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Remedial Bureau C
Division of Environmental Remediation

34 South Broadway, Suite 314 White Plains, NY 10601 tel: 914 949-7336 fax: 914 949-7559 www.akrf.com

January 5, 2007

Ms. Kiera Becker NYS Department of Environmental Conservation 625 Broadway, 11th Floor Albany, New York 12233-7014

Re: Citizen Participation Plan

New City Plaza, Site # C344065

New City, Town of Clarkstown, Rockland County

Dear Ms. Becker:

On behalf of Newton Associates LLC, enclosed are the following:

- Two copies of Citizen Participation Plan (CPP); and
- Certification of placement of the CPP in the project repositories.

Please call me at (914) 922-2356 or e-mail at marc_godick@akrf.com, if you have any questions or require additional information.

Sincerely yours, AKRF Inc.

Marc S. Godick, LEP Vice President

Enclosure

cc: Steven Levy – Newton Associates

David Freeman - Paul Hastings

NYSDEC - Region 3

2.

CERTIFICATION OF PLACEMENT OF PROJECT DOCUMENTS IN AUTHORIZED REPOSITORY

I, Marc S. Godick, certify that I placed compabove referenced site in all repositories listed below or repositories listed below are complete and in place.	plete copies of the Citizen Participation Plan for the on January 5, 2007. I hereby certify that all project
Signature	
Marc S. Godick Printed Name	
Repositories Certified as Complete: 1. New City Library	



AKRF, Inc.

34 South Broadway White Plains, NY 10601 Phone: 914-949-7336

Fax: 914-949-7559

Transmittal

To:	Librarian		From:	Marc Godick		
Company:	New City Library	_	Date:	January 5, 2007		
Address:	220 Main Street		Phone No.:	914-922-2356		
	New City, New York 1	0956	Total Pages (incl	. cover):		
			Job Number:	40217		
Phone No.:	(845) 634-4997		_			
Job Title:	New City Plaza – BCP	Site # C344065	_			
	-					
Text	Print	Drawing(s)	Photos	Slide(s)	_X	Other
	Citizen Participation					
Please contac	et me at (914) 922-2350	6, if you have any	y questions or req	uire additional inf	formatio	n.
Sincerely,						
AKRF, Inc.						
mas						
Marc S. Godi Vice Presider						
vice Presider	11					
Please	Return Return	ning to You	X Keep This		For R	Leview



AKRF, Inc.

34 South Broadway White Plains, NY 10601 Phone: 914-949-7336

Phone: 914-949-7336 Fax: 914-949-7559

Transmittal

To:	File Administrator Fi		Marc Godick		
Company:	NYSDEC-Region 3	Date:	January 5, 2007		
Address:	21. South Putt Road	Phone No.:	914-922-2356		
•	New Paltz, New York 12561	Total Pages (incl	. cover):		
		Job Number:	40217		
Phone No.:	(845) 256-3000				
Job Title:	New City Plaza BCP Site # C3440	065			
Text	Print Drawing(s	s) Photos	Slide(s)	<u>X</u> _	Other
	Citizen Participation Plan is to be to me at (914) 922-2356, if you have				
Sincerely,					
AKRF, Inc.					
my	7				
Marc S. Godi Vice Presiden					
Please	Return Returning to You	<u>X</u> Keep This		For R	eview

New City Plaza 2-88 North Main Street

NEW CITY, NEW YORK

Citizen Participation Plan

AKRF Project Number: 40217 NYSDEC BCP Number: C344065

Prepared for:

Newton Associates LLC 551 Fifth Avenue New York, New York 10176

Prepared by:



AKRF, Inc.
34 South Broadway, 3rd Floor
White Plains, New York
914-949-7336

DECEMBER 2006

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FIGURES

Figure 1 Project Site Location Figure 2 Project Site Detail

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Appendix A Project Contact List

1.0 INTRODUCTION

This Citizen Participation Plan has been prepared by AKRF, Inc. on behalf of Newton Associates LLC, (the Participant) for the New City Plaza shopping center site (the project site or site) which consists of a portion of parking lot and commercial stores within a larger shopping center. The boundaries of the site are based on the location of a former dry cleaning facility where subsurface investigations revealed soil and groundwater contamination. The site is located at 2-88 North Main Street, New City, New York. The site location is shown on Figure 1, and the detailed site layout is shown on Figure 2.

In April 2006, a Brownfield Cleanup Program (BCP) Application was submitted to the New York State Department of Environmental Conservation (NYSDEC). The application encompassed the entire approximately 12-acre New City Plaza shopping center. The BCP application was amended to redefine the boundaries of the site to include only areas around the former dry cleaning facility, the former Robbie J Cleaners, located within the New City Plaza shopping center. The BCP Agreement was executed by both Newton Associates LLC (the Participant) and the NYSDEC effective October 20, 2006. The Citizen Participation Plan has been prepared as a requirement of the BCP Agreement for investigation and remediation of the project site.

The BCP includes a detailed investigation and remediation process. Site investigation is the process undertaken to determine whether a site has been contaminated, and if so, to identify the nature and extent of that contamination. The site investigation process emphasizes data collection and site characterization, including sampling and monitoring, as necessary. The goal of the site investigation is to gather sufficient information to determine the necessity for remediation, as well as the potential extent thereof, and to support the evaluation of proposed alternatives. The next step in the BCP is remedy selection, which develops and evaluates options for remedial action. The remedy selection emphasizes data analysis and may be performed concurrently with the site investigation, using the data gathered therein. Such data are used to define the objectives of the remediation and to develop the Remedial Work Plan (RWP) for the Site, which includes an Alternative Analysis that compares various remedial alternatives and justifies the selection of the proposed remedy. Upon NYSDEC's approval of the proposed remedy, the RWP is implemented. A Final Engineering Report and Site Management Plan are then submitted to the NYSDEC. Once these reports are approved by the NYSDEC, a Certification of Completion is issued to the Participant.

Newton Associates, LLC is committed to a Citizen Participation Plan to fulfill its responsibility in connection with the investigation and remediation work. The objective of this plan is to promote public understanding of the Participant's responsibilities, planning activities, and remedial activities at the site. This plan promotes two-way communication of the public with the agencies, thereby providing the NYSDEC and Newton Associates an opportunity to gather information from the public, enabling development of investigative and remedial activities that are protective of both public health and the environment.

The Citizen Participation Plan includes:

- 1. A site description and history, information on the types of contamination at the site, and findings of previous environmental studies completed at the site, including any major issues of public concern;
- 2. A list of contacts representing the affected and interested parties;
- 3. Designation of local repositories for information and reports generated during this project; and
- 4. A description of citizen participation activities that have already occurred and a schedule of planned citizen participation activities.

2.0 SITE DESCRIPTION AND HISTORY

2.1 Site Description and Surrounding Land Use

The project site is located within the New City Plaza shopping center in New City, Town of Clarkstown, New York and includes Lot 43.15-1-22 of Tax Block 89 of Rockland County. The project site encompasses a portion of a commercial/retail structure containing five businesses, areas of the parking lot to the west and north of the structure, and a section of West Evergreen Street to the east of the structure. The boundaries of the site are based on the location of a former dry cleaning facility where subsurface investigations revealed soil and groundwater contamination (as shown in Figure 2). Areas to the north and south of the project site include the remainder of the shopping plaza and parking lot and a gasoline station. Properties to the east of the site contain residential dwellings.

2.2 Nearby Areas of Public Concern

There are residences to the east of the site across West Evergreen Street. The site is located within an active shopping plaza and parking lot.

2.3 Site History

The history of the site and the surrounding area is summarized in Phase I Environmental Site Assessments conducted by Land America Assessment Corporation and Aaron & Wright Technical Services, Inc. dated September 28, 2005 and July 23, 1997, respectively. Prior to the construction of the shopping plaza, the land was primarily undeveloped with some commercial and residential structures in the southern and northern portions. The existing shopping plaza was constructed in phases beginning in 1970 and ending by around 1980. Surrounding areas contained commercial and residential structures since prior to 1940. West-adjacent to the site, a gasoline station was constructed sometime between 1940 and 1958.

2.4 Project Scope

The objective of the BCP is to remediate areas of contamination associated with a former dry cleaning facility. Once the cleanup is complete, and a Certificate of Completion has been issued by the New York State Department of Conservation, the site will continue with its current usage as a shopping plaza.

3.0 PREVIOUS INVESTIGATIONS

Several environmental investigations have been completed at the project site. Copies of the previous investigation reports can be found at the Public Document Repositories listed in Section 6.0. The most recent investigations included a Phase II Subsurface Investigation Report (January 2006) prepared by AKRF, Inc., and a Phase II Environmental Site Assessment (ESA) Report (October 2005) prepared by Land America Assessment Corporation, which are summarized below:

• A Phase II Limited Subsurface Investigation was performed by Land America Assessment Corporation (LAC) in September 2005 in the vicinity of a former dry cleaning facility, the former Robbie J Cleaners, located within New City Plaza. The results were reported in Phase II Environmental Site Assessment Report, New City Plaza, 2-88 North Main Street, New City, New York, dated October 2005. Soil and groundwater samples take in the vicinity of the structure formerly housing the dry cleaning facility revealed levels of chlorinated solvents above the NYSDEC Recommended Soil Cleanup Objectives (RSCOs) in Technical and Administrative Guidance Memorandum (TAGM) #4046.

• A Phase II Subsurface Investigation was performed by AKRF, Inc., in January 2006. The investigation was intended to further assess potential contamination from the former Robbie J Cleaners and to assess possible contamination from the current Bon Tem III Cleaners. The results were reported in *Phase II Subsurface Investigation, 2-88 North Main Street, New City, New York, dated February 2006.* Soil, groundwater and soil gas samples confirmed the finding of the previous Phase II Limited Subsurface Investigation performed by LAC in September 2005. Soil and groundwater samples revealed levels of chlorinated solvents that were above respective NYSDEC RSCOs and NYSDEC Ambient Water Quality Values (AWQVs). Soil gas samples revealed the presence of chlorinated solvents, however, New York State does not currently have standards, criteria, or guidance values for concentrations of volatile chemicals in subsurface vapors. Relatively low levels of chlorinated solvents were in the soil boring located in the vicinity of the current Bon Tem III Cleaners.

4.0 SCHEDULE OF ACTIVITIES

Following the approval of a Site Investigation Work Plan (to be prepared), the Site Investigation would commence within 30 to 60 days. Additional investigation and remediation, as warranted, would be implemented by mutual agreement by both the NYSDEC and Participant.

Community outreach is anticipated, including the public notices and the associated comment periods required under the BCP, which are summarized below.

4.1 Site Contact List

The BCP requires applicants to develop a site contact list that includes government officials, adjacent property owners and operators, local news media for the publication of required notices, the public water supplier, and any person requested to be included on the list. The Contact List for the site is provided in Appendix A.

4.2 Document Repository

The BCP requires that all BCP documents approved by NYSDEC be made available in a publicly accessible location located near the Site. The public document repositories for the site are provided in Section 6.0.

4.3 Issues of Public Concern

The previous investigations revealed the presence of subsurface volatile organic compounds, which may affect indoor air and sub-slab soil vapor. This may represent a public concern, and will be addressed during the investigation.

In coordination with the NYSDEC and New York State Department of Health (NYSDOH), all work plans for the remediation of the site will include specific measures to manage and mitigate issues of public concern to the maximum extent possible, and substantially guide the remedial measures selected in the proposed Remedial Work Plan.

There will be a 45-day public comment period to solicit questions, comments, and feedback prior to approval of the Remedial Work Plan by the NYSDEC. In addition, in coordination with the NYSDEC and NYSDOH, ongoing feedback and concerns will be addressed after approval of the Remedial Work Plan and during execution of all future work on or related to the project site.

4.4 Application Notification

The BCP requires applicants to provide notice of the site contact list once an application has been submitted to NYSDEC. A 30-day public comment period was completed prior to the site being accepted into the Program. The application and related documents are available in the document repositories designated in Section 6.0.

4.5 Remedial Investigation Work Plan Notification

Before NYSDEC approves the Remedial Investigation Work Plan (RIWP), the BCP requires that the Participant provide the site contact list with a fact sheet describing the proposed work plan, and provides for a 30-day public comment period. In addition, the work plan and the fact sheet must be made available in the document repository.

4.6 Remedial Investigation Report Notification

Once the remedial investigation is complete, the Remedial Investigation Report (RIR) will be submitted to the NYSDEC for review. The RIR contains the results of the RIWP and evaluates various remediation actions. The BCP requires that the Participant provide the site contact list with a fact sheet describing the RIR. The report and related fact sheet will be made available in the document repositories designated in Section 6.0.

4.7 Remedial Work Plan Notification

Based on the results of the remedial investigation, a Remedial Work Plan (RWP) for the site will be prepared and submitted to the NYSDEC. During this time, the RWP will be made available at the designated document repositories and a fact sheet will be distributed to the project mailing list. The BCP requires a 45-day public comment period, after which time the NYSDEC will make a determination of approval for the RWP.

4.8 Construction Notification

The Participant will provide notice to the project contact list before construction/remediation commences.

4.9 Final Engineering Report Notification

Within 90 days after completion of construction, a Final Engineering Report (Remedial Action Report) will be presented to the NYSDEC. The Final Engineering Report will be made available for public review at the designated document repositories prior to NYSDEC approval. In addition, the Participant will provide to the site contact list a fact sheet summarizing the report.

4.10 Certificate of Completion Notification

The Participant will provide notice to the site contact list within 10 days of the issuance of the Certificate of Completion. Such notice will include a fact sheet summarizing any institutional or engineering controls to be utilized at the site.

5.0 PROJECT CONTACTS

If you have any questions or concerns regarding the investigation or remediation of the site, the following persons at NYSDEC and NYSDOH can be contacted:

NYSDEC Representative: Ms.

Ms. Kiera Becker

NYS Department of Environmental Conservation

625 Broadway, 11th Floor Albany, New York 12233-7014

Phone: (518) 402-9662

NYSDOH Representative:

Ms. Rebecca Dickson

New York State Department of Health

547 River Street Troy, NY 12180 (800) 458-1158

BCP Participant:

Mr. Steven Levy

Newton Associates, LLC

551 Fifth Avenue

New York, New York 10176

(212) 672-1500

Participant's Representatives:

Mr. Marc Godick

AKRF Inc.

34 South Broadway, 3rd Floor White Plains, New York 10601

(914) 949-7336

David Freeman, Esq.

Paul, Hastings, Janofsky & Walker LLP 75 East 55th Street, New York, NY 10022

212 318 6555

6.0 PUBLIC DOCUMENT REPOSITORY

The following locations have been designated as document repositories for all reports generated during this project:

New City Library 220 Main Street New City, New York 10956

(845) 634-4997

Monday - Friday: 9:00AM-9:00PM, Saturday: 9:00AM-5:00PM, Sunday: 12:00PM-5:00PM

New York State Department of Environmental Conservation – Region 3

21 South Putt Road

New Paltz, New York 12561

(845) 256-3000

9:00AM-3:00PM by appointment only

NYS Department of Environmental Conservation – Albany

625 Broadway, 11th Floor

Albany, New York 12233-7014

Attn: Kiera Becker (518) 402-9662 9:00AM-3:00PM by appointment only

7.0 PUBLIC NOTIFICATION CONTACT LIST

The project contact list, which includes public and government officials, the adjacent and nearby property owners and operators, all schools within a half-mile radius, the public water supplier, local news media, the library repository, and other parties requested to be added to the list, is attached as Appendix A.

FIGURES







SOURCE: USGS TOPOGRAPHIC MAP—HAVERSTRAW, N.Y. QUADRANGLE - DATED 1967, PHOTOREVISED 1979



2-88 North Main Street New City, New York

PROJECT SITE LOCATION MAP

AKRF, Inc.

Environmental Consultants

440 Park Avenue South, New York, N.Y. 10016

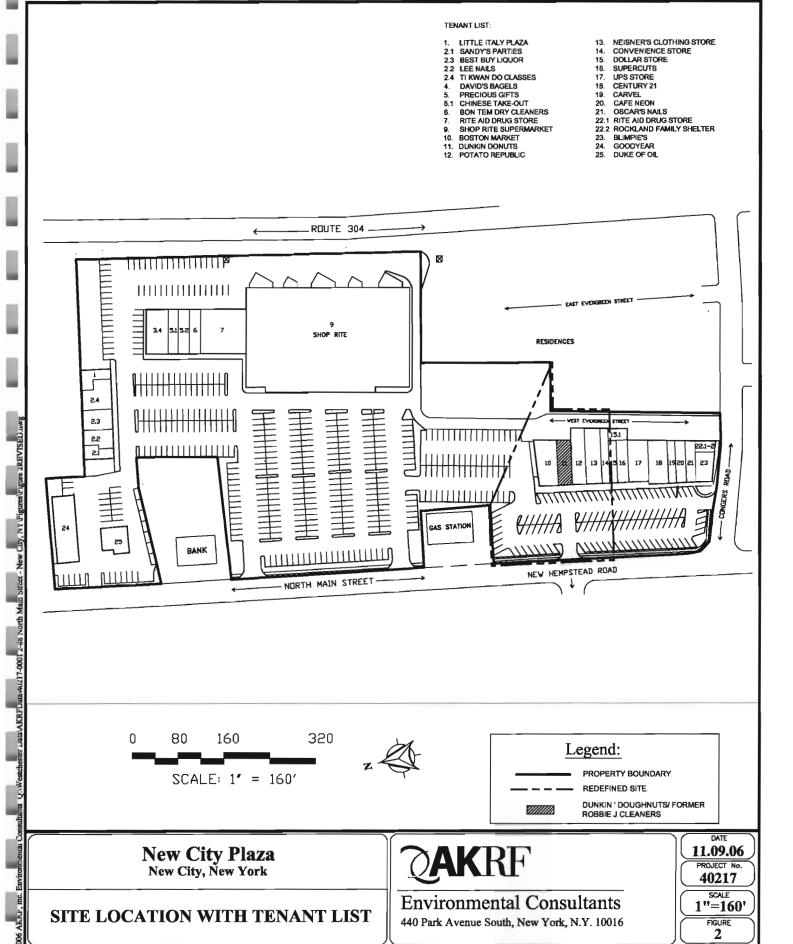
DATE

02.01.06 PROJECT No.

40217

FIGURE No.

1



1. Local Officials

Supervisor Alex Gromack Town of Clarkstown 10 Maple Avenue New City, New York 10956

Dr. Arnold Amster, Chairman Zoning Board of Appeals Town of Clarkstown 10 Maple Avenue New City, New York 10956 County Executive C. Scott Vanderhoef Office of the County Executive 11 New Hempstead Rd. New City, NY 10956

2. Current Owners and Occupants of the Subject Site and Adjacent Sites

Kambor Management Company LLC is the current owner of the site. A tenant list for the shopping center is provided below:

Little Italy Pizza 2-88 North Main Street New City, NY 10956

Sandy's Parties 2-88 North Main Street New City, NY 10956

Lee Nails 2-88 North Main Street New City, NY 10956

Ti Kwon Do Classes 2-88 North Main Street New City, NY 10956

David's Bagels 2-88 North Main Street New City, NY 10956

Precious Gifts 2-88 North Main Street New City, NY 10956

Chinese Take-Out 2-88 North Main Street New City, NY 10956

Bon-Tem Dry Cleaners 2-88 North Main Street New City, NY 10956 Neisner's Clothing Store 2-88 North Main Street New City, NY 10956

Convenience Store 2-88 North Main Street New City, NY 10956

Dollar Store 2-88 North Main Street New City, NY 10956

Supercuts 2-88 North Main Street New City, NY 10956

UPS Store 2-88 North Main Street New City, NY 10956

Century 21 2-88 North Main Street New City, NY 10956

Carvel 2-88 North Main Street New City, NY 10956

Café Neon 2-88 North Main Street New City, NY 10956

Rite Aid Drug Store 2-88 North Main Street New City, NY 10956

Shop Rite Supermarket 2-88 North Main Street New City, NY 10956

Boston Market 2-88 North Main Street New City, NY 10956

Dunkin' Donuts 2-88 North Main Street New City, NY 10956

Potato Republic 2-88 North Main Street New City, NY 10956

A list of adjacent sites is provided below:

1107 Building Corp.2 East Evergreen RoadNew City, NY 10956

Domenico & Sara Monteleone 5 East Evergreen Road New City, NY 10956

Ronald & Barbara Stevens 7 East Evergreen Road New City, NY 10956

Vincent Incalcaterra 10 East Evergreen Road New City, NY 10956

Cezario & Celia Fijor 11 East Evergreen Road New City, NY 10956

Mercy & Jose Acuna 17 East Evergreen Road New City, NY 10956 Oscar's Nails 2-88 North Main Street New City, NY 10956

Rockland Family Shelter 2-88 North Main Street New City, NY 10956

Blimpie's 2-88 North Main Street New City, NY 10956

Goodyear 2-88 North Main Street New City, NY 10956

Duke of Oil 2-88 North Main Street New City, NY 10956

Town of Clarkstown 10 Maple Avenue New City, NY 10956

Nyack Realty Corp. Cemetery 76 Demarest Avenue West Nyack, NY 10994

24 Congers Rd LLC24 Congers RoadNew City, NY 10956

Ceresnak Trust c/o Industry Consulting Group Inc. PO Box 810490 Dallas, TX 75381-0490

Leemilt's Petroleum Inc. c/o Getty Petroleum Marketing, Inc. 1500 Hempstead Tumpike East Meadow, NY 11554

Woodfind Associates LLC 584 South Main Street Spring Valley, NY 10977

Rodney & W Locke 19 East Evergreen Road New City, NY 10956

Mrs. Gail Nachimson, Principal New City Elementary School 60 Crestwood Drive New City, New York 10956 Patrick Naraine 12 West Evergreen Road New City, NY 10956

3. News Media

City Editor

Hudson Valley Business Journal 86 E. Main St

Wappingers Falls, NY 12590

City Editor

Our Town Media Inc.

P.O. Box 329 Ramsey, NJ 07446

City Editor El Clarin 48 Broadway

Haverstraw, NY 10927

City Editor Journal News 200 North Rte.303 West Nyack, NY 10994

City Editor

OurTown/ Courier/ Independent

36 Ridge

Pearl River, NY 10965

City Editor Rockland Review 26 Snake Hill Rd. West Nyack, NY 10994

City Editor

Rockland County Times

119 Main St. Nanuet, NY 10954

City Editor, The Jewish Tribune

Executive Office 78 Randall Avenue

Rockville Center, NY 11570

WNYK

Nyack College Nyack, NY 10960

News Director

WRKL

1551 Route 202 Pomona, NY 10970

News Director Cablevision 235 W. Nyack Road W. Nyack, NY 10994

News Director, MediaOne N. Rockland High School Hammond Road Theills, NY 10984

News Director WRNN TV 721 Broadway Kingston, NY 12401

Lisa Phillips, Bureau Chief WAMC 44 Main Street

Kingston, NY 12401

Hank Gross

Mid-Hudson News Service

42 Marcy Lane

Middletown, NY 10941

News Director

WTBQ

62 N. Main St. Florida, NY 10921

City Editor The Record 150 River Street Hackensack, NJ 07601 News Director WRCR 75 West Rt. 59, Suite. 2126 Nanuet, NY 10954

4. Public Water

United Water of New York 360 West Nyack Road West Nyack, New York 10994

5. Additional Contacts

Environmental Groups

Greenway Conservancy Capitol Building Capitol Station, Rm 254 Albany, NY 12224

The Nature Conservancy Eastern NY Chapter 265 Chestnut Ridge Road Mt. Kisco, NY 10549

Karl Coplan, Esq. Pace/Riverkeeper 78 N. Broadway White Plains, NY 10603

Environmental Citizens Coalition 33 Central Avenue Albany, NY 12210

Laura Haight NYPIRG 107 Washington Ave. Albany, NY 12210

Rockland County EMC 50 Sanatarium Road Building P Pomona, NY 10970

Rockland County Health Dept. Attn: Thomas Micelli, PE Building D Sanatarium Road Pomona, NY 10970

Rockland County Conservation Association P.O. Box 213 Pomona, NY 10970

Larry Larson Natural Resource Conservation Service 225 Dolson Avenue, Suite 103 Middletown, NY 10940

Cornell Cooperative Extension Service c/o 10 Patriot Hills Drive Stony Point, NY 10980

Local and Elected Officials

Hon. Hillary R. Clinton US Senate Washington, DC 20510

Hon. Charles Schumer US Senate Washington, DC 20510

Hon. Nita Lowey US Representative 222 Mamaroneck Ave, Ste 310 White Plains, NY 10605

Hon. Thomas Morahan NY State Senate 158 Airport Exec. Park Nanuet, NY 10954

Hon. Kenneth Zebrowski NY State Assembly 67 N. Main St., 2nd floor New City, NY 10956

Hon. Edwin J. Day, Legislator Rockland County 11 New Hempstead Road New City, NY 10956

C. Scott Vanderhoef County Executive 11 New Hempstead Road New City, NY 10956

Paul Piperato, Clerk Rockland County 1 S. Main Street, Suite 11 New City New York, 10956

Laurence O. Toole, Clerk County Legislature 11 New Hempstead Road New City, NY 10956

Alexander Gromack, Supervisor Town of Clarkstown 10 Maple Ave. New City, NY 10956

David Carlucci, Clerk Town of Clarkstown 10 Maple Ave. New City, NY 10956

John R. Maloney, Councilperson Town of Clarkstown 10 Maple Ave New City, NY 10956

Ralph F. Mandia, Councilperson Town of Clarkstown 10 Maple Ave. New City, NY 10956

Shirley R. Lasker, Councilperson Town of Clarkstown 10 Maple Ave. New City, NY 10956

Catherine M. Nowicki, Councilperson Town of Clarkstown 10 Maple Ave New City, NY 10956

6. Schools

New City Elementary School 60 Crestwood Drive New City, New York 10956