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21 October 2003

Mr. George W. Heitzman, Senior Environmental Engineer
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7015

**RE: Operating, Monitoring, and Maintenance Work Plan Addendum
Orange Plaza (DEC Site # V000415-3)
Orange Plaza Mall
Middletown, NY
Job No. 1691901**

Bernard F. Langan, P.E.
George E. Derrick, P.E.
George P. Kelley, P.E.
Michael A. Semeraro, Jr., P.E.
David T. Gockel, P.E.
Nicholas De Rose, P.G.
Cabot M. Hudson, P.E.
Andrew J. Ciancia, P.E.
George E. Leventis, P.E.

Gerard M. Coscia, P.E.
Colleen Costello, P.G.
Rudolph P. Frizzi, P.E.
Ronald A. Fuerst, C.L.A.
Michael M. Goldstein
Cristina M. González, P.E.
Sam B. Ishak, M.C.S.E.
William G. Lothian, P.E.
Leonard D. Savino, P.E.
Steven Ueland, P.E.
Gerald J. Zambrella, C.E.M.

Roger A. Archabal, P.E.
Gregory L. Biesiadecki, P.E.
Michael E. Cotreau, P.E.
Gregory M. Elko, P.E.
Edward H. Geibert, M.S.
Joel B. Landes, P.E.
John J. McElroy, Jr., Ph.D., P.E.
R. S. Murali, M.S.
John D. Plante, P.E.
Alan R. Poeppel, P.E.
George A. Reeves
Joseph E. Romano, P.L.S.

Dear Mr. Heitzman:

Pursuant to your letter of 17 March 2003 (Attachment A), this *Operating, Monitoring, and Maintenance Work Plan* (OM&M) as been developed as an addendum to Langan's 6 February 2003 *Remedial Investigation Report*. The work described in this OM&M Work Plan will be completed in accordance with the Voluntary Cleanup Agreement (VCA) that was executed between the NYSDEC and Middletown I Resources L.P. on 12 March 2001.

As directed by the 17 March 2003 letter, this OM&M Work Plan calls for the sampling of monitoring well MW-1, which is located within the VCA area, for volatile organic compounds on an annual basis. The sampling procedures and analytical methods used in the annual monitoring program will follow those outlined in Section 4.2 of Langan's 6 February 2003 *Remedial Investigation Report*. All groundwater analytical results will be compared to the ambient water quality standards contained in 6NYCRR Part 703. The analytical results will be used to verify degradation trends until groundwater within the VCA area is in compliance with the NYSDEC ambient water quality standards. The sampling procedures and analytical methods are provided in Attachment B.

A groundwater monitoring report will be submitted annually to the NYDEC to summarize the groundwater and quality assurance/quality control analytical data collected during each sampling event.

The draft of a proposed Deed Restriction for this site will be submitted to the Department under separate cover from Middletown I Resources, L.P. outside counsel, Mr. Charles T. Bazydlo, Esq.

Very truly yours,

Langan Engineering and Environmental Services, Inc.



Robert Y. Koto, P.G.

RYP:

cc: Marc Golden – NRDC
Charles T. Bazydlo, Esq.
Michael Semeraro - Langan
Gerald Zambrella - Langan
Gerard Fitamant – Langan

NJ Certificate of Authorization No.: 24GA27996400
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ATTACHMENT A

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Eastern Remedial Action
625 Broadway, Albany, New York 12233-7015
Phone: (518) 402-9620 Fax: (518) 402-9022
E-Mail: gwheitzm@gw.dec.state.ny.us



March 17, 2003

Mr. Robert Koto, P.G.
Langan Engineering and Environmental Services, Inc.
River Drive Center 1
Elmwood Park, NJ 07407

Re: Orange Plaza (DEC Site # V000415-3)

Dear Mr. Koto:

New York State has reviewed the February 2003 Remedial Investigation Report for the Orange Plaza site. The report concludes that "degradation trends" are expected to reduce contaminant concentrations to acceptable levels in a short time frame. The DEC agrees that contaminant concentrations are declining towards acceptable levels, but we believe that this trend must be verified by annual monitoring. Pursuant to Paragraph II (D) of the Voluntary Cleanup Agreement (VCA), the DEC requests that the Volunteer submit an OM&M Work Plan, consisting of a simple plan for annual monitoring, as an addendum to the report. The sampling and analytical methods used for the Remedial Investigation may be incorporated by reference in this plan. Please note also that groundwater concentrations should be compared to ambient water quality standards (6NYCRR Part 703), and not to soil cleanup guidelines (TAGM 4046), as stated in Section 7.0 of the RI Report.

Implementation of post-IRM monitoring would not delay the DEC's issuance of a Release and Covenant Not to Sue. Upon approval of the Remedial Investigation Report that contains the OM&M Plan, the Volunteer will file the deed restriction referenced in Paragraph X and outlined in Exhibit E of the VCA. The purpose of this deed restriction is to restrict the use of the property to the contemplated use, and to prevent the use of contaminated groundwater beneath the site without treatment. A draft of this deed restriction should be submitted to the DEC and DOH for review and approval prior to filing. Upon demonstrated compliance with Paragraph X of the VCA, the DEC will provide the Release and Covenant Not to Sue. Post-IRM monitoring would then be performed pursuant to the approved plan.

If you have any questions or concerns about this process, please call me at (518) 402-9620.

Sincerely,

George W. Heitzman, P.E.
Senior Environmental Engineer
Division of Environmental Remediation

cc: C. Bazydlo

ATTACHMENT B

**Operating, Monitoring, and Maintenance (OM&M) Work Plan
Groundwater Sampling Procedures and Analytical Methods
Orange Plaza (DEC Site # V000415-3)
Middletown, New York**

The ground water sampling procedures for the Operating, Monitoring, and Maintenance (OM&M) Work Plan are as follows. Monitoring well MW-1 will be sampled on an annual basis during the month of November. Prior to sampling, the headspace of the monitoring well will be screened with a Photo Ionization Detector (PID). A depth to ground water measurement will be taken and the volume of water in the well's casing will be computed. Next, a peristaltic pump will be utilized to purge three to five times the amount of water contained within the well's casing. Field parameters (dissolved oxygen, pH, temperature, specific conductance, and oxidation-reduction potential) will be measured at the start and end of purging, as well as during the collection of ground water samples.

Ground water samples will be collected using a dedicated disposable Teflon™ bailer. The contents of the bailer will be carefully transferred to laboratory-provided sample containers. The sample containers will then be labeled with an identification number, packed on ice, documented following proper chain of custody procedures, and delivered by courier to STL-Envirotech (New York Certification #10997) where they will be analyzed for VOA by NYASP 95-1 CLP method. The analytical results will be reported according to the format specified by the method, specifically the NYSDEC Analytical Services Protocol (ASP). The analytical results will be compared to ambient water quality standards (6NYCRR Part 703). A groundwater monitoring report will be submitted annually to the Department during the month of January.

A field blank and a trip blank will be utilized during every sampling event to assure the validity of the samples. A field blank will be prepared in the field using analyte-free water supplied STL Envirotech. Trip blanks, which will be prepared by STL Envirotech and consist of analyte-free water, will accompany the samples during their shipment from and to the laboratory. The field and trip blanks will be analyzed for VOA. Field and trip blanks will be collected, handled, transported, and analyzed in the same manner as that of the other samples collected as part of this OM&M.

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