



New York State Department of Environmental Conservation

State Superfund Program

Citizen Participation Plan
for
Harbor-at-Hastings Site,
Site No. 360022

1 River Street
Hastings-on-Hudson
Westchester County, New York

October 2014

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Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site's investigation and cleanup process.

Responsible Party: **Atlantic Richfield Company and ARCO Environmental Remediation, LLC**

Site Name: **Harbor-at-Hastings**

Site Address: **1 River Street, Hastings-on-Hudson**

Site County: **Westchester County**

Site Number: **360022**

1. What is New York's State Superfund Program?

New York's State Superfund Program (SSF) identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that pose a significant threat to public health or the environment, such as the site identified above, undergo a process of investigation, evaluation, cleanup, and monitoring.

The New York State Department of Environmental Conservation (NYSDEC) administers the SSF Program with assistance and input from the New York State Department of Health (NYSDOH). When the parties responsible for the contamination of the site are known (responsible parties), they often pay for or perform the investigation and evaluation of cleanup options under an enforceable consent order. At sites where responsible parties cannot be found or are unable or unwilling to fund an investigation, the State pays for the investigation and may try to recover costs from a responsible party after the investigation and cleanup are complete.

The SSF program contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. For more information about the SSF program, go online at: <http://www.dec.ny.gov/chemical/8439.html> .

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interest in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment
- Improving public access to, and understanding of, issues and information related to a particular site and that site's remedial process

- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the responsible party.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the site's remedial program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

Site Contact List

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and cleanup process. The site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The site contact list includes, at a minimum:

- chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;

- residents, owners, and occupants of the site and properties adjacent to the site;
- the public water supplier which services the area in which the site is located;
- any person who has requested to be placed on the site contact list;
- the administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 4.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup. These may include:
 1. Maintenance of web site with historic and current information, links to the digital archive of public documents and a contact page for the public to submit questions.
 2. Maintenance and updating of the public digital archive on the Village's web site and the physical repository at the main library.
 3. The creation of a fact sheet prior to significant activities (investigation, demolition) that can be distributed to neighbors, commuters and other interested parties.
 4. Notification of significant truck activity along the Village's truck route to residents, along with coordination with Village officials.

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of remedial activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

The site identified above poses a significant threat to public health or the environment, so that a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its member's health, economic well-being, or enjoyment of the environment may be affected by a release or threatened release of contamination at the site.

For more information about TAGs, go online at: <http://www.dec.ny.gov/regulations/2590.html> .

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows. These activities may be revised or supplemented once implementation of the cleanup commences.

Citizen Participation Requirements (Activities)	Timing of CP Activity(ies)
Before Start of Remedial Action:	
Distribute fact sheet to site contact list that describes upcoming remedial action	Before the start of remedial action at the site.
Conduct informational meetings	Periodic.
When NYSDEC Issues Certificate of Completion (COC) or Similar Site Closure Document:	
Place COC in document repository	Within 10 days after NYSDEC issues COC or other similar site closure document
Distribute fact sheet to site contact list that announces issuance of COC	

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the site. Additional major issues of public concern may be identified during the course of the site's investigation and cleanup process.

Major issues that have been identified include:

- The potential for direct human or animal contact with the contaminated soils, sediment or

groundwater on the site.

- The potential for impact to surface waters and sediments from surface run-off and subsurface releases from the site.
- Potential for impacts to biota from ingestion or direct contact with contaminated sediments.
- Truck traffic and safety through the Village during demolition and remediation.
- Potential for airborne contaminant releases as a result of investigative and remedial work activities to off-site receptors including residences and businesses and on-site workers not directly involved with site activities.

4. Site Information

Appendix C contains a map (Exhibit A from the Order on Consent) identifying the location of the site.

Site Description

The site is located on approximately 28 acres along the Hastings-on-Hudson waterfront, separated from the village commercial district by railroad tracks. The site is bounded on the north and west by the Hudson River and to the south by the Tappan Terminal site. A former marina borders the site to the north.

Most of the site is covered by pavement or concrete building slabs. The shoreline consists of areas of loosely-placed rip rap and concrete rubble in the north and decaying wooden bulkheads, docks and piers in the central area. Two former boat slips are present along the waterfront, both of which have filled in to a shallow depth with naturally-deposited sediment.

The site is divided into two operable units. An operable unit 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) is the on-site soils area west of the railroad tracks. OU2 is the off-site impacts to the Hudson River.

History of Site Use, Investigation, and Cleanup

The site is the former Anaconda Wire and Cable Company, which ceased operations in 1974. Wire manufacturing operations during a portion of the operating period caused the release of PCBs and metals to site soil, groundwater and sediments. A site investigation was performed in 1986-87 in connection with a potential real estate development. This investigation led to the discovery of high levels of PCBs beneath the northwest corner of the site.

The Department and Atlantic Richfield Company entered into Consent Orders in 1995 and March 2005. These Orders obligated ARCO to implement a RI/FS and RD/RA for OU1. An Amended Record of Decision (ROD) for OU1 and a ROD for OU2 was issued in 2012. An Order on Consent was executed in 2013.

Since 2003 Atlantic Richfield Company has voluntarily performed additional investigations and submitted work plans and reports which include a feasibility study to advance the remedial program in OU2. In addition, site activities have also included various Interim Remedial Measures for LNAPL and DNAPL as well as decontamination and razing of various site structures.

5. Investigation and Cleanup Process

Investigation

A detailed study of the site has been performed by Atlantic Richfield Company under a consent order, with oversight by NYSDEC and NYSDOH. This detailed study is officially called a Remedial Investigation.

Feasibility Study

After the site investigation, the responsible party, with oversight by NYSDEC conducted a Feasibility Study. This study used information developed during the site investigation to develop and evaluate potential ways to clean up contamination related to the site.

Proposed Remedy

The evaluation of possible remedies ends with a recommended proposal to eliminate the threat posed by contaminants at the site. NYSDEC issued this proposal, officially called a Proposed Remedial Action Plan (PRAP) in January 2012. The PRAP described the remedy preferred by NYSDEC. The PRAP summarized the decision that led to the recommendation of the preferred remedy by discussing each alternative and the reasons for choosing or rejecting it. The goal of any cleanup plan is to protect public health and the environment. NYSDEC presented the PRAP to the public for its review and comment during a comment period and at a public meeting.

Selected Remedy

NYSDEC considered public comments as it selected the remedy to address contamination related to the site. The selected remedy is described in a document officially called a Record of Decision (ROD). This document has been placed in the location of reports and information. The remedy for OU-1 includes partial excavation and backfill, groundwater management, installation of a bulkhead in the northwest corner, construction of a shoreline for the remainder of the site and

installation of a soil cover. In OU-2 the remedy includes partial dredging, backfill and integration with the OU-1 shoreline.

Cleanup Action

If the Record of Decision for the site calls for cleanup action, the project then moves to designing and performing the cleanup actions to address the site contamination. Currently, a Pre-Design Investigation (PDI) is in process to collect data required to complete the Remedial Design. Once the PDI is complete and a summary report accepted by NYSDEC, Remedial Design will be completed. A Community Air Monitoring Plan will be incorporated into the design and cleanup actions to provide protection for the downwind community (i.e., off-site receptors including residences and businesses and on-site workers not directly involved with the subject work activities) from potential airborne contaminant releases as a direct result of work activities. When cleanup actions have been completed, NYSDEC will approve or prepare a final engineering report that describes the cleanup actions undertaken and certifies that cleanup requirements have been achieved or will be achieved.

Certificate of Completion

Upon approval of the final engineering report, NYSDEC may issue a Certificate of Completion (COC). The COC would recognize the findings of the final engineering report. The COC would note that the cleanup program achieved a cleanup level consistent with specific categories of use for the site. The recipient of the COC would be entitled to limited liability as long as it complied with the terms of the COC, and other conditions.

A COC may be modified or revoked if, for example, the recipient does not comply with the terms of the COC, or if the recipient commits fraud regarding its certification that it has met cleanup levels.

Site Management

Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management may be conducted by NYSDEC, or by the responsible party under NYSDEC oversight, if contamination will remain in place. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An institutional control is a non-physical restriction on use of the site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the site suitable for some, but not all uses.

An engineering control is a physical barrier or method to manage contamination. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that is pumping and treating groundwater. Site management continues until NYSDEC determines that it is no longer needed.

During the Site Management phase, NYSDEC may also take steps to reclassify the site or remove the site from the Registry.

Appendix A

Project Contacts and Locations of Reports and Information

Project Contacts

For information about the site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

William Ports
Project Manager
NYSDEC
Division of Environmental Remediation
625 Broadway
Albany, New York 12233
William.Ports@dec.ny.gov
(518) 402-9672

Wendy Rosenbach
Citizen Participation Specialist
NYSDEC
Region 3 Office
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3000

New York State Department of Health (NYSDOH):

Jacquelyn Nealon Project Manager
NYSDOH
Bureau of Environmental Exposure Investigation
Empire State Plaza Corning Tower, Room 1787
Albany, NY 12237
(518) 402-7860
BEEI@health.ny.gov

Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

On-line repository

Village of Hastings-on-Hudson

[http://www.hastingsgov.org/Pages/HastingsNY Documents/](http://www.hastingsgov.org/Pages/HastingsNY_Documents/)

Village repository

Public Library

Village of Hastings-on-Hudson

7 Maple Avenue

Hastings-on-Hudson, NY 10706

NYSDEC - Region 3

21 S. Putt Corners Road

New Paltz, NY 12561
(845)256-3154
Please call for appointment

Appendix B Site Contact List

U.S. Senate Charles Schumer

757 Third Avenue Suite 17-02
New York New York 10017
(212) 486-4430
<http://schumer.senate.gov>

U.S. Senate Kirsten Gillibrand

780 Third Avenue Suite 2601
New York New York 10017
(212) 688-6262
<http://gillibrand.senate.gov>

U.S. House of Representatives Eliot Engel

6 Gramatan Avenue, Suite 205
Mt. Vernon New York 10550
(914) 699-4100
<http://engel.house.gov>

State

Governor Andrew Cuomo

NYS State Capitol Building
Albany, NY 12224
(518) 474-8390
<http://www.governor.ny.gov>

Senate Andrea Stewart-Cousins

28 Wells Avenue Building 3
Yonkers, NY 10701
(914) 423-4031
scousins@senate.state.ny.us

Assembly Thomas J. Abinanti

303 South Broadway, Suite 229
Tarrytown, NY 10591
(914) 631-1605
abinantit@assembly.state.ny.us
<http://assembly.state.ny.us>

Attorney General Eric T. Schneiderman

The Capitol Albany, NY 12224

1-800-771-7755

NYAG.Pressoffice@oag.state.ny.us

<http://www.ag.ny.gov>

Westchester County Executive Robert P. Astorino

P.O. Box 100

South Salem, NY 10590

914-997-2009 info@RobAstorino.com

<http://www.robastorino.com>

Westchester County Legislator MaryJane Shimsky

District 12

148 Martine Avenue

White Plains, NY 10601

(914) 995-2821

New York State Department of Environmental Conservation

William Ports

625 Broadway Albany NY12233

1-800-847-7332

(518) 402-9662

William.Ports@dec.ny.gov

LOCAL

Village of Hastings on Hudson

Mayor Peter Swiderski

7 Maple Avenue Hastings-on-Hudson, NY 10706

(914) 478-3400

Village Manager Fran Frobel

7 Maple Avenue Hastings-on-Hudson, NY 10706

(914) 478-3400

Village Clerk / Deputy Manager Susan Maggiatto

7 Maple Avenue Hastings-on-Hudson, NY 10706

(914) 478-3400

Village Attorney Mark Chertok
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-3400

Village Environmental Consultant Waren Ryznichok
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-3400

Village Trustee - Bruce Jennings
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-3400

Village Trustee - Marge Apel
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-3400

Village Trustee - Niki Armacost
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-3400

Village Trustee - Meg Walker
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-3400

Fire Chief Robert Russak
50 Main Street Hastings-on-Hudson, NY 10706
(914) 478-1322

Police Chief Anthony Visalli
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-2344

Waterfront Infrastructure Committee
William Lee Kinnally Jr. and Jerimiah Quinlan
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-3400

MEDIA

Journal News Newspaper
Lohud.com (Journal News) Online
Rivertown's Enterprise – Newspaper

Rivertown's Patch Newspaper– Online Newspaper
The Rivertown's Daily Voice – Online Newspaper
News 12 Westchester (TV News)

COMMUNITY ORGANIZATIONS

Riverkeeper - Paul Gallay
20 Secor Road
Ossining, New York 10562
800-21-RIVER
info@riverkeeper.org
www.riverkeeper.org

Scenic Hudson - Ned Sullivan
One Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601
(845) 473-4440
info@scenichudson.org
<http://www.scenichudson.org>

Friday Night Live – Meg Walker
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-3400
mwalker@pps.org

12 Miles North – Barbara Prisament, Liz Liebeskind
www.12milesnorth.org
Barb@12milesnorth.org

Laser Light Show (Hastings Phoenix Foundation)
Alan Fine, Rafael Zaratian
7 Maple Avenue Hastings-on-Hudson, NY 10706
(914) 478-3400
RZaratian@hastingsgov.org

Hastings Little League – Gene Calamari
Uniontown Field Hastings-on-Hudson
(914) 450-6139
calamarg@fordhamprep.org
www.hastingslittleleague.com

Family-to-Family – Nancy Hennessee
P.O. Box 255, Hastings-On-Hudson, NY 10706
(914) 478-0756
www.family-to-family.org

SHARE the Project – Jeanne Newman
161 Broadway Hastings on Hudson, NY 10706
(914) 478-1795
www.sharetheproject.org

Andrus on Hudson - Judi Knispel
185 Old Broadway
Hastings-on-Hudson, NY 10706
(914) 478-3700
www.andrusonhudson.org

COMMUNITY

Steven Siebert - ssiebert@notabene.com - 71 Mount Hope Boulevard, Hastings-on-Hudson

Jim Metzger - jim.metzger@verizon.net 427 Warburton Avenue, Hastings-on-Hudson
Compliance Planning Board, Architect and Photographer

Doug Alligood - 157 Rosedale Ave. Hastings-on-Hudson (914) 591-2578
Architect - Co-Chairperson Hastings-on-Hudson, Waterfront Infrastructure Committee Member

Richard Bass - rbass@herrick.com Hastings-on-Hudson Resident
Attorney, Herrick & Feinstein, LLP - Real Estate, Land use, Zoning & Government Relations
Work: (212)592-6144 Cell: (917) 886-1326

Ellen Hendrickx - EllenH@westchesterlegislators.com Hastings-on-Hudson (914) 995-2806
Staff for Westchester County Legislator Mary Jane Shimsky

Stephanie Von Stein - stephys@aoptonline.net Hastings-on-Hudson
Partnership development Manager at Labor Voices”

Jane B. Cameron - janebcameron@gmail.com Hastings-on-Hudson
Member of Hastings-on-Hudson Village Arts Commission (914)478-4196

Kathy Sullivan - kamsullivan@verizon.net Compliance Planning Board – Hastings-on-Hudson

Rodger Torda - rtorda@verizon.net Balaton Productions – Hastings-on-Hudson (914) 478-9372

Beverly Borg - bjborg@gmail.com 71 Mount Hope Blvd. Hastings-on-Hudson (914)478-8589
Architectural Photography

Vincenza Guimarro or Current Occupant - 1450 Baptist Church Road Yorktown Hts, NY
10598-5803

Current Occupant 57 Buena Vista Drive Hastings-on-Hudson, NY 10706

Appendix C Site Location Map

See attached Exhibit A Project Locus.

