

NICHOLAS A. ANDRIANAS, P.E.

NAC CONSULTANTS, INC.

28 Henry Street

Kings Park, New York 11754

(631)269-2680

Fax: (631)269-2685

May 19, 2010

Mr. Jeffrey Trad

Project Manager

New York State Division of Environmental Conservation

BURE

625 Broadway

Albany, New York 12233-7011

Re: Gibson and Cushman Dredging Co., LLC

38 Homan Avenue

Bay Shore, NY 11706

Site No. V00352

Dear Mr. Trad,

The Site Management Periodic Review Report for the referenced site is enclosed. The report includes the Institutional and Engineering Controls Certification.

Call me if you have any questions.

Sincerely,

NAC CONSULTANTS, INC.

A handwritten signature in dark ink, appearing to read 'Nicholas A. Andrianas', with a long, sweeping horizontal line extending to the right.

Nicholas A. Andrianas, P.E.

cc: Peter Hough

(38 Homan Avenue LLC)

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Nicholas A. Andrianas, P.E.

cc: Peter Hough

(38 Homan Avenue LLC)



Enclosure 1
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. **V00352**

Site Name **Gibson and Cushman Dredging Co., LLC**

Site Address: 38 Homan Avenue **Zip Code:** 11706

City/Town: Bay Shore

County: Suffolk

Allowable Use(s) (if applicable, does not address local zoning): Industrial

Site Acreage: 1.5

Owner: ~~Gibson and Cushman Dredging Co., LLC~~
~~53 Pinhill Trail West, Tequesta, FL 33469~~

OWNER: 38 HOMAN AVENUE LLC
27 JOSEPHINE DRIVE
SHOREHAM, NY 11786

Reporting Period: June 30, 2008 to November 15, 2009

Verification of Site Details

Box 2

- | | YES | NO |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| 1. Is the information in Box 1 correct? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If NO, are changes handwritten above or included on a separate sheet? | <input checked="" type="checkbox"/> | |
| 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"/> |
| If YES, is documentation or evidence that documentation has been previously submitted included with this certification? | <input type="checkbox"/> | |
| 3. 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 YES, is documentation (or evidence that documentation has been previously submitted) included with this certification? | <input type="checkbox"/> | |
| 4. If use of the site is restricted, is the current use of the site consistent with those restrictions? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If NO, is an explanation included with this certification? | <input type="checkbox"/> | |
| 5. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid? | <input type="checkbox"/> | <input type="checkbox"/> NA |
| If YES, is the new information or evidence that new information has been previously submitted included with this Certification? | <input type="checkbox"/> | |
| 6. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), are the assumptions in the Qualitative Exposure Assessment still valid (must be certified every five years)? | <input type="checkbox"/> | <input type="checkbox"/> NA |
| If NO, are changes in the assessment included with this certification? | <input type="checkbox"/> | |

* NA NOT APPLICABLE

SITE NO. V00352

Box 3

Description of Institutional Controls

Parcel

Institutional Control

S_B_L Image: **394-0100-048**

Building Use Restriction
Ground Water Use Restriction
Landuse Restriction
Soil Management Plan

Box 4

Description of Engineering Controls

Parcel

Engineering Control

S_B_L Image: **394-0100-048**

Alternate Water Supply
Cover System

Attach documentation if IC/ECs cannot be certified or why IC/ECs are no longer applicable.
(See instructions)

Control Description for Site No. V00352

Parcel: 394-0100-048

A Declaration of Covenants and Restrictions was filed with the Suffolk County Clerk on 11/15/2007. It contains cap maintenance requirement, groundwater use restriction, landuse restriction, and building use restriction as well as the Soils Management Plan.

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

☒ ☐

3. If this site has an Operation and Maintenance (O&M) Plan (or equivalent as required in the Decision Document);

I certify by checking "YES" below that the O&M Plan Requirements (or equivalent as required in the Decision Document) are being met.

NA

YES NO

☐ ☐

4. If this site has a Monitoring Plan (or equivalent as required in the remedy selection document);

I certify by checking "YES" below that the requirements of the Monitoring Plan (or equivalent as required in the Decision Document) is being met.

NA

YES NO

☐ ☐

IC CERTIFICATIONS
SITE NO. V00352

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 2 and/or 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 Peter Hough at 15 N. Columbia St, Port JEFF NY 11771
print name print business address

am certifying as 38 HOMAN AVENUE LLC (Owner or Remedial Party)

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

[Signature]
Signature of Owner or Remedial Party Rendering Certification

5/17/2010
Date

IC/EC CERTIFICATIONS

Box 7

QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) 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 NICHOLAS A. ANDRIANAS at 28 HENRY ST., KINGS PARK NY 11754
print name print business address

am certifying as a Qualified Environmental Professional for the 38 HOMAN AVENUE LLC

(Owner or Remedial Party) for the Site named in the Site Details Section of this form.

[Signature]
Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering Certification



Stamp (if Required)

5/18/10
Date

PERIODIC REVIEW REPORT

38 HOMAN AVENUE LLC

GIBSON & CUSHING DREDGING CO. LLC

**38 Homan Avenue
Bayshore, New York**

SITE NUMBER V00352

May 2010

Prepared By: Nicholas A. Andrianas, P.E.

**NAC CONSULTANTS, INC.
28 Henry Street
Kings Park, New York 11754
(631) 269-2680
(631) 269-2685 FAX**

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FIGURES

Figure 1	Site Location
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1.0 INTRODUCTION

The Gibson & Cushman Dredging Co. LLC site is a New York State Department of Environmental Conservation (NYSDEC) designated Voluntary Cleanup Agreement (VCA) Site. In accordance with the New York State Department of Environmental Conservation's March 3, 2010 letter and Title 6, NYCRR Part 375 Regulations, this periodic Review Report (PRR) documents the facility's compliance with the "Site Management" requirements of the VCA.

The site is located at 38 Homan Avenue, Bayshore, New York. The property is approximately 1.5 acres, is privately owned and is industrially zoned. The site is used for the storage and maintenance of dredging equipment. Barges used for the dredging operations are berthed at the creek adjacent to the property. The site consists of two parcels, known as the south and the north parcels. A two story building and maintenance shop are located on the north parcel. There are two maintenance buildings on the southern parcel.

Remediation of soil at the north and south parcels was completed in march 2006 as reported in the April 2006 certification provided by J.R. Holzmacher, P.E., LLC. A copy of the certification reported was reviewed for this PRR.

2.0 SITE OVERVIEW

The Site Plan taken from the April 2006 Certification report is shown in Figure 1. The property is bounded on the west and south by Pentaquit Creek, on the north by an industrial property and on the east by Homan Avenue.

Upon completion of the remediation in 2006 to remove metals and petroleum contaminated soils, some remaining soils at the property did not meet the NYSDEC recommended soil cleanup objectives. A deed restriction and soil management plan were developed to address the following:

- Prevent the use of on-site groundwater
- Maintain a clean fill cover
- Prohibit excavation at the site with NYSDEC permission
- Restrict the site to commercial and industrial uses
- Permit change of use or construction with NYSDEC approval

A copy of the recorded deed for 38 Homan Avenue LLC filed with the Soil Management Plan was reviewed for this PRR.

3.0 EVALUATE REMEDY PERFORMANCE, EFFECTIVENESS, AND PROTECTIVENESS

The site is subject to engineering and institutional controls that are in place. This section does not apply.

4.0 IC/EC PLAN COMPLIANCE REPORT

The institutional and engineering controls were reviewed and found to be in compliance with the requirements of the VCA. The documents are attached as Appendix A. The Site Management Plan (SMP) and deed restrictions were available for review in the preparation of this PRR. A site visit was conducted by Nicholas A. Andrianas, P.E. on May 4, 2010. The site was observed to be in compliance with the SMP at the time of the visit. The grassed areas and the areas backfilled during the March 2006 remediation were found to be maintained in compliance with the VCA and the SMP.

In addition to the structures shown in the VCA remediation documents, a temporary aboveground, shrink wrapped, framed, work shed was observed on the north parcel at the time of the site visit on May 4, 2010. The shed appears to be set on grade and there were no footings evident in the clean, backfilled areas.

The institutional controls certification is attached.

5.0 MONITORING PLAN COMPLIANCE REPORT

This section is not applicable.

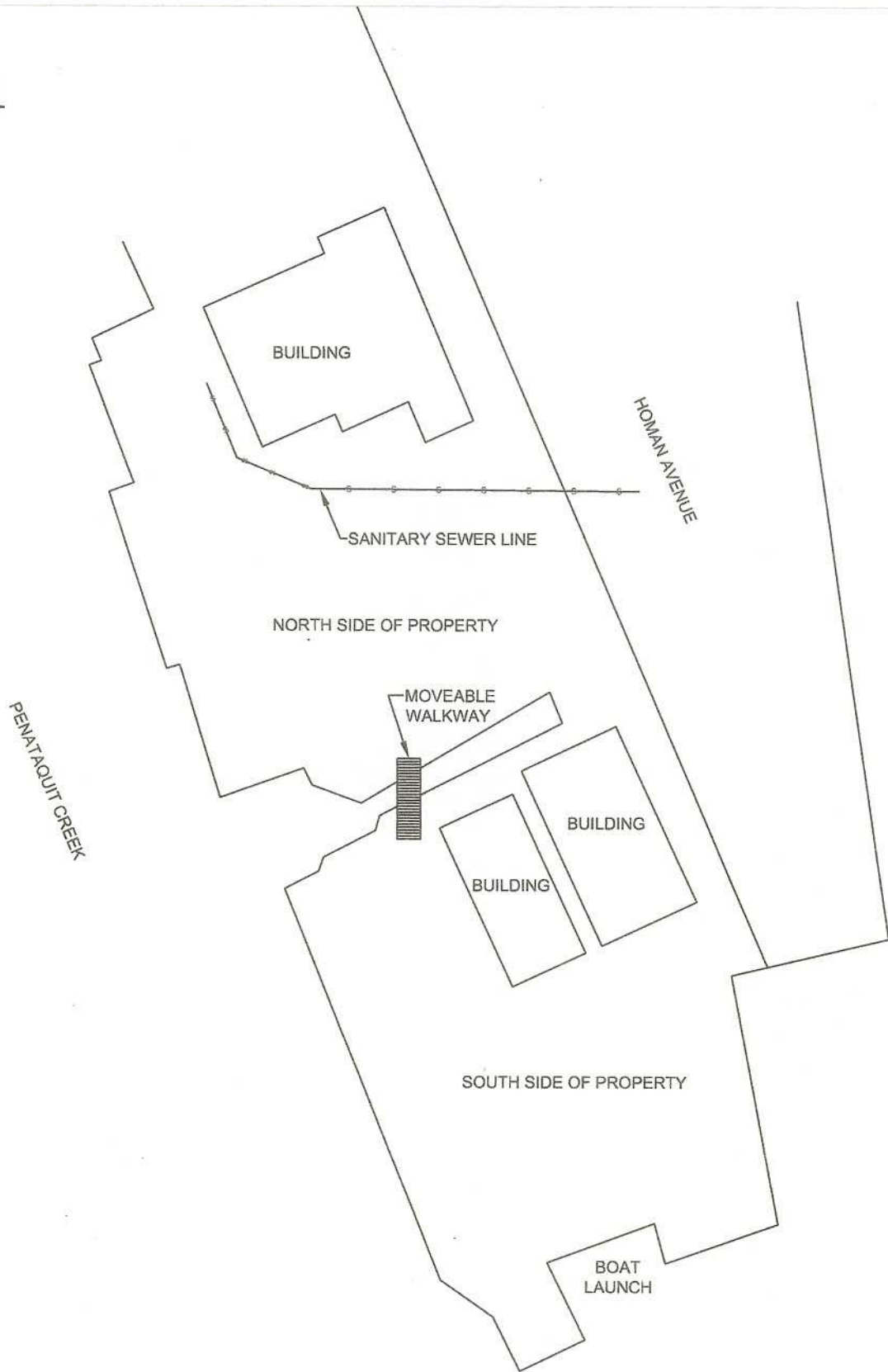
6.0 OPERATION & MAINTENANCE (O&M) PLAN COMPLIANCE REPORT

This section does not apply.

7.0 Overall PRR Conclusions and Recommendations

The requirements for each component of the SMP including the institutional controls are in compliance with the NYSDEC approved plans.

Future PRR submittals should continue at the current frequency.



SCALE: 1" = 50'

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 Civil and Environmental Engineering
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 E-MAIL: info@holzmacher.com
 www.holzmacher.com

TITLE:

SITE PLAN
38 HOMAN AVENUE
BAY SHORE, NEW YORK

DWN:	SCALE:	DATE:	PROJECT NO.:
APK	NOTED	03/30/06	BrEnv 06-01
CHKD:	APPD:	REV.:	NOTES:
JMD	JRH	-	-
FIGURE NO.:		1	