

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Remedial Bureau C

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Transmitted Via Email Only

September 30, 2022

Ms. Yelena Skorobogatov -Project Manager
Consolidated Edison Company of New York Inc.
31-01 20th Avenue, Bldg. 136, 2nd Floor
Long Island City, NY 11105-2048
SkorobogatovY@coned.com

Re: Former Ossining Gas Works
Ossining, Westchester County
Site No.: 360172
Operable Unit 1 (OU-1) Alternatives Analysis Report (AAR)

Dear Ms. Skorobogatov:

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has reviewed the Former Ossining Works Site's OU-1 Alternatives Analysis Report (AAR), prepared by Arcadis of New York, Inc., dated December 2020. In accordance with 6 NYCRR Part 375-1.6(d)(3), the Department requests further modification of the AAR to address the following comments:

1. Please be advised per DER-31 policy, green remediation principles and techniques are to be implemented to the extent feasible in the design, implementation, and site management of a site remedy. The Department understands the Village of Ossining Board of Trustees has adopted a resolution designating Wilder Balter Partners, Inc. as the preferred developer for a portion of the Ossining MGP Site's Operable Unit 1 (OU-1). It is our understanding their proposed redevelopment plans include the construction of a parking garage and multi-use building that will require excavation to 15-20 feet below grade to construct a basement as required by its location in the floodplain.

Therefore, in consideration of DER-31, the Department requires the evaluation of an additional alternative proposing the targeted removal of subsurface soils containing contaminants of concern (COCs) at concentrations greater than 6 NYCRR Part 375-6 restricted residential Soil Cleanup Objectives (SCOs) and/or impacted soil that meets the criteria as MGP source material to a depth of up to 20 feet below grade, or to the depths required for the structures or supports by the developer's construction design. The alternative should also include ISS treatment for subsurface soils containing MGP-related impacts at greater depths beyond what is required to construct the buildings (i.e., to depths up to 34 feet below grade, as outlined in the current Alternative 3). This alternative should include the same



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long-term groundwater/NAPL monitoring, institutional controls, and Site Management Plan (SMP) components as outlined in the current Alternatives 2 and 3.

Please note, as discussed during our call on September 8, 2022, the Department will not approve any construction which has the potential to impact or degrade the integrity of ISS remedy components. Therefore, ConEd's team should coordinate with the developer's team to ensure the proposed remedial alternative and development meet these conditions.

2. Please revise Alternative 3 to expand the proposed ISS limits to fully include the location of SB-25 and the locations of SB-21, SB-22, SB-22A, where evidence of coal tar impacts at depth were noted in the site's Remedial Investigation Report (i.e., summarized in Table 2). Revise applicable texts and figures accordingly.
3. The current Alternative 4 depicts the excavation of the two former gas holders south of Kill Brook. Have any borings been completed within the footprints of these two former gas holders or the former gas holder located north of sediment sample SS-04? If not, the Department requires additional sampling at these locations to confirm the presence of MGP impacts.
4. Please provide cross-sectional drawings identifying the boring locations with identified MGP impacts overlain with the developer's proposed building structures, supports, etc.
5. Please note a site cover will be required as a component of the final remedy for OU-1. This cover will be required to allow for restricted-residential use of the site, and to protect the ISS component of the remedy. Please revise current Alternatives 2 and 3 to incorporate the establishment of a site cover. Please note a site cover can consist of buildings, paved surface parking areas, sidewalks or soil where the upper two feet of exposed surface soil meets the applicable SCOs for restricted residential use. If sufficient shallow soil sampling (i.e., top 2 feet below grade) has not been conducted to determine the necessary extent of the site cover, additional sampling may be required.
6. It is the Department's understanding the bridge depicted on several figures (i.e., Figures 2-4, 7-16) is no longer in existence. Please confirm and if necessary, revise the applicable figures accordingly.

In accordance with 6 NYCRR Part 375-1.6(d)(3) should ConEd elect to revise the AAR, please notify the Department within 15 days of receipt of this letter and provide a revised AAR incorporating the Department's comments within 30 days of receipt of this letter. In your response, include itemized responses to the above comments, a redline and strikeout version showing the modifications made to address the above comment and the final duly certified AAR.

If you have any questions or wish to discuss any of the above, please feel free to contact me at 518-402-9717 or rachel.savarie@dec.ny.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Rachel Savarie', with a stylized, flowing script.

Rachel Savarie, P.E.
Project Manager
Section B, Remedial Bureau C

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