



NOTICE OF AVAILABILITY

RECORD OF DECISION

O&R - PORT JERVIS FORMER MGP SITE (SITE #3-36-049) CITY OF PORT JERVIS, ORANGE COUNTY

The New York State Department of Environmental Conservation (NYSDEC) announces that the Record of Decision (ROD) for the Orange & Rockland (O&R) Port Jervis Former Manufactured Gas Plant (MGP) site (Site Number 3-36-049), located at 16 Pike Street, City of Port Jervis, Orange County has been issued. A copy of the ROD is available for public review at the repositories listed at the end of this notice.

On February 21, 2007 the NYSDEC held a public meeting presenting the Proposed Remedial Action Plan for the O&R Port Jervis Former MGP site and also held an Availability Session on August 8, 2007. The comments received at the public meeting and during the extended public comment period (January 31, 2007 - April 1, 2007), along with the administrative record, were considered in preparing the final ROD for this site. The ROD presents the selected remedy for the O&R Port Jervis Former MGP site and the rationale for the chosen remedy. A Responsiveness Summary addressing the public comments received is also included in the ROD.

The chosen remedial action plan described in the ROD includes:

- A remedial design program will be implemented to provide the details necessary for the construction, operation, maintenance, and monitoring of the remedial program.
- Former MGP structures and their contents will be demolished, excavated and removed for off-site disposal. Source area soils will also be excavated. It is estimated this will result in the disposal of approximately 4,600 cubic yards of material.
- Surface soil in the off-site 28 Pike Street area will be removed to a depth of at least two feet below ground surface and restored with clean soil.
- Areas of the basement of 28 Pike Street where there is soil exposed at the surface will be covered with a concrete slab or other cover system. The infrastructure for a sub-slab depressurization system will be installed at that time. Future monitoring will determine if that system will operate as a passive or active system.
- Non-aqueous phase liquid (NAPL) collection wells will be installed to remove NAPL from the subsurface.
- Groundwater treatment wells will be installed downgradient of the site and placed to intercept the dissolved phase groundwater plume heading toward the Delaware River. The groundwater will be treated by enhanced aerobic biodegradation of the contaminants.

- A cover system (e.g., pavement) will be installed at the site to prevent exposure to contaminated surface and subsurface soils.
- Imposition of an institutional control in the form of an environmental easement that will require (a) limiting the use and development of the property to commercial use, which will also permit industrial use; (b) compliance with the approved site management plan; (c) restricting the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by NYSDOH; and (d) the property owner to complete and submit to the Department a periodic certification of institutional and engineering controls.
- Development of a site management plan which will include the following institutional and engineering controls: (a) management of the final cover system to restrict excavation below the soil cover's demarcation layer, pavement, or buildings. Excavated soil will be tested, properly handled to protect the health and safety of workers and the nearby community, and will be properly managed in a manner acceptable to the Department; (b) continued evaluation of the potential for vapor intrusion for any buildings developed on the site, including provision for mitigation of any impacts identified; (c) monitoring of groundwater and Delaware River sediments; (d) identification of any use restrictions on the site; (e) provisions for the continued proper operation and maintenance of the components of the remedy.
- The property owner will provide a periodic certification of institutional and engineering controls, prepared and submitted by a professional engineer or such other expert acceptable to the Department, until the Department notifies the property owner in writing that this certification is no longer needed. This submittal will: (a) contain certification that the institutional controls and engineering controls put in place are still in place and are either unchanged from the previous certification or are compliant with Department-approved modifications; (b) allow the Department access to the site; and (c) state that nothing has occurred that would impair the ability of the control to protect public health or the environment, or constitute a violation or failure to comply with the site management plan unless otherwise approved by the Department.
- The operation of the components of the remedy will continue until the remedial objectives have been achieved, or until the Department determines that continued operation is technically impracticable or not feasible.

The O&R Port Jervis Former MGP ROD with Responsiveness Summary can be reviewed at the following locations:

Port Jervis Free Library
Contact: Phyllis Vail, Director
138 Pike Street
Port Jervis, NY 12771
Phone: (845) 856-7313
Hours: Mon, Tues & Thurs -10am - 9pm
Wed & Fri - 10am - 6pm
Sat - 10am – 5pm

NYSDEC Region 3 Office
Contact: Michael Knipfing
21 South Putt Corners Road
New Paltz, NY 12561
Phone: (845) 256-3154
Hours: Mon - Fri 8:30am - 4:45pm

NYSDEC
625 Broadway
Albany, New York 12233-7014
Contact: Joshua Cook
Phone: (518) 402-9564
Hours: Mon - Fri - 7:30am - 3:45pm

For Further Information Contact:

Joshua Cook
NYSDEC Remedial Bureau C
625 Broadway, 11th Floor
Albany, New York 12233-7014
Phone: (518) 402-9564

For Health Concerns Contact:

Kristin Kulow
NYSDOH
28 Hill Street, Suite 201
Oneonta, NY 13820
Phone: (607) 432-3911
or (800) 458-1158