

*Principals*

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June 5, 2025

*via email:* matthew.hubicki@dec.ny.gov

New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, Albany, New York 12233

RE: 120 & 130 Midland Avenue  
NYSDEC BCP C360195  
Port Chester, New York  
SESI Project No. 12365C

Dear Mr. Hubicki:

The scope of work described below details the planned development for 120 Midland Ave, Port Chester, New York which is located on Site No. C360195 (the "Site") that achieved a Track 4 Commercial Use remedy in December 2023 in the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP).

After completion of the remedial work, some contamination was left at this site, which is referred to as "remaining contamination". Institutional and Engineering Controls (ICs and ECs) have been incorporated into the site remedy to control exposure to remaining contamination to ensure protection of public health and the environment. An Environmental Easement was granted to the NYSDEC and recorded with the Westchester County Clerk, which requires compliance with the NYSDEC-approved Site Management Plan ("SMP") and all ICs and ECs placed on the site.

## **1.0 SUMMARY OF ENVIRONMENTAL CONDITIONS**

The Site has achieved a Track 4 remedy and received a Certificate of Completion (COC) on December 29, 2023. Soils were excavated down to approximately 4 ft-bgs beneath footprint of the existing Floor and Decor building located on the portion of the Site designated as 130 Midland Avenue (See C-1). Eighteen (18) documentation end-point samples were collected at a minimum frequency of 1 per 5,000 ft<sup>2</sup> in each grid in accordance with Interim Remedial Measures Work Plan and analyzed for Target Compound List (TCL)/Target Analyte List (TAL)+30 and per- and

polyfluoroalkyl substances (PFAS). End-point documentation samples identified Commercial SCO exceedances benzo(a)pyrene in nine (9) samples, barium in two (2) samples, cadmium in one (1) sample, and PCBs in one (1) sample.

Exposure to remaining contamination at the Site is prevented by an engineered composite cover system (CCS) placed over the Site. A cover system was installed to prevent exposure to remaining soil contamination. Approximately 5.90 of 6.195 acres of the Site was covered by at least four (4) inches of concrete or asphalt. Approximately 0.29 acres in the southwestern portion of the Site was capped with 12 inches of clean soil meeting the Commercial SCO. Figure 3.1 of the SMP presents the Site capping Plan, and Figure 3.2 of the SMP presents Site Demarcation Plan (attached). The cap is inspected annually and the observations are presented in the annual PRR.

## **2.0 DESCRIPTION OF WORK TO BE PERFORMED**

The following is a summary of work to be performed to redevelop the portion of the Site designated as 120 Midland Avenue. All work performed per the scope of work below will be conducted in general accordance with the Excavation Work Plan (EWP) that is included in Appendix D of the SMP for the Site. The detailed development is depicted on engineering drawings C-1- Cover Sheet, C-10 Removal Plan, C-101 Site Plan, C201 Striping & Sign Plan, C-301 Grading and Utility Plan, C-401 Erosion & Sediment Control Plan, C-501 Details, C502 Details, C503 Details, L101 Landscape Plan, L102 Details, and LP-101 Lighting Photometric Plan, prepared by DTS Provident Design Engineering, LLP. Specifically, the development work includes the following.

- A. Excavation of the existing asphalt cap.
- B. Excavation for foundations and utilities.
- C. Excavation for footings and foundation, using ground improvement rapid compaction will be utilized in the building foundation footprint to achieve proper soil density for the structural load.
- D. Utility excavation and landscaped areas will have the required demarcation fabric installed and then clean fill for the top 12-inches.
- E. Installation of a final concrete foundation cap, asphalt cap, and landscaped area cap.

### 3.0 APPLICABLE COMPONENTS OF THE EXCAVATION WORK PLAN (EWP)

- A. **HASP:** A HASP for the Site that was provided in Appendix E of the SMP to provide a mechanism for establishing safe working conditions during remedial action activities. The HASP will be adhered to during all ground intrusive activities.
- B. **Soil Screening Methods:** Soil screening will be performed when invasive work is done and will include all excavation and invasive work performed during development, such as excavations for foundations and utility work as specified in Section C-2 of the EWP.
- C. **Soil Excavation and Staging Methods:** All ground intrusive work will be conducted under the oversight of a Qualified Environmental Professional (QEP) as specified in Section C-4 of the EWP. Excavated soils will either be direct loaded for off-site disposal or stockpiled on site. If stockpiled on Site, the material will be temporarily staged in stockpiles and managed as specified in Section C-3 of the EWP. The contractor will place a call to the "Call Before You Dig" number prior to the start of work to mark out the subsurface utilities in the work areas.
- E. **Soil Testing:** The soils planned for off-site disposal will be tested per the receiving facility requirements. The sampling will be conducted either in-situ prior to start of excavation or from the excavated soils stockpiles.
- F. **Materials Transport Off-Site:** Per Section C-5 of the EWP transport of all materials will be performed by licensed haulers in accordance with appropriate local, State, and Federal regulations, including 6 NYCRR Part 364. Haulers will be appropriately licensed and trucks properly placarded. Per Section C-6 of the EWP all material excavated and removed from the Site will be treated as contaminated and regulated material and will be transported and disposed off-Site in a permitted facility in accordance with all local, State and Federal regulations. If disposal of material from this Site is proposed for unregulated off-Site disposal (i.e. clean soil removed for development purposes), a formal request with an associated plan and approval by the NYSDEC project manager. Estimated quantities and a breakdown by class of disposal facility and disposal facilities approvals will be obtained and presented to NYSDEC prior to removal.
- G. **Materials Reuse On-Site:** Re-use of materials is not anticipated. However, if re-use of on-site material is desired, the requirements of Section C-7 of the EWP will be adhered to.
- H. **Fluid Management:** The planned excavation is shallow and therefore, groundwater extraction and treatment is not anticipated. However, if encountered, the requirements of Section C-8 of the EWP will be adhered to.

- I. **Cover System Restoration:** After the completion of soil removal and any other invasive activities the cover system will be restored in a manner that complies with the decision document and Section C-9 of the EWP.
- J. **Backfill from Off-site Sources:** All materials proposed for import onto the Site will be approved by the qualified environmental professional, as defined in 6 NYCRR Part 375, and will be in compliance with provisions in Section C-10 of the EWP prior to receipt at the Site. A Request to Import/Reuse Fill or Soil form, which can be found at <http://www.dec.ny.gov/regulations/67386.html>, will be prepared and submitted to the NYSDEC project manager allowing a minimum of 5 business days for review.
- K. **Stormwater Pollution Prevention:** Erosion control measures for the Site are specified in the C-401 Erosion & Sediment Control Plan and as required in Section C-11 of the EWP.
- L. **Excavation Contingency Plan:** If underground tanks or other previously unidentified contaminant sources are found during post-remedial subsurface excavations or development related construction, excavation activities will be suspended until sufficient equipment is mobilized to address the condition. The NYSDEC project manager will be promptly notified of the discovery as required in Section C-12 of the EWP.
- M. **CAMP Monitoring:** The Community Air Monitoring Plan (CAMP) provided in Appendix E of the SMP and Section C-13 of the EWP will be implemented per NYSDEC requirements during all ground intrusive work. This will require air monitoring equipment to be set up both upwind and downwind of the work area.
- N. **Odor and Dust Control Plan:** All necessary means will be employed to prevent on- and off-Site nuisances. Provision of Section C-14 and C-15 of the EWP will be adhered to.
- O. **The SMP will be revised to include the plan of the new cap once the construction is completed.**

#### 4.0 REPORTING

Weekly reports will be submitted to NYSDEC and NYSDOH Project Managers on Monday following the end of the week of the reporting period and will include:

- Activities relative to the Site during the previous reporting period and those anticipated for the next reporting period, including a quantitative presentation of work performed (i.e. tons of material exported and imported);
- Description of approved activity modifications, including changes of work scope and/or schedule;

- Sampling results received following internal data review and validation, as applicable;
- An update of the remedial schedule including the percentage of project completion, unresolved delays encountered or anticipated that may affect the future schedule, and efforts made to mitigate such delays;
- A description of any CAMP exceedances recorded, and actions taken to remedy any exceedances (exceedances will be reported to the NYSDEC and NYSDOH project managers on a daily basis as well), and;
- In addition to the weekly reports, a description of any CAMP, noise, odor, and/or vibration complaints will be reported to the NYSDEC and NYSDOH project managers on a daily basis.

## 5.0 WORK SCHEDULE

The planned development will take 16 months to complete and is scheduled to commence July 1, 2025 and to be completed by October 31, 2026.

Sincerely,

### SESI CONSULTING ENGINEERS



Fuad Dahan, PE  
Principal

#### Attachment:

Figures (Site Capping Plan and Site Demarcation Plan)

N:\PROJECTS\12365C-Port Chester NY\Reports\Development Work Plan\Project#12365C Development Workplan 130 Midland Ave\_2025.06.03  
CLEAN.docx

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## Figures

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N:\ACAD\12365\CADD\12365.DWG SITE CAPPING PLAN (11-08-2023).DWG 11/08/23 04:25:47PM, alan.ward, LAYOUT: FIG-4.4 SITE CAPPING PLAN

LEGEND:

- PROPERTY LINE
- BUILDING SLAB COVER
- ASPHALT COVER AREA
- CONCRETE COVER AREA
- LANDSCAPE COVER AREA

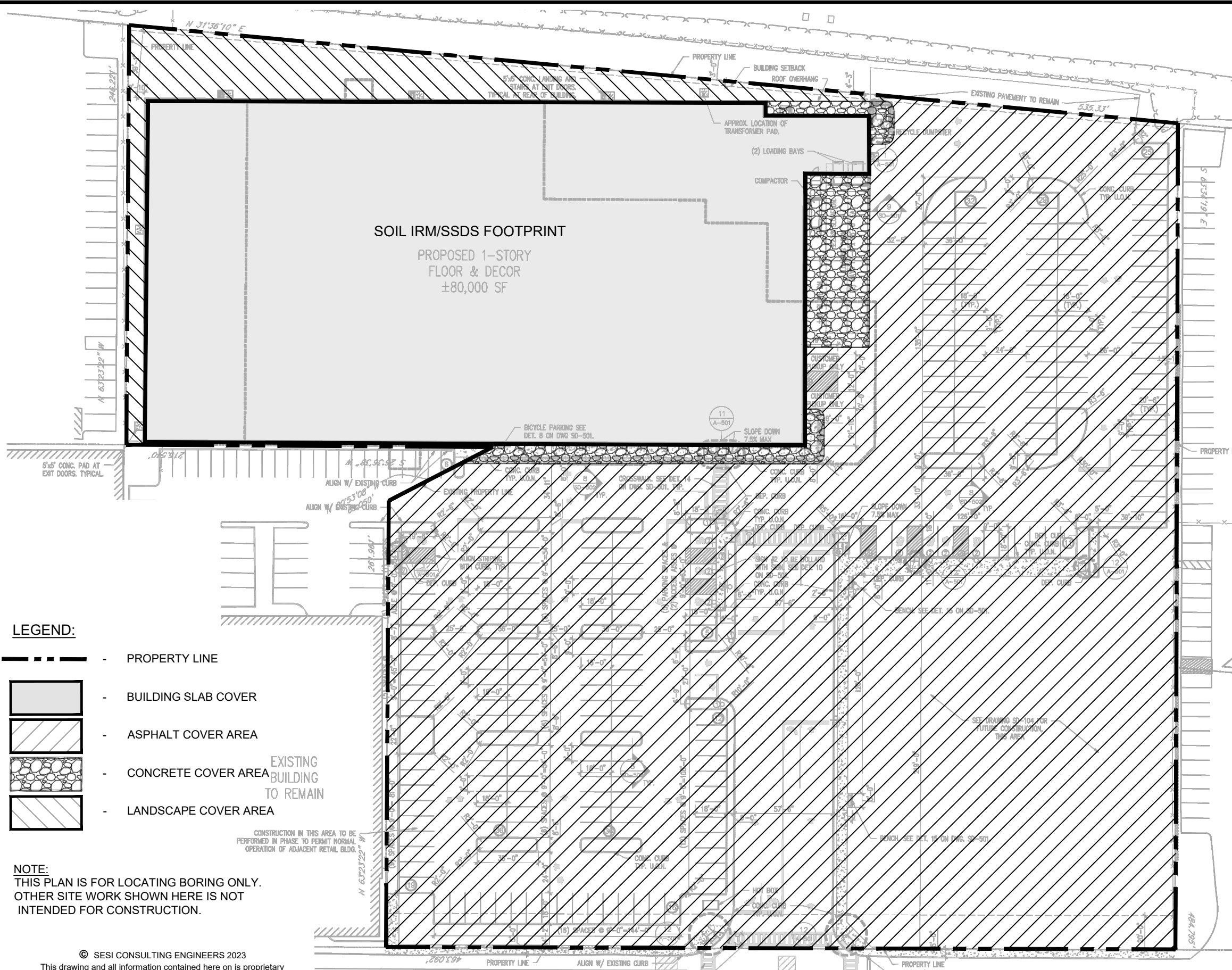
NOTE:  
THIS PLAN IS FOR LOCATING BORING ONLY.  
OTHER SITE WORK SHOWN HERE IS NOT  
INTENDED FOR CONSTRUCTION.

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REFERENCE

- EXIST CONDITIONS & BOUNDARY ARE TAKEN FROM "SITE LAYOUT" PREPARED BY PAPP  
ARCHITECTS 188 EAST POST ROAD, WHITE PLAINS NY 10601, DATED 02-07-2002.



dwg by: AW  
chk by: JM  
scale: AS NOTED  
date: 11/08/2023

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ENGINEERS

GEOTECHNICAL | ENVIRONMENTAL | SITE CIVIL  
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project: 130 MIDLAND AVENUE  
PARCEL #143.53-1-5  
PORT CHESTER, WESTCHESTER COUNTY,  
NEW YORK 10573  
BCP SITE No. C360195

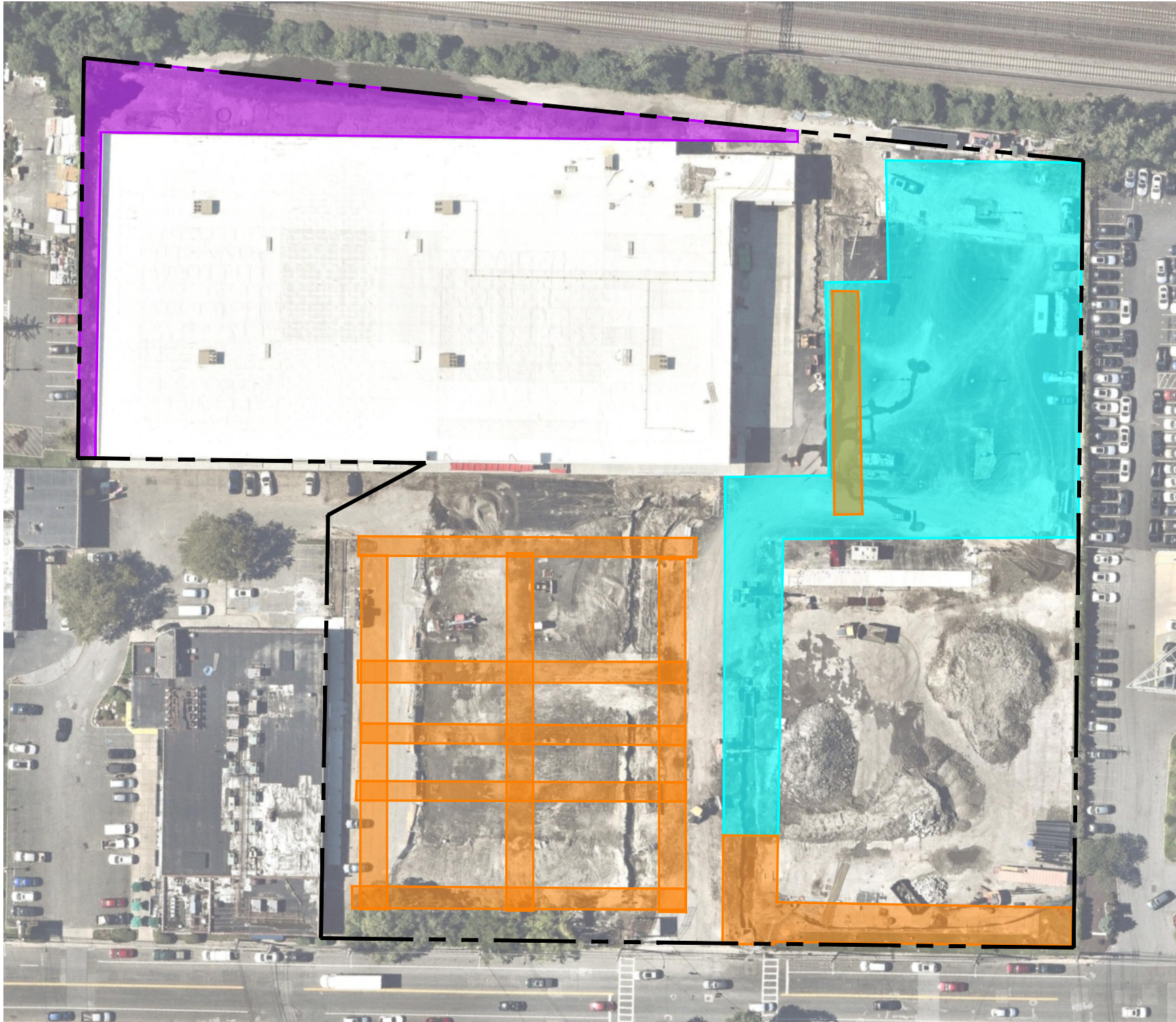
title: SITE CAPPING PLAN

job no: 12365  
drawing no:





FIG-3.1

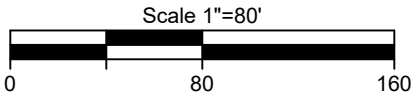


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LEGEND:

-  - ORANGE SNOW FENCE INSTALLED BETWEEN IMPORTED RCA MATERIAL AND SUB-BASE/ASPHALT
-  - LANDSCAPE AREAS WITH ORANGE SNOW FENCE BELOW ONE FOOT OF TOPSOIL MEETING CSCO's
-  - BLACK GEOTEXTILE FABRIC INSTALLED BETWEEN IMPORTED RCA MATERIAL AND SUB-BASE/ASPHALT
-  - PROPERTY BOUNDARY



project: 130 MIDLAND AVENUE  
PARCEL #142.53-1-5  
PORT CHESTER, WESTCHESTER COUNTY,  
NEW YORK 10573  
BCP SITE No. C360195

title:

DEMARCATION PLAN

job no: 12365  
drawing no:

FIG-3.2

Cert of Auth #24GA27934700  
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dwg by: AW  
chk by: JL  
scale: AS NOTED  
date: 11/07/2023