

Response to Comments

received on the
New York State Department of Health's
*Guidance for Evaluating Soil Vapor Intrusion
in the State of New York*

(Public comment draft dated February 2005)

Prepared by:



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PREFACE

In February 2005 the New York State Department of Health (NYSDOH) released the draft *Guidance for Evaluating Soil Vapor Intrusion in the State of New York* for public comment. The comment period ended in May 2005. Over 800 comments were received from 33 commenters, including 11 consultants, 2 community groups, 2 private citizens, 7 industry representatives, 6 government groups, and 5 environmental organizations (including non-profit), watchdog groups, and coalitions.

All comments were compiled by topic and reviewed. For the sake of brevity, individual comments were paraphrased where appropriate and similar comments were combined into single comments. Responses to each paraphrased comment and individual comment were prepared by the NYSDOH in consultation with the New York State Department of Environmental Conservation (NYSDEC) — collectively referred to as "the State" throughout this document.

This document contains the comments received (paraphrased or original) and the responses prepared. A brief discussion of the key issues raised by the commenters is first provided in an Executive Summary. The comments and responses are then presented by topic (as shown in the Table of Contents) in seven parts, which generally parallel sections of the guidance:

- Part A** — General Comments;
- Part B** — Guidance Section 1: Introduction;
- Part C** — Guidance Section 2: Investigation;
- Part D** — Guidance Section 3: Data Evaluation;
- Part E** — Guidance Section 4: Soil Vapor Intrusion Mitigation;
- Part F** — Guidance Section 5: Community Outreach; and
- Part G** — General Reactions to the Guidance.

Many of the comments have notes in their titles, such as "(paraphrased, # commenters, # comments)." These notes include any or all of the following information: whether the comment has been paraphrased from the original submission, how many commenters submitted the comment, and how many comments were submitted. In some cases, the number of commenters exceeds the number of comments. This is indicative of multiple parties submitting an identical comment. In other cases, the number of comments exceeds the number of commenters. This is indicative of one or more commenters submitting multiple comments on the same subject. If the note does not indicate the comment has been paraphrased, then the comment represents the original submission. Similarly, if the title has no note, then the comment represents the original submission (*verbatim*) by one commenter.

To assist commenters in identifying where their comments and responses are located in this document, a reference table of commenters and applicable comments and responses is provided in Appendix 1.

This document is a companion to the NYSDOH's *Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York* (October 2006). The final guidance reflects revisions made in response to the comments received. Where applicable, revisions to the guidance are noted in the responses contained herein.

ACRONYMNS and ABBREVIATIONS

BCA	Brownfield Cleanup Act	mcg/m ³	micrograms per cubic meter
BCP	Brownfield Cleanup Program	OM&M	Operation, Maintenance and Monitoring
COC	Chemical of Concern		
CSM	Conceptual Site Model	OSHA	Occupational Safety and Health Administration
DAR	Division of Air Resources [NYSDEC]	PCE	Tetrachloroethene or Perchloroethylene
DOO	Data Quality Objective	PID	Photoionization Detector
DUSR	Data Usability Summary Report	PRP	Potentially Responsible Party
EI	Environmental Indicator	QA/QC	Quality Assurance/Quality Control
DER	Division of Environmental Remediation [NYSDEC]	RCRA	Resource Conservation and Recovery Act
DOH	Department of Health	SF ₆	Sulfur Hexafluoride
ELAP	Environmental Laboratory Approval Program	SIM	Selective Ion Monitoring
ERP	Environmental Restoration Program	SVOCs	Semi-volatile Organic Compounds
HVAC	Heating, Ventilating and Air-conditioning	SSD	Sub-slab Depressurization System
IBM	International Business Machines	SVE	Soil Vapor Extraction
JEM	Johnson & Ettinger Model	SVI	Soil Vapor Intrusion
GPRA	Government Performance Results Act	TAGA	Trace Atmospheric Gas Analyzer
NELAC	National Environmental Laboratory Accreditation Conference	TAGM	Technical and Administrative Guidance Memorandum
NELAP	National Environmental Laboratory Accreditation Program	TCA	Trichloroethane
NYCRR	Official Compilation of NY State Codes, Rules and Regulations	TCE	Trichloroethene
NYS	New York State	TOGS	Technical Operating Guidance Series
NYSDEC	New York State Department of Environmental Conservation	EPA	United States Environmental Protection Agency
NYSDOH	New York State Department of Health	VCP	Voluntary Cleanup Program
		VOCs	Volatile Organic Compounds

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