Department of Environmental Conservation

Division of Environmental Remediation

Record of Decision

Bedford Hills Correctional Facility Site

Town of Bedford, Westchester, County, New York

Site Number 3-60-056

March 2006

New York State Department of Environmental Conservation

GEORGE E. PATAKI, *Governor* DENISE M. SHEEHAN, *Commissioner*

DECLARATION STATEMENT - RECORD OF DECISION

Bedford Hills Correctional Facility
Inactive Hazardous Waste Disposal Site
Town of Bedford, Westchester County, New York
Site No. 3-60-056

Statement of Purpose and Basis

The Record of Decision (ROD) presents the selected remedy for the Bedford Hills Correctional Facility site, a Class 2 inactive hazardous waste disposal site. The selected remedial program was chosen in accordance with the New York State Environmental Conservation Law 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 (NYSDEC) for the Bedford Hills Correctional Facility inactive hazardous waste disposal site, and the public's input to the Proposed Remedial Action Plan (PRAP) presented by the NYSDEC. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

Assessment of the Site

Actual or threatened release of hazardous waste constituents from this site have been addressed by implementing the interim remedial measures identified in this ROD. The removal of contaminated soil and building materials from the site has significantly reduced the threat to public health and the environment.

Description of Selected Remedy

Based on the results of the Preliminary Site Assessment, Supplemental Field Investigation and the Remedial Investigation for the Bedford Hills Correctional Facilty site, as well as the criteria identified for evaluation of alternatives, the NYSDEC has selected No Further Action as the site remedy. The five soil removal IRMs already performed at the site have achieved the remedial cleanup objective of less than 1 part per million (ppm) of polychlorinated biphenyls (PCB) in site soils for unrestricted use.

New York State Department of Health Acceptance

The New York State Department of Health (NYSDOH) concurs that the remedy selected 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.

MAR 3 1 2006

Date

Dale A. Desnoyers, Director
Division of Environmental Remediation

TABLE OF CONTENTS

RECORD OF DECISION

Bedford Hills Correctional Facility Site
Town of Bedford, Westchester, County, New York
Site No. 3-60-056
March 2006

SECTION 1: SUMMARY OF THE RECORD OF DECISION

The New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the New York State Department of Correctional Services' Bedford Hills Correctional Facility (BHCF). As more fully described in Sections 3 and 5 of this document, polychlorinated biphenyls (PCBs) released at the site resulted in the disposal of hazardous wastes. These wastes contaminated the shallow and subsurface soils at the site and resulted in:

- a significant threat to human health and the environment associated with potential exposure to PCBs in site soils.

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the BHCF site in response to the threats identified above. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation/feasibility study (RI/FS). The five IRMs undertaken at this site included excavation and off-site disposal (at permitted disposal facilities) of PCB-contaminated soil and demolished building materials containing PCBs above the cleanup standards.

Based on the implementation of the above IRMs, the findings of the investigation of this site indicate that the site no longer poses a significant threat to human health or the environment, therefore No Further Action was selected as the remedy for this site.

The selected remedy, discussed in detail in Section 6, is intended to attain the remediation goals identified for this site in Section 6. The remedy must conform with officially 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.

SECTION 2: SITE LOCATION AND DESCRIPTION

The Bedford Hills Correctional Facility is a 70-acre prison complex for women, administered by the New York State Department of Correctional Services (NYSDCS). The facility (Fig. 1) is

located in a suburban area of Westchester County, and is bounded to the east by Interstate 684, to the west by an undeveloped parcel (beyond which are residential properties), to the north by Harris Road and to the south by undeveloped land. Broad Brook flows in a northerly direction through the east side of the property. The area of environmental concern (the site) is about 1 acre in size, located in the southeast quadrant of the property (Fig. 2).

Water is provided to the prison complex by wells located in the southeastern portion of facility on the east side of Broad Brook. Access to the site is permitted only to prison maintenance personnel and, occasionally, escorted prisoners. Residential properties are located about a 1/4 mile to the west and are separated from the site by a fence.

SECTION 3: SITE HISTORY

For the purposes of this ROD, the following definitions should be applied to the discussions herein:

Shallow soils - Soils in the top 0 to 2 feet below ground surface (bgs).

Subsurface soils - Soils deeper than 2 feet bgs.

Chemical concentrations are reported in parts per billion (ppb) for water, and parts per million (ppm) for waste, soil, and sediment.

3.1: Operational/Disposal History

In April 1996, PCB (Aroclor 1260) contamination was detected during the cleanup of a No. 6 fuel oil spill (Spill #: 9511525) caused by the overfilling of three tanks inside the Power House during fuel deliveries. The tank vent pipes pass through the south wall of the Power House for outside connections to tankers (Fig. 3). In response to this spill, a total of 61 cubic yards of PCB and fuel oil contaminated soil were excavated and disposed of at a permitted off-site disposal facility as further discussed in Section 3.2. In an effort to determine the source of the PCB contamination, oil from each of the three tanks was analyzed, and PCBs were not detected.

Although the source of the PCB contamination encountered was not determined, a potential source was identified during a construction-related environmental investigation initiated in October 1998. Analysis of soil to be impacted by the installation of a water main along the drainage ditch adjacent to the Power House revealed the presence of low levels of PCB Aroclor 1260 over the length of the ditch (Fig 3). The likely source of the PCB contamination was attributed to the improper management of decommissioned transformers that were temporarily stored on-site, up-gradient of the Power House towards the west end of the ditch.

3.2: Remedial History

The site is the subject of three Orders on Consent, as outlined in Section 4, which provided for performance of several IRMs, a Preliminary Site Assessment (PSA) and Supplemental Field Investigation (SFI), and a RI, as briefly described herein.

IRM-1: As mentioned in Section 3.1, in April 1996, PCBs were identified in soil adjacent to the south wall of the Power House during the clean-up of a fuel oil spill. Initially, 36 cubic yards of PCB and fuel oil contaminated soil were excavated from beneath the tank vent pipes and disposed of at a permitted off-site disposal facility. Analysis of a composite soil sample from the bottom of the excavated spill area revealed a PCB concentration of 1,717 parts per million (ppm). An additional spill number (9600738) was assigned as a result of this finding, and further investigation was performed to delineate contamination in the vicinity of the vent pipes. The additional investigation included collection of 14 shallow and 14 subsurface soil samples for PCB analysis. Findings revealed a maximum concentration of 186 ppm in shallow soils and 19.8 ppm in subsurface soils (2-3 feet, bgs). The 19.8 ppm value was from boring E-1, approximately 10 feet east from the edge of the spill excavation, and adjacent to the Paint Building (Building #36). As a result, in March 1999, an additional 25 cubic yards of soil were removed from these areas (Fig. 3). Overall, a total of 61 cubic yards of PCB-contaminated soils were removed and disposed of at a permitted off-site disposal facility. This work is documented in an April 7, 1999 letter report prepared for BHCF.

IRM-2: As part of a water line construction-related environmental investigation initiated in October 1998, 4 test pits and 12 borings (17 shallow and 16 subsurface soil samples) were installed the drainage ditch adjacent to the Power House. Analytical results noted maximum concentrations of 19 ppm in both shallow and subsurface soils. As such, in December 1999, 95 cubic yards of soil (i.e., top two feet from an 8-foot by 160-foot area of the drainage ditch; Fig. 3), were excavated to facilitate the installation of the water main and to remove low levels of PCBs. The removed soils were disposed of at a permitted off-site disposal facility. As mentioned in Section 3.1, the source of PCB contamination in the drainage ditch was likely due to the improper management of decommissioned transformers that were temporarily stored on-site, up-gradient of the Power House (Fig. 3).

Preliminary Site Assessment (PSA): Between November 1999 and February 2000, a PSA was conducted to investigate the previously-identified areas of environmental concern (i.e., former transformer storage area, drainage ditch, and the areas around the Power House, former Paint Building, and former Tool Shed; Fig. 4). The PSA involved the installation of 68 soil borings (144 shallow and 56 subsurface soil samples) in these areas. Sample results indicated maximum PCB concentrations of >200 ppm and 14.4 ppm in shallow and subsurface soils, respectively. The findings of this investigation are documented in the May 2000 PSA Report.

Supplemental Field Investigation (SFI) to the PSA: In June 2001, the SFI was conducted to further delineate the PCB contamination in the areas of concern previously identified in the May 2000 PSA report, as well as to investigate the sediment in Broad Brook and the sediment and water in the cistern adjacent to the Paint Building. More specifically, 29 soil borings (62 shallow and 17 subsurface soil samples) were installed, with maximum PCB concentrations of 100 ppm in shallow soils and 17 ppm in subsurface soils (Fig. 4). Six sediment samples were collected from Broad Brook, three along an upstream transect and three along a downstream transect, with PCB concentrations ranging from non-detect to 0.043 ppm (Fig. 4) . One water and one sediment sample were collected from the cistern; PCBs were not detected in the cistern water and

were detected at low levels (0.15 ppm) in the cistern sediment. This work is documented in the November 2001 Supplemental Report to the PSA and IRM Work Plan (IRM-3).

Registry Listing: In 2001, the NYSDEC listed the site as a Class 2 site in the Registry of Inactive Hazardous Waste Disposal Sites in New York, based on the PCB contamination detected during the PSA. A Class 2 site is a site where hazardous waste disposal presents a significant threat to the public health and/or the environment and action is required.

IRM-3: Based on the findings of the PSA/SFI, in July and August 2002, 1,089 cubic yards of PCB-contaminated soil were excavated and disposed of at a permitted off-site disposal facility. Of the 1,089 cubic yards of soils removed, 313 cubic yards were classified as hazardous waste (containing > 50 ppm PCB), and 776 cubic yards were classified as non-hazardous waste (< 50 ppm PCB). Final endpoint samples collected from the excavated areas indicated that the soil cleanup objectives of 1 ppm in shallow soils and 10 ppm in subsurface soils were achieved. Areas of excavation are depicted on Fig. 4.

In addition to the soil removal activities, surface wipe samples were collected from the below-grade portion of the south wall of the Paint Building and the below-grade portion of the cistern. Sample results indicated a PCB concentration of 2,077 micrograms per 100 square centimeters (ug/100 cm^2) on the Paint Building foundation and 36 ug/100 cm^2 on the cistern. Based on these results, the affected portion of the Paint Building foundation and its floor slab were addressed under IRM-4 as discussed below. The PCB concentration on the cistern was below the PCB spill cleanup requirement of 100 ug/100 cm^2 of the Toxic Substance Control Act 40 CFR Part 761.125(c)(3)(iv) for low-contact, outdoor, non-impervious surfaces in restricted access areas. Five composite transect sediment samples were collected from 15 locations in Broad Brook to further characterize Brook sediments (Fig. 5). The Brook sediment PCB results were low, ranging from non-detect to 0.07 ppm.

This IRM was documented in the February 2003 Interim Remedial Measure Closure Report.

Remedial Investigation (RI) and IRM-4: From June through November 2004, a RI was conducted to further investigate the subsurface soils at the southeast corner and below the floor slab of the Paint Building, as well as investigate groundwater in the vicinity for the presence of PCBs. IRM-4 was conducted during the RI and included the removal of the Paint Building floor slab, a portion of the foundation and some sub-slab soil (Fig. 6). These activities are further discussed in Section 5 and in the January 2005 RI Report.

IRM-5: A fifth IRM was performed after completion of the RI as discussed in Section 5.2.

SECTION 4: 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 PRP for this site is the NYSDCS. The NYSDEC and the NYSDCS have entered into the three separate Consent Orders listed below:

- In January 1999, Consent Order (CO) # W3-0826-98-11 was signed and provided for an IRM to address the PCB contamination at the site;

- In July 1999, CO # W3-0846-99-03 was signed and provided for the development and implementation of a Preliminary Site Assessment (PSA) and an IRM to address PCBs found during the water line investigation; and

- In September 2002, Consent Order # W3-0846-01-07 was signed and provided for the development and implementation of a RI and Remedial Program.

SECTION 5: SITE CONTAMINATION

In compliance with the consent orders, both a site characterization (PSA and SFI) and RI have been conducted to evaluate the nature and extent of contamination at the site. This section of the ROD only discusses the data collected during the RI/IRM-4, since the previous investigations (PSA and SFI) and IRMs 1-3 were discussed in Section 3.2.

5.1: Summary of the Remedial Investigation

The purposes of the RI/IRM-4 were to define the nature and extent of any remaining contamination resulting from historic operational activities at the site that were not previously addressed by IRMs 1-3, as well as to perform IRM-4 removal activities. The RI/IRM-4 activities were conducted between June and November 2004 and are described in the January 2005 RI Report.

The following activities were conducted during the RI:

- A complete review of all the past IRMs with regard to residual contamination and any potential areas/media of concern not yet investigated (e.g., groundwater).

- Installation of two groundwater monitoring wells MW-2 and MW-4 (Fig. 6) and subsequent sampling of the wells in September and November 2004. Groundwater was analyzed for volatile organic compounds (VOCs), semi-VOCs, and PCBs, with no detections of any compounds.

- Removal and off-site disposal at a permitted facility of the below-grade foundation block from the southeast corner and the entire concrete floor slab of the demolished Paint Building (IRM-4; Fig. 6).

- Sampling of soil exposed by the removal of the floor slab of the demolished Paint Building (Fig. 6), and removal of 7.5 cubic yards of PCB-contaminated soil found under

the slab with disposal at an off-site permitted facility (IRM-4). See further discussion in Section 5.1.3.

To determine whether the groundwater and remaining soil contained contamination at levels of concern, the RI data were compared to the following SCGs:

- Groundwater, drinking water, and surface water SCGs are based on NYSDEC "Ambient Water Quality Standards and Guidance Values" and Part 5 of the New York State Sanitary Code.

- Soil SCGs are based on the NYSDEC "Technical and Administrative Guidance Memorandum (TAGM) 4046; Determination of Soil Cleanup Objectives and Cleanup Levels".

Based on the RI results, in comparison to the SCGs and potential public health and environmental exposure routes, certain media and areas of the site required remediation as summarized in Section 5.1.3. More complete information can be found in the January 2005 RI Report.

5.1.1: Site Geology and Hydrogeology

The topography within the areas of concern generally slopes from the west to the east, towards Broad Brook. Based on the United States Geological Survey (USGS) topographic map of the Mount Kisco Quadrangle, the elevation of the subject site is about 275 feet above mean sea level. The soil data collected during site investigations indicate that soils in the upper 12 feet consist of tan to brown, medium to course sand with trace to some gravel, and some fine sand.

The bedrock underlying Westchester County includes the Manhattan Formation, the Inwood Marble and the Fordham Gneiss, which typically have very low primary permeability. However, this area has undergone several tectonic events resulting in numerous faults and fractures which may store/transmit groundwater. However, finding usable quantities of groundwater from the bedrock aquifer requires that a groundwater well intercept one or more of these bedrock fractures.

The overburden groundwater at the site has been observed at depths between 5.8 feet and 13.1 feet bgs. Regional groundwater flow data is not available for this site, but is anticipated to flow in a northeasterly direction based on the site topography and the presence of Broad Brook to the east.

Broad Brook is the only surface water body located within a 1/4 mile radius of the site. Broad Brook flows in a northerly direction along the east side of the site.

5.1.2: Nature of Contamination

As described in the PSA, SFI, RI and various IRM reports, shallow and subsurface soil, groundwater, and Brook sediment and surface water samples were collected to characterize the

nature and extent of contamination. As summarized in Table 1, PCB (Aroclor 1260) is the main contaminant that exceeded its SCGs.

5.1.3: Extent of Contamination

This section describes the findings of the RI for the environmental media that were investigated (i.e., soil and groundwater). Due to the nature of this project, the majority of investigation and remedial activities were performed prior to the RI, as discussed in Section 3.2 , and therefore, this section only discusses the extent of contamination identified during the RI activities.

Table 1 provides a summary of the analytical results for samples collected during the various site investigations (PSA, SFI and RI) and the IRMs, as appropriate. For comparison purposes, where applicable, SCGs are provided for each medium. The following are the media investigated during the RI and a summary of the findings of the investigation.

Soil

The PSA, SFI and the various IRMs helped identify and delineate the extent of contamination at this site prior to the performance of the RI and are discussed in Section 3.2. The soil data collected during the RI/IRM-4 are discussed in this section.

Based on the foundation wipe sampling conducted during IRM-3, in June 2004, the southeast corner and floor slab of the Paint Building were removed and disposed of at a permitted off-site disposal facility. Then 5 shallow and 3 subsurface soil samples were collected and analyzed for PCBs from 5 locations (US1A to US5) exposed by the removal of the floor slab. The PCB concentrations in the shallow soils ranged from non-detect to 3.9 ppm, with the maximum at US2A, while subsurface soil PCB concentrations ranged from non-detect to 0.86 ppm (Fig. 6). As a result, 7.5 cubic yards of soil were removed from beneath the southeast corner of the concrete slab and disposed of at a permitted off-site disposal facility.

Groundwater

Monitoring wells MW-4 and MW-2 were sampled in September and November 2004. The analytical results did not show any detectable concentration of PCBs, VOCs or SVOCs (Fig. 6).

5.2: 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 completion of the RI/FS. Over the course of the investigation of this site, four distinct IRMs were undertaken to address the PCB contamination identified at the site prior to and during the RI as described in Sections 3.2 and 5. A fifth IRM was performed following completion of the RI as described below.

The objective of the previous on-site investigations and remedial activities (IRMs 1-4), was to remove all identified soils with a PCB concentration greater than the NYSDEC TAGM 4046 levels of 1 ppm PCBs in shallow soils and 10 ppm in subsurface soils. Following completion of

the RI and IRMs 1-4, these cleanup objectives were met. However, under these conditions, institutional/engineering controls such as a site management plan and an environmental easement would be required to address future site activities that may disturb those areas with residual PCBs concentrations between 1 and 10 ppm in subsurface soils, such that these soils could be left at the surface. Therefore, a decision was made by the site owner to remove these soils throughout the site so that the future use of the site may be unrestricted and no institutional or engineering controls would be necessary. As such, all data from the previous investigations and IRMs 1-4 were revisited to define the extent of residual site soils containing 1 ppm PCB or greater. This evaluation identified 227 cubic yards of soil for removal from three areas, R1-R3 (Fig. 7). In February 2006, IRM-5 removal activities were performed, and all identified soils (shallow and subsurface) containing 1 ppm PCB or greater were removed from the site, as demonstrated by 22 post-excavation end-point samples (ND-0.56 ppm PCB).

In December 2005, two surface water samples were collected from Broad Brook and analyzed for PCBs. PCBs were not detected in either sample.

In summary, IRMs 1-5 resulted in the removal of a total of 1,480 cubic yards of PCB-contaminated soils from the areas indicated on Figure 8.

5.3: Summary of Human Exposure Pathways

An exposure pathway describes the means by which an individual may be exposed to contaminants originating from a site. An exposure pathway has five elements: [1] a contaminant source, [2] contaminant release and transport mechanisms, [3] a point of exposure, [4] a route of exposure, and [5] a receptor population.

The source of contamination is the location where contaminants were released to the environment (any waste disposal area or point of discharge). Contaminant release and transport mechanisms carry contaminants from the source to a point where people may be exposed. The exposure point is a location where actual or potential human contact with a contaminated medium may occur. The route of exposure is the manner in which a contaminant actually enters or contacts the body (e.g., ingestion, inhalation, or direct contact). The receptor population is the people who are, or may be, exposed to contaminants at a point of exposure.

An exposure pathway is complete when all five elements of an exposure pathway exist. An exposure pathway is considered a potential pathway when one or more of the elements currently does not exist, but could in the future.

Since all identified site soils with PCB concentrations greater than or equal to 1 ppm have been removed through the implementation of the five IRMs described herein, and the groundwater monitoring well results show that groundwater has not been impacted by PCB soil contamination, there are no current or potential future exposure pathways.

5.4: Summary of Environmental Impacts

According to the National Wetland Inventory, Mount Kisco Quadrangle Map, there are no

Federal wetlands within a 1/4 mile radius of the site. The site is not within a New York State protected freshwater wetland. Sediment samples from Broad Brook, which receives drainage from the site, were below the sediment SCGs. Also, surface water samples collected from the Brook did not contain detectable levels of PCBs. Therefore, a viable exposure pathway to fish and wildlife receptors is not present.

SECTION 6: SUMMARY OF THE REMEDIATION GOALS AND PROPOSED REMEDY

Goals for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375-1.10. At a minimum, the remedy selected must eliminate or mitigate all significant threats to public health and/or the environment presented by the hazardous waste disposed of at the site through the proper application of scientific and engineering principles.

Prior to the completion of the IRMs described in Sections 3.2 and 5, the remediation goals for this site were to eliminate or reduce to the extent practicable:

- exposures of persons at or around the site to PCBs in the site soil or on-site structural surfaces;
- environmental exposures of flora or fauna to PCBs in soil, sediment and surface water (if detected); and
- the release of contaminants from soil into groundwater that may create exceedances of groundwater quality standards.

The NYSDEC believes that the IRMs have accomplished these remediation goals.

Based on the results of the investigations at the site, the five IRMs that have been performed, and the evaluation discussed below, the NYSDEC has selected No Further Action as the preferred alternative for the site.

The basis for this selection is the NYSDEC's conclusion that no further action will be protective of human health and the environment and will meet all SCGs. Overall protectiveness is achieved through meeting the remediation goals listed above.

The main SCGs applicable to this project are as follows:

- TAGM 4046: the soil cleanup objective of 1 ppm PCB in all identified site soils has been achieved through site investigation, excavation and off-site disposal of PCB-contaminated soil. In fact, the RSCOs have been more than satisfied by removing all identified site soils containing greater than or equal to 1 ppm PCBs in the shallow and subsurface soils.
- ambient groundwater quality standards: groundwater sample results indicate that these

standard have not been violated. In general, PCBs do not readily migrate in groundwater.

- sediment screening criteria: the sediment screening criteria for protection of benthic organisms have been met. A sediment cleanup objective of 1 ppm has been established for this site based on soil cleanup objectives and protection of benthic organisms and aquatic habitat. Future releases of PCBs to Brook sediment have been mitigated by the five soil removal IRMs.

- surface water standards: surface water sample results indicate that these standard have not been violated.

- 40 CFR Part 761 PCB Spill Cleanup Policy for non-impervious materials (e.g., concrete).

Therefore, the NYSDEC concludes that the five IRMs already completed have achieved the remediation goals for the site and that no further action is needed. In fact, the IRMs already completed have surpassed the original remediation goals and SCGs, such that all site soils containing greater than or equal to 1 ppm PCBs have been removed, allowing for unrestricted future use of the site.

SECTION 7: HIGHLIGHTS OF COMMUNITY PARTICIPATION

As part of the remedial investigation process, a number of Citizen Participation activities were undertaken to inform and educate the public about conditions at the site and the potential remedial alternatives. The following public participation activities were conducted for the site:

- Repositories for documents pertaining to the site were established.

- A public contact list, which included nearby property owners, elected officials, local media and other interested parties, was established.

- A Fact Sheet announcing the initiation of the site Remedial Investigation was prepared and distributed to the public contact list in April 2004.

- A Fact Sheet announcing the availability of the Proposed Remedial Action Plan (PRAP) and public meeting on the PRAP was prepared and distributed to the public contact list in February 2006.

- A public meeting was held on March 13, 2006 to present and receive comment on the PRAP.

- A responsiveness summary (Appendix A) was prepared to address the comments received during the public comment period for the PRAP.

No public comments were received.

TABLE 1
Nature and Extent of Contamination[a]

SHALLOW SOIL	Contaminants of Concern	Concentration Range Detected (ppm)	SCG (ppm)	Frequency of Exceeding SCG
IRM-1	PCB	ND-186	1	2/14
IRM-2	PCB	ND-19	1	9/17
PSA	PCB	<0.75->200	1	51/144
SFI	PCB	ND-100	1	25/62
RI/IRM-4	PCB	ND-3.9	1	1/5

SUBSURFACE SOIL	Contaminants of Concern	Concentration Range Detected (ppm)	SCG (ppm)	Frequency of Exceeding SCG
IRM-1	PCB	ND-1,717	10	2/14
IRM-2	PCB	ND-19	10	1/16
PSA	PCB	<0.75-14.4	10	1/56
SFI	PCB	<0.75-17	10	2/17
RI/IRM-4	PCB	ND-0.86	1[b]	0/3

BROOK SEDIMENTS	Contaminants of Concern	Concentration Range Detected (ppm)	SCG (ppm)	Frequency of Exceeding SCG
SFI	PCB	ND-0.043	1[c]	0/6
IRM-3	PCB	ND-0.07	1[c]	0/5

GROUNDWATER	Contaminants of Concern	Concentration Range Detected (ppb)	SCG (ppb)	Frequency of Exceeding SCG
RI (MW-02)	PCB	ND @ <0.065	0.09	0/2
RI (MW-04)	PCB	ND @ <0.065	0.09	0/2

SURFACE WATER	Contaminants of Concern	Concentration Range Detected (ppb)	SCG (ppb)	Frequency of Exceeding SCG
Brook (IRM-5)	PCB	ND	0.09	0/2

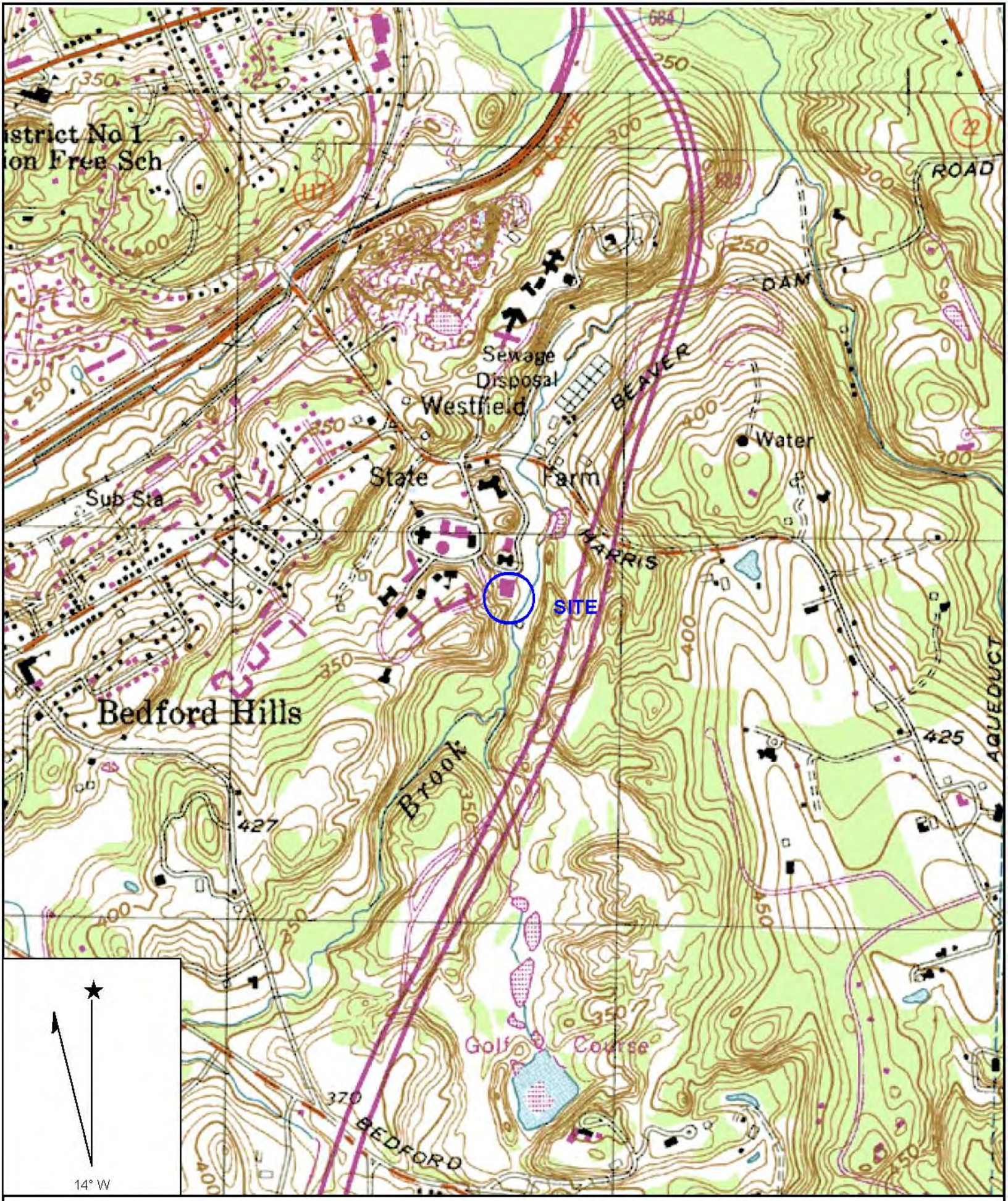
See notes next page.
Notes:

ppb = parts per billion, which is equivalent to micrograms per liter, ug/L, in water
ppm = parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil and sediment
SCG = standards, criteria, and guidance values
ND = Non-detect (chemical was not detected)
PSA = Preliminary Site Assessment
SFI = Supplemental Field Investigation
RI = Remedial Investigation
> = greater than
< = less than

[a] The concentrations of contaminants of concern identified in Table 1 reflect site conditions prior to completion of the IRM programs.

[b] 1 ppm is the soil cleanup goal for subsurface soils at this site and is more protective than the 10 ppm RSCO for subsurface soils provided in TAGM 4046.

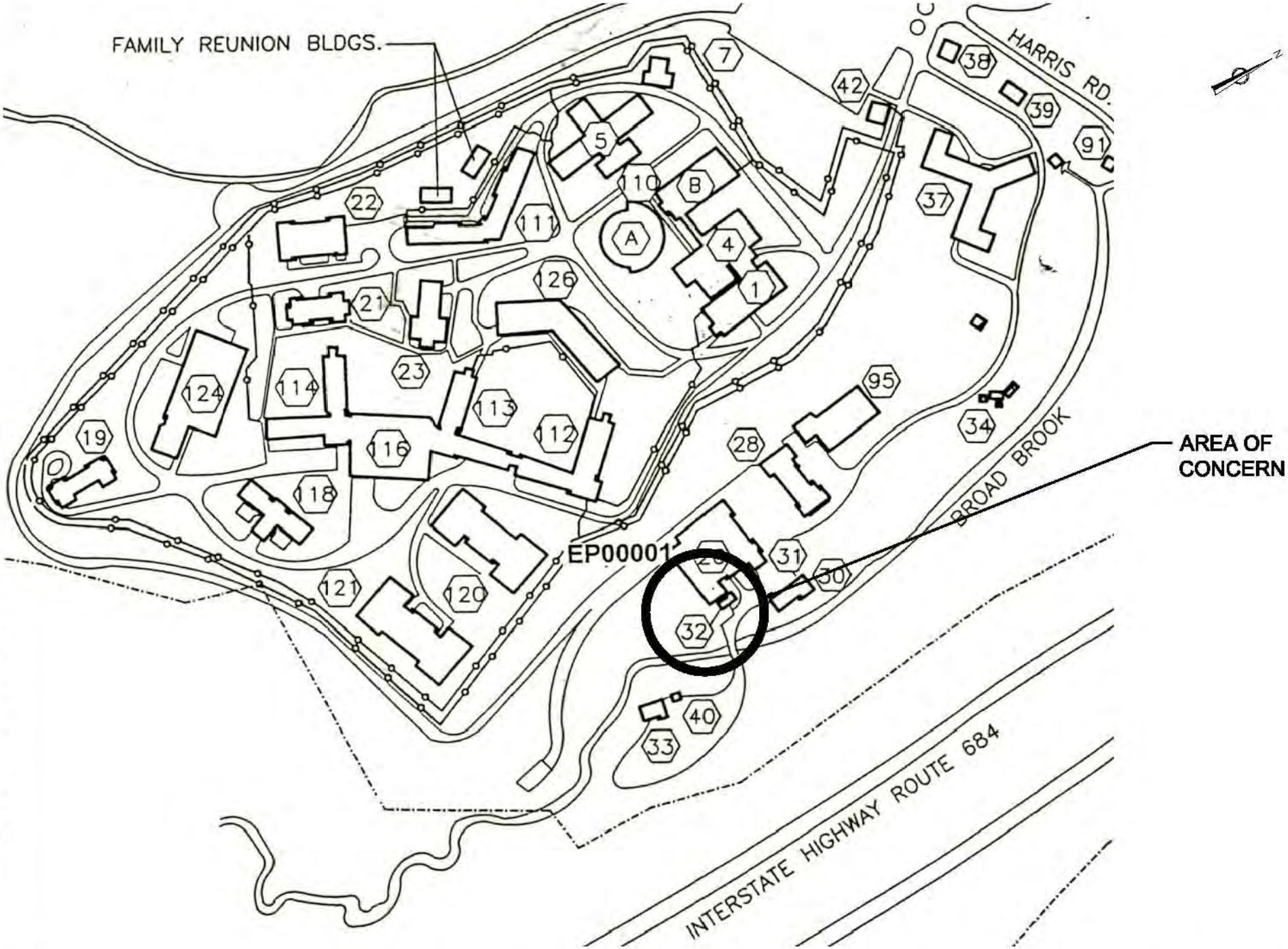
[c] 1 ppm is the sediment cleanup goal established for this site for protection of benthic organisms and aquatic habitat.



Name: MOUNT KISCO
Date: 1/6/2005
Scale: 1 inch equals 1000 feet

Location: 041° 14' 17.57" N 073° 40' 44.65" W
Caption: Figure 1 - Location Map
Bedford Correctional Facility

FIGURE 1



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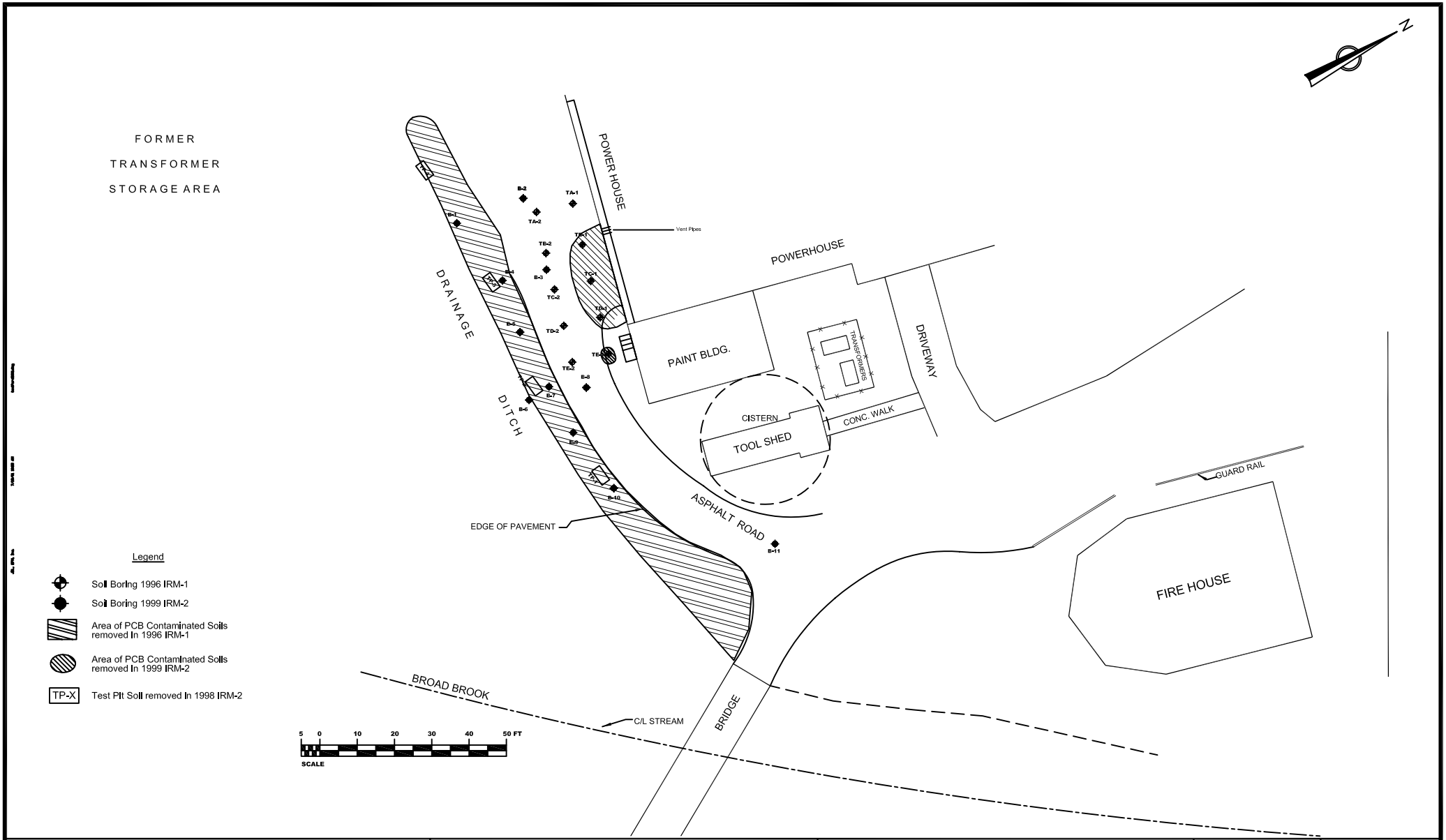
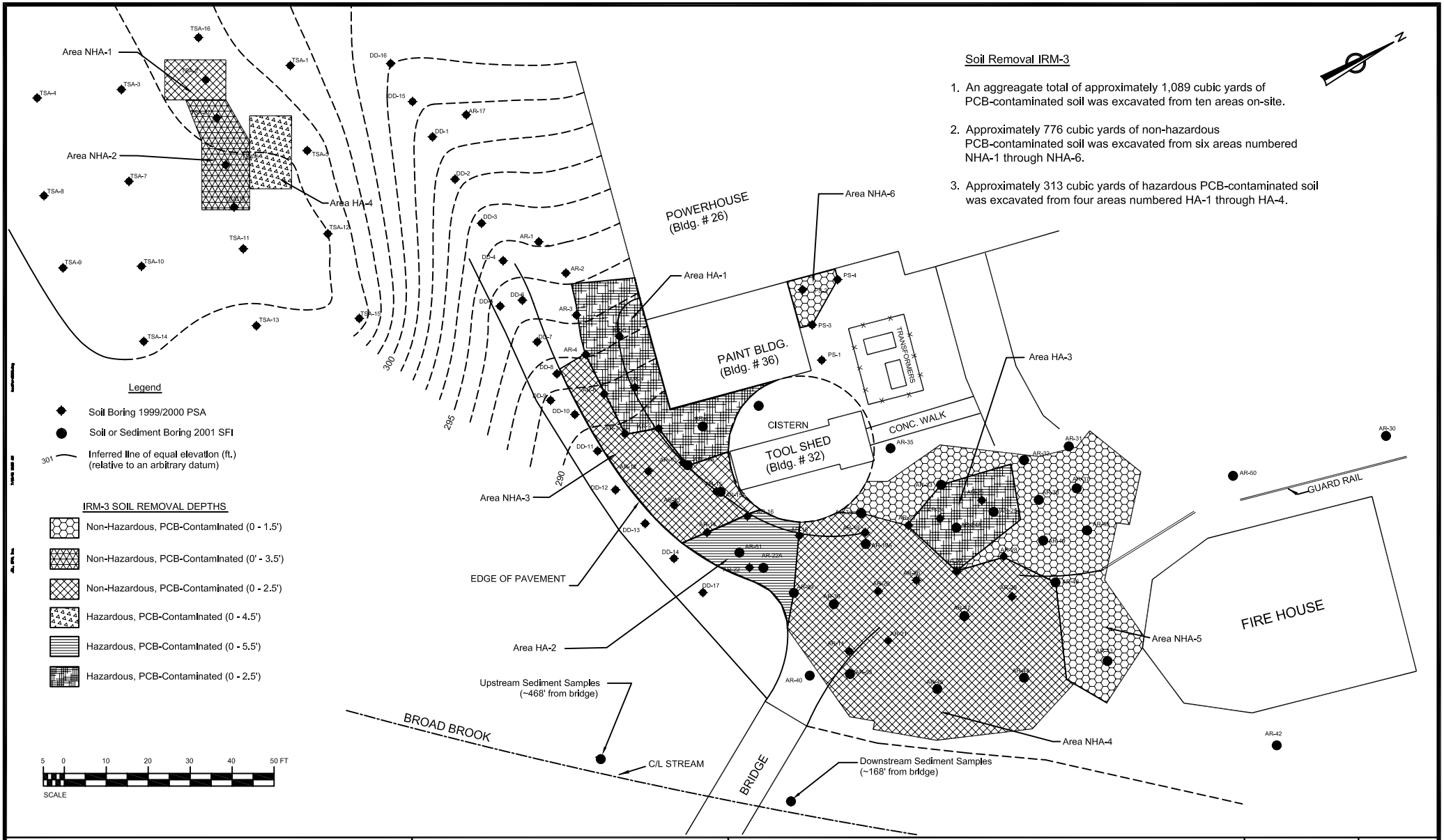
TITLE:
FACILITY MAP
Bedford Womens Correctional Facility
Bedford Hills, NY

SCALE: NOT TO SCALE
PROJECT NO. 99673 25035
DATE: NOV 2004

FIGURE#: 2



PREPARED BY: P EM ENVIRONMENTAL PLANNING & MANAGEMENT, INC. 1983 Marcus Ave. Suite C-106 Lake Success, NY 11042 516-328-1194/ Fax: 516-328-1381	PREPARED FOR: OGS Serving New York 525 North Broadway White Plains, New York	TITLE: IRM-1 & IRM-2 Sample Locations & Excavation Areas Bedford Womens Correctional Facility - Bedford Hills, NY	SCALE: AS NOTED PROJECT NO. E8935/ 21033 DATE: 2/11/2002	FIGURE#: 3



PREPARED BY: EP EM ENVIRONMENTAL PLANNING & MANAGEMENT, INC. — 1983 Marcus Ave. Suite 109, Lake Success, NY 11042, 516-328-1194/ Fax: 516-328-1381	PREPARED FOR: NYS Office of General Services, Serving New York — 525 North Broadway, White Plains, New York	TITLE: PSA/SFI SAMPLE LOCATIONS AND IRM-3 EXCAVATION AREAS Bedford Womens Correctional Facility - Bedford Hills, NY	SCALE: AS NOTED PROJECT NO. 23035 DATE: 1/1/06	FIGURE#: 4

CISTERN

TOOL SHED
(BLDG. #32)

CONC. WALK

N

EDGE OF PAVEMENT

Drainage Ditch

Approximate Area of Surface Runoff Drainage from the Drainage Ditch

FIRE HOUSE
BUILDING
#30

Approximate
C/L Brook

Approximate Point of Discharge from the Drainage Ditch Surface Runoff Area, into the Brook

SS-6

Run-Off

BRIDGE

Flow

SS-5C

SS-4C

SS-3C

SS-5B

SS-4B

SS-3B

SS-2C

SS-5A

SS-4A

SS-3A

SS-2B

SS-1C

SS-2A

SS-1B

SS-1A

BROAD BROOK

25'

10'

25'

50'

Approximate Locations
of Brook Banks

Legend

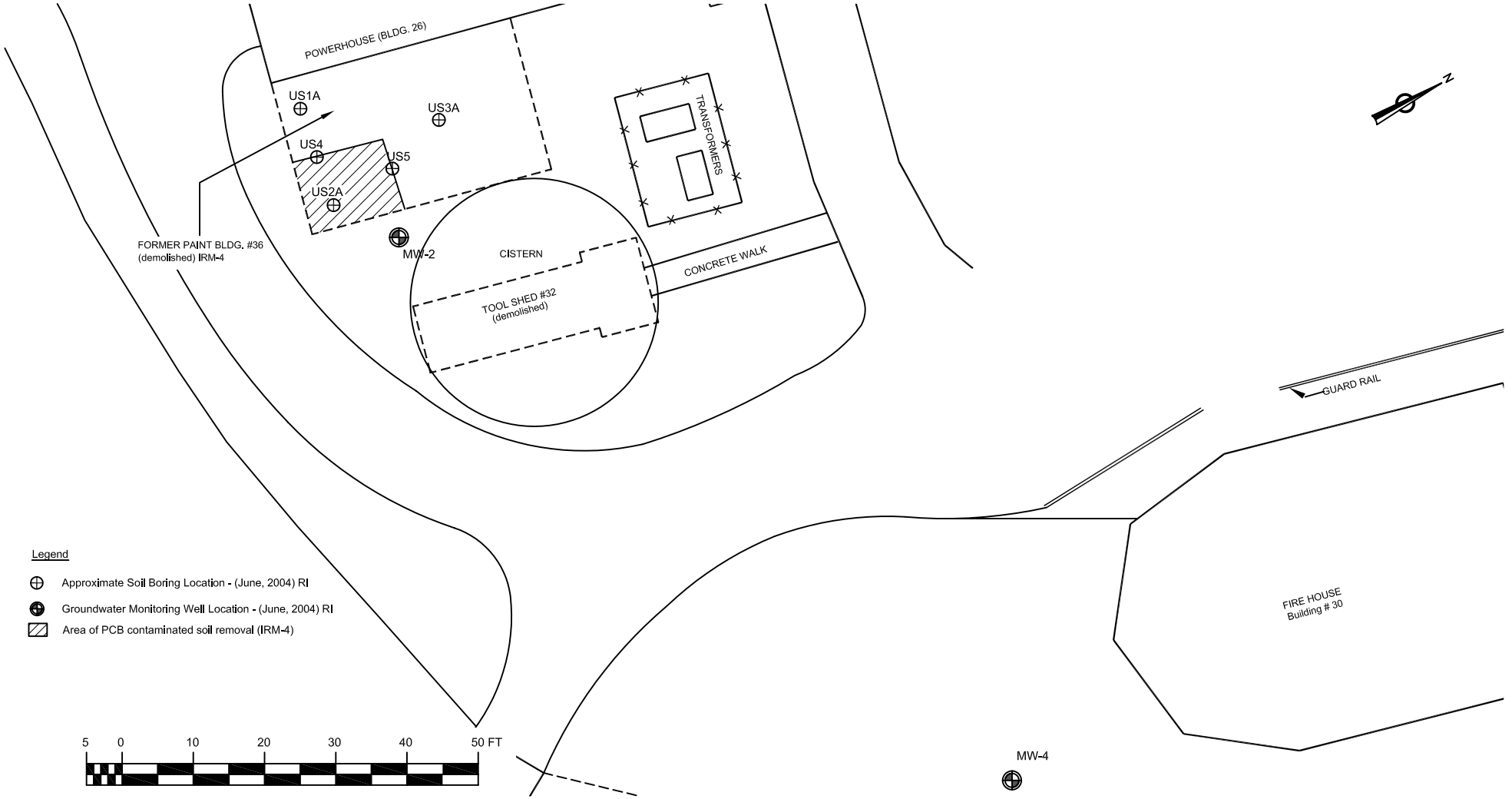
Approximate Location of Soil or Sediment Samples

Approximate Location of "Sand Bar" Deposition

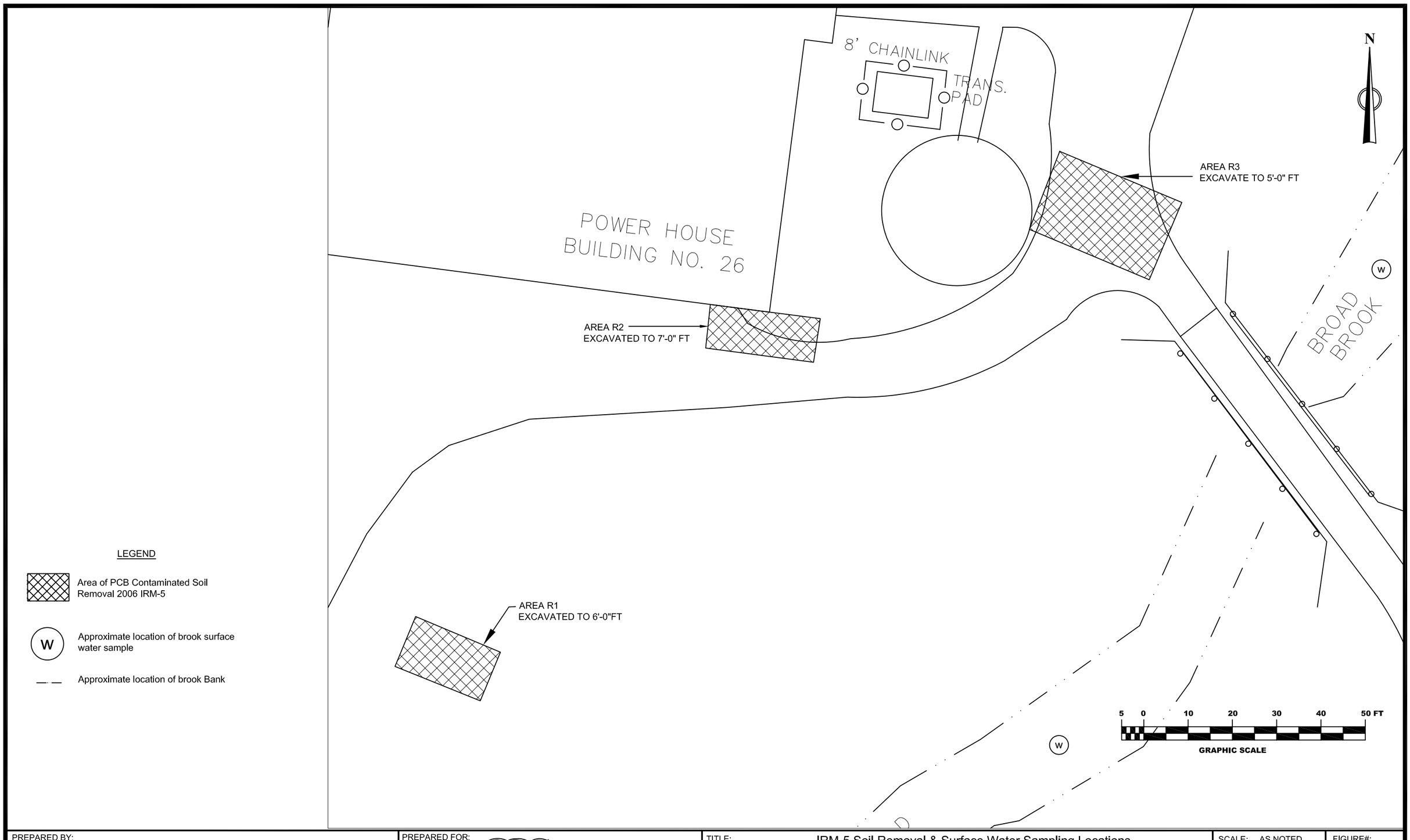
5 0 10 20 30 40 50 FT

SCALE

PREPARED BY: P EM ENVIRONMENTAL PLANNING & MANAGEMENT, INC. 1983 Marcus Ave. Suite 109 Lake Success, NY 11042 516-328-1194/ Fax: 516-328-1381	PREPARED FOR: NYS Office of General Services Design and Construction Group Serving New York 525 North Broadway White Plains, New York	TITLE: Brook Sediment Field Sampling Supplemental Field Investigation Bedford Womens Correctional Facility - Bedford Hills, NY	SCALE: AS NOTED PROJECT NO. M2132B/ 21033 DATE: 11/30/2001	FIGURE#: 5



PREPARED BY: P EM ENVIRONMENTAL PLANNING & MANAGEMENT, INC. 1983 Marcus Ave. Suite 109 Lake Success, NY 11042 516-328-1194/ Fax: 516-328-1381	PREPARED FOR: OGS Serving New York 525 North Broadway White Plains, New York	TITLE: RI Sample Locations and IRM-4 Removal Action Remedial Investigation Bedford Womens Correctional Facility Bedford Hills, NY	SCALE: NOT TO SCALE PROJECT NO. 23035 DATE: JAN 2005	FIGURE#: 6



LEGEND

Area of PCB Contaminated Soil Removal 2006 IRM-5

W — Approximate location of brook surface water sample

Approximate location of brook Bank

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PREPARED FOR:

NYS Office of General Services — Design and Construction Group — Serving New York

525 North Broadway
White Plains, New York

TITLE: IRM-5 Soil Removal & Surface Water Sampling Locations

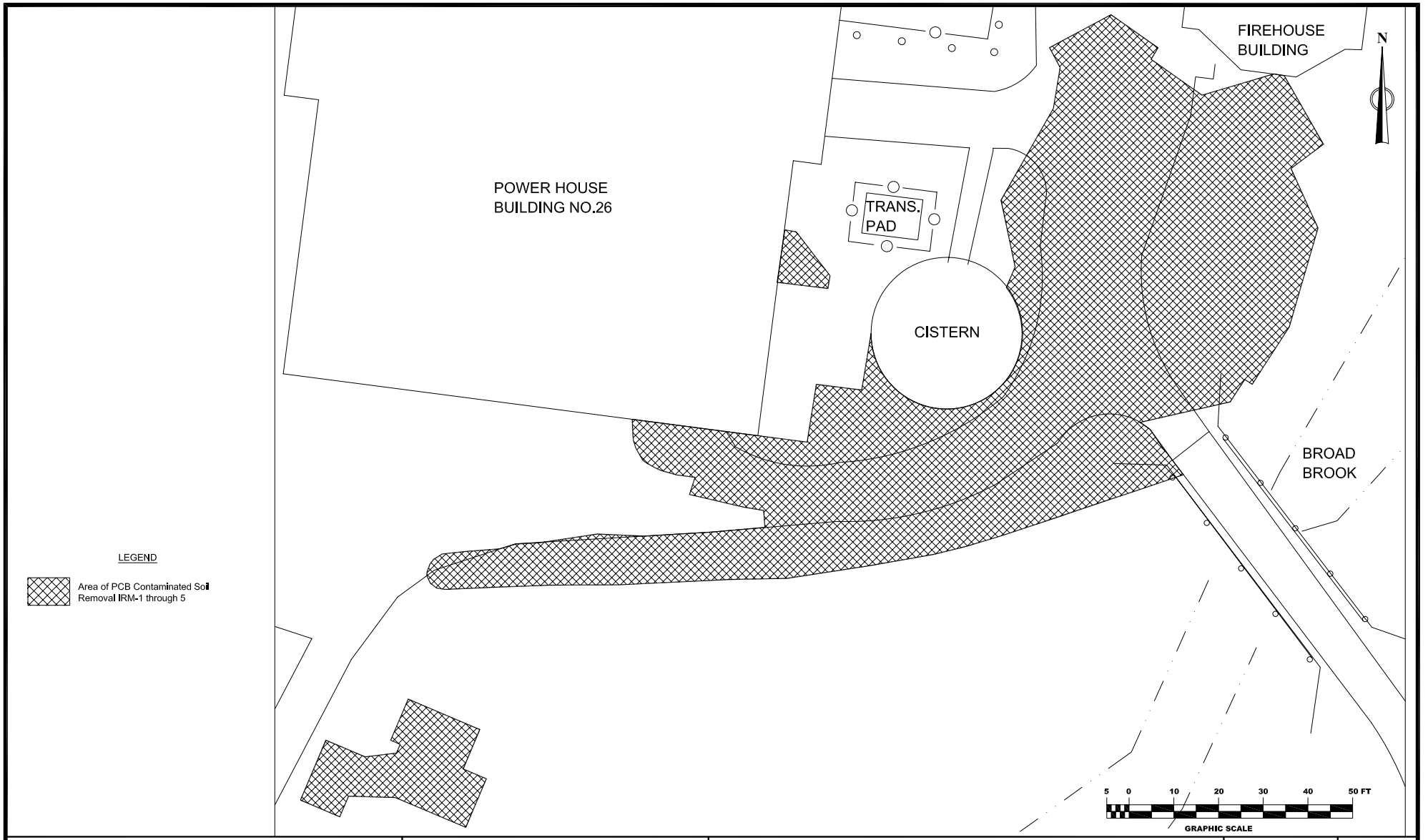
Bedford Womens Correctional Facility - Bedford Hills, NY

SCALE: AS NOTED

PROJECT NO. 25007

DATE: 5-20-05

FIGURE#: 7



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PREPARED FOR:
OGS
NYS OFFICE OF GENERAL SERVICES
DESIGN AND CONSTRUCTION GROUP
Serving New York
525 North Broadway
White Plains, New York

TITLE: Areas of PCB-Contaminated Soil Removal, IRM 1 Through IRM 5

Bedford Womens Correctional Facility - Bedford Hills, NY

SCALE: AS NOTED
PROJECT NO. 23035
DATE: 3-10-06

FIGURE#: 8

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

Bedford Hills Correctional Facility
Town of Bedford, Westchester County, New York
Site No. 3-60-056

The Proposed Remedial Action Plan (PRAP) for the Bedford Hills Correctional Facility (BHCF) site, was prepared by the New York State Department of Environmental Conservation (NYSDEC) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on February 28, 2006. The PRAP outlined the remedial measure proposed for the contaminated soil at the BHCF site.

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 March 13, 2006, which included a presentation of the Preliminary Site Assessment, Supplemental Field Investigation, Remedial Investigation (RI), the five soil removal interim remedial measures (IRMs) performed, 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 March 29, 2006.

This responsiveness summary responds to all questions and comments raised during the public comment period.

No comments were received on the PRAP.

APPENDIX B

Administrative Record

Administrative Record

Bedford Hills Correctional Facility
Site No. 3-60-056

1. Proposed Remedial Action Plan for the Bedford Hills Correctional Facility site, dated February 2006, prepared by the NYSDEC.

2. Order on Consent, Index No. W3-0846-01-07 (for development and implementation of a Remedial Program), between NYSDEC and the New York State Department of Correctional Services (NYSDOCS) Bedford Hills Correctional Facility (BHCF), executed on September 17, 2002.

3. "Revised Soil Sampling Plan for PCB Spill - BHCF," June 3, 1996, Tyree Organization, Ltd.

4. Letter dated June 5, 1996 from R. Smith (NYSDEC) re: June 3, 1996 Work Plan approval.

5. "Work Plan for PCB Spill Cleanup - Final Phase - BHCF," July 16, 1996, Tyree Organization, Ltd.

6. Order on Consent, Index No. W3-0826-98-11 (for development and implementation of an IRM Program, between NYSDEC and NYSDOCS BHCF, executed on January 11, 1999.

7. Letter summarizing sampling and remediation work for Spill Nos.: 95-11525 (fuel oil) and 96-00738 (PCB), and proposing additional remediation activities at BHCF, February 10, 1999, Tyree Organization, Ltd.

8. Letter dated March 2, 1999 from R. Smith (NYSDEC) re: approval of February 10, 1999 Clean-up Plan of Fuel Oil Tank Area Soils.

9. "PCB Remediation - BHCF", April 7, 1999, Tyree Organization, Ltd.

10. Order on Consent, Index No. W3-0846-99-03 (for development and implementation of a Preliminary Site Assessment and IRM), between NYSDEC and NYSDOCS BHCF, executed on July 6, 1999.

11. "Preliminary Site Assessment and Interim Remedial Measure Work Plan," Volume 1 of 2, September 1999, Environmental Planning & Management, Inc. (EPM, Inc.).

12. "Preliminary Site Assessment and Interim Remedial Measure Work Plan," Volume 2 of 2, September 1999, revised November 1999, EPM, Inc.

13. "Preliminary Site Assessment Report," Volume 1 of 5, May 2000, EPM., Inc.

14. "Supplemental Report to the Preliminary Site Assessment & Interim Remedial Measures Work Plan" Volume I of VIII, November 2001, EPM, Inc.

15. "Supplemental Report to the Preliminary Site Assessment & Interim Remedial Measures Work Plan - Appendix D - Sampling and Analysis Plan" Volume VIII of VIII, November 2001, EPM, Inc.

16. "Addendum to the Supplemental Report to the Preliminary Site Assessment and Interim Remedial Measures Work Plan," Volume 1 of 1, February 2002, EPM, Inc.

17. "Interim Remedial Measures Closure Report," Volume I of VI, February 2003, EPM, Inc.

18. "Remedial Investigation Work Plan" (RI WP), Volume 1 of 1, March 2004, EPM, Inc.

19. Letter dated March 16, 2004 from Gianna Aiezza (NYSDEC), re: approval of RI WP.

20. "Remedial Investigation Report," Volume 1 of 1, January 2005, EPM, Inc.

21. "Spill Closure Report - Spill No. 0413258," Volume 1 of 1, July 2005, Earth Tech.

22. "Work Plan - Interim Remedial Measure V," Volume 1 of 1, September 2005, EPM, Inc.

23. Fact Sheet for Proposed Remedial Action Plan, February 2006, NYSDEC.

24. Letter dated February 16, 2006 from Steven M. Bates, NYSDOH, re: concurrence with PRAP.