August 15, 2017

Ms. Mandy Yau
New York State Department of Environmental Conservation
47-40 21st Street
Long Island City, NY 11101-5401

Re: Annual Certification and Corrective Actions Report
Certification Period: 5/19/16 to 9/29/16
NYSDEC Site Number: 241128
127-13 Merrick Blvd., Jamaica, NY

Dear Ms. Yau:

Tyll Engineering and Consulting, PC hereby submits this revised Annual Certification and Corrective Actions Report for the Site located at 127-13 Merrick Blvd in Jamaica, New York on behalf of Merrick AA, LLC (Owner). This letter serves to inform the New York State Department of Environmental Conservation (NYSDEC) of the inspections, deficiencies and the corrective actions performed. The Annual Site-wide Inspection Form is attached.

Inspection of Engineering Controls on June 23, 2016

On June 23, 2016, TEC, along with former NYSDEC Project Manager, Dana Mecomber and Punit Chhabra, the Owner, completed an inspection of the Engineering Controls (ECs) which included the SSD System comprised of the fans on the roof, the trenched piping under the basement slabs, and the control panel located in unit 127-03, and the concrete cover system throughout the site (both the building and surrounding pavement).

Many deficiencies (cracks, gaps, and holes) were found in the concrete slab within the basements of many units. Two monitoring points (one vapor and one groundwater) were also found in the basement of Unit 127-13. A plan to repair the deficiencies was developed.

The cover system throughout the remainder of the site including the sidewalks and rear alley were in good condition and no holes or gaps were observed.

Corrective Actions

Repair of Deficiencies of the Concrete Slab

On July 18 & 19, 2016, the Owners contracted with Jose K. Rogel Padilla Construction to repair the holes discovered in the eight (8) basement units for 127-1, 3, 5, 7, 9, 13, 15 and 17. Photographs of these concrete repairs can be found in Attachment 1. The remaining 3 units

(127-19, 21, and 23) have finished basement and no deficiencies were observed at the time of the inspection.

Addition of Gauges and Warning Light and Siren

Through further investigation on July 19, 2016 it was determined that the light and siren were in fact installed on the ground level within Unit 127-03 just above where the control panel is located in the cellar. The light and siren were installed adjacent and above the front door of the store, visible to occupants of the store and from the street. We will not be relocating the existing warning light to Little Caesars (Unit 127-07) as previously discussed. The addition of two magnehelic gauges visible from the street was completed on September 29, 2016. Photographs of this installation can be found in Attachment 2.

Installation of Pressure Switches

During a recent service call with the company who installed the SSDS control panel, All-time Detection, Inc., it was determined that the two pressure switches in the original design were not installed during the initial installation of the SSDS. As a result, two new pressure switches were installed within the dropped ceiling of the ground level of Unit 127-03 and connected to the control panel in the cellar. The system was tested at the end of the repairs and was properly operating. Photographs of this installation can be found in Attachment 3.

Closure of Two Monitoring Points

During the repair of the concrete slabs in the multiple basements, two monitoring points were discovered in the basement of unit 127-13. One point was a vapor monitoring point (VP-3) in the northeastern corner of the basement and the other was a <1" diameter PVC monitoring well in the center of the basement. Both points were filled with cement/grout to grade as specified in Section 2.1 Grouting In-Place within the NYSDEC document "CP-43: Groundwater Monitoring Well Decommissioning Policy". Photographs of the closed points can be found in the photos for 127-13 Unit in Attachment 1.

Off-Site Soil Vapor Investigation

On March 30, 2016, Soil Vapor sampling was completed by Seacliff Environmental in the basement apartment of the adjacent house (178-11 Anderson Road) owned by Ms. Donna Dickson. Analysis has shown that Tetrachloroethene (PCE or Perc) was detected at a concentration of 74.7 µg/m3, in the indoor air (hallway) sample during the March 8-9, 2016 sampling event. This concentration is higher than NYSDOH's indoor air guideline value of 30 µg/m3. This concentration is much higher than the sub slab concentration of 1.02 µg/m3 meaning there may be a cleaning product containing PCE in use and/or stored in the home.

Certification

For each institutional or engineering control identified for the site, I certify that all of the following statements are true:

(a) the institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by DER;
(b) nothing has occurred that would impair the ability of such control to protect public health and the environment;
(c) nothing has occurred that would constitute a violation or failure to comply with any Site Management Plan for this control; and
(d) access to the site will continue to be provided upon request to the NYSDEC to evaluate the remedy, including access to evaluate the continued maintenance of this control.

Please let us know if you have any questions or require additional information.

Respectfully submitted,
TYLL ENGINEERING AND CONSULTING, PC

Karen G. Tyll, P.E.
Professional Engineer

cc: Mr. Punit Chhabra, Merrick AA, LLC
Mrs. Chhabra, Merrick AA, LLC
Jim DeMartinis, Seacliff Environmental

Attachments

Annual Site-wide Inspection Form

127-1 to 23 Merrick Blvd, Jamaica, New York

Date: 9/29/16 Time: 11:30 AM

Weather: Sunny

Reason for Inspection: ☐ Routine ☑ other Annual Site-wide Inspection and Certification

Certification Period: 5/19/16 to 9/29/16

Inspection Observations

Check one of the following: **Y:** Yes **N:** No **NA:** Not Applicable

		Y	N	NA	Remarks
	Records				
1	Based on site records, when was the last inspection, maintenance, or repair event?				October 29, 2015 inspection. Partial Inspections completed on 6/23/16, 7/18 & 19/2016,
2	Based on site records, was the system not operating for any amount of time since the last inspection, maintenance, or repair event? For how long? Provide details.		X		
3	Has the site use changed to a type of use higher than the current commercial use (as allowed in environmental easement)?		X		
	Alarm System				
4	Do the alarm lights indicate that the system is operational?	X			
	General System				
5	Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the concrete basement floor slab or basement walls at the time of this inspection ?		X		
6	Are there any cracks in the concrete slab or concrete basement walls?		X		There were no gaps, holes or cracks visible during the FINAL INSPECTION on 9/29/16. Multiple gaps, holes and cracks were discovered but were repaired on 7/18 &19/2016.
7	If YES to number 6, is there documentation that the Soil Management Plan (SMP), HASP, and CAMP for the site was/is being followed?			X	No soil excavation or removal was required during the repairs.
8	If YES to number 6, is there documentation that all breaches in the floor slab have been sealed?	X			Photographs attached in Attachment 1

9	Does all visible SSDS piping appear intact and undamaged?	X			The vertical pipe found in the basement of 127-07 and in the basement of 127-13 were intact and in good condition in the areas visible.
10	Have any intake points been constructed at the roof near (less than 10 feet) the SSDS blower discharge point?	X			
11	Are the two SSDS blowers operational at the time of the inspection?	X			
12	Is the SSDS System expelling Air from the exhaust on the roof of the building?	X			
13	Remove dust and debris from the area surrounding the blowers on the roof.	X			None observed near blowers

Performed by: Karen G. Tyll, PE
Printed Name


Signature

Professional Engineer
Title

Tyll Engineering and Consulting, PC
Company

ATTACHMENT 1

PHOTOGRAPHS

OF COMPLETED

CONCRETE WORK

127-01 MERRICK BLVD.

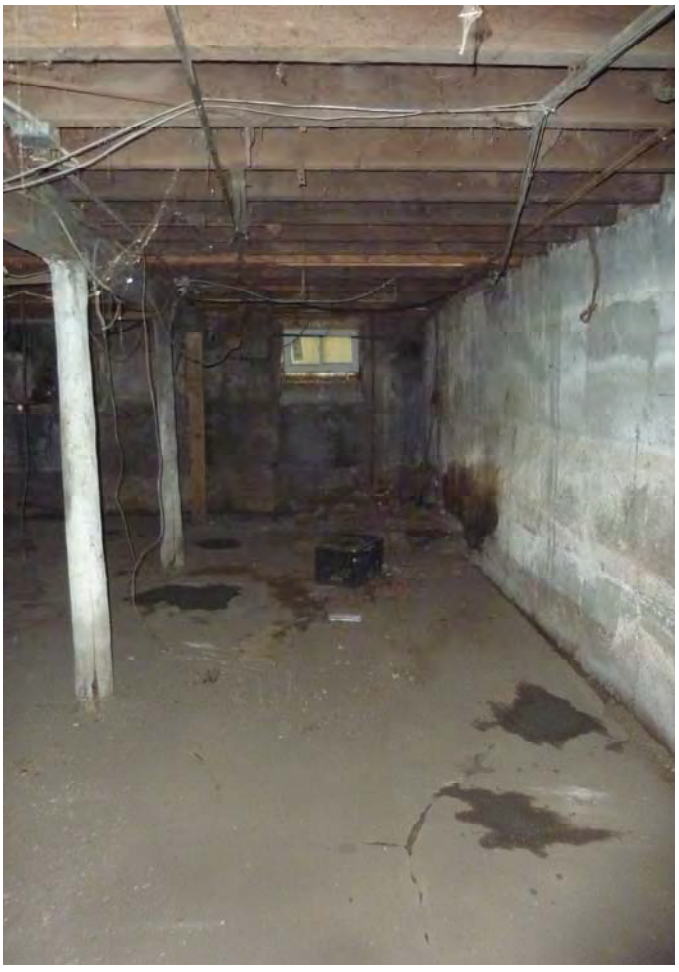
127-01 MERRICK BLVD.

127-03 MERRICK BLVD.

127-03 MERRICK BLVD.

127-03 MERRICK BLVD.

127-05 MERRICK BLVD.



127-05 MERRICK BLVD.

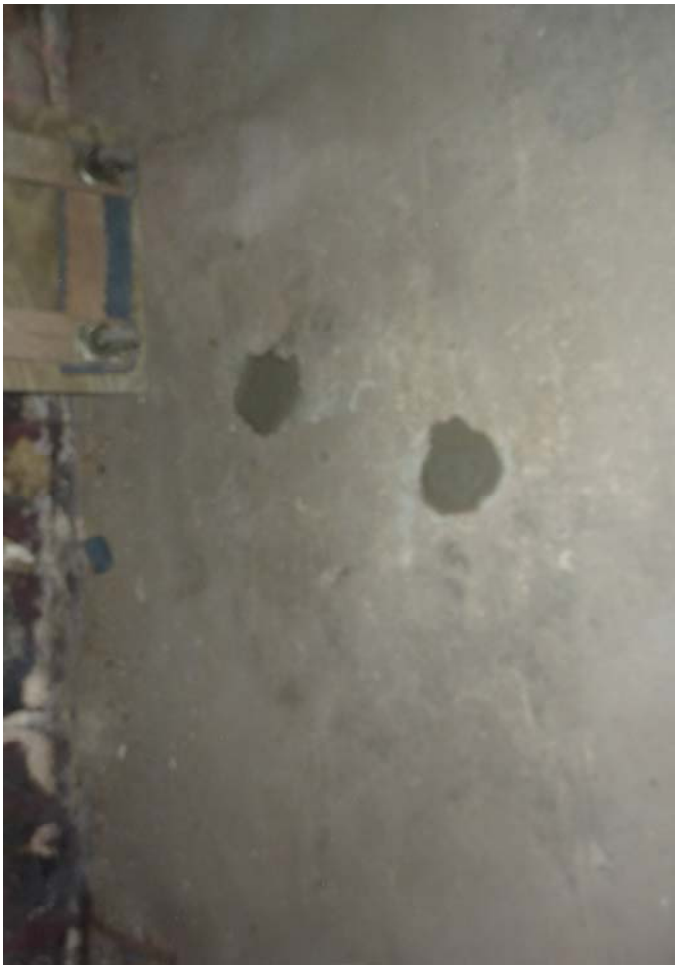
127-07 MERRICK BLVD.

127-07 MERRICK BLVD.

127-09 MERRICK BLVD.

127-11 MERRICK BLVD.

127-11 MERRICK BLVD.



127-11 MERRICK BLVD.

127-13 MERRICK BLVD.


Hydratant intense
Keri
Keri

Vapor monitoring point in rear western corner was filled and covered with concrete.

Groundwater monitoring well in center of basement corner was filled and covered with concrete.

127-15 MERRICK BLVD.

127-15 MERRICK BLVD.

127-15 MERRICK BLVD.

127-17 MERRICK BLVD.

127-17 MERRICK BLVD.

127-17 MERRICK BLVD.

127-17 MERRICK BLVD.

ATTACHMENT 2

PHOTOGRAPHS
OF MAGNAHELIC GAUGES
INSTALLED ON SEPTEMBER 29, 2016


KONG
127-09
Power Commercial
Real Estate
For Rent

ATTACHMENT 3

PHOTOGRAPHS
OF PRESSURE SWITCHES
INSTALLED ON SEPTEMBER 29, 2016