

**1401 MONTAUK HIGHWAY
EAST PATCHOGUE, NEW YORK
FORMER BELLPORT GAS STATION
SITE # E-1-52-194**

**ANNUAL STATUS REPORT/
PERIODIC REVIEW REPORT**

SUBMITTED TO:

New York State Department of Environmental Conservation
Division of Environmental Remediation
NYSDEC Region 1
50 Circle Road
Stony Brook, New York 11790

PREPARED FOR:

Suffolk County Department of Health Services
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PWGC Project Number: SHD2103

MARCH 2023



ANNUAL STATUS REPORT/PERIODIC REVIEW REPORT
FORMER BELLPORT GAS STATION

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ACRONYMS

DO	Dissolved Oxygen
EC/ICs	Engineering and institutional controls
EE	Environmental Easement
ERP	Environmental Restoration Program
GQS	Groundwater Quality Standards
GVs	Guidance Values
IRM	Interim Remedial Measure
LNAPL	light non-aqueous phase liquid
MTBE	Methyl Tertiary Butyl Ether
NYCRR	New York Codes, Rules, and Regulations
NYSDEC	New York State Department of Environmental Conservation
ORP	Oxygen-reduction potential
PE	Professional Engineer
PRAP	Proposed Remedial Action Plan
PWGC	P.W. Grosser Consulting, Inc.
QA/QC	Quality Assurance / Quality Control
RDWP	Remedial Design Work Plan
ROD	Record of Decision
SCDHS	Suffolk County Department of Health Services
SMP	Site Management Plan
SVOC	Semi-Volatile Organic Compound
UIC	Underground Injection Control
USEPA	United States Environmental Protection Agency
UST	Underground Storage Tank
UUSCO	Unrestricted Use Soil Cleanup Objective
VOC	Volatile Organic Compound

1.0 SITE OVERVIEW

1.1. Site Location and Description

The subject property is located at 1401 Montauk Highway in East Patchogue, New York. The property is located on the north side of Montauk Highway and is bounded on the east by Lenox Avenue, on the north by residential properties, and on the west and south by commercial properties as shown in **Figure 1**. A single-story building formerly occupied the property. The building was demolished in 2010 as part of an Interim Remedial Measure (IRM). The property is currently vacant and contains no buildings or structures. The site boundary is displayed on **Figure 2**.

1.2. Site History

This property has been occupied by many different independent retail gasoline service stations, such as Eastern Petroleum (1983), Major Fuel (1986), National (1987), Independent (1991), and Ocean/Coastal (1991-1998).

The New York State Department of Environmental Conservation (NYSDEC) opened a spill number (#87-03461) in 1987 after a underground storage tank (UST) failed a tank test. Three (3) gasoline/diesel USTs and one (1) waste oil UST were removed from the subject property in 1988. The spill was closed in late 1988.

In 1994, the NYSDEC opened another spill number (#94-04094) after Methyl Tertiary Butyl Ether (MTBE) was detected in an off-site private well down-gradient of the subject property. The NYSDEC performed an investigation that showed that this subject property was the source of a large plume of petroleum contaminated groundwater. The NYSDEC spill unit remediated the off-site contaminated groundwater plume by using an Air Sparge/Soil Vapor Extraction System. The system was installed on-site and at off-site locations down-gradient of this property and operated until 2003, at which time it was dismantled and removed. The investigation concluded that impacts to private wells were eliminated through connections to public water. MTBE exposure at Dunton Lake and tidal creeks were not expected to cause adverse impacts to aquatic or terrestrial organism populations and impacts to Bellport Bay were expected to be minimal. As a result, the off-site spill was closed in 2008.

Suffolk County acquired the property in 1999 for failure to pay property taxes. The property was eventually sold to Mr. Ghulum Sarwar on October 3, 2014.

To address the areas of environmental impacts at the property, Suffolk County applied for inclusion into the NYSDEC's Environmental Restoration Program (ERP) in February 2007. The property was accepted into the NYSDEC ERP program (Site ID #E-1-52-194) on July 26, 2007 and a State Assistance Contract (#T303811) was issued.

1.3. Previous Environmental Investigations

As required in the ERP program, a Remedial Investigation Work Plan (RIWP) for the property was prepared in December of 2008. The objective of the investigation was to determine the vertical and horizontal extent of soil and groundwater contamination identified.

PWGC completed the Remedial Investigation (RI) in March of 2010. Results of the RI identified the following contaminants of concern:

A single on-site cesspool (CP-1) and a single leaching drywell (DW-3) associated with the floor drain (FD-1) inside the service station were identified. Soil/sludge analytical data indicated semi-volatile organic compounds (SVOCs) and/or metals were detected in CP-1 and DW-3 above both Suffolk County Department of Health Services (SCDHS) Action Levels and Unrestricted Use Soil Cleanup Objectives (UUSCOs) specified in title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375.

Slightly elevated concentrations of volatile organic compounds (VOCs) commonly associated with petroleum products in the groundwater beneath the property was identified.

Based upon the results of the RI, it was recommended that the impacted underground injection control (UIC) structures be remediated. In addition, it was recommended that groundwater monitoring be performed to monitor VOC concentrations in the groundwater beneath the subject property.

1.4. Interim Remedial Measure

In April 2010, an inspection of the single-story building that existed on site revealed evidence of structural failure. Due to safety issues regarding the dilapidated building, Suffolk County proceeded with its demolition in accordance with State and County applicable procedures. Since demolition activities may have damaged the integrity of the remaining on-site UIC structures, the UICs were addressed as an emergency IRM prior to building demolition.

The IRM was implemented on April 21, 2010. The scope of work included the removal of impacted sediments from one leaching drywell (DW-3), one floor drain (FD-1), one cesspool (CP-1), closure of the on-site structures, and the removal of SVOC impacted sediments from DW-2 that were being stored within the building. Remediation was performed under the supervision of the SCDHS and the NYSDEC.

1.5. Proposed Remedial Action Plan / Record of Decision

In August 2010, the NYSDEC issued a Proposed Remedial Action Plan (PRAP) for the subject property. The PRAP included a groundwater monitoring program to monitor VOC concentrations in groundwater. A public comment period had been set from September 1, 2010 through October 15, 2010 to provide an opportunity for public participation in the remedy selection process. In addition, a public meeting was held on September 23, 2010.

In December 2010, the NYSDEC issued a Record of Decision (ROD) presenting the selected remedy, which is a groundwater monitoring program and implementation of Engineering Controls & Institutional Controls (EC/ICs). The purpose of the program was to monitor groundwater to document a decrease in VOCs detected in the groundwater beneath the subject property.

1.6. Remedial Design

A Remedial Design Work Plan dated March 2011 was prepared for the subject property to detail the requirements in the ROD which included the following:

- Installation of two additional groundwater monitoring wells;
- Establishment of a clean soil cover system (the soil located from 15 - 20 feet below grade) to prevent human exposure to remaining contaminated soil at the subject property;
- Execution and recording of an Environmental Easement (EE) for the controlled property that:
 - Requires the site owner to complete and submit to the Department a periodic certification of EC/ICs in accordance with Part 375-1.8(b)(3);
 - Land use is subject to local zoning laws, the remedy allows the use and development of the controlled property for restricted residential use, as well as commercial and/or industrial use;
 - Restricts the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the Department, NYSDOH, or SCDHS;
 - Prohibits agriculture or vegetable gardens on the controlled property; and
 - Requires compliance with the department approved site management plan (SMP).
- Development and implementation of a SMP for long term management of remaining contamination as required by the Environmental Easement.



1.6.1. Site Management Plan

A SMP was developed for the site for long term management of the remaining contamination at the subject property which includes plans for EC/ICs, monitoring/inspections and reporting. ECs for the subject property consist of the soil cover system and post remedial groundwater monitoring activities to assess natural attenuation. ICs for the subject property consist of preventing future exposure to remaining contamination by controlling disturbances of the subsurface contamination and limitations detailed in the EE.





2.0 GROUNDWATER MONITORING AND SAMPLING

One of the ECs for the property was monitoring natural attenuation for a period of two years. Following the completion of one year of quarterly groundwater monitoring, the NYSDEC modified the sampling frequency to semi-annual. Based upon the results of the first two years of monitoring, the NYSDEC requested continuation of groundwater monitoring activities in letters dated May 6, 2013 and June 2, 2015

Based on the results of the June 2018 semi-annual groundwater monitoring event, PWGC recommended that further groundwater monitoring and sampling be suspended based on the continued trend of decreasing total VOC concentrations in groundwater at the property. Based on PWGC's recommendation and available data, NYSDEC agreed to suspend semi-groundwater monitoring at the former Bellport Gas Station Site.



3.0 SITEWIDE INSPECTION

A SMP was developed to confirm that the site remedy continues to be effective in protecting public health and the environment. The SMP includes a site-wide inspection on an annual basis. During these inspections, an inspection form is completed to document site conditions and assess the following:

- Compliance with ICs, including site usage;
- An evaluation of the condition and continued effectiveness of ECs;
- General site conditions at the time of the inspection;
- The site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection;
- Compliance with permits and schedules included in the SMP; and
- Confirm that site records are up to date.

3.1. Sitewide Inspection

An annual site-wide inspection was performed on March 22, 2023 by Kylie Benz, a representative of PWGC. Weather conditions during the inspection were cloudy with a temperature of approximately 40° Fahrenheit. The site-wide inspection included a visual inspection.

The subject property remains undeveloped. There was no soil disturbance observed at the subject property, and the soil cover remains in place. No groundwater use was observed. PWGC utilized a metal detector to locate and uncover all of the groundwater monitoring wells, including the two groundwater monitoring wells (MW-13A, and MW-14) installed on June 12, 2018, by SCDHS. No environmental issues were identified that have the potential to impact human health. Based upon the findings of the site-wide inspection, no corrective actions are required. A copy of the completed inspection form is included as **Appendix A**.



4.0 CONCLUSIONS

This report covers activities performed on March 22, 2023 and satisfies the requirements established within the SMP. Groundwater monitoring is no longer required as per the NYSDEC agreement. The EC/ICs continue to prevent human exposure to remaining contaminants. The site-wide inspection documented that the site remedy continues to be effective in protecting public health and environment. The IC/EC Certification Form is included as **Appendix B**.





5.0 RECOMMENDATIONS

PWGC recommends that the SMP continue to be followed and site inspections and periodic reviews continue to be performed in order to prevent human exposure to remaining contaminants.





6.0 REFERENCES

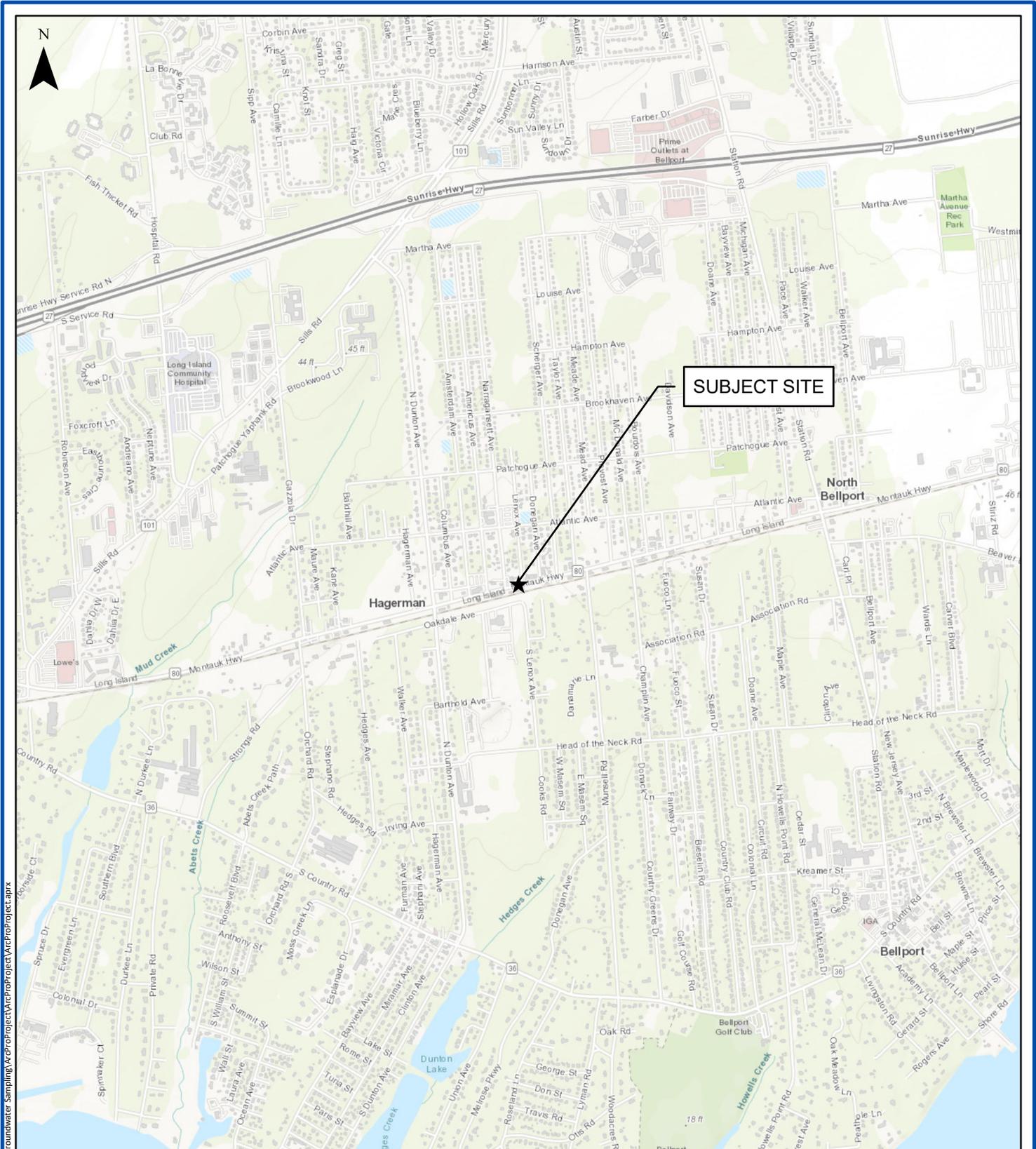
- NYSDEC, *Official Compilation of Codes, Rules, and Regulations of New York*, December 2015.
- NYSDEC, *Proposed Remedial Action Plan*, August 2010.
- NYSDEC, *Record of Decision*, December 2010.
- PWGC, *Remedial Design Work Plan*; March 2011.
- PWGC, *Remedial Investigation Report*, March 2010.
- PWGC, *Site Management Plan*, November 2013.





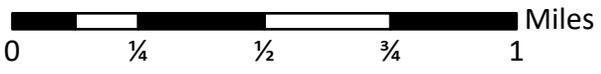
FIGURES





SITE LOCATION

**1401 MONTAUK HIGHWAY
EAST PATCHOGUE, NEW YORK**

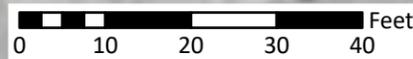
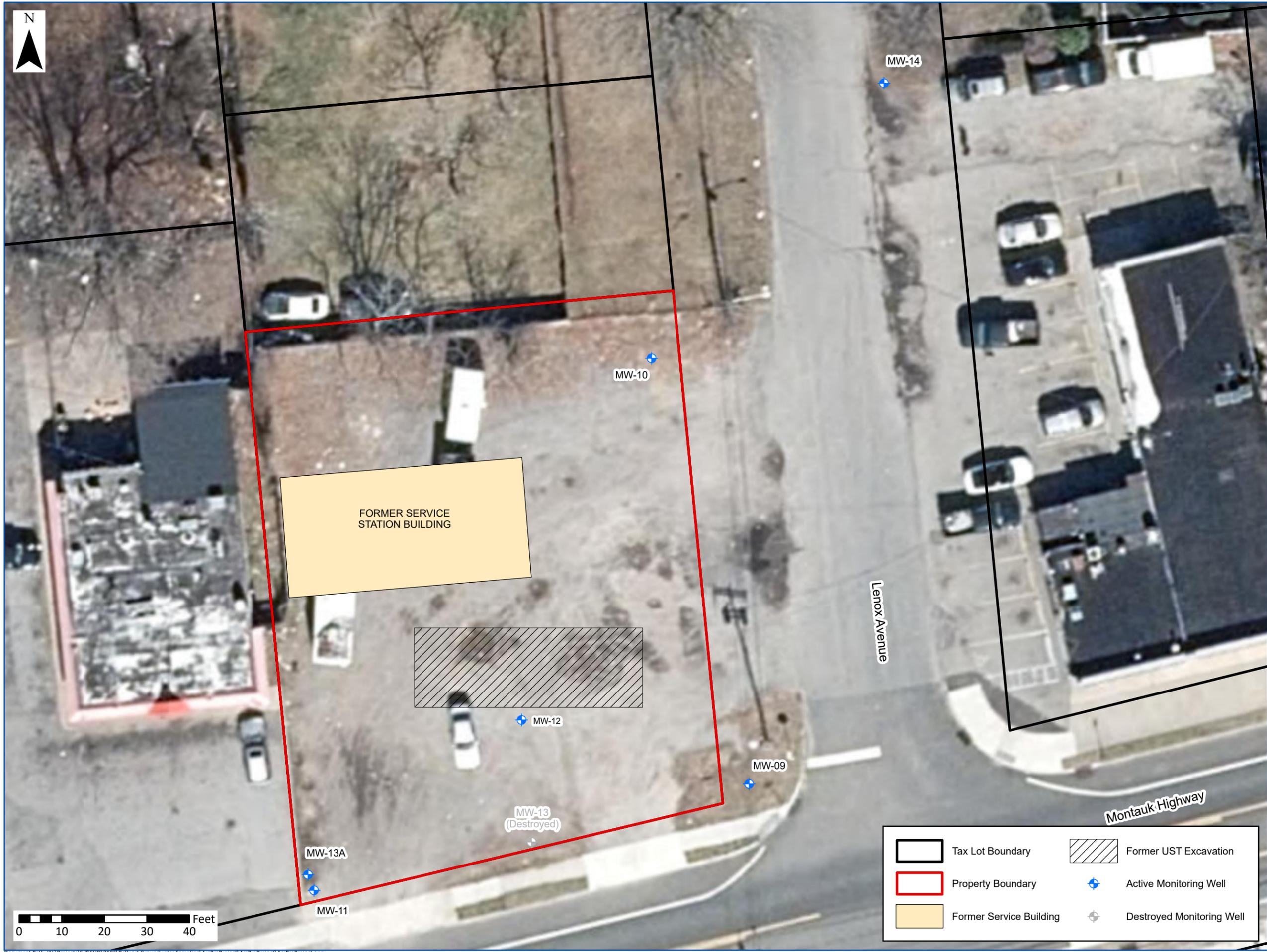


Project:	SHD2103
Date:	3/2/2022
Designed by:	SC
Drawn by:	OA
Approved by:	SC
Figure No:	1

Document Path: W:\Projects\SZ\SHD2103\Bellport Groundwater Sampling\ArcProProject\ArcProProject.aprx

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Tax Lot Boundary	Former UST Excavation
Property Boundary	Active Monitoring Well
Former Service Building	Destroyed Monitoring Well



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DRAWING PREPARED FOR:

REVISION	DATE	INITIAL	COMMENTS

DRAWING INFORMATION:			
Project:	SHD2103	Designed by:	SC
Date:	3/4/2022	Drawn by:	OA
Scale:	AS SHOWN	Approved by:	SC

SITE PLAN

1401 MONTAUK HIGHWAY
EAST PATCHOGUE, NEW YORK

FIGURE NO:
2



APPENDIX A



**BELLPORT GAS STATION
NYSDEC SITE NO. E-1-52-194
COVER INSPECTION FORM**

GENERAL INFORMATION

Date:	Wednesday 03/22/23	Inspector:	Kylie Benz
Weather:	39-42°F cloudy	Signature:	Kylie Benz
Temperature:	5 mph SW Wind	Company:	PWG.C
Season (circle one):		Winter	<u>Spring</u> Summer Fall

SITE INSPECTION LOG SHEET*

Evidence of Site-Wide Disturbance(s)	Yes <input checked="" type="radio"/> No	Description of Disturbance(s)	
Evidence of Surface Soil Disturbance(s)	Yes <input checked="" type="radio"/> No	Description of Disturbance(s)	
Evidence of Excavation	Yes <input checked="" type="radio"/> No	Description of Excavation	
Evidence of Building Construction	Yes <input checked="" type="radio"/> No	Description of Building Construction	
Evidence of Change in Site Use	Yes <input checked="" type="radio"/> No	Description of New/Additional Site Use	
Comments:	<ul style="list-style-type: none"> • Institutional Controls in place, (no soil disturbance, no ground water usage, site used as vacant lot) • Engineering Controls in place (soil cover/RCA in good condition) • All Ground monitoring wells located and in good condition, some cores in need of new bolts. * MW-13 potentially located that was previously thought destroyed * • No observed environmental issues that have potential to impact human health 		

* If answering Yes, attach map showing locations and any other information as required.



APPENDIX B





Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form



	Site Details	Box 1	
Site No.	E152194		
Site Name Former Bellport Gas Station			
Site Address: 1401 Montauk Hwy		Zip Code: 11722	
City/Town: East Patchogue			
County: Suffolk			
Site Acreage: 0.300			
Reporting Period: January 31, 2022 to January 31, 2023			
		YES	NO
1.	Is the information above correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	If NO, include handwritten above or on a separate sheet.		
2.	Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5.	Is the site currently undergoing development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Box 2	
		YES	NO
6.	Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.	Are all ICs in place and functioning as designed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.			
A Corrective Measures Work Plan must be submitted along with this form to address these issues.			
_____ Signature of Owner, Remedial Party or Designated Representative		_____ Date	

Description of Institutional Controls

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
975.8-4-20	Suffolk County	Ground Water Use Restriction Soil Management Plan Landuse Restriction Monitoring Plan IC/EC Plan

A series of Institutional Controls is required by the ROD to: (1) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and, (2) limit the use and development of the site to Restricted Residential, Commercial, or Industrial uses only. Adherence to these ICs on the site is required by the Environmental Easement (Appendix A) and will be implemented under this SMP. These ICs are:

- The property may be used for Restricted Residential or less restrictive uses provided that the long term ICs/ECs included in this SMP are employed.
- Use of groundwater from beneath the property as a source of potable or process water, without necessary water quality treatment as determined by NYSDEC, NYSDOH, or SCDHS, is prohibited.
- Restrict disturbance of soils below 15' below grade without notification of the NYSDEC.
- Compliance with the Environmental Easement and this SMP by the Grantor and the Grantor's successors and assigns;
- Groundwater and other environmental or public health monitoring must be performed as defined in this SMP;
- Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in this SMP;
- The property may not be used for a higher level of use, such as unrestricted use without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC;
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- The potential for vapor intrusion must be evaluated for any buildings developed in the area, and any potential impacts that are identified must be monitored or mitigated;
- Vegetable gardens and farming on the property are prohibited;
- On a yearly basis, the site owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

Description of Engineering Controls

<u>Parcel</u>	<u>Engineering Control</u>
975.8-4-20	Cover System

Soil Cover:

Exposure to remaining contamination in soil at the site is prevented by a soil cover system placed over the site. This cover system is comprised of the five feet of clean soils, medium-fine sands with gravel, (15' to 20' below grade) which lie above the impacted soils which begin at approximately 20' below grade. Soils above the cover system also consist of medium-fine sands with gravel. The Excavation Work Plan that appears in Appendix B of the Site Management Plan outlines the procedures required to be implemented in the event the cover system is breached, penetrated or temporarily removed, and any underlying remaining contamination is disturbed. Since these soils will be located beneath an additional 15' of clean soil, routine inspections of the protective cover cannot be performed and is unnecessary.

Groundwater Monitoring:

Parcel

Engineering Control

Groundwater monitoring activities to ensure that there is a continuing downward trend regarding the petroleum related VOCs detected in site groundwater will continue, as determined by the NYSDEC, until residual groundwater concentrations are found to be consistently below NYSDEC standards or have become asymptotic at an acceptable level over an extended period. Initially, monitoring consisted of quarterly sampling of five onsite monitoring wells. Following the completion of one year of quarterly monitoring, the NYSDEC reduced the sampling frequency to semi-annual. Monitoring will continue until permission to discontinue is granted in writing by the NYSDEC. If groundwater contaminant levels become asymptotic at a level that is not acceptable to the NYSDEC, additional source removal, treatment and/or control measures will be evaluated.

Box 5

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

- a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;
- b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

- (a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
- (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
- (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;
- (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
- (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. E152194

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Michael Scanlon at 630 Johnson Avenue, Suite 7, Bohemia, NY 11716,
print name print business address

am certifying as Remedial Party (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

Michael Scanlon
Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

03/28/2023
Date

EC CERTIFICATIONS

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Michael Scanlon at 630 Johnson Ave, Suite 7, Bohemia, NY 11716
print name print business address

I am certifying as a Professional Engineer for the Remedial Party
(Owner or Remedial Party)

Michael Scanlon



03/28/2023

Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification

Stamp
(Required for PE)

Date