

**New York State Department of Environmental Conservation**

**Division of Environmental Remediation**

Remedial Bureau A, 12<sup>th</sup> Floor

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Joe Martens  
Commissioner

July 31, 2013

Marc Kemp  
Oceanside Plaza Associates, LLC  
151 Irving Place  
Woodmere, N.Y. 11598

Re: Oceanside Plaza  
Site ID No.: 130158  
Oceanside, Nassau County  
Remedial Investigation Report & Decision Document

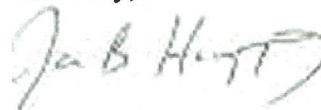
Dear Mr. Kemp:

The New York State Department of Environmental Conservation (Department) and the New York State Department of Health (NYSDOH) have reviewed the Remedial Investigation Report (RIR) for the Oceanside Plaza site dated August 2012 (revised February 2013) and prepared by Reliance Environmental, Inc. on behalf of the *Oceanside Plaza Associates, LLC*. The RIR is hereby approved. Please ensure that a copy of the approved RIR is placed in the document repository.

Attached is a copy of the Department's Decision Document for the site. The remedy is to be implemented in accordance with this Decision Document. Please ensure that a copy of the Decision Document is placed in the document repository.

Please contact the Department's Project Manager, Jamie Ascher, at (631) 444-0246 at your earliest convenience to discuss next steps.

Sincerely,



James B. Harrington, P.E.  
Director  
Remedial Bureau A  
Division of Environmental Remediation

Enclosure

ec w/attachments:

R. Schick, NYSDEC

J. Harrington, NYSDEC

W. Parish, NYSDEC Region 1

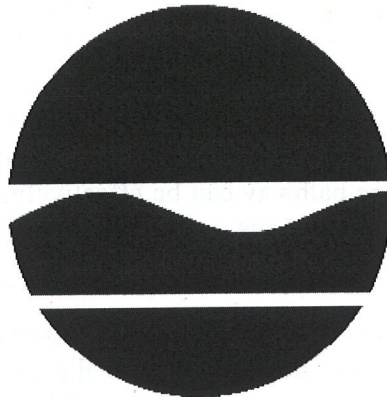
J. Ascher, NYSDEC Region 1

M. Raffoni, Reliance Environmental, Inc.

# DECISION DOCUMENT

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Oceanside Plaza  
Brownfield Cleanup Program  
Oceanside, Nassau County  
Site No. C130158  
July 2013



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

# **DECLARATION STATEMENT - DECISION DOCUMENT**

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Oceanside Plaza  
Brownfield Cleanup Program  
Oceanside, Nassau County  
Site No. C130158  
July 2013

## **Statement of Purpose and Basis**

This document presents the remedy for the Oceanside Plaza site, a brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the Oceanside Plaza site and the public's input to the proposed remedy presented by the Department.

## **Description of Selected Remedy**

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the above referenced site. 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 (RI) or alternatives analysis (AA). The IRMs undertaken at this site are discussed in Section 6.2.


Based on the implementation of the IRMs, the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment; therefore No Further Action is the selected remedy. The remedy may include continued operation of a remedial system if one was installed during the IRM and the implementation of any prescribed institutional controls/engineering controls (ICs/ECs) that have been identified as being part of the proposed remedy for the site.

## **Declaration**

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

July 30, 2013

Date

  
James B. Harrington, P.E. Director  
Remedial Bureau A

# DECISION DOCUMENT

Oceanside Plaza  
Oceanside, Nassau County  
Site No. C130158  
July 2013

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## **SECTION 1: SUMMARY AND PURPOSE**

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site resulted in threats to public health and the environment that were addressed by actions known as interim remedial measures (IRMs), which were undertaken at the site. 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 (RI) or alternative analysis (AA). The IRMs undertaken at this site are discussed in Section 6.2.

Based on the implementation of the IRMs, the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment. The IRMs conducted at the site attained the remediation objectives identified for this site, which are presented in Section 6.5, for the protection of public health and the environment. No Further Action is the selected remedy. A No Further Action remedy may include continued operation of any remedial system installed during the IRM and the implementation of any prescribed controls that have been identified as being part of the remedy for the site. This DD identifies the IRMs conducted and discusses the basis for No Further Action.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

## **SECTION 2: CITIZEN PARTICIPATION**

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

Oceanside Public Library  
Attn: Oceanside Public Library  
30 Davison Avenue  
Oceanside, NY 11572-2209  
Phone: (516) 766-2360

### **Receive Site Citizen Participation Information By Email**

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at <http://www.dec.ny.gov/chemical/61092.html>

### **SECTION 3: SITE DESCRIPTION AND HISTORY**

**Location:** The site is located on Long Beach Road in the Hamlet of Oceanside, Town of Hempstead, Nassau County, New York. The subject property is a commercial shopping center. One of the stores within Oceanside Plaza has been an operational dry cleaning facility since 1977. A site location map is attached as Figure 1.

**Site Features:** The site is located in a commercial setting. The site is almost entirely covered by the shopping center and the asphalt parking lot. There is a strip of unpaved property to the rear of the shopping center. The entire site encompasses 7.45 acres (Figure 2).

**Current Zoning/Use:** The site is currently zoned for commercial use and is an active multi-tenant shopping center.

**Past Use of the Site:** The operation of a dry cleaners which occupies one of the stores within the strip mall since 1977 is the apparent source of tetrachloroethylene (PCE) that has been detected in on-site soil and groundwater. In October 2005, prior to entering the BCP, the property owner undertook excavation of PCE contaminated soil from within the dry cleaners, in the vicinity of the dry cleaning machinery. Approximately five tons of PCE contaminated soil was disposed of off-site at a permitted disposal facility. Confirmatory end point soil samples collected from within the excavation detected PCE at less than one part per million (ppm). Perforated plastic (PVC) piping was installed in the excavation (for future use) and then the area was backfilled and re-sealed with concrete (Figure 3).

**Site Geology/Hydrogeology:** Subsurface soil is composed of medium/coarse sands with some organic matter and urban fill. Depth to groundwater is approximately 5' to 7' below grade, depending on seasonal variation, and the groundwater flow direction is to the south/southeast.

## **SECTION 4: LAND USE AND PHYSICAL SETTING**

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, an alternative which allows for unrestricted use of the site was evaluated.

A comparison of the results of the investigation against unrestricted use standards, criteria and guidance values (SCGs) for the site contaminants is available in the Remedial Investigation (RI) Report.

## **SECTION 5: ENFORCEMENT STATUS**

The Applicant under the Brownfield Cleanup Agreement is a Volunteer. The Applicant does not have an obligation to address off-site contamination. However, the Department has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

## **SECTION 6: SITE CONTAMINATION**

### **6.1: Summary of the Remedial Investigation**

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- air
- groundwater
- soil
- soil vapor
- indoor air
- sub-slab vapor

### **6.1.1: Standards, Criteria, and Guidance (SCGs)**

The remedy must conform to 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.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: <http://www.dec.ny.gov/regulations/61794.html>

### **6.1.2: RI Results**

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant of concern identified at this site is:

#### **TETRACHLOROETHYLENE (PCE)**

Based on the investigation results, comparison to the SCGs, and the potential public health and environmental exposure routes, certain media and areas of the site required remediation. These media were addressed by the IRMs described in Section 6.2. More complete information can be found in the RI Report and the IRM Construction Completion Report.

### **6.2: 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 issuance of the Decision Document.

The following IRMs have been completed at this site based on conditions observed during the RI.

#### **Soil Excavation**

##### **Exterior Source Area Soil Excavation**

In July 2009, a contaminant source area located just outside the dry cleaners was excavated under an approved IRM work plan dated September 10, 2008 (Figure 4). The source area was discovered during soil gas sampling in an unpaved area outside the rear of the building.

The excavation was complicated by the presence of an electrical service cable and a concrete drain pipe which runs beneath the area and also by the shallow water table. When excavation

was completed, seven soil samples were collected from the base and sidewalls of the excavation and submitted for laboratory analysis for volatile organic compounds. The excavated area was approximately six feet wide by ten feet long and extended to a maximum depth of 51 inches. A total of 18.41 tons of PCE contaminated soil was excavated and disposed of off-site at a permitted disposal facility. The area was backfilled with virgin sand material supplied by Stony Creek Services LLC.

Of the seven post excavation confirmatory soil samples collected from the base and sidewalls of the excavation, only one sample exceeded the Unrestricted Use and Protection of Groundwater soil cleanup objectives (SCO) of 1.3 ppm. PCE levels were in the range of 1.1 ppm to 5.7 ppm. The residual soil contamination was addressed by the soil vapor extraction system IRM described below. The IRM activities are memorialized in a Construction Completion Report dated January 28, 2010.

### Soil Vapor Extraction System

In July 2009, a soil vapor extraction system (SVES) was constructed utilizing the perforated plastic piping installed under the slab of the dry cleaners during the soil excavation undertaken in October 2005 (Figure 3). The SVES was constructed in accordance with an approved IRM work plan dated September 18, 2008.

After construction of the system, performance monitoring was conducted in September and October of 2009. Indoor air sampling data demonstrated that the system was mitigating impacts to indoor air. Since the system has been in operation, indoor air concentrations of PCE have been generally consistent with background concentrations. The most recent samples, collected in December 2012, revealed PCE concentrations of 8.1 ug/m<sup>3</sup> and 13 ug/m<sup>3</sup> in the adjacent stores.

### **6.3: Summary of Environmental Assessment**

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Nature and Extent of Contamination: Remediation at the site is ongoing with the continued operation of the soil vapor extraction system. The primary contaminant of concern at the site is tetrachloroethylene (PCE). The impacted media are soil, groundwater, soil gas and indoor air.

Under the BCP, SCG exceedances for PCE were detected in soil outside the facility, in an unpaved area. PCE was detected in subsurface soil at 1,300 ppm. The Unrestricted use and the Protection of Groundwater soil cleanup objective (SCO) for PCE is 1.3 ppm. In 2009, under a Department approved Interim Remedial Measure (IRM), subsurface soil was excavated from the contaminant source area. A total of 18.41 tons of contaminated soil was removed from the area and was transported off-site to a permitted disposal facility. Post excavation sampling revealed PCE levels as high as 5.7 ppm. Through the implementation of a second IRM in 2009 (soil

vapor extraction system), PCE levels in the former source area are now below the Unrestricted use SCO. Although the site is nearly entirely covered by the shopping center and asphalt parking lots, additional soil sampling was conducted in May 2011 in an unpaved portion of the site. Soil was collected from a depth of 6-12 inches below grade and analyzed for the full suite of analytes on the Target Compound List. Only copper, lead and zinc levels exceeded the Unrestricted use SCOs and their presence was below the Residential use and Protection of Groundwater SCOs. The presence of these metals may be due to the historic fill material used at the site during construction of the shopping center.

PCE has been detected at a maximum concentration of 360 parts per billion (ppb) in on-site groundwater. The NYS groundwater standard for PCE is 5 ppb. As previously described, in 2009 a soil vapor extraction system (SVES) was constructed in the vicinity of the former source area. From November 2005 through January 2010 the five on-site groundwater monitoring wells were sampled on a quarterly basis. During this time, PCE concentrations ranged from non detect (ND) to 360 ppb in the five wells. From January 2010 through October 2012, the wells have been sampled on a semi-annual basis. During this time, PCE concentrations have ranged from ND to 10 ppb. As a result of further remediation of the contaminant source area, PCE levels in groundwater have reached asymptotic conditions. This data and the final construction criteria of the SVES are memorialized in a Construction Completion Report dated January 25, 2010 which was prepared by a New York State licensed Professional Engineer and approved by DEC on May 4, 2010 and also in the draft Remedial Investigation Report which is dated August 2012. A Final Engineering Report for the site is currently being prepared.

In 2007, PCE was detected in sub-slab soil gas at concentrations ranging from 350 to 81,000 micrograms per cubic meter (ug/m<sup>3</sup>). In September 2009, PCE levels in indoor air ranged from 500 to 880 ug/m<sup>3</sup>. The New York State Department of Health (NYSDOH) guideline for PCE in air is 100 ug/m<sup>3</sup>. As a result of the operation of the SVES beginning in October 2009, the levels of PCE in indoor air have been reduced to levels which are generally consistent with background concentrations. In December 2012, PCE was detected at 8.1 ug/m<sup>3</sup> and 13 ug/m<sup>3</sup> in the adjacent stores. PCE levels in sub-slab soil gas have diminished to a range of non detect to 9,830 ug/m<sup>3</sup>.

#### **6.4: Summary of Human Exposure Pathways**

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Volatile organic compounds in soil and groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. A Soil Vapor Extraction system (a system that removes the vapor from beneath the building) installed in the on-site building prevents indoor air quality from being affected by the contaminated soil vapor under the building. Sampling indicates soil vapor intrusion is not a concern for off-site buildings.

## **6.5: Summary of the Remediation Objectives**

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

### **Groundwater**

#### **RAOs for Public Health Protection**

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

#### **RAOs for Environmental Protection**

- Restore groundwater aquifer to pre-disposal/pre-release conditions, to the extent practicable.

### **Soil**

#### **RAOs for Public Health Protection**

- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

#### **RAOs for Environmental Protection**

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

### **Soil Vapor**

#### **RAOs for Public Health Protection**

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

## **SECTION 7: ELEMENTS OF THE SELECTED REMEDY**

The proposed remedy for the site is No Further Action with continued operation of the SVES and continued monitoring of indoor air quality and groundwater quality with institutional controls and continued site management.

1. Institutional Control. Imposition of an institutional control in the form of an environmental easement for the controlled property that:

- requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8(h)(3).

- allows the use and development of the controlled property for unrestricted use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restricts the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and
- requires compliance with the Department approved Site Management Plan.

2. Site Management Plan. A site Management Plan is required which includes the following:

a) an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and engineering controls remain in place and effective:

- Institutional Controls: An Environmental Easement will be imposed which will address the requirements and restrictions outlined in Paragraph 1 above.
- Engineering Controls: The continued operation, maintenance and monitoring of the SVES described in Section 6.2.

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- descriptions of the provisions of the environmental easement including any groundwater use restrictions;
- a provision for evaluation of the potential for soil vapor intrusion for any additional buildings developed on the site including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certifications of the institutional and engineering controls;

b) a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

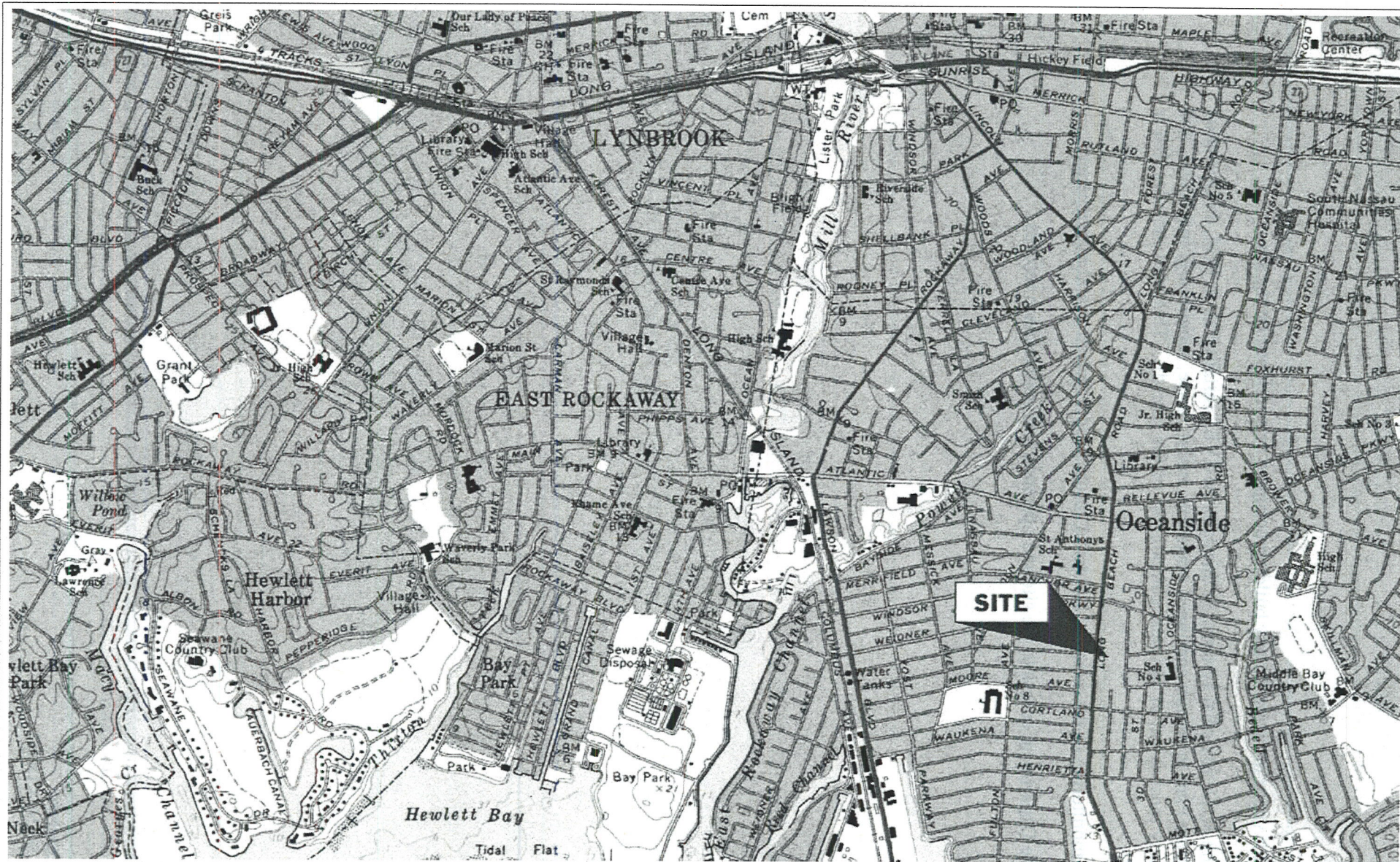
- monitoring of soil gas, indoor air and groundwater to assess performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the Department;

- monitoring for vapor intrusion for any building occupied or developed on the site.

c) for sites with active remedial systems, in this case the SVES installed as an IRM, an Operation and Maintenance Plan to ensure continued operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy. This plan includes, but is not limited to:

- compliance monitoring of the remedial system to ensure proper operation and maintenance;

- providing the Department access to the site and operation and maintenance records.



**RELIANCE ENVIRONMENTAL, INC.**

130 E. Chestnut Street, Lancaster, PA 17602  
 (717) 735-9508/phone (717) 735-9509/fax

**Figure 1:  
 Site Location Map**

USGS Lynbrook, NY 7.5 Minute Topographic Quadrangle

Oceanside Plaza

3131-3221 Long Beach Road

Town of Hempstead, Nassau County, NY

Scale: 1" ~ 1,320'



**RELIANCE ENVIRONMENTAL, INC.**

130 E. Chestnut Street, Lancaster, PA 17602  
 (717) 735-9508/phone (717) 735-9509/fax

**Figure 2:  
 Site Aerial Photograph**

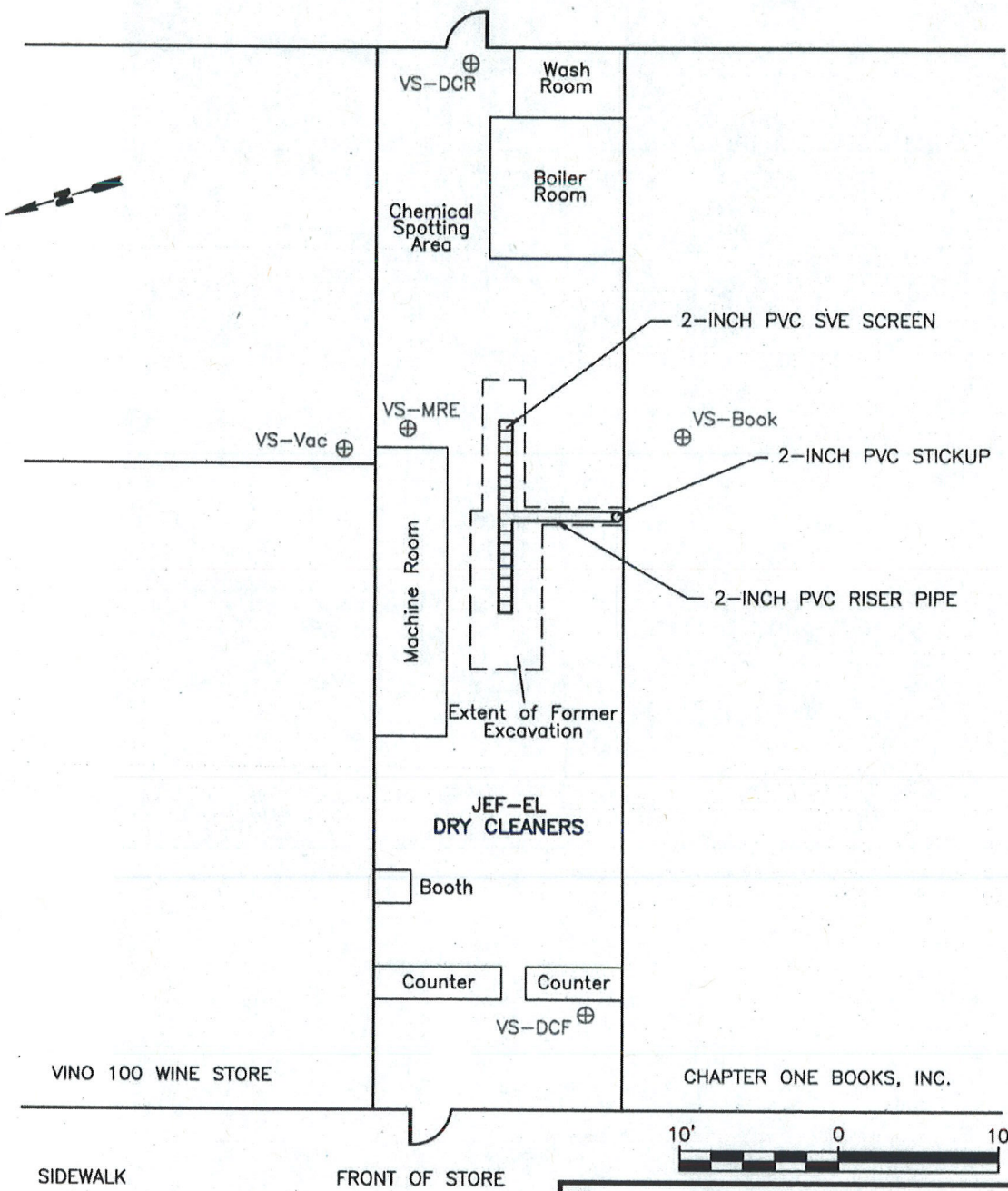
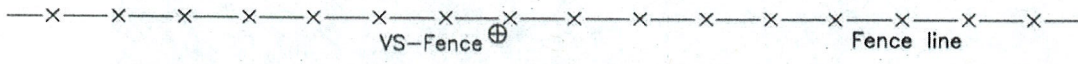
Google Earth, March 2007 (2009 New York GIS)

Oceanside Plaza

3131-3221 Long Beach Road

Town of Hempstead, Nassau County, NY

Scale: 1" = 230'



N:\PROJECTS\BAS1802Y\BAS01Y\107\BAS0110702.DWG

**LEGEND**

VS-Fence ⊕ LOCATION AND DESIGNATION OF SOIL VAPOR SAMPLING POINT

VS-DCF ⊕ LOCATION AND DESIGNATION OF SUB SLAB VAPOR SAMPLING POINT

Title:

**SITE LAYOUT AND CONFIGURATION**

OCEANSIDE PLAZA SITE  
OCEANSIDE, NEW YORK

Prepared For:

OCEANSIDE PLAZA ASSOCIATES, LLC.

 <b>Remedial</b> REMEDIAL ENGINEERING, P.C. ENVIRONMENTAL ENGINEERS	Compiled by: R.S.K.	Date: 23DEC09	FIGURE <b>3</b>
	Prepared by: G.M.	Scale: AS SHOWN	
	Project Mgr: R.S.K.	Office: NY	
	File No: BAS0110702	Project: 180201Y	

Adjacent Property

Fence

Grass

Concrete Sidewalk

Vino 100  
(Formerly M&M Vacuums, Inc.)

Jef-EI Dry Cleaners

Chapter One Books, Inc.



**RELIANCE ENVIRONMENTAL, INC.**  
130 E. Chestnut Street, Lancaster, PA 17602  
(717) 735-9508/phone (717) 735-9509/fax

**Figure 4:**  
**Contaminated Soil Excavation Schematic**  
**(July 21, 2009)**

Oceanside Plaza  
3131-3221 Long Beach Road  
Town of Hempstead, Nassau County, NY  
Scale: 1" = 5'

