NEW YORK STATE | Department of Environmental Conservation

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Re: State ARARs for the Draft Final Feasibility Study (FS) for Hazardous, Toxic, and Radioactive Waste Project, Iona Island Naval Ammunition Depot Formerly Used Defense Site (FUDS), NYSDEC Site No. 344069

Dear Erin,

The New York State Department of Environmental Conservation (DEC) has identified Applicable or Relevant and Appropriate Requirements (ARARs) for the State that we request be considered in the Feasibility Study for Iona Island. These ARARs are derived from the Soil Cleanup Objectives (SCOs) and Ambient Water Quality Standards and Guidance Values (AWQS/GV) found in respectively the 6 New York Code of Rules and Regulations (NYCRR) Part 375, Subpart 375-6, Table 375-6.8(b) dated 2015 and revised in 2025 and the Division of Water Technical and Operational Guidance Series 1.1.1 (TOGS 1.1.1) Memorandum which includes the standards listed in 6 NYCRR Part 703, Section 703.5. These ARARs are:

1. **The DEC Protection of Ecological Resources SCO of 63 mg/kg for lead**. Lead is the primary risk driver at the site and the Ecological Risk Assessment found it posed an unacceptable risk to both terrestrial and aquatic species. Additionally, the SCO of 63 mg/kg for lead is more stringent than the Preliminary Remediation Goal (PRG) of 67 mg/kg identified in Section 3.3, Lines 1293-1294 of the FS. As a result, we propose that the Protection of Ecological Resources SCO be considered an applicable requirement at this site.

2. **The DEC surface water standard for fish/wildlife propagation of 8 µg/L for lead**. The area immediately in front of the Former Dump Area is stated to be a spawning ground for sturgeon, and the sediment of the shoreline has been found to be impacted by lead. There is a risk where the contaminant could mobilize into the surface water, impacting fish propagation. Since there is no PRG for lead in the surface water listed in the FS, we propose that the surface water standard for fish/wildlife propagation for lead be considered an applicable requirement.

3. **The DEC surface water standard for fish/wildlife survival of 204 µg/L for lead.** The Remedial Investigation concluded that there is an unacceptable risk posed to two federally-listed endangered fish species due to the lead-impacted sediment. There is a risk posed by the contaminant mobilizing into the surface water and affecting the survival of these species. Since there is no PRG for lead in the surface water listed in the FS, we propose that the surface water standard for fish/wildlife survival for lead be considered an applicable requirement.

4. **The DEC Protection of Ecological Resources soil cleanup objective (SCO) of 50 mg/kg for copper**. As summarized in Table 3-1 in the FS, copper in both the hydric soil and shoreline sediment in and around the Former Dump Area poses a risk to ecological receptors. While it is not the primary risk driver like lead is, it is still considered a collocated contaminant of concern, and since the FS did not put forth a remedial action objective (RAO) or PRG for this contaminant, we propose that the Protection of Ecological Resources SCO for copper be considered as a relevant and appropriate requirement.

5. **The DEC Residential Use SCO of 280 mg/kg for copper.** While copper is not stated to pose a risk to human receptors in Table 3-1 of the FS, it is still a collocated contaminant of concern that could harm recreational users that encounter the shoreline sediment or soils in the Former Dump Area. Additionally, the SCO is more stringent than the human health residential soil/sediment regional screening level (RSL) of 310 mg/kg listed in the Remedial Investigation (RI). Since no RAO or PRG was listed for this contaminant in the FS, we propose that the Residential Use SCO for copper be considered a relevant and appropriate requirement.

6. **The DEC Protection of Ecological Resources soil cleanup objective (SCO) of 12 mg/kg for antimony.** As summarized in Table 3-1 in the FS, antimony in the shoreline sediment near the Former Dump Area poses a risk to ecological receptors. While it is not the primary risk driver like lead is, it is still considered a collocated contaminant of concern, and since the FS did not put forth a RAO or PRG for this contaminant, we propose that the Protection of Ecological Resources SCO for antimony be considered as a relevant and appropriate requirement.

7. **The DEC Protection of Ecological Resources soil cleanup objective (SCO) of 4 mg/kg for cadmium.** As summarized in Table 3-1 in the FS, cadmium in the shoreline sediment near the Former Dump Area poses a risk to ecological receptors. While it is not the primary risk driver like lead is, it is still considered a collocated contaminant of concern, and since the FS did not put forth a RAO or PRG for this contaminant, we propose that the Protection of Ecological Resources SCO for cadmium be considered as a relevant and appropriate requirement.

8. **The DEC Residential Use SCO of 2.5 mg/kg for cadmium.** While cadmium is not stated to pose a risk to human receptors in Table 3-1 of the FS, it is still a collocated contaminant of concern that could harm recreational users that encounter the shoreline sediment. Additionally, the SCO is more stringent than the human health residential

soil/sediment RSL of 7.1 mg/kg listed in the RI. Since no RAO or PRG was listed for this contaminant in the FS, we propose that the Residential Use SCO for cadmium be considered a relevant and appropriate requirement.

9. **The DEC surface water standard for fish/wildlife propagation of 7.7 µg/L for cadmium.** While cadmium is not the primary risk driver like lead is, it is still a collocated contaminant of concern that could mobilize from the shoreline sediment into the surface water and impact the spawning grounds of sturgeon. Since no RAO or PRG was listed for this contaminant in the FS, we propose that the surface water standard for fish/wildlife propagation for cadmium be considered a relevant and appropriate requirement.

10. **The DEC surface water guidance value for human fish consumption of 2.7 µg/L for cadmium.** While cadmium is not the primary risk driver like lead is, it is still a collocated contaminant of concern that could mobilize from the sediment into the surface water and impact fish species that may be consumed by recreational users located in the Hudson River Shoreline DU. Additionally, the guidance value is more stringent than the EPA Maximum Contaminant Level (MCL) of 5 µg/L. Although we recognize that this may not qualify as an ARAR due to its status as a guidance value rather than a standard, we request that it be used in the FS as a value to be considered.

11. **The DEC Protection of Ecological Resources soil cleanup objective (SCO) of 30 mg/kg for nickel.** As summarized in Table 3-1 in the FS, nickel in the shoreline sediment near the Former Dump Area poses a risk to ecological receptors. While it is not the primary risk driver like lead is, it is still considered a collocated contaminant of concern, and the SCO is more stringent than the EPA Region 4 ecological screening level of 38 mg/kg listed in the RI. Since the FS did not put forth a RAO or PRG for this contaminant, we propose that the Protection of Ecological Resources SCO for nickel be considered as a relevant and appropriate requirement.

12. **The DEC Residential Use SCO of 87 mg/kg for nickel.** While nickel is not stated to pose a risk to human receptors in Table 3-1 of the FS, it is still a collocated contaminant of concern that could harm recreational users that encounter the shoreline sediment. Additionally, the SCO is more stringent than the human health residential soil/sediment RSL of 150 mg/kg listed in the RI. Since no RAO or PRG is listed for this contaminant in the FS, we propose that the Residential Use SCO for nickel be considered a relevant and appropriate requirement.

13. **The DEC surface water standard for fish/wildlife propagation of 8.2 µg/L for nickel.** While nickel is not the primary risk driver like lead is, it is still a collocated contaminant of concern that could mobilize from the shoreline sediment into the surface water and impact the spawning grounds of sturgeon. Additionally, the standard is more stringent than the EPA Region 4 freshwater ecological screening level of 28.9 µg/L listed in the RI. Since no RAO or PRG is listed for this contaminant in the FS, we propose that the surface water standard for fish/wildlife propagation for nickel be considered a relevant and appropriate requirement.

14. **The DEC surface water standard for fish/wildlife survival of 74 µg/L for nickel.** While nickel is not the primary risk driver like lead is, it is still a collocated contaminant of concern that could mobilize from the shoreline sediment into the surface water and impact the survival of the endangered sturgeon. Since there is no RAO or PRG listed for this contaminant in the FS, we propose that the surface water standard for fish/wildlife survival for nickel be considered a relevant and appropriate requirement.

15. **The DEC Protection of Ecological Resources soil cleanup objective (SCO) of 109 mg/kg for zinc.** As summarized in Table 3-1 in the FS, zinc in the shoreline sediment and hydric soils in and near the Former Dump Area poses a risk to ecological receptors. While it is not the primary risk driver like lead is, it is still considered a collocated contaminant of concern, and since the FS did not put forth a RAO or PRG for this contaminant, we propose that the Protection of Ecological Resources SCO for zinc be considered as a relevant and appropriate requirement.

16. **The DEC Residential Use SCO of 1,300 mg/kg for zinc**. While zinc is not stated to pose a risk to human receptors in Table 3-1 of the FS, it is still a collocated contaminant of concern that could harm recreational users that encounter the shoreline sediment. Additionally, the SCO is more stringent than the human health residential soil/sediment RSL of 2,300 mg/kg listed in the RI. Since no RAO or PRG was listed for this contaminant in the FS, we propose that the Residential Use SCO for zinc be considered a relevant and appropriate requirement.

17. **The DEC surface water standard for fish/wildlife propagation of 66 µg/L for zinc.** While zinc is not the primary risk driver like lead is, it is still a collocated contaminant of concern that could mobilize from the shoreline sediment into the surface water and impact the spawning grounds of sturgeon. Since no RAO or PRG was listed for this contaminant in the FS, we propose that the surface water standard for fish/wildlife propagation for zinc be considered a relevant and appropriate requirement.

18. **The DEC Protection of Ecological Resources soil cleanup objective (SCO) of 20 mg/kg for hexavalent chromium.** As summarized in Table 3-1 in the FS, chromium in the hydric soils in the Former Dump Area poses a risk to ecological receptors. While it is not the primary risk driver like lead is, it is still considered a collocated contaminant of concern. Since the FS did not put forth a RAO or PRG for chromium, and despite the RSL listed in the RI being for total chromium, we request that the Protection of Ecological Resources SCO for hexavalent chromium be used in the FS as a value to be considered.

19. **The DEC Residential Use SCO of 1 mg/kg for hexavalent chromium.** While chromium is not stated to pose a risk to human receptors in Table 3-1 of the FS, it is still a collocated contaminant of concern that could harm recreational users that encounter the soil of the Former Dump Area. Since the FS did not put forth a RAO or PRG for chromium, and despite the RSL listed in the RI being for total chromium, we request that

the Protection of Ecological Resources SCO for hexavalent chromium be used in the FS as a value to be considered.

20. **The DEC Protection of Ecological Resources soil cleanup objective (SCO) of 0.18 mg/kg for total mercury.** As summarized in Table 3-1 in the FS, mercury in the hydric soils in the Former Dump Area poses a risk to ecological receptors. While it is not the primary risk driver like lead is, it is still considered a collocated contaminant of concern, and since the FS did not put forth a RAO or PRG for this contaminant, we propose that the Protection of Ecological Resources SCO for total mercury be considered as a relevant and appropriate requirement.

21. **The DEC Residential Use SCO of 0.3 mg/kg for total mercury.** While mercury is not stated to pose a risk to human receptors in Table 3-1 of the FS, it is still a collocated contaminant of concern that could harm recreational users that encounter the soil of the Former Dump Area. Additionally, the SCO is more stringent than the human health residential soil/sediment RSL of 1.1 mg/kg listed in the RI. Since no RAO or PRG was listed for it in the FS, we propose that the Residential Use SCO for total mercury be considered a relevant and appropriate requirement.

Please contact me should you have any questions at sankavi.sampath@dec.ny.gov or (518) 402-9806.

Sincerely,

Sankavi Sampath

Sankavi Sampath
Project Manager

ec: J. Swartwout, DEC