Consolidated Edison Company
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February 28, 2023

Transmitted Via Email

Ms. Rachel Savarie, P.E.
Project Manager
Section B, Remedial Bureau C
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, New York 12233-7014

Re: Consolidated Edison Company of New York, Inc.
Former Ossining Gas Works
Draft OU-1 Alternatives Analysis Report
NYSDEC Site#360172

Dear Ms. Savarie:

This letter presents Consolidated Edison Company of New York, Inc.'s (Con Edison's) responses to the New York State Department of Environmental Conservation's (DEC's or the Department's) comments on the Draft Operable Unit 1 (OU-1) Alternatives Analysis Report (AAR) for the above-referenced site (Arcadis, December 2020). The DEC provided its comments in a letter to Con Edison dated September 30, 2022. Con Edison's approach for responding to the DEC's comments was discussed during a February 7, 2023 conference call between the DEC, Con Edison, and Arcadis. In addition, as requested in a DEC email to Con Edison dated February 9, 2023, a revised AAR addressing the Department's Comment 6 is enclosed with this letter.

For ease of review, each DEC comment is presented below in italics followed by Con Edison's response.

NYSDEC Comment 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

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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 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.

Response 1: As the DEC is aware and based on public information, the Village of Ossining has partnered with WB 30 Water Street, LLC (WB 30 Water Street) to redevelop the OU-1 parcels. As discussed with the Department, Con Edison is committed to working with the developer to coordinate the concurrent development and implementation of the remediation and redevelopment construction plans (which are subject to change and may not include a basement) that:

- where feasible, incorporate green remediation principals and techniques into the design, implementation, and site management for the selected site remedy,
- eliminate the need for additional alternative evaluation, and
- incorporate measures to protect ISS remedy components.

NYSDEEC Comment 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.*

Response 2: As discussed in the Draft AAR, ISS treatment efforts are intended to target subsurface soil containing significant quantities of non-aqueous phase liquids (NAPL) and manufactured gas plant (MGP) residuals. For the purposes of the Draft AAR, "significant quantities" was intended to refer to NAPL-saturated soil or soil containing potentially mobile NAPL identified based on review of soil boring logs, analytical results for benzene, toluene, ethylbenzene, and xylene (BTEX) and polynuclear aromatic hydrocarbons (PAHs), and photoionization detector (PID) screening results. During the preparation of the Draft AAR, the MGP-related impacts identified at boring locations SB-21, SB-22, SB-22A, and SB-25 (generally reported as staining and sheens) were not judged to indicate significant quantities of NAPL or MGP residuals.

As discussed in Section 7 of the Draft AAR, Con Edison anticipates that a pre-design investigation (PDI) will be conducted as part of the remedial design process to evaluate

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areas of the site that were inaccessible at the time of the remedial investigation (RI). As discussed with the Department, Con Edison proposes that as part of this PDI, additional soil borings be completed in the vicinity of existing soil boring locations SB-21, SB-22, SB-22A and SB-25 to confirm the appropriate ISS limits.

NYSDEC Comment 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.*

Response 3: At the time of the RI, the area in the vicinity of the two former gas holders located in the southwest portion of the site was not accessible due to storage of yard waste and other materials as part of the former Village of Ossining Department of Public Works (DPW) use of the site. In addition, the footprint of the former gas holder located north of sediment sample location SS-4 is mostly covered by the former DPW garage building. As discussed with the Department, additional soil borings will be completed in these locations as part of the PDI to evaluate potential subsurface impacts.

NYSDEC Comment 4: *Please provide cross-sectional drawings identifying the boring locations with identified MGP impacts overlain with the developer's proposed building structures, supports, etc.*

Response 4: As discussed with the Department, Con Edison agrees that these cross-sectional drawings can be a helpful component of the future remedial design for the selected remedy if WB 30 Water Street proceeds with a redevelopment project. Currently, Con Edison does not have enough information regarding the proposed redevelopment plans (which are subject to change) to prepare these cross sections. In addition, at this time, this information may not be appropriate or useful for inclusion in the AAR, which was developed as a document independent of WB 30 Water Street's potential redevelopment plans.

NYSDEC Comment 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.*

Response 5: Both Alternative 2 and 3 include the excavation of known areas where constituents of concern exceed restricted residential soil cleanup objectives (RRSCOs) or contain significant quantities of NAPL to a depth of up to five feet. The recommended alternative (Alternative 3) also includes excavation to a depth of at least five feet across

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the proposed ISS treatment areas to remove shallow obstructions and allow for material bulking due to ISS treatment reagents. As discussed with the Department, Con Edison agrees that a soil cover to protect the integrity of the treated ISS material is an important consideration to be included in the remedial design as necessary depending on the final development plans, which will likely also include building slabs and other pavement across the property. Therefore, as discussed with the Department, revising the AAR at this time is not necessary.

NYSDEC Comment 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.*

Response 6: The applicable figures will be revised as requested and included in the revised AAR.

Please feel free to contact me at (917) 658-6715 or skorobogatovy@coned.com should you have any questions regarding this submittal.

Very truly yours,

Y. Skorobogatov

Yelena Skorobogatov
Technical Specialist
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Enc.

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