# DECISION DOCUMENT

115 South MacQuesten Parkway
Brownfield Cleanup Program
Mount Vernon, Westchester County
Site No. C360230
April 2025


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

# DECLARATION STATEMENT - DECISION DOCUMENT

115 South MacQuesten Parkway
Brownfield Cleanup Program
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Site No. C360230
April 2025

## Statement of Purpose and Basis

This document presents the remedy for the 115 South MacQuesten Parkway 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 (NYSDEC) for the 115 South MacQuesten Parkway site and the public's input to the proposed remedy presented by NYSDEC.

## Description of Selected Remedy

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. 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 gases 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;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings shall be constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction.

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint analysis will be completed. The environmental footprint analysis will be completed using an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise(TM) (available in the Sustainable Remediation Forum [SURF] library) or similar NYSDEC accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

2. Excavation

The existing on-site building(s) will be demolished and materials which cannot be beneficially reused on site will be taken off-site for proper disposal in order to implement the remedy.

Excavation and off-site disposal of contaminant source areas, including:

- grossly contaminated soil, as defined in 6 NYCRR Part 375-1.2(u);

- soil exceeding the 6 NYCRR Part 371 hazardous criteria for lead;
- soil with visual waste material or non-aqueous phase liquid;
- soil containing total SVOCs exceeding 500 ppm;
- soils which exceed the protection of groundwater soil cleanup objectives (PGWSCOs), as defined by 6 NYCRR Part 375-6.8 for those contaminants found in site groundwater above standards; and
- soils that create a nuisance condition, as defined in Commissioner Policy CP-51 Section G.

Excavation and off-site disposal of all on-site soils which exceed restricted residential, SCOs, as defined by 6 NYCRR Part 375-6.8 in the upper 15 feet across the site. If a Track 2 restricted residential cleanup is achieved, a Cover System will not be a required element of the remedy.

Approximately 12,760 cubic yards of contaminated soil will be removed from the site. The remedial excavation depth will range from 4 ft to 9 ft below ground surface. Collection and analysis of confirmation and documentation samples at the remedial excavation depths will be used to verify that SCOs for the site have been achieved. If confirmation/documentation sampling indicates that SCOs were not achieved at the stated remedial depth, the Applicant must notify DEC, submit the sample results and, in consultation with DEC, determine if further remedial excavation is necessary. Further excavation for development will proceed after confirmation samples demonstrate that SCOs for the site have been achieved.

To ensure proper handling and disposal of excavated material, waste characterization sampling will be completed for all identified contaminated site material. Waste characterization sampling will be performed exclusively for the purposes of off-site disposal in a manner suitable to receiving facilities and in conformance with applicable federal, state and local laws, rules, and regulations and facility-specific permits.

Excavation and removal of any underground storage tanks (USTs), fuel dispensers, underground piping or other structures associated with a source of contamination.

3. Backfill

Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

4. Cover System

A site cover will be required in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs), to allow for future restricted residential use of the site. Where a soil cover is to be used it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components may include, but are not necessarily limited to: pavement, concrete, paved surface parking areas, sidewalks, building foundations and building slabs. If a Track 2 restricted residential cleanup is achieved, a Cover System will not be a required element of the remedy.

5. Soil Vapor Intrusion

As part of the Track 2 Restricted Residential use remedy, a soil vapor intrusion evaluation, including sub-slab vapor and indoor air sampling will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.

6. Engineering and Institutional Controls

Imposition of an institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will achieve a Track 2 restricted residential cleanup at a minimum and will include imposition of a site cover (as a contingency if soil greater than 2 feet but less than 15 feet deep does not meet the restricted residential SCOs).

Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the NYSDEC a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and
- require compliance with the NYSDEC approved Site Management Plan.

7. Site Management Plan

A Site Management Plan is required, which includes the following:

i. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in Remedy Element 6 above.

Engineering Controls: The soil cover discussed in Remedy Element 4 above (if required) and groundwater monitoring wells

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- a provision should redevelopment occur to ensure no soil exceeding protection of groundwater concentrations will remain below storm water retention basin or infiltration structures.
- descriptions of the provisions of the environmental easement including any land or groundwater water use restrictions;
- a provision for evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and NYSDEC notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

ii. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

- monitoring of groundwater to assess the performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the NYSDEC;
- monitoring for vapor intrusion for any buildings on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

iii. an Operation and Maintenance (O&M) Plan to ensure continued operation, maintenance, inspection, and reporting of any mechanical or physical components of the active vapor mitigation system(s). The plan includes, but is not limited to:

- procedures for operating and maintaining the system(s); and
- compliance inspection of the system(s) to ensure proper O&M as well as providing the data for any necessary reporting.

## 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.

April 2, 2025
Date

Sarah Saucier
Sarah Saucier, Director
Remedial Bureau C

# DECISION DOCUMENT

115 South MacQuesten Parkway
Mount Vernon, Westchester County
Site No. C360230
March 2025

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## SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (NYSDEC), 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, where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance, based on the reasonably anticipated use of the property.

NYSDEC 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

NYSDEC 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 NYSDEC in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

DECInfo Locator - Web Application
https://gisservices.dec.ny.gov/gis/dil/index.html?rs=C360230

Mount Vernon Public Library
28 South 1st Avenue
Mount Vernon, NY 10550
Phone: (914) 668-1840

**Receive Site Citizen Participation Information by Email**

Please note that NYSDEC'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 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 1.77-acre site is located at 115 South MacQuesten Parkway, Mount Vernon, New York. The site is comprised of six separate tax lots with different addresses in the City of Mount Vernon and includes 102 South Terrace Avenue, 115 South MacQuesten Parkway, 126 South Terrace Avenue, and 8 Grove Street. The site is bordered on the west by MacQuesten Parkway, on the east by South Terrace Avenue, and on the north by Grove Street. To the South are mixed-use commercial properties along with the MTA Metro-North Railroad New Haven Line.

Site Features: The site is currently unoccupied and consists of parking lots and the foundations of past building structures. The site slopes from an elevation of approximately 100 feet above mean sea level (ft amsl) at the eastern property boundary to approximately 90 ft amsl at the western property boundary.

Current Zoning and Land Use: Zoning for the site is currently labeled as MVW-Hub which allows the highest intensity of development, including residential and commercial, within this zoning district. The area surrounding the site is similar with mixed uses of industrial and commercial buildings as well as residential. The nearest residential area is approximately 200 feet north of the site.

Past Use of the Site: The site was first developed in the late-1800s with residential dwellings. The site remained relatively unchanged until 1932, when a portion of the site was used as a lumber yard. Sometime between 1942 and 1950, the existing two-story building was constructed and occupied by Wolta Electric Products. Between 1967 and 1988, the existing three-story warehouse addition and one-story autobody repair shop was constructed in the south portion of the site. The site remained relatively unchanged from 1989 through today. Various commercial tenants occupied the site, including an electric fixture manufacturer and a jewelry company.

Site Geology and Hydrogeology: The land surface elevation varies across the site, and slopes slightly from east to west. The site geology is consistent with the surrounding area, and is comprised of varying sands, gravels, cobbles, and bedrock. Fill, including brick, concrete, and asphalt was also observed across the site at depths ranging from one foot below ground surface (ft bgs) to four ft bgs during previous investigations. Groundwater beneath the site is approximately 5.27 ft bgs to 15.89 ft bgs and flows in the northwest direction. Bedrock is found at depths ranging from 7 to 23 ft bgs.

A site location map is attached as Figure 1.

## SECTION 4: LAND USE AND PHYSICAL SETTING

NYSDEC 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, alternatives that restrict the use of the site to as described in Part 375-1.8(g) were evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

## SECTION 5: ENFORCEMENT STATUS

The Applicant under the Brownfield Cleanup Agreement is a Volunteer. The Applicant does not have an obligation to address off-site contamination. NYSDEC has determined that this site poses a significant threat to human health and the environment. NYSDEC will bring enforcement action against any parties known or suspected to be responsible for contamination at or emanating from this site to implement a remedial program to address off-site contamination.

## 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 or wastes 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
- soil
- soil vapor
- sub-slab vapor

#### 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. NYSDEC 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 contaminants of concern identified at this site are:

| | |
|---|---|
| benzo(a)anthracene | trichloroethene (TCE) |
| benzo(a)pyrene | 1,1,1-trichloroethane (TCA) |
| benzo(b)fluoranthene | tetrachloroethene (PCE) |
| indeno(1,2,3-cd)pyrene | Perfluorooctanoic acid (PFOA) |
| mercury | Perfluorooctanesulfonic acid (PFOS) |
| lead | |

The contaminants of concern exceed the applicable SCGs for:

- groundwater
- soil
- soil vapor intrusion

## 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.

Soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), per- and polyfluoroalkyl substances (PFAS), and pesticides. Based upon investigations conducted to date, the primary contaminants of concern for the site include lead, 1,1,1-Trichloroethane (TCA), Trichloroethylene (TCE), and Tetrachloroethylene (PCE).

Soil – Five exceedances of lead were identified on site, the maximum being 1490 parts per million (ppm) exceeding the Restricted Residential Soil Cleanup Objective (RRSCO) of 400 ppm. Mercury was detected in four samples collected above the RRSCO of 0.81 ppm, the maximum being 0.93 ppm. Both maximum exceedances of lead and mercury were identified within the 0–2-foot range. Four VOCs: Acetone, TCE, 1,2-Dichloroethane, and Cis-1,2-Dichloroethane, were identified on the western half of the site to a depth of 7 feet below ground surface (bgs). The maximum detection of TCE was 2.6 ppm, exceeding the Protection of Groundwater (PGW) SCO of 0.47 ppm. The maximum detected concentration of acetone was 0.099 ppm, exceeding the PGW SCO of 0.05 ppm. VOC concentrations were not detected in exceedance of the RRSCOs. SVOCs are present in soil across the site with higher concentrations in the northeast corner. SVOCs were detected to a depth of 7 ft bgs with the highest concentration detected being Benzo(B)Fluoranthene at 2.4 ppm, exceeding the RRSCO of 1 ppm. PFAS were not detected at concentrations that exceeded the RRSCOs for soil. Data does not indicate any off-site impacts in soil related to this site.

Groundwater - SVOCs were not detected in any of the groundwater samples analyzed. The VOCs chlorobenzene and TCE were detected in exceedance of the Ambient Water Quality Standards and Guidance Value of 5 parts per billion (ppb), at 36 and 7.2 ppb respectively.

PFOA and PFOS were reported at concentrations of up to 242 and 30.6 parts per trillion (ppt), respectively, compared to the groundwater guidance values of 6.7 ppt for PFOA and 2.7 ppt for PFOS. PFAS concentrations are likely from an upgradient source. 1,4 Dioxane was not detected in any groundwater samples. Data does not indicate any off-site impacts in groundwater related to this site.

Soil Vapor – Elevated levels of VOCs were observed in soil vapor samples during sampling events in December 2020, March/April 2024, and September 2024. In December 2020, samples were collected from ten locations on the site. VOCs were detected in all soil vapor samples at elevated concentrations. TCA and TCE were reported at maximum concentrations of 26,800 and 21,100 microgram per cubic meter (ug/m3), respectively. PCE was detected in all soil vapor samples with a maximum

concentration of 612 ug/m3. In March/April 2024, five additional sub-slab samples were collected. In addition, three indoor air samples were also collected in September 2024, along with an ambient air sample collected outside the building, as requested by NYSDEC and NYSDOH. TCE was detected in the sub-slab at a maximum concentration of 2,800 ug/m3. TCE was detected in three indoor air samples, ranging in concentration from 0.747 to 1.76 ug/m3. TCE was not detected in the ambient air sample collected. TCA was detected in the sub-slab samples collected at a maximum concentration of 400 ug/m3. TCA was detected in three indoor air samples, ranging in concentration from 0.371 to 0.518 ug/m3. TCA was not detected in the ambient air sample collected. PCE was detected in the sub-slab samples collected at a maximum concentration of 150 ug/m3. PCE was detected in three indoor air samples, ranging in concentration from 0.488 to 0.583 ug/m3. PCE was not detected in ambient air samples collected.

The highest concentrations of VOCs were identified in the sub-slab under the center of the building located at 115 South MacQuesten Parkway. Data indicates the potential for off-site impacts in soil vapor related to this site.

## 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.*

Direct contact with contaminants in the soil is unlikely because the majority of the site is covered with building slabs and pavement. Contaminated groundwater at the site is not used for drinking or other purposes and the site is served by a public water supply that obtains water from a different source not affected by this contamination. Volatile organic compounds in the groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Because there is no on-site building, inhalation of site contaminants in indoor air due to soil vapor intrusion does not represent a concern for the site in its current condition. However, the potential exists for the inhalation of site contaminants due to soil vapor intrusion for any future on-site development. In addition, environmental sampling indicates soil vapor intrusion is a concern for off-site buildings.

## 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:

**Groundwater**

**RAOs for Public Health Protection**

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

**RAOs for Environmental Protection**

- Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent practicable.
- Remove the source of ground or surface water contamination.

**Soil**

**RAOs for Public Health Protection**

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

**RAOs for Environmental Protection**

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

**Soil Vapor**

**RAOs for Public Health Protection**

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

## 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 2: Restricted use with generic soil cleanup objectives remedy.

The selected remedy is referred to as the Excavation to Restricted Residential SCOs remedy.

The elements of the selected remedy, as shown in Figure 3, are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. 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 gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
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- 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;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings shall be constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction.

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint analysis will be completed. The environmental footprint analysis will be completed using an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for

Environmental Footprint Analysis, USEPA), SiteWise(TM) (available in the Sustainable Remediation Forum [SURF] library) or similar NYSDEC accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

2. Excavation

The existing on-site building(s) will be demolished and materials which cannot be beneficially reused on site will be taken off-site for proper disposal in order to implement the remedy.

Excavation and off-site disposal of contaminant source areas, including:

- grossly contaminated soil, as defined in 6 NYCRR Part 375-1.2(u);
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- soil with visual waste material or non-aqueous phase liquid;
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- soils that create a nuisance condition, as defined in Commissioner Policy CP-51 Section G.

Excavation and off-site disposal of all on-site soils which exceed restricted residential, SCOs, as defined by 6 NYCRR Part 375-6.8 in the upper 15 feet across the site. If a Track 2 restricted residential cleanup is achieved, a Cover System will not be a required element of the remedy.

Approximately 12,760 cubic yards of contaminated soil will be removed from the site. The remedial excavation depth will range from 4 ft to 9 ft below ground surface. Collection and analysis of confirmation and documentation samples at the remedial excavation depths will be used to verify that SCOs for the site have been achieved. If confirmation/documentation sampling indicates that SCOs were not achieved at the stated remedial depth, the Applicant must notify DEC, submit the sample results and, in consultation with DEC, determine if further remedial excavation is necessary. Further excavation for development will proceed after confirmation samples demonstrate that SCOs for the site have been achieved.

To ensure proper handling and disposal of excavated material, waste characterization sampling will be completed for all identified contaminated site material. Waste characterization sampling will be performed exclusively for the purposes of off-site disposal in a manner suitable to receiving facilities and in conformance with applicable federal, state and local laws, rules, and regulations and facility-specific permits.

Excavation and removal of any underground storage tanks (USTs), fuel dispensers, underground piping or other structures associated with a source of contamination.

3. Backfill

Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

4. Cover System

A site cover will be required in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs), to allow for future restricted residential use of the site. Where a soil cover is to be used it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components may include, but are not necessarily limited to: pavement, concrete, paved surface parking areas, sidewalks, building foundations and building slabs. If a Track 2 restricted residential cleanup is achieved, a Cover System will not be a required element of the remedy.

5. Soil Vapor Intrusion

As part of the Track 2 Restricted Residential use remedy, a soil vapor intrusion evaluation, including sub-slab vapor and indoor air sampling will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.

6. Engineering and Institutional Controls

Imposition of an institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will achieve a Track 2 restricted residential cleanup at a minimum and will include imposition of a site cover (as a contingency if soil greater than 2 feet but less than 15 feet deep does not meet the restricted residential SCOs).

Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the NYSDEC a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and
- require compliance with the NYSDEC approved Site Management Plan.

7. Site Management Plan

A Site Management Plan is required, which includes the following:

i. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in Remedy Element 6 above.

Engineering Controls: The soil cover discussed in Remedy Element 4 above (if required) and groundwater monitoring wells

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- a provision should redevelopment occur to ensure no soil exceeding protection of groundwater concentrations will remain below storm water retention basin or infiltration structures.
- descriptions of the provisions of the environmental easement including any land or groundwater water use restrictions;
- a provision for evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and NYSDEC notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

ii. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

- monitoring of groundwater to assess the performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the NYSDEC;
- monitoring for vapor intrusion for any buildings on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

iii. an Operation and Maintenance (O&M) Plan to ensure continued operation, maintenance, inspection, and reporting of any mechanical or physical components of the active vapor mitigation system(s). The plan includes, but is not limited to:

- procedures for operating and maintaining the system(s); and
- compliance inspection of the system(s) to ensure proper O&M as well as providing the data for any necessary reporting.

# FIGURES


N

LEGEND

TAX PARCEL BOUNDARY

BCP SITE BOUNDARY

100 0 100'

Title:

# SITE PLAN

115 SOUTH MACQUESTEN PARKWAY
MT VERNON, NEW YORK 10550

Prepared for:

115 MACQUESTEN DEVELOPMENT LLC

ROUX

| | | |
|---|---|---|
| Compiled by: D.M.H. | Date: 02/24/25 | FIGURE |
| Prepared by: M.S.R. | Scale: AS SHOWN | 1 |
| Project Mgr: D.M.H. | Project: 2908.0008Y000 | |
| File: 2908.0008Y146.1.mxd | | |

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LEGEND

- GROUNDWATER MONITORING WELL AND SOIL BORING LOCATION
- SOIL BORING LOCATION
- SOIL VAPOR POINT LOCATION
- LOCATION OF FORMER SOIL VAPOR SAMPLE
- LOCATION OF FORMER SOIL BORING SAMPLE
- LOCATION OF FORMER GROUNDWATER WELL SAMPLE
- TAX PARCEL BOUNDARY
- BCP SITE BOUNDARY

50 0 50'

Title:

# SITE PLAN WITH SAMPLING LOCATIONS

115 SOUTH MACQUESTEN PARKWAY
MT VERNON, NEW YORK 10550

Prepared for:

115 MACQUESTEN DEVELOPMENT LLC

ROUX

| | | |
|---|---|---|
| Compiled by: D.M.H. | Date: 01/21/25 | FIGURE |
| Prepared by: M.S.R. | Scale: AS SHOWN | 2 |
| Project Mgr: D.M.H. | Project: 2908.0008Y000 | |
| File: 2908.0008Y127.2.mxd | | |

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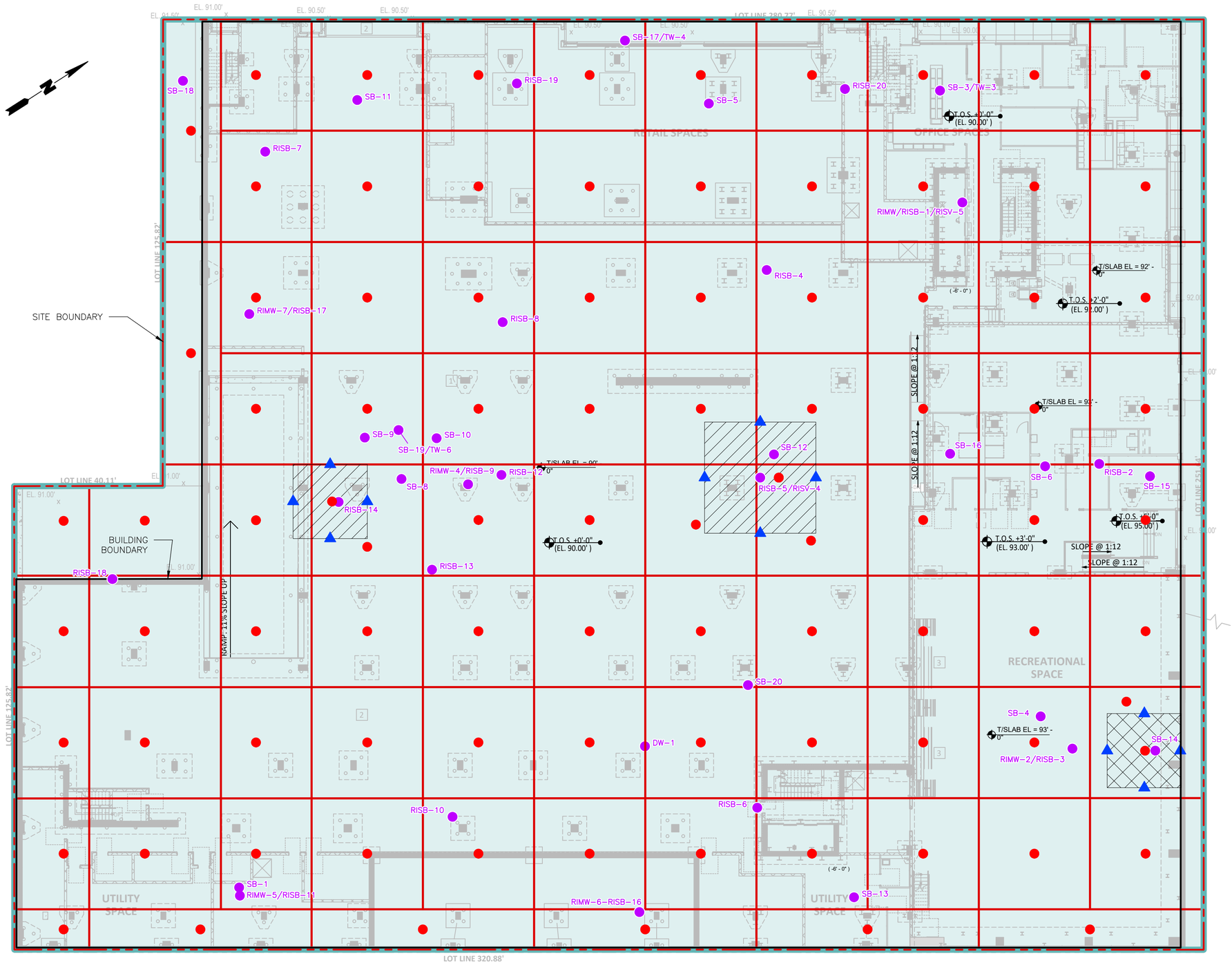


LEGEND

- PROPOSED BUILDING BOUNDARY
- SITE BOUNDARY
- PROPOSED TRACK 2 RESTRICTED RESIDENTIAL USE AREA (4' REMEDIAL EXCAVATION DEPTH)
- PROPOSED TRACK 2 RESTRICTED RESIDENTIAL USE AREA (7' REMEDIAL EXCAVATION DEPTH)
- PROPOSED TRACK 2 RESTRICTED RESIDENTIAL USE AREA (9' REMEDIAL EXCAVATION DEPTH)
- END POINT SAMPLE LOCATION
- SIDEWALL SAMPLE LOCATION
- SB-1 SOIL BORING LOCATION

NOTE

THE LOCATION AND DEPTH OF THE PROPOSED REMEDIAL EXCAVATION TO 7' IS BASED ON SOIL SAMPLE RESULTS AT ROUX'S PHASE II SOIL BORING SB-14. THE LOCATIONS AND DEPTH OF THE PROPOSED REMEDIAL EXCAVATIONS TO 9' ARE BASED ON SOIL SAMPLE RESULTS AT ROUX'S PHASE II SOIL BORING SB-12 AND ROUX'S REMEDIAL INVESTIGATION/ PRE-DESIGN INVESTIGATION SOIL BORINGS RISB-5 AND RISB-14.

20' 0 20'

Title:

# REMEDIAL ALTERNATIVE 2: TRACK 2 RESTRICTED RESIDENTIAL USE CLEANUP

Prepared for:

115 MACQUESTEN DEVELOPMENT LLC

ROUX

| | | |
|---|---|---|
| Compiled by: B.H. | Date: 20FEB25 | FIGURE |
| Prepared by: G.M. | Scale: AS SHOWN | 3 |
| Project Mgr: B.H. | Project: 2908.0008Y000 | |
| File: 2908.0008Y127.03.DWG | | |

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