

Corrective Action Plan

- I. On or before July 17, 1998, the Respondent will submit to the DEC for review and approval a proposal for additional investigatory work to delineate the extent of petroleum contamination identified in Star Enterprise's Technical Analyses and Proposed Remedial Actions for Texaco Facility No. 58079, Brooklyn, New York, dated May 1998. This investigation work plan must include a site plan and proposal for installation of additional four (4) inch diameter groundwater monitoring wells in accordance with DEC Spill Response Guidance Manual, dated January 1990.
- II. Within Sixty (60) days of receipt of DEC's comments and approval regarding the proposal for additional investigatory work to determine the extent of subsurface soil and groundwater contamination, described in Paragraph I, the Respondent will submit to the DEC for review and approval the results of additional investigatory work required in paragraph I above.
- III. Within Thirty (30) days of receipt of the receipt of DEC's comments and approval regarding the results of additional investigatory work to determine the extent of subsurface soil and groundwater contamination, the Respondent shall provide recommendations for an evaluation of at least three corrective action plan (CAP) alternatives as well as selection of the preferred corrective action method and estimated time frame for corrective action completion.
- VI. Within Thirty (30) days of receipt of the receipt of DEC's comments and approval regarding the proposed CAP, the Respondent will submit an engineering plan and implementation schedule to the DEC for review and approval to implement the CAP.
- V. Within Thirty (30) days of receipt of the receipt of DEC's comments regarding the proposed CAP, Respondent will submit an engineering plan to the DEC for review and approval.
- VI. Within Thirty (30) days of receipt of approvals from the DEC, Respondent must begin installation of the proposed remediation system.
- VII. Prior to operation of the remediation systems, the Respondent must submit an Operations and Maintenance (O & M) plan to the DEC for review and approval. This plan must show how remediation systems will conform to any applicable sampling and discharge standards provided by the DEC.
- VIII) PROGRESS REPORTS:
- Within Ninety (90) days of start-up of the remediation system, the Respondent must submit to the DEC a Progress Report. Respondent would continue to submit such Progress Reports to the DEC every three (3) months thereafter until the DEC determines that the site

has been properly cleaned-up. These Progress Reports would include the following information provided in items 1)-5) listed below:

- 1) Estimates of the diminishing trends in site contamination. This shall include, current information on the vertical and horizontal extent of free product (ft), free and any dissolved phase product recovery rates (gal/hr), and approximate area (ft²) which is being effectively influenced by the recovery system.
- 2) Monthly cumulative recovery totals of petroleum totals of petroleum product and any groundwater (gal), and any treated vapors (ft³) removed from the site.
- 3) Current Flow rates (ft³/hr), and pressure measurements (psi) must be obtained at any extraction wells and at the inlet to the air suction pump for any Soil Vapor Extraction System (SVES) treatment system.
- 4) The general condition of recovery and treatment equipment, and report on need for any prescribed maintenance and repair to such systems.
- 5) Projected completion date of remediation to establish cleanup goals for site soil and groundwater.

IX. Once recoverable free product is removed from the groundwater, Respondent will conduct an Exposure Assessment (EA) to assess an acceptable risk to human health and the environment from petroleum contamination present in soils and groundwater. The Respondent must consult with the DEC project manager along with Spills Programs Technical Staff on the application of current guidance available from the DEC for the preparation of an EA.

The Respondent will submit the results of the EA to the DEC for review and comment. Based upon the DEC's evaluation of the EA in conjunction with the practical limits of remediation, the DEC would determine whether any further remediation would be required. This determination will be provided to Respondent in writing.

X. The Respondent would provide any additional investigatory sampling and testing, to properly evaluate the effectiveness of the remediation work required by this agreement.

XI. All reports and submissions required by the DEC under this agreement shall be sent to the following address:

New York State Department of Environmental Conservation
47-40 21st Street, Long Island City, N.Y. 11101

ATT: Anthony J. Sigona, P.E.
Environmental Engineer II