waste disposal sites and to investigate and remediate those sites found to pose a significant threat to public health and environment.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

### **SECTION 2: CITIZEN PARTICIPATION**

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

West Islip Public Library  
Attn: Donna MacGilvray  
3 Higbie Lane  
West Islip, NY 11795  
Phone: (631) 661-7080

A public meeting was also conducted. At the meeting, the findings of the remedial investigation (RI) and the feasibility study (FS) were presented along with a summary of the proposed remedy. After the presentation, a question-and-answer period was held, during which verbal or written comments were accepted on the proposed remedy.

Comments on the remedy received during the comment period are summarized and addressed in the responsiveness summary section of the ROD.

### **Receive Site Citizen Participation Information By Email**

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at <http://www.dec.ny.gov/chemical/61092.html>

### **SECTION 3: SITE DESCRIPTION AND HISTORY**

#### **Location:**

The Dzus Fastener Co. site is a one-acre site located at 425 Union Boulevard in a suburban area of West Islip. The site is bounded by Union Avenue to the south, the former Dzus facility and Beach Street to the west, and Long Island Rail Road tracks to the north.

#### **Site Features:**

The site is triangular in shape and relatively flat, and is defined as the portion of the former four-acre Dzus facility where leaching pools were located. There are no buildings located on the site. Immediately to the east of the site is Willetts Creek which drains south into Lake Capri, an eight-acre man-made lake. Lake Capri drains into the tidal portion of Willetts Creek through a culvert located under Montauk Highway. There are no areas of exposed surface soils on the site.

#### **Current Zoning and Land Use:**

The site is located in a mixed residential, commercial, and industrial area. The facility is currently vacant. Current zoning for the property (including the site) is industrial-manufacturing and processing. The nearest residence is approximately 150 feet north of the site.

#### **Past Use of the Site:**

The Dzus Fastener Co. Inc., produced fasteners and springs from 1932 to 2015, and moved operations to 425 Union Boulevard in 1937. Operations included the design and manufacture of quarter-turn fasteners, quick acting latches and panel strips using steel, stainless steel, aluminum and plastic. The products were used by the military and commercial aerospace industries. The fasteners were also used in the transportation, electronics, air handling, refrigeration, motor control and computer industries to secure access panels, covers or detachable components. Wastes from metal plating, tumbling, electroplating, chromic acid, anodizing, and special finishing operations consisted of oils, heavy metals and salts. Leaching pools on-site were used for the disposal of wastes.

#### Operable Units:

The site was divided into six operable units. An operable unit (OU) represents a portion of a remedial program for a site that for technical or administrative reasons can be addressed separately to investigate, eliminate or mitigate a release, threat of release or exposure pathway resulting from the site contamination.

Operable Unit 1 (OU1) originally encompassed the entire four-acre on-site source area at the eastern end of the former Dzus facility property and the Dzus facility itself. The OU1 Record of Decision (ROD) was issued March 1995. In 2016, a boundary modification reduced the site to only the one-acre stabilized area.

Operable Unit 2 (OU2) included contaminated sediments in a portion of Willetts Creek adjacent to the Beach Street Middle School footbridge, Lake Capri, and groundwater downgradient of the facility. The OU2 ROD was issued October 1997. A remedial action for OU2 was implemented in 1999.

Operable Unit 3 (OU3) encompasses the area of off-site impacted wetlands located behind a strip mall on Union Boulevard and includes a portion of the Willetts Creek channel from the Captree 2 Plaza to 500 feet south of the high school footbridge (CR36), West Islip School properties, and low-lying residential property that was re-contaminated after the OU2 remedy was implemented.

Operable Unit 4 (OU4) encompasses contaminated soils on properties abutting Willetts Creek located south of the high school footbridge and bordering Lake Capri. OU4 also includes the sediments within Willetts Creek, and portions of Lake Capri that were re-contaminated after the OU2 remedy was implemented or were not remediated as part of OU2.

Operable Unit 5 (OU5) encompasses contaminated soils on properties abutting the tidal portion of Willetts Creek located south of the Montauk highway. OU5 also includes the contaminated sediments within the tidal portion of Willetts Creek.

Operable Unit 6 (OU6) is the RCRA closure for the DFCI facility, and included the decontamination and washing of the building floors and walls, excavation and removal of contaminated soils, installation and operation of a soil vapor extraction system, and remediation and closure of contaminated leaching pools. The RCRA Closure was completed June 2018.

#### Site Geology and Hydrogeology:

The Site is located on the Long Island glacial sand deposits, which have been designated as a sole source aquifer. Depth to groundwater (to the Upper Glacial Aquifer) is approximately 10 feet and flow is generally southward. The Upper Glacial Aquifer is underlain by the Magothy aquifer, which is the primary source of drinking water.

Willetts Creek is a north-south flowing, slow moving creek, approximately 16-23 feet wide and less than 7 inches in depth. Willetts Creek is located immediately to the east of the Dzus facility, and flows in a southerly direction approximately 4,500 feet to Lake Capri, a privately owned, 8-acre man-made lake. From Lake Capri, water flows to the tidal portion of the creek, where it flows

another 3,000 feet south to Babylon Cove. The creek is fed by both upstream surface water runoff and groundwater discharge. The creek is divided into an upper and a lower reach. The upper portion is the freshwater reach located upstream of Lake Capri; the lower portion is the tidal channelized reach downstream of Lake Capri. The sediments in Willetts Creek are composed of organic-rich depositional material overlying native sands and gravel.

Operable Unit (OU) Number 04 is the subject of this document.

A Record of Decision was issued previously for OU 01, 02, and 03. A Record of Decision will be issued for OU 05 in the future.

A site location map is attached as Figure 1.

#### **SECTION 4: LAND USE AND PHYSICAL SETTING**

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, an alternative which allows for unrestricted use of the site was evaluated.

A comparison of the results of the RI against unrestricted use standards, criteria and guidance values (SCGs) for the site contaminants is included in the Tables for the media being evaluated in Exhibit A.

#### **SECTION 5: ENFORCEMENT STATUS**

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

The PRPs for the site, documented to date, include:

Dzus Fastener Co., Inc.

Dzus International Limited

DFCI Solutions

The Department settled claims for OU2 with two of the three identified PRPs. As OU3 and OU4 are redo of OU2, the State is precluded by prior settlements from seeking recovery of additional response costs. In addition, the AG office determined that there were insufficient grounds to pursue the third PRP for OU2 response costs.



## **SECTION 6: SITE CONTAMINATION**

### **6.1: Summary of the Remedial Investigation**

A Remedial Investigation (RI) has been conducted. The purpose of the RI was to define the nature and extent of any contamination resulting from previous activities at the site. The field activities and findings of the investigation are described in the RI Report.

The following general activities are conducted during an RI:

- Research of historical information,
- Geophysical survey to determine the lateral extent of wastes,
- Test pits, soil borings, and monitoring well installations,
- Sampling of waste, surface and subsurface soils, groundwater, and soil vapor,
- Sampling of surface water and sediment,
- Ecological and Human Health Exposure Assessments.

The analytical data collected on this site includes data for:

- surface water
- soil
- sediment

#### **6.1.1: Standards, Criteria, and Guidance (SCGs)**

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. The tables found in Exhibit A list the applicable SCGs in the footnotes. For a full listing of all SCGs see: <http://www.dec.ny.gov/regulations/61794.html>

#### **6.1.2: RI Results**

The data have identified contaminants of concern. A "contaminant of concern" is a hazardous waste that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are

summarized in Exhibit A. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified for this Operable Unit at this site is/are:

cadmium

chromium

As illustrated in Exhibit A, the contaminant(s) of concern exceed the applicable SCGs for:

- soil
- sediment

## **6.2: Interim Remedial Measures**

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Record of Decision.

There were no IRMs performed at this site during the RI.

## **6.3: Summary of Environmental Assessment**

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water.

The Fish and Wildlife Resources Impact Analysis (FWRIA) for OU 04, which is included in the RI report, presents a detailed discussion of the existing and potential impacts from the site to fish and wildlife receptors.

Remediation for OU1 and OU2 is complete. Prior to remediation, the primary contaminants of concern were cadmium and trivalent chromium in soil, sediment and groundwater. Remedial actions are preventing contaminants from migrating from the stabilized soil monolith into the environment. Residual contamination in the soil, groundwater, and sediment is being managed under a Site Management Plan.

For OU3: Soil and Sediment Contamination North of the West Islip High School footbridge.

Soil, surface water and sediments were analyzed for metals. Based on investigations conducted to date, the primary contaminants of concern for OU 3 are cadmium and trivalent chromium.

Soil - Soils located on low lying residential areas and along the banks of Willetts Creek on the Beach Street Middle School property were impacted by the primary contaminants of concern, with concentrations ranging from 1.4-84 parts-per-million (ppm) of cadmium and 5.5-130 ppm of trivalent chromium. Cadmium and trivalent chromium levels exceeded soil cleanup objectives for residential use of 2.5 ppm and 36 ppm, respectively. Impacted soils on the Beach Street Middle School property were removed during an interim remedial measure (IRM). The remaining contamination is being addressed by the selected remedy for OU3.

Sediment - Sediments in Willetts Creek have been impacted by the primary contaminants of concern, with concentrations ranging from 0.61-8,200 ppm of cadmium and 0.43-60 ppm of trivalent chromium. Cadmium and chromium levels exceeded the lowest end of the Class B Sediment Guidance Value of 1 ppm and 43 ppm, respectively. Sediments that do not exceed lowest end of the Class B are considered to present little or no potential risk to aquatic life. A majority of the contaminated sediment is located in the northern reaches of the Willetts Creek, south of Union Boulevard. The contaminated sediment is being addressed by the selected remedy for OU3. Impacted sediments from the Beach Street Middle School and West Islip High School footbridges were removed during an interim remedial measure (IRM). The remaining contamination is being addressed by the selected remedy for OU3.

Surface water contamination was detected in Willetts Creek during the September 21, 2017 groundwater sampling event. Cadmium was detected at 5.6 parts-per-billion (ppb), exceeding the NYSDEC Class B surface water criteria 5.0 ppb.

For OU4: Soil and Sediment Contamination south of the High School footbridge.

Soil, surface water and sediments were analyzed for metals. Based on investigations conducted to date, the primary contaminants of concern for OU 4 are cadmium and trivalent chromium.

Soil - Soils located on low lying residential areas were impacted by the primary contaminants of concern, with concentrations ranging from 2.1-47 ppm of cadmium and 7.6-50 ppm of trivalent chromium. Cadmium and trivalent chromium levels exceeded soil cleanup objectives for unrestricted use of 2.5 ppm and 30 ppm, respectively. This document addresses the OU 4 soil contamination.

Sediment - Sediments in Willetts Creek and Lake Capri have been impacted by the primary contaminants of concern. In freshwater sediment, concentrations ranged from 1.4-150 ppm of cadmium and 7-82 ppm of trivalent chromium. Cadmium and chromium levels exceeded the Class A Sediment Guidance Value of 1 ppm and 43 ppm, respectively. Class A sediments are considered to present little or no potential risk to aquatic life and Class C sediments are considered to have a high potential to be toxic to aquatic life. This document addresses the OU4 sediment contamination.

No surface water contamination was detected during the OU4 investigation.

#### **6.4: Summary of Human Exposure Pathways**

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

Since the site is covered by an asphalt cover, people will not come into contact with site related soil and groundwater contamination on-site unless they dig below this cover. People could contact contaminants in soil adjacent to the site by walking on the soil, digging or otherwise disturbing the soil, and in groundwater off-site if they dig below the ground surface. Contaminated groundwater

is not used for drinking on- or off-site as the area is served by a public water supply that obtains water from a different source not affected by this contamination. Volatile organic compounds in soil vapor (air spaces within the soil) may move into buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Because the site is vacant, the inhalation of site-related contaminants due to soil vapor intrusion on-site does not represent a current concern, however, the potential exists for the inhalation of site contaminants due to soil vapor intrusion for any redevelopment and occupancy. Environmental sampling indicates soil vapor intrusion is a concern for redevelopment or re-occupancy of the adjacent off-site property. People may come into contact with contaminants present in sediments and floodplain soils of Willetts Creek, Lake Capri, and the Tidal Area South of Lake Capri when entering, exiting, and using the waterbodies and adjacent wetland and floodplain areas. A fishing consumption advisory exists for Lake Capri and connecting water bodies. [https://www.health.ny.gov/environmental/outdoors/fish/health\\_advisories/](https://www.health.ny.gov/environmental/outdoors/fish/health_advisories/)

## **6.5: Summary of the Remediation Objectives**

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

### **Soil**

#### **RAOs for Public Health Protection**

- Prevent ingestion/direct contact with contaminated soil.

#### **RAOs for Environmental Protection**

- Prevent migration of contaminants that would result in groundwater or surface water contamination.
- Prevent impacts to biota from ingestion/direct contact with soil causing toxicity or impacts from bioaccumulation through the terrestrial food chain.

### **Sediment**

#### **RAOs for Public Health Protection**

- Prevent direct contact with contaminated sediments.
- Prevent surface water contamination which may result in fish advisories.

#### **RAOs for Environmental Protection**

- Prevent impacts to biota from ingestion/direct contact with sediments causing toxicity or impacts from bioaccumulation through the marine or aquatic food chain.
- Restore sediments to pre-release/background conditions to the extent feasible.

## **SECTION 7: SUMMARY OF THE SELECTED REMEDY**

To be selected the remedy must be protective of human health and the environment, be cost-effective, comply with other statutory requirements, and utilize permanent solutions, alternative technologies or resource recovery technologies to the maximum extent practicable. The remedy must also attain the remedial action objectives identified for the site, which are presented in Section 6.5. Potential remedial alternatives for the Site were identified, screened and evaluated in the feasibility study (FS) report.

A summary of the remedial alternatives that were considered for this site is presented in Exhibit B. Cost information is presented in the form of present worth, which represents the amount of money invested in the current year that would be sufficient to cover all present and future costs associated with the alternative. This enables the costs of remedial alternatives to be compared on a common basis. As a convention, a time frame of 30 years is used to evaluate present worth costs for alternatives with an indefinite duration. This does not imply that operation, maintenance, or monitoring would cease after 30 years if remediation goals are not achieved. A summary of the Remedial Alternatives Costs is included as Exhibit C.

The basis for the Department's remedy is set forth at Exhibit D.

The selected remedy is referred to as the Removal of Contaminated Soils and Sediment remedy.

The estimated present worth cost to implement the remedy is \$20,700,000. The cost to construct the remedy is estimated to be \$20,600,000 and the estimated average annual cost is \$3,200.

The elements of the selected remedy are as follows:

1. A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:
  - a. Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
  - b. Reducing direct and indirect greenhouse gases and other emissions;
  - c. Increasing energy efficiency and minimizing use of non-renewable energy;
  - d. Conserving and efficiently managing resources and materials;
  - e. Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
  - f. Maximizing habitat value and creating habitat when possible;
  - g. Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
  - h. Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. All zone of impact soils which exceed unrestricted SCOs, as defined by 6 NYCRR Part 375-6.8, will be excavated and transported from the zone of impact for disposal. Approximately 1,800 cubic yards of contaminated soil will be removed from the zone of impact. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil and establish the designed grades in the zone of impact. The excavated areas will be replaced with topsoil, plantings, and grass seed and restored to a condition similar to existing conditions to the extent feasible.
3. Clearing, chipping, and grubbing of woody material and subgrade preparation of the zone of impact will be conducted.
4. Removal of all sediment (approximately 24,000 cubic yards total) above Class A Sediment Standards in Willetts Creek and Lake Capri. Existing structures will be protected where feasible or replaced.
5. Willetts Creek and Lake Capri bathymetry and topography will be restored with appropriate material meeting Class A sediment guidance values. A restoration plan will be included in the remedial design to specify the details of the restoration. Wetland habitat will be restored to the maximum extent possible while allowing sufficient flood capacity and appropriate stream flow. Details regarding substrates, plantings, and seeding for restoration will be included in the restoration plan.
6. The design will include a modification to the existing Site Management Plan for areas disturbed by the remedy and all activities will be consistent with the requirements of 6 NYCRR Part 608. The design will evaluate and determine the sampling locations and frequency.

## Exhibit A

### Nature and Extent of Contamination

This section describes the findings of the Remedial Investigation for all environmental media that were evaluated. As described in Section 6.1, samples were collected from various environmental media to characterize the nature and extent of contamination.

For each medium for which contamination was identified, a table summarizes the findings of the investigation. The tables present the range of contamination found at the site in the media and compares the data with the applicable SCGs for the site. The contaminants are metals and the environmental media are soil, surface water, and sediment. For comparison purposes, the SCGs are provided for each medium that allows for unrestricted use. For soil, if applicable, the Restricted Use SCGs identified in Section 4 and Section 6.1.1 are also presented.

#### Soil

Soil samples were collected from 175 locations on residential properties abutting Lake Capri and Willetts Creek. The samples were collected from surface soils, sub-surface soils, and gardens, if present, to assess direct human exposure. Contaminated surface soil (0 to 2 inches deep) was found in limited areas on the banks of Willetts Creek and the eastern properties abutting Lake Capri. Sub-surface soil (6 inches to 1 foot deep) contamination was discovered along the banks of Lake Capri on moderately low lying residential properties, and where fill was brought in to raise the property level to reduce flooding. Sampling results exceeded unrestricted and residential SCGs for metals. The results are presented in Figure 2 and Table 1.

**Table 1 – OU4 Soil**

Detected Constituents	Concentration Range Detected (ppm) <sup>a</sup>	Unrestricted SCG <sup>b</sup> (ppm)	Frequency Exceeding Unrestricted SCG	Residential Use SCG <sup>c</sup> (ppm)	Frequency Exceeding Residential SCG
Cadmium	2.1-47	2.5	21 of 175	2.5	21 of 175
Chromium, Trivalent	7.6-50	30	17 of 175	36	12 of 175

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil.

b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

c - SCG: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Public Health for Residential Use, unless otherwise noted.

The primary contaminants of concern are cadmium and trivalent chromium. The contaminants were discharged into on-site leaching pools then discharged to Willetts Creek via pipe and were then transported by Willetts Creek to the shoreline soils of Willetts Creek and Lake Capri. The pipe discharging to Willetts Creek was removed during the Remedial Action for Operable Unit 1. Cadmium and trivalent chromium were found in surface soils at concentrations exceeding unrestricted and residential SCOs.

Based on the findings of the Remedial Investigation, the past disposal of hazardous waste has resulted in the contamination of soil. The site contaminants identified in soil which are considered to be the primary contaminants of concern, to be addressed by the remedy selection process are, cadmium and trivalent chromium.

### Surface Water

Surface water was collected in conjunction with collocated sediment samples within Lake Capri. A total of 20 surface water samples were collected. No contaminants were detected in any of the surface water samples collected. Figure 3 and Table 2 present the surface water sampling results.

**Table 2 – OU4 Surface Water**

Constituents	Concentration Range Detected (ppb) <sup>a</sup>	Class C Water SGV <sup>b</sup> (ppb)	Frequency Exceeding Class C Water SGV
Cadmium	Not detected	1.4	0 of 20
Chromium, Trivalent	Not detected	49	0 of 20

a - ppb: parts per billion, which is equivalent to micrograms per liter, µg/L, in water.

b - SGV: New York State Ambient Water Quality Standards and Guidance Values for fish propagation in Class C Water (1998)

No site-related surface water contamination of concern was identified during the RI. Therefore, no remedial alternatives need to be evaluated for surface water.



## Sediments

Sediment samples were collected in Lake Capri and Willets Creek upstream of Lake Capri. Samples were collected from the sediment surface to a depth where the sediment-native sand interface was encountered and deeper to ensure the native sand was not impacted. Contaminated sediment was found in Willets Creek and Lake Capri. The most contaminated sediment was found in the upper 1-foot interval, with a maximum depth of 6 feet in limited areas. Of the 146 samples that were collected, 96 samples exceeded the Class A Sediment Guidance Values (SGV) for cadmium while five samples exceeded the Class A sediment SGV for trivalent chromium. The results are presented in Figure 4 and Table 3.

**Table 3 – OU4 Sediment (Freshwater)**

Detected Constituents	Concentration Range Detected (ppm) <sup>a</sup>	SGV <sup>b</sup> Class A (ppm)	Frequency Exceeding Class A	SGV <sup>c</sup> Class B (ppm)	Frequency in Class B Range	SGV <sup>d</sup> Class C (ppm)	Frequency Exceeding Class C
<b>Inorganics</b>							
Cadmium	1.4-150	<1	96/146	1-5	22/146	>5	74/146
Chromium, Trivalent	7-82	<43	5/146	43-110	5/146	>110	0/146

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in sediment.

b - SGV: Class A-The Department's Screening and Assessment of Contaminated Sediment (June 2014).

c - SGV: Class B-The Department's Screening and Assessment of Contaminated Sediment (June 2014).

d - SGV: Class C-The Department's Screening and Assessment of Contaminated Sediment (June 2014).

## **Exhibit B**

### **Description of Remedial Alternatives**

The following alternatives were considered based on the remedial action objectives (see Section 6.5) to address the contaminated media identified at the site as described in Exhibit A.

#### **Alternative 1: No Action**

The No Action Alternative is evaluated as a procedural requirement and as a basis for comparison. This alternative leaves the site in its present condition and does not provide any additional protection for public health and the environment.

#### **Alternative 2: Excavation of Soil to Residential Use SCOs, Removal of Sediment in Willetts Creek to Native Material and Removal of Sediment in Lake Capri to Lowest End of the Class B SGVs**

This alternative will include:

1. Pre-design investigation to refine excavation boundaries.
2. All zone of impact soils which exceed residential use SCOs, as defined by 6 NYCRR Part 375-6.8, will be excavated and transported from the zone of impact for disposal. The zone of impact is defined by the portion of Willetts Creek and Lake Capri (and associated floodplains) where cadmium or chromium were observed above residential SCOs or above the lowest end of the Class B Sediment Guidance Values. Approximately 1,800 cubic yards of contaminated soil will be removed from the zone of impact. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil and establish the designed grades at the zone of impact. The excavated areas will be replaced with topsoil, plantings, and grass seed and restored to a condition similar to existing conditions to the extent feasible or replaced.
3. Clearing, chipping, and grubbing of woody material and subgrade preparation of the zone of impact will be conducted.
4. Removal of approximately 19,000 cubic yards total of sediment from:
  - Willetts Creek including removal of sediment to native material in the zone of impact. The zone of impact is the portion of Willetts Creek (and associated floodplain) where cadmium and chromium were consistently observed above residential SCOs for soil and for sediment above the lowest end of the Class B SGVs.

- Lake Capri, including removal of sediment that exceed the lowest end of the Class B SGVs, including confirmatory sampling. Existing structures will be protected where feasible or replaced.
5. A restoration plan will be included in the remedial design to specify the details of the restoration. Wetland habitat will be restored to the maximum extent possible while allowing sufficient flood capacity and appropriate steam flow. Details regarding substrates, plantings, and seeding for restoration will be included in the restoration plan.
  6. The design will include a modification to the existing Site Management Plan for areas disturbed by the remedy and all activities will be consistent with the requirements of 6 NYCRR Part 608. The design will evaluate and determine the sampling locations and frequency.

The remedy requires approximately one year to design and one year to implement. Upon completion, the remedial goals will be met.

*Present Worth:* .....\$18,200,000  
*Capital Cost:* .....\$18,100,000  
*Annual Costs:* .....\$3,200

### **Alternative 3: Excavation of Soil to Unrestricted Use SCOs and Removal of Sediment to Class A SGV**

This alternative achieves all of the SCGs discussed in Section 6.1.1 and Exhibit A and soil meets the unrestricted soil cleanup objectives listed in Part 375-6.8 (a). This alternative will include:

1. Pre-design investigation to refine excavation boundaries.
2. All zone of impact soils which exceed unrestricted use SCOs, as defined by 6 NYCRR Part 375-6.8, will be excavated and transported from the zone of impact for disposal. The zone of impact is defined by the portion of Willetts Creek and Lake Capri (and associated floodplains) where cadmium or chromium were observed above unrestricted SCOs or above the Class A Sediment Guidance Values. Approximately 1,800 cubic yards of contaminated soil will be removed from the zone of impact. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil and establish the designed grades at the zone of impact. The excavated areas will be replaced with topsoil, plantings, and grass seed and restored to a condition similar to existing conditions to the extent feasible or replaced.
3. Clearing, chipping, and grubbing of woody material and subgrade preparation of the zone of impact will be conducted.

4. Removal of all sediment (approximately 24,000 cubic yards total) above Class A Sediment Standards in Willetts Creek and Lake Capri. Existing structures will be protected where feasible or replaced.
5. Willetts Creek and Lake Capri bathymetry and topography will be restored with appropriate material meeting Class A sediment guidance values. A restoration plan will be included in the remedial design to specify the details of the restoration. Wetland habitat will be restored to the maximum extent possible while allowing sufficient flood capacity and appropriate steam flow. Details regarding substrates, plantings, and seeding for restoration will be included in the restoration plan.
6. The design will include a modification to the existing Site Management Plan for areas disturbed by the remedy and all activities will be consistent with the requirements of 6 NYCRR Part 608. The design will evaluate and determine the sampling locations and frequency.

The remedy requires approximately one year to design and one year to implement. Upon completion, the remedial goals will be met.

*Present Worth:* .....\$20,700,000  
*Capital Cost:* .....\$20,600,000  
*Annual Costs:* .....\$3,200

#### **Alternative 4: Excavation with Capping of Sediment**

This alternative will include:

1. Pre-design investigation to refine excavation boundaries.
2. All off-site soils which exceed residential SCOs, as defined by 6 NYCRR Part 375-6.8, will be excavated and transported off-site for disposal. Approximately 1,800 cubic yards of contaminated soil will be removed from the zone of impact. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil and establish the designed grades at the zone of impact. The excavated areas will be replaced with topsoil, plantings, and grass seed and restored to a condition similar to existing conditions, to the extent feasible.
3. Clearing, chipping, and grubbing of woody material and subgrade preparation of the zone of impact will be conducted.
4. Off-site sediments in freshwater which exceed Class A SCGs will be excavated (approximately 11,000 cubic yards total) to maintain existing bathymetry and topography, and capped. The engineered cap system will be placed over the contaminated sediments in Willetts Creek and Lake Capri will be designed, constructed and maintained in conformance with the substantive and procedural

requirements of the National Environmental Policy Act (NEPA), the Federal Water Pollution Control Act of 1972, Public Law 92-500, as amended by the Clean Water Act of 1977 (CWA), and the Marine Protection, Research, and Sanctuaries Act (MPRSA).

- 5. Stream bed bathymetry and topography will be restored with appropriate stream bed material. If present, submerged aquatic vegetation in the remediation area will also be restored. The design will include a monitoring plan for areas disturbed by the remedy and all activities will be consistent with the requirements of 6 NYCRR Part 608.
- 6. The existing Site Management Plan for the site will be edited to provide for cap inspection and additional monitoring.

The remedy requires approximately one year to design and one year to implement. Monitoring of the cap will be required indefinitely to ensure protectiveness.

<i>Present Worth:</i> .....	<i>\$7,800,000</i>
<i>Capital Cost:</i> .....	<i>\$7,220,000</i>
<i>Annual Costs:</i> .....	<i>\$3,200</i>

## Exhibit C

### Remedial Alternative Costs

Remedial Alternative	Capital Cost (\$)	Annual Costs (\$)	Total Present Worth (\$)
1: No Action	0	0	0
2: Excavation of Soil to Residential Use SCOs, Removal of Sediment in Willetts Creek to Native Material and Removal of Sediment in Lake Capri to lowest end of the Class B SGVs	\$18,100,000	\$3,200	\$18,200,000
3: Excavation of Soil to Unrestricted Use SCOs and Removal of Sediment in Zone of Impact to Class A SGV	\$20,600,000	\$3,200	\$20,700,000
4: Excavation with Capping of Sediment	\$7,220,000	\$3,200	\$7,800,000

## **Exhibit D**

### **SUMMARY OF THE SELECTED REMEDY**

The Department has selected Alternative 3 Excavation of Soil to Unrestricted Use SCOs and Removal of Sediment to Class A SGV as the remedy for this site. Alternative 3 would achieve the remediation goals for the site by removal of approximately 24,000 cubic yards of sediment from Willetts Creek and Lake Capri and approximately 1,800 cubic yards of soil from residential yards. Upon completion of the remedy the above listed areas will be restored. The elements of this remedy are described in Section 7. The selected remedy is depicted in Figures 5.

### **Basis for Selection**

The selected remedy is based on the results of the RI and the evaluation of alternatives. The criteria to which potential remedial alternatives are compared are defined in 6 NYCRR Part 375. A detailed discussion of the evaluation criteria and comparative analysis is included in the FS report.

The first two evaluation criteria are termed "threshold criteria" and must be satisfied in order for an alternative to be considered for selection.

1. Protection of Human Health and the Environment. This criterion is an overall evaluation of each alternative's ability to protect public health and the environment.

Alternative 1 (No Action) does not provide any protection to public health and the environment and will not be evaluated further. Alternative 2 and 3 best fulfill this criterion by removing the contaminated soil/sediment exceeding applicable SCGs. Alternative 4 fulfills this criterion by closing off the soil/sediment exposure pathway; and thereby, preventing human and biota contact with remaining contamination with proper site management.

2. Compliance with New York State Standards, Criteria, and Guidance (SCGs). Compliance with SCGs addresses whether a remedy will meet environmental laws, regulations, and other standards and criteria. In addition, this criterion includes the consideration of guidance which the Department has determined to be applicable on a case-specific basis.

Alternatives 2 and 3 best meet this criterion by removing cadmium and chromium in soil exceeding residential and unrestricted use SCOs, respectively. Alternative 2 will remove freshwater sediment above the lowest end of the Class B SGVs to native material in Willetts Creek while Alternative 3 will remove sediments to Class A SGV in Willetts Creek. Alternative 2 will remove freshwater sediment above the lowest end of the Class B SGVs from Lake Capri. Alternative 3 will remove sediment in Lake Capri to Class A SGV. Alternative 4 meets SCGs to a lesser extent by eliminating exposure pathways from the capped material.

The next six "primary balancing criteria" are used to compare the positive and negative aspects of each of the remedial strategies.

3. Long-term Effectiveness and Permanence. This criterion evaluates the long-term effectiveness of the remedial alternatives after implementation. If wastes or treated residuals remain on-site after the selected remedy has been implemented, the following items are evaluated: 1) the magnitude of the remaining risks, 2) the adequacy of the engineering and/or institutional controls intended to limit the risk, and 3) the reliability of these controls.

Alternatives 2 and 3 fulfill this criterion by permanently removing contaminants at concentrations exceeding residential and unrestricted SCO's, respectively, from the site. Alternative 4 will fulfill this criterion but will require long-term maintenance and monitoring of the cap, as the impacted soil/sediment will remain on site.

4. Reduction of Toxicity, Mobility or Volume. Preference is given to alternatives that permanently and significantly reduce the toxicity, mobility or volume of the wastes at the site.

Alternatives 2 and 3 reduce the toxicity, mobility and volume of waste at the site by removal of contaminated soil and sediment to an approved off-site location. Dewatering the excavated sediment would decrease the volume of waste. Alternative 4 decreases the volume of waste to a lesser degree by removing less soil and sediment than Alternatives 2 and 3. Although Alternative 4 does not reduce the toxicity of the remaining material, it decreases the mobility of the contamination through capping.

5. Short-term Impacts and Effectiveness. The potential short-term adverse impacts of the remedial action upon the community, the workers, and the environment during the construction and/or implementation are evaluated. The length of time needed to achieve the remedial objectives is also estimated and compared against the other alternatives.

Alternatives 2, 3, and 4 each pose limited short-term risks to the public during excavation/dredging, grading, treatment, and other site activities due to noise, increased truck traffic, and ground disturbance. These effects can be reduced by using designated truck routes and limiting hours of operations to during school hours, when students will be inside the school building and away from these activities. The Department will work with school district officials to ensure students are indoors during work periods. Workers can potentially be exposed to contaminated media during excavation and/or treatment activities involved. Risks can be minimized by implementing health and safety controls, including the use of appropriate personal protective equipment and community air monitoring and engineering controls. These alternatives will pose increased short-term risks to the environment in the form of site disturbances. These disturbances will be from tree removal, stream channel changes and temporary draining of Lake Capri. This risk will be reduced though a comprehensive site restoration plan detailing creek and site restoration to a stable riparian corridor. Alternative 4 has fewer short-term impacts than Alternatives 2 and 3, because Alternative 4 disturbs less soil and sediment. Alternatives 2 and 3 will meet remedial objectives upon construction completion, but Alternative 4 will require



indefinite monitoring and maintenance to meet remedial objectives.

6. Implementability. The technical and administrative feasibility of implementing each alternative are evaluated. Technical feasibility includes the difficulties associated with the construction of the remedy and the ability to monitor its effectiveness. For administrative feasibility, the availability of the necessary personnel and materials is evaluated along with potential difficulties in obtaining specific operating approvals, access for construction, institutional controls, and so forth.

Alternatives 2-4 are implementable, but will present challenges due to the proximity of the schools, residences, and limited access which will impact the timing and efficiency of the implementation.

7. Cost-Effectiveness. Capital costs and annual operation, maintenance, and monitoring costs are estimated for each alternative and compared on a present worth basis. Although cost-effectiveness is the last balancing criterion evaluated, where two or more alternatives have met the requirements of the other criteria, it can be used as the basis for the final decision.

Alternative 4 has the lowest cost. However, Alternative 3 provides the most protection to public health and the environment. Alternative 2 is less costly than Alternative 3, while Alternative 3 provides more protection to human health and the environment than Alternative 2.

8. Land Use. When cleanup to pre-disposal conditions is determined to be infeasible, the Department may consider the current, intended, and reasonable anticipated future land use of the site and its surroundings in the selection of the soil remedy.

Under Alternative 3, the land will be returned to pre-disposal conditions and would allow for any use. Alternatives 2 and 4 would clean up the soil to residential use, which is the current land use, and would cap sediment (Alternative 4). Under Alternative 4, some of impacted media would remain on site, so residual contamination would be controllable with implementation of a Site Management Plan.

The final criterion, Community Acceptance, is considered a "modifying criterion" and is taken into account after evaluating those above. It is evaluated after public comments on the Proposed Remedial Action Plan have been received.

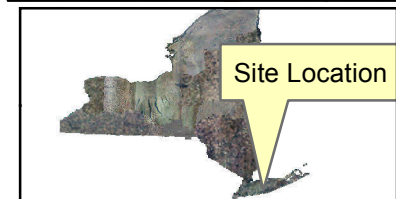
9. Community Acceptance. Concerns of the community regarding the investigation, the evaluation of alternatives, and the PRAP are evaluated. A responsiveness summary was prepared that describes public comments received and the manner in which the Department will address the concerns raised.

A significant number of public comments were received by the Department requesting the Department chooses Alternative 3. Due to the significant community involvement with the site, Alternative 3 was selected.

Alternative 3 has been selected because, as described above, it satisfies the threshold criteria and provides the best balance of the balancing criterion.

## Figures





0 250 500 Feet

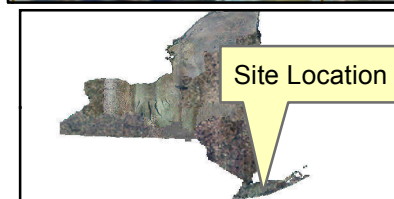


**Figure 1**  
**Site Location**  
**Operable Unit 4**  
**Dzus Fasteners**  
**Site Number: 152033**  
**West Islip, NY**  
**Map Created: July 12, 2018**

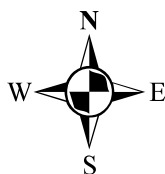
Legend

-  Dzus Fastener Site Location
-  Operable Unit 4 Location



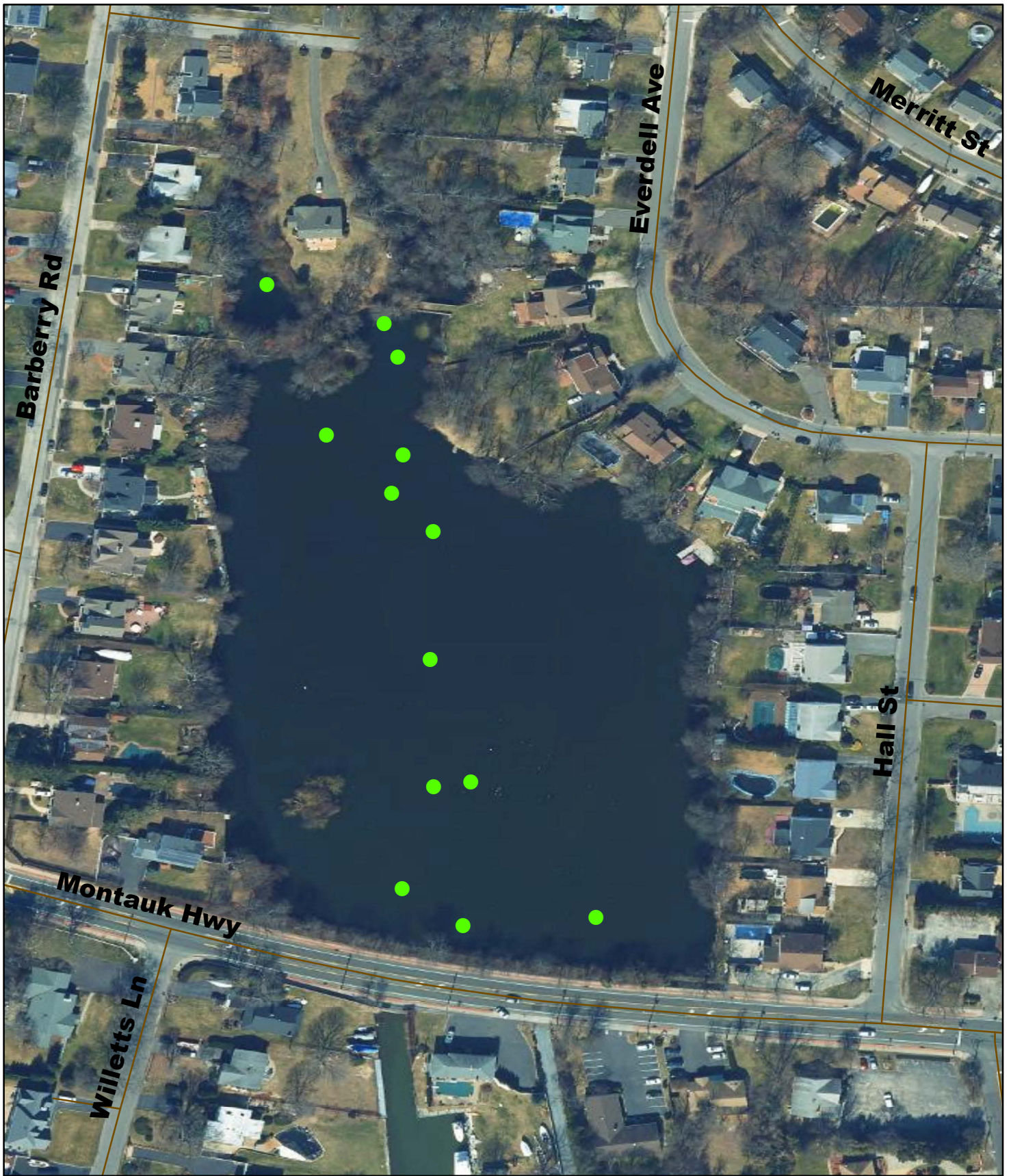


0 250 500 Feet



**Figure 2**  
**Soil Sampling Results**  
**Operable Unit 4**  
**Dzus Fasteners**  
**Site Number: 152033**  
**West Islip, NY**  
**Map Created: July 12, 2018**



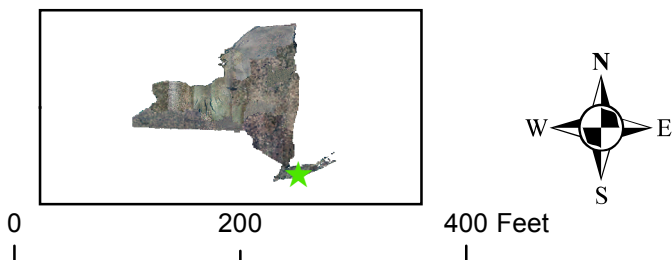


**Figure 3**  
**Lake Capri Surface Water Sampling Locations**  
**Dzus Fastener Company, Inc.**  
**Site Number : 152033**  
**West Islip, NY**

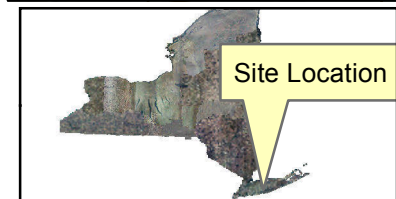
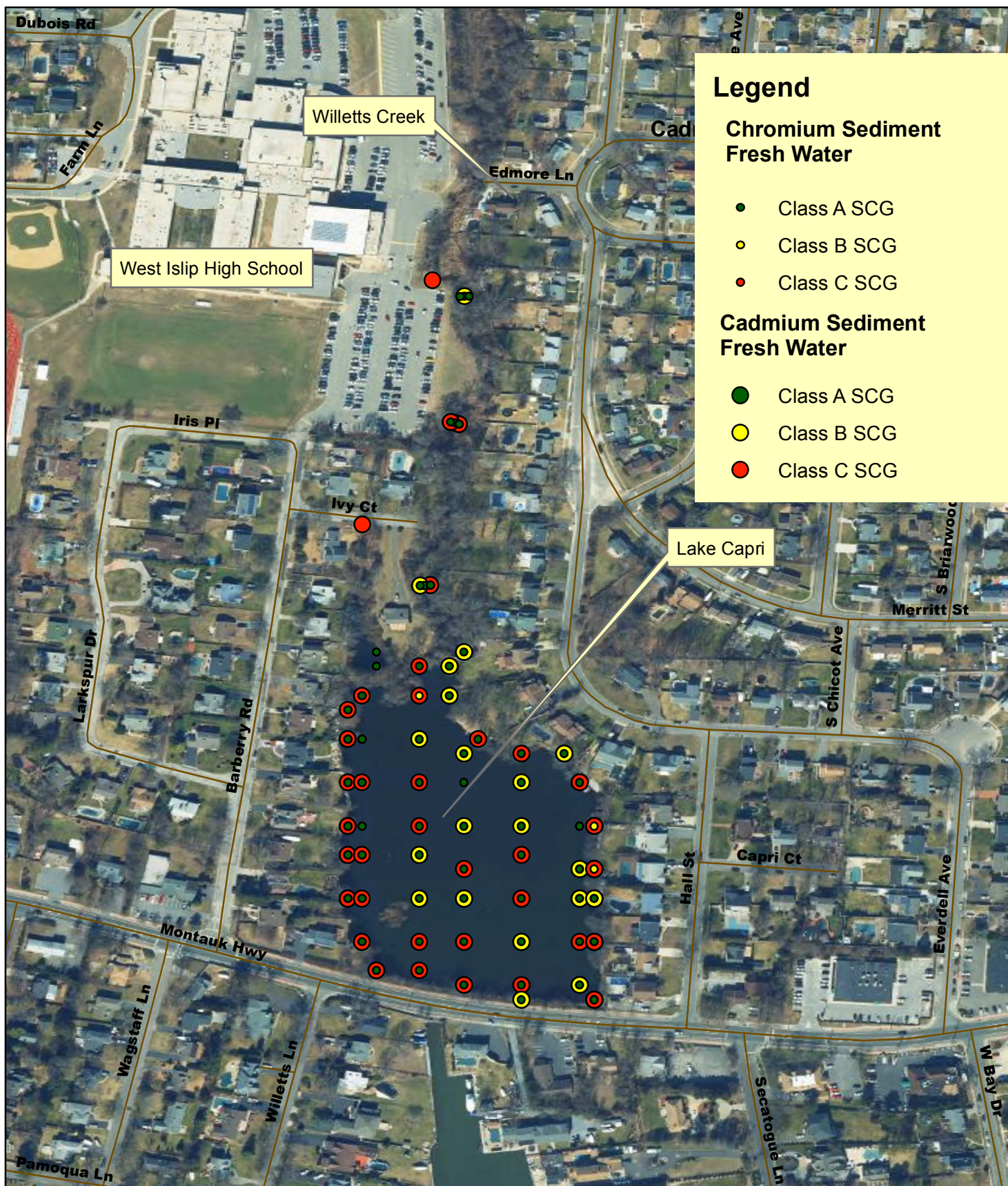
**Legend**

● Surface Water Locations

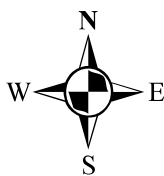
**06/20/2018**





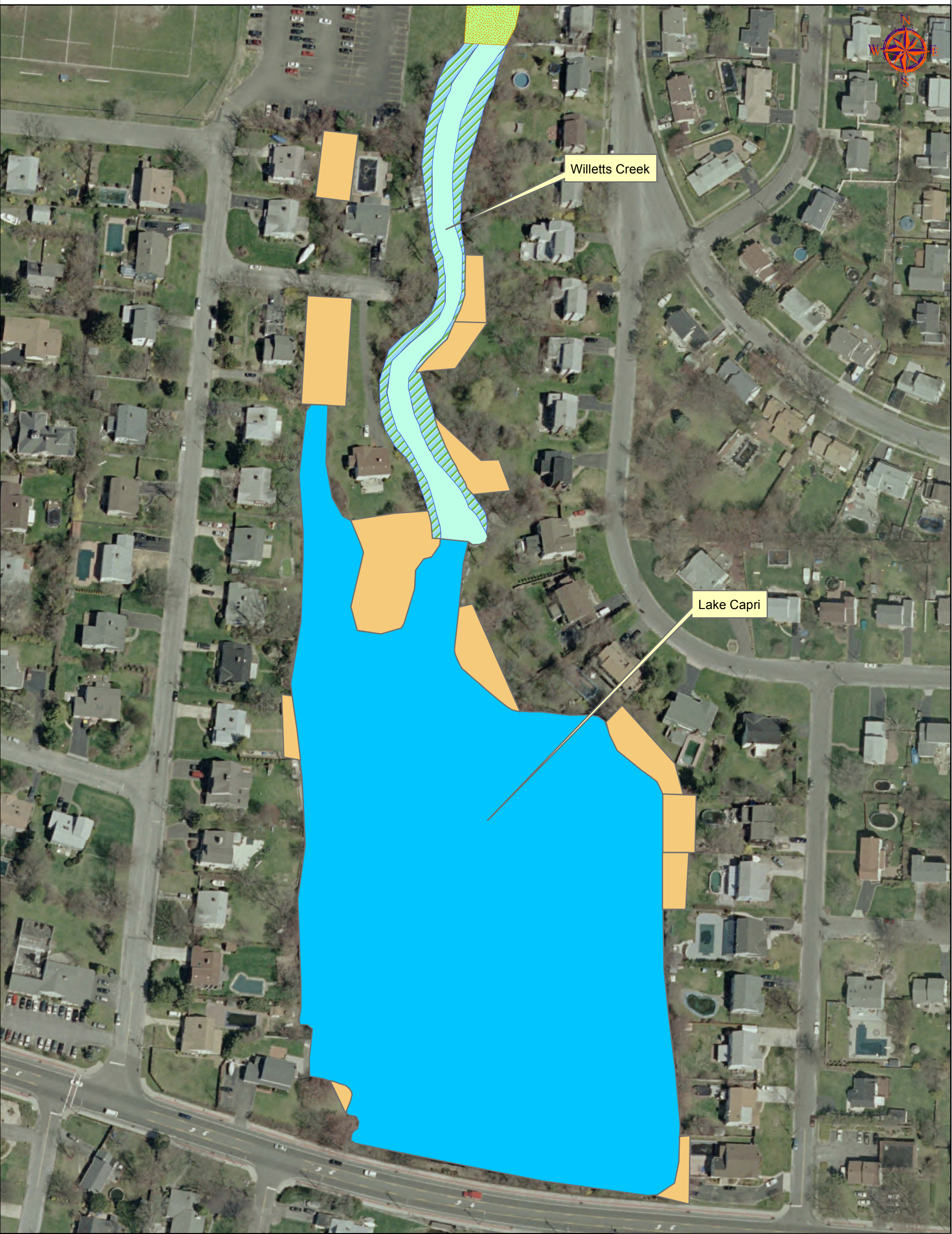


0 250 500 Feet



**Figure 4**  
**Sediment (freshwater) Sampling Results**  
**Operable Unit 4**  
**Dzus Fasteners**  
**Site Number: 152033**  
**West Islip, NY**  
**Map Created: July 12, 2018**





**Figure 5**  
**OU4 Proposed Excavation**  
**Dzus Fastener**  
**Site Number 152033**  
425 Union Blvd.  
West Islip, NY  
**September 7, 2018**  
Site Managed by: Payson Long  
Map Created by: Payson Long

**Legend**

Willetts Creek Sediment Excavation Area

Willetts Creek Wetlands Sediment Excavation Area

Lake Capri Sediment Excavation Area

Residential Soil Excavation Area

Operable Unit 3-Zone of Impact

0 55 110 220 330 440 Feet



# **APPENDIX A**

## **Responsiveness Summary**

# RESPONSIVENESS SUMMARY

Dzus Fastener Co., Inc.  
Operable Unit Number 04: Lower end of Willetts Creek and Lake Capri  
State Superfund Project  
West Islip, Suffolk County  
Site No. 152033

The Proposed Remedial Action Plan (PRAP) for the Dzus Fastener Co., Inc. Operable Unit Number 04: Lower end of Willetts Creek and Lake Capri was prepared by the New York State Department of Environmental Conservation (the Department) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on October 1, 2018. The PRAP outlined the remedial measure proposed for the contaminated sediment and soil associated with Lower end of Willetts Creek and Lake Capri.

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

A public meeting was held on October 16, 2018, which included a presentation of the remedial investigation/feasibility study (RI/FS) for the Dzus Fastener Co., Inc. Operable Unit Number 04: Lower end of Willetts Creek and Lake Capri as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. The public comment period for the PRAP ended on October 31, 2018.

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

## **Comments from the Dzus Fastener OU4 PRAP public meeting October 16, 2018**

Comment 1: The Beach Street Middle School footbridge still floods.

Response 1: The Department has committed to complete an additional cleaning out of the culverts under the Beach Street Middle School and the West Islip High School footbridges. The remedial design will include an upgrade to the existing middle school footbridge to provide a box culvert and minimize future flooding events. The Department is also working with the town to resolve the flooding issue.

Comment 2: Assemblywoman Christine Pellegrino is the chair of the Toxic Substances and Hazardous Wastes Committee, as well as a member of the Committee on Environmental Conservation. Should any constituent need information on this site, especially on cancer issues, the Assemblywoman urges them to contact her office.

From her office's standpoint, the progress at this site has seen good progress and we must make sure that progress continues.

Response 2: Comment noted.

Comment 3: Alternative #2 is not adequate. We stress Alternative #3 and the removal of sediment to Class A sediment guidance values, with unrestricted use. This solution is only \$2.5M more and has better results. Do this cleanup right so we do not have to do this again. Timing is important so that the functioning of the school and the students' lifestyle does not suffer.

Response 3: The Department welcomes input from the public and after re-examining each alternative, agrees that Alternative 3 is the most comprehensive and will best protect public health and the environment. Therefore, Alternative 3, which recommends removal of impacted soils exceeding the unrestricted use SCOs and removal of cadmium and chromium contaminated sediment to Class A SGVs, has been selected as the remedy for Operable Unit No. 4. An administrative change to the previously issued Record of Decision for Operable Unit No. 3 will also be made to reflect the removal of impacted soils exceeding the unrestricted use SCOs and removal of cadmium and chromium contaminated sediment to Class A SGVs.

Comment 4: The Town needs to keep up the creek, keep garbage out of the creek, and keep the creek flowing to prevent flooding.

Response 4: Comment noted.

Comment 5: Is Lake Capri a watershed lake? With all the fertilizer running into it, loads of garbage behind the shopping center, the lake's quality is in peril.

Response 5: This issue is beyond the scope of the remedial project. Additional information concerning Watershed Management, however, is available here:

<https://dec.ny.gov/lands/25563.html>

Comment 6: Has any testing been done at OU-5 south of Montauk Highway? It was stated in another meeting testing would be done. What kind of testing has been done, are there any preliminary results, any action needed?

Response 6: The Department obtained sediment samples in the Willetts Creek Tidal area, located south of Montauk Highway. Of the 223 sediment samples collected in the Willetts Creek Tidal area, concentrations of cadmium ranged from 1.7 to 160 parts per million (ppm), with 51 of the 223 samples exceeding the Class C saltwater sediment guidance value (9.6 ppm). Detected chromium concentrations ranged from 6 to 200 ppm. Concentrations of chromium in the tidal area of Willetts Creek did not exceed Class C saltwater guidance values for chromium (370 ppm). A figure

depicting the locations of the samples collected, and a table summarizing the results, can be found in the Operable Unit 4 (OU4) Remedial Investigation (RI) report. The OU4 RI is available at the West Islip Public Library. Additional investigation is required to delineate the extent of the contamination in Willetts Creek Tidal area and will be conducted under OU5. Once the OU5 Remedial Investigation is complete, the Department will determine if remediation of the tidal area is needed.

Comment 7: Citizen's Campaign for the Environment advocates for Alternative #3. All of the contamination needs to be removed. It is only \$2M more from an \$18M cleanup plan. This contamination has reemerged, as stated by DEC, due to Sandy, flooding and severe weather. These events are bound to happen again and we need to remove all contamination to prevent having to do this cleanup again.

DEC needs to include biota in the final ROD, as this was not included before.

DEC also needs to detail what monitoring will be done, number of times per year, what the schedule will be, and how this information will be made available to the public.

DEC should also reevaluate the capping done in OU1, and determine if that capping was effective.

Response 7: See Response 3.

Data for the biota sampling completed to date is summarized in the OU4 Remedial Investigation Report, which is available for review at the West Islip Public Library.

A site management plan currently exists for the site, which monitors and assesses the effectiveness of past remedial work (including OU1), and it will be updated as part of the OU3/OU4 remedial effort to provide monitoring for applicable media including biota, as well as sample frequency, reporting, etc.. Results of ongoing monitoring indicate the capping remedy for OU1 has been effective.

Comment 8: Behind Beach Street Middle School, there is still flooding on the footbridge. The footbridges need to be looked at.

Response 8: See Response 1.

Comment 9: The cleanup will be staged at the High School and the Middle School. If there is an air issue at the site, what happens? How do you protect the students? How will the community be notified?

Response 9: Correct, the remedy contemplates usage of the school property. The Department, in conjunction with the New York State Department of Health, will ensure engineering controls are in place to prevent the migration of dust beyond the limits

of the work zone. These controls include conducting the processing within an enclosed temporary fabric structure with air filtration units and conducting continuous air monitoring around the perimeter. The air monitoring action levels, including a requirement for no visible dust, are conservative for triggering work shut down and corrective measures. The moist nature of the dredged sediments also ensures that dust is minimized. Additionally, the Department will coordinate the implementation of this work with the school district throughout the project to ensure it is performed in a safe and protective manner.

Any additional health-related concerns can be addressed to Scarlett McLaughlin at 518-402-7860 or [beei@health.ny.gov](mailto:beei@health.ny.gov).

Comment 10: I am a Junior at West Islip High School. I represent many of my peers in the school. It is an outrage that the senior parking lot will be used for the project. I know one person who will be directly affected who lives one mile from the school and be forced to walk through all types of weather, rain, snow, etc.

If the parking lot must be used, an alternative must be given to students as the side streets are a no parking zone.

Response 10: The Department is working with the West Islip School District to evaluate alternatives for parking during the remedial work.

Comment 11: We knew OU3 had to be cleaned a year ago. We were told it was less costly to do this together. We shouldn't care about cost. The site needs to be cleaned quickly without concern of cost.

Response 11: The Department is committed to supervising a careful and thorough cleanup of Willetts Creek and Lake Capri, two areas related to the larger Dzus Fastener Company Site. Our foremost priority is ensuring that the public health of residents, school district staff, children and visitors is protected. It is anticipated that the construction contract will be bid at the beginning of 2019 to allow remediation to commence as soon as possible.

Comment 12: Trucks will be moving material back and forth. Has a traffic assessment been done?

Response 12: The Department is evaluating traffic as part of the remedial design.

Comment 13: I bought my property on Lake Capri two years ago and was told everything would be fine regarding the contamination. Now, I am told a quarter of my property will be dug up. I have structures, a shed, on my property. What will happen with them? Will I be responsible for any expense? There are trees that line my property. The root systems protect my property from erosion. Will this be addressed?

Response 13: Structures will be temporarily relocated or replaced in kind if the structure cannot be temporarily relocated without damage. Trees will be evaluated by an arborist

to determine if the soil excavation can be performed without adversely affecting the integrity of the tree, in which case the contractor will work around the tree. If that is not possible, the tree will be removed and replaced with a similar tree from a tree nursery. All work will be performed at no cost to the property owner. The Department will consider the potential for soil erosion when making these decisions.

Department program policy also provides limited discretion in determining which soil will be removed from each property. An evaluation of all samples from an individual property will be performed and the Department, in consultation with the NYSDOH, will work to accommodate property owner concerns related to preservation of their property with respect to specific features such as mature trees, decorative plantings, or other features of significance to the property owner, where possible.

Comment 14: Last time this cleanup occurred, my house was behind the staging area. The vibrations shook my house, caused damage to my sheetrock and nails fell off my walls. The contractor tried moving the pumps, changing tactics but that did not stop the vibration. Will this damage happen to my home again? Will damage be fixed? Who can neighbors contact if work is damaging homes?

Last time, the pumps worked through the entire night and I could not sleep. It was very loud. Will overnight work happen again? What is the time frame for the work?

Response 14: The Department will ensure engineering controls are in place to prevent vibration and damage to nearby homes. The contractor will be responsible for making any necessary repairs at no cost to the property owner. The contractor will also be required to stop work if the controls are not effective.

Any components of the treatment or processing systems which might need to work overnight will have strict noise and vibration controls to prevent any impacts to nearby residents. The contractor will be required to stop work if the controls are not effective.

The residents can contact the DEC Project Manager, Sarah Saucier at 518-402-9813 or [sarah.saucier@dec.ny.gov](mailto:sarah.saucier@dec.ny.gov).

DEC anticipates awarding the contract in the Spring of 2019 and completing all work, including restoration, in the Spring of 2020.

Comment 15: People can contact Legislator Steve Flotteron regarding flooding. After speaking to Citizen's Campaign and Mike LiPetri, I would like to advocate for Alternative #3 which DEC states itself would better protect public health and the environment. It only costs a little more, let's do the right thing.

Response 15: See Response Nos. 1 and 3.

Comment 16: As a member of the PTA, we are concerned about the kids. We worry about the time of day the work will be done. Will the workers be vetted? Kids will be near the work during school and for after school sports. How much work will be done during the school day? Why can't the work be done during the summer months? The noise and vibrations will likely disturb the children's school day and work.

Response 16: The contractor will be vetted in accordance with State Education Department requirements.

The Department will coordinate the implementation of this work with the school district to ensure it is performed in a safe and protective manner. For any health-related concerns, please contact Scarlett McLaughlin of the NYSDOH at (518) 402-7860 or [beei@health.ny.gov](mailto:beei@health.ny.gov).

The contract will also include controls such as fencing and flag persons to ensure that student safety is always accounted for.

Limiting the removal of the contaminated sediments to during the summer recess period is not feasible, since this would significantly lengthen the project (i.e., five or more years). Limiting the construction to the summer months would conflict with the Department's commitment to removing contamination as soon as possible. Also, due to the size and specialty functions of the sediment processing and dewatering equipment, the multi-year rental or repeated mobilization of the necessary equipment each summer is cost prohibitive.

The contract will have strict noise and vibration controls to prevent any impacts to the school day and classroom work. The contractor will be required to stop work if the controls are not effective.

Comment 17: What is the process for hiring the contractor? Is it the lowest bid? How does the vetting and bidding process work?

Response 17: The Department solicits competitive bids and then selects the lowest, responsive, responsible bidder. This means the contractor must meet the substantive requirements such as experience, and that the Department will evaluate the qualifications and approach of the contractor to ensure the contractor understands the project and can successfully complete the work.

Comment 18: The evacuation plan and drills for students have them stand by the creek. A new plan needs to be put in place while this remedy is being conducted.

Response 18: The Department is working with the West Islip School District to address this issue.

Comment 19: Last year I asked a question if the Dzus property was the source of the cadmium was flowing into Willetts Creek and I was told yes. The source is continuing. When

will the Dzus property be cleaned? Why is it not going to be touched? Why should we conduct this OU4 cleanup if it's going to be contaminated again almost immediately?

Response 19: The Dzus property has been remediated and is no longer a continuing source of contamination to the creek. Historically, there was a pipe that directed flow from the on-site drywells into Willetts Creek. This pipe was removed during the Operable Unit 1 Remedial Action. The source of contamination for Operable Unit Nos. 3 and 4 is a low-lying wetland area located behind the Captree 2 Plaza.

Comment 20: Is Dzus responsible for any of the costs of this cleanup?

Response 20: The potentially responsible parties (PRPs) for the site, documented to date, include:

Dzus Fastener Co., Inc.  
Dzus International Limited  
DFCI Solutions

The Department has settled claims for OU2 with two of the three identified PRPs and the Office of the Attorney General has determined that there were insufficient grounds to pursue the third PRP for OU2 response costs.

Comment 21: I was told that a pipe was cleaned up at the Dzus Factory and now there is no more contamination. I don't buy that. The contamination is coming from the sediment under the Dzus facility and it needs to be removed.

Response 21: See Response 19. Also, the Dzus Fastener site was remediated by solidifying contamination in place in accordance with a previous Record of Decision. Solidification prevents mobilization of contamination from the site.

Comment 22: Are the sediment liners flexible? Can we just line the trucks with that and take them away without staging the material?

Response 22: No, the sediments must be processed to meet transportation requirements and prevent leaking trucks during transport to the disposal facility.

**Comments received via email:**

Comment 23: I am writing to ask that the NYS DEC use alternative 3 to remediate the toxic cleanup at the OU 4 Willetts Creek and Lake Capri areas. I want to ensure that the public gets the most effective process to ensure our health.

Response 23: See Response 3.



Comment 24: I became aware of the issues at Dzus Fastener from the notices I receive from NYSDEC. I usual follow things because I am originally from Suffolk County, LINY.

DEC Releases Proposed Plan to Expand and Expedite Clean Up of Dzus Fastener State Superfund Site

<http://www.dec.ny.gov/press/114794.html>

Back in 1987 I first met the former Director of the both the Divisions of Solid & Hazardous Wastes Norman Nosenchuck. Around 1991 Norman Nosenchuck became the director of Hazardous Waste and gave up the directorship of Solid Waste. Today those department names have changed and I am trying to navigate my way through things, and thus, my reason for contacting you. Back then I supplied him with information on setting the MCL numbers and the risk assessment models used. Today, I am wondering what scientific sources are being used to support MCLs of regulated substances, such as heavy metals, and especially 'lead'? Also, I was interested in what is going to be done with the recovered sludge/solid materials from the Dzus remediation project? I did not have the ability to visit the W. Islip library to review the documents, although, I did see links to additional information.

Response 24: Applicable regulations and guidance include the Soil Cleanup Objectives (SCOs) in 6 NYCRR (New York Code of Rules and Regulations) Part 375 and Sediment Guidance Values (SGVs) from the Screening and Assessment of Contaminated Sediment guidance document (NYSDEC 2014).

6NYCRR Part 375 can be found at:

[https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=Idd484a00b5a011dda0a4e17826ebc834&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)&bhcp=1](https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=Idd484a00b5a011dda0a4e17826ebc834&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)&bhcp=1)

The Screening and Assessment of Contaminated Sediment guidance document can be found at:

<http://www.dec.ny.gov/regulations/28693.html>

The sediments and soils will be transported to an off-site authorized facility, to be determined during the Remedial Design phase. Additional site related information and documentation may be obtained at:

<http://www.dec.ny.gov/chemical/114710.html>

Comment 25: I am asking for the DEC and the NYSDOH to adopt option 3 for the DZUS clean up. Please consider my request along with many in my community.

Response 25: See Response 3.

Comment 26: First, I would like to thank you and your team for the presentation last evening at West Islip High School. I appreciate the honesty and detailed reporting that clearly went into this study, and respect the logistical and fiscal obligations your team must consider on this type of project.

My main concern regarding the issue at hand is the difference between the potential remedies proposed. As I understand it, and as was highlighted by a few of the commentators last night, the sole difference in terms of input between Alternative 2 and Alternative 3 is the price of \$2.5 Million dollars.

Yet, as you stated yourself, the results this additional funding would yield would be an entirely different classification of the safety of the sediment, and no restrictions placed on the activity of civilians.

I don't see how the State could, in any way that is not entirely insulting to the taxpayers affected, justify this cheaper alternative. Especially when considering this contamination and its subsequent repetitive mishandling by the DEC has now spanned more than three decades.

I understand that this budgeting issue may not be a complaint directed towards your department, so if there is a better contact point that I (and the numerous affected constituents I am writing on behalf of) can speak to directly, I would greatly appreciate that.

We are extremely anxious and motivated to fix this plight that our neighborhood has now endured for more than a quarter of a century, and certainly will not sit by and let New York State tell us our physical health is not deserving of the additional funding expansion of 15% on a budget that never should have to have been implemented had the state done this correctly the first time.

Response 26: See Response 3.

Comment 27: As a West Islip resident, I was recently informed of the state superfund program for the Dzus Fastener site. While grateful for this effort and significant expenditure, is there a link or additional information your office can provide with a cost breakdown of the expected \$18.2M budget? This information is helpful to understand where cost overruns may occur if the plans have uncertainties that may arise. I did check the [www.dec.ny.gov](http://www.dec.ny.gov) site under the site #, but those details are not included.

Response 27: A breakdown of the costs associated with each alternative is in the Feasibility Study, which is available in the West Islip Library.

Comment 28: As a longtime resident of West Islip and a citizen who is deeply concerned about environmental contamination and its effects, I would like to voice my strong support for the proposal to clean up the former Dzus Fastener site at 425 Union Boulevard in West Islip.

Considering that this site was not sufficiently cleaned up in 1999 and that the DEC has subsequently deemed it a “significant threat,” it would be morally irresponsible to reject this proposal.

In a perfect world, Dzus Fastener (even after several changes in ownership) would be paying for the cleanup.

Response 28: Comment noted.

Comment 29: After reviewing, I urge you to choose Alternative 3 as the means to remediate the area around Willets Creek and Capri Lake. It provides the best protection for us as residents, and for the environment.

Response 29: See Response 3.

Comment 30: I am writing to plead that the clean-up result in West Islip near the former Dzus fastener site. I have been a resident here for over 30 years and have seen no great effort to rectify this situation. I have no doubt that this contaminated site has resulted in cancer to residents, one being myself as I live in proximity to the creek.

Through the years, there have been meetings; however, nothing seems to get done or resolved. Occasionally, promises have been made but nothing becomes a reality.

Legal action against the Dzus factory over this situation should be considered as they should be held accountable for this situation. It would also be excellent to see the factory torn down as this has been an eye sore in this community for too many years.

Response 30: See Response Nos. 11 and 20.

The focus of this Record of Decision is Willetts Creek and Lake Capri. Cleanup of the factory was previously addressed by the Department under the Resource Conservation and Recovery Act (RCRA).

For questions regarding cancer or to request a cancer investigation, please contact the New York State Department of Health at (518) 473-7817.

Comment 31: We have lived in West Islip all our lives and the contamination from Dzus Fastener Company had gone unchecked for decades.

West Islip residents have heard about cancer victims that swam in Willetts Creek

as children years ago. And, it is common knowledge that the breast cancer rate on Long Island is high, too.

The time is now to clean up the environmental hazards ignored by local, state and federal officials for far too long.

The residents here deserve to be protected going forward from the contaminated water in the Creek and in the ground.

The time to take action AND CLEAN IT UP is right now, without further delay.

Response 31: See Response Nos. 11 and 20.

Comment 32: I live near Sampawams Creek, just west of Willetts Creek. The DEC labeled sampawams water as "impaired" I infer this label to all 120 south shore creeks.

There is little doubt in my mind that no matter what remediation measures taken, the water quality will not be improved.

After finding access, I've walked with hip boots as far as I could on Willets. I attended hearings and read handout sheets of data.

At Union Boulevard, bypassers have no clue there is a creek. Chain-linked fences and shielded by phragmites. who can care? The old saying "out of sight, out of mind." applies to all 120 creeks that drain ground water, street runoff, etc. into the bay. All our creeks have been overwhelmed over the past two centuries.

I created a power point program titled SECRETS OF SAMPAWAMS CREEK and presented it ten times to various community groups. I have a friend who is 88 years old and remembers swimming, laying, and having lots of access to creeks in Amityville, Lindenhurst, and Babylon.

Oh how I'd love to see a trail aside Willets creek for West Islipers, school kids, and people like me. you're in charge of cadmium removal. (and in my opinion, doing a good job). Who's in charge of all the other issues? Willets Creek could become a model for all Long Islanders as an example of how your cleanup leads to its restoration. first, we have to see it before we can love it.

Response 32: Please see the link provided under Response 5. Please note that a trail is beyond the scope of the remedial program.

Comment 33: I am writing concerning Dzus Fastener Co company that dumped toxic waste illegally for years.

It is very obvious nothing was done for years. Even when many organizations where aware there was a problem. Please keep in mind; the creek if I can remember

ran into the Great South Bay.

Bottom line I went to school near there, would swim in Willets creek, and Great Bay right across from the creek.

Now; currently I was just diagnosed with a pituitary tumor I am in my 40s.

There are also many HS classmates that have passed away that lived near there from lung cancer etc.

Sir, to get to the point who can I contact (the responsible party) concerning this.

I am a retired Veteran and without a doubt a number of my health issues is connected to this.

Response 33: See Response 20 regarding the responsible parties. For health-related questions, please contact Scarlett McLaughlin of the NYSDOH at (518) 402-7860 or [beei@health.ny.gov](mailto:beei@health.ny.gov).

Comment 34: We have read the proposed remedy for the Willets Creek and Capri Lake site in West Islip. In the plan there is no mention of rodent control nor who to contact if our backyards or houses become infested with rodents during the excavation period. Also, the bridges to both Beach Street Middle School and West Islip High School need to be redone in a matter where that water can flow freely and not through the culverts. The culverts that were cleaned out last year now have growth again and will eventually obstruct the water flow and lead to new sediment buildup. Finally, with the litter that people continue to throw into the creek which hinders the water flow and poses a safety hazard for the neighborhood and the wildlife. I feel that a tall fence needs to be put on the Beach Street Middle School side to contain the litter which will let the water flow freely.

Response 34: As part of the remedial project, there will be provisions for the control of rodents in place for all remedial work completed on Willets Creek and Lake Capri. Also, see Response 1 related to flooding at both footbridges.

Comment 35: After reviewing the remediation proposals, I urge you to choose Alternative 3 as the method of cleaning up our creek and lake. It is a longer-lasting solution to our issue.

Response 35: See Response 3.

Comment 36: As per our Assemblywomen Christine Pellegrino, we are urging you to adopt Alternative #3 to the cleanup of the Dzus Superfund site. We feel this alternative although more expensive will be a permanent solution to the ongoing problem. Thank you for your cooperation.

Response 36: See Response 3.

Comment 37: I live a half a block from the creek and my son uses the creek bridge to enter the HS daily. I would appreciate and urge the use of "alternative 3".

Response 37: See Response 3.

Comment 38: As a West Islip resident I am asking You to choose Alternative 3 for planned cleanup of Willets Creek and Lake Capri.

Response 38: See Response 3.

Comment 39: My vote is to implement alternative 3, for the cleanup of Willett's Creek & Lake Capri. Let's not waste any more time and money in the future, to go back to cleanup what was missed. Do it right once, so we all can feel safe in our environment.

Comment 39: See Response 3.

Comment 40: We would like to comment on your proposed remedial action plan at Willets creek and Lake Capri. I would like to ask that you implement Alternative 3 which would be the most beneficial for the health and safety of West Islip residents. As a West Islip resident, I feel that this is vital for our current and future health and property values. In addition, please implement the cleanup during summer recess to protect the safety of students and teachers at the Beach St Middle school and the WI High School.

Response 40: See Response 3 regarding the Department's selection of Alternative 3, and Response 16 regarding the project schedule.

**Comments from a letter sent in from Phil Boyle Senator, 4th District:**

Comment 41: I write to you regarding the Proposed Remedial Action Plan for Willets Creek & Lake Capri in West Islip, New York.

After a close review of the Description of Remedial Alternatives, and the discussion at the October 16, 2018 Public Meeting, I urge the New York State Department of Environmental Conservation (DEC) to adopt Alternative 3 as the chosen action plan. While I understand that Alternative 2 would achieve the remediation goals for the site, and is the more affordable option, Alternative 3 provides the most protection to public health and the environment. Given the history of this site, the removal of the additional 5,000 cubic yards of sediment is a worthwhile investment.

I also ask that you continue to work closely with the West Islip School District to ensure that the wellbeing of our students and their quality of education remains undisturbed. Lastly, I encourage the DEC to hold another meeting with residents and affected homeowners to discuss the logistical and construction concerns that

will undoubtedly arise going forward.

Response 41: See Response 3. The Department will coordinate closely with the school district and notes that there will be a public availability session to discuss upcoming remedial work.

**Comments from a letter sent in from Christine Pellegrino, Assemblywoman, 9th District:**

Comment 42: The Department of Environmental Conservation recently released the Proposed Remedial Action Plan to expedite the cleanup of Willets Creek and Lake Capri in West Islip. As the representative of this area, I am urging you to consider the voices of my constituents who want this area remediated once and for all.

After reviewing the proposal and listening to the residents of my community, I am urging the Department to use Alternative 3 from the proposal: remove contaminated sediment from Willets Creek and Lake Capri and return the soil to meet the unrestricted soil cleanup objective listed in Part 375-6.8(a). This remedy is the most comprehensive to ensure optimal public health and environmental security.

Further, I am advocating this plan be carried out with the best interests of the community. As you are aware, this remediation site is in a residential area and is adjacent to two public schools. The removal of contaminated sediment should not start while school is in session. To protect the health and safety of our children and staff, the active removal of the contaminants should be done during the summer recess.

Correcting past environmental pollution is an arduous task. I commend the Department for taking appropriate action on this site and look forward to working together in the future.

Response 42: See Response 3.

The Department shares the common goal of carrying out this remedy with the best interests of the community and the least amount of impact possible. Limiting the removal of the contaminated sediments to during the summer recess period is not feasible, since this would significantly lengthen the project (i.e., five or more years). This conflicts with Department's commitment to remove contamination as soon as possible. Also, due to the size and specialty functions of the sediment processing and dewatering equipment, the multi-year rental or repeated mobilization of the necessary equipment each summer is cost prohibitive.

**Comments from a letter sent in from Steven Flotteron, Legislator, 11th District:**

Comment 43: I am the Suffolk County Legislator for the 11th Legislative District. The Dzus Fastener Site at 425 Union Blvd., West Islip is within the jurisdiction of my district. As such, I feel obligated to voice my opinion on the proposed remediation plan for

the contaminated site and surrounding sites of Willets Creek and Capri Lake. These sites are critical to the environmental health of West Islip and the surrounding area. The proper and comprehensive remediation plan for these sites will have a positive impact on this community, which has waited a long time for corrective action.

With this in mind, I strongly urge the DEC to adopt and implement Alternative No. 3 as the method of remediation to clean-up the contamination at these sites. This alternative will provide the most protection to the health and well-being of our community and the environment

Response 43: See Response 3.

**Comments from a letter sent in from Maureen Murphy Citizens Campaign for the Environment:**

Comment 44: Citizens Campaign for the Environment (CCE) is a not-for profit, grassroots, environmental organization. We have been working to protect and restore NY & CT's air, land, and water for 34 years. Cleaning up legacy waste and ensuring protection of public health and the environment is of the utmost importance.

Thank you for the opportunity to comment on the proposed remedial action plan for operable unit 4, which includes lower portion of Willets Creek and Lake Capri.

1. The proposed remedy to remediate 19,000 cubic yards of sediment is insufficient. CCE is supportive of Alternative 3 which provides the most comprehensive cleanup for this site. Alternative 3 will remove all the contaminated sediment-24,000 cubic yards, at added cost of only \$2 million dollars more.

The DEC's preferred alternative leaves 5,000 cubic yards of sediment contaminated with cadmium and chromium compound. The U.S. Department of Health and Human Services (OHHS) has determined that cadmium and chromium compounds are known human carcinogens. The International Agency for Research on Cancer (IARC) has determined that cadmium is carcinogenic to humans. The EPA has determined that cadmium is a probable human carcinogen. Exposure to Cadmium is linked to health impacts including kidney, bone, and lung disease.

Once on the ground, cadmium moves easily through soil layers and is taken up into the food chain by uptake by plants such as leafy vegetables, root crops. Leaving the contaminated sediment puts communities and our environment at risk.

Additionally, DEC believes the reason for the re-emergence of toxics within the creek and lake is clue to Superstorm Sandy. Extreme flooding, heavy rain, and storm events are not going away for the east coast and in fact they are predicated



to worsen. It is certainly within the possibility that future storm events will cause the remaining contamination to become mobile. An inadequate remediation will necessitate that once again, another remediation is needed. It would be foolish to risk a third clean up when we can comprehensively clean it up now.

At the previous public meetings community members expressed a great deal of concern about restoration efforts. CCE would like to thank you for listening to the community members and including restoration as part of the cleanup plan.

2. CCE is requesting that DEC include the fish sample survey results for finfish in the final Record of Decision. In the DEC's October 16, 2018 presentation, staff released the results of a fish survey for Lake Capri. The survey documented low levels of cadmium in small and larger fish in the lake. These results were not included in the Proposed Remedial Action Plan. It is important to document the results in the final ROD and as part of the monitoring plan, a follow up survey should be conducted within 5 years of the clean-up.
3. CCE is requesting DEC conduct sampling for blue claw crabs within Willets Creek, Lake Capri, and the tidal portion of Willets Creek, South of Montauk.

Crabbing is an extremely popular hobby on Long Island. Residents love to recreate at their local creeks, rivers, and streams to catch and eat blue claw crabs. At the August 2017 public meeting, residents asked if the crabs were safe to eat when caught in the creek. At the October 16, 2018 meeting the NYS DOH showed a slide on recommending that women under 50 years of age should not eat blue claw crabs within Willets Creek, Lake Capri, or the tidal portion of the lower creek. It was unclear what this recommendation was based on and if any testing in crabs had been done.

Fish advisory information is given to residents that obtain a fishing permit. No permit is needed for crabbing on Long Island. The Agency for Toxic Substances and Disease Registry notes that "aquatic organisms will accumulate cadmium, possibly entering the food supply. People who fish in local waters as a means of food should be cautious and abide by any advisories. There should be a concerted effort by the NY DEC and NYSDOH to ensure members of the community are aware of the advisory on crabs.

4. The plan does state that DEC will conduct an after-remediation monitoring plan. This plan is not fully identified. DEC should set parameters for what the monitoring plan will be-how many test sites, how many times per year, etc. This plan should be communicated to the public and the results will be made available to public
5. DEC should reevaluate the original capping at OU1. On the original 4-acre site the contamination was capped instead of being fully removed. Capping

contamination on Long Island can be very problematic, particularly in an area with a rising water table and is prone to flooding such as a tributary of the South Shore Estuary. CCE is requesting DEC explore the original site to ensure that future contamination does not affect our community, our schools, and our waters.

6. Test Results on soil and sediment testing for south of Montauk need to be made public. At the October 2018 meeting members of the community asked about soil and sediment testing done south of Montauk around the creek. DEC officials stated that testing was being done and initial test results did detect cadmium and chromium. These results need to be released to the community and an action plan expedited to ensure the safety of the community and the environment.

In addition to my position at Citizens Campaign for the Environment, I am also a West Islip resident. My daughter currently attends Paul J Bellew Elementary School, just south of the High School. It is her classmates and our neighbors that are impacted with contaminated sediment in their yards, her friends that cross the footbridge. It is crucial that all contamination is removed to be most protective of the public, the community and the environment. Thank you for the opportunity to comment.

Response 44:

1. See Response 3.
2. Biota samples collected and analyzed from Willetts Creek and Lake Capri have been memorialized within the Remedial Investigation Report which is part of the Administrative Record for the Record of Decision. The RI Report is available for review in the West Islip Public Library. Long-term monitoring will be addressed in the Site Management Plan once construction is complete.
3. Blue crab is a saltwater species. Sample results from the tidal area will be summarized and presented as part of the Operable Unit 05 Remedial Investigation Report. The advisory for crab is inclusive of New York waters in Long Island Sound, Block Island Sound, Peconic/Gardiners Bays, the Long Island Shore, and the Atlantic Ocean for contaminants of concern for cadmium, dioxin and PCBs. No specific determination of the source of these compounds in crab have been determined, but is a general advisory.
4. See Response 7.
5. See Response 7.
6. Sampling results for all media collected in the Willetts Creek Tidal area will be summarized and presented in the OU5 Remedial Investigation Report. Sediment data for the Willetts Creek Tidal Area that has been collected to date has been summarized in the OU4 Remedial Investigation Report, which is available at the West Islip Public Library.

**Comments from a letter sent in from Ryan Dunn:**

Comment 45: I would like to request alternative #3 (excavation of soil to unrestricted use SCOS and removal of sediment to class A SGV). I have young kids and my wife and I are expecting another child. We want to assure the remediation process is done thorough this time and want a safe, clean environment in our backyard.

Response 45: See Response 3.

**Comments from a letter sent in from Johanna and Anthony Pellati:**

Comment 46: As per our Legislators, Steve Flotteron and Mike LiPetri, together have decided what is best for the Cleanup site of Dzus Fastener. Alternative #3 provides the most protection to public health and the environment. Evacuation of soil to unrestricted use SCOS and removal of sediment to class A SGV.

Please review your choices and conclude with the obvious choice of Alternative #3.  
We need this done once and once only!!!

Response 46: See Response 3.

## **APPENDIX B**

### **Administrative Record**

# **Administrative Record**

**Dzus Fastener Co., Inc.**

**Operable Unit No. 04: Willetts Creek and Lake Capri**

**State Superfund Project**

**West Islip, Suffolk County, New York**

**Site No. 152033**

1. *Proposed Remedial Action Plan for the Dzus Fastener Co., Inc. site, Operable Unit No. 04*, dated October 2018, prepared by the Department.
2. RI/FS Work Plan Dzus Fastener Co., Inc. Site, Operable Unit No. 04, dated November 2017.
3. Final RI Report Dzus Fastener Co., Inc. site, Operable Unit No. 04, dated September 2018.
4. Final FS Report Dzus Fastener Co., Inc. site, Operable Unit No. 04, dated September 2018.
5. Letter dated October 30, 2018 from Phil Boyle, New York State Senator, 4<sup>th</sup> District.
6. Letter dated October 25, 2018 from Christine Pellegrino, New York State Assembly, 9<sup>th</sup> District.
7. Letter dated October 24, 2018 from Steven J. Flotteron, Suffolk County Legislator, 11<sup>th</sup> District.
8. Letter dated October 25, 2018 from Maureen Murphy, Citizens Campaign for the Environment.