AMENDED RECORD OF DECISION

BICC Cables
Operable Unit No. 1
State Superfund Project
Yonkers, Westchester County
Site No. 360051
July 2014

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

DECLARATION STATEMENT - RECORD OF DECISION

BICC Cables
Operable Unit No. 1
State Superfund Project
Yonkers, Westchester County
Site No. 360051
July 2014

Statement of Purpose and Basis

This document presents the amended Record of Decision for the BICC Cables 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 the BICC Cables 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 Amended Record of Decision

This document presents one change to the original remedy. The Department is amending the original ROD to eliminate the requirement to remove contaminated sediment under the EPRI Building and to divide the site into two operable units. This ROD amendment calls for the March 2005 ROD remedy for the site to be designated as Operable Unit 1 (OU1), to include all on-site land and the areas of river bottom where sediments have been effectively remediated, and Operable Unit 2 (OU2) is designated as the area of the river bottom underneath the EPRI Building where contaminated sediments will be remediated in accordance with the ROD for OU 2.

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.

July 24, 2014

Date

Robert W. Schick, P.E., Director
Division of Environmental Remediation

RECORD OF DECISION AMENDMENT

BICC Cables
Operable Unit No. 1
Yonkers, Westchester County
Site No. 360051
July 2014

SECTION 1: PURPOSE AND SUMMARY OF THE RECORD OF DECISION AMENDMENT

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), is amending the Record of Decision (ROD) for the above referenced site. This amendment identifies the new information which has lead to the modification of the remedy identified in the March 2005 ROD.

The Department has issued this document in accordance with the requirements of 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 Environmental Remediation Programs. This document is a summary of the information that can be found in the site-related reports and documents in the document repository identified below.

On March 18, 2005 the Department signed a ROD for the BICC Cables Site Hazardous Waste Disposal Site to address polychlorinated biphenyls (PCBs), lead, and volatile organic compounds (VOCs) contamination present in site soil and adjacent Hudson River sediments. Specifically the March 2005 ROD selected: demolition of all site buildings, removal of PCB and VOC contaminated soil on-site, removal of debris piles on top of sediments and "hot spots" of contamination beneath the site buildings, restoration of the bulkhead, removal of Hudson River sediments contaminated by site-related PCBs and lead and restoration of the river environment, covering the site with appropriate vegetation or pavement/cover system, groundwater monitoring system, imposition of an environmental easement, and development and implementation of a site management plan.

On May 18, 2005 a Brownfield Cleanup Program (BCP) agreement was signed to implement the ROD remedial action under the BCP. Since then much of the remedy has been completed. Completing the site cover system will be one of the final elements of the field work. However, completion of the sediment removal has proved more complicated; despite several attempts using different sediment removal technologies the sediments in the river underneath the EPRI Building have not been successfully remediated. For this reason the Department is completing a new evaluation of alternatives to address the contaminated sediment area under the EPRI Building (the "EPRI Building Sediment").

In order to evaluate new alternatives to address the EPRI Building Sediment, a new operable unit has been created. This operable unit encompasses the EPRI Building Sediment contamination separately from the rest of the sediment remedy already implemented pursuant to the March 2005 ROD. This results in the identification of two operable units (OUs) for the site. The original hazardous waste site which included

the (on-site) area shown in Figure 2 and the areas of river bottom where sediments have been effectively remediated is designated as OU1 and is the subject of this proposed amendment to the March 2005 ROD. The area of river bottom containing the EPRI Building Sediment has been designated OU2. This ROD amendment completes the redefinition of the OUs by eliminating the required cleanup by dredging of the sediment beneath the EPRI Building.

The Department has selected a new remedial action plan for the newly created OU2. That remedy is provided in a separate document the *Record of Decision for OU2 – EPRI Building Sediment* dated July 2014.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held from May 5, 2014 through June 4, 2014, during which the public was encouraged to submit comment on the proposed remedy. No comments were received regarding this amended ROD. Site-related reports and documents were made available for review by the public at the following document repository:

Yonkers Public Library
Riverfront Library
1 Larkin Center
Yonkers, New York 10701
Phone: 914-337-1500

Office Hours:
Monday - Thursday 9 AM – 8 PM
Friday 10 AM – 5 PM
Saturday 9 AM – 5 PM
Sunday 12 PM - 5 PM

A public meeting was also conducted on May 20, 2014. 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.

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 BICC Cables site is located at 1 Point Street in Yonkers, Westchester County, in an urban industrial area adjacent to the Hudson River.

Site Features:

The site is approximately 14 acres in area, which at one point contained 360,000 sq. ft. of warehouse and office structures. The Electric Research Power Institute (EPRI) Building, a 29,700 sq. ft. building which is constructed on piles over the Hudson River, is the only remaining structure associated with the site. The BICC site is open or paved/unpaved lots and is predominantly flat. It is bounded by the Hudson River to the north and west; a plastic packaging manufacturing plant to the south; and Metro North Rail Road tracks, a Metro bus garage, and Ravine Ave. adjacent to the east side of the site.

Current Zoning and Land Use:

The site is currently inactive, and is zoned for industrial/commercial use. The surrounding parcels are currently used for a combination of commercial and industrial. The nearest residential area is approximately 100 feet to the east on Point Street and Ravine Avenue.

Past Use of the Site:

The facility, in operation since 1886, manufactured high voltage cables until 1996. The property was expanded (into the Hudson River) using fill material from 1940 to 1976. On-site disposal of waste material, improper handling practices of products and chemicals and spillage are responsible for the PCB and metals contamination present at the site.

Prior to 1898: The landmass beneath the majority of the site buildings was created through filling prior to 1898. Site occupants during that time included: S.S. Hepworth and Co. (c. 1886 to 1890) who manufactured sugar machinery and tools and India Rubber Gutta Percha Insulating Co. (1890 to 1915), a wire and cable manufacturer.

1915 to 1930: At the beginning of their occupancy, Habirshaw Wire Company manufactured paper insulated, lead-jacketed cables at the site. Materials for these cables included: paper insulation wound over a conductor, then oil impregnated, and covered by a lead sheath, bitumen and rubber. Later on Habirshaw expanded their cable and wire product line. They included rubber insulated and jacketed cables that required rubber mixing equipment and continuous vulcanizing steam lines and armored submarine cable that required the use of asphalt and jute to provide water resistance along with braided steel sheathing to protect the cable from mechanical damage.

1930 to 1984: Phelps Dodge acquired the facility in 1930 and continued to produce the Habirshaw Wire Company product line. By the 1960s, production began to focus on paper wrapped cables that included the use of highly refined rosins and later refined hydrocarbon oils as the dielectric fluids to replace the rosins. Rubber jacketed cable manufacturing was phased out at the site by the early 1960s. About that time, the manufacturing of armored submarine cable was also discontinued.

Higher voltage cables and solid dielectric cable with insulation made of polyethylene (PE) and ethylene propylene rubber (EPR) for medium voltage distribution applications were developed and manufactured at the site beginning in the 1960s.

1984 to 1996: Cablec (later merged into BICC Cables Corp.) acquired the facility in 1984. The product line was narrowed further to focus on the growing electric distribution market for which paper, lead, PE and EPR were used. However, Cablec moved the solid dielectric cable manufacture of PE and EPR to other facilities. Some of the PE and EPR cables that were manufactured at other BICC factories were shipped to the site for finishing with application of a lead jacket to provide protection against mechanical abuse and moisture. The principal materials used for cable manufacture after 1984 at the site were paper, dielectric oil and lead with polyethylene or PVC applied as jackets over the lead. As a result of a decline in the market for paper insulated leadjacketed cable, BICC ceased manufacturing operations at the site in 1996.

In 1997, following the end of manufacturing operations, an environmental investigation began at the site in accordance with a Petroleum Spills Order (Administrative Order on Consent DC-0001-97-06). The investigation involved collecting environmental media samples and interior building material samples. Based upon the discovery of PCBs at concentrations above 50 parts per million (ppm) in site soil during the Petroleum Spills Investigation, this property was listed as a class "2" site on the *Registry of Inactive Hazardous Waste Disposal Sites* in 1999. BICC Cables Corporation, a responsible party, conducted a Remedial Investigation/ Feasibility Study (RI/FS) under Administrative Order on Consent. The site remediation is being addressed under the Brownfield Cleanup Program (BCP), based on an exemption that expired in July 2005 that allowed class "2" sites to enter the BCP. One Point Street, LLC, a Volunteer and present owner, entered into a Brownfield Cleanup Agreement in May 2005.

Operable Units:

The site was 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 investigation, eliminate or mitigate a release, threat of release or exposure pathway resulting from the site contamination.

Operable Unit 1 (OU1) includes upland soils, groundwater, and contaminated sediment in the Hudson River, excluding the sediment beneath the EPRI Building. Operable Unit 2 (OU2) includes only the sediment beneath the EPRI Building.

Site Geology and Hydrogeology:

The North Yard was created through the placement of fill and operational debris. The landmass west of the railroad tracks (South Yard and below previously removed buildings) was created through the placement of fill. This fill material extends to the silt layer, located a maximum depth of 20 feet below grade. The BICC Parking Lot east of the railroad tracks located on Point Street was raised using clean sand fill. Groundwater is encountered at the site from a minimum of 2.3 feet below ground surface (bgs) to a maximum of 13.5 feet bgs. Artesian conditions were observed in one well. Tidal fluctuations in groundwater elevations in the site wells range from 0 to 2.3 feet. Groundwater flow from the site is southwesterly towards the Hudson River.

Operable Unit (OU) Number 1 is the subject of this document.

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. The site is currently inactive, and is zoned for industrial/commercial use. In addition, an environmental easement will be placed on the site prior to completing the remediation that will limit the use and development of the property to restricted residential, commercial, or industrial uses only.

SECTION 5: ENFORCEMENT STATUS

Inactive Hazardous Waste Disposal Site Remediation Program

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:

Phelps Dodge Corporation

BICC Corporation

BICC Cables Corporation entered into an Administrative Order on Consent on March 17, 2000 (ref. Index No. D-3-0001-00-03) which obligated it to conduct an RI/FS.

Brownfield Cleanup Program

The site was accepted into the Brownfield Cleanup Program in May 2005. One Point Street, LLC entered into a Brownfield Cleanup Agreement for the remediation of the site, including off-site impacts.

SECTION 6: SITE CONTAMINATION

6.1: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site.

Nature and Extent of Contamination: Based on investigations conducted to date, soil, groundwater, sediment and interior building material samples were contaminated at the site. The two major contaminants are and were PCBs and lead. The upland portion of the site remediation is mostly complete. All the contaminated building materials have been removed. The majority of the soil contamination has been excavated and removed and what remains will be covered/capped as part of the final remedial efforts. Much of the sediment contamination has been removed and in those areas the river bottom has been restored. Contamination does remain in the off-site portion of the site

under the EPRI Building. It is contaminated with PCBs as high as 739 parts per million (ppm). Current site contamination is discussed in more detail in the *BICC Cables OU2 Proposed Remedial Action Plan* dated April 2014.

6.2: Interim Remedial Measures (IRM)

An 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. No IRMs were undertaken at this site.

6.3: Summary of Human Exposure Pathways

Measures are in place to control the potential for coming in contact with soil contamination remaining on the site. People may come in contact with contaminants present in river sediments while entering or exiting river during recreational activities.
Contaminated groundwater at the site is not used for drinking or other purposes and the site is served by a public water supply that obtains water from a different source not affected by this contamination. Volatile organic compounds in the groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying 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. A provision for evaluation of the potential for soil vapor intrusion for any buildings developed on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion.

SECTION 7: SUMMARY OF ORIGINAL REMEDY AND PROPOSED AMENDMENT

7.1 Original Remedy

The major components of the March 2005 remedy are as follows:

- demolition of all site buildings;
- removal of PCB and VOC contaminated soil on-site;
- removal of debris piles on top of sediments and “hot spots” of contamination beneath the site buildings;
- restoration of the bulkhead;
- removal of contaminated Hudson River sediments and restoration of the river environment;
- covering the site with appropriate vegetation or pavement/cover system;
- groundwater monitoring system;
- imposition of an environmental easement; and
- development and implementation of a site management plan.

7.2 New Information

Since the Brownfield Cleanup Agreement was signed in 2005 the remedial action has been progressing satisfactorily and is mostly complete. However, completion of the sediment removal has proved more complicated; one area of the sediments in the river requiring action pursuant to the original ROD has not been successfully remediated. This area is underneath the EPRI Building. See Figure 3. For this reason the Department is selecting a new remedy for the sediment area under the EPRI Building based on an evaluation of alternative remedial actions necessitated by this new information, presented in a separate document, the *Record of Decision for OU2 – EPRI Building Sediment* dated July 2014. This plan also describes the sediment removal actions to date.

7.3 Changes to the Original Remedy

This document is only discussing one minor change to the original remedy. The Department is amending the original ROD to eliminate the requirement to remove contaminated sediment under the EPRI Building shown on Figure 3 and to divide the site into two operable units. This ROD amendment calls for the March 2005 ROD remedy for the site to be designated as Operable Unit 1 (OU1), to include all on-site land and the areas of river bottom where sediments have been effectively remediated, and Operable Unit 2 (OU2), is designated as the area of the river bottom underneath the EPRI Building where contaminated sediments will be remediated in accordance with the ROD for OU2.

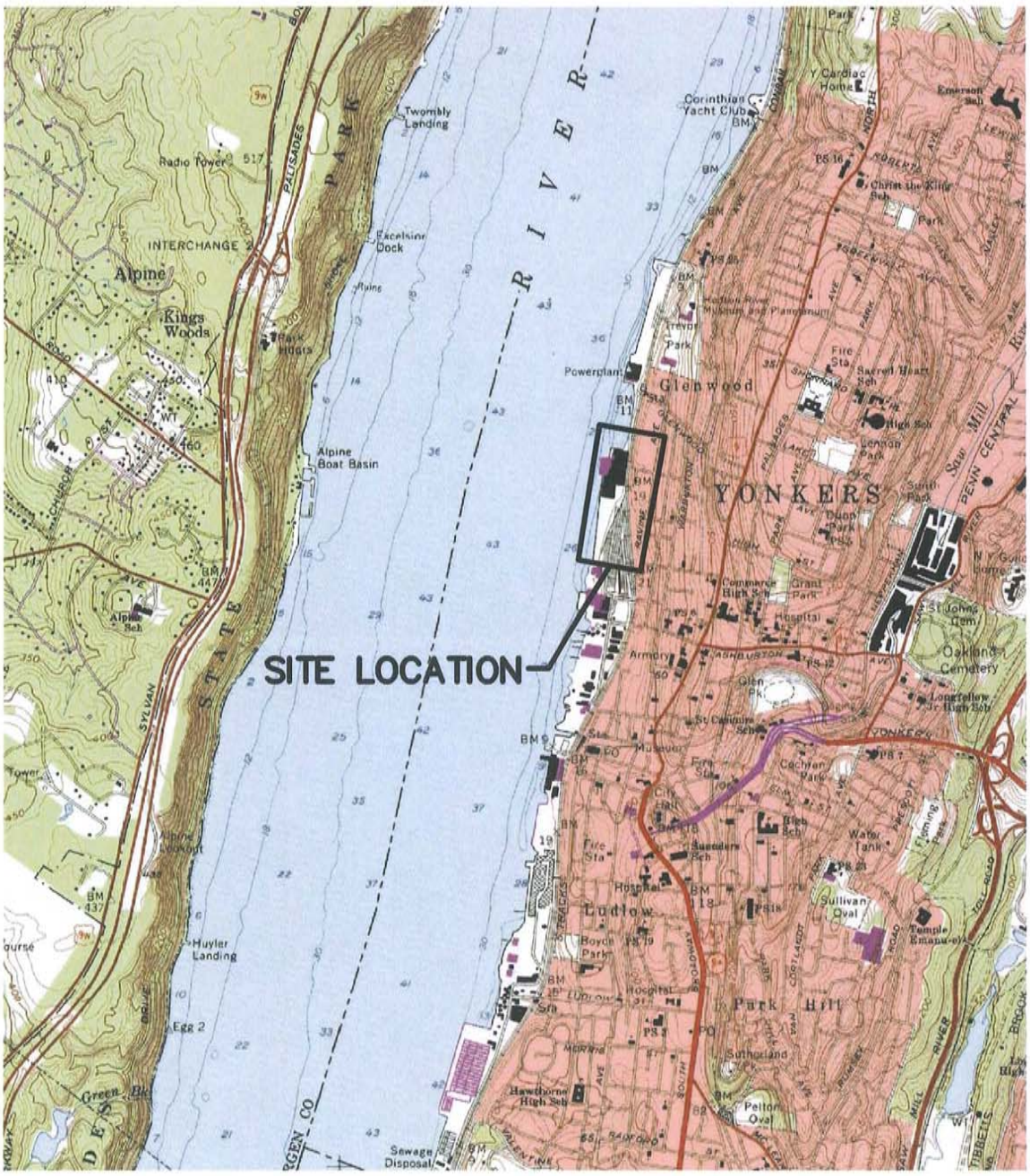

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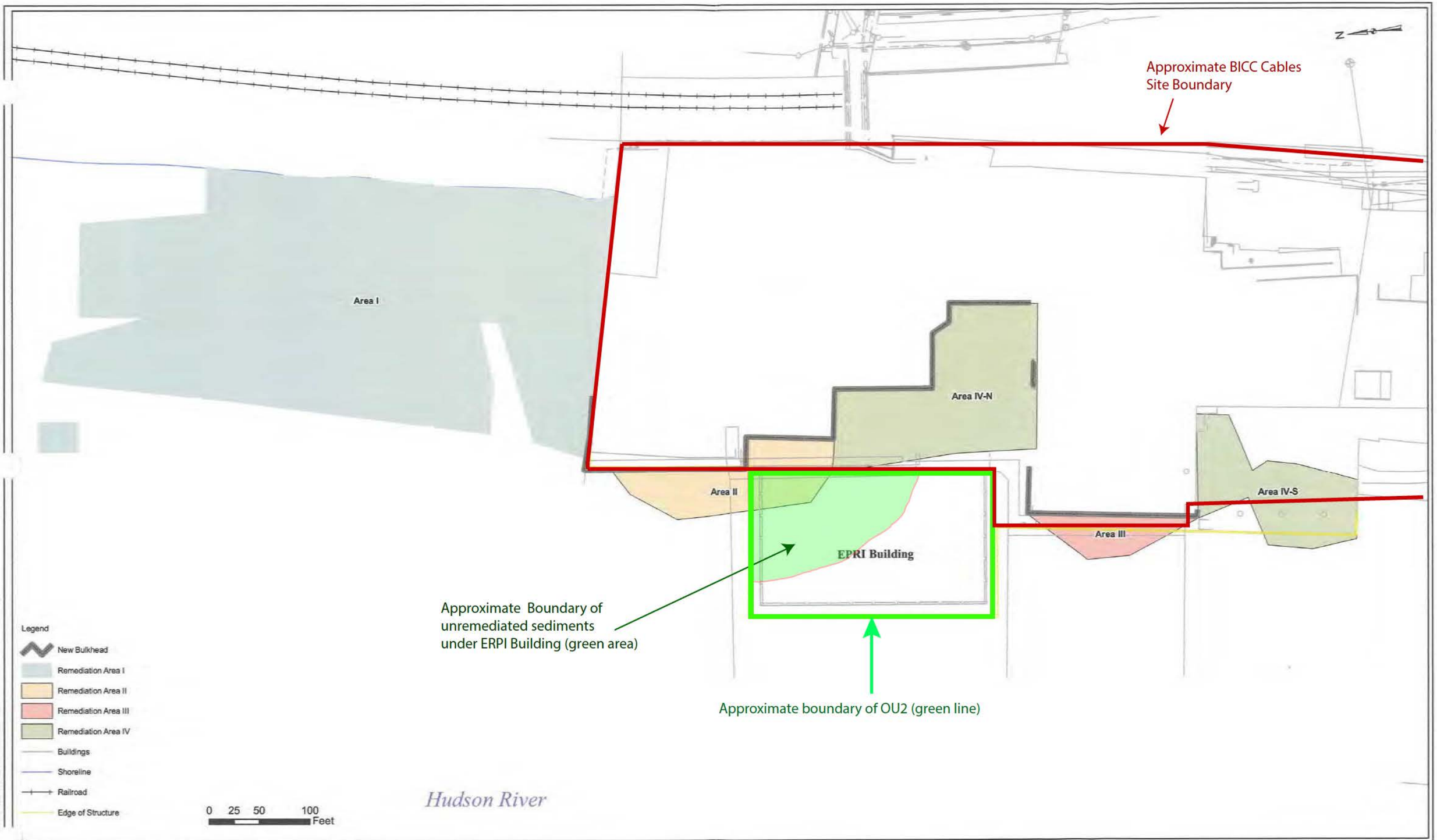
Figure 1
Site Location Map
Former BICC Cables Site
Yonkers, New York

Reference:
USGS Quadrangle 7.5 minute
Yonkers, N.Y. - 1966 (Revised 1979)

Figure 2 - Operable Units
BICC Cables (Site #360051)



H2M MALCOLM PIRNIE

Sediment Remediation Areas

Data Source:
1) Infrastructure, H2M, May 2007 and July 2008
2) Shoreline, H2M, May 2007 and July 2008
3) Bathymetry, H2M, April 2007
4) Sampling Locations and Grid, H2M, May 2007 and July 2008

Figure 3

March 2010

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

BICC Cables
State Superfund Project
Yonkers, Westchester County, New York
Site No. 360051

The Proposed Amended Record of Decision (AROD) for the BICC Cables site was prepared by the New York State Department of Environmental Conservation (DEC) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on May 5, 2014.

The release of the Proposed AROD 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 May 20, 2014, which included a presentation of the alternative analysis for the BICC Cables site as well as a discussion of the proposed amendment. 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 Proposed AROD ended on June 4, 2014.

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:

Janos M. Szeman, P.E. of PS&S Engineering, Inc. submitted a letter (dated June 4, 2014) which included the following comments pertaining to the Proposed AROD:

COMMENT 1: *EPRI Building Consistency Reference: For consistency purposes, please reference the "EPRI building" as the "EPRI Building".*

RESPONSE 1: DEC has made those changes in the AROD.

COMMENT 2: Page 1 - ***Section 1. Purpose and Summary of the Proposed Record of Decision Amendment:*** The third sentence in the fourth paragraph of Page 1 states "*Since then much of the remedy has been completed. Completing the site cover system will be one of the final elements of the field work. However, completion of the sediment removal has proved more complicated; despite several attempts using different sediment removal technologies the sediments in the river underneath the EPRI building have not been successfully remediated. For this reason the Department is undertaking a new evaluation of alternatives to address the contaminated sediment area under the EPRI building (the "EPRI Building Sediment").*" The reference to "*Completing the site cover system*" requires further clarification by adding a reference to OU-2. Please consider the following revised language.

Completing the OU-2 sediment cover system will be one of the final elements of the BICC Site field work. However, completion of the sediment removal has proved more complicated; despite

several attempts using different sediment removal technologies the sediments in the river underneath the EPRI Building (OU-2) have not been successfully remediated. For this reason, the Department is undertaking a new evaluation of alternatives to address the contaminated sediment area under the EPRI Building (the "EPRI Building Sediment").

RESPONSE 2: PS&S misunderstood the intent of the paragraph. The completion of the site cover is one of the last remaining elements of the remedy to be done. The language as written is correct and has not been changed.

COMMENT 3: ***Page 3, Section 3. Site Description and History, Site Features*:** The DRAFT OU-2 Amended ROD section states "*The rest of the site is open or paved/unpaved lots and is predominantly flat with commercial properties on all sides*." This OU-2 Amended ROD statement is inconsistent with adjacent use descriptions previously used. The upland part of the BICC Site is paved and only commercial properties are present to the south of the BICC Site. Please consider the following revised language.

The BICC Site is bounded by the Hudson River to the north and west, a plastic packaging manufacturing plant to the south, and a Metropolitan Transportation Authority bus garage, Metro North Rail Road tracks, and vacant land to the east.

RESPONSE 3: DEC has made some of the noted changes to the AROD. Please note that the upland portion of the site is not entirely paved. The southern portion of the property still is a gravel and dirt surface. There is a grass and gravel buffer area from the BICC Cable south line and the METRO Bus garage. Also, a portion of the site is between the railroad tracks and Ravine Avenue and is not paved.

COMMENT 4: ***Page 3, Section 3. Site Description and History, Current Zoning and Land Use:*** The DRAFT OU-2 Amended ROD section states "*The site is currently inactive, and is zoned for industrial/commercial use. The surrounding parcels are currently used for a combination of commercial and industrial. The nearest residential area is approximately 100 feet to the east on Point Street and Ravine Avenue.*" While the nearest residential area is on Point Street and Ravine Avenue near the BICC Site Point Street surface parking lot, this parcel and the residential properties, which are located on the east side of the Metro North Railroad tracks, are separated from the main BICC Site by over 100 feet and the rail line. Please consider the following revised language.

The site is currently inactive, and is zoned for industrial use; however, the Site is part of an Urban Renewal Plan and Planned Urban Redevelopment (PUR) zoning; where PUR is available for the Site. The Site has received an approved PUR from the City of Yonkers, which permits restricted residential uses. The surrounding parcels are currently used for a combination of commercial and industrial uses. The nearest residential area is approximately 100 feet to the east from the main BICC Site on Point Street and Ravine Avenue adjacent to the BICC parking lot, which was not found to be contaminated.

RESPONSE 4: The language as written is correct and has not been changed.

COMMENT 5: ***Page 5, Section 6. Site Contamination, Section 6.1 Summary of Environmental Assessment:*** The DRAFT OU-2 Amended ROD section states "*The upland portion of the site remediation is mostly complete. All the contaminated building materials have been removed. The majority of the soil contamination has been excavated and removed and what remains will be covered/capped as part of the final remedial efforts. Much of the sediment contamination has been removed and in those areas the river bottom has been restored. Contamination does remain in the off-site portion of the site under the EPRI building."* The verb tense requires further clarification regarding completed and remaining work to be performed at the BICC Site. In addition, the sediment under the EPRI Building is not off-site. The sediment and specifically the EPRI Building (OU-2) sediment is part of the BICC Brownfield Cleanup Program (BCP) Site, as defined in the BCA. Please consider the following revised language.

The upland portion of the site remediation is complete and awaits limited post-remediation confirmation sample results after the 2013 and 2014 waste management efforts. All the contaminated building materials have been removed. The majority of the soil contamination has been excavated and removed and what remains has been covered/capped with an asphalt or concrete cover system, as part of the final remedial efforts. Much of the BICC Site sediment contamination has been removed from all of the sediment dredge certification units (i.e., Areas I, 2C2, III, and IV) except for DCU Area 2B which is under the EPRI Building (OU-2). Further, in those areas where sediment removal has been completed, the Hudson River bottom has been restored. Contamination does remain in DCU Area 2B under the EPRI Building (OU-2).

RESPONSE 5: Regarding the request for clarification of the verb tense, the language as written is correct and has not been changed. Regarding the statement about the BCP, as relates to the State Superfund Site (#360051), the EPRI building sediments are off-site; the language as written is correct and has not been changed. .

COMMENT 6: ***Page 5, Section 6. Site Contamination, Section 6.3 Summary of Human Exposure Pathways:*** The second paragraph states "*soil management plan*"; however, NYSDEC must confirm if this statement should be "*Site Management Plan (SMP)"*.

RESPONSE 6: The language as written is correct and has not been changed.

COMMENT 7: ***Page 5, Section 6. Site Contamination, Section 6.3 Summary of Human Exposure Pathways:*** The third sentence of the second paragraph states "*In addition, as part of the ROD, the on-site buildings have been demolished and any future buildings constructed on the site will be equipped with vapor intrusion mitigation (i.e., a sub-slab depressurization system)."* NYSDEC must provide the basis for this vapor intrusion mitigation requirement on the entire Site given that solvent contamination was not an issue at this Site. The OPS Project Team understands from the historical investigations performed by others that there may be a part of the Site impacted by vapor from an off-site source, a reported upgradient dry cleaner site. The OPS Project Team understands that this off-site source has not been addressed despite being a known source. Further, the OPS Project Team requires written NYSDEC confirmation on why vapor mitigation is being required for the entire Site.

The May 30, 2014 DRAFT BICC Site Environmental Easement (EE) Submission to NYSDEC and the pending DRAFT BICC Site Management Plan (SMP) states that "*Vapor Intrusion – The potential for vapor intrusion must be evaluated for any building developed on the Site in the vapor intrusion area; and any potential impacts that are identified must be monitored or mitigated"*.

RESPONSE 7: This language has been changed in the AROD to read, "A provision for evaluation of the potential for soil vapor intrusion for any buildings developed on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion."

COMMENT 8: ***Figure 2 – Operable Units and Figure 3 – Sediment Remediation Areas (March 2010):*** The OPS Project Team respectfully request that NYSDEC clarify the limit of the Operable Unit Number 2 (OU-2) based on the area requiring sediment remediation as referenced in the DRAFT PRAP. Figure 2, the OU-2 Amended ROD/PRAP text (Section 3. Site Description and History and Section 7, and Summary of Original Remedy and Proposed Amendment) identify OU-2 as the footprint of the EPRI Building; however, Figure 3 identifies OU-2 as the smaller DCU Area 2B footprint requiring sediment remediation. NYSDEC must note that this smaller DCU Area 2B footprint is the proposed Sediment Cover System (SCS) area depicted on the DRAFT May 30, 2014 Environmental Easement (EE) Survey that was submitted to NYSDEC.

The current SCS Design presents a sediment cap footprint over the approximately 24,500 square feet DCU Area 2B footprint which is located under the northeast section of the EPRI Building. The current SCS Design footprint does not encompass the entire EPRI Building (i.e., OU-2) footprint.

RESPONSE 8: The boundary of OU2 is approximately the same footprint as the EPRI Building. Figure 3 has been modified to make this clearer in the AROD.

APPENDIX B

Administrative Record

Administrative Record

BICC Cables
Operable Unit Number 02: Hudson River Sediment Remediation
EPRI Building DCU 2B
State Superfund Project
Yonkers, Westchester County, New York
Site No. 360051

i.

1. *Proposed Remedial Action Plan* for the BICC Cable site, dated December 2004, prepared by the Department.

2. Order on Consent, Index No. D3-0001-00-03, between Department and BICC Cables Corporation, executed on March 17, 2000.

3. *"Remedial Investigation/Feasibility Study Report,"* Vol. 1, September 2003, prepared by ERM

4. "*Remedial Investigation/Feasibility Study Report,"* Vol. 2, December 2003, revised September 10, 2004, prepared by ERM.

5. *"Remedial Investigation/Feasibility Study Work Plan"*, May 2000, prepared by ERM.

6. *Record of Decision*, BICC Cables (#360051), March 2005, prepared by the Department.

7. *"Dredge Containment Unit (DCU) Area 2B Sediment Remediation Alternatives Analysis Report*," November 2013, prepared by PS&S Engineering, Inc.

8. *Proposed Remedial Action Plan, BICC Cables, OU2: Hudson River Sediment Remediation EPRI Building DCU 2B,* April 2014, prepared by the Department.

9. *Proposed Amended Record of Decision,* OU1, State Superfund Project, BICC Cables (#360051) dated April 2014, prepared by the Department.

10. Letter submitted to the Department from Janos M. Szeman of PS&S Engineering, Inc. dated June 4, 2014.