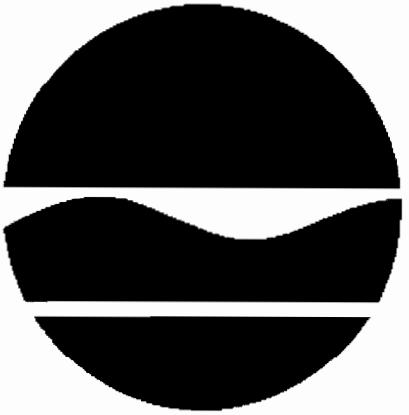
DECISION DOCUMENT

Congers Colonial Plaza
Voluntary Cleanup Program
Congers, Rockland County
Site No. V00456
December 2011



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

DECLARATION STATEMENT - DECISION DOCUMENT

Congers Colonial Plaza
Voluntary Cleanup Program
Congers, Rockland County
Site No. V00456
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Statement of Purpose and Basis

This document presents the remedy for the Congers Colonial Plaza site, a voluntary cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and applicable guidance.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the Congers Colonial Plaza site and the public's input to the proposed remedy presented by the Department.

Description of Selected Remedy

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the above referenced site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) oralternatives analysis (AA). The IRM(s) undertaken at this site are discussed in Section 6.2.

Based on the implementation of the IRM(s), the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment; therefore No Further Action is the selected remedy. The remedy may include continued operation of a remedial system if one was installed during the IRM and the implementation of any prescribed institutional controls/engineering controls (ICs/ECs) that have been identified as being part of the proposed remedy for the site.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

12/22/11
Date

Michael Ryan, Director
Remedial Bureau C

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SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site resulted in threats to public health and the environment that were addressed by actions known as interim remedial measures (IRMs), which were undertaken at the site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) or alternative analysis (AA). The IRMs undertaken at this site are discussed in Section 6.2. Contaminants include hazardous wastes and/or petroleum.

Based on the implementation of the IRM(s), the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment; therefore No Further Action is the selected remedy. A No Further Action remedy may include continued operation of any remedial system installed during the IRM and the implementation of any prescribed controls that have been identified as being part of the remedy for the site. This DD identifies the IRM(s) conducted and discusses the basis for No Further Action.

The Voluntary Cleanup Program (VCP) is a voluntary program. The goal of the VCP is to enhance private sector cleanup of brownfields by enabling parties to remediate sites using private rather than public funds and to reduce the development pressures on "greenfields." This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

New City Library
Attn: Sally Pellegrini
220 N. Main Street
New City, NY 10956

Phone: (845) 634-4997 extension 139

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The Congers Colonial Plaza Site is located at 285 Route 303, Congers, Rockland County.

Site Features: The main site feature is a one-story brick structure currently used as the Congers Colonial Plaza, a mini-mall complex. Portions of the property not occupied by the building, landscape and/or woods, are covered by asphalt parking and driveways. A supply well is located on the northwestern side of the site that services the washing machines of the Laundromat only.

Current Zoning/Use(s): The site is zoned local shopping and is currently a mini-mall complex with a variety of commercial and retail tenants. The property is bordered to the north by a gravel driveway, beyond which is a vacant property. To the south of the property is Meola Road, beyond which is a small residential community consisting of four single-family dwellings. To the west of the property is a wooded area and to the east is Route 303. A masonry supply center and an office building are located along Route 303.

Historical Use(s): In October 2000, during the dismantling of dry cleaning equipment in the First Class Dry Cleaners (the former tenant) a spill occurred. Tetrachloroethylene (PCE) was discharged and penetrated the basement floor, impacting the soils and groundwater beneath. Following the PCE spill, an investigation was performed by the property owner. Sampling was conducted from December 2000 to January 2001. This resulted in the excavation of 198 tons of contaminated soil and the removal of 1,900 gallons of PCE contaminated water in 2001. Two soil vapor extraction (SVE) systems were also installed in 2001 and remain in operation. These SVE systems were installed to aid in remediating the residual PCE contamination and to reduce the indoor air concentrations of PCE.

Site Geology and Hydrogeology: Soils on the site consist predominantly of a medium brown coarse sandy clay loam. Bedrock is found at a depth between 43 and 53 feet below ground surface. The groundwater at the site flows to the southwest. The depth of groundwater is approximately 5 feet below grade.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, at a minimum, alternatives (or an alternative) that restrict(s) the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in DER-10, Technical Guidance for Site Investigation and Remediation were/was evaluated.

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

SECTION 5: ENFORCEMENT STATUS

The voluntary cleanup agreement is with a Volunteer. If the Volunteer elects not to complete the remedial program under the VCP, the Department will make a determination if the site poses a significant threat to human health and the environment. If the site is determined to pose a significant threat, the Department will approach the potentially responsible parties (PRPs) to implement the remedy. PRPs are those who may be legally liable for contamination at a site. This may include past or present owners and operators, waste generators, and haulers.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.4.

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or

that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Information

The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor
- indoor air

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

tetrachloroethylene (PCE) trichloroethene (TCE)

Based on the investigation results, comparison to the SCGs, and the potential public health and environmental exposure routes, certain media and areas of the site required remediation. These media were addressed by the IRM(s) described in Section 6.2. More complete information can be found in the RI Report and the IRM Construction Completion Report.

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

The following IRM(s) has/have been completed at this site based on conditions observed during the RI.

IRM - Groundwater Treatment

An interim remedial measure (IRM) was conducted at the site, which involved the application of a potassium permanganate solution to oxidize PCE in groundwater. There were a total of three potassium permanganate injections completed (September 2004, October 2004 and September 2005). Potassium permanganate was first applied through the footing drains present below the

concrete floor of the former dry cleaner. A total of 700 gallons of solution was fed into this system. The second application was applied directly into two overburden monitoring wells MW-2 (40 gallons) and MW-3 (60 gallons). The third application was applied directly to monitoring well MW-3 due to resurgence of PCE concentrations in this well. Following the third application, two rounds of groundwater sampling collected on September 8, 2005 and October 19, 2005 indicated groundwater at the site meets ambient water quality standards.

6.3: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure.*

Contaminated groundwater at the site is not used for drinking purposes and the site is served by a public water supply that obtains water from a different source not affected by this contamination. Volatile organic compounds in the groundwater or soil may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. The soil vapor extraction systems (systems that remediate and remove contaminants trapped in soil and soil vapor / remove air from beneath the building) that have been installed in the on-site building to remediate residual contamination have been proven to be effective at preventing the indoor air quality from being affected by the contamination in soil vapor beneath the building. Sampling indicates soil vapor intrusion is not a concern for off-site buildings.

6.4: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Nature and Extent of Contamination: The primary contaminant of concern at the site was tetrachloroethylene (PCE) in the soils, groundwater, soil vapor and indoor air. Prior to the remedial actions conducted at the site, soil, groundwater, soil vapor and indoor air exceeded standards, criteria, and guidance levels for PCE. This contamination was significantly reduced/removed when the contaminated soil was excavated and the remaining soils and groundwater were treated with potassium permanganate to oxidize the PCE. In 2001, post-excavation soil samples contained PCE above unrestricted soil cleanup objective (SCO) of 1.3 ppm in three samples (3.1 ppm, 1.5 ppm and 15 ppm). Following the groundwater treatment IRM, groundwater at the facility met ambient water quality standards. Recent sampling of the sump pit located in the basement of the former dry cleaner detected PCE in groundwater above standards (494 ppb). The supply well located on-site has been sampled and no contamination has been detected in it. Two soil vapor extraction (SVE) systems continue to operate at the mini-mall

complex to treat residual soil vapor contamination. The SVE systems have been effective at reducing PCE concentrations in the indoor air below NYSDOH Air Guidance Values (AGV).

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

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

Soil

RAOs for Public Health Protection

- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

Soil Vapor

RAOs for Public Health Protection

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

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

Based on the results of the investigations at the site, the IRM that has been performed, and the evaluation presented here, the Department is selecting No Further Action with continued operation of the soil vapor extraction (SVE) systems to treat residual soil vapor contamination and the implementation of institutional and engineering controls (ICs/ECs: deed restriction and SVE systems) as the remedy for the site. The Department believes that this remedy is protective of human health and the environment.

The elements of the institutional and engineering controls are listed below.

1. Imposition of an institutional control in the form of a deed restriction for the controlled property that:

a. requires the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8(h)(3);

b. allows the use and development of the controlled property for restricted residential, commercial and industrial uses as defined by Part 375-1.8(g), though land use is subject to local zoning laws;
c. restricts the use of groundwater as a source of potable water, without necessary sampling and water quality treatment as determined by the Department, NYSDOH or County DOH; and
d. requires compliance with the Department approved Site Management Plan.

2. Since the remedy results in contamination remaining at the site that does not allow for unrestricted use, a Site Management Plan is required, which includes the following:

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

Institutional Controls: The Deed Restriction for the controlled property discussed previously; and
Engineering Controls: The continued operation of the SVE systems discussed above.

This Institutional and Engineering Control Plan includes, but may not be limited to:

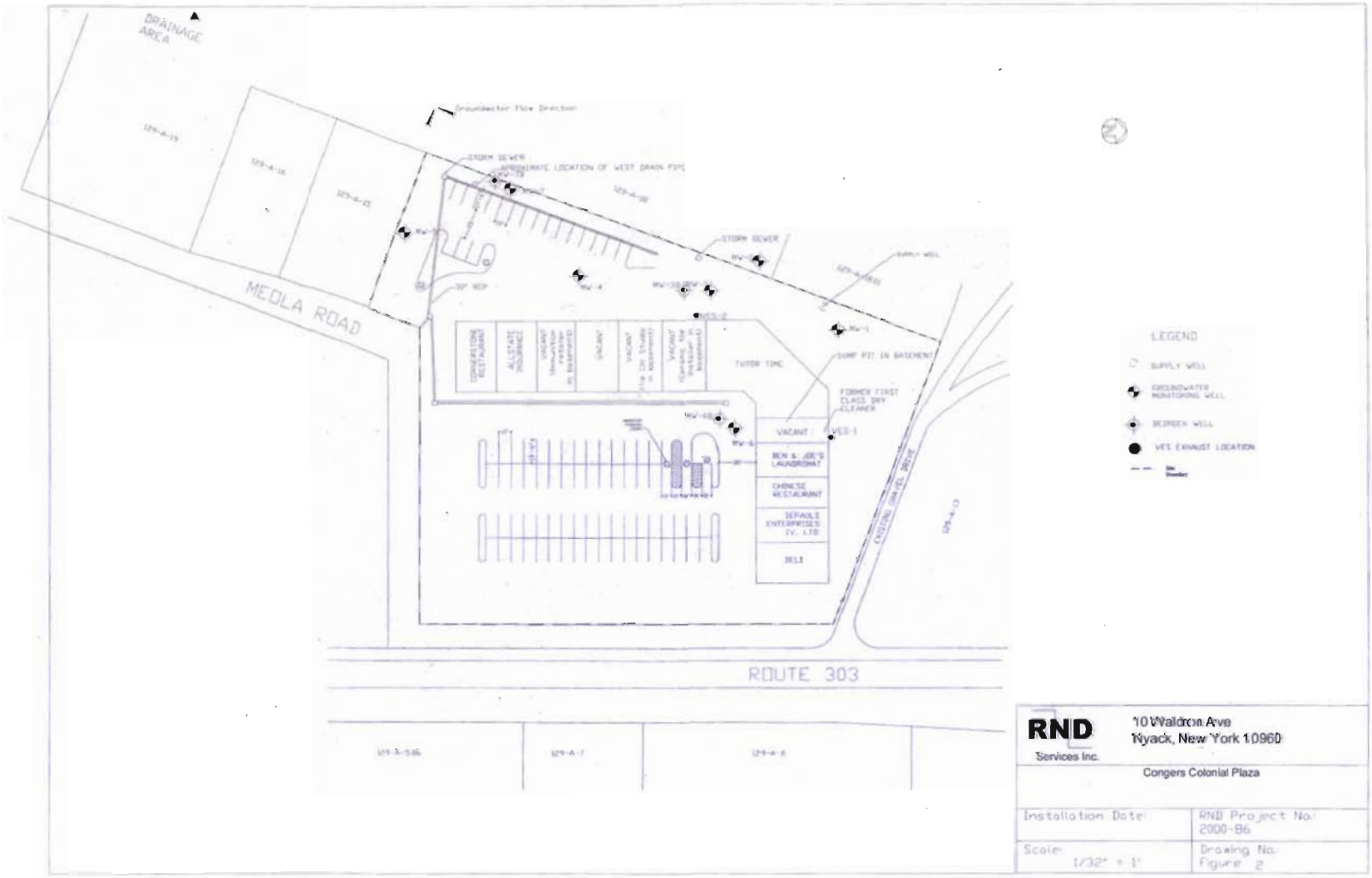
i. an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
ii. descriptions of the provisions of the deed restriction;
iii. a provision for evaluation of the potential for soil vapor intrusion for any buildings developed on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
iv. provisions for the management and inspection of the identified engineering controls (i.e., the SVE systems);
v. maintaining site access controls and Department notification; and
vi. the steps necessary for the periodic reviews and certification of the institutional and engineering controls.

b. a Monitoring plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to monitoring for vapor intrusion for any buildings developed on the site, as may be required pursuant to item a.iii above.

c. an Operation, Maintenance and Monitoring (OM&M) Plan to operate, monitor and maintain the mechanical components of the remedy selected for the site. The plan includes, but may not be limited to:

i. routine OM&M activities;
ii. non-routine OM&M activities; and
iii. a schedule of monitoring and frequency of submittals to the Department.

	FIGURE 1: Site Location Congers Colonial Plaza Site ID #V00456



RND Services Inc.

10 Waldron Ave
Nyack, New York 10960

Congers Colonial Plaza

Installation Date:	RND Project No.: 2000-B6
Scale: 1/32" = 1'	Drawing No.: Figure 2