

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Solid Waste Compliance Unit, Region 3  
21 South Putt Corners Road, New Paltz, NY 12561-1620  
P: (845) 256-3000 | F: (845) 255-3414  
www.dec.ny.gov

September 17, 2018

Damon Amadio P.E.  
Commissioner of Buildings  
City of White Plains Building Department  
70 Church Street  
White Plains NY 10601

Re: 52 North Broadway

Dear Mr. Amadio:

The Department has completed its review of the Phase II Environmental Site Assessment Work Plan for the Good Counsel Site located at 52 North Broadway, White Plains, NY dated July 25, 2018 and prepared by VHB on behalf of the City of White Plains. The Department's review relates only to the disturbance of the final cover system, protection to ground water, and nuisance conditions and does not include a review of the site history provided (unless otherwise noted below), the adequacy or type of testing, the QA/QC Plan, or the health and safety plan. Please address the following comments and resubmit to the Department for approval.

#### Soil Vapor Borings:

This plan proposes a significant number of barrier layer penetrations, which concerns the Department. Please provide a justification for the proposed number of penetrations. In order to minimize penetrations, is there any reason why the soil vapor boring locations cannot double for the soil boring or geotechnical boring locations?

What is the proposed soil vapor boring depth and the basis for that depth? Vapor boring depths should take into account the proposed depth of development.

For clarification, since a list is not provided, it is the Department's understanding that the proposal is to sample for the full TO-15 list of VOCs. In addition to methane, H<sub>2</sub>S needs to be included in the gas survey. Please confirm.

#### All Borings:

The Department notes that the plan proposes to capture and place all wash/decon water into drums for proper disposal. The plan shall clearly state that wash/decon water and storm water runoff/precipitation will be prevented from entering the bore holes at all times.

All geomembrane penetrations shall be repaired with a geomembrane patch in accordance with 6 NYCRR Part 363, EPA guidance, and applicable manufacturer recommendations. This shall include but not be limited to applicable sections of Part 363-6.8, such as non-destructive testing, minimum experience of installer requirements, applicable CQA/CQC requirements, etc. Specifications for installation and materials for construction shall be provided in advance for Department review.



Department of  
Environmental  
Conservation

The Department notes that the geotechnical soil vapor borings will be fully grouted from base to membrane liner, but the soil borings will be backfilled with the waste removed from the boring. This is acceptable to the Department. However, in no case will waste be backfilled into areas below the base of the landfill. All sections of any boring that penetrates below the waste shall be backfilled with grout. Please revise.

How will waste be stored during drilling activities to ensure that no waste is left on the surface of the barrier protection layer upon completion of the investigation? How will leachate be handled during periods of inclement weather to ensure there is no contamination of the barrier protection layer? How will odors be controlled? How will dust be controlled during the investigation?

The plan should state that written notice will be provided to the Department prior to any investigatory work at least 5 business days in advance.

The plan shall state that all results shall be provided to the Department within 30 days of completion of the investigation.

**Site History:**

The Department is not reviewing or approving the Site Background. However, the Department disputes the work plan's characterization of the October 2014 correspondence ["indicating that there were no continuing obligations under the Order on Consent"]. Paragraph XVII in the Order on Consent for Case No. R3-20040511-68 states in pertinent part: "The provisions of this Order shall be deemed to bind...any successor in title to the Facility or any interest therein."

**Submittal:**

The author of the investigation report must identify themselves and sign the report.

Sincerely,

*David Pollock/JJC*

David G Pollock  
Regional Enforcement Engineer  
OSEM Program Manager

ecc: Stephen Kaplan  
Ashley Welsch