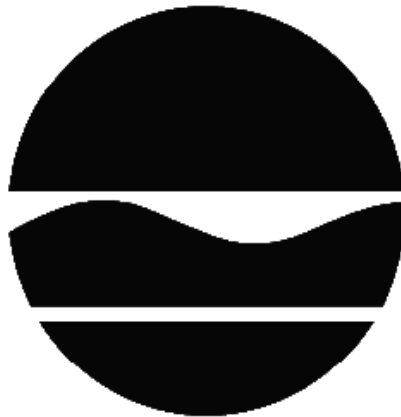


RECORD OF DECISION

Former State Wide Oil Property
Environmental Restoration Project
Port Jervis, Orange County
Site No. E336069
March 2012



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

DECLARATION STATEMENT - RECORD OF DECISION

Former State Wide Oil Property
Environmental Restoration Project
Port Jervis, Orange County
Site No. E336069
March 2012

Statement of Purpose and Basis

This document presents the remedy for the Former State Wide Oil Property site, an environmental restoration site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the Former State Wide Oil Property site and the public's input to the proposed remedy presented by the Department. A listing of the documents included as a part of the Administrative Record is included in Appendix B of the ROD.

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) or alternatives 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 remedy for the site.

The IRM(s) conducted at the site attained the remediation objectives identified for this site in Section 6.5 for the protection of public health and the environment.

New York State Department of Health Acceptance

The New York State Department of Health (NYSDOH) concurs that the remedy for this site is protective of human health.

Declaration

The selected remedy is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

March 29, 2012

Date



Robert W. Schick, P.E., Acting Director
Division of Environmental Remediation

RECORD OF DECISION

Former State Wide Oil Property
Port Jervis, Orange County
Site No. E336069
March 2012

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 feasibility study (FS). 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. The IRM(s) conducted at the site attained the remediation objectives identified for this site, which are presented in Section 6.5, for the protection of public health and the environment. No Further Action is the remedy selected by this Record of Decision (ROD). 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 ROD identifies the IRM(s) conducted and discusses the basis for No Further Action.

The 1996 Clean Water/ Clean Air Bond Act provides funding to municipalities for the investigation and cleanup of brownfields. Brownfields are abandoned, idled, or under-used properties where redevelopment is complicated by real or perceived environmental contamination. They typically are former industrial or commercial properties where operations may have resulted in environmental contamination. Brownfields often pose not only environmental, but legal and financial burdens on communities. Under the Environmental Restoration Program, the state provides grants to municipalities to reimburse up to 90 percent of eligible costs for site investigation and remediation activities. Once remediated, the property can then be reused.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. 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 repositories:

NYSDEC Region 3
Attn: Call for appointment
21 South Putt Corners Road
New Paltz, NY 12561-1620
Phone: 845-256-3154

Port Jervis Free Library
138 Pike Street
Port Jervis, NY 12771-1879
Phone: 845-856-7313

A public meeting was also conducted. At the meeting, the findings of the remedial investigation (RI) and the alternatives analyses (AA) were presented along with a summary of the proposed remedy. After the presentation, a question-and-answer period was held, during which verbal or written comments were accepted on the proposed remedy.

Comments on the remedy received during the comment period are summarized and addressed in the responsiveness summary section of the ROD.

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 Former State Wide Oil Site is comprised of 1.3 acres, located at 108 East Main Street in the City of Port Jervis (the City). The site is located in a mixed-use area and is bordered to the east and north by the athletic fields for the Port Jervis Middle School, while a funeral home abuts the site to the west. Many of the other nearby properties are residential.

Site Features: The site contained three structures and five above-ground storage tanks (ASTs)

that previously were used for the storage and transfer of fuel oil and related activities associated with retail petroleum distribution. The structures included a concrete block building of unknown historic use, a filling station and a pump shed. In addition, during the tank and contaminated soil removal, piping was discovered that indicated there may have also been an historic diesel pump island. The ASTs included four vertical fuel oil ASTs: two 20,000-gallon ASTs, a 30,000-gallon AST, and one 187,000-gallon AST. The fifth AST, a 3,000-gallon diesel tank, was reportedly used to fuel vehicles associated with former site operations. A portion of a concrete retaining wall was noted in the vicinity of the tanks. The site was largely overgrown with weeds, brush and trees.

Current Zoning/Use(s): The site is currently inactive and is zoned for residential use. As noted above, the area is mixed commercial and residential use.

Historic Use(s): The site was used as a petroleum storage and transfer facility from approximately 1900 to 1998. The property was abandoned due to a bankruptcy and unpaid taxes in 1998, and the City acquired the property through tax foreclosure.

A limited environmental study was conducted by the City after acquisition of the property in 1998 and included the advancement of six test pits and the collection of soil samples which were analyzed for total petroleum hydrocarbons (TPH). Petroleum contamination was identified in the soil and a NYSDEC Spill number (98-07279) was assigned to the site. As a result, the City ultimately sought funding to investigate and remediate the property and received a Brownfield Cleanup Grant from the US Environmental Protection Agency (USEPA) and also was admitted to the New York State Environmental Restoration Program (ERP).

Site Geology and Hydrogeology: Surficial soils consist predominantly of fine sand and fine gravels. Site soils are composed of Hoosic gravelly sandy loam and Otisville gravelly sandy loam. Bedrock is mapped as Paleozoic aged rocks of the Onondaga Limestone and Ulster Group and was not penetrated or otherwise explored as part of this investigation. No surface water bodies are present on the property. The nearest water body is the Neversink River, located approximately 500 feet to the east. Groundwater flow is east southeast towards the Neversink River. The depth to groundwater in the overburden soils is approximately 20 feet and the depth to rock in site borings was greater than 30 feet.

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, alternatives (or an alternative) that restrict(s) the use of the site to residential use (which allows for restricted-residential use, commercial use and industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

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 included in the Tables for the media being evaluated in Exhibit A.

SECTION 5: ENFORCEMENT STATUS

Potentially Responsible Parties (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.

No PRPs have been documented to date.

The Department and the City of Port Jervis entered into a State Assistance Contract (SAC) under the NYS ERP on November 6, 2006. The SAC obligated the Municipality to implement a full remedial program and allows reimbursement of up to 90 percent for all eligible remediation costs.

Since no viable PRPs have been identified, there are currently no ongoing enforcement actions. However, legal action may be initiated at a future date by the state to recover state response costs should PRPs be identified. The City of Port Jervis will assist the state in its efforts by providing all information to the state which identifies PRPs. The City of Port Jervis will also not enter into any agreement regarding response costs without the approval of the Department.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A Remedial Investigation (RI) has been conducted. The purpose of the RI was to define the nature and extent of any contamination resulting from previous activities at the site. The field activities and findings of the investigation are described in the RI Report.

The following general activities are conducted during an RI:

- Research of historical information,
- Geophysical survey to determine the lateral extent of wastes,
- Test pits, soil borings, and monitoring well installations,
- Sampling of waste, surface and subsurface soils, groundwater, and soil vapor,
- Sampling of surface water and sediment,
- Ecological and Human Health Exposure Assessments.

The analytical data collected on this site includes data for:

- groundwater

- soil

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. The tables found in Exhibit A list the applicable SCG in the footnotes. For a full listing of all SCGs see: <http://www.dec.ny.gov/regulations/61794.html>

6.1.2: RI Results

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 in Exhibit A. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

Lead

Petroleum Products

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 Record of Decision.

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

Tank and Limited Soil Removal IRM

Prior to the start of the remedial investigation field sampling activities, a tank removal and limited soil removal IRM was performed. In preparation for this work, the site was cleared and a pre-demolition asbestos survey and a ground penetrating radar survey were performed. The IRM consisted of cleaning and removal of the five ASTs and associated piping and appurtenances. The scrap steel was sent to a recycling facility. The three structures were also demolished and

properly disposed of off-site. Visually identified petroleum-contaminated surface soils were removed from under the pump shed and under an external valve on the 30,000-gallon AST. The IRM resulted in 26.7 tons of contaminated soil being removed and properly disposed of off-site as a lead characteristic hazardous waste.

Additional Soil Removal IRM

Additional shallow, lead-impacted soils were identified in three areas of the site during the remedial investigation. This IRM was performed to remove these soils to meet the residential use soil cleanup objective (SCO). Approximately 605 tons of non-hazardous lead-impacted soils were removed and properly disposed of off-site.

6.3: 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.

Based upon the resources and pathways identified and the toxicity of the contaminants of ecological concern at this site, a Fish and Wildlife Resources Impact Analysis (FWRIA) was deemed not necessary for OU 01.

Nature and Extent of Contamination: Site-related constituents of concern (COCs) included petroleum constituents and lead in site soils. The presence of petroleum was visually identified (e.g., staining under an external tank valve) and was removed during the first IRM. RI soil sampling for volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) performed following petroleum-contaminated soil excavation in these areas indicated that petroleum-contaminated soils were successfully removed to concentrations below the unrestricted use SCOs. In addition, the RI soil and groundwater sampling indicated no further petroleum contamination at the site. Lead concentrations in soil prior to the second soil removal IRM ranged from 67.1 (estimated) to 2,290 parts per million (ppm), well above the residential use SCO of 400 ppm. However, the two IRMs that were performed removed contaminated soils to achieve the residential use SCOs.

The post-IRM groundwater sampling indicated that the site groundwater meets ambient water quality standards.

6.4: 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*.

Remedial measures have removed site-related contamination in soil; therefore, no contact with site-related contaminants is expected.

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:

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

SECTION 7: SUMMARY OF SELECTED REMEDY

Based on the results of the investigations at the site, the IRMs performed, and the evaluation presented here, the Department is proposing No Further Action as the site remedy. The soil RAOs were achieved by performance of the IRMs, and the soil meets the residential use RAOs consistent with the local zoning for the property. No site-related groundwater impacts were identified, and the site groundwater meets standards. Therefore, no institutional or engineering controls are required.

Exhibit A

Nature and Extent of Contamination

This section describes the findings of the Remedial Investigation for all environmental media that were evaluated. As described in Section 6.1, samples were collected from various environmental media to characterize the nature and extent of contamination.

For each medium, a table summarizes the findings of the investigation. The tables present the range of contamination found at the site in the media and compares the data with the applicable SCGs for the site. The contaminants are arranged into four categories {i.e., volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides/ polychlorinated biphenyls (PCBs), and inorganics (metals and cyanide). For comparison purposes, the SCGs are provided for each medium that allows for unrestricted use. For soil, if applicable, the Restricted Use SCGs identified in Section 6.1.1 are also presented. It should be noted that only contaminants/contaminant categories with data exceeding the applicable SCGs are noted in the tables.

Groundwater

In August 2009, groundwater samples were collected from three overburden monitoring wells to assess on-site groundwater conditions. No site-related contaminants were found, although iron, sodium and chromium and chloroform were noted in one or more of the wells slightly exceeding respective 6 NYCRR Part 703.5 groundwater standards. Prior to the second IRM performed in July, 2011, one of the wells, MW-3, was properly decommissioned since it was located within the planned excavation area. The two remaining wells were resampled in November 2011, and no site-related contaminants were found. Iron was found to exceed the groundwater standard in one well, although it was not found in the dissolved fraction, indicating it is absorbed to soil particles. Iron is an indigenous metal in soil that can become elevated in groundwater when pH is low. Post-IRM groundwater concentrations exceeding groundwater standards are noted below.

Table # 1 - Groundwater

Detected Constituents	Concentration Range Detected (ppb) ^a	SCG ^b (ppb)	Frequency Exceeding SCG
Inorganics			
Total Iron	144-462	300	1/2

a - ppb: parts per billion, which is equivalent to micrograms per liter, ug/L, in water.

b- SCG: Standard Criteria or Guidance - Ambient Water Quality Standards and Guidance Values (TOGs 1.1.1), 6 NYCRR Part 703, Surface water and Groundwater Quality Standards, and Part 5 of the New York State Sanitary Code (10 NYCRR Part 5).

No site-related groundwater contamination of concern was identified during the RI. Therefore, no remedial alternatives need to be evaluated for groundwater. Locations of groundwater monitoring wells and groundwater flow direction are shown on Figure 4.

Soil

Surface and subsurface soil samples were collected at the site during the RI from the following depth intervals: 0-2 inches, 2-6 inches, 6-12 inches and 12-24 inches. These intervals were sampled to fully characterize the top 2 feet of soil to assess direct human exposure and to determine the need for a site cover/cap to achieve the desired residential use soil cleanup objectives (SCOs). Subsurface soil samples were collected from a variety of

intervals depending on the investigation phase, depth of boring, field observations, etc. in accordance with the investigation work plans. The soil investigation indicated that lead was the primary site-related contaminant of concern, with the exception of the petroleum staining noted below an external valve on the 30,000 gallon above-ground storage tank (AST) and beneath the former pump shed (see Figures 2 and 3). The petroleum contaminated soil was removed during the first IRM, prior to any soil investigation work. RI soil sampling for VOCs and SVOCs performed following petroleum-contaminated soil excavation in these areas indicated that petroleum-contaminated soils were successfully removed to concentrations below the unrestricted use SCOs. In addition, the RI soil and groundwater sampling indicated no further petroleum contamination at the site. Following completion of the two IRMs, lead concentrations remaining in site soils are below the residential use SCO as shown in the table below. The areas/locations sampled prior to the IRM are shown on Figures 4 and 5, and the post-IRM/current soil conditions are shown on Figure 6.

The soil investigation also identified a few exceedances of the unrestricted use and/or residential use SCOs for arsenic, cadmium, chromium, copper and zinc as noted in the table below. These detections are sporadic and distributed broadly across the site, do not correlate to areas with lead impacts, were not reproducible or associated with any sources, and all but the cadmium detection fall within the background range for these constituents for soils of the eastern United States, and therefore are not considered to be site-related contaminants.

The table below summarizes the post-IRM soil conditions exceeding the Unrestricted and Residential Use SCOs.

Table #2 - Soil

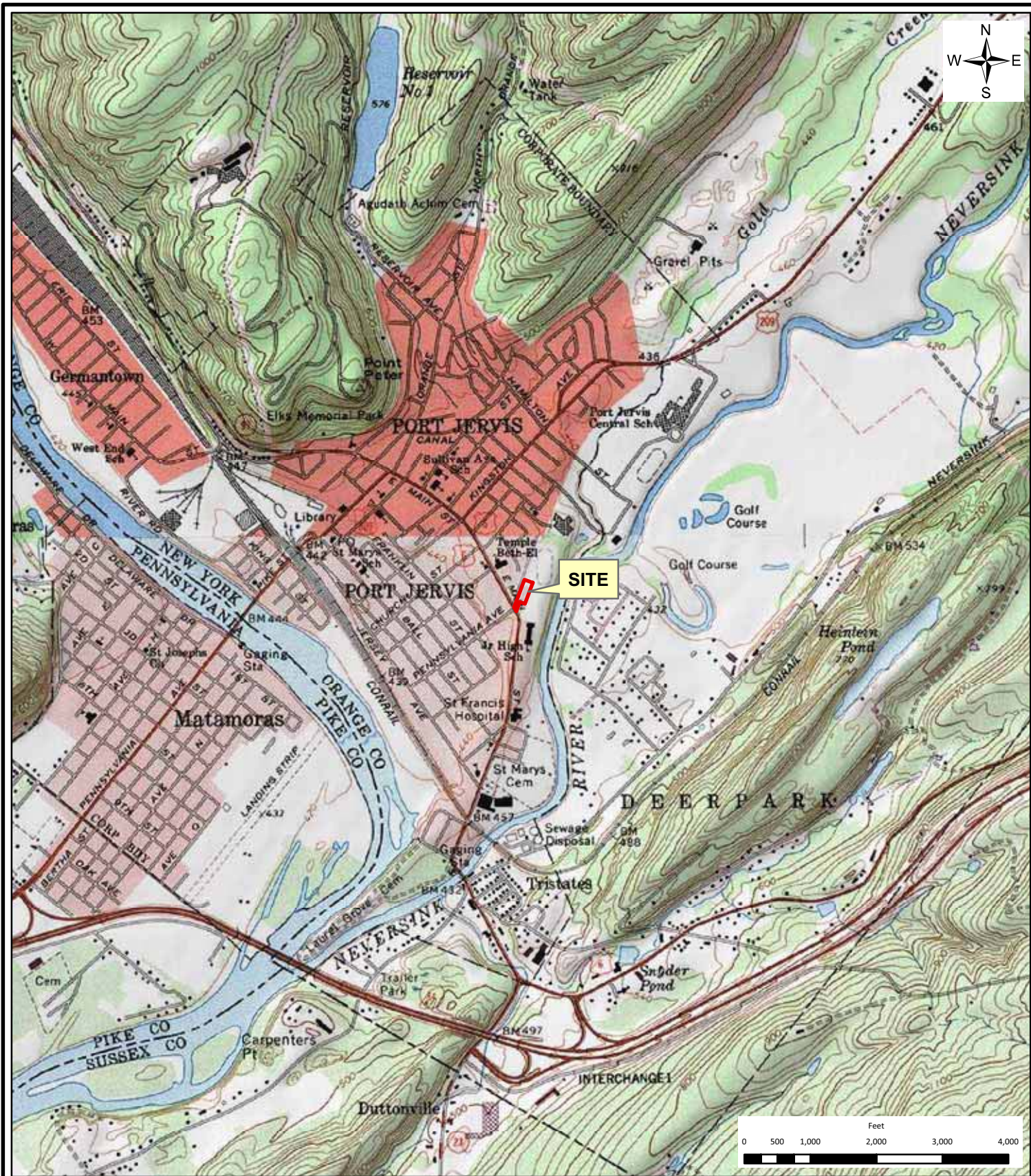
Detected Constituents	Concentration Range Detected (ppm) ^a	Unrestricted SCG ^b (ppm)	Frequency Exceeding Unrestricted SCG	Restricted Use SCG ^c (ppm)	Frequency Exceeding Restricted SCG
Inorganics					
Arsenic	ND-26.9	13	5/72	16	3/72
Cadmium	ND-5.26	2.5	1/72	2.5	1/72
Chromium, Total	3.85-36.5	30	1/72	19	1/72
Copper	4.04-118	50	1/40	270	0/40
Lead	3.3-344	63	35/133	400	0/133
Zinc	19.8-136	109	1/40	2200	0/40

a - ppm: parts per million, which is equivalent to milligrams per kilogram, mg/kg, in soil;

b - SCG: Part 375-6.8(a), Unrestricted Soil Cleanup Objectives.

c - SCG: Part 375-6.8(b), Restricted Use Soil Cleanup Objectives for the Protection of Public Health for Residential Use, unless otherwise noted.

Soil contamination identified during the RI was addressed during the IRMs described in Section 6.2.



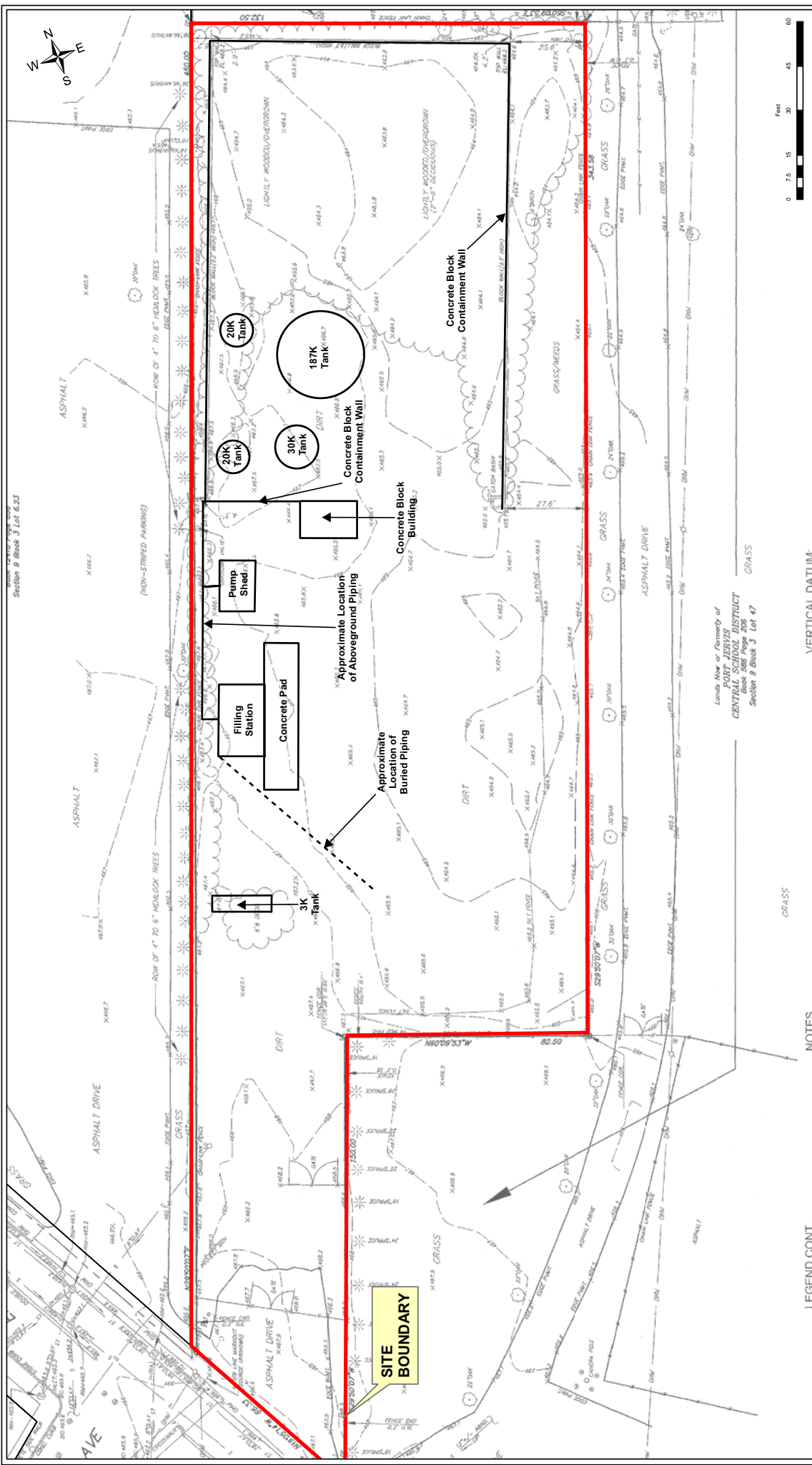
Former Statewide Oil ERP Site, Site No. E336069

Figure 1 - Site Location Map

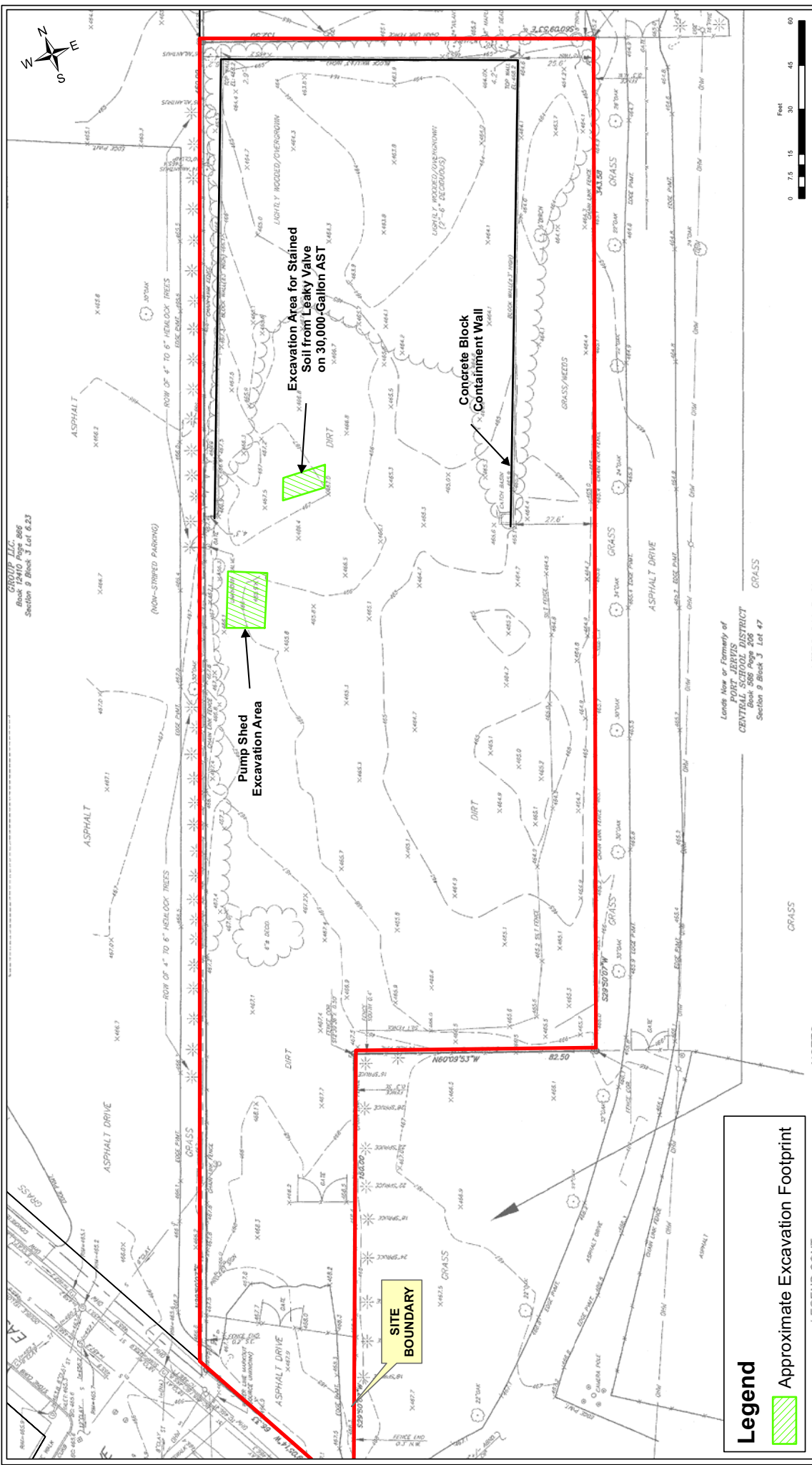
108 East Main Street
City of Port Jervis, Orange County, New York

Source: USGS Topographic Quadrangles of the Port Jervis North, New York-Pennsylvania and Port Jervis South, New York-New Jersey-Pennsylvania Quadrangles, Dated 1992 and 1995 Respectively, 7.5-Minute Series; Orange County Real Property Services 2007 Tax Parcel Data.

Drawn:	EJO
Date:	January 2012
Scale:	As Shown
Project:	70627.01
Figure:	1



<p>Former Statewide Oil ERP Site, Site No. E336069</p> <p>Figure 2 - Pre-IRM No. 1 Site Conditions Map</p> <p>108 East Main Street City of Port Jervis, Orange County, New York</p> <p>Source: Orange County Office of Real Property Services 2007 Tax Parcel Data; Site Survey Base by Crazen, 2009.</p>	
Drawn:	EJO
Date:	January 2012
Scale:	As Shown
Project:	70827.01
Figure:	2



Legend

 Approximate Excavation Footprint



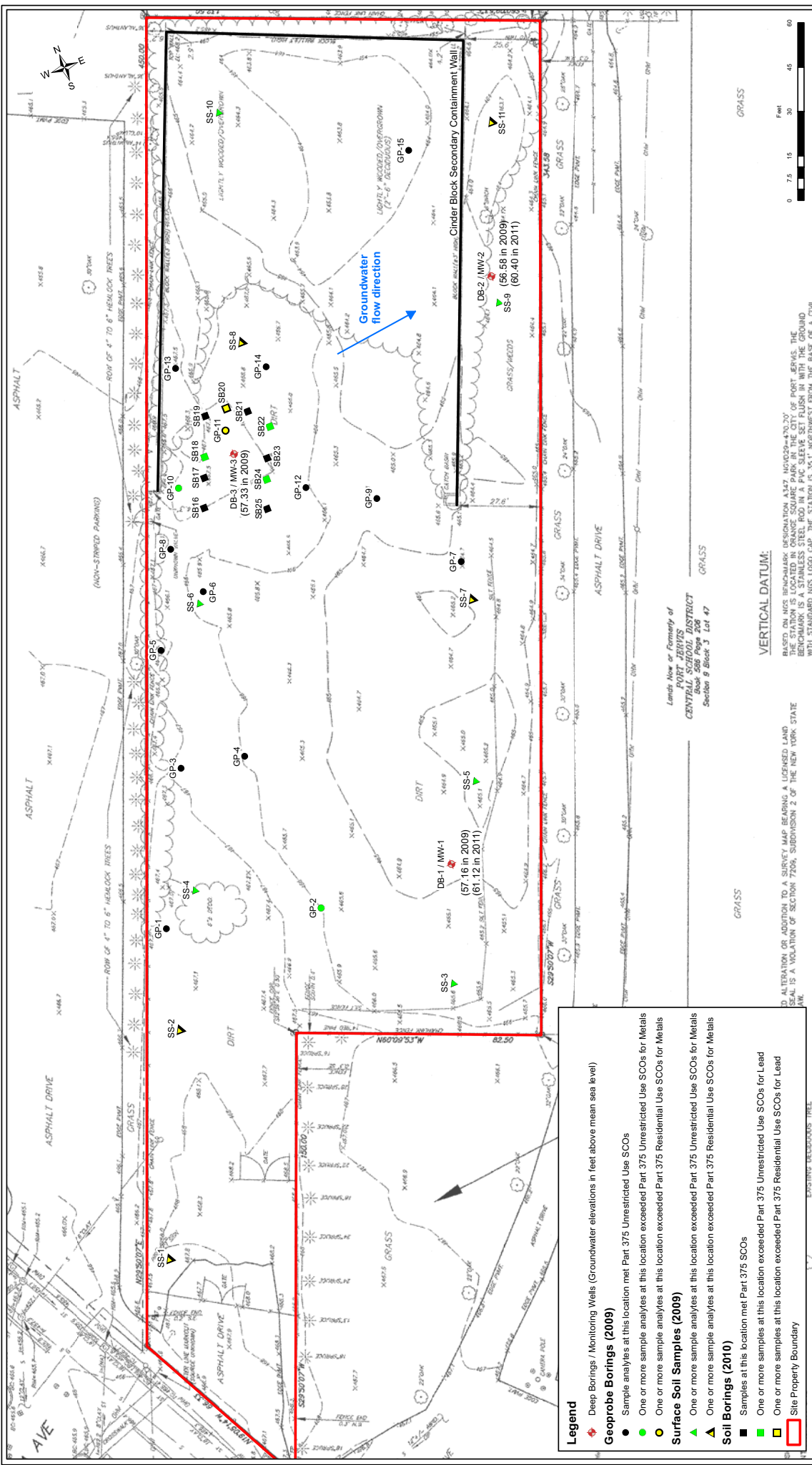
Drawn:	EJO
Date:	January 2012
Scale:	As Shown
Project:	70827.01
Figure:	3

Former Statewide Oil ERP Site, Site No. E336069

Figure 3 - Post-IRM No. 1 Site Conditions Map

108 East Main Street
 City of Port Jervis, Orange County, New York

Source: Orange County Office of Real Property Services 2007 Tax Parcel Data Site Survey Base by Chazam, 2009; Other Site Features Drawn by Chazam, 2009-2012.



- Legend**
- ◆ Deep Borings / Monitoring Wells (Groundwater elevations in feet above mean sea level)
 - Geoprobe Borings (2009)
 - Sample analytes at this location met Part 375 Unrestricted Use SCOs
 - One or more sample analytes at this location exceeded Part 375 Unrestricted Use SCOs for Metals
 - One or more sample analytes at this location exceeded Part 375 Residential Use SCOs for Metals
 - ▲ Surface Soil Samples (2009)
 - ▲ One or more sample analytes at this location exceeded Part 375 Unrestricted Use SCOs for Metals
 - ▲ One or more sample analytes at this location exceeded Part 375 Residential Use SCOs for Metals
 - Soil Borings (2010)
 - Samples at this location met Part 375 SCOs
 - One or more samples at this location exceeded Part 375 Unrestricted Use SCOs for Lead
 - One or more samples at this location exceeded Part 375 Residential Use SCOs for Lead
 - Site Property Boundary

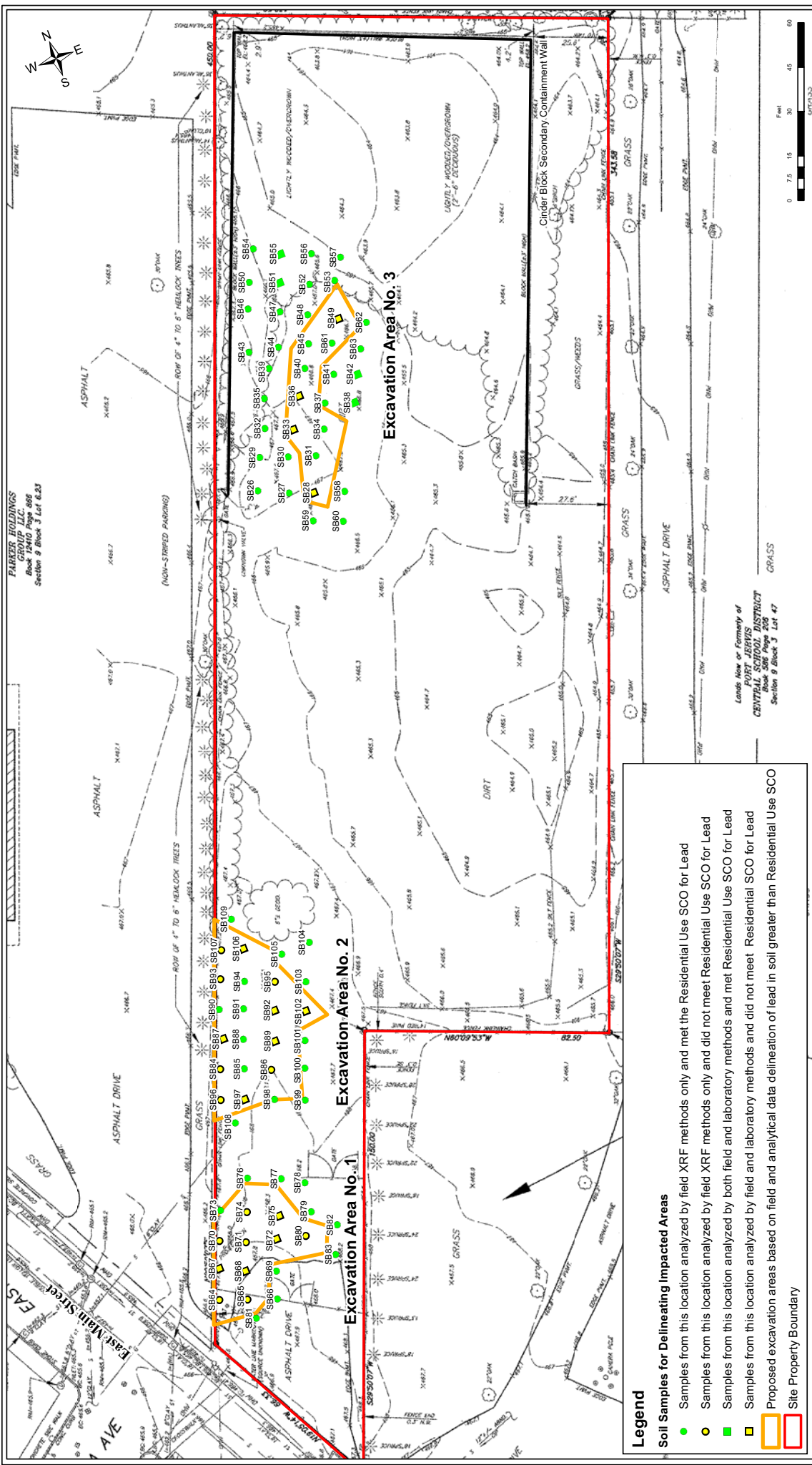
VERTICAL DATUM:
 BASED ON NGS BENCHMARK DESIGNATION AL37 NGVD29+70.20'
 THE STATION IS LOCATED IN ORANGE SQUARE PARK IN THE CITY OF PORT JERVIS. THE
 BENCHMARK IS A STAINLESS STEEL ROD IN A P.C. SLEEVE SET FLUSH IN WITH THE GROUND
 SURFACE. THE BENCHMARK IS NOT TO BE USED FOR ANY OTHER PURPOSES.

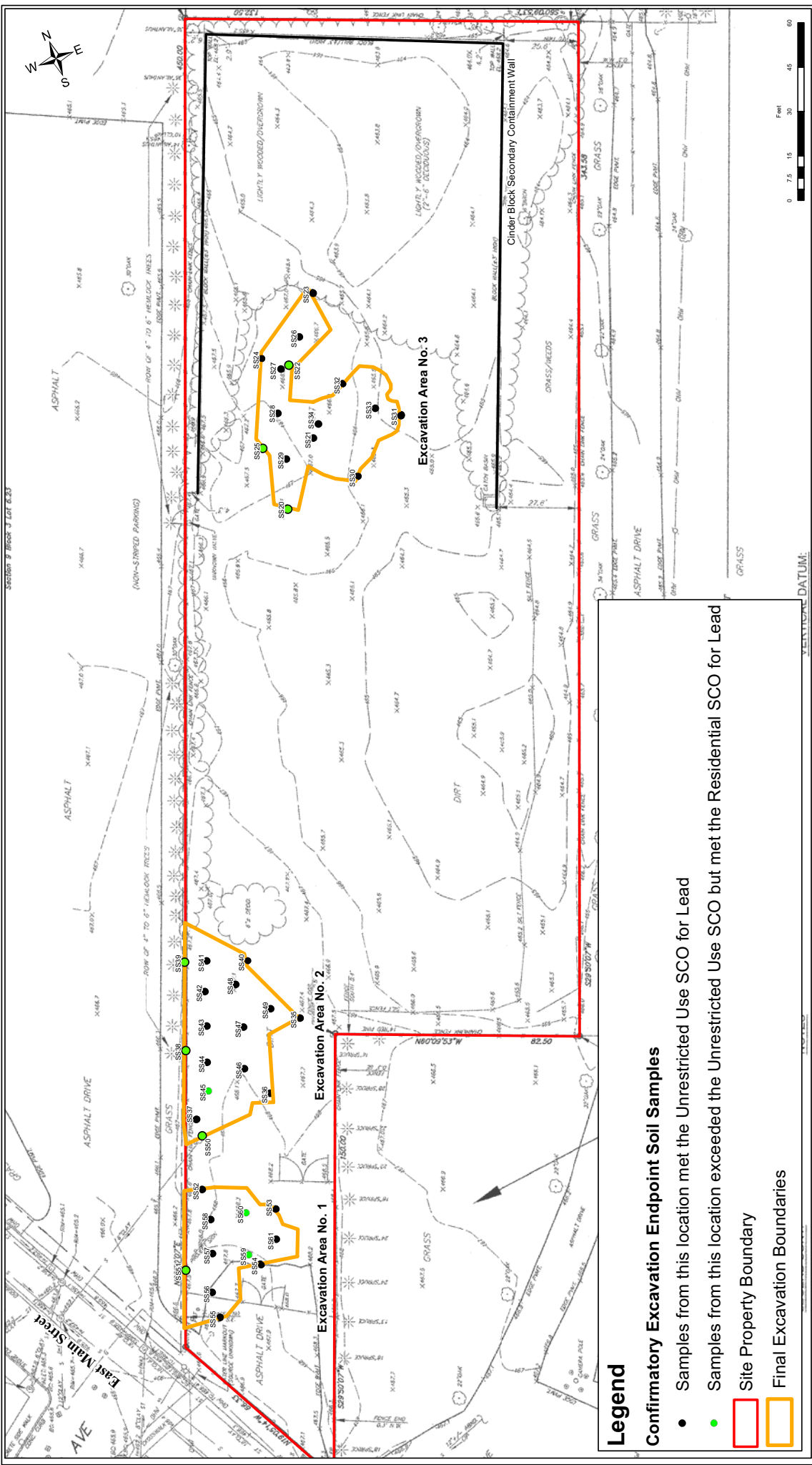
ALTERNATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND
 SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7206, SUBDIVISION 2 OF THE NEW YORK STATE
 SURVEYING AND MAPPING LAW.

Lands Now or Formerly of
**PORT JERVIS
 CENTRAL SCHOOL DISTRICT**
 Block 80, Page 208
 Section 8 Block 3 Lot 47



<p>Former Statewide Oil ERP Site (Site No. E336069) Figure 4 - Site-Wide Investigation Sample Locations (Pre-IRM No. 2)</p> <p>108 East Main Street City of Port Jervis, Orange County, New York</p> <p>Source: NYS Department of Homeland Security and Emergency Services, 2010. Originator: Orange County Office of Real Property Services, 2007. Data: Date: Site Features Drawn by Chaseman, 2011.</p>	
Drawn:	EJO
Date:	January 2012
Scale:	As Shown
Project:	70827.01
Figure:	4





Legend

- Confirmatory Excavation Endpoint Soil Samples
- Samples from this location exceeded the Unrestricted Use SCO but met the Residential SCO for Lead
- Site Property Boundary
- Final Excavation Boundaries

Drawn:	EJO
Date:	January 2012
Scale:	As Shown
Project:	70827.01
Figure:	6

Former Statewide Oil ERP Site (Site No. E336069)
Figure 6 - Post-IRM No. 2 Site Conditions Map
 108 East Main Street
 City of Port Jervis, Orange County, New York
 Source: NYS Department of Homeland Security and Emergency Services, 2010. Orthophotography: Orange County Office of Real Property Services, 2007. Ink Poured Data: Site Features Drawn by Chassem, 2011.

APPENDIX A

Responsiveness Summary

RESPONSIVENESS SUMMARY

**Former State Wide Oil Property
Environmental Restoration Project
City of Port Jervis, Orange County, New York
Site No. E336069**

The Proposed Remedial Action Plan (PRAP) for the Former State Wide Oil Property site was prepared by the New York State Department of Environmental Conservation (the Department) in consultation with the New York State Department of Health (NYSDOH) and was issued to the document repositories on February 10, 2012. The PRAP outlined the remedial measure proposed for the contaminated soil at the Former State Wide Oil Property site.

The release of the PRAP was announced by sending a notice to the public contact list, informing the public of the opportunity to comment on the proposed remedy.

A public meeting was held on March 14, 2012, which included a presentation of the remedial investigation and alternatives analysis (RI/AA) for the Former State Wide Oil Property site as well as a discussion of the proposed remedy. The meeting provided an opportunity for citizens to discuss their concerns, ask questions and comment on the proposed remedy. These comments have become part of the Administrative Record for this site. The public comment period for the PRAP ended on March 28, 2012.

This responsiveness summary responds to all questions and comments raised during the public comment period. The following are the comments received, with the Department's responses:

COMMENT 1: The proposed remedy is preferable.

RESPONSE 1: The comment is acknowledged.

COMMENT 2: Is it correct that with this remedy, the property owners will not be subject to an easement, Site Management Plan, or any other reporting obligations to the DEC?

RESPONSE 2: Yes, because the site was cleaned up to meet the Residential Use Soil Cleanup Objectives in 6 NYCRR Part 375, consistent with the local zoning for the property, and no site-related groundwater impacts were identified which exceed groundwater standards; no institutional or engineering controls are required. Since there are no use restrictions necessary, there is no need for an environmental easement, Site Management Plan or periodic review reporting.

APPENDIX B

Administrative Record

Administrative Record

**Former State Wide Oil Property
Environmental Restoration Project
City of Port Jervis, Orange County, New York
Site No. E336069**

1. Proposed Remedial Action Plan for the Former State Wide Oil Property site, dated February 2012, prepared by the Department.
2. The Department and the City of Port Jervis entered into a State Assistance Contract, Contract No. C303160, November 6, 2006.
3. Remedial Investigation/Alternatives Analysis/Interim Remedial Measures (RI/AA/IRM) Work Plan, State Wide Oil Site, March 2008, prepared by The Chazen Companies.
4. RI/AA/IRM Work Plan Addendum, letter dated June 26, 2008, NYSDEC.
5. Supplemental Remedial Investigation Work Plan, June 2009, The Chazen Companies.
6. Supplemental Subsurface and Surficial Soil Sampling Plan, November 2009, The Chazen Companies.
7. Supplemental Remedial Investigation No. 2, November 2010, The Chazen Companies.
8. Interim Remedial Measure (No. 1), Construction Completion and Tank Closure Report, March 2011, The Chazen Companies, parenthetical added for clarity.
9. Proposed Interim Remedial Measure (IRM) No. 2 and Summary of Supplemental Remedial Investigation No. 2, June 2011, The Chazen Companies.
10. Remedial Investigation/Alternatives Analysis/Interim Remedial Measures No. 2 Construction Completion Report, March 2012, The Chazen Companies.