DECISION DOCUMENT

5-27 Kensington Road
Brownfield Cleanup Program
Bronxville, Westchester County
Site No. C360081
August 2014

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

DECLARATION STATEMENT - DECISION DOCUMENT

5-27 Kensington Road
Brownfield Cleanup Program
Bronxville, Westchester County
Site No. C360081
August 2014

Statement of Purpose and Basis

This document presents the remedy for the 5-27 Kensington Road 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 5-27 Kensington Road site and the public's input to the proposed remedy presented by the Department.

Description of Selected Remedy

The elements of the selected remedy are as follows:

Excavation and off-site disposal of all on-site soils which exceed unrestricted soil cleanup objectives (SCOs), as defined by 6 NYCRR Part 375-6.8. Approximately 40,000 tons of contaminated soils will be removed from the site, with excavation depths reaching 25 to 30 feet below ground surface. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in, where necessary, to establish the designed grades at the site.

The intent of the remedy is to achieve Track 1 unrestricted use; therefore, no environmental easement or site management plan is anticipated. No groundwater use restriction is needed because the area is served by public water and Chapter 873, Article VII of the Laws of Westchester County, NY, prohibit installation of groundwater wells without prior approval. In the event that Track 1 unrestricted use is not achieved, including achievement of groundwater and soil vapor remedial action objectives, the following contingent remedial elements will be required:

1) Alternative Engineering and Institutional Controls
-Imposition of an institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will be deemed to have achieved a Track 2 restricted residential cleanup at a minimum and will include imposition of a site cover (as a contingency if soil greater than 2 feet but less than 15 feet deep does not meet the restricted residential SCOs), an environmental easement, and site management plan as described below.

2) Site Management Plan:
In the event that a Track 1 Unrestricted Use cleanup is not achieved and/or remedial action objectives for groundwater and soil vapor have not been met, a Site Management Plan may be required, which would include 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/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed above.

Engineering Controls: The groundwater monitoring program discussed below.

This plan includes, but may not be limited to:
- descriptions of the provisions of the environmental easement including any land use, and groundwater use restrictions;
- a provision for evaluation of the potential for soil vapor intrusion for any new 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;
- the steps necessary for the periodic reviews and certification of the institutional and/or 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 groundwater to assess the performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the Department;
- monitoring for vapor intrusion for any new buildings developed on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

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.

August 1, 2014
Date

George Heitzman, Director
Remedial Bureau C

DECISION DOCUMENT

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Bronxville, Westchester County
Site No. C360081
August 2014

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 has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

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:

Bronxville Public Library
Attn: Patricia Root
201 Pondfield Road
Bronxville, NY 10708
Phone: 914-337-7680

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 5-27 Kensington Road site is located in an urban/suburban area at 5-27 Kensington Road in Bronxville, Westchester County.

Site Features: The site is covered in asphalt. There is an abandoned building located on the north end of Lot #16. The total acreage of all three lots is 1.63 acres.

Current Zoning and Land Use: The site is currently a municipal parking lot, and is zoned for restricted residential use (Six Story Multiple Residence Zone). The surrounding parcels are currently used for commercial and residential. The nearest residential area is 0.1 miles to the east.

Past Use of the Site:
Around 1905, The Hotel Gramatan Power and Light Plant was constructed on Lots 7 and 6. Between 1908 and 1911 an annex building was constructed on Lot 1, which housed the hotel employees. Also, the South Bronxville Garage was constructed on Lot 16. Between 1911 and 1918 the power plant underwent a southward expansion, and changed its name to the Lawrence Park Heat, Light and Power Company.

The garage building did not change in configuration between 1918 and 1980, but there were underground storage tanks (USTs) and a filling station added to the site during its operation. Between 1970 and 1980 the garage was used as a Texaco gas station. The power plant also added features such as coal storage piles, above-ground fuel oil storage tanks, boiler house and engine room.

In the early 1980s the Village of Bronxville acquired all three lots, and the power plant and garage were subsequently demolished. The Village has been using the properties as municipal parking since that time.

Site Geology and Hydrogeology:
The soil at the site consists of gneiss and schist bedrock, overlain by glacial deposits of a mixture of clays, silts, sands and boulders. Depth to bedrock ranges from 0.5 feet below ground surface to 24 feet below ground surface, sloping down from east to west.

Groundwater is encountered in the overburden between 8 and 15 feet below ground surface, and generally flows northeast to the southwest.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

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

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

SECTION 5: ENFORCEMENT STATUS

The Applicant(s) under the Brownfield Cleanup Agreement is a/are Volunteer(s). The Applicant(s) does/do 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:

- groundwater
- soil

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(s) of concern identified at this site is/are:

BENZO(A)PYRENE	BENZENE
LEAD	TOLUENE
XYLENE (MIXED)	ETHYLBENZENE

The contaminant(s) of concern exceed the applicable SCGs for:

- groundwater
- soil

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.

There were no IRMs performed at this site during the RI.

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.

Based upon investigations conducted to date, the primary contaminants of concern at the site include semi-volatile organic compounds (SVOCs) and metals in soil, as well as volatile organic compounds (VOCs) and SVOCs in groundwater.

Several SVOCs were detected at levels above restricted residential Soil Cleanup Objectives (SCOs), including benzo(a)pyrene (ranging from 1.2-48 ppm, with an SCO of 1 ppm), benzo(b)fluoranthene (1.4-66 ppm, SCO of 1 ppm), chrysene (4.3-56 ppm, SCO of 3.9 ppm), dibenzo(a,h)anthracene (ranging from 0.3-7.2 ppm, with an SCO of 0.33 ppm), and indeno(1,2,3,-cd)pyrene (ranging from 4.8-28 ppm, with an SCO of 0.5 ppm). Lead was detected above restricted residential SCOs (1,050 ppm, with an SCO of 400 ppm), and mercury at 0.85 ppm (SCO of 0.81). The soil contamination found appears to be limited to the site.

Groundwater standards for several VOCs, including benzene, toluene, ethylbenzne and xylene, were exceeded in samples collected in 1990-1991, prior to the site entering the Brownfield Cleanup Program (BCP). Benzene was found ranging from 2.5-8,700 ppb (standard of 1 ppb), toluene ranging from 8-16,000 ppb (standard of 5 ppb), ethylbenzene ranging from 32-10,000 ppb (standard of 5 ppb), and xylene ranging from 35-140,000 ppb (standard of 5 ppb). Under the spill response program, three underground storage tanks and associated soils were removed, and a fourth tank was closed in place. A soil venting system was also installed in 1990 in the vicinity of the highest groundwater detections.

Samples collected during the 2006 BCP investigation did not show exceedances for the VOCs that were previously found, indicating that the source removal and soil venting activities had been successful. There were slight exceedances of groundwater standards for several SVOCs detected in samples collected during the BCP investigation. These included benz(a)anthracene at 0.87 ppb (standard of 0.002 ppb), chrysene at 1.66 ppb (standard of 0.002 ppb), benzo(b)fluoranthene at 1.48 ppb (standard of 0.002 ppb), benzo(k)fluoranthene at 1.10 ppb (standard of 0.002 ppb), and indeno(a,h)anthracene at 0.87 ppb (standard of 0.002 ppb). The groundwater impacts were found only in the two on-site monitoring wells, in the vicinity of the former underground storage tank(s). The monitoring wells installed off-site did not have any detections, indicating that groundwater contamination is not migrating off-site.

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.*

Direct contact with contaminants in the soil is unlikely because the majority of the site is covered with pavement or a building. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not contaminated by the site.

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

- Remove the source of ground or surface water contamination.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated 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 alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Track 1: Unrestricted use remedy.

The selected remedy is referred to as the Excavation to Unrestricted SCOs remedy.

The elements of the selected remedy, as shown in Figure 2, are as follows:

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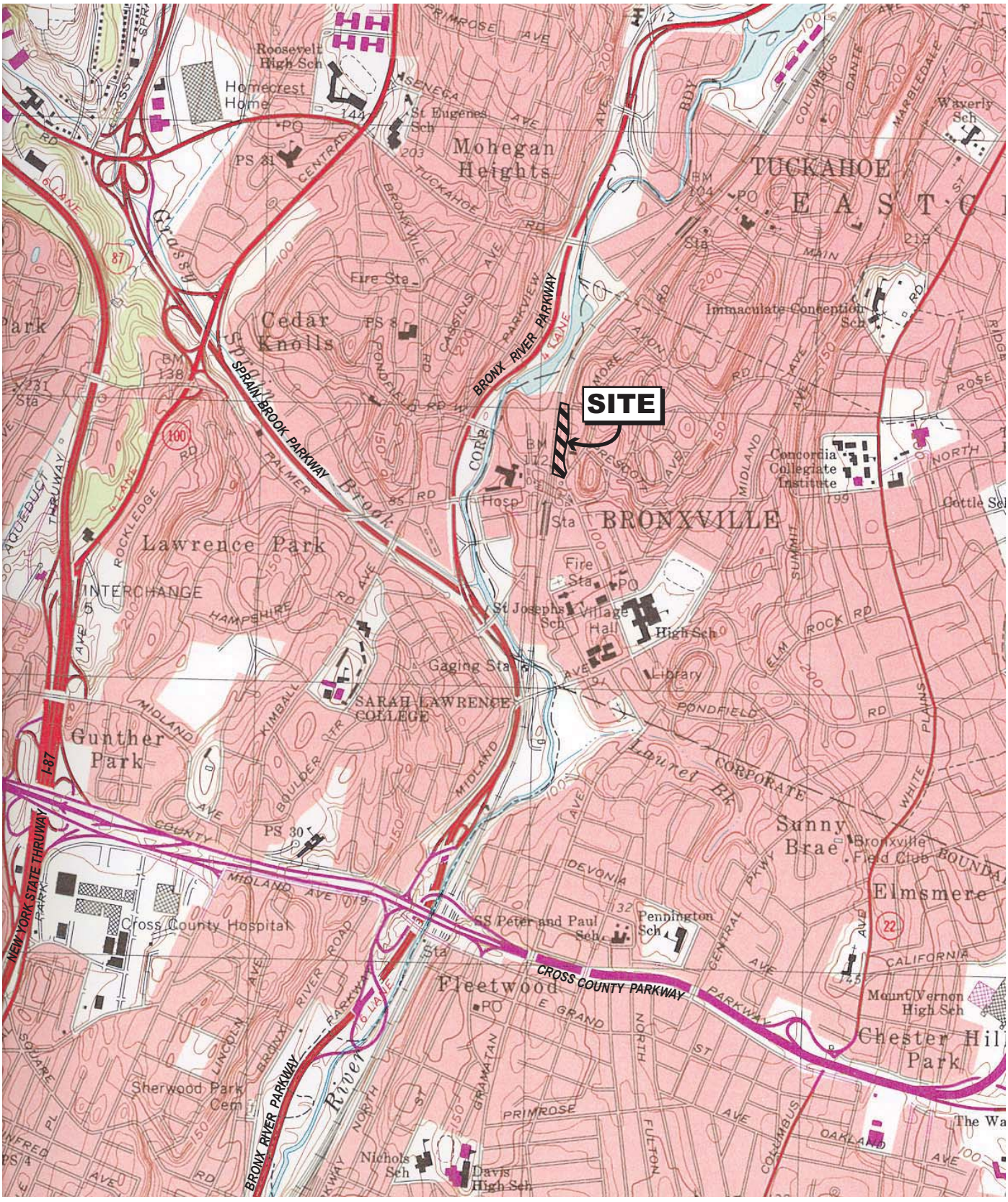


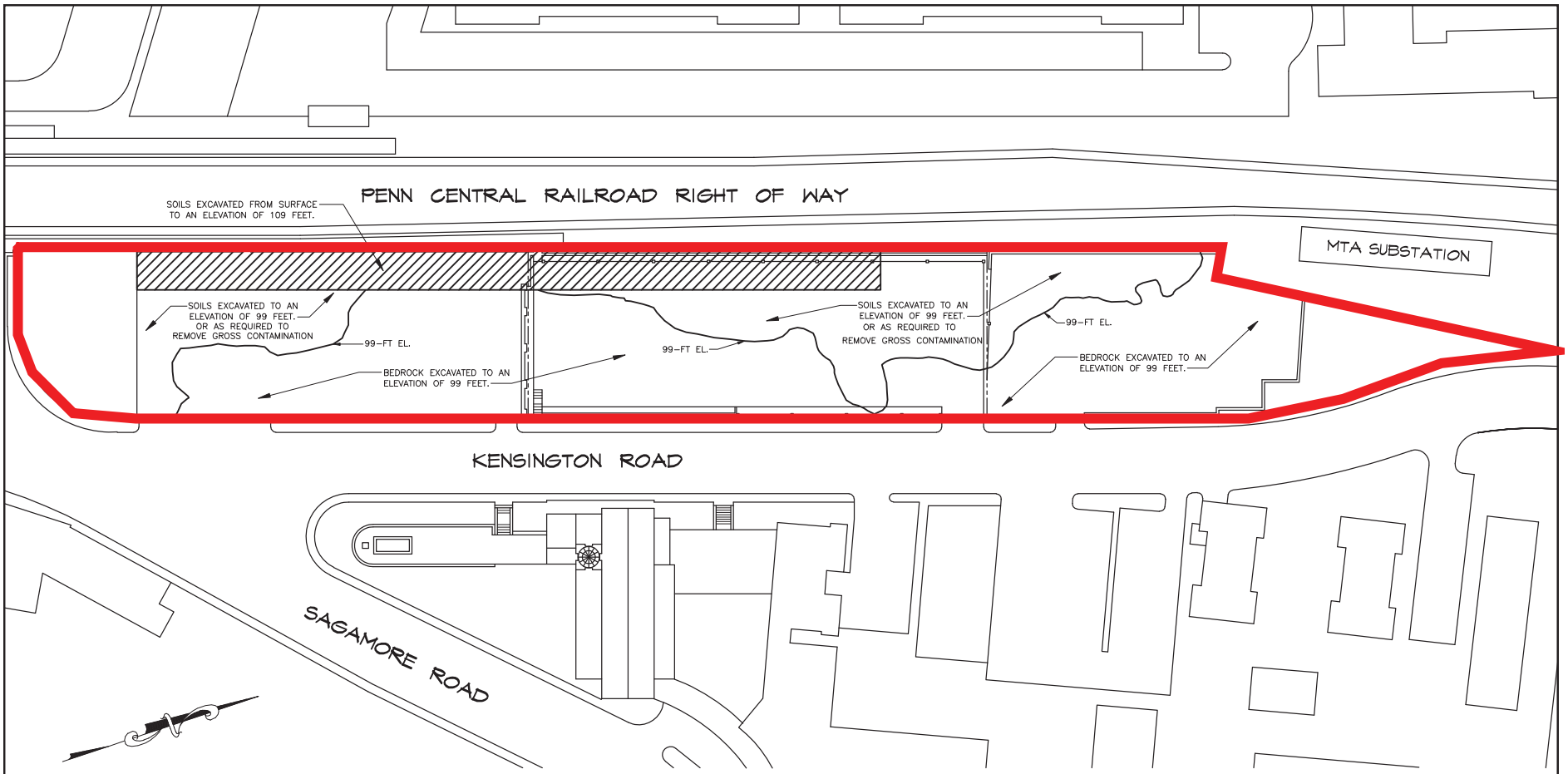
Exhibit II-2

PROJECT LOCATION

Village of Bronxville, New York

BASE MAP SOURCE: USGS - Mount Vernon, NY Quadrangle

Saccardi & Schiff, Inc. - Planning and Development Consultants



Site Boundary

5-27 KENSINGTON RD.
BRONXVILLE, N.Y.

AREAS OF EXCAVATION PLAN

JOB NO.	1031-01-001
DRAWN	AXC
CHECKED	RDG
APPROVED	RDG
DATE	1/24/14
SCALE	1"=60'
FIGURE NO.	-

Galli engineering, P.C.
734 Walt Whitman Road, Suite 402A
Melville, New York 11747