



FACT SHEET

Brownfield Cleanup Program

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Site Name: Former Tidewater Terminal

February 2012

DEC Site #: C344067

Site Address: Gedney and Main Streets
Nyack, NY 10960

Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced

The public is invited to comment on a proposed remedy being reviewed by the New York State Department of Environmental Conservation (NYSDEC or Department) to address contamination related to Former Tidewater Terminal ("site") located at Gedney and Main Streets, Nyack, Rockland County. Please see the map for the site location. Documents related to the cleanup of this site can be found at the location(s) identified below under "Where to Find Information."

Brownfield Cleanup Program: New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses include recreation, housing, business or other uses.

A brownfield is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit:
<http://www.dec.ny.gov/chemical/8450.html>

Based on the findings of the investigation, NYSDEC in consultation with the New York State Department of Health (NYSDOH) has determined that the site does not pose a significant threat.

How to Comment

NYSDEC is accepting written comments about the proposed plan for 45 days, from February 14, 2012 through March 30, 2012. The proposed plan is available for public review at the location(s) identified below under "Where to Find Information." Please submit comments to the project manager listed under Project Related Questions in the "Who to Contact" area below.

Draft Remedial Work Plan and Proposed Decision Document

The remedy proposed for the site includes:

1. A remedial design program would be implemented to provide the details necessary for the construction, operation, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gas and other emissions;

- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development

2. Soils exceeding either the restricted residential or groundwater protection SCOs will be excavated to achieve the SCOs, with some limitation, and disposed off-site. It is not practical to remove soil in certain areas due to depth and location (e.g., proximity to the property boundaries, sidewalks, and roadways). Specifically, two small areas on the western and southern edge of the site will remain with soils which likely will exceed the groundwater protection SCOs for VOCs, at depths greater than 10 feet below grade; and soil along the eastern edge of the site will remain, which will likely exceed the restricted residential SCOs for SVOCs at depths greater than 10 feet below grade.

Should light non aqueous phase liquid (LNAPL) source material be found in areas where it cannot be removed, due to the noted limitations of the excavation, a passive collection system will be installed to remove the remainder of this source material.

3. A site cover will be required to allow for the restricted residential use of the site. The cover will consist either of the structures such as buildings, pavement, sidewalks comprising the site development or a soil cover in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where the soil cover is required it will be a minimum of two feet of soil, meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for restricted residential use. The soil cover will be placed over a demarcation layer, with the upper six inches of the soil of sufficient quality to maintain a vegetation layer. Any fill material brought to the site will meet the requirements for the identified site use as set forth in 6 NYCRR Part 375-6.7(d).

4. Imposition of an institutional control in the form of an environmental easement for the controlled property that:

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

5. 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 Environmental Easement discussed above.

Engineering Controls: The soil cover and passive LNAPL collection system discussed above.

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- descriptions of the provisions of the environmental easement including any land use, and groundwater use restrictions;
- 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;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or 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 of groundwater to assess the performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the Department;
- monitoring for vapor intrusion for any buildings occupied or developed on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

The proposed remedy was developed by FOOT OF MAIN, LLC ("applicant(s)") after performing a detailed investigation of the site under New York's Brownfield Cleanup Program (BCP).

Next Steps

NYSDEC will consider public comments, revise the plan as necessary, and issue a final Decision Document. New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The draft Remedial Work Plan and Proposed Decision Document are revised as needed to describe the selected remedy, and will be made available to the public. The applicant(s) may then design and perform the cleanup action to address the site contamination, with oversight by NYSDEC and NYSDOH.

NYSDEC will keep the public informed throughout the investigation and cleanup of the site.

Background

Location: The site occupies approximately 0.8 acres at the corner of Gedney and Main Streets, a primarily residential area in Nyack, Rockland County.

Site Features: The site is adjacent to the banks of the Hudson River and is divided into two flat

areas, or tiers, separated by a steep embankment.

Current Zoning/Uses: The site is zoned as a Waterfront Development C-3 zone. This means that the land use must be approved by the Village Board. The uppermost, western tier is currently vacant. The lower tier is currently in use as a parking area. The planned future use is for a multi-unit residential building to be constructed over most of the site.

Historic Uses: This site is the location of the Former Tidewater Oil Company, which stored and distributed petroleum products. Soils and groundwater at the site are contaminated by gasoline and petroleum products. The principal contaminants are BTEX compounds (benzene, toluene, ethylbenzene and xylenes).

The former Nyack manufactured gas plant (MGP) was located immediately to the north and was the source of coal tar contamination adjacent to the site. This contamination was already addressed under a separate remedial program.

Site Geology and Hydrogeology: The site is underlain by variable thicknesses of fill and glacial till. The bedrock beneath varies in depth from as little as 5 feet below the ground surface, in the western tier, and slopes down to roughly 20 feet below grade in the eastern portion of the site.

Groundwater at the site flows to the Hudson River (i.e., it flows from west to east) and is found as deep as 8 feet below the ground surface, in the western portion of the site.

Additional site details are available on NYSDEC's website at:

<http://www.dec.ny.gov/cfm/xtapps/derexternal/haz/details.cfm?pageid=3&progno=C344067>

FOR MORE INFORMATION

Where to Find Information

Project documents are available at the following location(s) to help the public stay informed.

The Nyack Public Library
59 South Broadway
Nyack, NY 10960
phone: (845) 358-3370

NYSDEC
Attn: Region 3 Office
21 S. Putt Corners Rd
New Paltz, NY 12561
phone: (845) 256-3154

Who to Contact

Comments and questions are always welcome and should be directed as follows:

Project Related Questions

Douglas MacNeal
Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7014
dkmacnea@gw.dec.state.ny.us

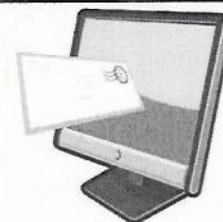
Site-Related Health Questions

Renata Ockerby
New York State Department of Health
547 River Street
Troy, NY 12180-2216
(518) 402-7880

We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

Receive Site Fact Sheets by Email

Have site information such as this fact sheet sent right to your email inbox. NYSDEC invites you to sign up with one or more contaminated sites county email listservs available at the following web page:
<http://www.dec.ny.gov/chemical/61092.html>. It's quick, it's free, and it will help keep you *better informed*.



As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select.

You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

Note: Please disregard if you already have signed up and received this fact sheet electronically.

