

Blue Mountain Plaza Shopping Center

20 WELCHER AVENUE
PEEKSKILL, WESTCHESTER COUNTY, NEW YORK

Periodic Review Report

NYSDEC Site Number: V00160-3

Prepared for:

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Prepared by:

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For each institutional or engineering control identified for the site, I certify that all of the following statements are true:

- (a) the institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by DER;*
- (b) nothing has occurred that would impair the ability of such control to protect public health and the environment;*
- (c) nothing has occurred that would constitute a violation or failure to comply with any Site Management Plan for this control; and*
- (d) access to the site will continue to be provided to DER to evaluate the remedy, including access to evaluate the continued maintenance of this control.*



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October 4, 2016

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PERIODIC REVIEW REPORT

1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

This Periodic Review Report (PRR) is required as an element of the remedial program at the Blue Mountain Plaza Shopping Center located at 20 Welcher Avenue, Peekskill, New York (hereinafter referred to as the “Site”) under the New York State (NYS) Inactive Hazardous Waste Disposal Site Remedial Program administered by the New York State Department of Environmental Conservation (NYSDEC). The site was remediated in accordance with Voluntary Cleanup Agreement (VCA) #V00160-3, which was executed in March 1996.

Kurtsam Realty Corporation entered into the VCA with the NYSDEC to investigate and remediate contaminated media at the site. A figure showing the site location and boundaries is provided in Figure 2. The site currently is owned by Kurtsam Realty Corporation.

After completion of the remedial work, some contamination was left in the subsurface at this site. A *Site Management Plan* (SMP) dated March 2014 was prepared by Bell Environmental Consultants, Inc. (Bell) to manage remaining contamination at the site until the Environmental Easement established for the site is extinguished in accordance with ECL Article 71, Title 36. Site contaminant conditions are outlined in Section 2.3.

Engineering Controls have been incorporated into the site remedy to control exposure to remaining contamination during the use of the site to ensure protection of public health and the environment. An Environmental Easement granted to the NYSDEC, and recorded with the Westchester County Clerk, requires compliance with the SMP for the site and all environmental controls (ECs) and institutional controls (ICs) placed on the site. The ICs place restrictions on site use, and mandate operation, maintenance, monitoring, and reporting measures for all ECs and ICs.

This PRR provides a description of the compliance and effectiveness of all controls and/or remedies required to manage remaining contamination at the site after completion of the Remedial Action, including: (1) Engineering and Institutional Controls; (2) media monitoring (as required); and (3) operation and maintenance of all treatment, collection, containment, or recovery systems.

1.2 EFFECTIVENESS/COMPLIANCE

Whitestone Associates, Inc. (Whitestone) performed inspections of the IC/ECs including the sub-slab depressurization systems (SSDSs) and soil cover system, and conducted groundwater sampling on May 25, 2016 to ensure all mechanisms remained in compliance with the NYSDEC-approved SMP for the site. Based on Whitestone’s May 25, 2016 inspections, all remedy mechanisms (ECs/ICs) at the site are in compliance with

the approved SMP and protective of human health and the environment with the exception of the SSDS fan associated with the former dry cleaners. The fan was not functioning at the time of the May 25, 2016 inspection. The electrical system for the tenant space was repaired on June 23, 2013, and the system re-inspected. This SSDS was confirmed to be functioning, compliant, and protective on June 23, 2016. No corrections or modifications to the SMP currently are required. A *Site-Wide Inspection Form* is included as Appendix B.

1.3 RECOMMENDATIONS

Based on Whitestone's May 25, 2016 and June 23, 2016 inspections, it is recommended that the frequency for submittal of PRRs remains consistent with the SMP. No corrections or amendments to the SMP or ECs/ICs for the site are recommended at this time.

2.0 SITE OVERVIEW

2.1 SITE LOCATION & DESCRIPTION

The site is located in Peekskill, Westchester County, New York, and is identified as Section 42.8, Block 1, Lots 1 and 2 on the City of Peekskill, Westchester County Tax Map. The site is an approximately 5.4-acre area and is occupied by Blue Mountain Plaza Shopping Center. The area immediately surrounding the subject property consists of a mix of residential and commercial uses. The site is bound by Englehard Corporation to the north and east; Welcher Avenue to the south; and South Street to the west (see Figure 2).

2.2 SITE HISTORY

The site was vacant until sometime between 1941 and 1951, at which time a house was constructed. In the late 1950's, the Site was utilized as a minor league baseball field and a stock car race track. The house and all other structures were demolished in 1958 to accommodate the development of the present-day shopping center. The dry cleaning establishment, the likely source of the on-site contamination, has reportedly been in the same location since the shopping center was constructed. This former dry cleaning facility no longer operates on site and the tenant space currently is vacant. The operator of the dry cleaning facility has changed numerous times since the facility was constructed.

2.3 SUMMARY OF REMEDIAL FINDINGS/ACTIONS

A Remedial Investigation (RI) was performed to characterize the nature and extent of the contamination at the Site by Bell. Generally, the RIs determined that chlorinated volatile organics (VO) compounds are present in the groundwater from historic discharges from an on-site dry cleaning tenants. No chlorinated VO compound soil contaminants were detected above NYSDEC Residential Soil Cleanup Objective (RSCO) during the RI.

Below is a summary of site conditions when the RI was performed. Initial testing was performed in 1998 with the final phase of the RI conducted in 2005. Since that time, additional groundwater and air sampling have been periodically conducted. These results are included in the tables, figures, and text provided within the 2014 SMP.

Soil

No contaminants were detected in the soil at concentrations above NYSDEC RSCO. Compounds detected can be attributed to historic fill in several areas of the Site.

Site - Related Groundwater

Based on the data collected to date, the chemicals detected in the groundwater include

select chlorinated VO compounds and metals. The monitoring wells at the Site have very low recharge rates and can't be developed properly. Based on a data comparison of filtered and unfiltered groundwater samples, the detected metals have been attributed to sediment trapped in the wells.

The chlorinated compounds detected in groundwater have been present in on-site monitoring wells MW-2, MW-3, MW-4, and MW-6, as well as former off-site well ME-7 (well was destroyed during regrading by off-site property owner). The compounds include tetrachloroethene, cis-1,2-dichloroethene, 1,2-dichloroethene, and trichloroethene. Trichloroethene has only been detected at concentrations below NYSDEC Ambient Water Quality Standards (AWQS). A summary of the data ranges for the remaining three compounds is presented below:

Tetrachloroethene

MW-2: 22 to 87 ug/l

MW-4: 5.1 to 15.6 ug/l

MW-6: 68.7 to 140 ug/l

Cis-1,2-Dichloroethene

MW-6: 1.3 to 7.1 ug/l

1,2-Dichloroethene

MW-2: Not Detected (ND) to 18 ug/l

MW-4: ND to 3 ug/l

MW-7: 23 ug/l

The highest concentrations of chlorinated VO compounds are present in monitoring wells MW-6, located immediately downgradient of the former dry cleaning tenant.

Site-Related Soil Vapor Intrusion

The results of the initial indoor air sampling conducted on April 7, 2005 by Bell indicate the presence of 13 VO compounds that are above NYSDOH background concentrations. Prior to installation of the SSDS, the following VO concentrations were detected:

Indoor:

- ▶ Benzene was detected in excess of the NYSDOH indoor background concentration of 5 mcg/m³ in the air sample collected from the first floor (dry cleaners), 5.43 mcg/m³.
- ▶ Chloroform was detected in excess of the NYSDOH indoor background concentration of 4.3 mcg/m³, ranging from 4.88 mcg/m³ to 7.81 mcg/m³.

- ▶ Chloromethane was detected in excess of the NYSDOH indoor background concentration of 1.0 mcg/m³, ranging from 1.40 mcg/m³ to 1.69 mcg/m³.
- ▶ Dichlorodifluoromethane was detected in excess of the NYSDOH indoor background concentration of 1 mcg/m³, ranging from 2.57 mcg/m³ to 4.75 mcg/m³.
- ▶ MTBE was detected in excess of the NYSDOH indoor background concentration of 4.3 mcg/m³, ranging from 5.05 mcg/m³ to 23.06 mcg/m³.
- ▶ N-hexane was detected above the NYSDOH indoor background concentration of 3.6 mcg/m³, ranging from 3.88 mcg/m³ to 10.57 mcg/m³.
- ▶ Styrene was detected above the NYSDOH indoor background concentration of 10 mcg/m³ in the air sample collected from sub-slab (dry cleaners), 15.33 mcg/m³.
- ▶ Tetrachloroethene (PCE) was detected in excess of the NYSDOH indoor background concentration of 10 mcg/m³, ranging from 12.88 mcg/m³ to 155.93 mcg/m³.
- ▶ Total Xylenes were detected in excess of the NYSDOH indoor background concentration of 4.7 mcg/m³, ranging from 13.06 mcg/m³ to 129.77 mcg/m³.
- ▶ Trichloroethene (TCE) was detected in excess of the NYSDOH indoor background concentration of 0.25 mcg/m³, ranging from 1.18 mcg/m³ to 3.98 mcg/m³.

Outdoor Background:

- ▶ MTBE was detected in excess of the NYSDOH outdoor background concentration of 1.0 mcg/m³ in the air sample collected from the rear of the building (10.09 mcg/m³).
- ▶ Toluene was detected in excess of the NYSDOH outdoor background concentration of 6.1 mcg/m³ in the sample collected from the rear of the building (7.16 mcg/m³).
- ▶ Total Xylenes were detected in excess of the NYSDOH outdoor background concentration of 0.74 mcg/m³ in the air sample collected from the rear of the building (8.38 mcg/m³).
- ▶ Trichlorofluoromethane was detected in excess of the NYSDOH outdoor background concentration of 1.0 mcg/m³ in the air sample collected from the rear of the building (1.24 mcg/m³).
- ▶ 1,2,4-trimethylbenzene was detected in excess of the NYSDOH outdoor background concentration of 1.0 mcg/m³ in the air sample collected from the rear of the building (1.03 mcg/m³).

The concentrations above were detected in the dry cleaning space and the adjoining tenant space. Based on these concentrations, a SSDS was installed on November 13 and 14, 2007.

Underground Storage Tanks (UST)

Decommissioning and removal of a 1,000-gallon #2 fuel oil UST located directly behind the dry cleaners building was completed in accordance with a NYSDEC-approved May 2002 workplan on November 7, 2002. Four composite post-excavation soil samples (PE-1, PE-1 (DUP), PE-2, and PE-3) were collected from the sidewalls and base of the excavation associated with the 1,000-gallon #2 fuel oil UST. The compounds that exceed the soil cleanup objectives can be attributed to historic fill in several areas of the Site and are summarized below.

- ▶ Benzo(a)anthracene was detected at concentrations above the RSCO of 0.036 parts per million (ppm) in soil samples PE-1 (0.19 ppm), PE-1 DUP (0.19 ppm), PE-2 (0.26 ppm), and PE-3 (0.15 ppm).
- ▶ Benzo(a)pyrene was detected at concentrations above the RSCO (0.061 ppm) in soil samples PE-1 (0.22 ppm), PE-1 (DUP) (0.21 ppm), PE-2 (0.26 ppm), and PE-3 (0.15 ppm).
- ▶ Dibenz(a,h)anthracene was detected at concentrations above the RSCO (0.014 ppm) in soil samples PE-1 (0.046 ppm) and PE-2 (0.058 ppm).

3.0 ENGINEERING & INSTITUTIONAL COMPLIANCE REPORT

3.1 INTRODUCTION

Since remaining contaminated groundwater, fill, and soil vapor exists beneath the site, ECs and ICs are required to protect human health and the environment. This section describes the procedures for the implementation and management of all EC/ICs at the site and results of Whitestone's May 25, 2016 and June 23, 2016 inspections of the EC/ICs.

3.2 ENGINEERING CONTROLS

3.2.1 Sub-Slab Depressurization Systems

The sub-slab depressurization system (SSDS) was installed by RaData, Inc. of Flanders, New Jersey on November 13 and 14, 2009. Two SSDS fans were installed. One SSDS fan was installed in the dry cleaners and one fan was installed in the pizzeria. After four-inch (4") diameter holes were core drill cut through the concrete floor, approximately one cubic foot of soil was removed from beneath the slab using a shop vac. Soil was placed in a 55-gallon drum for future disposal. These holes were piped with three-inch (3") diameter Schedule 40 PVC pipe routed through the window at the rear of the former Mountain Dry Cleaners. The window was replaced using plywood. Split-ring hangers, clevis hangers, and two-hole straps were used to attach the pipe securely to the building. The exhaust of the Schedule 40 PVC pipe was routed above the roofline at this location. The SSDS fans were mounted directly to the PVC pipe slightly below the roofline using rubber couplers. The fan units included two (2) Dynavac GP 501 fans (70-140 Watts), maximum pressure of 4.00 inches of water, capable of evacuating 95 cubic feet per minute at 1" static pressure. Conte Electric of Croton-On-Hudson, New York provided electrical service to the fan units. To provide constant evaluation of system performance, mini-magnahelic gauges were installed in a conspicuous location on the PVC pipe along with audio alarms, which sound when fan failure has occurred.

An additional SSDS was installed by RaData, Inc. of Flanders, New Jersey on October 10 through 13, 2010. This included the installation of three SSDS fans in the karate studio. After four-inch (4") diameter holes were cut through the concrete floor, approximately one cubic foot of soil was removed from beneath the slab using a shop vac. Soil was placed in a 55-gallon drum for future disposal. These holes were piped with three-inch (3") diameter Schedule 40 PVC pipes routed through the windows at the side and rear of the karate studio. The windows were replaced using plywood. Split-ring hangers, clevis hangers, and two-hole straps were used to attach the pipe securely to the building. The exhaust the Schedule 40 PVC pipe was routed above the roofline at this location. The vent fans were mounted directly to the PVC pipe slightly below the roofline using rubber couplers. Fan units included three (3) Dynavac GP 501 fans (70-140 Watts), maximum pressure of 4.00 inches of water, capable of evacuating 95 cubic feet per minute at 1" static pressure. Conte Electric of Croton-On-Hudson, New York provided electrical

service to the fan units. To provide constant evaluation of system performance, mini-magnahelic gauges were installed in a conspicuous location on the PVC pipes along with audio alarms, which sound when fan failure has occurred.

Following system installation, sub-slab vacuum measurements were conducted using a digital micromanometer to confirm that a successful negative pressure field was obtained.

3.2.2 Asphalt Cover System

Due to low levels of contaminants remaining in on-site soils (likely due to fill material), the existing asphalt cover system was incorporated into the engineering controls portion of the March 2014 SMP. The asphalt cover system at the site is inspected annually and repairs are made if necessary. Additionally, NYSDEC will be made aware of any repairs to the asphalt cover system.

3.3 INSTITUTIONAL CONTROLS

A series of ICs are required to: (1) implement, maintain and monitor EC systems; and (2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination. Adherence to these ICs on the Site is required by the Environmental Easement and is implemented under the March 2014 SMP. These ICs are:

- ▶ Compliance with the Environmental Easement and this SMP by the Grantor and the Grantor's successors and assigns;
- ▶ All ECs must be operated and maintained as specified in this SMP;
- ▶ All ECs on the controlled property must be inspected at a frequency and in a manner defined in the SMP;
- ▶ Groundwater monitoring must be performed as defined in the SMP; and
- ▶ Data and information pertinent to Site Management of the controlled property must be reported at the frequency and in a manner defined in the March 2014 SMP.

ICs identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement. The site has a series of ICs in the form of site restrictions. Adherence to these ICs is required by the Environmental Easement. Site restrictions that apply to the controlled property are:

- ▶ The property may only be used for restricted commercial use provided that the long-term ECs and ICs included in the SMP are employed;
- ▶ The property may not be used for a higher level of use, such as unrestricted use, without additional remediation and amendment of the Deed Restriction, as approved by NYSDEC;
- ▶ All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

- ▶ The use of the groundwater underlying the property is prohibited without treatment rendering it safe for intended use;
- ▶ The potential for vapor intrusion must be evaluated for any buildings developed in the area noted on Figure 2, and any potential impacts that are identified must be monitored or mitigated;
- ▶ Vegetable gardens and farming on the property is prohibited;
- ▶ Any soil excavation proposed at the Site would need to be approved by NYSDEC prior to implementation. This would include a written soil excavation plan which lays out the details of the excavation, especially in the areas where remaining soil contamination is present, that is covered by the Deed Restriction; and
- ▶ 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 both public health and the environment or that constitute a violation or failure to comply with this 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 NYSDEC deems acceptable.

Prior to construction of any enclosed structures located at the property, a Vapor Intrusion (VI) evaluation will be performed to determine whether any mitigation measures are necessary to eliminate potential exposure to vapors in the proposed structure. Alternatively, a VI mitigation system may be installed as an element of the building foundation without first conducting an investigation. This mitigation system will include a vapor barrier and passive sub-slab depressurization system that is capable of being converted to an active system.

Prior to conducting an VI investigation or installing a mitigation system, a work plan will be developed and submitted to NYSDEC and NYSDOH for approval. This work plan will be developed in accordance with the most-recent NYSDOH “Guidance for Evaluating Vapor Intrusion in the State of New York”. Measures to be employed to mitigate potential vapor intrusion will be evaluated, selected, designed, installed, and maintained based in the VI evaluation, the NYSDOH guidance, and construction details of the proposed structure.

Preliminary (unvalidated) VI sampling data will be forwarded to NYSDEC and NYSDOH for initial review and interpretation. Upon validation, the final data will be transmitted to the agencies, along with a recommendation for follow-up action, such as mitigation.

3.4 INSPECTION

A comprehensive site-wide inspection was conducted on May 25, 2016. The May 25, 2016 inspection of the IC/ECs at the site determined and documented the following:

- ▶ The ECs continue to perform as designed with the exception of the SSDS fan associated with the former dry cleaners. The fan was not functioning at the time of the May 25, 2016 inspection. The electrical system for this tenant space was repaired on June 23, 2013 and the system re-inspected. This SSDS was confirmed to be functioning, compliant, and protective on June 23, 2016. No corrections or modifications to the SMP currently are required.
- ▶ The controls continue to be protective of human health and the environment;
- ▶ Compliance with requirements of the SMP and the Environmental Easement has been achieved;
- ▶ Achievement of remedial performance criteria;
- ▶ Site records are complete and up to date; and
- ▶ Changes to the remedial or monitoring system are not needed.

Inspections were conducted in accordance with the procedures set forth in the Monitoring Plan of the March 2014 SMP.

3.5 CONCLUSIONS & RECOMMENDATIONS

Whitestone performed inspections of the IC/ECs at the site on May 25, 2016. All IC/ECs were in place and properly functioning at the time of the inspection with the exception of the SSDS fan associated with the former dry cleaners. The fan was not functioning at the time of the May 25, 2016 inspection. The electrical system for this tenant space was repaired on June 23, 2013 and the system re-inspected. This SSDS was confirmed to be functioning, compliant, and protective on June 23, 2016. No corrections or modifications to the SMP currently are required. A *Site-Wide Inspection Form* is included as Appendix B. Site uses/restrictions are compliant with the ICs. No changes to the IC/ECs for the site are required.

3.6 CERTIFICATION OF ENGINEERING & INSTITUTIONAL CONTROLS

The NYSDEC *Institutional and Engineering Controls Certification Form* from the *Site Management Periodic Review Report Notice* is included as Appendix A.

4.0 MONITORING PLAN COMPLIANCE REPORT

4.1 INTRODUCTION

This section of the PRR describes the measures for evaluating the performance and effectiveness of the remedy to mitigate contamination at the site for all affected site media identified below.

Monitoring/Inspection Schedule

Monitoring Program	Frequency*	Matrix	Analysis
Monitoring Wells MW-1 through MW-6	Annual	Groundwater	VOs
SSDS Inspection	Annual Regularly (by tenant)	Soil Vapor/Indoor Air SSDS Functioning	NA NA
* The frequency of events will be conducted as specified until otherwise approved by NYSDEC and NYSDOH NA – Not Applicable			

4.2 SOIL COVER SYSTEM MONITORING

A cover system inspection of the asphalt pavement areas was performed on May 25, 2016 to ensure the integrity of the system. The cover was in place and intact during the inspection and is determined to be effectively reducing/minimizing human exposure to the remaining on-site contamination.

4.3 MEDIA MONITORING

4.3.1 Groundwater Monitoring

Groundwater monitoring is performed on an annual basis to assess the performance of the remedy. The network of monitoring wells was installed to monitor both up-gradient and down-gradient groundwater conditions at the Site.

- ▶ Whitestone conducted a groundwater sampling and analyses program on five of the six monitoring wells located on the subject property on May 25, 2016. MW-5 was not accessible at the time of sampling, therefore, was not included in the sampling and analyses program. Discussions with NYSDEC confirmed that MW-5 is an up-gradient well and that the sampling of this monitoring well would not be necessary.

Whitestone conducted the groundwater sampling in accordance with NYSDEC regulations. Groundwater samples collected by Whitestone were submitted under proper chain-of-custody to Hampton-Clark Laboratories (HC) of Fairfield, New Jersey, a state-certified laboratory (NY Certification # 11408). Groundwater samples were submitted for Volatile Organics (VO) analyses and compared to NYSDEC Technical and Operation Guidance Series (TOGS). QA/QC samples including a duplicate, field blank, and trip blank were also collected as part of the sampling efforts. Purge water was drummed and disposed of at an off-site facility.

Groundwater samples collected from MW-2, MW-4, and MW-6 each exhibited concentrations of PCE in exceedance of NYSDEC TOGS (Table 1). Whitestone discussed these results with NYSDEC on June 7, 2016 and NYSDEC concluded that the PCE concentrations were within acceptable concentrations and recommended that annual groundwater sampling continue, per the 2014 SMP.

The sampling frequency may be modified with the approval of NYSDEC. The Monitoring Plan will be modified to reflect changes in sampling plans approved by NYSDEC.

4.3.1.1 Monitoring Well Repairs, Replacement & Decommissioning

If biofouling or silt accumulation occurs in the on-site and/or off-site monitoring wells, the wells will be physically agitated/surged and redeveloped. Additionally, monitoring wells will be properly decommissioned and replaced (as per the Monitoring Plan), if an event renders the wells unusable.

Repairs and/or replacement of wells in the monitoring well network will be performed based on assessments of structural integrity and overall performance.

NYSDEC will be notified prior to any repair or decommissioning of monitoring wells for the purpose of replacement, and the repair or decommissioning and replacement process will be documented in the subsequent PRR. Well decommissioning without replacement will be done only with the prior approval of NYSDEC. Well abandonment will be performed in accordance with NYSDEC's "Groundwater Monitoring Well Decommissioning Procedures." Monitoring wells that are decommissioned because they have been rendered unusable will be reinstalled in the nearest available location, unless otherwise approved by NYSDEC.

4.3.2 Soil Sampling

Soil sampling is only required during any intrusion work performed at the site. Per the NYSDEC-approved SMP for the site, soil excavated is to be stockpiled, characterized, and returned to the restricted area or disposed of at a regulated off-site facility. Dust and air quality monitoring is required during all excavation and restoration activities in order to reduce human exposure. Intrusive work has not been performed at the site during this

PRR period up to the time of this submission.

4.3.2.1 Sampling Protocol

No soil sampling was required in accordance with the SMP for the site.

4.3.3 SOIL VAPOR MONITORING

Soil vapor sampling is not required as part of the SMP. Soil vapor is being mitigated and monitored through the SSDSs located in the vacant unit (former dry cleaners), pizza restaurant, and karate studio. The monitoring and inspection of the SSDSs are outlined in Section 5.0 of this PRR.

4.4 CONCLUSIONS

Whitestone performed a site-wide inspection on May 25, 2016 to ensure all mechanisms of the SMP for the site were in compliance. Based on the inspection, all mechanisms of the SMP are compliant and protective, with the exception of the SSDS fan associated with the former dry cleaners. The fan was not functioning at the time of the May 25, 2016 inspection. The electrical system for the tenant space was repaired on June 23, 2013 and the system re-inspected. This SSDS was confirmed to be functioning, compliant, and protective on June 23, 2016. No corrections or modifications to the SMP currently are required.

5.0 OPERATION & MAINTENANCE PLAN COMPLIANCE REPORT

5.1 INTRODUCTION

This section of the PRR describes the compliance of the measures necessary to operate, monitor, and maintain the mechanical components of the remedy selected for the site.

5.2 SUB-SLAB DEPRESSURIZATION SYSTEMS

5.2.1 Overview

The SSDSs located within the dry cleaners and the pizzeria consist of three-inch diameter PVC pipes placed in the sub-base immediately below the building's floor slab. The pipes extend vertically (upward) through the units and vent to the exterior atmosphere above the roof. Fans (Dynavac GP501) capable of mechanically venting 95 CFM of air from beneath the slab were placed in line with the vent pipes below the roof. Additionally, in-line magnahelic vacuum gauges and alarm systems (Radonaway Checkpoint II) were installed on the SSDS. The fans and gauges/alarms each have dedicated electrical circuits. The operation and maintenance program was designed to ensure that the SSDSs operate on a continuous basis at the site and provide the appropriate depressurization beneath the floor slab of the retail-strip building. The program primarily consists of the inspection of non-mechanical components and the inspection, maintenance, and repair/replacement of mechanical components. The SSDS in the dry cleaners and pizzeria were installed on November 13 and 14, 2009.

The SSDS located within the karate studio consists of three-inch diameter PVC pipes placed in the sub-base immediately below the building's floor slab. The pipes extend vertically (upward) through the unit and vent to the exterior atmosphere below the roof. Fans (Dynavac GP 501) capable of mechanically venting 95 CFM of air from beneath the slab were placed in line with the vent pipes below the roof. Additionally, in line magnahelic vacuum gauges and alarm systems (Radonaway Checkpoint II) were installed on the SSDS. The fans and gauges/alarms each have dedicated electrical circuits. The operation and maintenance program was designed to ensure that the SSDSs operate on a continuous basis at the site and provide the appropriate depressurization beneath the floor slab of the retail-strip building. The program primarily consists of the inspection of non-mechanical components and the inspection, maintenance, and repair/replacement of mechanical components. The SSDS in the dry cleaners and karate studio were installed on October 10 through 13, 2010.

5.2.2 SYSTEM OPERATION INSPECTION

A visual inspection of the SSDSs was performed to ensure integrity of the systems and assess the need for maintenance. Whitestone inspected the SSDSs located in the dry

cleaners, karate studio, and the pizzeria on May 25, 2016 and June 23, 2016. The inspection confirmed that both SSDSs are functioning correctly and all components (piping, alarms, fittings, fans, seals, etc.) are also in compliance with the SMP for the site. A *Routine Maintenance Form* is included in Appendix C. Periodic inspections are also performed by site tenants and the SSDSs' alarm systems would notify the tenants of a failure of the SSDSs. No issues associated with the SSDSs have been reported by the tenants.

6.0 OVERALL CONCLUSIONS & RECOMMENDATIONS

This PRR has been prepared in accordance with NYSDEC DER-10 and the NYSDEC-approved SMP for the site. The site-wide EC/ICs and SSDS inspections for the site located at 20 Welcher Avenue, Peekskill, New York were performed on May 25, 2016 and June 23, 2016.

The following are Whitestone's conclusions and recommendations based on the inspections:

Conclusions:

- ▶ The EC/ICs for the site are effective in reducing human exposure to contaminated media and are in compliance with the SMP;
- ▶ Site conditions and uses are consistent with the requirements of the established ICs; and
- ▶ The SSDSs located at the site are operating properly and are in compliance with the SMP and their respective design requirements.

Recommendations:

- ▶ No changes or addendums to the SMP or IC/ECs are recommended based on the results of Whitestone's inspections.

TABLE 1
Groundwater Sampling &
Analyses Data Summary

TABLE 1
GROUNDWATER SAMPLING & ANALYSES DATA SUMMARY
Blue Mountain Plaza Shopping Center
20 Welcher Avenue
Peekskill, Westchester County, New York

	SAMPLE ID:	MW-1			MW-2			MW-3			MW-4			MW-6			DUP-1			FB-1			TB-1		
	LAB ID:	AC91553-001			AC91553-002			AC91553-003			AC91553-004			AC91553-005			AC91553-006			AC91553-007			AC91553-008		
	COLLECTION DATE:	5/25/2016			5/25/2016			5/25/2016			5/25/2016			5/25/2016			5/25/2016			5/25/2016			5/25/2016		
	DEPTH TO GW:	20.67			21.10			20.07			21.20			21.65			21.10			BLANK			BLANK		
	SAMPLE MATRIX:	GROUNDWATER			GROUNDWATER			GROUNDWATER			GROUNDWATER			GROUNDWATER			GROUNDWATER			BLANK			BLANK		
ANALYTE	TOGS	Result	Flg	RL	Result	Flg	RL	Result	Flg	RL	Result	Flg	RL	Result	Flg	RL	Result	Flg	RL	Result	Flg	RL	Result	Flg	RL
VOLATILE ORGANICS (VO)																									
1,1,1-Trichloroethane	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,1,2,2-Tetrachloroethane	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,1,2-Trichloro-1,2,2-trifluoroethane	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,1,2-Trichloroethane	1	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,1-Dichloroethane	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,1-Dichloroethene	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,2,3-Trichlorobenzene	NA	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,2,4-Trichlorobenzene	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,2-Dibromo-3-chloropropane	NA	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,2-Dibromoethane	NA	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,2-Dichlorobenzene	3	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,2-Dichloroethane	0.6	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50
1,2-Dichloropropane	1	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,3-Dichlorobenzene	3	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,4-Dichlorobenzene	3	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
1,4-Dioxane	NA	ND		50	ND		50	ND		50	ND		50	ND		50	ND		50	ND		50	ND		50
2-Butanone	50	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
2-Hexanone	50	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
4-Methyl-2-pentanone	NA	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Acetone	50	ND		5.0	ND		5.0	ND		5.0	ND		5.0	ND		5.0	ND		5.0	ND		5.0	ND		5.0
Benzene	1	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50
Bromochloromethane	NA	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Bromodichloromethane	50	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Bromoform	50	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Bromomethane	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Carbon disulfide	60	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Carbon tetrachloride	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Chlorobenzene	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Chloroethane	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Chloroform	7	ND		1.0	1.0		1.0	ND		1.0	1.0		1.0	2.9		1.0	ND		1.0	ND		1.0	ND		1.0
Chloromethane	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
cis-1,2-Dichloroethene	5	ND		1.0	ND		1.0	ND		1.0	3.4		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
cis-1,3-Dichloropropene	0.4	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Cyclohexane	NA	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Dibromochloromethane	50	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Dichlorodifluoromethane	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Ethylbenzene	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Isopropylbenzene	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
m&p-Xylenes	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Methyl Acetate	NA	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Methylcyclohexane	NA	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Methylene chloride	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	2.5		1.0	ND		1.0
Methyl-t-butyl ether	10	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50	ND		0.50
o-Xylene	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Styrene	930	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Tetrachloroethene	5	ND		1.0	19		1.0	ND		1.0	8.4		1.0	210		1.0	19		1.0	ND		1.0	ND		1.0
Toluene	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
trans-1,2-Dichloroethene	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
trans-1,3-Dichloropropene	0.4	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Trichloroethene	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	1.4		1.0	ND		1.0	ND		1.0	ND		1.0
Trichlorofluoromethane	5	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Vinyl chloride	2	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0
Xylenes (Total)	NA	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0	ND		1.0

Notes:
Shaded and bold value indicates an exceedence of the NYSDEC TOGS
All results reported in parts per billion (ppb or ug/L)
Depth to groundwater reported in feet below top of casing (fbtoc)
TOGS - NYSDEC Technical and Operational Guidance Series (1.1.1) Ambient Water Quality Standards
Flg - Data Qualifier
RL - Laboratory Reporting Limit
ND - Not Detected Exceeding RL
NA - No Applicable NYSDEC TOGS

FIGURE 1
Location of Remedial Treatment
Systems (SSDSs)

L:\Data\Job_Folders\2016\1613849EJ\Drawings and Plans\EJ1613849.000 TREATMENT LOCATIONS.dwg

SOUTH STREET

KEY FOOD STORE

S-1

MARTIAL ARTS
STUDIO

S-2

S-3

PIZZERIA

S-4

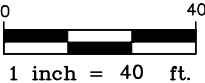
S-5

DRY CLEANERS

BLUE MOUNTAIN
PLAZA

MULTI-TENANT
COMMERCIAL
STRUCTURE

MCDONALD'S



 S-1

SSDS



SUBJECT PROPERTY BOUNDARY (APPROX.)

SSDS RISER PIPE LOCATION (APPROX.)

SUB-SLAB DEPRESSURIZATION SYSTEM

REFERENCE

THIS PLAN IS BASED UPON A SEPTEMBER 2011 SITE PLAN PREPARED BY BELL ENVIRONMENTAL CONSULTING, INC.



WHITESTONE
ASSOCIATES, INC.

Environmental & Geotechnical Engineers & Consultants

35 TECHNOLOGY DRIVE, WARREN, NJ 07059
908.668.7777 WHITESTONEASSOC.COM

DRAWING TITLE:
LOCATION OF REMEDIAL TREATMENT
SYSTEMS (SSDSs)

CLIENT:

KURT SAM REALTY CORPORATION

PROJECT:

BLUE MOUNTAIN PLAZA SHOPPING CENTER
20 WELCHER AVENUE
SECTION 42, TAX SHEET 8, LOT 1-2
PEEKSKILL, WESTCHESTER COUNTY, NY

PROJECT #:

EJ1613849.000

DESIGNED BY:

GR

PROJ. MGR.:

CS

DATE:

09/27/16

FIGURE:

1

SCALE:

1" = 40'

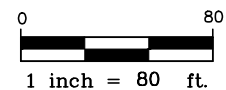
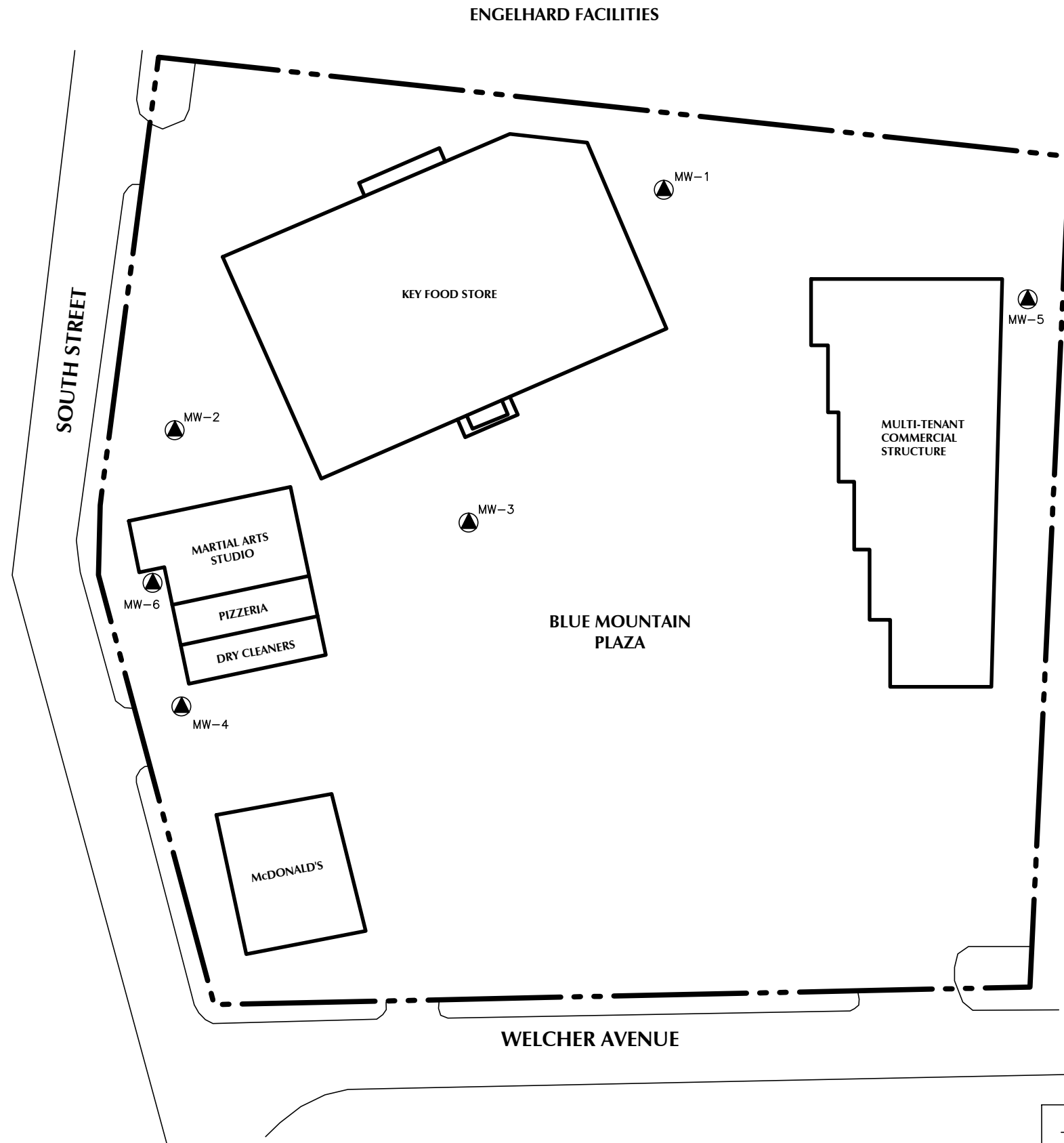


FIGURE 2

Monitor Well Location Plan

L:\Data\Job_Folders\2016\1613849EJ\Drawings and Plans\EJ1613849.000 MWLP.dwg

KARTA
CONTAINER
&
RECYCLING, INC.



LEGEND	
 MW-1	MONITOR WELL LOCATION (APPROX.)
	SUBJECT PROPERTY BOUNDARY (APPROX.)
REFERENCE	
THIS PLAN IS BASED UPON A SEPTEMBER 2011 SITE PLAN PREPARED BY BELL ENVIRONMENTAL CONSULTING, INC.	



**WHITESTONE
ASSOCIATES, INC.**
Environmental & Geotechnical Engineers & Consultants
35 TECHNOLOGY DRIVE, WARREN, NJ 07059
908.668.7777 WHITESTONEASSOC.COM

DRAWING TITLE: MONITOR WELL LOCATION PLAN	
CLIENT: KURT SAM REALTY CORPORATION	
PROJECT: BLUE MOUNTAIN PLAZA SHOPPING CENTER 20 WELCHER AVENUE SECTION 42, TAX SHEET 8, LOT 1-2 PEKSKILL, WESTCHESTER COUNTY, NY	
PROJECT #: EJ1613849.000	
DESIGNED BY: GR	PROJ. MGR.: CS
DATE: 09/14/16	FIGURE: 2
SCALE: 1" = 80'	

APPENDIX A

Institutional and Engineering Controls Certification Form



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. V00160-3

Site Name Blue Mountain Plaza Shopping Center

Site Address: 20 Welcher Avenue

Zip Code: 10566

City/Town: Peekskill

County: Westchester

Site Acreage: 5.7

Reporting Period: May 31, 2015 to May 31, 2016

YES NO

1. Is the information above correct?

☒ ☐

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?

☐ ☒

3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?

☐ ☒

4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?

☐ ☒

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?

☐ ☒

Box 2

YES NO

6. Is the current site use consistent with the use(s) listed below?
Commercial and Industrial

☒ ☐

7. Are all ICs/ECs in place and functioning as designed?

☒ ☐

**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 ControlsParcelOwnerInstitutional Control**01-Sheet2-P25,P25B**

Kurtsam Realty Corp.

Ground Water Use Restriction
Site Management Plan

This parcel may be used for commercial or industrial use provided the long-term engineering controls are employed:

1. Continued operation, monitoring and maintenance of the sub-slab depressurization system (SSDS) in the retail strip (lot P-25), as outlined in the Department-approved Site Management Plan (SMP);
2. A barrier layer must be maintained on the Controlled Property of either one (1) foot of clean fill or an alternative barrier layer approved by the NYSDEC, such as the existing concrete, including building slabs, and asphalt;
3. Any proposed soil excavation on the Controlled Property below the barrier layer requires prior notification and approval by the NYSDEC in accordance with the SMP. The excavated soils must be managed, characterized, and properly disposed of in accordance with NYSDEC regulations and directives and the SMP;
4. Any area of soil excavation below the barrier layer that is to be returned to vegetated soil (i.e., not concrete, asphalt or structures) must be backfilled with a minimum of one (1) foot layer of clean fill underlain by a demarcation layer;
5. Any new structures constructed on the Site must be evaluated for potential soil vapor intrusion and mitigated as necessary in accordance with the building mitigation provisions of the SMP;
6. The use of the groundwater underlying the Controlled Property is prohibited without prior approval from the NYSDEC rendering it safe for use for drinking or commercial purposes.

Box 4**Description of Engineering Controls**ParcelEngineering Control**01-Sheet2-P25,P25B**Vapor Mitigation
Cover System

1. Continued operation, monitoring and maintenance of the sub-slab depressurization system (SSDS) in the retail strip (lot P-25), as outlined in the Department-approved Site Management Plan (SMP).
2. A barrier layer must be maintained on the Controlled Property of either one (1) foot of clean fill or an alternative barrier layer approved by the NYSDEC, such as the existing concrete, including building slabs, and asphalt.

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 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. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

(a) the Institutional Control and/or 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. 360084

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 Joanne Landau at P.O. Box 383, Croton on Hudson, New York 10520,
print name print business address

am certifying as Owner (Owner or Remedial Party)

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


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

9-28-16
Date

IC/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 Keith T. D'Ambrosio at 35 Technology Drive, Warren, New Jersey 07059
print name print business address

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


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



9/27/16
Date



APPENDIX B

Site-Wide Inspection Form

SITE-WIDE INSPECTION FORM

I. Background Site Information

A. Facility Name and Location:

Business Name as it appears on the Environmental Easement: Kurtsam Realty Corp.

Name of the current operator at the site (if different than above): Kurtsam Realty Corp.

Property Street Address: 20 Welcher Avenue

Municipality: Peekskill County: Westchester

Block: 1

Lot: 1 and 2

Year of Tax map from which this information is obtained: 2011

B. Person responsible for submitting the certification and inspection report for Institutional & Engineering Controls:

Person's Name: Joanne Landau

Person's Title: Owner

Business Name: Kurtsam Realty Corp.

Relationship to the Site (check as appropriate): Owner X Operator X

Lessee _____ Person Who Conducted the Cleanup _____

Other (describe) _____

Street Address: P.O. Box 383 City: Croton on Hudson State: NY

Telephone Number: 914-271-5700

Fax Number: 914-271-5705 E-mail Address: jzlandau@aol.com

C. All Current Owner, Lessee(s) and Operator(s):

Name of Person: Joanne Landau

Business Name: Kurtsam Realty Corp.

Relationship to the Site: Owner X Operator X Lessee _____

Street Address: P.O. Box 383

City: Croton on Hudson State: NY

Telephone Number: 914-271-5700

Fax Number: 914-271-5705

E-mail Address: jzlandau@aol.com

Business Name: Go No Sen Karate
Relationship to the Site: Owner _____ Operator _____ Lessee X
Street Address: 28 Welcher Avenue
City: Peekskill State: NY
Telephone Number: 914-734-2461
Fax Number: _____
E-mail Address: _____

Business Name: Anthony's Pizza
Relationship to the Site: Owner _____ Operator _____ Lessee X
Street Address: 22 Welcher Avenue #4
City: Peeksills State: NY
Telephone Number: 914-737-0322
Fax Number: _____
E-mail Address: _____

D. Case Specific Information (Complete all that apply):

- Site Name: Blue Mountain Plaza Shopping Center
- NYSDEC Site Number: V00160-3
- Date of each Certification of Completion for the site: December 2012
- Name and Bureau of assigned Case Manager at the time the Environmental Easement was issued: John Miller, Region 3

E. Existing Site Conditions

- Describe the physical characteristics of the site.

The site is located in Peekskill, Westchester County, New York and is identified as Section 42.8, Block 1, Lots 1 and 2 on the City of Peekskill, Westchester County Tax Map. The site is an approximately 5.4-parcel area and consists of Blue Mountain Plaza Shopping Center. The area immediately surrounding the subject property consists of a mix of residential and commercial uses. The site is bound by Englehard Corporation to the north and east; Welcher Avenue to the south; and South Street to the west (see Figure 2).

- Describe the current site operations.

Current site tenants include a McDonald's restaurant building and a retail-strip building that houses a Karate studio, a pizzeria, and the former drycleaners space (currently vacant) in the western portion of the site. The north-most site structure is occupied by Key Food grocery store. The east-most site structure is occupied by various commercial tenants including CVS Pharmacy, a chinese restaurant, a flower shop, a beauty salon, a dollar store, a bank, and a drycleaners/laundromat.

- Describe each engineering control that applies to the Restricted Areas.

Soil Cover

Exposure to remaining contamination in soil/fill at the site is prevented by a soil cover system placed over the site. This cover system is comprised of four inches of asphalt pavement.

Sub-slab Depressurization Systems (SSDSs)

The sub-slab depressurization system (SSDS) was installed by RaData, Inc. of Flanders, New Jersey on November 13 and 14, 2009. Two SSDS fans were installed. One SSDS fan was installed in the dry cleaners and one fan was installed in the pizzeria. After four-inch (4") diameter holes were core drill cut through the concrete floor, approximately one cubic foot of soil was removed from beneath the slab using a shop vac. Soil was placed in a 55-gallon drum for future disposal. These holes were piped with three-inch (3") diameter Schedule 40 PVC pipe routed through the window at the rear of the former Mountain Dry Cleaners. The window was replaced using plywood. Split-ring hangers, clevis hangers, and two-hole straps were used to attach the pipe securely to the building. The exhaust of the Schedule 40 PVC pipe was routed above the roofline at this location. The SSDS fans were mounted directly to the PVC pipe slightly below the roofline using rubber couplers. The fan units included two (2) Dynavac GP 501 fans (70-140 Watts), maximum pressure of 4.00 inches of water, capable of evacuating 95 cubic feet per minute at 1" static pressure. Conte Electric of Croton-On-Hudson, New York provided electrical service to the fan units. To provide constant evaluation of system performance, mini-magnahelic gauges were installed in a conspicuous location on the PVC pipe along with audio alarms, which sound when fan failure has occurred.

An additional SSDS was installed by RaData, Inc. of Flanders, New Jersey on October 10 through 13, 2010. This included the installation of three SSDS fans in the karate studio. After four-inch (4") diameter holes were cut through the concrete floor, approximately one cubic foot of soil was removed from beneath the slab using a shop vac. Soil was placed in a 55-gallon drum for future disposal. These holes were piped with three-inch (3") diameter Schedule 40 PVC pipes routed through the windows at the side and rear of the karate studio. The windows were replaced using plywood. Split-ring hangers, clevis hangers, and two-hole straps were used to attach the pipe securely to the building. The exhaust the Schedule 40 PVC pipe was routed above the roofline at this location. The vent fans were mounted directly to the PVC pipe slightly below the roofline using rubber couplers. Fan units included three (3) Dynavac GP 501 fans (70-140 Watts), maximum pressure of 4.00 inches of water, capable of evacuating 95 cubic feet per minute at 1" static pressure. Conte Electric of Croton-On-Hudson, New York provided electrical service to the fan units. To provide constant evaluation of system performance, mini-magnahelic gauges were installed in a conspicuous location on the PVC pipes along with audio alarms, which sound when fan failure has occurred.

II. Protectiveness Evaluation

A. Institutional Control Information

- Provide the following information for the recorded Environmental Easement:

Book Number: 10032
Page Number: 124

Date the Environmental Easement was filed in the office of the county recording officer: June 30, 2011

- Have any amendments and/or additional filings been recorded that may modify or supersede the Environmental Easement and Exhibits?

Yes ☐ No ☒

If you answered "Yes", provide an explanation. Also provide the Book and Page Number of the amendment and/or additional filing and the date it was filed in the office of the county recording officer.

B. Evaluation of Institutional and Engineering Controls:

(The appropriate box on the left must be checked for each of the following items.)

1. Zoning or Land Use Changes

a. Land use at the time the Environmental Easement was filed (check all that apply):
Non-Residential ☒ Residential ☐ Agricultural ☐ Other ☐

b. Current land use (check all that apply):
Non-Residential ☒ Residential ☐ Agricultural ☐ Other ☐

If the current land use is different than the land use at the time the Environmental Easement was filed, explain how the remedial action, which included the Environmental Easement, remains protective of public health and safety. Include the Case Manager's name and Bureau that approved this change, if applicable.

c. Has there been an actual or pending zoning or land-use change for the Restricted Area on which the Environmental Easement is filed?

Yes ☐ No ☒ (If No, proceed to #2, below)

If Yes, describe:

2. Inspections

Have periodic inspections of the site identified any excavation or other disturbance activities that have taken place within the Restricted Areas?

Yes ☐ No ☒ (If No, proceed to "3") **(Internal Use ☐)**

If yes, provide a full description of the disturbance and the method to restore all controls, compliance with all applicable health and safety laws and regulations, and methods to ensure that exposure to contamination in excess of the applicable remediation standard did not occur. If the disturbance resulted in an unacceptable exposure to the soil contamination explain how this was remedied.

3. Changes to Laws and Regulations

- a. Are there any subsequently promulgated or modified environmental laws or regulations, which apply to the site?

Yes ____ No X (If No, proceed to #4 below)

- b. If Yes, has the evaluation also determined that each engineering and institution controls, as applicable, meets the requirements of the new laws and regulations?

Yes ____ No ____ (If Yes, proceed to #4 below)

- c. Each institutional and engineering controls, as applicable that did not meet the requirements of the new laws and regulations has been addressed in the following manner to bring them into compliance:

4. Detailed Maintenance Logs

Attach a copy of the detailed maintenance log (use Routine Maintenance Reports) of how the persons responsible for monitoring and ensuring the protectiveness of the remedial action have maintained and evaluated the engineering controls.

Date(s) of all Inspections: May 25, 2016, June 23, 2016, and periodic by tenants for SSDS. Overall site maintenance is continuously performed by the site owner.

APPENDIX C

Routine Maintenance Form

ROUTINE MAINTENANCE REPORT/ ENGINEERING CONTROL SYSTEM INSPECTION CHECKLIST

Client: Kurtsam Realty Corporation
Project/Scope: Periodic Review Report

Project No.: EJ1613849.000
Project Location: Peekskill, New York
Page 1 **of** 1

Date: May 25, 2016
Representative: Jared Christian

Weather: 70°F, Mostly Sunny	
Equipment & Personnel Present at Site (list all visitors & subcontractors): Jared Christian (Whitestone Associates, Inc.)	
Activities/Time:	
10:00	Inspected site-wide engineering controls and compliance with institutional controls
11:30	Inspected sub-slab depressurization system (SSDS)
12:00	Conducted groundwater sampling
Modifications to the Systems in the Checklist Below:	
There have been no modifications to the systems listed below	
Incidents Noted per systems in the checklist below:	
The SSDS fan was not working in association with the former dry cleaners space.	
Components Required to be Checked Per Site Management Plan:	
SSDS Vacuum blowers/fans (Dynavac GP 501)	☒
General SSDS systems piping and fittings/seals	☒
SSDS alarms	☒
SSDS/electrical systems	☒
Asphalt Pavement	☒

Miscellaneous Comments & Observations:	The SSDS fan was not working in association with the former dry cleaners space.
Check all that apply (attached): ☐ Site Sketch ☐ Logs ☐ Incident Report ☐ Photos ☐ Invoices	

ROUTINE MAINTENANCE REPORT/ ENGINEERING CONTROL SYSTEM INSPECTION CHECKLIST

Client: Kurtsam Realty Corporation
Project/Scope: Periodic Review Report

Project No.: EJ1613849.000
Project Location: Peekskill, New York
Page 1 **of** 1

Date: June 23, 2016
Representative: Brendon Mulry

Weather: 80°F, Sunny	
Equipment & Personnel Present at Site (list all visitors & subcontractors):	
Brendon Mulry (Whitestone Associates, Inc.)	
Activities/Time:	
8:00	Arrived on site, and electrician began troubleshooting dry cleaner's SSDS fan
10:00	Repair complete
10:15	System confirmed to be working
Modifications to the Systems in the Checklist Below:	
There have been no modifications to the systems listed below	
Incidents Noted per systems in the checklist below:	
There are no incidents associated with the systems below during this inspection	
Components Required to be Checked Per Site Management Plan:	
SSDS Vacuum blowers/fans (Dynavac GP 501)	☒
General SSDS systems piping and fittings/seals	☒
SSDS alarms	☒
SSDS/electrical systems	☒
Asphalt Pavement	☒

Miscellaneous Comments & Observations:	Former dry cleaners space SSDS fan working upon demobilization.
Check all that apply (attached): ☐ Site Sketch ☐ Logs ☐ Incident Report ☐ Photos ☐ Invoices	