DECISION DOCUMENT

Granite Pointe Subdivision-OFF-SITE
Brownfield Cleanup Program
Somers, Westchester County
Site No. C360107A
February 2013

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

DECLARATION STATEMENT - DECISION DOCUMENT

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Somers, Westchester County
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Statement of Purpose and Basis

This document presents the remedy for the Granite Pointe Subdivision-OFF-SITE 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 Granite Pointe Subdivision-OFF-SITE 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:

1. A remedial design program will be implemented to provide the details necessary for the construction, operation, maintenance, and monitoring of the remedial program. The design will include sampling to better delineate the horizontal and vertical depth of contamination in the northern and eastern portions of the site. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

•Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
•Reducing direct and indirect greenhouse gas and other emissions;
•Increasing energy efficiency and minimizing use of non-renewable energy;
•Conserving and efficiently managing resources and materials;
•Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
•Maximizing habitat value and creating habitat when possible;
•Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
•Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. Prior to remediation, a soil erosion and sediment control plan will be developed to

prevent surface water run-off from transporting contamination from the site. The plan will be developed to protect natural resources including the Amawalk Reservoir. The Town of Somers Planning Board, NYCDEP and other applicable agencies will be consulted during the development of the plan to ensure all substantial requirements are met.

3. All on-site soils which exceed unrestricted SCOs, as defined by 6 NYCRR Part 375-6.8, will be excavated and transported off-site for disposal. Approximately 7,100 cubic yards of soil will be removed. Clean fill meeting the requirements of DER-10, Appendix 5 will be brought in to replace the excavated soil and establish the designed grades at the site.

4. Particulates and dust will be monitored and corrective measures implemented, as necessary, pursuant to a Department approved Community Air Monitoring Plan. Excavations, stockpiles, access roads, and other work areas associated with the remedial program within the site will be free from dust and particulates that may result in exposure or a nuisance to the neighboring community.

5. All areas will have confirmatory sampling to ensure that the required excavation have achieved Track 1 SCOs.

6. Site restoration activities will follow remediation to return the site to original grade. All soil to be used as backfill will meet the SCOs for unrestricted use. Restoration will include appropriate erosion controls, etc. to support re-vegetation of the disturbed area(s).

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.

February 19, 2013
Date

George Heitzman, Acting Director
Remedial Bureau C

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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 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 repositories:

NYSDEC Region 3 Office
Attn: Please call for an appointment
21 South Putt Corners Road
New Paltz, NY 12561
Phone: 845-256-3154

Somers Public Library
80 Primrose Street
Katonah, NY 10589
Phone: 914-232-5717

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 in Somers, Westchester County and is approximately 1.9 acres in size. The site is a portion of a New York City Department of Environmental Protection buffer zone for the Amawalk Reservoir, that represents an off-site area of a Brownfield Cleanup Program (BCP) site identified as lots 10-13 in the proposed Granite Pointe subdivision. The site is mainly wooded with a few clear grass patches of land. A rock wall borders the western end of the site and the Amawalk Reservoir borders the eastern portion of the site.

Current Use: The site is undeveloped, and serves as a buffer between developed areas and the Amawalk Reservoir.

Surrounding Uses: The Amawalk Reservoir is located due east of the site and Tomahawk Street is located to the west. Residential properties are located to the north and south. The Granite Pointe subdivision, a planned single family residential development will be located to the west.

Past Use of the Site: Trap shooting and target shooting were conducted on the adjacent BCP site from 1938 to 1968. These activities have contaminated the ground surface and soils with lead. A Remedial Investigation (2003-2007) and a Pre-Design Delineation Study (2009) have been completed for the BCP site and a remedy has been identified.

Site Geology and Hydrogeology: Bedrock was not encountered in any of the environmental investigations conducted at the BCP site or as part of the BCP off-site remedial program. Zones of weathered bedrock were observed. Soil consists of mostly brown, fine to medium-sand with some silt, clay, and fine gravel. Some intervals of fine sand/silt/clay mixtures were encountered. Regional lithology is classified as glacial till. Groundwater flow is generally east-northeasterly toward the Amawalk Reservoir. The depth to groundwater at the site ranges from 1 foot below ground surface (bgs) to 6 feet bgs.

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

After review of the search effort documentation performed by DER staff, the Office of General Counsel has determined that reasonable efforts were unable to secure responsible party participation at this site. A State Superfund remedial program has been recommended for the site.

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
- surface water
- soil
- sediment

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:

LEAD ANTIMONY

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

- 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.

Nature and Extent of Contamination: Based on investigations conducted to date, the primary contaminants of concern are lead and antimony.

Soil - A total of 35% of the soil samples collected had lead concentrations exceeding the unrestricted soil cleanup objective (SCO) of 63 parts per million (ppm). The maximum concentration of lead detected during the investigation was 60,600 ppm. The highest concentrations of lead contamination were located in the top foot of soil in the central, western, and northern areas of the site with exceedances of the SCOs at four feet bgs. Additional investigation is needed to fully delineate the horizontal and vertical extent of soil contamination.

Groundwater, sediment, and surface water data showed no exceedances of SCGs.

Special Resources Impacted/Threatened: The Amawalk Reservoir is adjacent to the site. Investigative data, including surface water and sediment samples collected to date, suggests that the lead contamination in soil has not adversely impacted the reservoir.

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.*

Contact with contaminated surface soil is possible because site access is unrestricted.

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:

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.
- Prevent impacts to biota from ingestion/direct contact with soil causing toxicity or impacts from bioaccumulation through the terrestrial food chain.

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 and Off-Site Disposal remedy.

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

1. A remedial design program will be implemented to provide the details necessary for the construction, operation, maintenance, and monitoring of the remedial program. The design will include sampling to better delineate the horizontal and vertical depth of contamination in the northern and eastern portions of the site. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

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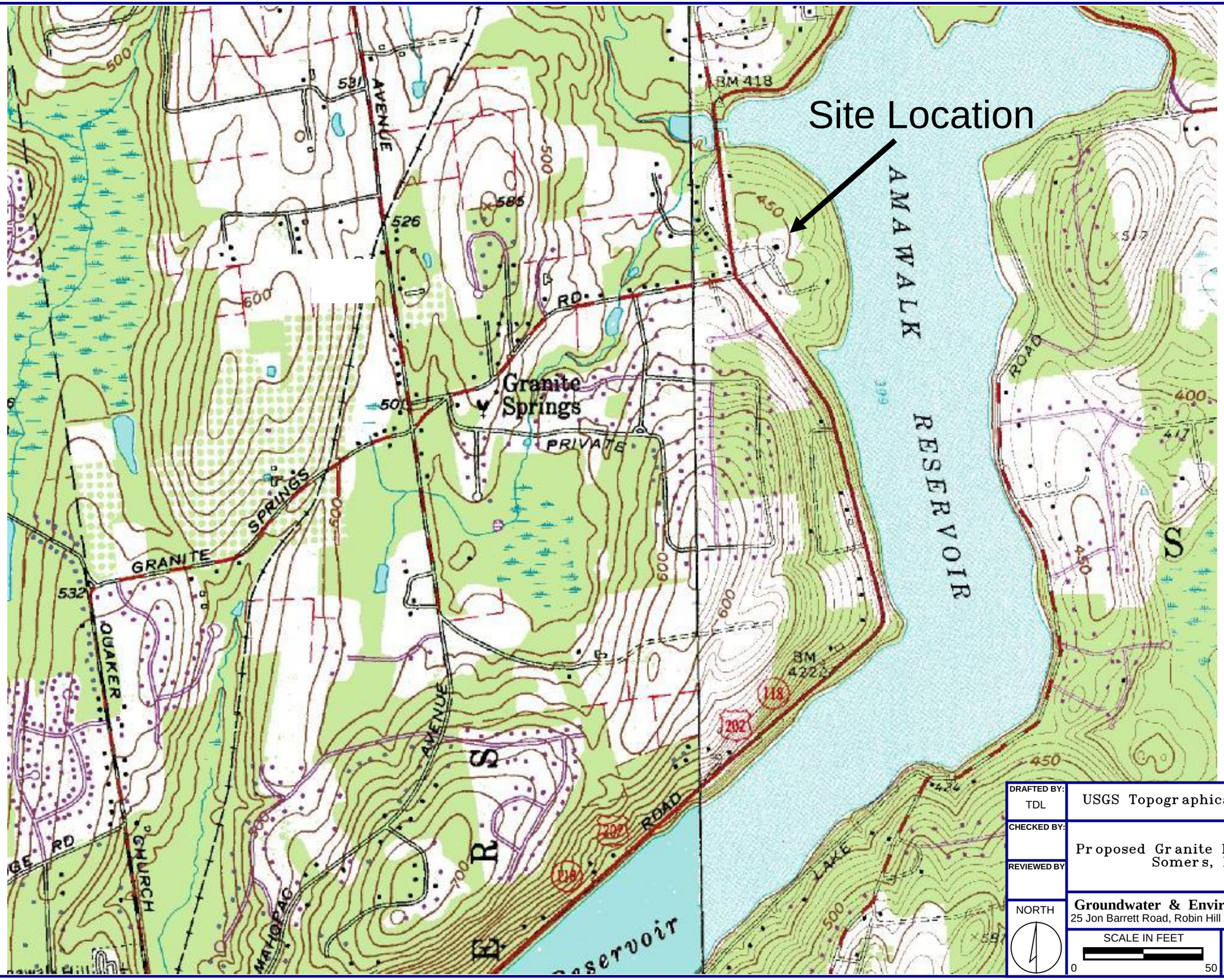
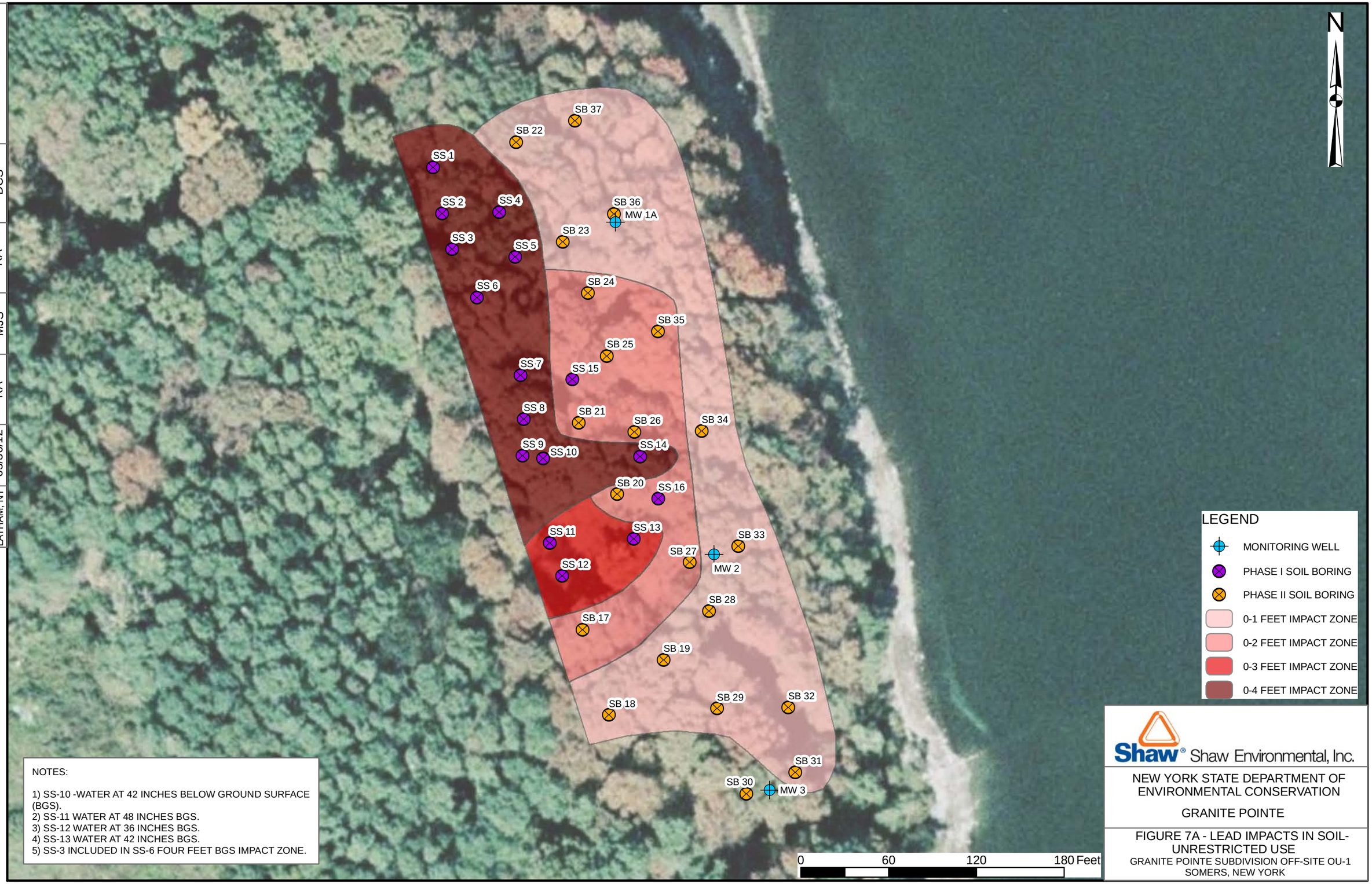


DRAFTED BY: TDL	USGS Topographical Quadrangle Map
CHECKED BY:	Proposed Granite Pointe Development Somers, New York
REVIEWED BY	**Groundwater & Environmental Services, Inc.** 25 Jon Barrett Road, Robin Hill Corp. Park, Patterson, NY 12563
NORTH	SCALE IN FEET: 0 – 50 / DATE: 12-10-07 / FIGURE: 17

DRAWING NUMBER	134685-14B10
APPROVED BY	DCS
CHECKED BY	RA
DRAWN BY	MJS
DESIGNED BY	RA
DATE	05/30/12
OFFICE	LATHAM, NY



LEGEND

- MONITORING WELL
- PHASE I SOIL BORING
- PHASE II SOIL BORING
- 0-1 FEET IMPACT ZONE
- 0-2 FEET IMPACT ZONE
- 0-3 FEET IMPACT ZONE
- 0-4 FEET IMPACT ZONE

NOTES:

1) SS-10 -WATER AT 42 INCHES BELOW GROUND SURFACE (BGS).
2) SS-11 WATER AT 48 INCHES BGS.
3) SS-12 WATER AT 36 INCHES BGS.
4) SS-13 WATER AT 42 INCHES BGS.
5) SS-3 INCLUDED IN SS-6 FOUR FEET BGS IMPACT ZONE.

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

GRANITE POINTE

FIGURE 7A - LEAD IMPACTS IN SOIL-UNRESTRICTED USE

GRANITE POINTE SUBDIVISION OFF-SITE OU-1
SOMERS, NEW YORK

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Figure 3

Granite Pointe On-site and Granite Pointe Off-site Locations