



VILLAGE OF HASTINGS-ON-HUDSON

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January 28, 2004

By Facsimile and Federal Express

New York State Department of Environmental Conservation
Central Office
625 Broadway, 12th Floor
Albany, New York 12233-7016

Attn: Mr. George Heitzman

Re: Proposed Remedial Action Plan, Harbor at Hastings
Operable Unit #2

Dear Mr. Heitzman:

As you know, the Village Trustees retained The Louis Berger Group, Inc. to conduct a limited review of the Proposed Remedial Action Plan (PRAP) for Operable Unit Number 2 (OU#2) at the Harbor at Hastings site. The attached comments on the PRAP for OU#2 reflect that review.

Based on Louis Berger Associates' comments, the Village requests the Department to consider an alternative that combines the removal of the most contaminated and most-likely-to-be-released sediments with capping. The proposed alternative would be based on the results of hydrodynamic modeling and river scour depth prediction methods. This alternative would, in our view, be both more protective of public health and the environment and more cost-efficient than the currently proposed alternative – particularly because it would provide remediation of highly contaminated sediments lying more than 100 feet off-shore through the use of sheetpile cells, while placing less reliance on silt curtains to control sediment dispersion.

The Village believes that the recommended additional hydrodynamic modeling and river scour depth prediction studies are necessary for the selection of an alternative or, at a minimum, would be necessary for the design of the alternative proposed in the PRAP for OU#2. Thus, deferring the issuance of the Record of Decision (ROD) for OU#2 until such studies are completed would not delay remediation. Moreover, the Village does not believe that the remedy selected for OU#2 should affect or delay the remediation proposed in the PRAP for OU#1, and thus believes that Department can issue the ROD for OU#1 without awaiting the results of any

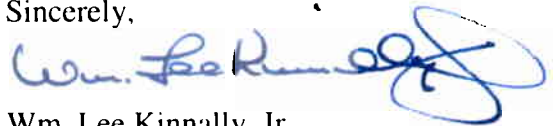
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further studies conducted in connection with the remedy selection or final remedial design stage for OU#2.

Any purely technical questions that the Department may have concerning the attached comments can be directed to Tom Lewis of The Louis Berger Group, Inc. at (973) 765-1908.

As always, the Village is appreciative of the Department's extensive efforts in developing remedial options for OU#2 and of the Department's consideration of the enclosed comments on the PRAP for OU#2.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wm. Lee Kinnally, Jr.", with a stylized flourish at the end.

Wm. Lee Kinnally, Jr.
Mayor

cc: Mark A. Chertok, Esq.