

**GALLI ENGINEERING, P.C.**

734 Walt Whitman Road

Suite 402A

Melville, NY 11747

Telephone: (631) 271-9292

LETTER OF TRANSMITTAL

Fax: (631) 271-9345

TO: Mark C. Tibbe
NYSDEC Region 2
47-40 21st Street
Long Island City, NY 11101

Date: <u>8/17/08</u>	Job No.
Attention: <u>Mark C. Tibbe</u>	
Re: <u>NYSDEC Spill Case #</u> <u>06-04377</u>	

WE ARE SENDING YOU: ☐ Attached ☐ Under separate cover the following items:☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications☐ Copy of Letter ☐ Change order ☐ Other _____

Copies	Date	No.	Description
1	8/7/08		Response to NYSDEC Comments
1	8/7/08		Remedial Investigation Work Plan

THESE ARE TRANSMITTED as checked below:

☒ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval☒ For your use ☐ Approved as noted ☐ Submitted _____ copies for distribution☒ As requested ☐ Returned for corrections ☐ Return _____ corrected prints☐ For review and comment ☐ _____☐ FOR BID DUE _____ ☐ PRINTS RETURNED

Remarks: _____

COPY TO: _____

Signed: Mark C. Tibbe

2008 AUG 25 PM 1:11

RECEIVED
NYS DEC REGION 2

August 7, 2008



Galli Engineering, P.C.

Mark C. Tibbe
Environmental Program Specialist 2
NYSDEC Region 2
Division of Environmental Remediation
47-40 21st Street
Long Island City, NY 11101

Re: 2586 & 2608 Coney Island Avenue, Brooklyn, NY 11235
NYSDEC Spill No. 0604377

Ref: Response to NYSDEC Comments

2008 AUG 25 PM 1:11
NYS DEC REGION 2
RECEIVED

Dear Mr. Tibbe:

Attached please find Galli's response to your comments regarding the Remedial Closure Report for the above referenced property. Responses are written below the **bold** text.

1) Your statement in the first paragraph of the report concerning DEC's closing of this spill "on November 1, 2006 based on no evidence of an actual release that has impacted the groundwater or soil" is not completely accurate. As stated in the Remarks section of the DEC Spill Report, which you received a copy, Clayton Group Services Inc. (Clayton) never submitted their report to the DEC, which would have been the evidence of an actual release. If this report had been submitted to the DEC, as it should have been, the spill would have never been closed.

Galli's Closure Report has been revised to state the following. "However, the NYSDEC spill number was closed on November 1, 2006 for an unknown reason. Based on the NYSDEC spill report, we do know that free phase contamination was found in a

groundwater sample taken at the site and that the Clayton Group Services Inc. never submitted any report(s) potentially identifying soil and/or groundwater contamination at the subject site. The subject property is being redeveloped as a Walgreen's."

2) Could you please provide me with a copy of the "Remedial Work Plan... prepared by Galli Engineering, P.C. (Galli) on February 1, 2008" referenced in the report, as well as any other documents that pertain to this spill that have not already been submitted to the DEC? DEC's file currently contains the "Limited Subsurface Investigation" prepared by Clayton and Galli's "Remedial Closure Report", which I am commenting on.

Enclosed please find a copy of Galli's Remedial Work Plan. This Work Plan was never submitted to the NYSDEC as we further investigated the spill case # 06-04377 because there was no open spill number and no known evidence of a new spill. Clean-up (due diligence) of the subject property occurred without notification to the NYSDEC.

3) At what depth was the sidewall and bottom endpoint samples collected in the area of the 550 gallon gasoline tank? Was any piping encountered during the removal of this tank? If so, why were piping endpoint samples not collected?

End point soil samples were collected at the following depths:

EP-N = 5.5'

EP-S = 5.5'

EP-E = 5.5'

EP-W = 5.5'

EP-B = 7.0'

No associated piping was observed during Galli's removal of the 550-gallon UST. The top of the UST was exposed at the ground surface exposing four one inch openings. Typically, piping, a vent and a fill port are associated with USTs. Demolition activities by B&A Demolition may have removed these components and left the UST exposed.

4) The report depicts the tank in the former lumber yard as a 550 gallon UST but the Site drawing depicts it as a 275 gallon UST. Which is it?

The Site Plan has been revised accordingly. The former lumber yard tank is a 550-gallon UST that contained gasoline.

5) The report states that B&A Demolition removed a 275 gallon fuel oil AST, a 200 gallon waste oil UST and three hydraulic lifts prior to Galli starting on-site. It also states that the test pits, that were dug by Coffey Contracting on behalf of Galli, confirmed that these underground structures were "properly excavated and disposed of off-site by B&A Demolition". How can Galli determine if they were properly removed and properly disposed when no one from Galli witnessed and/or documented the removals; there are no notes or pictures in the report from anyone else documenting the removal by B&A Demolition; no disposal receipts for the structures or contaminated soil were received from B&A Demolition; and, no endpoint samples were taken? You indicated in your e-mail below that you will forward to me the disposal tickets of the waste oil UST, heating oil AST and hydraulic lifts, as soon as you receive them from B&A Demolition. Also, please provide any other documentation of the removal of these structures.

Enclosed please find a letter from B&A Demolition and Removal (B&A) certifying that the above referenced tanks and lifts were old and empty. They also certify that the tanks and lifts were properly disposed of at Sims Metal located in Long Island City, NY. Additionally, B&A has supplied a purchase ticket receipt from Sims Metal for the scrap metal and an internal waste manifest form.

6) Where did B&A Demolition excavate? How much soil was removed? Was it disposed or returned to the excavation? If it was returned to the excavation, was the excavated soil returned to the excavation it was taken from? If not, then where?

B&A excavated soils around the 200-gallon UST and hydraulic lifts for proper removal as depicted on the Site Plan. Soil were returned to the excavation and graded accordingly. No soils were transported off-site.

Coffey Contracting excavated soils around the 550-gallon UST to lift the 550-gallon UST onto ground surface to perform the proper venting, chipping of the concrete encasement, cutting and cleaning activities. All tank cleaning services were performed by Tyree Brothers. All soils and concrete materials were placed back into the excavation from which they came. No soils were transported off-site.

7) Where were the Coffey Contracting test pits performed? To what depth? Why weren't any samples collected?

Three trenches were dug to a total depth of 8' below ground surface in the vicinity of the former waste oil UST and hydrolic lifts. See the attached revised Site Plan for locations of trenches performed by Coffey Contracting. Soil samples were not taken for two reasons: 1) the exact locations of the 200-gallon waste oil tank and hydraulic lifts could not be readily identified as they were removed prior to Galli being on-site. 2) During the excavation of trenches, soils were visually observed as being clean (no staining and no noticeable petroleum odors were observed). Ambient air monitoring measurements were taken inside the trench areas utilizing a PID. PID readings were recorded at 5 minute intervals in each trench. Measurements of VOC gases were recording as being 0.0 ppm in all three trenches.

8) The report states that temporary wells were installed "at the same sample locations of the former wells installed by Clayton Group...", but the locations depicted on Galli's drawing do not appear to be the same as those depicted on Clayton's drawing, although the drawings appear to be similar, and none of the temporary wells were installed in the location of the greatest apparent contamination identified by Clayton (SB-2).

Galli installed temporary monitoring wells at the same approximate location as per Clayton Group Site Plan. Galli's Site Plan has been revised accordingly. No temporary monitoring wells were installed at Clayton's SB-2 location. Galli instead installed a temporary monitoring well in the presumed down gradient direction from the 550-gallon UST based on the regional groundwater data for the area. A second down gradient well

was installed along the southern perimeter of the subject property to determine down gradient groundwater conditions. The results of these two down gradient wells were below NYSDEC Part 703 "Surface Water and Ground Quality Standards and Groundwater Effluent Limitations".

9) The report states that the "Groundwater has naturally attenuated over the last one and a half years with no sign of down-gradient contamination", but no wells were installed in the area of the greatest apparent contamination identified by Clayton (SB-2), and there is not indication/determination of the groundwater flow, either in the report or on the site drawing.

Groundwater sampling results were found to be above the NYSDEC Part 703 "Surface Water and Groundwater Quality Standards and Groundwater Effluent Limitations" in sample number GW-1, GW-2 and GW-3. No temporary monitoring wells were installed at Clayton's SB-2 location. Galli instead installed a temporary monitoring well in the presumed down gradient direction from the 550-gallon UST based on the regional groundwater data for the area. A second down gradient well was installed along the southern perimeter of the subject property to determine down gradient groundwater conditions. Presumed regional groundwater direction has been depicted on the Site Plan.

10) The site drawing is not to scale. Please provide a site drawing/drawings that depict the locations that B&A demolition excavated, the locations of the Coffey test pits, the location of all structures, regional and (if known) site specific groundwater flow, and the proposed development.

Enclosed please find a revised Site Plan depicting the location of Coffey Contracting excavated areas. Excavated areas performed by B&A Demolition area estimated as Galli was no on-site during these activities. Presumed regional groundwater flow (south) is depicted on the enclosed Site Plan. The proposed development of the subject site will be a Walgreen's. Enclosed please find a copy of the proposed Walgreen's Facility Site Plan.

11) Has any other excavation activities been performed on-site? If so, where and was any contaminated soil encountered, removed and/or disposed?

As per discussions with the developer (Unicorp National Development, Inc.), additional excavation activities have occurred along the perimeter of the subject property for the installment of shoring by a sub-contractor. Galli did not observe these activities and can not account for soil contamination, removal or disposal.

12) Please provide a Remedial Investigation Work Plan (RIWP), based on DEC guidance Draft DER-10 (it can be found on DEC's website), that will fully delineate the soil and groundwater contamination identified by Clayton. The answers to my questions and requested information/documentation can be included in the RIWP or can be submitted under separate cover.

A Remedial Investigation Work Plan is being prepared by Galli Engineering, P.C. on behalf of Unicorp National Development, Inc. This Plan will be provided to the Department under separate cover.

We look forward to working with your Department to close out NYSDEC spill # 06-04377 associated with the subject property.

Thank you in advance for your cooperation.

Sincerely,



Marc Califano
Environmental Scientist
Galli Engineering, P.C.

c: Unicorp National Development – Roman Gorfinkel
Unicorp National Development – John Genovese
File

Enclosures:

Enclosure A: Galli Engineering, P.C. Remedial Work Plan – February 1, 2008

Enclosure B: Revised Site Plan

Enclosure C: B&A Demolition – Cert. Letter, Truck Ticket Receipts & Waste Manifest

Enclosure D: Proposed Walgreen's Facility Site Plan

ENCLOSURES

Enclosure A

Galli Engineering, P.C. Remedial Work Plan
February 1, 2008

Remedial Work Plan

PREPARED FOR:

Unicorp National Development, Inc.
7505 West Sandlake Road
Orlando, FL 32819

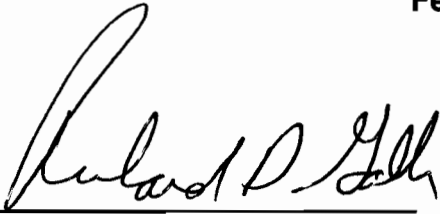
FOR WORK AT:

Proposed Walgreen Store #10441
SWC of Coney Island Avenue and Avenue W
Brooklyn, NY 11235

PREPARED BY:

Galli Engineering, P.C.
734 Walt Whitman Road, Suite 402A
Melville, NY 11747

February 1, 2008



Richard D. Galli, P.E.



Date

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1.0 PURPOSE

The purpose of this Site Investigation Work Plan is to describe the methods in which Galli Engineering, P.C. (Galli) will investigate the environmental quality of the site located at the Southwest corner of Coney Island Avenue and Avenue W, Brooklyn, NY 11235. This Work Plan has been prepared on behalf of Unicorp National Development.

This Work Plan will comply with NYSDEC protocols to assess potential subsurface soil/groundwater contamination at the subject property.

2.0 BACKGROUND

Background information on the subject property has been provided by the client. A Phase I Environmental Site Assessment (ESA) dated August 9, 2006; was performed by Clayton Group Services, Inc. on the property located at the Southwest corner of Coney Island Avenue and Avenue W, Brooklyn, NY 11235 herein identified as the "Subject Property".

Clayton Group Services Phase I ESA recommendations included:

A subsurface investigation to evaluate impacts from current and former in-ground hydraulic lifts, former USTs and gasoline pump, the current used oil UST and the current and historical use of a portion of the subject property as an automobile repair shop/garage.

A geophysical survey to evaluate for the potential presence of the historical USTs identified in Sanborn maps and local records.

Closure of the fuel oil AST on site in accordance with local, state and federal regulations.

3.0 SAMPLING PROGRAM

3.1 REMOVAL OF SLUDGE FROM UNDERGROUND STORAGE TANKS

The following steps will be followed to clean out the underground storage tanks.

- Licensed waste haulers will be hired to pump liquid contents out of the two underground storage tanks and hydraulic lifts using a vacuum truck.
- A Galli representative will be present on-site during the entire cleanout process.
- The contents removed by the waste haulers will be disposed in accordance with New York State Department of Environmental Conservation (NYSDEC) requirements.

3.2 SAMPLING PROCEDURE

An excavator will be utilized to unearth the USTs. At the completion of tank excavation, five grab samples will be taken from each of the tank beds; one from each side and one from the floor of the excavation. Composite samples will be taken from the four hydraulic piston lift areas. Samples will be collected using dedicated new plastic spatulas or scoops and placed directly into containers. The sample containers will be placed in a cooler to maintain content temperature of 4 degrees Celsius and shipped to a New York State Certified Laboratory for analysis.

Sample collection will be performed and carefully monitored by an on-site geologist or engineer, who will monitor for any visible evidence of contaminants and noticeable odors.

Soil samples will be analyzed for Volatile Organic Compounds by USEPA Method 8260; Semi-Volatile Organic Compounds by USEPA Method 8270; PCBs by Method 8081/8082 and TAL Metals.

3.3 GROUNDWATER SAMPLING

Groundwater samples will be collected from five temporary monitoring well points installed on the site. The samples will be collected using a *Geoprobe* and plastic tubing and will be placed into a 1-liter amber colored glass jar, two clear 40-milliliter glass vials and a 250-milliliter plastic container.

Groundwater samples will be analyzed for the presence of VOCs by Method 8260, SVOCs by method 8270, PCBs by Method 8081/8082 and TAL Metals.

To correct the high sediment content from utilizing a *Geoprobe* and plastic tubing, groundwater will be purged by hand for 15 minutes. The groundwater samples will not be filtered. Groundwater parameters will also be checked utilizing a "Horiba U-10" water meter to ensure low turbidity upon collection of the samples.

3.4 SAMPLE CHARACTERIZATION

A visual inspection of all material recovered during the performance of the material sampling will be made to identify any gross signs of contamination and to classify the materials. Where soil is encountered, classifications will be made in accordance with the Unified Soil Classification System. Soil color classifications will be made in accordance with the Munsell Classification System.

All visual inspections will be noted in the field logs. Photographs will be taken of discolored materials and changes in material consistency. Any soil samples exhibiting odors will be noted.

4.0 QUALITY ASSURANCE AND QUALITY CONTROL (QA/QC)

The sampling QA/QC protocol is in accordance with the United States Environmental Protection Agency's (USEPA) accepted sampling procedures for hazardous waste streams (Municipal Research Laboratory, 1980, Sampling and Analysis Procedures for Hazardous Material Waste Streams, Environmental Protection Agency, Cincinnati, Ohio, EPA-600/280-018) and ASTM Material Sampling Procedures.

4.1 SAMPLE PERSONNEL

Sampling technicians will possess a minimum of a BA Degree in the Earth and Space Sciences or a BS Degree in Engineering. Sampling technicians will have a minimum of one-year experience in environmental fieldwork.

4.2 SAMPLING EQUIPMENT

Prior to arrival on site and after each sample acquisition, any non-disposable sampling equipment will be decontaminated as follows:

- Washed by brushing with detergent solution (Alconox/Liquinox) and hot potable water
- Rinsed with distilled water
- Rinse with dilute (1%) nitric acid or dilute (1%) hydrochloric acid (for stainless steel)
- Distilled water rinse
- Methanol rinse
- Final rinse with distilled water
- Air dry and wrap in clean unused aluminum foil (shiny side out)
- Mixing of soil samples for composites will be conducted using dedicated plastic spatulas.
- Dedicated sampling equipment will be used for this sampling event and thrown out after use.

4.3 SAMPLE ACQUISITION

All sample vessels will be "level A" certified decontaminated containers supplied by a New York

State Department of Health Certified Laboratory. Containers will be of appropriate volume and type according to the analysis to be performed. Those samples to be analyzed for volatile organic compounds will be placed in containers with Teflon lined caps.

Those samples requiring preservation to maintain their integrity will be placed in vessels containing the appropriate chemical preservative as prepared by the laboratory. After acquisition, samples will be cooled to 4°C.

The number and type of containers and required preservatives are listed in Appendix B, Table 1.

Samples will be analyzed by a NYSDOH ELAP-CERTIFIED Laboratory.

4.4 SAMPLE DOCUMENTATION

To establish proper control, the following sample identification and chain of custody procedures will be followed.

4.4.1 SAMPLE IDENTIFICATION

Sample identification will be executed by use of a sample tag, logbook, and manifest. Said documentation will provide the following information:

- Project Name
- Sample Field Number
- Sample Preservation
- Requested Analysis
- Date Sample Was Secured From Source
- Time Sample Was Secured From Source
- Person Who Secured Sample From Source

4.4.2 CHAIN-OF-CUSTODY PROCEDURES

Sample possession will be traceable from the time the samples are to be collected until they are received by the testing laboratory. A sample will be considered under custody if:

It is in a person's possession,

It was in a person's view, after being in possession,

It was in locked storage, under a person's control; or

It is in a designated area.

When transferring custody, the individuals relinquishing and receiving the samples will sign, date, and note the time on the Chain-of-Custody Form.

4.4.3 LABORATORY - CUSTODY PROCEDURES

A designated sample custodian will accept custody of the shipped samples and will verify that the information on the sample tags matches that on the Chain-of-Custody Records. Pertinent information as to shipment, pick-up, courier, etc. will be entered in the "Remarks" section. The custodian will then enter the sample tag data into a bound logbook, which will be arranged by project code and station number.

The laboratory custodian will use the sample tag number, or assign a unique laboratory number to each sample tag, and ensure that all samples will be transferred to the proper analyst or stored in the appropriate source area.

The custodian will distribute samples to the appropriate analysts. Laboratory personnel will be responsible for the care and custody of samples, from the time they are received, until the sample is exhausted or returned to the custodian.

All identifying data sheets and laboratory records will be retained as part of the permanent documentation. Samples that are received by the laboratory will be retained until after analysis and quality assurance checks are completed.

5.0 REPORTING

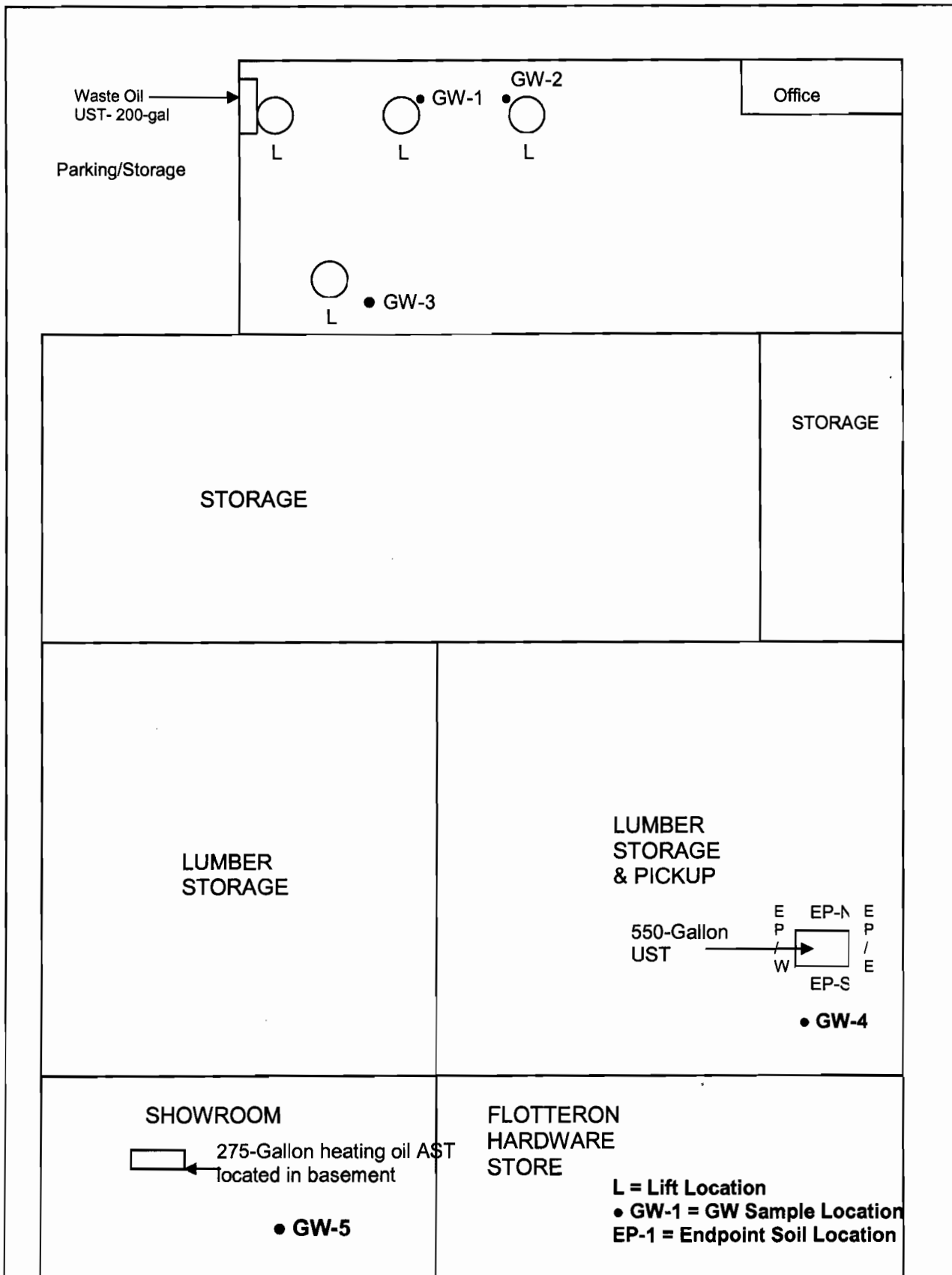
After gathering all available data, reports and documentation, a written Phase II will be submitted to Unicorp National Development, Inc.

APPENDIX A

SITE SAMPLING PLAN

SITE SAMPLING PLAN

AVENUE W



APPENDIX B

TABLES

TABLE 1**SAMPLING CONTAINERS, PRESERVATION AND HOLDING TIMES**

PARAMETER	MATRIX	CONTAINER	PRESERVATION	HOLDING TIMES
Volatiles	Soil & Water	2 ounce glass jar with TFE lined septum cap. 40 ml. VOA vial w/TFE lined septum cap	4°C	7 Days
Semi-Volatiles	Soil & Water	4 ounce glass jar wide-mouth w/TFE lined septum cap 1 liter amber glass jar	4°C	5 days until extraction, 40 days from extraction until analysis (1)
TAL Metals	Soil & Water	4 ounce glass jar wide-mouth w/TFE lined septum cap 250 ml Polyethylene bottle with perservative	4°C	Hg 28 days All other metals 6 months

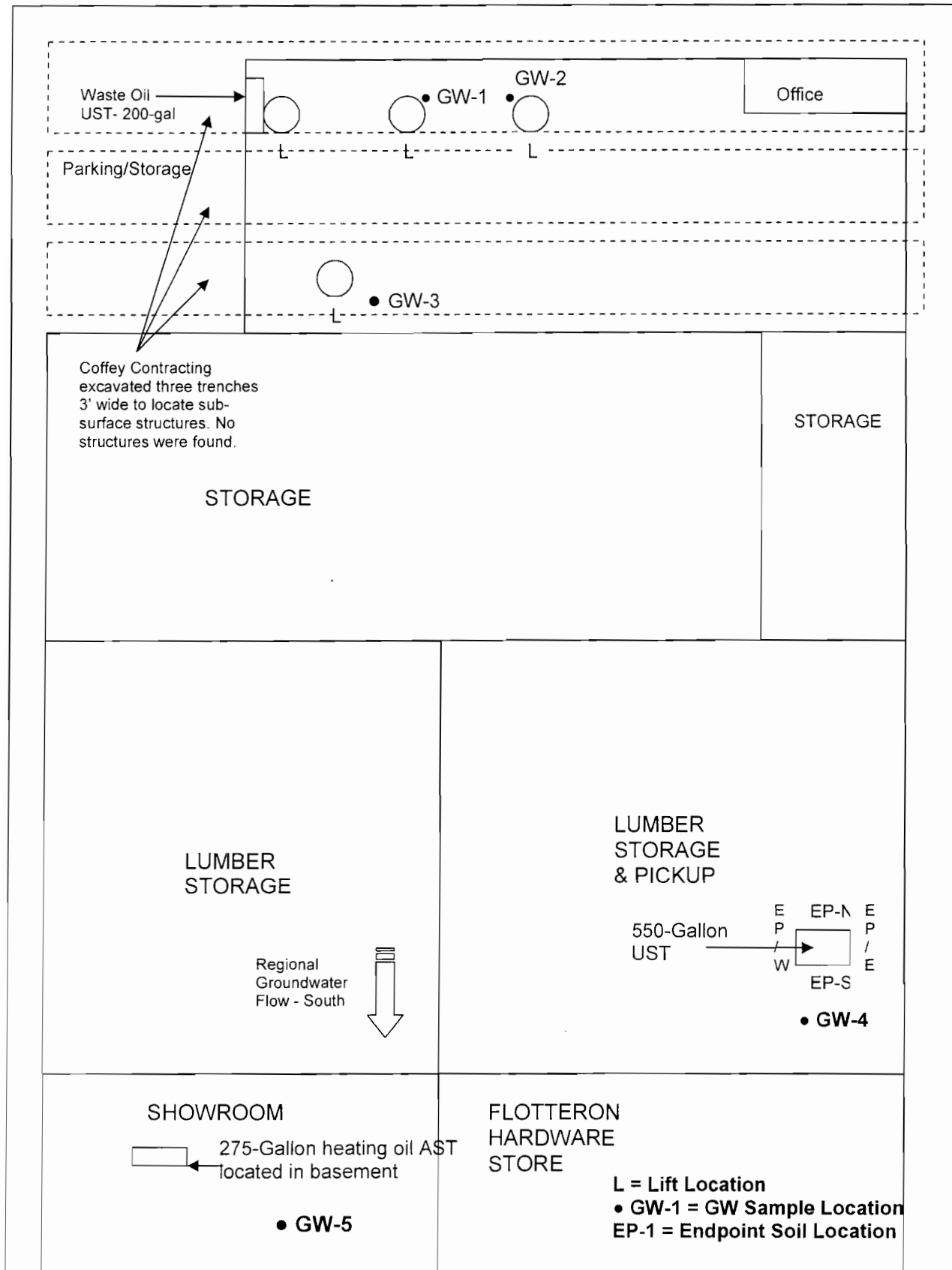
(1) Technical Times (time from sample collection until sample analysis) will be used to audit results. Holding Times will be calculated using Verified Time of Sample Receipt (VTSR) at the lab.

Enclosure B

Revised Site Plan

REMEDIAL CLOSURE REPORT – SITE PLAN – Revised 8-7-08
2586 & 2608 Coney Island Avenue, Brooklyn, NY 11235 - NYSDEC Spill No. 0604377

AVENUE W



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Enclosure C

B&A Demolition and Removal

**Certification Letter
Truck Ticket Receipts
Waste Manifest**



July 16, 2008

Attn: Marc Califano

Re: 275 AST

200 UST

3 Hydraulic lifts

This letter is to certify that the above mentioned tanks and lifts were old and empty.

B&A purged the tanks as well as the tanks for the hydraulic lifts. They were disposed of at Sims Metal located in Long Island City, NY. Should you have any further questions or concerns regarding this matter please contact our office.



Best Regards,

President



B&A DEMOLITION AND REMOVAL, INC.
70 NEW STREET
OCEANSIDE, N.Y. 11572
Tel: 516.678-DEMO (3366) Fax: 516.678-1056

FACSIMILE

DATE: 7-16-08 NO. OF PAGES (Including Cover Page): 3

TO: Marc Califano

FAX NO: 631-271-9341

FROM: Charles Levin

*Voick
Duro
Comp
Levin*



Ticket # T2AQZZ

PURCHASE TICKET

Sims Metal
30-27 Greenpoint Ave
Long Island City, NY 11101
(718) 786-6031
N.Y.S. D.M.V. 7105049SCP

RE: _____

Ticket # T2AQZZ
ID: B&A DEMO

Date: 12/28/07
Ship Date: 12/28/07

Vehicle # TK B&A DEM

MESSAGE: _____

Purchased From: BADE01
B&A DEMOLITION
70 NEW STREET
OCEANSIDE, NY 11572

Item Shpmt Material	Gross	Tare	Pounds		Adj	Fd Wt
			Net			
1. T2AQZZ Premium/Bonus	61400a	34060b	27340	-500		26840
			Adj Reason: (C)EMENT/CONCRT			
Totals			27340	-500		26840

Gross Wght Date/Time 12/28/07 09:46
Tare Wght Date/Time 12/28/07 10:01

Ticket Comment: B&A DEMO

Deputy Signature _____

(RAY CRESPO)

Customer Signature _____

(All weights are reported in Pounds unless otherwise indicated)
(All non-Pound weights are assumed to be manual weights)
(a=Scale 1 b=Scale 2 c=Scale 3 d=Scale 4 n=Manual)

Customer Copy

PA 36



WASTE MANIFEST

GENERATOR - Job Site Address

256-2608 Coney
Island Ave
Brooklyn, NY

Phone: _____
Fax: _____

TRANSPORTER NAME AND ADDRESS

B&A Demolition & Removal, Inc
70 New Street
Oceanside, New York 11572

Waste Transporter No. _____
No. Yards _____
No. Barrels _____
No. Bags _____

Contact Name: Charles S. Levine

Phone: 516-678-3366
Fax: 516-678-1056

Date Transported 12-28-07

Drivers Signature: _____

TRANSFER STATION NAME AND ADDRESS

Sims Metal
30-27 Greenpoint Ave
L.I.C. NY 11101

Waste Transporter No: _____
Phone: 718-786-6031
Fax: _____

Contact Name: _____

LANDFILL FACILITY ADDRESS

Permit# _____
Phone: _____
Fax: _____

Enclosure D

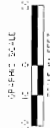
Proposed Walgreen's Facility Site Plan

CONTRIBUTOR TO RESEARCH CHAIRMAN: 0000

- [illegible]

2010年12月10日

- [illegible]



SITE PLAN

ENLARGED PLAN @ HANDICAP PARKING