# **River Plaza Shopping Center**

124 TO 134 WILDEY STREET TARRYTOWN, WESTCHESTER COUNTY, NEW YORK

# **Periodic Review Report**

**NYSDEC Site Number: 360084** 

#### Prepared for:

Wildey Group, LLC P.O. Box 383 Croton on Hudson, New York 10520

#### Prepared by:

Whitestone Associates, Inc. 35 Technology Drive Warren, New Jersey 07059 908-668-7777

For each institutional or engineering control identified for the site, I certify that all of the following statements are true:

- (a) the institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by DER;
- (b) nothing has occurred that would impair the ability of such control to protect public health and the environment;
- (c) nothing has occurred that would constitute a violation or failure to comply with any Site Management Plan for this control; and
- (d) access to the site will continue to be provided to DER to evaluate the remedy, including access to evaluate the continued maintenance of this control.

KEITH T. D'AMBROSTO, P. PROFESSIONAL ENGINE

NEW YORK LICENSE NO

**SEPTEMBER 20, 2013** 

# **TABLE OF CONTENTS**

TABLE OF CONTENTS	2
LIST OF TABLES	4
LIST OF FIGURES	5
LIST OF APPENDICES	6
1.0 EXECUTIVE SUMMARY	7
1.1 INTRODUCTION	7
1.2 EFFECTIVENESS/COMPLIANCE	7
1.3 RECOMMENDATIONS	8
2.0 SITE OVERVIEW	9
2.1 SITE LOCATION & DESCRIPTION	9
2.2 SITE HISTORY	9
2.3 SUMMARY OF REMEDIAL FINDINGS/ACTIONS	9
3.0 ENGINEERING & INSTITUTIONAL COMPLIANCE REPORT	12
3.1 INTRODUCTION	12
3.2 ENGINEERING CONTROLS	12
3.2.1 Soil Cover System	12
3.2.2 Sub-Slab Depressurization Systems	12
3.3 INSTITUTIONAL CONTROLS	12
3.4 INSPECTION	14

3.5 CONCLUSIONS & RECOMMENDATIONS	14
3.6 CERTIFICATION OF ENGINEERING & INSTITUTIONAL CONTROLS	14
4.0 MONITORING PLAN COMPLIANCE REPORT	15
4.1 INTRODUCTION	15
4.2 SOIL COVER SYSTEM MONITORING	15
4.3 MEDIA MONITORING	16
4.3.1 Groundwater Monitoring	16
4.3.1.1 Monitoring Well Repairs, Replacement, & Decommissionin	g.16
4.3.2 Soil Sampling	16
4.3.2.1 Sampling Protocol	16
4.3.3 Soil Vapor Monitoring	16
4.4 CONCLUSIONS	17
5.0 OPERATION & MAINTENANCE PLAN COMPLIANCE REPORT	18
5.1 INTRODUCTION	18
5.2 SUB-SLAB DEPRESSURIZATION SYSTEMS	18
5.2.1 Overview	18
5.2.2 System Operation Inspection	18
6.0 OVERALL CONCLUSIONS & RECOMMENDATIONS	19

# LIST OF TABLES

1. Summary of Remaining Soil Contamination Above Unrestricted Levels

# LIST OF FIGURES

- Location of Remedial Treatment Systems (SSDSs) and Soil Vapor Concern
- 2. Location of Cover System Types

# LIST OF APPENDICES

- A. Institutional and Engineering Controls Certification Form
- B. Site-Wide Inspection Form
- C. Routine Maintenance Form

## PERIODIC REVIEW REPORT

#### 1.0 EXECUTIVE SUMMARY

#### 1.1 INTRODUCTION

This Periodic Review Report (PRR) is required as an element of the remedial program at River Plaza Shopping Center located at 124 to 134 Wildey Street, Tarrytown, New York (hereinafter referred to as the "Site") under the New York State (NYS) Inactive Hazardous Waste Disposal Site Remedial Program administered by the New York State Department of Environmental Conservation (NYSDEC). The site was remediated in accordance with Order on Consent Index #W3-1127-08-11, Site #360084, which was executed on May 12, 2005 and last amended December 2008.

Acadia Tarrytown, LLC entered into the Order on Consent with the NYSDEC to remediate the 3.3-acre property. This Order on Consent required the Remedial Party, Acadia Tarrytown, LLC, to investigate and remediate contaminated media at the site. A figure showing the site location and boundaries is provided in Figure 1. The site currently is owned by Wildey Group, LLC.

After completion of the remedial work, some contamination was left in the subsurface at this site. A *Site Management Plan* (SMP) dated April 2013 was prepared to manage remaining contamination at the site until the Environmental Easement established for the site is extinguished in accordance with ECL Article 71, Title 36. Site contaminant conditions are outlined in Section 2.3.

Engineering Controls have been incorporated into the site remedy to control exposure to remaining contamination during the use of the site to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Westchester County Clerk, requires compliance with the SMP for the site and all environmental controls (ECs) and institutional controls (ICs) placed on the site. The ICs place restrictions on site use, and mandate operation, maintenance, monitoring, and reporting measures for all ECs and ICs.

This PRR provides a description of the compliance and effectiveness of all controls and/or remedies required to manage remaining contamination at the site after completion of the Remedial Action, including: (1) Engineering and Institutional Controls; (2) media monitoring (as required); and (3) operation and maintenance of all treatment, collection, containment, or recovery systems.

#### 1.2 EFFECTIVENESS/COMPLIANCE

Whitestone Associates, Inc. (Whitestone) performed inspections of the IC/ECs including the sub-slab depressurization systems (SSDSs) and soil cover system on July 24, 2013 to ensure all mechanisms remained in compliance with the NYSDEC-approved SMP for the site. Based on Whitestone's July 24, 2013 inspections, all remedy

mechanisms (ECs/ICs) at the site are in compliance with the approved SMP and protective of human health and the environment and no corrections or modifications to the SMP are required. A site-wide inspection form is included as Appendix B.

#### 1.3 RECOMMENDATIONS

Based on Whitestone's July 24, 2013 inspections, it is recommended that the frequency for submittal of PRRs remains consistent with the SMP. No corrections or amendments to the SMP or ECs/ICs for the site are recommended at this time.

#### 2.0 SITE OVERVIEW

#### 2.1 SITE LOCATION & DESCRIPTION

The site is located in Tarrytown, Westchester County, New York, and is identified as Section 1, Block 2, Lots P25 and P-25B on the Tarrytown, Westchester County Tax Map. The site is an approximately 3.3-acre area and currently consists of an approximately 26,000 square feet (footprint), single-story retail building occupied by Walgreens, Dunkin' Donuts, Van Tassel Cleaners, and Chase Bank in the southern portion of the site and an approximately 9,000 square feet (footprint), retail-strip building occupied (from west to east) by a vacant space, Osaka Japanese Restaurant, Wash and Dry laundromat, Ocean Star Nail and Spa, Inc. nail salon, and \$Dream Dollar Store. The remaining portions of the site consist of asphalt-paved parking and driveway and landscaped areas. The area immediately surrounding the subject property consists of a mix of residential and commercial uses. The site is bound by residential properties beyond Wildey Street to the north; residential properties and a playground beyond Central Avenue to the east; a residential apartment building to the south; and a McDonald's restaurant, Cortland Street, commercial properties, and railroad tracks to the west (see Figure 1).

#### 2.2 SITE HISTORY

According to historical sources reviewed by Whitestone, the current site buildings reportedly were constructed in 1976. The current Walgreens building formerly was occupied by a supermarket. The retail-strip building has been occupied by a dry cleaning facility since construction until 2011. This facility reportedly utilized an open-loop cleaning system from 1976 until 1980 when a closed-loop system was installed. Prior to 1976, the subject property was occupied by a variety of commercial retail uses dating back to the late-1800's. The site currently is owned by Wildey Group, LLC.

#### 2.3 SUMMARY OF REMEDIAL FINDINGS/ACTIONS

A Remedial Investigation (RI) was performed to characterize the nature and extent of contamination at the site. The results of the RI are described in detail in the following reports:

- August 1998 (finalized October 1998) *Limited Subsurface Investigation* prepared by Property Solutions, Inc. (PSI);
- September 2003 Focused Subsurface Investigation prepared by ATC Associates, Inc. (ATC);
- October 2003 *Limited Subsurface Investigation* prepared by CNS Management Corp. (CNS);
- January 12, 2005 Site Characterization Report and Remedial Action Plan prepared by J.R. Holzmacher, P.E., LLC (JRH) in joint venture with CNS;

- March 14, 2005 *Geoprobe Investigation* prepared by CNS;
- June 24, 2009 Remedial Investigation Report and Supplemental Remedial Investigation/Corrective Action Workplan prepared by Whitestone;
- April 7, 2010 Sub-Slab Depressurization System Design Plan prepared by Whitestone; and
- August 2011 Comprehensive Remedial Investigation/Final Engineering Report and Corrective Action Workplan (CRI/FER & CAW) prepared by Whitestone.

After completion of the RI at the site, low-level soil and groundwater contamination was documented to remain. Generally, the RI activities determined that subsurface investigations conducted within and immediately north of the on-site drycleaners in the late 1990's and early 2000's identified tetrachloroethene (PCE) as well as select degradation compounds of PCE at low-level concentrations in shallow soil and groundwater exceeding NYSDEC Remedial Program Unrestricted Use Soil Cleanup Objectives (SCOs) and NYSDEC Technical & Operational Guidance Series (1.1.1) Water Quality Standards (TOGS WQS). Acetone was also detected above the NYSDEC Remedial Program Unrestricted Use SCOs, however, is considered a laboratory contaminant and not a contaminant of concern at the site. The volatile organic compounds (VOCs) were not detected at concentrations exceeding NYSDEC Remedial Program Restricted Use Commercial SCOs, however, PCE and methylene chloride were detected at concentrations exceeding their NYSDEC Protection of Groundwater SCOs in one soil sample. As a result of the identification of the VO contamination, a total of eight groundwater monitor wells were installed at the site along with supplemental borings to collect additional soil and groundwater data. The results of the soil and groundwater RI activities as well as initial air sampling conducted by others required a soil vapor intrusion (SVI) investigation at the site. Results of the SVI investigation required the installation of a sub-slab depressurization system (SSDS) within the drycleaners unit to address VOCs in indoor air as well as performing post-mitigation indoor air sampling. Upon construction of the Osaka Japanese Restaurant, a second SSDS was required to be installed.

In addition to the low-level VOC contamination identified in the immediate vicinity of the drycleaners, select semi-volatile organic compounds (SVOCs) and metals have been identified in soils located throughout the site exceeding NYSDEC Remedial Program Unrestricted Use SCOs. A single pesticide (p,p'-DDD) was also detected in one soil sample at a concentration exceeding the NYSDEC Remedial Program Unrestricted Use SCO. The select SVOCs, pesticides, and metals were not detected at concentrations exceeding NYSDEC Remedial Program Restricted Use Commercial SCOs with the exception of the SVOC benzo[a]pyrene. In addition, the majority of the metals concentrations and p,p'-DDD concentration only exceed the NYSDEC Protection of Ecological Resources SCOs which are not applicable to the completely developed subject property. Select SVOCs were also detected at concentrations exceeding Protection of Groundwater SCOs. This soil contamination can be attributed to historic fill material located throughout the site and naturally-occurring concentrations.

Select metals have also been identified in groundwater throughout the site exceeding NYSDEC TOGS WQS, however, these concentrations are generally consistent with and appear to be attributed to naturally-occurring background conditions. The pesticide dieldrin was detected in one upgradient on-site groundwater monitor well at a concentration exceeding the NYSDEC TOGS WQS and may be the result of a potential off-site source.

The site was remediated in accordance with Whitestone's January 21, 2010 Supplemental Remedial Investigation Workplan (Rev. 1) (SWIR) approved by NYSDEC and the New York State Department of Health (NYSDOH) on February 3, 2010, Whitestone's April 7, 2010 Interim Remedial Measure Workplan (revised to Sub-Slab Depressurization System Design Plan) approved by NYSDEC and NYSDOH on May 12, 2010, Whitestone's September 29, 2011 Soil Vapor Intrusion Workplan approved by NYSDEC and NYSDOH on September 29, 2011, Whitestone's June 8, 2012 Updated Soil Management and Characterization and Regulatory Reporting Plan, and the September 2007 Supplemental Investigation Workplan (SIW) prepared by JRH on behalf of The Robert Martin Company (former owner) as approved by the NYSDEC on October 1, 2007.

The following is a summary of the Remedial Actions performed at the site:

- 1. Maintenance of a soil cover system consisting of existing concrete building slabs, asphalt-paved parking areas, concrete sidewalks, and landscaped areas to prevent human exposure to remaining contaminated soil/fill remaining at the site;
- 2. Execution and recording of an Environmental Easement to restrict land use and prevent future exposure to any contamination remaining at the site.
- 3. Installation and operation of SSDSs to prevent human exposure to vapor intrusion concerns;
- 4. Development and implementation of a SMP for long-term management of remaining contamination as required by the Environmental Easement, which includes plans for: (1) Institutional and Engineering Controls, (2) monitoring, (3) operation and maintenance, and (4) reporting;

Remedial activities were completed at the site in July 2010 (installation of a SSDS), July 2012 (installation of a second SSDS), April 2012 (monitor well abandonment), and March 2012 and June/July 2012 (soil management and characterization).

Table 1 summarizes the results of all soil sample locations remaining at the site after completion of the Remedial Actions that exceed the NYSDEC Remedial Program Unrestricted Use SCOs.

# 3.0 ENGINEERING & INSTITUTIONAL COMPLIANCE REPORT

#### 3.1 INTRODUCTION

Since remaining contaminated soil, groundwater, and soil vapor exists beneath the site, ECs and ICs are required to protect human health and the environment. This section describes the procedures for the implementation and management of all EC/ICs at the site and results of Whitestone's July 24, 2013 inspections of the EC/ICs.

#### 3.2 ENGINEERING CONTROLS

#### 3.2.1 Soil Cover System

Exposure to remaining contamination in soil/fill at the site is prevented by a soil cover system placed over the site. This cover system is comprised of a minimum of six inches of clean topsoil, four inches of asphalt pavement, three inches of concrete-covered sidewalks, and four inches of concrete building slabs. The Excavation Work Plan that appears in Appendix A of the April 2013 SMP outlines the procedures required to be implemented in the event the cover system is breached, penetrated, or temporarily removed, and any underlying remaining contamination is disturbed.

#### 3.2.2 Sub-Slab Depressurization Systems

The SSDSs were constructed in the northeastern portion of the former drycleaners unit and the northeastern portion of the Osaka Japanese Restaurant unit of the retail-strip building by placing four-inch diameter PVC pipes in the sub-base immediately below the building's floor slab. The pipes extend vertically (upward) through the units and vent to the exterior atmosphere above the roof. Fans (Radonaway Model HS-5000) capable of mechanically venting a minimum of 53 cubic feet per minute (CFM) of air from beneath the slab were placed in line with the vent pipes above the roof. Sealable sampling ports were installed at the base of the units for future sampling purposes (if necessary). Additionally, in-line magnahelic vacuum gauges and alarm systems (Radonaway Checkpoint II) were installed on the SSDS units. The fans and gauges/alarms each have their own dedicated electrical circuits. The SSDSs continually operate to remove soil vapors from and depressurize beneath the building.

#### 3.3 INSTITUTIONAL CONTROLS

A series of ICs is required to: (1) implement, maintain, and monitor EC systems; (2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and, (3) limit the use and development of the site to restricted commercial uses only. Adherence to these ICs on the site is required by the Environmental Easement and is implemented under the April 2013 SMP. These ICs are:

- Compliance with the Environmental Easement and the SMP by the Grantor and the Grantor's successors and assigns;
- All ECs must be operated and maintained as specified in the SMP;
- All ECs on the controlled property must be inspected at a frequency and in a manner defined in the SMP.
- Data and information pertinent to site management of the controlled property must be reported at the frequency and in a manner defined in the April 2013 SMP;

ICs identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement.

The site has a series of ICs in the form of site restrictions. Adherence to these ICs is required by the Environmental Easement. Site restrictions that apply to the controlled property are:

- The property may only be used for restricted commercial use provided that the long-term Engineering and Institutional Controls included in the April 2013 SMP are employed.
- The property may not be used for a higher level of use, such as unrestricted use, restricted use, or restricted residential use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the April 2013 SMP;
- The use of the groundwater underlying the property is prohibited without treatment rendering it safe for intended use;
- The potential for vapor intrusion must be evaluated for any buildings developed in the subject area and any potential impacts that are identified must be monitored or mitigated;
- Vegetable gardens and farming on the property are prohibited;
- The site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the controlled property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

#### 3.4 INSPECTION

A comprehensive site-wide inspection was conducted on July 24, 2013. The July 24, 2013 inspection of the IC/ECs at the site determined and documented the following:

- The ECs continue to perform as designed;
- The controls continue to be protective of human health and the environment;
- Compliance with requirements of the SMP and the Environmental Easement has been achieved;
- Achievement of remedial performance criteria;
- Site records are complete and up to date; and
- Changes to the remedial or monitoring system are not needed.

Inspections were conducted in accordance with the procedures set forth in the Monitoring Plan of the August 2013 SMP.

#### 3.5 CONCLUSIONS & RECOMMENDATIONS

Whitestone performed an inspection of the IC/ECs at the site on July 24, 2013. All IC/ECs were in place and properly functioning at the time of the inspection and determined to be in compliance with the approved SMP for the site. A site-wide inspection form is included as Appendix B. Site uses/restrictions are compliant with the ICs. No changes to the IC/ECs for the site are required.

#### 3.6 CERTIFICATION OF ENGINEERING & INSTITUTIONAL CONTROLS

The NYSDEC Institutional and Engineering Controls Certification Form from the Site Management Periodic Review Report Notice is included as Appendix A.

#### 4.0 MONITORING PLAN COMPLIANCE REPORT

#### **4.1 INTRODUCTION**

This section of the PRR describes the measures for evaluating the performance and effectiveness of the remedy to mitigate contamination at the site for all affected site media identified below.

#### **Monitoring/Inspection Schedule**

Monitoring Program	Frequency*	Matrix	Analysis
Soil Cover/Cap Inspection	Annual	Soil/Concrete/Asphalt	NA
SSDS Inspection	Annual Regularly (by tenant)	Soil Vapor/Indoor Air SSDS Functioning	NA NA

<sup>\*</sup> The frequency of events will be conducted as specified until otherwise approved by NYSDEC and NYSDOH

NA – Not Applicable

#### 4.2 SOIL COVER SYSTEM MONITORING

A soil cover/cap system inspection of the concrete building slabs, concrete sidewalks, asphalt pavement areas, and landscaped areas was performed on July 24, 2013 to ensure their integrities. The soil cover/cap was in place and intact during the inspection and is determined to be effectively reducing/minimizing human exposure to the remaining contamination on site.

The soil cover/cap system including asphalt parking and driveway, concrete sidewalks, landscaping, and concrete building slabs was disturbed during the March 2012 plumbing line installation activities in the Osaka Japanese Restaurant and the June/July 2012 water line installation activities at the site. All cover/cap disturbance and restoration activities were performed in accordance with the approved SMP for the site, specifically, Appendix A – Excavation Work Plan. A summary of work and monitoring performed during these activities was provided in Whitestone's February 21, 2013 *Soil Management and Characterization Summary* (approved by NYSDEC on February 27, 2013).

The contaminated materials that have been removed from the site include approximately 34.77 tons of nonhazardous/non-TSCA soil that was excavated and disposed off site during water line and plumbing installation activities in March/June/July 2012.

#### 4.3 MEDIA MONITORING

#### 4.3.1 Groundwater Monitoring

Groundwater monitoring is not required as groundwater contamination at the site does not have a continued source, is present at concentrations slightly above the NYSDEC TOGS WQS, and the site has water use restrictions as part of the SMP and the Environmental Easement. The site and surrounding area also are serviced by public water. Therefore, there are no concerns for exposure to the low-level groundwater concentration. Unless otherwise requested in the future by NYSDEC to remove the Environmental Easement, groundwater monitoring will not be performed at the site.

#### 4.3.1.1 Monitoring Well Repairs, Replacement, & Decommissioning

Well abandonment was performed in April 2012 in accordance with NYSDEC's *Groundwater Monitoring Well Decommissioning Procedures*. Specifically, the six onsite and two off-site wells were abandoned. No wells remain on site. A January 22, 2013 *Monitor Well Abandonment Summary* prepared by Whitestone was approved by NYSDEC on January 30, 2013.

#### 4.3.2 Soil Sampling

Soil sampling is only required during any intrusion work performed at the site. Per the NYSDEC-approved SMP for the site, soil excavated is to be stockpiled, characterized, and returned to the restricted area or disposed of at a regulated off-site facility. Dust and air quality monitoring is required during all excavation and restoration activities in order to reduce human exposure. A full summary of the soil sampling and air quality results performed during the cover/cap disturbance activities discussed above was provided to NYSDEC in Whitestone's February 21, 2013 *Soil Management and Characterization Summary* (approved by NYSDEC on February 27, 2013).

#### **4.3.2.1 Sampling Protocol**

Soil samples were collected during the March 2012 plumbing line installation activities in the Osaka Japanese Restaurant and the June/July 2012 water line installation activities performed at the site to characterize the soil for off-site disposal at a regulated facility. No additional soil sampling was required in accordance with the SMP for the site.

#### 4.3.3 Soil Vapor Monitoring

Soil vapor sampling is not required as part of the SMP. Soil vapor is being mitigated and monitored through the SSDSs located in the vacant unit (former Van Tassel Cleaners) and Osaka Japanese Restaurant. The monitoring and inspection of the SSDSs are provided in Section 5.0 of this PRR.

#### **4.4 CONCLUSIONS**

Whitestone performed a site-wide inspection on July 24, 2013 to ensure all mechanisms of the SMP for the site were in compliance. Based on the inspection, all mechanisms of the SMP are compliant and protective.

Whitestone performed monitoring activities during plumbing line installation activities in the Osaka Japanese Restaurant and water line installation activities at the site. All activities, findings, and conclusions of the monitoring and sampling performed during the installation activities was reported to NYSDEC in Whitestone's February 21, 2013 *Soil Management and Characterization Summary* (approved by NYSDEC on February 27, 2013). All disturbed portions of the restricted area cover/cap were restored in accordance with the SMP for the site and approved by NYSDEC.

# 5.0 OPERATION AND MAINTENANCE PLAN COMPLIANCE REPORT

#### **5.1 INTRODUCTION**

This section of the PRR describes the compliance of the measures necessary to operate, monitor, and maintain the mechanical components of the remedy selected for the site.

#### 5.2 SUB-SLAB DEPRESSURIZATION SYSTEMS

#### 5.2.1 Overview

The SSDSs located within the vacant unit (former Van Tassel Cleaners) and the Osaka Japanese Restaurant consist of a four-inch diameter PVC pipes placed in the subbase immediately below the building's floor slab. The pipes extend vertically (upward) through the units and vent to the exterior atmosphere above the roof. Fans (Radonaway Model HS-5000) capable of mechanically venting a minimum of 53 CFM of air from beneath the slab were placed in line with the vent pipes above the roof. Sealable sampling ports were installed at the bases of the units for future sampling purposes (if any). Additionally, in-line magnahelic vacuum gauges and alarm systems (Radonaway Checkpoint II) were installed on the SSDS units. The fans and gauges/alarms each have dedicated electrical circuits. The operation and maintenance program was designed to ensure that the SSDSs operate on a continuous basis at the site and provide the appropriate depressurization beneath the floor slab of the retail-strip building. program primarily consists of the inspection of non-mechanical components and the inspection, maintenance, and repair/replacement of mechanical components. The SSDS in the former Van Tassel Cleaners began operation in October 2010 and the SSDS in the Osaka Japanese Restaurant began operation in December 2012.

#### **5.2.2 System Operation Inspection**

A visual inspection of the SSDSs was performed to ensure integrity of the systems and assess the need for maintenance. Whitestone inspected the SSDSs located in the vacant space (former Van Tassel Cleaners) and the Osaka Japanese Restaurant on July 24, 2013. The inspection confirmed that both SSDSs are functioning correctly and all components (piping, alarms, fittings, fans, seals, etc.) are also in compliance with the SMP for the site and Whitestone's April 7, 2010 Sub-Slab Depressurization System Design Plan and September 29, 2011 Soil Vapor Intrusion Workplan. There is no maintenance, repairs, or changes required for the SSDSs at this time and none were performed during the monitoring period. A Routine Maintenance Form is included in Appendix C. Periodic inspections are also performed by site tenants and the SSDSs' alarm systems would notify the tenants of a failure of the SSDSs. No issues associated with the SSDSs have been reported by the tenants.

#### 6.0 OVERALL CONCLUSIONS & RECOMMENDATIONS

This PRR has been prepared in accordance with NYSDEC DER-10 and the NYSDEC-approved SMP for the site. The site-wide EC/ICs and SSDS inspections for the site located at 124-134 Wildey Street, Tarrytown, New York were performed on July 24, 2013.

The following are Whitestone's conclusions and recommendations based on the inspection:

#### Conclusions:

- The EC/ICs for the site are effective in reducing human exposure to contaminated media and are in compliance with the SMP;
- Site conditions and uses are consistent with the requirements of the established ICs;
- The SSDSs located at the site are operating properly and are in compliance with the SMP and their respective design requirements; and
- The monitoring of the site during excavation work was performed in accordance with the SMP and findings were reported to NYSDEC as required. All restricted areas disturbed during excavation activities were replaced in accordance with the SMP.

#### Recommendations:

• No changes or addendums to the SMP or IC/ECs are recommended based on the results of Whitestone's inspections.

TABLE 1
Summary of Remaining Soil
Contamination Above
Unrestricted Levels

#### TABLE 1

#### SUMMARY OF REMAINING SOIL CONTAMINATION ABOVE UNRESTRICTED LEVELS

#### River Plaza Shopping Center 124 to 134 Wildey Street

#### Tarrytown, Westchester County, New York

Sample Date	Sample ID	Sample Depth (fbgs)	Contaminant of Concern	Exceeds NYSDEC UUSCO	Exceeds NYSDEC RUCSCO	Exceeds NYSDEC POERSCO	Exceeds NYSDEC POGWSCO
July 1998	SB-2B (2)	7.0 - 7.5	PCE	X			X
	SB-4A (4)	2.5 - 3.0	Methylene Chloride	X			X
October 2003	S2B (SB-02)	12.0 - 14.0	Benzo[a]pyrene	X	X		
			Benzo[k]fluoranthene	X	-		
	S3B (SB-03)	12.0 - 16.0	Acetone	X			X
	S4A (SB-04)	8.0 - 12.0	Acetone	X			X
March 2004	NW-1	6.5 - 7.0	Indeno[1,2,3-cd]pyrene	X			
	EW-1	6.5 - 7.0	Benzo[a]anthracene	X			X
			Benzo[a]pyrene	X	X		
			Benzo[b]flouranthene	X			
			Chrysene	X			X
			Indeno[1,2,3-cd]pyrene	X			
	MW-4	4.0 - 6.0	Benzo[a]anthracene	X			X
			Benzo[a]pyrene	X	X		
			Benzo[b]flouranthene	X			X
			Benzo(k)flouranthene	X			

#### TABLE 1 (continued)

#### SUMMARY OF REMAINING SOIL CONTAMINATION ABOVE UNRESTRICTED LEVELS

## River Plaza Shopping Center

#### 124 to 134 Wildey Street

#### Tarrytown, Westchester County, New York

Sample Date	Sample ID	Sample Depth (fbgs)	Contaminant of Concern	Exceeds NYSDEC UUSCO	Exceeds NYSDEC RUCSCO	Exceeds NYSDEC POERSCO	Exceeds NYSDEC POGWSCO
March 2004	MW-4	4.0 - 6.0	Chrysene	X			X
			Dibenzo[a,h]anthracene	X			
			Indeno[1,2,3-cd]pyrene	X			
December 2004	S1 (IB1)	9.0	Acetone	X			X
January 2009	MW-5	13.5 - 14.0	Acetone	X			X
	WB-1	18.5 - 19.0	Acetone	X			X
	WB-2	15.0 - 15.5	Acetone	X			X
	MW-7S	12.5 - 13.0	Chromium	X			
	WB-3	19.5 - 20.0	Chromium	X	g.		
	WB-4	20.0 - 20.5	Benzo[a]pyrene	X	X		
February 2010	MW-8S-A	1.5 - 2.0	Benzo[a]anthracene	X			X
			Benzo[a]pyrene	X	X		
			Benzo[b]flouranthene	X			X
			Chrysene	X			X
			Dibenzo[a,h]anthracene	X			

#### TABLE 1 (continued)

#### SUMMARY OF REMAINING SOIL CONTAMINATION ABOVE UNRESTRICTED LEVELS

#### River Plaza Shopping Center 124 to 134 Wildey Street

#### Tarrytown, Westchester County, New York

Sample Date	Sample ID	Sample Depth (fbgs)	Contaminant of Concern	Exceeds NYSDEC UUSCO	Exceeds NYSDEC RUCSCO	Exceeds NYSDEC POERSCO	Exceeds NYSDEC POGWSCO
February 2010	MW-8S-A	1.5 - 2.0	Indeno[1,2,3-cd]pyrene	X			
			Mercury	X		X	
			Lead	X		X	
			Zinc	X		X	
	MW-8S-B	13.5 - 14.0	Acetone	X			X
	WB-5	22.5 - 23.0	Benzo[a]pyrene	X	X	X	
			Chromium	X			
	WB-6	10.5 - 11.0	Acetone	X			X
			Chromium	X			
	WB-7	13.0 - 13.5	Acetone	X			X
	WB-8S	1.0 - 1.5	Indeno[1,2,3-cd]pyrene	X			
			Mercury	X		X	
			Lead	X		X	
			Zinc	X		X	
	ST-1S	1.5 - 2.0	Acetone	X			X

#### **TABLE 1 (continued)**

#### SUMMARY OF REMAINING SOIL CONTAMINATION ABOVE UNRESTRICTED LEVELS

### River Plaza Shopping Center

#### 124 to 134 Wildey Street

#### Tarrytown, Westchester County, New York

Sample Date	Sample ID	Sample Depth (fbgs)	Contaminant of Concern	Exceeds NYSDEC UUSCO	Exceeds NYSDEC RUCSCO	Exceeds NYSDEC POERSCO	Exceeds NYSDEC POGWSCO
February 2010	ST-1S	1.5 - 2.0	Benzo[b]flouranthene	X			
			Indeno[1,2,3-cd]pyrene	X			
			Mercury	X		X	
			Chromium	X		X	ii.
			Lead	X		X	
			Zinc	X		X	
			p,p'-DDD	X		X	
	ST-1D	7.5 - 8.0	Acetone	X			X

#### Notes:

Soil analytical results from previous investigations have been compiled and compared to NYSDEC Part 375 SCOs. Only exceedances of NYSDEC Part 375 SCOs are included in this table.

NYSDEC

New York State Department of Environmental Conservation

NYSDEC UUSCO

NYSDEC Part 375 Unrestricted Use Soil Cleanup Objective

NYSDEC RUCSCO

NYSDEC Part 375 Restricted Use Commercial Soil Cleanup Objective

NYSDEC POERSCO

NYSDEC Part 375 Protection of Ecological Resources Soil Cleanup Objective

NYSDEC POGWSCO

NYSDEC Part 375 Protection of Groundwater Soil Cleanup Objective

fbgs

feet below ground surface

()

Boring Location, Shown in Parenthesis

PCE

Tetrachloroethene

FIGURE 1 Location of Remedial Treatment Systems (SSDSs) and Soil Vapor Concern

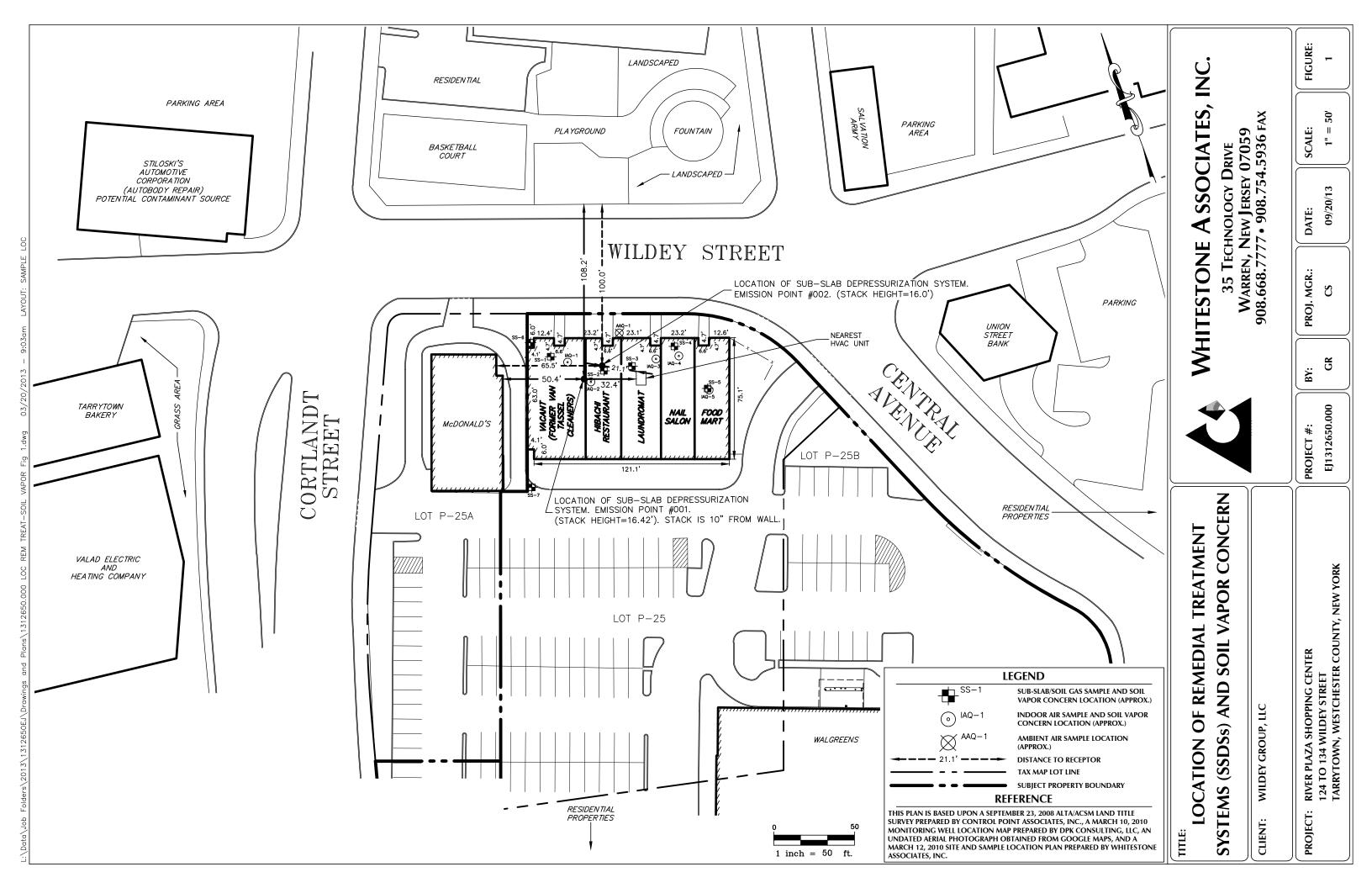
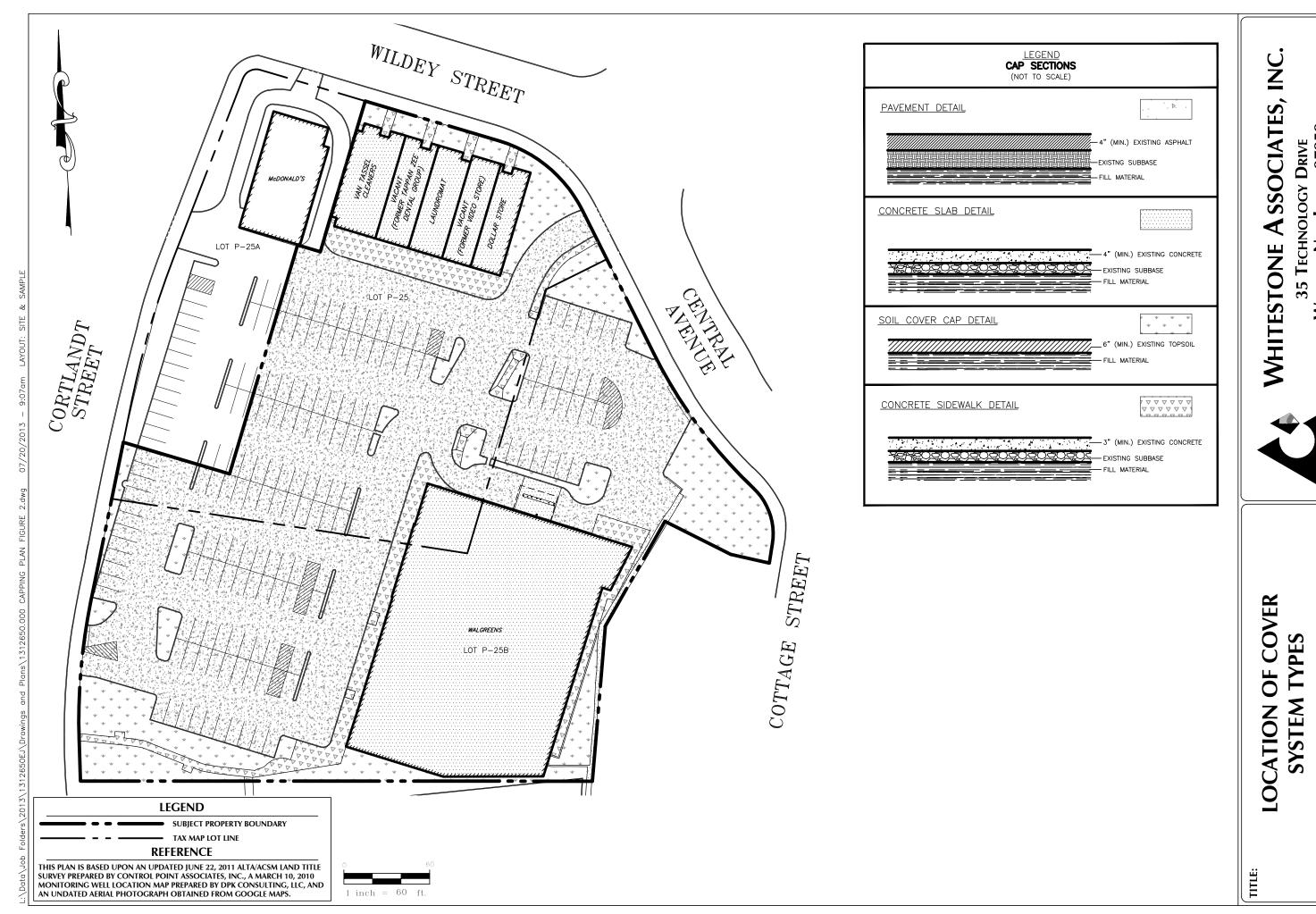


FIGURE 2
Location of Cover System Types



35 TECHNOLOGY DRIVE WARREN, NEW JERSEY 07059 908.668.7777 • 908.754.5936 FAX

EJ1312650.000

PROJECT #:

RIVER PLAZA SHOPPING CENTER 124 TO 134 WILDEY STREET TARRYTOWN, WESTCHESTER COUNTY, NEW YORK

PROJECT:

WILDEY GROUP, LLC

CLIENT:

GR

BY:

SCALE: 9/20/13 DATE:

PROJ. MGR.:

09

FIGURE: 7

# APPENDIX A Institutional and Engineering Controls Certification Form



# Enclosure 2 NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION Site Management Periodic Review Report Notice Institutional and Engineering Controls Certification Form



	Site	Site Details e No. 360084	Box 1	
	Site	e Name River Plaza Shopping Center		
	City Cou	e Address: 124-134 Wildey Street Zip Code: 17591 y/Town: Tarrytown unty: Westchester e Acreage: 3.3		
	Rep	porting Period: December 22, 2011 to July 31, 2013		
			YES	NO
	1.	Is the information above correct?	×	
		If NO, include handwritten above or on a separate sheet.		
	2.	Has some or all of the site property been sold, subdivided, merged, or undergon tax map amendment during this Reporting Period?	ea ⊠	
	3.	Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		
	4.	Have any federal, state, and/or local permits (e.g., building, discharge) been issufor or at the property during this Reporting Period?	ued 🛛	
		If you answered YES to questions 2 thru 4, include documentation or evide that documentation has been previously submitted with this certification for	ence orm.	
	5.	Is the site currently undergoing development?		×
_		547	Box 2	
			YES	NO
	6.	Is the current site use consistent with the use(s) listed below?  Commercial and Industrial		
	7.	Are all ICs/ECs in place and functioning as designed?	X	
	A	IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date bel DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continu Corrective Measures Work Plan must be submitted along with this form to addre	ie.	ues.

SITE NO. 360084

Box 3

#### **Description of Institutional Controls**

Parcel

Owner

01-Sheet2-P25,P25B

Wildey Group, LLC

Institutional Control

Ground Water Use Restriction Site Management Plan

This parcel may be used for commercial or industrial use provided the long-term engineering controls are employed:

1. Continued operation, monitoring and maintenance of the sub-slab depressurization system (SSDS) in the retail strip (lot P-25), as outlined in the Department-approved Site Management Plan (SMP);

2. A barrier layer must be maintained on the Controlled Property of either one (1) foot of clean fill or an alternative barrier layer approved by the NYSDEC, such as the existing concrete, including building slabs, and asphalt;

3. Any proposed soil excavation on the Controlled Property below the barrier layer requires prior notification and approval by the NYSDEC in accordance with the SMP. The excavated soils must be managed, characterized, and properly disposed of in accordance with NYSDEC regulations and directives and the SMP;

4. Any area of soil excavation below the barrier layer that is to be returned to vegetated soil (i.e., not concrete, asphalt or structures) must be backfilled with a minimum of one (1) foot layer of clean fill underlain by a demarcation layer;

5. Any new structures constructed on the Site must be evaluated for potential soil vapor intrusion and mitigated as necessary in accordance with the building mitigation provisions of the SMP;

6. The use of the groundwater underlying the Controlled Property is prohibited without prior approval from the NYSDEC rendering it safe for use for drinking or commercial purposes.

Box 4

#### **Description of Engineering Controls**

Parcel

**Engineering Control** 

01-Sheet2-P25,P25B

Vapor Mitigation Cover System

1. Continued operation, monitoring and maintenance of the sub-slab depressurization system (SSDS) in the retail strip (lot P-25), as outlined in the Department-approved Site Management Plan (SMP).

2. A barrier layer must be maintained on the Controlled Property of either one (1) foot of clean fill or an alternative barrier layer approved by the NYSDEC, such as the existing concrete, including building slabs, and asphalt.

#### Periodic Review Report (PRR) Certification Statements

Periodic Review Report (FRR) Certification Statements			
I. I certify by checking "YES" below that:			
<ul> <li>a) the Periodic Review report and all attachments were prepared under the direct reviewed by, the party making the certification;</li> </ul>	ction of,	and	
<ul> <li>b) to the best of my knowledge and belief, the work and conclusions described in are in accordance with the requirements of the site remedial program, and gener engineering practices; and the information presented is accurate and compete.</li> </ul>	n this ce ally acc	ertification epted	
engineering practices, and the information presented to decarde and competer	YES	NO	
	×		
<ol> <li>If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below tha following statements are true:</li> </ol>	each In t all of tl	stitutional ne	
(a) the Institutional Control and/or Engineering Control(s) employed at this site is the date that the Control was put in-place, or was last approved by the Department	s uncha ent;	nged since	
(b) nothing has occurred that would impair the ability of such Control, to protect the environment;	public h	ealth and	
<ul> <li>(c) access to the site will continue to be provided to the Department, to evaluate including access to evaluate the continued maintenance of this Control;</li> </ul>	the ren	nedy,	
(d) nothing has occurred that would constitute a violation or failure to comply wit Management Plan for this Control; and	th the S	ite	
<ul> <li>(e) if a financial assurance mechanism is required by the oversight document fo mechanism remains valid and sufficient for its intended purpose established in the</li> </ul>	r the sit ne docu	e, the ment.	
	YES	NO	
	(X)		
IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.			
A Corrective Measures Work Plan must be submitted along with this form to address the	hese iss	sues.	
Signature of Owner, Remedial Party or Designated Representative Date			
Signature of Owner, Nemedian Farty of Designated Nopresentative			
	9		

#### SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

(Owner or Remedial Part
(Owner of Nemedian Fair
ction of this form.
10/24/13
-

#### IC/EC CERTIFICATIONS

Box 7

#### **Professional Engineer Signature**

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law,

I Keith T. D'Ambrosio at 35 Technology Drive, Warren, New Jersey 07059
print name print business address

am certifying as a Professional Engineer for the Owner

(Owner or Remedial Party)

Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification

a W

1/11/2012 Date:



# **BUILDING PERMIT**

One Depot Plaza, Tarrytown, New York 10591-3199

# THIS PERMIT IS TO BE DISPLAYED AT THE JOB SITE AND PROTECTED FROM THE ELEMENTS

This is to certify that the permission is hereby granted for: INTERIOR ALTERATION - "JAPANESE RESTAURANT"

Parcel: 01/02/0000/0/P25

Located At: 124-138 WILDEY STREET

**Applicant Information** 

ACADIA-NODDLE TAR.DEV. 1311 MAMARONECK AVE

**SUITE 260** 

WHITE PLAINS NY 10605

Owner: ACADIA-NODDLE TAR.DEV.

**Building Permit #:** 2012-6806

Permit Type: INTERIOR ALTERATION

All work shall be executed in strict compliance with the permit applilcation, the provisions of the Tarrytown Building Code and Zoning Ordinance, any and all Ordinances of the Board of Trustees of the Village of Tarrytown, approved plans, the NYS Uniform Fire Prevention and Building Codes, and all other laws, rules and regulations which apply. The building permit does not constitute authority to build in violation of any federal, state, or local law other rule or regulation.

#### SPECIAL CONDITION

- ALL WORK SHALL CONFORM WITH NYSBC, FCNYS, LOCAL LAW, NFPA AND UL WHETHER OR NOT SPECIFICALLY STATED ON PLANS
- ALL WORK SHALL CONFORM WITH PLANNING BOARD AND ZONING BOARD APPROVALS
- SEPARATE PLUMBING, ELECTRICAL AND HVAC PERMITS TO BE OBTAINED
- · SMOKE/HEAT ALARMS SHALL BE INSTALLED HARDWIRED/INTERCONNECTED PER BCNYS AND FCNYS
- HANDRAIL SHALL BE MINIMUM OF 36" HIGH
- CONTRACTOR TO REMOVE AND DISPOSE OF ALL DEBRIS IN ACCORDANCE WITH NYS LAW
- DESIGN PROFESSIONAL SHALL SUBMIT CERTIFICATION LETTER THAT WORK WAS COMPLETED PER NYSBC, FCNYS AND NFPA
- ALL INSTALLATION AND TESTING OF SUPPRESSION SYSTEM MUST BE CERTIFIED BY DESIGNER
- · CONTRACTOR TO CALL FOR ALL INSPECTIONS
- THERE WILL BE A \$75 RE-INSPECTION FEE CHARGED SHOULD AN INSPECTION FAIL OR OWNER/CONTRACTOR IS NOT PRESENT WHEN AN INSPECTION IS SCHEDULED
- HORN/STROBES AND EMERGENCY LIGHTING TO MEET APPLICABLE CODES
- FINAL CLOSEOUT PAPERS TO BE SUBMITTED TO THE BUILDING DEPARTMENT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY
- BACKFLOW PREVENTOR/WCDOH APPROVAL REQUIRED, PLUMBING PERMIT TO BE FILED WITH VILLAGE
- STAIRS, HANDRAILS AND RAILINGS MUST COMPLY WITH RCNYS R311 AND RELATED SECTIONS
- SEPARATE PERMIT TO BE OBTAINED FOR FIRE SPRINKLER, HODD EXHAUST AND SUPPRESSION SYSTEM
- SEPARATE TAP APPLICATION PERMIT TO BE OBTAINED FOR FIRE SPRINKLER SERVICE
- APPROVAL FROM WESTCHESTER COUNTY DEPARTMENT OF HEALTH MUST BE OBTAINED PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. APPROVED PLANS MUST BE SUBMITTED TO BUILDING DEPARTMENT
- CONDITIONS OF SOIL VAPOR INTRUSION WORKPLAN (NYSDEC ID#360084) RECEIVED BY BUILDING DATED 10/20/11 MUST BE COMPLIED WITH AND FINAL
- ACCEPTANCE BY NYSDEC MUST BE PROVIDED PRIOR TO SUBMITTING THE APPLICATION FOR CERTIFICATE OF OCCUPANCY LOCATION OF GREASE AND GARBAGE CONTAINERS SHALL BE AS APPROVED BY BUILDING DEPARTMENT SATISFYING PLANNING BOARD APPROVALS

Fees:

**Building Permit - Renovation** 

Check #: 362 \$1,850.00

Total:

\$1,850.00

Permission is hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in this Department. Any amendments made to the original plans or specifications must be submitted for approval. Final inspection will not be scheduled until final plumbing and final electrical inspections are completed where applicable

Cost of Construction: \$180,000.00

Permit Expires: 1/10/2013

Village Engineer / Building Inspector

Michael J. McGarvey, P.E.



DEBRA M. LEIBLER Senior Paralegal E-mail: dleibler@acadiarealty.com



VIA FEDERAL EXPRESS

Alali Tamuno, Esq.
NYSDEC
Office of General Counsel
Eastern Field Unit
100 Hillside Avenue, Suite 1W
White Plains, New York 10603

Janet E. Brown, P.E. NYSDEC Division of Environmental Remediation, Region 3 21 South Putt Corners Rd. New Paltz, N.Y. 12561

Re:

Site ID No. 360084;

124-134 Wildey Street, Tarrytown, New York (the "Site")

Dear Alali and Janet:

In connection with the above-referenced Site, please note that on June 14, 2012, Acadia Tarrytown LLC sold its interest in the Site to Wildey Group LLC. Their contact information is as follows:

Wildey Group LLC P.O. Box 383

Croton-on-Hudson, New York 10520 Attention: Joanne Landau, President

Telephone: (914) 271-5706 Facsimile: (914) 271-5705 E-mail: jzlandau@aol.com

Thank you.

Very truly yours,

Debra M. Leibler Senior Paralegal

## New York State Department of Environmental Conservation Division of Environmental Remediation, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1696

Phone: (845) 256-3000 • Fax: (845) 255-3414

Website: www.dec.ny.gov

Transmitted Via: Email

September 29, 2011

Mr. Christopher Seib Whitestone Associates 35 Technology Drive Warren, NJ 07059

Re:

River Plaza Shopping Center, NYSDEC Site No.: 360084 Building Permit for 134 Wildey Street, Tarrytown, NY

Osaka Japanese Steak & Sushi Bar, Inc.

Dear Mr. Seib:

The New York State Departments of Environmental Conservation and Health (NYSDEC/NYSDOH) have reviewed the September 27, 2011 Soil Vapor Intrusion Work Plan (Work Plan) for the above-referenced project that was submitted in response to the NYSDEC/NYSDOH August 23, 2011 letter regarding same. The NYSDEC/NYSDOH understand that the existing sub-slab depressurization system (SSDS) is currently operating in the adjacent tenant space and is mitigating the effects of soil vapor intrusion. We further understand that an evaluation will be conducted in the Japanese Restaurant tenant space to determine whether the currently-operating SSDS will be effective in mitigating potential vapor intrusion there. The NYSDEC/NYSDOH find the Work Plan acceptable and, the project may proceed from our standpoint consistent with the Work Plan.

Please forward the results of the communication testing when they are available for NYSDEC/NYSDOH review. Please also provide a minimum of five days notice prior to any of the work outlined in the Work Plan.

Feel free to call/email me at 845-256-3826 or jebrown@gw.dec.state.ny.us with any questions.

Sincerely,

Janet E. Brown, P.E.

Project Manager

SantElbrain

ec:

- L. Zheng, Osaka Japanese Steak & Sushi Bar, Inc.
- D. Pennella, Tarrytown on Hudson Building Department
- G. Saccento, Acadia Realty
- K. D'Ambrosio, Whitestone Associates
- E. Moore, NYSDEC
- N. Walz, NYSDOH



#### Patrick E. Beesley

From:

Janet Brown < jebrown@gw.dec.state.ny.us>

Sent:

Wednesday, February 27, 2013 1:17 PM

To:

Patrick E. Beesley

Cc: Subject: Christopher Seib, LSRP River Plaza - Soil Mgt and Characterization Summary Report

Categories:

Filed by Newforma

Pat,

The Department has reviewed the 2/21/13 Soil Mgt and Characterization Summary Report and finds it acceptable.

Regards, Janet

Janet E. Brown, PE
NYSDEC Region 3
Division of Environmental Remediation
21 South Putt Corners Road
New Paltz, NY 12561
Ph: (845) 256-3826
fax: (845) 255-3414
jebrown@gw.dec.state.ny.us

Earth Day is Every Day. Please Print Responsibly.

#### Patrick E. Beesley

From:

Janet Brown <jebrown@gw.dec.state.ny.us>

Sent:

Tuesday, March 13, 2012 1:59 PM

To:

German Velez-Rodriguez

Subject:

RE: River Plaza

Attachments:

Re: Hibachi Restaurant - Tarrytown

Hi German -

NYSDEC and NYSDOH have reviewed the information you forwarded re: trenching/excavation to run the water line to the east end of the site and conditionally approve this work provided any imported fill (sand or otherwise) is sampled in accordance with DER-10 Section 5.4 and Table 5.4(e)10, as well as the DEC-approved Site Management Plan. See also the attached response to Chris Seib of Whitestone Associates regarding similar work that's being done in the Hibachi restaurant space. The excavated materials and imported fill and reporting for both area should be done in the same way per the attached. It would obviously be most cost-effective to deal with all the excavated material from both areas at the same time.

Please let me know if you have any questions.

Janet

Janet E. Brown, PE NYSDEC Region 3 Division of Environmental Remediation 21 South Putt Corners Road New Paltz, NY 12561 Ph: (845) 256-3826 fax: (845) 255-3414 iebrown@gw.dec.state.ny.us

Earth Day is Every Day. Please Print Responsibly. >>> German Velez-Rodriquez <grodriquez@acadiarealty.com> 3/11/2012 4:34 PM >>>

Janet

Please see attached engineer drawings for the above captioned property for your review and comments. These drawings are for the installation of a new 4" sprinkler line.

We will be excavating | trenching a section of the parking lot and a grass area. Its my understanding that this disturbance requires DEC review and approval. There will be the removal from the premises of the trenched asphalt and soil. The soil will be replaced in part with sand.

We would appreciate if you can provide your comments at your earliest convenience.

If you need more info or have any question, please do not he sitate to call us at any time.

Regards,

#### Patrick E. Beesley

From:

Patrick E. Beesley

Sent:

Tuesday, June 12, 2012 3:41 PM

To:

Janet Brown (jebrown@gw.dec.state.ny.us)

Cc:

Christopher Seib, Amy Lopez

Subject:

124-134 Wildey Street - Tarrytown, NY

Categories:

Filed by Newforma

Janet,

We wanted to check on the status of the updated Soil Management and Characterization and Regulatory Reporting Plan for the above referenced site. The contractor is scheduled to begin excavation activities tomorrow, June 13, 2012. Please advise if we can proceed with the planned excavation activities.

Thank you,



PATRICK E. BEESLEY

35 TECHNOLOGY DRIVE WARREN, NEW JERSEY 07059

PHONE: 908.668.7777 FAX: 908.754.5936

pbeesley@whitestoneassoc.com www.whitestoneassoc.com

CELL: 908.285.2489

V-Card

# APPENDIX B Site-Wide Inspection Form

### **SITE-WIDE INSPECTION FORM**

#### I. Background Site Information

A.	Facility Name and Location:			
	Business Name as it appears on the Environmental Easement: Acadia Tarrytown, LLC			
	Name of the current operator at the site (if different than above): Wildey Group, LLC			
	Property Street Address: 124-134 Wildey Street			
	Municipality: <u>Tarrytown</u> County: <u>Westchester</u>			
	Block: <u>2</u>			
	Lot: P-25 and P-25B			
	Year of Tax map from which this information is obtained:			
В.	Person responsible for submitting the certification and inspection report for Institutional & Engineering Controls:			
	Person's Name: Joanne Landau Person's Title: Owner Business Name: Wildey Group, LLC Relationship to the Site (check as appropriate): Owner X Operator X Lessee Person Who Conducted the Cleanup Other (describe) Street Address: P.O. Box 383 City: Croton on Hudson State: NY Telephone Number: 914-271-5700 Fax Number: E-mail Address: jzlandau@aol.com			
C.	All Current Owner, Lessee(s) and Operator(s):			
	Name of Person: Joanne Landau  Business Name: Wildey Group, LLC  Relationship to the Site: Owner _X			

Name of Person: <u>He Chen</u>		
Business Name: Osaka Japanese Steak o	& Sushi Bar, Inc.	
Relationship to the Site: Owner	Operator	Lessee X
Street Address: 134 Wildey Street		
City: <u>Tarrytown</u> State: <u>New Yo</u>	<u>ork</u>	
Telephone Number: 914-631-8808		
Fax Number: 914-631-8889		
E-mail Address: <a href="mailto:li.zheng@hotmail.com">li.zheng@hotmail.com</a>	1	
Name of Person: Brad McAllister, Dist	rict Manager	
Business Name: <u>Dunkin' Donuts</u>		
Relationship to the Site: Owner	Operator	Lessee X
Street Address: 137 Wildey Street		
City: <u>Tarrytown</u> State:	NY	
Telephone Number: <u>914-631-0313</u>		
Fax Number: <u>914-631-0429</u>		
E-mail Address:		
Name of Person: <u>Steve Perusso</u>		
Business Name: Walgreens		
Relationship to the Site: Owner	Operator	Lessee X
Street Address: 162 Wildey Street		
City: <u>Tarrytown</u> State:	NY	
Telephone Number: <u>914-332-0567</u>		
Fax Number:		
E-mail Address:		
Name of Person: <u>Javier Echeverria</u>		
Business Name: Chase		
Relationship to the Site: Owner	Operator	Lessee X
Street Address: 139 Wildey Street		
City: <u>Tarrytown</u> State:	NY	
Telephone Number: <u>914-631-2195</u>		
Fax Number:		
E-mail Address:		
Name of Person: <u>David Kim</u>		
Business Name: <u>Van Tassel Cleaners</u>		
Relationship to the Site: Owner	Operator	Lessee X
Street Address: 135 Wildey Street		
	NY	
Telephone Number: <u>914-631-7787</u>		
Fax Number: 914-631-1734		
E-mail Address: info@vantasselcleaner	s.com	

Name of Person: Mohammed Mian		
Business Name: Dollar Dream (\$Dream	)	_
Relationship to the Site: Owner		Lessee X
Street Address: 124 Wildey Street		
City: <u>Tarrytown</u> State:	NY	
Telephone Number: 914-332-0002		-
Fax Number:		
E-mail Address:		
Name of Person: Zhang Wen & Wenmi	n Lu	_
Business Name: Ocean Star Nail & Spa.	Inc.	<u>-</u>
Relationship to the Site: Owner	Operator	Lessee X
Street Address: 126 Wildey Street		
City: <u>Tarrytown</u> State:	NY	<u>-</u>
Telephone Number: <u>914-909-9298</u>		
Fax Number:		
E-mail Address:		
Name of Person: Ron Yarabino		<u>-</u>
Business Name: Wash & Dry		
Relationship to the Site: Owner	Operator	Lessee <u>X</u>
Street Address: 130 Wildey Street		
City: <u>Tarrytown</u> State:	NY	_
Telephone Number: <u>914-631-7338</u>		
Fax Number:		
E-mail Address:		
Case Specific Information (Complete all	l that apply):	
• Site Name: <u>River Plaza Shopping Cent</u>	er	-
• NYSDEC Site Number: <u>360084</u>		
<ul> <li>Date of each Certification of Completio</li> </ul>		
<ul> <li>Name and Bureau of assigned Case Man</li> </ul>	•	
was issued: <u>Janet Brown, Region 3</u>		_

#### **E.** Existing Site Conditions

D.

• Describe the physical characteristics of the site.

The site is an approximately 3.3-acre area and currently consists of an approximately 26,000 square feet (footprint), single-story retail building and an approximately 9,000 square feet (footprint), retail-strip building. The remaining portions of the site consist of asphalt-paved parking and driveway, landscaping, and concrete sidewalk areas.

• Describe the current site operations.

The 26,000 square feet (footprint) retail building is currently occupied by Walgreens, Dunkin' Donuts, Van Tassel Cleaners, and Chase Bank. The 9,000 square feet (footprint) retail-strip

building is currently occupied by a vacant space, Osaka Japanese Restaurant, Wash and Dry laundromat, Ocean Star Nail and Spa, Inc. nail salon, and \$Dream dollar store.

• Describe each engineering control that applies to the Restricted Areas.

#### Soil Cover

Exposure to remaining contamination in soil/fill at the site is prevented by a soil cover system placed over the site. This cover system is comprised of a minimum of six inches of clean topsoil, four inches of asphalt pavement, three inches of concrete-covered sidewalks, or four inches of concrete building slabs.

#### Sub-slab Depressurization Systems

The SSDSs were constructed in the northeastern portion of the vacant (former drycleaner) unit and the northeastern portion of the Osaka Japanese Restaurant unit of the retail-strip building by placing four-inch diameter PVC pipes in the sub-base immediately below the building's floor slab. The pipes extend vertically (upward) through the units and vent to the exterior atmosphere above the roof. Fans (Radonaway Model HS-5000) capable of mechanically venting a minimum of 53 cubic feet per minute (CFM) of air from beneath the slab were placed in line with the vent pipes above the roof. Sealable sampling ports were installed at the base of the units for future sampling purposes (if necessary). Additionally, in-line magnahelic vacuum gauges and alarm systems (Radonaway Checkpoint II) were installed on the SSDS units. The fans and gauges/alarms each have their own dedicated electrical circuits. The SSDSs continually operate to remove soil vapors from and depressurize beneath the building.

#### **II.** Protectiveness Evaluation

#### A. Institutional Control Information

•	Provide the following information for the recorded Environmental Easement:
	Book Number: N/A
	Page Number: N/A
	Date the Environmental Easement was filed in the office of the county recording
	officer: June 30, 2011
•	Have any amendments and/or additional filings been recorded that may modify or supersede the Environmental Easement and Exhibits?
	Yes No <u>X</u>
	If you answered "Yes", provide an explanation. Also provide the Book and Page
	Number of the amendment and/or additional filing and the date it was filed in the office of the county recording officer.

#### **B.** Evaluation of Institutional and Engineering Controls:

(The appropriate box on the left must be checked for each of the following items.)

1.	Zoning	or	Land	Use	Changes

a. Land use at the time the Environmental Easement was filed (check all that apply):  Non-Residential Agricultural Other
b. Current land use (check all that apply):  Non-Residential X Residential Agricultural Other
If the current land use is different than the land use at the time the Environmental Easement was filed, explain how the remedial action, which included the Environmental Easement, remains protective of public health and safety. Include the Case Manager's name and Bureau that approved this change, if applicable.
c. Has there been an actual or pending zoning or land-use change for the Restricted Area on which the Environmental Easement is filed?
Yes No X (If No, proceed to #2, below) If Yes, describe:
2. <u>Inspections</u>
Have periodic inspections of the site identified any excavation or other disturbance activities that have taken place within the Restricted Areas?
Yes <u>X</u> No (If No, proceed to "3") (Internal Use)
If yes, provide a full description of the disturbance and the method to restore all controls, compliance with all applicable health and safety laws and regulations, and methods to ensure that exposure to contamination in excess of the applicable remediation standard did not occur. If the disturbance resulted in an unacceptable exposure to the soil contamination explain how this was remedied.
Date(s) of Disturbance: March 2012, June 2012, and July 2012  Duration of Disturbance: Years Months 1 Days 0
Date the NYSDEC was notified: March 13, 2012 & June 12, 2012  Description of the disturbance and methods to address the disturbance:

The asphalt-paved parking and driveway, concrete sidewalk,

landscaped areas, and concrete building slab were disturbed during plumbing line installation activities in Osaka Japanese Restaurant and waterline installation activities at the site. Soil excavated from the restricted area was stockpiled and then either placed back into the excavation or characterized and disposed off-site at a regulated facility.

Name of Contact Person Relative to the Disturbance:				
Name: <u>Christopher Seib</u>				
Title: Director, Environmental Division				
Street Address: <u>35 Technology Drive</u>				
City: Warren State: NJ				
Telephone Number: 908-668-7777				
Fax Number: 908-754-5936				
E-mail Address: cseib@whitestoneassoc.com				
Was all soil characterized, excavated and returned to the Restricted Area?				
Yes No _X_ (If No, provide an explanation)				
Excess Soil was disposed off site at a regulated facility.				
Quantity of soil generated for disposal (if applicable): 34.77 tons Attach transportation/disposal documentation.				
State precautions taken during the above activities to prevent contaminant exposure: Stockpiled soil was placed on and covered with plastic, waterproof sheeting to minimize human exposure. Air quality and dust monitoring equipment was used during soil movement activities to monitor air quality (community air monitoring).				
Provide an explanation of how the engineering control was replaced following the disturbance?				
Engineering controls were replaced to their original conditions following excavation activities in accordance with Whitestone's April 2013 <i>Site Management Plan</i> .				
Provide all soil sampling data.				
Was groundwater dewatered and disposed off site?				
Yes NoX (If No, provide an explanation)				
Groundwater was not encountered during site work and, therefore, dewatering was not required.				
Volume of groundwater disposed off site (if available). $N/A$ gallons				
Attach all transportation/disposal documentation.				
Was a SPEDES permit obtained?				

Not Applicable.  Permit No. (if applicable): N/A
Have periodic and regular inspections of the SSDS identified that the system was not operating or malfunctioning?
Yes No_X (If No, proceed to "3")
If yes, provide a full description of the malfunction and the method to restore all controls, compliance with all applicable health and safety laws and regulations, and methods to ensure that exposure to contamination in excess of the applicable remediation standard did not occur. If the disturbance resulted in an unacceptable exposure to the soil vapor contamination explain how this was remedied.
Date(s) of Malfunction: Duration of Malfunction: Years Months Days
Date the NYSDEC was notified:  Description of the malfunction and methods to address the malfunction:
Name of Contact Person Relative to the Malfunction:  Name:
Title:
Street Address: City: State:
Telephone Number:
Fax Number:
E-mail Address:
Was all the SSDS returned to operation and functioning properly?
Yes No (If No, provide an explanation)
State precautions taken during the above activities to prevent contaminant exposure:
Provide an explanation of how the engineering control was replaced following the disturbance?
Provide all soil vapor, air, and/or SSDS monitoring.

#### 3. Changes to Laws and Regulations

a. Are there any subsequently promulgated or modified environmental laws or regulations, which apply to the site?

Ye	s No $X$ (If No, proceed to #4 below)
b.	If Yes, has the evaluation also determined that each engineering and institution controls, as applicable, meets the requirements of the new laws and regulations?
Ye	s No (If Yes, proceed to #4 below)

c. Each institutional and engineering controls, as applicable that did not meet the requirements of the new laws and regulations has been addressed in the following manner to bring them into compliance:

#### **4. Detailed Maintenance Logs**

Attach a copy of the detailed maintenance log (use Routine Maintenance Reports) of how the persons responsible for monitoring and ensuring the protectiveness of the remedial action have maintained and evaluated the engineering controls.

Date(s) of all Inspections: July 24, 2013 and periodic by tenants for SSDS. Overall site maintenance is continuously performed by the site owner.

# APPENDIX C Routine Maintenance Form

### ROUTINE MAINTENANCE REPORT/ ENGINEERING CONTROL SYSTEM INSPECTION CHECKLIST

Client:	Wildey Group, LLC	Project/Scope:	Periodic Review Report	
Project No.:	EJ1312650.000	Project Location:	Tarrytown, New York	Page 1 of 1
Date:	July 24, 2013	Representative:	Patrick Beesley	_
Weather:	85°F, Sunny			
	Personnel Present at Site & subcontractors):	oanne Landau (Wildey Grou	np, LLC); Patrick Beesley (Wh	itestone Associates, Inc.)
Activities/Tim	e:			
8:00	Inspected engineering control	ls (soil cover) site-wide and	compliance with institutional of	controls
9:00	Inspected SSDS in the former	r Van Tassel Cleaners (curre	ently vacant) space	
10:45	Inspected SSDS in the Osaka	Japanese Restaurant space		
Modifications	to the Systems in the Checkli	st Below:		
	There have been no modifica	tions to the systems listed be	elow	
Incidents Note	ed per systems in the checklist	t below:		
	There are no incidents associa	ated with the systems listed	below	
<b>Components I</b>	Required to be Checked Per S	ite Management Plan:		
SSDS Vacuum	blowers/fans (HS-5000)	⊠		
General SSDS	systems piping and fittings/seal	ls 🛛		
SSDS alarms (	Radonaway Checkpoint II)	⊠		
SSDS/electrica	l systems	⊠		
Asphalt Pavem	ent	⊠		
Concrete Slabs		⊠		
Concrete Sidev	valks	⊠		
Soil Cover		⊠		
Miscellaneous	Comments &			
<b>Observations:</b>				
Check all that	apply (attached):	Sketch □ Logs □ I	ncident Report   Ph	notos   Invoices