

DECISION DOCUMENT

**Consolidated Edison Echo Avenue Site
New Rochelle, Westchester County, New York
Site No. 360016
November 2009**

Statement of Purpose and Basis

This Decision Document presents the remedy identified by the Department of Environmental Conservation (Department) for the Consolidated Edison Echo Avenue site (the Site). This decision is based on the investigation and interim remedial measures implemented by the Consolidated Edison Company of New York, Inc. (ConEd) pursuant to the July 15, 1992 Order on Consent for the Site which at that time was a class 2a.

Description of the Site

The 3-acre Site is located at 78 Echo Avenue in New Rochelle, Westchester County, New York. The Site is bordered to the north by Echo Bay, an estuary of the Long Island Sound, to the east and south by residential properties, to the southwest by Echo Bay Avenue, and to the west by a landscaping company (formerly a fuel oil terminal). Access to the Site is restricted by chain link fencing. The Site was originally owned by several ConEd predecessor companies, including the Westchester Lighting Company, which operated a power plant/substation on the eastern portion of the Site, and an outdoor transformer yard on the western portion of the Site. ConEd acquired the site in 1951 when it merged with the Westchester Lighting Company. The power plant continued to operate until 1981 when the substation was retired. The site has not been used for utility or other operations since then.

Nature and Extent of Contamination

The Site has been the subject of an investigation, conducted in multiple phases, which delineated the nature and extent of contamination attributed to past on-site operations. Based on the findings of the investigation, the Site has been divided into two parcels the Eastern Parcel and the Western Parcel (see attached Figure). Analytical data confirmed the primary soil contaminant on both parcels was polychlorinated biphenyls (PCBs). Cadmium, copper, zinc and lead were identified on the Western Parcel within a cinder ash layer in the former transformer yard. Volatile organic compounds (VOCs) and semi-VOCs (SVOCs) associated with a fuel oil release originating from a former oil terminal on an adjacent property, were also identified on the Western Parcel.

Description of the Remedy

Various interim remedial measures (IRMs) were performed at the site from 1996 to 2004. These IRMs entailed the removal and proper off-site disposal of all identified on- and off-Site PCB-containing soils with concentrations greater than 1 part per million (ppm) in the top 2 feet and greater than 10 ppm below two feet. The IRMs also included the removal of all identified PCB-containing sediment in the bay with concentrations greater than 1 ppm.

PCBs had been found at elevated levels in the former substation building, the transformer yard and surrounding soil on the Eastern Parcel. The cleanup of PCBs and other detected contaminants on the Eastern Parcel have mitigated the threat to the environment and in particular to the adjacent natural habitat in Echo Bay.

The cleanup on the Western Parcel included the removal of the identified cinder ash layer containing cadmium, copper, zinc and lead in the former transformer yard. The petroleum contaminated soil associated with a fuel oil release originating from the former oil terminal on an adjacent property was also removed. There are no known drinking water supply wells in the vicinity.

In addition, soil sampling at adjacent residential properties found PCBs in four yards above the cleanup guideline of 1 ppm. These PCB contaminated soils were excavated and properly disposed of off-site. On- and off-Site cleanup of PCBs has been completed, and the majority of the Site (both parcels) and the off-Site areas excavated have been covered with clean fill. The final IRM, which entailed the off-Site removal of sediment in an adjacent mud flat area, was completed in 2004.

Based on the results of the IRMs conducted to date, the Western Parcel requires no further remedial action and, the Eastern Parcel requires the following institutional controls:

1. Since the remedy resulted in residual soil contamination above unrestricted use levels remaining on-site at depth, a site management plan (SMP) will be developed and implemented. The SMP will include institutional controls to: (a) address residual contaminated soils that may be excavated from the site during future redevelopment; (b) require soil characterization and, where applicable, disposal/reuse in accordance with the NYSDEC regulations; (c) provide for the operation and maintenance of the components of the remedy; (d) monitor the groundwater and (e) identify any restrictions on use of the site and groundwater.
2. The SMP will require the property owner to provide a periodic institutional control (IC) certification, prepared and submitted by a professional engineer or environmental professional acceptable to the Department, which would certify that the ICs put in place, remain unchanged from the previous certification and nothing has occurred that would impair the ability of the control to protect public health or the environment or constitute a violation or failure to comply with any operation and maintenance or soil management plan.
3. Imposition of an IC in the form of a deed restriction or environmental easement that would: (a) require compliance with the approved site management plan; (b) limit the use and development of the property to restricted residential use, which is the land use category which shall only be considered when there is a common ownership or single owner/managing entity of the site; (c) restrict use of groundwater as a source of potable or process water without necessary water quality treatment as determined by the

Westchester County Department of Health and (d) require the property owner to complete and submit to the NYSDEC a periodic IC certification.

Declaration

The selected remedy is protective of human health and the environment consistent with the Order on Consent for the site. It complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action and will allow for the identified use of the site.

November 16, 2009

Date



Robert W. Schick, P.E.
Director, Remedial Bureau C
Division of Environmental Remediation

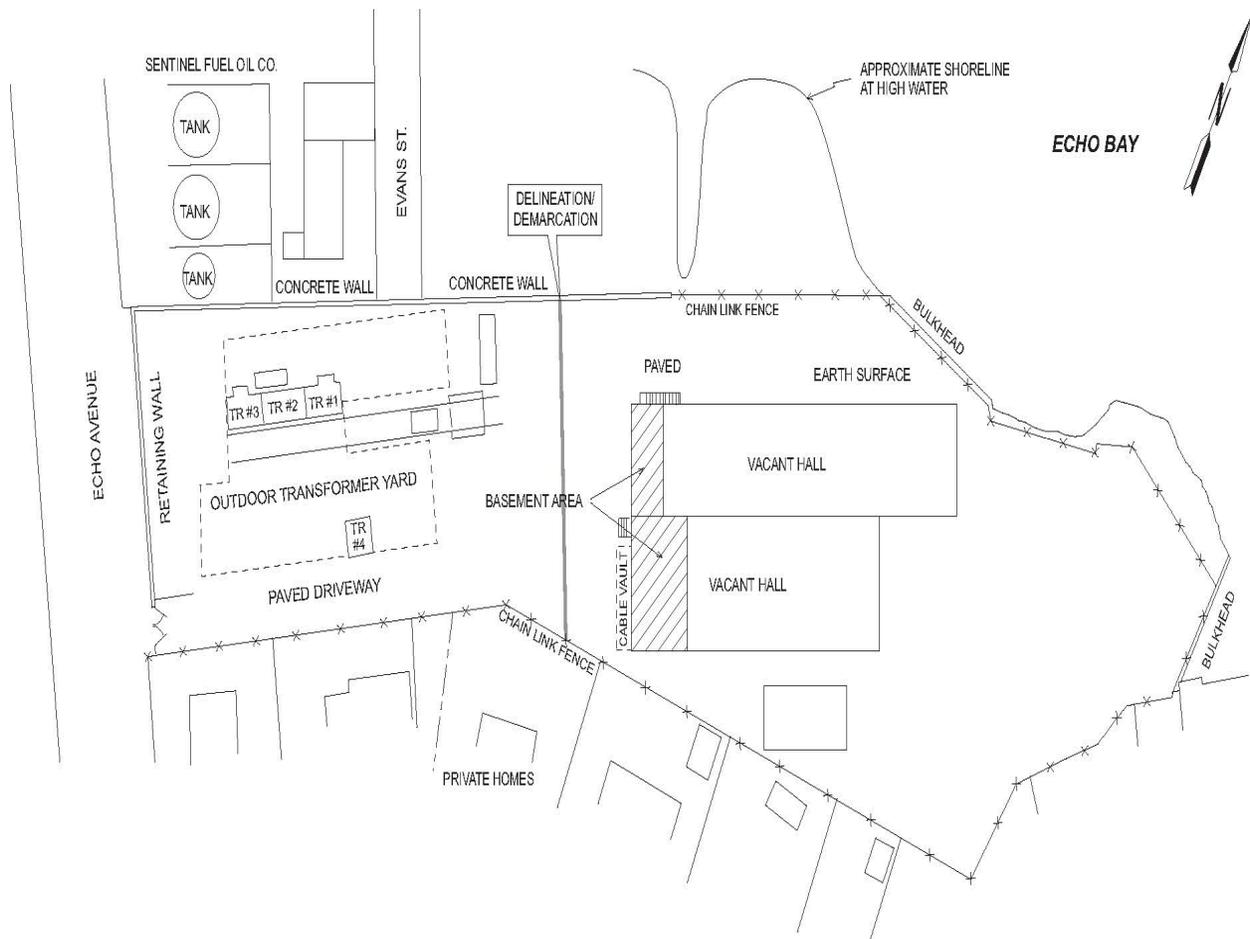


Figure 1 – Parcel Delineation
 Not to Scale
 From a Figure provided by LMS, Engineers.