

BROWNFIELD CLEANUP PROGRAM DECISION DOCUMENT

River Park Center Site City of Yonkers, Westchester County, New York Site No. C360083

Statement of Purpose and Basis

This Brownfield Cleanup Program (BCP) Decision Document presents the remedy approved by the Department of Environmental Conservation (Department) for the River Park Center Site. The approved remedial program was chosen in accordance with Article 27 Title 14 of the New York State Environmental Conservation Law and the 6 NYCRR 375 regulations relative to the BCP.

Description of the Site

The 12.95 acre River Park Center BCP Site is located in the City of Yonkers, Westchester County, and consists of 57 parcels which were formerly referred to as Chicken Island (collectively, the "Site"). See Figure No. 1. The Site is bounded to the west by New Main Street, to the north by Palisades Avenue and Elm Street, and to the east and the south by Nepperhan Avenue. The main Site features include one and two story buildings, a five story building, and parking lots/internal roadways. Approximately 1,500 linear feet of the Saw Mill River traverses the southern and western portions of the Site.

Nature and Extent of Contamination

Contamination was identified by the remedial investigation of this Site, which has been determined not to be a significant threat to public health and the environment. The remedial program for the Site, however, will require remediation of the contamination as described below:

Nature of contamination: The contamination at the Site is attributed to various industries that previously occupied the Site. Contaminants of concern include metals, volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs).

Extent of contamination:

- Surface and subsurface soil have been impacted by several metals. Mercury and chromium are present above cleanup objectives at the greatest frequency. Several SVOCs were detected including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, dibenzo[a,h]anthracene, chrysene and indeno(1,2,3-cd)pyrene. Pesticides and PCBs were also detected in several surface soil samples.
- Groundwater sampling revealed elevated concentrations of VOCs, SVOCs, PCBs, and metals. VOCs included benzene, toluene, ethylbenzene, xylene, Methyl tert-Butyl Ether (MTBE), tetrachloroethene and trichloroethene. Petroleum related SVOCs included benzo(a)anthracene, benzo(a)pyrene, 2,4 dimethylphenol, 2-methylnaphthalene, naphthalene,

and dibenzofuran. No floating product was found during monitoring well sampling.

- The remedial investigation included soil vapor sampling and analysis. One soil vapor point contained tetrachloroethene at a concentration of 286 $\mu\text{g}/\text{m}^3$. The sample point was located in the grassy area along Palisade Avenue.
- Nine underground storage tanks (USTs), ten aboveground storage tanks (ASTs), abandoned containers of chemicals and other waste materials have been identified at the Site.

Description of Selected Remedy

Based on the results of the Alternatives Analysis and the criteria identified for evaluation of alternatives, the NYSDEC has selected a Track 4 remedial program. The components of the remedy set forth in the Remedial Work Plan, and shown on the *January 2008 Soil Removal Limits Plan*, are as follows:

1. A remedial design program will be implemented to provide the details necessary for the soil remediation (e.g. soil excavation, stockpiling, backfilling, disposal); the lateral limits of the site's cover system (e.g., asphalt, concrete, soil cover); and vapor barrier. The vapor barrier system will consist of a passive sub-slab depressurization system capable of being retrofitted with an active soil vapor mitigation system, for all enclosed structures constructed on-site.
2. A stormwater pollution prevention plan (SWPPP) that satisfies the requirements of SPDES General Permit for Stormwater Discharges from Construction Activities (GP-02-01) and Article 15, Protection of Waters (Excavation & Fill).
3. Nine USTs and ten ASTs will be removed, as well as any additional tanks discovered during the remedial action. Further investigation will be conducted during the remedial action (e.g., ground penetrating radar or magnetometer survey) to confirm and/or locate the extent of underground tanks/piping systems. All piping associated with the USTs/ASTs will also be removed. All USTs/ASTs will be registered with Westchester County Department of Health upon discovery, if not already registered, and properly closed.
4. Following the removal of the USTs/ASTs, soils will be visually inspected for signs of petroleum impacts and screened for VOCs. Soil excavation will commence and continue based on field evidence of contamination. When the excavation bottom and sidewalls show no petroleum impact based on field observations (i.e., no visible or olfactory contamination, PID readings below 10 ppm), confirmatory soil samples will be collected. Excavation will continue until soil cleanup objectives have been achieved. All material disposed off-site will be properly tracked and manifested for inclusion in the Final Engineering Report (FER).
5. Approximately 5,500 yards of petroleum contaminated soils and 25,000 yards of mercury contaminated soils identified during the remedial investigation are to be removed and disposed off-site properly. Confirmatory samples will be collected from all excavations and excavation will continue until soil cleanup objectives for Commercial use are achieved. Any sources of contamination discovered during the course of this remedial work or

demolition/construction associated with redevelopment will need to be further characterized and remediated, as directed by the Department.

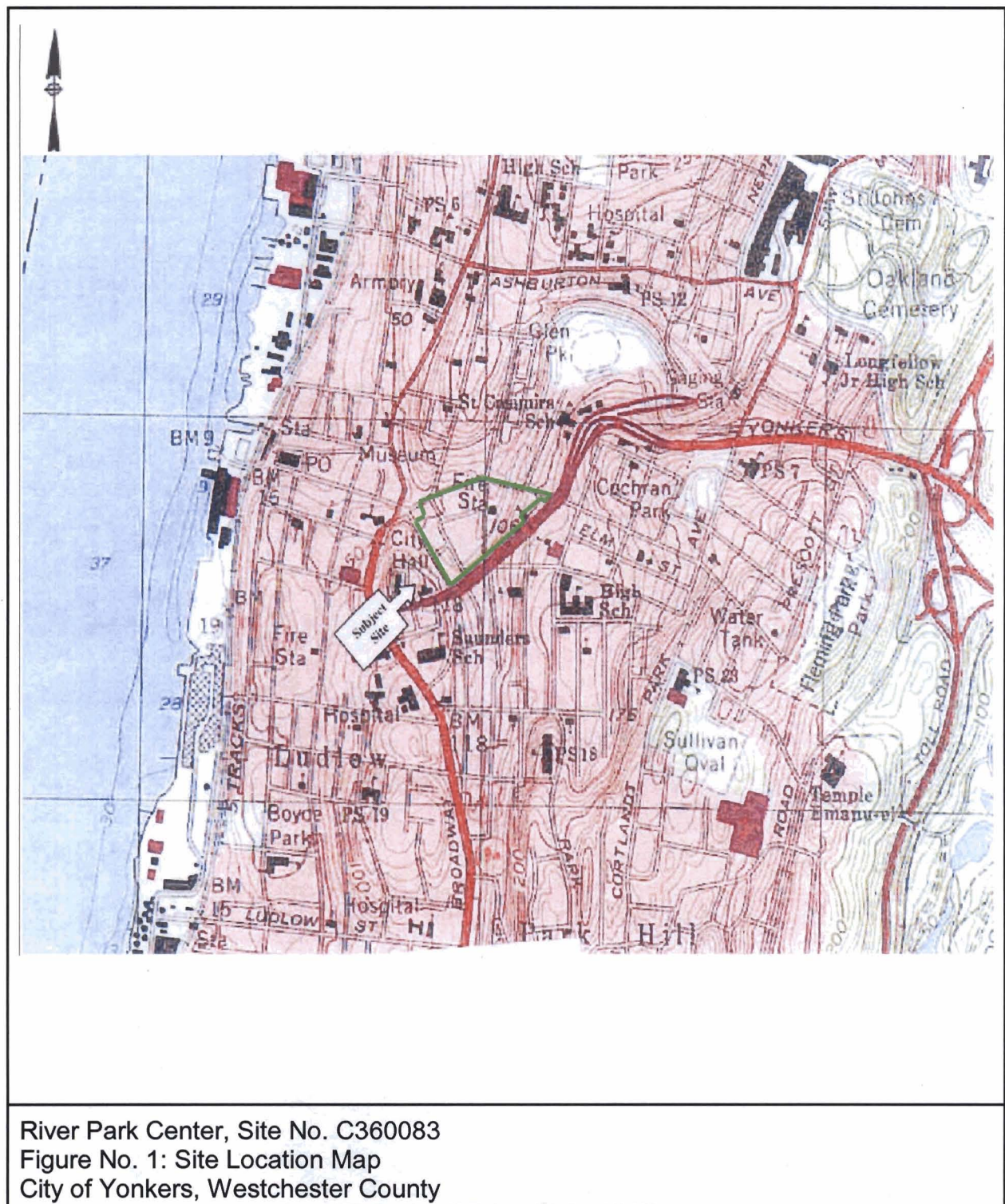
6. A cover system will be constructed to prevent exposure to contaminated soils. The cover will consist of a minimum two-foot thick cover of clean soil (i.e., meets Restricted-Residential soil cleanup objectives), underlain by a demarcation barrier (e.g., geotextile fabric). Buildings, roadways, parking lots, and other paved surfaces will satisfy the cover requirement.
7. Imposition of an institutional control in the form of an environmental easement that will require: (a) limiting the use and development of the property to Restricted-Residential use; (b) compliance with the approved Site Management Plan; (c) restricting the use of groundwater and surface water as a source of potable or process water, without necessary water quality treatment as determined by Westchester County Department of Health; and (d) the property owner to complete and submit to the Department a periodic certification of institutional and engineering controls.
8. Development of Site Management Plan (SMP) will include the following institutional and engineering controls: (a) management of the final cover system to restrict excavation below the soil cover's demarcation layer, pavement, or buildings; excavated soil will be tested, properly handled to protect the health and safety of workers and the nearby community, and be managed in a manner acceptable to the Department; (b) continued evaluation of the potential vapor intrusion for any buildings developed on the Site; (c) continued monitoring of groundwater to confirm success of source removal; (d) identification of any use restrictions on the Site; and (e) provisions for the continued proper operation and maintenance of the remedy. The remedial party has indicated intentions to relocate and "daylight" portions of the Saw Mill River. Should this project be pursued, all applicable permits will be obtained, all soils managed properly (i.e., per the SMP), and all engineering controls (i.e., erosion/sediment controls) maintained.
9. The property owner will provide a periodic certification of institutional and engineering controls, prepared and submitted by a professional engineer or such other expert acceptable to the Department, until the Department notifies the property owner in writing that this certification is no longer needed. This submittal will: (a) contain certification that the institutional controls and engineering controls put in place are still in place and are either unchanged from the previous certification or are compliant with Department approved modifications; (b) allow the Department access to the Site; and (c) state that nothing has occurred that will impair the ability of the control to protect public health or the environment, or constitute a violation or failure to comply with the SMP unless otherwise approved by the Department.

Declaration

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action and will allow for the identified use of the site. This remedy utilizes permanent solutions and alternative treatment to the maximum extent practicable, and satisfies the preference for remedies that reduce remove or otherwise treat or contain sources of contamination and protection of groundwater.

Date June 26, 2008

Director
Remedial Bureau C
Division of Environmental Remediation



S.P.C.S. (NAD-83) New York East



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| REMEDIAL ACTION WORK PLAN | |
| STRIVER FIDELCO, CAPPELLI, LLC | |
| RIVER PARK CENTER PROJECT | |
| CITY OF YONKERS, WESTCHESTER COUNTY, NEW YORK | |
| DATE PREPARED | 06/15/06 |
| DESIGNED BY | SES |
| DRAWN BY | YJ |
| CHECKED BY | YJ |
| PROJECT NO. | 7100 |
| DATE | 06/15/06 |

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|---|--|
| SOIL REMOVAL LIMITS PLAN | |
| SES | |
| SOILS / FOUNDATIONS | |
| SITE DESIGN | |
| APPROXIMATE LIMITS OF ANTICIPATED UNDERGROUND STORAGE TANK EXCAVATION | |

- LEGEND:**
- REMEDIAL ACTION WORK PLAN
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Scale 1" = 40'

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STATE OF NEW YORK DEPARTMENT OF HEALTH

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Richard F. Daines, M.D.
Commissioner

Wendy E. Saunders
Chief of Staff

June 24, 2008

Mr. Dale Desnoyers, Director
Division of Environmental Remediation
NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12233-7011

Re: **Remedial Work Plan and
Remedial Investigation Report**
River Park Center
Site # C360083
Yonkers (c), Westchester County

Dear Mr. Desnoyers:

Staff reviewed the December 2007 *Remedial Work Plan and Remedial Investigation Report* for the referenced site. I understand that historic industrial use of this site included chemical and paint manufacturers, a hat factory, brewery, and gas stations. Site investigations determined that on-site groundwater and soil are contaminated with volatile and semi-volatile organic compounds, PCBs, pesticides and metals.

The selected remedy for the site includes the removal and off-site disposal of underground storage tanks, above ground storage tanks and associated contaminated soil. The majority of the site will be covered with building slabs, sidewalks, roadways and parking lots. Green space areas will be covered by two feet of clean soil underlain by a demarcation layer. Future buildings constructed at the site will have a vapor barrier and a passive sub-slab depressurization system capable of being retrofitted to active operation if future testing indicates the potential for soil vapor intrusion. Institutional controls will be placed on this site in the form of an environmental easement limiting the property to restricted-residential use, restricting the use of groundwater and surface water as sources of potable or process water without necessary water quality treatment as determined by the Westchester County Department of Health, and requiring compliance with the approved Site Management Plan (SMP). The operation, maintenance and monitoring component of the SMP will require that the property owners provide periodic certification that the components of the remedy are in place and remain effective.

Based on that review, I believe the selected remedy will be protective of public health and concur with it. If you have any questions, please contact me at (518) 402-7880.

Sincerely,

Steven M. Bates, Assistant Director
Bureau of Environmental Exposure Investigation