



BRENNAN ENVIRONMENTAL, INC.
ENVIRONMENTAL CONSULTING SERVICES

Periodic Review Report

PER NYSDEC DER-10 6.3



Congers Colonial Plaza
285 Route 303
Congers, Town of Clarkstown, Rockland County, New York
Section 35.19 Block 2 Lot 11
April 2016
DEC Case # V00456
BEI Job # 060141

Prepared for:
285 Route 303, LLC
c/o Mr. Anthony Siniscalchi
UFVS Management Company, LLC
287 Bowman Avenue
Purchase, New York 10577

Prepared by:
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EXECUTIVE SUMMARY

Brennan Environmental, Inc. (BEI) was retained by 285 Route 303, LLC to prepare this Periodic Review Report (PRR) which documents the annual site inspection at the property identified as 285 Route 303, Section 35.19 Block 2 Lot 11, Congers, Town of Clarkstown, Rockland County, NY (subject property). Remedial activities at the subject property were conducted by RND Services, Inc. between 2001 and 2006 to address a discharge of tetrachloroethene (PCE) during the dismantling of a dry cleaning unit at the former First Class Dry Cleaners in October 2000. Soil and groundwater remediation activities were conducted including soil excavation and several applications of in-situ remediation materials. A soil vapor extraction (SVE) system/vapor mitigation system (VMS) was installed as part of the Engineering Controls (ECs) and Institutional Controls (ICs) that were implemented at the subject property to mitigate exposure to residual contaminant concentrations detected in soil and soil gas. Pursuant to the New York State Department of Environmental Conservation (NYSDEC) Decision Document dated December 2011, based on the effectiveness of the remediation activities, no further action was required for the subject property with the implementation of a Deed Restriction and ECs/ICs. Annual inspections are conducted to confirm the ECs/ICs are functioning in accordance with the Site Management Plan (SMP) dated December 2013.

Pursuant to NYSDEC's November 3, 2015 and February 18, 2016 correspondences, since a periodic progress report had not been received by the October 15, 2015 timeframe, the PRR was required to be submitted by April 15, 2015. This PRR was prepared in accordance with the NYSDEC correspondences and the NYSDEC's Technical Guidance for Site Investigation and Remediation (TGSIR), DER-10, and details the results of the inspection conducted on March 29, 2016. Based on the results of the inspection, no areas of non-compliance were identified. The ECs/ICs remain protective and no changes to the SMP or the frequency for submittal of PRRs are required.

1.0 SITE OVERVIEW

The subject property is located in Congers, Town of Clarkstown, Rockland County, New York and is identified as Block 2 and Lot 11 Section 35.19 on the Town of Clarkstown Tax Map. The site is an approximately 2.8-acre area bounded by undeveloped land to the north and west, Meola Road to the south beyond which are residential properties, and Route 303 to the east beyond which are commercial properties. The subject property, identified as Congers Colonial Plaza, is currently improved with one (1) building which was constructed in 1990 as a multi-tenant commercial space. Prior to construction in 1990, the subject property was vacant land. Tenant spaces at the subject property generally are or have historically been occupied by retailers, doctor's offices, restaurants, a child care facility, and a dry cleaner. A site plan is included as Figure 1.

According to the Remedial Action Summary Report (RASR) dated August 2006 by RND Services Inc. (RND) of Nyack, New York, initial remedial activities were conducted at the

subject property to address a discharge during the dismantling of a dry cleaning unit at the former First Class Dry Cleaners in October 2000. Results of the indoor air sampling event conducted by RND in the former First Class Dry Cleaners indicated that PCE concentrations were detected above the New York State Department of Health (NYSDOH) guideline.

In order to investigate the source of PCE contamination detected in indoor air, RND was onsite on February 7, 2001 to install test pits below the former First Class Dry Cleaner. Soil analytical results indicated that PCE was detected above the Recommended Soil Cleanup Objective (RSCO) of 1.3 ppm. Soil excavation activities were conducted for PCE impacted soil below the basement of the former First Class Dry Cleaner in February and March 2001. Additionally, potassium permanganate injections were conducted at the subject property to address the residual PCE concentrations in soil and groundwater. Prior to backfilling the excavation, two (2) soil-vapor extraction (SVE) systems were installed at the subject property to mitigate residual sub-slab soil gas vapors. One (1) system, VES-1, was installed below the basement of the former First Class Dry Cleaner and the second system, VES-2, was installed below the west side of the Tutor Time tenancy.

Upon completion of the excavation activities, post-excavation soil sampling was conducted. Soil analytical results indicate that PCE concentrations remain above the RSCO of 1.3 ppm in three (3) of the six (6) sample locations. According to RND, no additional soil could be excavated without jeopardizing the structural integrity of the subject building. Therefore, the residual soil contamination was left in-place with a soil cover system, consisting of the concrete building slab, to prevent human exposure to the contaminated soil remaining at the site.

Pursuant to NYSDEC's Decision Document dated December 2011, no further action was required for the subject property with the continued operation of the SVE systems to treat residual soil vapor contamination and the establishment of a deed restriction limiting the site use at the subject property to restricted residential, commercial or industrial use. A Site Management Plan (SMP) dated December 2013 was approved by NYSDEC and NYSDOH on June 12, 2014.

2.0 REMEDY PERFORMANCE, EFFECTIVENESS, & PROTECTIVENESS

The remedies implemented at the subject property include ECs and ICs to protect human health and the environment. The ECs at the subject property consist of a soil cover system and the SVE system and the ICs consist of site use restrictions. Based on the March 29, 2016 site inspection, the remedy remains protective in accordance with the SMP. An evaluation of the ECs and ICs is provided below.

2.1 Engineering Control Systems

The ECs at the subject property consist of a soil cover system and two (2) SVE systems. The soil cover system prevents exposure to residual soil contamination left in-place below the former First Class Cleaners tenant space at the subject property. This cover system is comprised of the

concrete building slab. Two (2) SVE systems are installed at the subject property to mitigate PCE-impacted sub-slab soil gas. VES-1 is located below the former First Class Dry Cleaners and VES-2 is located below the western portion of the Tutor Time tenancy. In accordance with the NYSDEC correspondence dated November 30, 2005, the SVE systems are required to be operated until PCE vapors in the indoor air, during non-operation of the VES, are below acceptable NYSDEC and NYSDOH levels.

On December 14, 2015, AWT Environmental Services, Inc. (AWT) conducted a site visit to inspect the SVE systems. AWT is a contracting company specializing in installation and maintenance of in-situ remedial systems, including SVE systems. Based on AWT's evaluation, the SVE systems were functioning properly and the units were operating within optimal performance. BEI conducted a site inspection on March 29, 2016 and prepared the General Site-Wide Inspection Checklist pursuant to the SMP. The SVE systems were re-inspected on March 29, 2016 and were determined to be functioning properly.

During the site inspection, the basement floor below the Tutor Time and former First Class Dry Cleaner was inspected and no cracks or breeches were observed. Therefore, the soil cover system remains protective of human health and the environment. A covered, but unsealed, sump is identified in the basement of the former First Class Dry Cleaners. Although sealing of the sump was not contemplated in the SMP, based on the proximity of the sump to VES-1, as a conservative measure, the sump is proposed to be sealed. Based on the inspections, the ECs continue to perform as designed and remain protective of human health and the environment. The EC certification form is attached as Appendix 1 and the General Site-Wide Inspection Checklist is attached as Appendix 2.

2.2 Institutional Control Systems

A series of ICs is required for the subject property to: (1) implement, maintain and monitor EC systems; (2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and (3) limit the use and development of the site to restricted residential, commercial or industrial uses only.

The subject property has a series of ICs in the form of site use restrictions. Adherence to these Institutional Controls is required by the Environmental Deed Restriction and is implemented under the SMP. The site use restrictions that apply to the Controlled Property are:

- The subject property may only be used for restricted residential, commercial, or industrial use provided that the long-term Engineering and Institutional Controls included in the SMP are employed;
- The subject property may not be used for a higher level of use, such as unrestricted residential use, without additional remediation and amendment of the Environmental Deed Restriction, as approved by the 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 subject property is prohibited without treatment rendering it safe for intended use with the exception of the well currently used to provide water to washing machines at the on-site laundromat tenancy;
- The potential for vapor intrusion must be evaluated for any buildings developed at the subject property, and any potential impacts that are identified must be monitored or mitigated;
- Vegetable gardens and farming on the property are prohibited; 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 public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time in order to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

During BEI's March 29, 2016 site inspection, the site use at the subject property complied with the established ICs. The subject property was operated for commercial use, an acceptable use pursuant to the ICs described above. No new structures have been constructed at the subject property since the establishment of the Environmental Deed Restriction. No activities were conducted at the subject property that disturbed the remaining contaminated material. The IC certification is attached as Appendix 1.

2.3 Conclusions

AWT inspected the SVE systems on December 14, 2015 and BEI conducted a site inspection on March 29, 2016. All ECs were inspected and observed to be functioning in accordance with the SMP. The site use at the subject property was in compliance with the ICs detailed in the SMP. Based on this information, all SMP requirements are being achieved and no changes are required. The Institutional and Engineering Controls Certification Form is included as Appendix 1 and the General Site-Wide Inspection Checklist is included as Appendix 2.

3.0 MONITORING PLAN COMPLIANCE REPORT

The Monitoring Plan describes the measurements for evaluating the performance and effectiveness of the remedy to reduce or mitigate contamination at the site, the soil cover system, and all affected site media. Exposure to remaining contamination in soil at the subject property is prevented by a soil cover system placed over the residually contaminated soil. This cover system is comprised of the concrete building slab. Pursuant to the SMP, the Monitoring Plan for the subject property consists of an annual inspection of the soil cover at the subject property. During each inspection, the integrity of the basement floor in the Tutor Time and former First Class Dry Cleaner will be evaluated. Soil cover monitoring is covered separately from the other

ECs because it is a passive component of the site remedy. The Monitoring Plan for the active ECs is included with the Operation and Maintenance Plan for these systems in Section 4.0 below.

Pursuant to NYSDEC's November 3, 2015 and February 18, 2016 correspondences, since a periodic progress report documenting the results of an annual inspection had not been received by the October 15, 2015 timeframe, the PRR was required to be submitted by April 15, 2015. A site inspection was conducted by BEI on March 29, 2016 and the certification form and the General Site-Wide Inspection Checklist are included as Appendices 1 & 2. The concrete slab basement floor of the Tutor Time and former First Class Dry Cleaner was inspected and no cracks or breeches were observed. Therefore, the soil cover system remains protective of human health and the environment. The certification form is attached as Appendix 1 and the General Site-Wide Inspection Checklist is attached as Appendix 2.

4.0 OPERATION & MAINTENANCE PLAN COMPLIANCE

The Operation and Maintenance Plan for the subject property describes the measures necessary to operate, monitor, and maintain the mechanical components of the remedy selected for the subject property. Two (2) SVE systems are installed at the subject property to mitigate PCE-impacted soil gas remaining below the subject building following soil excavation and in-situ remedial activities. VES-1 is located below the former First Class Dry Cleaners and VES-2 is located below the western portion of the Tutor Time tenancy. Pursuant to the SMP, the Operation and Maintenance Plan for the subject property consists of an annual inspection of the SVE systems. During each inspection, a visual inspection of the complete system will be conducted and the General Site-Wide Inspection Checklist will be prepared. SVE system components to be monitored include, but are not limited to, the vacuum blower and general system piping.

A site inspection was conducted by BEI on March 29, 2016 and the certification checklist and the General Site-Wide Inspection Checklist are included as Appendices 1 and 2. VES-1 and VES-2 were inspected and observed to be functioning properly. All equipment readings were within their standard operating parameters. No maintenance or repair to the SVE systems was conducted during the last year of operations nor is maintenance required to be conducted.

5.0 CONCLUSIONS AND RECOMMENDATIONS

The SVE systems were inspected by AWT on December 14, 2015 and a site inspection was conducted by BEI on March 29, 2016. All ECs were inspected and observed to be functioning in accordance with the SMP. The site use at the subject property was in compliance with the ICs detailed in the SMP. Based on this information, all requirements set forth in the SMP are being met and no changes to the SMP are required. The Institutional and Engineering Controls Certification Form is included as Appendix 1 and the General Site-Wide Inspection Checklist is included as Appendix 2.

The covered sump in the basement of the former First Class Dry Cleaners is proposed to be sealed. The sealing of the sump will be documented in the next PRR. The next annual inspection is scheduled for September 2016 and the next annual PRR will be submitted in October 2016.



MEOLA ROAD

STORM SEWER

APPROXIMATE
LOCATION OF
WEST DRAIN PIPE

STORM SEWER

SUPPLY WELL

APPROXIMATE
LOCATION OF
NORTH DRAIN PIPE

30" RCP

VES-2

CORNERSTONE
RESTAURANT
ART NAIL & SPA
PODIATRIST
ALLSTATE
SURGE STUDIO
PHYSICAL
THERAPY
CLARKSTOWN
FAMILY DENTAL
PIZZA II
OFFICE DEPAULIS
ENT. IV
TUTOR TIME

SUMP PIT IN
BASEMENT

FORMER FIRST
CLASS DRY
CLEANERS

VES-1

LAUNDER
STATION
LAUNDROMAT

HONG KONG
KITCHEN

STAY FIT SENIORS

SUBWAY


EXISTING GRAVEL DRIVE

LEGEND

- SUPPLY WELL
- VES EXHAUST LOCATION
- LOCATION OF SUMP PIT
- BASEMENT
- SLAB ON GRADE
- SUBJECT PROPERTY BOUNDARY

ROUTE 303



FIGURE: SITE MAP		CONGERS COLONIAL PLAZA 285 ROUTE 303 CONGERS, NEW YORK	
		SCALE: 1" = 30'	DRAWN/CHECKED BY: JMC/JH
SOURCE: RND SERVICES, INC. SAMPLING PLAN		DATE: 11/9/2010	PROJECT # 060141
		 BRENNAN ENVIRONMENTAL, INC. 19 CHATHAM ROAD, SUMMIT, NEW JERSEY 07901 908.918.1702	



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



Site No. V00456

Site Details

Box 1

Site Name Congers Colonial Plaza

Site Address: 285 Route 303

Zip Code: 10920-

City/Town: Congers

County: Rockland

Site Acreage: 2.8

Reporting Period: June 12, 2014 to March 16, 2016

	YES	NO
1. Is the information above correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If NO, include handwritten above or on a separate sheet.

2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.

5. Is the site currently undergoing development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. Are all ICs/ECs in place and functioning as designed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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

SITE NO. V00456

Box 3

Description of Institutional Controls

Parcel

Owner

Institutional Control

35.19-2-11 285 Route 303, LLC and 119 Route 46, LLC

Ground Water Use Restriction
Landuse Restriction
Monitoring Plan
Site Management Plan
O&M Plan
Soil Management Plan
IC/EC Plan

The owner of the property shall prohibit the property from ever being used for purposes other than for restricted residential, commercial or industrial use without the express written waiver of such prohibition by the Department or Relevant Agency.

The owner of the property shall prohibit the use of the groundwater underlying the property without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Department or Relevant Agency.

The owner of the property shall provide a periodic certification, prepared and submitted by a professional engineer or environmental professional acceptable to the Department or Relevant Agency, which will certify that the institutional and engineering controls put in place are unchanged from the previous certification, comply with the SMP, and have not been impaired.

Description of Engineering Controls

Box 4

Parcel

Engineering Control

35.19-2-11

Vapor Mitigation
Cover System

soil vapor extraction (SVE) Systems
Cover System

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. V00456

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 Anthony Siniscalchi at 285 Route 303
print name print business address

am certifying as Authorized Signer (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

4/13/16
Date

IC/EC CERTIFICATIONS

Qualified Environmental Professional Signature

Box 7

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 John Hernandez at 19 Chatham Road Summit NJ
print name print business address

am certifying as a Qualified Environmental Professional for the 285 Route 303, LLC
(Owner or Remedial Party)


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

Stamp
(Required for PE)

4/15/10
Date

General Site-Wide Inspection Checklist

Date of Inspection: March 29, 2016
Inspector Name: Julia Thomsen
Inspector Company: Brennan Environmental, Inc.
Inspector Position: Environmental Scientist
Site Name: Congers Colonial Plaza
Site Address: 205 Rt 303, Congers, NY

Yes No NA

1.0 Is all PVC piping in good condition with no breaks, cracks or leaks?

X _____

2.0 Are openings around the suction point piping penetrations of the slab properly sealed?

X _____

3.0 Are accessible openings around utility penetrations of the foundation walls and slab, test holes, wells and other openings in slabs properly sealed?

X* _____

* See Question 6.1

4.0 Are openings / cracks sealed where the slab meets the foundation wall (if appropriate)?

X _____

5.0 Is there adequate access to service the fan and other electrical services?

X _____

6.0 Is there a sump pit in the basement?

X _____

	Yes	No	NA
6.1 Is the sump pit installed with a sealed impermeable cover?	_____	<u>X</u>	_____
6.2 Are the penetrations through the cover sealed?	_____	_____	<u>X</u>
6.3 Does the cover have a clear view port to permit observations of conditions in the sump pit?	_____	<u>X</u>	_____
7.0 Does each suction point have a mechanism to measure vacuum?	<u>X</u>	_____	_____
7.1 Is the pressure reading from the latest commissioning clearly marked on the vent pipe?	_____	<u>X</u>	_____
7.2 Are the current diagnostic measurements within a 20% difference as compared to the system commissioning (baseline) values?	<u>X</u>	_____	_____
8.0 Does the mitigation system include an operational audible alarm to inform occupants of a system malfunction?	<u>X</u>	_____	_____
9.0 Is the exterior PVC piping in good condition with no breaks, cracks or leaks?	<u>X</u>	_____	_____

10.0 Is the fan functioning properly?

Yes

No

NA

X

11.0 Are photographs from the inspection attached?

X

12.0 Are other documents such as copies of invoices for repair work, receipts for replacement equipment, etc. attached?

X

13.0 Were any maintenance activities required?

X

14.0 Are site records up to date?

X

15.0 Has site usage changed since the previous site inspection?

X

16.0 Additional Notes & Comments

17.0 Site Sketch (if applicable)

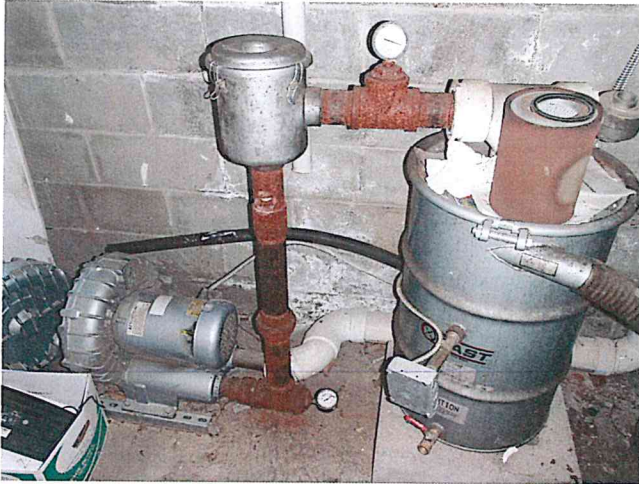


Photo 1: View of the VES-1.



Photo 2: View of the PVC pipe that vents exhaust from VES-1 to the roof.



Photo 3: View of the suction points for VES-1.



Photo 4: View of the VES-2.



Photo 5: View of the PVC pipe that vents exhaust from VES-2 to the roof.



Photo 6: View of the suction point for VES-2.