

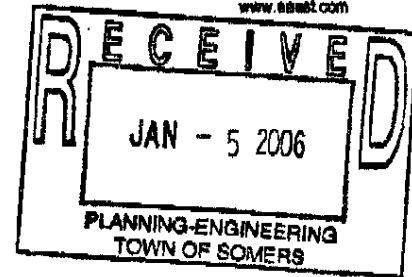


EA Engineering, P.C.
EA Science and Technology

C-PB
TE
TA
TP
Appendix

3 Washington Center
Newburgh, NY 12550
Telephone: 845-665-8100
Fax: 845-665-8203
www.easet.com

4 January 2006



Ms. Fedora DeLucia, Chairwoman
Town of Somers Planning Board
Town House
335 Route 202
Somers, New York 10589

RE: Completeness Review of Draft Supplemental Environmental Impact Statement
Granite Pointe Subdivision, Tomahawk Street, Somers, New York, TM 27.05, 3
Lots 2 and 5, Project Area 28.8 acres, A Single Family Realty Development
EA Project No. 14211.01

Dear Ms. DeLucia:

EA has reviewed the Supplemental Environmental Impact Statement (SEIS) for the Granite Pointe Subdivision (Groundwater & Environmental Services, 28 November 2005). As requested by the Town Engineer, Mr. Guy Gagne, the focus of our review was the document's completeness for the State Environmental Quality Review Act (SEQRA) review process. Although the field sampling and analysis described in the document appear to meet the requirements of the Scope for the SEIS (15 October 2004, included as Appendix A to the SEIS) and may be appropriate and adequate for the review, several key elements identified in the Scope are missing or deficient in the SEIS to support the SEQRA review process. Most notably, Section V – Risk Assessment and Section VI – Mitigation/Remediation are not adequately developed in the SEIS. This is due in part to the fact that while the cover of the 28 November 2005 document is titled *Supplemental Environmental Impact Statement*, the document immediately jumps from the Executive Summary to the Remedial Action Plan. As presently configured, the document is a Remedial Action Plan and does not provide the supporting analysis of the SEIS that has led to selection of the preferred mitigation alternative, which would then be developed and implemented in the Remedial Action Plan.

Aside from comparison of soil contaminant concentrations to regulatory benchmarks, there is no discussion of the potential risk to future residents (adults and children), construction workers, and ecological receptors (e.g., wildlife and fish) as described in Section V of the Scope. This discussion is essential to describe the potential impacts associated with the existing conditions at the site on future uses of the site.

Section 2.1 of the Remedial Action Plan mentions several potential alternatives for remediation of lead contamination from past uses of the site; however, those alternatives are not discussed further in the body of the SEIS. SEQRA and the Scope require an analysis of alternatives, including a no action alternative. The risk analysis discussed previously would provide a basis for evaluation and comparison of mitigation alternatives; that is, how effective is the alternative



in reducing the potential risk under proposed future uses. Although some mitigation alternatives may clearly be inadequate or inappropriate to address the risk for future uses, they should be discussed and their deficiencies described. The field sampling of soil contamination indicated that groundwater contamination is not an issue under existing conditions; however, the no action alternative should discuss the potential for future groundwater contamination if contaminated material is left in place with no remediation.

It is likely that the authors of this document have performed an evaluation of remediation alternatives to some extent, however, SEQRA requires that this evaluation be formally presented as part of the EIS/SEIS in order that the Lead Agency and the public can make a fully informed assessment and decision as part of the SEQRA process. This expanded discussion of remediation alternatives in the SEIS should then lead to the defensible selection of the preferred alternative, as presented in the 28 November 2005 draft: excavation, transport from the site, and disposal at an appropriate facility. Based on the horizontal and vertical extent of contamination indicated by soil sampling, the SEIS should provide a preliminary estimate of the volume of contaminated soil that exceeds the 400 mg/kg U.S. Environmental Protection Agency residential guidance value and the 5 mg/kg Toxicity Characteristic Leaching Procedure threshold. This information would be useful in evaluating the potential mitigation alternatives. The 28 November 2005 document suggests that a combination of alternatives might be considered with stabilization of contaminants in some soil and use of this stabilized soil material under proposed roadways. No discussion of the basis for implementation of this combined alternative or how soil would be selected and handled for treatment and reuse is provided in the SEIS.

Based on our preliminary review of the overall content of the SEIS, there are several items that would benefit from additional detail in the body of the SEIS. Information relative to historical shooting activities at the site that are presented on the diagram in Sub-Appendix B-A should be presented on the same base map used for other information in the main body of the SEIS.

There is no discussion of disposal alternatives and impacts related to the removal and transport of contaminated soils offsite. During the Scoping process, questions were raised as to measures to be taken to minimize the risk of loss of contaminated material during transport offsite. Pertinent sections of Department of Transportation regulations and other applicable measures should be discussed in Section 2.6 of the SEIS.

The analysis of soil contamination is based in part on the results of preliminary x-ray fluorescence screening and laboratory analysis. It would be useful for understanding the results of the contaminant characterization to present information relative to the comparability of the x-ray fluorescence results to the laboratory results.

The Scoping document and Work Plan in Appendix A both mention the potential impact to soils on New York City Department of Environmental Protection (NYCDEP) property beyond the stone wall between the proposed Granite Pointe Subdivision and Amawalk Reservoir. It appears clear that some level of soil contamination exists beyond this property boundary on NYCDEP property. No information is presented regarding communication with



NYCDEP relative to describing this contamination. Because the existing stone wall does not serve as a barrier to trespass, the potential exists that residents (particularly children) of the proposed subdivision may cross onto the NYCDEP property with the potential for exposure to contaminated soil. The potential exposure risk still needs to be defined or, given the uncertainty, options to prevent exposure should be presented and discussed.

EA suggests that the authors of the SEIS use the Scoping document presented in Appendix A of the SEIS as a checklist and table of contents to ensure that all required information is included in the Draft SEIS that is released for public review.

If you have any questions, please do not hesitate to contact me at (845) 565-1800, Ext. 1006.

Sincerely yours,

A handwritten signature in cursive script that reads "Paul H. Muessig".

Paul H. Muessig
Senior Environmental Scientist

PHM/cam

cc: G. Gagne, Town Engineer