From:	Evangelista, Tony
To:	Dudek, Heidi M (DEC)
Cc:	Myralee Machol; Frank Haftel; Thomas C Graham; Burke, Gerard (DEC); Similo, Ashley; Badalamenti, Salvatore
Subject:	RE: SMP refinements meeting
Date:	Monday, April 27, 2015 10:38:50 AM

Heidi, have you received any comments back on the SMP revisions? As expected, its taking some time to get all the data and SPLP results put together (we are almost there), that is why we were hoping to have some dialogue on the soil handling procedures while we were waiting.
With respect to the storm water treatment structures, is there someone in the Region we should be discussing this with? As far as a decision to eliminate infiltration due to residual contamination, will this decision be made by the Region?
We understand there is a lot of moving parts, anything you can do to help move these 2 issues along is appreciated.

Thanks
Tony

From: Dudek, Heidi M (DEC) [mailto:heidi.dudek@dec.ny.gov]
Sent: Thursday, April 16, 2015 2:05 PM
To: Evangelista, Tony
Cc: Myralee Machol; Frank Haftel; Thomas C Graham; Burke, Gerard (DEC); Similo, Ashley; Badalamenti.Salvatore@epa.gov
Subject: RE: SMP refinements meeting

Hi Tony –

Thanks for the copy of the SMP proposed revisions. These revisions are under DEC review and I have forwarded the Plan to EPA for review. I have forwarded your previous email with regards to the storm water treatment structures to the Region. They will be evaluating them as part of the Storm Water Management Plan.

Heidi

From: Evangelista, Tony [mailto:tevangelista@posillicoinc.com]
Sent: Tuesday, April 14, 2015 3:19 PM
To: Dudek, Heidi M (DEC)
Cc: Myralee Machol; Frank Haftel; Thomas C Graham
Subject: FW: SMP refinements meeting

Heidi, looks like you didn't receive the proposed revisions (see attached). Also, were you able to look at those Storm Water Treatment Structures? Normal code requires that a private developer infiltrate a certain portion of its storm water back into the ground. The excess is currently shown to be deposited into the creek. Considering the special circumstances of the site, eliminating the infiltration structures from the development appears to make sense. However, we would need your

assistance in moving that along. Please let me know your thoughts.

Thanks
Tony

From: Myralee Machol [mailto:mmachol@glencovecda.org]
Sent: Tuesday, April 14, 2015 2:37 PM
To: Frank DeVita; Ellis Koch; Thomas C Graham; Evangelista, Tony; Frank Haftel; Nemichand, Shashank
Subject: FW: SMP refinements meeting

I did get a response from Heidi below. I know it was not the one you wanted but we are meeting tomorrow and can discuss.
Thanks

Myralee Machol
Executive Director
Glen Cove Community Development Agency
Administrative Director
Glen Cove Industrial Development Agency
City Hall, 9 Glen Street
Glen Cove, New York 11542
mmachol@glencovecda.org
(516) 676-1625 ext. 102
(516) 491-5736

From: Dudek, Heidi M (DEC) [mailto:heidi.dudek@dec.ny.gov]
Sent: Tuesday, April 14, 2015 1:15 PM
To: Myralee Machol; Similo.Ashley@epa.gov
Cc: Frank DeVita; Burke, Gerard (DEC); Badalamenti.Salvatore@epa.gov
Subject: RE: SMP refinements meeting

Good Afternoon Myralee –

Thank you for the summary of the items that the redeveloper would like to discuss. At this point we feel that holding a meeting before all the sampling has been completed and a comprehensive data summary has been provided to the Agencies with time allowed for review would not be productive. With regards to the questions and or comments on the Site Management Plans, please see our responses below.

1. Agreed.
2. Noted.
3. Cannot be determined at this point.
4. This statement is not correct. The Site Management Template provided to the City of Glen Cove is appropriate for all sites that have been remediated and will have institutional and/or engineering controls in place. If a site is remediated to Unrestricted use, then a Site Management Plan may not be needed.

5. Further information is required.
6. No revisions provided. Cannot provide comment.
7. Unacceptable. Radiological Monitoring will be required for all excavation through the Cover System.
8. Further information will be required. Stock pile limitations were set due to sampling requirements.
9. Confirmatory sampling will be required to document what contaminant concentrations remain on-site. All Figures and Tables documenting contamination above unrestricted SCOs will be updated with the new confirmatory data.
10. Further information is required.
11. Further information is required.
12. Further information is required. Please note the agency will not allow a unique issue from one site to be moved to another site, an approved BUD will be required to transport material from DEC site to another, indemnification issues will not allow any material from another site to be placed on an ERP site.
13. Each site will require its own SMP. However all SMPs within the Garvies Point Redevelopment will be consistent allowing for easy management by the controlling entity. (i.e. – all site management requirements will be same for the sites.)
14. Agreed.

From: Myralee Machol [mailto:mmachol@glencovecda.org]
Sent: Friday, April 10, 2015 4:27 PM
To: Dudek, Heidi M (DEC); Similo.Ashley@epa.gov
Cc: Frank DeVita
Subject: FW: SMP refinements meeting

Hi Heidi and Ashley,

The Redevelopers forwarded this to me (their words) in preparation for discussion at the requested meeting. As you know the from your conference calls with Frank, Ellis and others that we are working on a simultaneous track to complete the remainder of testing. Please let me know if this helps.

I appreciate and thank you for your time and cooperation.

Myralee

Myralee Machol
Executive Director
Glen Cove Community Development Agency
Administrative Director
Glen Cove Industrial Development Agency
City Hall, 9 Glen Street
Glen Cove, New York 11542
mmachol@glencovecda.org

(516) 676-1625 ext. 102
(516) 491-5736

From: Evangelista, Tony [mailto:tevangelista@posillicoinc.com]
Sent: Thursday, April 09, 2015 1:03 PM
To: Haftel, Frank; Frank DeVita; Ellis Koch; Nemichand, Shashank; Myralee Machol
Subject: SMP refinements meeting

Myralee, as discussed, we would like to meet with the agencies to discuss our proposed SMP changes (attached). The changes were made with the following points in mind:

1. We are in the process of performing additional SPLP testing in order to agree upon a new "Site Management Cleanup Objective (SMCO)" which will be included as an appendix to the SMP.
2. RXR, in cooperation with the City, will perform additional remediation of all known exceedances above the SMCO, based on all sampling performed up to and including the current round of sampling.
3. Once this remediation is completed no further investigative sampling will be required unless stipulated in the SMP.
4. The current SMP was written with language typical for a site which has not been remediated. Due to the extensive amount of sampling and remediation which will have taken place, we are proposing the attached revisions for a new SMP which will be in effect AFTER the current remedy is completed and accepted by the agencies.
5. The SMP only addresses the sections related to the cover system, excavation, and backfill. Revisions to other sections will be required based on the outcome of future negotiations.
6. Section 2.2.1 was revised to clarify the existing and proposed cover systems.
7. Section 3.1.1 – language regarding radiological testing and screening of soils has been deleted since it is anticipated that the FSSR will be revised and/or accepted by the time this SMP is in effect. Provisions related to Community and Worker Safety will be addressed through HASP and CAMP requirements stated elsewhere in the SMP.
8. Due to the large volumes of soil to be excavated and filled, limits for stockpile size have been deleted. However, stockpiles will still require appropriate management for erosion, dust, SWPPP, etc.
9. Since the remedy will be completed, the need for confirmation sampling will no longer be required. The only exception to this would be to confirm that the soil below the infiltration structures meets POGW standards. However, at this time we would like to propose the elimination of all infiltration structures by incorporating Storm Water Treatment Structures (SWTS) into the design.
10. Section 3.1.3 Backfill – it is proposed that existing on site material which has already been remedied be allowed for use as backfill below the demarcation layer without testing.
11. Section 3.1.3 Backfill – it is proposed the existing on site material, stockpiled, and tested meeting Restricted Residential SCO be allowed for use within the Cover System.
12. Section 3.1.3 Backfill – it is proposed that "off- site" material (say from another property which has already been remedied) be allowed for use as backfill below the demarcation layer as long as the material meets or exceeds the SMCO criteria.
13. Clarification of "onsite" vs. "offsite" materials will be determined by the designation of the

limits of the SMP, i.e. if one SMP for the entire Waterfront Redevelopment than all material would be considered “on site”, if 2 SMPs, say one for LT (Phase 1) and CC (Phase 2) then material would be considered “offsite” between the 2 phases.

14. Evidence of Gross contamination during an excavation still “trumps” all other provisions stated above.

Please forward this to the agencies for review and schedule a meeting with all interested parties at your earliest convenience.

Thanks,

Anthony Evangelista, P.E.
VP - Chief Engineer
Posillico
1750 New Highway
Farmingdale, New York 11735

C - (516) 523-5412

tevangelista@posillicoinc.com
www.posillicoinc.com

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