

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Remedial Bureau D

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May 10, 2021

The Honorable Nicola Armacost  
Mayor of Hastings-on-Hudson  
Municipal Building  
7 Maple Avenue  
Hastings-on-Hudson, NY 10706

Dear Mayor Armacost:

The Department of Environmental Conservation (Department) has reviewed the Hastings-on-Hudson, Former Anaconda Wire and Cable Plant (ARCO), Review and Evaluation of Project Documents report that was prepared by Mott MacDonald on behalf of the Village of Hastings. This report provided a review and evaluation of Stantec's hydrodynamic model and associated BP ARCO design documents. Several of the items brought forth in the review as needing more information are items the Department has requested of ARCO. The Department has also requested that ARCO submit any additional information, evaluations, and design elements as they are completed for Department's review prior to the 95% Final Design submittal. This will help ensure that when the 95% Final Design is submitted it may only require minor modification.

Below, the Department specifically addresses some of the other comments/issues raised in the report:

1. Section 2.3 Potential future modeling options – The Village is concerned that the sheet pile wall in the Northwest Extension Area (NEA) could increase deposition in Kinnally Cove. The Village recommends subtle alterations to the NEA or possibly designing a river current deflector north of Kinnally Cove.
  - a. The Department is satisfied with the NEA wall design and does not support any adjustments to the NEA wall that would cause a taking of additional river bottom. Kinnally Cove is already in a depositional area, which is why the Department can allow for a design that indicates backfill to within a foot of the current elevation, in lieu of backfilling to the current elevation. The Department will not allow a difference greater than 1 foot below the current elevation for backfilling, based on estimates of future deposition in this area.

We do not think a deflector is reasonable or necessary as part of the remedial actions on site. Therefore, installation of a deflector is outside the remediation requirements of this project and would need to be separately permitted by the Department. These types of structures have been previously permitted by the Department in very limited circumstances, most often when an operational marina has an existing deflector that is in need of repair and/or replacement. Shallow water areas and mud flats are valuable river habitats that have been historically manipulated along the Hudson River. The Department aims to preserve these habitats if and when possible. The Department currently does not



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have concerns regarding changes in depositional rates within Old Marina and Kinnally Cove.

2. Section 3.4 – It is understood that the proposed riprap slope protection is a vital component in the remediation of the Site and would form a barrier to help sequester contaminants that may remain in the soil. There is, however, a significant discrepancy between the shoreline designs presented by ARCO and the shoreline envisioned by the Village.
  - a. The Department has stated on several occasions that we are open to a mutually (ARCO and Village) conceived design for the shorelines as long as it does not increase the taking of the river bottom and has the structural integrity to withstand river actions to ensure that any remaining contaminated soils are contained. The Village and ARCO should reach a consensus to bring the Department a design that meets the State's standards.
3. Section 4.1 Existing Beach and Stream Discharge – “Consistent with State guidance on green infrastructure solutions for stormwater management in redevelopment projects, the Village has expressed a desire to see this stream daylight: if there is a design basis for it not discharging into the Compensatory Wetland, a new streambed could be located south of Compensatory Wetland.”
  - a. The Department's goal is to create a compensatory wetland that is tidally influenced with native vegetation, in order to recreate habitat that used to be prominent along the river. The location of that stream will impact the design of the wetland, whether it flows directly into the wetland or into the river near the wetland inlet. If the stream flows in or near the wetland, it will need to be reflected in the design. Daylighting the stream is not a requirement of the remedial project. The Department's major concern with any proposal to daylight the stream is to ensure that the remaining contaminants on site are not exposed. Again, if the Village and ARCO can build a consensus on this design detail, the Department may consider such a proposal upon submission to the Department by ARCO.

If you have any questions, please contact me at (518)402-9821 or [jess.laclair@dec.ny.gov](mailto:jess.laclair@dec.ny.gov).

Sincerely,



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